



Inside

■ From the Editor's Desk	2	■ Important Intervention	7
■ Message by Mr. Justice H.L. Dattu, Chairperson, NHRC	2	■ Recommendations for Relief	8
■ NHRC, India retains its 'A' status of accreditation with GANHRI	3	■ Compliance with NHRC Recommendations	9
■ NHRC, India delegation attends GANHRI, CFNHRI & APFFC.....	3	■ From the archives of human rights cases	10
■ Meeting on Protection and Welfare of Elderly Persons	4	■ Media Watch	11
■ National Seminar on Globalization, Environment and Human Rights	4	■ Visits to NHRC, India	11
■ Workshop on Elimination of Bonded Labour System	5	■ Human Rights and NHRC in News, February, 2018	12
■ Suo Motu Cognizance	6	■ Complaints received/processed in February, 2018	12
■ NHRC'S Spot Enquiry	7		

From the Editor's Desk

The month of February, 2018 became very significant from the point of view of human rights. The Global Alliance of National Human Rights Institutions, GANHRI, after a periodic review of human rights situation in the country and the role and activities of the National Human Rights Commission, India, decided to continue its 'A' status of accreditation with it. This is given to the NHRIs, which are found fully compliant with the UN mandated 'Pairs Principles'.

The role of a government and an NHRI, in the context of human rights violations, in a country may be connected but are different in the sense that onus for the actions or inactions by either of them cannot be put on the other. This difference that an NHRI is independent and autonomous of a government may not be either understood or appreciated by many some times. Certain actions of a state or non state individual or a group of individuals, resulting in a direct and indirect bearing on human rights, may be interpreted by some as the failure of the NHRI of that country but may not stand the scrutiny as long as its record of constructive interventions, ameliorating the cause of human rights is reasonably good as per its mandate. The continuance of 'A' status of accreditation of NHRC, India with GANHRI gives this message that the work and reputation of an NHRI of a country may not be questioned or held entirely responsible for any actions, inactions and the omissions of government(s) or people in general, who are answerable to law. Be that as it may, the fact also remains that critical appreciation rather than criticism is always better for seeking the healthy growth of an institution.

The reference to health naturally draws attention to a very disturbing trend in the health sector of the country, which is already a victim of unauthorized drug trials at the behest of several national and multinational players. Close to this issue is the rising trend of prescriptions and sales of unauthorized antibiotics in the country, which is, reportedly, acquiring dangerous proportions. The use of an antibiotic may subside or even cure a patient of an ailment or infection quickly but in the long run, it may make him drug resistant, meaning thereby that in a case of some major health issues, his body may not respond to the treatment because of antimicrobial resistance developed due to the consumption of antibiotics over a period of time for even minor ailments. Some reported research over the consumption patterns of various antibiotics has found the highest antimicrobial resistance in India. It was obvious for the NHRC to take suo motu cognizance of this media report by posing questions before the Government and Central Standard Drugs Control Organization, while observing that pharmaceutical companies cannot be allowed to play with the health of people.

It's all about the poor level of health literacy in the country, which is being taken advantage of by the unscrupulous elements. Take for instance the reported case of a quack in Unnao district of Uttar Pradesh, who was caught using the same syringe for injecting all his patients with the result that 38 of them became HIV positive this year and 25 others last year. The incident blows away the common perception that people, by and large, know well now about the importance of disposable syringes for one time use.

There was yet another alarming development, exposed in a media report, raising serious issue of human rights, that 18, 000 students, aged 7-10 years in the Corporation schools of Delhi are addicted to tobacco, solutions, inhalers, gutka and other drugs. The numbers are suspected to rise. This finding has come after a screening was carried out on the directions of the Delhi High Court. Substance abuse becoming so common among small children is surely a point of concern, which needs to be nipped in the bud by studying and addressing the socio, economic and cultural causes behind this spreading menace. Also significant was the Supreme Court's reported displeasure over the progress and the manner of probe being conducted by the CBI in Manipur encounters directing the NHRC to depute 03 of its officers to associate with the Special Investigation Team to carry out investigations in the 17 out of 42 cases.

"You must be the change you want to see in the world." –

Mahatma Gandhi

Message by Mr. Justice H.L. Dattu, Chairperson, NHRC

Mahatma Gandhi, the Father of our nation, is said to have once famously remarked that "as long as the women of India do not take part in public life, there can be no salvation for the country." The contribution of women is indispensable to the creation of peaceful, just and progressive societies. Women empowerment and gender equality are important issues today as women continue to be subjected to egregious forms of sexual and physical violence and an overall lack of progressive life opportunities.



2018 will mark 70 years of the adoption of the landmark Universal Declaration of Human Rights (UDHR), 1948 which has among its core principles, gender equality, non-discrimination, access to remedy, and justice. In addition, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and other human rights instruments have collectively given us a formidable mesh of legislations for the protection of women's rights.

Yet, we are witness today to continued and brutalizing violence and repression against women and girls. Despite important legal amendments in 2013 to ensure justice for survivors of rape and sexual violence, women and girls continue to face several roadblocks in accessing justice and reporting crimes against them without fear of harassment – whether at the hands of the perpetrators or even the police.

It is time therefore, for introspection – institutional, legal, political, and individual, to understand why we are faced with this gaping chasm between our stated commitment to women's rights and the reality on ground. It is only through such introspection and concerted joint action that we can hope to build a truly egalitarian Indian society, where women and girls participate as 'equals' in all aspects of national life.

