

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

((Petition under Article 32 of the Constitution of India read with
Under Order XXXVIII of the Supreme Court Rules 2013)

WRIT PETITION (CIVIL)-PIL NO. of 2020

IN THE MATTER OF:

Shishir Chaturvedi & Anr.

...Petitioners

-Versus-

Union of India & Ors.

...Respondents

PAPER BOOK

ADVOCATE FOR THE PETITIONERS:

INDEX

<u>Sl. No.</u>	<u>Particulars of documents</u>	<u>Page No. of part to which it belongs</u>		<u>Remarks</u>
		Part I (Contents of Paper book)	Part II (Contents of file alone)	
(i)	(ii)	(iii)	(iv)	(v)
1.	Court fees			
2.	Listing Performa		A1-A2	
3.	Cover Page of Paper Book			
4.	Index of Record Proceedings		i	
5.	Defect List			
6.	Note Sheet			
7.	Synopsis & List of Dates	B-		
8.	Writ Petition with Affidavit			
9.	<u>Appendix:</u> Article 25 of the Constitution of India.			
10.	<u>ANNEXURE P-1:</u> True Copy of Aadhar of Petitioner No.1			
11.	<u>ANNEXURE P-2:</u> True Copy of Aadhar of Petitioner No.2			
12.	<u>ANNEXURE P-3:</u> AFFIDAVIT Under Order XXXVIII Rule 12 (2)(ii) of Supreme Court Rules 2013			
13.	<u>ANNEXURE P-4:</u> A true copy of trust deed dated 5.02.2020 Executed by Central Government			

14.	<u>ANNEXURE P-5:</u> A true copy of Notification vide G.O. No. 61 GI/6-Sanipra-2020-200(14)/2019 TC dated 05.02.2020 published in Extra Ordinary Gazette of India			
15.	<u>ANNEXURE P-6:</u> A true copy of press release dated 29.7.2020 issued by Chairman of U.P.Sunni Waqf Board			
16.	Valaktnama		I-V	

SYNOPSIS

The Petitioners are citizens of India and are invoking the jurisdiction of this Hon'ble Court in Public Interest under Article 32 of the Constitution of India for issuance of direction to the Central Government to create a trust consisting of nominees of the Central and State Government belonging to Sunni Muslim Community for proper administration of the land and construction to be raised over 5 acres land allotted to U.P.Sunni Central Waqf Board in pursuance of judgment and order dated 9.11.2019 in famous Ayodhya dispute case, in Suit No.4 of 1989 filed by U.P.Sunni Central Waqf Board connected with leading Civil Appeal No.10866-67 of 2010 (Mohd. Siddiqe vs. Mahant Suresh Das) reported in 2020 (1) SCC Pg.1.

It is submitted that the Hon'ble Court while deciding the appeal against judgment rendered by Hon'ble Allahabad High Court arising out of O.O.S. No.1,3,4 and 5 of 1989 was pleased to decree prayer clause (a) and (b) of Suit No.5 of 1989 filed by deity (Bhagwan Shri Ram Lala Virajman & Ors. vs. Rajendra Singh & Ors.). The directions contained in paragraph 1243 (2)(i) of the judgment is reproduced below:-

- (i) "The Central Government shall, within a period of three months from the date of this judgment, formulate a scheme pursuant to the powers vested in it under Section 6 and 7 of the Acquisition of Certain Area at Ayodhya of Trustees or any other appropriate body under Section 6. The scheme to be framed by the Central Government shall make necessary provisions in regard to the functioning of the trust or body including on matters relating to the management of the trust, the powers of the trustees including the construction of a temple and all necessary, incidental and supplemental matters."

The Hon'ble Court exercising the powers under Article 142 of the Constitution directed to allot 5 acres land to Sunni Central Waqf Board (Suit No.4). In this regard directions contained in paragraph 1243(3) of the judgment is reproduced below:-

“3(i) Simultaneously, with handing over of the disputed property to the trust or body under clause 2 above, a suitable plot of land admeasuring 5 ac shall be handed over to the Sunni Central Waqf Board, the Plaintiff in Suit No.4.

(iii) The Sunni Central Waqf Board would be at liberty, on the allotment of the land to take all necessary allotted together with other associated facilities.

