

NHRC/CIVIL SOCIETY INITIATIVE - 2006

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NHRC took positive steps in 2005 (1)

NEW DELHI: The National Human Rights Commission (NHRC) had its hands full in 2005. The Supreme Court upheld the appointment of the former Director of the Central Bureau of Investigation, P.C. Sharma, as a member of the Commission. A two-judge Bench delivered a split verdict on a petition filed by the People's Union for Civil Liberties (PUCL). The matter was referred to a three-judge Bench, which by a majority of two-to-one upheld the appointment. Responding to the PUCL's argument that since the public perception of the police was poor, Mr. Sharma's appointment would erode the people's confidence in the NHRC, the court said this remark was a generalisation, which would not apply to the entire force and that public displeasure was not confined to the police. The Punjab mass cremations case before the NHRC witnessed a protracted battle between the petitioner, Committee for Information and Initiative on Punjab (CUP), and the State government. The CUP asked for an opportunity to demonstrate that there was a pattern in the alleged killings and illegal cremations by security forces. Senior counsel Indira Jaising-hasked the NHRC to go into how the deaths occurred. Solicitor-General Goolam Vahanvati, appearing for the government, argued that the NHRC had already ruled that the scope of the enquiry was limited. The NHRC declared that the matter was already decided in its earlier orders. Almost two years after the Justice Sadashiva Panel submitted to the NHRC a report on the alleged atrocities by the Joint Special Task Force (JSTF) during its operations against forest bandit Veerappan, the Commission sent the findings to the complainants. The report, which questioned the veracity of the JSTF's version of 'encounter deaths,' found that in 60 cases it had shot at the victims from close range. However, there was not enough evidence to name individual policemen for torture. Nor was there enough evidence to confirm allegations of rape. (The Hindu 1/1/06)

NHRC demands reply from AIIMS on hiked charges (1)

NEW DELHI: The National Human Rights Commission (NHRC) has sought a reply from the Union Secretary for Health and Family Welfare and the Director of the All-India Institute of Medical Sciences (AIIMS) here within four weeks on the reported increase in charges for various investigations and surgical/operative procedures at the institute. Taking suo motu note of a report that appeared in the Delhi edition of The Hindu on November 30, 2005, under the heading "Abolt from the blue for patients at AIIMS", NHRC also directed the two respondents to inform them about the annual budgetary allocation to AIIMS and how much money they were expecting to generate from the recently introduced increase in charges for various investigations. They have also been asked to inform the Commission whether there were any schemes for providing free medical treatment to patients who cannot afford to pay the charges, and, if so, the criteria for exemption of charges. Taking a serious view of the matter and stating that the Right to Health is a basic human right directly connected to the Right of Life recognised by the international community in numerous international instruments, NHRC observed that the report, if true, raised a serious issue of right to health care as a basic human right. The report, states NHRC, if true would make the quality of health services inaccessible to a large segment of society, particularly marginalised and vulnerable sections and even the lower middle class. Such steps would amount to indicate denial of quality health services to patients, not financially well off, NHRC observed. (The Hindu 6/1/06)

NHRC team rescues girls (1)

NEW DELHI: A National Human Rights Commission (NHRC) investigation team has rescued two kidnapped minor girls from Mumbai and Pratapgarh, Uttar Pradesh. The team was sent after a head constable of the Border Security Force filed a complaint alleging that his two minor daughters, aged 17 and 13, were kidnapped from Kishan Ganj. The complainant alleged that the police were not taking action despite the filing of a formal report. It found that the girls were married and living in Pratapgarh. The

older was found in Mumbai, while the younger surrendered before the police in Pratapgarh. (The Hindu 12/1/06)

Congress to set up human rights cells in districts (1)

NEW DELHI, JANUARY 12: Finding itself outsmarted by the Left in taking up cudgels on behalf of its avowed constituency—the aam aadmi—the Congress party is set to assign itself the role of human rights campaigner by setting up district-level cells to safeguard the rights of the masses. The rejuvenation of the the party's civil rights activity will begin once the plenary session at Hyderabad gets over on January 22, according to Ranji Thomas, AICC secretary, human rights and law. The recently reconstituted HR department, headed by advocate Murli Bhandare, is apparently an idea thought up by Congress president Sonia Gandhi to "bring Congress closer to the masses". The party would first set up two-member human rights cells at each district headquarter that would identify issues of public concern. Congress first set up the human rights department as a separate arm in 2000 and it was headed, till recently, by former Chief Justice Ranganath Mishra. Thomas said that the human rights department would work on two fronts: educating the common people about their basic rights and taking up public interest issues. The department is working on a report on the police firing on tribals in Orissa. "We would not hesitate to take cognizance of rights violations even in Congress-ruled states like Kashmir," Thomas claimed. The party is also planning to use the talents of lawyer-members for making human rights department a "functional" wing of the party. (Indian Exp 13/1/06)

NHRC wants disabled friendly cars on the road (1)

New Delhi: The National Human Rights Commission has 'sought comments' from the Government on why there were no disabled-friendly cars on Indian roads. The Commission has asked the Ministry of Heavy Industries Secretary to comment on a complaint that car manufacturing companies, even those in the public sector, have stopped making vehicles for the physically challenged, a NHRC spokesman said. A wheelchair ridden man had approached the NHRC, arguing that car manufacturing companies and the government have the social responsibility to manufacture disabled friendly vehicles. Taking cognizance, the Commission asked the government to comment on it. (The Hindu 14/1/06)

Price hike at AIIMS: NHRC files complaint (1)

New Delhi, Jan. 22: The widespread opposition against the price hike in treatment charges at All-India Institute of Medical Sciences seems to have had no effect on the hospital authorities. Taking up the patients' cause, the National Human Rights Commission had filed a suo motu complaint and issued a notice to AIIMS in December last year. But no response has come from the hospital authorities even the time limit of "four weeks" given by the commission is lapsing. Terming the price hike as "distressing news", the commission demanded details of "how much finances AIIMS is expecting to generate by the increase in the charges". It also asked the hospital authorities "to inform the commission about the annual budget allocation to the AIIMS". "They shall inform the commission if there is any scheme for providing free medical treatment to a patient who cannot afford to pay the charges and if so, the criteria for exemption from charges," said the commission notice. "The time limit to reply to the commission has lapsed. The authorities have neglected the notice even after the NHRC sent them repeated reminders," said senior doctors at AIIMS. "In fact, to avoid answering to the commission, AIIMS authorities have directly written to the health ministry," they added. (Asian Age 23/1/06)

"Excessive" use of force on Adivasis condemned (1)

NEW DELHI: Amnesty International has expressed "grave concern" over the "excessive" use of force by the police on indigenous people during a protest at Kalinga Nagar in Orissa on January 2. At least a dozen adivasis were reportedly killed in police firing while one policeman was killed by the protesters. In a statement here on Monday, Amnesty International asked the Orissa Government to ensure that the judicial inquiry into the circumstances surrounding the firing was prompt, independent and impartial, and that the findings were made public. Public servants, including police, suspected of being responsible for human rights violations, must be prosecuted and all proceedings must meet international standards of fairness and must not include the imposition of death penalty, it said. Amnesty said it believed that full consultations about the impact of economic decisions with those likely to be affected, including with activists and non-government organisations and other representatives of affected communities were vital means through which human rights were safeguarded in the context of development. It called upon the

Orissa Government to ensure that individuals and activists in peaceful protests against development projects should be able to do so without fear or violence, harassment or false accusation of involvement in criminal activities. Also, it wanted the Government to announce a consistent policy of full consultation with local populations before any development affecting their lives could take place and ensure that, where populations were resettled, there was just, adequate and culturally-sensitive rehabilitation, resettlement and reparation for those affected. Amnesty said it was alarmed by reports that when the bodies of the Adivasis killed in the firing were returned to their relatives after post-mortem, five of these were mutilated. The Orissa police claimed that the medical personnel who conducted the postmortem examination of these bodies had severed the hands without the knowledge or permission of the victims' families. (The Hindu 24/1/06)

Proof of torture being outsourced by US: probe chief (1)

STRASBOURG, FRANCE, JANUARY 24: A European human rights investigator said today there was evidence the United States had "outsourced" torture to other countries and it was likely that European governments knew about it. But Swiss Senator Dick Marty, who heads an investigation by the Council of Europe human rights watchdog, said he had not uncovered any irrefutable evidence to confirm allegations that the CIA operated secret detention centres in Europe. His remarks, in a preliminary report, kept pressure on the CIA and European governments over allegations that the US intelligence agency flew prisoners through airports in Europe to jails in third countries where they may have been tortured. "There is a great deal of coherent, convergent evidence pointing to the existence of a system of 'relocation' or 'outsourcing of torture,'" Marty said in his initial report for the 46-nation Council, based in the eastern French city of Strasbourg. He said it had been proved that "individuals have been abducted, deprived of their liberty and transported to different destinations in Europe, to be handed over to countries in which they have suffered degrading treatment and torture." Marty estimated that over 100 people had been involved in "renditions"—delivering prisoners to jails in third countries, where they may have been mistreated or tortured. But Marty said there was no firm evidence of detention centres in Europe similar to the one operated by the US at Guantanamo Bay in Cuba. The US government has neither denied nor confirmed the reports of secret detention centers, first made in the Washington Post in November. The allegations have named Romania, Poland, Ukraine, Kosovo and Bulgaria as hosts to secret detention centers. (Indian Exp 25/1/06)

AIIMS replies NHRC over price hike (1)

New Delhi, Jan. 27: AIIMS authorities have submitted an interim report to the National Human Rights Commission, as a reply to the suo-motu complaint filed by the commission on the issue of price hike in treatment charges in the hospital. "The hospital authorities have submitted an interim report, but the commission is still awaiting a reply from the health ministry," said sources in NHRC. Reply from the government hospital has come in the wake of a recent story in The Asian Age stating that, "AIIMS officials have failed to reply to NHRC despite the time period of four weeks given by the commission lapsing." "The widespread opposition against the price hike in treatment charges at AIIMS seems to have rubbed no affect on the hospital authorities," said the story, printed on January 22. "It is only after the report in The Asian Age that the AIIMS authorities took action. The hospital authorities had neglected the notice even after the NHRC sent them repeated reminders," said senior doctors at AIIMS. "In fact, to avoid answering to the commission, AIIMS officials had directly written to the health ministry," they added. "The AIIMS interim report has yet to be presented before the commission chairman. But it is only after details sought by the NHRC from the health ministry are submitted to the commission, that any proceeding can take place," revealed the NHRC spokesperson. The NHRC complaint filed in December last year demanded details of "annual budget allocation to AIIMS" and "how much finances, AIIMS is expecting to generate by the increase in the charges." While seeking "comments from the secretary, health and family welfare and director AIIMS" to news reports in the media, the NHRC also sought an answer to whether there exists any exemption criteria from charging money for poor patients visiting AIIMS. (Asian Age 28/1/06)

India has failed to comply with human rights standards: Noorani (1)

NEW DELHI: Criticising India's record of fulfilling international human rights standards, senior advocate and leading constitutional law expert A.G. Noorani on Wednesday said the country's stand on human rights violations has been "consistently negative and hypocritical". Delivering the first of a Public Lecture

Series being organised by the South Asia Human Rights Documentation Centre (SAHDRC), Mr. Noorani pointed out that India has refused to ratify the Convention related to the Status of Refugees, 1951, the Refugee Protocol of 1967, the Convention Against Torture which it signed in 1999, and the Additional Protocols to the Geneva Conventions. He said India had refused to ratify the Convention on Anti-Personnel Landmines, and is yet to ratify the International Criminal Court (ICC) Statute. While praising the efforts of the National Human Rights Commission (NHRC) to handle issues like the violation of rights during the Gujarat pogrom of 2002, Mr. Noorani said the NHRC had failed in addressing human rights violations by security forces in Kashmir and the North East. He said the Indian government had taken advantage of the NHRC's "clean chit of good conduct" to the security forces in Kashmir and the North East to avoid international accountability. (The Hindu 2/2/06)

Rights panel seeks report on 'wrong' disposal of bodies (1)

Agra : With a number of complaints being lodged against the Agra Police for indiscriminately "flushing away" unidentified dead bodies over the past two years, the town's police force has come under the National Human Rights Commission's (NHRC) scanner, which has now served notices to the State police inquiring about the procedure followed by it for the identification of dead bodies. In an inquiry initiated by the NHRC, taking cognizance of a story "Agra police does a quickie with dead bodies", published by The Pioneer on 13th October 2005, the Commission has asked the local police officials to file a detailed report on the number of unidentified dead bodies discovered in the town over the past one year and the efforts made by it to identify these bodies. Notably, in the past two years, over 700 unidentified dead bodies were discovered in Agra that were cremated without identification by the police which has caused serious "misunderstandings" like the cremation of a Muslim couple as Hindus, that had brought this town on the brink of communal tension. Talking to The Pioneer, Ratnesh Chaturvedi, Deputy Superintendent of Police (Headquarters), Agra confirmed that the police had received a notice from NHRC in November, demanding to know about the exact number of dead bodies discovered by the police in Agra district over the past one year and the methods followed by the police to get these bodies identified. He said that acting on this notice, the Senior Superintendent of Police, Agra had sought information from all 41 police stations of the district to submit a report on the number of dead bodies discovered in their respective areas and how many of these bodies had been cremated as unidentified. (Pioneer 6/2/06)

Amnesty to Sri Lanka: Stop killings, abductions (1)

