

WPA 20144 of 2024

**Amir Murmu
Vs.
The State of West Bengal & Ors.**

Mr. Billwadal Bhattacharyya
Mr. Moyukh Mukherjee
Mr. Anish Kumar Mukherjee
Mr. Sagnik Banerjee

... .. for the Petitioner

Mr. Suman Sengupta
Mr. Amrita Panja Moulick

... ..for the State

Affidavit of service filed by the petitioner is kept
with the record.

This application under Section 226 of the
Constitution of India is praying for a direction upon the
respondent authorities to permit the petitioner to hold
a meeting on 9th August, 2024 at a plot of Shri Sital
Hansda (east side of Jhilimili phari area) and under
Barikul Police Station, District-Bankura, West Bengal.

Learned counsel appearing for the petitioner
submits that the petitioner intends to organize a
cultural programme on the occasion of World
Indigenous People's Day on 09.08.2024 from 10.00a.m.
to 08.00 p.m. and has made a representation before
the Sub-Divisional Officer (SDO), Khatra Sub-Division
with a copy to the Inspector of Barikul police station
however, no steps have been taken by the said
respondent authorities till date.

Learned counsel appearing for the State files a report. Let the report be kept with the record. From the report it can be seen that according to the Inspector-in-Charge, Barikul Police Station, district Bankura, the application made by the petitioner does not contain several important details like names of the prominent District and State leaders of the political organization, who will attend the programme, number of persons who will be present there at the cultural function. Owing to such insufficiency in the application, the Inspector-in-Charge tried to contact the petitioner to clarify the grounds but after several attempts the petitioner could not be contacted.

Heard learned counsel for the parties.

World Indigenous People Day is an important aspect in the life of Scheduled Tribe community as it acknowledges indigenous rights, promoting international legal standards for cultural preservation, land ownership and self-determination, fostering global legal frame works ensuring equitable treatment and protection of indigenous communities. They celebrate such functions not only in Bengal but throughout the world. An application was made on 4th August, 2024 for conducting the cultural programme in a private property should not be restricted, rather should be encouraged by the police administration. However, as the cultural programme is to be held tomorrow and

only few hours are left for the commencement of such programme, despite the petitioner wishing its attendance to be more than 2500 people it should be restricted to only 1000 people in order to provide security by the Inspector of Police, Barikul Police Station regarding the same.

In view of the above considerations and in the interest of justice, this Court passes the following directions:

- i) Let the petitioner and his associates hold the cultural programme at the plot of Shri Sital Hansda (east side of Jhilimili phari area) on 9th August, 2024 to celebrate World Indigenous People's Day from 12 p.m. to 6.00 p.m. in the evening, despite the application by the organization to conduct the programme from 10.00 a.m. to 8.00 p.m.
- ii) The petitioner shall abide by all the conditions laid down by this Court for holding such cultural function.
- iii) The police authorities, namely Inspector of Police, Barikul Police Station shall make necessary arrangements for security with good number of personnel in order to ensure that no breach of peace takes place and the cultural programme can function peacefully.

- iv) The police arrangements should be made under the supervision and control of Superintendent of Police, Bankura.
- v) Demonstration shall be held subject to observance of rules in relation to noise pollution and without causing any inconvenience to the public at large.
- vi) The place of cultural programme shall be appropriately cleaned after the programme.

With the above directions, the writ petition being WPA 20144 of 2024 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajarshi Bharadwaj, J.)