

Unreasonable Restrictions due to the New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 virus - Grievance Petition, Bharatiya Sakshya Adhiniyam / Indian Evidence Act Petition, Demand Notice for Performance of Duty and Non Compliance Notice

(Sent Through email/RPAD)

From,

Date:

To,

- 1) **Dinesh Gundu Rao**
Minister Health & Family Welfare Department
442-443, Vikasa Soudha, Dr.B.R. Ambedkar Veedhi, Bengaluru-560001
Email: min-health@karnataka.gov.in
- 2) **Dr. Naveen Bhat**
Campaign Director, National Health Mission and Nodal Officer Covid-19 Testing
Karnataka State Health and Family Welfare Association
1st Floor, Arogya Soudha, Magadi Road, Bengaluru-560023
Email: md-nhm@karnataka.gov.in
- 3) **Dr. Sharan Prakash Patil**
Minister Medical Education, Skill Development, Livelihood
206, 2nd Floor, Vikasa Soudha, Dr.B.R. Ambedkar Veedhi, Bengaluru-560001
Email: sedam.mla@karnataka.gov.in
- 4) **Harsh Gupta**
Principal Secretary to Government Department of Health & Family Welfare
105, 1st Floor, Vikasa Soudha, Dr.B.R. Ambedkar Veedhi, Bengaluru-560001
Email: prs-hfw@karnataka.gov.in
- 5) **Dr. E.V. Ramana Reddy**
Secretary to Government Health and Family Welfare Department
105, 1st Floor, Vikasa Soudha, Dr.B.R. Ambedkar Veedhi, Bengaluru-560001
Email: prs-hfw@karnataka.gov.in
- 6) **Siddaramaiah**
Chief Minister of Karnataka
323A, 3rd Floor, Vidhana Soudha, Dr.B.R. Ambedkar Veedhi, Bengaluru-560001
Email: cm@karnataka.gov.in
- 7) **D K Shivakumar**
Deputy Chief Minister of Karnataka
335-337, 3rd Floor, Vidhana Soudha, Dr.B.R. Ambedkar Veedhi, Bengaluru-560001
Email: dkshivakumar1@gmail.com

Subject: This combined Grievance Petition, Bharatiya Sakshya Adhiniyam / Indian Evidence Act petition, Demand Notice for Performance of Duty and Non Compliance Notice challenges the unreasonable testing and restrictions imposed due to the New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 virus by the above officials via their public statements and notifications listed below.

References:

1. Article 13, 14, 19, 21, 21 A, 47, 51 A (h) & 375 of Indian Constitution.
2. Bharatiya Sakshya Adhiniyam 2023 Section 74 & 75 / Indian Evidence Act 1872 Sec.76
3. The Epidemic Disease Act 1897 Section 2
4. Disaster Management Act 2005 Section 12
5. The Supreme court of India, judgment dated 24.08.2017, for the WRIT PETITION (CIVIL) NO 494 OF 2012; Justice K.S. Puttaswamy (Retd) ... vs Union of India & Ors.
6. **Department of Health and Family Welfare Media Note on Covid -19: Measures to be complied by General Public, dated 23 May'25**
7. **National Health Campaign Circular Number: akuka/ku.ka/COVID-19/21/2025**

Dear Public Servants,

Public servants across India hold the **critical responsibility of upholding the Constitution of India**, the bedrock of our democracy and guarantor of fundamental rights, as enshrined in **Articles 13 (1) and 375** of the Constitution. These rights are essential for the well-being and dignity of all Indian citizens.

However, recent actions taken by your offices and the Central / State Governments, but not limited to mandatory health screenings, **social distancing** measures, **mask mandates**, **quarantine** guidelines, **lockdowns**, **coercive vaccination efforts** beyond legal bounds, and unwarranted interventions by public / private officials, have raised serious concerns regarding their constitutionality, necessity, proportionality and legality.

The measures taken by you across India in the wake of the response to the New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 virus significantly impede my fundamental rights and the fundamental rights of my fellow Indians. This combined **Grievance Petition, Bharatiya Sakshya Adhiniyam / Indian Evidence Act petition, and Demand Notice for performance of duty and Non Compliance Notice** seek transparency, accountability, and the protection of our fundamental rights.