NHRC, India retains its 'A' status of accreditation with GANHRI

The National Human Rights Commission, NHRC, India has retained its 'A' status of accreditation with the Global Alliance of National Human Rights Institutions, GANHRI for the fourth consecutive term of five years. It is given to those NHRIs, which, after a rigorous process of review every five years, are found fully compliant with the UN mandated Paris Principles. Mr. Justice H.L. Dattu, Chairperson, NHRC was presented the certificate to this effect by Dr. Beate Rudolf, Chairperson, GANHRI during the ongoing annual meeting of GANHRI in Geneva, Switzerland from the 19th - 23rd February, 2018. NHRC Member, Mr. Justice P.C. Ghose and Secretary General, Mr. Ambuj Sharma were present on the occasion.

The Accreditation confers international recognition and protection of the NHRI.

'A' status accreditation also grants participation in the work and decision-making of the GANHRI, as well as the work of the Human Rights Council and other UN mechanisms.

The NHRC, India got 'A' status of accreditation first time in 1999, which it retained in 2006 and 2011 reviews. It was under the process of

review for 2016, which was deferred to second session in November, 2017 during which, the Sub Committee on Accreditation of GANHRI recommended that the NHRC, India be again given 'A' status.

The accreditation is given after a rigorous process of review of the NHRI by the GANHRI through its Sub Committee on Accreditation (SCA). The United Nations' Paris Principles provide the international benchmarks against which, the National Human

capacity building, as well as advising and assisting the Government.

The Paris Principles set out six main criteria that the NHRIs require to meet. These are: Mandate and competence, Autonomy from Government, Independence guaranteed by a Statute or Constitution, Pluralism, Adequate resources; and adequate powers of investigation. The GANHRI found the NHRC, India compatible with these criterion and gave 'A' status of accreditation with it.

The Office of the High Commissioner for Human Rights (OHCHR) is a permanent observer on the Sub Committee on Accreditation and serves as the secretariat to the GANHRI and its SCA. The GANHRI accreditation system has evolved and been strengthened over the past years. Measures that the GANHRI adopted to improve the process include: a system by which NHRIs are reviewed on a periodic

basis of 5 years; an appeal process for NHRIs to ensure greater transparency and due process; a more rigorous review of each application; more focused recommendations; and wider distribution and greater knowledge of SCA recommendations by NHRIs and other stakeholders, so that they can follow up in-country and contribute to the accreditation process.



NHRC Chairperson, Mr. Justice H.L. Dattu, Member, Mr. Justice P.C. Ghose and Secretary General, Mr. Ambuj Sharma receiving the A- Status accreditation from Dr. Beate Rudolf, Chairperson, Global Alliance of NHRIs at Geneva

Rights Institutions (NHRIs) can be accredited. Adopted in 1993 by the United Nations General Assembly, the Paris Principles require NHRIs to protect human rights, including by receiving, investigating and resolving complaints, mediating conflicts and monitoring activities; and promote human rights, through education, outreach, the media, publications, training and

NHRC, India delegation attends GANHRI, CFNHRI & APFFC Meetings in Geneva

NHRC, India delegation comprising Chairperson, Mr. Justice H.L. Dattu, Member, Mr. Justice P.C. Ghose and Secretary General, Mr. Ambuj Sharma attended various Meetings in connection with the General Assembly and Bureau Meeting of Global Alliance of National Human Rights Institutions, GANHRI in Geneva from the 19th - 23rd February, 2018. These included the Commonwealth Federation of NHRIs

Meeting and APF Forum Councillors' Meeting.

Addressing the gathering Chairperson, GANHRI, Dr. Beate Rudolf gave the details of the NHRIs capacity building projects, initiatives and development of Phase II activities including new initiatives on knowledge exchange management and communication.

She made a mention of reaccreditation process of NHRC, India and informed that subsequent to the recommendations by the Sub Committee on Accreditation, SCA to reaccredit NHRC, India with 'A' status, AiNNI's (All India Network of NGOs & Individuals working with National and State Human Rights Institutions) made another representation, questioning the procedure and alleging foul play



NHRC Chairperson, Mr. Justice H.L. Dattu, flanked by the Members, Mr. Justice P.C. Ghose and Secretary General, Mr. Ambuj Sharma on his right and left hand respectively at GANHRI Annual Meeting

by the SCA in not taking appropriate cognizance of their objections. She explained in detail how the SCA had objectively viewed the entire case and taken the correct decision without any ground for any bias or lack of appreciation of facts while re-accrediting NHRC, India with 'A' status.

APF, Secretary General, NHRC, India made a brief presentation on the proceedings of the GANHRI Bureau meeting held earlier in the day. Further, based on a consensus, NHRC, India was elected to continue as a member of the finance Committee.

Accordingly, the AiNNI's representation accusing SCA of foul play deserved no consideration and was not accepted.

APF Forum Counsellor Meeting

At this meeting, on the request of the Chairperson,

Commonwealth Federation of NHRIs Annual Meeting

During discussions on the draft Declaration on Sports and Human Rights, NHRC, India suggested to give prominent focus to the issue of doping in sports in the proposed declaration, which was accepted.

NHRC Member, Mr. Justice P.C. Ghose presented a statement on the activities relating to Business and Human Rights. He described in detail the importance of Human Rights in Business and also gave an insight into the various measures being taken by NHRC, India in this regard.

Apart from these structured meetings, the NHRC, India also attended several side events. These included, the Working Group on Business and Human Rights, the Annual Conference of Persons with Disabilities and the Role of NHRIs etc.

Meeting on Protection and Welfare of Elderly Persons

The National Human Rights Commission, NHRC, India held a meeting of its Core Group on Protection and Welfare of Elderly Persons in New Delhi on the 7 February 2018. Mr. S.C. Sinha, Member, NHRC chaired it. Besides the NHRC Core Group Members and the special invitees, the senior officers of the Commission, who attended the meeting included: Mr. Ambuj Sharma, Secretary General, Dr. Ranjit Singh, Joint Secretary (P&A) and Dr. M.D.S. Tyagi Joint Director (Research).

