

NHRC/CIVIL SOCIETY - 2004

Compiled By
K. Samu,
Human Rights Documentation,
Indian Social Institute, Lodi Road, New Delhi

Notice issued to DGP by NHRC (1)

New Delhi, Jan. 4: The NHRC has issued a notice to director general of police, Arunachal Pradesh, following allegations of a careless and lax police investigation into the murder of a school headmaster and his wife in that state. The NHRC has instructed the DGP to submit a report within four weeks. This is following a complaint lodged by the sons and daughter of the school headmaster, Yogendra Narain Pandey. The dedicated school teacher, who had spent over three decades tirelessly contributing to the spread of education in remote areas of Arunachal, was murdered along with his wife on the night of October 3, 2003 in Joram, Lower Subansiri. The commission directed that the copy of the complaint be sent to the DGP, Arunachal Pradesh, to look into the allegation contained in the complaint. The police officer is required to submit his comments in four weeks. The commission asked for the action-taken report. (Assian Age 5.1.04)

NHRC pulls up U.P cops for failing to trace abducted kid (1)

NEW DELHI, JANUARY 7: THE NHRC has asked the Uttar Pradesh police to expedite the search for the minor son of a man who claims to be part of the Prime Minister's security. The boy was kidnapped from his house in Bhagpath three months ago and his father Satish Chand has had to knock the commissions' door as local police reportedly ignored the threat of abduction the family faced for seven months till it actually happened. The NHRC thereafter got the case investigated on its own too and found truth in Chand's version. Chand, who claims to be a commando in PM's security, in his report to the police and the NHRC, has sought to link the abduction of his son to an earlier case of burglary in his house in Baloni. On February 4, burglars reportedly broke into Chand's house and before leaving with the booty, warned the family against reporting to the police. Police apparently failed to take note of this though Chand had duly lodged a report and also informed the higher authorities of the threat. (Indian Express 8.1.04)

NHRC slams Centre for delaying its annual report (1)

NEW DELHI, JANUARY 18: THE National Human Rights Commission (NHRC) has blasted the Central Government for the delay in bringing out its annual report. In its opening remarks in the annual report, the Commission says: "The delays (in making its annual reports public) have amounted to the denial of right to information." "The delay in tabling the annual report before Parliament has resulted in a corresponding delay in releasing its contents to the public. In the process, both the elected representatives and the public have, in effect, been denied timely and comprehensive information on the work and concerns of the Commission," the report said. (Indian Express 19.1.04)

NHRC rehabilitates minor girl (1)

NEW DELHI, JAN. 22. The National Human Rights Commission's efforts to rehabilitate a four-year-old tribal girl who had been brutally raped by a 26-year-old truck driver in Delhi in March last year have met with success. The Commission has received a report from the Medical Superintendent of Safdarjung Hospital here that the girl has now recovered fully after undergoing three successful surgeries to repair the ruptures she suffered. The Delhi Government has given her some relief on humanitarian ground as directed by the NHRC. The Commission was informed by the Sub-Divisional Magistrate of Vasant Vihar, Delhi that an amount of Rs 50,000 in favour of the victim has been kept in a fixed deposit on December 5, 2003 in the Allahabad Bank for 14 years. Her mother has been permitted to withdraw monthly interest for maintenance and medical treatment of the girl. The amount on maturity of the fixed deposit would be paid to the victim who would by then have become an adult. The Commission has also commended the role played by the NGO, Prayas in assisting the rehabilitation of the victim. The Commission took up the case following a request by a social activist Prithvish Sain seeking that the victim be given relief on humanitarian ground as her parents were not in a position to afford medical treatment for their child. The

police have already arrested and registered a case against the perpetrator of the crime. (The Hindu 23.1.04)

NHRC's request for power rejected (1)

New Delhi, Jan. 24: Citing compulsions of fighting cross-border terrorism and "widespread politicisation" of human rights issues, the Centre has rejected a National Human Rights Commission demand for more powers to investigate allegations against the armed forces.

The Protection of Human Rights Act limits NHRC powers to probe allegations of human rights abuse by the military and Central para-military forces, and the commission has been lobbying in the last few years for more teeth. In its latest annual report, relating to 2001-02, the commission suggested changes in the section of the act which deals with complaints against the armed forces. But in its "memorandum of action taken" last month on the report, the home ministry has shot down the proposal. The ministry said powers with the NHRC were "adequate" — considering factors like internal security, the "role of the armed forces in combating cross-border terrorism" and "widespread politicisation of human rights issues." NHRC argues that Section 19 prevents it from investigating violations by the armed forces. (Asian Age 25.1.04)

NHRC chief slams Govt on not amending HR Act (1)

New Delhi: NATIONAL HUMAN Rights Commission (NHRC) chairperson Justice A S Anand has regretted that amendments to the Human Rights Act are yet to be implemented despite the commission's recommendations four years ago. "Despite having taken up the matter with the Government many times, nothing has happened," he said. He was addressing the chairpersons of the State Human Rights Commissions (SHRCs) in the Capital on Saturday. "Several amendments to the Act — enacted in 1993 — were suggested by the Justice A M Ahmadi committee. They 'Were aimed to streamline the working of both the NHRC and SHRCs. But the recommendations are yet to be tabled in Parliament," he said. He called upon the SHRCs to evolve conventions for effective functioning. "If we agree on certain healthy conventions, it will go a long way in protecting Human Rights." Justice Anand also stressed on the need for better coordination between the NHRC and the SHRCs. "There should be cooperation in training programmes and awareness building. Such meetings will would help the two on focussing on Human Rights issues, such as overcrowding of jails, condition of inmates and custodial violence. (Pioneer 1.2.04)

Pledge to continue the task of slain social workers (1)

NEW DELHI, JAN. 31. People from all walks of life today paid rich tributes to two social activists, Sarita and Mahesh, who were gunned down near Sabdo village in Gaya district of Bihar on January 24, and pledged to carry forward their work of social and economic progress of Dalits and poor people. They also decided to hold a protest meeting at Jantar Mantar here on February 4 and mobilise support for the Patna-Gaya protest march scheduled for February 12. The protest meeting was jointly called by a group of non-government organisations including the National Alliance for People's Movement (NAPM), the Socialist Front, the National Campaign for People's Right to Information (NCPRI), Act Now for Harmony and Democracy (ANHAD), the Lokayan, the National Campaign for Right to Food (NCRF), the National Coordination for Dalit Organisations (NACODOR), Vasudhiava Kutumbakam, Jan Abhiyan, Bharat Gyan Vigyan Samiti (BGVS) and Insaf. A large number of social and political activists, academicians, writers, artistes and students also remembered the slain workers. Speakers remembered how in a short span of two years the two social workers who were associated with the NGO -- Institute of Research and Action — transformed the lives of over 35,00 villagers of 40 villages in Gaya district by reviving a 45 km. long canal which had been lying defunct for decades leading to a green revolution in the entire area. (The Hindu 1.2.04)

Cramped jails turn TB den: Rights panel (1)

New Delhi, Feb 1: Indian jails are turning into breeding grounds for tuberculosis — a disease that is re-surfacing as a potential threat to mankind. The issue was brought up at a human rights meeting here, as participants deliberated on how to control over crowding in jails. The chairman of the National Human Rights Conference (NHRC) and the heads of 11 state human rights commissions participated in the meeting. K.A. Jacob, chairman of the state human rights commission of Chhattisgarh, revealed how the incidence of tuberculosis was on the rise among prison inmates. A sense of urgency was needed to change the conditions in the jails, as these were simply unbearable and sub-human, Jacob told the meeting. (Indian Express 2.2.04)

NHRC notice to Bihar on killing of two activists (1)

New Delhi, Feb. 4: The National Human Rights Commission has issued notice to the Bihar government on the murder of two social activists near Gaya last month. Sarita and Mahesh, who ran a NGO, were travelling to Shabdo village on a motorcycle when they were stopped by unidentified gunmen and shot dead. Reports from Gaya speculated that local mafia could have been behind the attack, which came a few weeks after a young engineer Satyendra Dubey was killed after he exposed corruption in the Golden Quadrilateral road-building project. The NHRC has asked the Bihar chief secretary and director-general of police to respond to their notice within four weeks. The commission said press reports about the murder of the attack on the two volunteers raised "serious issues about safety of human rights defenders." Reports said the two activists had helped bust extortion rackets in Shabdo village in the Naxalite-dominated area. (Asian Age 5.2.04)

NHRC notice to Chief Secretary (1)

NEW DELHI, FEB. 9. The National Human Rights Commission has issued notice to the Chief Secretary of the Delhi government on a complaint from students of the Delhi Institute of Heritage Research and Management (DIHRM) that its Director had allegedly sexually harassed them. The Commission asked the Chief Secretary to respond within four weeks to the complaint, which sought a direction to the Delhi Government to arrest the Director, Makkhan Lal, and initiate criminal proceedings against him. The students alleged that Mr. Lal often used abusive language against girl students and with an ulterior motive would call them under the pretext of assignment and make sexual advances. They alleged that it had become a routine way for Mr. Lal to behave rudely and crack obscene jokes with the girls, who had to swallow their grievances since he happened to be the head of the institution. They alleged that the Director used to call the students and ask them to cooperate with him and satisfy him so that he would give them a secure career and if they did not agree they would be put to irreparable loss and hardship. As a result many bright students doing their doctorate programmes had left the institution in the middle of their courses, they alleged. (The Hindu 10.2.04)

Trade of organs has NHRC worried (1)

New Delhi, Feb. 10: National Human Rights Commission chairman A.S. Anand has written to Prime Minister Atal Behari Vajpayee and all chief ministers, expressing concern over the illegal sale of kidneys and other human organs. The decade-old Human Organs Transplantation Act bans the sale of human organs, but recognises "compassionate donations" of human organs. The NHRC has come across several cases in which this provision had been abused, Justice A.S. Anand said. Donors who were unrelated to the patient were lured into donating human organs such as kidneys. The practice had acquired the dimensions of "organ trade," with touts operating as middlemen and creation of false records, the commission said. The racket often involves exploitation of poor people. "This illegal trade in human organs is unethical and is a serious violation of human rights," it said. The commission, which had set up a core group of medical experts to go into this and other issues, has recommended remedial measures to plug loopholes in the act. (Asian Age 11.2.04)

