

## **FACTUAL REPORT**

### **DELHI POLICE DETAINS NLU-D STUDENT AND SAFAI KARAMCHARI FOR PEACEFULLY ASSEMBLING AT THE UNIVERSITY GATES FOR ENFORCEMENT OF LABOUR MINISTER'S WRITTEN ORDER**

**9:15 AM:** Wrongfully removed *Safai Karamcharis* along with Ekta Tomar, one of the students of NLUD (with NLUD Workers-Students Solidarity) assembled outside the Main Gate of National Law University-Delhi, each carrying a copy of Written Order.

They found guards (including Lady Guard) posted at the Main Gate latching it with chains in apprehension of a protest. Sher Singh, on-duty guard asked the *Karamcharis* to immediately disperse citing that the Written Order had reached the Chancellor of NLU-D and therefore, it was pointless to urge the Administration (Registrar/Asst. Reg) to have a conversation. He emphatically said that he wouldn't help in calling anyone from the Administration.

Nobody turned up from the Administration after waiting for about one hour. Police Officials arrived. They initially supported the stance of the *Karamcharis* and the students and said that the University should be implementing the Order. They asked Ekta to deposit a copy of the Order at all the three Police Stations. Thus, they were overall co-operative and permitted the workers to assemble while maintaining social distancing.

After about half an hour, Anuj Yadav (Sub Inspector of PS Dwarka North, Sector 17) came. It is important to note that he came in civil dress. *He has also come on previous occasions in the past 6 months when the Karamcharis and students had peacefully protested in front of the Main Gate, and has always taken a stand in favour of the administration.* The moment he came, he started intimidating the peacefully assembled sanitation workers, who were simply there to gain back their rightful employment, by saying that he would book them under stringent provisions such as Section 144 of the Criminal Procedure Code and Section 188 of the Indian Penal Code. He was infuriated, did not attempt to understand the version of workers and started alleging that they had come for protesting against the University.

He then started dealing roughly with the *Karamcharis* verbally, creating fear in them about being charged under sections of IPC and Epidemic Disease Act, thereby compelling them to disperse. Post this, all the workers got divided into 4 groups with about 4-5 workers in each group at all the four gates of NLU in order to avoid an assembly of more than 5 people at one place.

Ekta asked him if she and a worker could be allowed inside the University premises for having a word with the Administration to which the Police Officer agreed. When the Administration reverted to the Guards and the Police stating that they won't meet, the Police backtracked from its earlier stance of allowing Ekta to go inside.

The Police were continuously exerting mental pressure on the workers and delegitimizing their concern by saying that they were blocking the gates. Despite there being an assembly of less than 5 people at each of the gates with proper social distancing with a written order in hand, the Police continued to deal roughly with the workers to throw them away off the NLU site.

**10:15 AM:** Ekta mentioned to the Officers that they were not protesting but were only there to get the order enforced, but to no avail. When one of the workers started recording the video of the incident, the Police official forcefully took Neetu Singh Yadav (Workers' Representative) in custody shouting ***“isko andar daalo sabse pehle, section 188 lagao iske upar”*** and subsequently, Ekta (NLUD Student) was taken into custody for allegedly 'instigating workers to protest'. Police threatened to book them under Section 188 IPC and Section 144, CrPC. As they were recording their ordeal, their phones were taken away and they were asked to submit them at the main gate of the Police Station.

At the Police Station, Police Officials namely, Anuj Yadav and Mahavir Singh made a mockery of the Written Order and of the struggle. Ekta and Neetu were told by the officials that **the Written Order was illegal and ambiguous. That the Labour Minister's Order had no value. The University's Executive Council, Governing Council and the Chancellor were the ones who had the decision-making power.** Despite having no background of the issue, they were passing judgments on what the workers and students involved in the struggle ought to do. They said, ***“Students ko apne career ke baare mein sochna chahiye ye sab kaam karne se pehle”***. Thus, in short, he hinted that the workers give up on the struggle and the students

stop supporting them in their endeavours with veiled threats that they could be risking their future.

**11:15 AM:** Finally, with the intervention of contacts with a body of lawyers, friends and activists, Ekta and Neetu were released with a warning that they would be booked by way of an FIR under Section 188 and 144 if they were found in the vicinity of the University.

*NLUD Workers-Students Solidarity*