GRIEVANCE PETITION

As an **Honorable Indian Republican**, my fundamental rights - life, livelihood, health, food, travel, and assembly - are **protected under Part 3 of the Indian Constitution**. Yet, the alarming social conditions in our Districts / States threaten these very rights, leaving me deeply concerned about the actions of your departments and ministries. Social conditions in our states have become dangerously repressive, infringing upon our right to work, earn a livelihood, and even socialize.

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 commuting for unavoidable daily activities and 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.

Yet, the measures you have taken so far, have disproportionately affected the following fundamental rights of Indian Republicans:

Constitutional Violations:

- 1. Right to Privacy (Article 21):** The testing and tracking and monitoring and quarantine measures being implemented are an invasion of our privacy.
- 2. Right to Life and Liberty (Article 21):** Lockdowns and movement restrictions severely limit our ability to move, work, and engage in daily activities, thus impacting our personal life and liberty.
- 3. Right to Freedom of Movement (Article 19):** The restrictions on movement not only hinder our ability to earn a livelihood, but also disrupt essential services and access to medical care.
- 4. Right to Equality (Article 14):** Forced closure of businesses, including theaters and schools, while granting unfettered access to hospitals and pharmacies, blatantly discriminates against certain sectors. The Constitution guarantees equal treatment under the law, and this type of selective lockdown undermines that very principle.
- 5. Right to Freedom of Assembly (Article 19):** The limitations on public gatherings such as funerals, weddings and assembly hinder our ability to socialize and collectively discuss potential solutions to common problems, and to peacefully protest and express our concerns.
- 6. Right to Education (Article 21A):** The closure of educational institutions affects the right to education of many students.
- 7. Right to Work (Article 19):** Lockdown measures result in job losses, financial instability, and economic hardships, which impact our right to work and earn a livelihood.
- 8. Right to Health (Article 21 & 47):** Interfering in an individual's preferred choice of diagnosis, treatment or system of treatment, and not promoting / taking into consideration Indian traditional treatment modalities such as AYUSH / Acupressure / Acupuncture / Naturopathy / Energy Medicine / Supplements in mitigating the New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 virus, the stress and mental health issues stemming from the lockdowns, have a detrimental effect on our overall well-being.

BHARATIYA SAKSHYA ADHINIYAM / INDIAN EVIDENCE ACT PETITION

The legitimacy of these restrictions hinges on demonstrably strong justifications. As a responsible Indian Republican, as enshrined by Indian Constitution Article **51 A (h)**, **I hereby demand you to provide** under **Section 74 & 75 of Bharatiya Sakshya Adhiniyam / Section 76 of the Indian Evidence Act, 1872**, the following evidences **within 48 hours**, supporting the necessity and proportionality of the government's measures, which have led to deprivation of fundamental rights of Indian Republicans.

1. Provide officially certified copies of the Minutes of Meetings held by the Ministry of Health and Family Welfare, as well as AIIMS, Delhi and National Centre for Disease Control

concerning the alleged New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 disease in India in May 2025.

2. Provide officially certified copies of all official evidence documents, including medical reports and medical history, clinical presentations, clinical & lab reports, medication prescriptions, hospital course, etc., of the alleged New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 infected individuals in India since May 2025.
3. Provide officially certified copies of reports from AIIMS / MoHFW / ICMR / NIV, which confirmed the presence of the New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 virus in the alleged New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 infected individuals in India since May 2025.
4. Officially certified copies of reports of isolation and quarantine of all the examining doctors, care takers and other health workers, who fall under the list of primary contacts with the alleged New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 infected individual / individuals in India and all of them who have been in quarantine for 21 days from the date of first contact.
5. **Virus Isolation:** Officially certified copies of scientific studies about the purification and isolation of the New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 virus, including research papers, laboratory findings, and studies that confirm the existence and characteristics of the virus.
6. **Virus Storage:** Officially certified copies of information on the storage and preservation of the intact full form of the New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 virus samples kept in storage at any of our National secured infrastructures for our medical scrutiny.
7. **Testing Methodology:** Officially certified scientific studies that prove that testing methods for presence of the virus, compare the full form of the virus obtained from people, with the full form of the laboratory samples, and that the parameters being used have a proven high degree of accuracy, and finally that the testing methods do not cause harm to individuals.
8. **Proof of Causation:** Officially certified scientific studies that prove how the New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 virus enters cells of living human beings, replicates, generates Cytopathic Effects and generates symptoms, pathology of each and every symptom.
9. **Mode of Transmission:** Officially certified copies of scientific evidence to prove the mode of transmission of the New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 virus through surface contact, air or micro droplets of body fluids to human beings or physical contact between animals and humans or humans and humans (to substantiate restrictions such as masks, social distancing, lock downs & clinical protocols).
10. **Mask Mandates:** Officially certified copies of scientific evidence that prove that face masks can stop transmission of the New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 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 the recommended % of Oxygen, CO2 and several million types of microbes/micro flora necessary to maintain natural immunity), to remain healthy as usual.
11. **Social Distancing:** Officially certified copies of scientific evidence that prove that social distancing can stop transmission of the New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 virus.
12. **Lockdown Rationale:** Officially certified copies of scientific data and expert analyses that form the basis for announcing lockdown measures and mask mandates, including any risk assessments and models used.
13. **Proof of Disease Prevention:** Provide officially certified scientific studies that prove that the advised vaccines prevent the New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 disease, and they do not cause harmful side effects, sickness or permanent disabilities or death.

