



HUMAN RIGHTS NEWSLETTER

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"If you knew what I know about the power of giving, you would not let a single meal pass without sharing it in some way." -Unknown

NHRC, India Celebrates its 26th Foundation Day



From L to R: NHRC Members, Dr. D.M. Mulay, Mr. Justice P. C. Pant, Union Home Minister, Mr. Amit Shah, NHRC Chairperson, Mr. Justice H.L. Dattu, Member, Mrs. Jyotika Kalra and Secretary General, Mr. Jaideep Govind

The National Human Rights Commission, NHRC, India celebrated its 26th Foundation Day on the 12th October, 2019 and organized a function in New Delhi to mark the occasion. Addressing the gathering as the Chief Guest, Mr. Amit Shah, Union Home Minister, lauded the efforts of the Commission towards building awareness for the promotion and protection of human rights. He reiterated Modi government's continued resolve to work for the promotion and protection of human rights of all by ensuring basic amenities to them.

He said that seventy years after the independence, the Modi government's massive work to provide more than 70 crore people with basic amenities like toilets, cooking gas, electricity, houses, health insurance within a span of five years needs to be brought at international arena as a major achievement towards protection of human rights. He said that the concept of human rights violation is not limited only to custodial torture or deaths; we also need to focus on elimination of poverty and lack of basic amenities, which result in grave human rights violations.

Mr. Shah said that all the stakeholders, including the government, civil society, NGOs, NHRC should work and promote the concept of Sabka saath- sabka vikas, which will result in protection of human rights. The definition of human rights needs to be widened by adding Indian perspective

to them. International norms would not be sufficient to describe the concept of human rights in India. He said that terrorism and Naxalism are the biggest threat to human rights. Forty thousand people lost life due to terrorism in Jammu & Kashmir. Several districts were deprived of development due to Naxalism. We need to talk about the human rights violations of the victims of terrorism and Naxalism.

Mr. Shah said that India has a long inbuilt tradition of rights protection in families, which required no external force or laws to practice. This suo motu effort of the people ensuring protection of rights needs to be promoted by the NHRC by encouraging people to nurture those values. This practice flows naturally and needs to be promoted by bringing in harmony between the laws and traditions.



Union Home Minister, Mr. Amit Shah addressing the gathering

Mr. Shah said that there can be no bigger human rights charter than Narsi Mehta's "Vaishnav jan tau tene kahiye" Bhajan, so endearingly sung by Mahatma Gandhi. He said that Gandhiji's ideas of working with a rights based approach are like eternal truths and remain relevant even today when the country is celebrating his 150 birth anniversary.

Earlier, Mr. Justice H. L. Dattu, Chairperson, NHRC, India said that the 26th Foundation Day of the Commission marks an era of a new beginning of NHRC with energized vigour towards the protection of human rights of all, especially the most vulnerable groups.

He said that the presence of the Union Home Minister, Mr. Amit Shah on this occasion, reflects his concern for and commitment to ensuring an effective realization of human rights for all the people of India. His dedication and dexterity makes him represent the emerging New India, which believes in result oriented performance in every field.

Acknowledging Mr. Shah's support to the efforts for further strengthening of the National Human Rights Commission and State Human Rights Commissions, Justice Dattu said that the recent amendment to the PHR, Act is an affirmative step bringing the Women, Children, Backward Class Commissions in the decision making process of the National Human Rights Commission to encourage wider participation of all sections of society.

The NHRC Chairperson highlighted various activities of the Commission and the new initiatives taken as part of its consistent endeavour to make people aware of the importance of the promotion and protection of human rights. He said that the Commission has cleared almost all cases registered prior to 2016. He said that the enormous increase in the number of complaints is indicative of the awareness of Human Rights among the people and also their growing faith in the Commission. It

is a matter of great satisfaction that in almost all cases, Government authorities have complied with the Commission's recommendations for providing relief and initiating action against errant officials.



NHRC Chairperson, Mr. Justice H.L. Dattu addressing the gathering

Justice Dattu emphasized that a true commitment to human rights requires concerted efforts by all sections of society to nourish and treasure the rich diversity of all people and sustain mutually-enabling relationships. He expressed the hope that all the people of the country along with the State will collectively work towards creating an environment, where there is no fear and discrimination of any kind.

