

NHRC/ RIGHTS PANEL – 2005

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NHRC to take up Anara case (1)

New Delhi: WITH FORMER Miss Jammu Anara Gupta having been cleared by forensic experts in the pornographic CD case, National Human Rights Commission (NHRC) is expected to take up the issue relating to her alleged human rights violation. Ananra's mother Rajrani in her petition before the NHRC had alleged that her daughter and the family were illegally detained for 11 days and tortured by the Jammu Police. NHRC members are expected to discuss the issue in the light of the report by Hyderabad's Central Forensic Sciences Laboratory that the girl in the CD is not Anara. The Jammu Police had arrested Anara on charges of being part of a porn film-making syndicate, but was later released on bail. The NHRC had issued a notice to the J&K DGP on the basis of a complaint filed by advocate Prabir Kumar Das, alleging that Gupta's human rights were being violated. The NHRC had given four weeks to file a reply, but the J&K authorities failed to do so. The issue is likely to be discussed at next week's meeting. In a related development, the National Commission for Women (NCW) has urged the Union Government to take steps to arrest the sale of porn material in the market. NCW chairperson Poornima Advani, in a letter to the Home Minister, sought that States should be alerted about the menace and advised tough action to unearth gangs engaged in the manufacture and distribution of obscene material. (Pioneer 9.1.05)

Special school sought for special children (1)

JAIPUR, JAN. 12. The Rajasthan State Human Rights Commission has directed the State Government to formulate an action plan for imparting special education to mentally challenged children through the teachers trained in accordance with the legal provisions for disabled people. The Commission expressed its displeasure over the unqualified instructors working in integrated schools. The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, makes it binding on the Government to set up special schools for children with disabilities and promote integration of such children in the normal schools. The teachers in these schools should specialise in disabilities for providing special education. A voluntary organisation had recently moved a petition before the Commission pointing out that the State Government had failed to comply with the provision and had only opened special schools for the blind, deaf and dumb children. There is no arrangement anywhere in the State for special education to the children suffering from cerebral palsy, locomotor disability or mental abnormality. The general secretary of the Support and Advocacy for Helpless Peoples Sansthan, Hemant Goyal, pointed out that the parents of mentally challenged children were sitting on a dharna here since May 25, 2004, to protest against the State Government's policies. The seven-month-long dharna is stated to be the longest in the present Bharatiya Janata Party regime. (The Hindu 13.1.05)

Ensure equitable distribution of relief, NHRC tells States (1)

NEW DELHI, JAN. 13. The National Human Rights Commission has asked the governments of Tamil Nadu, Andhra Pradesh, Kerala, Pondicherry and the Andaman and Nicobar island administration to ensure equitable distribution of relief to tsunami victims. Taking suo motu cognisance of the calamity caused by the tsunami, the Commission headed by the Chairperson, Justice A.S. Anand, said to ensure smooth distribution of relief, it was imperative that the States prepared a computerised list of persons, dead or missing as also a list of the property which were totally or partially destroyed or damaged. The Commission said such an authentic list would help in smooth settlement of insurance and other claims of the victims and expedite the rehabilitation process and also help the families to trace the missing persons. Expressing apprehension that women and children in tsunami-affected areas might become victims of widespread trafficking, it also asked the States to take immediate steps to prevent this. The Commission said to ensure that young widows and children were not sexually exploited by unscrupulous elements it was desirable that the States evolved a suitable mechanism. (The Hindu 14.1.05)

NHRC seeks report on 'selective leakage' of video on Acharya (1)

NEW DELHI, JAN. 13. The National Human Rights Commission today asked the Tamil Nadu Government to send a report on the "selective leakage" through some television channels of video excerpts of the alleged police interrogation of the Kanchi San-karacharya, Sri Jayendra Saras-wathi, on Wednesday. In a suo motu action, the Commission headed by the Chairperson, Justice A.S. Anand, while considering the telecast of the video excerpts selectively leaked by the police through some television channels, said, "it raises an issue about the rights of a person facing investigation to a fair trial — a Constitutional imperative." The Commission therefore called upon the Chief Secretary, Tamil Nadu, and the Director-General of Police to furnish a factual report on the selective leakage of the video excerpts. It also said that from various reports appearing in the media, both print and electronic, it had come to the Commission's notice that within hours of the order of the Supreme Court directing the release on bail of Sri Jayendra Saraswathi in the "Sankararaman murder case," the junior Sankaracharya, who was offering puja in the Kanchi Mutt, was told by the police that he was being taken into custody. (The Hindu 14.1.05)

NHRC panel member resigns over appointment of CBI ex-chief (1)

New Delhi: Just when the storm over the induction of former CBI chief P C Sharma as member of the National Human Rights Commission (NHRC) was settling, the commission has received a major blow. Ravi Nair, executive director, South Asia Human Rights Documentation Centre, has resigned from the NHRC's NGO core committee citing Sharma's appointment. Stating that the commission was not "forthright in its condemnation of an appointment that appeared to have been practically forced on it", Nair has also objected to the fact that a "significant proportion of NHRC staff is drawn from the intelligence services— an injudicious step for a body charged with protecting and promoting human rights." In a letter to NHRC chief Justice A S Anand, Nair said Sharma's appointment is "another indication of NHRC's continuing emasculation by the state. I believe, it reflects the extent to which the establishment is willing to undermine the cause of human rights in this country," Nair wrote. He argued that Sharma's appointment "runs counter to the provisions of the Human Rights Act, 1993, and the Paris Principles which lay down the maximum standards for national human rights institutions." Clarifying that he had no "personal animus" against Sharma, Nair said: "He (Sharma) has not demonstrated substantive knowledge of human rights issues nor has he shown any commitment towards the same." (Times of India 15.1.05)

Rights body slams Modi's Gujarat (1)

New Delhi, Jan. 14: The US-based Human Rights Watch in its latest report not merely came up with a strong indictment of the Narendra Modi-led Gujarat government for "ongoing threats and harassment of the victims and witnesses of Gujarat riots," it also asked the UFA government to swing into action "if it was serious about justice." In its 30-page report, the Human Rights Watch Asia Division hit , out, "Two years after the Gujarat riots, witnesses are continued to be threatened and attacked. Not only has the Gujarat government failed to pursue those responsible for the riots, it is obstructing justice by its failure to protect witnesses." The needle was then pointed towards the Congress-led UPA government, which under Mrs Sonia Gandhi had played the "Soft Hindutva card," during the Assembly elections in the state, held after the communal carnage on 2002. The report observed, "The new government in New Delhi has a chance to show that its serious aboutjustice." Human Rights Watch wanted the Centre to "instruct the CBI to take charge of investigations and provide protection to people facing attacks and threats." (Asian Age 15.1.05)

NHRC fears trafficking in humans (1)

New Delhi: National Human Rights Commission chairperson Justice A S Anand fears that women and children in the tsunami-affected areas may become victims of trafficking. Releasing a glossary of 10,000 human rights terms and their Hindi equivalents on Thursday, Anand said: "Middlemen are waiting like vultures for widows, young women and children." He requested the government to ensure that these helpless people are not exploited. NGOs, he said, could be of great help in this regard. Calling trafficking as the "most depraved violation of human rights", Anand blamed civil society for its continuance. (Times of India 15.1.05)

"Pakistan's war on terror led to human rights violations" (1)

ISLAMABAD, JAN. 15. The New York-based Human Rights Watch (HRW) in its latest report on Pakistan has said that ever since President Pervez Musharraf seized office in a bloodless coup five years ago,

Pakistan's military has acted with increasing impunity to enforce its writ over the State and to protect its grip on Pakistan's 'economic resources,' especially land. According to the HRW, the other pressing human rights concerns in the country include a rise in sectarian violence; legal discrimination against and mistreatment of women and religious minorities; arbitrary detention of political opponents; harassment and intimidation of the media; and lack of due process in the conduct of the "war on terror" in collaboration with the United States. A major military offensive against alleged Taliban and Al-Qaeda forces in the South Waziristan area bordering Afghanistan resulted in massive displacement of civilians and scores of deaths, it said.

Substantiating the charge about military consolidating its grip on economic resources, the HRW said in Okara district of the military's traditional stronghold of Punjab, paramilitary forces acting in conjunction with the army killed and tortured farmers who refused to cede their land rights to the army. (The Hindu 16.1.05)

'Nepal rights group got soldiers released' (1)

New Delhi: The 14 Indian soldiers from the Gorkha Regiment, abducted by rebels on Thursday, were released on Sunday at the initiative of the Informal Sector Service Centre (INSEC), a Nepalese human rights watch group, a report from Kathmandu said. The soldiers, stationed in Jammu and Kashmir, were travelling in a bus towards their homes in different districts on annual leave when the Maoists abducted them. Kailali is 600 km west of Kathmandu. The Indian Army has seven Gorkha Rifles (1st, 3rd, 4th, 5th, 8th, 9th and 11th); with five to six battalions (800-1,000 soldiers) under each of them. The other Gorkha Rifles joined the British Army after Independence. Around 60% of soldiers; in the Gorkha Rifles hail; from Nepal (the rest are Indian domicile Gorkhas) and go to their country on annual leave," said a senior officer. (Times of India 17.1.05)

Rights panel to discuss effective interventions (1)

THRISSUR JAN. 26. The State Human Rights Commission (SHRC) is planning to convene a meeting of rights panels in other States to discuss ways to make their interventions more effective. The SHRC Chairman, N. Mohankumar, told The Hindu here today that one of the basic problems of the Commissions, formed as per the Central Human Rights Act, was that they had only commendatory status. There is no enforcement agency for the Commission and its recommendations may or may not be implemented. "For example, recently we suggested action against certain police officials, as we found through our own investigations that some complaints that they had committed human rights violations were true. But no action has been taken against them," Mr Mohankumar said. Similarly, the Commission cannot insist that a person appear before it. The Commission can send summons to the person, but if he or she refuses to appear before the Commission, there is not much it could do, Mr. Mohankumar said. He said the proposed meeting of the State Human Rights Commissions is likely to be held some time in May. Mr. Mohankumar said there was a growing tendency to approach the Commission on trivial issues. Such problems should be sorted out at the local or district levels, and a State-level body need not be dragged into it, he said. In this context, he said the formation of district-level bodies to resolve such problems could be useful. (The Hindu 27.1.05)

NHRC seeks action taken report on Veerappan killing (1)

SALEM, JAN. 27. The National Human Rights Commission (NHRC) has sought an action taken report from the Tamil Nadu Government on the killing of the forest brigand, Veerappan, in an encounter on October 18, 2004 in Dharmapuri district. The letter from the NHRC said it had received a complaint from Veerappan's wife, Muthulakshmi, and forwarded a copy to the Home Secretary, asking him to look into the allegations and submit a report within four weeks of the receipt of its letter. Ms. Muthulakshmi, raising doubts on Veerappan's death, approached the NHRC with a complaint on October 28, 2004. (The Hindu 28.1.05)

Amnesty attacks Gujarat (1)

London, Jan. 27: Amnesty International has issued a damning verdict on the Gujarat government for its failure to bring the perpetrators of the Godhra carnage to book. In a new report titled "India: Justice, the victim — Gujarat state fails to protect women from violence," released here on Thursday, the international human rights body examines how officials of the BJP-led state government took no steps to prevent or stop the widespread and systematic attacks by mobs on Muslims with many party and state officials seen to participate in the atrocities in 2003. "The Gujarat state government has grossly failed to protect Mus-

lims, especially women and girls, during the violence," said Amnesty International. "The fact that it still refuses to admit failings and express regret – despite evidence from many respected local observers – is a further insult to the victims. Citing eyewitness and victims' accounts, the rights group accuses the state police of standing by and even joining in the violence. "When victims tried to file complaints, the police often did not record them properly and failed to carry out investigations. Judges and prosecutors in many cases failed to protect witnesses from threats, sided with the accused and acquitted them," it says in the report. Amnesty has demanded that the Gujarat government urgently make institutional changes and bring those who deliberately hampered the prosecution of offenders to account. (Asian Age 28.1.05)

NHRC seeks report on sexual exploitation in jail

NEW DELHI, FEB. 3. The National Human Rights Commission has called for a factual report from the Director-General (Prisons) and Health Secretary of the Uttaranchal Government based on reports that appeared in the media of a woman prisoner being sexually exploited in the Hardwar district jail. The news item, which appeared in a Hindi daily on February 1, reported that letters alleging sexual harassment of the 30-year old woman prisoner were sent by one of the convicted prisoners to the Sub-Divisional Magistrate of Hardwar and to the media. It stated that in connivance with women guards posted in the jail, senior officials were exploiting the woman prisoner sexually in the godown of the Ladies' Ward in the jail. Due to these sexual relations, the woman prisoner got pregnant and on January 17/18, she was sent to the District Hospital for termination of her pregnancy. The woman prisoner herself narrated her story to the mother of one of the male prisoners who had visited the jail to meet her son. It was further alleged in the news report that the jail authorities with a view to covering up the scandal had not only been putting pressure on her but even those who had been making complaints about it were also threatened. The Commission in its order observed that if the contents of the report were true, it raised serious issue of violation of human rights of female prisoners lodged in the jail (The Hindu 4.2.05)

UN human rights chief denounces Nepal arrests (1)

Geneva: The UN High Commissioner for human rights on Friday denounced arrests of political leaders and trade unionists in Nepal, and called for an end to their "arbitrary detention". "It is our understanding that these people are being held in arbitrary and often acknowledged detention without access to legal counsel, families or international representatives," Louise Arbour said.