Colombo, Feb. 5: Amnesty International on Sunday asked Sri Lanka's warring parties to thrash out human rights issues during crucial talks in February to stem a wave of killings, abductions, and child recruitment. The London-based watchdog in a statement sent here said it welcomed peace broker Norway's efforts to arrange talks between Sri Lanka and Tamil rebels after a three-year deadlock, but wanted rights on the agenda. "The organisation urges that the issue of human rights monitoring be urgently addressed at these talks," Amnesty said, adding that a climate of fear had been created, particularly in the restive east, after a wave of violence. The Liberation of Tamil Tigers Eelam and the Sri Lankan government were due to discuss a human rights charter at what was to be their seventh round of negotiations in April 2003 in Thailand. However, the Tigers pulled out of those talks saying they had been kept out from an earlier meeting of Sri Lanka's international aid donors who met in Washington to discuss financial backing for the island's peace process. Norway's special envoy Erik Solheim met with top leaders on both sides on January 25 and clinched a deal to resume face-to-face negotiations between the third and the fourth weeks of this month. Mr Solheim's diplomatic breakthrough stemmed a wave of killings that had claimed at least 153 lives since December. Amnesty said its secretary-general Irene Khan took up the question of an independent monitoring mechanism to safeguard human rights during talks in December with the LTTE's political wing leader S.P. Thamilselvan. (Asian Age 6/2/06)

Centre open to CBMs on human rights in Assam (1)

NEW DELHI: The Centre agreed to examine and initiate a series of confidence building measures in Assam on the human rights front after talks here with the Peoples Consultative Group (PCG) consisting of Assamese civil society representatives on Tuesday. Among the measures to be considered would be the release of some ULFA leaders being held in Assam and elsewhere. The Government agreed to ask the Ministry of Home Affairs to look into the issue expeditiously. Both sides agreed that maintaining peace was a prerequisite for creating a conducive atmosphere for dialogue between the Centre and ULFA. In Tuesday's meeting, the Government was represented by National Security Adviser M.K. Narayanan and

Union Home Secretary V.K. Duggal. All 11 members of the PCG, including Mukul Mohanta, Anup Borbora and noted litterateur Indira Goswami were present. This was the second meeting between the PCG and the Government. Both sides agreed to have another round of talks as early as possible before commencement of direct talks between the Centre and ULFA. According to sources, one of the issues raised by the PCG was the need for more information about the fate of individuals reported missing after the military operations against ULFA fighters in Bhutan. The Government said it would try to be helpful but since the matter had become sub judice following the filing of a case by the relatives of one of the missing persons, there may be some difficulty in actively taking the matter up. (The Hindu 8/2/06)

Rights groups' plea to Centre on Kalam's Myanmar visit (1)

NEW DELHI: Representatives of civil society organisations, human rights groups and political parties urged the Centre to postpone the visit of President A. P. J. Abdul Kalam to Myanmar scheduled for March 2006 until the ruling junta released Nobel Peace Prize winner Aung San Suu Kyi. Participating in a seminar on "India's Role for National Reconciliation in Burma" here on Tuesday, they wanted the State Peace and Development Council in Myanmar to allow 'full and unrestricted access' to the United Nations Special Envoy and Special Rapporteur. The seminar was co-sponsored by the Asian Centre for Human Rights and Mizzima News. Revolutionary Socialist Party MP Abani Roy, who is a member of the recently formed Indian Parliamentary Forum for Democracy in Burma said: "Our forum will try arranging a meeting with Mr. Kalam to urge him not to go to Myanmar unless the SPDC releases Ms. Suu Kyi, and unless President Kalam is allowed to talk about the restoration of democracy in the country." Participants endorsed a declaration, calling upon the Centre to urge the SPDC to enter into a substantive and structured dialogue with Ms. Suu Kyi, and other members of political parties and representatives of ethnic minorities on restoration of democracy and national reconciliation in Burma. (The Hindu 8/2/06)

NHRC seeks comments (1)

NEW DELHI: Taking suo motu cognisance of news reports about the plight of Shankar Dayal, an undertrial who had been confined for 44 years without trial in the Unnao District Jail in Uttar Pradesh, the National Human Rights Commission has sought the comments of the Chief Secretary and DGP of the State. Shankar Dayal had spent 43 of the 44 years of confinement in a mental asylum. His family believed him to be dead. The Commission observed that if the contents of the news reports were true, there had been a gross violation of the human rights of the under-trial detainee. (The Hindu 16/2/06)

Chhattisgarh Act will curtail fundamental rights: Study (1)

NEW DELHI: A study of the recently passed Chhattisgarh Special Public Security Act (CSPSA), 2005, conducted by the Commonwealth Human Rights Initiative (CHRI) says that the law has the potential to throttle free speech, legitimate dissent and threaten the existence of civil society organisations in the State. Urging the Chhattisgarh Legislature to repeal the legislation, CHRI said that that the response to insurgency in the State must be conditioned by the Government's duty to uphold constitutional rights. The CSPSA provides for up to seven years' imprisonment for committing an "unlawful activity". The CHRI study points out that "unlawful activity" has been defined loosely and imprecisely. The definition includes committing acts, uttering words, writing or making visual representations that may "create risk or danger for public order, peace and public tranquillity" or "impede the administration of law or institutions". The study said that this definition of "unlawful activities" threatens the free exercise of fundamental freedom of speech and expression and appears to restrict the right to hold public meetings, organise public protests, and oppose government policies through the media. CHRI's study says that under the CSPSA any organisation can be declared "unlawful" on the grounds that that it is involved in committing "unlawful activity" or if its objective is to encourage, assist, or induce the same. The CSPSA gives the State Government the power to notify an organisation as "unlawful" without disclosing reasons for the notification. Once an organisation is declared "unlawful" under the Act, the State Government can seize its funds and premises, and its members can be imprisoned for up to three years. (The Hindu 18/2/06)

Hike was a rationalisation of charges" (1)

NEW DELHI: In its response to the suo motu notice issued by the National Human Rights Commission (NHRC) on the increase in the charges for medical tests and procedures effected by it, the All-India Institute of Medical Sciences (AIIMS) has argued that the hike was a "rationalisation of charges and that the poor coming here for treatment will continue to get free medical care". In its three-page response

dated January 19 to the NHRC Secretary-General, AIIMS Director P. Venugopal maintains that rationalisation of charges had been under consideration for some time now. "During the last couple of years a comprehensive exercise was undertaken in consultation with various departments and faculty of AIIMS. The proposal for revision/ rationalisation of charges as proposed by a committee was considered by Standing Finance Committee and Governing body of the Institute," he noted in his response. And while a reply is now being awaited by NHRC from the Secretary, Health and Family Welfare, Dr. Venugopal of AIIMS in his letter has also noted that "the charges for various diagnostic procedures are reasonable and are based on the cost of consumables used in the procedures. The exercise covered a total of 250 charges for rationalisation and over 400 new tests and charge have been introduced which include new facilities including Positron Emission Tomography and In-Vitro Fertilisation facility." "About 400 charges have been increased due to increase in the cost of consumables and over 380 charges have been left unaltered and in about 40 cases charges have been reduced to pass on the benefit of decrease in the cost of consumables to the patients. The charge for plain X-ray has been reduced from Rs. 30 to Rs. 25 and several other charges have been reduced substantially. Thus it is not correct to say that there is an increase in all the charges at AIIMS," notes the letter. (The Hindu 23/2/06)

UP Police to be sensitised' (1)

NEW DELHI: The Uttar Pradesh police have assured the National Human Rights Commission (NHRC) that they have directed their personnel to be "sensitive" while dealing with cases of human rights violations. The assurance was given after the NHRC expressed its distress at the "censure" awarded to erring police officials who had, in July 2001, picked up a 70-year-old man, taken him to the police station and tortured him. The man was released only after he paid Rs. 1,500. Pointing out that the police action amounted to unlawful confinement, torture and extortion, the Commission said the "censure" awarded for such a grave misconduct was not only an eyewash but gave the impression of tolerance for corruption and violation of human rights. The Commission directed the Director-General of UP Police to personally look into the matter and ensure that a penalty commensurate with the gravity of misconduct committed by the erring officials. The UP Government informed the NHRC that a case under the Prevention of Corruption Act had been registered against the delinquent policemen. It said orders had been issued to all Senior Superintendents of Police and Superintendents of Police to show awareness and sensitivity while taking administrative action against policemen found guilty (The Hindu 24/2/06)

NHRC seeks report (1)

NEW DELHI: The National Human Rights Commission, taking suo motu notice of news reports on child trafficking in Jammu and Kashmir, has asked the Chief Secretary to submit a report within two weeks. The report said victims of terrorism were selling their children at markets in Jammu. The Commission said the reports raised the serious issue of violation of rights of children. It had obtained a copy of the story's transcript from a television channel. (The Hindu 1/4/06)

NHRC seeks response on prisoners (1)

NEW DELHI: Taking suo moto cognisance of a news report in the Kashmir Times of prisoners languishing in Jammu jails, the National Human Rights Commission (NHRC) on Friday directed that a copy of the news report be sent to the Chief Secretary, Jammu and Kashmir (J&K), and the Inspector General (IG) Prison, Jammu and Kashmir to submit its response within two weeks. According to the news report, members of the J & K High Court Bar Association who had visited jails of the Jammu Division had submitted a report that there were over 275 persons, including Afghan and Pakistani inmates, lodged in Bhalawal Jail under the Public Safety Act. The Bar Association report said that Gulab Mohamad Vani, a 65- year old prisoner had been detained in the jail along with three others above the age of 60 years. It said that Gowhar Ahmed Bhat, Wasim Raja Dar and Jalaluddin Shah, all aged 16 years, were also detained in the jails in Jammu division. The Bar Association report said that persons who were serving detention under the Public Safety Act had been detained up to three times on the same ground. (The Hindu 8/4/06)

Over 20,000 on death row across the world: Amnesty (1)

LONDON, APRIL 20 (KYODO): More than 20,000 people are estimated to be on death row across the world, Amnesty international said in a report released on Thursday. The human rights group said 5,186 people were sentenced to death in 53 countries last year and at least 2,148 people were executed in 22

countries, with 94 per cent of the executions carried out in just four countries: China, Saudi Arabia, Iran and the United States. "The death penalty is the ultimate, irreversible denial of human rights, because it contravenes the essence of human values. It is often applied in a discriminatory manner, follows unfair trials or is applied for political reasons. It can be an irreversible error when there is a miscarriage of Justice," Amnesty International Secretary General Irene Khan said in a statement. Amnesty said many governments refuse to provide information on the death penalty and the organization relies on news reports and UN research in calculating the death toll and execution figures. The global death row figure is a "conservative estimate" and the real figure could be in excess of 25,000, according to human rights consultant Mark Warren who helped Amnesty write the report. Amnesty says the trend toward abolishing the death penalty continues, with the number of countries carrying out executions halving in the last 20 years and dropping for the fourth consecutive year. "As the world continues to turn away from the use of the death penalty, it is a glaring anomaly that China, Saudi Arabia, Iran and the United States stand out for their extreme use of this form of punishment," Khan said. (Indian Express 21/4/06)

Watchdogs worry about Nepal rights situation (1)

New York, April 20 : In a strong criticism of the government's crackdown on pro-democracy protests, global rights group Human Rights Watch today accused Nepalese security forces of "brutally" beating and shooting at children as young as 12 years. The US-based group also asked King Gyanendra's government to take immediate action to end all "unnecessary use of force" against protesters and said authorities must independently investigate and prosecute all officials found responsible, including those at highest levels. "Security forces have beaten protestors with intent, even children as young as 12 without regard," said Jo Becker, an advocacy director for Human Rights Watch. Human Rights Watch representatives, who visited six Kathmandu hospitals that collectively treated over 1,350 injured protesters in the past two weeks, have found that over a dozen of them had suffered gunshot wounds, bone and skull fractures, and head trauma. Three of the victims were children, including two 12-year-old boys. One boy suffered a skull fracture from being hit by police during a demonstration on April 16. Another boy was shot in the head while running away from a protest in Gongabu in northern Kathmandu on April 11, and a bullet remained lodged near his right ear. Injured protesters told the group they believed the security forces deliberately targeted their heads. This allegation was supported by medics at three hospitals, who reported that over 60 per cent of the injured suffered head injuries, primarily caused by police batons. On Wednesday, Ian Martin, Nepal-based representative of the UN High Commissioner for Human Rights, had said, "Democratic rights do not exist. The opportunities for peaceful protests have been closed down." (Indian Express 21/4/06)

Chhattisgarh Act will be used to target right organizations (1)

NEW DELHI: The People's Union of Democratic Rights (PUDR) said on Monday that in the name of combating violence, the Chhattisgarh Government had enacted a legislation that would target civil liberties and democratic rights organisations. In a report on the recently passed Chhattisgarh Special Public Safety Act, released here on Monday, the PUDR said the Act dramatically broadens the ambit of what is deemed 'unlawful' to such an extent that it depends on subjective interpretation and ignores the principle of certainty of offences in criminal law. Pointing out that many of the provisions in the Act were vague, PUDR said by virtue of the law, the State Government has the power to arbitrarily declare any organisation 'unlawful' for one year without necessarily giving a reason for such a declaration. It said the reference to "unlawful activities" being committed by communication (verbal or written or by representation) has raised concerns that this provision may be used against journalists and individuals who publish or telecast news or images relating to naxal activities or reporting on state repression. The PUDR pointed out that the Act provides for up to three years imprisonment for merely being a member of an organisation declared unlawful. The Act provides for up to two years imprisonment for persons who 'not being members of any unlawful organisations may in any manner even make contributions.'" However, the Bill does not define "contributions," and does not make a distinction between having contributed knowingly or unknowingly. (The Hindu 26/4/06)

SHRC member visits house of accident victim (1)