Post discussions, some of the important suggestions, which emerged, were as follows:

1. As per the Advisory of the Union Ministry of Home Affairs, every police station has to have a Committee for the senior citizens,

which would act as pressure groups.

2. Ministry of Health and Family Welfare should come out with a new product in the National Programme for Health Care of

should be constructed with attached hospital and residential schools on the lines of a similar model existing in Gujarat.

4. Keep the senior citizens ambulant so that they continue to live at their



NHRC Member, Mr. S.C. Sinha, flanked by Secretary General, Mr. Ambuj Sharma, JS (P&A), Dr. Ranjit Singh, JD(R), Dr. M.D.S. Tyagi at the meeting

place of living without being shifted to Old Age Homes in connection with the research activities for the chronic elderly diseases and ageing as per Para (iv) of Section 20 of the Maintenance and Welfare of Parents and Senior Citizens (MWPSA) Act, 2007.

5. The construction of building for Old Age Home requires massive expenditure for which government may use its

mandate under Companies Act, 2013 towards Corporate Social Responsibility (CSR) to supplement its efforts in this regard.

elderly persons, which may cover their medical consultation.

3. Large Old Age Homes with a capacity of 1000-1500 people

National seminar on Globalization, Environment and Human Rights

The National Human Rights Commission, NHRC and the Department of Hindi, Punjab

University jointly organized a two day national seminar on 'Globalization, Environment and Human Rights'

from the 1st – 2nd February, 2018. The seminar saw over 50 research presentations.

Inaugurating the seminar, Mr. S.C. Sinha, Member, NHRC highlighted how globalization and the tangents of maximizing profits and accumulating capital had a negative impact on environment. He said that environmental crises like depletion of ozone layer, melting of glaciers and reduction in biodiversity were all a result of unchecked exploitation of nature in the garb of globalization.

Dr. Rajendera Singh, Magsaysay awardee, in his key note address, said that despite decades of development since independence, the incidence of drought and floods had increased 10 times in the country in 2017. This, he said, spoke of the alarming state of depleting environment. Popularly known as the waterman, Dr Singh shared his agony how businesses had robbed the poor of their basic right to drinking water, which is being sold at prices, which they can't afford to pay. Drawing on his experience, Dr. Singh demonstrated how with local innovative methods of water conservation, a barren region

can be transformed into a fertile one.

Mr. Ambuj Sharma, Secretary General, NHRC stressed upon the need for conservation of natural resources to save the planet for future generations. He said that in order to save environment, a balance was required in theory and practice through proper policy interventions.



NHRC Member, Mr. S.C. Sinha, DG(I), Mr. Gurbachan Singh and JS (P&A), Dr. Ranjit Singh among others at the seminar

Several concerns were raised on the depleting environment due to manmade causes and how action was required to ensure that the business activities did not deprive people of their rights in the quest for globalization. The highlight of the seminar was its interdisciplinary nature

bringing different subject experts and government functionaries under one roof to discuss and deliberate upon the challenges facing globalization, environment and human rights.

Several prominent people attended and also addressed the seminar. They included, among others, Mr. Gurbachan Singh, DG(I) Investigation, NHRC, Dr. Ranjit Singh, Joint Secretary, (P&A), NHRC, Dr. Gurmeet Singh, Chairperson, Department of Hindi, Punjab University, Professor Meenakshi Malhotra, Dean University Instruction, Punjab University. Mr. Prashant Kumar Mahapatra, Additional Chief Secretary, Government of Haryana, Dr. Shyamli Singh, Indian Institute of Public Administration, Prof. Nandita Singh, Coordinator Interdisciplinary Centre for Swami Vivekananda Studies, Mr. Nirmal Kashyap, Environment Engineer, Pollution Control Board, Haryana, Dr. Roshan Sunkaria, Principal Secretary, Environment, Col. (Retd.) Guljit Singh Chadha, Registrar, Punjab University, Dr. Ashok Kumar, Department of Hindi, Dr S.K. Shukla, Assistant Director, NHRC.

Workshop on Elimination of Bonded Labour System

The National Human Rights Commission organized a day long Workshop on 'Elimination of Bonded Labour System' in collaboration with the Government of Gujarat at Mahatma Gandhi Labour Institute, Ahmedabad on the 23rd February, 2018. Mr. Justice D. Murugesan, Member, NHRC chaired the workshop.

The participants of the Workshop were senior officers of the Government of Gujarat, Gujarat State Human Rights Commission, NGOs and representatives of brick kilns, stone crushing and other related industries, academicians and final year law students/research scholars from Gujarat University and Gujarat

National Law University.

The objective of the Workshop was to familiarize and sensitize the District Magistrates, Sub-Divisional Magistrates, State Labour Officers and Members of Vigilance Committees, brick kilns, stone crushing and other related industries etc. with the process of identification, release and rehabilitation

of bonded labourers and the provisions of Bonded Labour System (Abolition) Act, 1976 and other related legislations.



Right to Left : NHRC Member, Mr. Justice D. Murugesan, flanked by Director (Admn.), Dr. Sanjay Dubey at the Workshop

Suo Motu Cognizance

The Commission took suo motu cognizance in 06 cases of alleged human rights violations reported by media during February, 2018 and issued notices to the concerned authorities for reports. Summaries of some of the cases are as follows:

High levels of fluoride and arsenic in drinking water (Case No. 96/33/10/2018)

The media reported on the 15th February, 2018 that despite the joint efforts of the Centre and the Government of Chhattisgarh, the number of patients suffering from fluorosis and kidney diseases is increasing due to high level of arsenic and fluoride in drinking water in the state. The number of total 1148 patients till August, 2016, had gone up to 1170. The villages adjacent to the industrial areas were reported to be the worst affected. They included, among others, areas in Bastar, Raigarh, Bemetara districts.

