

NHRC/CIVIL SOCIETY INITIATIVES - 2010
JANUARY to DECEMBER 2010

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Right to water, compensation to riot victims and more (1)

NEW DELHI: Recognising the plight of citizens in getting potable water, the Supreme Court held that right to water was part of the right to life guaranteed under Article 21. The court directed the Centre to form a committee of scientific experts to address water shortage in the country on a war footing. The Centre has already allocated more than Rs.500 crore for the purpose. "We propose to monitor this case from time to time," the court said. On the political front, the court came down heavily on the Mayawati government for defying its order. Acting suo motu on media reports, especially The Hindu's report, it ordered the Mayawati government to stop construction activities at the Kanshi Ram Memorial Sthal and other sites in Lucknow. The court said it appeared from media reports that work was in full swing. It directed that "activities of all manner and kinds, whether construction, repair or maintenance, shall stop forthwith at all the construction sites covered by the previous order of this court, and all the construction sites shall be vacated of the entire workforce." Later, on a contempt of court notice, the Uttar Pradesh Chief Secretary appeared in the court and tendered an apology. The court asked the Special Investigation Team (SIT) probing the Gujarat riot cases to look into a complaint filed by Jakia Nasim Ahesan, wife of the former Congress MP, Ehsan Jafri (who was killed in the 2002 riots), against Chief Minister Narendra Modi and submit a report by December 31. The court directed the Gujarat government to pay an interim ad hoc payment of Rs.10 lakh to Rubabuddin Sheikh and other legal heirs of Sohrabuddin, who was killed in a fake encounter, and his wife, Kausar Bi, who was killed subsequently. The Gujarat government admitted that it was a fake encounter and agreed to pay Rs.10 lakh in compensation. The court is examining a public interest litigation petition filed by the former Union Law Minister, Ram Jethmalani, and five others for a direction to the Centre to take steps to bring back Rs.70,00,000 crore stashed illegally in Swiss and other foreign banks. The court gave its nod for the display of pictorial warnings on all tobacco products with effect from May 31. The Health for Millions alleged that the government initially brought in the Cigarette and Other Tobacco Products (Packaging and Labelling) Rules in 2006 to make the warnings mandatory for all tobacco products, but was dragging its feet owing to pressure from the tobacco lobby. The court, however, rejected the allegation. On Friday last, it laid down a series of guidelines for dealing with ragging in educational institutions. It was suggested that the atmosphere in an educational institution instil a sense of confidence in the minds of freshers and steps should be taken towards this objective. The Supreme Court cautioned the trial courts and the High Courts against imposition of unnecessary constraints and conditions while granting anticipatory bail under Section 438 of the Criminal Procedure Code. The court said that over-generous infusion of constraints and conditions, not to be found in Section 438 of the Code, could make the provision constitutionally vulnerable, since the right to personal freedom, as enshrined in Article 21 (right to life and liberty), could not be made to depend on compliance with reasonable restrictions. It upheld the Delhi High Court's judgment convicting senior advocate R.K. Anand for contempt of court for attempting to influence the trial in the BMW hit-and-run case. The court, however, acquitted the then Special Public Prosecutor, I.U. Khan, who was also convicted by the High Court. The High Court had barred both the lawyers from appearing in the court for four months and held that they had forfeited their right to be designated as senior advocates. The Supreme Court has rejected a plea for putting curbs on the media and television channels in conducting sting operations. It held that any attempt to control and regulate the media from outside was likely to cause more harm than good. The court banned unauthorised construction of any temple, church, mosque or gurdwara on public streets/spaces with immediate effect. It directed all the States and the Union Territories to ensure that "no unauthorised construction of any religious institution shall be permitted on public street/space." For the existing unauthorised constructions, it asked the States to come out with a comprehensive scheme to be considered by the court for further directions. Finally, for more than nine weeks, the Court heard one of the biggest corporate legal battles: the dispute between Reliance Industries Ltd. and Reliance Natural Resources Ltd. over allocation of gas. It reserved verdict on the issue. (The Hindu 1/1/10)

NGOs fear India's report to UN could be a white wash (1)

Non-Governmental organisations who work for the rehabilitation of the disability community say that India's report to the United Nations on the implementation of UN Convention on Rights of Persons with Disability (UNCRPD), could be a whitewash. The report, despite being prepared by the Centre, is largely a consolidation of reports received from the state governments, some of whom, according to activists, are not even aware of the Convention. "An NGO from Rajasthan called us last week telling that the state government is asking what UNCRPD stands for and what the report should contain," said a Delhi-based activist. Such queries have raised fear amongst NGOs that the report India is scheduled to release in May would be a total whitewash. "The country-wide report will be based on the inputs state governments would provide," an activist from Karnataka, who wished not to be named, told Deccan Herald. "There has not been any independent verification of the claims made by the state disability commissioners, who author the reports at the state level. If we raise questions, we are brushed aside as troublemakers. Without serious questioning of the claims, they are accepted at the government level as truths and are mentioned in the report," he said, pointing to the lack of transparency and independent verification mechanism to check the claims made in the reports. According to the 2008-09 report for Karnataka - prepared by the Commissioner's Office for Disabilities- the state has appointed Village Rehabilitation Workers (VRWs) for every village panchayat and one Multi-purpose Rehabilitation Worker (MRWs) in each block. In total, the report says, 5,828 rehabilitation workers have been appointed and the government has also reported to have ensured they are persons with disability. It also mentions that about 37 traffic signals in three city corporations have been provided with auditory signals. "This appears fine on the report, but there is no one to verify the claims," said Indhumadhi Rao, Regional Advisor for CBR (Community-Based Rehabilitation) Network for SAARC. "The government claims that they have allocated Rs 74 crore for the disability related programmes. The numbers (of disabled persons) they claim to have benefited from such programmes are far in excess of the number of disabled persons in their own records. "As field workers, we don't see any of those seeming benefits impacting persons with disability. We have plans to write to the government for a white paper on implementation of the programmes," Rao said. She also mentioned that the government's fund allocation for disability programmes for the village panchayats has been blocked by the directorate of disability welfare citing some technicality. "It is basically the government's commitment to release the funds and it is up to the government to sort out the ways of doing it," she said. (Deccan Herald 2/1/10)

Rights activists take out march (1)

THRISSUR: Supporting the ongoing agitation by Laloor Maleekarana Virudha Samithi against the inaction by the Thrissur Corporation to mitigate the problem of air and water pollution caused by the unscientific dumping of waste at the Corporation's trenching ground at Laloor, human rights activists took out a protest march carrying a gunny bag full of garbage from Laloor to the Corporation office here on Saturday. Earlier, the activists were planning to carry a cross from Laloor to the Corporation office. However, the police objected to this on the ground that it might hurt the religious sentiments of people belonging to certain communities. The procession of the activists was blocked at the entrance of Thrissur Corporation by the police. Laloor Maleekarana Virudha Samithi president T K Vasu said that the indefinite relay fast demanding immediate action to remove the garbage dumped at the trenching ground began by the residents of Laloor on December 14 would continue till necessary steps are taken to meet their demand. (Express Buzz 3/1/10)

Pay Rs 5 lakh to BSF excesses victims' kin: NHRC tells MHA (1)

New Delhi: The National Human Rights Commission (NHRC) has asked the Ministry of Home Affairs to pay Rs five lakh to the next kin of a person, who was beaten to death by BSF personnel in West Bengal. The Commission has also asked the ministry to pay Rs 50,000 each as monetary relief to victim's three family members who, too, had sustained injuries in the incident. BSF personnel of 72nd Battalion allegedly had critically injured Masud Rana Sarkar and his three family members, including two women, by assaulting them in Daudpur village in South Dinajpur on March 4, 2007. Sarkar succumbed to his injuries while other three survived after medical treatment. During proceedings of the matter, BSF requested the Commission to close the case saying that its personnel, who were accused of assaulting the family, were tried by General Security Force Court, which found all of them innocent. The Commission, however, noted that a magisterial probe into the incident established that a group of BSF personnel had caused grievous injuries to the members of the family. (Pioneer 5/1/10)

FTN: Govt, civil society must take lead to reform police (1)

A third FIR was filed on Tuesday against former Haryana director general of police SPS Rathore in the Ruchika Girhotra molestation case. Rathore will also be stripped of his police medal after the Centre decided that all police officers convicted of moral turpitude should be stripped of their medals and awards. On Tuesday Rupan Deol Bajaj, former IAS officer who was sexually harassed by super cop KPS Gill, said that Gill should be stripped of his Padma Shri too. CNN-IBN's Face The Nation discussed: Top cops stripped of medals: Can the Government police the police? On the panel of experts to debate the issue were former IPS officer Kiran Bedi, Congress MP and spokesperson Manish Tewari and lawyer and Human Rights activist Colin Gonsalves. At the beginning of the show, 75 per cent of those who voted in said that the Government can police the police, while 25 per cent disagreed. On whether Gill should be stripped of his Padma Shri, Kiran Bedi said that the offence was under the same section as in the case of SPS Rathore – Section 354 of Indian Penal Code (IPC). "I think the same process (as in Rathore's case) could be followed even for a cop who really led police force in very difficult times and the country recognises that. The matter could be placed before the board which is looking at Rathore's case," added Bedi. On this, Colin Gonsalves felt that taking away of medals from tainted officials certainly sent a signal of the Government's disapproval of their conduct; however, he felt that it was a "small punishment" for those who engaged in crimes. He said, "I think we should go a little back and look at how they were given medals in the first place." The panel took up a twitter feedback that had come in saying, "How can corrupt politicians police the police, after all corrupt cops are valuable to the political establishment?" Manish Tewari responded to the feedback and said, "It would be far better if we refrain from making generalisations because eventually in a democratic setup you function on the basis of checks and counter checks." Mumbai police officers have been filmed partying at an underworld don's New Year Eve party in Mumbai recently, which was hosted allegedly by an NCP activist. "That is for the NCP to answer whether it was their member or not but eventually the cops who attended the party and not politicians. The Maharashtra Home Minister and the Chief Minister have taken action against them," said Tewari. The functional autonomy of the police force conceded by the Supreme Court was raised in the discussion to which Kiran responded by saying, "If we would implement the SC judgment, it would raise responsibility with accountability and not give autonomy." "The Security Commission which has been recommended by the SC judgment has the Home Minister as the chairperson, has the Leader of the Opposition, has civil society as a member, has a police officer and an IAS officer, which in fact is the autonomy to appoint the right kind of person," added Bedi. (CNN IBN 6/1/10)

Home ministry asked to compensate kin of BSF torture victim (1)

New Delhi, January 08, 2010: The National Human Rights Commission (NHRC) has asked the home ministry to compensate the family of a man who was allegedly tortured and killed by Border Security Force (BSF) personnel in West Bengal in March 2007. NHRC took up the case after receiving a complaint from the Asian Centre for Human Rights (ACHR), a Delhi-based NGO that works towards promotion and protection of human rights in Asia. Welcoming the NHRC's move, Suhas Chakma of ACHR said in a statement Friday that the family of 19-year-old Masud Rana Sarkar of West Bengal alleged that he was tortured and killed by the personnel of 72nd BSF at Daudpur village in West Bengal on March 5, 2007. "The General Security Force Court (GSFC) of the BSF exonerated all the five accused BSF personnel who were tried for committing the offence. The Director General of the BSF requested the NHRC to close the case without providing the grounds on which the accused personnel were exonerated in the first place," Chakma said. "However, a magisterial enquiry report submitted by the district magistrate of south Dinajpur clearly established that a group of BSF personnel caused grievous injuries to the victims, including two women and the deceased died due to the injuries," he added. Based on the magisterial inquiry, the NHRC recommended to the ministry of home affairs to pay compensation to the victim's family and submit proof of payment and compliance report within six weeks, Chakma stated. (Hindustan Times 8/1/10)

Maximum custodial deaths in Maharashtra (1)

Mumbai: Maharashtra has reported the highest number of custodial deaths between April 2001 and March 2009, with 192 such incidents, followed by Uttar Pradesh and Gujarat. According to a study conducted by a human rights group, the death of 1,184 people in police custody across the country was reported to the National Human Rights Commission (NHRC) from April 2001 to March 2009. "Most of

these deaths took place within 48 hours of the victims being taken into police custody," the report prepared by Asian Centre for Human Rights (ACHR) in June 2009 states. Maharashtra recorded 192 deaths while Uttar Pradesh and Gujarat have reported 128 and 113 such cases, respectively. According to the report, in December 1993, the NHRC had issued guidelines directing all Magistrates and Superintendents of Police in every district across the country to report to the Secretary General of NHRC about custodial deaths and rapes within 24 hours. "The NHRC had warned that failure to report promptly would give rise to presumption that there was an attempt to suppress the incident. Even then the guidelines continue to be flouted," the ACHR report states. Out of the 192 deaths in Maharashtra, 20 deaths have been reported in Mumbai while the rest have been recorded in other parts like Pune, Nagpur, Amravati and Gadchiroli. (Pioneer 11/1/10)

NHRC team in Jodhpur, to meet mine labourers (1)

JAIPUR: A team of officials from National Human Rights Commission (NHRC) will be visiting Jodhpur on Tuesday to meet labourers working in sandstone quarries and suffering from silicosis. The delegation is visiting the city on the request of Mine Labour Protection Campaign (MLPC), an organisation working for the right of mine labourers. According to Rana Sengupta, managing trustee of MLPC in Jodhpur, they will be recording the statements of those suffering from silicosis and of relatives of deceased labourers. "Their visit will be a significant step towards achieving justice and compensation for silicosis victims. They will also be identifying those sandstone mines in which labourers were working and susceptible to dust inhalation." Silicosis is common among mine labourers in the region and is caused due to exposure to the dust in mining. "Silicosis is incurable and may remain active even after dust exposure has ceased. Therefore, early recognition and supportive interventions are important. Although the current disease is a result of past exposures, effective control of current workplace exposure is the only way to prevent continued occurrence of this potentially debilitating disease," Sengupta said. However, till date, there has been little initiative for taking care of such victims. Studies by several NGOs and other organisations had revealed that many of these labourers were suffering from silicosis and asbestosis. But even after labourers started succumbing to their illness, there has been little effort to ensure compensation for them. But the visit of the NHRC is being seen as a positive and first of its kind step towards ensuring compensation for the victims or those afflicted with the disease. "The problem is that since no record of these workers have been kept, either by the mine owner or the employee himself, compensation has been a far cry. As a result, to meet medical expenses, they are left with few options like taking loans on a high rate of interest from the mine contractors themselves. And in many a case, an afflicted mine labourer is often dead before the debt is repaid thus forcing their family member to once again work in the mine until full payment is made," Sengupta said. "This creates a cycle of indebtedness and bonded labour from which no one can escape. The Mine Labour Protection Campaign (MLPC) has raised the issue on various platforms on behalf of present and former mine labourers diagnosed and suffering from silicosis to ensure that compensation is provided for them," he added. (Times of India 12/1/10)

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CIC seeks legal opinion for disclosing info on HR violations (1)

NEW DELHI: The Central Information Commission has sought legal advice for disclosing information on cases related to human rights violations by personnel of paramilitary forces under the RTI Act. Chief Information Commissioner Wajahat Habibullah told PTI that "number of these (human rights violations) cases have come to our notice. We are seeking legal advice on the matter and it will be decided soon by a full bench of the Commission." According to the second schedule of the Right to Information Act Act 2005, intelligence and security agencies established by the Central Government including the paramilitary forces have been kept outside its ambit. However, the information related to the allegations of corruption and human rights violations can be given. The disclosure of information about human rights violations is made after getting nod of the CIC within 45 days. Section 24 (1) of the Act reads, "... in the case of information sought for is in respect of allegations of violation of human rights, the information shall only be provided after the approval of the Central Information Commission, and notwithstanding anything contained in Section seven, such information shall be provided within forty-five days from the date of the receipt of request." (Times of India 14/1/10)

MHRC member status still not finalised: Law minister (1)

IMPHAL, Jan 14: The minister for law and legislative affairs, Th. Debendra has maintained that the present status of Manipur Human Rights Commission is not yet decided by the Government of Manipur and a total of Rs. 16,000 (sixteen thousands) is given to each members of the commission as honorarium. However, the state government deducts this amount from the pension of commission members who draws a pension from the government. The Law and Legislative Minister was answering a question raised by MLA, R.K. Anand during the question hour of the second sitting of the 7th session of the 9th Manipur Legislative Assembly this morning. Further, Th. Debendra noted that the state government has not yet created any officers and other staffs of the commission till date, but the state government has already discussed the matter in the Cabinet and very shortly the commission would be provided officers and other staffs. The chief minister Okram Ibobi supplemented the law minister and gave the assurance on the floor of House that the state government would have all vacant posts in the Manipur Human Rights Commission filled up at the soonest. Minister for education L. Jayentakumar said that a total of nine Government Higher Secondary Schools have been recently upgraded. However the state government has still not sanctioned any posts of principal, vice principal, lecturers, contractual lecturers and lab. attendants for the upgrade schools. The minister was answering MLA Wungnaoshang. When the education minister was questioned further by MLA, Wungnaoshang L. Jayentakumar noted that the government has completed the reallocation to sanction posts of principal, vice-principal and lecturers as well as staffs. The state Cabinet is now trying its level best to regularize these posts soon. The education Minister also denied that the education department has been neglecting the Manipur languages. (Kangla Online 15/1/10)

Admn admits encroachment by Rathi Steel in Sambalpur (1)

Sambalpur: The district administration at last admitted that Rathi Steel Ltd near Chipilima encroached both Government and private land. "The company occupied land beyond allotment," informed a senior officer of the Revenue Department. A report as per the current demarcation would be submitted to the Human Rights Commission, he added. It may be noted that Rathi Steel occupied lands of people of villages Potapali and Sikirdi. It also occupied the nearby Government lands. Time and again, the villagers approached the district administration for payment of compensation for their lands. But when they did not get justice from the administration, they knocked on the door of the National Human Rights Commission (NHRC). And as per the direction of the NHRC, the present demarcation has been completed. "It was confirmed during the demarcation that Rathi Steels unauthorisedly occupied lands of 11 families of the two villages," the revenue officer informed. The total encroachment would be 10 acres, he said further. "The company is using the land for different industrial purposes. At the same time, it has become impossible to know the exact quantum of land under occupation since fly-ash is the major hindrance during demarcation," the revenue officer said. The details of the reports have been submitted to the Collector, he added. (Pioneer 15/1/10)

Child trafficking in a civilised country like India unacceptable: SC (1)

NEW DELHI: The Supreme Court on Friday firmly told the Centre that the scourge of child trafficking and its extent in a civilised country like India was just not acceptable and the government had to strengthen mechanism to curb it. Examining the issue in the light of submissions made by Solicitor General Gopal

Subramaniam, a Bench of Justices Dalveer Bhandari and A K Pattnaik said: "In a civilized country you cannot have the problem of this magnitude. We need to identify the places where it happens and strengthen implementation mechanism." Submitting a report titled 'The Indian Child: India's Eternal Hope and Future', Subramaniam suggested that the Goa Childrens Act, 2003, could serve as a model legislation. "Not only does it define child trafficking but also seeks to provide punishment for abuse and assault of children through child trafficking for different purposes such as labour, sale of body parts, organs, adoption, sexual offences of pedophilia, child prostitution, child pornography and child sex tourism," he said. He even set out the need for having a rescue plan for children caught in prostitution and trade. Though the Bench appreciated the report, it was not oblivious of the problems on the ground. "Our real problem is implementation. We do not lack material. The whole problem emanates from poverty. In a number of cases, you rescue these children and put them in remand homes. When their parents are informed they are not ready to take them back as they cannot afford them two square meals or because of the social stigma," it said. "You must have adequate remand homes with infrastructure and proper hygiene conditions. There must be a programme for sending these children to school and schools must be told to admit these children. You need to first chalk out this programme on priority basis," it suggested. Appearing for petitioner NGO 'Bachpan Bachao Andolan', senior advocate Colin Gonsalves said the government for years have been sitting on an NHRC report suggesting an alarming figure of 44,000 children reported missing annually of which only 11,000 get traced. In this regard, the Bench asked Gonsalves along with several other NGOs like Prajwala, Sankalp and National Legal Services Authority to make suggestions within a week and present a comprehensive report. Advocate Aparna Bhatt representing NGO Prajwala informed the court that by involving NGOs in rehabilitation work, the victims of trafficking have benefited. As a model case, she cited Andhra Pradesh where victims of trafficking are given land. The matter was posted for hearing on January 22. (Times of India 16/1/10)

NHRC orders MP, Gujarat to compensate silicosis victims (1)

The National Human Rights Commission (NHRC) has directed the Gujarat and Madhya Pradesh Governments to start the procedure of paying compensation to silicosis victims following a Supreme Court order. A survey by the Madhya Pradesh Government for NHRC on October 8, 2009, had revealed that 259 people had died of silicosis, while another 304 were in a critical state in Jhabua and Alirajpur districts of the State. People from these regions come to Godhra to work as migrant labourers in quarries. On December 18, a meeting was called by NHRC in New Delhi in which District Magistrates of Alirajpur and Jhabua in MP and Panchmahals in Gujarat were apprised about the conditions of silicosis workers. (The Pioneer 21/1/10)

SHRC summons DM, SP over K'mal violence (1)

Bhubaneswar: After a lapse of 268 days of violence which took place during the 2007 Christmas in Kandhamal, the Odisha State Human Rights Commission (OSHRC) has summoned the District Magistrate of Kandhamal and the Superintendent of Police demanding their personal appearance on February 2010 basing on the petition filed by Kuidina Forum for Peace and Justice. OSHRC asked the concerned authorities to submit a report on the issues and appraise the Commission about the present situation and ameliorative measures taken so far. The petitioner stated that the situation is not normal in Kandhamal and no proper assessment of the loss has been conducted and compensation awarded. Steps yet to be taken up to identify the victims who fled away out of fear and to bring them back home. The ongoing development delivery system and the peace and rehabilitation process is fully controlled and managed by Government, bureaucratic mechanism and one sided in approach. Ongoing process also lacks transparency, inclusiveness mostly the indigenous people and the victims from the weaker sections of the society particularly the women are not involved in the process. The forum also seeks action against the erring officials those who were negligent in their duties during the violence and also make them accountable and responsible for the damage and human loss. (Pioneer 23/1/10)

SHRC for further probe into custodial death charge (1)

THIRUVANANTHAPURAM: The inquiring officer with the State Human Rights Commission (SHRC) is learnt to have recommended further investigation into the alleged custodial death of a 58-year-old man at the Kattakada police station on January 3. In his report, Superintendent of Police, SHRC, K. Vijayan is learnt to have recommended further investigation after studying the circumstances of the alleged victim's death, Babu of Paleli, and the nature of wounds seen on his body during the post-mortem examination.

