



• Vol. 25 • No. 8 • August, 2018

HUMAN RIGHTS NEWSLETTER

A Monthly Publication of the National Human Rights Commission, India



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From the Editor's Desk

The month of July, 2018 became very significant from the point of view of human rights, as several developments related to them dominated the national discourse and news space. One such significant development was that the Supreme Court asked the Government of Uttar Pradesh to respond to the allegations in a petition before it on a number of alleged fake encounters in the State in the recent past. The petition was filed by the People's Union for Civil Liberties, PUCL seeking a CBI probe into the alleged fake encounters resulting in the killing of 58 people.

The NHRC had already taken cognizance of some of such incidents of encounters reported in the media and sought the report of the State Government on the allegations. Encounters between the State agencies and criminals may happen but these should not have a scope of doubt to be dubbed as stage managed and part of State Policy, which no civilized society will approve. There are existing guidelines for security personnel how they should be dealing with the situation of an encounter, while firing in self defence. Therefore, the Supreme Court admitting a petition in the matter of alleged fake encounters in Uttar Pradesh acquires significance.

In yet another case, the Apex Court asked the Central Bureau of Investigation, CBI to actively involve the NHRC in the probe related to Manipur encounters. The Court ordered that two NHRC officers be deputed for the job and also directed the NHRC to increase its manpower. Given the limited resources of the Commission and rising expectations from it, in the matter of human rights violations, the directions by the Supreme Court for NHRC to increase its manpower gain significance.

Another important development from the human rights perspective was that the Lok Sabha passed a Bill that provided for death penalty for those convicted of raping girls below the age of 12 years. The step comes closer to making this a law. The Bill replaces the Criminal Law (Amendment) Ordinance promulgated on the 21st April, 2018 following an outcry over the gang rape and murder of a girl in Kathua, in Jammu and Kashmir, and the rape of another woman in Unnao, Uttar Pradesh in the recent past. However, for a similar crime, the varying quantum of sentence for the perpetrator according to the age of the victim remains a debatable point.

The Lok Sabha also passed unanimously a Bill to deal with the menace of human trafficking. The significant point was the assertion of the Union Government that the Bill is intended to go after human traffickers and not the victims.

Human trafficking is a serious impediment in the protection of human rights. Therefore, the efforts towards making a law to deal with the menace show that the government is serious on the issue. However, as always, the trickiest point remains its implementation. No wonder, some skeptics would always fear for the probability of such a law being used more against the victims of human trafficking than the traffickers. In order to quell any such misgivings, it will be necessary to make a law, which is strong, full proof and effective in tackling human trafficking for which the NHRC has consistently expressed its concerns and also held consultation on time to time with different stakeholders to suggest ways and means to deal with the problem.

The government's decision to form a group of Ministers under the Union Home Minister and a high level committee under the Union Home Secretary to deliberate and make recommendations for a separate law on mob violence to deal with incidents of lynching on the directions of the Supreme Court was also a very significant development. The progress in the hearing of a petition on seeking a ban on the practice of female genital mutilation or circumcision also drew lot of coverage in the media and related public debate in the matter.

The reporting in media with a human rights perspective is gaining momentum with each day. This is a welcome sign for an institution like the NHRC, which is committed not only to the protection and promotion of human right but also spreading awareness about them. As already pointed out in the earlier editions of the Newsletter, the Commission is running in its 25th year and hence, has planned a series of events seeking people's participation in celebrating its silver jubilee year as well as the spirit of human rights. The overwhelming response from across the country to its silver jubilee logo designing, slogan/tagline writing and painting competitions bears a silent testimony to the people's commitment for the cause of human rights. This spirit also reflects through a number of short films sent by them on various themes on human rights. This issue of the Newsletters besides carrying reports of these events has also covered other issues and activities, which hopefully will make an engaging reading.