Earlier, Mr. Jaideep Govind, Secretary General, NHRC, in his welcome address, highlighted some of the key initiatives taken up by the Commission this year to expand its outreach and awareness about the promotion and protection of human rights. In this connection, he said that the Commission has further enriched its website by making it more user friendly, launched hrnet portal for filing online complaints to facilitate quick disposal. It has also linked SHRCs with it to avoid duplication. He said that the Commission has started video conference with the State authorities so that disposal of cases could be expedited. Mr. Govind said that the Commission has also linked its online complaint filing system with over 3 lakh Common Service Centres to facilitate people file their complaints easily. He also highlighted various activities of the Commission in the field of research,

training and investigation of cases.

On the occasion, Mr Shah also gave away awards to the winners of different competitions. Nine children of the officers and the staff of the Commission were given awards for their paintings in three categories on different themes related to human rights.

Winners of the Painting Competition

Category-I : Children upto Class-III

1st Prize : Samridhi Rai, cash prize Rs. 5,000/-

2nd Prize : Vedant More, cash prize Rs. 4,000/-

3rd Prize : Vaishnavi Gosain, cash prize Rs. 3,000/-



Union Home Minister, Mr. Amit Shah presenting the awards

Category-II : Children from Class-IV-VII

1st Prize : Tavishi Talwar, cash prize Rs. 5,000/-

2nd Prize : Krishna Rawat, cash prize Rs. 4,000/-

3rd Prize : Rashi Bathmi, cash prize Rs.3,000/-

Category-III : Children from Class-VIII-XII

1st Prize : Yashvi Kumar, cash prize Rs. 5,000/-

2nd Prize : Ashish Kumar, cash prize Rs. 4,000/-

3rd Prize : Mathangi Saji, cash prize Rs. 3,000/-

Apart from them, the six NHRC officials were given awards for their excellence in the vocal music competition. In female solo singing competition, Ms. Mehak Acharya, Ms. Sunita Antil and Ms. Shrilekha got the first, second and third prize of Rs. 5,000/-, 2000/- and 1000/- respectively. In male solo singing competition, Mr. Pradeep More and Mr. Bhaskar Bhalodi got joint first of Rs. 5,000/-, Mr. C.

Sasidharan and Mr. Arun Tyagi received the second and third prize of Rs. 2000/- and Rs. 1000/ respectively.

The NHRC Members, Mr. Justice P.C. Pant, Mrs. Jyotika Kalra, Dr. D. M. Mulay and several other dignitaries, including the judges and senior government functionaries, civil society members were present.

An exhibition pictorially covering the activities of the NHRC throughout the year was also mounted on the occasion. Marking the joyous celebrations of the Foundation Day of the Commission, its officers and staff presented a medley of cultural show followed by an ensemble of performances by artists from the Song and Drama Division. The well attended programme was prominently covered in media, including the public broadcasters, Doordarshan and All India Radio.



A section of dignitaries attending the function

NHRC Open Hearing and Camp Sitting at Thiruvananthapuram, Kerala

The National Human Rights Commission, NHRC held a Open Hearing and Camp Sitting at Thiruvananthapuram, Kerala from 31st October 2019 to 1st November, 2019. Total ninety six cases were taken up in the Open Hearing by single Member Benches and Five in the Full Commission Camp Sitting.

Inaugurating it, Mr. Justice H.L. Dattu, Chairperson, NHRC said that the Camp Sitzings have led to improvement in efficient and impartial discharge of functions by the Governments. 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 ameliorating the conditions of the weaker sections.

Earlier, Mr. Justice Antony Dominic, Chairperson, SHRC, Kerala said that although human rights are inalienable and indispensable, often they are not being honoured. Benefits of various schemes for welfare of SCs/STs were not reaching the targeted population and more was needed to be done.



NHRC Chairperson, Members and senior officers inaugurating the Open Hearing and Camp Sitting

Mr. 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 with the Commission's Complaint Management System. 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.

The Chief Secretary of Kerala, Mr. Tom Jose and Addl. Chief Secretary, Home, mentioned about the admirable role being played 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.

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 their school bus,



NHRC Chairperson, Mr. Justice H.L. Dattu addressing the gathering

the intervention of the Commission resulted in payment of ex-gratia relief of Rs. four lakh each by the State Govt. In a case of police brutality in Minicoi Island, UT of Lakshdweep, the Commission issued notice to the UT of Lakshdweep to show cause 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 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 Department informed the Commission that as on

30.06.19, there were 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. After Full Commission meeting the Commission had an interaction with various NGOs, civil society members, HRDs and transgender. They raised numerous issues including health care, education, rights of transgender, women and children and rights of elderly.