The SP is learnt to have given the recommendation after questioning doctors who examined Babu's body. Babu's death had caused widespread resentment among the public in Kattakada. Babu's wife, Chellamma, and his relatives had staged a sit-in in front of the station house. The protesters alleged that the police picked up Babu from his house at 12 midnight on January 3. According to them, Babu challenged the police and asked the officers to produce the warrant of arrest issued against him. Babu's relatives said the police overpowered him, bound his legs with cloth and hustled him into the van. The police said they had arrested Babu on the basis of a "long pending" warrant issued against him in connection with a clash, in 2002 over a piece of disputed land. Earlier, the Superintendent of Police, Rural, M. Gopalakrishnan, had suspended three policemen, pending detailed inquiry. (The Hindu 25/1/10)

KSHRC chief wants SP Seemathkumar Singh to be shifted out (1)

MANGALORE: Karnataka State Human Rights Commission (KSHRC) chairperson S R Nayak has expressed total discontentment over the state of affairs in Bellary district and has recommended shifting SP Seemathkumar Singh out of the district and total revamp of the district administration. Addressing presspersons here on Sunday, Nayak said he had issued two orders — one to the chief minister and the other to state home secretary in this connection after examining the state of affairs in Bellary. Nayak who was critical about the functioning of the police and the district administration in Bellary said that the district was under a spell of total lawlessness and complaints regarding threat, assault and other criminal activities were being received in high number. The business community in the region is living in fear psychosis. The functioning of the district administration too is not satisfactory and it has to be revamped totally, he said. However, Nayak added that earlier incidents show that even chief minister B S Yeddyurappa is helpless in matters of Bellary. Further, he said that the number of custodial deaths too is increasing alarmingly in the state and the commission is receiving complaints pertaining to custodial death almost every day. The commission had insisted on inquiry by the judicial authority into complaints of custodial death and it had rejected the report submitted by the assistant commissioner level officials. `Don't approach NGOs' Referring to the incident related to the Karnataka State Human Rights Council, he said the number of non-government organizations hoodwinking common people in the name of human rights is coming to light and the state government has to take action to check this tendency. He said people whose human right is violated need not take help of a third party. Instead, they can approach the commission directly and the commission would extend all help to provide them justice. (Times of India 25/1/10)

Civil society groups oppose proposed amendments to DP Act (1)

Hyderabad: Opposing the proposed amendments to Dowry Prohibition Act, 1961, civil society groups here on Wednesday alleged that the amendments amounted to legalising dowry. "The amendments include mandatory requirement for couples to notify the list of gifts exchanged during their wedding ceremony. Through the amendments, the government is legalising and encouraging the practice of dowry," Uma Challa, president of All India Forgotten Women's Association (AIFWA), told reporters. "The question before the media and all citizens is, when are we going to realise we are being fooled and say 'no' to laws like the DP Act, which has so many inherent flaws that their honest implementation will never be possible," she asked. "In the event of the proposed amendments to the DP Act getting passed, AIFWA, Save Indian Family Foundation (SIFF) and Andhra Pradesh Mothers-in-law Protection Association (APMPA) would like to issue a word of caution to all men intending to get married to insist on securing a pre-nuptial agreements to protect themselves from false cases when a marriage turns sour or breaks down," she said. The pre-nuptial agreements should be about how the couple intend to split in the event of a break down of marriage, Challa said. Dowry is a social evil and the Dowry Prohibition Act should be implemented in letter and spirit to put an end to the menace, she added. (Zee News 27/1/10)

'Human rights are violated daily' (1)

Madikeri, Feb 1, DHNS: "Though human rights is a constitutional rights, they are being violated everyday. Government officials and employees must try to check the violation," said Administrative Training Institute Director General Dr Amitha Prasad. Speaking at a workshop on human rights at District Training Centre, she said "all of us have the right to live. Nobody can take away the right." Both government and the society has the responsibility to see that the human rights are not violated. She said "during 1992 and 1996, World meets emphasised on the human rights protection and human resource development. It is

the responsibility of the State and Central governments to protect the human rights. Owing to poverty, lack of basic amenities, health, education, human rights are violated.” Deputy Commissioner K H Ashwathanarayana Gowda said “all the programmes of the government aimed at the development of the community.” Superintendent of Police Manjunath Annigeri said “there are allegations that human rights are violated by the police department. However, in 2009, no lock up deaths have been reported in the state. Police personnel are trained to become people friendly. Such trainings on human rights will be given even to the Sub Inspectors.” Zilla Panchayat CEO Mirja Akbarulla, Training Co-ordinator K M Prasad, District Training Centre Principal Mahadevaiah and others were present. (Deccan Herald 1/2/10)

NHRC pulls up Manipur for not reporting 111 encounters (1)

Guwahati: The National Human Rights Commission has sought an explanation from the Manipur Chief Secretary as to why reports of 111 cases, which were reported as police encounter cases, were not forwarded to the Commission. The NHRC, in an order, stated that the Commission had not been receiving any report from the Manipur government. It also directed the Manipur government to pay Rs.5 lakh as relief to the next of kin of R.K. Sanjoaba, nephew of the former Manipur Chief Minister, R.K. Jaichandra Singh, who was killed in an alleged fake encounter in broad daylight on October 20, 2004, at Sagolband Khongnang Hogaibi, Imphal. The Commission further directed the Manipur Chief Secretary to send to the Commission the proof of payment within six weeks. The order was passed on a complaint lodged with the Commission by director of Asian Centre for Human Rights (AHRC) Suhas Chakma. Referring to the case, the Commission stated in its order passed on January 28 that a show cause notice was served to the State government followed by a reminder, but there was no response. “The Commission presumes that the State has nothing to say in this matter,” it added. The NHRC observed in its order: “In the instant case, the police has put up a theory that it is a case of accidental firing and the person suffered injuries as a consequence of which he died. The deceased and one other person were returning home on their scooter which was stopped on the way by some unknown personnel of the Manipur Police, which was headed by a woman officer. In the scuffle that took place, one of the policemen took out a weapon and shot him on his chest from point blank range, as a result of which he died on the spot. It is suggested that during the course of investigation it was revealed that the person spoke some slang language, as a result of which the escorts got down from the vehicle. The same unknown person forcibly snatched the fiber stick from the escort and started beating the personnel, including the complainant and the unknown person is alleged to have embraced the complainant and tried to snatch his service pistol. In the scuffle some rounds were accidentally fired, which hit the person and he died on the spot. The police has registered a case and charge sheet is also filed. “The theory propounded by the police is hard to believe. For some utterances, no police will come down and enter into a scuffle with the persons moving on the road. It is also required to be noted that in the post-mortem report, the expert opined that the injury was caused from a distant range, and, if it would have been fired in the manner in which it is narrated, then there would have been blackening and tattooing. The doctor’s opinion is an independent opinion and cannot be disregarded.... It is also hard to believe that three police personnel could not control one person who was without any weapon in his hands and it appears from the aforesaid picture that a story is created as if crime is not committed and is an accidental fire. No reliance can be placed on such theory. It is a case of killing of a person who was totally innocent.” “The order of the NHRC is historic considering the systematic fake encounter killings by the Manipur Police under the guise of joint operations with the Central armed forces. The Manipur government must bear in mind that even if the Armed Forces (Special Powers) Act is imposed, the central armed forces are legally required to operate under the command of the police in aid of civil administration and the Police are duty bound to report to the NHRC” stated Mr Suhas Chakma, hailing the order. (The Hindu 2/2/10)

First Indian head for Amnesty International (1)

London, February 02, 2010: Amnesty International has appointed Salil Shetty, an Indian who headed the UN Millennium Campaign, as its next secretary general. Shetty takes over the job in June 2010, succeeding Irene Khan who stepped down after eight years as Amnesty Secretary General on December 31, 2009. Amnesty - the global human rights watchdog - said Shetty, with a strong track record in the non-government and inter-government sectors, will lead its 50th anniversary expansion plans. "We are thrilled that Salil will be joining us and leading Amnesty International as we renew our fight to end injustice - campaigning with those imprisoned because of their ideas, those on death row, those being tortured, and those who have their rights denied because they live in poverty," said Peter Pack, the chair of

Amnesty's International Executive Committee. "As we approach our 50th anniversary, we have ambitious plans to expand our work, especially in the global south, and Salil has a solid track record in mobilising people, civil society, governments and international organizations in the fight for people's rights and dignity," added Pack. "I feel privileged to be given this amazing opportunity at a time when the world needs human rights for all more than ever before," said Shetty, who becomes the first Indian to head the human rights body. Amnesty International, founded in London in 1961, has more than 2.2 million members and supporters in more than 150 countries. (Hindustan Times 2/2/10)

SP urges NHRC to order probe into Balangir starvation deaths (1)

Balangir: The Balangir district unit of the Samajwadi Party (SP) has urged the National Human Rights Commission (NHRC) to order a high-level inquiry into the recent alleged starvation deaths of Jhantu Bariha and his four family members of tribal-dominated Chabripali village in Bhanpur gram panchayat under Khaprakhol block in Balangir district, one among the KBK districts. Narrating the tragedy, district Samajwadi Party president Arun Mishra, in a petition, has appealed to the NHRC Chairman for urgent intervention and penalise the State officials found guilty. The alleged starvation deaths of Jhantu Bariha and his four family members had hogged the headlines of both national and vernacular press recently and the Opposition had been up in arms against the State machinery. Jhantu (40) was reportedly a landless tribal and used to migrate as a daily wage labourer for eking out a living for feeding six mouths-his wife Bimala, two minor sons, one minor daughter and his old parents. Unfortunately a few years back, Jhantu got accidentally crippled while in harness and got dumped by his employer to fend for himself. Bimla could, somehow, manage a measly earning occasionally being employed as agricultural labourer following which the poor couple took to begging and their family members had to starve very often resulting in malnutrition. Besides being empty-bellied, they were even unable to meet medical expenses and moreover the Khaprakhol based PHC is 22 km from the village. Malnutrition coupled with attack of malaria sans proper treatment led to the deaths of seven-month old daughter on September 6, 2009, five-year old son on the subsequent day and wife Bimla (35) on September 9. Jhantu, taken for treatment by the district administration after a hue and cry in the media was admitted into the district headquarters hospital on September 9 but was discharged after a few days to die in Padampur hospital of neighbouring Bargarh district readmitted by co-villagers. Just after three months his old mother Minji, hospitalised in an unconscious state by a fact-finding team on December 14 too succumbed to severe anaemia as stated by CDMO PC Sahu. "It speaks volumes on the gross negligence and of the administration violating the Supreme Court's directives for effective implementation of food security programmes issued in November 2001 to both the States and the Centre," Mishra points out in his petition. (Pioneer 5/2/10)

Sr citizen writes to NHRC as cops take it easy (1)

MARGAO: Frustrated with the non performing of the Margao Town police, a 72-year-old senior citizen from Navelim has written a letter to the National Human Rights Commission complaining that no efforts have been made by the Margao police to arrest the accused involved in the rape of his minor grand daughter. The senior citizen has also mentioned in his letter that the police are allowing the accused to erase all the evidence. As per the letter written to the National Human Rights Commission, a copy of which is with TOI, the copies have been sent also to Superintendent of Police South; DIG of Goa; Goa Womens' Rights Commission and the Chief Minister of Goa. As per the aggrieved senior citizen a complaint was lodged at Margao Police Station on January 13, 2010 that one Wilson Texeira, resident of Mandopa, Navelim sexually assaulted his grand daughter on the false promise of marrying her. The complaint stated that he sexually assaulted her in a Maruti Car and circulated a MMS clip on mobile and internet. After initial delays at the Margao Police Station, the Margao police registered a case under Section 376 of IPC & Section 8 of Goa Children Act, on the intervention of the South Goa Superintendent of Police. The senior citizen has stated further in the letter that the place of incidence was also shown to the investigating officer. The complainant also acquired the CD of the MMS and the new mobile number of the accused and his location in Karnataka. The details of the same were furnished to the Margao Police. Annoyed with the fact that even after 22 days of lodging the complaint, the Margao Police have shown no progress in the investigation of the case, the senior citizen has short a letter to the National Human Rights Commission seeking justice. When contacted, South Goa S P Allen D'Sa confirmed that a case of rape has been registered at the Margao police station. Confirming that he has also received a copy of the letter, said he has asked for the compliance report of the investigation carried out by the Margao Police. (Times of India 6/2/10)

PSHRC seeks DC's report over illegal gates (1)

LUDHIANA: Acting over complaints made by city's residents, Punjab State Human Rights Commission has directed the deputy commissioner here to submit a report before March 4 regarding gates installed in various colonies. While the municipal corporation has demolished encroachments on city roads, residents are not happy with the civic body's reluctance about the removal of gates. Recently, Punjab and Haryana High Court had ordered MC to get rid of illegal constructions. But when it did not act against the gates, some residents sent a Right To Information Act query to the MC seeking to know if private parties were allowed to erect gates on public roads. In its reply, the civic body mentioned that state government had not made any rules regarding that. The gates have been installed in front of colonies in Model Town Extension, SBS Nagar, BRS Nagar, Kitchlu Nagar, Sarabha Nagar, Green Field Nagar and Udham Singh Nagar among others. While talking to TOI, RL Joshi, a senior citizen, said that MC was not serious about removing iron gates despite their blocking roads. He stated that residents of other areas were not able to get on the streets that were closed and had to take long detours. He further asserted that PSHRC had taken this issue seriously. Joshi said he had proof that MC had approved the installation of gates. "We have also forwarded those documents to PSHRC chairperson justice RS Monga and member Avinash Rai Khanna," added Joshi. Notably, on January 30, residents of Ambedkar Nagar had protested against illegal gates that were hampering traffic flow in the area. As a protest, the residents had blocked the vehicular movement on Dugri Road so that the MC officials removed the gates from streets passing through colonies. (Times of India 6/2/10)

Vedanta rejects human rights group's claims (1)

New Delhi, and Orissa state authorities, are also criticised for failing to prevent Vedanta's operations from "causing harm to human rights and the environment." Vedanta has rejected the allegations. The company operates an aluminium refinery at Lanjigarh. Amnesty claims required pollution control systems have not been installed at the site, resulting in leaks of caustic waste water into the local river, the main water source for villagers. Vedanta also plans to mine bauxite from a mountain that the 8,000-strong Dongria Kondh tribe believe is the sacred home of Niyam Raja, their local diety. Amnesty has called for a halt to the planned expansion of the Lanjigarh refinery until Vedanta resolves problems that it says have been identified by Orissa's pollution control board. Amnesty is also urging Indian authorities to seek the consent of the Dongria Kondh members before allowing Vedanta to mine in the Niyamgiri Hills. Criticism of the fast-growing Indian miner comes days after the Church of England said it had sold its £3.8m (\$5.9m) share-holding in Vedanta, because of concerns about the company's ethical standards. "We are not satisfied that Vedanta has shown, or is likely in future to show, the level of respect for human rights and local communities that we expect of companies in whom the Church investing bodies hold shares," church officials said. Vedanta responded to the Church of England's move last week by saying that it remained "fully committed to pursuing its investments in a responsible manner" with respect for the environment and human rights. The company said it had not seen the Amnesty report. However, the group called the pollution allegations "completely untrue" and said the refinery was world class and produced zero emissions. The controversy over Vedanta is part of an intensifying struggle across India, as New Delhi seeks to tap the minerals it needs for economic growth, which in the process, threatens to devastate the lives of some of the country's poorest citizens. Much of India's rich mineral deposits lie in areas inhabited by indigenous tribes, who ostensibly have special protection under India's constitution – including rights over their customary lands. Copyright The Financial Times Limited 2010. You may share using our article tools. Please don't cut articles from FT.com and redistribute by email or post to the web.(FT.Com 9/2/10)

Take action against those making false complaints, police told (1)

Bhopal: Madhya Pradesh State Human Rights Commission Chairman Justice DM Dharmadhikari has said that the police should essentially take legal action against those involved in making false complaints. He was speaking on the second day of the two-day workshop on sensitisation of police personnel towards weaker sections of society. He stated that police personnel are well aware of ground realities, thus they should initiate efforts for bringing a change in those laws which they consider are not useful. He demanded stern action against those social organisation which are violating human rights by being engaged in punishments like ostracism. "For action in such incidents, action can also be taken under Prevention of Social Disparity Act 1985, after finding its present status," he suggested. Stressing on the

need for providing help to the victims, Justice Dharmadhikari stated that a committee has been formed for victims in each district, and also advocated for introducing a compensation scheme for the victims. Chairing the workshop, Police Housing Corporation Chairman Nandan Dube said it should be ensured that the police personnel at lower level know about the provisions for protecting rights of weaker sections. He stated that such workshops are useful for field officials to bring a change in their attitude. Additional DG AJK VK Singh informed that AJK police stations are functioning in 48 districts out of 50. Besides, special courts are also functioning in 49 districts. In nine districts, Mahila police stations are functional and social justice and empowerment centres set up in all the districts. This has helped in reducing crimes against SC and ST by 57 per cent in recent years, he added. (Pioneer 11/2/10)

NHRC tells UP govt to compensate victimised scribe (1)

New Delhi: The Uttar Pradesh government has been asked to pay Rs5 lakh as compensation to a journalist who was victimised by police for his reports on their "wrong doings" in Lakhimpur Khiri district of the state, the National Human Rights Commission (NHRC) said today. The commission also asked the UP chief secretary to submit a compliance report of its recommendations within six weeks. Samiuddin, who was a staff reporter with a Hindi daily, was harassed by Lakhimpur district police, once allegedly kidnapped by special operation group (SOG) with an intension to murder and was "falsely" implicated in recovery of forest animal parts and kept in lock up in a series of incidents since 2004, the NHRC said. "This is an unusual case of its kind, where a press reporter while exercising his right of freedom of expression was victimised by the police officials of district Lakhimpur Khiri, Uttar Pradesh," the rights body said in a statement. "Samiuddin has been fighting a lone battle against the misuse of authority by the then superintendent of police of Lakhimpur Khiri N Padmja and others on her behalf," it added. The commission observed that the state government in a letter last November admitted that "there has been a clear violation of human rights of Samiuddin". "This case is a stark example of not only of total apathy, but outright antagonism towards a person, whose right to life was seriously endangered by the acts of the concerned police authorities," the commission noted. The commission noted that the approach of the administration and the senior police officials had been to "trivialise" the gravity of the violations of human rights of Samiuddin and to protect the officials accused, especially Padmja. "He (Samiuddin) was implicated in a false case in which he was arrested and had to stay in prison," it added. The commission also noted that Samiuddin's life was in danger and this was evident from the fact that UP police extended him security from April 4, 2006 to May 15, 2007, which was later withdrawn "for reasons best known to them (administration and police)". The Commission took up the case on the basis of the complaints filed by Samiuddin. "He (Samiuddin) alleged that after publication of his reports on wrong doings and atrocities of police in the district, Lakhimpur Khiri SP N Padmja, kept on harassing him since 2004," it said. Samiuddin later filed another complaint with the Commission alleging that a team of SOG kidnapped him on February 9 while he was going back home from his office and "took him away from the city with the intent to kill him", the rights body said. The Commission has sought the state government to inform it about the status of Samiuddin's complaint on his "illegal" arrest within six weeks. It has also asked the additional DG(Human Rights) of UP to submit a complete inquiry report into the incident, including the complainant's version within six months. [ouble click an English word for Macmillan Dictionary definition](#)
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Kashmir arrest a step for accountability: Human Rights Watch (1)

WASHINGTON: The arrest of a BSF constable on charges of killing a Kashmiri teenager could be an important step to curtail security forces abuses, a US-based eminent human rights organisation has said. Human Rights Watch said the government should also investigate and appropriately punish any senior officers implicated in the case. "It is extremely rare for the security forces in Kashmir to turn over one of their own to the civilian justice system," said Meenakshi Ganguly, senior South Asia researcher at Human Rights Watch. "Now they should go a step further to see if senior officers were also responsible," she said. Lakhvinder Kumar of the Border Security Force's 68th Battalion is being held as a suspect in the killing of 16-year-old Zahid Farooq in Srinagar on February 5. Based on an internal inquiry by the BSF, Kumar was suspended and handed over to the police who have detained him. The killing led to widespread protests across Kashmir. "The promise that Zahid Farooq's killers will be identified and brought to justice is a long overdue step in addressing abuses by government forces," Ganguly said. (DNA 12/2/10)

Release of activist demanded (1)

