

Form No. J(2)

**IN THE HIGH COURT AT CALCUTTA**  
**Constitutional Writ Jurisdiction**  
**Appellate Side**

Present:

**The Hon'ble Justice Jay Sengupta**

**W.P.A. 22288 of 2023**

**Nelua Jama Masjid Jalsha Committee & anr.**

**Vs.**

**The State of West Bengal & Ors.**

For the petitioners

Mr. Samim Ahammed  
Mr. Arka Maiti  
Ms. Ambiya Khatun  
Ms. Gulsanwara Pervin  
Mr. Enamul Hoque

For the State

Mr. Asish Kumar Guha  
Mr. Rajendra Chaturvedi

Heard on : 06.10.2023

Judgment on : 06.10.2023

**Jay Sengupta, J.**

This is an application praying for direction upon the respondent authorities to grant permission to hold a religious program scheduled to take place on 17.10.2023 from 12 noon to 5 P.M. at village Nelua, District- Nadia.

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner no.1 is the Nelua Jama Masjid Jalsha Committee which is to hold a religious jalsha on 17.10.2023 at the Eid Gaha of village Nelua, Police Station- Bhimpur, District- Nadia between 12 noon and 5 P.M with about five thousand (5,000) participants apart from the speakers. A representation in this regard was made before the concerned respondent authorities, but was not responded to. Incidentally, the venue is a piece of land which is owned by the Committee.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. In the event a permission is to be granted, the petitioners have to follow the certain conditions. They shall be ready with fire fighting arrangements. There will be no use of weapons or fire crackers. Communal harmony shall be maintained. No Objection Certificate shall be taken from the venue owner. Preferably, CCTV cameras shall be installed.

It is quite uncommon that the police authorities insist upon installation of CCTV cameras for holding meetings of such nature. If they feel it necessary, they shall do it themselves.

However, the petitioners also have to maintain certain norms for holding a peaceful "jalsha". The petitioners shall intimate the

respondent authorities about the person responsible for conducting such program. They shall also file a notarized affidavit that they are in possession of the venue in question. The participants shall not carry arms or fire crackers. They shall not make provocative speeches or hurt the religious sentiment of any other community or sect. They shall deploy sufficient number of volunteers to manage the crowd. On such terms, the petitioners are permitted to hold the jalsha at the place and time prayed for.

The respondent authorities shall issue permission letter, if necessary. They shall also keep a sharp vigil at the locale and ensure that no breach of peace takes place. In fact, the police authorities shall deploy sufficient numbers of police personnel including armed ones so that the program can be held peacefully.

The respondent authorities shall also take care that no harassment is caused either to the participants or to the local residents or passersby.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

**(Jay Sengupta, J.)**

