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“Thousands of candles can be lit from a single candle, and the life of the candle will not be shortened. Happiness never decreases by being shared”. Lord Gautama Buddha

NHRC National Level Review Meeting on Mental Health

The National Human Rights Commission, NHRC, India organized a day-long National Level Review Meeting on Mental Health in New Delhi on 7/8/2019. Several issues were highlighted to bridge the gap between the legislation and its implementation. Earlier, inaugurating it, the NHRC Chairperson, Mr. Justice H.L. Dattu said that the efforts to improve the mental health care in the country have been made but a huge gap still remains between the requirements and availability of facilities in the sector.

Flagging it as a matter of serious concern for the Commission, he said that consistent with its policy to monitor the mental health sector, it was felt necessary to evaluate the ground realities post implementation of Mental Healthcare Act, 2017. Justice Dattu said that there is a requirement of 13500 psychiatrists but only 3827 are available. Against the requirement of 20250 clinical psychologists only 898 are available. Similarly, there is an acute shortage of para-medical staff also.

The NHRC Chairperson also raised the issue of prisoners having mental health problems and said that

the protection of the rights of such prisoners is an obligation of the State governments under Section 103 of the Mental Healthcare Act, 2017, as also emphasized by the Supreme Court in one of its recent judgments.

Ms. Preeti Sudan, Union Health & Family Welfare Secretary said that the Centre has been very proactively engaged with the task of improving



NHRC Chairperson, Mr. Justice H. L. Dattu inaugurating the National Level Review Meeting on Mental Health

the mental healthcare system in the country for which the cooperation of States is also needed. She said that the funds are not the impediments but the States have to come forward with their proposals to implement the imperatives of Mental Healthcare Act, 2017 also submit timely reports on their expenditure for the same.

Earlier, Mr. Sanjeeva Kumar, Special Secretary, Ministry of Health & Family Welfare and Mr Lav Agarwal, Joint Secretary in the Ministry of Health & Family Welfare echoed the similar views. Mr. Kumar said that only 19 States have implemented the Mental Healthcare Act so far. He said that 10.6 percent adult population in the country suffers from mental health issues, which is a huge number requiring

holistic concept of safety nets, legal frameworks and medical care facilities. He lauded the NHRC for its efforts in bringing different stakeholders to discuss the subject and improve the situation through collaborative approach.

Mr. Jaideep Govind, Secretary General, NHRC, gave an overview of the Commission's several engagements with reference to the mental health. He said that mental health is part of sustainable Development Goal 3, which

emphasizes well being of all. He said that some states have introduced good practices, which need to be replicated by others. He also said that the Commission has expanded its outreach by providing various alternative ways of filing complaints with the Commission. This included linking of NHRC's online complaint filing system with over three lakh Common Service Centres in the country.

NHRC Regional Workshop at Aizawl on Elimination of Bonded Labour

The National Human Rights Commission organized a day long workshop on 'Elimination of Bonded Labour System including Child Labour, Inter-State Migrant Workers and Human Trafficking' at Aizawl, Mizoram on 2/8/2019. This was organized in collaboration with the



NHRC Member, Mr. Justice P.C. Pant addressing the participants

Government of Mizoram.

Mr. Justice P.C. Pant, Member, NHRC chaired the workshop. Addressing the participants, he emphasized the importance of adopting a preventive approach to address the bonded labour problem. He said that it is important to reduce the conditions that perpetuate bondage by providing

decent work, education, access to formal credit and by removing possible elements of bondage in the worker-employer relationship. Moreover, robust inter-state coordination mechanisms are required to address the issues of migrant workers.

Mr. Lalnunmawia Chuaungo, Chief Secretary, Govt. of Mizoram said that the Society of Mizoram is so well knit that people here take care of each other's well-being. As a result of which no poor family is susceptible to fall prey to the bonded labour system. He also said that there is no presence of child labour in Mizoram as it does not have big industrial and commercial establishments. The children in

Mizoram have the habit of helping their family in household chores. The Mizo society consider this as a good practice, which inculcates the sense of responsibility in kids from the very tender age.

During the discussions by and large, all the representatives/office bearers highlighted how bonded labour is not a relevant issue to the State of Mizoram. However, it is skipped with the issue of human trafficking and migrant labour.

The objective of the workshop was to raise awareness among the various stakeholders to eliminate the persisting menace of Bonded labour, Child Labour and Human Trafficking along

with addressing the issues of Inter-State Migrant Workers. The concern was to sensitize DMs/SDMs to minimize this menace from our society.

Besides the NHRC Member, Mr. Justice P. C. Pant, Secretary General, Mr. Jaideep Govind and Joint Secretary, Mr. Dilip Kumar and other officers, Special Rapporteurs and Special Monitors, the participants included other representatives of the concerned Union Ministries, State Governments, State Human Rights Commissions, Medical Council of India, Nursing Council of India, Directors of Mental Health Institutes, Mental Health Experts, NGOs and civil society organizations.

NHRC National Seminar on Poverty, Corruption & Human Rights at Santiniketan, West Bengal

The National Human Rights Commission, NHRC, India & Visva-Bharati, Santiniketan jointly organized a "National Seminar on Poverty, Corruption & Human Rights" at Auditorium, Visva-Bharati, Santiniketan, Kolkata, West Bengal on 19th -20th August, 2019. Inaugurating it, Mr. Justice P.C. Ghose, Chairperson, Lokpal, India inaugurated it. He said that conflict between efficiency and effectiveness is required to be resolved to achieve an expansionist worldview. Dr. Dnyaneshwar Mulay, Member NHRC, in his keynote address, said that a larger mission is needed for an inclusive society.

The Presidential address was delivered by Professor Bidyut Chakrabarty, Vice-Chancellor, Visva-Bharati, Santiniketan. Mr. Jaideep Govind, Secretary General, NHRC spoke as the Guest of Honor among the other prominent speakers in the inaugural session including Mr. Dilip Kumar, Joint Secretary (A&R), NHRC.