LUCKNOW: The People's Union for Civil Liberties (PUCL) and the People's Union for Democratic Rights (PUDR) will stage a dharna in Lucknow and Allahabad on Saturday (February 13) to demand the release of human rights activist and organising secretary of PUCL, Seema Azad. Ms. Azad and her husband, Vishwa Vijay were picked up by the Uttar Pradesh police from the Allahabad railway station on February 6 when they returned from New Delhi. They have been accused by the police of being members of the banned Communist Party of India (Maoist). On February 5, Asha, a member of the Inquilabi Chhatra Morcha was arrested in Gorakhpur on similar charges. The PUCL alleged that Ms. Azad has been framed for raising her voice against the alleged fake encounters and atrocities on mining workers. Ms. Azad, who is the editor of monthly magazine, Dastak, had criticised the alleged fake encounter killing of one Kamlesh Chaudhary in Sonbhadra district on charges that he was a naxalite. (The Hindu 12/2/10)

Rights group says missing Chinese lawyer in Urumqi (1)

A Chinese lawyer missing for more than a year is in Xinjiang in the far west of the country, a human rights group says it was told by Chinese authorities. However, the lawyer's family said it still has not been able to contact him. The case of Gao Zhisheng, one of China's most daring lawyers, has drawn international attention for the unusual length of his disappearance and for his earlier reports of the torture he said he faced from security forces. A short statement from the San Francisco-based human rights group, the Dui Hua Foundation, said it had been told by the Chinese Embassy in Washington that Gao was working in Urumqi, the capital of the Xinjiang region. It did not say what kind of work he was doing or where he was staying. Remote Urumqi is about 1,800 miles (2,880 kilometers) west of Beijing. John Kamm, the executive director of the foundation, said while the news is a "tentative step in the right direction toward accountability," there are still many questions that need to be answered if it is true Gao is in Urumqi. "What is he doing there? How long has he been there?" Kamm said Sunday from San Francisco. Gao was known for his legal work on sensitive cases involving underground Christians and the banned Falun Gong spiritual group. Gao disappeared from his home town in Shaanxi province on Feb. 4, 2009, and until now the government that so closely monitored him had not said where he was. The United States and the European Union have called on China to investigate Gao's disappearance. In a written statement made public just before he disappeared last year, Gao described severe beatings from Chinese security forces, electric shocks to his genitals, and cigarettes held to his eyes during a 2007 detention. Gao was arrested in August 2006, convicted at a one-day trial and placed under house arrest. State media at the time said he was accused of subversion on the basis of nine articles posted on foreign Web sites. The constant police surveillance wore on his wife and children and they fled China a month before Gao disappeared and were accepted by the United States as refugees. Previously, officials have been vague on his whereabouts, with a policeman telling Gao Zhiyi that his brother "went missing," and a Foreign Ministry official last month saying the self-taught lawyer "is where he should be." Chinese state-run media have not mentioned the case. On Sunday, Gao Zhiyi said he did not know where his brother was, and he had been trying to contact Beijing police, "but no one answers the phone." Jerome Cohen, an expert on China's legal system at New York University School of Law, said it is an important case because authorities had to be answerable for Gao's disappearance. "Why the Chinese government chooses to play it this way is baffling," Cohen said from New York. (Sify News 14/2/10)

NHRC asks Orissa Chief Secretary to provide details of hunger deaths (1)

New Delhi, Feb 25(ANI): National Human Rights Commission (NHRC) on Thursday issued a notice to Orissa Chief Secretary Tarunkanti Mishra seeking a report on the reported death of 50 persons in Balangir district of the state due to hunger within four weeks. Media reports alleged that chronic hunger led to the death of fifty persons in Balangir district. Taking suo motu cognisance of a media report, the commission has also decided to send its team to Balangir district in the state to ascertain the ground realities. The report published in a leading English daily dated February 24 alleged that in the last two years about three hundred children were orphaned following death of their parents due to chronic hunger and prolonged malnourishment in the five blocks of the district located in the dreaded Kalahandi-Balangir-Koraput belt of Orissa. The blocks mentioned were Khaprakhol, Belpada, Tureikela, Bangomunda and Muribahal. The report also mentioned that the public distribution system has holes. Despite a Below Poverty Line (BPL) survey being done in 2002, the distribution was done as per the 1997 BPL survey. The report says that people, who have branched out from their families in the last 13 years are not

entitled to PDS facilities. Besides, those who migrated to other states in 1997 were also left out of the BPL list. The Commission in its notice has observed that the contents of the press report, if true raise a serious issue of human right violation of the victims. It has asked the Chief Secretary of the state to provide the Commission with following details: details of persons reported to have died along with the reasons for deaths and details of deceased, who were provided with PDS facilities under the Antyodaya scheme. The Chief Secretary has also been asked to provide details of the families in Balangir district, who have been provided with ration cards facilities under the BPL and Antyodaya Scheme and what measures have been taken by the Administration to strengthen the Public Distribution System and Health care in the district. Earlier on January 14, the Commission under case no 24/18/2/2010 had asked the Orissa Chief Secretary to submit within four weeks the details that led to the deaths of Jhantu and his family members in the region. (One India 25/2/10)

UNHRC to focus on MP hunger deaths (1)

Bhopal, February 25, 2010: Deaths due to malnutrition in Madhya Pradesh's tribal-majority districts are likely to figure in the United Nations' Human Rights Council's 13th session in Geneva during March 1 to 26. In September 2008, HT first published reports on malnutrition deaths in various parts of the state — Sheopur and Shivpuri in the north, Satna in the northeast and Khandwa in the west — all within 250 to 470 km from state capital Bhopal. The UNHRC has been sensitised by a Hong Kong-based non-government NGO, Asian Legal Resource Centre (ALRC). It submitted a four-page report on such deaths in four tribal districts — Khandwa, Rewa, Sidhi and Jhabua. The ALRC and its sister organisation, the Asian Human Rights Commission, have been reporting on child malnutrition in the four districts since 2009. In 2007, NGOs reported that over 50 people died in Sheopur alone, prompting the Supreme Court to constitute a Right to Food Commission to suggest corrective measures. Seeking UNHRC's intervention, ALRC said, "The survival rate of tribal children in MP is abysmally low, as 71.4 per cent of the children are malnourished and 82.5 per cent are anaemic." It said 43 malnourished children died in four villages of Meghnagar block of Jhabua district in the last three months. Even the National Family Health Survey (NFHS) highlighted that the number of malnourished children in the state increased by 5 per cent during 1998-2006. But state principle secretary of women and child development Prashant Mehta said, "We don't agree with the NFHS data." Two years later, Spandan, an NGO, said 22 children died of undernourishment in June-November 2008. The MP Right to Food Commission and Adiwasi Adhikar Manch also reported 28 deaths in Satna in October 2008-January 2009. (Hindustan Times 26/2/10)

Hand over body of PCPA leader to family' (1)

Kolkata: Prominent intellectuals in the city have demanded that the body of the president of Maoist-backed People's Committee against Police Atrocities (PCPA), who was shot dead during an alleged encounter with the joint forces, be handed over to his family members immediately. In a letter sent to West Bengal Chief Minister Buddhadeb Bhattacharjee on Saturday, the intellectuals alleged that the family members who had gone to claim Lalmohan Tudu's body were turned away by the police and threatened with arrest. The letter, signed by Magsaysay award winning social activist and writer Mahasweta Devi among others, said the human rights were being violated by not allowing the cremation of Tudu to take place. They demanded that the Chief Minister make immediate arrangements for the handover of the body to his family. The intellectuals also wanted their representative to be present on the spot to ensure that proper norms were being maintained in the handover of the body and its cremation. The letter was also signed by writer Sankha Ghosh, Trinamool Congress MP and singer Kabir Suman, theatre personalities Bibhas Chakraborty, Koushik Sen and Saonli Mitra, poet Joy Goswami and painter Jogen Chowdhury, among others. The police, however, denied that they had refused to hand over the body of Tudu, lying in a hospital morgue in Midnapore town. They said the body could not be handed over as Tudu's family had not approached the police and instead other persons had tried to claim possession of the body. "Unless his family members come forward, the body cannot be handed over," police said. The PCPA leader was killed during an alleged encounter with the joint forces at Kantapahari near Lalgurh on February 22. (Pioneer 1/3/10)

Fact-finding team seeks justice for Cuttack custodial violence victim (1)

Bhubaneswar: A fact-finding team which visited Cuttack to investigate a custodial crime in Purighat police station on Monday in connection with the case of a minor boy Kalia alias Niranjan Swain (17), son of Mangaraj Swain of Tarachand Patana of Pithapur, have alleged gross irregularities by the police and

urged the State Human Rights Commission (SHRC) to provide justice to the victim. The team, which visited the SCB Hospital where the boy is being presently treated, said they found injury marks on the body of the boy and according to him the injuries were allegedly due to the police torture. They also visited the office of Cuttack DCP and discussed regarding the arrest and torture of the minor boy. The DCP disclosed that the police had arrested the above named boy on February 27 at 1 pm and shifted him to hospital on the same day. But he was unable to produce the arrest memo, the cause of the arrest and previous criminal records of the boy. He was also unable to produce any certificate regarding the age of the above named boy but cleverly disclosed the age of the boy as 19. The role of the DCP in this regard is very suspicious, alleged the team. They also visited the Purighat PS and discussed with the Inspector-in-Charge and other officers regarding the incident. They were unable to produce the arrest memo, arrest registers regarding his arrest. They also did not reflect the injuries of the arrest person in station diary or any other document, the team alleged. The team also visited the house of Kalia and discussed with his father and neighbours, who disclosed that on February 20 at about 2.45 am some police personnel led by one Swain came to his house and took his minor son to Purighat police station. Being questioned, they just replied they will leave him after asking some questions. The next day they visited the police station but the police personnel did not allow him to meet nor allowed any lawyer or relatives to meet his son. On February 27 at about 2 pm, they received the information that his son is now in coma at SCB Hospital. The member of the fact finding team were member secretary Sanjeevani-Maaghara Rutuparna Mohanty, State Coordinator People's Watch Manoj Jena, social activist Ziauddin Hundustani, advocate Debasish Mohapatra and Rasmikanta Mahalik.(Pioneer 3/3/10)

UN watchdog flays Nepal for 'impunity' for rights violators (1)

Kathmandu: The UN rights watchdog has flayed the Nepal Government for "impunity" for rights violators as it warned that political developments in the country have made the peace process "increasingly fragile". A report by the Office of UN High Commissioner for Human Rights in Nepal (OHCHR-Nepal), scheduled to be presented at the 13th session of the Human Rights Council in Geneva on March 24, warned that the Government and political parties are ignoring human rights issues, which would have serious implications on the sustainability of the 2006 peace process. It said political developments in Nepal have pushed the peace process to an "increasingly fragile state", Kantipur online said. "The Government has failed to implement the vast majority of recommendations made by the Commission while cooperation by state security forces with human rights investigations into violations, remains poor," it said. (Pioneer 4/3/10)

SHRC asks C'S Pur DAV School not to harass students (1)

Bhubaneswar: The State Human Rights Commission (SHRC) has cautioned the Chandrasekharpur DAV School not to harass the students who are unable to pay the hiked school fees. Raising their voices against the arbitrary fee hike by the school authorities, the Chandrasekharpur DAVIAN Parents Association had even knocked the doors of the court. It was alleged that school authorities continued to harass the children of the parents who were unable to pay the hiked fees. Later, few parents filed a case in the SHRC. Later, the Commission issued notice to the Secretary, School and Mass Education and directed her to submit an inquiry report. Getting the inquiry report, Commission rapped the school authorities. (Pioneer 4/3/10)

House no to Armed Forces Special Powers Act resolution (1)

Jammu: The Jammu and Kashmir Assembly on Thursday rejected private members resolution recommending revocation of Armed Forces Special Power Act and withdrawal of security forces in view of human rights violation in the State. Both the resolutions were moved by the legislators of the main opposition party, Peoples Democratic Party in the lower house. After participating in the discussion and listening to view points of several legislators in the house, Minister for Law and Parliamentary Affairs Ali Mohammad Sagar said, "The Government has already taken initiatives with regard to relocation of the forces." Rejecting the resolutions he added, security forces have already been withdrawn from the areas where normalcy has been restored. "It is time for the political leadership in the state to create a conducive atmosphere for building peace in the region," Sagar said He also informed the members in the House that the security forces had vacated 311 buildings, 590 private houses, 30 hotels and eight cinema halls in the state. Regarding, revocation of Armed Forces Special Power Act (AFSPA), Sagar said that efforts have already been made to bring the State police to the forefront and added that, the political leadership of

State shall work for ensuring a peaceful environment. In this context, he also referred to the statements of the Prime Minister and the Home Minister maintaining that the local police will get a more prominent role in dealing with the situation. Earlier, PDP Chief Mehbooba Mufti and party legislators Javid Mustafa Mir and Niazm-ud-din Bhat also demanded withdrawal of forces and revocation of AFSPA. Mufti suggested that this process should begin from the district level as an experiment and later expanded, as it will help in strengthening confidence of the people. She mentioned that the Working Group headed by the present Vice President also recommends withdrawal of troops and revocation of AFSPA. "Even Prime Minister Dr Manmohan Singh had announced in November 2004 that situation has improved and there was a need of gradual reduction of troops from Kashmir," Mufti said, adding that during the last assembly elections, more than 60 per cent of the people had cast their votes and there was a need to compliment the people by withdrawing troops and revoking draconian law like AFSPA. Panthers Party leader Harsh Dev Singh and senior BJP leaders Chaman Lal Gupta, Ashok Khajuria also rejected the resolution while expressing security concerns. "The situation was still not conducive in the State of Jammu and Kashmir for withdrawal of security forces," the Opposition legislators from Jammu said rejecting the PDP resolution. (Pioneer 5/3/10)

NPMHR condemns AG injuring incident (1)

Imphal, March 09, 2010: The Naga Peoples Movement for Human Rights (NPMHR) today strongly condemned the "irresponsible acts of the Ministers involved in the 'accidental firing incident' that injured state advocate general, N Koteshwor on March 6 last. "Such reckless acts are unwarranted and beyond prudent behaviour. However, it is extremely disturbing that the act was committed by Ministers who are supposed to be exemplary models to the society," Phamhring Sengul, Convener of NPMHR (S) said in a statement today. The irresponsible act of firing in public place put the common people under threat. Such acts continue to aggravate the culture of violence and contribute to the perpetual fear psychosis to the general people, it observed. The statement also expressed shocked on the callous response of the government in handling the incident without taking into consideration the complex relationship between the diverse ethnic communities in the state. The silence of the state government on the incident has created a lot of tension and insecurity for tribal in their work place in the state capital, it added. The NPMHR (S) further expressed disappointment over the Chief Minister remaining mum, instead of apprehending the culprit or booking those guilty, has frustrated the possibility of due process and action under the law. The refusal to give the name of the Minister concerned is a deep disconcerting and the chief minister and ministers, by using the law as a tool of convenience, have overstepped all bounds of responsibility and respect for the rule of law. "It appears that there is no law in Manipur to control crimes committed by those in power. The apparent absence of accountability of our public leaders is highly disquieting," the statement added wishing for a speedy recovery of the advocate with the hope that the rule of law and justice will prevail. (E-PAO 9/3/10)

MHRC member blasts govt in Delhi press meet (1)

NEW DELHI, March 9: Senior MHRC member Col. R.K.Rajendra (Retd), in a press conference today at the Press Club of India, New Delhi, lashed out at the Manipur government for the mess it has landed the state in on account of unrestrained corruption, nexus many top politicians keep with militant organizations, brutal policy of fake encounter, and for belittling important institutions of democracy as the Manipur Human Rights Commission, etc. The retired colonel lashed out at the government for its policy of fake encounters and covering them up. He cited the example of the July 23 broad daylight killing of Chungkham Sanjit, a former militant and Thokchom Rabina, a pregnant woman out shopping on the day. He said the MHRC had suo motto taken up an inquiry into the case, but was virtually shot down by the government. "Even the DGP flatly refused to respond to the repeated summons by the MHRC to give the police's account of the atrocious event" he said. Col. Rajendra also spoke at length about how the government was systematically trivializing important institutions of democracy such as the MHRC of which he is a member. Apart from the alleged rebuff of democracy by the Manipur government, he also spoke of police hands in terror outsourcing splintered outlawed organizations to terrorize and extort money from the public. He also cited many examples of blatant acts of corruption by the government, including the latest multi crore rupees scandal of fake company K Pro which had been given the contract of cleaning biomass from Loktak. (Kangla Online 9/3/10)

State sets excellent track record in disposing of consumer rights cases (1)

Bangalore: With a view to creating awareness about consumer rights, the Department of Food, Civil Supplies and Consumer Affairs had organised a programme to mark World Consumer Rights Day, here on Monday. The programme brought to an end the week-long awareness programmes held across the State by the department. Inaugurating the programme, M. Madan Gopal, principal secretary of the department, said that among the southern States, Karnataka's track record of disposing/ clearing consumer rights cases was the best. "We have been able to clear at least 96 per cent of the cases that came before the grievance redressal forums," he said. Stressing on the need to create more awareness among the public, especially those in rural areas, he said that the government departments, civil society groups and non-governmental organisations should work together to ensure proper dissemination of information on consumer rights. "Awareness of consumer rights and the laws guaranteeing it is a must for an informed and empowered society. Consumer rights' awareness is a win-win situation for all — manufacturers, retailers and consumers," he added. K. Ramanna, president, Karnataka State Consumer Grievance Redressal Forum, said the department should organise awareness programmes at the taluk-level. He urged the Government to accord approval to setting up of grievance redressal forums in three newly formed districts in the State. (The Hindu 23/3/2010)

Orai Jail vilence: SHRC issues notice to the UP Govt (1)

Lucknow: The State Human Rights Commission (SHRC) finally took suo moto cognizance of the violence which took place in Orai Jail in Jalaun and issued a notice to the UP government in this regard on Thursday. The state government was directed to send a detailed report about the incident by April 28, action taken against the guilty and what steps were drawn to prevent such future recurrence. Interestingly, the SHRC clearly directed the state government that they should proceed with legal action and register a case under Section 302 IPC in connection with the killing of undertrials. The SHRC asked the Chief Secretary, Principal Secretary (Home), IG (Prisons) along with the DM and SP of Jalaun, to appear before the Commission on April 30 and report them about the entire episode. Reports said that Retired Justice Vishnu Kant Sahai, who is a member of the SHRC, issued a notice to the government in which he claimed to have taken cognizance after going through media reports of incident inside Orai Jail last Sunday. Attaching all the media reports with his notice, Justice Sahai asked the government to inform the Commission in detail how the incident took place and the lapses found during probe so far. It was further mentioned in the notice that the government should also inform that what action has been taken so far against the jail staff whose negligence led to incident and also that what steps has now been initiated to avert any recurrences. Vishnu Kant Sahai also asked the government to inform him that what compensation has been given to the kin of the victims, who were killed or injured. Lastly, the Commission also took the killing very strongly and claimed that it was the duty of the government to provide security to each and every citizen. The Commission told the government that since the killing took place when the victims were in judicial custody and hence whether a murder case has been registered against the accused. (Pioneer 2/4/10)

Activists press for unconditional dialogue (1)

The Dantewada bloodbath of CRPF jawans has shocked civil society. Most feel a dialogue between the government and NGOs could have reaped better results than the violent route the government has pursued against the Naxalites. Kavita Srivastava of the People's Union for Civil Liberties and Citizen's Initiative for Peace — an outfit formed to enable dialogue with the government on tackling the Naxalite movement — says there is no alternative to unconditional talks with Naxals. "The government had talked to the Nagas and members of other groups. But, it refused to talk to the Naxals. It has also not been listening to the civil society that has been seeking dialogue, and offering to mediate between the government and the Naxals. Instead, Home Minister Chidambaram is playing to the galleries in Lalgarh and saying that he would eliminate Naxalism in two years. How many would have to die on both sides before this happens?" she asks. Rajesh Tandon, founder, PRIA (Society for Participatory Research in Asia) feels civil society has failed in its efforts to convince the government to hold dialogues instead of an armed struggle with Naxalites. "But then where is the space for NGOs?" Tandon says the voluntary sector policy approved by the previous Congress government is yet to be implemented. "Had that been implemented then at all levels, there would have been a civil society government forum with institutionalised inter-government civil society dialogue and probably prevented this kind of ill-advised strategy the government is now pursuing." Medha Patkar does not believe the government's armed battle with the Naxals reflected the failure of the civil society. She says, "It just shows that the government has

resisted a dialogue with civil society. The armed strategy means negation of dialogue and interventions from the civil society. Adding: "Government is legitimising violence. When you pay all attention to a violent struggle, then the space for people's movement gets shut." "The government's treatment of civil society is symbolised by the year-long detention of human rights activist Binayak Sen in Raipur. So, this is what the government chooses to do. Send people to jail. How can you talk to them?" ask Patkar and Tandon. Tandon's NGO has a network of field workers spread across the country, including the Naxalite-infested areas. (Business Standard 7/4/10)

Cabinet clears Prevention of Torture Bill (1)

New Delhi, Apr 8 : The Union Cabinet today approved the proposal to introduce the Prevention of Torture Bill, 2010 in Parliament to ratify the UN convention against torture. Briefing the mediapersons about the Cabinet meeting, Minister for Information and Broadcasting Ambika Soni said the Government formulated the Bill after seeking views of other ministries and the state governments since the matter comes under the Concurrent List. The Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment had been adopted by the United Nations General Assembly on December 9, 1975, whose ratification requires the domestic laws to be brought in tune with its provisions, said Ms Soni. Although some provisions exist in the Indian Penal Code(IPC), they neither define 'torture' as clearly as Article 1 of the Convention nor make it criminal as called for by Article 4. Ms Soni described the Bill as a step towards sensitisation of authorities and the civil society in general against cruelty and degrading treatment to anyone. She hoped the legislation would help in checking incidents like custodial deaths. "A stand alone Bill will now be brought in Parliament to ratify the UN Convention," she said. The decision was taken after a lot of deliberations. The matter was examined at length in consultation with the Law Commission of India and the then Attorney General of India. (New Kerala 8/4/10)

Naxal attack: Rights group criticises government (1)