Reportedly, according to the data released by the government, 55 people had died in Supebeda of Gariaband district. However, villagers claimed that 103 deaths happened due to the diseases caused by drinking contaminated water. About 225 people have been suffering from kidney diseases.

The Commission has issued notices to the Chief Secretary, Government of Chhattisgarh and the Secretary, Union Ministry of Drinking Water and Sanitation, calling for detailed reports in the matter, including the steps taken proposed to be taken to deal with the menace.

The Commission has also observed that ensuring safe drinking water to the citizens is the prime duty of the state. Earlier also, it has expressed concern over high level of fluoride and arsenic in drinking water in various parts of the country. Reportedly, some time back the Centre had also issued a data on areas affected with this problem.

Outbreak of gastroenteritis (Case No. 79/10/18/2018)

The media reported on the 13th February, 2018 that three persons had died and 35 others were hospitalized due to acute gastroenteritis at Maidolalu village of Shivamogga district in Karnataka. Reportedly, the

District Health Officer stated that the consumption of contaminated piped drinking water is suspected to be the reason behind the outbreak of gastroenteritis. The piped drinking water was supplied by the Gram Panchayat. The residents, reportedly, expressed their anguish that the water tanks were not being cleaned regularly. A similar outbreak of gastroenteritis was reported from the same area in 2017 also. The Commission has issued a notice to the Chief Secretary, Government of Karnataka calling for a detailed report in the matter.

Police barricade wire slits biker's throat (Case No. 584/30/6/2018)

The media reported on the 9th February, 2018 that a motorbike borne 21 year old boy died, when his throat got slit by a metal wire tied with the two unmanned barricades put up by police in Netaji Subhash Place area in Delhi on the 8th February, 2018. Reportedly, this was not the only case when someone had been hurt due to negligently kept unmanned police barricades. The Commission has observed that leaving barricades unattended, in such a careless manner, tantamount to criminal breach of duty, which may lead to violation of human rights. Accordingly, it has issued notices to the Union Home Secretary and the Delhi Police Commissioner calling for detailed reports in the matter along with existing guidelines for the management, deployment and removal of the police pickets/ barricades without affecting the smooth flow of traffic.

The Commission has also asked the Police Commissioner to inform whether any action has been taken against the guilty police personnel as, reportedly, there had been several such incidents in the past. He is also expected to inform whether there is a scheme to grant relief to the victims and their families in case of such negligence by Delhi Police personnel.

Sale of millions of unapproved antibiotics in India (Case No. 34/90/0/2018)

The media reported on the 6th February, 2018 that millions of unapproved antibiotics were being manufactured and sold in India, posing a threat to the global fight against the spread of drug resistant microbes. The media report quoted a study

published in the British Journal of Clinical Pharmacology in this regard. It is mentioned in the report that India is having the highest antimicrobial resistance and antibiotic consumption and the parliamentary investigations have highlighted failures of the country's drug regulatory system.

Reportedly, the researchers analyzed the regulatory records of the antibiotics as well as sales data from 2007 to 2012. It was found that 118 different formulations of Fixed Doze Combinations, FDCs were being sold in India during this period, compared to five each in the UK and the US. Of these 118 formulations, 64 per cent were not approved by the national drugs regulator i.e. Central Drugs Standard Control Organization, CDSCO even though, the sale of unapproved new drugs is illegal in India.

The Commission has observed that the illegal manufacturing of hazardous drugs and their sales raises the issue of violation of human rights. Accordingly, it has issued notices to the Secretary, Union Ministry of Health and Family Welfare and the Drugs Controller General of India, calling for detailed reports in the matter.

Fake encounter (Case No. 3032/24/30/2018)

The media reported that a 25 years old man was shot at in NOIDA by a Sub-Inspector of Uttar Pradesh police in the night of the 3rd February, 2018 telling his colleague that the encounter would earn him an out of turn promotion. However, reportedly, the NOIDA police denied receiving any message of an encounter.

The Commission has observed that such incidents would send a wrong message to the society about the police force, which is for the protection of people. Drawing attention to its November, 22nd 2017 notice, issued on the reported statement of the State Chief Minister that "Criminals will be jailed or killed in encounters", the Commission has issued further notices to the Chief Secretary and the Director General of Police, Uttar Pradesh directing them to look into the matter personally and take appropriate action to sensitize the police personnel not to abuse their power to harass the innocent citizens.

NHRC's spot enquiry

Following is the list of cases wherein spot enquiry was conducted by the Commission's officers:

S. No.	Case Number	Allegations	Date of visit
1.	10395/24/41/2017-WC	Dowry death and police inaction in the Amroha District of Uttar Pradesh	30 th January–2 nd February, 2018
2.	680/20/9/2017	Police inaction in a case of murder in Chittorgarh District of Rajasthan	5 th –8 th February, 2018
3.	4980/18/8/2017	Gang rape by four security personnel in Koraput District of Odisha	5 th –9 th February, 2018
4.	2195/18/24/2015	Attempt to illegally acquire ancestral property in cahoots with government officials in Jajpur District of Odisha	6 th –9 th February, 2018
5.	951/30/3/2017	Illegal detention by police causing humiliation in New Delhi	26 th February – 1 st March, 2018
6.	159/13/17/2016	Human rights violations of an undertrial prisoner in Nagpur Central Jail of Maharashtra	26 th February–1 st March 2018

Important Interventions

Allegations of human rights violations of armed forces by stone pelters (Case No. 15/9/0/2018)

The National Human Rights Commission, NHRC has taken cognizance of a complaint requesting its intervention for an appropriate enquiry in the incident of stone pelting and assault on the army personnel by an unruly and disruptive mob in the Shopian district of Jammu & Kashmir on the 27th January, 2018. Raising the issue of the safety of soldiers and officers of the Indian Army, deployed in counter insurgency areas in Jammu & Kashmir (J&K) and other states, the complaint sought to draw the attention of the Commission to the innumerable and frequent instances of violation of human rights of the army

personnel.

