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National Human Rights Commission
Coordination Section

29th August 2016

Subject: Minutes of the meeting of the Core Group of NGOs held on 09.08.2016 in the Conference Room, National Human Rights Commission, New Delhi

A copy of the minutes of the meeting of the Core Group of NGOs held on 09.08.2016 in the National Human Rights Commission is enclosed for necessary action. The Action Taken Report (ATRs) on the issues pertains to your Division/Unit may kindly be sent to the Coordination Section at the earliest.



(B.S.Nagar)

Under Secretary (Coord)

1. Registrar (Law)
2. Joint Secretary (T&R)
3. Joint Secretary (P&A)
4. DIG
5. Director (A)
6. JR (Law)
7. JD(R)
8. DD (M&C)
9. SRO (Trg)
10. SSA, NHRC

RECORD OF THE DISCUSSION HELD DURING THE MEETING OF THE CORE GROUP OF NGOs ON 09.08.2016 IN THE NHRC CONFERENCE ROOM, MANAV ADHIKAR BHAWAN, NEW DELHI

The meeting of the *Core Group of NGOs* was held in the National Human Rights Commission on 09.08.2016 at 03.00 PM under the Chairmanship of Justice Shri H.L. Dattu, Chairperson, NHRC.

The list of participants is at Annexure.

The Meeting began with the Chairperson, NHRC welcoming Members of the Core Group and stated that it was after a gap of nearly three years that the meeting of the Core Group was being organized. He added that the suggestion made by some of the Members of the Core Group that the Group must meet more regularly, was well taken and assured the Members that the meetings of the Core Group would henceforth, be held at least twice a year so that there may be ample opportunity for the Members to express their views on pertinent human rights issues which require the attention of the NHRC. The Chairperson added that the NHRC considers the views of NGOs and civil society in all seriousness and that the views expressed by the Core Group would be placed before the Full Commission and important decisions, once approved, will be sent to all concerned authorities for implementation.

The Chairperson re-iterated the usefulness of the complaints and feedback which are received from NGOs, as also the interactions held with the Core Group of NGOs, which collectively serve to guide the NHRC on the various human rights challenges on which to focus its attention.

AGENDA PROPOSED BY MEMBERS OF THE CORE GROUP

Agenda 1: Reviewing the Central Sector Scheme for Rehabilitation of Bonded Labourers, 2016

Shri Baghambar Patnaik stated that in Odisha, his organization had identified nearly 1685 bonded labourers, most of whom are women. He added that if a Scheme for rehabilitation of bonded labourers were to be

implemented, it would be of immense relief to the scores of people caught in the vicious cycle of debt bondage. The Supreme Court of India has directed that the format for identification of bonded labourers must be suitably modified according to local conditions and requirements. For instance, while in Odisha debt bondage is prevalent in the form of the *bartan* system, across the country, it is the *jajmani* system of debt bondage which is in existence. However, the present format for identification of bonded labourers does not allow for the recognition of certain kinds of debt bondage. Thus, there is a need for state governments to adhere to the directives of the Supreme Court in this regard. Additionally, it will be useful if the Commission could suggest to the Centre to modify the Central Sector Scheme for Rehabilitation of Bonded Labour, 2016 and address in particular three key concerns - (i) its applicability to only adult male beneficiaries, (ii) linking rehabilitation of bonded labourers with punishment for offenders, (iii) survey format not only for debt bondage but for other forms of bondage to be modified to suit local conditions as per Supreme Court directions.

Chairperson, NHRC stated that the Commission is deeply concerned about the problem of bonded labour across the country and has been especially pro-active in addressing this human rights concern. He stated that the Commission has thematic and zonal Special Rapporteurs who have been appointed to assess human rights issues, including bonded labour. Whenever the Commission receives information concerning bonded labourers, it gets in touch with the concerned district magistrates/collectors, asking them to provide requisite information. In addition, the Commission also initiates its own investigation and deputed officers from its Investigation Division to conduct spot enquiries where necessary. Following the enquiry process, the Commission orders the district magistrate to issue release certificates to the aggrieved persons.