NDTV Correspondent, Friday April 9, 2010, New Delhi: The Dantewada massacre has stunned civil society and there is a sense amongst human rights groups that a dialogue could have had better results than the violent route the government has pursued against the Naxalites. Union Home Minister P Chidambaram: "It is the Naxalites who have described the state as an enemy and the conflict as a war. If it is a war, it has been thrust upon the state by those who do not have any legitimate right to carry weapons or kill." "What did the government expect when they called it a war? Did they think that there would be no retaliation?", says lawyers and member of Independent People's Tribunal, Prashant Bhushan. As the Independent People's Tribunal gets ready to hold their pre-planned meet three days after the most heinous Naxal attack in the country, the members refuse a rethink on strategy. This prominent human rights group claims to work for the tribal people caught in the war between the Naxals and the government. Their approach: Recall the security forces, give the tribals food, infrastructure and development and the violence will automatically de-escalate. The government says that many members of the group are Naxal sympathizers, prominent citizens who are acting as a pressure group for the Maoists. A serious charge considering the new state offensive has ruled out space for sympathizers and ideologues. Naturally, on the eve of this meeting everyone is asking where does the Independent People's Tribunal stand after the massacre? Himanshu Kumar, Social Activist and member of the tribunal, says, "It is sad that in this country whoever tries to fight for justice, who talks about the poor, who brings up the issue of human rights, the government labels all of them as Naxal supporters. The government does not respect them, they try to silence them and attack them as well." Emotions are running high over the Dantewada attack but should activists and social workers be caught in the cross fire? That's the question they are asking as they are accused of being Naxal sympathizers. But in the present climate, will the government prefer to play safe rather than sorry? (NDTV 9/4/10)

NHRC seeks report from State on Rourkela firing (1)

Bhubaneswar: The National Human Rights Commission (NHRC) has sought explanation from the State Government on why it was not intimated about the firing incident in which a driver was allegedly shot dead by police in September last year. One Ramparberh Rai, a container driver, was allegedly shot dead by police in an encounter in Rourkela on September 6, 2009. As per NHRC guidelines, the police have to intimate it about any case of encounter within 48 hours of the incident. Issuing a notice to the State Government in this regard, the Commission has also asked it to submit reports of magisterial inquiry, post-mortem and other investigations of the case "within eight weeks" from the date of the receipt of its

notice. The Commission also took cognisance of the case on the basis of a complaint filed by lawyer Prabir Kumar Das who alleged that Rai had been shot dead by police "in a fake encounter under mysterious circumstances". After the incident, the police allegedly lodged a case accusing Rai of attempting to murder policemen but did not lodge any case against those police officials who gunned down the victim. Das urged the Commission to intervene into the matter, and recommend a compensation of Rs 10 lakh to the dependents of the deceased. In its notice to the State, the Commission directed the state DGP, Rourkela SP and DM to take "appropriate action" in the investigation of the case "as per guidelines laid down by the Commission". (Pioneer 11/4/10)

Rights organisation upset over arrest of activist (1)

KOLKATA: The recent arrest of a human rights activist here by the city police on the charge of organising a "people's tribunal" in June 2008, has drawn the ire of the Human Rights Watch which has accused the police of harassing social activists. The organisation has demanded that the charges be dropped. The person in question is Kirity Roy, secretary of the Banglar Manabadhikar Suraksha Mancha (MASUM) and National Convener, Program Against Custodial Torture and Impunity (PACTI). While Mr. Roy alleges that his arrest and subsequent release on bail was "an attempt to curb the dissenting voice against the authoritarian approach of the police administration and the government," Kolkata Commissioner of Police, Gautam Mohan Chakrabarti asserted that the charges pressed against Mr. Roy are justified since none can run a "parallel jury" in the country. According to Mr. Roy, the public tribunal was a part of the European Union-funded project NPTTI (National Project on Preventing Torture in India), and 13 jury members, who are also noted social activists, former judges and journalists, were present at the programme. He claimed that the city police was notified about the programme. "Eighty-two victims of torture deposed before the panel and several officials of the State police and the Border Security Force were present. It was a natural process so that the victims' voices are heard by society as well as to pressurise the concerned authorities into taking action," Mr. Roy told The Hindu on Monday. The city police, however, filed a first information report against eight persons including Mr. Roy on June 9, 2008, and slapped them with charges under Section 120B (criminal conspiracy), 170 (personating a public servant) and 229 (personating a juror) of the Indian Penal Code. The accused subsequently filed a writ petition at the Calcutta High Court challenging the case which came up for hearing on April 10 this year. Mr. Roy was arrested from his residence on April 7 and he alleged that his phone was confiscated and he was not allowed to contact a lawyer following the arrest. Several new non-bailable charges were slapped against him, he said. Pointing out that the city police had taken the opinion of legal officers before slapping the charges against Mr. Roy, Mr. Chakrabarti said: "The forum was trying to convince people that it was a legal tribunal though they had no authority to do so. The members had summoned officials of several nodal State agencies, which is an offence again." (The Hindu 13/4/10)

NHRC member decries diversion of food subsidy (1)

ONGOLE: National Human Rights Commission member K.R. Venugopal has expressed concern over food subsidy getting diverted, denying the benefits of public distribution system to the targeted sections. Addressing the State conference of Andhra Pradesh Rytu Coolie Sangham of the CPI (M-L) here on Tuesday, the retired IAS officer said that though the country had achieved significant progress in food production, millions still go hungry for want of purchasing power. To help such people, the government devised the public distribution system to supply food grains and other essentials on subsidy. As the subsidy was getting diverted, the purpose of public distribution system had been defeated, he felt. Chairman of Tarimela Nagi Reddy Memorial Trust Surya Sagar said that many people did not have basic necessities like food, clothing and shelter even 63 years after Independence. He felt the need for poor to launch another struggle to get their due. Andhra Pradesh Rytu Coolie Sangham president Jhansi was in the chair. She explained the salient features of the struggle launched by Kafi Mulaya Adivasi Sangham in Koraput on the borders of Andhra and Orissa. The tribals were fighting for their rights facing arrack mafia, landlords and government repression. She exhorted all progressive organisations to express their solidarity with the tribals. The tribals gave cultural performances in their native Kuya tongue. The conference would end on Wednesday after electing the State body. (The Hindu 14/4/10)

K Nagar tribals seek State HRC intervention (1)

Bhubaneswar: The aggrieved tribals of Kalinga Nagar area in Jajpur have urged the State Human Rights Commission (SHRC) for intervention on the allegedly severe human rights violation there and have

sought urgent direction to the authorities to initiate strong actions against the miscreants of the Visthapana Virodhi Jana Mancha (VVJM) so that peace is restored in the locality and a dignified life is ensured to their families, as per a Press note. Petitioning the SHRC chairman on April 5, the members of more than 800 tribal families, already displaced from the acquired villages, and 2,500 families of the nearby 25 tribal villages of Kalinga Nagar area have alleged severe torture by the miscreants operating under the banner of the VVJM. It is alleged that the BBJM activists are continuously harassing the villagers and forcibly roping them into its so called agitation with a view to grind own axe. Evincing the alleged atrocities of beating, killing, rape and molestation of the local tribals committed by the VVJM, the petitioners have cited seven major cases on which the High Court has issued directives to the authorities for actions against the BBJM. As per their allegations, Sanjay Soy of Gobarghati died due to lack of medical treatment as the VVJM leaders did not allow him to go to hospital. Bira Hesa of Chandia could fortunately survive from the fatal assault. Parbati Rana of Bhuban lost her eye in Gobarghati due to pelting of stones by the VVJM miscreants on general public. Basant Badra of Gadapur was molested at the Duburi haat in front of more than 1000 people. One girl from Mayurbhanj, during her visit to Gadapur, was gangraped by the supporters of VVJM and some of them have been arrested. Sridhor Soy of Gobarghati was hacked to death in the recent past and some supporters of the VVJM have surrendered. Jagabandhu Tamsay and his family from Chandia were looted and beaten up grievously while leaving the village. They were not allowed to take their household items while leaving the village. The High Court has intervened in all the seven major cases against the BBJM, the petition stated, adding there are more than 70-80 cases in the names of the BBJM miscreants relating to physical assaults, killings, rapes and molestations meted out on both the rehabilitated and tribals of the peripheral villages. While, VVJM leaders are enriching themselves by getting contracts and employments in the nearby industries, we are being deprived as we stand in support of the on-going industrialisation and development of the area. The double standards of these leaders are leading our families into deprivation, the petition further alleged. The tribals in their petition to the SHRC chairman have also voiced that they eked out a living solely from agriculture, but the reducing land sizes following increasing family members and also the increase in cost inputs, agriculture turned non-remunerative. At this critical juncture, industrialisation has been a blessing in disguise with lots of scopes for employment to people and opportunities for the local youths. The good resettlement and rehabilitation measures taken up by the Government and the industries have slowly built up confidence among the displaced families and now more than 800 families out of the 1,200 have shifted out of their nativities and many more are willing to follow the suit with a hope of better standard of life. (Pioneer 15/4/10)

Programme deliberates HR violations (1)

Imphal, April 12 2010: Manipur was the first to file a Human Rights' violation case in the Supreme Court against the Army, pointed out Ch Narendra, senior Advocate while speaking in the one-day consultation on Human Rights and Indian Constitution and Human Rights in Armed Conflict Situation held in Imphal today. The one-day consultation was organized by the Manipur Human Rights Commission (MHRC) in association with All Manipur Bar Association (AMBA) at MHRC conference hall. On the occasion, RS Rajkumar, Member of the MHRC said that corruption is the mother-root cause of armed conflict in the State. He suggested that the people should stop bribing to bring down the quantum of armed conflict in Manipur. The senior Advocate further maintained that the police personnel often give wrong information to the Army which is a big concern for the future of the State. He observed that those main victims who have to bear the brunt in the armed conflict zone are women and children. Ng Nongyai, Member of MHRC categorically stated that the rights of indigenous people of the Northeast in particular should be protected. The rights of Scheduled Tribe (ST), Scheduled Caste (SC) and Other Backward Classes (OBC) people should be understood and protected too, he added. He explained that the protection of rights for the indigenous is necessary as many of them may be facing refugee status in their own land due to the migration by the outsiders. Manipur has been experiencing armed conflicts since October 15, 1949, the year when India 'annexed' Manipur, stated Advocate Angomcha Araba.(E-PAO 12/4/10)

NHRC pulls up Ghaziabad administration (1)

NEW DELHI: The National Human Rights Commission (NHRC) has pulled up the Ghaziabad district administration for its "casual manner" in preparing a report on the implementation of minimum wages to the workers and trying to help the brick kiln owners who violated the labour laws. In the report, pertaining to a specific case, NHRC found the information provided was "factually incorrect." It detected that 113

brick kilns were not making payments to the labourers as per the provisions of the Payment of Wages Act, 1936 and Minimum Wages Act, 1948, and directed the District Magistrate (DM) to take strict action against the violators. The Commission observed: "that the earlier reports submitted before the Commission were conducted in a casual manner and appear to have been prepared in order to help the brick kiln owners." The labourers of these kilns were neither released nor rehabilitated and packed back to their villages without being paid even their dues. "But this is only a tip of an iceberg, as out of 423 brick kilns in this area of major construction activity, the district administration is yet to inspect 310 brick kilns." The inspection had to be completed by six months. The case was taken up following a complaint by a worker on December 4, 2008, who alleged that he, his family and fellow workers were not being paid their full salary by their brick kiln owner. When sought they were tortured by the brick kiln owner and their staff and forced to live as bonded labourers in the kiln. Seven children below 14 years were also detained by the owner, he said. Following this NHRC asked DM to hold an inquiry at the spot for identification of bonded labourers, if any, and release them. However the DM said the kiln was not functioning and no worker was found there. The complainant however maintained the officer in-charge OP-Pipeline Police Station, Muradnagar, released all the labourers from the kiln without taking any action against the owner. They were also not paid their pending dues. Later the Commission asked DM to hold an inquiry and also appear in person on February 2, 2010 when another inquiry report submitted by him was also not found satisfactory.(The Hindu 18/4/10)

Constitute guidelines for handcuffing, chaining prisoner: PSHRC (1)

Chandigarh: Punjab State Human Rights Commission (PSHRC) wants the State to formulate guidelines clarifying under what circumstances a prisoner is to be handcuffed or chained. Taking cognisance of the matter as a human right violation where an under-trial was allegedly chained to the hospital bed in Nabha Civil Hospital, the Full Commission directed the State Director General of Police (DGP), the DGP (prisons) and also the State Home Secretary to either lay down some guidelines or constitute a committee for the same. "...it is appropriate and in the fitness of things that the DGP (prisons), Punjab, and the Director General of Police, Punjab, as also the Home Secretary, Punjab, should themselves, or by constituting a committee, lay down some guidelines for the concerned authorities as to under what circumstances a prisoner is to be handcuffed or chained," stated the Commission. Considering the rise in such number of cases that are coming to the notice of the Commission, PSHRC has asked the State to finalise these guidelines or instructions by the adjourned date that is May 18, 2010 at 12 noon. The directions followed the DGP (prisons) assertions that no specific instructions or guidelines have been issued by the jail authorities as to under what facts and circumstances the jail authorities can handcuff or chain the prisoner while he is to be taken to the hospital or kept in the hospital. PSHRC has also asked the State to keep in view the judgment in DK Basu's case while laying down such guidelines or instructions. Going into background of the matter, the Commission on March 1, 2006 initially called for report from Patiala district magistrate but after going through the report of DM and keeping in view the serious allegations, the Commission decided that another investigation pertaining to the inquiry be got conducted by its own inspector general of police. Subsequently, a report by the head of PSHRC investigation wing was submitted whereby he had indicated that assistant superintendent, head warden and jail guards are being responsible for handcuffing the undertrial at Nabha Civil Hospital. Sensing that the finding of inquiry may adversely affect the said officials, the Commission served a notice under section 16 of the Protection of Human Rights Act. Defending, the said officials replied that they were instructed by the jail deputy superintendent to keep strict vigil upon the said undertrial while being taken to the Civil Hospital. The further stated that almost in all the cases when the accused is to be taken to the court for appearance or to the hospital, as the case may be, invariably the accused are handcuffed. Considering this, the Commission asked the DGP (prisons) to appear before the commission to discuss as to "whether in all the cases, the accused are to be taken to the court or hospital under handcuffs." Later, DGP (prisons) informed that taking a prisoner to the Court or to the hospital is not the job or duty of the jail authorities, but that of the police. It is only in some urgency or emergency that the jail authorities will send the prisoner to the hospital with the jail staff.(Pioneer 20/4/10)

Fill up NHRC chief post in four weeks: SC directs Centre (1)

New Delhi, April 20, 2010: The Supreme Court on Tuesday directed the Centre to fill up the post of Chairperson at the National Human Rights Commission (NHRC) within four weeks. A bench of judges, S H Kapadia and Swatanter Kumar, passed the direction on a Public Interest Litigation (PIL) filed by the

People's Union for Civil Liberties through counsels Ashok Bhan and Ashish Bhan, alleging non-filling up of the post was seriously hampering the work of the statutory body. The post of the chairperson has been vacant since May, 2009 after Justice Rajendra Babu, retired Chief Justice of the Supreme Court, was discharged from active duty because of advanced age. Under the NHRC Act, only a retired Chief Justice of the Supreme Court can be appointed to the post. The Centre had earlier said in response to a Right to Information (RTI) query that the former Chief Justice of India (CJI) Y K Sabharwal was not considered for the post because of adverse media reports. Another retired CJI, Justice R C Lahoti, had declined to accept the job. Attorney General G E Vahanvati assured the bench that the Centre would initiate the process of appointing the Chairperson and file its report in July when the apex court reopens after summer vacation. Chief Justice of India K G Balakrishnan will be retiring on May 5 this year. (Hindustan Times 20/4/10)

Social awareness must for clean environment'(1)

Bhopal: Social awareness is must to keep the environment neat and clean. If children are taught about the clean environment right from the days of schools, they would automatically adopt it in their lifestyle and it would also become their way of life. Madhya Pradesh Human Rights Commission (MPHRC), Chairman, Justice DM Dharmadhikari expressed these views while speaking at a programme child parliament organised to mark Global Earth Day here on Thursday by an NGO. Dharmadhikari further said that it is the need of the time that the traditions that pollute rivers should be changed. Animals' protection is the biggest duty and for this concept of vegetarianism should be spread and ban on animal slaughter should be considered. Children are future citizens of the country, they would have to protect rivers, ponds, vegetation and animals, he added. He said instead of using vehicles run on fuel it would be advantageous to follow China where use of bicycle is encouraged. This also keeps human health in good form. The citizens of the country should follow the law of the land and they should have both fear and easiness with the Government, he added. Inspector General of Police Bhopal (Range), Shailendra Shrivastava speaking on the occasion said, "Human is not that changed by circumstances, human is that who changes the circumstances." Shrivastava further said that the MPHRC has taken many initiatives in the direction of people's awareness in the recent years for various people utility services and facilities. (Pioneer 23/4/10)

Start talks, stop Operation Green Hunt: Arundhati Roy (1)

NEW DELHI: Calling for talks between Maoists and the government, writer Arundhati Roy on Saturday demanded an immediate ceasefire on both sides, formal halting of the combing operations and Operation Green Hunt, and resettling people who were rendered homeless in Chhattisgarh's Dantewada district. Ms. Roy also demanded that details of memoranda of undertaking signed between the government and mining industries, involving tribal regions, be made public. She was speaking at a public meeting here on 'Indian state's War on People and the Assault on Democratic Voices'. It was organised by the Forum Against War on People, a forum of civil society organisations, parties, individuals and social activists. While the death of CRPF personnel at the hands of the Maoists was saddening, one could not dismiss the alleged atrocities committed by the security personnel against tribals, Ms. Roy said. Ms. Roy alleged that the government was not interested in talks as it claimed. Randhir Singh, head of the Political Science department in Delhi University, said: "The political parties in India seem to have decided that neo-liberal capitalism is the way to proceed. The kind of development the government is practising in tribal areas can be labelled 'developmental terrorism'." The challenge for the Maoists was to provide a viable alternative mode of development as opposed to the modes proposed by the ruling classes, he said. Giving an account of the situation in West Bengal's Lalgarh, activists claimed that owing to the presence of the joint security forces, people could not venture out to earn their livelihoods. They were routinely tortured on suspicion of being Maoists, and their women were harassed. "Operation Green Hunt is causing a great deal of trouble. People are arrested without warrants, peaceful rallies are fired upon, women are insulted and basic health facilities are not available. The government does not allow anyone to enter this zone as it does not want its wrongdoings exposed," said activist Badshah Mandi, who also claimed that developmental facilities built by the People's Committee against Police Atrocities were routinely destroyed. B.D. Sharma, former Commissioner of the Scheduled Castes and Scheduled Tribes Commission, said the basic conflict could be rooted in ownership of resources. "While the government behaves as if it owns the land, the tribals have traditional rights to the land." According to the Supreme Court, the government did not have the right to hand over tribal land to others, he said. Poet Varavara

Rao said talks should take place between the government and the Maoists, in the same way the exercise was made possible between the Maoists and the Andhra Pradesh government with media and civil society efforts. However, "it is not possible for anyone to condone Maoist violence." Speakers alleged that the media had not been accurate in reporting and presenting an analysis of the events related to the Maoists. Stress was laid on simultaneously calling a halt to "state atrocities on people" as well as Maoist violence. (Times of India 23/4/10)

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Reality shows ugly: SHRC chief (1)

HYDERABAD: State Human Rights Commission (SHRC) chairperson B Subhashan Reddy is taking his job too seriously or so it seems with the former judge appointing himself as the last word on how to raise children. On Monday, Reddy made a few declarations starting from reality shows being ugly to parents negligence being responsible for packed hotels and hospitals. Why? Because children hog at pizza joints and then get admitted to hospital with various illnesses, the SHRC chief reasoned. He went on to declare that he was the one deciding what was good or bad for children and not parents. But pizzas or hospitals were not the reason or the context that prompted the SHRC chief to announce his new-found role of guardian or even moral police. It was a dance reality show on a Telugu channel (the real drama of which was playing out in the SHRC corridors on Monday) that made Subhashan Reddy shake his head, wipe his brow and declare that it was parents negligence that had children dancing to hit film songs and not to the more Indian beats of Kathak, Kuchipudi or even Manipuri. Chiding parents, Subhashan Reddy said children should be encouraged to play, which was every child's fundamental right. At one point, Subhashan Reddy questioned a couple what their respective jobs were. The husband said he was a private sector employee and his wife a mechanical engineer. So what do you want your child to be, Reddy angrily questioned, to which the couple said they hadn't decided yet. Reddy then gave one of the many verdicts of the day: the

child should become a mechanical engineer. He questioned the parent as to why they had enrolled the child in the dance show in the first place. At the root of Reddys tirade against parents is Aata, the popular dance reality show involving children below 12 years that plays out on prime time on Zee Telugu channel. Last week, the SHRC received four petitions from rights activists saying that the show was tarring up tiny tots to rake in high TRPs. The activists further described the show as exploitative and obscene and children participating in it as child labour. Many viewers agree but the parents disagreed. They landed at the commissions office on Monday to oppose the activists claims of exploitation, saying they were only encouraging their childrens talent. Five sets of parents with their children in tow stood in front of the SHRC chief and gave laptop presentations on the shows popularity their sole reason to enrol their child into the programme. The parents filed five petitions with the SHRC maintaining that they were not forcing their children into child labour but simply honing their dancing skills. The SHRC chief has now ordered an exhaustive investigation into the matter and made his final declaration for the day: If it comes within the commissions jurisdiction, we will take suitable action. I am even contemplating a ban on this and similar shows. (Times of India 27/4/10)

MPHRC recommends rehabilitation of Pardhi families in same village (1)

