



Human Rights Newsletter

NHRC observes Human Rights Day

"Human Rights Day also gives an opportunity to the NHRC to take stock of its activities in promotion and protection of human rights in the country and introspect in order to gear itself for challenges ahead."

Mr. Justice G.P. Mathur, Member, NHRC

The National Human Rights Commission, NHRC, organized a special function to observe Human Rights Day on the 10th December, 2011 in New Delhi.

Addressing the gathering, Mr. Justice G.P. Mathur, Member, NHRC described the Universal Declaration of Human Rights as a milestone document in the history of human rights. The Declaration spells out fundamental rights which are to be universally observed. He said that Human Rights Day also gives an opportunity to the NHRC to take stock of its activities in promotion and



Mr. Justice G.P. Mathur, Member, NHRC, addressing Human Rights Day function

protection of human rights in the country and introspect in order to gear itself for challenges ahead. He said that the NHRC has been playing the role of a catalyst in promotion and

Contd. on Page 2

NHRC-India submission to the UN Human Rights Council for India's Second Universal Periodic Review

The following is the text of the NHRC's submission to the UN Human Rights Council, which will conduct the Second Universal Periodic Review on India this year.

"Introduction

Any assessment of India's human rights record must begin with the acknowledgment that no other country as large and populous or as diverse, ethnically and economically, has had to tackle the challenges of development using only democratic methods. The Indian experiment is so unique that it must be judged by its own benchmarks, which are set by a powerful and activist judiciary, a free media and vigilant civil

society, which are guardians of human rights in an open society run by the rule of law. However, while there have been many successes, much remains to be done, including on the eighteen recommendations made at the first UPR to the Government of India. Since the same government remains in power, these lapses are its responsibility.

2. The NHRC has continued to monitor the full range of human rights on the basis of complaints received and on suo motu cognizance. The issues it monitors and the recommendations it makes go well beyond those of the first

Contd. on Page 2

ALSO IN THIS ISSUE

- **Suo Motu Cognizance** 5
 - Branding of children with hot metals in Gujarat
 - Policeman dies in firing by his colleagues in Karnataka
 - Farmers' suicide in Maharashtra, Andhra Pradesh and Kerala
 - Illegal drug trials on mentally ill in Madhya Pradesh
 - Death in police firing in Assam
- **Recommendations for Relief** 6
- **Compliance with NHRC recommendations** 6
- **NHRC statement to mark 9th December, as Human Rights Defenders Day** 7
- **Joint Registrar's visits to Odisha and Uttar Pradesh** 7
- **Other important visits/seminars/programmes/conferences** 8
- **Cases received/processed in December, 2011** 8

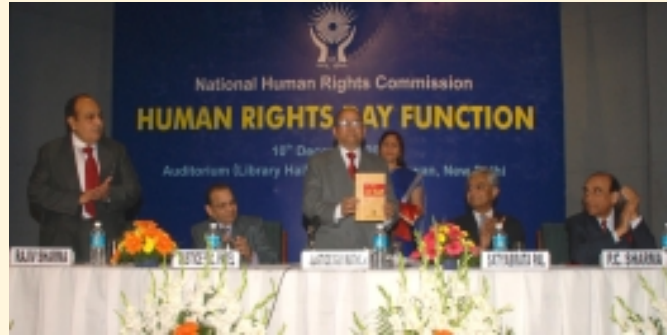
NHRC observes Human Rights Day Contd. from page 1

protection of human rights and seeks cooperation of all stakeholders, including government functionaries, civil society and NGOs in this endeavour.

Justice Mathur said that the NHRC in addition to building awareness about the promotion and protection of human rights is committed to fast disposal of cases of human rights violations, recommending monetary relief to the victim and punitive action against the erring public authority.

On the occasion, the message of the UN Secretary General, Mr. Ban Ki-moon was read out by Mr. Rajiv Chandran, National Information Officer, UNIC. In the message, the UN Secretary General emphasized that "human rights belong to every one of us without exception. But unless we know them, unless we demand they be

respected, and unless we defend our right - and the right of others - to exercise them, they will be just words in a decades-old document."