Women raise voice against violation of human rights (1)

New Delhi, Feb. 16: Various women organisations on Monday expressed anger and concern over the way the minorities and women are being targeted in the country. Questioning the government's publicity blitzkrieg of "Shining India" campaign, the women rights activists said that the communal incidents across the country are instilling fear in everybody's mind. Under the banner of National Indian Federation of Women activists gathered to voice protest against violation of human and constitutional rights following the communal incidents in the country in general and in Amkhut village and Alirajpur town in Jhabua district, Madhya Pradesh in particular. Former NCW chairperson and prominent woman activist Ms Mohini Giri alleged that outfits like Bajrangdal and RSS were raking up issues of religious conversion with an intention to enforce their communal agenda. (Asian Age 17.2.04)

Abuse merits award for Bengal policeman (1)

KOLKATA Feb. 20. — In West Bengal, the police is decorated for abusing human rights. That, at least, is the obvious conclusion given that a Kolkata- Police officer against whom the West Bengal Human Rights Commission (WBHRC) recommended filing of criminal charges for his role in one of Kolkata's most

high-profile human rights abuse cases of recent times was recommended for — and has since been awarded — the prestigious Indian Police Medal (IPM). Mr Satyajit Banerjee, officer-in-charge, Lake police station, Kolkata, received the decoration this January after being recommended for it by police commissioner Mr Sujoy Chakra-borty for "continuous meritorious service". His name apparently cleared by the state home department, headed by chief minister Mr Buddhadeb Bhattacharjee, before being forwarded to the Union home ministry. The WBHRC, in its recommendation dated 13 December, 2000, pointed out that Mr Banerjee's conduct as O-C Karaya police station in 1999, <v when three youths were falsely implicated in an abduction case and were subjected to the vilest torture including being forced to drink their urine by police, was a "gross violation of human rights". The commission stated: "Being the officer-in-charge of a police station, he is supposed to protect rights of the citizens but his actions are a blot on the police force. (Statesman 22.2.04)

Rights violations in India: U.S. report (1)

WASHINGTON, FEB. 23. The United States has maintained that while the Government of India "generally respected" the human rights of its citizens, "numerous serious problems remained" and has listed several "significant human rights abuses" to include extra judicial killings, faked encounters, custodial deaths and torture and rape by the police and other government agents. In its Annual Human Rights Report for the year 2003, the State Department has said that among the "serious problems" with the Government of India are "occasional limits" on the freedom of the press and freedom of movement; harassment and arrest of human rights monitors and extensive societal violence against women that include legal and societal discrimination and forced prostitution. Other problems listed include discrimination and violence against indigenous people and Scheduled Castes and Scheduled Tribes. "These abuses were generated by a traditionally hierarchical social structure, deeply rooted tensions among the country's many ethnic and religious communities, violent secessionist movements and the authorities' attempt to repress them and the deficient police methods and training," the State Department has said. "These problems were the most visible in Jammu and Kashmir where judicial tolerance of the Government's heavy handed counter-insurgency tactics, the refusal of security forces to obey court orders and terrorist threats have disrupted the judicial system," the report says going on to point out that in the Northeast there has been no clear decrease in the number of killings in spite of a negotiated ceasefire between the Government and some insurgent forces and tribal groups. (The Hindu 26.2.04)

NHRC post: notices sent to Centre, Sharma (1)

NEW DELHI, FEB. 27. The Supreme Court today issued notice to the Central Government and the former Director of the Central Bureau of Investigation (CBI), P.C. Sharma, on a public interest litigation petition challenging Mr. Sharma's appointment as a Member of the National Human Rights Commission. A Bench, comprising Justice S. Rajendra Babu, Justice Arijit Pasayat and Justice G.P. Mathur, issued the notice when the petition filed by the People's Union for Civil Liberties (PUCL) was mentioned for hearing by senior counsel, Rajinder Sach-har. Counsel urged the court to stay Mr. Sharma's appointment (since he has not assumed charge) but the Bench said that stay could not be granted without notice to the other party. It directed listing of the matter after notice was served on the parties. The PUCL questioned the Government decision on the ground that the appointment of a police officer in a human rights organisation would affect the people's faith in its fairness to adjudicate. (The Hindu 28.2.04)

Rana's mother knocks at NHRC doors (1)

NEW DELHI, Feb. 28. — Mrs Satyavati Rana, the mother of Sher Singh Rana, the prime accused in the Phoolan Devi murder case who escaped from the Tihar jail recently, has approached the National Human Rights Commission and a city court expressing concern over the safety of her son. She has said that she did not believe the police version of his son's escape from prison. In an application filed before the additional sessions judge, Mr D S Punia, Mrs Rana said she feared that her son might have been killed by jail authorities. "Going by the several applications of other co-accused Dhan Prakash and Vijay Rana moved in the court, I fear that my son might have been killed by jail authorities and the same fate may be awaiting my other son Vijay Rana in custody," she said. Mrs Rana claimed it was the responsibility of the jail authorities to verify the papers of the 'police' personnel who reportedly took Rana out of the Tihar Jail and claimed that he may have been abducted and killed. Alleging that the police has been torturing her and other family members in the name of investigations, she prayed the court and the NHRC to initiate steps to check this. The matter will come up for hearing on 5 March, by which date the police has to

execute the non-bailable arrest warrants issued against Rana. (Statesman 29.2.04)

P.C. Sharma joins NHRC as member (1)

New Delhi, March 3: Amid some controversy, former Central Bureau of Investigation chief P.C. Sharma assumed charge on Wednesday as a member of the National Human Rights Commission. His appointment had drawn flak from within the human rights community and the Opposition. The people's union for civil liberties has petitioned the Supreme Court against the appointment. Critics like the PUCI, argued that the NHRC had to take the CBI itself to task at times, and as former head of the agency Mr Sharma could not act in a fair manner. The Opposition has charged that Mr Sharma was rewarded by the government for "withdrawing" Rabri mosque demolition cases against deputy prime minister L.K. Advani. The chairman and members of statutory body are however picked by a committee, which is headed by the Prime Minister and includes the Leader of the Opposition in the Lok Sabha. Mr Sharma fills a vacancy on the commission following the retirement in November of Mr Virendra Dayal. Three of the five members on the statutory body have to be former judges. The remaining two are appointed from among people "having knowledge of, or practical experience in, matters relating to human rights." (Asian Age 4.3.04)

NHRC notice to officials on rights violation in Tihar jail (1)

NEW DELHI, MARCH 3: THE National Human Rights Commission today issued notices to the Director General (Prisons) and the Jail Superintendent seeking reports on a complaint that healthcare facilities were denied to an 82 year old prisoner lodged in Tihar Jail. Gulam Mohd Shaikh, a retired professor from Kashmir University and an alleged sympathiser of militancy, was arrested last year for allegedly receiving money through hawala channel for funding militancy. His son wrote to the apex human rights body complaining that his father was in a precarious state of health, but was not getting adequate healthcare. He alleged that jail authorities were not giving him proper medicare despite knowing he had suffered three heart attacks in the last seven months while being in prison. The NHRC has asked, for details about the detainee's health condition and the medical facilities provided to him. NHRC Chairman Justice A.S. Anand wrote "if the allegations are true, the complaint presents a distressing picture and raises important issues relating to violations of human rights of prisoners. (Indian Express 4.3.04)

US gets stick for Afghan human rights violation (1)

A HUMAN rights group on Sunday accused US forces in Afghanistan of detaining at least 1,000 Afghans and other people over the past two years in "a climate of almost total impunity" that it contends violates human rights law. In a 60-page report issued on Sunday, Human Rights Watch also called on the US military to release the results of investigations into the deaths of three Afghans in US custody in 2002 and 2003. Initial military medical investigators declared two of the deaths homicides. The report also said it had received "numerous reports" of US forces relying on faulty intelligence or using "excessive or indiscriminate force" that resulted in avoidable civilian deaths and the detention of innocent people. It contended that the US was employing techniques that the US State Department had condemned as torture in countries like Libya, North Korea and Iran. "There is little doubt that US policies on the detention of terrorism suspects both in Afghanistan and elsewhere have harmed public opinion of the US around the world the report said. (Indian Express 9.3.04)

Dwivedi, Sushil Bhatia awarded NHRC prize for creative writing (1)

New Delhi: FAMOUS WRITERS K S Dwivedi and Sushil Kumar Bhatia have been jointly awarded the National Human Rights Commission's (NHRC) first prize for creative writing on human rights for the year 2002-03. The second prize was conferred on Deepa Singh and K P Singh while the third prize has been jointly awarded to Vikram Singh and Vinod Kumar Mishra. The biannual awards, constituted by NHRC in 1998, will be given away on March 18, 2004 at a function in the Capital. While Dwivedi's book Manav Adhikar Darshan deals with the need for an inseparable relationship between human rights and social system, Bhatia, in his book Bharatiya Sanskriti ke Panch Adhyaya tells how human rights are essential personality. Manavadhikar Aur Pulis Tantra, co-authored by Deepa and K P Singh, is about human rights and police system. Vikram Singh's Manavadhikar aur Pulis shares the third prize with Manavadhikar Aur kalangan ke kanooni adhikar authored by Mishra. Meanwhile, for the first time ever, NHRC is holding a national workshop on the role of Hindi and other Indian regional languages in the protection and promotion of human rights. The one-day workshop to be held tomorrow will deliberate on topics like 'Right to use

one's own language is a human right', 'linguistic aspect of human rights' and 'Human rights: Hindi for practical use.' (Pioneer 17.3.04)

NHRC helps blind medico attain goal (1)

New Delhi, March 23: THERE IS finally light at the end of the tunnel for an MBBS student whose career in medicine was almost cut short after he lost his eyesight midway through the course.