Bhopal: The Madhya Pradesh Human Rights Commission (MPHRC) has recommended rehabilitating of Pardhi families of Chauthiya village of Betul district in the same village. The Commission wrote a letter in this regard to Chief Secretary of Madhya Pradesh on Monday. Following a criminal case in 2008, the residents of Chauthia village had forced Pardhi families to quit the village. The commission took cognizance of the incident after it was published in newspapers and a delegation of pardhis contacted the Commission. The Commission time and again sought information regarding status of displaced Pardhi families from Betul Collector and SP. These families had been living at Dhaheed Bhawan and near Baretha ghat. On the initiative of district administration arrangements of their food and maintenance were made. However, the Commission was receiving complaints that the families were not rehabilitated even after two years. Following this, the Commission wrote to Chief Secretary for rehabilitating the displaced families in their village. (Pioneer 28/4/10)

Civil society asks state, non-state actors to abide by humanitarian law in J&K (1)

Srinagar, May 03, 2010: The Jammu and Kashmir Coalition of Civil Societies (JKCCS) has called upon the government and the United Jihad Council (UJC) to observe the International Humanitarian Law in the state during their operations. It has sent an appeal to Chief Minister Omar Abdullah, UJC chairman Syed Sallahudin, Northern Command of Indian Army's core commander Lt. Gen BS Jaswal, Jammu and Kashmir Police director general Kuldeep Khoda and CRPF IGP PVK Reddy to comply with the laws. "State of India, through its signing of various International humanitarian instruments and United Jihad Council (also its constituents) through their unilateral declarations, Code of Conduct and various public statements have been reiterating their position vis-à-vis the loss of civilian lives and property and talking about their mechanisms for ensuring protection of civilian life and property. But have failed to translate their commitments on the ground in Kashmir," said a spokesman of the J-KCCS. The spokesman said the commitments made by the state of India, besides her promises, from time to time has seen very little or no enforcement on ground during the heightened phase of conflict for the last two decades particularly with respect to the treatment meted out to civilian population. "Also, the promises of non-state actors/organizations/groups hold little water in terms of their realization on ground. Civilian spaces continue to remain a contested site of direct hostilities between non-state and the state actors, which result in loss of precious lives, torture and humiliation of civilian populations," he added. Amid the obvious political simmer, and reported 'prospect of hot summer' coupled with many recent 'civilian' killings, the JKSCC spokesman said: "we as a civil society organisation feel duty-bound to remind the state as well as non-state actors of their moral/legal/religious obligations towards people." It has urged both state and non-state actors not to target civilian objects during their military operations. "During military operations, constant care must be taken to spare civilian population, civilians and civilian objects," he added. During and after the combat operations, the JKCSS appealed, wounded and sick must be collected and cared for. (Hindustan Times 3/5/10)

Tension rising at Ukhru, Senapati (1)

Imphal, May 03 2010: Tension is slowly mounting at Senapati and Ukhru where large number of people gathered at public grounds defying the prohibitory orders under section 144 of CrPC. The people are

protesting the State Cabinet decision to ban NSCN-IM leader Th Muivah from coming to Manipur. Angam reports from Ukhrul: Amid tight security arrangements and imposition of prohibitory orders under section 144 of Crpc in the heart of Ukhrul town, a mammoth public meeting was held at Tangkhul Naga Long(TNL) ground today defying the prohibitory orders which came into force from 7 am today. Following the ban on the maiden visit of Ato Kilonser(Prime Minister) of NSCN(I-M), Thuingaleng Muivah to his hometown, several hundreds of people gathered at the ground to attend the public rally at 11 am. The meeting condemned the restriction on the people's aspiration and their democratic rights when all Naga people of Ukhrul district were maintaining peace and were read to welcome the Naga National leaders. Leaders of apex Tangkhul Civil Society organisations including Tangkhul Naga Long(TNL), Tangkhul Mayar Ngala Long(TMNL), Tangkhul Shanao Long(TSL) and others addressed the gathering. The public meeting condemned the prohibitory orders and restrictions imposed to Th Muivah. During the meeting, all shops and schools remained closed. Ukhrul Police used loud speakers in announcing the prohibitory orders and ordered all the shops to close doors. According to reports received late tonight from Ukhrul, at least two police gypsies and one DI Tata also belonging to police were damaged by angry mobs when police tried to stop a torch rally taken out by a large number of people at Ukhrul town. Reports received here said that police exercised utmost restraint in dealing with the situation and did not resort to any harsh measure. Meanwhile, people's enthusiasm to receive Th Muivah is increasing by the hours. On the other hand, Newmai News Network reports that in Senapati, large number of security forces personnel were seen patrolling around while the people carried out sit-in-protest in different places. Public meetings are still going on in different places at Senapati districts. The people in Senapati district organised a candle light rally last night in protest against the state cabinet decision. The people become quite tense after the security forces personnel destroyed the 'welcome banner' for Th.Muivah at Mao Gate in the Manipur-Nagaland border yesterday. (E-Pao 4/5/10)

Kisan Cong flays Govt on farmer's suicide (1)

Bhubaneswar: The State Kisan Congress has flayed the Naveen Patnaik-led BJD Government's anti-farmer stance with over 72 farmers having committed suicide buckling under the pressures of loans and crop loss due to lack of irrigation facilities, pest onslaught and distress sale, as per a Press note. Having visited Balugaon under Chilika block in Khurda district and having interacted with the bereft family members of Ranjarpur village-based farmer Bijaya Kumar Das, who allegedly committed suicide recently, the team led by Kisan Congress president Amiya Pattnaik and flanked by former minister Dr Debendranath Mansingh among others, has criticised the State's 'tall claims of 35 per cent irrigation facilities in each block' following which over 70 acre of brinjal cultivation has been adversely affected causing death of Bijaya. Demanding an indemnity of Rs 5 lakh for Bijaya's kin, the Congress has also sought a probe by the Human Rights Commission. (Pioneer 7/5/10)

Rs 5,000 paid to farmer following MPHRC directives (1)

Bhopal: The Madhya Pradesh Human Rights Commission (MPHRC) has ensured payment of Rs 5,000 to the farmer, Jagdish Pal from Chhatarpur, who was a victim of police atrocity. The Department of Home has recovered the amount of Rs 5,000 from the accused police personnel and has paid it to the victim. Police had detained farmer Jagdish Pal, hailing from the Dhaurara village of Sarvai police station area of Chhatarpur district, illegally and a case under Sections 25/27 of Arms Act was registered against him. An arms licence was recovered from the pocket of the farmer, which was on the name of his wife, when the police personnel were bringing him to police station. The policemen demanded Rs 5,000 for returning the licence. The farmer was beaten up by the police and was produced in the court as a case under Arms Act was registered against him. The police personnel even beat up Jagdish publicly even as he was released on bail and two persons are witness to this act. Later on, he approached the MPHRC and requested for getting his licence back from police. SI RS Bagdi and Head Constable Vishnudatt Chaturvedi were found guilty in the semi judicial probe by the commission. The commission had recommended for payment of Rs 5,000 to the victim as compensation and the same was followed by the Department of Home. (Pioneer 8/5/10)

SHRC to probe Gajapati (1)

Parlakhemundi: State Human Rights Commission (SHRC) Inspector SN Pradhan has been entrusted with the task of investigating the death of Junes Badrait of Kutuniganda village killed allegedly in the CRPF jawans' firing. The jawans suspected Karnel Badrait to be a Maoist on the night of November 22, 2008.

The Badraits, along with three oxen, were in the cowshed when the jawans opened fire. They sustained injuries and an ox also fell prey to the bullets. The Adaba police and CRPF reported to have claimed that both — Junes and Karnel — were attending a Maoist meeting when the incident occurred. However, the bereaved father Isak has knocked on the doors of the SHRC for justice against the 'fake' Maoist operation that had rocked both the State and the nation then. Isak has demanded Rs 10 lakh indemnity for Junes's death, Rs 5 lakh for injured Karnel and Rs 50,000 for the dead ox. (Pioneer 9/5/10)

'Selection to child rights commission flawed' (1)

NEW DELHI: Child rights organisations and civil society representatives have written to Prime Minister Manmohan Singh seeking his intervention in the selection of the chairperson and members to the National Commission for Protection of Child Rights (NCPCR). As the NCPCR, the National Human Rights Commission and the National Commission for Women are important mechanisms set up to play a critical watchdog role, it is imperative to ensure proper and fair selection to these statutory bodies, says the citizens' appeal. It has been made following allegations of irregularities, malpractices and lack of transparency in the NCPCR selection process. It has pointed out that the rules framed under the National Commission for Protection of Child Rights Act 2005 have failed to lay down a detailed selection process, leaving scope for favouritism and undemocratic and non-transparent methods of selection. The result: selection of undeserving candidates. This has caused a great loss to the children who have waited all these years to find a body of people who could act as their ombudsmen, says the appeal. "India ratified the UN Convention on the Rights of the Child in 1992, reiterating its commitment to its children. The setting up of the Commission was a welcome step in this regard. However, the very first Commission was marred by an improper selection process. Neither was it complete." Once again the same mistake is being repeated as the selection of the second Commission commences, says the statement. It has also recommended an amendment to the NCPCR Act, 2005 through wide consultations to remove discrepancies. (The Hindu 11/5/10)

BJP to place Laxman Jamunda death case before NHRC (1)

Bhubaneswar: Condemning the killing of Laxman Jamunda in the police firing in Chandia village in Kalinga Nagar on May 12, the BJP on Monday decided to take up the matter with National Human Rights Commission (NHRC) soon. A Parliamentary Committee consisting of party MPs Balbir Punj, Nishi Kanta Dube, Supreme Court advocate Bhupinder Yadav visited Kalinga Nagar and Posco area. They were accompanied by State president Jual Oram, national general secretary Dharmendra Pradhan, former Minister Surama Padhi and leader Nayan Kishore Mohanty. Narrating their sad experience over telephone to The Pioneer, party's national secretary Pradhan said the committee visited both Kalinga Nagar and Posco area of Paradip. "The committee members talked to the relatives of slain Laxman Jamunda. Jamunda's nephews told us that their uncle was killed in the police firing and police took his body forcibly from the site. Even they were not intimated about where autopsy was done and his body cremated," Pradhan said quoting relatives of slain Jamunda. Reacting to the whole episode Pradhan alleged that in the name of establishing industries, the State Government is not only displacing poor tribals but also killing them. This is gross violation of human rights. We would take up the issue with the NHRC and raise the issue in both the Houses of the Parliament," said Pradhan. Regarding disturbances in Posco area Pradhan said, "We are not opposed to setting up of industries in the State. But we oppose the State Government's apathy towards the affected people and the way the police attacks them inhumanly. He further informed that party's State president collected some earth from the killing site of Jamunda and paid tribute by way of cremating the same. (Pioneer 15/5/10)

Punjab human rights panel files suo motu in honour killing (1)

Chandigarh: A day after Gurleen paid for love with her life, the Punjab State Human Rights Commission (PSHRC) has taken suo motu cognizance of the matter pertaining to 'honour killing' of a newly married couple in Tarn Taran district. Considering no end to the honour killing cases in Punjab after a newly-married girl was hacked to death on Wednesday and husband fighting for his life in hospital, the PSHRC has called for the report by the State Government through Tarn Taran senior superintendent of Police (SSP) "strictly" by the first week of July. The Commission has slanted the hearing of the case to July 5 while directing the concerned to strictly compliance with order. A group of eight people massacred newly wed bride Gurleen Kaur and her mother-in-law Kuljit Kaur and left her husband Amarpreet seriously injured with gun shots at Indo-Pak border village Brahmial in Tarn Taran district on Wednesday wee

hours. Gurleen was leached to death after being attacked with swords at her home in Bahmaniwala village, while after chasing Amarpreet through the streets, they fired at him leaving him seriously injured. Police informed that at around 1.30 am, a group of eight people attacked their house. After killing the girl, the attackers also killed boy's mother Kuljit (50). At the time of attack, the grand parents of the boy were also at home but attackers spared them and went out, while the boy's father escaped luckily, since he was not at home at the time of attack and was performing duty at Ferozpur district in Railway Police. Going into the background of the matter, the couple had tied the nuptial knot in April only against the wishes of the girl's family and was also warned of dire consequences for not heeding their advice. They had also been provided the protection by the Punjab and Haryana High Court after few days of their marriage. According to the police, all the attackers have been identified as father, brothers and uncles of the girl, who had wedded against their will. Police said marriage was duly attended by the parents of the girl just two months ago. The body of the bride was lying naked with deep cuts in her neck and even her shoulder and fingers were chopped off and the body of her mother-in-law was found in a pool of blood with sharp and deep wounds on her eyes as attempt was made to extract her eyes. Parents of the girl were nourishing grudge in their heart and last night they took the revenge when they killed the girl and her mother-in-law but the boy escaped. Amarpreet is still fighting for his life in a hospital in Amritsar. "There are no signs of improvement in his condition, it is still critical," informed the doctor. As the Punjab Police have registered a case of murder against eight relatives of Gurleen, no arrest has been made so far. The killers are absconded and the search operation is on. (Pioneer 15/5/10)

Change 'derogatory' name of village, NHRC tells Ministry(1)

New Delhi: Pose the famous Shakespearian query "what's in a name" to the residents of a nondescript Rajasthan village and the reply unanimously is "a lot". Residents of 'Chamaron Ka Vas' (home of cobblers) have been fiercely opposing the name given to it 23 years ago and approached the National Human Rights Commission in 2006 to intervene and direct authorities concerned to give it a suitable one. The residents of the village, in Hingota Panchayat of Dausa district, have been pleading for the past four years with the State Government and the Centre to change its name, which which originally 'Kuwan Ka Vas' (home of wells). But, their requests were caught in a "bureaucratic rigmarole", the NHRC which recently heard the matter, said. "It is highly frustrating that a matter which was represented against in the year 2006 has dragged on, due to the bureaucratic rigmarole..." the Commission observed. "If enough sensitivity had been displayed, the name of the village could have been changed much earlier and the feelings of a particular community could have been assuaged," it observed and asked the Union Home Ministry to get the matter expedited and inform about the decision it takes on the matter "as early as possible". The Commission took up the case on the basis of a complaint filed by one Khem Chand and other residents of the village in 2006. The complainants alleged that a 'Lekhpal' (official) of the area gave a derogatory name to their village in land records due to "ill will". The village is largely inhabited by Berwa, a scheduled caste community. The Commission noted that the case was in direct conflict with the "Constitutional mandate" and the village was given such a derogatory name despite the Constitution clearly prohibits any discrimination on the basis of caste, religion or language. "... The name of the village 'Chamaron Ka Vas' is not only derogatory but, perhaps, also constitutes criminal offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989," it noted. (Pioneer 19/5/10)

Police, Maoists violated human rights: Amnesty (1)

HYDERABAD: Both the police and the Maoists violated human rights in Chattisgarh and surrounding States in India in 2009 while the government failed to ensure accountability for the earlier cases of human rights abuses, the Amnesty International Annual Report-2010 said. Releasing the four-page report related to India here on Thursday, the People's Union for Civil Liberties general secretary Jaya Vindhyala stated that around 40,000 people belonging to tribal communities were displaced due to the conflict between police and Maoists in different States. Of them, 20,000 were living in camps and the remaining took shelter in neighbouring States like Andhra Pradesh. In Lalgarh of West Bengal alone, nearly 8,000 persons were displaced. Ms. Vindhyala said the Amnesty International had lamented that authorities had harassed human rights defenders for exposing violations. A daily newspaper editor, Anil Mazumdar, from Assam was shot dead after he mediated peace talks between the State officials and the outlawed United Liberation Front of Assam. Even human rights activists monitoring implementation of government programmes like National Rural Employment Guarantee Scheme had to face violent attacks and harassment. Those campaigning for the land and environment rights of rural communities were also not

spared, Ms. Vindhyala said quoting the report. Nearly 200 persons were killed due to violence before and after general elections of 2009 and terrorist attacks. Police used excessive or unnecessary force against people protesting against forced evictions to accommodate industrial and other business projects. Ms. Vindhyala explained that PUCL took the initiative of releasing the Amnesty International annual report and had been doing so for the past few years hoping the government would come to the rescue of the human rights violation victims. (The Hindu 28/5/10)

MPHRC seeks report from district authorities (1)

Bhopal: Madhya Pradesh Human Rights Commission (MPHRC) has on Saturday sought a report from Chhatarpur district authorities regarding suicide by two sisters following alleged blackmail by two police constables. MPHRC Chairman Justice DM Dharmadhikari issued separate notices to the Chhatarpur district Collector E Ramesh Kumar and Superintendent of Police seeking a report from both the officials within 15 days. The commission also directed the State Government to provide financial and legal assistance to the girls' family in Chhatarpur. Police constables Kanhaiyalal and Arvind Patel had caught the elder sister with her boyfriend on May 21 in a deserted area. They snatched the boy's mobile phone and forced him to leave the place. Later, they allegedly prepared nude video clip of the girl. Next day, the girl filed a written complaint with Chhatarpur SP. After two days, when two other police constables reached girls' residence pressurising them to withdraw the complaint, they consumed poison to end life. Two police constables who had allegedly prepared video clip, has been terminated, while two other constables have been suspended. Criminal cases have also been registered against them and taken into custody. (Pioneer 30/5/10)

Civil society stars to push Sonia's 'inclusive' agenda (1)

NEW DELHI: UPA's 'Planning Commission' for its development agenda - the National Advisory Council - is in place. The Congress high command has chosen a constellation of individuals with formidable reputations to steer the social agenda in UPA's second term. The watchdog, to be headed by Congress president Sonia Gandhi, will include Madhab Gadgil, Harsh Mander, M S Swaminathan, Aruna Roy, Jean Dreze, N C Saxena, Farha Naqvi, Anu Aga, Narendra Jadhav, Deep Joshi and A K Shivkumar. The civil society heavyweights are bound to push for an ambitious social sector agenda and bring to the fore several development issues that had receded to the backburner in the first year of the government. With several advocates for a more inclusive growth policy and a wider social security net on board the NAC, sources said issues like food security, communal harmony, education and public health would move centre stage. In its last avatar, the NAC had ushered in hugely successful social sector reforms such as introduction of National Rural Employment Guarantee Scheme and the Right to Information Act. In its second coming, the council is expected to take up the Food Security Act as its foremost priority. With Mander, Dreze and Saxena on board, the bill, which was being tossed around in the government and being pruned to give it a more minimalist touch, is bound to become more expansive and cover a larger section of society. The presence of Roy, one of the leading civil society voices on RTI and NREGA, will ensure that dilution of existing social schemes or sidetracking of key elements of these programmes are checked. The presence of a Muslim woman entrepreneur, Anu Aga, will add another perspective to the discussions and policy- directing documents that NAC was known for even in its first outing. Farha Naqvi's inclusion along with that of Planning Commission member Narendra Jadhav is expected to bring focus on education, with attention being given to gender, caste and minority issues. The communal violence bill, pending for a while, is now bound to get priority listing besides issues of public health, water and sanitation securing greater impetus. NAC, sources told TOI, is expected to be more aggressive in pursuing social security reforms and providing course correction to routine government lines as was noticed with NAC chairperson Sonia Gandhi's three interventions in the Food Security Bill. With an influential section in government keen to keep FSA to its minimalist best, Sonia had repeatedly stepped in and nudged the debate closer to the agenda that the Congress manifesto as well as other political statements had laid out. With a mix of individuals credited with out-of-the-box thinking and creative engineering of government policy to provide an inclusive growth regime, the party leadership is now bound to assert a strong 'aam aadmi' image as it had in the last regime. (Times of India 31/5/10)

Rajasthan village gets nod to shed 'derogatory' name (1)

New Delhi: All is 'well' that ends 'well'. For the residents of a hamlet in Rajasthan, the news that their village would be renamed after 'wells' has come as a long-awaited relief after it suffered the ignominy of

being called 'Chamaron ka Vas' (village of cobblers) for 23 years. So much was the resentment among the villagers that in 2006 they petitioned the National Human Rights Commission to restore their village its old name 'Kuwan ka Vas' (village of wells). Being referred to as 'chamars' not only humiliated them but also affected their human rights as they were constantly looked down upon by other villages. But the efforts of the commission, which championed their cause despite bureaucratic unwillingness, finally bore fruit when the Ministry of Home Affairs responded positively to the request of the village and gave the clearance to restore its old name. The village, situated in Hingota Panchayat in District Dausa in Rajasthan, had claimed that its name was changed in 1987 by one Lekhpal, who nursed a grudge against the village and even succeeded in his plans by colluding with the district authorities. On one hand, the commission initiated proceedings to enquire from the State Government the reasons, which led to the village being named so. On the other, the commission sought to know if any alternative name could be proposed since the use of the word 'chamar' was derogatory and amounted to a punishable offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. It was a long wait since September 28, 2006 when the commission issued notice to the State and Central Government seeking responses that were hard to come by. Pursuing the case through regular hearings and correspondences, the effort finally yielded fruit on May 24 this year when the Home Ministry agreed to the renaming proposal. The Ministry further stated that the Rajasthan Government has been asked to issue a notification giving effect to the new name of the village. Besides, the commission has also directed the State Government to initiate an inquiry on how the name was changed in 1987 and report on the action proposed against the persons responsible for the same. Earlier the State Government had proposed the village's name to be "Kushalpura" but the Home Ministry objected to the same. According to the Centre, there already existed a transit railway station by the name 'Kushalpura Halt', and having a village by the same name could create confusion. The State Government subsequently proposed a list of probable names to the Home Ministry for approval. But there was a lull since neither the Centre nor the district authorities in the State bothered to follow up the case. It was then that the commission intervened and pressurised the departments to act. (Pioneer 1/6/10)

There is no Naxalism in Gujarat, say rights activists (1)

