

**Unreasonable Restrictions – NIPAH - Grievance Petition, Indian Evidence Act Petition and Demand Notice For Performance of Duty**

From,

Date:

To,

The District Magistrate, Kozhikode  
Kozhikode Collectorate, Civil Station P.O, Kozhikode - 673020  
Email: [dckzk.ker@nic.in](mailto:dckzk.ker@nic.in)  
The Chief Minister of Kerala  
3rd Floor, North Block, Government Secretariat,  
Thiruvananthapuram – 695001

The Health Minister of Kerala,  
Room No. 701, 7th Floor, Annexe-2, Secretariat,  
Thiruvananthapuram – 695001  
Email: [min.hlth@kerala.gov.in](mailto:min.hlth@kerala.gov.in)

The Chief Justice Via Registrar General,  
High Court Of Kerala – 682031  
Email: [hckerala@nic.in](mailto:hckerala@nic.in)

**Subject: Grievance Petition for Deprivation of Fundamental Rights, Indian Evidence Act Petition for Scientific Evidence, and Demand Notice for Performance of Duty**

Dear Public Servant,

I hope this letter finds you in good health. I am writing to you to express my grave concerns regarding the deprivation of my fundamental rights and those of my fellow citizens in the wake of the measures taken by the government in response to NIPAH virus epidemic. This grievance petition, Indian Evidence Act petition, and demand notice collectively seek transparency, accountability, and the protection of our fundamental rights.

**GRIEVANCE PETITION**

I firmly believe that the fundamental rights enshrined in the Constitution of India are the cornerstone of our democracy and are essential to the well-being and dignity of all Indian Republicans. The recent measures, including but not limited to testing, mask mandates, quarantine, lockdowns, and vaccination coercion directly and indirectly by the authorities, have raised serious questions about their necessity, proportionality, and impact on our rights.

In the interest of protection of communitarian health, the Government is entitled to regulate issues of public health concern by imposing certain limitations on individual rights, which are open to scrutiny by constitutional courts to assess whether such invasion into an individual's right to personal autonomy and right to access means of livelihood meets the threefold requirement as laid down in WRIT PETITION (CIVIL) NO 494 OF 2012; Justice K.S. Puttaswamy (Retd) ... vs Union of India & Ors, i.e.,

(i) legality, which presupposes the existence of law; (ii) need, defined in terms of a legitimate State aim; and (iii) proportionality, which ensures a rational nexus between the objects and the means adopted to achieve them.

I believe that the measures you have taken so far have disproportionately affected the following fundamental rights of Indian Republicans:

**Right to Life and Liberty:** The lockdown measures have significantly curtailed our freedom to move, work, and engage in daily activities, thus impacting our personal life and liberty.

**Right to Freedom of Movement:** The restrictions on movement have not only hindered our ability to earn a livelihood, but have also disrupted essential services and access to medical care.

**Right to Freedom of Assembly:** The limitations on public gatherings and assembly have hindered our ability to collectively discuss potential solutions to common problems, and to peacefully protest and express our concerns.

**Right to Privacy:** The tracking and monitoring measures implemented as part of contact tracing and quarantine enforcement are invasion of privacy.

**Right to Education:** The closure of educational institutions has affected the right to education of many students.

**Right to Work:** The lockdown measures have resulted in job losses, financial instability, and economic hardships, which impact our right to work and earn a livelihood.

**Right to Health:** Not promoting / taking into consideration of Indian traditional treatment modalities such as AYUSH/Acupuncture/ Naturopathy in mitigating the NIPAH epidemic, the stress and mental health issues stemming from the extended lockdowns have had a detrimental effect on our overall well-being.

I hereby demand a comprehensive review and reassessment of the current measures, and revoke them completely with immediate effect considering their impact on our fundamental rights and the latest scientific data.

#### INDIAN EVIDENCE ACT PETITION

As a concerned Indian Republican. as enshrined by Indian Constitution Article 51 A (h), I hereby demand you to provide under Section 76 of the Indian Evidence Act, 1872, the following evidences supporting the necessity and proportionality of the government's measures, which have led to the deprivation of fundamental rights of Indian Republicans.

**Virus Isolation:** Officially certified copies of scientific evidence regarding the purification and isolation of the virus, including research papers, laboratory findings, and studies that confirm the existence and characteristics of the virus.

**Virus Storage:** Officially certified copies of information on the storage and preservation of the virus samples, and the intact form of virus is kept in storage at any of our National secured infrastructures.

**Mode of Transmission:** Officially certified copies of scientific evidence to prove the mode of transmission of NIPAH virus through surface contact, air or micro droplets of body fluids.

**Mask Mandates:** Officially certified experimental scientific evidence to prove that face masks can stop transmission of NIPAH virus. Also provide officially certified experimental scientific evidence that even after wearing facemask for short/prolonged periods, a person can get healthy natural air (With recommended % of Oxygen, CO<sub>2</sub> and several million types of microbes/microflorae necessary to maintain natural immunity), to remain healthy as usual.

**Lockdown Rationale:** Officially certified copies of scientific data and expert analyses that formed the basis for announcing stringent lockdown measures and mask mandates, including any risk assessments and models used.