C.S.P. Anka Toppo lost his vision in September 1993. His case was taken up by the National Human Rights Commission after the authorities at the AIIMS and the Medical Council of India (MCI) declared him unfit to take the final examination. Their argument: the existing guidelines gave no clue on how to deal with such cases. Caught in a bind, Toppo sought the NHRC's intervention in 2000, alleging harassment by faculty members. The commission, in turn, issued notice to AIIMS and convinced its examining body in 2002 to amend the existing procedures. The NHRC cited several instances from other countries where such students are treated at par with normal students. After initial hiccups, the AIIMS faculty permitted Toppo, who hails from Jharkhand, to write the exam. But that wasn't the end of it. Toppo had to again turn to the NHRC when he wasn't allowed to work in all departments as an intern after passing the final exam in May 2002. The NHRC took up the matter with the AIIMS director and senior professors. Toppo, now a qualified doctor, received his degree on March 13 this year at the AIIMS convention. The AIIMS, at the request of the NHRC, has now laid down guidelines to deal with such candidates. (Hindustan Times 24.3.04)

China suspends dialogue with U.S. on rights (1)

BEIJING, MARCH 23. China today angrily suspended dialogue on human rights with the United States, one day after Washington said it would seek to criticise the mainland's rights record at a United Nations conference. The rights dispute "has already seriously damaged the foundation of the dialogue and exchange on human rights between the two countries," the Assistant Foreign Minister, Shen Guofang, was quoted as saying on the Foreign Ministry's website. "China has to immediately suspend the dialogue and exchanges." China rejects criticism of its human rights record, but has carried on dialogues on the issue with the United States, the European Union and other governments since the mid-1990s. In past sessions of the high-level discussions, China has agreed to release some political detenus and to allow unconditional visits by the U.N. Special Rapporteur, on Torture and the U.N. Working Group on Arbitrary Detention. In a separate statement, the Foreign Ministry spokesman, Kong Quan, expressed "strong dissatisfaction and opposition" to Washington's plans, announced on Monday, to seek a resolution criticising China's human rights record at the U.N. Human Rights Conference under way in Geneva. (The Hindu 24.3.04)

Nepal human rights: India and US on one side, EU on another (1)

New Delhi, March 26: India and the US have agreed to support Nepal against the European Union and Switzerland's decision to castigate Kathmandu's record of human rights against Maoist rebels in that country, especially when it introduces a resolution on this issue during the ongoing Commission for Human Rights in Geneva. Nepalese Foreign Minister Bhekh Bahadur Thapamet External Affairs Minister Yashwant Sinha when he passed through New Delhi some ten days ago en route to Geneva and Brussels, and was assured of India's support in this regard. The EU and Switzerland are said to be overly keen on asking the Human Rights Commission to open an office in Kathmandu and monitor violations conducted by the Nepalese army and security forces in their crackdown against Maoist rebels in Nepal. (Indian Express 27.3.04)

NHRC opposes ex-CBI director appointment (1)

New Delhi, April 14: Voluntary organisations working with the National Human Rights Commission have put in a formal protest against the appointment of former CBI director P.C. Sharma as a member of the commission. The unanimous protest came at a meeting convened by the NHRC of its "core group on NGOs." Like its group of lawyers and doctors, the core group on non-governmental organisations is meant to advise and assist the commission. An NHRC official sits in at its meetings as convenor, and through him the minutes are sent to the commission chairman who approves them as being a true record of the proceedings. Mr Sharma's appointment in February drew immediate flak over the propriety of a retired police officer being made a member of the statutory body. The Opposition alleged that Mr Sharma was being rewarded by the ruling National Democratic Alliance. People's Union for Civil Liberties filed a petition

with the Supreme Court against the appointment. NHRC chairman Justice A.S. Anand too is understood to have opposed it, though he made no public fuss. (Asian Age 15.4.04)

NHRC urged to protect rally for peace (1)

NEW DELHI, APRIL 15. Protesting against the attack on young volunteers touring the country as part of an "Aman Karavan" allegedly by Vishwa Hindu Parishad activists in Vadodara this past Sunday, concerned members of civil society today appealed to the National Human Rights Commission to "ensure that mechanisms are put into place to ascertain that no one is prevented from campaigning in support of their beliefs". "We have presented the letter at the NHRC office and asked for an appointment with the chairperson. It is a violation of a person's rights when they are not allowed to express their beliefs. We have also submitted a copy of the video proceedings recorded by the group during the incident along with a copy of the FIR," said activist Gauhar Raza during a press conference organised by Child Relief and You on the issue of child rights here today. The letter also appeals to the NHRC to ensure that the right of children to participate in 'Aman Karavan' is protected and they can proceed as planned. Speaking about the incident, a member of the Aman Karavan, Sumeet Popli who has returned to the Capital, said, "During the press conference in Vadodara one person was continuously trying to disrupt the proceedings. But once the press conference was over, a group of people surrounded us and started troubling us. (The Hindu 16.4.04)

Now, NHRC can suggest relief (1)

NEW DELHI, MAY 6: THE Home Ministry today gave powers to the National Human Rights Commission (NHRC) to recommend relief to victims of abuse by the security forces. The move is significant as the NHRC had on several occasions sought powers to prosecute the personnel of paramilitary forces such as the BSF and CRPF for rights violations. The NHRC receives a large number of complaints against the security forces and even the Army each year. The Home Ministry's move was prompted by the petition of two women—Laxmi Devi and Savitri Devi—whose husbands were killed by a drunken BSF constable in a village in Ganganagar district of Rajasthan four years ago. The women wanted compensation and as such, the NHRC is not authorised to deal with such complaints. The petitions sparked off a legal battle between the NHRC and the Home Ministry—the NHRC argued that addressing the issue of relief for the victim was different from handling the complaints of rights abuse by the security forces. After initial resistance, the Home Ministry "realised the merit in the Commission's contention" and said it could recommend compensation in such cases. The NHRC has ordered the government to pay Rs 2 lakh each to the families of Om Prakash and Gopi Ram, who were killed by the BSF constable in 2002. (Indian Express 7.5.04)

Prison brutality, U.S. style (1)

NEW YORK, MAY 11. In an interview with an online magazine, Corrections.com, last January, Lane McCotter described Abu Ghraib, the Iraqi prison at the centre of the torture scandal, as "the only place we agreed as a team was truly closest to an American prison". Rarely has a truer word been spoken. And rarely has there been a more appropriate person than Mr. McCotter to utter them. He was head of Utah Department of Corrections in 1997 when Michael Valent, a prisoner diagnosed with schizophrenia died after he was strapped to a restraining chair for 16 hours. The executive director of the American Civil Liberties Union said the first word that came to mind when she saw the chair was 'torture.' Mr. McCotter resigned as the scandal gathered pace, went into the lucrative world of private prison management and last year directed the reopening of Abu Ghraib. Mr. McCotter did not respond to a call from the Guardian but in a statement to the New York Times on Friday said: "I was not involved in any aspect of the facility's operation after (a ribbon-cutting ceremony in September.)" The Bush administration's response to the daily shots of vicious inhumanity emerging from Abu Ghraib is to lambaste them as an aberration. But Mr. McCotter's professional journey alone tells us that the trouble with Abu Ghraib was that it was all too consistent with America's models of incarceration (1)

NHRC vested with power to award interim relief (1)

NEW DELHI, MAY 15. The Union Home Ministry has vested powers with the National Human Rights Commission to recommend interim compensation in cases relating to human rights violation by armed forces. Hitherto, the Ministry was maintaining that the NHRC could not award relief on complaints received against the armed forces. The Commission was earlier approached by the widows of two residents of

Ganganagar district, Rajasthan, who had lost their lives at the hands of a BSF constable under the influence of liquor. The Commission issued a showcause notice to the Ministry to give immediate interim relief under Section 18 (3) of the Protection of Human Rights Act, 1993 to the next of kin of the two innocent persons who had lost their lives. In its reply, the Ministry maintained that Section 18 (3) of the Act was not applicable to the armed forces such as the BSF. The Commission however, rejected the argument and said that it had the power to recommend the grant of "interim relief. In the light of the commission's stand, the Ministry informed it that it had reconsidered the issue and had taken the view that interim compensation could be recommended by the commission in respect of cases relating to the armed forces also. (The Hindu 16.5.04)

Pervez sets up a rights body (1)

Islamabad, May 16: Pakistani President Pervez Musharraf announced Saturday the establishment of an independent national commission to facilitate the implementation of human rights in the country, reports Online news agency. The National Commission for Human Rights will have an independent status and would report, review and advise on all forms of human rights violations and re-dress grievances, Gen. Musharraf said while addressing a convention. Referring to the rights of minorities, he said: "All minorities in Pakistan have the right to freely profess, practise and propagate their religion and also to establish, maintain and manage their religious institutions." Gen. Musharraf said his government takes pride in empowering minorities by allowing them electoral franchise and by giving them reserved seats in parliament, provincial assemblies and local government. In this context, the President said blasphemy law needs to be looked into so that justice is done and it is not misused to victimise the innocent. Pakistan's top human rights group on Sunday welcomed President Gen. Pervez Musharraf's call for a ban on the "honour killings" that claim hundreds of women's lives each year, but urged him to move beyond rhetoric and end the bloodshed. (Asian Age 17.5.04)

Serious rights abuse in J&K: US (1)

Washington, May 17: THE UNITED States, which is in the dock currently for human rights abuses an Iraqi prison, has once again faulted India for excessive use of force while combating insurgencies in Jammu and Kashmir and the North East. The State Department's world human rights report was released on Monday. It focusses on the record of virtually all countries except one - the US. There is not even a passing mention of the recently-uncovered excesses committed by American forces on Iraqi inmates of the Abu Ghraib prison. In its observations on India, the 265-page report said that while India is a vibrant democracy and the government "generally respected" the human rights of its citizens, "numerous serious problems" still remained. These are said to include "extra-judicial killings, custodial deaths throughout the country and heavy-handed and occasional excessive use of force, as well as arbitrary arrest and disappearances, while combating insurgencies in Jammu and Kashmir and several northeastern states". The report goes on to speak of "incidents of torture and rape by police and other government agents, poor prison conditions, detention throughout the country of those arrested under security-related laws such as the Prevention of Terrorism Act, prolonged detention while undergoing trial and witness intimidation". (Hindustan Times 18.5.04)

NHRC notice to Delhi police (1)