Thiruvananthapuram: State Human Rights Commission (SHRC) member S. Varghese on Wednesday visited the house of Thankachi who was run over by a KSRTC bus at Cheenivila in Vattappara police station limits on Tuesday afternoon. The commission recorded the statement of the relatives of Thankachi

who was allegedly killed by the bus driver who "suddenly" reversed the vehicle while she was crossing the road. Thankachi was knocked down and crushed under the rear wheel of the vehicle. The incident occurred after she had alighted from the bus. The police suspect the driver, Balachandran, to have killed Thankachi for giving a complaint against him to the local KSRTC depot authorities. The KSRTC has suspended Balachandran from service after the incident. The police are yet to arrest the driver who is suspected to be absconding. Meanwhile, the body of Thankachi was cremated in the compound of her house. The police were also conducting an inquiry into the charge that an IPS officer, who passed that way when the incident occurred, had misbehaved with the neighbours and relatives of the victim. (The Hindu 27/4/06)

NHRC releases handbook (1)

NEW DELHI: The National Human Rights Commission (NHRC) on Tuesday released a handbook on employment of persons with disabilities in the Government. Releasing the publication, NHRC chairperson Justice A.S. Anand emphasised that the approach to persons with disabilities needed to shift from "welfare" to a "rights-based" approach. "Litigation around disability issues is a living example of the indifference and ignorance on the part of State authorities," he said. Speaking at the release, NHRC's Special Rapporteur on Disability Anuradha Mohit said the handbook was aimed at legal practitioners, administrators, labour lawyers and persons with disabilities. "The rules that govern reservation for employment of disabled persons in the government are so elaborate that any administrator would find it difficult to keep track," she said. The handbook is the result of a project launched jointly with the Canadian Human Rights Commission in 2003, and has been compiled in collaboration with the Human Rights Law Network. Mr. Justice Anand also released a compilation of international human rights instruments in Hindi in three volumes. (The Hindu 3/5/06)

Social groups, rights activists condemn Kashmir killings (1)

NEW DELHI: Several social groups and human rights activists have condemned the killings in Jammu and Kashmir late on Sunday night. Such motivated communal terror acts were aimed at dividing people and societies, besides posing a threat to the secular fabric of the country, a joint statement said. "We immediately urge that the Government, through the Minorities Commission, conduct public hearings in different parts of the State where minorities and other citizens can depose about their daily conditions. Steps can then be initiated to assist them," it said. The statement was signed by Communalism Combat, the Citizens for Justice and Peace, SAHMAT, Prashant, SAHEWARU, the People's Union for Human Rights, the All-India Catholic Union, adivasis and Muslims, and the Centre for Dialogue and Reconciliation. "The terrorists' bullets are aimed at innocents who come in their way and other vulnerable people of the State. But when such communal terrorist acts are committed on the eve of peace talks, special steps need to be taken by the administration," the statement said. "We also urge that the Centre examine the issues of all minorities in different parts of the country, especially in sensitive States such as Jammu and Kashmir, Manipur and Assam, and Gujarat," it said. The statement recalled the meeting of a forum of over 15 individuals and representatives of the Hindus in Jammu and Kashmir, Muslims, Christians, and other minority communities, with the Minority Affairs Minister, A.R. Antulay. A memorandum submitted to him said minorities were vital to a rich and vibrant democracy, and that religion must not be the only basis of categorisation. (The Hindu 3/5/06)

Mayor must go: PUCL (1)

New Delhi, May 3: The People's Union of Civil Liberties (PUCL) demanded the resignation of Baroda mayor and municipal commissioner for their handling of demolition of the Fatehpura Dargah on May 1. The PUCL stated here, "We demand the resignation of the mayor and municipal commissioner, who have no vision of maintaining calm in the city, even as they are bent upon justifying their actions, totally ignoring people's sentiments in the matter. Action needs to be taken against the police commissioner and his officers, who failed in their duty to maintain the security and to follow the set norms of functioning." The CPI(M) accused the administration of allowing the mobs to attack and brutally kill a person in his car and colonies are being threatened. These are the same areas where riots had taken place in 2002. The utterances of Baroda mayor Sunil Solanki had already vitiated the atmosphere and created apprehension in the minority community of the state. (Asian Age 4/5/06)

Budhia's case goes to NHRC (1)

New Delhi, May 3: The Asian Centre for Human Rights today moved the National Human Rights Commission (NHRC) to intervene against endangering the life of four-year-old child marathon master Budhia Singh who was induced to run 65 km from Puri to Bhubaneswar in Orissa yesterday. "It is an act done so rashly or negligently to endanger human life or the personal safety of others as defined under Section 336 of the Indian Penal Code", Suhas Chakma, director of Asian Centre for Human Rights (ACHR), said. The ACHR urged the NHRC to direct the state government to register an FIR under Section 336 of the IPC against Orissa's Sports Minister Debashis Nayak and others who accompanied him during the marathon. (Indian Express 4/5/06)

Rights panel gets tough on hostels (1)

Bhopal : Taking serious note of inhumane environment provided to students by hostel owners, the Madhya Pradesh State Human Rights Commission (MPHRC) has directed Urban Administration and Development Department to enact by-laws under Municipal Corporation Act, 1956 to regulate these hostels. The MPHRC has asked the department to get by-laws enacted within three months so that the students could get better facilities in hostels. Notably, a proposal to enact by-laws had been approved in general council meeting on January 28, 2006 wherein it was proposed to charge permission fee for running hostels. Besides, regulatory measures to provide hygienic environment to students were also MPHRC in its directive stated that the civic authorities may enact rules by using powers vested under Section 67 (gg) of the Municipal Corporation Act, 1956. Similarly, the Corporation under Section 427 of the Act, may also enact by-laws to implement these rules. The Commission specified that the by-laws would be implemented in all big cities, including Indore, Jabalpur, Gwalior, Ujjain, Sagar and Rewa. BMC Commissioner Manish Singh told the Pioneer that a proposal to enact by-laws has been already approved in the general council meeting on January 28 and soon necessary by-laws would be implemented to regulate the hostels to provide hygienic and better facilities to students staying away from their homes. (Pioneer 5/5/06)

NHRC to release books in Braille (1)

NEW DELHI, MAY 4: THE National Human Rights Commission (NHRC) has decided to release most of its publications in Braille script in future, according to NHRC officials. Chairperson of the Commission, Dr A.S. Anand, had recently released a Braille version of a handbook on employment of persons with disabilities along with its English version. "Most of the Braille printing machines in India are lying idle most of the time and these could be used by the Commission to help physically-challenged people," said Anuradha Mohit, special rapporteur on disabilities, NHRC, who has co-authored the book with Seema D. Bandhu. This is the second book that the Commission has released in Braille. The handbook is part of the NHRC's campaign to create awareness about the "human rights-based approach of dealing with disabilities" rather than a "compassion-oriented approach". The handbook details the laws, rules and statistics on disabled people employed in India. "It's going to be useful to the disabled as well as to their employers," said Mohit. Meanwhile, the NHRC's new building is disabled-friendly with ramps for wheelchairs. The Commission's shifting early last year was delayed by Anand, who insisted that he would not move unless the building was made disabled-friendly. The Commission had directed the state governments as well as the Centre to make its facilities and offices disabled-friendly. (Indian Express 5/5/06)

Medha: NHRC turned blind eye (1)

New Delhi, May 4: Narmada Bachao Andolan leader Medha Patkar on Thursday accused the accusing National Human Rights Commission of "turning a blind eye" towards their struggle and demanded that the commission intervene and take up the Narmada issue as a human rights violation case. "The constitution of NHRC has no meaning if it does not take cognisance of destruction and human rights violation in the name of development," she said, staging a dharna in front of the NHRC office along with other NBA activists. Be it removal of slums in Delhi and Mumbai or destruction caused by Sardar Sarovar dam, all come under purview of NHRC, she said.. (Asian Age 5/5/06)

Budhia case: NHRC seeks report from Orissa, CRPF (1)

NEW DELHI May 5: CRPF-sponsored record-breaking run by Budhia Singh on Tuesday has created a controversy with human rights groups and medical experts voicing all the ill-effects it could have on the four-year-old. The National Commission for Human Rights (NHRC) has asked the Orissa government and

the chief of the Central Reserve Police Force to explain their roles in making Budhia run a 65 km marathon in Bhubaneswar. The Commission took cognizance of the newspaper reports on Budhia's plight after some NGOs started sending petitions to the commission alleging that the run damaged the boy's health. In its order today the commission has asked the Chief Secretary of Orissa and DGCRPF to respond to all newspaper reports and send their replies to it within two weeks. (Indian Express 6/5/06)

Amnesty attacks killings in J&K (1)

New Delhi, May 7: The Amnesty International has criticised militant groups for killing 35 Hindus in two targeted attacks in Jammu and Kashmir recently and observed that human rights violations by "state agents" had declined after the initiation of the Indo-Pak peace talks but violence by the armed groups had not substantially reduced. Expressing concern over the recent killings, the international human rights organisation called upon the J&K government to ensure prompt and independent investigations into the incidents to bring the perpetrators to justice. The organisation also appealed to the militants to refrain from violence against civilians, including torture and deliberate killings. A public statement posted on its website said, "Deliberate attacks on civilians can never be justified and are prohibited in international law." The attacks had occurred just two days before the scheduled talks on Tuesday between Prime Minister Manmohan Singh and separatist Hurriyat leaders, the statement noted. Gunmen reportedly stormed two different locations in Hindu dominated areas of Thawa village in Doda district on the night of April 30, herded them into the headman's house and shot dead 20 persons at point-blank range. Ten out of the 11 persons injured in the shootout are reported to be in critical condition. Thirteen other Hindu villagers were killed in Udhampur district before the Doda killings, the statement said. "Since the beginning of peace talks, human rights violations committed by state agents have declined somewhat, though arbitrary detention, abuse of preventive detention laws, torture, deaths in custody and disappearances continue to be reported. Violence by armed groups does not appear to have substantively reduced during this period," the statement added. Peace talks between India and Pakistan began two years ago and a number of steps have been taken towards confidence-building measures. (Asian Age 8/5/06)

CBI probe a must in Nanded, says PUCL (1)

New Delhi, May 7: The PUCL on Sunday demanded a CBI probe into the bomb blasts that took place at Nanded, the Sikh holy place in Marathwada region of Maharashtra. Suresh Khairnar, the convenor of PUCL, Nagpur, and Secular Citizens' Forum, met Union HRD minister Arjun Singh here during with a plea that the Centre must look into it as the Congress-NCP government in Maharashtra is not serious about the investigation. The Secular Citizens' Forum and PUCL have come out with a fact-finding report saying that "the role of the Congress is also serious". It asked why the chief minister or the deputy chief minister has not so far visited the place. The report observed that "despite the lack of availability of information from the official sources, there exists strong indication that deep communal conspiracies were being hatched by the Hindutvavadi forces in the city of Nanded..." (Asian Age 8/5/06)

Nonaligned solidarity helped in UNHRC (1)

New Delhi, May 10: New Delhi on Wednesday attributed its election to the new United Nations Human Rights Council to "non-aligned solidarity" and its standing in the G-77. India and 46 other countries, including China, Saudi Arabia, Cuba and Pakistan, were voted in to the new council. Sources said India's election was also a recognition of its diplomatic standing in the comity of nations and its commitment to promotion and protection of human rights. India secured 173 votes out of 190. Pakistan got 149 and China, 146. India is one of 13 countries elected from Asia. The secret ballot took place in New York on Tuesday. The first meeting of the council will be held in Geneva on May 19. The United States did not contest. India will hold a one-year term in the council. In the draw of lots that took place after the elections, Pakistan got for itself a two-year term and China a three-year term. The sources said India's successful election to the council indirectly validated India's choice of becoming a part of the G-4 in her quest for a permanent seat in the United Nations Security Council. Brazil got 165, the highest in the Latin America group, and Germany topped the West Europe group with 154 votes. Besides non-aligned solidarity, the sources cited India's membership of the G-77 as an enabling factor. The sources said India's interest in non-aligned solidarity and the G-77 was intact and had not wavered. India, they said, was very much a part of these groupings. (Asian Age 11/5/06)

Mass cremation case: NHRC orders relief (1)

NEW DELHI : The National Human Rights Commission on Monday ordered the Punjab Government to disburse a monetary relief of Rs. 2.5 lakh each to the next of kin of 45 persons whom the State Government admitted were in police custody immediately before they were killed and illegally cremated. This has taken the total number of illegally cremated bodies identified in the case to 1296. "With efforts from both sides we have come to identify close to 1300 bodies that have been illegally cremated. A little more effort should see that we identify more bodies. The object [of this exercise] is to apply balm to the families affected," said NHRC Chairperson Justice A. S. Anand. During the hearing, Punjab Government counsel R. S. Suri said the names of 28 persons in the CBI list of 2097 persons, who were illegally cremated by security forces in Punjab, have been duplicated. The Commission has given the petitioners in the case, the Committee for Information and Initiative on Punjab (CIIP), two weeks to respond. Meanwhile, a two judge Bench of the Supreme Court, comprising Justice K.G. Balakrishnan and Justice D. K. Jain has issued notice regarding the quantum of compensation awarded by the NHRC in a Special Leave Petition (SLP) filed by the Coordination Committee for Disappeared Persons (CCDP) that represents a majority of the kin of the deceased (The Hindu 16/5/06)

NHRC study after Kalam poser on graft (1)

New Delhi, May 15: A question from the first citizen of India at a conference has left the National Human Rights Commission (NHRC) in a reflective mood. The NHRC has decided to find an answer to President A P J Abdul Kalam's query on corruption. His poser — If Kerala and Himachal Pradesh can become nearly corruption-free, why not the other states — had come during a conference on 'How corruption is adversely affecting the human rights of common people' organised by the NHRC in the capital. Retired judge Shiv Raj Patil, member, NHRC, who is looking after the Commission's recent campaign against corruption told The Indian Express that "in deference with the President's wishes, we would be commissioning the study very soon." The President had suggested that before launching a serious campaign to eradicate corruption, it was important for the Commission to analyse factors that made Kerala and Himachal Pradesh corruption-free while other states still grappled with the menace. Besides, the NHRC is also finalising a list of must-dos for the Central and State governments to ensure that "corruption does not come in the way of common man's rights to equality and life." One of the key recommendations of the NHRC, sources said, is likely to be about mandatory protection from the state to whistle-blowers like Satyendra Dubey. With India being ranked somewhere midway in the world order of the corruption index, Patil says the estimates of money paid as bribe in the country was astonishing. "According to a study conducted in 11 government departments, a whopping Rs 21,068 crores was paid only as bribe. The estimates in all the departments is somewhere near to Rs 50,000 crore," he said. Patil has, however, clarified that with this campaign the NHRC was not going to turn itself into an anti-corruption bureau. (Indian Express 16/5/06)