Seminar on Poverty, Corruption & Human Rights in progress at Santiniketan, West Bengal in progress

The Commission has been organizing such national seminars since last 15 years to discuss important issues of human rights issues with the academia, research scholars and students of different Universities to spread awareness about various aspects of human rights.

Besides the inaugural & valedictory sessions, the Seminar was divided into four academic sessions. These are: "Globalization, corruption and Challenges of HR", "Poverty: Cultural & Literary References", "Development,

Poverty & Human Rights" & "Rights of Marginalized & Role of Media".

The participants will be included, among others, Prof. Madhu Bhalla, Delhi, Vice Chairperson, Transparency International India, Prof. Anand Kumar, Delhi, Renowned Sociologist & Activist, Ms. Hasina Kharbhih, Shillong, Founder of Impulse NGO, Ms. Mamta Singh, IPS Delhi, Chief

Vigilance Officer, SPMCIL, Prof. Soma Bandopadhyay, Kolkata, Vice-Chancellor, WBUTTEPA, Dr. D.M. Diwakar, Patna, A.N. Sinha Institute of social Sciences, Prof. Kumkum Bhattacharya, Prof. Biplab Loha Chowdhury, Dr. Tanusree Paul, Dr. Mausumi Bhattacharyya, Visva-Bharati University, Mr. Rahul Dev, Gurugram, Sr. Journalist & Writer, Mr. Nava J. Thakuria, Guwahati, Sr. Journalist & Writer, Ms. Nidhi Kulpatri, Delhi, NDTV, India.

Meeting On 'National Action Plan On Human Rights'

A meeting was held with the Ministry of Home Affairs on the 9/08/2019, in the Commission to discuss and resolve the issue of preparation of the National Action Plan on Human Rights (NAP-HR). Dr. D. M. Mulay, Member, NHRC chaired the meeting attended by Mr. Jaideep Govind, Secretary General, Mr. Prabhat Singh, Director General (Investigation), Mr. Surajit Dey, Registrar (Law) besides the other senior officers. Mr. Pawan Kumar, Deputy Secretary, from the Ministry of Home Affairs attended the meeting.

Recapitulating the developments since India was first recommended to prepare a NAP-HR in the Universal Periodic Review-I of 2008, Dr. Mulay noted that the issue has been long-standing and juggling between the Ministry of Home Affairs and the



NHRC Member Mr. Dr. D. M. Mulay chairing the Meeting on 'National Action Plan on Human Rights'

Commission. He said that it was time to reach a consensus on the way forward i.e. either the Ministry takes the lead (like the Ministry of Corporate Affairs, which is preparing a National Action Plan on Business and Human Rights) or it gives the task to the NHRC.

After intensive deliberations, it

was concluded that the NHRC would take the lead in the preparation of the National Action Plan on Human Rights and a Task Force would be constituted under the chairmanship of Member, NHRC and Special Secretary, MHA with members from the Ministry of Social Justice and Empowerment, Health, Women and Child Development, etc. The representation from the Civil Society Organizations in the

Task Force could be deliberated upon in the later stages. Further, setting the timeline for the Task Force, Dr. Mulay suggested that it must complete all 3 levels of consultation with Ministries, State and Non-state parties by October and then should submit a Zero Draft by second week of November.

Cases of Human Right Defenders

The Commission registered 13 cases of alleged Harassment of Human Rights Defenders during the month of August, 2019. Summary of some of these cases is as follows:

1. Case No. 1216/25/4/2019

Ms. Sangita Chakraborty, State President, Bhartiya Manav Adhikar Sanrakshan Sangh, West Bengal has sent a complaint to the Commission alleging that she and her team members were assaulted by goons on 12/07/2019, while she was working for the protection of civil and political rights of the poor and downtrodden. The incident allegedly occurred just five meters away from the SP and DM Office, but she was not extended any help. The Commission transmitted a copy of the complaint to the Chief Secretary, and the Director General of Police, West Bengal with directions for necessary appropriate action in the matter and to inform the complainant about it.

2. Case No. 1407/20/14/2019

Mr. Henri Tiphagne, National Working Secretary, Human Rights Defenders Alert-India has brought

to the notice of the Commission harassment and intimidation of social and Dalit Human Rights Activists, Mr. Jaiki Kumar Tatiwal, Mr. Trilok Raj Beniwal and others by Rajasthan Police, as they had protested against certain police inaction. The Commission issued notice asking for a report in the matter from the Superintendent of Police, Jaipur (Rural), Rajasthan, in the meantime to take appropriate steps.

3. Case No. 1544/20/2/2019

Mr. Ramesh Chandra Bansal, Secretary, Manav Vikas Avam Adhikar Kandara Sansthan, Ajmer, Rajasthan has sent a complaint to the Commission alleging that the victim, Mr. Daulat Bharti, a Journalist was attacked with lathis and other weapons by a group of men, allegedly, hired by some people whom he had exposed in his articles. The Commission transferred the complaint to the Rajasthan State Human Rights Commission for disposal in accordance with the PHR Act.

4. Case No. 20231/24/56/2019

Mr. Henri Tiphagne, National Working Secretary, Human Rights

Defenders Alert-India has brought to the notice of the Commission that the Journalists, who had gone to collect information about the official visit of the Chief Minister of UP to the District Government Hospital, Moradabad, UP were asked to assemble in the mini OT room and District Magistrate closed the door from outside and they were kept under watch for at least 20 minutes and allowed to come out only after Chief Minister, UP left. The Commission called for a report in the matter from the State Chief Secretary and the Director General of Police.

5. Case No. 874/34/8/2019

Dr. D.K. Shaw, State President, Antarashtriya Manavadhikar Association has brought to the notice of the Commission that one Ajay Kumar Das, a Human Rights Activist, was physically assaulted and illegally detained by the Jamua Police, Jharkhand on 30/06/2019. The Commission called for a report in the matter from the Superintendent of Police, Giridih, Jharkhand.