"The High Commissioner considers it her duty to recall that these actions constitute serious human rights violations. Such arrests should be brought to an immediate end," she said in a letter to Nepal's King Gyanendra, excerpts of which were released in Geneva. Arbour, who held talks with the king during an official visit last week, also declared that security forces must adhere to international human rights law. "Basic human rights cannot be suspended under any circumstances, not even in public emergency," her spokesman Jose Luis Diaz said. The International Labour Organisation (ILO) echoed concern that a royal decree had suppressed all trade union rights and banned meetings. Top leaders of trade unions were under threat of arrest, including Laxman Basnet of the Nepal Trade Union Congress, a member of the ILO's governing body, it said. (Times of India 5.2.05)

Rights bodies call for aid cut to Nepal (1)

London: International human rights organisations stepped up their call to India, Britain and the US to place Kathmandu and its king under increasing pressure as the world's press told smuggled stories on Monday about the systematic arrest of Nepalese politicians, the alleged torture of students, targeting of human rights activists and a possible reduction in the number of appellate courts for detainees. Speaking to TOI from his headquarters in Geneva, Ian Seiderman of the International Commission for Jurists said: "Information from Nepal is increasingly hard to come by, but we are calling now for all military supply chains and aid to Nepal from India, the UK and US to be re-assessed." The ICJ, a non-governmental organisation that campaigns for the rule of law and human rights worldwide, said it would call for a rapporteur on Nepal to be appointed at the human rights convention in Geneva on March 14. Seiderman said King Gyanendra had already presided over a systematic abuse of human rights via the army in the last two years, soon after imposing the first emergency legislation on his mountainous kingdom. (Times of India 8.2.05)

NHRC seeks more powers to handle old cases (1)

NEW DELHI, FEBRUARY 13: FACED with criticism for its failure to intervene on behalf of the 1984 riot victims, the NHRC has asked the Government to give it more powers so that it can look into matters that are more than a year old. The demand — made in NHRC's annual report for 2002-03—was quietly placed before Parliament on the last day of the winter session and made public just now. The NHRC said it should be authorised to take cognizance of cases that sometimes arise after one year of their occurrence. Currently, there is a one-year expiry tag on cases before the commission. The NHRC, which was aggressive on the Gujarat riots issue, has been asked why it has not helped the "Sikh victims of 1984 with matching zeal". The NHRC's other major demand is equally interesting: it has sought 'supervisory' powers over a host of other commissions. This demand has been made at a time when the government is busy drafting a legislation to give Constitutional powers to the National Commission for Minorities while two other panels — that of STs and SCs —already enjoy such powers. The NHRC is only a recommendatory body. Its annual reports have never been debated in Parliament. (Indian Express 14.2.05)

Amnesty is concerned, seeks inquiry (1)

London, Feb. 19: Amnesty International has expressed serious concerns over the shooting of Syed Abdul Rahman Geelani and demanded that the government set up a judicial inquiry into the case. "Amnesty International fears that the current investigation by the very police force which allegedly had been involved in this attack may not be relied on to establish the truth. The organisation therefore calls on the government of India to promptly set up a judicial inquiry into the attack to bring to justice anyone responsible for instigating, assisting or carrying out the attack," the rights body said in a release here on Friday. Prof. Geelani was sentenced to death for conspiring, planning and abetting the December 13, 2001, attack on Parliament House in New Delhi, but was later acquitted on appeal. (Asian Age 20.2.05)

Amnesty criticizes Gujarat Government (1)

NEW DELHI, FEB. 20. Amnesty International has criticised the Gujarat Government for failing to protect women from violence, with specific reference to the 2002 communal riots. In a report released recently, the rights body said the Central and State Governments had failed to prevent grave abuses of the rights of Muslim women and ensure legal provisions, law enforcement, judicial structures and rehabilitation measures for the victims. "The rights of Muslim girls and women which were violated by private actors in Gujarat in 2002 include the right to life, the right not be subjected to torture or to cruel, inhuman and degrading treatment," the report said. Gujarat had failed to prevent sexual abuse as "the police stood by or participated in the violence." When the victims sought redress, elements of the criminal justice system, including the police, the judiciary and the Public Prosecutor's office failed in their constitutional duty to record and investigate complaints objectively and prosecute the offenders, it claimed. Led by the Bharatiya Janata Party, the Gujarat Government had for years failed to curb hate propaganda against Muslims and maintain a non-discriminatory attitude towards minorities. "It assumed a partisan role during the Godhra incident and the subsequent violence, failed to co-operate with the judiciary to provide legal redress and to ensure public scrutiny. It resisted public scrutiny and did not fully cooperate with the National Human Rights Commission." (The Hindu 21.2.05)

Government allays NHRC fear over Infant Milk Act (1)

NEW DELHI, MARCH 10. Reacting to the concern expressed by the National Human Rights Commission against the reported move to repeal the Infant Milk Substitutes, Feeding Bottles and Infant Foods Act (IMS Act), the Union Ministry of Food Processing Industries has said that it proposes to make a recommendation to the Group of Ministers constituted on the subject not to repeal the IMS Act but only to amend it. This would be done after obtaining the advice from the Law Ministry, it said. The Ministry of Food Processing, told the NHRC in a letter dated February 24, that its fear about a possible repeal leading to unethical marketing practices, like denigration of mother's milk or discouragement of breastfeeding, was unfounded. It said that a well-drafted regulation under the proposed Bill would address the concern. The Ministry was responding to a letter from the NHRC. The commission had said that the IMS Act was not a routine food law.

It was a special Act to protect, promote and support breastfeeding; it did not deal with purity or adulteration of baby foods. It focussed on marketing and other practices that interfered with breastfeeding and jeopardised the well being of the baby and mother. The protection of breastfeeding was vital for saving the lives of millions of children in India, it said. (The Hindu 11/3/05)

NHRC slams Tamil Nadu, Karnataka (1)

NEW DELHI, MARCH 18. The National Human Rights Commission has expressed serious concern over delay of more than one year on the part of the State Governments of Karnataka and Tamil Nadu in not sending their comments/remarks on the Justice Sadashiva panel report on alleged atrocities on villagers by the Joint Special Task Force during the Veerapan operations. The Commission has now directed that a final opportunity be given to the two State Governments to send their comments/remarks on the report within six weeks. The Justice Sadashiva Panel, which had been set up to look into the allegations of alleged atrocities on the villagers committed by STF constituted by Karnataka and Tamil Nadu submitted its report to the Commission on December 2, 2003. The Commission accepted the report and sought comments from the two States for further action and granted three months' time. Since there was no response, a reminder was sent in June 2004 to both the Chief Secretaries asking for their response within two weeks. Tamil Nadu by its letter dated July 12, 2004 conveyed to the Commission that the report was under consideration and that the remarks would be intimated to the Commission shortly. The remarks, however, not having been received, a further reminder was issued to both the Governments extending the time for sending their comments on the report to September 25, 2004. Even that reminder did not evoke response either from Tamil Nadu or Karnataka. (The Hindu 19/3/05)

NHRC asks for report on man's death in custody (1)

New Delhi: Expressing serious concern over the alleged custodial death of a businessman in Delhi, National Human Rights Commission (NHRC) has directed police commissioner K K Paul to submit to it within four weeks the inquest and post-mortem reports and apprise it of the status of inquiry into the case. The NHRC issued the direction on Friday taking cognizance of media reports about the death of Parmeshwar Dayal in northwest Delhi on Tuesday. While police had claimed that Dayal had committed suicide by electrocution inside the Shanti Na-gar police post, his family members had claimed that he was beaten to death at the instance of his business rivals. The NHRC said if the reports were true, they raised serious concerns about violation of human rights. It directed the Delhi police commissioner to submit to it within four weeks the inquest report, the postmortem report, the status of the magisterial inquiry already ordered into the case and the status of investigation on the FIR filed by Dayal's family members, an NHRC spokesperson said on Saturday. The commission had also been intimidated by Delhi police about the custodial death of Kishan Singh on Thursday for which three policemen have been arrested. (Times of India 20/3/05)

Civil rights activists take umbrage at Raje's stance (1)

JAI PUR, APRIL 10. Gandhian, Sarvodaya and civil rights organisations of Rajasthan today accused the Bharatiya Janata Party-led Government of adopting an "undemocratic and anti-people" approach leading to continued injustice to Dalits, minorities and marginalised sections. The groups announced launching of a prolonged agitation to bring people's issues to the centre-stage of the State's politics. The civil rights groups took exception to the refusal by the Chief Minister, Vasundhara Raje, to meet their representatives ever since she took over in December 2003 and denounced her style of functioning vis-a-vis the policy issues, instances of injustice and the demand for rights by Dalits and women. "Ms. Raje's behaviour smacks of her feudal mindset. She has no time to listen to the grievances of the poor and disadvantaged people," Sawai Singh, president of Rajasthan Samagra Seva Sangh, said. The civil rights activists joined a dharna staged by the Ekal Nari Shakti Sangathan -representing single women -here and announced their plan for a long-drawn-out agitation demanding the resignation of Ms. Raje with the observation that the presence of a "feudal Chief Minister" was not warranted in the democratic system. "Ms. Raje has no right to promote feudalism and insult the people by ignoring their real issues," said Satyanarain Singh of Nagrik Parishad.n (The Hindu 11.4.05)

After Modi, rights group turns to Chavez record (1)

HUMAN RIGHTS WATCH (HRW), the international civil liberties monitor so critical of Narendra Modi — its assessments were cited during the Gujarat CM's visa refusal — has now indicted Venezuelan president Hugo Chavez who visited India in March. In its findings released on , April 5, HRW accused Chavez of victimising leading human rights lawyer Carlos Ayala and attempting to frame him. "This is a clear cut case of political persecution, targetting someone who has been an effective critic of the Chavez government's humanrights record," a release said. Pointing to previous HRW findings, the report accused

Chavez of packing the Venezuelan Supreme Court. "This has severely weakened 'judicial independence,'" it said. j In May 2004, after "pro-opposition rulings", Chavez's government enacted a controversial law enlarging the court from 20 to 32 members. The 12 new judges are his appointees. (Indian Express 9/4/05)

Leaders want civil rights & a free press (1)