(iv) Suit No.4 shall stand decreed in terms of the above directions.

(v) The directions for allotment of land to Sunni Central Waqf Board in Suit No.4 are issued in pursuance of the powers vested in this Court under Article 142 of the Constitution”.

In pursuance of order passed by this Hon'ble Court the Central Government has created a trust known as ‘Shri Ramjanmabhoomi Teerth Kshetra’ and trust deed was executed on 5.2.2020 and thereafter the disputed land and the acquired land has been handed over to the trust.

The State Government in compliance of the judgment has allotted 5 acre land to the U.P.Sunni Central Waqf Board. The Sunni Waqf Board on 29.7.2020 has declared for creating a trust under the title of ‘Indo Islamic Cultural Foundation’, (hereinafter referred to as ‘Islamic Trust’) which proposes to build a mosque, cultural and research centre and public utility facilities that will include a community kitchen, a hospital and a library within 5 acres land allotted to it. There is no provision for nominating any

officer of the Government like the trust created by Central Government.

It is expected that hundreds of persons will visit at the site of 'Islamic Trust' and it will get contributions from within India and also from foreign countries.

It is the desire of every Indian that there should be peace and tranquillity in Ayodhya and that there should be proper management of the funds and the property vested in the Islamic trust.

It is in public interest that the Central Government and the State Government may have all relevant information about the working of the trust to maintain public order and to ensure that no malpractices take place and the funds are not mis-utilised or misappropriated by any trust.

In these circumstances it is necessary that the Central Government may be directed to create a trust making provision for nomination of the officers of the Government in the same manner provision has been made in Ayodhya Teerth Kshetra Trust created by Central Government vide order dated 5.2.2020.

LIST OF DATES

9.11.2019 The Hon'ble Court rendered the judgment in Ayodhya dispute case, leading case being Civil Appeal No.10866-67 of 2010 connected with other civil appeals including Civil Appeal No.821 of 2011 filed by Sunni Central Waqf Board.

12.12.2019 The Hon'ble Court was pleased to reject all the Review Petitions filed against the judgment dated 9.11.2019.

- 5.02.2020 The judgment dated 9.11.2019 passed by this Hon'ble Court was implemented. The Central Government created a trust known as 'Shree Ramjanmbhoomi Teerth Kshetra Trust'. At the same time 5 acres land was also allotted to U.P. Sunni Central Waqf Board in Ayodhya.
- 29.7.2020 The U.P.Sunni Central Waqf Board declared to create of 'Indo Islamic Cultural Foundation' consisting of 15 trustees but making no provision for nomination of any Officer of the Government in the Trust.
- 05.08.2020 Bhoomi Pujan for construction of Shri Ram Temple has been performed.
- It is expected that the Islamic Trust will also start construction activities in the near future. It has come to the knowledge that contributions from foreign countries are being given to the Islamic Trust.
- There is necessity that like the trust created by Central Government there should also be representation of officers of the Government belonging to Sunni Muslim Community in the Islamic Trust.
- 13.08.2020 Hence the present Writ Petition.

((Petition under Article 32 of the Constitution of India read with
Under Order XXXVIII of the Supreme Court Rules 2013))

WRIT PETITION (CIVIL)-PIL NO. of 2020

IN THE MATTER OF:

1. Shishir Chaturvedi
S/o. Late Jugal Kishore Chaturvedi
R/o.215/460 Ichha Bawan,
Sabji Madi, Charbagh
Lucknow,
Uttar Pradesh-226001
2. Karunesh Kumar Shukla
S/o Sri Ram Narayan Shukla
R/o Village-Pakri Bhikhi
Post-Belhra, Pakri Bhikhi,
District- Basti
Uttar Pradesh-272182.

-Versus-

1. Union of India
Through its Secretary,
Ministry of Home Affairs,
North Block,
New Delhi-110 001.
2. State of Uttar Pradesh
Through Principal Secretary Home,
Civil Secretariat, Lucknow,
Uttar Pradesh-226001.
3. U.P.Sunni Central Waqf Board
Through Chairman,
3-A Mall Avenue,
Lucknow-226001,
Uttar Pradesh.