NHRC asks for report on lathicharge (1)

New Delhi, May 16: Taking serious note of police action on agitating medical students, the National Human Rights Commission has sought a factual report from the police commissioners of Delhi and Mumbai in respect of the "unprovoked" lathicharge on students in these places. The NHRC has given two weeks' time to the Delhi and Mumbai police to submit the report. "The allegations of police action, if true, raise a serious issue of violation of human rights. No civilised state can justify use of brutal force on peaceful demonstrators," observed the commission. The Delhi Medical Association also submitted a memorandum seeking the commission's intervention against the brutal police action. Delhi Medical Association president K.K. Kapoor told this newspaper, "We met Justice Anand and , appealed to the commission to take appropriate action against the police. The commission has already taken a step in this direction by seeking explanatory reports from the police." The NHRC has also appealed to the Indian Medical Association (IMA), Delhi Medical Association and striking doctors to resume their duties in the interest of the poor and ailing patients. Representatives of the organisation Country First had also submitted a memorandum to the NHRC chairperson on the police action against students. (Asian Age 17/5/06)

Human rights violators continue to enjoy impunity: Amnesty (1)

NEW DELHI: Amnesty International's annual report on the state of the world's human rights said that perpetrators of human rights violations in India continued to enjoy impunity, particularly in Gujarat. It said that survivors of targeted killings and sexual violence in Gujarat in 2002 continued to be denied justice and

reparation and key cases relating to these killings and sexual assault of Muslim women in which complainants had sought transfers to courts outside the state were pending before the Supreme Court at the end of the year. Releasing the report at a press conference here on Tuesday, Praful Bidwai, senior journalist, said that India had come out looking extremely fragile so far as the human rights situation was concerned. "Rampant human rights abuses in Jammu and Kashmir, the use of the Armed Forces Special Powers Act, and killing of civilians by armed forces and non-state actors continues," he said. Referring to the process of prosecution of those responsible for the anti-Sikh riots in 1984, Mr Bidwai said that 22 years after the violence, a vast majority of the violators remained at large. Speaking at the release of the report, Usha Ramanathan, legal researcher, said the amendment of the criminal law resulted in the state being vested with extraordinary powers in the name of fighting terror. "The number of custodial deaths is increasing every year. It is significant that in the Indian Penal Code torture per se is not punishable," she said. The report noted that though the government had repealed security legislation that had been used to facilitate grave human rights violations, some of these provisions were transferred into existing laws. (The Hindu 24/5/06)

End strike, NHRC asks medicos (1)

NEW DELHI: The National Human Rights Commission on Friday appealed to doctors and medical students to call off their hunger-strike against reservation for Other Backward Classes in Central educational institutions. It expressed concern over their deteriorating health and at denial of health care to the sick, as a result of the strike, in government hospitals. Describing the reservation issue as "complex," the Commission said the government should ensure a "balanced and orderly development" of all sections and classes while implementing its policy. It should examine the issue thoroughly so that justice was not denied to any section or class. (Hindu 27/5/06)

Top French honour for Fr. Cedric Prakash (1)

Fr. Cedric Prakash, Director of Prashant, the Ahmedabad-based Jesuit Centre for Human Rights, Justice and Peace, has been awarded France's highest civilian decoration. In a message to Fr. Prakash, the Ambassador of France to India, Dominique Girard, said: "I have the utmost pleasure of informing you that the President of the French Republic, Jacques Chirac, has conferred on you the award of Chevalier de la Legion d' Honneur (Knight of the Legion of Honour), by decree of 18th April, 2006. "I warmly congratulate you for this distinction. By this award, France acknowledges your lifetime commitment to the defence and the promotion of Human Rights in India." Championing cause of human rights Fr. Prakash has been championing the cause of human rights in Gujarat and in other parts of India. In the wake of the Gujarat Carnage of 2002, he has testified before the U.S. Commission for International Religious Freedom in Washington. Among the prestigious awards received by Fr. Prakash are the Kabir Puraskar, which the President of India conferred on him in 1995 for his work in the promotion of communal harmony and peace and, in 2003, the Indian Muslim Council, U.S., presented him with the Rafi Ahmed Kidwai Award for humanitarian work. The award will be presented to Fr. Prakash by the French Ambassador on July 14. (The Hindu 2/6/06)

NHRC for police report on detainees (1)

New Delhi, June 8: In the high-profile Rahul Mahajan case, the conduct of the Delhi police has also come under scrutiny. The National Human Rights Commission (NHRC) has sought a report from the Delhi police on the illegal detention of nine persons in the Rahul Mahajan drug abuse case. Taking cognisance of the complaint filed by the relatives of the detained persons, the NHRC asked for the report on Thursday itself. The NHRC has received an unnamed complaint alleging illegal detention of the driver, Anil Singh, and eight others working as housing staff at the 7, Safdarjung Road bungalow. The complaint dated June 6 alleges that the nine people were picked up forcibly from 7, Safdarjung Road in the morning of June 2 and were illegally detained in the police station since then. The complaint further alleges that the detainees were mercilessly beaten up by the police. (Asian Age 9/6/06)

NHRC seeks report on asylum inmates (1)

NEW DELHI: Taking suo motu cognisance of a CNN-IBN report on the inhuman treatment meted out to inmates of an unlicensed mental asylum at Saharsa in Bihar, the National Human Rights Commission directed the Bihar Government to enquire into the matter and submit a "factual report" within two weeks. The report showed a video clipping of patients being tied to trees and having cold water poured on them. It

also showed patients being chained and brutally beaten. The Commission has asked the Chief Secretary, Bihar to inform it of the steps being taken by the State Government to release the patients. (The Hindu 22/6/06)

Bad Himachal drugs: NHRC wants report (1)

New Delhi, June 22: The National Human Rights Commission has sought report from Himachal Pradesh on the allegations that substandard drugs were being sold in the several areas of Himachal Pradesh on the prescription of medical officers of government hospitals. The NHRC has taken suo motu cognisance of a news report which stated that as per a survey by a voluntary group, there was rampant sale of substandard drugs at Palampur, Dharamsala, Bhawarna, Burpur, Nagrota Bagwan, Dehara Gopipur and Kangra on prescription of medical officers posted in government hospitals. The NHRC said if the contents of the report are true, they raise serious issues of violation of the right to health, which is a basic human right. The commission has sought comments from the health secretary and drug controller, Himachal Pradesh, and status of action if any taken by them within four weeks. The news report had alleged that medical officers had tie-ups with various drug companies and prescribed their drugs after getting huge commissions and financial benefits. As per report, the NGO had alleged that over 100 brands of substandard drugs were being sold in different markets of various districts. The companies, said the survey, made profits in the range of 200-300 per cent and part of it went to the doctors. It was alleged that the doctors were also rewarded by the companies with cash, costly gifts, foreign tours, jewellery and cars. The report added that companies manufacturing the substandard drugs are located in Mohali, Amritsar, Delhi and other places. (Asian Age 23/6/006)

NHRC seeks report on Shahabuddin's health (1)

NEW DELHI: The National Human Rights Commission has asked the Bihar Chief Secretary and the Inspector-General, Prisons, to submit a report on the health of undertrial prisoner Mohammad Shahabuddin, now lodged in the Siwan Jail. The Commission's action comes in the wake of a petition presented to its chairman A. S. Anand, complaining of Mr. Shahabuddin's poor health and denial of proper treatment by jail officials. The petition alleged that on the night of May 10, the police and jail authorities entered his cell and hit him with rifle butt, resulting in spinal injuries. His condition worsened after he was shifted to the Siwan jail and he was in need of specialised treatment by a neurosurgeon, the petition said. (The Hindu 24/6/06)

Torture prevention project extended to more States (1)

JAIPUR: The human rights organisation, People's Watch Tamil Nadu, extended its project for prevention of torture to nine more States, including Rajasthan, on Monday, the International Day of (Preventing) Torture. The project has the support of the European Union and the Friedrich Naumann Foundation. The project would be formally launched in Rajasthan on Tuesday in the presence of the national director, Henri Tiphagne. The other States included in the project are Uttar Pradesh, Madhya Pradesh, Kerala, Andhra Pradesh, Karnataka, Orissa, West Bengal, Northeast and Assam, besides Tamil Nadu. People's Watch Tamil Nadu, launched in 1995, has so far been working for the protection and promotion of human rights in that State. Carol Geeta, director of Torture Project, Rajasthan, said special attention would be given to potential victims of torture from vulnerable sections of society and marginalised communities. The group would attempt to highlight individual cases of torture and try to elicit institutional response. It would also educate and enlist profession groups such as lawyers, doctors, social activists, psychiatrists, journalists and teachers in the campaign to prevent and eliminate torture, she added. The project would promote favourable policy outcomes in the form of new domestic anti-torture legislation and commitments of existing international treaties. The projects in various States would function in a network, monitoring instances of torture and intervening on behalf of the victims. (The Hindu 27/6/06)

NHRC notice on minors detained (1)

New Delhi, June 26: The National Human Rights Commission has issued notice to the Delhi commissioner of police on a complaint that five minor children were picked up by the Vasant Vihar police in south Delhi last week, lodged in the jail and produced before the metropolitan magistrate the next day. The Delhi police chief K.K. Paul has been directed to give the reply on the issue within next four weeks. According to the petition, these children were picked up on the complaint of Dr Mahender Prasad Singh, Rajya Sabha MP and his chowkidar on June 16. The children who are all below 12 years were arrested by

the police when Mr Singh's security guard alleged that these children were trying to steal manhole cover from outside the MP's bungalow. The children were also reportedly told they will be send behind the bar at Tihar jail. The petitioner alleged that in the prison the children were not provided food and under pressure from the MP, implicated in a false case under Section 379/511 IPC. "It is alleged that these children were subject to cruelty and beating. The petitioner has sought for an independent inquiry and action against the guilty police personnel for detention and torture in the custody and compensation for the victims," said the spokesperson. In court, the duty magistrate Mukesh Vats after having talks with the children in his chamber, discharged all of them from the case observing that minors cannot be charged with trying to steal manhole cover. (Asian Age 27/6/06)

'Make development basic human right' (1)

New Delhi, June 28: The United Nations Human Rights Council must work for making human development a basic human right, said Dr Justice A.S. Anand, chairperson of the National Human Rights Commission, at the first session of the new rights body in Geneva on Tuesday. NHRC was the only commission from across the world which was invited to make a statement at the Human Rights Council. The council, replaced the discredited Human Rights Commission as a pillar of UN reform, to address violations. Justice Anand hoped that with the formation of the Human Rights Council the imbalance that exist and which threaten the values and thus cause inequalities will be adequately addressed. Stressing that the aim of human rights is empowerment of people through human development, the former Chief Justice of India said. Human rights are inter-dependent and inter-related and have a direct relationship with Human Development. He Further added. Calling for a paradigm shift from human development as seen in terms of economic development, to human development as a basic Human Right, justice Anand asked the council to move towards bringing the rights perspective on the centre stage in the debate over equality of opportunities. "Universality of human rights demand eradication of global inequalities and to achieve this the importance of right to development has to be emphasised," said justice Anand. Referring to the global disparities in the world, he said that they are linked to varying level of human development and must be minimised to ensure that minimum needs of everyone are met. Addressing the member nations, justice Anand attributed to poverty as the biggest violator of human rights and emphasised upon its eradication. (Asian Age 29/6/06)

Cabinet okays changes in human rights, juvenile justice bills (1)

New Delhi: While the Union Cabinet on Thursday approved amendments to two bills on human rights and juvenile justice to widen their scope and ensure better implementation, Cabinet Committee on Economic Affairs gave a green signal to establishment of Public Health Foundation of India (PHFI) with the fund provided by Bill Gates Foundation. "In the case of the Protection of Human Rights (Amendment) Bill 2005, the Cabinet has taken on board all suggestions made by the Parliamentary Standing Committee," Minister for Information and Broadcasting PR Dasmunshi told reporters after the Cabinet meeting chaired by Prime Minister Manmohan Singh. The move would ensure effectiveness of the national and State human rights commissions through changes in the criteria for selection of its heads. Further widening the scope of the National Human Rights Commission, the amendment would allow it to take up cases referred in courts in addition to the present system of making inquiries suo motu or on the petition of the victim or on behalf of the victim. The amendments in the Juvenile Justice (Care and Protection of Children) Amendment Bill 2005, approved by the Cabinet, seek to provide better care for children in custody by ensuring that they are not kept in a jail or lock-up along with any adult. They also seek to treat child beggars as vulnerable children requiring special focus. The Parliamentary Standing Committee, in this regard, had stated that the number of Juvenile Justice Boards and Child Welfare Committees constituted so far is inadequate to cater to those juveniles in conflict with law and in need of care and protection. (Pioneer 7/7/06)

J&K nod to panel on human rights body suggestions(1)