The Commission has observed that in view of the allegations leveled in the complaint, it will be appropriate to call for a factual report from the Union Ministry of Defence, through its Secretary, to know the present status of the situation and steps taken on the points raised by the complainants. Accordingly, a communication has been sent to the Union Defence Secretary.

The complaint has been filed by the three children of the officers of Indian Army. They quoted, date wise, a series of incidents wherein, allegedly,

the army faced hostilities from the very people, it was deployed to protect. Not only that, FIRs registered against the stone pelters were withdrawn but registered against the army. They cited developments in J&K, post Shopian violence, as another example in this regard and alleged that it would lower down the morale of the troops.

It is pointed out in the complaint that the administration, which is being assisted by the Indian Army, has failed to safeguard the human rights of the members of the Armed Forces. They cited instances of various countries, wherein severe punishment is meted out to those involved in stone pelting on Armed Forces.

15 students get ₹ 30 lakh as relief for the negligence of teachers (Case No. 21/23/4/2017)

On the recommendations of the National Human Rights Commission, 15 students of the State run Eklavya Model Residential School, Khumulwng, Tripura were paid monetary relief of ₹ 2 lakh each totaling ₹ 30 lakh, besides the free coaching for the 2018 National Eligibility and Entrance Test, NEET, which they could not write in 2017 due to the negligence of the school authorities. This was informed by the

Government of Tripura. However, the Commission, while taking this report on record on the 16th February, 2018, further asked the State government to inform about the outcome of the disciplinary proceedings, initiated against the guilty Principal and the teacher.

The Commission is of the view that it was not sufficient that the Government of Tripura had initiated disciplinary proceedings against the

negligent Principal and the teacher of the school and that the students will be provided free coaching for 2018. It recommended that in addition to the free coaching, the State government needed to pay monetary relief also to the victim students for the loss of their one academic year.

Earlier, during the course of enquiry, the Commission had found that the Principal and a teacher of the school had filled the online application

form of the students, belonging to the tribal communities, but failed to remit the requisite fee within the stipulated time. Hence, the students could not appear in the NEET organized by the Central Board of Secondary Education,

CBSE. When the issue came to the knowledge of the Tribal Welfare Department, it approached the CBSE but it was too late for them to accept their request. Action against the negligent Principal and the Teacher

had been taken and disciplinary proceedings were initiated against them. The Commission had taken cognizance of the issue on the basis of a complaint received on the 5th May, 2017.

Recommendations for relief

A part from the large number of cases taken up daily by individual Members, 28 cases were considered during 02 sittings of the Full Commission and 63 cases were taken up during 05 sittings of Divisional Benches in February, 2018. On 33 cases, listed in the table below, the Commission recommended monetary relief amounting to a total of ₹ 34,30,000/- for the victims or their next of kin, where it found that public servants had either violated human rights or been negligent in protecting them.

Sl. No.	Case Number	Nature of Complaint	Amount Recommended (in ₹)	Public Authority
1.	2716/4/26/2014-JCD	CUSTODIAL DEATH (JUDICIAL)	200000	GOVT. OF BIHAR
2.	4533/30/9/2015-JCD	CUSTODIAL DEATH (JUDICIAL)	200000	GOVT. OF NCT OF DELHI
3.	276/34/21/2012-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF JHARKHAND
4.	623/11/13/2015-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF KERALA
5.	27480/24/31/2012-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF UTTAR PRADESH
6.	44077/24/57/2013-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF UTTAR PRADESH
7.	9927/24/3/2015-JCD	CUSTODIAL DEATH (JUDICIAL)	300000	GOVT. OF UTTAR PRADESH
8.	40/14/6/2016-AD	ALLEGED CUSTODIAL DEATHS IN JUDICIAL CUSTODY	100000	GOVT. OF MANIPUR
9.	383/30/3/2014	ABUSE OF POWER	100000	GOVT. OF NCT OF DELHI
10.	225/6/21/2017	CUSTODIAL TORTURE	200000	GOVT. OF GUJARAT
11.	251/18/12/2015	FAILURE IN TAKING LAWFUL ACTION	70000	GOVT. OF ODISHA
12.	1754/20/5/2015	FAILURE IN TAKING LAWFUL ACTION	50000	GOVT. OF RAJASTHAN
13.	1084/24/52/2014	FAILURE IN TAKING LAWFUL ACTION	300000	GOVT. OF UTTAR PRADESH
14.	18848/24/55/2014	FAILURE IN TAKING LAWFUL ACTION	25000	GOVT. OF UTTAR PRADESH
15.	18943/24/57/2015	FAILURE IN TAKING LAWFUL ACTION	25000	GOVT. OF UTTAR PRADESH
16.	19728/24/22/2015	FAILURE IN TAKING LAWFUL ACTION	50000	GOVT. OF UTTAR PRADESH
17.	34940/24/72/2013	FAILURE IN TAKING LAWFUL ACTION	50000	GOVT. OF UTTAR PRADESH
18.	167/8/12/2016	FALSE IMPLICATIONS	10000	GOVT. OF HIMACHAL PRADESH
19.	293/25/15/2014	UNLAWFUL DETENTION	50000	GOVT. OF WEST BENGAL
20.	268/11/0/2012-AD	ALLEGED CUSTODIAL DEATHS IN POLICE CUSTODY	200000	GOVT. OF KERALA
21.	2497/20/5/2011-AD	ALLEGED CUSTODIAL DEATHS IN POLICE CUSTODY	200000	GOVT. OF RAJASTHAN
22.	7402/24/14/2013-AD	ALLEGED CUSTODIAL DEATHS IN POLICE CUSTODY	100000	GOVT. OF UTTAR PRADESH
23.	5140/7/3/2014-WC	ABDUCTION, RAPE AND MURDER	100000	GOVT. OF HARYANA
24.	1302/4/32/2013-WC	DOWERY DEATH OR THEIR ATTEMPT	100000	GOVT. OF BIHAR
25.	34369/24/1/2013-WC	RAPE	25000	GOVT. OF UTTAR PRADESH
26.	6434/24/52/2017-WC	RAPE	25000	GOVT. OF UTTAR PRADESH
27.	2288/20/5/2015-WC	SEXUAL HARASSEMENT (GENERAL)	25000	GOVT. OF RAJASTHAN
28.	2123/25/22/2015-WC	SEXUAL HARASSMENT AT WORKPLACE (GOVT. OFFICES)	50000	GOVT. OF WEST BENGAL
29.	5478/30/7/2016	INACTION BY THE STATE GOVERNMENT/CENTRAL GOVT. OFFICIALS	100000	GOVT. OF NCT OF DELHI
30.	3619/18/31/2015	INACTION BY THE STATE GOVERNMENT/CENTRAL GOVT. OFFICIALS	100000	GOVT. OF ODISHA
31.	1570/24/31/2014	INACTION BY THE STATE GOVERNMENT/CENTRAL GOVT. OFFICIALS	25000	GOVT. OF UTTAR PRADESH
32.	15534/18/29/2015	ATROCITIES ON SC/ST/OBC	200000	GOVT. OF ODISHA
33.	36403/24/52/2013	ATROCITIES ON SC/ST/OBC	50000	GOVT. OF UTTAR PRADESH