The Commission, Chairperson informed, also takes cognizance of media reports concerning bonded labour, as it did most recently in a case concerning the state of Tamil Nadu. Bonded labour, according to him, is a priority area for the Commission and it takes up this thematic issue for discussion in the various meetings it holds across states, including during its Camp Sitzings and Open Hearings. The Commission will be holding its Camp Sitting in the State of

Jharkhand in September 2016 and will impress upon state officials to take up the matter in all earnestness. Additionally, one of the Members of the Commission has also been assigned to specifically monitor the issue of bonded labour across the country.

Dr. Ruth Manorama stated that in Karnataka, in the brick kiln industry, there is huge problem of bonded labour. She added that it might be useful if the concerned ministry could issue a notification to direct all district magistrates to collect data concerning the incidence of bonded labour in the respective districts. It would be useful if the NHRC could consider issuing relevant directions to the Centre and States in this regard. She also added that large number of children and women were involved in bonded labour.

Chairperson, NHRC stated that the Commission has been receiving complaints with respect to bonded labour from the States including Tamil Nadu, Jharkhand, Odisha etc. He added that the Commission can act only when it receives specific complaints concerning bonded labour and requested Dr Manorama and other Members of the Core Group to send specific complaints to the Commission.

DECISION

It was decided that the Core Group Members could send specific complaints concerning bonded and child labour to the Commission for its consideration.

Agenda 2: Undertaking and Promoting Research through NGOs on Jajamani System and other 'hidden' violations

Shri Baghambar Patnaik requested the Commission to consider identifying NGOs which could take up research studies on the *jajamani* system in several parts of the country which is a hidden violation.

Chairperson, NHRC informed Shri Patnaik that a request to the effect could be sent by him to the Commission so that the same could be placed before the Full Commission for its consideration.

DECISION

It was decided that the concerned Core Group Member could send a request to the Commission for its consideration regarding undertaking of a research study on the jajamani system in several parts of the country.

Agenda 3: Introducing changes to delays in complaint handling

The Chairperson, NHRC acknowledged the suggestions made by Shri Patnaik regarding complaint handling by the Commission including, fixing a time-limit for the completion of enquiry, and accepting complaints not only under Section 12, sub-section (a) of the PHR Act, 1993, but also under other sub-sections of Section 12, namely, sub-sections (b) to (j), especially sub-section (i) relating to 'encouraging the efforts of NGOs and institutions working in the field of human rights.

The Chairperson stated that the Commission is in favour of and considering delineation of a time frame of a maximum of two (02) years for completing proceedings in any given complaint. The problem however, which the Commission invariably faces relates to delayed submission of reports by various authorities which make it difficult for the Commission to strictly adhere to a given timeframe for disposing of cases. Sometimes there are inordinate delays caused by the lackadaisical attitude of concerned authorities in sending to the Commission. In certain cases, it is only after the issue of at least 2-3 reminders and sometimes, only on the issue of summons that authorities respond to the directions of the Commission. There are other roadblocks which the Commission encounters in dealing with cases. Sometimes, the Commission does not receive replies from the complainants despite reminders sent by the Commission. In all such cases, the Commission continues to keep these cases pending. However, the Commission will try and devise a system whereby all cases can be closed within a timeframe of two years.

Chairperson, NHRC added that the Commission not only accepts complaints under Section 12, sub-section (a) of the PHR Act, 1993, but also under other sub-sections of Section 12, namely, sub-sections (b) to (j). In a

case concerning problem of Silicosis for instance, the Commission intervened in a matter pending in Court. It has also intervened in a case concerning a matter regarding human rights violations in the State of Manipur.

Member (JCJ), NHRC stated that the NHRC has developed a range of ways through which it actively engages with NGOs and civil society and encourages their efforts towards human rights protection. He therefore, requested Shri Patnaik to make specific suggestions to the Commission regarding how the Commission could further encourage the efforts of NGOs and other institutions working in the field of human rights.