14. Provide officially certified copies of documents and evidences authorizing and justifying the censorship of free press and media.
15. Provide officially certified copies of evidence documents stating why an Indian Republican should follow the protocols of the All India Institute of Medical Sciences / Union Health Ministry / Indian Council of Medical Research / Ministry of Health and Family Welfare / State Health Ministry / Department of the Health Ministry / Department does not have scientific research results or evidence as demanded in one or more of the above questions.
16. Provide officially certified copies of constitutional and legal documents and evidence documents stating why an Indian Republican should follow the health guidelines of the World Health Organization, a private organization that interferes in the life, sovereignty, health, and food of Indian Republicans, but operates with private funding and is not elected by the Indian people.
17. **Provide Legal Provisions and Documents** that there is a mechanism to reduce or deprive the fundamental rights guaranteed by the Constitution of India to the citizens under **The Disaster Management Act 2005, The Epidemic Disease Act 1897, Kerala Public Health Act 2023 & Tamil Nadu Public Health Bill 2020.**

The copies of the evidence documents that I have requested above should be provided on a CD in digital format, otherwise it will be sufficient to provide certified hard copies of the documents. I am ready to pay the fees set by the government for this.

Please note that this letter is not a letter under the RTI Act, 2005. The copies requested should be certified and provided as official evidence within the mentioned time limit. It is also specifically reminded that violating this is violation of the law.

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 hereby demand from you the following actions:**

1. **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.
2. **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.
3. **Preventive Measures:** Implement preventive healthcare 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.
4. **Scientific Evidence Sharing:** Facilitate the open sharing of scientific evidence and data related to New Covid Variant NB.1.8.1 / Omicron JN.1 / XFG / LF.7 / LF.7.9 with the public, ensuring transparency and informed decision-making.
5. **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.

NOTICE OF NON-COMPLIANCE

Failure to provide the constitutional, scientific, and legal evidences I have demanded for on any or all of the queries mentioned above within the stipulated time will be considered as deliberate act of concealment and tacit agreement that your office does not have such evidence. Therefore, I and my family members will not follow or obey any / all the instructions / protocols (which are null and void as per Article 13 of Indian Constitution) of State Health Department.

If you directly or indirectly violate or restrict my/our right to life, health, food, travel, privacy, freedom of association, and the right to work and live, then I/we will hold you and every person acting under the pretext of the health protocols personally to be responsible for all consequences, including my/our death.

I/We also hold all perpetrators accountable, workers and officials of other departments, other healthcare workers, temporary employees, police, panchayat employees, panchayat ward member and panchayat administrative committees, who enters my/our house/building/property, who come along to help the public health officials to be personally responsible.

I/we also hereby inform you that the following crimes stand uncontested against each one of them including you, such as constitutional violation, intrusion into privacy, abuse of power, trespassing into house/building/property, threatening, rape, coercion to illegal drug trials both directly and indirectly, violence against women, child abuse, and any kind of physical and mental abuse.

We urge you to reconsider your actions and uphold the Constitution of India and the inalienable human rights of all Indian Republicans. Thank you for your attention to these matters. I trust that you will take the necessary actions to uphold the principles and values that our nation holds dear.

With Regards,

Honorable Indian Republican