

**Report on NHRC Camp Sitting/Open hearing in Thiruvananthapuram from
31.10.2019 to 1.11.2019.**

The NHRC has been constituted under the Protection of Human Rights Act, 1993 with the objective for better protection of human rights. The Commission has various functions to discharge u/s 12 of the Act. In discharge of its function of complaint handling, the Commission has been holding camp sittings/ open hearings in various parts of the country for providing succor and relief to the weaker sections of the society particularly Scheduled Castes/ Scheduled Tribes, women, children, disabled and other marginalized sections. This is apart from a large number of complaints that it deals with in its office in New Delhi.

A camp sitting/ open hearing was held at Thiruvananthapuram, Kerala from 31.10.19 to 01.11.19. During the inaugural session, after the welcome address by Dr. Vishwas Mehta, Addl. Chief Secretary, Home, Govt. of Kerala, the Chief Secretary, Shri Tom Jose, mentioned about the admirable role play by the National Human Rights Commission and the State Human Rights Commissions in protecting human rights throughout the country. He assured the Commission the whole hearted commitment and cooperation of the Govt. of Kerala in ensuring human rights of the citizens of the State.

Shri Jaideep Govind, Secretary General, NHRC, quoting Nelson Mandela, stated that denying human rights to the people was a challenge to humanity itself and objective of the camp sitting was to redress grievances of the people particularly SCs/STs in this regard. He made a special mention about the Commission's robust website, efforts to increase the outreach by linking three lakh Common Service Centres(CSC) with the Commission's Complaint Management System(CMIS). He stated that NGOs/ Human Rights Defenders

play a very important role in spreading human rights literacy and mentioned about the Focal Point for human rights defenders designated by the Commission for addressing their grievances.

Justice Antony Dominic, Chairman, SHRC, Kerala stated in his address that although human rights are inalienable and indispensable, often they are not being honoured. Benefits of the various schemes for welfare of SCs/STs was not reaching the targeted population and more needs to be done.

Justice H.L.Dattu, Chairman, NHRC in his address stated that the camp sittings had the impact on improvement in efficient and impartial discharge of functions by the Govt. He also mentioned that implementation of various flagship programmes was vital for social economic progress and in protecting human rights. Provision of basic facilities such as roads, water, food, electricity. etc. is very important for welfare of the masses. There was a need for judicious use of financial and manpower resources besides proper implementation of SC/ST Act for amelioration of the conditions of the weaker sections.

The inaugural session was followed by consideration of 96 cases by four single benches, wherein the complainants as well as the authorities were provided opportunity to present their grievances and responses with regard to the same. A number of cases were closed taking into account the action taken reports received from the authorities and in some cases further reports were called for. In one case pertaining to physical torture of a first standard student by a teacher in the school the Commission recommended monetary relief of Rs. 25,000/- Two other cases were closed after recommendation for monetary relief of Rs. 50,000/- was accepted by the State Government. In yet another case where five school children were killed in Ernakulam district when a road side tree fell on the school bus they were travelling, the intervention of the Commission

has resulted in payment of ex-gratia relief of Rs. Four lakhs each by the State Govt. In a case of police brutality in Minicoi Island, UT of Lakshdweep to show cause as to why monetary compensation of Rs. 50,000/- each should not be recommended to be paid to the various victims who suffered injuries during police action. In a case pertaining to suffering of the people in Akathethara, Palakkad on account of delay in construction of an over bridge at a railway level crossing, the Commission directed the State Govt. to expedite the work. The District Collector present assured the Commission that acquisition of land for the railway bridge will be completed in three months. In a case regarding filling up vacancies of the SC/ST people, the Secretary, SC/ST Deptt. informed the Commission that as on 30.06.19 there are 1149 SC vacancies and 1227 ST vacancies. He assured the Commission that these vacancies would be filled up on urgent basis and status report will be filed within three months before the Commission.

On the second day, the Full Commission met and considered five important cases raising important human rights issues. These cases included the aspect of rehabilitation of bonded labours, rights of tribals living in forest area, complaint from Shimi Augustine, New Delhi regarding denial cremation of the dead bodies in some Jacobite/Orthodox Syrian Churches in Kerala by certain persons of vested interest etc. The Commission considered the sensitive issue pertaining to the denial of burial to some Jacobite/Orthodox Syrian Churches in Kerala. It observed that since the matter is pending consideration before the Supreme Court, without violation of any order passed by the court the aspect of immediate relief and burial of the body deserve consideration. However, since the State Human Rights Commission in Kerala was in a better position to monitor, the Commission found it expedient to transfer the matter to the State Human Rights Commission for its consideration.

After the Full Commission meeting, the Commission had an interaction with various NGOs, civil society members, HRD and transgender. They raised numerous issues including health care, (drinking water contaminated in Waynad district) education for children , mobile phone addiction in schools, police harassment to female sex workers, rights of transgender and their rehabilitation, living condition of migrant labour, problem faced by street vendors, violence against women, children and dalits, etc.

The meeting with NGOs was followed by an interaction with Chief Secretary, DGP and other senior officers of the State, Discussions were held on various issues that emerged during the two days camp sitting which included:

- 9000 POCSO cases were pending the State.
- Trafficking of children.
- Denial of funeral of dead bodies of some Jakobite/orthodox Syrian churches (the matter of emergency handling in such situations was referred to SHRC, Kerala).
- Sexual harassment of girls in an orphanage in Malabar.
- Destruction of agricultural crops of tribals by forest department officials of Kerala.
- Absence of central tribal university.
- Rehabilitation of Bonded Labourers.
- Absence of any grievance redressal mechanism for tribal communities.
- Need for ambulance facility for victims of road accidents.
- Better infrastructure, and cleanliness in Primary Health Centres, hospitals including filling up of vacancies.
- Efficient implementation of flagship programmes including Mid Day Meals, Anganwadi Centres, better maintenance of toilets in schools

- Medical facilities/health insurance for Scheduled Tribe communities.

The Chief Secretary, Govt. of Kerala undertook to look into various suggestions/grey areas for better protection of human rights. The Commission extended its appreciation to State Govt. of whole hearted support for making the camp sitting successful.

