

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

I.A. NO. _____ OF 2016

IN

WRIT PETITION (CIVIL) NO. 373 OF 2006

IN THE MATTER OF:

Indian Young Lawyers' Association & Anr. ...Petitioners

VERSUS

The State of Kerala & Ors. ...Respondents

AND

IN THE MATTER OF:

Nikita Azad (Arora) Nikita Azad (Arora)

...Applicants/Intervenors

WITH

I.A. NO. _____ OF 2016
APPLICATION FOR INTERVENTION

PAPER BOOK

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ADVOCATE FOR THE APPLICANT: Mr. GAUTAM TALUKDAR

I N D E X

SL.NO.	PARTICULARS	PAGE NO
1.	I.A. NO. _____ OF 2016 Application for Intervention with Affidavit	
	ANNEXURE -A	
2.	True copy of the order dated 18.01.2016 passed by this Hon'ble Court in I.A. no. 3 of 2016 in W.P. (C) no. 373 of 2006.	

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IN THE MATTER OF:

Indian Young Lawyers' Association & Anr. ...Petitioners

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The State of Kerala & Ors. ...Respondents

AND

IN THE MATTER OF:

1. Nikita Azad (Arora) daughter of Gulshan Rai,
resident of Q-2, Punjabi University, Patiala,
147002, Punjab.
2. Sukhjeet Singh (Azad) son of Mahinder Singh,
resident of Village Sarangpur,
Handesra, Tehsil- Derabassi,
District : S.A.S Nagar, Mohali, 140501,
Chandigarh, Punjab. **...Applicants/Intervenors**

APPLICATION FOR INTERVENTION

TO,

THE HON'BLE CHIEF JUSTICE OF INDIA AND HIS
LORDSHIP'S COMPANION JUSTICES OF THE HON'BLE
SUPREME COURT OF INDIA

THE HUMBLE APPLICATION OF
THE APPLICANTS ABOVE NAMED

MOST RESPECTFULLY SHOWETH:-

1. That the aforementioned Writ Petition bearing W.P (Civil) No. 373 of 2006, pending before this Hon'ble Court, has been filed by the Petitioner Organisation under Article 32 of the Constitution of India, challenging Rule 3 (b) of the Kerala Hindu Places of Public Worship (Authorisation of Entry) Rules, 1965 ("**Impugned Rule**") prohibiting girls and women between 10-50 years of age from entering the Lord Ayyappa Temple in Sabrimala, Kerala, on grounds of such Impugned Rule being violative of; Articles 14, 15, 25 and 51A(e) of the Constitution of India, and Section 3 of the Kerala Hindu Places of Public Worship (Authorisation of Entry) Act, 1965 that prohibits discrimination. The contents of the aforesaid Writ Petition may be referred to and relied upon for the purposes of adjudicating the present Application and the same is not being repeated herein

BREVITATIS CAUSA.

2. That the present Intervention Application is being filed on behalf of *BONA FIDE* citizens of India, Nikita Azad ("**Applicant No.1**") and Sukhjeet Singh (Azad) ("**Applicant No.2**"), together referred to as "Applicants".

- 3.** That the Applicant No. 1, Nikita Azad, is a gender rights activist, who has been working in Patiala, Punjab and other surrounding States for three years on issues of gender equality and justice, sexuality and menstrual discrimination. She has also written articles for different magazines and websites, on gender justice, sexuality, and menstruation. Applicant No. 1 belongs to a middle class Hindu Arora family. She has received her education from Jalandhar, and is currently pursuing her graduation from Government College Girls, Patiala.
- 4.** That the Applicant No. 2, Sukhjeet Singh (Azad) is a gender rights activist, who has been working in Patiala, Punjab and other surrounding States for three years on issues of gender equality and justice, sexuality and menstrual discrimination. Applicant No. 2 belongs to a poor Jatt family. He has received his education from Sarangpur, Mohali, and is currently pursuing his Masters in Sociology from Distance Education Department, Punjabi University.
- 5.** That the Applicants have been protesting against patriarchy and gender discriminatory practices prevalent in the Indian society and are fighting against sexism and age-old taboos. Amongst others, they have been active

participants in the movement against regressive rules of hostels and colleges, named “PinjraTod”.

- 6.** That the Applicants have been primarily involved in the fight against menstrual discrimination and for the right to equality and health, to achieve gender justice.
- 7.** That particularly, Applicant No.1, being a strong advocate of gender equality, wrote an open letter to the Chief of Devaswom Committee, Mr. Prayar Gopalkrishnan, against his statement of not allowing women to enter the Sabarimala temple.
- 8.** That thereafter, the Applicants started an internationally famous campaign named “Happy to Bleed” against menstrual discrimination based on taboos promoted by many including the board of the Lord Ayyappa Temple in Sabarimala, Kerala.
- 9.** That the primary objective of this campaign is two pronged; one, demanding the State to fulfill its duty of ensuring that health requirements of women are met by means of provision of sanitary pads at subsidized rates and free of charge to economically weaker sectors and, two, fighting against menstrual discriminatory practices, specifically the practice of the Sabarimala temple, Kerala of denying entry to women and girls between 10-50

years into the temple which leads to stigma and shame based on gender, and violation of rights of women under Articles 14 and 15 of the Constitution, not protected by Articles 25 or 26 of the Constitution.

- 10.** That as a part of the Happy to Bleed campaign, the Applicants have been intensively spreading awareness and working in *BASTIS*, rural areas and urban areas of Punjab and Delhi, on the issues of health rights of women and menstrual discrimination.
- 11.** That, given the genuine interest and experience of the Applicants in issues and initiatives of gender justice with a specific focus on menstrual discrimination and health rights of women, the Applicants by means of the present Application, seek permission of this Hon'ble Court to be allowed to intervene in the matter and assist this Hon'ble Court from the next date of hearing itself i.e. 08.02.2016.
- 12.** That vide, order dated 18.01.2016, this Hon'ble Court was pleased to list the matter for hearing on 08.02.2016. A True copy of the Order dated 18.01.2016 passed by this Hon'ble Court in I.A. no. 3 of 2016 in W.P. (C) No. 373 of 2006 is annexed hereto and marked as **ANNEXURE-A**.

13. That no prejudice would be caused to any of the parties if the present Applicants are allowed to intervene in the matter.
14. That in view of above mentioned facts and circumstances, the interest of justice would be served, if the Applicants herein are allowed to intervene in the matter.
15. The present application is being filed *BONAFIDE* and in the interests of justice.

P R A Y E R

It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to:

- a. allow the Application for Intervention of the above named Applicants in the above said Writ Petition; and
- b. pass such further order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

AND FOR THIS ACT OF KINDNESS THE APPLICANT AS IN DUTY BOUND SHALL FOREVER PRAY.

SETTLED BY
MS. INDIRA JAISING,
SENIOR ADVOCATE

DRAWN AND FILED BY

Mr. GAUTAM TALUKDAR
ADVOCATE FOR THE APPLICANT

PLACE: NEW DELHI
FILED ON: 05.02.2016