Kathmandu, April 30: Top political leaders of Nepal on Saturday demanded King Gyanendra to release political prisoners and fully restore fundamental rights and press freedom, while welcoming the royal government's lifting of emergency. The leaders expressed doubts about Friday night's government announcement of lifting of emergency, as press censorship has not been lifted yet and hundreds of political prisoners were still in detention. When contacted, government officials refused to comment on these issues. "The announcement to lift state of emergency is a positive step but this is not enough," said acting general secretary of the Nepal Communist Party (UML) Jhalanath Khanal. The government should immediately release all the political prisoners, human rights activists and journalists and restore fundamental rights of the people, he said. "An atmosphere should be created to allow smooth and unobstructed functioning of political parties and press freedom should be restored," Mr Khanal said. Press freedom has not yet been restored even after lifting the emergency, said Mr Bishnu Nishthuri, general secretary of Federation of Nepalese Journalists (FNJ). (Asian Age 1/5/05)

Anara pleads for justice (1)

NEW DELHI: Former Miss Jammu and Kashmir, Anara Gupta, met the Communist Party of India (Marxist) politburo member, Brinda Karat, on Thursday and appealed for support in her fight for justice. The 18-year-old, who was accused by the Jammu and Kashmir police of featuring in a pornography CD, also plans to approach the National Human Rights Commission and the National Commission for Women on Friday. Arriving in the Capital on Thursday, Anara was accompanied by her mother, Raj Rani, and office-bearer of the Delhi unit of the Panther's Party and her uncle, Sanjoy Sachdeva. Demanding a probe by the Central Bureau of Investigation into the incident, family members also demanded that compensation should be paid to Anara. "Why was my family targeted? Anara was kept under illegal detention she was tortured by the police during that period. The truth should come out. Her name was misused to sell the CD," Mr. Sachdeva claimed. He further added that the entire controversy on the forensic laboratory test results should also come to an end. "Anara is prepared to go to any laboratory for any test. But the laboratory should be impartial," he said. Demanding justice for her daughter, Ms. Rani claimed: "She has been so brave through all this. Even after all the suspicion and insults, she is fighting for her rights. We want to reach out to all the organisations. And I also want to meet Ms. Sonia Gandhi." (The Hinduu 6/5/05)

NHRC decides to scan health, water facilities (1)

NEW DELHI, MAY 5: GOING beyond its knee-jerk reaction to incidents of physical abuse, the National Human Rights Commission plans to usher in good governance in the states by holding them accountable for poor health services and drinking water for the weaker sections of society.

"Considering the past developments in this sector affecting the human rights of vulnerable sections, the time has come that the Commission focus on selected areas which deprive the vulnerable sections a right to lead a life with dignity," said a recent missive from the NHRC to chief secretaries of all states. The NHRC has decided to take up the two sectors in 2005-06 on a war-footing, where it will prepare a report card of the states' performance and spell out measures that each state must take to ensure every citizen's right on both issues. The report would encompass a review of existing laws from a human rights perspective and make appropriate recommendations for amendments. For that, the states have been told to submit data on their targets and achievements between 2001-2004, as well as outline steps that have been implemented or are proposed to be taken in the two social sectors. The states have three months to furnish the details. It said that human rights were essentially issues of good governance and that it was imperative that the institutions concerned sincerely discharge their responsibility according to the law. (Indian Express 6/5/05)

Activists allege detainee tortured (1)

NEW DELHI, MAY 16: MORE than three months after the Delhi Police arrested Mohammad Ashan Untoo under the Official Secrets Act, S.A.R. Geelani's advocate Nandita Haksar claimed he was being forced to

give a false confession about his involvement in the attack on her client.

Chairman of the Human Rights Forum, J-K, Untoo had rallied for the release of Geelani and had gone to meet him at AIIMS after he was shot at. But unable to meet Geelani, Untoo had returned to Priya Guesthouse in Daryaganj, from where he was allegedly picked up. The Delhi Police has denied the allegations and stated that the basis of Haksar's claims that Untoo was arrested by the Special Cell from Daryaganj was false, as he was arrested by the South-West district police from Delhi Cantonment in February, as is clearly indicated by the FIR at the Delhi Cantt police station.

Haksar, flanked by Sam-pat Prakash president of the All Jammu and Kashmir Trade Union Centre and its spokesman M. Raja Amin, demanded the release of Untoo and Ghulam Nabi Nazar, arrested from Kashmir. They claimed they had "recently learnt that Untoo was illegally picked up from Daryaganj on February 9 and taken by the police to a lock up where he was beaten mercilessly and tortured". They further claimed that a member of the scavenging staff sodomised Untoo and the police "tried to compel him to give a false statement that he was involved in the conspiracy to assassinate Geelani on February 8". (Indian Express 17/5/05)

Human rights body demanded (1)

New Delhi: The National Human Rights Commission (NHRC) on Thursday called on state governments to set up human rights bodies on a priority basis and ensure they are financially independent. Apart from the NHRC in Delhi, there are 14 state human rights commissions functioning in the country. Though the Andhra Pradesh and Karnataka governments notified the setting up of human rights bodies, they have not yet taken off. The NHRC reminded the state governments that it was their "primary responsibility" to protect human rights. (Asian Age 20/5/05)

Amnesty heat on MP police (1)

NEW YORK (PTI): Amnesty International has called for a "prompt, impartial, thorough and transparent" probe into allegations of "excessive and unnecessary" use of force by Madhya Pradesh police against demonstrators demanding clean drinking water in Bhopal. The international human rights watchdog group claimed that on May 17, police used force against about 300 protesters, including women and children, who were staging demonstrations demanding clean drinking water in colonies where the water was contaminated by toxic waste from the Union Carbide factory. The Bhopal gas tragedy victims claimed that 20,000 families living in these colonies were suffering from several ailments due to the contaminated water.

They also said the authorities had failed to abide by a Supreme Court directive to supply clean drinking water. (Telegraph 21/5/05)

NHRC plea on amendments to Human Rights (1)

NEW DELHI: The National Human Rights Commission has urged the Centre to bring amendments to the Protection of Human Rights Act, 1993, pending for the past five years.

The Centre's inaction on these amendments over the years found echo at a recent meeting of the State Human Rights Commissions (SHRCs). The SHRCs were of the view that the present Act had certain lacunae, which was presenting difficulties in the effective functioning of the NHRC as well as SHRCs. The meeting, among other issues, deliberated on the need to create awareness and educate the public on human rights as well as train, impart skills and sensitise the judiciary, prosecutors and police personnel. In the perception of the NHRC fulfilling the constitutional obligations and responsibilities of protecting and promoting human rights of the citizens could be done if the proposed amendments were incorporated. (The Hindu 22.5.05)

NHRC seeks report on sewer guidelines (1)

New Delhi: Taking a serious view of the increasing deaths of workers in sewers, the National Human Rights Commission (NHRC) has sought a report from Delhi government and Delhi Jal Board (DJB) on adherence to safety guidelines on maintenance of sewage system. The commission has taken suo-moto cognizance of Tuesday's mishap in which a DJB junior engineer and a worker lost their lives while cleaning a sewer in Giri Nagar area. In its letter to the government, NHRC has asked Delhi chief secretary S Regu-nathan and DJB CEO Rakesh Mohan to state clearly whether the the commission's "comprehensive guidelines and safety code for operation and maintenance of sewerage system are being followed properly. The guidelines were forwarded to DJB in October 2002. (Times of India 28/5/05)

Amnesty report raps Bangladesh (1)

AGARTALA, May 28 - Amnesty-International has voiced its deep concern over the fate of religious, minority groups in Bangladesh where collusion between politicians and criminals has institutionalised fundamentalist violence and corruption. The; Amnesty Report — 2005, which focused on the human rights situation in 149 countries complained about systematic killing of and torture on minorities. The report pointed out that 'Hindus, Buddhists in the Chittagong Hill Tracts and Ahmedia.; Muslims were targetted by fundamentalists. Leaders, workers and" organisers of democratic movements, opposition political leaders and activists are becoming the victims of terrorist attack with human rights activists facing an onslaught at various levels.. Thousands of Opposition party workers and supporters had been put behind bars without trial. The government had arrested' thousands of Awami League: workers in the wake of an Opposition call for a nationwide bandh in April last year. They are still in detention without.trial", the report said. Several human rights units of Bangladesh filed a petition jointly , before High Court in September last year questioning the propriety of such detentions. But the court is yet to give its opinion on the issue. (Statesman 29/5/05)

Andhra replies to NHRC on tribal deaths (1)

New Delhi, June 30: Andhra Pradesh chief secretary Mohan Kanda on Thursday refuted the reports that hundreds of tribals had died in Visakhapatnam district due to poor medical facilities. Responding to notice from the National Human Rights Commission, or NHRC, Mr Mohan Kanda outlined the steps taken in the area, including making substitute arrangements regarding vacant posts of medical officers in the primary health centres. Concerned by a report carried in a newspaper alleging that 476 persons had died over a three-month period in the agency areas of Visakhapatnam, due to unknown factors and lack of medical facilities, the NHRC had sought the comments of Andhra Pradesh chief secretary Mohan Kanda. The Andhra Pradesh government submitted a report to the NHRC, in which it outlined the measures taken by it, like filling up vacancies in the posts of medical officers in primary health centres in the agency areas and substitute arrangements made, the NHRC said. It also informed the NHRC that Integrated Child Development Scheme was being implemented in the area under which children, ante-natal and nursing women were given food supplements for improving their nutritional status. (Asian Age 1/7/05)

Maharashtra tells NHRC: Debt drove 140 farmers to suicide (1)

NEW DELHI, JULY 1: The Maharashtra government has admitted that 140 farmers ended their lives in the state between 2001 and 2004. In its report to the National Human Rights Commission (NHRC), the state government said the farmers were driven to suicide due to "crop failure because of drought and heavy indebtedness." Taking note of media reports of suicides by the farmers in Vidarbha and Yavatmal regions of the state last year, the NHRC had issued a notice to the Maharashtra government, and asked for a detailed report. Sources in the commission said the "frank and detailed" response by the state government "was found satisfactory" and the case had been closed. However, the NHRC has asked the state to form a strategy to deal with such situations. "It is, therefore, desirable and appropriate that the state government puts in place a mechanism to ensure that there is no recurrence of such events in future and take all appropriate steps to mitigate the hardships being faced by farmers due to drought or indebtedness," an NHRC communique said. The Maharashtra government also informed the NHRC that it had paid Rs one lakh compensation per family as against Rs 50,000 announced earlier. The NHRC had earlier objected to the low compensation amount. Maharashtra is the first state to admit before the NHRC the incidence of suicides by the farmers. Andhra Pradesh and Orissa are yet to respond to the notices sent by the NHRC. (Indian Express 2/7/05)

Rights body links officials to war crimes (1)

Kabul, July 7: Numerous officials in Afghan President Hamid Karzai's government are implicated in war crimes that took place at the start of the country's bloody civil war in the early 1990s, Human Rights Watch said in a report released on Thursday. While some are dead or in hiding, many of those linked to the carnage that erupted from April 1992 to March 1993 after the collapse of the Soviet-backed Najibullah government are now defence or interior ministry officials, or advisors to Mr Karzai himself, the report said. Others are running for office in Afghanistan's landmark parliamentary elections scheduled for September, while warlords control local administrative officials, Human Rights Watch said. "This report isn't just a history lesson," said Mr Brad Adams, executive director of the group's Asia division. "These atrocities

were among some of the gravest in Afghanistan's history, yet today many of the perpetrators still wield power." The 133-page report, entitled "Blood-Stained Hands: Past Atrocities in Kabul and Afghanistan's Legacy of Impunity", is based on two years of research including interviews with witnesses, survivors, officials, and combatants. During the time covered by the report whole sections of Kabul were reduced to rubble, tens of thousands of civilians were killed and wounded, and at least half a million people were displaced during the period, the rights group said. (Asian Age 8/7/05)