Ahmedabad, June 02, 2010: Civil society members have denounced the arrest of a man for alleged Naxal links and illegal detention of a social worker, and said Naxalism in Gujarat was "a ghost" created by the BJP Government. "Gujarat is a state of ghosts. Every now and then these ghosts, be it of Naxalism, dacoits from Chambal or terrorism, are brought out based on the requirements of the ruling party," human rights activist and senior advocate Girish Patel said here on Tuesday. He was speaking at a gathering of members of civil society groups who have alleged that arrest of Sagar alias Shrinivas Venketachalia (35), working in an NGO here, for alleged Naxal link, was illegal. They also alleged that the Crime Branch had illegally detained Amrit Vaghela, a social worker from Gomtipur here. "In the 1960s some union leaders were arrested in the name of Naxalism, while in the 1980 the government had floated information that dacoits from Chambal have entered Gujarat," Patel said. "There is no Naxalism in Gujarat, it just a ghost created by the State Government as the argument of Islamic terrorism was no longer accepted." "This ghost has been created as all the encounters have turned out to be fake and are now haunting the police and the government," Patel said. (Hindustan Times 2/6/10)

Balakrishnan will be new NHRC chairman (1)

New Delhi: Retired Chief Justice of India (CJI) KG Balakrishnan will be the new chairman of the national human rights commission (NHRC). A meeting of the selection committee chaired by prime minister Manmohan Singh cleared his name on Tuesday night. But the appointment came with a rider for the government. BJP's Sushma Swaraj and Arun Jaitley, who are members of the selection panel being opposition leaders in Lok Sabha and Rajya Sabha, are reported to have expressed concern that they did not have much choice since the government proposed only Balakrishnan's name. They consented only when the government agreed to consider amending the NHRC Act to include persons other former CJIs. BJP is of the view that the Act should be amended as it limits the scope of selection and does not provide many options to selectors. It provides that a former CJI alone is entitled to become NHRC chairman for five years, or till s/he retires at 70, whichever is less. The Act says if a retiring chief justice is not immediately appointed NHRC chairman, s/he will never have a full tenure of five years. It is because of these flaws in the Act that NHRC was without a chairman for more than a year. The government was opposed to the appointment of former CJI YK Sabharwal, who retired three years ago. Sources told DNA

the government had sent Balakrishnan's file for presidential approval. He will perhaps be the first chairman to hold the post for full five years. He retired as CJI on May 12. (DNA 4/6/10)

Bhopal verdict a disaster, say victims, activists (1)

Bhopal, June 07, 2010: Activists were furious on Monday that eight officials of Union Carbide had been convicted for the 1984 Bhopal gas disaster only for criminal negligence, which is punishable with a maximum of two years jail, despite the enormity of the tragedy. "Today's verdict is a disaster... they've made it look like a traffic accident," said Satinath Sarangi of the Bhopal Group for Information and Action, an NGO representing the survivors and an activist who has been involved with the victims since the 1984 disaster. "The charges have been diluted. The victims are disappointed," he said. A court here held eight former officials of Union Carbide India Ltd (UCIL) guilty of criminal negligence in the world's worst industrial disaster. The eight include Keshub Mahindra, who then headed UCIL, from whose pesticide plant here tonnes of lethal gas leaked on Dec 2-3, 1984 night, killing thousands instantly and many more later. "We want the culprits to be punished adequately," Sarangi said. Sarangi accused the Indian authorities of lacking political will to go after Warren Anderson, who headed Union Carbide, the parent company in the US. "He knew everything (about the defective plant) but still let the gas leak happen. He has to be punished," he added. Rashida Bi of the Bhopal Gas Peedit Mahila Stationery Karamchari Sangh said: "This is complete injustice done to the 25,000 dead. It is a shameful verdict. We are extremely disappointed." She alleged that the fundamental rights of the families of those who have suffered because of Union Carbide were violated by keeping them away from the court room. "We will definitely appeal to the higher courts. If the prime minister is even a little concerned about our welfare, he should take action," said Rashida Bi, a survivor and an activist. "Warren Anderson should be brought to India and imprisoned for at least 20 years," she added. Tonnes of methyl iso-cyanate (MIC) spewed out of the now shut pesticide plant located in a congested part of the city. In the years that followed, people exposed to the gas kept dying. The death toll is believed to be about 25,000. (Hindustan Times 7/6/10)

Rights panels, NGOs to intensify campaign against reality shows (1)

HYDERABAD: Human Rights organisations and non-governmental organisations (NGOs) have decided to intensify their campaign to demand the government to ban reality shows in which children are made to perform obscene dances on some television channels. Representatives of 30 organisations, who have come together to fight against such shows, are planning to organise a demonstration on June 14 in front of the office of Information and Public Relations Department, Masab Tank, in support of their demand. A memorandum will also be submitted to the Union Minister for Information and Broadcasting Ambika Soni requesting her to initiate necessary steps to ban reality shows. A public interest litigation (PIL) will also be filed in the A.P. High Court requesting it to direct the government to evolve rules for monitoring content and production process of children's participation in TV shows. The representatives claimed that participating children were being "commercially exploited" by TV channels to boost their viewership. Such shows had a bad influence on the society and hence should be banned immediately, they told media persons here on Monday. The State Human Rights Commission (SHRC) has already been approached to intervene in the matter. (The Hindu 8/6/10)

Gross rights violation seen in drive to remove mentally ill from streets (1)

CHENNAI: A fact-finding team, which studied the Chennai Corporation's drive to remove mentally ill people from streets has found gross violations of human rights. A four-member team of human rights activists, on receiving information about people from the streets being caught and interned in mental hospitals, decided to investigate and find out the truth. The team, comprising A. Marx of the People's Union for Human Rights, Madhumita Dutta of Vettiver Collective, M. Thirumavalavan, former government college principal, and Chandrika, a software engineer, visited the Melapakkam Care Camp for Beggars, the Communicable Diseases Hospital, Tondiarpet, and the Institute of Mental Health, Kilpauk. "There are a number of discrepancies in the numbers being quoted in the media – in terms of what they are saying happened to the people picked up," Prof. Marx told reporters here on Monday morning. "People who were sleeping on the streets or loitering were picked up randomly as part of this drive in all the 10 Corporation zones. The services of a psychiatrist were not utilised with those who apparently looked dirty or a little disoriented being taken and sent to the IMH," he said. Of the 113 people sent to the Kilpauk Mental Hospital, the team ascertained that only 14 were given Reception Orders from the Magistrate to approve the detention. Two weeks after they were imprisoned, he said, "thumb impressions were obtained on a

statement which says they voluntarily are seeking admission.” He said they had understood that psychiatrists had identified only 20-30 people as mentally ill. “About 30-40 per cent of the people who were picked up were migrant labourers from other States, who were sleeping on pavements and had no knowledge of Tamil.” Among those picked up in the Corporation's raids include Badsha, a scrap picker near Bharat Theatre, Kannayan who works as a newspaper delivery boy, Madanagopal, a construction worker, and Nagarajan a supply master in a tea shop at Koyambedu. “Some of the people we spoke to us said they had home addresses and begged to be taken out of the IMH. Begging is a symptom of poverty and the drive against beggars needs to be placed within this context,” Prof. Marx said. The team members said they were not against health interventions for the people on the streets when they require it, but committing them to mental hospitals in order to get rid of them was completely unacceptable. They said that the care camps in Tamil Nadu, being run for the beggars, did not provide any facility for poverty alleviation or teach them alternative trades they could take up later. IMH Director R. Satianathan said while it was the practice to take inpatients only with a reception order, in this case, an exception was made on the request of the Mayor. Subsequently, the names of those who seemed to have recovered and who had begun communicating were placed before the hospital's discharge committee. The team called for a White Paper from by the Corporation, clarifying the issue. The arbitrary ‘rounding-up’ of poor people on the streets and their confinement in a mental hospital must be given up immediately, the team members stressed. (The Hindu 8/6/10)

Rights activists write to Obama (1)

Bhopal: Human rights activists from all over the country, led by prominent Bhopal activist Abdul Jabbar, on Monday wrote a letter to U.S. President Barack Obama drawing his attention to the gas leak issue after his tough stance towards the British Petroleum (BP) over the oil spill in the Gulf of Mexico. The letter, signed by Harsh Mander, Vandana Shiva, Rohini Hensman, Vandana Prasad, Shabnam Hashmi, Vinod Raina and lyricist Javed Akhtar among others, requested Mr. Obama to show the same sensitivity and resolve towards Bhopal as he did towards the oil spill. The letter lauded Mr. Obama's “tough stand against BP, particularly your demand for corporate accountability for causing huge environmental damage is worthy of emulation by other governments around the world.” It drew his attention to “a bigger disaster that took place in the city of Bhopal in India in December 1984 that has officially killed over 15,000 people [about 25,000 people unofficially] and seriously injured nearly half a million people by now” and the fact that this disaster was caused by “another mega corporate entity called Union Carbide, headquartered in the United States of America, unlike BP whose parent company resides in Great Britain.” “... the subtle pressure of the U.S. administration, alien tort laws of the U.S. and the discriminatory legal functioning of the U.S. that puts a higher cost to a U.S. life than that of in Bhopal has made it necessary for the victims to fight on both fronts, the U.S. and the Indian administrations, corporations and judicial systems, for over a quarter of century,” said the letter, asking Mr. Obama if it was “too much to expect that you use the same yardsticks of accountability you are using for BP for the terrible oil spill in the Gulf of Mexico, for corporations based in the country you rule?” Pointing out the lack of accountability displayed by Union Carbide and now Dow, the letter said Mr. Obama should allow judicial processes to fix “responsibility of corporations and individuals of the U.S. responsible for the Bhopal carnage,” and work with the “same sense of collaboration with the Indian government on this issue [Bhopal] that you proclaim you have achieved with the Indian government on the issue of ‘global terrorism’” among other things. (The Hindu 15/6/10)

Apex court rejects plea to ban same-gotra marriages (1)

New Delhi: With the debate over marriages within the same caste engaging national attention, the Supreme Court on Monday refused to hear a petition demanding amendment in law to prohibit same-gotra (clan) marriages. The petitioners, Naresh Kadyan and Sukhdev Singh, hailing from Haryana had in their petition, styled as public interest litigation (PIL), suggested that marriages within the same clan should be prohibited as a scientific study had proved that children born of these relationships possess genetic disorders. Arguing for the petitioners, senior advocate KTS Tulsi sought to suggest that for this reason, it became essential for the court to consider amendment to the Hindu Marriage Act 1955. Referring to Section 5 (iv) of the Act which prohibits marriage within “degrees of prohibited relationship”, the petition suggested that Hindu custom does not recognise marriage within the same clan and for this reason it was essential that the protection be made part of law to prevent incidence of honour killing. The Vacation Bench of Justices Deepak Verma and KS Radhakrishnan refused to entertain the matter as it

directed the petitioners to approach the appropriate high court. The petition even relied on texts of Hindu religion and books written by yogic scholars who refer the same-gotra marriages being prohibited as a custom. Since custom has force of law, the petition suggested the same to be recognised under the statute. The petition cited the example of Vadoma tribe of western Zimbabwe, where due to inbreeding among the same clan the children in the tribe carry the trait of having only two toes due to a small gene pool. It also derived support from Ministry of Environment and Forests notification, dated November 10, 2009, which prohibits inbreeding among animals. Meanwhile, another petition has been filed in the Supreme Court expressing concern over the series of honour killings in the country. Filed by NGO Shakti Vahini, the petition has recounted the spate of honour killings in the country in the past years and asked the court to call for preventive measures adopted by State Governments and the Centre to tackle further incidents of this nature. The petition filed through advocate Ravi Kant even demanded the court to consider framing guidelines to prevent honour killings and setting up a dedicated wing in police departments to attend to such crimes, where hapless couples can approach for protection. The petition is expected to be taken up for hearing by the SC next week. (Pioneer 15/6/10)

Rights group: Kenyan police abuse Somali refugees (1)

Nairobi, June 17, 2010: A global human rights group said on Thursday that Kenyan police are raping, beating and arbitrarily deporting Somali refugees fleeing the chaos in their country. Human Rights Watch said some Kenyan government officials have also fueled the police abuses with anti-Somali rhetoric. Kenya hosts the largest number of Somali refugees in the world. "People fleeing the mayhem in Somalia, the vast majority women and children, are welcomed to Kenya with rape, whippings, beatings, detention, extortion, and summary deportation," said Gerry Simpson, refugee researcher for Human Rights Watch and principal author of Thursday's report. The Kenyan Cabinet minister in charge of the police said the government will investigate the allegations. "Any unlawful action that may have been taken by a police officer is not a reflection of government policy," said George Saitoti, Kenya's Minister of State for Internal Security, in a May 5 letter to Human Rights Watch after seeing a summary of the report. The report is based on interviews in March with more than 100 refugees. It includes the testimony of a mother of four children who said that her pleas for mercy were ignored by two police officers who gang-raped her with her 12-day-old baby nearby. "One of them kicked me on the right side. I fell over with my baby. Then he raped me, with my baby on the ground close by. Then one of the other two men raped me. The third man stood close by," said the mother, who entered Kenya with her children in February. The report argues that the "organized nature of the police's extortion racket and abuses" is the direct result of Kenya's three-year closure of its border with Somalia. The border was closed in January 2007 to prevent Islamists fleeing Somalia from entering. But the closure also has blocked many refugees, forcing tens of thousands of Somalis to use smuggling networks to cross into Kenya. Before its closure, Somalis sought asylum at a border town, where the U.N.'s refugee agency transported them to a sprawling, dirty collection of camps about 50 miles (80 kilometers) away. The three camps were built to hold 90,000 refugees but as of May, they had 320,000 asylum seekers. Somalia has been plagued by fighting and humanitarian suffering for nearly two decades since warlords overthrew longtime dictator Mohamed Siad Barre and then turned on each other. The weak Somali government controls only a small bit of the capital, Mogadishu, and is battling Islamic insurgents. The lawlessness has allowed the piracy trade to flourish off Somalia's coastline and some 3.7 million people _ nearly half of the population _ need aid. (Hindustan Times 17/6/10)

HC raps cops for aiding honour killings (1)

New Delhi: Slamming the police for its failure to protect people from becoming victims of honour killing, the Delhi High Court on Thursday said they connive with the families for money. "It's unfortunate that elopement cases are converted into rape cases. The police are party in all cases of honour killing. You connive with parents and turn your face the other side. You send boys behind bars on rape charges and allow parents to kill their daughter," the court said. Referring to an incident in March 2008, when police personnel launched a massive hunt to trace the Delhi Police Commissioner's missing dog, the court pulled up the police for its failure to protect people. "You can search the entire city if a dog of your boss goes missing but you can't provide protection to people. This is what you are. What to talk about humanity when you don't have shame," the court said. Vacation judge Justice SN Dingra made the observation in a case in which a pregnant girl was abandoned by her parents and the boy was sent to jail. Advocate Kiran Singh, appearing for the Delhi High Court Legal Services Aid Authority informed the court of a case

in which the boy was put behind the bars after the girl's parents alleged that he had raped their daughter. "How can you be so insensitive for a few bucks. In case of elopement, you register the case under section 376 (rape) of Indian Penal Code. You do not register case or take action where you should have done," Justice Dhingra said. Kiran Singh, the advocate, appearing for the Authority, said the condition of the girl who is pregnant is pathetic as her parents had deserted her and the youth she wants to marry is in jail. Singh also informed the court that the girl needs protection as she is worried that her parents may kill her if they come to know about the pregnancy. The court after hearing the arguments pulled up the police for its role in the case and directed it to produce the youth before it to decide the fate of the couple. (Pioneer 18/6/10)

NHRC seeks report from TN (1)

New Delhi, June 18: The National Human Rights Commission (NHRC) Friday sought a report from the Tamil Nadu government on the illegal detention of 113 people during a drive to remove mentally-ill people from the streets. Taking suo motu cognisance of the matter, the NHRC issued notice to the chief secretary of the Tamil Nadu government seeking a report within four weeks. According to a statement from the rights body, the commission observed in its proceedings on June 14 that the contents of the press report, if true, raise a serious issue of violation of human rights of the victims. The report on June 8 said about 113 people, who apparently looked dirty and a little disoriented, were sent to the Institute of Mental Health, Kilpauk, the NHRC said, adding that they were reportedly migrant labourers from other states with no knowledge of local language. According to the NHRC, the 113 people were picked up under a drive to remove mentally-ill people from the street. But they were imprisoned for two weeks. They were then let off after obtaining their thumb impressions on a statement which said they were voluntarily seeking admission in the Institute of Mental Health. (Deccan Herald 19/6/10)

Rights of tribals being infringed, says PUCL

BHUBANESWAR: People's Union for Civil Liberties (PUCL) has accused both the CRPF and the Orissa Police of violating human rights of tribals. Pointing at what it called illegal detention of tribals in Rayagada and Malkangiri, the rights outfit alleged that the security forces had unleashed a 'reign of terror' by threatening life and liberty of tribals through combing operations and 'Operation Green Hunt'. Citing the death of Pidera Kdaisca, a tribal of Gerengeguda of Chandrapur block in Rayagada, the PUCL said he was picked up by the CRPF on May 23 while hunting birds and detained in custody. He was branded as a Maoist and found dead in June. The PUCL, which sent a factfinding team, alleged that the tribal was tortured and met with a gory end as the postmortem report suggested. Similarly, the PUCL team visited Malkangiri's Pitakonda village under Kalimela block where six Koya villagers were rounded up. Four were released by the security forces but two Irma Kawasi and Budura Podiami are under detention. The PUCL has demanded their release and sought investigation into the incidents. (Express Buzz 20/6/10)

Rights panel orders probe into killings (1)

Imphal, June 20: The state home department has ordered magisterial inquiries into two cases of alleged fake encounters in which three youths were killed and another case of alleged torture and illegal confinement of three youths. The first case involved the death of 19-year-old Khumbongmayum Osonjit Singh in an alleged fake encounter in Imphal West on March 16 this year. Police commandos allegedly killed Osonjit, a resident of Konjeng Hazari Leikai of Imphal West, at Thouthong. The police claimed that he was killed in an encounter and that they had recovered a 9mm pistol from him. In the second case, the commandos gunned down two brothers, Nameirakpam Govin and Nobo, at Lamphel in Imphal West on April 4, 2009, in an alleged encounter. They claimed to have found a 9mm pistol and a hand grenade on them. The families of the victims, however, charged that the three were killed in fake encounters. They lodged written complaints with the National Human Rights Commission, demanding action against the police personnel. The commission asked the state government to conduct inquiries into the two cases in two separate directives. While the Osonjit case directive was passed on April 13, the order for the inquiry into the deaths of the two brothers was dated April 7. After a delay of more than two months, additional home secretary M. Yaiskul Meitei yesterday directed the Imphal West district magistrate K. Radhakumar to hold separate inquiries by separate executive magistrates into the two cases. The national panel also asked the state home department to hold a magisterial inquiry into alleged torture and illegal detention of

three youths by Assam Rifles personnel at Moreh in Chandel district. The troops allegedly kept the three youths, Sougrakpam Ingo, Thangjam Robart and Thangjam Sunil, all residents of Moreh, at their camp in the town. The additional home secretary also ordered Chandel district magistrate H. Deeep Singh to hold an inquiry into the incident. The magistrates were asked to submit the findings of the inquiries within eight weeks. (Telegraph 21/6/10)

Honour Killing: SC notice to Centre, states

New Delhi: The Supreme Court on Monday issued notices to the Centre and some states on the growing cult of honour killings being reported across the country. A bench of justices R M Lodha and A K Patnaik sought response from the respective governments on the petition filed by NGO 'Shakti Vahini' expressing grave concern over the recent spurt of such killings carried out at the instance of khap panchayats. The NGO complained that though there was a spurt in such killings in Punjab, Uttar Pradesh, West Bengal and Haryana, neither the Centre nor the state governments were taking steps to curb the menace due to "vote-bank politics." (Pioneer 21/6/10)

Honour killing: Couple found dead in Haryana (1)

Bhiwani (Haryana): In a suspected case of honour killing, a teenaged couple was on Sunday found hanging from a tree in a Haryana village, police said. According to police, the deceased were identified as Monika, 18, resident of Neemdiwala village and Pinku, 19, of Manheru village in Bhiwani district. District police chief Ashwin said: "Bodies were found from the house of Monika's uncle. It seems that the couple was killed and then hanged from the tree to give an impression of suicide to misguide the police." "We have discovered that the boy and girl were in love for the last many months and were planning to marry but their parents were against this alliance," said Ashwin, who only goes by one name. "Police have registered a case of murder against six people, including Monika's parents, two brothers, uncle and aunt." Police sources said the family members of Monika, a Class 11 student, were against the marriage as the boy and the girl were from the same gotra (sub-caste). (Pioneer 21/6/10)

SC poser to Centre on honour killings (1)

New Delhi: With the law and order machinery thoroughly exposed over the spate of honour killings in the country, the Supreme Court on Monday sought response from the Centre and the States on the preventive measures. Issuing notice on a petition filed by an NGO, Shakti Vahini, the Vacation Bench of Justices RM Lodha and AK Pattnaik asked the State Governments as to why no action was taken to prevent such incidents. As the matter related to life and liberty of the individuals, the NGO through advocate Ravi Kant pleaded that in all cases of honour killings, the police are seen to take "reactive measures" while no preventive steps seem to be taken. Initially, the Bench was reluctant to entertain the matter as it wished to know any case where despite an FIR, no investigation was carried out by the police. But the NGO drew the attention of the Court towards the larger issue. Pointing towards the statements issued by the Ministers supporting the Khap panchayats, the NGOs questioned the functioning of the Governments and the State police, suggesting that the young couples are forced to live in a state of fear. The tragedy was shown to be more pronounced as within weeks of the Union Home Minister issuing a statement in Parliament on July 28, 2009 to tackle honour killings, a couple in Haryana (village Siwana) was killed by villagers for marrying against the wishes of the family members and their bodies were left hanging from a tree. On September 3, the Union Home Ministry issued an advisory to law enforcement agencies to prevent crimes against women. According to the NGO, there is no end to the scores of lives lost as was evident from the death of a Delhi-based journalist Nirupama Pathak in April this year who was killed by her family members during her visit to her home in Jharkhand. The family had reportedly opposed her marriage to a boy of a lower caste. Faced with these instances, the Bench felt that the States should be asked what steps it intended to put in place to prevent such killings, rather than act after the incident took place. The NGO, in its research over the years concluded that in many such killings, prior intimation of threat was received by the police, yet no efforts were taken to prevent such an occurrence. For this reason, the petitioner has urged the Court to consider framing guidelines to prevent honour killings and setting up a dedicated wing in police departments to attend to such crimes and to which hapless couples can approach for protection. (Pioneer 22/6/10)