"Even if we lose the wealth of thousands, and our life is sacrificed, we...should keep smiling and be cheerful keeping our faith in God and Truth." – Sardar Patel

Winners of NHRC Logo design and Slogan/Tagline writing competitions

The National Human Rights Commission, NHRC India, has announced the winners of its Logo design and Slogan/Tagline writing Competitions. These were organized by the Media & Communication wing of the Commission online through the "MyGov" portal in order to seek people's involvement and participation in the promotion and protection of human rights in the run up to the Silver Jubilee Celebrations of the Commission in 2018. A total of 893 entries were received for Logo Design and 4237 entries for Slogan/Tagline from the people of varied age groups in different parts of the country.

Winner of NHRC's Logo design competition



NAME : Mr. Bansi Lal Ketki, Mumbai, Maharashtra.

PRIZE : Rs.50,000/- along with a certificate.

Winners of NHRC's Slogan/ Tagline competition

The Commission has also accepted the recommendations of the Selection Committee declaring the three winners of the Slogan/ Tagline writing Competition. They are:



FIRST: Mr. Tabrej Qureshi, Chhindwara, Madhya Pradesh

PRIZE: Rs.20,000/- alongwith a certificate

TAGLINE: "AWAAZ AAPKE ADHIKAR KI"

SLOGAN:

"DESH MAY VIKAS KI AAYGE BAHAR, JAB HOGA SURAKSHIT MANAV ADHIKAR"



SECOND : Mr. Rajat Sebastian, Ernakulum, Kerala

PRIZE : Rs. 15,000/- alongwith a certificate

TAGLINE: "FOUR WORDS- TWENTY FIVE YEARS. BILLION HOPES"



THIRD : Ms. Ranjna Goyal, Chandigarh, Punjab

PRIZE : Rs.10,000/- alongwith a certificate

SLOGAN: "AAO MILKAR UNNAT BHARAT BANAYEIN, HAR NAGRIK KO USKE ADHIKAR DILAYEIN"

Later, based on the winning entries, the Media and Communication Wing of the Commission designed the NHRC Silver Jubilee Logo and Tag Line Combo. It was unveiled and launched by the NHRC Chairperson,

Mr. Justice H.L. Dattu at a brief ceremony in the Manav Adhikar Bhawan, New Delhi.

On the occasion Justice Dattu called upon the people, including the officers and staff of the Commission, to join the silver jubilee celebrations of this apex human rights institution and show their commitment and solidarity towards the promotion and protection of human rights in the country.

He lauded the people, who gave a thought to the contribution of the Commission towards human rights and participated in huge numbers from different parts of the country by sending their entries for the NHRC's Silver Jubilee Logo Designing and Tagline/Slogan writing competitions. He also congratulated the four winners of these competitions, whose efforts resulted in the designing of NHRC Silver Jubilee Logo and Tagline. He

NHRC SILVER JUBILEE LOGO



said that these competitions were organized to encourage people to be part of the movement of promotion and protection of human rights.

On the occasion, a documentary

film – '**NHRC: 25 years- billion hopes**', made by the Media & Communication wing of the Commission through the Films Division, spanning its 25 years, was also premiered on the occasion. The film is an attempt to capture various facets of the functioning of the Commission since its beginning on the 12th October, 1993 besides featuring, its former Chairpersons, Members, senior officers and other dignitaries, including the sitting Chief Justice of India, Mr. Justice Dipak Misra, Nobel Laureate and leading child rights activist, Mr. Kailash Satyarthi, Magsaysay Awardee and National Convenor of Safai Karamchari Andloan, Mr. Bezwada Wilson, former Chief Commissioner for Persons with Disabilities, Mr. P.K. Pincha, who have been part of the Commission's 25 years of the journey.

NHRC announces winners of its Short Film Awards

The National Human Rights Commission, based on the recommendations of a jury, has announced the three winners of its Short Film Award Scheme – 2018, organized by the Media & Communication wing. This was open for participation w.e.f. 31st March to 2nd July, 2018. The winners are:

1. **'Behind the Bars'** by Dr. Ms. Dev Kanya from Himachal Pradesh has been selected for the first prize of Rs. 1 lakh. The film gives an insight into the significance of prison reforms.
2. **'Third Gender'** by Mr. Biplab Majumder from Mumbai has been selected for the second prize of Rs. 75 thousand. The film highlights the denial of rights to transgender and their challenges in life.
3. **'It's Possible'** by Mr. Jayajose Raj CL from Kerala gets the third prize of Rs. 50 thousand. It focuses on the importance of crusade for protecting right to clean environment. The first as well as the second film is in Hindi with subtitles in English and the third



The Jury watching Short Films to select the award winners

is in Malayalam with subtitles in English.