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 pending POCSO cases in 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.

Suo Motu Cognizance

The Commission took suo motu cognizance in one case of alleged human rights violations reported by media during 1-31st October, 2019 and issued notice to the concerned authorities for reports. Summary of the case is as follows:

Death in police custody after brutal assault

The media reported that in Pilkhua, Uttar Pradesh, a man died in police custody on the 13th October, 2019 after he was brutally assaulted during interrogation in connection with a

murder case. He was allegedly kicked, punched, hit with planks of wood, given electric shocks and pierced with a screwdriver. A purported video of the victim's dead body shows deep bruise marks on his posterior and left arm and stab wounds all over the body.

The Commission has observed that going by the contents of the media reports, it appears to be a glaring instance of violation of human rights of an individual in police custody for which accountability rests on the police force of the State. Accordingly, it has issued a notice to the Director General

of Police, Uttar Pradesh calling for a detailed report in the matter. He has also been directed to mention in the report action taken against the erring police officials and the steps taken to prevent such incident in future by the State police.

A notice has also been issued to the Chief Secretary, Government of Uttar Pradesh to ensure the safety and security of the victim's family, mainly the minor boy of the deceased, who has undergone a huge trauma during alleged torture and death of his father in the police custody.

Cases of Human Rights Defenders

The Commission registered 5 cases of alleged Harassment of Human Rights Defenders during the month of October, 2019, Summary of some of these cases is as follows:

Case No. 1067/34/23/2019

Mr. Anup Kumar Mishra, Secretary, Nav Chetna Manvadhikar Samaj Kalyan Sansthan, has sent a complaint to the Commission alleging that some anti-social elements attacked and injured him, looted him and even

attempted to kill him, the police has been hand-in-glove with the offenders and did not take any action but pressurized him to sign a settlement. The Commission has called for a report in the matter from the Superintendent of Police, Ramgarh, Jharkhand.

Case No. 136/9/0/2019

Mr. Mirza Jahanzeb Beg, Director of Young Diplomats India has sent a complaint to the Commission alleging that he and his family members were

being harassed by the CID Department by constantly asking about his details and whereabouts. The complainant feels threatened and unsafe and requests for safety and security of him. The complaint has been registered and submitted to the Commission for orders.

Case No. 26897/24/48/2019

Mr. Umesh Kumar Gupta, Human Rights Defender, has drawn the attention of the Commission towards

a newspaper clipping of 'Navbharat Times' dated 13.9.2019, Lucknow edition captioned "Paisa Khatam to bachchi ko aadhi raat jabran discharge kiya, maut". The complainant has alleged that a girl died because of the lack of proper medical treatment provided by the SGPGI, Lucknow. The Commission called for a report in the matter from the Principal Secretary, Department of Health and Family Welfare, Govt. of UP, Lucknow.

Case No. 26902/24/49/2019

Mr. Vinay Kumar Pandey, Advocate, has drawn the attention of the Commission towards a newspaper clipping of the 'Dainik Jagaran' dated 8.9.2019, Maharajganj edition captioned "Vyavastha khud bimar". The complainant has alleged that the victim was forced to take his 70 year old ill father in a trolley to the hospital as no

Ambulance came on time even after calling in emergency no. 102 & 108 in Chiuraha PS, Kotwali, Maharajganj, UP. The Commission called for a report in the matter from the Principal Secretary, Department of Health and Family Welfare, Govt. of UP, Lucknow.

Case No. 27517/24/64/2019

Mr. Rajhans Bansal, Director, Centre for Human Rights, has sent a complaint to the Commission alleging that a female Human Rights Defender who exposed the corruption in PM Awaas Yojna was falsely implicated by the local police in criminal case, alongwith her husband, on the direction of the District Magistrate. The Commission called for a report in the matter from the Chief Secretary, Govt. of UP, Lucknow.

Case No. 465/11/2/2019

Mr. Mujebrahman T.P., Kannur, Kerala has sent a complaint to the

Commission alleging that he and Shri Mohd. Ali Syed was brutally attacked by the Panchayat President and subsequently police filed a false case against the victims and locked them up, leading to loss of their reputation. The complaint has been registered and submitted to the Commission for orders.