Compliance with NHRC recommendations

In February, 2018, the Commission closed 69 cases on receipt of compliance reports from different public authorities, furnishing proof of payments, it had recommended, totalling ₹1,36,55,000/- to the victims of human rights violations or their next of kin. Details are in the table below:

Sl. No	Case Number	Nature of Complaint	Amount Recommended (in ₹)	Public Authority
1.	1182/1/6/2013-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF ANDHRA PRADESH
2.	94/1/24/2014-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF ANDHRA PRADESH
3.	448/3/4/2012-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF ASSAM
4.	1079/4/26/2014-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF BIHAR
5.	2716/4/26/2014-JCD	CUSTODIAL DEATH (JUDICIAL)	200000	GOVT. OF BIHAR
6.	4852/30/0/2015-JCD	CUSTODIAL DEATH (JUDICIAL)	200000	GOVT. OF NCT OF DELHI
7.	6709/30/9/2014-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF NCT OF DELHI
8.	1462/6/25/2013-JCD	CUSTODIAL DEATH (JUDICIAL)	300000	GOVT. OF GUJARAT
9.	4048/7/13/2013-JCD	CUSTODIAL DEATH (JUDICIAL)	300000	GOVT. OF HARYANA
10.	4526/7/2/2013-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF HARYANA
11.	6341/7/8/2015-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF HARYANA
12.	623/11/13/2015-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF KERALA
13.	1541/13/16/2014-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF MAHARASHTRA
14.	3384/13/28/2012-JCD	CUSTODIAL DEATH (JUDICIAL)	300000	GOVT. OF MAHARASHTRA
15.	383/13/23/2013-JCD	CUSTODIAL DEATH (JUDICIAL)	300000	GOVT. OF MAHARASHTRA
16.	1030/18/29/2013-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF ODISHA
17.	983/19/3/2013-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF PUNJAB
18.	1196/20/14/2014-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF RAJASTHAN
19.	2583/20/21/2012-JCD	CUSTODIAL DEATH (JUDICIAL)	300000	GOVT. OF RAJASTHAN
20.	344/1/12/2012-JCD	CUSTODIAL DEATH (JUDICIAL)	300000	GOVT. OF TELANGANA
21.	1670/23/4/2013-JCD	CUSTODIAL DEATH (JUDICIAL)	25000	GOVT. OF TRIPURA
22.	16511/24/60/2015-JCD	CUSTODIAL DEATH (JUDICIAL)	300000	GOVT. OF UTTAR PRADESH
23.	19816/24/54/2012-JCD	CUSTODIAL DEATH (JUDICIAL)	300000	GOVT. OF UTTAR PRADESH
24.	42963/24/9/2012-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF UTTAR PRADESH
25.	6270/24/68/2013-JCD	CUSTODIAL DEATH (JUDICIAL)	100000	GOVT. OF UTTAR PRADESH
26.	64/25/5/2014-JCD	CUSTODIAL DEATH (JUDICIAL)	300000	GOVT. OF WEST BENGAL
27.	1446/6/4/2014-PCD	CUSTODIAL DEATH (POLICE)	200000	GOVT. OF GUJARAT
28.	551/6/2/2015-PCD	CUSTODIAL DEATH (POLICE)	300000	GOVT. OF GUJARAT
29.	805/6/25/2015-PCD	CUSTODIAL DEATH (POLICE)	500000	GOVT. OF GUJARAT
30.	1567/13/19/2012-PCD	CUSTODIAL DEATH (POLICE)	100000	GOVT. OF MAHARASHTRA
31.	902/13/25/09-10-PCD	CUSTODIAL DEATH (POLICE)	100000	GOVT. OF MAHARASHTRA
32.	79/32/0/2015-PCD	CUSTODIAL DEATH (POLICE)	300000	GOVT. OF PUDUCHERRY
33.	38745/24/54/2013	MAFIAS/UNDERWORLD	50000	GOVT. OF UTTAR PRADESH
34.	3267/7/0/2011-BL	BONDED LABOUR	400000	GOVT. OF HARYANA
35.	27603/24/77/2014-WC	ABDUCTION/RAPE	100000	GOVT. OF UTTAR PRADESH
36.	6507/30/2/2014	ABUSE OF POWER	25000	GOVT. OF NCT OF DELHI
37.	1070/19/18/2015	ABUSE OF POWER	100000	GOVT. OF PUNJAB
38.	8049/24/28/2014	ABUSE OF POWER	50000	GOVT. OF UTTAR PRADESH
39.	8470/24/17/2013	ABUSE OF POWER	50000	GOVT. OF UTTAR PRADESH
40.	1419/25/22/2013	ABUSE OF POWER	150000	GOVT. OF WEST BENGAL
41.	22998/24/14/2015	ATROCITIES ON SC/ST (BY POLICE)	25000	GOVT. OF UTTAR PRADESH
42.	532/30/1/2014	CUSTODIAL TORTURE	25000	GOVT. OF NCT OF DELHI
43.	39826/24/1/2014	CUSTODIAL TORTURE	25000	GOVT. OF UTTAR PRADESH
44.	5906/24/8/2013	CUSTODIAL TORTURE	50000	GOVT. OF UTTAR PRADESH
45.	1066/25/13/2014	CUSTODIAL TORTURE	25000	GOVT. OF WEST BENGAL
46.	46/3/24/2011-ED	DEATH IN POLICE ENCOUNTER	1000000	GOVT. OF ASSAM