Won't support honour killings: CM (1)

Chandigarh: Haryana Chief Minister Bhupinder Singh Hooda on Tuesday categorically said that the State Government would take the strictest possible measures to punish anyone involved in honour killings. Hooda said, "The stand of the Congress is clear and we would not allow anybody to take law in his own hands. There is no support to honour killing by the Congress party. Congress is a secular party and does not believe in caste and religion." Bhupinder Singh Hooda said that the State Government had taken appropriate action on all matters. On a query on the Supreme Court notice, he said that the State Government had been following the law and rules. "The notice has been given to many other States also", he added. In reply to a question on the demand to amend the Hindu Marriage Act to ban marriages between persons of same gotra and village, Hooda said that generally in north India marriages were not solemnised within the same gotra and village. However, there were villages where this was not followed as per their local customs. He said that the State Government was very clear that nobody should take law into their own hands. (Pioneer 23/6/10)

Crackdown on khaps (1)

New Delhi: In the wake of a spate in "honour killings", the Centre is set to bring an ordinance to treat these as a separate offence under IPC's Section 300, dealing with murder. The ordinance will make 'abettors' like khap panchayats liable for punishment. With the Law Ministry giving final touches to a legislation in this regard, sources on Wednesday said the law would be given immediate effect under an ordinance. A final decision (by Cabinet) is expected on Friday. Pressure is building on the Centre to act after the Supreme Court on Monday issued notices on a PIL questioning the slackness of law-enforcement agencies to prevent recurring honour killings. The court has sought responses from the Centre and eight States to highlight the preventive steps. On Wednesday, Law Minister Veerappa Moily said, "We are proposing to add a fifth clause under Section 300 (murder) of the IPC." The most striking aspect of the proposed Bill would be the culpability attached to those participating in khap panchayats. They would be seen as "abettors" to the crime if their decision or action results in the death of a boy or girl. The proposed Bill would also entail amendments to the Hindu Marriage Act and the Evidence Act. Under existing laws, abetment to suicide is a crime while 'abetment to murder' has not been defined as one. Incidentally, the law recognises conspiracy to murder as a crime that requires an active involvement of the accused. Clearly, the existing legal provisions cannot be applied to punish khaps. The Bill's provisions were earlier vetted by the Home Minister who favoured stricter punishments. In its final form, the law may also include provisions making khaps liable even for acts not leading to death, such as provoking torture or humiliation. Also notable is the recent dismissal of a PIL filed at the behest of khaps in seeking changes to the Hindu Marriage Act, 1955, to stamp "same gotra" marriages as prohibited relationships. The SC did not entertain the petition filed by Naresh Kadyan. The matter was later rejected by Delhi HC. (Pioneer 24/6/10)

Congress comes down heavily on khap (1)

New Delhi/Chandigarh: The Congress on Wednesday came down heavily on khap panchayats or caste councils, following cases of honour killing in and around the national capital, saying 'whoever is responsible, action should be taken'. "We believe that a holistic view should be taken. In any event, this murder and violence cannot be condoned by any civilised society and must be put down with a firm hand," party spokesperson Jayanthi Natarajan told reporters here. The party, without naming the khap panchayats, said the extra constitutional authority that initiated "murder and violence" should face the law of the land. "Whoever is responsible, action should be taken," she said. The ruling party's reaction came in the wake of reports of honour killings in the national capital. A 19-year-old girl and her boyfriend were tortured to death by the girl's uncle and father in north Delhi's Swaroop Nagar area June 14. On Monday, a man and woman who were married four years ago against the wishes of the girl's parents were found murdered in north Delhi's Ashok Vihar amid speculation that it might be an honour killing. Several honour killing cases were recently reported from Uttar Pradesh and Haryana as well. The Congress also said it has not taken 'any view on the demand by the khaps for changes in the Hindu Marriage Act (Pioneer 24/6/10)

UPA-I sat over SC verdict on 'honour killings'

New Delhi: The recent spate of "honour killings" has certainly provoked the Government to amend the law. But the UPA Government could have done better had it not avoided the early signs in 2006 when the Supreme Court directed the police and administrative agencies to stop any violence being perpetrated

against young couples who marry outside their caste or 'gotra'. With a law on the anvil that seeks to impose stringent punishment and degree of guilt on persons indulging in "honour deaths", it is clear that the symptom has far exceeded the cure. Realising the danger posed by self-proclaimed moralists who object to marriages outside the same caste, the Supreme Court in its 2006 judgment had said, "In our opinion, such acts of violence or threats or harassment are wholly illegal and those who commit them must be severely punished." The July 7, 2006 decision given by the Bench of Justices Ashok Bhan and Markandey Katju came on a case filed by a woman, who sought protection against her family members after they threatened to eliminate her husband and in-laws, who belonged to a different caste. Terming it as a "shocking state of affairs" where two individuals were not allowed to live in peace despite being married of their own free will, the Bench was of the view that stern action be taken against such persons who issue such threats or indulge in violent acts in the name of caste. Laying down instructions for the police and administrative agencies, the court said, "The administration/police authorities throughout the country will ensure that if a boy or a girl, who is a major, undergoes inter-caste or inter-religion marriage with a boy or girl who is a major, the couple are not harassed, nor subjected to threats or acts of violence." It further made clear, "Anyone who gives such threats or harasses or commits acts of violence either himself or at his instigation (should) be taken to task by instituting criminal proceedings." Quashing the criminal cases against the couple, the Bench even rebuked the police for acting against the couple while turning a blind eye to the "unlawful" and "high-handed" acts of the girl's brothers who threatened to eliminate them. The Court had expressed anguish on the so-called "honour killings", stating that there was nothing honourable in such killings. Instead, it said, "they are barbaric and shameful acts of murder committed by brutal, feudal minded persons who deserve harsh punishment." (Pioneer 25/6/10)

NGOs, trade unions protest false arrests of activists (1)

AHMEDABAD: Any individual voicing support to the rights for tribal people, dalits and farmers, is branded as a Naxalite or Maoist; in Gujarat, stated human rights activist and director, Prashant, Father Cedric Prakash at a protest meet 'Vibrant Gujarat and Violation of Human Rights' in the city on Wednesday. Also, human right activists and NGO members participated in the meet to oppose the arrests of trade unionists and social activists in Gujarat and to highlight the state of the tribals, dalits, minorities and other vulnerable groups of the state. Prakash said, "We are activists and not Naxalities. The civil society should come out and question what is happening in the state." The participating members also formed a human chain on Sardar Bridge. Writer Achyut Yagnik blamed the state government for taking oppressive measures against people working for the marginalised section of the society. The meet was a collaborative effort of more than 30 grassroots organisations, federations & trade unions in the state. (Times of India 1/7/10)

HC asks OHRC to probe farmers' suicide cases (1)

Cuttack: The High Court has directed the Odisha Human Rights Commission (OHRC) to probe into the alleged incidents of farmers' suicide in the State and consider compensations, if any, to be provided to the next of kin of the deceased after ascertaining the causes of the deaths. This HC's direction came on Wednesday while adjudicating a PIL filed by Balangir Krushaka Mahasangha secretary Jati Pradhan. The petitioner has sought a CBI probe into all those incidents in which the poor farmers were forced to take extreme steps. The Bench of Chief Justice V Gopalagowda and Justice Indrajit Mohanty, however, in its order directed the OHRC to conduct inquiry after registering cases and ascertain the causes of the deaths of all those who are reported to have committed suicide. The petitioner has also sought direction to State Agriculture and Revenue Secretaries to ban loans to all farmers for agricultural purposes which are not covered under adequate insurances and also regulate private financiers who are hoodwinking the farmers. "The District Collectors should also have a control over all the private financiers in their respective districts and monitor the finances disbursed to the farmers and the modes of the loan repayments," the petition has said. The High Court has also directed the State Government to file a report if such measures could be taken at the district level to improve the conditions of poor and illiterate farmers. (Pioneer 2/7/10)

Asian Human Rights Commission slams Pak for cancer like spread of custodial torture (1)

In what showcases the total collapse of the rule of law in Pakistan, the Asian Human Rights Commission (AHRC) has come out with a report which highlights the cancerous nature of torture in custody in the country. The report said that torture cases across Pakistan were rising at an alarming pace. "It seems the

perpetrators of such heinous acts take pleasure in causing pain and trauma to their victims. Families are often targeted as a way to threaten people or extract bribes from them," the report said. The report also highlighted the dirtiest picture concerning the fast increasing torture cases in which officials were raping women in custody in a routine manner. "Recently, a 13-year-old girl was continuously gang-raped, mentally and physically tortured by police officials during 21 days of illegal detention. Another young girl was also raped in custody by police officers, while her sister was kept nude in lock up and forced to watch," the report shockingly revealed. It is not that there is no rule in the country against such heinous crime. Article 14(2) of the Constitution expressly prohibits the use of torture for extracting evidence, however, definition of "torture" is not satisfying and does not comply with that stated in the UN Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment (CAT), it said. Besides that Pakistan also has no independent agency whose mandate is to inquire on complaints against crimes of torture, The Daily Times quoted the report, as stating. The AHRC also identified the military and state intelligence agencies as the most notorious authorities for torturing people in custody. According to AHRC there are 52 detention and torture centres run by the military all over the country. (ANI) (Sify News 2/7/10)

SHRC order on CBI probe stayed (1)

BANGALORE: The Karnataka High Court on Friday stayed the suo motu direction issued by the Karnataka State Human Rights Commission (SHRC) to the state government asking it to entrust the rape case involving former minister H Halappa to CBI. A division bench comprising Justices Manjula Chellur and B S Patil passed this interim order following a petition filed by the state government challenging the May 21 directive of SHRC. Advocate-general Ashok Harnahalli who appeared on behalf of the state told the court that the SHRC direction lacks jurisdiction as it can only recommend after holding an inquiry. The commission had issued notices to the state police on May 3 and 4. "The chief secretary on May 20 sent a letter stating that the accused (Halappa) was arrested and the jurisdictional court (JMFC Shimoga) was seized of the matter and only in exceptional cases can a CBI inquiry be ordered as per the apex court's directives. The SHRC ignored this fact and issued a directive to the state to entrust the probe to CBI and report the compliance in 30 days without even affording an opportunity to state its stand," the state has claimed in its petition. Justice Rammohan Reddy has extended the interim order of stay on Metro works beside Chinnaswamy stadium till July 12. The judge has asked the KSCA to file its plan of action with regards to how the work can be undertaken by the BMRC authorities so as to enable the technical experts of that company to study that. The KSCA is claiming that drilling and boring works beside the stadium and subsequent constructions above the pillars are likely to harm some portion of the stadium. In another development, a division Bench headed by Justice Manjula Chellur has adjourned by one week hearing on an application submitted by the horticulture department seeking permission of the court for undertaking Metro project work within the high court area. The bench gave one week time to advocate M G Kumar who wanted to file objections with regards to government approval for construction of Vidhana Soudha Metro station in between the two landmark buildings. (Times of India 3/7/10)

Rights activists for redrafting of Nuclear Damage Bill (1)

Mumbai: Human rights activists today demanded complete redrafting of the Civil Liability for Nuclear Damage Bill 2010, which will be expected to come up for debate in the monsoon session of Parliament. Participants in the public consultation organised by Human Rights Law Network, University of Mumbai and Greenpeace (India) said the Bill in the current form acted as a facilitator of corporate immunity rather than the protector of people's fundamental rights. "The Bill has to be completely scrapped or redrafted with drastic modifications," they said. Two Members of Parliament Ramdas Athavale of Republican Party of India and Eknath Gaikwad of Congress, attending the meeting, said there should be suitable amendments made in the Bill to take care of rights of people of India. Terming the Bill as denial by law to the right to seek adequate compensation in case of a nuclear accident, the activists unanimously demanded that there should be unlimited liability and it should be channelled through the entire nuclear supply chain. The nuclear liability bill is currently with the Parliamentary Standing committee on Science and Technology, which in an advertisement on June 24 had called for wider consultations to include public opinion on the Bill. Greenpeace activist Priya Pillai said 15 days notice given by the standing committee was not adequate to gather the public opinion. To do adequate justice the public consultations should be held at least in six key cities. The outcome of the consultations held in Mumbai and Delhi will be presented to the Standing committee, the organisers said. (DNA 7/7/10)

Human Rights Forum demands independent probe into Azad encounter (1)

HYDERABAD: While the Adilabad collector has ordered a magisterial enquiry into the death of top Maoist leader Azad in Sarkhepalli forests, the Human Rights Forum (HRF) has demanded filing of murder cases against the cops who took part in the encounter. "It was a 'staged' encounter as there was no exchange of fire between the cops and Maoists. Azad along with suspected Maoist Hemchandra Pandey were killed in cold blood," state HRF general secretary V S Krishna said. A five-member fact-finding team of HRF visited the encounter site on a small hillock where the alleged exchange of fire took place late on July 1 night. Sources said the Gond tribals of Soyamguda and Chintareddy hamlets close to the hillock didn't hear any gunshots being fired. "There was no raging encounter as being claimed by the district cops. There was no trace of bullet marks nor empty shells on the hillock where the bodies of the duo were found on July 2 morning," sources said. The HRF said cases under section 302 of IPC must be filed against the cops. "A criminal investigation by an agency which is independent of police must be appointed," Krishna said. The HRF leader said this was in keeping with the recommendations of NHRC and Feb 2009 order of High Court, which said a case of homicide must be registered against the cops who take part in the encounters. HRF leader Md Anwar said the plea of self-defence of the cops must be determined in the court of law and not by the police themselves. "The fake encounter is the tried and tested method of the cops to bump off top Naxals," he said. (Times of India 8/7/10)

Democracy under severe strain in Kashmir, say civil society groups (1)

Civil society groups have demanded an immediate end to alleged violence perpetrated by the security forces in the Kashmir Valley and setting up of an independent time-bound commission of inquiry to probe the killings and rights violations. At a dharna held here on Friday, the civil society groups said it was a matter of grave concern and anguish that no sensitive measures were taken by the Centre in response to the ongoing deaths, injuries and killings of civilians in the Valley. To make the matters worse, the Army, along with para-military forces, was issued orders to shoot-at-sight to uphold the almost relentless curfew – basically to block protests against the "continuing spiral of non-stop and indiscriminate killings" of innocent civilians. "The presence of the Army and security forces dominates the Valley and reinforces the deep-rooted angst of people. The reality is that democracy is under severe strain and is almost absent in many parts in the State, despite an elected government backed by the Centre holding the reigns of power in Srinagar," a statement issued by Act Now for Harmony and Democracy (ANHAD) and endorsed by civil society groups, intellectuals and individuals said. The statement said the Centre and the State should come out clean and explain if this was indeed a democratic and constitutional method of handling a manifold and multiplying crisis in a highly sensitive region. Obviously, the establishment thinks that branding it as mere law and order problem and repression and killings would 'calm down' the situation as sensitive and grim as that of Jammu and Kashmir. Expressing serious concern over the "absolute antipathy" and lack of political initiative displayed by the Centre in response to the situation in the Valley, the group said the government should learn some lessons from history. People cannot be won over or suppressed at gunpoint. Certainly, the people of Jammu and Kashmir deserved a more rationale, humane, visionary and sensitive response from the Indian State, the statement said. (The Hindu 9/7/10)

NHRC summons Palakkad magistrate in police custody case (1)

New Delhi, July 10 : The National Human Rights Commission has issued conditional summons for the personal appearance of District Magistrate, Palakkad on August 20 in connection with non-compliance of its recommendations seeking various reports in a case of death in police custody in the district. Sambath, 30, was arrested by the police in Town North on March 29 after he was found to be in possession of ornaments worn by Sheela, who was murdered. A case was registered. He complained of uneasiness and chest pain, and collapsed in the lockup. Sambath was taken to the Palakkad District Hospital, where he was declared brought dead. The NHRC registered a case in the matter on receiving an intimation on April 1 about the incident from the Superintendent of Police, Palakkad. Thereafter, it asked the district magistrate to send various reports including inquest, postmortem and the magisterial inquiry reports vide letter dated April 28. The NHRC received a letter dated May 7 from a board of doctors. Histopathological findings do not indicate any arterial or myocardial pathology. Lungs showed interstitial haemorrhage, skin shows features suggestive of burns, subcutaneous haemorrhage, based on the gross morphological findings noted at autopsy and microscopic findings. They submitted additional opinion holding heart as normal and an electric burn mark on the body of the deceased. On July 6, the NHRC said that the

concerned district magistrate had not delivered all the required reports in the matter, and therefore, issued conditional summons for his appearance. It said that in case the reports were received on or before August 13, the district magistrate need not appear before it. (New Kerala 10/7/10)

NHRC seeks report on malnutrition status in Varanasi (1)

VARANASI: Responding to a complaint submitted by the Peoples Vigilance Committee on Human Rights (PVCHR) regarding ill health of children due to malnutrition, the National Human Rights Commission (NHRC) has sought a report from the district magistrate within four weeks. In its notice (dated June 30) issued to the DM, the NHRC recorded that the complainant had alleged that 759 children were suffering from malnutrition in Varanasi district. One Neha Praveen died on May 17 while two others were fighting for life in hospital. The complainant requested to arrange relief camps to provide essential facilities for rehabilitation of the victims. PVCHR convener Lenin raised the issue of malnutrition in the district and wrote a letter to the NHRC on June 10, urging intervention. He said in the records of the Integrated Child Development Services (ICDS), there were 759 malnourished children in the district. Besides, the child development project officer of Kashi Vidyapeeth block informed that 92 children were alarmingly malnourished (PEM grade III and IV) in just that one block. The information was sought under the RTI Act by Virendra Yadav, a human rights activist associated with PVCHR. Presently, there are 2,529 Anganwadi centres (AWCs) in the district to run the ICDS scheme. Lenin said a 10-point agenda was conceived for action during the 10th five year plan period (2002 - 2007) for a hunger-free India, jointly by the Planning Commission, the MS Swaminathan Research Foundation of India and the United Nations World Food Programme. The 10 action points included identification of vulnerable individuals, information empowerment, eliminating protein-calorie malnutrition and energy deprivation, eliminating hidden hunger caused by micronutrient deficiencies, safe drinking water and environmental hygiene, enhancing purchasing power through sustainable livelihood, special attention to women and children, strengthening food-based safety nets, linking disaster mitigation with development and greater market access to farm products. "The next phase of the ICDS programme, known as ICDS-IV Project, was initiated in the 41 districts of the state, but Varanasi was not included in it," said Lenin. A total of 158 high-burden districts from eight states have been identified for implementation of the project, based on the low nutritional status of children under 72 months and anaemia level among pregnant women of 15-44 years. Lenin urged the NHRC for immediate intervention for organising relief camps for the victims of malnutrition. (Times of India 16/7/10)

NHRC seeks report on Kashmir youth killing (1)

New Delhi: The National Human Rights Commission (NHRC) has sought a report from the Ministry of Home Affairs on the alleged firing by CRPF personnel in Kashmir's Sopore town on June 27 in which a youth was killed. Issuing a notice to the Union Home Secretary, the Commission asked him to submit a report on the incident within four weeks. "On default, the commission may proceed to take such action as it deems proper," it said. The NHRC took cognisance of the matter on basis of a complaint filed by a human rights activist and lawyer Radhakanta Tripathy. In his complaint, Tripathy asked the commission to take steps to 'immediately stop' such incidents and recommend monetary relief to the kin of Wani, saying he was the only son of Maqbool Wani. A youth Bilal Wani was killed after CRPF personnel allegedly fired rubber bullets on a stone-pelting mob that had defied curfew in Sopore town on June 27, two days after a similar incident left two civilians dead sparking protests in the Valley. (Pioneer 19/7/10)

Police intimidating Facebook users in Kashmir: rights group (1)

Srinagar, July 20, 2010: A leading rights group in Kashmir said on Tuesday Facebook users were being intimidated by police for uploading images of ongoing deadly protests in the Himalayan region. Over the past six weeks the valley has been in the grip of regular anti-India demonstrations. Kashmiri youth have been uploading photos and videos on social networking site Facebook and video-sharing sites like YouTube. The region's leading rights group, Coalition of Civil Society, said some Facebook users had been asked to report to police stations as a consequence. "It is intimidation, nothing else," said Khurram Parvez, co-ordinator of Coalition of Civil Society. "The protests by youth even on virtual spaces like Facebook are not being tolerated, not to speak of the fate meted out to the protesters on the streets of Kashmir," Parvez told AFP. "The democratic space for dissent in Kashmir is choked," he said. The crackdown is allegedly centred in southern Anantnag district where police are accused of shooting dead three young men during protests last month. Grainy and shaky images of the blood-splattered bodies

were uploaded. The local police denied summoning anyone. "We have not called any Facebook user to any police station," local police officer Showket Ahmed said. One 27-year old man told AFP he had deactivated his account under pressure from local police. He did not give his name out of fear of reprisals. "They (police) told us we can't book you for using Facebook or YouTube but we can easily implicate you in other serious crimes if you don't mend your ways," he said. India is wary of new technology and its ability to foment protests, as was most recently shown during demonstrations in Iran last June. Footage of a young woman, Neda Agha-Soltan, being shot dead was put on YouTube which quickly turned her into a powerful and poignant symbol of the opposition movement. Last month India banned phone users from sending SMS text messages in troubled Kashmir amid fears they were being used to mobilise protests and public opinion. Kashmir is jointly administered by India and Pakistan. An insurgency against Indian rule in the region that began in 1989 has claimed an estimated 47,000 lives. (Hindustan Times 20/7/10)