Srinagar, July 6: Amid growing criticism that the Jammu and Kashmir State Human Rights Commission (SHRC) is only a toothless tiger as most of its recommendations are ignored by the security forces and various officials agencies, the state government on Thursday approved the constitution of a Cabinet sub-committee to deal with the issue. The decision to this effect was taken at a Cabinet meeting held here chaired by chief minister Ghulam Nabi Azad. Later speaking to reporters, the chief minister said that the committee will take stock of the recommendation of SHRC periodically and suggest measures for the implementation these. The committee, which would start functioning soon, will also monitor the

implementation of these recommendations, he added. According to Mr Azad, while the government is firm on fighting militancy and protecting the life and property of the people, it is also committed to protect human rights in all circumstances. He said that the Army, paramilitary forces and the police have been categorically directed that while taking action against militancy, they should take care and responsibility to avoid any collateral damage to innocent people. "For the restoration of total peace and tranquillity, the media has a special role to play," he asserted. Replying to a question about the escalation in human rights abuses in the state, the chief minister said, "The constitution of a sub-committee speaks about the seriousness of government about human rights." (Asian Age 7/7/06)

India votes against Israel at UNHRC (1)

New Delhi, July 7: Concerned over the "deteriorating humanitarian conditions" of the Palestinian people, India and 28 other countries have demanded an end to military action by Israel in the occupied areas and sought immediate release of arrested Palestinian ministers and members of Palestinian Legislative Council. A special session of the UN Human Rights Council in Geneva on Thursday also decided to send a fact-finding mission urgently to the Palestinian areas to assess the ground situation. After two days of deliberations, the session adopted a resolution on the human rights situation in the occupied Palestinian territory expressing "grave concern at the detrimental impact of the current Israeli military operation on the already deteriorating humanitarian conditions of the Palestinian people." India and 28 other countries voted in favour of the resolution, while 11 voted against and five abstained. The spokesman of the ministry of external affairs told reporters that India's vote was "in keeping with [New Delhi's] traditional position on Palestine." The spokesman said the special session was called by a group of Arab states, including Tunisia, and not by the Organisation of Islamic Conference (OIC) as mentioned in certain media reports. An amendment moved by Pakistan to the draft resolution was also approved by a vote of 28 to 0, with 17 abstentions. India voted in favour of the amendment. By that amendment, the Human Rights Council urged all concerned parties to respect the rules of international humanitarian law, refrain from violence against the civilian population and treat under all circumstances all detained combatants and civilians in accordance with the Geneva Conventions, the statement said. The 29 countries which voted in favour of the resolution are: Algeria, Argentina, Azerbaijan, Bahrain, Bangladesh, Brazil, China, Cuba, Ecuador, Ghana, Guatemala, India, Indonesia, Jordan, Malaysia, Mali, Mauritius, Morocco, Pakistan, Peru, Philippines, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Tunisia, Uruguay and Zambia. (Asian Age 8/7/06)

ACHR condemns Erraboru killings (1)

NEW DELHI: The Asian Centre for Human Rights (ACHR) on Monday condemned the killing of 18 people in the Erraboru Relief Camp of Chhattisgarh by naxalites. In a statement here, ACHR director Suhas Chakma said, "This is a deliberate attack and the Maoists have no excuses to make, which they usually do after killing innocent civilians." Pointing out that a high-level meeting of Chief Secretaries and Directors General of Police of naxalite-affected states was scheduled for July 21 in Bhubaneswar, the ACHR urged the Centre not to involve civilians in the conflict and to ensure their physical safety and security. They also sought a separate ministry to oversee the development of naxalite-affected areas. (The Hindu 18/7/06)

Bill ready, SC judge could head apex rights panel (1)

NEW DELHI, JULY 26: IN a controversial move, the Congress-led UPA government is all set to move a Bill watering down the composition of the high-profile National Human Rights Commission (NHRC) by amending the relevant Act to enable the appointment of any judge with just three years experience in the apex court. Presently, only a retired Chief Justice of India (CJI) can head NHRC, which is a statutory body. The proposed amendment alters Section 3 of the Act by an addition that "a Chief Justice of the Supreme Court or a judge of the Supreme Court with at least three years experience" can head NHRC. Home Minister Shivraj Patil, according to the "legislative business" agenda released officially, will "move the Bill further to amend the Protection of Human Rights Act, 1993". The amendment has come under severe criticism by several retired CJIs and judges. They said an institution of the stature of NHRC could not be allowed to be "lowered down" and the "purpose" of an ex-CJI heading it was to give it the "strength and authority" it deserved. "It is certainly watering down the commission", said ex-CJI Justice Jagdish Saran Varrna, who had also headed the NHRC as chairman earlier. Another ex-CJI not wanting to be named said "no government should lower the dignity and authority of the NHRC and pointed out that it was after

an international convention, which India adopted, that the Commission was set up. Current NHRC chairman Justice AS. Anand was not available for comments. (Indian Express 27/7/06)

Medicos seek NHRC intervention (1)

Sciences (AIIMS) was on Friday brought to the notice of the National Human Rights Commission (NHRC) with a medicos' body seeking its intervention on the matter. In a letter to NHRC Chairperson A S Anand, the Medicos Forum for Equal Opportunity, a body of pro-quota medicos, said the governing body of AIIMS on July 5 last had decided to withdraw the "users charges" slapped on poor patients. However, the decision was yet to be implemented, the letter said. The UPA government and the Health Ministry are equally "culpable" in this matter, the letter added. - (The Hindu 29/7/06)

NHRC: Punish leaders for starvation deaths (1)

New Delhi, July 31: If the National Human Rights Commission (NHRC) has its way, a politician or a bureaucrat will face the music the next time a starvation death is reported. And this may become a reality provided the Centre takes a serious note of the recommendations made by the Commission in its forthcoming annual report. The Commission's report for 2004-2005 has incorporated suggestions of an expert group that had studied the horrifying spectre of hunger deaths across Orissa, Uttar Pradesh, Andhra Pradesh and other states. The NHRC has already presented the report titled "Ensuring Food Security and Preventing Starvation Deaths" to the government. The report is likely to be placed before the Parliament in the ongoing session, sources said. Underlining the need to fix responsibility of leaders and official authorities, the NHRC report says, "The prevalence of extreme poverty and hunger is unconscionable in this day and age, for not only does it militate against respect for human rights but also undermines the prospectus of peace and harmony within the state." The Commission has also sought to deal with the most common controversy on the actual cause of death in cases which are generally perceived to be due to starvation. The reports admits that often the state governments try to deny occurrence of starvation deaths by showing medical records. The report says, "No doubt, clinically most of the deaths due to starvation can be proven to be otherwise but it must be understood that poverty-stricken people are malnourished and physically weak, which leads to their bodies having low immunity as a result of which they succumb to even minor ailments." (Indian Exp 1/8/06)

SHRC bans Coca Cola and Pepsico on campuses

HYDERABAD: The State Human Rights Commission (SHRC) has given an interim order banning Coca Cola and Pepsico drinks in all educational institutions, both private and Government. The orders were issued by the SHRC, headed by Justice B. Subhashan Reddy, pending further inquiry on August 17 when the Commissioner, Civil Supplies, and the managements of the two soft drink companies were asked to appear before it. The Commissioner was asked to implement the interim direction with immediate effect. The commission passed the orders following a representation by the Jana Vignana Vedika, a people's science movement, highlighting the hazardous levels of pesticide content in the brands of the two soft drink companies as revealed by the Centre for Science and Environment. Meanwhile, Director of Institute of Preventive Medicine said that it was decided to direct all Government educational institutions not to allow sale of soft drinks in their premises. (The Hindu 8/8/06)

NHRC takes note of fishermen suicide (1)

Bhubaneswar, Aug. 8: Concerned over the spate of suicides by marine fishermen in Orissa's Kendrapara district due to ban on fishing on the coast of Bay of Bengal, near Gahirmatha marine sanctuary, the National Human Rights Commission (NHRC) has directed the state government to submit the action-taken report on this grave humanitarian issue. Besides, an NHRC panel has asked the Kendrapara district administration to conduct a thorough investigation into factors that prompted the marine fishermen from the coastal villages to commit suicide. The district administration, which has been asked to submit the detailed report in this regard by the end of August. (Asian Age 9.8.06)

NHRC asks Govt to submit report on fishermen's deaths (1)

Kendrapara : The National Human Rights Commission (NHRC) recently asked the Government to submit the inquiry report on the alleged death and suicide of fishermen of Mahakalpada block related to fishing ban on Bhitarkanika which was imposed to protect the endangered Olive Ridley Sea turtles. The NHRC directed the district administration to conduct thorough investigation in order to ascertain the veracity of

allegation that the death of a couple of fishermen under coastal Mahakalpada block during last November to June was related to the fishing ban. The NHRC directed the district magistrate of Kendrapara Jyoti Praksh Dash to submit detailed inquiry report within the end of August, said official sources. In the last two years, at least eight fishermen committed suicide and seven lost their mental balance at Kharnashi and Ramnagar villages as they failed to repay the bank loans they had taken to purchase boats for fishing. This year Bidyadhar Ram (38) of Kharnashi village committed suicide by hanging himself as he failed to feed his family. Similarly, Gouranga Saha (50) of the same village committed suicide. Rasamaya Mandal, RahulVaisya, Hirendra Haldar and Jodan Biswas of Kharnashi and Ramnaga villages committed suicide reportedly after the Forest Department imposed the ban. Besides, there are a couple of other instances in the last couple of years, where fishermen have died in the hospital with no money to meet their medical expenses. Fishermen alleged in the name of protecting endangered species, the Government has forced the community to endure poverty and starvation. A local resident said, "The Government has shown a step-motherly attitude towards the community and left them to fend for themselves." President of Orissa Traditional Fish Workers' Union Narayan Haldar said, "Traditional fishermen do not kill the Olive Ridley. It is the big trawlers that kill them as they carry long nets in deep water. Turtles get entangled and are dragged with the fishing nets resulting in their deaths. Due to the ban, small time fishermen have been the hardest hit. Circumstances compelled the fishermen to commit suicide." (Pioneer 10/8/06)

NHRC for database on missing (1)

New Delhi, Aug. 9: The National Human Rights Commission has suggested setting up of a national database/web portal under the aegis of National Crime Records Bureau to create a help desk in providing information on missing persons, including women and children. As per NHRC, the help desk is also expected to alert notice on suspected traffickers, anti-trafficking networks, do's and don'ts to be followed while dealing with victims of trafficking. The NHRC has also suggested the concerned authorities to consider establishment of a compensation fund for victims of trafficking to be financed through confiscation of assets. These are some of the few suggestions of the NHRC's plan of action to prevent and end trafficking of women and children. The new or amended law should ensure that trafficked victims are prevented from being prosecuted, detained or punished for they are victims of situation beyond their control, says the commission. Emphasising that the Central and state governments in partnership with NGOs should be gender sensitive, the panel sought market driven vocational training to all those rescued victims who are not interested in education. And they should also monitor the rehabilitation and reintegration of the rescued victims. Concerned that most of the states have failed to file compliance report to its various previous recommendations and suggestions whereby trafficking in women and children could be prevented and combated, the human rights panel has drawn their attention to the grave menace that is disturbingly gripping the country. To ensure that recommendations and suggestions are implemented in true spirit, the commission is of the view that it is necessary to have a comprehensive Plan of Action (PoA) to combat the menace. As per PoA, development of standard minimum guidelines for all officials and service providers with regard to pre-rescue, rescue and post-rescue operations including rehabilitation, repatriation and reintegration of trafficked victims is required. (Asian Age 10/8/06)

N. Dinakaran to be Chairman of State Human Rights Commission (1)

THIRUVANANTHAPURAM: The statutory committee, headed by Chief Minister V. S. Achuthanandan, on Thursday recommended N. Dinakaran, retired Chief Justice of the Jharkhand High Court, for appointment as the chairman of the State Human Rights Commission (SHRC). The recommendation was made with the dissent of Opposition Leader Oommen Chandy who is a member of the committee. Mr. Chandy wanted the appointment to be delayed as the Centre was contemplating amendment to the Human Rights Act. The majority decision, supported by the third member of the Committee and Finance Minister Thomas Isaac, will now go to the Governor who is the appointing authority. The High Court had earlier issued an order against the continuance of the former judge of the Kerala High Court V. P. Mohankumar as Chairman. The previous Government had appointed him as a member of the Commission and then given him charge of the Chairman. Through this measure, the previous Government bypassed the legal requirement that only a retired Chief Justice of the High Court could be appointed as the Chairman. Though a new Chairman is now being appointed, Mr. Mohankumar would continue to a member for the time being. However, a conflict with the Act would arise now, as the Commission will now have two members who are retired High Court judges. The Act envisages only one of the members to be a retired High Court judge. So, the Government would be seeking an order of the High Court on continuance of Mr.