NHRC directive in disappearances case (1)

NEW DELHI: The National Human Rights Commission (NHRC) on Tuesday directed the Central Bureau of Investigation (CBI) to permit the State of Punjab to inspect documents relating to 64 persons alleged to have been illegally cremated by the Punjab police. The documents were handed over to the Central Bureau of Investigation on the direction of the Supreme Court in July 1996, during the proceedings of the case filed by the Committee for Information and Initiative on Punjab (CIIP) in 1995 demanding a comprehensive enquiry into the allegations of disappearance, and subsequent mass cremations, by the Punjab police. The Central Bureau of Investigation, in 1996, had placed before the Supreme Court a list of 2097 illegal cremations by the Punjab police in three crematoria in the police districts of Amritsar, Majitha and Tarn Taran. Of these, the CBI fully identified 582 bodies, partially identified 278 bodies and could not identify 1,238 bodies. The CIIP had subsequently identified 175 bodies, 111 of which Punjab has admitted to have illegally cremated. The State said it was scrutinising the other 52 bodies for which it needed to inspect records, which were with the CBI. (The Hindu 8/7/05)

Rights panel seeks report on use of stun-grenades on NYC(I) activists (1)

THIRUVANANTHAPURAM: The State Human Rights Commission has asked for a report from the Principal Secretary, Home, and the DGP on the use of stun-grenades by the police against National Youth Congress(I) protestors in front of the Secretariat on Wednesday. The Commission member S. Varghese issued the direction on Thursday on the basis of a petition filed by the former MLA Shobhana George. In her petition, Ms. George alleged that the police had used the stun-grenades without any warning on the protestors, who were unarmed and were demonstrating peacefully. The stun-grenades were used straightaway without first resorting to the use of water-cannon or teargas, the petition said. The "brutal" attack had resulted in one of the protestors, Sreevalsan, sustaining a serious injury. According to the prevailing rule, the police had to give advance warning and sufficient time for protestors to disperse even before resorting to lathi-charge or using teargas, the petition said. Permission was not obtained from the RDO, it added. (The Hindu 8/7/05)

Police action in Tonk unprovoked, says PUCL (1)

JAIPUR: A fact-finding team of the Rajasthan People's Union for Civil Liberties (PUCL) which visited villages in Tonk district to probe into the police firing on farmers on June 13 has termed the police action as "unprovoked" and "unwarranted". The PUCL, which has intimated the National Human Rights Commission on its preliminary findings, has sought a delegation from NHRC to investigate the incident. "An indiscriminate and absolutely unwarranted police firing has caused five deaths, including the death of an innocent pregnant woman, aged about 35 years, within the precincts of her house. The incident has left another 30 persons injured, some of them seriously," PUCL told NHRC. The Commission has since issued notices to the Chief Secretary and Director General of Police, Rajasthan, asking them to reply within a fortnight. "The entire sequence of events shows that the guidelines for control of mob as provided in the law (Cr.P.C and Police Act) and in the judicial rulings were callously ignored by the police and the administration. The protocols for the use of firearms were not followed and the situation was allowed to deteriorate so much so that it went beyond control," the PUCL probe team led by its president Than Singh said talking to mediapersons here on Tuesday. "It was indiscriminate firing on a group of farmers asking for water. The authorities, who failed to anticipate the seriousness of the situation even after the villagers blocked the National Highway No.12 for about four hours that day at Sohela, did not take any timely action to disperse the mob," Mr.Singh said. The police did not use tear gas or water cannons and lathi charge was done after the firing, which in some cases, further hurt persons already hit by bullets, he pointed out. (The Hindu 13/7/05)

Punjab Rights Forum alleges move to defame Sikh youth, women (1)

CHANDIGARH: The Punjab Rights Forum (PRF), a constituent of 20 political, human rights, agriculturists and religio-political groups, while accusing the State administration of letting loose a reign of repression on the people has urged the Chief Minister, Amarinder Singh to bridle the police and its Director-General. Through a letter to Capt Singh, the Front's chief co-ordinator, D.S. Gill, alleged that while the State police had undoubtedly failed to deliver the goods, it was also busy terrorising the people, especially the Sikhs, their leaders and human rights defenders. He charged that this was being done at the behest of officers who were desperate to retain their positions and postings, which they do not deserve. Warning that the present tactics of the State police could prove counter productive, Mr. Gill said, "The game plan is to defame the Sikhs by framing the youngsters, their women relatives and dubbing them as human bombs with a sinister design to create terror in the minds of the general public worldwide." While a resolution expressing concern on this trend was passed at the convention of the Forum in Amritsar on Saturday, it was also decided that a deputation would meet chairpersons and other members of the National Human Rights Commission and the National Minority Commission on August 2 to apprise them of the grave violations of human rights, the abuse of State power and the efforts of the government to defame the Sikh community, which was settled globally. (The Hindu 26/7/05)

NHRC demands factual report on Kashmir killings (1)

New Delhi : The National Human Rights Commission (NHRC) on Monday asked for a factual report on the recent killing of three minor boys by security forces in Kupwara district in Kashmir on Sunday. While the Army has clarified that the shootout was a case of mistaken identity, the NHRC has demanded a report from Defence Secretary Ajai Vikram Singh. "It is necessary for the State and the agencies to strike the balance between the liberty of an individual, requirements of security of State and sovereignty and integrity of the nation," the Commission said. The battle against terrorism has to be carried out in keeping with the International Humanitarian Law, which is applicable even in armed conflicts, the commission observed. Meanwhile, senior Army officials here have described the incident as "unfortunate". Expressing regret over loss of life, an inquiry has been ordered into the matter. Instructions have also been issued to prevent recurrence of such incidents. People residing in terrorist prone areas have been advised to avoid moving out at night. In case of emergency, however, they should move with lights. "Generally there is no civilian movement out of the village in the interior areas at night, hence they were mistaken as militants, challenged and fired at by the troops in the ambush as they tried to run away from the site," the Army said. The boys all aged between 12 and 15 years, were returning after attending a marriage party when the incident occurred. (Pioneer 26/7/05)

NHRC for impartial inquiry (1)

New Delhi, July 26: The National Human Rights Commission on Tuesday recommended that the Haryana government should get an independent probe conducted into the Gurgaon police atrocities, preferably by the CBI. The commission asked the Haryana chief secretary to send an action taken report in this regard to the NHRC within 10 days. The commission, in a statement, said: "The NHRC is of the opinion that in order to instill public confidence in the rule of law, an impartial investigation into the police assaults and the related incidents by an agency independent of the state is called for." "The issue before us is of grave concern as it affects human rights of a large number of persons belonging to a vulnerable section of the society — industrial workers," it said. (Asian Age 27/7/05)

Rights panel directs policeman to pay compensation to sex worker (1)

CHENNAI: The State Human Rights Commission has recommended that a police Head Constable, who beat up a sex worker for refusing to have sex with him, should pay her Rs.10,000 as compensation. In his order, the Commission's acting chairperson, Justice S. Thangaraj, said the Tamil Nadu Government should pay the compensation and recover it from the policeman's salary. Mr. Justice Thangaraj said the doctor who treated the woman found a "swelling over the middle of the right forearm with an abrasion 3 cm x 2 cm." Lakshmi of Tiruttani had complained to the Commission that after Jayavel, a Head Constable of Tiruttani police station, beat her, she was admitted to Government Hospital, Tiruttani. She submitted that she was secretary of the "Protection of Health care for Women" and campaigned for the protection of sex workers and their rehabilitation. Denying that he had assaulted her, Jayavel said three cases under Section 8 (b) of the Immoral Traffic (Prevention) Act had been filed against Lakshmi and she had paid the fine. The complaint was to "wreak vengeance." In his order, Mr. Justice Thangaraj said, "Even a prostitute shall have her dignity." He pointed out that the Supreme Court had said that women in the flesh trade

should be treated with humanity and compassion. The chairperson said a social activist had witnessed the assault. Another witness saw the complainant with a bleeding injury. Considering the circumstances, it was clear that the assault had taken place, the chairperson said, and awarded the compensation. (The Hindu 12/8/05)

NHRC asks Gujarat police to trace Hindu wife of Muslim (1)

NEW DELHI, AUGUST 14: THE National Human Rights Commission (NHRC) has asked the Gujarat police to trace the Hindu wife, who has allegedly been confined for three months in an ashram, Ahmedabad by her parents, of a Mumbai-based Muslim man. Eshanul Haque, an assistant director in Bollywood, had approached the NHRC last month. Eshan had seen his 22-year-old wife Meghna Joshi on April 10 last at Asharam Bapu Ashram in Ahmedabad. Meghna had gone to the ashram with her parents, while Eshan was to join them two days later. "When I reached the ashram, I did not see my wife," Eshan said. His father-in-law Dilip Joshi told him that Meghna was with her mother in a puja. At the night Eshan alleged that he was accosted by some people. "They misbehaved with me and told me that my marriage must end," Eshan told *The Indian Express* from Mumbai. Later when Eshan's insisted Meghna, escorted by her mother, was brought into a room. "When I asked her if she wanted divorce, she kept crying and did not utter a single word." The couple had been married for over a year and had no problems. Eshan also alleged that he was forced to sign an affidavit with Gujarati text at the ashram. "I have no idea what I was made to sign on. They threatened me and I was helpless," said Eshaan, who hails from Siliguri, West Bengal. When contacted a spokesman of the Asharam Bapu ashram told *The Indian Express* that "Meghna had been voluntarily staying in the ashram to perform puja for cleansing her soul." The spokesman, who identified himself as Uday, claimed that Eshan had signed the divorce agreement (document in Gujarati text) in presence of a lawyer, notary and others. "Eshan was extracting money from the Joshis and it was our duty to help them in the hour of crisis." Uday also said, adding that the Joshis are followers of Bapuji. Alleging non-cooperation from the Ahmedabad police, Eshan said, "My wife should be freed from the influences of her parents and the ashram. Let her come out of Gujarat and speak freely." (Indian Express 15/8/05)

AP rights bodies fear police raj (1)

Hyderabad: Even as civil rights activists said that Wednesday's ban on Maoists would begin a "new era of police excesses", state director-general of police Swaranjit Sen said on Thursday that the police force was "happy and welcomes" the ban on Maoists. The feelings of the director-general were echoed by police officers across the state. Many of these officers were immensely unhappy when the ban on Maoists was lifted 14 months ago by the Congress government immediately after the elections, and a peace dialogue initiated. A senior police officer said on condition of anonymity that the ban "gives legitimacy to police action." Now the police could force the administration at the district and mandal levels "to toe its line. Politicians, contractors, businessmen, social and human rights activists and all those who have had some links with Naxalites would now come under scanner...The police will hit at will...", he said. At the same time he candidly said, "The ban can only support the police but can do nothing about eradicating the Naxalite problem." A day after the ban was re-imposed by the government, some of the officers said that the absence of police top brass from the peace talks was indicative of two things, that the police force was unwilling to be part of negotiations that were replete with shortcomings in planning and strategy, and that the government was shrewd enough to send out the message that it was talking to the Naxalites in spite of serious reservations in the police force. (Asian Age 19/8/05)

SHRC seeks reports from police (1)

HYDERABAD: The State Human Rights Commission (SHRC) has served notices on the Director-General of Police and the city Police Commissioner asking them to explain by Monday whether they have followed the due process of law while arresting the Revolutionary Writers Association (Virasam) members-- Varavara Rao and G. Kalyan Rao . Taking suo motu cognizance of media reports that the 'due procedure of law' was not followed in effecting the arrests, the SHRC asked the two officers whether the guidelines issued by the Supreme Court in the D. K. Basu versus West Bengal Government (1997) case were followed. The SHRC Chairman, Justice B. Subhashan Reddy, told *The Hindu* that the commission wanted to verify whether the procedures were indeed violated. According to the Apex Court's guidelines, which were enclosed along with the commission's notice, the arresting police officers have to identify themselves by displaying chest badges, prepare a memo stating reasons for the arrest and inform the relatives.