The jury headed by Mr. Justice P.C. Ghose, Member, NHRC comprised three senior officers of the Commission including Mr. Ambuj Sharma, Secretary General, Ms. Chhaya Sharma, DIG, Mr. Jaimini Kumar Srivastava, Dy. Director (M&C) and the two external experts as members including, Mr. Arun Chadha, National Award Winner Film Maker and FTI alumnus and Mr. Sunit Tandon, Director, India Habitat Center and former DG, IIMC.

Besides these, three cash awards, the Commission has also accepted

the jury's recommendations to give a certificate of 'Special Mention' to four films. These are:

1. **Tritio Chad** by - Mr. Tathagatha Chatterjee. The film, in Bengali with subtitles in English, is on giving women the right to equal opportunities.
2. **No Woman's Land** by - Dr. Ms. Dev Kanya - The film, in Hindi with subtitles in English, is on the denial of rights to tribal women of Kinnaur.
3. **El Amasung Eihak** by - Mr. Hamom Ashish Kumar - The film, in Manipuri

with subtitles in English, is on corruption and malpractices of voting rights.

4. **Nazariya** by- Mr. Alok D. Rajput - The film, in Hindi with sub titles in English, is on the rights of transgender and the necessity to accept them with dignity in society. The three awards will be given at

a function to be organized in New Delhi on the 5th September, 2018. The Commission had received total 53 entries till the last date on the 2nd July, 2018 to compete for its Short Film Award Scheme. The jury judged 48 films, which it found were fulfilling the terms and conditions of the competition.

The aim of the Short Film Award Scheme is to encourage and acknowledge cinematic and creative efforts of the Indian citizens, irrespective of their age, towards the promotion and protection of human rights. This is the fourth year of this competition which has received tremendous response from various parts of the country.

9th Session of the UN Open-ended Working Group on Ageing

Mr. Justice H.L. Dattu, Chairperson, National Human Rights Commission, India attended the 9th Session of the UN Open-ended Working Group on Ageing at New York, USA from 23rd -26th July, 2018.

The National Human Rights Commission, Chairperson Mr. Justice H.L. Dattu attended the 9th Session of the UN Open-ended Working Group on Ageing at New York from 23rd-26th July, 2018. The Open-ended Working Group on Ageing (OEWGA) is a UN working group established by a resolution at the 2010 General Assembly. The OEWGA's main purpose is to strengthen the human rights of older people.

The Ninth Working Session of the Open-ended Working Group on Ageing focused on the areas related to equality and non-discrimination and violence, neglect & abuse. The focus during the conference was on measures to enhance the contribution of older persons to social development bettering the quality of life of the elderly promoting active ageing, intergenerational connectedness and

solidarity, PMI, New York provided necessary logistic support and allowances to the NHRC, India during the conference.

During the deliberations in the session, Justice Dattu emphasized on the need for the protection of elderly persons by providing basic amenities like shelter, food, medical, care, maintenance and protection against abuse. He said that the Constitution of India guarantees equality before law, equal protection of laws and non-discrimination.

The three days' conference was a fruitful exercise to discuss various dimensions of human rights pertaining to the right of older persons, particularly, palliative care. The session provided an opportunity to all the participants, particularly, the National Human Rights Institutions (NHRIs) how to focus on the problems of the older persons as per their mandates. The best practice shared by the participants enhanced the scope of the NHRIs to implement in day-to-day work.



UNDP Delegation visits NHRC

A meeting with a delegation of UNDP was held at the NHRC, India, New Delhi on the 2nd July, 2018. The delegation comprised Mr. Livio Sarandrea, Business and Human Rights Advisor, Ms. Victoria de Mello, Programme Officer B&HR and Ms. Suruchi Aggarwal, Programme Coordinator, UNDP, India.