Case No. 24/14/4/2019

Mr. Henri Tiphagne, National Working Secretary, Human Rights Defenders Alert-India has sent a complaint to the Commission alleging torture and inhumane treatment of Mr. Gaidon Kamei, President of United Naga Council in Manipur by the Police. The Commission called for a report in the matter from the Director General of Police, Police Headquarter, Govt. of Manipur, Imphal.

Spot Enquiry during Oct, 2019

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

S. No.	Case Number	I/O's Name (S/sh./Ms.)	Date of Visit	Allegations in brief
1	22715/24/52/2019-AD	DSP Kulbir Singh & Insp. Arun Tyagi	14.10.2019 - 18.10.2019	Atrocities of Police- Death at PS Highway, Mathura, UP
2	34115/24/6/2017	Insp. Manoj Dahiya & Insp. Kulwant Singh	20.10.2019 - 25.10.2018	Illegal imprisonment on a fake name
3	6899/24/4/2018	AR (Law) K.K. Srivastava, DSP M.S. Gill & Insp. Rajendra Singh	21.10.2019 - 25.10.2018	Death of disabled girl; Denial of shelter in Govt. Child Home, Prayagraj, UP.
4	999/1/10/2019	AR (Law) Mukesh, Insp. Arun Kumar, Insp. Lal Bahar & Const. Mallaya	29.10.2019 - 01.11.2019	False implication by Police, Hyderabad
5	-	AR (Law) Mukesh & DSP I.R. Kurillose	16.10.2019 - 19.10.2019	Social Audit of government schemes in connection with NHRC camp sitting in Kerala

Recommendations for Relief

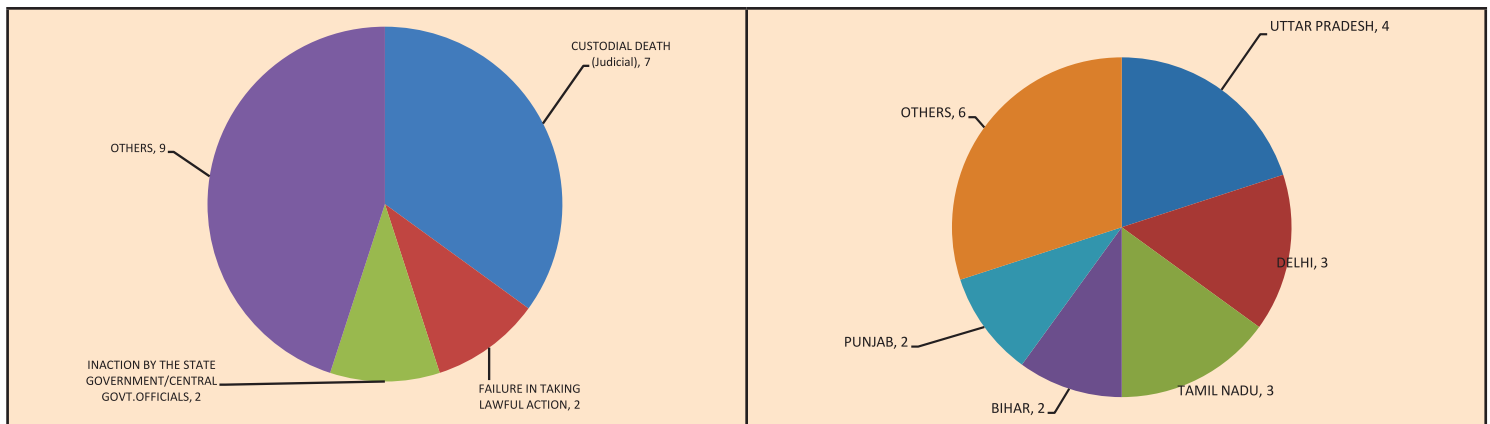
Apart from the large number of cases taken up daily by individual Members, 15 cases were taken up during 01 sitting of the Full Commission and 03 sitting of Divisional Bench in October, 2019. In addition to above, 1 Camp sitting & Open

hearing was held by the Commission in Kerala wherein 101 cases were taken up. On 20 cases, listed in the table below, the Commission recommended monetary relief amounting to a total of Rs. 2070000/- 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	Inc. Name	Amount (in Rs.)	State
1	10/26/0/2015-PCD	Custodial Death (Police)	300000	Andaman & Nicobar
2	3464/4/9/2017-JCD	Custodial Death (Judicial)	300000	Bihar
3	602/4/36/2015-JCD	Custodial Death (Judicial)	200000	Bihar
4	1430/19/18/2018-JCD	Custodial Death (Judicial)	300000	Punjab