NEW DELHI, MAY 17. The National Human Rights Commission has asked Delhi's Police Commissioner to look into allegations reported in a newspaper on April 28 about an eight-year-old boy, Sahil, having been brutally beaten and abused by Onkar Nath Kaul, who is reported to be a police officer. The newspaper report had said that the incident took place when Sahil allegedly broke the glass of Onkar Nath Kaul's car while the boy was playing. Sahil was taken to Safdarjung Hospital and admitted there, but the medical report of the boy had not been received. It also reported that the Vasant Kunj police had not registered any case since no complaint had been received. The media report alleged that the boy's mother had called the Police Control Room but the police had not taken any action on account of the influence wielded by the officer. Taking suo motu cognisance based on the j media report, the Chairperson of the Commission, Justice A.S. Anand, observed that if the contents of the report were true, it raised issues of violation of human rights. A copy of the news item had been sent to the Commissioner of Delhi Police to submit his comments within three weeks. (Hindu 18.5.04)

Shocking rate of J&K suicides alarms NHRC (1)

New Delhi, May 21: The National Human Rights Commission has taken note of reports pointing at a high rate of suicides in the troubled Kashmir valley, saying the situation they described was "shocking." The commission has written to the Jammu and Kashmir chief secretary for facts and figures on the grim scenario reflected in media reports from time to time. A recent report said 20,000 people have attempted suicide in the 14 years of militancy in the Valley; about 3000 of them died. Most of them were aged between 16 and 25 years, the report said. Girls were more likely to attempt suicide. The NHRC wants to know if the figures are correct — if they are, commission chairman A.S. Anand said the situation was "really shocking and serious. The commission has asked the state government to give within six weeks the number of suicide deaths and attempted suicides in the Valley from 1999-2000 to 2003-2004. The report from the state should include the break-up of suicide deaths and attempts in terms of age, sex and rural-urban divide. It should also mention if inquiries had established a linkage of suicide with militancy in the Valley, the NHRC said. (Asian Age 22.5.04)

India faces Amnesty ire over Gujarat (1)

London, May 26: Amnesty International launched a scathing attack on the US in its annual report released here on Wednesday. India also came in for criticism over the post-riot situation in Gujarat but the strongest words were reserved for human rights violations in Iraq. The failure of leadership is a dangerous concession to armed groups. The global security agenda promoted by the US administration is bankrupt of vision and bereft of principle. Violating rights at home, turning a blind eye to abuses abroad and using pre-emptive military force where and when it chooses has damaged justice and freedom, and made the world a more dangerous place," Amnesty International secretary-general Irene Khan said. The international rights organisation said that violence by armed groups and increasing violations by governments have combined to produce the most sustained attack on human rights and international humanitarian law in 50 years. (Asian Age 27.5.04)

NHRC raps Kerala Govt. over arrests (1)

NEW DELHI, MAY 26: THE National Human Rights Commission directed the Kerala government to pay interim relief of Rs 10,000 each to two Adivasi boys who were allegedly illegally detained by the police. Earlier, the NHRC sent a show cause notice to the Kerala Chief Secretary asking why the immediate relief was not paid. The government had replied saying it could not make the payment till the criminal cases against the accused officers were disposed off. NHRC asked for a report from the SP, following a complaint by Kollam-based Christian Cultural Forum, alleging, the Agali police in Pallakad illegally arrested Manikandan (16), Parameswaran and an Adivasi woman, Kupamma, in May 1997. According to the report submitted to the Commission, a joint enquiry by the SP and CB-CID found that the two boys were caught by an estate owner on suspicion of stealing Rs 2,500, but the police did not register a case. In Kupamma's case the allegation was that she was tortured at the police station. (Indian Express 27.5.04)

NHRC checks Army rights record (1)

New Delhi, May 27: National Human Rights Commission chairman A.S. Anand and Army Chief Gen. N.C. Vij have met to discuss allegations of human rights abuse against the security forces.

The interaction, a formal meeting followed by informal exchanges, between Justice Anand and Gen. Vij was spread over a few weeks. Recently, the NHRC has also been given the authority to recommend interim compensation in cases relating to rights abuse by the armed forces as well.

The NHRC said on Thursday that the Chief of Army Staff shared Justice Anand's concern. In a follow-up letter this week to the NHRC chairman, Gen. Vij said human rights figured "very high" in the Army and it would do "everything possible" to further improve its record. The Army Chief said the forces were committed to upholding human dignity and minimising collateral hardships while operating in the militancy-infested areas. He gave details of punishments handed out to officers and men found guilty of violating human rights — including life imprisonment in two cases, rigorous imprisonment and dismissal from service. He said the Army took note of violations reported not just by the NHRC but also by other sources, including the media. Officers of the rank of colonel have been specifically designated at the command, corps, division and counter-insurgency headquarters level to monitor human rights issues. The NHRC said in Jammu and Kashmir, there had been 1,039 cases of human rights violations — an average of 104 a year — during 1990-1999. But the figures indicate a marked decline in the years after that. Only 16 such cases were reported last year and four since the beginning of this year. (Asian Age 28.5.04)

Army tortured students: AASU (1)

GUWAHATI, MAY 27: ACTING on allegations of stripping and torturing of some students by the Army in Nalbari district in Assam, the Assam Human Rights Commission (AHRC) today directed the district authorities to look into the matter and to submit a report within a fortnight. The complaint was filed by the All Assam Students' Union (AASU) chief Prabin Boro. In his complaint, Boro also alleged that the Army had been misbehaving with senior citizens of the district. Boro's complaint alleged that on May 19, three students were summoned to the Army camp at Barama, where they were stripped and tortured with electric shocks by the Army. The students were Iqbal Hussain, Ramesh Rajbangshi and Manoranjan Kalita — all office bearers of the Dhamdhama An-chalik Students' Union which is affiliated to AASU. Acting on the complaint, AHRC member S. Mahanta, directed the Nalbari Deputy Commission to inquire into the complaint and file a detailed report within a fortnight. Mahanta also directed Director (Investigation) and SP (Investigation) of the Commission to carry out an on-the-spot investigation and to submit a report within two weeks. Since the state HRCs do not have jurisdiction over the Army, the AHRC has also written to the NHRC for further action. Needless to say, the Army enjoys sweeping powers to search, detain and comb under the provisions of the Armed Forces (Special Powers) Act—in force in Assam and several other Northeastern states. (Indian Express 28.5.04)

2nd June

NHRC talks tough on AP farmers' suicides (1)

NEW DELHI, JUNE 1: GIVEN its track record in Gujarat, where NHRC acted to subvert the situation when the Narendra Modi government seemed to be getting away with the responsibility of ensuring justice to Godhra victims, the Andhra government should take its warning seriously. The NHRC today warned the Andhra government against sitting on the desperation of the debt-ridden farmers in the state, many of whom have committed suicide. Its chairman Justice A.S. Anand, taking note of the recent deaths, issued fresh notices to the state and asked it to give reasons within four weeks for not complying with the directions so far. "Death due to starvation is the greatest violation of human rights and state governments can not escape from the responsibility," said Anand about the recent incidents in Andhra and Kerala. He added the states should realise that it is their job to ensure the right to food to all citizens. The NHRC also asked the government to expedite its reply on the recommendations made last April by Commission's special rapporteur K.R. Venugopal, whose report hinted at what could happen if the Andhra government kept looking the other way. The NHRC report had said: "The AP government's failure to go to the rescue of the families of suicide victims has a potential of being classified as negligence leading to violation of human rights. Continued inaction could attract 12(1) of the Protection of Human Rights Act, 1993." (Indian Express 2.6.04)

4th June

NHRC issues notice to Orissa (1)

New Delhi, June 3: The National Human Rights Commission has taken action on reports that a tribal woman in Orissa was paraded naked after being branded a witch. The NHRC has issued a notice to the Orissa government, asking its chief secretary to reply within four weeks. The incident took place in predominantly tribal Tainsara village in Sundergarh district. According to newspaper reports, she was assaulted by villagers after her neighbours' daughter fainted when she went to meet them. The woman was branded a witch, who performed "strange rituals" at her home. The villagers allegedly stripped her and forced her to eat excreta. The reports said they also tried to hang the woman. The incident took place early last month, but the woman complained only after several days had passed. (Asian Age 4.6.04)

Rajasthan rights panel chief quits (1)

JAIPUR, JUNE 3. The chairman of the Rajasthan State Human Rights Commission, Justice Syed Sagheer Ahmed, today resigned from his post. He was appointed to the Commission by the previous Congress-led Government after he retired as Supreme Court judge and his term was to expire in July 2005. The Governor, Madan Lal Khurana, has "reluctantly" accepted his resignation and appreciated his contribution to the cause of protection of human rights in the State during his tenure. The senior-most member of the Commission and a former Judge of the Rajasthan High Court, Justice A.S. Godara, has been appointed the Commission's acting Chairman. Against the sanctioned strength of four members

besides the Chairman, the Commission was currently functioning with only two members — Mr. Justice Godara and R.K. Ankodia. (Hindu 4.6.04)

7th June

Rights chief warns of war crimes (1)

United Nations, June 6: The top human rights official for the United Nations said on Friday that the maltreatment of Iraqi prisoners by US soldiers could constitute a war crime, and he called for the immediate naming of an international figure to oversee the situation. Mr Bertrand Ramcharan, the acting high commissioner for human rights, acknowledged that the removal of Saddam Hussein represented "a major contribution to human rights in Iraq" and that the United States had condemned the conduct and pledged to bring violators to justice. "Everyone accepts the good intentions of the coalition governments as regards the behaviour of their forces in Iraq," he declared in a 45-page report issued at the agency's headquarters in Geneva. But, Mr Ramcharan added, after the occupation of Iraq, "there have sadly been some violations of human rights committed by some coalition soldiers." In an apparent reference to the incidents of abuse at Abu Ghraib prison and to cases where Iraqi prisoners have died in detention, Mr Ramcharan said that "wilful killing, torture and inhuman treatment" represented a grave breach of international law and "might be designated as war crimes by a competent tribunal." He said it was a "stark reality" that there was no international oversight or accountability for the thousands of detainees, the conditions in which they were held and the manner in which they were treated. To correct this situation, he said, the coalition authorities should immediately appoint "an international ombudsman or commissioner." (Asian Age 7.6.04)

9th June

NHRC notice to A.P. on electrocution deaths (1)