Mr. Justice G.P. Mathur, Member, NHRC releasing NHRC publications flanked on his right by Mr. Justice B.C. Patel, Member and Dr. Rajiv Sharma, Secretary General and on his left by Members Mr. Satyabrata Pal and Mr. P.C. Sharma

Earlier, Dr. Rajiv Sharma, Secretary General, NHRC welcomed all the guests and dignitaries assembled to observe Human Rights Day with the Commission.

NHRC Members, Mr. Justice G.P. Mathur, Mr. Justice B.C. Patel, Mr. Satyabrata Pal and Mr. P.C. Sharma released six NHRC publications which included 'Nai Dishayein' in Hindi and a 'Journal' in English carrying articles by eminent

persons on different aspects of human rights; three booklets of 'Know Your Rights' series in English titled 'Right to Work', 'Right of Shelter' and 'Rights of Elderly People'; and the 'Manual on Human Rights for Police Officers'.

NHRC-India submission to the UN Contd. from page 1

UPR, which addressed a narrow band of problems. However, since the second UPR will assess the government's performance on those, this paper focuses on them, though placed in the wider perspective, which the UN should not ignore.

3. To prepare for this report, the NHRC has held five regional consultations and a national consultation with NGOs, academics, officials and State Human Rights Commissions (SHRCs), even though its mandate and work involve a continuing dialogue with the Central and State Governments, whose performance on human rights it evaluates, and with civil society, from which the more serious complaints are received. It did so for two reasons: given the diversity of India, to ensure that regional priorities were captured, and to focus on the points on which the UPR will concentrate.

4. Around 350 people took part in these consultations, where the local or specialized knowledge that civil society shared was invaluable. Governmental participation was patchy, nor has the NHRC received from most Ministries the action-taken report on the recommendations of the first UPR which it sought in 2010. The SHRCs contributed almost nothing, confirming that most are still inchoate, and must be strengthened.

Civil and political rights

5. India has a comprehensive framework of laws and the Government remained willing to draft new laws to respond to domestic demands or to meet international obligations. However, the implementation of laws, the weakness of new Bills and the law's delay were areas of

concern, among which the NHRC will highlight some:

- An anodyne Prevention of Torture Bill was passed by the Lower House of Parliament. It has been greatly strengthened by a Select Committee of the Upper House, and it would be a travesty if the original Bill is adopted.
- The Armed Forces Special Powers Act remains in force in Jammu & Kashmir and the North-Eastern States, conferring an impunity that often leads to the violation of human rights. This, despite the fact that India's 2011 report on the Optional Protocol to the CRC states that "India does not face either international or non international armed conflict situations".
- 35% of the complaints to the NHRC annually are against the police. In 2006 the Supreme Court issued seven binding directives to start reform, but little has been done, though the need is urgent.
- 9% of the complaints to the NHRC in 2010-11 were on inaction by officials or their abuse of power, confirming that laws are often not implemented or ignored.
- Custodial justice remained a problem. Jails are overcrowded and unhygienic, disease rampant and treatment poor. 67% of prisoners are under trial, either unable to raise bail or confined far longer than they should be because of the huge backlog of cases.
- There are inordinate delays in the provision of justice. 56,383 cases were pending in the Supreme Court at the end of October 2011. At the end of 2010, 4.2 million cases were pending in High Courts, and almost 28 million in subordinate courts.
- The scheduled castes and scheduled tribes remain particularly vulnerable despite laws to protect them, because of the indifference of public servants.

- The practice of bonded labour continues despite laws that ban it, and is taking new forms. The NHRC has received reports of bonded labour being used to execute defence projects in difficult areas.
- The degrading practice of manual scavenging festers on. Some States are in denial over this. The Indian Railways are the largest users of manual scavengers.
- The focal point set up in the NHRC for the protection of human rights defenders received complaints that several, including those working on minority rights and the rights of the scheduled castes and tribes, faced harassment in several States, including arbitrary detention.