5	384/19/1/2017-JCD	Custodial Death (Judicial)	300000	Punjab
6	38/7/11/2018-JCD	Custodial Death (Judicial)	300000	Haryana
7	18802/24/71/2017-JCD	Custodial Death (Judicial)	200000	Uttar Pradesh
8	1747/35/6/2016-JCD	Custodial Death (Judicial)	100000	Uttarakhand
9	3135/30/6/2018	Failure In Taking Lawful Action	20000	Delhi
10	5541/30/2/2013	Failure In Taking Lawful Action	300000	Delhi
11	4142/18/1/2014	Inaction By The State Government/Central Govt. officials	200000	Odisha
12	831/22/44/2015	Inaction By The State Government/Central Govt. officials	100000	Tamil Nadu
13	1791/22/36/2016	Non-Payment Of Pension/Compensation	100000	Tamil Nadu
14	2240/22/9/2018-WC	Exploitation Of Women	100000	Tamil Nadu
15	22941/24/22/2015	Unlawful Detention	50000	Uttar Pradesh
16	26847/24/62/2016-WC	Gang Rape	100000	Uttar Pradesh
17	44053/24/78/2012	Malfunctioning Of Medical Professionals	300000	Uttar Pradesh
18	872/1/10/2016	Exploitation Of Labour	200000	Andhra Pradesh
19	523/30/2/2019	Abuse Of Power	300000	Delhi
20	208/34/8/2019	Medical Negligence	100000	Jharkhand

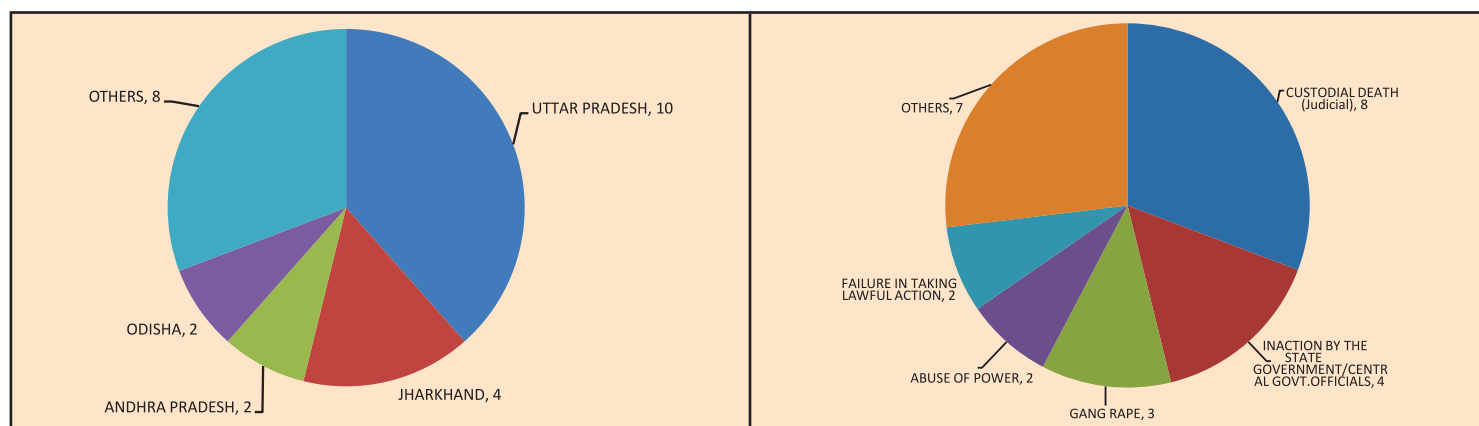


Payment of Relief on NHRC Recommendations

The Commission closed 26 cases on receipt of compliance reports from different public authorities, furnishing proof of payments, it had recommended, totalling Rs. 5875000/-- the victims of human rights violations or their next of kin. *The specific details of these cases, closed in October, 2019, can be downloaded from the NHRC website by logging the case no given in the table below:*