Suo Motu Cognizance

The Commission took suo motu cognizance in 6 cases of alleged human rights violations reported by media during 16/07/2019 to 31/08/2019 and issued notices to the concerned authorities for reports. Summaries of the cases are as follows:

Botched up cataract surgery in Indore (29/08/2019) (Case No. 1660/12/21/2019)

The media reported about the alleged botched up cataract surgeries leading to loss of vision in a number of patients at Indore Eye Hospital, Indore, Madhya Pradesh. Reportedly, four persons out of 15, who underwent cataract surgery at this hospital, have lost eyesight. The victims also included a doctor, who went for cataract surgery at this hospital on the 5/08/2019. The Commission has issued a notice to the Chief Secretary, Government of Madhya Pradesh calling for a detailed report in the matter.

Salt and rotis instead of wholesome nutritious food in Mid Day Meal (Case No. 23511/24/54/2019)

The media reported on the 24th August, 2019 that a video of children being served salt and rotis in their Mid-Day-Meal at a government run primary school has gone viral on social media. The video was of Siyur Primary School under Jamalpur block, District Mirzapur, Uttar Pradesh. Reportedly, the authorities have suspended two teachers, apparently, in an immediate damage control exercise. The Commission has issued a notice to the Chief Secretary, Government of Uttar Pradesh calling for a detailed report in the matter. The Commission would like to know about the status of the Mid-Day-Meal Scheme across the State in case of Government and Government assisted primary schools

about the quality of food and the food items which are normally, being provided to the children according to the Mid-Day-Meal scheme from the State Government.

Children injured as high-tension wire falls on the primary school building (Case No. 19262/24/11/2019)

The media reported that 55 school children have suffered burn injuries as a high-tension wire fell on the government primary school in Utraula Tehsil of the district Balrampur in Uttar Pradesh on 15/07/2019. Reportedly, there were at least 100 children in the school when the incident happened.

The Commission has issued notices to the Chief Secretary, Government of Uttar Pradesh and the Chairman, Madhyanchal Vidyut Vitran Nigam Limited, Uttar Pradesh calling for a detailed report in the matter.

Spot Enquiries

Following is the list of cases wherein the enquiries were conducted by the Commission's officers in its Investigation Division:

Case No. 4026/30/2/2018

The Commission received an intimation/complaint dated 30/06/2018 from a Jail Visiting Judge at Tis Hazari Court, Delhi alleging that the DG Prisons did not take any action on his report citing violation of human rights at Mandoli Jail in Delhi. The Commission asked its Director General (Investigation) to constitute a 3-member team of investigators of the NHRC, one of them shall be IPS officer and the other shall be a retired judge to investigate the affairs inside the Mandoli jail and submit report. Accordingly, a team consisting of Presenting Officer, Mr. R.K. Yadav, SSP, Ms. Sumedha Dwevedi, DSP, Mr. Kulbir Singh and Insp. Mr. Arun Kumar visited the Mandoli Jail, Delhi w.e.f. 23.07.2019 to 25.07.2019 and took statement of the inmates, jail

officials and obtained the relevant records. The report is being written.

Case No. 235/7/3/2018

The Commission received a complaint on 17.01.2018 from Mr. R. H. Bansal, Social Activist, one Shiv Kumar S/o Prakash r/o Chaisha, Faridabad, Haryana was illegally arrested by a Sub-Inspector after the victim did not accede to his demand for sexual favours from his wife. The victim took poison and had to be admitted to the hospital. Pursuant to the directions of the Commission a team comprising of Inspector Mr. Lal Bahar and Inspector Mr. Jintu Saikia visited Faridabad, Haryana from 15/07/2019 to 19/07/2019 and took statement of the victim, independent witnesses, police officials and the doctor concerned. Team also collected relevant documents pertaining to the case. The report writing is under progress.

Case No.1461/7/3/2019

The Commission received two complaints dated 17/06/2019 and

11/07/2019 from Ms Neha Arora Faridabad, Haryana alleging that she has been denied safety by police. No action had been taken on the FIR No. 9/18, got registered by her at Women Police Station, Faridabad on 04/06/2018 in the light of false FIR filed by accused Manmohan against her. A complaint in this regard, dated 05/09/2018, was also submitted before the NHRC. Pursuant to the directions of the Commission, a team of NHRC Investigation Div., comprising Mr. I. R. Kurillose, Dy. S.P, Ms. Monia Uppal, Inspector and Mr. I.P. Singh, Inspector visited the residence of the complainant at Faridabad from 22/07/2019 to 26/07/2019 and took statement of the complainant, family members, neighbours and eye witnesses. The team also interacted with the police officials and recorded their statements. Team also collected relevant documents pertaining to the case.

From NHRC Investigation Files

Irregularities Exposed in non-payment of dues to the Workers

Case No. 649/36/0/2017

The Commission received a complaint dated 23/09/2017 regarding the death of seven labourers/ workers and injury to one during mining work in the tunnel of Kaleshwaram Lift Irrigation Project (KLIP), District Rajanna Sircilla, Telangana on 20/09/2017 due to blasting. These workers belonged to Jharkhand, Chhattisgarh, Odisha and Telangana. It was also alleged that no safety measure was taken by the concerned authority and these workers were not registered under Inter-state Migrant Workmen Regulation of employment and condition of service Act, 1979. The State authorities reported that a case was registered against the Assistant Manager of the company

and investigation was being done. However, the report was silent about compensation paid to the deceased and injured workers.

Accordingly, the Commission directed the Investigation Division for spot enquiry. The NHRC team came across various violations of the labour laws and other safety norms. Only two of the deceased workers were enrolled under the Building and Other Construction Workers (Regulation of Employment & Conditions of Service) Act, as beneficiaries and five deceased and one injured worker were not enrolled. The Commission noted that the NoK of the deceased labourers have been paid varying amounts as monetary relief. This was also the case with the injured worker.