Economic, social and cultural rights

6. Though, as the Government had reported at UPR 1, it has set up ambitious "flagship programmes" to provide these rights, they remain precarious:

- A massive public distribution system has not assured the right to food because malnutrition is endemic. The National Advisory Council has recommended that legal entitlements to subsidized foodgrains be extended to at least 75% of the population. This is not acceptable to the Government, which sets arbitrary ceilings on the numbers who can be declared as being below the poverty line.
- The official estimate that 27.5% of the population was below the poverty line in 2004-05 grossly understates the incidence of poverty. The expert committee set up by the Planning Commission put the figure at 37.2%. Other committees set up by Ministries peg it even higher.
- Over 90% of the workforce is in the unorganized sector, has no access to social security, is particularly vulnerable in the cities, and is therefore driven into permanent debt, often leading to conditions of bonded labour.
- The National Rural Employment Guarantee Scheme guaranteed 100 days of work a year to any rural household that needed it. Government data showed that 56 million households applied, 55 million were given work but on average received half the wages guaranteed. The Scheme has not therefore made enough of an impact, very large sums of money have been siphoned off, and it does not provide long-term employment or build permanent assets.
- Public spending on health continues to be abysmally low, at about 1% of GDP, despite Government's commitment to raise it to 2-3%. The public health system is riddled with problems; vast numbers in the villages get little or no medical care. A performance audit by the Auditor General and an evaluation done for the Planning Commission have both found serious deficiencies in the National Rural Health Mission.
- The current National Family Health Survey reports that "the percentage of children under age five years who are underweight is almost 20 times as high in India as would be expected in a healthy, well-nourished population and is almost twice as high as the average percentage of underweight children in sub-Saharan African countries." A huge programme called the Integrated Child

Development Services was set up in 1975, but an evaluation done in 2011 for the Planning Commission found that 60% of the annual budget for supplementary nutrition was being diverted. (A study done for the NHRC confirms this.)

- The quality of education, particularly in the villages, is dismal; the infrastructure is appalling, teachers are absent, para-teachers are poorly trained. Learning levels and literacy are both very low.
- The Indira Awas Yojana, set up to provide rural housing, requires that an applicant have a plot of land. Millions of landless are excluded. The scheme does not give enough to build a house, and there is some evidence that those who take the money end up in debt. An evaluation done for the Planning Commission found that there was no quality control, including in seismic zones. Neither is there an insistence that toilets be built. The safety of residents and sanitation remain serious concerns.
- The NHRC, which monitors human rights in 28 representative districts across India, finds in its field visits that none of the flagship programmes function well.
- Rapid growth, the development of infrastructure and the expansion of mining industries, have all led to massive displacements of populations, often without their informed consent. The NHRC's monitoring finds that usually those displaced are given neither adequate relief nor the means of rehabilitation.
- The denial or the abuse of, or the inability to access, their rights hit the most vulnerable the hardest - women, children, the scheduled castes and tribes, and the minorities.

Implementation of Recommendations in UPR 1

7. The NHRC's assessment of how far the Government has responded to the recommendations made in UPR 1, which follows, should be read in the context of these larger failures.

8. On Recommendation 1, the Prevention of Torture Bill, 2010 was weak. If the Act eventually adopted dilutes the revisions made by the Select Committee, it will call into question the Government's commitment to the Convention against Torture.

9. On Recommendation 2, Government has not involved civil society in the followup to UPR 1, but some Ministries do consult it in the formulation and implementation of their programmes.

10. On Recommendation 3, to energize "existing mechanisms to enhance the addressing of human rights challenges", the record is uneven because:

- The Central Government has continued to let the National Commissions function independently, but given them no added powers or greater resources;
- The State Human Rights Commissions are mostly moribund;
- Very few Human Rights Courts have been set up.

11. On Recommendation 4, the Government has taken a belated step to "encourage enhanced cooperation with human rights bodies" by issuing a standing invitation to Special Procedures mandate-holders, in response to Recommendation 14, so it should not be difficult for it to act on Recommendation 15, which asked it to receive the Special Rapporteur on the question of torture.

12. The Government's decision is welcome, but it still sends delayed reports or none to treaty bodies, and its apathy on Recommendations 2 and 3 (both of which it accepted) reflects a reluctance to engage "relevant stakeholders".

13. On Recommendation 5, the Human Development Report 2011 of the Planning Commission has some disaggregated data, but not on caste and related discrimination, though from its experience the NHRC believes this is essential, not least in key areas such as:

- crimes committed against women and children from the Scheduled Castes and Scheduled Tribes;
- violence against women other than rape;
- bonded labour, child labour and manual scavenging;
- custodial violence, illegal detention and torture.