Mohankumar after the new Chairman is appointed, official sources said. But for a court order, a Commission member can only be impeached. Mr. Chandy argued that Mr. Mohankumar would be able to continue as Chairman as Parliament was to consider legislation for reducing the qualification of the Chairman. The proposed amendment to the Act specifies that even retired High Court judges could be appointed as chairmen of State Commissions. Mr. Dinakaran has previously served as a judge in the High Courts of Kerala and Tamil Nadu before his promotion as Chief Justice of the Jharkhand High Court. The Government wants his appointment to be effected before Parliament passes the amendment to the Act. (The Hindu 11/8/06)

Rights commission plans programme to 'arm' victims (1)

Bhopal : With an aim to aware public and Government agencies including police about the rights of victims, Madhya Pradesh Human Rights Commission (MPHRC) is all set to start "Victimology Awareness Programme" in the State. MPHRC deputy secretary Vijay Chandra told The Pioneer that was a subject that had long been neglected in our country. He said that interest in the reformation of criminals and apathy towards victims has grown penologists, jurists, psychologists, psychiatrists, criminologists and the Governments concerned. As a result, the offender has become the hero of the crime. He said: "Constitution protects his rights, and at the cost of his victim, he enjoys in jail, shelter, food, parole and free legal aid, while the victim's misery is regarded as his own private affair." Citing examples of Zahira Sheikh and Jessica Lal's case where the complainants and witnessed got hostile due to the lack of proper security to the victims as well as witnesses, he said that only 10 to 15 per cent accused can be sentenced due to the proper lack of security of victims and his families. Commenting on the present situation in India he said that India lies far behind in looking after the victims and witnesses of crime. The net result is that most of the criminals are acquitted for want of witness, added Chandra. The MPHRC, in view to establish victims' rights, has planned to create awareness among people, Government agencies and police who would be trained to respect the rights of the victims and taught effective, psychologically sensitive techniques. To begin with, the MPHRC will organise a seminar on the right of victims on August 29 in Jabalpur and after that similar such seminars and workshops would be organised all over the State. (The Pioneer 24/8/06)

NHRC notice to Lakhimpursarai DM (1)

NEW DELHI, AUGUST 24:A case involving the rape of six Dalit women in Bihar allegedly by a rich upper caste landlord and his goons has reached the National Human Rights Commission (NHRC). Commission today issued notices to the district magistrate and Senior Superintendent of Police (SSP), Lakhimpursarai, asking them to reply to the victims' complaint that the authorities were refusing to register a case. Interestingly Lalu Prasad Yadav's RJD was instrumental in bringing the issue to NHRC's notice. On Wednesday, Minister of state (heavy industries) Kanti Singh along with some party MPs took the victims' kin to meet NHRC chairperson AS Anand. The incident happened on the night of August 6 in Lakhimpurserai's Rammanagr-Gopalpur village. According to the complaint, the local landlord, accompanied by his henchmen, forcibly entered the houses of some Dusha community members. They proceeded to rape the women in the house and told the community members that it was their punishment for daring to vote against the wife of the landlord in the panchayat elections. (Indian Express 25/8/06)

Approval for Rights Bill (1)

New Delhi : The Protection of Human Rights (Amendment) Bill was passed by voice vote in the Lok Sabha on Thursday. The Rajya Sabha had already passed it. The original Bill envisaged that a Supreme Court judge with three-year experience would head the National Human Rights Commission. Replying to a debate on the Bill, Minister of State for Home Sriprakash Jaiswal said that rights violations in the country were unexpectedly more than that in developed countries. This, he said, was despite the country being aware of human rights since pre-Independence days. The Government was not averse to the appointment of a retired Supreme Court Chief Justice as Chairman of the National Human Rights Commission. But, when retired Chief Justices were not available, any other retired Supreme Court judge could be appointed. Similarly, a retired Chief Justice of a High Court could be appointed as Chairman of the State Human Rights Commission. (The Hindu 25/8/06)

NHRC takes cognisance of The Hindu report (1)

NEW DELHI: Taking suo motu cognisance of the report on the killing of three civilians by the Army in Jammu and Kashmir that appeared in The Hindu dated August 13, the National Human Rights Commission (NHRC) has issued directions that a copy of the newspaper report be sent to the Defence Secretary for his comments on the incident within two weeks. According to the report, two persons, Ghulam Mohammad Tantray (48) and Rubina (14), were killed when they went to the jungle to fetch firewood in Kupwara on August 12, when an Army unit, led by Captain S. Srivastava of 33 Rashtriya Rifles, opened fire on them. Following the incident, the villagers blocked the main road for several hours. The blockade was lifted only when district administration officials reached there and promised to take action against the guilty. The Army said an ambush had been laid in the jungle following information about movement of militants. When they noticed two persons moving with what looked like a weapon, they challenged them. But the two started running away following which they were shot dead. The Army spokesperson called it a case of mistaken identity and regretted the killing and promised compensation to the victims' family. In another incident, another person was killed at Bugam village in the same district. A case was registered following protests. (The Hindu 1/9/06)

HC sets aside NHRC compensation order (1)

Kochi: The Kerala High Court on Friday set aside the National Human Rights Commission's (NHRC) order awarding an interim compensation of Rs 10 lakh to former ISRO scientist Nambi Narayanan. Setting aside the commission's order, which was challenged by the State Government in 1999, Justice KM Joseph directed reconsideration of the complaint by the commission within four months. The compensation was awarded on a complaint filed by Narayanan who was arrested on November 30, 1994 and allegedly tortured by Kerala police in connection with the ISRO espionage case. The commission had in 1999 ordered a compensation of Rs 10 lakh and directed the State Government to pay the amount within a month. The Government was also asked to file an action taken report against those responsible for his arrest and torture. Narayanan, who had approached the commission for compensation, had submitted that false news had been leaked to the press by Kerala police and Intelligence Bureau. He alleged that he had been tortured and was under suspension for a long time and there was no evidence against him in the case. (Pioneer 1/9/06)

Court quashes NHRC order to pay relief in spy case (1)

Kochi: The Kerala High Court on Thursday quashed an order of the National Human Rights Commission (NHRC) to the State Government to pay Rs. 10 lakh to Nambi Narayanan, a former scientist with the Indian Space Research Organisation (ISRO) in Thiruvananthapuram. Justice K.M. Joseph ordered that the complaint from him be remitted to the NHRC, and directed it to consider the question of maintainability within four months. The payment was meant as an interim relief for torture and mental agony he underwent during the investigation of what was billed as the "ISRO espionage case." The case, involving two Maldivian women, two ISRO scientists including Mr. Narayanan, a Bangalore-based labour contractor for ISRO and the Indian representative of the Russian space agency Glavkosmos, surfaced in 1994. The Central Bureau of Investigation (CBI) concluded that the espionage allegation was false. A committee of ISRO scientists, constituted at the CBI's instance, found that no vital document was missing from ISRO. The NHRC ordered the payment in September 1999 on a complaint by Mr. Narayanan following a Supreme Court verdict in the case. In a writ petition the Government had pointed out that the NHRC order was arbitrary, without jurisdiction and violative of the principles of natural justice. Adequate opportunity was not given to the police personnel who were the accused, or the Government, to explain their stand. The allegations of violation of human rights were baseless and untrue, it argued. Ordering relief, the NHRC had observed that there was "gross violation of human rights of a reputed scientist whose long and distinguished career in space research had been tarnished, apart from physical and mental torture to which he and his family had been subjected by the police." (The Hindu 1/9/06)

Rights panel for extension of development plan (1)

NEW DELHI: The National Human Rights Commission (NHRC) has recommended extension beyond March 2007 of the long-term action plan for the ongoing relief and development programmes in Kalahandi, Bolangir and Koraput (KBK) region of Orissa. The NHRC has been dealing with the matter since December 1996 under a mandate from the Supreme Court by carrying out periodical monitoring of relief and development programmes in the region through its special rapporteur Chaman Lal. The Commission expressed its distress over the failure of the State in dealing effectively with the menace of malaria and

diarrhoea in the region. The Commission has recommended improvement in primary health care by filling vacancies of medical officers and posting of specialists, opening of additional sub centres, strengthening the immunisation programme and intensifying the drive against malaria. (The Hindu 1/9/06)

Tackling hunger deaths: NHRC pat for Orissa (1)

NEW DELHI, AUGUST 31: Nearly a decade after the Supreme Court took a strong view of the hunger deaths and rampant malnutrition among the tribals of Kalahandi and surrounding areas, the Orissa government has received a pat from the National Human Rights Commission for the good work done in tackling the situation there. Under directions from the apex court, the NHRC had been monitoring the government's relief and developmental work in the Kalahandi, Bolangir and Koraput (KBK) belt for the past decade. In Orissa, PM makes a power point Orissa scripts sustained turnaround, says World Bank Iron Lady of Orissa politics Orissa govt defers Budhia decision Budhia's case goes to NHRC. A recent appraisal prepared by NHRC special rapporteur Chaman Lal on the ongoing work in the KBK region says "there is a need to extend the ongoing relief and developmental plans at least till March 2007". The report says: "The Commission found the performance of the state government satisfactory in sectors of rural water supply, social security targeted public distribution system, rural development and afforestation." However, it has pointed out shortcomings in healthcare, execution of soil conservation projects and implementation of land reforms. The most glaring failures, the report said, have been in tackling common diseases like malaria and diarrhoea in the region. To make up for healthcare, the NHRC has asked the government to augment its primary healthcare system in KBK and immediately fill the vacancies of doctors and specialists in the region. The report asks the Centre to enhance the allocation of rice to Orissa under the BPL (below poverty line) category to enable monthly distribution of 35 kg to all tribals families in the belt. This would also ensure adequate supplies to the hostels meant for SC/ST students. (Indian Exp 1/9/06)

States asked to set up rights commissions (1)

NEW DELHI: The National Human Rights Commission (NHRC) on Friday expressed displeasure over the fact that as many as 11 States do not have human rights commissions. The NHRC has sent letters to Chief Ministers of these States to set up the commissions immediately. "I have written to the Chief Ministers of these States to have the State Human Rights Commissions (SHRC) in place expeditiously. Presently, 16 States have SHRCs. And five SHRCs are running without chairpersons," NHRC Chairperson Justice A.S. Anand said during the meeting of NHRC and SHRCs here. He said this issue was raised at the interactive meeting of the NHRC and SHRCs in May last year also, where it was resolved that all States should set up SHRCs on priority basis. "Unfortunately, however, the response of the State Governments has been discouraging," he said. "The State Governments need to appreciate that these commissions act as facilitators and assist them in fulfilling their constitutional obligations and responsibilities of protecting and promoting human rights of a citizen — an absolute element for good governance. I hope that the State Governments would act with all sincerity and set up the commissions immediately," Justice Anand said. He said State commissions in Punjab, Karnataka and Maharashtra do not have chairpersons. Chairpersons were appointed in SHRCs in Tamil Nadu, Kerala and Gujarat only last week. "Without chairpersons, the commissions are not properly constituted," he said. Besides, the SHRCs in many States were suffering from lack of infrastructure and funds, Justice Anand said. "The SHRCs are suffering from lack of funds. Despite this SHRCs are doing well." (The Hindu 2/9/06)

Rights body against long leave by courts (1)

Kochi: The People's Council for protection of Civil Rights has said that the permission to the courts to go on long leave will lead to a grave situation in the State and that practice should be stopped. The accused arrested on September 1 evening or 2 could be produced before the Magistrate at his house that evening. But the bail plea for the accused can be presented before the court only on 8 th morning. If the Magistrate court denies bail, then the bail plea could be heard only on 11th. The vacation sitting of the High Court is only from 8- 10th. Those who are accused in the hearsay cases are the most difficult, the press release stated. The courts can follow the pattern of leave of public banks, where the bank gets leave on its own and not as stipulated by the Government, it said. The petition on this regard has been sent to the Chief Minister by Adv. Mathewpaul, president of the council. (Pioneer 4/9/06)

NHRC to 11 states: Set up rights panels (1)

New Delhi, Sept. 1: The National Human Rights Commission (NHRC) has shot off letters to chief ministers of at least 11 states, asking them to set up State Human Rights Commissions immediately, where it does not exist. The chairpersons have been appointed in the SHRCs in Tamil Nadu, Kerala and Gujarat only last week. Besides, the SHRCs in many states were suffering from lack of infrastructure and funds. NHRC chairman Justice A.S. Anand said, "I have written to the chief ministers of these states to have the State Human Rights Commissions in place expeditiously. Presently, 16 states have SHRCs. And five SHRCs are running without a chairperson." This issue was raised at an interactive meeting between the NHRC and SHRCs in May last year also where it was resolved that all states should set up SHRCs on priority basis. "Unfortunately, however, the response of the state governments has been discouraging," he said. Justice Anand said, "The state governments need to appreciate that these commissions act as facilitators and assist them in fulfilling their constitutional obligations and responsibilities of protecting and promoting human rights of a citizen — an absolute element for good governance. I hope that the state governments would act with all sincerity and set up the commissions immediately." Justice Anand said the States Commission in Punjab, Karnataka and Maharashtra do not have chairpersons. "Without chairpersons, the commissions are not properly constituted," he added. The NHRC chairman also expressed dissatisfaction with the bill passed recently by Parliament for amendment to the Human Rights Act. The changes proposed by the NHRC have not been incorporated in it, he said. "In the Amendment Bill, as passed by both the Houses of Parliament, unfortunately all the amendments which had been proposed by the commission, based on the report of Justice Ahmadi committee, have found no place," Justice Anand said. He said the commission had been emphasising on the need to amend the Act in terms of the suggestions made by the Justice Ahmadi committee..... (Asian Age 4/9/06)

NHRC seeks report on Ghaziabad incidents (1)

NEW DELHI: The National Human Rights Commission (NHRC) has taken cognisance of a complaint of unprovoked lathicharge, firing and pelting of stones by police on July 7 and 8 on the villagers of Ghaziabad district, who were protesting against acquisition of their land and habitats by the Uttar Pradesh Government. The NHRC has asked the Uttar Pradesh Chief Secretary to furnish within six weeks, if any plan has been formulated for give compensation and rehabilitate those dislocated owing to mega projects. The petitions were separately filed by the former president of People's Union for Civil Liberties (PUCL), Justice Rajinder Sachar, Dr. Vandana Shiva of the Research Foundation for Science and Technology and Meera Singh Sengar, general secretary of the Uttar Pradesh Mahila Congress. The Commission has also sought a factual report from the Chief Secretary and DGP on the alleged police high-handedness. (The Hindu 23/9/06)

No freedom in PoK: Human Rights Watch (1)