The Commission, therefore,

directed the State to ensure that NoK of the deceased workers are paid monetary relief @ Rs.6,30,000/- each, same as those registered under the Act. Further, the Commission also directed to submit a copy of Expert Committee Report constituted by the Govt. of Telangana, to issue suitable directions to all concerned departments to regularly inspect the site of Kaleshwaram Lift Irrigation Project (KLIP) and ensure that workers are registered under the Inter-State Migrant Workmen Act, 1979 and Building and Other Construction Workers Act, 1996, and are getting the benefits under the labour laws. The DGP Telangana was also directed to look into the negligence angle on the part of the HCC officials and officials of Irrigation & CAD Department, Telangana and expedite investigation.

Research Study to Assess the implementation and impact of the Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act

The Commission has entrusted a research project titled “**The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013: A Study to assess its impact, implementation issues and concerns in various Government/Semi-Government/PSUs/Private Sectors in Delhi (NCR)**” to

National Law University Delhi. The Principal Investigator of the project, Dr. Ritu Gupta made a presentation on the status of the research project in a meeting held on 8/08/2019 in the Manav Adhikar Bhawan. Mrs. Jyotika Kalra, Member, NHRC chaired the presentation. It was attended by Mr. Jaideep Govind, Secretary General and

other senior officers of the Commission.

The study also aims at highlighting the potential role that NHRC can play in devising an operative procedure/ model procedure in effective implementation of the said Act in the circumstance where this part is found lacking. The research study is proposed to be completed by 31/12/2019.

Expression of Interest for Research Projects

The National Human Right Commission invited ‘Expression of Interests’ for Research Projects from reputed Research Institutions, Universities, NGOs (registered under

Societies Registration Act, 1960 or Indian Trust Act 1882 or any Public Trust) etc. for undertaking research projects/studies on various specified themes. During the month of August

2019, the following 7 presentations on the short listed research proposals were made by the Principal Investigators in the Commission:

Sl. No.	Title of the Project	Name of the P.I. & Institution	Date of Presentation
THEME-1			
Trends and Patterns of death in prisons and in police custody: An empirical research covering at least 4 States having higher incidence of such deaths			
1.	Custodial Death: Trends and Patterns in U.P, Maharashtra, Bihar and West Bengal	Dr. (Prof) Anwar Alam, Senior Fellow, Policy Perspectives Foundation, New Delhi	20/8/2019
2.	Analysis of Trends and Patterns of Deaths in Prison and in Police Custody: An Analytical Study of such deaths in Maharashtra, Uttar Pradesh, Bihar and Delhi	Dr. Mohmamad Aslam, Assistant Professor, Dr. Akbar Joseph, Assistant Professor in Department of Political Science, Aligarh Muslim University	20/8/2019

THEME-2:**Business and Human Rights – Due Diligence in practice**

3.	A study on Socially Responsible Supply Chains for Protection of Human Rights	Dr. Anand Akundy, Assistant Professor, Institute of Public Enterprises, Osmania University	22/8/2019
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THEME-3:**Issues and challenges related to Child Labour with reference to human rights**

4.	Mainstreaming Child Labours in Schools: Issues, Challenges and Alternatives	Dr. Ajay Kumar Singh, Professor from Tata Institute of Social Sciences, Mumbai	23/8/2019
5.	Prevalence of Girl Child Labour in the Indian Textile Industry- A Study on the Textile and Garment Clusters in Tamil Nadu and Gujarat	Dr. M. Karthik, Assistant Professor, Indian Institute of Public Enterprises, Hyderabad	23/8/2019

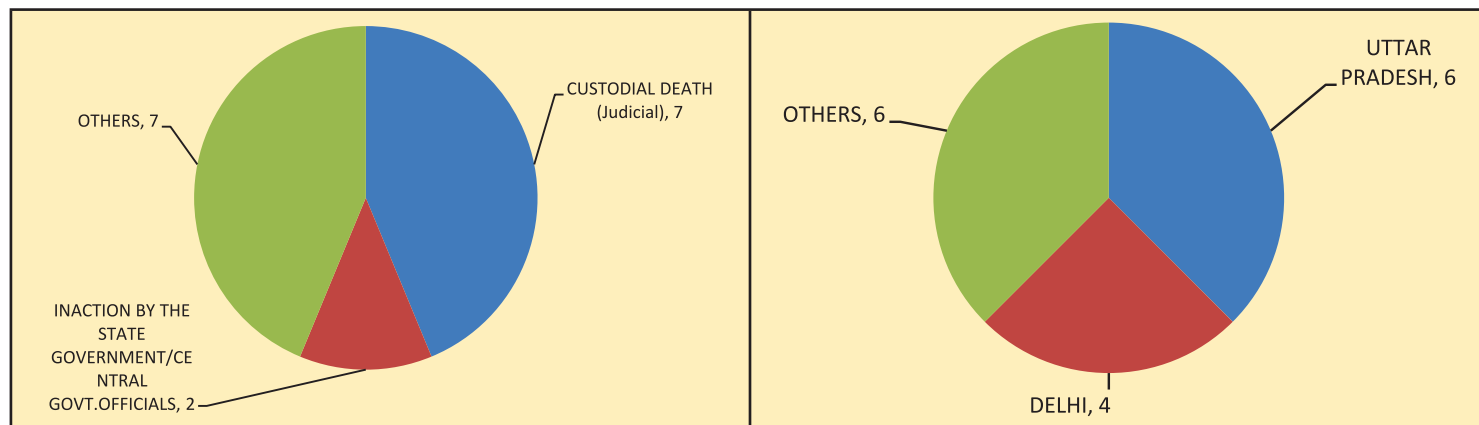
THEME-4:**Vulnerability, legal protection and work conditions of Domestic Workers**

6.	Domestic Workers in South India and North East: A situational Analysis from Dignity and Rights Perspective	Dr. Lekha D. Bhat, Assistant Professor, Department of Epidemiology and Public Health, Central University of Tamil Nadu	27/8/2019
7.	Vulnerability legal protection and work conditions of Domestic Workers	Dr. Himani Gupta, Associate Professor, Jagannath International Management School, Vasant Kunj, New Delhi	27/8/2019