Mr. Ambuj Sharma, Secretary General, NHRC chaired the meeting

and apprised the delegation about the activities of the Commission, particularly, those related to the aspects of the Business and Human Rights. These included the Regional Conference organized in 2017 and a National Conference on the 12th January, 2018. These Conferences were attended by the representatives of the Central and State Governments, business organizations, companies,

trade unions, academia & CSOs working in the area.

Mr. Sharma informed that one of the recommendations emanating from the National Conference was that the Ministry of Corporate Affairs may bring out binding National Guidelines early. It was also discussed that all the registered companies should provide their Business Responsibility Report to SEBI and not just the 500

listed companies. The issue of human rights of a large number of workers in unorganized sector was also deliberated upon.

Mr. Livio Sarandrea stated that 7 countries in ASEAN have so far developed their National Action Plan (NAP) on Business and Human Rights.

He elaborated on the steps to be followed by government as a prelude to adoption of NAP in India.

Post discussions, an understanding was reached that the NHRC, India will engage with the Union Ministry of Corporate Affairs for agreeing to formulate the NAP and initiate steps

for conducting a Base Line Survey on Business and Human Rights early.

NHRC officers Dr. Ranjit Singh, Joint Secretary (P&A) and Dr. M.D.S Tyagi, Joint Director (Research), along with Mr. Namit Aggarwal, OXFAM were present.

Seminar on sustainable development goals and human Rights

The National Human Rights Commission, India, through its official language section, organized a two day National Seminar on **"Challenges of Human Rights in the 21st Century & Sustainable Development Goals in** collaboration with Department of Education and University of Kerala at Thiruvananthapuram on 19th-20th July 2018.

Inaugurating the Seminar, Mrs. Jyotika Kalra, Member, NHRC said that the issue of gender equality is very important and needs to be focused as it is also the sixth goal of Sustainable Development. She said that in this context women and girl child empowerment programmes started by the Government of India like Beti Bachao Beti Padhao, Sukanya Samridhi Yojana and Janani samridhi Yojana etc show the intent towards creating gender sensitivity in society but, as individuals in society, we also need to put in practice the idea of gender sensitivity. Besides the inaugural and



NHRC Member, Mrs. Jyotika Kalra addressing the gathering

the concluding sessions, the seminar was split into four thematic sessions: (1) 'Protection of Environment and Climate Change: Ground Reality & Social Audit' (2) 'Role of Media in Protection & Promotion of Human Rights' (3) "Review of NHRC research project on Educational status of Children's of migrant labourers in Kerala" and (4) "Sustainable Development Goals: Challenges & Road Ahead." Several prominent

speakers addressed the seminar, who included, among others, NHRC Secretary General, Mr. Ambuj Sharma, Prof. (Dr.) C. Ganesh, Professor i/c of Vice Chancellor, University of Kerala, Dr. K.C. Sunny, Head, Dept. of Law, Central University of Kerala, Dr. Bindu R.L., Head, Department of Education, University of Kerala, Dr. Sibi Zacharias, Associate Professor, Sacred Heart College, Kochi, Prof. Prathibha from Udaipur.

Workshop on Elimination of Bonded Labour at Kolkata



NHRC Member, Mr. Justice D. Murugesan addressing the Workshop

The National Human Rights Commission, NHRC, through its Bonded Labour Cell, organized a day long Workshop on 'Elimination of Bonded Labour System' in collaboration with the Government of West Bengal at Biswa Bangla Convention Centre, Newtown, Kolkata on the 20th July, 2018. Mr. Justice Shri D. Murugesan chaired the workshop.

The participants included senior officers of the Government of West Bengal, West Bengal State Human Rights Commission, NGOs and representatives of brick kilns, stone

crushing and other related industries, academicians, research scholars from IIM and various Universities in Kolkata.

The objective of the Workshop was to familiarize and sensitize the District Magistrates, Sub-Divisional

Magistrates, State Labour Officers and Members of Vigilance Committees, representatives of brick kilns, stone crushing and other related industries about the process of identification, release and rehabilitation of bonded

labourers and with the provisions of Bonded Labour System (Abolition) Act, 1976 and related legislations. The Commission has organized 46 workshops on elimination of bonded labour so far.