ISLAMABAD: The people of "Azad" Kashmir are anything but azad, or free, says Human Rights Watch (HRW) in a report on the situation in Pakistan-occupied Kashmir (PoK). The PoK is described in the report as a land of restrictions on political rights and civil liberties and dominated by the Pakistan military and intelligence agencies that use arbitrary arrests and torture to get their way. The HRW also reports that militant infiltration across the Line of Control (LoC) into India continues though the levels have come down. Minister of State for Information and Broadcasting Tariq Azeem said the report was "biased and inaccurate" and contained "factual errors." He said no banned outfit had been allowed to operate. He said HRW collated the report with Indian researchers, and said the only Pakistani involved was Asma Jahangir, who is the Chairperson of the Human Rights Commission. Released here on Thursday, the report says: "Azad Kashmir is a land of strict curbs on political pluralism, freedom of expression, and freedom of association; a muzzled press; banned books; arbitrary arrest and detention and torture at the hands of the Pakistani military and police; and discrimination against refugees from Jammu and Kashmir state." It says Kashmiri nationalists are singled out for discrimination because they do not support the idea of Kashmir's accession to Pakistan. "For those expressing independent or unpopular political views, there is a pervasive fear of Pakistani military and intelligence services - and of militant organisations acting at their behest or independently," says the report entitled "With friends like these..." The report says torture is not commonplace but is threatened often and when perpetrated by the military, carried out with impunity. The report contains cases of torture by the Inter-Services Intelligence and by the region's police acting at the behest of the ISI and the army. (The Hindu 24/9/06)

Punjab militancy: NHRC orders state to pay relief to 1,051 families (1)

NEW DELHI, OCTOBER 10: The National Human Rights Commission (NHRC) today ordered the state government to pay compensation to the families of 1,051 persons who were among the 2,097 killed and secretly cremated by police between 1984-1994 — a period when the state's police force fought a no-holds-barred battle with militants. The government has been ordered to pay Rs 1.75 lakh in each case. Punjab, on the orders of NHRC, has already paid Rs 2.5 lakh each to the families of 194 persons who are confirmed to have died in police custody and cremated illegally. But there are many that have been identified but there is no proof that they were in police custody at the time of their death. The rights body had been arbitrating this case for nearly 10 years and its first order came two years ago. The lid on the secret mass cremations by police was blown by Jaswant Singh Khalra, an Amritsar-based human rights activist who disappeared under mysterious circumstances. Khalra had trailed the mass cremations around Tarn Taran and Majitha — hotbeds of insurgency — and later his wife and friends pursued the case in the Supreme Court. Meanwhile, the NHRC's orders have angered Sikhs with community leaders demanding that the Commission also fix responsibility on individual police officers for the killings. (Indian Express 11/10/06)

NHRC asks for report 10/19/2006 (1)

New Delhi, Oct. 19: The National Human Rights Commission (NHRC) has asked for a report from Punjab director-general of police on the alleged police brutality on peaceful and unarmed girl students in a demonstration at Ludhiana recently, within two weeks. Acting on a complaint filed by MP Paramjit Kaur Gulshan and others, the Commission said, "If the content therein are true, they raise serious issue of violation of human rights and offend the supreme dignity of women." As per the complaint, around 20 girls from Guru Angad Dev Veterinary and Animal Sciences University were sitting on a peaceful dharna at the Punjab Agricultural University on September 20, protesting against unemployment and non-recognition of their university degree, an NHRC spokesperson said. The rights panel claimed, "According to the complaint, the police personnel, mostly males, in order to evict the girl students, used force, dragged them, hit them hard with lathis, pulled them by hair, abused and even molested them." NHRC also took note of the photographs of the incidents which the complainant alleged took place in the presence of senior police officers. (Asian Age 20/10/06)

NHRC: Ruma Pal in fray to succeed Anand (1)

New Delhi: National Human Rights Commission (NHRC) chairperson Justice AS Anand retired on Tuesday after serving the Commission for more than three years. Former Supreme Court judge Justice Ruma Pal, according to sources, was in the reckoning for the coveted job along with six former Chief Justices of India. Her name is being considered because of the recent changes made in the original Protection of Human Rights Act, that had limited the selection of chairpersons to former CJIs. The amended Act has widened the choice for the government. Others in the race are SP Bharucha, BN Kripal, GB Pattanaik, VN Khare, Rajendra Babu and RC Lahoti. Anand's tenure saw, among other important decisions, the judgment in the Punjab mass cremation case as well as monitoring of rehabilitation in post-riot Gujarat and development work in the starvation-affected districts of Orissa. (Indian Express 1/11/06)

Dalits harassed, NHRC for action (1)

Bhubaneswar, Nov. 6: Even as the temple entry issue continues to arouse considerable passion in Keradagada and its adjoining villages under Kendrapara district, yet another upper caste edict in the same district debarring dalits from entering into a Hindu place of worship has sparked off a fresh controversy. The National Human Rights Commission (NHRC) has taken note of the matter and asked the district administration to probe the incident. The NHRC, acting on a report that dalits were denied entry to a Hindu temple in Chauriberhampur locality of the township, has instructed the district collector to conduct a thorough investigation into the incident. Besides, it has also asked the collector to submit an action-taken report within four weeks, NHRC officials said. The NHRC notice served to the collector stated that around 400 dalits of Chouriberhampur locality were subjected to denial of religious rights as upper castes did not allow them to have darshan of a Hindu deity in a temple. (Asian Age 7 /11/06)

Rights panel to probe 'ragging death' (1)

HYDERABAD, NOVEMBER 13: Three days after an engineering student of the Mahatma Gandhi Institute of Technology here committed suicide, the State Human Rights Commission has taken up the case to

ascertain whether SP Manoj (17) actually killed himself because of alleged ragging at the hands of his seniors. Commission's chairperson B Subhasan Reddy has posted the matter for hearing again on November 15, when it will meet Manoj's parents and family members. Meanwhile, after several cases of suicides due to alleged ragging in the state, the Department for Higher Education has sent out a circular to educational institutes as well as district authorities with directions to check ragging in colleges. Manoj was found hanging in his room in a private hostel on the evening of November 10. According to sources, he did not attend college on the previous day as well and did not come down to the canteen to eat. On November 10, his friends found him hanging from the ceiling fan in his room. His father SP George Varaprasad had alleged that Manoj committed suicide because of ragging by his seniors. "While I cannot show any proof, he (Manoj) often complained of ragging on telephone," George said. But when the SHRC spoke to Manoj's friends yesterday, they said that the First-Year student rarely spoke to them about being ragged by seniors. Manoj's room-mate in the Hostel, N Udayasena Reddy, also a First-Year student of Vardhaman College, said Manoj never spoke to him about ragging. "Whenever we talked about ragging, he would remain quiet. He once said that his seniors made him introduce himself, but did not say anything more about this." Manoj's classmate Shaikh Nizammuddin too said Manoj had never mentioned anything about ragging. (Indian Express 14/11/06)

Rights body asks Pervez to reform Hudood laws (1)

Islamabad, Nov. 14: The US-based Human Rights Watch has asked Pakistan President General Pervez Musharraf "to stop dithering" and reform the controversial Hudood laws without any further delay. The group urged Gen. Musharraf's administration to table a new Women's Bill before the Parliament's current session ends on Monday. "General Musharraf claims he is an enlightened moderate in favour of women's rights, but so far he has been all talk and no action," HRW's South Asia researcher Ali Dayan Hasan said in a statement. "Failure to act this time will irrevocably damage his credibility." The Hudood laws backed by the religious parties and rejected by the liberal parties were introduced in 1979 by the military dictator General Zia-ul-Haq. Under pressure from Muttahida Majlis-e-Amal (MMA), Gen. Musharraf's government delayed tabling the bill in September. HRW quoted law minister Wasi Zafar as telling the group the bill would be "presented as agreed" between the ruling coalition and the Opposition Pakistan People's Party (PPP) in the next session of the Parliament. "The government must present the draft bill to the Parliament as agreed with the PPP to ensure that Pakistani women finally get at least some of the rights long denied to them," said Mr Hasan. "It is time for the government to stop dithering and honour its word," he said. "The laws are hopelessly flawed and should be repealed, but this bill will provide at least modest relief to the victims," added Mr Hasan. (Asian Age 15/11/06)

Rights group opens Himachal chapter (1)

SHIMLA: The Lawyers for Human Rights International, an organisation defending human rights and providing legal aid to the poor launched its first branch in the hill state of Himachal here on Saturday. Addressing a press conference in the State capital its Chief Patron Advocate Amar Singh Chahal said that there is an upsurge and gross violations of human rights in the shape of police atrocities, negligible medical and educational facilities, depletion of environment and gross abuse of power by the corrupt politicians on the name of inviting industry in the hill State. He said the organisation would soon expose the politician-bureaucrat nexus and rampant corruption going on in the various government departments in Himachal. Mr. Chahal also claimed that it was the Human Rights Council which was instrumental in getting Himachal ADGP B.S.Thind arrested by the CBI in various land scams. (The Hindu 27/11/06)

Dalit's death: NHRC notice to Nasik police chief (1)

NEW DELHI: Taking suo motu cognisance of a newspaper report on the death of a Dalit youth at the hands of a mob in Nasik, the National Human Rights Commission (NHRC) has issued a notice to the Police Commissioner of Nasik and called for a report within a fortnight. According to the news report, Rangnath Shankar Dhale, a 23-year-old resident of Muktidham hutments in Nasik, was beaten to death by a mob for allegedly pelting stones on passing vehicles during the protests against the attack on B. R. Ambedkar statue in Kanpur. The Commission said that if the news report was true, there was a serious issue of violation of human rights. In another case reported by the media, the NHRC has asked for the comments of the Chief Secretary and Director General of Police of West Bengal on the reported death of a newborn as the police grilled her mentally challenged mother in a police station. (The Hindu 10/12/06)

PUCL demands sacking of Rajasthan human rights panel chairperson (1)

JAIPUR: The People's Union for Civil Liberties (PUCL) on Sunday demanded dismissal of the Chairperson of the Rajasthan State Human Rights Commission, Justice N.K. Jain, saying he was acting as a "stooge of the Bharatiya Janata Party regime" by openly siding with the authorities on violation of rights, custodial deaths and police excesses. The PUCL activists, participating in a brain-storming dialogue marking the international human rights day here, said the Commission was curtailing the right of civil rights bodies to raise public issues and had kept an absolute silence on the rising instances of State violence. They accused Mr. Justice Jain of flouting all provisions of the Protection of Human Rights Act. Mr. Justice Jain, after taking over as the Commission's Chairperson last year, had directed all non-Government organisations to submit to it their constitutions and refused to give them locus standi to raise the issues of violation of human rights on behalf of others. The Commission summarily disposed of a large number of cases, including 45 submitted by the Committee for Protection of Public Properties (CPPP), without giving any relief while observing that the petitioners had no locus standi. The cases pertained to environmental pollution, encroachment on public property, food adulteration, municipal laws, and violation of civil rights. The PUCL State president, Than Singh, and general secretary, Kavita Srivastava, took umbrage at Mr. Justice Jain's interpretation of common law dictum of locus standi to reject the cases of public interest and said he had lost the moral right to continue as the head of a statutory body which was supposed to protect human rights of citizens. "There is no scope for invoking the principle of locus standi in the matters of human rights. This approach defeats the spirit of all laws on the subject," said CPPP president P.N. Maindola. The Commission's recent observation that it was not a court and could not go into the merits of a case unless the victim himself specifies the violation of rights was also assailed in the dialogue. The activists accused Mr. Justice Jain -- a former Chief Justice of Madras and Karnakata High Courts -- of flouting a directive of the National Human Rights Commission for taking cognizance of custodial deaths and sending reports about them. Ms. Srivastava said Mr. Justice Jain did not intervene in three custodial deaths in the State during September-October this year. (The Hindu 11/12/06)

Abolition of Prevention of Anti-social Activity Bill sought (1)

Jaipur: Several human rights groups on Sunday demanded scrapping of the Rajasthan Prevention of Anti-social Activity Bill, 2006 (organised crime) calling it unconstitutional and against human rights. At a daylong seminar here, the activists said they would approach Governor Pratibha Patil and request her not to clear the bill that was passed in the State assembly in October. The legislation could be used as a tool to check protests, sit-in demonstrations and other rallies and would be used against all those who are drawing attention towards various issues, the delegates at the seminar said. Premkishan Sharma, senior lawyer of Rajasthan High Court said the worst feature of the act was that the crime of an accused would not be proved in the court, as even the statement by a policeman would be sufficient to convict him. Kavita Srivastav, a social activist of People's Union for Civil Liberties (PUCL) alleged that the law would be used by the State Government to stop agitations, protests and rallies (The Hindu 11/12/06)

Educate poor about their rights: Shekhawat (1)

New Delhi, Dec. 10: Expressing concern over reports of mass human rights violations in different parts of the country, vice-president Bhairon Singh Shekhawat on Sunday said that the lack of knowledge about basic rights was the root cause of social evils like poverty, illiteracy and unemployment. Addressing a function here on the occasion of Human Rights Day, organised by the National Human Rights Commission, he said that the NHRC should find out facts where poor are deprived of their right to live life with dignity and in consequence of which they remain illiterate and they don't get the minimum facilities like housing, medical care, employment etc. Suggesting that the NHRC must start a campaign to create awareness on the right to live life with dignity, the vice-president said he himself would like to accompany the members of the commission and provide all necessary support. "Today, rights are collectively being violated. More than 26 crore poor people are deprived of essential needs of food, education, shelter, medical care. This is an example of collective violation of fundamental rights. Every year, the government allocates funds to provide essential needs to the poor, but they do not get any benefit," he said. (Asian Age 11/12/06)

Protests and seminars held to mark Human Rights Day in J&K (1)

SRINAGAR: As protests and seminars marked the Human Rights Day in Jammu and Kashmir with separatists urging withdrawal of "black laws" giving impunity to security forces, troops of the 36 Rashtriya