Recommendations for Relief

A part from the large number of cases taken up daily by individual Members, 84 cases were taken up during 03 sitting of the Full Commission and 02 sitting of Divisional Bench in August, 2019. On 16 cases, listed in the table below, the Commission recommended monetary relief amounting to a total of ₹ 4625000/- 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. *The specific details of these cases can be downloaded from the NHRC website by logging the case no given in the table below:*

Sr. No	File No	Incident Name	Amount (In Rs.)	State Name
1	13/2/14/2018-JCD	Custodial Death (Judicial)	300000	Arunachal Pradesh
2	336/33/14/2016-JCD	Custodial Death (Judicial)	300000	Chhattisgarh
3	1764/34/16/2014-JCD	Custodial Death (Judicial)	100000	Jharkhand
4	5/30/0/2018-JCD	Custodial Death (Judicial)	300000	Delhi
5	634/22/15/2011-JCD	Custodial Death (Judicial)	100000	Tamil Nadu
6	10203/24/26/2016-JCD	Custodial Death (Judicial)	300000	Uttar Pradesh
7	17619/24/26/2017-JCD	Custodial Death (Judicial)	100000	Uttar Pradesh
8	151/30/2/2018	Abuse of Power	600000	Delhi
9	3867/30/0/2017	Custodial Torture	150000	Delhi
10	777/30/0/2019-WC	Murder	300000	Delhi
11	1171/18/28/2016	Health	200000	Odisha
12	1319/20/11/2016	Inaction by the State Government / Central Govt. officials		Rajasthan
13	28056/24/76/2018	Inaction by the State Government/ Central Govt. officials	775000	Uttar Pradesh
14	20946/24/75/2018-WC	Dowry Death or Their Attempt	300000	Uttar Pradesh
15	33323/24/40/2017	Harassment of Prisoners	500000	Uttar Pradesh
16	6119/24/32/2016	Illegal Arrest	300000	Uttar Pradesh

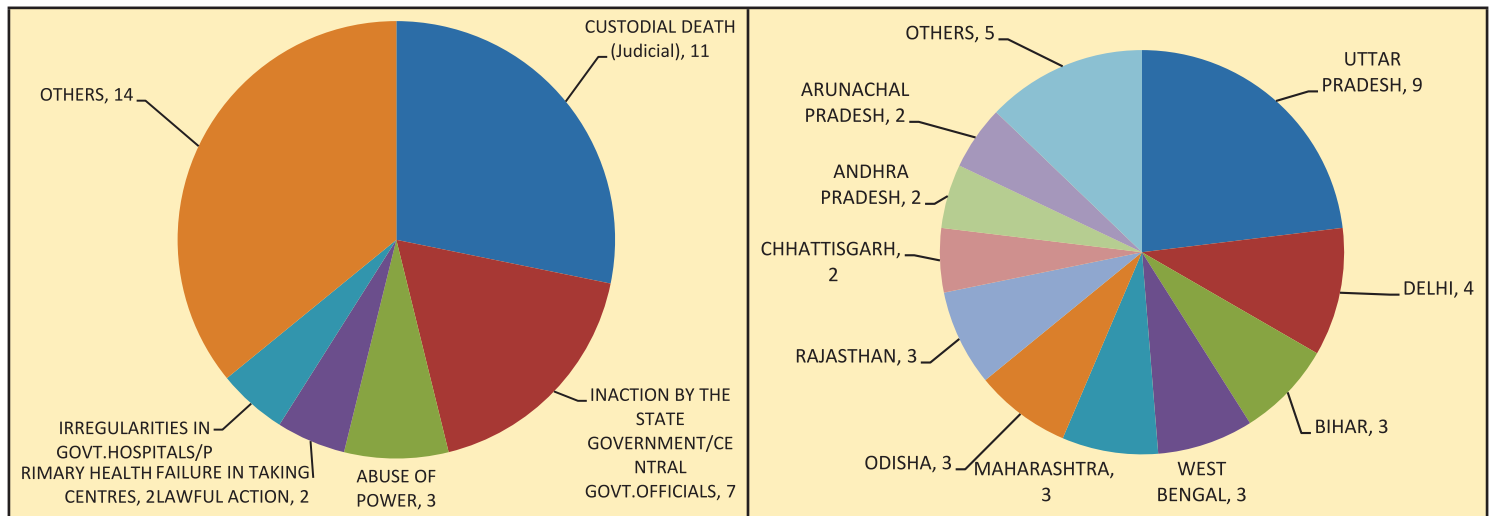


Payment of Relief on NHRC Recommendations

The Commission closed 39 cases on receipt of compliance reports from different public authorities, furnishing proof of payments, it had recommended, totalling ₹ 13425000/-- the victims of human rights violations or their next of kin. *The specific details of these cases, closed in August, 2019, can be downloaded from the NHRC website by logging the case no given in the table below:*