NEW DELHI, JUNE 8. The National Human Rights Commission has issued notice to the Chief Secretary, Andhra Pradesh and the General Manager, Transmission Corporation of Andhra Pradesh Limited to show cause within six weeks as to why the Commission should not recommend payment of appropriate interim relief to the next of kin of two victims who had died due to electrocution. A complaint was received by the Commission from Jampana Srinivasa Gowd of Krishna District on May 5, 2000 drawing attention to the death of P. Seshbabu and his son P.Bharat Pawan Kumar, by electrocution the previous day. The Commission had then issued a notice to the Chief Secretary, Andhra Pradesh, the Principal Secretary, Department of Electricity and the Chairman of A.P. Transmission Corporation. In reply the General Manager (IR), Transmission Corporation of Andhra Pradesh Limited, Hyderabad submitted a report, which stated that there was no negligence on the part of the departmental personnel. Disturbed by the stand taken on behalf of the A.P. Transmission Corporation in trying to assert that there was no negligence on the part of the department personnel and heavy reliance being placed on conjunctures and surmises, the Commission observed that a precious life had been lost because of the failure of the supplier of energy to take appropriate precautions. (Hindu 9.6.04)

13th June

NHRC plans adalats for medical grievances (1)

New Delhi, June 12: The National Human Rights Commission is launching a series of health adalats, or public hearings, where people can list their grievances against medical institutes and hope things will be set right. The NHRC plans to cover the entire country through a series of five one-day "public hearings on the right to healthcare," followed by a two-day national- hearing in New Delhi in December. The series begins on July 29 in Bhopal for the western zone, covering Madhya Pradesh, Maharashtra, Rajasthan, Gujarat and Goa. The NHRC wants individuals and organisations to write to Jan Swasthya, a non-governmental organisation associated with the project, with their grievances against government and private hospitals. The cases will be taken up at the hearings before a panel which will include NHRC representatives and senior officials from each participating state. The NHRC is concerned that many people simply don't have access to adequate health-care — particularly if they happen to be women, HIV/AIDS patients, migrant workers and refugees. Hospitals turn away patients, or, they don't have enough facilities. At the hearings, the NHRC wants to know about systemic shortcomings as well as serious cases of neglect by hospitals and state medical authorities. In recent years, the NHRC has treated healthcare as a human rights issue, and even set up a core group on it. It has focused on emergency ser-

vices, problems of HIV/AIDS patients, maternal anaemia, unsafe drugs and sale of human kidneys. Asian Age 13.6.04)

19th June

Probe Ahmedabad shootout, NHRC tells Gujarat police (1)

NEW DELHI, JUNE 18. With the Ahmedabad encounter killings snowballing into a major controversy, the National Human Rights Commission today asked the Gujarat police to investigate the shootout that claimed four lives, including that of a Thane girl, and submit its report within six weeks. The Commission wrote to the Director-General of Police, Gujarat, and the Senior Superintendent of Police, Ahmedabad to "take appropriate action with regard to the investigation of the case as per the guidelines laid down by the Commission." According to the NHRC guidelines issued to all Chief Ministers earlier, death caused in an encounter would amount to culpable homicide unless it was established that the action was taken in self-defence or to arrest a person accused of an offence punishable with death or life imprisonment. The direction to the Gujarat police was issued taking SMO motu cognizance of media reports about the Thane district police finding that 18-year-old Ishrat, a college student from the district in Mah-arashtra who was killed in the encounter on June 15, had no criminal record. Referring to the media reports, the NHRC Chairperson, Justice A.S. Anand, said that if their contents were true, "it raises serious issues of violation of human rights." The action taken according to the guidelines and the final outcome would have to be reported to the Commission within six weeks. (Hindu 19.6.04)

18TH July

NHRC urged to identify causes behind farmers' suicides (1)

NEW DELHI, JULY 17. The Forum of Social and Human Rights has urged the National Human Rights Commission to constitute a panel of economists to identify the root causes for suicides by farmers across the country and suggest measures to solve this social problem. In a petition filed before the NHRC, the president of the Forum, Pentapati Pullarao, pointed out that farmers in large numbers were committing suicide in Andhra Pradesh, Punjab, Karnataka, Maharashtra and Kerala. While such suicides were also witnessed in other sections of the society, the issue among farmers was glaring. Dr. Pullarao, an economist, said the problem was that vast national and global changes were taking place in world economies and agriculture was one sector which was being affected everywhere. In India agriculture affected a population of 70 crores. Mechanisation, flight to cities, migration, change of crops, international trade in agricultural products, issues arising out of the World Trade Organisation's conditionality, lower import duties etc., had brought about major changes in agriculture. The NHRC could, therefore, take an overall view and find a solution by taking the advice of a panel of eminent economists from India and abroad. (The Hindu 18.7.04)

21st July

Arab women encouraged Darfur rapes: Amnesty (1)

NAIROBI/LONDON, JULY 20. While African women in Darfur were being raped by the Janjaweed militiamen, Arab women stood nearby and sang for joy, according to an Amnesty International report published yesterday. The songs of the Hakama, or the "Janjaweed women" as the refugees call them, encouraged the atrocities committed by the militiamen. The women singers stirred up racial hatred against black civilians during attacks on villages in Darfur and celebrated the humiliation of their enemies, the human rights group said. "[They] appear to be the communicators during the attacks. They are reportedly not actively involved in attacks on people, but participate in acts of looting." Amnesty International collected several testimonies mentioning the presence of Hakama while women were raped by the Janjaweed. The report said: "Hakama appear to have directly harassed the women [who were] assaulted, and verbally attacked them."

During an attack on the village of Disa in June last year, Arab women accompanied the attackers and sang songs praising the Government and scorning the black villagers. According to an African chief quoted in the report, the singers said: "The blood of the blacks runs like water, we take their goods and we chase them from our area and our cattle will be in their land. The power of [Sudanese President Omer Hassan] al-Bashir belongs to the Arabs and we will kill you until the end, you blacks, we have killed your God." (The Hindu 21.7.04)

28th July

Court seeks Centre's affidavit on NHRC appointment (1)

NEW DELHI, JULY 27. The Supreme Court today directed the Centre to file an affidavit within two days giving details of the consultation process it had followed in the appointment of the former CBI director, P. C. Sharma, as a member of the National Human Rights Commission in February. A Bench, comprising Justice Y.K. Sabharwal and Justice D.M. Dharmadhikari, gave this direction to the Solicitor General, G.E. Vahanvati, after it was pointed out by Rajinder Sachar, senior counsel for the petitioner, People's Union for Civil Liberties, that consultation with the Leader of the Opposition in both the Houses of Parliament had not taken place in the appointment of Mr. Sharma. Mr. Vahanvati and Gopal Subramaniam, senior counsel, who also appeared for the Centre, submitted that consultation had taken place in the appointment and all the relevant files would be produced before the court, if necessary. They told the Court that there had been consultation with the Leaders of , Opposition in both Houses of Parliament and other procedural formalities were fully complied with. (The Hindu 28.7.04)

28th July

Court seeks Centre's affidavit on NHRC appointment (1)

NEW DELHI, JULY 27. The Supreme Court today directed the Centre to file an affidavit within two days giving details of the consultation process it had followed in the appointment of the former CBI director, P. C. Sharma, as a member of the National Human Rights Commission in February. A Bench, comprising Justice Y.K. Sabharwal and Justice D.M. Dharmadhikari, gave this direction to the Solicitor General, G.E. Vahanvati, after it was pointed out by Rajinder Sachar, senior counsel for the petitioner, People's Union for Civil Liberties, that consultation with the Leader of the Opposition in both the Houses of Parliament had not taken place in the appointment of Mr. Sharma. Mr. Vahanvati and Gopal Subramaniam, senior counsel, who also appeared for the Centre, submitted that consultation had taken place in the appointment and all the relevant files would be produced before the court, if necessary. They told the Court that there had been consultation with the Leaders of , Opposition in both Houses of Parliament and other procedural formalities were fully complied with. (The Hindu 28.7.04)

12th Aug

PC Budget promise against disabled says NHRC (1)

New Delhi, Aug. 11: The Manmohan Singh government's promise of guaranteed employment has come-tip for criticism from unexpected quarters — the National Human Rights Commission. The NHRC is happy with the government plan in principal. However, it has taken exception to a reference in Union finance minister P. Chidambaran's Budget speech which seemed to discriminate between the disabled and the able-bodied. A "deeply perturbed" .NHRC.chairman, Justice A.S..Anand has written to Mr. Chidambaram and Union Labour Minister Sis Ram Ola urging them to make amends. The Union finance minister had referred in his speech to the National Employment Guarantee Act, which he said was in the making. "The object is to guarantee 100 days of employment in a year to one able-bodied person in every poor household," he had said. The reference, the NHRC said on Wednesday, "unwittingly discriminates against persons with disability and the commission has taken exception to it." In its letter to the two Union ministers, the commission has asked them to delete the reference to "able-bodied persons" when the bill is drafted. Instead, it wants the government to make "appropriate provisions" for employment of the disabled. (Asian Age 12.8.04)

17th Aug

[Activists may go to Bangalore court for rights panel \(1\)](#)

Bangalore, Aug. 16: Human rights activists of the city are planning to approach the high court shortly seeking directions to the state government to set up a state human rights commission at the earliest. Human rights activist Prof. Hassan Mansoor told The Asian Age that cases of human rights violation have been steadily increasing in the state. A state-level rights commission has therefore become essential to check, record and dispose complaints of human rights violation in the state speedily, he said. According to Prof. Mansoor, human rights activists have been appealing to the state government to set up a commission of this kind since 1994 which has not yielded results so far. "We therefore have no option but to approach the high court seeking specific directions to the state government to set up a commission," he added. Prof. Mansoor said, "we have started studying the judgement copies of the high courts in Andhra

Pradesh and Uttar Pradesh which have issued directions to the respective state governments to establish human rights commissions. Both states have complied with these directions." He said though former chief minister S.M. Krishna had shown some interest in establishing a rights commission in the state, the idea was not favoured by the then home minister Mallikarjun Kharge. ;Prof. Mansoor quoted Mr Kharge as saying that the setting up of a rights commission would demoralise the state police rather helping them in their duties and so it was not necessary. (Asian Age 17.8.04)

1ST Sept.

