

7<sup>th</sup> January 2022

To,

The Hon'ble Mr. Justice Natahulapati Venkata Ramana

The Hon'ble Chief Justice of India

Supreme Court of India

Bhagwan Das Road

New Delhi

**Subject: Letter Petition, highlighting the failure of the Central and State Governments to secure the Minority Communities in India, their Fundamental Right to life with dignity and safety guaranteed by Article 21 of the Constitution of India. It is inter-alia prayed that appropriate directions be issued to prevent the dehumanization of minorities by using pejoratives, likening them to animals and germs, spreading fake news by disseminating fearful stereotypes, inciting others to harass or boycott the targeted communities, and giving calls for genocide against minority communities and strictly prohibiting the auctions of human beings like animals. We further pray for issuance of appropriate directions to the Central and State Government to secure and ensure to members of the minority communities, an atmosphere within which they can enjoy their right to life with dignity and security.**

**Most Respectfully Showeth ;**

The undersigned Delhi High Court Women Lawyers Forum, is a forum consisting of about 150 women lawyers, for professional engagement of women lawyers, practicing at the Delhi High Court and the Trial Courts. We have been watching with grave concern the growing threats of violence and humiliation targeted towards the minority community, especially because there appears to be a deafening silence from the Central and State Governments to unambiguously deprecate the same and / or tardy to little too late action by the law enforcement machinery.

As the new year 2022 chimed in with promises of betterment in our personal lives as well as the society, a certain app launched on the first day of the year seemed to be almost an ominous prelude to an impending nightmare to Muslim women in India and all that the word 'Indian' stands for.

Like the previously illegal and derogatory app "Sulli Deals" which surfaced in July 2021, *(as reported on 12.07.2021 by Times of India)*, yet another app of the same kind namely 'Bulli Bai' has surfaced on the web *(as reported on 03.01.2022 by NDTV)*. Both equally shameful and derogatory towards their target - Muslim women in India. By way of both these Apps, the culprits have trolled and surveilled Muslim Women and illegally used their photographs to put them up for auction as maids. We believe that the "Bulli Deals" App happened because no one was punished for Sulli Deals. Although FIRs had been previously registered in the matter of Sulli Deals, no one was arrested and the investigation has been a non-starter, in the same.

The lack of action on the Sulli Deals case emboldened the culprits to use pictures of free thinking women who are considered independent with dissenting voices. with impunity . Included in the list is the spouse of a sitting Judge of a High Court ( exemplifying the sense of impunity that the culprits have that they are above the law ) .This amounts to a grave attack on the independence of the judiciary and may have a chilling effect on the ability of other Muslims to take up the position of being judges of the High Court and other courts. Already Muslims are disproportionately represented in the judiciary and this may make matters worse. Annexed herewith are articles, published in New York Times, Aljazeera and Quint, that aptly exposes the humiliation that the minorities in India are being subjected to with blatant impunity of law and social sanction (Annexed New York Times, BBC, Aljazeera & Quint Article) . These apps not only auction prominent Muslim women on a public platform, but are also attempts to sexualize and dehumanize the larger community.

More humiliating than the existence of the apps themselves, is the sheer audacity of some cowardly minds to attempt something like this, twice, publicly, encouraged by bigotry openly being expressed among the common public and lack of action by the police and the judiciary. These incidents are not only symbols of misogyny and communal enmity, but also show lack of respect and no sense of fear of the law among developers and users of such apps. Clearly it is felt by the perpetrators that there need be no shame, guilt or fear for their actions. The perverse, sexually coloured comments along with photos of the selected Muslim women is undoubtedly a sexual harassment as well aimed to demean and humiliate women and to make them feel insecure. It is also reflective of the mental

and emotional ill health of at least a section of the society, who obviously feel extreme insecurity, a crisis of masculinity. It also treats Muslim women as inanimate objects which can be bought and sold.

From the media it has been learnt that FIR u/s 153A, 153 (B), 295 A, 354 D, 509, 500 as well as Section 67 of the IT Act has been registered by the Mumbai Police. We welcome this and would like to see this being taken to its logical end and not to end up as mere tokenism. Considering the current environment in the country with increasing incidents of violence against individuals and institutions of minority communities perpetrated by anti-social and communal elements, it is obvious that the women named in the app could well be in grave personal danger.

Apps like Sulli Deals have created a sense of extreme insecurity among Muslim women in India, especially in the back drop of public calls of genocide of the Muslim community and have raised serious questions on the failure of the Indian law enforcement agencies, to ensure that the Fundamental Right to Life with Dignity as guaranteed by Article 21 of the Constitution of India is secured to all persons irrespective of their religion.