Sr No	File No	Incident Name	Amount (in Rs.)	State Name
1	81/1/10/2014-JCD	Custodial Death (Judicial)	300000	Andhra Pradesh
2	168/2/0/2014-JCR	Custodial Rape (Judicial)	300000	Arunachal Pradesh
3	1240/4/9/2014-JCD	Custodial Death (Judicial)	300000	Bihar
4	764/33/16/2015-JCD	Custodial Death (Judicial)	300000	Chhattisgarh
5	4533/30/9/2015-JCD	Custodial Death (Judicial)	200000	Delhi
6	540/11/15/2014-JCD	Custodial Death (Judicial)	300000	Kerala
7	1957/13/16/2013-JCD	Custodial Death (Judicial)	200000	Maharashtra
8	363/13/16/2012-JCD	Custodial Death (Judicial)	200000	Maharashtra
9	12801/24/22/2014-JCD	Custodial Death (Judicial)	200000	Uttar Pradesh
10	12804/24/4/2014-JCD	Custodial Death (Judicial)	300000	Uttar Pradesh
11	39959/24/72/2012-JCD	Custodial Death (Judicial)	100000	Uttar Pradesh
12	1476/25/5/2013-JCD	Custodial Death (Judicial)	200000	West Bengal
13	1994/25/19/2015-PCD	Custodial Death (Police)	500000	
14	45/1/15/2018	Irregularities in Govt. hospitals/Primary Health Centres	300000	Andhra Pradesh
15	3083/4/10/2016	Irregularities in Govt. hospitals/Primary Health Centres	900000	Bihar
16	5168/30/5/2015	Inaction by the State Government/Central Govt. officials	300000	Delhi
17	4197/4/35/2013	Inaction by the State Government/Central Govt. officials	50000	Bihar
18	471/20/27/2016	Inaction by the State Government/Central Govt. officials	300000	Rajasthan
19	682/36/6/2015	Inaction by the State Government/Central Govt. officials	5400000	Telangana
20	2756/12/38/2014	Inaction by the State Government/Central Govt. officials	300000	Madhya Pradesh
21	4761/18/31/2014	Inaction by the State Government/Central Govt. officials	200000	Odisha
22	36121/24/68/2016	Inaction by the State Government/Central Govt. officials	200000	Uttar Pradesh
23	640/33/17/2013	Abuse of Power	150000	Chhattisgarh

Sr No	File No	Incident Name	Amount (in Rs.)	State Name
24	12978/24/31/2013	Abuse of Power	50000	Uttar Pradesh
25	331/34/16/2017	Abuse of Power	200000	Jharkhand
26	39156/24/30/2015	Failure in Taking Lawful Action	25000	Uttar Pradesh
27	2504/30/2/2014	Failure in Taking Lawful Action	25000	Delhi
28	31/2/0/2018	Malfunctioning of Medical Professionals	50000	Arunachal Pradesh
29	5467/30/5/2017	Children	50000	Delhi
30	4492/7/3/2014	Custodial Torture	60000	Haryana
31	1119/13/30/2011-AD	Alleged Custodial Deaths in Judicial Custody	100000	Maharashtra
32	4061/18/9/2015-WC	Indignity of Women	400000	Odisha
33	4097/18/30/2014	Labour	400000	Odisha
34	1414/20/2/2017	Victimisation	50000	Rajasthan
35	2664/20/21/2013-WC	Rape of SC	50000	Rajasthan
36	14280/24/32/2013-WC	Rape	40000	Uttar Pradesh
37	14996/24/31/2013	False Implications	75000	Uttar Pradesh
38	650/24/43/2016-WC	Abduction, Rape and Murder	50000	Uttar Pradesh
39	1037/25/16/2018	Sexual Harassment/Unnatural Offence	300000	West Bengal



Success Stories

The following are the summaries of some of the important cases wherein the Commission, after enquiries, held the public authorities accountable for human rights violations during August, 2019.

Case No. 49337/24/34/2015

The complainant, Ms. Priyanka Tripathi from Gorakhpur, alleged that on 15/12/2015 at about 8.00 p.m., the Police personnel of P.P. Ganj P.S., Gorakhpur allegedly picked her father from their residence without any information. Pursuant to the directions of the Commission several reports were received. Finally a report, dated 12/03/2019 filed by the Superintendent

of Police, Gorakhpur stated that a strict warning had been given to the delinquent police officials so that this kind of incident would not be repeated in future. The Commission issued a notice u/s 18a(i) of PHR Act, 1993 to the Chief Secretary, Govt. of Uttar Pradesh, directing him to show cause within four weeks as to why the Commission should not recommend payment of compensation of Rs. 1,00,000/- (Rupees One lakh only) to the victim, whose human rights had been infringed due to the excesses of the Police personnel.

Case No. 16286/24/51/2016

The Complaint was that on 30/04/2016, some police personnel of

P.S. Bhichwa, District Mainpuri, UP led by the SHO came to the house of the victim in search of her father in an inebriated condition. The house was ransacked; the ladies were assaulted and molested; jewellery and Rs. 10,000/- in cash were looted. The Commission was not satisfied with the report received from the District Police, denying the allegations. The Commission got a fresh enquiry conducted through the CB-CID.

It was found that the paternal uncle of the Complainant, was arrested by the SHO in question without following the legal procedure and had exceeded his powers. Departmental action has,

therefore, been initiated against the SHO under the relevant rules. The Commission on consideration of the CB-CID report has issued a notice to the Chief Secretary, Govt. of Uttar Pradesh, under Section 18 of the PHR Act to show cause why suitable monetary relief may not be recommended to be paid to the victim for his arrest without following the legal procedure leading to violation of his human rights.

Case No. 365/18/21/2019

The substance of the complaint was that on 17/10/2018 at 10 AM a nine year old boy got electrocuted and subsequently died on his way to the Hospital. In response to the notice of the Commission, the State Government responded that the boy died due to careless driving of a truck which came in contact with an overhead live wire while doing the restoration work. The truck driver was being prosecuted for an offence u/s 279/304(A)IPC vide CS No 06/2019 in Ramgiri PS FIR No 30/18.

The Commission observed that the truck in question was engaged by the State for the restoration work, and during course of the work, the truck driver's negligence caused the unfortunate incident leading to loss of life. Therefore, the State cannot avoid its vicarious liability. Prosecution of the driver for the said offence has nothing to do with the vicarious liability of the State. The Chief Secretary, Govt. of Odisha has been directed to show cause u/s 18(a)(i) of PHR Act, 1993 as to why compensation of Rs. One lakh should not be recommended to be paid to the next of the kin of the deceased.

Case No. 1171/18/28/2016

The complainant Mr. Akhand, from Civil Society Forum on Human Rights, Bargarh, Odisha had alleged that the accused persons, mentioned in the complaint, in connivance with the officials of Directorate of Medical Education and Training (DMET), Odisha and staff of the Apollo Hospital, Bhubaneswar, got the kidney of the

victim Anil Kumar Swamy removed by deceit and transplanted the same on a patient. In response to the Commission's directions, the Government of Odisha, refuted involvement of officers of the DMET and reported that on the basis of written report, a case has been registered at Bargarh Town P.S. Case No. 03/2016 under the provisions of the Transplantation of Human Organs and Tissues Act, 1994.