Suo Motu Cognizance

The Commission took suo motu cognizance in 07 cases of alleged human rights violations reported by media during July, 2018 and issued notices to the concerned authorities for reports. Summaries of the cases are as follows:

Lack of road connectivity and health care facilities causing loss of life

(Case No. 769/1/25/2018)

The National Human Rights Commission, NHRC has taken suo motu cognizance of a media report, carried on the 31st July, 2018, that in the Vijayanagaram district of Andhra Pradesh a pregnant woman in labour pain had to be carried by her husband and other villagers for about 12 KM, through a forest, so that she could make it to an ambulance to reach hospital. But before she could get an ambulance, the child was delivered and died. Reportedly, this is not an uncommon incident in Vijayanagaram, a tribal region in the State, which lacks in proper roads and access to health care facilities.

The Commission has observed that proper roads and health care are basic amenities to be provided by the State to its citizens. Accordingly, it has issued a notice to the Chief Secretary, Government of Andhra Pradesh calling for a detailed report in the matter.

Mob lynching of a man

(Case No. 1927/20/2/2018)

The National Human Rights Commission has taken suo motu cognizance of media reports that on the 20th July, 2018, a 31-year old Rakbar Khan, from Haryana's Mewat district, died after he was attacked by a group of 8-10 cow vigilantes in Alwar district of Rajasthan. The cow vigilantes, reportedly, alleged that the victim died in police custody

and not because of mob violence as claimed by the authorities. There are further reports in the print media that it took Alwar police more than 3 hours to travel six kms while taking a critically injured victim of lynching to the closest hospital, the Community Health Centre in Ramgarh. Reportedly, the victim in his dying statement told the police that he and his friend were walking back with two cows they had bought when a mob attacked calling them cattle smugglers. The Commission has issued notices to the Chief Secretary and DGP, Govt. of Rajasthan calling for reports in the matter.

Death of three minor sisters due to malnutrition/starvation

(Case No. 3559/30/2/2018)

The National Human Rights Commission, NHRC has taken suo motu cognizance of media reports that three minor sisters (Mansi, 8 years, Shika, 4 years and Parul, 2 years) allegedly died due to malnutrition / starvation in East Delhi's Mandawali on the 24th July, 2018, as per the preliminary post-mortem reports.

The Commission has issued notices to the Chief Secretary, Govt. of NCT of Delhi and Secretary, Ministry of Women and Child Development, Govt. of India calling for reports in the matter, whereby both the authorities have also been asked to submit the status report of Antyodaya Yojana.

The Commission has observed that the Right to Food is an integral part of the Fundamental Right to life so enshrined in Article-21 of the Indian Constitution. Moreover, the National Food Security Act, 2013 has also been enacted to provide food and nutritional security in human life cycle approach, by ensuring access to adequate quantity of quality food at

an affordable price to all its citizens to live a life with dignity.

It is, therefore, evident that despite legal provisions and machinery in place, the children starved to death. The deceased children have been denied their basic human rights. The State authorities, therefore, appear to be lacking in discharging their duty by not fulfilling its obligation without providing food to all.

Sexual exploitation of girls at a Shelter Home

(Case No. 2154/4/23/2018-DH)

The National Human Rights Commission, NHRC has taken suo motu cognizance of a media report, carried on the 24th July, 2018, that in a State funded Shelter Home at Muzaffarpur in Bihar, at least 16 girls were raped. There were 44 girls living in the Home run by an NGO under the supervision of the Social Welfare Department. Reportedly, the Child Protection Officer of Muzaffarpur District has been arrested in connection with the alleged sexual exploitation of girls in this Shelter Home.

The Commission has issued notices to the Chief Secretary and the DGP, Government of Bihar, directing them to enquire into the matter and submit a report giving the details of how the permission was given to run this Home and how officials monitored its functioning. They are also expected to ensure that immediate legal action is taken against the accused persons and necessary arrangements/steps be taken for relief and rehabilitation of the victim girls.