Human rights activists have alleged that these procedures were not followed. In a separate development, the Additional Judicial First Class Magistrate of Anantapur, A. Jayaraj, ordered production of Varavara Rao and Kalyan Rao in response to a petition filed by the Anantapur Rural Circle Police for the attack on a police constable at a Martyrs' Memorial meeting Madigubba last year. Meanwhile, journalists unions lodged a strong protest against what they called the outbursts of the DG of Police, Swaranjit Sen, and the statement of the Chief Minister, Y. S. Rajasekhara Reddy, that curbs would be imposed on journalists in reporting news of the banned CPI (Maoist). They wore black badges in the Secretariat. (The Hindu 21/8/05)

NHRC aid sought to rehabilitate sex workers (1)

NEW DELHI: The Bhartiya Patita Uddhar Sabha (BPUS), a non-government organisation that works for the rights of sex workers, has submitted a memorandum to the National Human Rights Commission (NHRC), urging its intervention to help rehabilitate over 1,000 displaced sex workers in Surat. The memorandum said that sex workers residing in the Chakla Bazaar area had been forced to move out because of a notification issued by Surat Commissioner of Police K.N. Sharma in 1999 under the Immoral Trafficking Prevention Act. On the basis of the notification, which came into force in 2000, the police locked the premises occupied by the sex workers and their children. In July 2004, the police sealed off four buildings in Chakla Bazaar. The memorandum said that on the basis of an earlier complaint by the BPUS, the NHRC had deputed Justice K. Ramaswamy to look into the matter. (The Hindu 30/8/05)

AP gets notice on pesticide deaths (1)

Hyderabad, Sept. 7: The National Human Rights Commission has served a notice to the Andhra Pradesh state government on the reports of poisoning of farmers and agricultural labourers due to excessive usage of pesticides, leading to their death in certain cases. The notice was served a couple of days ago, based on a complaint made by Dr G.V. Ramanjaneyulu and Ms Kavitha Kuruganti of the Centre for Sustainable Agriculture. The NHRC asked the state government to respond with a detailed report within four weeks. When contacted, agriculture commissioner Poonam Malakondaiah said she was not aware of the NHRC notice, as she was away in New Delhi. "We will look into the notice and act upon it appropriately," she said. In its complaint lodged with the NHRC in July, the CSA scientists alleged that the right to life of agricultural workers and farmers was being threatened due to chemical pesticides. The CSA, along with a Warangal-based organisation, Modern Architects for Rural India, has documented acute poisoning of agricultural workers, including some fatal cases in Warangal district in Andhra Pradesh in the last three or four years. Some of the examples cited in the complaint were that of Sammaiah of Eturanagaram (2001), Padala Veeranna of Rajolu village of Mahbubabad mandal (2004), Ramulu of Khanapur village (2004) and Jannu Sooraiah of Hasanparthi mandal (2003), who were confirmed to have died due to poisoning by harmful pesticides which they were spraying in their fields. "It is estimated that every day, 68,000 farmers and agriculture labourers are poisoned by pesticides all over the world. Majority of these cases are in developing countries like India," the doctor said. (Asian Age 8/9/05)

Details of mass cremation sought (1)

NEW DELHI: The National Human Rights Commission (NHRC) in a hearing of the Punjab mass cremation case here on Friday asked the Punjab Government to show that the required procedures were followed by the police while cremating bodies that were found unclaimed. Asking the Punjab Government's counsel, Sudhir Walia, to file the required details before the Commission, Justice A. S. Anand, Chairperson of the NHRC, asked him, "What steps are the police expected to take and what rules are they supposed to follow? Were these rules followed?" Mr. Justice Anand said that the District Commissioner of Amritsar had informed NHRC that Rs.2.5 lakhs as compensation for the kin of those illegally cremated by the Punjab Government had been disbursed in 87 cases as of August 22, 2005. Mr. Altaf Ahmad, senior counsel, appearing for the Punjab Government, said that it could not process six cases, 10 cases were being processed and two persons had refused to accept compensation. Counsel for the petitioner, the Committee for Information and Initiative on Punjab (CIIP), Ashok Agrawal, filed an application before the Commission stating that adjudicating on the issue of compensation was not possible without looking into the facts that led to establishing liability. Pointing out that NHRC had by now received over 1,800 claims for compensation, the application says that it would be incumbent on the Commission to call for any material that might be in possession of any of the parties of the proceedings, or, with any other person or authority, which might shed light on the facts. (The Hindu 10/9/05)

Rights group has charter of demands (1)

New Delhi: The National Social Watch Coalition, which has launched the Wada Na Todo Abhiyan or Keep Your Promises Campaign, has come up with a people's charter of demands. The charter's focus is on providing basic minimum services. This assumes significance as India prepares to present the country report at the summit of heads of state and government of 189 countries, who meet in New York to discuss progress on the UN Millennium Development Goals, launched in 2000, in their respective countries. The shadow report points out that activists and civil society organisations had come together in May to review the progress made on implementing the national common minimum programme. It was then that collectively this charter of demands was formulated. The shadow report states that the realisation of rights to lead a life of dignity would require enhanced resource allocation and improved governance by the government. There is growing demand for basic minimum services, like universal access to safe drinking water, full coverage of primary healthcare centres, universalisation of education, public housing assurance to shelterless families, road connectivity to all villages and habitations and streamlining the public distribution system targeted to families below the poverty line. The report focused on the need to address problems of land rights, livelihood and poverty. The report stated, "Globally, it has been learnt that mere economic growth does not necessarily lead to reduction of poverty. In the Indian context, what would really make a difference would be agrarian reforms and land distribution. This has not been taken up in right earnest in most states in India." (Asian Age 13/9/05)

No NHRC dashes acid victim's hopes (1)

NEW DELHI, SEPTEMBER 15: A BRUTAL acid attack that disfigured and blinded her, a series of allegedly callous surgeries at a prominent hospital that made matters worse, and general apathy after the initial media hype has left Poonam Singhal with little hope of getting her life back on track. Now, after appealing for help to the NHRC and with no response, she and her family are unable to gather funds for microsurgery and reconstruction. Singhal, then 16 and studying at a college at Kalahandi, Orissa, was attacked in October 2000 by an electrician who was obsessed with her. He and his friends poured acid on her face, disfiguring it and making her blind in the left eye. Although they were sentenced to 10 years imprisonment, their travails were hardly over. Three years after the attack, media frenzy and the state government's passionate declarations, she and her family put together money to get her operated at Apollo. "She underwent 17 operations and then they said they could not replace the scar tissues," said her brother Rajesh, who along with her has been put up at Orissa Niwas for the past five years for treatment. "Doctors elsewhere told us the operations have made matters worse and it will be difficult to reconstruct the face," he added. (Indian Express 16/9/05)

Workshop on human rights from October 8 (1)

GULBARGA: Chairman of the National Human Rights Commission and former Chief Justice of India A.S. Anand will inaugurate a two-day national workshop on Human Rights Awareness and Training on the main campus of Gulbarga University from October 8. The workshop is sponsored by the National Human Rights Commission and is being hosted by the Centre for Studies in Vijnaneshwara's Mitakshara and Human Rights, an interdisciplinary research centre of the Department of Studies in Law at the university. Former Supreme Court Judge and Member of the National Human Rights Commission Shivaraj Patil will deliver the valedictory address. Leading jurists and advocates of human rights including former Chief Justice of Karnataka and Kerala and Chairman of Criminal Justice System Reforms Committee V.S. Mallimath will attend the inaugural function. Judge at the Karnataka High Court N.K. Patil will chair a technical session at the workshop. A press release from the university said the objective of the workshop is to create awareness among those responsible for the protection and enforcement of human rights. The deliberations are aimed at benefiting judicial officers, lawyers, jail officials, the police, non-governmental organisations, human rights activists and the academic community. The release said the workshop will have five technical sessions. (The Hindu 17/9/05)

Review undertrials' status: NHRC (1)

New Delhi, Sept. 18: Stating that the congestion of undertrial prisoners is the predominant cause for problems in the country's jails, Justice A.S. Anand, chairperson of National Human Resource Commission has requested the chief justices of the high courts of all the states and Union territories to carry out a broad review of the undertrial prisoners status in the area under their jurisdiction. The latest analysis of

prison population by NHRC on June 30, 2004, reveals that it has reached 3,36,152, marking an increase of 10.28 per cent as compared to 3,04,813 on June 30, 2002 while the overall jail capacity has risen by 2.24 per cent. There has also been a significant increase in the overcrowding in jails. It was 41.47 per cent on June 30, 2004 as compared to 31.2 per cent on June 30, 2002. As many as 11 states continue to have overcrowding in jails as compared to Delhi, Jharkhand, Chhattisgarh and Gujarat. Members of the commission visiting prisons have observed that the condition of undertrial prisoners has improved considerably in states where certain measures like regular visits of districts and sessions judge, holding of special courts in jail, activation of the state and district legal authorities, video conferencing and release of undertrial prisoners on personal bonds are tried with sincerity. In his letter dated September 8, 2005, Justice Anand had asked the chief justices to assess the extent to which these measures have been tried in the area of their jurisdiction and the results achieved. (Asian Age 19/9/05)

Torture is Systematic in Nepal: UN official (1)

Kathmandu: The UN official in charge of investigating torture allegations around the globe said on Friday that Nepal's police and army systematically used torture to extract confessions. Manfred Nowak, UN special rapporteur on torture, said his findings were based on interviews with prisoners and former prisoners in the kingdom which has been racked by an increasingly deadly Maoist revolt. "Torture and ill-treatment are systematically practised in Nepal by the police, armed police and the Royal Nepal Army in order to extract confessions and to obtain intelligence, among others things," Nowak told a news conference. The statements by Nowak, who was speaking after a week-long visit to the Himalayan kingdom, were immediately denied by security officials. Accusations of torture against authorities have risen since King Gyanendra seized absolute power in February. Human rights groups accuse both Maoist rebels and Gyanendra's regime of committing atrocities. Nowak urged the government to state publicly that no torture or other forms of cruel, inhuman or degrading treatment or punishment would be tolerated. 87 Nepalese scribes held: Pol arrested 87 journalists in Kathm du on Friday who were plannin rally to demand the lifting of ret tions on the press, a local me rights group said. The Federatioi Nepalese Journalists said the jo nalists were being held at a det tion centre in Katmandu. (Times of India 17/9/05)

Rights must reflect spirit of living" (1)

CHENNAI: "Humanise the globe so that human rights violations are less. All human rights for all should not merely remain a declaration on paper, but must be the spirit of living." This was the message of Justice Shivaraj V. Patil, member of the National Human Rights Commission and former Judge of the Supreme Court, at an Indian Law Institute-sponsored lecture on human rights here on Monday. The gap and disparity between the fortunate, less fortunate and unfortunate inevitably lead to disturbance, tensions, conflicts, violence and commission of offences, Mr. Justice Patil said. He added, "it will impair peace, stability and progress of the country, activating the forces opposed to the preservation of human rights." Stating that hunger and peace cannot coexist, the NHRC member said, "while hunger rules, peace cannot prevail. Hunger can lead to war." Respect for human rights is the greatest inspiration for integration of humankind, both internally and internationally, Mr. Justice Patil said. "These are the days of modernisation, liberalisation, privatisation and globalisation. All these must have an element of humanisation," he added. The Chief Justice of the Madras High Court, Justice Markandey Katju, said a judge must necessarily have a "highly developed conscience." He wanted the Judges and advocates to keep updating their knowledge in varied subjects such as history, philosophy and political science. (The Hindu 20/9/05)

NHRC rescues elderly couple from son (1)