On the suggestion made by Shri Patnaik concerning 'reviewing the order/proceeding of the Commission as per application and hearing the petitioner or his representative in person as per request', the Chairperson stated that whenever a request for review of the Commission's orders is received, the review petition is taken up by the same bench which had originally dealt with the concerned case. In all such cases, the concerned Bench takes into consideration the original complaint, together with the previous order of the Commission. However, the Commission conducts summary proceedings and we do not generally hear the petitioner.

Member (JCJ) stated that as per the Act, the Commission has the liberty to give personal hearing. The Commission can consider requests to hear the petitioner individually, if the Commission regards such personal testimony as vital to the conclusion of a particular case. However, this is not a practice generally adopted in most cases.

On the suggestion proposed by Shri Patnaik that the 'Supreme Court be approached for implementation of the Commission's recommendations/directions', the Chairperson stated that Courts are cognizant of the matter and some Courts have expressed their views in this regard. The Allahabad and Kerala High Courts for instance, have stated that the government(s) must act upon recommendations/directions of the Commission unless the concerned government has challenged/taken up the matter in a supreme forum. The Commission's own views in the matter are that its recommendations must be binding on the Centre and States, especially in light of the composition of the Commission which is comprised of a former

Chief Justice and other senior members of the Indian Judiciary and other services. Fortunately, the Supreme Court is seized of this matter and it will come up for consideration on 08 September 2016.

Furthermore, the Chairperson stated, it may not be feasible for the Commission to approach the Courts in all cases to have its recommendations implemented and that the Commission cannot become a petitioner in all cases.

Shri Mathews Philip enquired whether the Legal Services Authority can perhaps be approached/engaged to intervene in such cases.

Member(JCJ) stated that the Statute (PHR Act, 1993) contemplates that the Commission can only make recommendations and not enforce its directives/decisions on authorities, as in the case of Courts of Law. The other possibility which can be explored and must be promoted is that once a complainant is armed with a recommendation from the NHRC which the concerned state authority refuses to accept/honour, the complainant can approach the concerned State High Court and plead that he/she be given the relief recommended by the Commission. In such cases, the Legal Services Authority can play an effective role by taking up such cases in Courts. Thus, this may become an effective way for the implementation of the Commission's recommendations and must be promoted and the people be made aware of the same. NGOs could also play an important role in this process.

DECISION

The issue was discussed and noted.

Agenda 4: Periodicity of the Meeting of the Core Group of NGOs

The Chairperson re-iterated the commitment of the Commission to organize meetings of the Core Group of NGOs bi-annually.

DECISION

It was decided that the Commission would henceforth organize meetings of the Core Group of NGOs bi-annually.

Agenda 5: Fixed Agenda of the Meeting

Ms Puja Marwaha suggested that it might be useful to have specific themes/human rights concerns which could be discussed during the subsequent meetings of the Core Group of NGOs so that dedicated deliberations may take place on important concerns about human rights issues in the country, such as, bonded/child labour, etc. She added that instead of a brief meeting of a few hours, perhaps these Core Group meetings could be converted into day-long deliberations to discuss important human rights concerns.

Member(JC) stated that the meetings of the Core Group cannot and should not become a substitute for a day-long seminar/conference on human rights issues, since the Commission is already actively engaged in organizing such seminars and workshops across the country. Clarifying the purpose of the Core Group, he added that the meetings of the Core Group are an opportunity for its Members to bring to the notice of the Commission, issues which require the intervention of the Commission, including the organization of seminars/conferences/training workshops on specific themes which the Commission may not as yet have taken into consideration/taken cognizance of.

Dr. Ruth Manorama stated that it would be useful if the Commission could share with Members of the Core Group, periodic updates/information on all the important decisions and directives of the Commission, its key activities concerning human rights protection and promotion etc. so that the said information could be further disseminated by the Core Group Members among people they work with who look up to the Commission as an important institution for safeguarding the rights of all people of the country. She requested the Commission to provide an update on the number of complaints taken up by it and the categories of complaints received/taken up, such as, atrocities against SCs/STs, women, children, police violations of human rights etc. She added that sometimes, information regarding the events organized by the Commission is not received, thus, denying them the opportunity to participate in such events.