The Commission has observed that a Shelter Home is supposed to give security and protection to the victim girls and it appears that the State and the local administration have failed

miserably to protect the rights and dignity of the victim girls.

Suicide of 639 farmers in Maharashtra

(Case No. 1342/13/0/2018)

The National Human Rights Commission, NHRC has taken suo motu cognizance of media reports, carried on the 15th July, 2018, that the Government of Maharashtra in the State Assembly has informed that 639 farmers committed suicide in the State between March and May, 2018. The reported reasons were crop failure, debt and inability to repay bank loans.

The Commission has issued notices to the Secretary, Union Ministry of Agriculture and the Chief Secretary, Government of Maharashtra calling for the detailed reports in the matter, specifically mentioning the status of implementation of the schemes for the farmers and relief to the aggrieved families. The Union Government is expected to inform the Commission, if they have any specific plan or

mechanism in their mind to effectively address the situation.

The Commission has observed that it is not for the first time that such news has come to its notice. It has been receiving complaints regarding the deaths of farmers across the country, including the State of Maharashtra. It has also taken suo-motu cognizance of such matters. Committing suicide by the farmers in such a large number is a serious matter as it involves the right to life of the victims. Their families also come under tremendous pressure due to sudden demise of an earning member.

It has further observed that in spite of announcement of several schemes including crop insurance and loan waiver by the Central and State Governments, the forlorn story of poor farmers generally remains the same. The farmers are still choosing to end their lives, understandably, if not being able to cope up with the stress, financial crunch and social stigma due to crop failure. There is a need for the

Central and State Governments to see that the schemes announced by them are implemented in true spirit, to achieve the target so that such tragic deaths of the farmers could be averted.

Suicide of a girl at a Police Station

(Case No. 3273/30/9/2018)

The National Human Rights Commission, NHRC has taken suo motu cognizance of media reports that a class-XII student committed suicide inside the Tilak Vihar Police Station in Delhi on the 15th July, 2018. The Commission has observed that the contents of the news reports, if true, raise serious issue of violation of human rights of the girl and indicate towards gross negligence of the police personnel. It appears that the girl was pleading for help but the matter was not properly handled by them. Accordingly, it has issued a notice to the Commissioner of Police, Delhi calling for a detailed report in the matter.

NHRC's spot enquiries

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

S. No.	Case Number	Allegations	Date of visit
1.	4416/30/0/2017-WC	Sexual assault and misbehaviour in Delhi.	04-07 July 2018
2.	37516/24/24/2017-WC	Police trying to suppress the evidence in a case of gang rape and murder in district Faizabad, Uttar Pradesh.	17-20 July 2018
3.	4222/30/7/2017-DH	Suicidal death of a minor girl in Diversion Home, a facility for minor under privileged girls in South West Delhi	04-05 July 2018
4.	996/10/15/2017	Torture and public humiliation of a woman by Police in district Mysore, Karnataka.	16-20 July 2018
5.	1279/13/16/2017	Jail officials mercilessly assaulted the female prisoners following their protest after the death of a fellow inmate due to beating by the jail guards in Delhi.	16-20 July 2018

Important Interventions

Teachers booked for forcing 88 girl students to undress; victims to get Rs. five thousand each as relief (Case No. 44/2/10/2017)

The National Human Rights Commission, NHRC has recommended that the Government of Arunachal Pradesh pay ₹5,000/- each, as monetary relief, to the 88 girl students of the Kasturba Gandhi

Balika Vidyalaya, District Papum Pare, Arunachal Pradesh, who were stripped off their dignity when forced to remove their clothes in front of the entire school, as punishment by the three teachers, when none among

them confessed for having written vulgar words against the head teacher and another student on a piece of paper on the 23rd November, 2017.

The Commission's directions have come after the reports received from

the State Government confirmed the incident and informed that the act of the three teachers had been found inhumane and cruel. Their action on minor girl students was against the basic human dignity and decency. After enquiry, the Education Department placed one teacher under suspension, while the two others were removed from the services. The matter was reported to the police station and a case Cr. No. 112/17 had been registered U/Ss 354 (b) of 34 IPC read with Section 21 (1) of POCSO Act. The three teachers were arrested and later released on bail. The affected girl students had been imparted emotional and psychological counseling.