Report on 'high toll' of children sought (1)

NEW DELHI, AUG. 33. The National Human Rights Commission (NHRC) has taken suo motu cognisance of a news report, which appeared in a Telugu daily on August 11, alleging that a large number of children had died at a hospital in Hyderabad. The report said 227 children, of whom 163 were infants, had died at the Niloufer Hospital in June while in July 274 children, of whom 188 were infants, had died. Observing that if the report was true, it raised the issue of rights violation, the NHRC Chairperson, A.S. Anand, directed that a copy of the report be sent to the Health Secretary, Andhra Pradesh, and the Medical Superintendent, Niloufer Hospital, and asked them to submit their comments within three weeks. (The Hindu, 1-9-2004)

7TH September

Gujarat cases: NHRC happy with judicial proceedings – (1)

New Delhi: A section of Gujarat judiciary which suffered massive strictures by the Supreme Court for its unjust pronouncements in various violence cases received a shot in the arm as the National Human Rights Commission (NHRC) on Monday expressed its satisfaction with judicial dispensation now. The NHRC which was in the forefront of seeking transfer of criminal cases outside Gujarat as it feared miscarriage of justice due to biased investigation and partisan prosecution in the violence cases, told the apex court that the prosecution now "is far more responsible" but felt it needed further strengthening. NHRC counsel T R Andhyarujina said before the court hearing Harish Salve, who is assisting the court. Salve sought transfer of trials of 14 serious cases of massacre outside Gujarat. Though the NHRC said that "the prosecution is far more responsible today," it hastened to clarify its change of stand saying that it would not oppose transfer of cases if the Bench felt so on merit of each case. Seeking reinvestigation by an independent agency into sensitive cases, Andhyarujina suggested strengthening of the prosecution and said a special rapporteur could be appointed to oversee the manner in which prosecution was being carried out. (Times of India, 7-9-2004)

Invoke Article 355: Rights activists to Gujarat governor (1)

Ahmedabad, Sept. 6: Human rights activists representing Movement for Secular Democracy have written to the Gujarat governor demanding that Article 355 of the Indian Constitution be invoked in the state so that riot-victims of 2,000 cases that have been reopened by the Supreme Court, can depose without fear. In a letter to governor Nawal Kishore Sharma, human rights activists Prakash Shah, Ha Pathak, Dilip Chandulal, Sara Baldiwala and Dwarika Naih Rath have expressed apprehension about the outcome of reopening of the 2,000 post-Godhra riot cases in the state that is still plagued with communal differences. The letter sates, "Although we welcome the review of 2,000 cases, the victims from rural areas who have returned to their villages, are apprehensive about the outcome of the process." Claiming that the ground reality in the villages is very different — domination of caste bodies with full support of local administration — and that the victims were compelled to compromise, the activists have stated that the reopening of the cases have compounded the misery of the victims. (Asian Age, 7-9-2004)

9TH September

Rights body says police suppressing freedom (1)

New Delhi, Sept. 8: The All-India Defence Committee for Sayed Abdul Rehman Geelani has accused the Special Branch of the Delhi police of "trying to suppress the freedom of speech and expression on the university campuses in the city." Recently, the committee as part of its campaign to make people aware of the issues raised during the course of trial of Mr Geelani, who had been accused in the Parliament attack case, had put up an exhibition of posters titled "Lies of our times." The exhibition, according to the committee, was a gesture of solidarity with Mr Geelani and was proposed to be put up Delhi University, Jamia Millia University and Jawaharlal Nehru University. However, apparently due to pressure from the

police the university authorities expressed their inability to allow the exhibition to be displayed at the proposed venues. nevertheless, Zakir Hussain College organised the exhibition while some other teachers organised the exhibition at their homes in ;defiance of the university and college authorities. (Asian Age 9.9.04)

10TH September

NHRC seeks report on denial of access to park (1)

NEW DELHI, SEPT. 9. The National Human Rights Commission (NHRC), taking notice of the alleged denial of access to a park inside a residential colony to "servants" and their families, has called for a report and comments from the Chief Secretary of the Government of the National Capital Territory of Delhi; the Deputy Commissioner (South), Delhi, and the Director of Estates, Government of India, within three weeks. The NHRC was responding to a newspaper report on September 4 with the headline, "The Forbidden Park," which refers to the Government officers' colony, 'Nivedita Kunj', at R.K. Puram. It was reported that the "servants" and their families, occupying the quarters adjacent to the officers' apartments, were banned from entering the park through a rule by the residents' association. The Commission said the article, if true, presented a distressing picture of some senior government officials discriminating between the "haves" and the "have nots." It said, "It brings to [the] fore a gross violation of the human rights of citizens. Government officials are expected to honour the mandate of Article 14 of the Constitution and other provisions, which prohibit discrimination on grounds of "caste", "class" and the like. It appears, from the article, that the park, the use of which the "have nots" have been precluded, belongs to the Government of India and is not the private property of anybody." (The Hindu 10.9.04)

23RD September

NHRC notice to Bihar on custodial death (1)

NEW DELHI, SEPT. 22. The National Human Rights Commission has issued notice to the Chief Secretary and Director General of Police, Bihar Government to show cause within four weeks why the Commission should not recommend interim relief to the next of kin of Ram Udit Narayan Singh, who died while in the custody of police at Manjhol police outpost in Begusarai district, Bihar. The death of Ram Udit Narayan Singh, who was arrested in April 1999 in a criminal case by the police was reported to the Commission by the District Magistrate, Begusarai, who stated that Ram Udit Narayan Singh had committed suicide by hanging while in police custody. The Commission called for the requisite reports from the Home Secretary, Bihar and the inquest and post-mortem report were received. The Commission observed that in the present case, medical evidence belies the police assertion that the deceased died by hanging himself. The presence of 11 external injuries and a post-mortem ligature mark undoubtedly show the barbaric attitude of the police and a crude attempt to create false evidence so as to screen off the offence. (The Hindu 23.9.04)

3rd Oct

NHRC takes cognisance of sale of son to clear debt (1)

NEW DELHI, OCT. 2. The National Human Rights Commission has taken suo motu cognisance of reports that appeared in a section of the media on September 14, of a woman in Bihar selling her son due to hunger and debt. It was reported that after the recent death of her two-year-old child Manish, Dharani decided to save her two-month-old baby boy and the rest of her family. She had left home with the child and returned without him to clear Rs. 5,000 of the family debt after having sold the child for Rs. 6,000. The report also quoted her husband, Lal Babu Paswan, a tuberculosis patient, as saying that he beat his wife and the neighbours also thrashed her. It was alleged that Lal Babu Paswan had not been able to access the Government's free T.B. treatment and that his wife had been missing. He now has only his seven-year-old daughter to take care of him. (The Hindu 3.10.04)

10th October

Divisive forces getting State patronage, allege rights activists (1)

BIKANER. OCT. 9. Civil rights activists from across Rajasthan today expressed concern over the increasing threat to communal harmony and the divisive elements getting official patronage ever since the Bharatiya Janata Party came to power in the State in December last year. The State Government had

shown an appalling indifference to the protection of basic human rights, said the activists. Activists participating in the sixth State-level convention of the People's Union for Civil Liberties (PUCL) here made a detailed analysis of the minorities and Dalits being subjected to intimidation in the BJP rule, tribal populations being deprived of their land rights, threat of drought looming large once again and the hazard posed by the landmines still installed in western Rajasthan along the India-Pakistan border. The newly-elected president of the PUCL's State unit and former MP, Than Singh, said the PUCL would oppose all moves adversely affecting citizens' rights and subjecting specific groups of people to disadvantage. "We will fight against all forms of injustice and challenge those in power," he said. (The Hindu 10.10.04)

12th October

NHRC note on HIV+ kids after US group's chiding (1)

NEW DELHI, OCTOBER 11: NHRC chairman Dr AS. Anand has shot off letters to the Union Health Minister and the chief ministers of all states, recommending a legislation to check discrimination against AIDS-affected children. The Commission's move comes in the wake of severe criticism of the Indian Government by a US-based group — Human Rights Watch — for "ignoring the HIV/AIDS-infected children while formulating policies". The group says that the Government has done little to protect children carrying HIV virus and are "virtually ignoring" the affected ones. (Indian Express 12.10.04)

13th October

NHRC seeks report from Tamil Nadu DGP (1)

NEW DELHI, OCT. 12. Taking a serious view of the arrest of several human rights activists, including the National Human Rights Commission advisory committee member and the People's Watch Managing Director, Henri Tiphagne, on Monday at Cuddalore, the NHRC has called for a report from the Director-General of Police, Tamil Nadu, within two weeks. Mr. Tiphagne and 15 others, including a woman, were arrested on a charge of obstructing a police programme and they were released later. The Commission sources said it was acting on a complaint from one Devasahayam alleging that the police did not follow the guidelines formulated by the Supreme Court in the D.K. Basu case and arrest memo and other information were not furnished to them. According to media reports, Mr. Tiphagne, who was scheduled to address a meeting of the Campaign Against Torture at the Town Hall were arrested without any provocation and charged under various Sections of the Indian Penal Code read with 7 (1A) of the Criminal Law Amendment Act for attempting to forcibly enter the hall, picking up quarrel with the police and obstructing their work and defying Section 30 of the Police Act in force. (The Hindu 13.10.04)

14th October

NHRC asks 2 hospitals to report on unhygienic state (1)

New Delhi, Oct. 13: The city's own Lok Nayak Jai Prakash Hospital and Sanjay Gandhi Memorial Hospital are "ailing" with unhygienic conditions, prevailing in and around their premises. Taking a strong view of a photograph earned by The Asian Age a fortnight ago, in a suo motu cognisance, the National Human Rights Commission has asked the two hospitals to give their replies with regard to unhygienic conditions prevailing there. Upholding that a picture speaks louder than 1,000 words, the photograph clearly indicated how garbage is literally spilled over on the roads to the hospital. The NHRC, acting on the report, said on Tuesday that reports were unflattering and mentioned similar state of infrastructural disarray, which included "garbage being dumped in the premises of the hospital creating both nuisance and health hazard for residents and patients alike." Observing that the government-run Sanjay Gandhi Memorial Hospital is also not any better, the NHRC has directed them to submit their replies within three weeks considering such reports of alleged unhygienic conditions. (Asian Age 14.10.04)