The Commission, on examination of the matter, found that the Authorization Committee, a statutory body under the Act, did not conduct proper enquiry as required under the Act before giving approval for transplantation of the organ. This resulted in removal of kidney from Anil Kumar Swami instead of the real donor, Jayaram Dora. The Commission also suspected connivance of the Apollo Hospital in the whole matter.

The Commission, therefore, issued a notice under Section 18 of the PHRA, 1993 to Government of Odisha to show cause why it should not recommend Rs. Two lakh as compensation to be paid to the victim, for violation of his human rights. The Commission also directed the Government of Odisha to place this matter before the appropriate authority for taking action under Section 16 of the Act with regard to suspension/cancellation of registration of the Apollo Hospital, Bhubaneswar for breach of the provisions of the Act. Dissatisfied with the reply of the Government of Odisha, the Commission, on 08/08/2019, recommended payment of Rs. Two lakh to the victim Anil Kumar Swamy and directed to submit the proof of the payment. The Chief Secretary, Government of Odisha has also been reminded to submit the report about the action taken under Section 16 of the Transplantation of Human Organs and Tissues Act, 1994.

Case No. 93/4/18/2017

The complainant Mr. Jagidur Rehman, District Kishanganj, Bihar alleged that his minor son was kidnapped on

05/05/2016 by a named accused but his case was not registered by the police. He had to approach the Court, and only on the direction of the Court, the Case Crime No. 147/16 could be registered. Yet the police did not investigate the case properly, therefore, he prayed for intervention by the Commission in the matter.

The Commission vide its proceedings dated 27/02/2018 observed that nothing is mentioned in the report about the belated registration of the case and that too after the direction of the Court. The report does not elaborate what steps have been taken to recover the victim boy. Bald allegations have been made that the complainant himself has hidden his son.

The Commission, therefore, vide its further proceedings dated 24/09/2018 directed the DG of Police, Bihar to assign the investigation of the case to an officer of a district other than Kishanganj and initiate action against the delinquent Police personnel, who initially did not register the case. In response, the Deputy Inspector General of Police, Bihar vide his communication dated 28/08/2018 submitted that after an enquiry, the delinquent SHO has been placed under suspension and investigation of the case has been entrusted to Inspector Ram Vilas Singh, Amor, Purnea. Departmental action has also been initiated.

After considering the response to the Show Cause Notice, the Commission vide proceedings dated 29/07/2019, has asked the Chief Secretary, Govt. of Bihar to make payment of Rs. One Lakh as interim relief to the complainant and submit the proof of payment. The Commission also directed the DGP Bihar and DIG Police, Purnea Range, Bihar to submit the updated status/ outcome of case FIR No. 147/2016 PS Kochadhaman and the updated status/ outcome of departmental action taken against the delinquent police personnel in compliance of Section 166A of the IPC.

Workshop for State Commission for Women on Laws Related to Women

Ms. Jyotika Kalra, Member, NHRC addressed the "Workshop for State Commission for Women on Laws Related to Women" in Lal Bahadur

Shastri National Academy of Administration (LBSNAA) at Mussoorie, Uttarakhand on the 30/08/2019. It was organized in collaboration with the

National Commission for Women. The aim of the workshop was to create synergy amongst members of State Commissions for Women, orient them about

various issues concerning women and discuss challenges in the implementation of safeguards enacted for women.

Mrs. Kalra explained the nuances of the National Commission for Women's Act, Dowry Prohibition Act, Harassment of women for Dowry and Domestic Violence. She also discussed women related rights issues with a case study. The participants were specifically explained about the means by which they can help the victims for getting their grievances redressed. A brief introduction of the Sexual Harassment of Women at Workplace Act was also given.



NHRC Member Mrs. Jyotika Kalra, Member addressing the gathering

NHRC Hindi Journal Editorial Board Meeting

NHRC Member, Dr. D.M. Mulay held an editorial board meeting to decide the contents of Hindi Journal Manav Adhikar-Nai Dishayien on the 6/08/2019.

Besides the NHRC Secretary General, Mr. Jaideep Govind and other officers, the participants included Prof. Girishwar Mishra, Dr. Damodar

Khadse, Pune, Prof. Kumud Sharma, Delhi University, Prof Anand Prakash, Delhi University, Dr. Vinay Kumar Sharma, Lucknow.



NHRC Member, Dr. D. M. Mulay chairing the meeting

NHRC Short Term Internship

The National Human Rights Commission, through its Training Division, has been organizing various training programmes including the Short Term Internships, STIs of fifteen days for the graduate and post graduate level students from different colleges and universities for building awareness about human rights. The third batch of more structured STI was held from 16/08/2019 to 30/08/2019. 28 students completed it. They were exposed to various aspects of human rights including laws, jurisdiction and functioning of the Commission. They were taken for field visits and given project works on human rights issues and also participated in the declamation competition for which cash prizes were also announced for the winners. The NHRC Members, Mr. Justice P.C. Pant, Mrs. Jyotika Kalra and Dr. D.M. Mulay, and other senior officers interacted with them. Some subject specialists, including human rights defenders, were also invited as guest speakers to interact with them. All the students were given certificates on completion of their internship.



Valedictory function of the Short-term Internship Programme

Visits

A batch of 39 students and two staff members of Department of Social Work, Jamia Milia Islamia, New Delhi

were given a day long orientation on human rights on the 9/08/2019. They were exposed to various aspects of the

Commission's functioning and given certificates.