14. On Recommendation 6, ignoring a request from the NHRC, the Government has taken no steps to sign and ratify the Optional Protocol to CEDAW.

15. On Recommendation 7, which asked the Government to consider signing and ratifying ILO Conventions 138 and 182, it claims that, though it accepts the spirit of the Conventions, it cannot ratify them because socio-economic conditions make it difficult to prohibit the employment of children. This is an argument now even less tenable after the passage of the Right to Education Act in 2009. India now has a law that makes it compulsory for children to be at school till they are 14, and another that lets them work.

16. Despite this absurdity, the Government has not acted on Recommendation 9, which asked it to review its reservation to Article 32 of the CRC. The NHRC has seconded this recommendation but received no response. Child labour therefore flourishes, the right to education will languish.

17. On Recommendation 8, while the NHRC shares with other NHRIs its experience in the promotion and protection of human rights, it is not aware if the Government has any programmes to do so, though it accepted this recommendation.

18. On Recommendation 10, the Government accepts the need for inclusive development, but the implementation of the flagship programmes through which it addresses "economic and social inequities" has not been encouraging. These programmes, which take the poor as targets rather than as agents of change, are wellmeant but not well-conceived, have been lavishly funded but have also been looted by the corrupt. The intended beneficiaries get a small proportion of their supposed entitlements.

19. On Recommendation 11, accepted by the Government,

there is still no national action plan for human rights. Since the Government has ignored its requests, the NHRC has started to draft a plan, on which it will consult civil society and other stake-holders.

20. On Recommendation 12, there is no evidence that the Government intends to ratify the Convention on Enforced Disappearance. Enforced disappearance is not codified as a criminal offence in domestic law, nor are extant provisions of law used to deter the practice. The NHRC received 341 complaints of disappearance in 2010, 338 so far in 2011; these are by no means comprehensive but still significant numbers, which underline the need for the Government to act.

21. On Recommendation 13, there has been little progress on strengthening human rights education (HRE). Education is primarily the responsibility of the States in India, and almost none has given this priority. The NHRC works with schools, colleges, universities and NGOs to promote HRE, and has made recommendations to the Second Phase of the World Programme for HRE on the possible target groups and thematic issues for India.

22. On Recommendation 16, which the Government accepted, the NHRC is not aware that it has had a formal follow-up process to the UPR; the question of integrating a gender perspective in it does not therefore arise. This should be corrected after UPR 2. Gender budgeting is, however, now an integral part of the budgetary process.

23. On Recommendation 17, to amend the Special Marriage Act and give equal rights to property accumulated during marriage, there have been no developments.

24. Recommendation 18 asked the Government to continue its efforts "to guarantee a society... well fed, well housed, well cared for and well educated". The NHRC's overview of the state of human rights in India will show that these efforts have met with very limited success.

The Naxal movement

25. The spread of this violent left-wing extremist movement is a cautionary tale. It claims to speak for, and recruits from, the adivasis, forest-dwelling tribals who have suffered years of such neglect and exploitation that some of them have been alienated enough to join a movement that calls for the violent overthrow of democracy. Estimates are that 200 out of the 600 districts in India are affected, though the Government puts the figure at around 60 districts; even so this means that perhaps 120 million people are affected. Belatedly, the Government is trying to bring the fruits of development to these areas, but the violent opposition of the Naxals, who destroy even schools and attack officials, means that in the areas they control, human rights have become even more parlous: governance and the rule of law rarely function. The villagers are the victims of Naxal violence, and collateral damage in the counter-insurgency operations. It will be an immense challenge for a democracy to defeat a movement that respects no human rights, through means that safeguard and do not violate the rights of the citizens it must protect."

Suo motu cognizance

The Commission took suo motu cognizance in five cases of alleged human rights violations during December, 2011 and issued notices to the concerned authorities for reports. Summaries of these cases are as follows:

Branding of children with hot metals in Gujarat (Case No. 1125/6/14/2011)

The media reported that children in the Vagad region of Kutch District and some remote parts of Rajkot District were being branded with iron rods, heated nails, wires and incense sticks in the belief that this would cure their afflictions and diseases. According to the report, this inhuman custom has been prevalent in this region for ages and leaves permanent physical and psychological scars on the victims.