The Chairperson stated that the monthly newsletter of the Commission is a good source of information on the monthly activities of the Commission as well as the important cases taken up by it and directions/recommendations given to concerned authorities. He added that it would be ensured that all Members of the Core Group are regularly sent the NHRC's Monthly Newsletters in addition to information concerning the various seminars, conferences, hearings, workshops etc. organized by the Commission.

Secretary General, NHRC stated that the Information Officer of the Commission would be directed to regularly send copies of the Commission's monthly newsletters to all Members of the Core Group, and efforts will also be made to include all important orders/directives of the Commission in the newsletter itself.

JS(T&R) further informed the Members of the Core Group that information regarding all forthcoming events of the Commission are available on its website (www.nhrc.nic.in).

Member(JC) stated that to ensure that information had been received by the Core Group Members regarding the events of the NHRC, perhaps telephonic confirmations could be taken by concerned staff of the Commission from the Core Group Members regarding receipt of information/invites. He further added that the Commission's monthly newsletters must also be sent to all SHRCs.

DECISION

It was decided that a copy of the Commission's monthly newsletter would be regularly sent to all Members of the Core Group as well as to all SHRCs.

Agenda 6: AP Encounter Case before the NHRC – appointment of senior counsel in the AP encounter case before the NHRC and justice to the 20 Tamils killed on 07th April 2015 (Case No.475/13/2015)

Chairperson, NHRC stated that the Commission's recommendations in the AP encounter case had been challenged in the High Court and that the Court had issued a stay order in the matter. He assured the Members of the

Core Group that the Commission had already taken steps to engage the services of a senior counsel to take up the said case. In the meantime, the Chief Justice of Andhra High Court, Justice Bhonsle was transferred and the matter was deleted. Whenever it comes up for hearing again, the Commission will engage a senior counsel.

Member(JCJ) enquired if the Core Group Members who had proposed a discussion on the matter and suggested the engagement of a senior counsel, had done so due to disenchantment with the present lawyer who had been engaged by the Commission for the said case.

In response, Shri Mathews Philip stated that the reason for the request to NHRC to engage a senior counsel in the said case had been prompted by the frustration which was felt among the human rights community following the stay order passed by the High Court in the matter.

The Chairperson assured the Members that the NHRC was well aware of the importance and sensitivity of the said case and would take necessary action.

DECISION

The issue was discussed and noted.

Agenda 7: Human Rights Defenders and implementation of the recommendations of the UNSR on HRDs addressed to the NHRC and SHRCs and the role of the NHRC in monitoring and implementation of CEDAW's recommendations, July 2014

Shri Mathews Philip stated that the NHRC must take up the various recommendations made by the UN Special Rapporteur on Human Rights Defenders, particularly those concerning the NHRC, and must perhaps call for a further consultation to discuss the implementation of the said recommendations.

The Chairperson stated that the matter would be placed before the Full Commission for a decision on the matter.

DECISION

It was decided that the matter regarding the implementation of the recommendations made by the UN Special Rapporteur on Human Rights Defenders, particularly those concerning the NHRC, would be placed before the Full Commission for its consideration.

Agenda 8: Periodicity of meetings of the Statutory Full Commission of the NHRC along with all its Deemed Members

The Chairperson stated that the Statutory Full Commission Meetings are held once each year.

On Shri Pattanaik's suggestion that the said meetings may be held once a quarter, the Chairperson stated that the same may not be practically feasible.

Member (JCJ) stated that even though the Commission has been holding Statutory Full Commission meetings once every year, even then there had been occasions when some of the deemed members had not attended the meetings. Thus, to hold these meetings every quarter may not serve much purpose.

The Chairperson stated that the Statutory Full Commission meetings will be held once every year.