Bhubaneswar : The National Human Rights Commission (NHRC) has rescued an elderly couple and freed them from the clutches of their son in Patkura, Kendrapada district. On a tip that they were being harassed, the NHRC swung into action. It directed the Kendrapada police to take up the case and solve it expeditiously. The national human rights watchdog rescued Muralidhar Lenka and his wife Ketaki Lenka who were being tortured by their son and daughter-in-law. (Pioneer 28/9/05)

Rights group helps Pak detainees (1)

Jaipur, Oct. 1: Human rights orgainsation PUCL's intervention in detainee cases has opened a door of hope for Pakistanis languishing in jails here. The Rajasthan high court has asked the government to submit a list of all foreign nationals in Rajasthan's jails. The court also asked why Pakistani journalist Sajid

Bashir has not been repatriated. Mr Sajid Bashir was produced in the high court on Friday when the court was hearing a petition filed by PUCL. The PUCL informed the court that Mr Sajid was been kept in jail even after his sentence was over. The court said it hoped that he will be freed before the next hearing. The court added that even liberty of foreign nationals cannot be violated. Mr Sajid asked the media why both countries were using innocents as bargains. According to him, there are over 15 Pakistani nationals in Rajasthan jails even after the completion of their sentences. According to a petition, Mr Sajid accidentally crossed the border in Jaisalmer district near the Indo-pak border in 1991. (Asian Age 2/10/05)

NHRC rejects application on mass cremations (1)

NEW DELHI: The National Human Rights Commission (NHRC) has rejected an application by the State of Punjab requesting deletion of a name in a list of 109 persons the Commission had found in the custody of the police prior to their death and subsequent illegal cremation. In an order dated November 11, 2004, the Commission had ordered monetary relief of Rs. 2,50,000 for the next of kin of the persons in this list. The Punjab Government had argued that the person in question, Paramjit Singh, was not in the admitted custody of the Punjab police prior to his death and therefore did not qualify for inclusion in the list. In his application, counsel for the Punjab Government, Altaf Ahmed, submitted that the Punjab police had not arrested Paramjit Singh, and therefore the assertion that he died in custody was incorrect. According to the affidavit, Paramjit Singh was apprehended in an injured condition when the police searched the area after an encounter between suspected terrorists and a police party. According to the affidavit, an injured Sarabjit Singh had disclosed his name, the name of his parents and his address before he died. Reading aloud the order, the NHRC Chairman, Justice A. S. Anand, pointed out that details of the time of death of Paramjit Singh, the location where the death took place, and details of when and from where the body was sent for the post mortem examination, were not disclosed though these factors were in the exclusive knowledge of the Punjab police. Mr. Justice Anand said that the police's affidavit did not disclose whether any effort was made to provide medical aid to the injured person apprehended by the police. The Commission said that the formal arrest of Paramjit Singh would not be of any consequence when his de facto custody by the Punjab police had been established. Mr. Justice Anand said that the Commission would look into similar cases that were already before it, in which the Punjab police's affidavits showed that persons in an injured condition had succumbed to their injuries while in police custody. (The Hindu 5/10/05)

Activists testify as US Congress takes up Indian human rights (1)

WASHINGTON, OCTOBER 7: THE Indian government came in for criticism for allegedly ignoring human rights problems and not making efforts to build a casteless society, at the first hearing of the US Congress on the issue here. "As we seek to develop a strategic partnership with India, we must not lose sight of India's serious human rights problems," Republican Congressman Christopher Smith said during the hearing of the House Sub-Committee on Africa and Global Human Rights, of which he is the chairman. "To keep nearly a quarter of one's population in sub-human status is not only a grotesque violation of human rights, but it is a formula for economic and political stagnation as well," he said at the hearing entitled 'India's Unfinished Agenda: Equality and Justice for Victims of the Caste System'. The Indian government "condones, ignores and in some instances, has even pro-moted...massive catalogues of human rights violations," Smith charged on Thursday. These problems are documented in the three current State Department reports: the 2004 human rights report on India, the 2005 report on trafficking in persons and the 2004 report on religious freedom. Testifying before the subcommittee, Amnesty International's advocacy director for Asia and the Pacific, T Kumarsaid justice for caste's 200 million victims was part of India's "unfinished agenda". Other delegates included Udit Raj, chairman of the All India Confederation of SC/ST Organisations; Kancha Ilaiah, Professor of Political Science, Osmania University; Indira Singh Athwale of the All India Confederation of SC/ST Organisations and Joseph D'Souza, President of the Dalit Freedom Network. All were critical of what they alleged was the government's inaction to build a casteless society. Many were specifically critical of privatization and said that dalits were losing out because English was not taught in schools from the very beginning. "The reservation system that had guaranteed some measure of advancement for dalits is being destroyed by privatisation," Raj said D'Souza called it India's tragedy "that society continues the practice of the caste system though the practice of un-touchability stands abolished by the Constitution". (Indian Express 8/10/05)

Haryana DGP told to implement rights panel guidelines (1)

CHANDIGARH: The Haryana Home Department on Monday instructed the Director-General of Police to strictly implement the guidelines issued by the National Human Rights Commission in 1999 relating to arrest. It has been made clear to the DGP that any violation of these instructions would be viewed seriously. These directions have been issued in the wake of telecast by television channels of a clip showing the beating up of a 14-year-old boy by the CIA Staff of Panchkula Police in April last. Chief Minister Bhupinder Singh Hooda has ordered a CID enquiry into the incident which sent shock waves on Sunday. The guidelines on pre-arrest say the power to arrest without a warrant should be exercised only after a reasonable satisfaction is reached, after some investigation, as to the genuineness and bona fides of a complaint and a reasonable belief as to both the person's complicity as well as the need to effect arrest. Except in heinous offences, an arrest must be avoided if a police officer issues notice to the person to attend the police station and not leave the station without permission. The power to arrest must be avoided where the offences are bailable unless there is a strong apprehension of the suspect absconding. Police officers carrying out an arrest or interrogation should bear clear identification and name tags with designations. The particulars of police personnel carrying out the arrest or interrogation should be recorded contemporaneously in a register kept at the police station. The use of force should be avoided while effecting arrest. However, in case of forcible resistance to arrest, minimum force to overcome such resistance may be used. However, care must be taken to ensure that injuries to the person being arrested, visible or otherwise, are avoided. (The Hindu 11/10/05)

NHRC team to take stock (1)

New Delhi: THE NATIONAL Human Rights Commission (NHRC) has decided to send a team of officials to the quake-affected areas of Jammu and Kashmir to monitor the relief and rehabilitation measures. The team will consist of Dr GS Rajagopal, Director General (Investigation), AJit Bharihoke, Registrar (Law) and AK Parashar, Deputy Registrar (Law). After considering the information received from the NHRC team, the commission will decide on what further steps need to be taken, an NHRC official said. The task before the NHRC team is to ensure that the marginalised sections of the society and others, who have suffered extensive losses, are not discriminated against, the official added. The team has the brief to report on the relief and rehabilitation measures undertaken so as to enable the commission to take steps if necessary, for issuing proper directions or guidelines to the concerned authorities of the Central or the State Governments for the purpose of facilitating the performance of their task. While noting that the Governments at the Centre and States have already initiated steps to provide immediate relief to the affected persons the commission opined, it is essential that the Government machinery involved in the grant of relief and rehabilitation be able to take all necessary steps for its equitable distribution. At the same time, the Government machinery would have to maintain transparency to ensure that the poor, destitute women and children, old persons and other weaker sections of society who would be in greater need of relief and rehabilitation measures are not deprived, the official said. (Pioneer 13/10/05)

Victims of STF atrocities demand NHRC intervention (1)

NEW DELHI: "Just two months after I was married, the Karnataka police came to my house and asked my husband to accompany them. He did not return. One year later the police showed me a photograph of my husband saying he had been killed. I am now all alone," said 25-year-old Shivagami, whose husband was killed in an alleged encounter by the Joint Special Task Force (JSTF) and Veerappan's gang. She is one of the victims alleging atrocities by members of the JSTF set up by the Tamil Nadu and Karnataka governments to nab Veerappan, who deposed before a panel in a public hearing organised by the National Federation of Indian Women (NFIW). In their testimonies, the victims, mostly women, related shocking incidents of illegal detention, torture, rape and humiliation by JSTF officers. Members of the panel included the former Chief Justice of the Delhi High Court, Justice Rajinder Sachar, Prof. Kamal Mitra Chenoy from Jawaharlal Nehru University, Ravi Nair from South Asia Human Rights Documentation Centre and Primla Loomba from NFIW. The National Human Rights Commission (NHRC) in June 1999 set up a panel consisting of Justice A. Sadashiva and C. V. Narasimhan to hear depositions of 128 victims and 28 JSTF officers over a period of four years. The panel submitted its report to the NHRC on December 2, 2003. Almost two years hence the NHRC has not taken any action, and not made the report public. (The Hindu 16/10/05)

NHRC submits report on quake relief measures (1)

NEW DELHI: A three-member NHRC (National Human Rights Commission) team which visited areas affected by the earthquake in Kashmir has found that the Central and State Governments as also the security forces and civil society did rise to the occasion and provided some 'immediate relief to affected persons. The team, comprising G.S. Ra-jagopal, Director-General (Investigation), Ajit Bharihoke, Registrar (Law) and A.K. Parashar, Deputy Registrar (Law), submitted a report to the Commission after visiting Tangdhar and Uri for spot assessment of relief and rehabilitation measures. According to the report, unless shelters are provided immediately people with weak constitution and children exposed to cold may fall ill. The report recommended that the State Government set up centralised collection and distribution centres where relief material could be received from non-governmental organisations and private agencies. It said the Centre should take steps to ensure that building material required for repairing damaged property is made available at the earliest. Where tents cannot be made available, the Central and State Governments should ensure that temporary shelters with essential amenities are provided. The report wanted the Centre to consider the feasibility of constructing houses with pre-fabri-cated building material. The team found that the quake had rendered some children orphans, but said the possibility of parents of such children being alive cannot be ruled out as some injured persons were shifted for treatment. (The Hindu 16/10/05)

Higher relief sought in Punjab death cases (1)

NEW DELHI: Asking for an opportunity to demonstrate that there was a pattern to a series of alleged killings and illegal cremations in Punjab, the petitioners in the Punjab mass cremations case before the National Human Rights Commission (NHRC) have sought declaratory relief based on findings on the manner in which the deaths occurred. Indira Jaisingh, counsel for the Committee for Information and Initiative on Punjab, argued that the November 2004 order of NHRC awarding Rs. 2.5 lakhs to the next of kin of 109 victims was incomplete and that NHRC had to look into whether they were taken into custody by lawful means. Pointing out that there was no other case which dealt with allegations of a pattern of state violence, Ms Jaisingh said that the quantum of relief should differ based on the manner in which deaths occurred. Arguing that the violation of the human rights in this case was related more to the death of the victims than the illegal cremation that followed, Ms Jaisingh said the Commission must enquire into whether deaths occurred in lawful circumstances or not. Colin Gonsalves, representing the Committee for Coordination on Disappearances in Punjab (CCDP), urged the Commission to investigate the manner of the death of the victims and allow taking evidence from the victims' families and witnesses by setting up a mechanism in the villages where the alleged killings took place. Mr. Gonsalves argued that Rs.2.5lakhs awarded as compensation should be seen as a bare minimum and that the amount should be increased to Rs. 10 lakhs if the Commission found that the deaths were due to a systematic practice of disappearances. (The Hindu 21/10/05)

Sadashiva report copies for complainant (1)