Sl. No	Case Number	Nature of Complaint	Amount Recommended (in ₹)	Public Authority
47.	554/13/2005-2006	DEATH IN POLICE ENCOUNTER	500000	GOVT. OF MAHARASHTRA
48.	1365/4/4/2013	FAILURE IN TAKING LAWFUL ACTION	10000	GOVT. OF BIHAR
49.	1615/4/4/09-10	FAILURE IN TAKING LAWFUL ACTION	150000	GOVT. OF BIHAR
50.	2108/20/1/2015	FAILURE IN TAKING LAWFUL ACTION	10000	GOVT. OF RAJASTHAN
51.	3056/20/14/2014	FAILURE IN TAKING LAWFUL ACTION	100000	GOVT. OF RAJASTHAN
52.	17661/24/75/2014	FAILURE IN TAKING LAWFUL ACTION	25000	GOVT. OF UTTAR PRADESH
53.	18628/24/15/2014	FAILURE IN TAKING LAWFUL ACTION	25000	GOVT. OF UTTAR PRADESH
54.	5330/24/39/2012	ILLEGAL ARREST	100000	GOVT. OF UTTAR PRADESH
55.	227/13/16/2016	VICTIMISATION	25000	GOVT. OF MAHARASHTRA
56.	24179/24/13/2011-AD	ALLEGED CUSTODIAL DEATHS IN POLICE CUSTODY	500000	GOVT. OF UTTAR PRADESH
57.	6738/30/8/2014	SERVICE MATTERS	25000	GOVT. OF NCT OF DELHI
58.	39783/24/34/2014	NON-PAYMENT OF PENSION/COMPENSATION	10000	GOVT. OF UTTAR PRADESH
59.	19040/24/57/2014-WC	DOWERY DEMAND	25000	GOVT. OF UTTAR PRADESH
60.	34059/24/14/2015-WC	GANG RAPE	100000	GOVT. OF UTTAR PRADESH
61.	282/3/9/2013-WC	INDIGNITY OF WOMEN	50000	GOVT. OF ASSAM
62.	1769/30/4/2014-WC	INDIGNITY OF WOMEN	50000	GOVT. OF NCT OF DELHI
63.	45958/24/67/2013-WC	RAPE	100000	GOVT. OF UTTAR PRADESH
64.	1749/20/33/2015	IRREGULARITIES IN GOVT.HOSPITALS/ PRIMARY HEALTH CENTRES	100000	GOVT. OF RAJASTHAN
65.	5478/30/7/2016	INACTION BY THE STATE GOVERNMENT/CENTRAL GOVT. OFFICIALS	100000	GOVT. OF NCT OF DELHI
66.	3274/18/1/2013	INACTION BY THE STATE GOVERNMENT/CENTRAL GOVT. OFFICIALS	225000	GOVT. OF ODISHA
67.	9179/18/30/2015	INACTION BY THE STATE GOVERNMENT/CENTRAL GOVT. OFFICIALS	300000	GOVT. OF ODISHA
68.	21/23/4/2017	INACTION BY THE STATE GOVERNMENT/CENTRAL GOVT. OFFICIALS	3000000	GOVT. OF TRIPURA
69.	32706/24/68/2014	ATROCITIES ON SC/ST/OBC	25000	GOVT. OF UTTAR PRADESH

From the archives of human rights cases

This column will carry a brief from the archives of the intricate cases of human rights violations, which became a landmark after the public authorities eventually accepted the recommendations of the NHRC.

Tsunami

(Case No. 1054/22/2004-2005)

On the 26th December, 2004 an unprecedented tragedy struck people when devastating Tsunami waves hit large areas of coastal India, including Andaman & Nicobar Islands, Pondicherry, Tamil Nadu, Andhra Pradesh and Kerala. Aware of the magnitude of relief and rehabilitation work required in the face of huge loss of life and property, the National Human Rights Commission took suo motu cognizance of the matter and felt that computerized lists of dead and missing persons, as well as the damaged property were essentially required for the expeditious and equitable distribution of relief and rehabilitation measures, including

smooth settlement of insurance and other claims of the victims. The computerized list was also to help the families in tracing the missing persons.