DECISION

The issue was discussed and noted.

Agenda 9: Need for urgent amendments to the PHR Act, 1993 .

Secretary General, NHRC stated that the Commission had taken the view that even after amendment of the PHRA in 2006, further amendments were

necessary in the Act to ensure better protection and promotion of human rights in the country. Accordingly, in 2011, the NHRC, India sent a proposal to the Government of India for amendments to Sections 2(1)(f) and 3(3) of the PHR Act 1993, which was followed by proposals to amend Sections 21 and 30 of the Act, in 2013 and 2015, respectively. The said amendments proposed by the Commission are as follows:

- Section 2(1)(f): The Commission has recommended to add the words "which are related to human rights issues and signed and ratified by the Government of India", after deleting the words, "as the Central Government may, by notification, specify", occurring in Section 2(1)(f), so that the requirement of issuance of notification of any UN Convention/Covenant signed/ratified by the Government of India is not necessary.
- Section 3(3): The Commission has recommended to the Government of India for amendment to Section 3(3) of the PHRA to include the 'Chairperson of the National Commission for Protection of the Child Rights' as a deemed member of the NHRC, India in addition to the Chairpersons of the National Commissions for Minorities, Scheduled Castes, Scheduled Tribes and Women, for the discharge of functions specified in clauses (b) to (j) of Section 12. The Commission has recommended the said amendment to Section 3(3) to make the NHRC, India even more broad-based.
- Section 21: The Commission has proposed an amendment to the said Section for inclusion of provision for the constitution of Human Rights Commissions in Union Territories of India as well.
- Section 30: The Commission proposed a set of amendments to Section 30 of the PHR Act, 1993, which are aimed at incorporating provisions for identifying the offences which could be tried by the Human Rights Courts along with the specifications of the procedures for the same. The PHR Act, 1993 provides for the designation of some courts as Human Rights Courts.

Secretary General added that if the Members of the Core Group had any further specific suggestions for amends to the PHR Act, 1993, then the same could be sent to the Commission for its consideration.

Joint Secretary (Training and Research), NHRC informed that JS(HR), Government of India had informally informed that its recommendations for amendments to the PHR Act, 1993 had been taken up with the Law Ministry, GoI.

Dr. Ruth Manorama enquired as to what role the NHRC has played in following up recommendations to the Indian Government on various international treaties, such as the ICCPR, CEDAW, UPR etc. She added that NGOs have regularly been following up with the Government on what actions it has taken for the implementation of various recommendations by treaty bodies etc. and how these have been integrated into law and policy.

JS(T&R) stated that the NHRC had submitted a written submission to the Committee on the Elimination of Discrimination against Women (CEDAW) in connection with the consideration of the Combined Fourth and Fifth Periodic Reports of India by the Committee on the implementation of CEDAW in India. An oral statement was also made by the then Chairperson of the Commission before the Committee on 30 June 2014. As regards the Second Universal Periodic Review (UPR), the Commission submitted its own, independent country report to the Human Rights Council based on the extensive regional and national consultations that it had conducted with all relevant stakeholders, including SHRCs, NGOs, civil society organizations, academia, and even government representatives. A copy of the said country paper submitted by NHRC will be provided to the Core Group Members. The Commission is presently engaged in the process of organizing similar regional and national consultations for the preparation of the country paper for the India's Third UPR cycle, which is due to be submitted to the UNHRC by the 22nd of September 2016. The National Consultation is scheduled to be held on the 12-13 August 2016 at India International Centre, New Delhi.

Secretary General informed that on UPR and CEDAW, the Commission had held a meeting the same morning with officers from concerned Central Ministries on specific issues including, police training, internal displacement, national plan of action, trafficking etc. Two rounds of such meetings with Government Ministries/Departments are nearing completion.

Dr. Ruth Manorama requested that the information regarding the various initiatives and interventions of the Commission on international human rights mechanisms and international conventions be shared with the Core Group.

The Chairperson stated that all relevant information will be provided to the Core Group Members.