NEW DELHI: The National Human Rights Commission (NHRC) will send copies of the report of the Justice A.J. Sadashiva Panel, which examined allegations of atrocities perpetrated by the Joint Special Task Force (JSTF) during the anti-Veerappan operations, to the complainants along with the responses received from the governments of Karnataka and Tamil Nadu. The Commission has given the complainants eight weeks to reply to the responses received from the two State governments. The Commission has directed that copies of the recent representation, dated October 13, 2005, submitted by Mr. Henri Tiphagne, member of the Campaign for the Release and Rehabilitation of JSTF victims, be forwarded to the Chief Secretaries of Karnataka and Tamil Nadu and has asked for their comments in four weeks. The Justice Sadashiva Panel, constituted by the Commission on June 28, 1999, submitted its report to the Commission on December 2, 2003. The Commission said that after getting the Panel's Report examined through the Registrar (Law), it directed on February 23, 2004 that the copy of the report of the Panel be sent to the Chief Secretaries of Government of Karnataka and Government of Tamil Nadu. Though the Commission asked for a response within three months, the State Governments sent their comments a year later. (The Hindu 21/10/05)

Commission for relieving kids of book burden (1)

Thiruvananthapuram, Oct. 26: There is some relief in sight for children of Kerala who break their backs by carrying huge piles of books to school everyday. The State Human Rights Commission has asked the education department to take immediate steps to reduce the "burden of books" on school kids, especially

those belonging to the pre-primary and primary levels. A study conducted by the Kerala Paediatric Association on the orders of the Commission found that overloaded school bags were causing many health problems for the children. It was found that a Class 4 student, who weighed around 28 kg, carried text books and notebooks weighing at least eight kg to school everyday. Regularly carrying books weighing more than 10 per cent of the body weight was likely to cause spine damage, the experts warned. In pre-primary classes, too much importance was still being given to writing and reading and this puts a big burden on the feeble shoulders. Ideally, the weight of a pre-primary student's school bag should be about one kg, the experts pointed out. To reduce the burden, the Commission has asked the education department to divide text books term-wise to make them slimmer. Teachers should ask students to use 80-page notebooks. High school students can use paper instead of notebooks. School bags should be made of lighter material and purified water should be provided in classrooms so that kids can leave home without water bottles, the Commission added. An official of the directorate of public instruction said that the Commission's instructions would be implemented soon. "This is a welcome move," said Ms Vijayalakshmi, a government employee and mother of a UKG student. (Asian Age 27/10/05)

Accept Kalam's advice on 20 mercy petitions: PUDR (1)

NEW DELHI: In an open letter to Prime Minister Manmohan Singh, the People's Union for Democratic Rights (PUDR) has asked the Government to accept President A.P.J. Abdul Kalam's advice on 20 mercy petitions. (Mr. Kalam has asked the Home Ministry to reconsider the petitions on humanitarian grounds.) Calling upon the Government to declare a moratorium on executions, the PUDR said this would be in accordance with India's obligations to move towards the abolition of death penalty. The letter noted that while persons like S.A.R. Geelani were fortunate to have their death sentences overturned, there was no way of knowing how many innocent persons had been executed. It pointed to Krishna Mochi's case where four Dalits were sentenced to death despite their convictions having been decided by a majority vote by a Supreme Court Bench. The senior most judge of the Supreme Court had recommended their acquittal. The letter highlighted the subjective manner in which the 'rarest of the rare' principle operates. In the Harbans Singh case, three men were convicted of playing an equal role in committing a crime. One of the accused was executed, the President pardoned another and initially rejected mercy petition of the third accused. The course of events had prompted the then Chief Justice of India Y.V. Chan-drachud to observe that the case made a 'sad reading'. Saying that the poor form a disproportionate share of those on death row, the PUDR pointed to the case of Mohan and Gopi in Tamil Nadu where the accused were sentenced to death in 1999 and subsequently hanged despite not having a lawyer during the trial. (The Hindu 4/11/05)

NHRC takes up couple's cause (1)

New Delhi, November 14: THE NATIONAL Human Rights Commission (NHRC) has taken suo motu cognisance of an HT report on the plight of an aged couple who have no roof over their head and sought an explanation about it from the Delhi chief secretary and the Director, Department of Social Welfare. "If the contents of the report are true, it raises serious issues of violation of human rights of old people/senior citizens," the NHRC said, directing that a copy of the report be sent to the Delhi Chief Secretary and the Director Social Welfare Department. HT had carried a report on November 11, 2005, under the caption "Patience running out for this couple", narrating how the old couple had been staying in an open compound for the last one month. This despite the fact that they had four well-settled sons and five daughters married in Delhi. Sani Devi, 87, and her ailing ninety-year-old husband were living alone in a DDA LIG flat in Jahangirpuri and were surviving on their eager pension of Rs 700. A policeman who took pity on them had given the flat to them. However, in September 2005, the couple was asked to vacate the house by the original allottee. (Hindustan Times 15/11/05)

Home sets deadline to probe human rights cases (1)

JAMMU, NOVEMBER 23: AS AN outcome of the recent meeting of Hurriyat leaders with Prime Minister Manmohan Singh in Delhi, Union Home Secretary V K Duggal today directed that any allegation of human rights violation be investigated within 90 days. He said this at a high-level meeting of the Ministry of Home Affairs here, sources said. Another important outcome of today's meeting was that a three-member panel comprising DGMO, DG of BSF, and DG of CRPF would be constituted to formulate simple and concise Standing Operating Procedures (SOPs) for all forces, the sources added. On the sensitisation of

security forces, Duggal said handy cards containing the do's and don'ts be prepared and distributed. He requested security forces to disseminate information about their efforts to maintain the sanctity of human rights. The meeting was in pursuance of the discussions held by the PM on September 5, last, with a five-member delegation of the All Party Hurriyat Conference. The PM had then said that human rights aberrations would not be tolerated. Today's meeting focussed on the need for holding transparent and expeditious inquiries into all human rights cases, sensitisation of security forces and preparation of people-friendly SOPs by security forces to be observed during cordon and search operations, and night-curfews. Need for proper local handling of situations in the aftermath of any human rights violation and the role of the media were also highlighted. The meeting was attended by the DGMO, Financial Commissioner (Home) and DGP of J-K, besides directors general of BSF, CRPF, ITBP and CISF. (Indian Express 24/11/05)

Sharing views on human rights (1)

NEW DELHI: Delegates from national human rights institutions from 24 countries gathered here on Tuesday to exchange experiences and views on how to improve the delivery of economic, social and cultural rights at the International Round Table on National Human Rights Institutions and Economic, Social and Cultural Rights. The National Human Rights Commission (NHRC) and the Office of the High Commissioner for Human Rights are hosting the three-day event jointly. The round table is a follow-up of workshops held in the Philippines and Fiji in 2000 and Hong Kong in 2001. In his opening remarks NHRC Chairperson Justice A.S. Anand observed that in democratic societies, human rights are broadly classified into civil and political rights on one hand and economic, social and cultural rights on the other. Observing that the protection of economic, social and cultural rights has been poor and irregular at the national and international level, Mr. Justice Anand said national human rights institutions have a great role to play to correct the fallacy of treating one set of rights as inferior to another set of rights. He said Indian courts have been reading civil and political rights into economic, social and cultural rights by expanding the concept of 'right to life and liberty' to mean the right to live with human dignity and all that goes with it. Said Mr. Justice Anand, "It is the firm view of the NHRC that we must accept the indivisibility and inter-related nature of the two sets of rights for the full development of human personality." (The Hindu 30/11/05)

Rs 30 lakhs to be given to family of IOC executive (1)

New Delhi, Nov. 28: State-owned Indian Oil Corporation will pay a compensation of Rs 30 lakhs and a monthly pension of Rs 10,000 to the family of the 25-year-old sales officer gunned down in Uttar Pradesh. "It was a planned cold blooded murder. This young, bright IIM-Lucknow passout officer (Manjunath) had gone to inspect a petrol pump in Lakhimpur Kheri district of UP on November 19 and fined and suspended sales to the petrol pump after detecting adulteration," IOC chairman S. Behuria told reporters here. "He was called back by the dealer of the petrol pump/and murdered in cold blood. Seven bullets were pumped into him and generators were kept on to down the noise, he said. The murder, first in the history of Indian Oil Corporation, had sent shock waves in the company and the country's largest firm was taking measures to restore confidence. Indian Oil Corporation had taken up the security of its officers with the highest authorities in the state and would provide own security through CISF or private guards wherever necessary. Mr Behuria, who will visit the bereaved family in Kolar district of Karnataka this week, said the company board had approved a compensation of Rs 30 lakhs and a monthly pension of Rs 10,000 to the dependant of the deceased. (Asian Age 29/11/05)

Lords reiterate stand against torture (1)

LONDON: In a new turn to the controversy over use of torture to extract information from terror suspects, the House of Lords has ruled that intelligence obtained under torture even in a third country cannot be used as evidence in British courts. The landmark unanimous ruling, which embarrassed the Blair Government but was hailed by human rights groups, followed an appeal on behalf of a group of alleged suspects who had challenged their detention claiming that evidence against them was obtained under torture. One had alleged that he had been tortured during custody in Pakistan. The ruling is likely to benefit other foreign nationals held on suspicion of terrorist activity and awaiting deportation to their native countries. This is the second blow to the Government's terror strategy after the Lords ruled last year that indefinite detention of foreign suspects without trial was illegal. And more recently, the Government was defeated in the Commons over a proposal to detain suspects for up to 90 days for interrogation. The

verdict came amid a trans-Atlantic row over allegations that the CIA secretly operated hundreds of flights through British and other European airports to transport terror suspects to countries where they might have been tortured. Civil rights organisations called it a "momentous" ruling. (The Hindu 10/12/05)

Human Rights Day celebrated (1)

New Delhi: NATIONAL HUMAN Rights Commission (NHRC) Chairperson Dr Justice AS Anand on Saturday condemned the decision of All India Institute of Medical Sciences (AIIMS) to levy charges on its various tests and procedure, thereby depriving the society's economically weaker sections from cheap and effective treatment. The attack against the AIIMS came when the former Chief Justice of India was delivering a talk on Saturday on the occasion of the Human Rights Day. Dr Anand said: "A country's growth and development critically hinges on the quality of its human resource, which in turn depends on efficacy of public health system." Visibly disturbed by AIIMS' decision to levy charge for every test or procedure which were hitherto free for poor patients, he said, "Levy of charges for various investigations may amount to indirect denial of quality health services to patients, who are not financially well off." In these circumstances, he asked the authorities to have a re-look in the interests of the weak sections. Speaker Somnath Chatterjee, addressing as the chief guest termed the recent events in Jehanabad, as shocking and said: "Over half a century past independence it is a matter of deep concern and anxiety to us all that we have not been able to give to our people those rights that are theirs." "It is true that most of the unrest taking place in different parts of the country has its origin in the denial of rights to people. Sometimes, there is somewhat disproportionate use of force to control situations of unrest," the Speaker said. (PPioneer 11/12/05)

US violating human rights in Iraq (1)

New Delhi: Lok Sabha Speaker Somnath Chatterjee on Saturday termed the US-Jed military action in Iraq as "a deliberate attempt at human rights violation", by those that have taken it upon themselves to act as "policemen of the world". "And all these instances of oppression are declared to be out of a concern for freedom and the dignity of individuals, out of their concern for human rights," the Speaker said, while addressing a function to mark the Human Rights Day. "The age we live in is marked by a dark feature of lack of sincerity and commitment," he lamented. Asked by reporters on the sidelines of the conference whether the US was responsible for rights violations in Iraq, the Speaker said: "You are saying it, all are saying it, I am saying it." "In a very real sense, the tragedy of the adoption of the Declaration of Human Rights has been its consistent and blatant violation, usually accompanied by affirmations of the value the violators place on human rights," he said. "Delay in providing justice is also a violation of individuals rights. It undermines the credibility of our judicial system itself," he said. He said shocking incidents like the recent Naxal attack in Jehanabad reveal that the real problems lie in poverty and exploitation of the masses. "A relentless campaign has to be waged against poverty, and together with it, against illiteracy," he said. Asserting that literacy meant education and the ability to think, the Speaker said: "When that comes to people they themselves will make the task of ensuring the human rights that are theirs under the constitution and under the law." (Times of India 11/12/05)