Sr. No	File No	Inc. Name	Amount (in Rs.)	State
1	1160/1/15/2014-JCD	Custodial Death (Judicial)	300000	Andhra Pradesh
2	225/1/19/2012-JCD	Custodial Death (Judicial)	100000	Andhra Pradesh
3	644/33/10/2016-JCD	Custodial Death (Judicial)	600000	Chhattisgarh
4	1481/34/18/2015-JCD	Custodial Death (Judicial)	100000	Jharkhand
5	1504/34/6/2013-JCD	Custodial Death (Judicial)	100000	Jharkhand
6	2386/18/28/2016-JCD	Custodial Death (Judicial)	300000	Odisha
7	1313/24/26/2014-JCD	Custodial Death (Judicial)	100000	Uttar Pradesh
8	7072/24/1/2016-JCD	Custodial Death (Judicial)	500000	Uttar Pradesh
9	943/34/3/2014-WC	Gang Rape	100000	Jharkhand
10	5306/24/55/2016-WC	Gang Rape	525000	Uttar Pradesh

Sr. No	File No	Inc. Name	Amount (in Rs.)	State
11	31633/24/42/2014-WC	Gang Rape	100000	Uttar Pradesh
12	602/10/18/2017	Inaction By The State Government/Central Govt. officials	25000	Karnataka
13	2842/18/5/2017	Inaction By The State Government/Central Govt. officials	100000	Odisha
14	831/22/44/2015	Inaction By The State Government/Central Govt. officials	100000	Tamil Nadu
15	17000/24/54/2018	Inaction By The State Government/Central Govt. officials	1000000	Uttar Pradesh
16	387/13/23/2018	Abuse Of Power	600000	Maharashtra
17	4770/7/15/2016	Abuse Of Power	50000	Haryana
18	32308/24/52/2015	Failure In Taking Lawful Action	50000	Uttar Pradesh
19	40329/24/36/2013	Failure In Taking Lawful Action	25000	Uttar Pradesh
20	883/20/19/2015	Custodial Torture	25000	Rajasthan
21	10813/24/57/2015	Nuisance By Local Ruffians	25000	Uttar Pradesh
22	22608/24/31/2015	Unlawful Detention	50000	Uttar Pradesh
23	48000/24/31/2015	Malfunctioning Of Medical Professionals	300000	Uttar Pradesh
24	618/4/8/2014	Trouble By Anti-Social Elements	100000	Bihar
25	696/34/3/2017-WC	Sexual Harassment At Workplace (Govt. offices)	100000	Jharkhand
26	1019/12/35/2013	False Implications	500000	Madhya Pradesh



From NHRC Investigation Files

Case No. 150/20/5/2015-WC

The Commission received a complaint dated 31.12.2014, from the Centre For Dalit Right, an NGO which alleged that a poor woman who was living with his family at Village Sabora, District Bharatpur, Rajasthan was sexually assaulted for months by the accused Gajender Singh, who made her video on his mobile, while she was taking bath. When the prosecutrix told her ordeal to the father of the accused namely Daan Singh, village Sarpanch, a Panchayat was convened on 09.08.2014 and her crops were destroyed as punishment for the accusation. The

prosecutrix along with her family was forced to leave the village. A complaint was filed in the PS Kumher, Bharatpur, but no action was taken by the Police. The complainant requested for action against the culprits along with compensation to the prosecutrix.

The report of SP, Bharatpur revealed that an FIR No. 485/14 dated 20.10.2014 u/s 292/376/503/120B IPC, PS: Kumher was registered in the alleged incident after the direction of the local court of ACJM u/s 156(3) Cr.P.C. During investigation, the case was found false and Final Report dated 03.11.2015 was filed in the Court.

The comments of the complainant were sought, which revealed that the victim along with her husband was presently lodged in jail for the murder of the accused. The accused was murdered by the victim after they did not get protection and justice from the police.

Pursuant to the directions of the Commission, a team of Investigation Division went District Bharatpur to conduct the spot enquiry. During spot enquiry, it is found that the Police had not taken timely action in the complaint of victim/prosecutrix in regard to blackmailing and rape.

Under compulsion, victims had to approach the court and a case FIR No. 485/2014 was registered in PS Kumher on 20.10.2014. However, during investigation, no appropriate legal actions were taken and an FR was filed on 26.12.2014 by the IO i.e. almost in two months.