DECISION

It was decided that Members of the Core Group may send specific suggestions, if any, for further amends to the PHR Act, 1993, for the consideration of the Commission.

It was also decided that all relevant information will be provided to the Core Group Members on the NHRC's initiatives with respect to human rights mechanisms and international conventions.

Agenda 10: Concern over the silence of the NHRC with regard to the use of provisions of the FCRA Act, 2010 and FCRA Rules 2011 against a host of Human Rights Defenders across the country

Shri Mathews Philip stated that while no NGO was against the FCRA per se, recent developments had shown that the provisions of the Act were increasingly being used by the Government to silence its critics and muzzle voices of dissent expressed by human rights defenders. He added that this had become a serious threat to the unfettered functioning of NGOs and civil society organizations, whose key role was advocacy among other things. The recent amendments to the FCRA have lent a blow to the rights to freedom of association and freedom of expression, guaranteed by the Indian Constitution, and have resultantly made it extremely difficult for NGOs to function in a free and unfettered manner. He requested the NHRC to clarify its stand on the matter.

Shri Baghambar Pattanaik requested the Commission to organize a wider national consultation on the issue of the misuse of the FCRA by the government to target human rights defenders.

Member (JCJ) stated that in the Workshop on Human Rights Defenders organized by the Commission on 19 February 2015 in New Delhi, the Commission had taken a clear stand on the question of the FCRA, which was as follows:

"Foreign funding of Non Governmental Organisations should not be at the cost of security concerns. However, at the same time, government may also not misuse the provisions of the Foreign Contribution Regulation Act to thwart the work of HRDs and silence dissent."

He added that if the concerned Member of the Core Group so desired, he could send a written representation to the Commission detailing the specific amendments to the FCRA which in his view impinge on basic rights and freedoms of human rights defenders, so that the same may be considered by the Commission and a decision taken thereof. The request for a national consultation on the issue of the alleged misuse of the FCRA may also be sent to the Commission for its consideration.

The Core Group Members stated that they were unaware of the said Workshop on Human Rights Defenders organized by the Commission and in the future, would appreciate that information regarding all such events of the Commission are communicated to them, thus, enabling them to participate.

JS(T&R) clarified that only those Core Group Members who are based in Delhi were invited for the said Workshop, since that has been the practice in the Commission.

Secretary General clarified that the recommendations emanating from the HRDs Workshop had been sent to Core Group Members including Dr Ruth Manorama and Shri Mathews Philip on 07th August 2015.

The Chairperson assured the Members that henceforth, the proceedings and resolutions adopted at all important meetings of the Commission will be circulated to all Members of the Core Group.

DECISION

It was decided that the Members of the Core Group may send a written representation to the Commission detailing the specific amendments, if any, to the FCRA which in their view impinge on basic rights and freedoms of human rights defenders, so that the same may be considered by the Commission and a decision taken thereof. The request for a national consultation on the issue of the alleged misuse of the FCRA may also be sent to the Commission for its consideration.

It was also decided that the proceedings and resolutions adopted at all important meetings of the Commission would henceforth be circulated to all Members of the Core Group.

Agenda 11: Complaints handling – referring of complaints filed to the NHRC to the SHRCs using its power

Shri Mathews Philip stated that it has been seen that in certain cases when NGOs have purposely chosen to file a particular case before the NHRC and not the concerned SHRC, the said case has been later found to have been transferred to the concerned SHRC by the NHRC. He enquired if in such cases the NHRC can, at the very minimum, consult the petitioner before transferring cases to SHRCs.

The Chairperson stated that if the NHRC takes cognizance of a complaint prior to the concerned SHRC, then it is the NHRC which proceeds on the said complaint. However, if a SHRC takes cognizance of a particular case before the NHRC, then as per the provisions of the Act, the NHRC cannot take up the said case for consideration. He further clarified that it is only in certain cases where the Commission feels that the concerned SHRC will be better equipped to address and handle the case, that it transfers such cases to SHRCs.