Experimental Scientific officially certified proof to establish how it is proven that the NIPAH virus enters cells of living human beings, replicates, generates Cytopathic Effects, generate symptoms, pathology of each and every symptom and then mechanism of spread in the environment to infect the other human beings (In order to substantiate restrictions such as masks, social distancing, Lock downs & clinical protocols)

#### DEMAND NOTICE FOR PERFORMANCE OF DUTY

I firmly believe that it is the solemn duty of the authorities and institutions entrusted with upholding the rule of law and safeguarding our fundamental rights to take prompt and appropriate action to prevent, investigate, and remedy any violations. Therefore, I demand the following actions:

**Transparent Investigation:** Conduct a thorough and impartial investigation into each reported case of fundamental rights deprivation. Those found responsible should be held accountable, and appropriate redress and remedies should be provided to the affected individuals.

**Preventive Measures:** Implement preventive measures to prevent the recurrence of such incidents, including enhanced training for law enforcement personnel, public awareness campaigns, and the promotion of a culture of respect for fundamental rights.

**Scientific Evidence Sharing:** Facilitate the open sharing of scientific evidence and data related to the NIPAH epidemic with the public, ensuring transparency and informed decision-making.

**Public Engagement:** Engage in dialogue with civil society organizations, legal experts, and concerned citizens to formulate and implement strategies for the protection of fundamental rights.

I hereby demand a written response within 48 hours timeframe outlining the steps being taken to address these concerns due to the urgency of this matter. The citizens of India deserve

nothing less than the full protection of their fundamental rights, and access to scientific evidence is crucial for building public trust in the measures implemented.

Thank you for your attention to these matters, and I trust that you will take the necessary actions to uphold the principles and values that our nation holds dear.

With pleasant regards of my heart,

Indian Republican

Date:

Place:

-----  
Copy to

The Prime Minister of India

The Health Minister of India

The Governor of Kerala

The Chief Minister of Kerala

The Health Minister of Kerala

The Chief Justice of Kerala

1. Failure to provide response to this letter or providing false information or providing information as per RTI ACT, 2005 may lead to offense punishable with disciplinary action, imprisonment and fine under the Personnel and Administrative Reforms Rules, Contempt of Courts Act and IPC Section 166, 166A.

2. According to Article 21 of the “Constitution of India 1950”, no one is given autonomy and it asserts that “all are equal before the law”. It has been said that a person shall not be deprived of his personal liberty and life in any other way except in accordance with the procedure established by law.

3. If there are laws inconsistent with the “Constitution of India 1950”, all those laws are void as per Article 13(1) of the “Constitution of India 1950”.

4. I believe that one of the laws in force in the country, “Indian Evidence Act – 1872” is in force in their government office.

5. Section 76 of the “Indian Evidence Act – 1872” provides that “Every public officer having the custody of a public document, which any person has a right to inspect, shall give that person on demand a copy of it on payment of the legal fees therefor, together with a certificate written at the foot of such copy that it is a true copy of such document or part thereof, as the case may be, and such certificate shall be dated and subscribed by such officer with his name and his official title, and shall be sealed, whenever such officer is authorized by law to make use of a seal; and such copies so certified shall be called certified copies”

6. Supreme Court, Case no. 6237 / 1990, dt. According to the order dated 05-11-1993, “Who is responsible for a Government work?” The Supreme Court has given a legal explanation.

7. Refusal to provide information has been ordered by the Hon'ble Courts as a “violation of human rights”. See :

(1) The Superintendent Of Police, DVAC, Chennai Vs. R. Karthikeyan & TNSIC, Chennai, High Court Madras, W.P.Nos. 23507 & 23508 of 2009, Dated 12-01-2010, Hon'ble Justice, K. Chandru,

(2) Union Of India Vs. Scientific Workers Assn. (Regd), Supreme Court Of India, Judgment dated 18-03-1994

8. I hereby place the following orders for your consideration regarding taking copies of evidence under Sections 74 & 76 of the “Indian Evidence Act, 1872:

a. Contempt of Supreme court judgement in Appeal(Crl.) 82 of 2004; State through Inspector of Police, A.P. Vs K. Narasimhachary.

b. Contempt of Madras High Court Judgement in State Of Madras Represented By The vs G. Krislman on 22 August, 1960; Equivalent citations: AIR 1961 Mad 92, 1961 CriLJ 382

c. Contempt of Madras High Court in Dakshinamurthy vs Dhanabal(Died); S.A.No.794 of 2007 and M.P.No.1 of 2007 Judgement dated 06.08.2021

d. Contempt of Madras High Court in P.K.Pandian vs Komala; C.R.P.(PD)No.3645 of 2007 and M.P.No.1 of 2007 judgement dated 10.07.2008

e. Contempt of Madras High Court in Palanisamy vs Chirmakandan @ Kandasamy & ORS; A.S.No.575 of 2009 in Judgement dated 28.08.2012

f. Contempt of Madras High Court in Parvathi vs K.Sivalingam & ANR; A.S.No.386 of 1994 in Judgement dated 25.07.2008

g. Contempt of Madras High Court in Queen-Empress vs Arumugam And Ors. on 30 April, 1897 Equivalent citations: (1897) ILR 20 Mad 189

h. Contempt of Madras High Court in R. Markandan (Died) & ANR vs The State of Tamilnadu; CRL.A (MD) No. 1472 of 2002 and M.P.No.1 of 2010 in Judgement dated 21.03.2011

i. Contempt of Madras High Court in Vimala Saroja vs Ponniah (Died) & ORS; S.A (MD) Nos.74 of 2007 and 75 of 2007 & Contempt Petition (MD) No. 143 of 2008 S.A (MD) NO.74 of 2007 in Judgement dated 26.06.2018

9. I am ready to pay the fee if you inform me about how much and how to pay the fee for the above documents

10. If you are / not required to answer / not restrained under Section 76 of the “Indian Evidence Act 1872”, then please provide particulars & proof of evidence.