Protests mark Rights Day in Kashmir (1)

SRINAGAR: Demonstrations, seminars and hunger strikes by separatist organisations and the High Court Bar Association marked International Human Rights Day in Kashmir on Saturday. Democratic Freedom Party chief Shabir Ahmed Shah and chairman of the National Front Naeem Ahmed Khan led the protesters who chanted slogans against "human rights excesses." Mr. Shah and the moderate Hurriyat leader Javed Mir led separate rallies to the United Nations office at Sonwar here to submit memoranda. Leaders of the Jammu and Kashmir Liberation Front observed fast to "express solidarity with the people subjected to custodial killings, disappearances, torture and arrests," while hardline separatist leader Syed Ali Shah Geelani addressed a seminar organised by the Bar Association. Hitting out at the Pakistan Government and the moderate faction of Hurriyat Conference led by Mirwaiz Umar Farooq, Mr. Geelani said whatever was happening vis-a-vis the resolution of the Kashmir issue was in the interest of India and people were falling in a "trap." He said: "All these road maps and proposals such as self-governance and self-rule are in no way in the interests of the people of Jammu and Kashmir. Vague terms are being floated to divert the attention of the people from the righteous cause of self-determination." Criticising the Organisation of the Islamic Conference, an association of 57 nations, he said it did not take into account the "gross human rights violation at the hands of security forces in Kashmir," while drafting the Makkah Declaration

denouncing terrorism in all its forms and manifestations. Expressing solidarity with the "victims of state terrorism," JKLF acting chairman Bashir Ahmed Bhat and other leaders of the front observed a hunger strike. (The Hindu 11/12/05)

Govt's apathy makes rights panel a toothless tiger (1)

Srinagar: THE EIGHT-YEAR existence of the State Human Rights Commission (SHRC) might have provided a face-saving body for the Jammu and Kashmir Government, the Commission has failed to command credibility among the common people, especially the victims of Human Rights violations. Because of the Government's refusal to implement the Commission's recommendations, fewer people approach this "toothless tiger" to redress their grievances. Interestingly, the previous Mufti Muhammad Sayeed Government, which purported the "healing touch" policy, contributed in paralysing the Commission. Not a single recommendation by the Commission was honoured with implementation, and no attempt was made to fill the two vacancies in the five-member Commission to make it vibrant. The Commission's requisition to arm it with an independent police agency headed by an officer of the rank of Inspector General, for conducting independent inquiries, was also turned down by the Government. Ironically, the Commission has no constitutional powers to force the Government to implement its recommendations. Take the case of Mahtaba Begum, an elderly woman from Karihama village in North Kashmir's Kupwara district. Her son, Muhammad Ayoub Khan was picked up by Border Security Force personnel during a search operation on October 14, 1990. Khan's whereabouts are not known ever since. Ms Mahtaba approached the SHRC, which concluded that Khan has been subjected to enforced disappearance. To compensate her grief, the Commission, in June 2000, recommended the payment of Rs 200,000 and letters to this effect were dispatched to the Home Minister and the Chief Secretary. However, the recommendation has not been accepted by the Government. Ms Mahtaba has lost both her son and the solace. (Pioneer 17/12/05)

NHRC speaks for prisoners' rights (1)

New Delhi, Dec. 18: Technicalities cannot outweigh the undertrial prisoners' right to healthcare, said the National Human Rights Commission in the capital. Technical considerations like shifting a patient to the hospital are secondary to the right of the patient to proper healthcare and as such, his right to life, emphasised the commission. "The right to life is a basic human right guaranteed as fundamental right under the Constitution of India. It is the obligation of every state functionary to protect the life of a detente in his custody and ensure proper medical treatment for him or her as and when required," said the NHRC spokesperson. Taking cognisance of the utter lack of sensitivity on the part of prison authorities of the district jail, Banda in Uttar Pradesh, while handling the case of an undertrial prisoner, Babu Lai, who succumbed to his burn injuries, the commission views it as a classic case of systemic failure resulting in a loss of life. "Jail authorities entered into a bureaucratic tussle with the police on the point as to who was responsible for providing guard (escort) and transport for taking the victim prisoner to hospital for treatment," said the commission report. It was because of the approach adopted by the authorities, the patient could not be given proper medical treatment, added the commission report saying that "this reflects sadly on the concerned state authorities have for human life." "Jail authorities have been directed to organise training programmes for the law enforcement officers to apprise them of the provisions of jail manual and also to sensitise them to show respect towards human rights of the detainees," said the NHRC spokesperson. The commission recommended that appropriate directions should be issued to all, that whenever a human life is involved and the case is of urgent nature, prompt action for proper medical treatment of the detainees should be taken by the officials concerned. (Asian Age 19/12/05)

NHRC asks for report on chaining of schoolboy (1)

NEW DELHI: Taking suo motu cognisance of a report that a schoolboy was kept chained at Veldurthy in Andhra Pradesh, the National Human Rights Commission has asked the Chief Secretary to respond within two weeks. The report in The Hindu on December 19, 2005 said the management of a residential bridge school, set up under the Sarva Siksha Abhiyan, chained Daniel, studying in Standard II, to prevent him from running away. His feet were shackled with a chain and it was locked. The management was particular about attendance as absenteeism would tell on government funding. A community mobilisation officer, Mohammad Isaac, along with the boy's father, freed Daniel and lodged a police complaint on charges of illegal confinement under Section 341 of the Indian Penal Code. The Commission said if the allegation in the news report was true, it was a serious violation of children's rights. (The Hindu 21/12/05)

NHRC intervention sought in ice cream parlour case (1)

THIRUVANANTHAPURAM: Leader of the Opposition V. S. Achuthanandan has urged the National Human Rights Commission (NHRC) to intervene in the ice-cream parlour sex scandal case to ensure that the human rights of the girls sexually exploited by those involved in the racket are protected. In a memorandum sent to the NHRC on Tuesday, Mr. Achuthanandan alleged that the accused in the case, with the active support of the State Government, had coerced, threatened or influenced with bribes the key witnesses in the case. By allowing the witnesses to turn 'hostile,' the Government was helping the culprits escape punishment and this was tantamount to challenging the very judicial system in the country, he said. Mr. Achuthanandan said the Assistant Sessions Judge-II of Kozhikode, while issuing the 'charge' in the case in October this year, "had come to the conclusion that former Minister P. K. Kunhalikutty had been subjecting minor girls to sexual exploitation over a long period of time." The 'charge' described seven such instances. The State Government, instead of booking Mr. Kunhalikutty for the crime, had been actively conniving with him to help him escape punishment, Mr. Achuthanandan said. In his memorandum, he gave the NHRC a day-to-day account of the proceedings of the final trial currently on in the Principal Assistant Sessions Court of Kozhikode, describing how the key witnesses had turned 'hostile' en masse. He drew a parallel between this case and the Best Bakery case because of the similar manner in which "victims and witnesses were intimidated to alter their original statements." In the Best Bakery case, the Supreme Court, while ordering a re-trial, had observed, "all the witnesses had all of a sudden turned hostile and there was the possibility that they were coerced, threatened or influenced through bribes." Just the very same thing was happening in the ice-cream parlour sex scandal case, Mr. Achuthanandan said. (The Hindu 28/12/05)

NHRC notice to CBI, police (1)

Ahmedabad, Dec. 28: The National Human Rights Commission has issued suo motu notice to the Central Bureau of Investigation and state director-general of police A.K. Bhargav, seeking a report on the recovery of mass graveyard at Pandarwada. The CBI and Mr Bhargav have been asked to submit their reports within a fortnight, informed human rights activist Teesta Setalvad. After moving an urgent appeal in the Gujarat high court seeking CBI investigation in the matter on Wednesday, Ms Setalvad held a press conference in the city where she informed that the riot survivors apprehend that the evidence recovered from the mass graveyard on the Panam riverbed would be tampered with. Hence they have demanded that the evidence be collected, sealed in front of them, and handed over to the CBI, she added. "While the state police is trying to put the blame on the villagers for digging up the graveyard, they are not answering their queries on why the bodies were buried there and never accounted for. The police cannot harass the riot survivors since they themselves went to the police and district authorities informing them about the recovery," she informed. She further said the relatives were frantically looking for the remains of their family members all these years so that they could perform the last rites and give them a decent burial. "Now that the skeletal remains have been found, the police is perturbed and attempting an eyewash by claiming that these bodies belong to the Pandarwada victims. Why did the police hide the facts all this time?" she remarked. She informed that the local police conducted panchnama of the recovery of skeletal remains on Wednesday morning. The panch (witnesses) were Zakaria Abdul Karim Patel, mamlatdar C.S. Baria, Dr Mayavanshi of the Lunawada government hospital, an official of the mamlatdar office and local FSL scientific officer C.M Pargi, she informed. Ms Setalvad alleged that Raees Khan Pathan, co-ordinator of the NGO in Ahmedabad, who was at the spot on Tuesday, was intimidated and harassed by the police. "He was detained by the police for three hours and allowed to go only at 11 pm, after his police statement was recorded. Others who were there at the spot are also being harassed," she alleged. (Asian Age 29/12/05)

A rights violation, says Congress (1)

NEW DELHI: The Congress on Wednesday described the finding of a mass grave in Panchmahals district of Gujarat as a "gross violation of human rights and unfortunate." The party said the Centre has asked the State Government to send a report on it. "This is very unfortunate and gross violation of human rights. There cannot be another cruder example of killing of human beings... what was shown was heart wrenching," the AICC general secretary, Janardan Dwivedi said at a party briefing. Mr. Dwivedi said the Home Ministry has sought information from the Gujarat Government on the issue. A CBI team has already left for Gujarat, he claimed. Earlier, AICC Media Department head and general secretary, Ambika Soni,

accused the Gujarat Chief Minister Narendra Modi of "attempting" to run the State by instilling "fear and social tension" among people. She said what happened during Mr. Modi's tenure had lowered the image of the country in the comity of nations, and accused him of trying to create social tension through his speeches. Meanwhile, the Congress refused to react to the developments in the Bharatiya Janata Party as also the Sanjay Joshi episode. "It is their internal matter and the BJP has already taken a decision [in regard to Joshi episode]," he said. (The Hindu 29/12/05)

NHRC plays cop, goes on trail of missing teenagers (1)

NEW DELHI, DECEMBER 30: THIS was one occasion when the policemen sat back and watched, as the National Human Rights Commission (NHRC) did the job for them. The rights watchdog does not normally go chasing clues across states, but in the case of two missing girls, it did just that—and ended up locating the pair to the relief of their distraught parents. Radha, 17, and Neetu, 13, daughters of a head constable in the Border Security Force (BSF), had gone missing from Kishanganj in Bihar two months ago. They had been out shopping with their mother Vinod Kumari when they were apparently whisked off on a motorcycle. Kumari suspected that her elder daughter might have connived with her former boyfriend from Amritsar in the vanishing act, as she had done two years earlier also. But she was worried about Neetu. On October 7, the anxious mother approached the National Human Rights Commission, insisting she had the right to know where her children had been taken. The NHRC's response was extraordinary. It accepted Kumari's plea when it does not entertain such petitions. And then, instead of asking the police to trace the girls, as it would have normally done, the panel sent its own investigators on the trail of the missing teenagers through Punjab, Bihar and Uttar Pradesh. Asked why, Commission sources explained, "It was in deference to a soldier's services to the country that our investigators themselves worked on the case." Last week the team managed to trace Radha and Neetu to Pratapgarh in Uttar Pradesh. As suspected, the girls were found "married" to their neighbour's son and his friend from Amritsar, where the girls' father had once been posted. Radha remained with her "husband" as her correct age is disputed, but the minor Neetu is now back with her parents. (Indian Express 31/12/05)