The Commission issued a notice to the Chief Secretary of Gujarat, asking for a report on the places where this practice continued and the steps taken by the administration to stop it.

Policeman dies in firing by his colleagues in Karnataka (Case No. 1200/10/1/2011-PF)

The media reported that one Mahadev Mane, aged 40, a constable of Karnataka's Anti-Naxal Force, died after a bullet fired by another policemen ricocheted off a tree and hit him. The incident, which took place after the policemen mistook a group of local hunters for Naxals and opened fire in panic, was registered as an encounter with Naxal forces, but investigations had established that Mane was killed by a bullet fired from a service rifle.

The Commission issued notices to the Chief Secretary and Director General of Police of Karnataka calling for a report in the matter. They have also been directed to inform the Commission-whether the State Government plans to grant any monetary relief to the next of kin of the deceased, what action it has taken against the police man who caused the death, and the status of the FIR filed on the incident.

Farmers' suicide in Maharashtra, Andhra Pradesh and Kerala (Case No. 2146/13/0/2011)

The media reported a fresh wave of farmers' suicides during 2011 in Maharashtra, Andhra Pradesh and Kerala. The reports claimed that 680 farmers committed suicide in just six districts of Maharashtra in 2011, 90 committed suicide in six districts of Andhra Pradesh during October and November and 8 committed suicide in November in Wayanad district in Kerala. The Commission has observed that the contents of the media report, if true, raise a serious issue of violation of human rights of the poor farmers in the

States of Maharashtra, Andhra Pradesh and Kerala. Notices have been issued to the Chief Secretaries of these States calling for reports.

Illegal drug trials on mentally ill in Madhya Pradesh (Case No. 2406/12/21/2011)

The media reported that 233 mentally ill patients were subjected to drug trials in Indore, Madhya Pradesh to check the efficacy of various drugs, including Dapoxetine, a drug used to cure premature ejaculation. The trials were conducted at private clinics by doctors of the mental hospital attached to the Mahatma Gandhi Medical College, Indore, between January, 2008 and October, 2010. The concerned doctors had taken approval for the trials from independent ethics committees attached to private hospitals both within and outside the State, thus bypassing the Mahatma Gandhi Medical College's own institutional ethics committee. Moreover, the clinics where the trials were conducted did not have the mandatory registration certificate from the District Chief Medical and Health Officer.

The Commission has issued a notice to the Chief Secretary of Madhya Pradesh calling for a report. He was also asked to report:

- (a) whether guidelines of the Indian Council of Medical Research were followed by the doctors, while taking approval for the trials from independent ethics committees attached to private hospitals;
- (b) the nature of drugs being tested over the mentally ill patients;
- (c) whether any survey has been conducted about the status of health of the mentally ill patients who have undergone drug trials. If so, its findings.

Death in police firing in Assam (Case No. 343/3/8/2011-PF)

The media reported that one Rakhe Gor - a 14-year-old boy - was mistaken for a militant at Dolamora in Karbi Anglong District of Assam and shot dead. As per report, the CRPF personnel organised a joint operation with the local police in the area to flush out militants of Karbi People's Liberation Tigers. During the operation, the security forces saw a man running and fired at him, believing that he was a militant. However, a member of Rakhe's family claimed that the boy was killed by the security forces from a close range. Calling for a report, the Commission issued notices to the DGP, Assam and Secretary, Ministry of Home Affairs, Government of India, New Delhi. They were also directed to report whether there is any proposal to recommend monetary relief to the next of kin of the deceased.

Recommendations for relief

A part from the large number of cases taken up daily by individual Members, 139 cases were considered during the five sittings of the Full Commission, and seven sittings of Divisional Benches in November, 2011. On 33 cases, listed in the table

below, the Commission recommended monetary relief amounting to a total of Rs. 87,36,000/- for the victims or their next of kin, where it found that public servants had either violated human rights or been negligent in protecting them.