PUBLIC INTEREST LITIGATION UNDER ARTICLE 32
OF THE CONSTITUTION OF INDIA

TO,
 THE HON'BLE THE CHIEF JUSTICE OF INDIA AND
 OTHER COMPANION JUSTICES OF THE HON'BLE
 SUPREME COURT OF INDIA;

HUMBLE PETITION OF THE
 PETITIONER ABOVENAMED;

MOST RESPECTFULLY SHEWETH;

1. That the Petitioners, citizens of India, are invoking the jurisdiction of this Hon'ble Court in Public Interest under Article 32 of the Constitution of India for issuance of direction to the Central Government to create a trust consisting of nominees of the Government belonging to Sunni Muslim Community for proper administration of the land and construction to be raised over 5 acres land allotted to U.P.Sunni Central Waqf Board in pursuance of judgment and order dated 9.11.2019 in famous Ayodhya dispute case, in Suit No.4 of 1989 filed by U.P.Sunni Central Waqf Board connected with leading Civil Appeal No.10866-67 of 2010 (Mohd. Siddiqe vs. Mahant Suresh Das) reported in 2020 (1) SCC Pg.1.

1.A That in compliance of Order XXXVIII Rule 12 (2) it is stated that necessary particulars of the Petitioners are as follows:-

(i)(a) The Petitioner No.1 is Shishir Chaturvedi, S/o Late Jugal Kishore Chaturvedi, Postal Address- 215/460 Ichha Bawan, Sabji Madi, Charbagh Lucknow, Uttar Pradesh- 226001, Occupation:-Advocate, Annual Income is- 7 Lacks, PAN No. AEBPC6672F, Aadhar No. 8763 5288 1810, Email id- shishir.adv@gmail.com, Mobile No.- 08542839052. The Petitioner No.1 is practicing Advocate

at Civil Court Lucknow. He was paiokar, holding power of attorney of the Appellant-Kamlesh Tiwari in Civil Appeal No.4739 of 2011. He has filed Writ Petition (c) No.151 of 2019 challenging the Constitutional validity of 'The Acquisition of Certain Area at Ayodhya Act,1993', which has lost its efficacy after the judgment passed in Ayodhya case by the Hon'ble Court. In proof of Identity copy of Aadhar Card is annexed hereto and marked as **ANNEXURE P-1**.(pages to)

The Petitioner No.2 is Karunesh Kumar Shukla, S/o Sri Ram Narayan Shukla, R/o Village-Pakri Bhikhi, Post-Belhra, Pakri Bhikhi, District- Basti Uttar Pradesh-272182, Occupation- Petitioner is a Naga Sadhu of Hanuman Garhi. For protection of Dharma Petitioner became an Advocate and joined the legal battle of Shri Ram Janmabhoomi case. The Petitioner is also practising Advocate, Supreme Court of India, Annual Income is- 2.5 Lacks, PAN No. DUUPS 8112 J, Aadhar No.5231 61134226, Email id- advkaruneshshukla@gmail.com, Mobile No.-09044933422. He is member of Supreme Court Bar Association. He was junior counsel for Mahant Dharam Das the Respondent No.11 in leading appeal.

In proof of Identity copy of Aadhar Card is annexed hereto and marked as **ANNEXURE P-2**(pages to)

(b):- Facts constituting the cause of Action:-

That as per the press release dated 29.7.2020 issued by U.P. Sunni Central Waqf Board, the Board has declared to constitute a trust titled as 'Indo Islamic Cultural Foundation' which proposes to build a mosque and other facilities for the benefit of general

public at Dhannipur village, District Ayodhya where 5 acre land is allotted to U.P.Sunni Central Waqf Board. In the said trust there is no declaration for nominating officers of the Government like the trust created by Central Government on 5.2.2020 for Plaintiff No.1 in Suit No.5. It is being felt among various residents of Ayodhya that in public interest there should be some representation of Central and State Government nominees in the Trust created by U.P. Sunni Central Waqf Board. The trust will have contributions from foreign countries also and Ayodhya being sensitive place will require a strict vigilante and supervision to maintain public peace and to control the misuse of funds of the trust. In these circumstances this petition being filed in larger public interest.