राष्ट्रीय चिह्न के दुरुपयोग पर दो लोगों के खिलाफ मामला दर्ज

महाराष्ट्र में ठाणे पुलिस ने लेटरहेड और विजिटिंग कार्ड पर राष्ट्र चिह्न का दुरुपयोग करने के आरोप में दो लोगों के खिलाफ मामला किया है।

पुलिस की एक प्रवक्ता ने मंगलवार को बताया कि आरोपी लाल पाईने अपने लेटरहेड व बिजिंगिग कार्ड पर राष्ट्रीय चिह्न का एक खुद को राष्ट्रीय मानवाधिकार आयोग (एनचआरसी) के अधिकारी बताया। नियमों के मुताबिक राष्ट्रीय चिह्न का प्रयोग का राष्ट्र चिह्न (अनुचित प्रयोग की मनाही) कानून 2005 के प्र के तहत ही किया जा सकता है। किसी भी तरह का अनधिकृत कानून के तहत दंडनीय है।

प्रवक्ता ने बताया कि एनएचआरसी से मिली शिकायत के अलावा शहर पुलिस ने जांच की और पाया कि पांडे ने राष्ट्रीय चिदन मुक्ति लैटरहेड व विजिटिंग कार्ड के जरिए खुद को सरकार के मिनिस्टर बोर्ड का सदस्य भी बताया। उन्होंने कहा- पांडे का दावा है दिल्ली के महाराष्ट्र सदन में गुलाम अली खान ने उससे मुलाकात की। 22 जनवरी, 2019 को उसे एनएचआरसी का नियुक्ति पत्र और विजिटिंग कार्ड दिया जिसके बाद आरोपी पांडे का कल्याण करने में मानवाधिकार

During the month of August, 2019, the Media & Communication Wing prepared 11 press releases based on the proceedings of the Commission in different cases. Around 3000 news clippings on various human rights issues were culled out from different/select editions of major English and Hindi newspapers and some news websites. 32 News clippings related to several incidents of alleged human rights violations were brought to the notice of the Commission, which it considered and found fit for suo motu cognizance. 97 News stories, wherein there was a specific reference to the interventions by the NHRC can be seen at 'NHRC-in-News' on the website of the Commission.

NHRC organises review meet on mental health — Rights Com

NHRC organises Mental Health
National Human Rights Commission organised a national level review meeting on Mental Health at India International Centre, New Delhi. Justice HL Dattu, Chairperson NHRC inaugurated the meeting. Justice PC Pant, Secretary General Jaideep Govind and other officers, the participants included the representatives of the concerned union ministries, councils and institutions.

Under the new amendments to the Act, the chairperson of the National Human Rights Commission need not be a retired chief justice of the Supreme Court. The government can appoint any judge, or retired judge of the apex court as the NHRC chief. This enlarges the scope for the government to pick and choose pliant chairpersons.

sonance with the Paris Principles and the committee also pressed that the commission be empowered to inquire into violations of human rights by the armed forces. Section 19 of the PHRA does not permit the NHRC to probe into acts of human rights violations by the armed forces. The committee asked for reports and send its recommendations to the government. As large number of such complaints against armed forces personnel are received by the commission, this provision is inadequate. The committee said that the existing military procedure such as military trials, court-martials etc, provide no justification of exempting the armed forces from the jurisdiction of the NHRC. This belittles the role of the NHRC in the human rights country in the international fora. The Ahmadi committee also recommended that the chairman of the commission should be a member of the appointing committee so that his

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series: The NHRC has
issued a notice to the MP
government over reports
of alleged botched up
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Despite efforts huge gap remains between the requirements
and availability of facilities in the mental healthcare
sector, says NHRC Chairperson, Justice H.L.Dattu

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□ The Act mandates
to give a time
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to

Chairperson, Justice H.L.Dattu

New Delhi, This
Mr. ...

**Aarogyasri issue taken to National Human
Rights Commission notice**

2:07 PM GMT

HIGHLIGHTS

M A social activist has approached National Human Rights Commission (NHRC) over Telangana Aarogyasri Network Hospitals Association's (TANHA) non-compliance with Tada Aarogyasri norms, citing non-payment of dues by the State government.

Toda Aarogyasri norms, A social activist has approached National Human Rights Commission (NHRC) over Telangana Aarogyasri Network Hospitals Association's (TANHA) non-compliance with Tada Aarogyasri norms, citing non-payment of dues by the State government.

To comply compliance with Aarogyasri norms, citing non-payment of dues by the State government.

Socialist Party (India), sought

Dr Lubna Sarwath, a social activist and spokesperson, Socialist Party (India), sought intervention from the Secretary-General and Chief Executive Officer of National Human Rights Commission, New Delhi, over the issue. She alleged that poor patients with health ailments were being turned back by corporate hospitals in the city, in spite of 13500 beds available for treatment under the Aarogyasri Health Scheme.

health ailments, and are available for treatment under the Aarogya health insurance scheme. "Owing to the dispute over dues of around 800-1500 crores to be paid to TANHA by Government of Telangana, the TANHA stopped giving Aarogya health services to eligible poor patients in spite of the MoU that they signed," she noted.

up' cataract surgeries in Indore hospital

PTI ■ NEW DELHI

The National Human Rights Commission has issued a notice to the Madhya Pradesh Government over reports of alleged botched up cataract surgeries at an eye hospital in Indore, leading to loss of vision

surgeries leading to loss of vision in a number of patients at Indore Eye Hospital," the NHRC said in a statement on Thursday.

Reportedly, four persons out of 15 who underwent cataract surgery at this hospital have lost eyesight. The

Complaints in August, 2019 (As per an early estimate)

Complaints received	5578
Disposed	5192
Under consideration of the Commission	20683

Important Telephone Numbers of the Commission:

Facilitation Centre (Madad) Incharge: **Mukesh Kumar**

NHRC Toll Free No: 14433

For Complaints: Fax No. 011-2465 1332

For Filing online complaints: www.nhrc.in, hrcnet.nic.in, Common Service Centres

Other Importance E-mail Addresses

jrlnhrc@nic.in (For complaints), cr.nhrc@nic.in

(For general queries/correspondence)

Focal point for Human Rights Defenders: Khaleel Ahmad

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

NGOs and other organization are welcome to reproduce material of the Newsletter and disseminate it widely acknowledge the NHRC

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