However, in cases involving egregious violation of human rights, the NHRC does not transfer the cases to SHRCs and monitors and follows up on the case up to its logical conclusion.

Member (JCJ) stated that under the PHR Act, two institutions with parallel jurisdiction have been set up, namely, the NHRC and SHRCs and added that the NHRC does not have any power over SHRCs. He added that the decision to transfer complaints to SHRCs is taken based on the consideration that in certain cases, it is the SHRCs which are better equipped to handle such cases. Explicating his point, Member(JCJ) stated that in the case of custodial torture in a remote place in Kerala for instance, the NHRC would consider it judicious to transfer the case to the concerned SHRC because it may be easier for the SHRC to investigate into the matter more effectively as compared to the NHRC. Member(JCJ) however, acknowledged the concerns raised by the Core Group Member that certain SHRCs which are functioning in the absence of a Chairperson or Members or adequate investigating officers, may be ill-equipped to handle cases and that the NHRC could perhaps keep the same in mind before taking a decision to transfer complaints to SHRCs.

The Chairperson explained that even in the cases which would be taken up under Article 32 and Article 226, parties prefer to approach Supreme Court rather than the concerned High Court. However, it is not always feasible/advisable to entertain such cases which can be dealt by High Court, in the Supreme Court. Similar situation exists pertaining to the cases before NHRC and SHRCs. Every case cannot possibly be taken up by NHRC.

DECISION

The issue was discussed and noted.

Agenda 12: UPR III by UN Human Rights Council

Secretary General stated that the subject had already been discussed under Agerda 9.

DECISION

The issue was discussed and noted.

Agenda 13: Setting up of an enquiry committee into the recent atrocities on Dalits in Gujarat, Cow vigilantes in Lucknow, UP and the growing violence against Dalit students in Indian Universities

The Chairperson informed the Core Group that the Commission had already initiated proceedings in each of the cases mentioned in the said agenda item/point.

DECISION

The issue was discussed and noted.

Agenda 14: NHRC must direct SHRCs in Karnataka to take steps to immediately withdraw the circular issued to the Police for verifying credentials of NGOs

Shri Mathews Philip raised concern regarding the recent action of the local police in Karnataka to enter the premises of his NGO based on a circular issued by the SHRC to check the credentials of NGOs in the State, purportedly on the directions of the NHRC.

JS(T&R) clarifying the matter stated that the said request to all SHRCs had been made by the NHRC with the aim of verifying the credentials of NGOs in their respective states, since the NHRC is in the process of re-constituting its Core Group of NGOs and identifying potential NGO members for the said Core Group. He also conveyed that in the past, six (06) NGOs had written to the NHRC with forged signatures of the Registrar of Karnataka SHRC requesting for funds from the Commission. However, on checking with the Karnataka SHRC, it had come to light that all 6 NGOs had sent fraudulent letters with forged signatures to the Commission. He assured the Core Group

that the Commission had not instructed any of the SHRCs to direct the local police to check the credentials of NGOs.

DECISION

The issue was discussed and noted.

Represented from the NHRC, India

- Justice Shri H L Dattu, Chairperson
- Justice Shri Cyriac Joseph, Member
- Shri Satya N Mohanty, Secretary General
- Shri C K Chaturvedi, Registrar (Law)
- Ms Chhaya Sharma, DIG
- Shri J S Kochher, JS(T&R)
- Dr Ranjit Singh, JS(P&A)
- Dr Savita Bhakhry, JD(R)
- Shri B S Nagar, US(C)
- Ms Sonali Huria, Research Consultant

Members of the Core Group of NGOs

- Shri Baghambar Pattanaik, Human Rights Activist and Adviser, Odisha Goti Mukti Andolan
- Shri Mathews Philip, Executive Director, South India Cell for Human Rights Education and Monitoring
- Ms. Puja Marwaha, Chief Executive, Child Rights and You
- Ms. Rita Sarin, Country Director, The Hunger Project India
- Dr. Ruth Manorama, President, National Alliance of Women