- (d) The Petitioners have no personal interest in the matter. They have interest in the matter as citizen of India and residence of Ayodhya and Lucknow respectively. The Petitioners are raising the voice of the residents of Ayodhya as the Petitioners feels that representation of the Government in the trust created by U.P.Sunni Central Waqf Board is important.
- (e) The Petitioners are not involved in any civil, criminal, or revenue litigation which could have a legal nexus with the issues involved in the present Public Litigation.
- (f) That the Petitioners have not filed any representation before the Central Government.

- (ii) The Petitioners have no personal gain in the present litigation. They have no private motive or oblique reason in filing the present Public Interest Litigation. An affidavit is being filed to this effect and same is annexed hereto and marked as **ANNEXURE P-3** (page to)

2. **Brief of facts are as follows:-**

- 2.1 It is submitted that on 9.11.2019 this Hon'ble Court rendered the judgment in Ayodhya dispute case, leading case being Civil Appeal No.10866-67 of 2010 connected with other civil appeals including Civil Appeal No.821 of 2011 filed by Sunni Central Waqf Board.
- 2.2 It is submitted that on 12.12.2019 this Hon'ble Court was pleased to reject all the Review Petitions filed against the judgment dated 9.11.2019.
- 2.3 It is submitted that in pursuance of the directions issued by this Hon'ble Court the Central Government created a trust on 5.02.2020 known as "Sri Ram Janambhoomi Teerth Kshetra" and trust deed was executed with registration No.76 registered in the office of Sub-Registrar-VII, New Delhi in Book No.4, Volume No.1683 whereby framing scheme for administration including the matter relating to the trust properties and funds and the strength of the members of the trust was created. The trust deed provides that there will be one representative each nominated by the Central Government and the State Government and District Collector, District Ayodhya will be ex-officio trustee. It further provides that only trustees No.1 to 10 and trustee representing Nirmohi Akhara shall have right to vote. Therefore, the representatives of the Central and

State Government, the District Collector and Chairman of the Committee for development and administration (trustees No.12 to 15) have no right to vote. A true copy of trust deed dated 5.02.2020 Executed by Central Government is annexed hereto and marked as **ANNEXURE P-4** (page _____ to _____).

At the same time 5 acres land was also allotted to U.P. Sunni Central Waqf Board in Ayodhya.

- 2.4 It is submitted that vide notification No.S.O.568 (E) dated 05.02.2020 it has been provided that possession of the inner and outer courtyard of the disputed site shall be handed over to the trust, namely “Sri Ram Janambhoomi Teerth Kshetra”. The Central Government after consultation with the State Government of Uttar Pradesh decided to effectuate the allotment of suitable land ad measuring 5 Acres to U.P. Sunni Central Waqf Board at a prominent place in Ayodhya. The allotment letter to U.P. Sunni Central Waqf Board was issued by the Government of Uttar Pradesh vide G.O. No. 61 GI/6-Sanipra-2020-200(14)/2019 TC, dated 5th February, 2020. A true copy of Notification vide G.O. No. 61 GI/6-Sanipra-2020-200(14)/2019 TC dated 05.02.2020 published in Extra Ordinary Gazette of India is annexed hereto and marked as **ANNEXURE P-5**(page to).

- 2.5 It is submitted that in “Sri Ram Janambhoomi Teerth Kshetra Trust” the Central Government has provided that there will be total 15 members out of which 9 permanent and 6 nominated members in the Trust. According to scheme there will be one nominee of the Central Government, one nominee of the Uttar Pradesh and

District Magistrate Ayodhya Ex-officio member in the Trust.

- 2.6 It is submitted that U.P. Sunni Central Waqf Board has issued press release on 29.07.2020 declaring that it has constituted a trust namely 'Indo Islamic Cultural Foundation' which proposes to build a mosque, cultural and research centre and public utility facilities that will include a community kitchen, a hospital and library within 5 Acres land allotted by the State Government in compliance of judgment passed by this Hon'ble Court. A true copy of press release dated 29.7.2020 issued by Chairman of U.P.Sunni Waqf Board is annexed hereto and marked as **ANNEXURE P-6**(page
- 2.7 It is submitted that on 7.8.2020 the U.P.Sunni Central Waqf Board in a press release has further declared that:-