Accordingly, notices were issued to all the concerned authorities in the Centre, States and Union Territories calling for action taken reports. They were also asked to prepare a computerized list of widows and children victims of Tsunami to guard against their exploitation.

In response, the respective public authorities submitted reports indicating the action taken and measures adopted for relief and rehabilitation of the victims. Apart from the payment of Rupees one lakh each to the next of the kin of the deceased from the Prime Minister's Relief Fund, the respective State governments and Union Territory Administrations granted additional monetary relief to the affected people. Additionally, bank loans, were rescheduled. Special measures were

taken for destitute, orphaned children and widowed women ensuring their well being.

Massive infrastructure work was initiated, which also included construction of housing units. Financial aid was provided for house-hold needs apart from the other required relief including for health, drinking water, food, temporary shelters etc. Assistance was also provided for the repair of damaged boats and nets to fishermen and crop loss compensation to farmers. Besides the quick measures for short term, plans were also drawn up for the long term rehabilitation of the Tsunami victims.

Based on these reports, the Commission felt it reasonable to presume that the concerned public authorities had done enough for the rehabilitation and relief of the affected persons. There were no complaints received raising any grievance in this regard and hence, the case was closed.

Media Watch

This column will carry a brief report and analysis of the editorials, carried by major newspapers during the preceding month to understand on what issues the media most commonly commented upon, which were the part of the national discourse and how human rights perspective reflected in them.

During the month of February, 2018, one of the most commented upon subjects was the Punjab National Bank (PNB) scam running in billions of rupees with 10 editorials on it by major English newspapers. Rising non-performing assets of public sector banks and the need for their privatization, political blame game, interest of common investors, lack of proper supervisory mechanism in banking system etc were some of the aspects commented upon in the context of this subject. The Economic times wrote reforms needed in internal controls; the Indian Express wrote that it is a responsibility of the Government and RBI to ensure that the PNB fraud's potential dent to confidence is not enduring.

February being the month of budget presentation, 9 editorials were focused on various sectoral allocations, including among others, farming, banking, fiscal policy, economic growth. The Hindu wrote, governments need to make more comprehensive efforts to address the graying demography of the nation, which is said to surge by almost 300 million or about a 5th of the population by 2050. The Economic Times wrote that the Budget 2017-18 did well to focus on the incentives for the senior citizens to ease the financial burden

over them.

Imposition of 10% long term capital gain tax on equities and its impact on investors and stock markets was also editorially commented upon in 5 newspapers. The Hindu wrote that the government would do well to at least soften the negative impact of the new tax by allowing indexation (allowing a set-off based on inflation rate) of capital gains and removing the STT on equity investments. The announcement of 8.55% interest rate for Employees Provident Fund, EPF and Public Provident Fund, PPF were also commented upon by the two newspapers. The other noticeable subject of editorial comments was related to healthcare policies and insurance schemes. The dominant theme was that in the absence of good primary healthcare facilities, publicly-funded insurance scheme will only drain government resources.

Three editorials were written on the Supreme Court's order on the Cauvery River water-sharing. The Times of India wrote, accept Supreme Court solution and manage water better; Superior micro-irrigation methods such as drip irrigation need to be incentivized. The Indian Express said, the Supreme Court verdict is a call for a basin-centered approach to river water sharing. 3 newspapers wrote editorials on the need for making the SC roster public, after the four senior most judges of the Supreme Court went public with their grievances over the conduct of the Chief Justice of India, especially in the allocation of cases. The 3 editorials were written in Hindustan Times, Hindu and The Indian Express on the

film actor/maker Kamal Hassan turning to politics. The Hindustan Times called it an ambitious, yet ambiguous party. The Canadian Prime Minister Trudeau's visit to India and his official engagements were also commented upon by 3 newspapers.

Some other important topics, though not commented by many newspapers, were: Encounters in Uttar Pradesh with the Times of India writing that the NHRC notices are piling up.....the stringent encounter in UP is a fit case for Supreme Court's decisive intervention. The Indian Express wrote that UP's lengthening list of encounters signals a policing break down. The Hindustan Times wrote that India must start a mass awareness campaign to battle malnourishment; The Indian Express wrote that the centres helplessness over waste management is perplexing. The Hindustan Times said that Goa should use Supreme Court order to come up with a comprehensive policy on mining; the country's natural resources are public property; the state cannot allow them to be illegally frittered away for the profit of a few. The Government must privatize gender responsive policies and investment, commented the Hindustan Times. On transgender bill, the Hindustan Times wrote that transgenders' legal rights should not depend on screening panel.

Still some other important subjects of editorial comments were: Aadhaar becoming a monitoring tool, standardize quality of textbooks across states, coastal states facing a serious erosion threat. Pakadua Vivah is a symptom of the deeper malaise of dowry and casteism.

Snippets

Visits to NHRC, India

The following delegations visited the NHRC, India during the month of February, 2018 to understand its functioning. They were as follows:

Delegations consisting of Students and Faculty Members from Tilak Maharashtra Vidyapeeth's Lokmanya Tilak Law College, Kharhgar, Navi Mumbai, Maharashtra; Indian Institute of Legal Studies, Darjeeling, West Bengal; Yashwantrao Chavan Law College, Pune, Maharashtra; 19th Batch of Basic Course Officers from the Academy of Prisons & Correctional Administration, Vellore, Tamil Nadu; N.B. Thakur Law College, Nashik, Maharashtra.

Corrigendum : 'SAIEVAC' stands for 'South Asia Initiative to End Violence Against Children' and not as rendered in the story: 'Regional Conference on Child Marriage' on page 5 of the February, 2018 issue of the Newsletter.

Editor's Contact Ph. : 91-11-24663381, E-mail : dydir.media.nhrc@nic.in