Sl.No.	Case Number	Nature of Complaint	Amount Recommended	Public Authority
1	501/1/23/09-10-JCD	Death in Judicial Custody	One Lakh	Govt. of Andhra Pradesh
2	1430/4/28/09-10-JCD	Death in Judicial Custody	Three Lakhs	Govt. of Bihar
3	1460/4/32/09-10-JCD	Death in Judicial Custody	Three Lakhs	Govt. of Bihar
4	83/4/28/2011-JCD	Death in Judicial Custody	Three Lakhs	Govt. of Bihar
5	90/4/16/07-08-CD	Death in Judicial Custody	Three Lakhs	Govt. of Bihar
6	953/4/36/09-10-JCD	Death in Judicial Custody	Three Lakhs	Govt. of Bihar
7	345/6/21/07-08-JCD	Death in Judicial Custody	Three Lakhs	Govt. of Gujarat
8	1077/34/2006-2007-CD	Death in Judicial Custody	One Lakh	Govt. of Jharkhand
9	75/34/16/2010-JCD	Death in Judicial Custody	Two Lakhs	Govt. of Jharkhand
10	490/34/5/2011-JCD	Death in Judicial Custody	Three Lakhs	Govt. of Jharkhand
11	254/19/1/09-10-JCD	Death in Judicial Custody	Five Lakhs	Govt. of Punjab
12	2266/20/21/07-08-JCD	Death in Judicial Custody	Three Lakhs	Govt. of Rajasthan
13	328/22/13/2011-JCD	Death in Judicial Custody	One Lakh	Govt. of Tamilnadu
14	21264/24/31/08-09-JCD	Death in Judicial Custody	One Lakh	Govt. of Uttar Pradesh
15	1806/13/21/08-09-PCD	Death in Police Custody	One Lakh	Govt. of Maharashtra
16	976/13/28/2010-PCD	Death in Police Custody	One Lakh	Govt. of Maharashtra
17	819/25/13/2010-PCD	Death in Police Custody	One Lakh	Govt. of West Bengal
18	527/34/16/09-10-ED	Death in Police Encounter	Five Lakhs	Govt. of Jharkhand
19	2387/30/2005-2006	Death in Police Encounter	Five Lakhs	Govt. of NCT of Delhi
20	38867/24/2006-2007	Death in Police Encounter	Five Lakhs	Govt. of Uttar Pradesh
21	2400/24/2005-2006	Death in Police Encounter	Ten Lakhs	Govt. of Uttar Pradesh
22	44714/24/48/07-08	Death in Police Encounter	Ten Lakhs	Govt. of Uttar Pradesh
23	2146/7/2/08-09-AFE	Alleged Fake Encounter	Seven Lakhs Fifty Thousand	Govt. of Haryana
24	35715/24/2004-2005	Alleged Fake Encounter	Five Lakhs	Govt. of Uttar Pradesh
25	135/3/22/09-10	Custodial Torture	Fifty Thousand	Govt. of Assam
26	130/3/9/09-10-AF	Death in Army Encounter	Five Lakhs	Ministry of Defence, GOI
27	327/33/15/2010	Death in Police Firing	Ten Lakhs	Govt. of Chhattisgarh
28	457/20/11/09-10	Failure in taking lawful action	Two Lakh	Govt. of Rajasthan
29	334/18/13/09-10-WC	Rape	Three Lakhs	Govt. of Odisha

Compliance with NHRC recommendations

In December, 2011, the Commission received 31 compliance reports from different public authorities, furnishing proof of payments it had recommended,

totalling Rs. 36,50,000/- to the victims of human rights violations or their next of kin. Details are in the table below:

Sl.No.	Case Number	Nature of Complaint	Amount Recommended	Public Authority
1	110/1/4/2011-JCD	Death in Judicial Custody	One Lakh	Govt. of Andhra Pradesh
2	139/1/2006-2007-CD	Death in Judicial Custody	One Lakh	Govt. of Andhra Pradesh
3	3618/4/26/07-08-JCD	Death in Judicial Custody	One Lakh	Govt. of Bihar
4	1778/7/5/09-10-JCD	Death in Judicial Custody	One Lakh	Govt. of Haryana
5	1281/34/2006-2007-CD	Death in Judicial Custody	One Lakh	Govt. of Jharkhand
6	576/12/14/2010-JCD	Death in Judicial Custody	One Lakh	Govt. of Madhya Pradesh
7	983/12/2004-2005-CD	Death in Judicial Custody	One Lakh	Govt. of Madhya Pradesh
8	4/17/3/2011-JCD	Death in Judicial Custody	One Lakh	Govt. of Nagaland
9	911/22/2005-2006-CD	Death in Judicial Custody	One Lakh	Govt. of Tamilnadu
10	25804/24/2005-2006-CD	Death in Judicial Custody	One Lakh	Govt. of Uttar Pradesh
11	32600/24/2006-2007-CD	Death in Judicial Custody	One Lakh	Govt. of Uttar Pradesh
12	33074/24/2006-2007-CD	Death in Judicial Custody	One Lakh	Govt. of Uttar Pradesh

Sl.No.	Case Number	Nature of Complaint	Amount Recommended	Public Authority
13	3384/24/2005-2006-CD	Death in Judicial Custody	One Lakh	Govt. of Uttar Pradesh
14	22/10/2005-2006-CD	Death in Police Custody	One Lakh	Govt. of Karnataka
15	1608/12/0/2010-PCD	Death in Police Custody	One Lakh	Govt. of Madhya Pradesh
16	555/13/26/07-08-PCD	Death in Police Custody	One Lakh	Govt. of Maharashtra
17	84/1/16/07-08	Death in Police Firing	Fifty Thousand	Govt. of Andhra Pradesh
18	159/11/2006-2007-WC	Abduction/Rape	Fifty Thousand	Govt. of Kerala
19	55/11/1/09-10	Abuse of Power	Twenty Thousand	Govt. of Kerala
20	7767/24/48/08-09	Abuse of Power	Ten Thousand	Govt. of Uttar Pradesh
21	4492/24/46/09-10	Abuse of Power	Twenty Thousand	Govt. of Uttar Pradesh
22	10/25/2001-2002	Abuse of Power	Fifteen Thousand	Govt. of West Bengal
23	29203/24/2006-2007-AD	Alleged death in Judicial Custody	One Lakh	Govt. of Uttar Pradesh
24	6392/24/43/08-09	Alleged death in Judicial Custody	One Lakh	Govt. of Uttar Pradesh
25	1574/4/2005-2006-AD	Alleged death in Police Custody	Five Lakhs	Govt. of Bihar
26	17513/24/2006-2007	Alleged Fake Encounter	Five Lakhs	Govt. of Uttar Pradesh
27	19792/24/21/07-08	Custodial Torture	Twenty Thousand	Govt. of Uttar Pradesh
28	16214/24/14/07-08-WC	Dowry death or their Attempt	Twenty Thousand	Govt. of Uttar Pradesh
29	21589/24/70/07-08	Illegal Arrest	Ten Thousand	Govt. of Uttar Pradesh
30	849/35/5/2010	Inaction by State Govt.	Five Lakhs Fifty Thousand	Govt. of Uttarakhand
31	123/13/2002-2003	Sexual Harassment	Fifty Thousand	Govt. of Maharashtra

NHRC statement to mark 9th December as Human Rights Defenders Day

"The national as well as international community around the world are increasingly realizing and acknowledging the role and contribution of Human Rights Defenders (HRDs) in strengthening the human rights regime throughout the globe. The NHRC considers the HRDs as its partner in the endeavour to fulfill its role as an institution for promotion and protection of rights of common man.

The NHRC understands that there are many security risks for human rights defenders and they have to tread a very risky and difficult path to perform their duties/tasks as a Human Rights Defender. The problems and harassment of the HRDs are in the knowledge of the NHRC and it has always made sincere efforts to ameliorate the

problems. Measures like Focal Point for Human Rights Defenders, dedicated website space for HRDs and sensitization of functionaries of both state and non state actors, through workshops/trainings/seminars/meetings, have gone a long way in making the voice of the HRDs heard and restoration of their identity as promoter and protector of human rights.