“U.P. Sunni Central Waqf Board has constituted a Trust called Indo-Islamic Cultural Foundation which proposes to build a mosque, a cultural and research centre and public utility facilities that will include a community kitchen, a hospital and library at Dhannipur village, District Ayodhya place where 5 acre of land given to U.P. Sunni Central Waqf Board as per Hon'ble Supreme Court judgment is situated....”
- 2.8 That the Central Government keeping in view the sensitivity prevailing in Ayodhya must have a reasonable control over the working of both the Trusts “Sri Ram Janambhoomi Teerth Kshetra Trust” and ‘Indo Islamic Cultural Foundation Trust’.
- 2.9 It is submitted that the Central Government while establishing “Sri Ram Janambhoomi Teerth Kshetra Trust” has provided that there will be one nominee of the Central Government and State Government each and District

magistrate will be Ex-officio member. The representation of 3 members of the Government out of 15 members of the trust is sufficient to have proper control on the functioning of the Trust.

2.10 It is submitted that Article 25 (2) (a) of the Constitution provides that-

‘Nothing in this Article shall affect the operation of any existing of law or prevent the State from making any law-

(a) regulating or restricting any economic , financial, political or other secular activity which may be associated with religious practice.’

2.11 It is respectfully submitted that it is expected that ‘Indo Islamic Cultural Foundation Trust’ will get donations from various places including Foreign Countries and a numbers of persons may visit the said place at Ayodhya. It is the duty of the Government to control any malpractice and to ensure that money received by the trust is not misused.

2.12 It is submitted that every activity in Ayodhya may have some connection with peace, tranquillity, law and order situation concerning the integrity of India and therefore it is necessary in public interest and also in National interest to have an eye on the functioning of both the Trusts established in the pursuance of the judgment passed by this Hon’ble Court.

2.13 It is submitted that keeping in view the importance of Ayodhya and circumstances prevailing there and situations which may arise in future, the Petitioners as citizen of India feel duty bound to this writ petition before the Hon’ble Court.

- 2.14 It is submitted that on 05.08.2020 Bhoomi Pujan for construction of Shri Ram Temple has been performed.
- 2.15 It is submitted that no provision has been made for nominating officers of the Government, like the trust created by Central Government on 5.2.2020 for Plaintiff No.1 in Suit No.5, in Indo Islamic Foundation Trust. It is being felt among various residents of Ayodhya that in public interest there should be some representation of Central and State Government nominees in the Trust created by U.P. Sunni Central Waqf Board. The trust will have contributions from foreign countries also and Ayodhya being sensitive place will require a strict vigilante and supervision to maintain public peace and to control the misuse of funds of the trust. In these circumstances this petition being filed in larger public interest.
- 2.16 It is expected that the Islamic Trust will also start construction activities in the near future. It has come to the knowledge that contributions from foreign countries are being given to the Islamic Trust.

There is necessity that like the trust created by Central Government there should also be representation of officers of the Government belonging to Sunni Muslim Community in the Islamic Trust.

3. QUESTIONS OF LAW:

The following substantial questions of law arise for consideration of this Hon'ble court

- 3.1 Whether the State in exercise of powers under Article 25(2)(a) can make provision for nomination of officers of

the Government in Indo Islamic Cultural Foundation Trust?

- 3.2 Whether in pursuance of judgment dated 9.11.2019 reported in 2020(1) SCC Pg.1 there is necessity for making some provision for representation of nominee of the Central/State Government in Indo Islamic Cultural Foundation Trust?
- 3.3 Whether in Indo Islamic Cultural Foundation Trust at Ayodhya there should be nominees of Central/State Government in the Trust like “Shree Ram Janmbhoomi Teerth Kshetra” created by Central Government on 5.02.2020?

4. DECLARATION:

It is most respectfully submitted that the Petitioners further declare that they have not filed any other petition before any court or in this Hon’ble Court in respect of the subject matter of this petition.

5:- GROUND:

The writ petition is being preferred on the following grounds:

- 5.1 Because it is expected that hundreds of persons will visit at the site of ‘Islamic Trust’ and it will get contributions from within India and also from foreign countries.
- 5.2 Because it is the desire of every Indian that there should be peace and tranquillity in Ayodhya and that there should be proper management of the funds and the property vested in the Islamic trust.
- 5.3 Because in public interest that the Central Government and the State Government may have all relevant information

about the working of the trust to maintain public order and to ensure that no malpractices take place and the funds are not mis-utilised or misappropriated by any trust.