15th October

NHRC seeks report from A.P on farmers' suicides (1)

NEW DELHI, OCT. 14. Expressing concern over the incidents of suicide of farmers in Andhra Pradesh, the National Human Rights Commission has sought a report from the State Government on the steps it proposed to take to deal with the situation. The commission also asked the Chief Secretary to communicate within four weeks the results achieved so far on the follow-up action taken on the basis of measures suggested by the Cabinet subcommittee. The commission also sought the State's response on

the complaint filed by the Forum of Social and Human Rights urging the constitution of a panel of economists to identify the root causes for suicide by farmers across the country. (The Hindu 15.10.04)

20th October

Condition of SCs has only worsened, says NHRC report (1)

New Delhi: Despite a host of laws and institutions to prevent atrocities against the scheduled castes, their lot has only worsened for which the political class, bureaucracy and civil society is responsible. This comes out clearly in an exhaustive report of the National Human Rights Commission (NHRC) on the prevention of atrocities against SCs. Prepared by K B Saxena, who once headed the atrocities cell in Bihar, the report says SCs have suffered on all counts. Be it access to land, bringing to book the perpetrators of violence against SCs, doing away with degrading professions like manual scavenging, implementing job reservations in letter and spirit, the country has failed on all counts, the report notes. The report refers to a huge backlog of reserved vacancies. The report predicts that the idea of job reservation in private sector would not materialise for a host of reasons. The government, however, could engage the private sector in meaningful discussion on how to facilitate the entry of marginalised communities in private sector employment, trade and commerce as part of an affirmative action strategy. (Times of India 20.10.04)

21st October

NHRC indicts Modi govt once again (1)

New Delhi: Gujarat government has been indicted by the National Human Rights Commission (NHRC) once again. Though unrelated to the 2002 violence, the commission has rejected the state government's plea that interim relief to the family of a victim of custodial death be kept in abeyance till criminal proceedings get over. The commission has asked the state government to pay the interim relief of Rs 1 lakh immediately to the family of deceased Haji Mohd Nabuji Tentwala, who died in police custody in 1995. NHRC has also asked for a compliance report within four weeks. According to sources, what came as a surprise was the fact that state government, despite acknowledging the human rights violation, took the stand of not paying the interim relief and requested the commission to withdraw its showcause notice. The NHRC said, "In the face of these facts, the stand of the government of Gujarat becomes logically unacceptable and legally untenable... By no stretch of imagination could it be argued that the award of 'immediate interim relief has to be dependent upon the strict establishment of criminal liability after a full dress court trial.'" (Times of India 21.10.04)

2ND Nov.

NHRC for action plan on fluorosis (1)

NEW DELHI, NOV. 2. The National Human Rights Commission today stressed the need for a national programme for the treatment of fluorosis. At a meeting with senior officials of the Union Health Ministry here, the NHRC chairman, Justice A.S. Anand, expressed concern that 66 million people in 19 States and 196 districts were affected by fluorosis. He said a concrete policy was needed to prevent, detect, diagnose and treat the condition. It was a human rights issue and States had an obligation to address it. The Health Secretary, J.V.R. Prasada Rao, said the Ministry would ask the Medical Council of India to include a module on the detection of fluorosis and related issues in the syllabus of interns. The issue will be taken up at the next meeting of the Central Council of Health and Family Welfare scheduled in ~>pember, to be attended by all the State Health Ministers and Health Secretaries. (Hindu 3.11.04)

5th Nov.

NHRC seeks report on infants' death (1)

New Delhi, Nov. 4: The National Human Rights Commission (NHRC) has directed the Union Health Secretary, the Health Secretary, the West Bengal Government and the Medical Superintendent, B.C. Roy Memorial Hospital, Kolkata, to send a report on the death of four children on September 27 in the hospital. The report must be submitted within three weeks. Taking suo motu cognizance of a news report dated September 28, the Chairman of the NHRC, Justice A.S. Anand, said that if the report was true, it revealed the state of affairs at the hospital. The news report had stated that the infants, who had been placed in the incubator, were taken out due to power blackout for two hours leading to their death. The hospital authorities admitted that the infants had died and shifted the onus for disruption in supply of power on the

Kolkata Electric Supply Corporation. (The Hindu 5.11.04)

6TH Nov.

NHRC probes rape charge on top cop (1)

New Delhi, Nov. 5: The National Human Rights Commission has registered a case on a complaint filed by one Kumari Seema Verma against the director-general of police in Goa, Mr Amod Kanth, who she has claimed has been repeatedly raping her since October 2002. Ms Verma has said that she has evidence to prove the rape and has said in the complaint recorded with the NHRC that "Mr Amod Kanth is a very dangerous man and has killed some of the girls who refused to have sex with him." Allegations of homosexual acts with orphans in Prayas — an NGO run by Mr Kanth with the support of the Delhi police — have also been made. The National Human Rights Commission case No. 2247/30/2004-2005-AR was filed with Justice A.S. Anand, the NHRC chairperson, as the sole member of the "coram." The Asian Age was first tipped off on the case by an anonymous letter containing copies of the complaints allegedly filed by Ms Seema Verma to the Chief Justice of India, Justice R.C. Lahoti and NHRC chairman Justice A.S. Anand. Both letters are dated Sept. 1 2004 and were reportedly received by the two offices on the same day and bore the stamp of receipt. (Asian Age 6.11.04)

12th Nov.

NHRC holds Punjab guilty of 109 deaths in custody (1)

New Delhi: Nine years after human rights groups raised the issue of mass disappearance and cremation of thousands of innocent citizens in Punjab during the days of militancy, NHRC on Thursday took a small step forward by holding the state government "accountable and vicariously responsible for the infringement of indefeasible right" of 109 people who were in police custody before their death and cremation. NHRC asked the state government to pay Rs 2.5 lakh each to the next of kin of these 109 persons. Though NHRC's order has set a new standard of strict liability, there are thousands of others in Punjab who lost their relatives the same way and are still struggling to get compensation. In that respect, NHRC has a bigger task ahead. Asking the government to pay compensation, NHRC refused to buy its contention that the money to be paid "should be in the nature of ex-gratia payment and not by way of damages or compensation and should be without prejudice to the rights of the state and its officials in any civil departmental or criminal actions". The government's stand that the police were engaged in defending the state in a war-like situation also did not satisfy the commission. NHRC made it clear human rights of citizens are "non-negotiable". It cited the Supreme Court order in the D K Basu vs State of West Bengal case in which the apex court had said that state terrorism is no answer to combat terrorism. (Times of India 12.11.04)

MP human rights panel pulls up Home Dept (1)

Bhopal: THE STATE Human Rights Commission and the Home Department are at loggerheads with the latter not executing most of the recommendations made by the Commission, pertaining to final settlement of compensation. The Commission has sent 76 recommendations involving the Home Department, most of which have not been followed. A joint meeting of the Human Rights Commission and officers of the Home Department was convened earlier this week with the idea of solving contentious issues. Miffed over the inaction by the Home Department, the State Human Rights Commission has threatened to move the High Court. The Director General of Police, on the other hand, says the Home Department is under no compulsion to adhere to the recommendations of the Human Rights Commission. During the meeting, attended by acting chairperson of the State Human Rights Commission Justice (Retd) Narayan Singh Azad, Principal Secretary (Home) Shagirath Prasad, Director General of Police SK Das and other members of the Commission, it was decided that an additional budget would be demanded from the State Government to effectively execute the recommendations of the Commission. Most of the recommendations sent by the Commission to the Home Department involve cases of granting compensation to victims of atrocities. (Pioneer 12.11.04)

16th Nov.

NHRC notice on Naxal arrest (1)

Bhubaneswar, Nov. 15: The National Human Rights Commission has reportedly sought explanation from Orissa's director-general of police over the arrest of 18 "Naxalites". . The pro-Naxal organisation, Daman Pratirodh Manch, had drawn the attention of the NHRC to police "excess" after 18 tribals, including

women, were arrested by the state police without any provocation in the bordering Malka-nagiri district on last September 16. The DPM said -the arrested tribals were no way connected with violence, they were only returning to their homes after performing cultural programmes in Bhubaneswar. The NHRC has issued a notice to the director-general of police of Orissa with respect to the 18 arrests. The NHRC, in its notice, has asked the DGP to submit his report with the commission on this issue within four weeks of receiving the notice from the NHRC. It is be noted that the DPM, a pro-Naxal outfit, had organised a massive

Pro Naxal rally in Bhubaneswar on Sept. 14. On the sidelines of the rally, a state government delegation, headed by chief minister Navin Patnaik, and five prominent Naxalite leaders met at the state secretariat to discuss Naxal issues. During the rally, sympathisers of Naxalites were given assurances of "no-action". However, on their return, they faced police arrest around 500 kms from here. Since then, the DPM has been demanding unconditional release of 18 "tribals" arrested by the police (Asian Age 16.11.04)

17th Nov.

Stop 'encounter deaths' NHRC tells States (1)

NEW DELHI, NOV. 16. The National Human Rights Commission has come down heavily on State governments resorting to "encounter deaths" in the guise of combating terrorism. "Whereas terrorism must be countered effectively and strongly, no democratic society can be permitted to chill civil liberties of the citizens while taking measures against terrorists. In the fight against terrorism, sensitisation levels of human rights cannot be allowed to be sacrificed." the Commission asserted in a recent order. The Commission made the observation while directing the Punjab Government to pay a compensation of Rs. 2.5 lakhs

each to the families of 109 victims who were among 2,097 persons killed in police encounters between 1984 and 1994 and who were buried en masse by the State Government. The award was restricted to the 109 families who had filed claims before the Commission, which took up the task of payment of relief on directions from the Supreme Court. The Commission said that "a critical task of striking a fair balance by way of security concerns and human rights is to be performed and the need of proportionality must not be ignored. (The Hindu 17.11.04)

25th Nov.