The Commission believes that the 9th December, which is the day when the Declaration on Human Rights Defenders was adopted by United Nations in 1998, be declared as Human Rights Defenders Day to acknowledge and pledge continued support to the HRDs who are working for the creation and sustenance of a rights aware and rights respecting civil society."

Joint Registrar's visits to Odisha and Uttar Pradesh

The NHRC deputed its Joint Registrar (Law), Mr. A.K. Parashar to visit Odisha from 28th-30th November, 2011 and discuss the issue of pending reports with the concerned authorities including the Home Secretary and the Director General of Police of the State. He received the reports in some cases while in a few others he was assured that the required reports will be sent soon to the Commission. Mr. Parashar also met with the



Mr. A.K. Parashar, Joint Registrar (Law), NHRC interacting with representatives of NGOs in Orissa.

Chairman, Members and Registrar of the State Human Rights Commission and discussed various aspects relating to the functioning and handling of CMIS.

During his stay in the State, Mr. Parashar also met with the human rights defenders and the representatives of different NGOs. They expected improvement in the functioning of the SHRC while saying that intervention of NHRC in important issues will be of immense help to the victims of human rights violation in the State. The human rights defenders also demanded that the issue of rehabilitation of the victims of Kandhamal riots may be taken up at the earliest.

The Commission also deputed Mr. Parashar to interact with the functionaries of the district administration of Muzaffarnagar, Uttar Pradesh and the human rights defenders from 3rd-4th December, 2011. He informed them about the provisions of the PHR Act and responsibilities of

the administration and police authorities towards promotion and protection of human rights. He informed the representatives of NGOs that there is no provision for registration or membership of any NGO in the Commission when they brought to his notice that some unscrupulous elements were extracting money in the name of giving membership of the NHRC. Some brick kiln owners also raised problems faced by them on the issue of bonded labour and they were apprised of the action of the Commission on the issue and related guidelines.



Mr. A.K. Parashar, Joint Registrar (Law), NHRC interacting with officers in Muzaffarnagar, Uttar Pradesh

Other important visits/seminars/programmes/conferences

Events	Delegation from NHRC
Meeting with Chief Secretary/State Government officials on the 23 rd December, 2011 at Guwahati, Assam	Dr. Rajiv Sharma, Secretary General
Lecture at Police Training College on the 24 th December, 2011 at Dergaon, Assam	Dr. Rajiv Sharma, Secretary General
One day workshop organized by the Department of Social Welfare, Govt. of NCT of Delhi in collaboration with Koshish of Tata Institute of Social Sciences, Mumbai on "Begging: Perspective, Issues and Road Ahead" held on the 15 th December, 2011 at New Delhi.	Mr. A.K. Parashar, Joint Registrar (Law)
Orientation workshop for brick kiln owners of Uttar Pradesh organized by ILO, Department of Labour, U.P. in partnership with 'Uttar Pradesh Eit Nirmata Samiti' held on the 19 th December, 2011 at Ghaziabad.	Mr. A.K. Parashar, Joint Registrar (Law)

Complaints received/processed in December, 2011 (As per an early estimate)

Number of fresh complaints received in the Commission	7352
Number of cases disposed of including fresh and old	5932
Number of cases under consideration of the Commission including fresh and old	15464

Important Telephone Numbers of the Commission:

Facilitation Centre (Madad) : 011-2338 5368

For Complaints : Fax No. 011-2338 6521

Other Important E-mail Addresses

jrlawnhrc@nic.in (For complaints),

cr.nhrc@nic.in (For general queries/correspondence)

Focal point for Human Rights Defenders

Mobile No.: 9810298900, Fax No. 011-2338 4012

E-mail : hrd-nhrc@nic.in

This Newsletter is also available on the Commission's website www.nhrc.nic.in

NGOs and other organizations are welcome to reproduce material of the Newsletter and disseminate it widely acknowledging the NHRC.

Printed and Published by Dr. Rajiv Sharma, Secretary General, on behalf of the National Human Rights Commission, Faridkot House, Copernicus Marg, New Delhi-110001. Printed by : Dolphin Printo Graphic, 4E/7, Pabla Building, Jhandewalan Extn., New Delhi-110055

Editor : Jaimini Kumar Srivastava

Ph. : 91-11-23382742, E-mail : ionhrc@nic.in