- 5.4 Because in these circumstances it is necessary that the Central Government may be directed to create a trust making provision for nomination of the officers of the Government in the same manner provision has been made in Ayodhya Teerth Kshetra Trust created by Central Government vide order dated 5.2.2020.
- 5.5 Because the Central Government keeping in view the sensitivity prevailing in Ayodhya must have a reasonable control over the working of both the Trusts “Sri Ram Janambhoomi Teerth Kshetra Trust” and ‘Indo Islamic Cultural Foundation Trust’.
- 5.6 Because the Central Government while establishing “Sri Ram Janambhoomi Teerth Kshetra Trust” has provided that there will be one nominee of the Central Government and State Government each and District magistrate will be Ex-officio member. The representation of 3 members of the Government out of 15 members of the trust is sufficient to have proper control on the functioning of the Trust.
- 5.7 Because it is expected that ‘Indo Islamic Cultural Foundation Trust’ will get donations from various places including Foreign Countries and a numbers of persons may visit the said place at Ayodhya. It is the duty of the Government to control any malpractice and to ensure that money received by the trust is not misused.

- 5.8 Because every activity in Ayodhya may have some connection with peace, tranquillity, law and order situation concerning the integrity of India and therefore it is necessary in public interest and also in National interest to have an eye on the functioning of both the Trusts established in the pursuance of the judgment passed by this Hon'ble Court.
- 5.9 It is submitted that keeping in view the importance of Ayodhya and circumstances prevailing there and situations which may arise in future, the applicants feel duty bound to file this writ petition.
- 5.10 Because no provision has been made for nominating officers of the Government, like the trust created by Central Government on 5.2.2020 for Plaintiff No.1 in Suit No.5, in Indo Islamic Foundation Trust.
- 5.11 Because it is being felt among various residents of Ayodhya that in public interest there should be some representation of Central and State Government nominees in the Trust created by U.P. Sunni Central Waqf Board. The trust will have contributions from foreign countries also and Ayodhya being sensitive place will require a strict vigilante and supervision to maintain public peace and to control the misuse of funds of the trust. In these circumstances this petition being filed in larger public interest.
- 5.12 Because it is expected that the Islamic Trust will also start construction activities in the near future. It has come to the knowledge that contributions from foreign countries are being given to the Islamic Trust.

- 5.13 Because there is necessity that like the trust created by Central Government there should also be representation of officers of the Government belonging to Sunni Muslim Community in the Islamic Trust.
- 5.14 Because the State in exercise of powers under Article 25(2)(a) can make provision for nomination of officers of the Government in Indo Islamic Cultural Foundation Trust.
- 5.15 Because in pursuance of judgment dated 9.11.2019 reported in 2020(1) SCC Pg.1 there is necessity for making some provision for representation of nominee of the Central/State Government in Indo Islamic Cultural Foundation Trust.
- 5.16 Because in Indo Islamic Cultural Foundation Trust at Ayodhya there should be nominees of Central/State Government in the Trust like “Shree Ram Janmbhoomi Teerth Kshetra” created by Central Government on 5.02.2020.

PRAYERS

The Petitioner therefore, most humbly prays that this Hon’ble court may be pleased to:-

- a) Issue a writ order or direction in the nature of mandamus directing the Central Government to create a Trust making provision for representation of the nominees of the Central and State Government belonging to Sunni Muslims in the Indo Islamic Cultural Foundation Trust which may carryout construction work and manage the affairs over 5 Acres land allotted in Dhannipur Village, District Ayodhya, U.P. to Sunni Central Waqf Board in pursuance of judgment and order dated 9.11.2019 passed by the Hon’ble Court; and/or

- b) Pass any other and further order and/or directions be given
as in the nature and circumstances of the case may require;

AND FOR THIS ACT OF KINDNESS, THE PETITIONERS
SHALL AS IN DUTY BOUND EVER PRAY.