The FR was not accepted by the supervisory officer as the then IGP, Bharatpur provided three IMEI numbers of mobile phones with inbuilt cameras. IO was also directed to recover these mobiles, which were suspected to have been used in the crime in making film of the prosecutrix. Case Dairy revealed that the accused was summoned and questioned by the IO(s).

The accused was never found in

his house by the IO(s) during their visits. In his place, his father had joined the investigation. But despite alleged "warnings" by the IO, mobile phones in question were never produced on one or the other pretext. The IO had been issuing warnings to the father of the deceased but all of a sudden, he preferred filing FR as false in the court, which was also accepted by the then SP, Bharatpur. No punitive action was taken u/s 201 IPC. No notice u/s 91 Cr.P.C was issued to accused persons. No action was taken by the IO against accused when he was always found absent from his house and did not join the investigation.

It is also a fact on record that in 2001, a rape case was registered against the father of the accused, which was

also turned into FR and no action was initiated against him. All these facts clearly established the influence of the father of the accused in the area and over the police. Hence, prima facie, justice was not delivered and human rights of the victim/ prosecutrix were violated.

The Commission after considering the enquiry report has observed that there is an admitted lapse on the part of the police officials. The state is vicariously liable for their act. Accordingly, the Commission issued a notice to the Chief Secretary, Govt. of Rajasthan to show cause why Rs. 3,00,000/- should not be recommended to be paid to the victim of human rights violation.

Meeting of the NHRC Core Group on Women

Mrs. Jyotika Kalra, Member, NHRC chaired a meeting of the Commission's Core Group on Women on the 25th October 2019. Sharing various incidents of discrimination and prejudices against women in various parts of the country, she said that it was necessary to identify the problems and the root cause behind them to find timely solutions before things may go out of hand. In this context, she said that the NHRC Core Group on Women may have a significant role to play. It has to engage itself proactively to make suggestions to the Commission and assist it in good earnest. The two points of the key discussions were as follows:



NHRC Member, Mrs. Jyotika Kalra chairing the meeting

I. Declining Sex Ratio: Challenges and Remedies

II. Work-Life Balance of Working Women: Issues and Challenges

The meeting was attended by 30 participants, including representatives of various Ministries and organisations. Some of the points that emerged after the discussions were as follows;

- i. Declining sex ratio should be viewed not only as a social problem but also an economical and psychological issue
- ii. Economic opportunities for women in both urban and rural areas be increased
- iii. Implementation of Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994 (PCPNDT) must be reviewed
- iv. Gender roles and expectations from particular gender and need for care and compassion with respect to raising girl child and removing restrictions
- v. In-depth research on topics related to women
- vi. Effect & effectiveness of two child policy should be reviewed
- vii. Lack of state support and safe spaces for women and children
- viii. Ensuring land and property rights to women
- ix. Need to change the terminologies as the starting point to change the mindset of people
- x. Need to look into and bring out the good practices for/by/with women
- xi. Data collection from programs like Beti Bacho, Beti Padhao to reflect upon the effectiveness of the program
- xii. Data collection on violence on women, their mobility and declining child sex ratio (number of females per 1000 males in the age group 0-6 years) is required.

Research Study on Socially Responsible Supply Chains for Protection of Human Rights

The Commission has entrusted the research project titled “A Study on Socially Responsible Supply Chains for Protection of Human Rights” to Institute of Public Enterprise, Osmania University Campus, Hyderabad. The proposed project will be carried out in three states, namely, Telangana, Karnataka and Kerala.

The main objectives of the research study are to:

- a. Identify the prominent mechanisms that would enable the supply chain partners to adopt socially responsible supply chain practices with an emphasis to protect human rights;
- b. Address the root causes of the shortcomings that hinder the supply chain partners to protect human rights along the supply chain functions;
- c. Assessing the standing of supply chain practitioners with regard to protection of human rights and how it can be continuously improve;

NHRC English Journal 2019 Editorial Board Meeting

Mr. Justice H.L. Dattu chaired the Editorial Board meeting of NHRC English Journal-2019 on the 16th October, 2019. The Commission has

been bringing out an English Journal annually since 2002 with the objective of spreading human rights literacy amongst various sections of society and

to encourage research in these subjects. It is an important tool in sharing of information, knowledge and experience on diverse human rights subjects.