PIL on Lokayukta, rights body rejected (1)

Ranchi: The Jharkhand High Court on Monday dismissed a public interest litigation (PIL) that sought the constitution of various statutory bodies and the appointment of the heads of these bodies — among them the Lokayukta, the Jharkhand State Human Rights Commission. The PIL, moved by advocate Rajesh Lala, was rejected by the Jharkhand High Court on the ground that it sought too many demands in a single litigation, and directed Rajesh Lala to file separate prayers. During the brief hearing, the court also asked on what basis the petitioner was submitting that the IAS officers are over burdened and more IAS officers need to be appointed or deputed. The PIL filed by Mohinder Kaur was also moved in court on Monday. It will be recollected that according to this PIL, the husband of the deceased was travelling on a particular train and he had detrained with his daughter at one of the stoppages due to the absence of a toilet on the train itself. While reboarding, he managed to get his daughter on board, but the husband of the deceased himself met with an accident and died. The prayer of the petitioner is that on these particular trains, presumably short distance but nevertheless running up to 7-8 hours, the requisite toilet facilities should be provided so that such occurrences do not take place. The matter was then fixed for the July 29 with directions to obtain the written statement from the Railway Claims Tribunal. The Jharkhand High Court after a brief hearing in a matter related to the Heavy Engineering Cooperation (HEC) directed it to file a counter affidavit, while at the same time directing that the chairman of the HEC also appear on the date of next hearing, apparently to explain the lack of filing of the affidavit in spite of directions to do the same. This was in the context of a petition filed or between one Kripa Nath Pandey and the HEC. (Pioneer 20/7/10)

Evicted slum-dwellers allege violation (1)

Cuttack: Even as the Odisha High Court is currently adjudicating over a PIL pertaining to eviction of slum-dwellers of the city and is scheduled for hearing the case again on July 27, the evictees on Thursday met the Odisha Human Rights Commission (OHRC) chairman. They urged the Commission to conduct an enquiry on the alleged violation of Human Rights of the people, who were evicted forcefully with brutal use of police force. "A delegation of evictees met the Commission Chairman Justice RK Patra and apprised him about the violation of their rights by the Cuttack district administration and police brutality," said the city slum confederation president Subash Singh. The CPM leader was critically injured when police beat him up while he was protesting against slum eviction drive earlier this month. Speaking to newsmen here on Thursday, the executive members of the slum confederation pointed out that human rights of slum-dwellers were grossly violated as they were evicted in the wee hours on a holiday. "No eviction would take place before 9 am and after 5 pm and the drive should not be undertaken on a holiday," said the Confederation member Chittaranjan Mohanty quoting provisions of Rules. More than 20 platoons of police had reportedly arrived at Maa Mangala slum near SCB medical college and hospital around 6 am on July 4, a Sunday and grounded the shanties of the people with bulldozers after some of them were set on fire allegedly by the police, Mohanty said. When the confederation members protested against the illegal eviction, they were brutally attacked by the Commissionerate police, who resorted to lathi charge and used teargas shells. "The critically injured protesters, including Singh, an eminent political leader of the city were not provided medical assistance immediately and were kept at a secret place for over six hours not allowing the family members and lawyers to meet them," said social activist and lawyer Khirod Chandra Behera. (Pioneer 23/7/10)

NHRC demands compensation for kin of patient

VARANASI: The National Human Right Commission has recommended UP government to pay Rs three lakh as a compensation to the next of kin of Mayank Kumar Singh, who died during medical treatment in 2003. The NHRC in its letter to the chief secretary dated July 13, 2010 has sought the compliance report along with proof of payment by September 10. It may be mentioned here that the health condition of a youth Mayank Kumar Singh started deteriorating after medical treatment given by Dr Madan Mohan Singh. Later he died at a hospital on September 22, 2003. In his death certificate it was mentioned that he died due to severe anaphylactic reaction. His mother wrote to Medical Council of India (MCI) and other office for justice demanding action against the doctor. The Peoples Vigilance Committee on Human Rights (PVCHR) took the matter to NHRC. In its letter the NHRC mentioned that the doctor has been punished with stoppage of three increments permanently. The guilty doctor has been punished departmentally, presumably because the state has established that he was at fault, including the treatment he administered, which led to the death of the deceased. The human rights were, therefore, violated. A show cause notice dated 3.12.2009 was issued to the chief secretary of UP calling upon to show cause by 22.01.2010. The commission observed that a period of more than six months has elapsed but no response has been received so far. (The Times of India, 3/8/2010)

Legal and Human Rights department pulls up Gujarat Bar Council

AHMEDABAD: The Legal and Human Rights department of state Congress has pulled up the Gujarat Bar Council for passing a resolution that it would raise objection if the Sohrabuddin Sheikh fake encounter case is transferred outside the state. On July 31, the Bar Council passed a resolution on a word that CBI requested the Supreme Court to shift the case to other state. The Congress's legal body through a note from senior counsel Krishnakant Vakharia and BM Mangukiya has called upon the Bar Council to withdraw the resolution that was based on false information. They have said that such an act does not befit a reputed and responsible organisation of lawyers. (TOI, 7/8/2010)

NHRC seeks BSF, C'garh police reply on villagers torture

The National Human Rights Commission (NHRC) has sought a reply from BSF and Chhattisgarh Police on a complaint alleging that their personnel tortured villagers, molested women, including a minor, and arrested six schoolgirls on false charges of aiding a recent Naxal attack in Kanker district. Taking cognizance of the matter, NHRC issued notices to the BSF Director General and Kanker district SP directing them to submit a "factual report" within six weeks. The complaint was filed by a rights activist and lawyer Radhakanta Tripathy who alleged that security forces raided Panchangi and Aalor villages in Kanker district on September 5-6 and tortured villagers asking them to give whereabouts of Maoists. They not only beat up innocent villagers but carted some villagers, including women, to their camp and gave electric shocks to some of them during interrogation, Tripathy charged. Six school girls were later arrested and charged with aiding a Maoist ambush that left three BSF personnel and two policemen dead on August 29. "The youngest among the arrested girls is a student of class 10th," Tripathy alleged and sought NHRC intervention into the matter. (IE, 07/11/2010)

Delhi, Uttar Pradesh account for 67% human rights violations

NEW DELHI: Uttar Pradesh and Delhi - in that order - accounted for 67 per cent of human rights violations registered by the National Human Rights Commission (NHRC) over the last one year, data revealed by the commission showed. The document said a total of 78,657 human rights violations were registered by NHRC across the country between Dec 1, 2009, and Oct 31, 2010. Of these, 46,917 violations were in the state of Uttar Pradesh, while 5,498 were in Delhi. The other three worst performers were Bihar, with 2,742 cases, Rajasthan with 2,456 cases and Maharashtra with 2,191 cases. "While Uttar Pradesh has the highest number of violations registered, its size is also a factor that has to be taken into account. For Delhi, especially since it is the capital of the country, it's a dismal performance," an NHRC official said, not wishing to be identified because of institutional rules. The violations are segregated into 21 categories - those related to children, health, jail, judiciary, the mafia, labour, minorities, police, pollution and environment, refugees, service matters, women, paramilitary, defence forces, terrorism, Scheduled Castes and Scheduled Tribes, juveniles, foreigners and riots. The highest number of human rights violations in Uttar Pradesh were against the police -- a whopping 18,068. Not just this, of the total number of cases the commission registered over the past 10 years until March 31, 2010, the highest number were against the police. According to earlier data, NHRC registered 377,216 complaints against the police until March this year and of these, 248,505 came from Uttar Pradesh.

According to the official, the nature of complaints against police include arbitrary use of power, abduction, rape, custodial violence and death, fake encounter and unlawful detention. In Delhi, the highest number of violations over the past one year, 2,025, have been clubbed under miscellaneous. "Under miscellaneous, there are cases like the disappearance of a person, land dispute, hunger strike, family dispute, inaction by the state government or central government, matrimonial disputes, labour disputes and atrocities by the custom department and likes," the official said. Thirty-five of the total number of cases registered were based on suo motu cognisance of media reports. Among those where the lowest number of violations have been reported are Lakshadweep with three cases - two related to service matters and one under miscellaneous - and seven each in Daman and Diu and Sikkim. The NHRC, a recommendatory body, was set up in 1993. (TOI, 30/11/2010)

Poverty human rights' biggest violator: NHRC chief

New Delhi: The National Human Rights Chairman Justice K G Balakrishnan on Wednesday said poverty is the biggest human rights violator and adequate measures must be taken to abolish the bane. "Poverty is the biggest violator of human rights. Its eradication is vital for development. Poverty should not be treated as merely a development project. The agenda must include provisions of all such basic amenities like health care, safe drinking water, adequate nutrition, educational facilities, etc," Balakrishnan said. The former CJI said courts and constitutions have held back from making socio-economic rights to food, shelter and health care legally binding because of finite availability of fiscal resources but steps must be taken to ensure that no one dies of starvation in the country. "The death of a citizen by starvation is seen as a moral failure of the state but rarely one that entails direct punishable criminal or even civil liability of public authorities who were charged with the responsibility to ensure that every man, woman and child in their jurisdiction have access to sufficient food for their survival with dignity," he said while delivering Bhimsen Sachar Memorial Lecture here. "The right to enough and assured food to live an active and healthy life with dignity is in principle also as essential component of the fundamental right to life, because life itself is impossible without food," he said. Balakrishnan said Transnational Corporations (TNCs) are making aggressive moves to take over well managed Indian companies by taking advantage of government policies of economic reforms and liberalisation. "Some of the corporations are violating human rights by their activities. They have been accused of violating human rights to life, including right to enjoy life, freedom from forced or slave labour...water pollution and environmental dumping," he said. He also cited the Bhopal gas tragedy and the Vedanta mining issue while referring to the failure of TNCs in protecting human rights. Asking the TNCs to be more sensitive towards the needs of the society, Balakrishnan said, "Even though states have the primary responsibility to promote, fulfill and protect human rights, the TNCs -- as organs of society -- are also responsible for upholding the human rights." "A more feasible and holistic solution needs to be developed for holding the TNCs accountable for human rights violations," he said. (www.zeenews.com, 01/11/2010)

Human Rights Act frail, individual's rights endangered

Every year on December 10, the world observes the International Human Rights Day while liberty, equality and fraternity are still a far cry for the common man. There is a legal system in India for the promotion and protection of Human Rights (HR) after the enforcement of the Act in the Parliament in 1993. Different Commissions have been formed in this connection. However, an individual is struggling for his rights. In spite of the provision that the activities of the State Human Rights Commission (SHRC) should be evaluated every year, the status of the SHRC is unknown in maximum cases. On the other hand, more than 35 Committees have been formed at the Central as well as the State level on different issues relating to the human rights. These Committees are only meant to provide shelter to the senior citizens. Despite the rules and regulations, the bonded labour system is increasing day by day. Recently, more than 16 persons of Puri and Khurda have been tortured by this system and the matter is under the National Human Rights Commission (NHRC). Even after the implementation of the Right To Education (RTE) Act, 520 children are still deprived of primary education each and every year at Satabhaya village of Kendrapada district. The RTE is a day dream for them even after 63 years of Independence. More than 5,000 complaints have been lodged in the sensational child labour case, out of which, only 500 have been taken for consideration. Pre-primary education is foreign and anathema to 78 per cent of children of Odisha. In the 12,316 Anganwadi centres in the State, minimum facilities are not accessible. Every year, 41 per cent of the State's ST children are drop-outs while 65 per cent die of anaemia and malnutrition.

Even the rate of the birth registration is very low in the State, standing at only 65 per cent. Another instance of HR violation is that of more than 645 displaced persons, still being left in the lurch since 1984 in Balangir district, following the establishment of the Badmal Ordnance Factory. As per the latest information between January 1, 2005 and June 30, 2010, around 1,246 HR violation cases have been filed with the National Human Rights Commission out of which the State Governments and Union Territories have filed compliance reports only in 841 cases. The compliance reports in 333 cases are still awaited. The Human Rights issues now-a-days are common and the State mechanism is trying its best to violate as instances galore from Lanjigarh to Posco. The individuals are being dragged to the legal labyrinth by the State mechanism if any one opposes and revolts against the arbitrary State Administration. A glaring case in point is that of the 33 criminal prosecutions filed against Doctor Biswajit, the anti-Posco activist. Like wise, Sanjib Das, an activist opposed to the illegal transportation of animals, was tortured by the police and dumped into the legal quagmire under the direction of State. Shankar, a 12-year-old Rourkela boy having lost his limbs due to the inhuman and barbaric act of a train TTE in 2008, is still waiting to get indemnified with `5 lakh in spite of the NHRC's direction to the Railway Board. Following such instances of the HR violations, it is just a mere concept sans any practical utility for an individual. (Bikash Das is the Executive president of the Committee for Legal Aid to Poor) (Pioneer, 10/12/2010)

Rights activists await Binayak Sen verdict

RAIPUR, 23 Dec: Right activists across India have started gathering in the capital of the country's worst insurgency-hit state, Chhattisgarh, with a local court due to give its verdict on Friday in a controversial case related to Dr Binayak Sen. Police authorities have stepped up security arrangements and are frisking people at public places and key government locations a day before the district and sessions court judge BP Varma announces his verdict against Dr Sen who faces charges of treason and waging war against the state. The case has been controversial as right activists maintain that authorities in the state trapped Dr Sen, an award-winning pediatrician and vice president of People's Union for Civil Liberties (PUCL), on trumped-up charges and kept him in jail for two years in a bid to shut up those who raise their voices against the government's rights abuses. "We are very eagerly awaiting the judgment," Mr Rajendra K Sail, former president of PUCL in Chhattisgarh, told The Statesman. Another leading activist, Mr Gautam Bandopadhyay, remarked: "Whatever the judgment will be, we (activists) will continue to raise our voices against rights abuses by the government." Dr Binayak Sen was picked up in May 2007 from the state's Bilaspur town under the stringent Chhattisgarh Special Public Security Act for his alleged links with Maoist ideologue Narayan Sanyal and was released in May 2009 on the orders of the Supreme Court. The court here completed its hearing last week after it began the trial in May 2008 and during the period it examined 97 witnesses. The prosecution claimed in court that Dr Sen was very much involved in establishing an urban network for the outlawed Communist Party of India-Maoist (CPI-Maoist). The prosecution had also claimed that Dr Sen had met Sanyal in Chhattisgarh jail 33 times in just about a month period and passed on some seditious letters between Sanyal and Kolkata-based businessman and alleged Maoist Piyush Guha. The defence had strongly denied the prosecution charges and said Dr Sen met Sanyal with the permission of the jailer and the meetings were held in the jailer's room. (Statesman, 24/12/2010)

Chhattisgarh Govt ready to run the gauntlet on Binayak Sen

While there has been protest from various human right groups on the conviction of PUCL leader Binayak Sen, the Chhattisgarh Government has said that it respected the right of the defendant to take recourse to any available legal option to contest the verdict. "We respect country's judicial system and also respect the defendant's right to move the High Court against the Raipur court's verdict", a top placed sources said, adding, however, that the Government was all prepared to contest the case at any legal level. "We also sincerely hope that those who believe and respect country's legal system and democracy will not comment on the merits and demerits of the case outside the court" the source added. The PUCL leader Binayak Sen, it may be recalled, along with two others including Maoist ideologues: septuagenarian Narayan Sanyal and Kolkata businessman Piyush Guha, was sentenced to life imprisonment by Additional District and Sessions Judge BP Verma on Friday. They were found guilty under 124 (sedition), 120 B (conspiracy) of IPC and Chhattisgarh Special Public Security Act. They were charged under various other sections. Sen was arrested on May 14, 2007 from Bilashpur on charges of carrying messages and letters from Maoist ideologue Narayan Sanyal to the underground Maoist leaders. He was

arrested on the basis of interrogation of Piyush Guha who was arrested on May 6, 2007 in Raipur. The police had recovered three letters written in English and Bengali. Guha had told the police that the letters, written by the Maoist ideologue Narayan Sanyal, were given him Binayak Sen. After the court gave its verdict last Friday, there has been an outcry by various national and international civil rights bodies questioning the merit of the decision. However, the Chhattisgarh Government which came under tremendous pressure following arrest of the PUCL leader in May 2007, has reacted very cautiously albeit firmly. "We respect the court's decision and if defendant moves at higher level of judiciary we are all prepared", sources tersely remarked. It is pertinent to mention that, after Binayak Sen was arrested a number of newspaper articles were written against the arrest and 22 Nobel laureates sent letters to the Indian Government criticising Sen's imprisonment by the Chhattisgarh Government, despite the fact that the case was still sub-judice. (Pioneer, 27/12/2010)

Indian American activists in Boston protest Sen's sentence

Boston, 26 DEC: Condemning the life sentence awarded to civil rights activist Dr Binayak Sen, a number of Indian American activists held a demonstration here to register their protest against his conviction. Dr Sen, along with Naxal ideologue Narayan Sanyal and Kolkata businessman Piyush Guha were found guilty by a court in Chhattisgarh of sedition and sentenced to life imprisonment for colluding with Maoists in establishing a network to fight the state. The prison term awarded to Dr Sen has evoked outrage among social activists in India. Amnesty International said the case violated international standards of fair trial. In Boston, activists and members from various organisations gathered together at the prestigious Harvard Square to express their strong condemnation. Volunteers of the Association for India's Development, Boston (AID-Boston), Boston-area alumni of Christian Medical College (CMC), Vellore (India), an activist of the South Asia Center (SAC) and deputy-director of Cambridge-based Physicians for Human Rights (PHR) participated in the protest. Ms Honorine Ward, an alumna of CMC and an assistant professor at Tufts Medical Center in Boston, said she had met Dr Sen and his wife two weeks back in Vellore where the former was involved in developing a special academic course on health and human rights. "I asked them if they ever thought of leaving India to go somewhere else. Dr Sen said that they had to complete the work they had undertaken at the grassroots and in academics," Ms Ward said. Ms Susannah Sirkin, the deputy-director of PHR, said Mr Jonathan Fine, a founder of her organisation, was present in the court premises in Raipur when the sentence was awarded. "He (Fine) said he could not help crying when speaking with Dr Sen's wife before and after the verdict was declared," she related. Mr Garga Chatterjee, an AID-Boston volunteer and a PhD student at Harvard University was also shocked by the sentencing. "This has shaken our faith in the Indian judiciary," he said. Mr Sardeep Mann of SAC said the sentencing of Dr Sen was a way of setting an example for all those who dared to question the state and its authority. "It is meant as a warning to all of us," she remarked. Meanwhile, the Non Resident Indians for Secular and Harmonious India (NRI SAHI) in a statement deplored the conviction of Dr Sen. "Using flimsy evidence to convict Dr Sen or any other person is unjust and wrong. It is a blot on Indian democracy and constitution. "We hope the High Court will weigh all evidence fairly and come to the conclusion that convicting Dr Sen on sedition and conspiracy to wage war was against the Indian Government was incorrect," the statement alleged. (Statesman, 26/12/2010)

Civil rights activist Kannabiran passes away

Eminent civil rights activist and prominent lawyer K.G. Kannabiran (81) passed away in Hyderabad after a brief illness on Thursday evening. He is survived by wife Vasanta, two daughters and a son. The last rites were performed later in the evening in the presence of family members as per his wish. Born in 1929, Mr. Kannabiran obtained master's degree in Economics and a degree in law from the Madras University before shifting to Hyderabad to set up legal practice in 1961. Since the late 1960s, he began to defend political dissenters that eventually marked the beginning of his over three-decade-long civil liberties and human rights work. He was the president of Andhra Pradesh Civil Liberties Committee between 1978 and 1994 and went on to become the national president of People's Union for Civil Liberties (PUCL). With Leftist leanings, he advocated a dialogue between the government and the banned Communist Party of India (Marxist-Leninist) – People's War — later known as CPI (Maoist). Mr. Kannabiran was always at hand to negotiate during deadlock between the State and the extremist organisation. He played a key role in the release of seven IAS officers and others held hostage by the People's War extremists in East Godavari district in December 1987. The Andhra Pradesh government sought his help when P. Sudhir Kumar, Congress MLA and son of former Union Minister P. Shiv Shanker, was kidnapped by Naxalites

from Hyderabad in 1991. Again in January 1993, it was the help rendered by Mr. Kannabiran that ensured the return of another Congress MLA P. Balaraju, IAS officer D. Srinivasulu and six others, after they were taken hostage by Naxalites. He was a member of Concerned Citizen's Tribunal that inquired into the Gujarat carnage. Earlier, he was appointed as senior counsel by the CBI in the prosecution of the accused in the Shankar Guha Niyogi murder case in Madhya Pradesh. During the Emergency, he defended numerous political detainees and appeared in four major conspiracy cases — three of them in Andhra Pradesh — that had been filed to suppress political dissent. In 1971, he filed a writ petition successfully challenging the Andhra Pradesh Preventive Detention Act, 1970, under which writers, poets and intellectuals had been arrested. He was a lover of classical Indian music. He authored a book 'The wages of impunity: power, justice and human rights'. Several political parties and people's organisation condoled his untimely death. Among them were Telugu Desam Party president N. Chandrababu Naidu, Lok Satta Party chief N. Jayaprakash Narayan and CPI (M) State committee secretary B. V. Raghavulu. (Hindu, 31/12/2010)

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