Drawn By

FILED BY

HARI SHANKAR JAIN
Advocate

Counsel for the Petitioners

Drawn on: 11th August.2020
PLACE: NEW DELHI;
FILED ON: 13th August 2020

IN THE SUPREME COURT OF INDIA
[CIVIL ORIGINAL JURISDICTION]
WRIT PETITION CIVIL-PIL NO. of 2020

IN THE MATTER OF :

Shishir Chaturvedi & Anr. ...Petitioners

- Versus -

Union of India & Ors. ...Respondents

AFFIDAVIT

I, Karunesh Kumar Shukla, S/o Sri Ram Narayan Shukla, aged about 29 years, Occ: Advocate, R/o Village-Pakri Bhikhi, Post-Belhra, Pakri Bhikhi, District-Basti Uttar Pradesh-272182, present address:-803, Green Wich-A, Grant Omaxe, Sector 93-B, Noida, U.P.-201304, presently at New Delhi, do hereby solemnly affirm and state as under:

1. That I am the Petitioner No.2 in the above mentioned application. I have been authorized by Petitioner No.1 to file this affidavit on his behalf also. I am competent to file this affidavit. I am fully conversant with the facts and circumstances of the case herein after deposed.
2. I say that the contents of Synopsis & List of Dates at pages B to F and contents of Writ Petition as contained at para 1 to 5 at pages 1 to are true to my knowledge and information derived from the record of the case and questions of law raised in the petition, grounds and para 1 of the Writ Petition are true as per the legal advice received and believe by me are true and correct.

3. That the contents of averments made in the writ petition are true and correct to the best of my knowledge. I say that the Annexure P-1 to P-6 contained in pages to produced alongwith the Writ Petition are true and correct.

4. That the averments of facts stated herein above are true to my knowledge and belief, no part of its false and nothing material has been concealed therefrom.

DEPONENT

VERIFICATION:

I, the above deponent hereinabove do hereby verify the contents of para 1 to 4 of this affidavit to be true and correct to the best of my knowledge and belief. I state that no part of this affidavit is false and nothing material has been concealed therefrom.

Verified at New Delhi on this day of 13th, August, 2020.

DEPONENT

APPENDIX-I**PROVISIONS FROM THE CONSTITUTION OF INDIA****Article 25: Freedom of conscience and free profession, practice and propagation of religion.**

(1) Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion.

(2) Nothing in this article shall affect the operation of any existing law or prevent the State from making any law—

(a) Regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice;

(b) Providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus.

Explanation I.—The wearing and carrying of kirpans shall be deemed to be included in the profession of the Sikh religion.

Explanation II.—In sub-clause (b) of clause (2), the reference to Hindus shall be construed as including a reference to persons professing the Sikh, Jaina or Buddhist religion, and the reference to Hindu religious institutions shall be construed accordingly.

ANNEXURE P-1


भारत सरकार
GOVERNMENT OF INDIA



शिशिर चतुर्वेदी
Shishir Chaturvedi
जन्म तिथि/ DOB: 12/12/1974
पुरुष / MALE



8763 5288 1810

आधार - आम आदमी का अधिकार



भारतीय विशिष्ट पहचान प्राधिकरण
UNIQUE IDENTIFICATION AUTHORITY OF INDIA

पता: Address:
S/O: J.K.Chaturvedi, 215/460,
ICHHA BHAWAN SABJI MANDI
CHARBAGH, Rajendra Nagar,
Lucknow,
Uttar Pradesh - 226004

संबोधित: जे.के. चतुर्वेदी,
215/460, इच्छा भवन
सबजी मंडी चरबाग, राजेन्द्र
नगर, लखनऊ,
उत्तर प्रदेश - 226004

8763 5288 1810

1947
1800 300 1947

help@uidai.gov.in

www.uidai.gov.in

P.O. Box No. 1947,
Bengaluru-560 001

ANNEXURE P-2



A photograph of a man with short dark hair, wearing a light-colored shirt, is positioned on the left side of the card. To the right of the photo, the text reads: 'भारत सरकार' (Government of India) in Hindi, followed by 'GOVERNMENT OF INDIA' in English. Below this, the name 'करुणेश कुमार शुक्ल' (Karunesh Kumar Shukla) is written in Hindi, followed by 'Karunesh Kumar Shukla' in English. The date of birth is given as 'जन्म तिथि/ DOB: 04/08/1991' and the gender as 'पुरुष / MALE'. A QR code is located on the right side. At the bottom, the Aadhaar number '5231 6113 4226' is displayed, followed by the slogan 'मेरा आधार, मेरी पहचान' (My Aadhaar, My Identity) in Hindi.