Jail 70% of Bihar jail officials face departmental inquiry: Minister (1)

Patna: Bihar minister for jails Raghvendra Pratap Singh on Wednesday admitted that more than 70% of the officials posted at various jails in the state were facing various charges. Facing the ire of the Patna HC over criminal and jail authorities nexus, the minister said, "More than 70% of our officials are facing charges for committing irregularities and departmental proceedings are pending against them. How can you expect comprehensive jail reforms in these circumstances? After all, I don't have a magic wand to change the face of jails overnight." Jail authorities are in the eye of a storm with reports that jailbirds were running their nefarious activities prompting raids in connection with the kidnapping of the two National Hydel Power Corporation engineers T Mandal and K K Singh. "Being the custodian of the jails, I am aware of the situation and have taken a number of corrective steps after assuming additional charge," Singh. (Times of India 25.11.04)

30TH Nov.

Rights being violated: Amnesty (1)

New Delhi: Two decades after the gas tragedy in Bhopal on December 2, 1984, which led to the death of 20,000 people and left lakhs of people injured for life, Amnesty International has released an exhaustive report on how Union Carbide and the government continue to 'violate' the human rights of the survivors. The report, 'Clouds of Injustice: Bhopal Disaster 20 Years On,' blames Union Carbide Corporation, which had 50.9% stake in the Indian subsidiary, for overlooking safety measures despite knowing well that it was below standard. Even the plant's union had raised the issue but nothing was done. The report alleges that the parent company withheld information that could have assisted the medical treatment of the victims. Moreover, in 2001, when UCC merged with Dow Chemical Company, both companies used the new ownership structure to avoid further responsibility. The report also blames the Indian government for failing to protect the rights of the victims. "It was obliged to ensure that UCC and UCIL complied with the safety regulations. However, government officials of MP failed to act effectively, the report says. The report charges the Centre with accepting an "inadequate final settlement without allowing the survivors to

participate in the resolution of the case". This undermined the victims' right to a remedy, which includes compensation, rehabilitation, acknowledgement of the harm they have suffered, and for those responsible to be held in account, it says. (Times of India 30.11.04)

19th Dec

NHRC chief unveils action plan for better health care (1)

NEW DELHI, DEC. 18: The National Human Rights Commission Chairperson, Justice A.S. Anand, has called upon the Central and State Governments to enact specific legislations that would delineate the health rights of citizens, duties of public health system and the public health obligations of private health care providers. He said broad legal and organisational mechanisms to operationalise these rights and duties should also be specified. Addressing a press conference on Friday at the end of a two-day national public hearing on rights to health care organised by NHRC in association with Jan Swasthya Abhiyan, Mr. Anand said the legislations should be designed to make denial of health care arising from systemic failures more justiciable. Presenting an action plan prepared on the basis of deliberations at the public hearing, Justice Anand said there was also a need to set up health services regulatory authorities on the lines of the Telecom Regulatory Authority (TRAI) that would broadly define and sanction what constituted rational and ethical practices. The authorities should include public health experts, legal luminaries, representatives of consumer, health and human rights groups and elected public representatives. (The Hindu 19.12.04)

NHRC says no to coercive 2-child norm (1)

New Delhi, Dec. 18: The National Human Rights Commission on Friday gave a thumbs down to the idea of promoting the two-child norm through coercive means. In a set of recommendations on healthcare, the NHRC has sought "reversal of all coercive population control measures that are violative of basic human rights." The "coercive measures" were not spelt out by the NHRC, but state governments and leaders at the Centre have debated "disincentives" for legislators and government employees who have more than two children. The recommendation was part of a long list of suggestions which emerged after a nation-wide series of "public hearings" on healthcare organised by the NHRC and an NGO, Jan Swasthya Abhiyan. The series ended on Friday with a two-day hearing at the national level. Key suggestions include enactment of a comprehensive health services act and a regulatory authority to keep tabs on health-care in the country. The NHRC said coercive methods have been shown to be less effective in stabilising population, and draw resources away from health priorities. It added that in keeping with the spirit of the National Population Policy 2000, steps should be taken to prevent all forms of coercive population control measures and the two-child norm, which targeted vulnerable sections of society. (Asian Age 19.12.04)

23rd Dec

NHRC notice to Rajasthan (1)

NEW DELHI, DEC. 22. Taking suo motu cognizance of a media report on December 15 on child deaths increasing in Rajasthan, the National Human Rights Commission has directed the State Chief Secretary to send a factual report within three weeks. The news item stated that 12 children between the age of two months and 10 years died in the last one month due to seasonal diseases at Jeerahera village in Rajasthan's Bharatpur district. The report also stated that the number of victims affected by malaria in the village had increased. It alleged that the authorities had blamed the family of the victims for their ignorance and lack of health awareness. The Commission observed that if the contents of the report were true, it raised serious issues of violation of human rights as well as right to health care. (The Hindu 23.12.04)

IPS officer moves rights panel (1)

KOCHI, DECEMBER 22: AN IPS officer who went out of his way to help the victim of a brutal rape case that shook Kerala has now moved the State Human Rights Commission alleging violation of his own human rights. Police sources say this is the first case of its kind in Indian Police Service history. The complainant is Sanjeev Kumar Patjoshi, a DIG in the Kerala cadre. He has petitioned against IG (Vigilance) N. Shanker Reddy, saying Reddy hounded him to illegally suppress a rape case, and when he refused, forced him to leave Kerala on a Central deputation, besides messing up his Annual Confidential Report as well. The Commission has summoned Reddy next month. Reddy, when contacted, refused to speak while Patjoshi was not available for comment. The rape had occurred in 2002, when Patjoshi was the commissioner of Kozhikode. The victim was in her early twenties from Wayanad. A Plantation labourer

who needed to look after her ailing father, she could no longer work after peptic ulcers laid her low. In pain, she poured kerosene on herself and lit a match. Neighbours rushed her to the Government Medical College in Kozhikode, with over 65 per cent burns. At the hospital, her illiterate father was told she needed to be bathed before treatment. An attendant, Subramanian, offered to bathe her for Rs 100. Her father begged to put together the money. Subramanian took her to the toilet and brought her back to the bed, in a state of shock. He left pocketing the Rs 100. The girl later recovered enough to tell her father that she had been raped in the toilet. Other patients got her father to go to the police. (Indian Express 23.12.04)

24th Dec

NHRC hauls up cops for Net excesses (1)

New Delhi: Taking serious note of The Times of India report on the trigger-happy and abusive UP police virtually assaulting some girls who were surfing the Internet for professional purposes in Aligarh, the National Human Rights Commission (NHRC) on Thursday sought an explanation from the state's chief secretary in two weeks. NHRC chairperson A S Anand is believed to have also watched a TV news report of the gory violence perpetrated by the Aligarh police on college and school going girls before issuing the notice to the Mulayam government. NHRC said it was shocked by the report which quoted AMU student Shiraz saying that when one teenaged girl resisted the cops, a senior officer said: "Garmi na dikhao... garmi dikhaogi to bahut kuchh garam ho jayega (Do not lose your temper or you will lose a great deal more)." (Times of India 24.12.04)

25th Dec

NHRC pulls up police over cybercafe raids (1)

New Delhi, Dec. 24: The National Human Rights Commission has taken serious note of reports of police high-handedness during recent raids at cybercafes visited by students in Aligarh.

Acting on media reports, the NHRC has asked the Uttar Pradesh chief secretary and director general of police to probe allegations over the conduct of the raids. They have been asked to send their comments to the commission within two weeks, the NHRC said on Friday. According to press reports, the police had detained students in cybercafe raids in Agra and Aligarh. The police said they had found boys and girls in the cabins, in pairs watching pornography on the Internet. The schoolchildren were produced before television cameras. The students community complained against the raids, saying the police had pounced upon groups of students on a routine visit to the cafe. The NHRC acted on media reports indicating that the teenagers had been humiliated and some of them forced to face television camera. The television visuals showed there were no women police personnel in uniform at the time of the raids, the commission said.

"The background commentary of the constables seemed to be inappropriate and some of the remarks made by the police to the girl students were taunting and suggestive," the NHRC said. In one of the shots, a girl was seen being pulled out by a policeman holding her by her hair and forcing her in front of the television camera. (Asian Age 25.12.04)

29th Dec

Family turns to NHRC on torture, seeks CBI probe (1)

NEW DELHI, DECEMBER 28: ANARA Gupta's family, alleging torture at the hands of the Jammu and Kashmir police for several days, approached the National Human Rights Commission (NHRC) today seeking a CBI probe into the matter. Anara is the main accused in the porn CD case. Gupta's mother Rajrani met NHRC registrar Ajit Bharioke and submitted a petition alleging that the family of the former Miss Jammu was "illegally detained and tortured" by police for 11 days. "We asked the Commission to initiate a CBI probe into the matter as the suspension of five policemen in the case proves the complicity of the state police," she told reporters later. Bharioke informed her that NHRC had already asked the Jammu and Kashmir DGP for a report about the case on the basis of a complaint filed by an advocate, Prabir Kumar Das, Rajrani said. "However, the four-week time given by NHRC has already expired but no reply has been received. The NHRC assured us that action would be taken on our petition as well as the one filed by the advocate," said Sanjay Sachdeva, Gupta's maternal uncle who is also the Delhi unit chief of Panther's Party. "We will be informed about it by next week," he added. (Indian Express 29.12.04)

31st Dec

An eventful year for NHRC (1)

NEW DELHI, DEC. 30. Providing relief to the victims in the "Punjab Mass Cremations" case, voicing concern over reported suicides of farmers in Andhra Pradesh, Karnataka and West Bengal, and bringing out two comprehensive reports "Trafficking in Women and Children" and "Prevention of Atrocities Against Scheduled Castes" are some of the achievements of the National Human Rights Commission this year. Besides this, the NHRC Chair-person justice A.S. Anand, wrote to the Central and State Governments on illegal trade in human organs, discrimination faced by persons with HIV/AIDS and on certain provisions in the proposed Employment Guarantee Act. The number of complaints received and registered were about 74,000 compared to the mere 500 it received when the Commission came into being. During the calendar year, allegations against police accounted for the maximum complaints received. Complaints of violations of the rights of women, service matters, mafia/underworld, conditions in jails and discrimination against SC/ST/OBCs constituted a significant number. The steady increase is a reflection of the growing stature of the Commission as an institution to be approached for redress. This also highlights the level of awareness on human rights among the public. (The Hindu 31.12.04)