Rifles shot at and critically wounded a civilian in south Kashmir triggering a massive demonstration. While Hurriyat Conference chairman Mirwaiz Umar Farooq stressed the need to improve the human rights situation, hard-line separatist leader Syed Ali Geelani said the "Army should withdraw and a solution to the Kashmir problem should be found in accordance with United Nations Resolutions." A 22-year-old youth Manzoor Ahmad, who was on his way to open his shop in Mir Bazaar area had an altercation with troops when they stopped him. The verbal duel led to firing and Ahmad was injured in the abdomen. He was shifted to a Srinagar hospital in a critical condition. The police have registered a case. "We have registered a case against the Army," S.P. Kulgam S.P. Pani told The Hindu . Spokesman for the 15 Corps headquarters, Col. Hemant Juneja, said, "The incident is being investigated. Necessary disciplinary action against the personnel will be taken if found guilty." In Srinagar, a number of protests against 'human rights violations' were organised by separatist parties. Yasin Malik's JKLF held a silent procession from Maisuma, where his party has its headquarters. JKLF activists distributed an open letter to media persons. Signed by Mr. Malik and addressed to the U.N. Secretary-General, it said, "Atrocities in Jammu and Kashmir have increased rapidly despite the slogan of 'zero tolerance' by the Prime Minister of India." Hundreds of displaced Kashmiri Pandits took out rallies in several parts of the country to highlight the plight of the community after their migration from the Valley more than 16 years ago. Organised by Roots in Kashmir — an initiative of the displaced youth of the Valley — the aim was to educate the peace-loving people of the country and the world about the Pandits and the atrocities terrorists inflicted on them. This was also to highlight the destruction of their homes, institutions, schools, temples and culture. (The Hindu 11/12/06)

Lok Sabha asks Sharmila to end fast (1)

NEW DELHI: The Lok Sabha on Tuesday appealed to human rights activist Irom Sharmila to end her indefinite fast demanding repeal of the Armed Forces Special Powers Act (AFSPA) from Manipur. "We all appeal to Irom Sharmila to call off her fast," Speaker Somnath Chatterjee said. The matter was raised by P.A. Sangma (NCP), who drew the attention of the House to Ms. Sharmila's "critical" condition. She was admitted to the All-India Institute of Medical Sciences where she was being force-fed. Ms. Sharmila has been on a fast for the last six years and survives now only because of her arrest by the Government and force-feeding, he added. Mr. Sangma said that when Prime Minister Manmohan Singh visited Manipur recently, he only spoke of the amendments to the Act and not its repeal. The Act had failed to serve the purpose because when it was enacted in 1958 there was only one militant organisation while there are more than 24 now. (The Hindu 13/12/06)

NHRC notice to Kerala on AIDS-hit children (1)

New Delhi, Dec. 12: The National Human Rights Commission (NHRC) on Tuesday issued notices to Kerala government, following reports of five HIV positive children being thrown out of a school in Kottayam, Kerala. The NHRC has sought a factual report within two weeks. Taking suo motu cognisance of a news report in a daily on December 8, the NHRC stated that if the report was true, it raised a serious issue of violation of human rights. The news report revealed that five HIV positive children in the age group of 4-10, were thrown out of their school in Kottayam after parents of other children threatened to pullout their wards because of the stigma attached to the disease. The report also stated that the orphanage where they used to stay had kept their HIV positive status under wraps. However, after their photographs were splashed in newspapers when they took part in a programme on World AIDS Day on December 1, their HIV positive status came to light. Now, these children are confined to their room in the orphanage. The secretary of the school, where they were studying, is reported to have said that their presence would spell doom for the school. (Asian Age 13/12/06)

India tops SAARC nations in human rights protection (1)

NEW DELHI: Thanks to the existence of institutional checks and balances, India figures at the top among the seven South Asian Association for Regional Cooperation (SAARC) countries so far as upholding and protection of human rights is concerned, according to the SAARC Human Rights Report-2006. Based on nine thematic issues including political freedom, right to life, administration of justice and press freedom, Bangladesh is the worst violator of human rights, followed by Bhutan, Nepal, Maldives, Pakistan and Sri Lanka. The eighth member of the SAARC, Afghanistan, however, has been kept outside the ambit of the report, being a "country in transition." "Human rights violations across South Asia are systematic, endemic; and torture forms part of the administration of justice. Prison conditions, which are overcrowded

by 400 per cent in some cases, reflect the true and deplorable condition of human rights in South Asia," said Suhas Chakma, Director of Asian Centre for Human Rights, releasing the report here on Wednesday. Praising India for providing greater political freedom to its citizens compared with other SAARC countries, the report, however, says that about 10 lakh refugees, mainly Sikhs, who came to Jammu and Kashmir during the Partition continued to be denied the right to citizenship as they are still to be recognised as citizens of Kashmir. The report also holds the Indian security forces responsible for widespread violations of human rights including custodial deaths, torture, rape and custodial deaths. It also touches upon the issues of violence against the STs, SCs and Christian minorities in India. (The Hindu 14/12/06)

Accused lecturer asks SHRC for justice (1)

Bhubaneswar : The much sensitive BJB College commerce student Richa Mishra suicide case occurred way back in the last quarter of 2005 refreshed the mind of millions of people in Orissa as the alleged accused lecturer and Head of the Department of Commerce, Ananga Kumar Pattnaik on Thursday knocked the door of the State Human Rights Commission (SHRC) seeking speedy justice in the matter. "Having been suspended for more than one years after the shocking incident of Richa's suicide, I have undergone with tremendous trauma over the times and no justice could have been dispensed in the incident convicting or acquitting anybody who were allegedly accused in the matter. Being an impartial and independent teacher through out my career I can no longer allow my career to spoil and I need expeditious justice in the matter," exclaimed Pattnaik. It may be noted here that Pattnaik was not alone accused of abetting Richa to commit suicide but Durga Pattnaik and Sahadev Swain, both lecturers in Commerce Department of BJB College, were accused in the incident and were arrested by the police. Moreover, the wife of the accused lecture Ananga Pattnaik had earlier written letters to the President and Prime Minister appealing a CBI inquiry into the episode, which might prove her husband's innocence ending the impasse in getting justice. (Pioneer 15/12/06)

Offensive stepped up against Rajasthan rights panel chief (1)

JAIPUR: The People's Union for Civil Liberties (PUCL) on Thursday stepped up its offensive against the Chairperson of the Rajasthan State Human Rights Commission, Justice N.K. Jain, with the claim that his appointment was illegal and made by concealing vital facts about his credentials. PUCL and other civil rights organisations of the State had earlier demanded Mr. Justice Jain's dismissal, while accusing him of openly siding with the authorities on violation of rights, custodial deaths and police excesses and acting as a "stooge of the Bharatiya Janata Party regime" in the State. Former PUCL State president and senior Supreme Court lawyer Prem Krishna Sharma told reporters here that Mr. Justice Jain was appointed SHRC chief on July 6 last year in violation of Section 24(3) of the Protection of Human Rights Act as he was holding the post of Chairperson of Himachal Pradesh Human Rights Commission at that time. Section 24(3) makes a Chairperson or Member ineligible for further employment under the Government of a State or Central Government on ceasing to hold the office. Mr. Sharma alleged that Mr. Justice Jain, who wanted to shift to his home State of Rajasthan, managed to get the appointment by lobbying before putting in his resignation in Himachal Pradesh on July 7, 2005. "That the Warrant of Appointment describes Mr. Justice Jain only as retired Chief Justice of Karnataka High Court suggests that the Governor was kept in the dark about Mr. Justice Jain holding the post of SHRC Chairperson in Himachal Pradesh," said Mr. Sharma. Significantly, a four-member committee headed by Chief Minister Vasundhara Raje had selected the former Judge. As a prelude to his resignation in Himachal Pradesh, Mr. Justice Jain wrote to Chief Minister Virbhadra Singh on July 5, 2005, that he did not wish to continue in the office for want of sufficient regular work. The PUCL pointed out that he held three posts of SHRC Chairperson of Himachal Pradesh and Rajasthan and Lok Ayukta of Himachal Pradesh briefly before he resigned. (The Hindu 15/12/06)

Relief from pain a basic right, rules Kerala commission (1)

Aasha Khosa Posted online: Friday, December 15, 2006 at 0000 hrs Print Email

NEW DELHI, DECEMBER 14: In a ruling that can trigger a fresh thinking on treatment for terminally-ill patients in India, the Kerala State Human Rights Commission has asked the state government to make pain and palliative care a compulsory part of medical practice and education. The order, by SHRC chairperson Justice V P Mohan Kumar, comes on two separate petitions filed on behalf of Kozhikode-based NGOs working in the field of pain and palliative care. The petitioners—Dr Suresh Kumar, Director of the Institute of Palliative Medicine at the Calicut Medical College and the Pain and

Palliative Care Society, Kozhikode—had raised question marks on the treatment of terminally ill patients in India, who often languish in the hospitals with excruciating pain, depression and anxiety at the fag end of their life. After hearing arguments by the Kerala government, the commission ruled that “relief from pain was part of the peaceful living that was guaranteed to every Indian under the ambit of Article 21 of the Indian Constitution” and hence the state has a responsibility towards ensuring this. “It is a fundamental duty of the government to extent such treatment to a patient and which then crystalises as part of a right to peaceful living of a human bring, be he a citizen or otherwise,” the order said. Based on this, the commission has given directions to the state to approach the Medical Council of India and Nursing Council of India with its demand that palliative care should be made part of medical education. The state has been given three months to show results. The commission has also sent this order to the National Human Rights Commission. Sources here said “this has obviously been sent to trigger a debate.” (Indian Express 15/12/06)

‘Rights violations on the decline’ (1)

JAMMU: In what can be described as an improvement in the human rights situation, Jammu and Kashmir has recorded the lowest number of human rights violations in 2006 compared to last 16 years when trouble broke out in the State. According to an official spokesman here, there were 83 custodial killings between 1996 and 2002. It came down to 24 between 2003 and 2005 while the figure for 2006 was four. Between 1996 and 2002, the State registered 66 custodial disappearances and it dropped to 11 between 2003 and 2005. Just one custodial disappearance has been reported so far this year. Thus, the graph on this account has shown a positive decline thanks to a number of measures taken to avoid human rights violations by the Army. Year-wise summary shows that in the 1996 there were 18 custodial deaths and six custodial disappearances. In 1997, six custodial killings and 10 disappearances were recorded while in 1998 it has been six and six. In 1999 the figures stood at six and 11 while in 2000 it was 18 and 10. In 2001 the figures recorded were 17 and six and in 2002 it was 12 and 17. It was eight and seven in 2003 while in 2004 it stood at nine and three and, in 2005 it was seven and one. In 2006, four custodial killings and one disappearance have been reported. The improvement in the human rights situation is being attributed to the steps taken by the Army to sensitise its troops. Human rights has topped the agenda of political parties in the State as well. The People Democratic Party, an ally of the ruling coalition, had fought the J&K elections by making rights issue its main election plank. Chief Minister has also said that no right violations of any kind would be tolerated. Prime Minister during his visit to the State on May 25, had talked about zero tolerance for rights violations. (The Hindu 17/12/06)

‘NGOs play critical role in ensuring human rights’ (1)

NEW DELHI: Delivering the Foundation Day lecture of the Institute of Human Development and at the release of Indian Journal of Human Development in the Capital today, Nobel Laureate Amartya Sen criticised the Bill moved to make amendments to the Foreign Contribution (Regulation) Act that will bar organisations of a political nature from receiving foreign funds. The proposed Bill is aimed at consolidating the law to regulate acceptance and utilisation of foreign contribution or foreign hospitality and prohibit it for any activities detrimental to national interests. Some NGOs feel that some of the specifics of the Bill may affect funds flows to them. Voicing the concerns raised by some NGOs, Sen made his displeasure to the Bill known on the occasion. He emphasised the importance of unobstructed public discussion towards protecting the human rights in any society. He said public force generated through public discussion had a big role to play towards enforcing the human rights in any society. That is why, other institutions like the media and NGOs needed to play a fair part in making the human rights a legal obligation for the state. He said NGOs are one of the active components that have been active in enforcement of universal human rights values through their actions of advocating and criticism of policies. (Indian Express 20/12/06)

NHRC directive on ex gratia for victims (1)

NEW DELHI: The National Human Rights Commission (NHRC) has directed the Defence Secretary and Chief Secretary of Jammu and Kashmir to apprise it about ex gratia relief, if any, awarded to the victims or the next of kin of those affected by rights violations by armed forces in the State. The move follows the Commission taking suo motu cognisance of a newspaper report on December 17 that referred to 76 Army men being punished for human rights violations. Quoting the Commanding Officer of 15 Corps, the report indicated that the punishment included dismissal from service. Despite higher authorities in the Army

being instructed to make anti-insurgency operations people-friendly and minimise civilian losses, such violations had occurred, it said. (The Hindu 27/12/06)

Missing Hindus: Pak rights body concerned (1)

ISLAMABAD, DECEMBER 27: THE Human Rights Commission of Pakistan has said it has received several complaints of "enforced disappearances" of Hindus in the country and expressed concern over the rise in such incidents. The rights body demanded that law enforcement authorities and agencies must either release the citizens or disclose the charges against such illegally arrested and kidnapped people. Giving details of such cases, it said 55-year-old Gordhan Das, alias GM Bhagat, was allegedly picked up by four * law enforcement agency personnel from Umerkot district 'on September 9,2006. A petition was filed by Bhagat's son Om Prakash in the Hyderabad High Court, the rights body headed by noted human rights activist, Asma Jahangir said. In another such complaint lodged before the HRCP, one Chetan Kumar from the same district was arrested as an alleged "terror suspect" in 2001 and was sentenced by the special anti-terrorism court in Hyderabad, a release issued by HRCP in Daily Times today said. He was reportedly tortured and abused in custody. Kumar was later acquitted by the SHC in Karachi in 2005. In July 2006, eight armed law enforcement agents arrived at his house in a government vehicle and tortured him and his son. Kumar was then taken away, the report said. His family informed the Umerkot police about the incident and requested that an FIR be lodged. However, the police refused to take action and Kumar's whereabouts have been unknown since then. Taking note of the complaints, the rights : said authorities should disclose the law under which these people have been arrested, the place of detention, and the name of the court where the case (if any) is pending, or where these detained people were produced, HRCP member Zohra Yusuf said. (Indian Express 28/12/06)