भारत सरकार
GOVERNMENT OF INDIA

करुणेश कुमार शुक्ल
Karunesh Kumar Shukla
जन्म तिथि/ DOB: 04/08/1991
पुरुष / MALE

5231 6113 4226

मेरा आधार, मेरी पहचान



The card features the Aadhaar logo on the left. The title 'भारतीय विशिष्ट पहचान प्राधिकरण' (Unique Identification Authority of India) is written in Hindi, with 'UNIQUE IDENTIFICATION AUTHORITY OF INDIA' in English below it. The address is provided in both Hindi and English. The Hindi text reads: 'पता: S/O राम नारायण शुक्ल, गांव-पकरी भीखी, पोस्ट-बेलहरा, पकरी भिखी, बस्ती, उत्तर प्रदेश - 272182'. The English text reads: 'Address: S/O Ram Narayan Shukla, village-pakri bhikhi, post-belhra, Pakari Bhikhi, Basti, Uttar Pradesh - 272182'. The Aadhaar number '5231 6113 4226' is printed at the bottom, followed by the slogan 'MERA AADHAAR, MERI PEHACHAN' in English.

भारतीय विशिष्ट पहचान प्राधिकरण
UNIQUE IDENTIFICATION AUTHORITY OF INDIA

पता: S/O राम नारायण शुक्ल,
गांव-पकरी भीखी, पोस्ट-
बेलहरा, पकरी भिखी, बस्ती,
उत्तर प्रदेश - 272182

Address: S/O Ram Narayan Shukla,
village-pakri bhikhi, post-belhra,
Pakari Bhikhi, Basti,
Uttar Pradesh - 272182

5231 6113 4226

MERA AADHAAR, MERI PEHACHAN

ANNEXURE P-3**IN THE SUPREME COURT OF INDIA****[CIVIL ORIGINAL JURISDICTION]****WRIT PETITION CIVIL-PIL NO. OF 2020****IN THE MATTER OF :**

Shishir Chaturvedi & Anr.

...Petitioners

- Versus -

Union of India &Ors.

...Respondents

AFFIDAVIT**Under Order XXXVIII Rule 12 (2)(ii) of Supreme Court
Rules 2013**

I, Karunesh Kumar Shukla, S/o Sri Ram Narayan Shukla, aged about 29 years, Occ: Advocate, R/o Village-Pakri Bhikhi, Post-Belhra, Pakri Bhikhi, District-Basti Uttar Pradesh-272182, present address:-803, Green Wich-A, Grant Omaxe, Sector 93-B, Noida, U.P.-201304, presently at New Delhi, do hereby solemnly affirm and state as under:

1. That I am the Petitioner No.2 in the above mentioned application. I have been authorized by Petitioner No.1 to file this affidavit on his behalf also. I am competent to file this affidavit. I am fully conversant with the facts and circumstances of the case herein after deposed.
2. That the Petitioners are filing Public Interest Litigation under Article 32 of the Constitution of India praying for issuance of direction Central Government to make provision for nomination of officers of Central/State Government in Indo Islamic Cultural Foundation Trust in the interest of public order,

peace and to prevent misuse of fund received through contributions from the general public and received from foreign countries.

3. That in paragraph 1A of the writ petition the petitioners have made averment in terms of Order XXXVIII Rule 12 (2)(i) of the Supreme Court Rules 2013.

4. That in compliance of Order XXXVIII Rule 12 (2)(ii) of the Supreme Court Rules 2013 this Affidavit is being filed.

5. That it is specifically stated here that there is no personal gain, private motive or oblique reason in filling the present Public Interest Litigation by the petitioners.

DEPONENT

VERIFICATION:

I, the above deponent hereinabove do hereby verify the contents of para 1 to 5 of this affidavit to be true and correct to the best of my knowledge and belief. I state that no part of this affidavit is false and nothing material has been concealed therefrom.

Verified at New Delhi on this day of 13th, August, 2020.

DEPONENT