Global Consultation on the Role of NHRI's in Business Related Human Rights Abuses

The NHRC deputed Assistant Registrar (Law), Mr. C.S. Mawri to represent it at “Global Consultation on the role of NHRIs in facilitating access to remedy for business related human rights abuses” at Geneva, Switzerland from 10th -11th October, 2019. It was organised by the working Group on Business and Human Rights in Coordination with the Global Alliance on National Human Rights Institutions (GANHRI) and the Office of High Commission of Human Rights (OHCHR).

The Consultation was spread across several thematic sessions. It also included brief presentation by the NHRIs and other Experts. Mr. Mawri spoke on NHRI's engagement with judicial and non-judicial mechanism in facilitating access to remedy. Giving a brief insight into the vast geographical and diverse cultural spread, he said that in India, a large chunk of working population comes from the unorganized sector. He said that Section 12 of Protection of Human Rights Act, 1993 enlists functions of the Commission and as per Supreme Court of India Judgement in Criminal Appeal No. 5911/2011 – Punjab State Human Rights Commission Vs. Jai Singh on 23.08.2019 held that – “This provision empowers the Commission to entertain

complaints pertaining to violation of human rights or abetment thereof by a public servant or by a private person.” The Commission is, therefore, mandated to entertain complaints of violation of human rights abuses by business also.

Engagement with Judicial Mechanism: He referred to the Section 12 (b) and Section 18 (b) which empowers the Commission to intervene into any court proceeding or to get implemented its recommendations, respectively. In this context he drew specific instances of a few NHRC interventions: Writ Petition filed by the Commission before Allahabad High Court for closing illegal Meerut Slaughter Houses in 2011, Writ Petitions filed before the Allahabad

High Court for Payment of Minimum Wages to the brick kiln workers in the State of Uttar Pradesh; the intervention of the Commission in W.P. No.110/2006 in a case before the Supreme Court of India for enforcement of the Commission's recommendations in the matter of Silicosis.

Engagement with non-judicial mechanism: Mr. Mawri spoke about the NHRC's engagement with the National Commission for SCs/STs, National Commission for Women, National for Protection of Child Rights and other National and State Commissions, Camp Sitzings / Open Hearing at various places in the country, interaction with Gram Sabha and Gram Panchayat through its teams



NHRC Asstt. Registrar (Law), Mr. C.S. Mawri (IInd from right) at the Global Consultation

sent for assessing the progress of the Flagship Programmes of Government of India, interaction with the NGOs and Civil Society Core Groups, entertaining complaints from NGOs on Human Rights Abuses by Business entities.

Some other important points mentioned by him were as follows:

- I. Direct complaint taken by the Commission;
- II. Research Project undertaken by the Commission on the various aspects of the UN-Guiding-Principles;
- III. Interaction with the Department of Government of India for example, interaction with Ministry of Corporate Affairs, Government of India in formulation of NAP;
- IV. Commission's interaction with Quasi Judicial authorities;
- V. Interaction with multi stakeholder: (a) advising for suitable amendment in laws; (b) policy making; and (c) ratification of International Treaties;
- VI. Interaction with legislators. The National Human Rights Commission India submitted a Special Report to the Parliament of India on the issue of Silicosis;
- VII. Acting as a catalyst: to illustrate suo motu cognizance on non-implementation of the provisions of unorganised workers Social Security Act, 2008 – the Commission formulated model Security Schemes as envisaged under Section 4 of the Act;
- VIII. Special Rapporteurs:- The Commission has Special Rapporteurs, Special Monitors on thematic or geographical jurisdiction.

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 fifth batch of more structured STI was held from 16th to 31st October, 2019. 33 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,



From L-R: NHRC Presenting Officers, Mr. Raj Kumar and Mr. R. K. Yadav at the valedictory session with the interns

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.

Visit

A delegation consisting of 36 students and 3 faculty members visited NHRC on 14.10.2019 from Bengal Law College, Shantiniketan, West Bengal.

Snippets



NHRC officers and staff taking "Rashtriya Ekta Diwas Pledge" on 31.10.19 on the occasion of birth anniversary of Sardar Vallabhbhai Patel. The pledge was administered by Mr. Raj Kumar, PO



Mr. Jaideep Govind, SG, NHRC (1st from Right) joined the Prashnamanch Partiyogita to encourage the participating officers and staff of the Commission during the celebration of Hindi Fortnight