As lawyers, we are not only officers of the Court, but also guardians of the Constitutional Rights of people. Even though the app has been taken down, it was a serious violation of the right to life and liberty of the women portrayed. Even more importantly, it continues to pose a grave danger to the personal safety of the women, as it has already been seen by an unknown number of people. This is not just sexual harassment but a form of sexual violence, and offence under section 153B and stalking as well. Auctioning women online, from a particular community, not once but twice, is not only a criminal offence, but it also deprives people of their right to life with dignity. People are losing faith in the independence of investigative agencies and the lack of deprecation by the Government is worrisome. With the jurisprudence laid down by the Hon'ble Supreme Court in numerous judgments including *Vincent Panikurlangara v. Union of India AIR 1987 (2) SCC 165* and others, there is now a positive obligation upon the State to take steps for ensuring the individual a better enjoyment of her life with dignity. The events of the past few years have indicated that the State has failed in its obligation to secure the Fundamental Right to life with dignity towards the Minority Communities in India.

Hence, we appeal to the Hon'ble CJI and his companion Hon'ble Judges to treat our letter and the articles attached herein, as a letter petition, highlighting the failure of the law enforcement agencies Central and State Governments to secure to the Minority Communities in India, their Fundamental Right to life with Dignity and Safety guaranteed by Article 21 of the Constitution of India and to put in place preventive guidelines to ensure accountability of law enforcement agencies and for PREVENTIVE actions so that these incidents never occur again.

**It is inter - alia prayed that:**

1. appropriate directions be issued to DM/ SP of every district for preventing the vilification of minorities, spread of fake news about them and calls for genocide against Minority Communities;
2. We further pray for issuance of appropriate directions to the Central and State Government to secure and ensure to members of the Minority Community, an atmosphere within which they can enjoy their right to life with dignity and security.
3. strictly prohibiting the auctions of human beings like inanimate objects .
4. monitor the criminal investigation being conducted by Mumbai Police and ensure that the investigation is carried out into the Sulli Deals and Bulli Bai App incidences including investigation into the sources of funding and / or handlers of the persons who set up Sulli Bai & Bulli Bai App, money trail that financed the said App identifying the master minds behind the surveillance of Muslim women illegally auctioned vide the App
5. draw up the chargesheet with all relevant sections including, if needed Section 120 IPC;
6. Hon'ble Supreme Court may direct a time bound investigation.

## ANNEXURES

**A1:** Al Jazeera English: Bulli Bai: India's Muslim women again listed on app for 'auction' <https://www.aljazeera.com/news/2022/1/2/bulli-bai-muslim-women-auction-online-india>

**A2:** <https://www.bbc.com/news/world-asia-india-59856619.amp>

**A3:** <https://www.nytimes.com/2022/01/03/world/asia/india-auction-muslim-women.htm>

**A4:** <https://www.thequint.com/voices/opinion/sulli-deals-bulli-bai-daughter-writes-about-mother-auctioned#read-more>

Sincerely,

**Delhi High Court Women Lawyers Forum (DHCWLF)**

1. Miriam Fozia Rahman
2. Zeba Khair
3. Harshita Singhal
4. Jhum Jhum Sarkar
5. Malavika Rajkotia
6. Swaty S. Malik
7. Ritu Bhalla
8. Sumita Kapil
9. Anjali Sharma
10. Sunita Dutt
11. Naomi Chandra
12. Deeksha Dwivedi
13. Manali Singhal
14. Shweta Kapoor

15. Prabhsahay Kaur
16. Iram Majid
17. Radhika Roy
18. Anu Narula
19. Kajal Chandra
20. Nandita Rao
21. Padmapriya
22. Rohini Vijn
23. Amrita Sharma
24. Anusuya Sadhu Sinha
25. Haripriya Padmanabhan
26. Gayatri Virmani
27. Ruchi Singh
28. Renu Gupta
29. Mallika Agarwal
30. Nikita Agarwal
31. Sangeeta Bharti
32. Kirti Singh
33. Anubha Rastogi
34. Suruchi Suri
35. Pooja Saigal
36. Arundhati Katju
37. Sonam Mathur
38. Swathi Sukumar
39. Bani Dikshit

40. Geeta Luthra
41. Ragini Vinaik
42. Saumya Tandon
43. Radhika Kolluru
44. Medha Srivastava
45. Konica Gupta
46. Pooja Dodd
47. Mani Gupta
48. Warisha Farasat
49. Aishwarya Nabh
50. Meghna Sankhla
51. Kiran kalra
52. Anita Abraham
53. Beena Panday
54. Suruchi Jaiswal
55. Shahrukh Alam
56. Srilina Roy
57. Priya Kumar
58. Aakanksha Nehra
59. Neha
60. Smriti Sinha
61. Tarannum Cheema
62. Sanjoli Mehrotra
63. Shreya Singhal
64. Sonia Madan

65. Vrinda Bhandari
66. Sonal Sarda
67. Shivani Luthra Lohiya
68. Abha Thapalyal Gandhi
69. Mahjabeen Shamim
70. Shaheen Parvin
71. Mrinalini Sen Gupta
72. Sadaf Rehman
73. Mona Tomar
74. Hina Tanvir
- 75 Maimoona Fatima
76. Zobia Rehman Khan
77. Aafreen