The State Government has also

served a show cause to the Chairman, Arunachal Farmers' Development Society, Sagalee, which is running the KGBV, seeking explanation why the MoU signed between the society with SSA, Rajya Mission, Itanagar, should not be terminated. It has also been directed that male Headmasters and teachers engaged in all KGBVs in the State be replaced immediately and it is also proposed to install cameras in the girls' hostel.

The Union Ministry of Human Resource and Development has informed that a series of guidelines have been issued to the State Governments. These also include guidelines on the safety and security of girl students in the Kasturba Gandhi

Balika Vidyalayas.

The Commission had registered the case suo motu on the basis of a media report regarding the incident on 1st December, 2017. While issuing the notices to the Chief Secretary, Government of Arunachal Pradesh and the Secretary, Union Ministry of Human Resource Development in the matter, the Commission had observed that teachers are always highly respected in the society as they play the role of a true guide and protector for their students. The reported stripping off the minor girls by their lawful custodians and protectors in front of the entire school was unethical, cruel and indeed inexcusable.

Recommendations for relief

A part from the large number of cases taken up daily by individual Members, 34 cases were considered during 02 sitting of the Full Commission and 96 cases were taken up during 05 sittings of Divisional Benches in July, 2018. On 57 cases, obtained from the Law Division of the Commission, listed in the table below, monetary relief amounting to a total of ₹6880000/- was recommended 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.	17133/24/4/2015	SEXUAL HARASSMENT	50000	UTTAR PRADESH
2.	1471/34/1/2015-DH	DEATH IN JUDICIAL CUSTODY	200000	JHARKHAND
3.	1252/12/4/2016	MALFUNCTIONING OF MEDICAL PROFESSIONALS	100000	MADHYA PRADESH
4.	13131/24/1/2017	MALFUNCTIONING OF MEDICAL PROFESSIONALS	200000	UTTAR PRADESH
5.	5708/18/29/2016	IRREGULARITIES IN GOVT.HOSPITALS/PRIMARY HEALTH CENTRES	25000	ODISHA
6.	31449/24/6/2017	IRREGULARITIES IN GOVT.HOSPITALS/PRIMARY HEALTH CENTRES	200000	UTTAR PRADESH
7.	1376/1/15/2014-JCD	CUSTODIAL DEATH (Judicial)	300000	ANDHRA PRADESH
8.	2198/4/7/2014-JCD	CUSTODIAL DEATH (Judicial)	100000	BIHAR
9.	2837/4/7/2014-JCD	CUSTODIAL DEATH (Judicial)	100000	BIHAR
10.	409/4/23/2014-JCD	CUSTODIAL DEATH (Judicial)	300000	BIHAR
11.	516/4/9/2017-JCD	CUSTODIAL DEATH (Judicial)	100000	BIHAR
12.	470/6/22/2017-JCD	CUSTODIAL DEATH (Judicial)	200000	GUJARAT
13.	2286/12/36/2014-JCD	CUSTODIAL DEATH (Judicial)	300000	MADHYA PRADESH
14.	14/16/1/2016-JCD	CUSTODIAL DEATH (Judicial)	200000	MIZORAM
15.	1866/19/1/2013-JCD	CUSTODIAL DEATH (Judicial)	200000	PUNJAB
16.	1918/19/1/2013-JCD	CUSTODIAL DEATH (Judicial)	300000	PUNJAB
17.	1413/20/15/2015-JCD	CUSTODIAL DEATH (Judicial)	200000	RAJASTHAN
18.	202/1/14/2014-JCD	CUSTODIAL DEATH (Judicial)	100000	TELANGANA
19.	12801/24/22/2014-JCD	CUSTODIAL DEATH (Judicial)	200000	UTTAR PRADESH
20.	12808/24/26/2014-JCD	CUSTODIAL DEATH (Judicial)	100000	UTTAR PRADESH
21.	35677/24/12/2013-JCD	CUSTODIAL DEATH (Judicial)	200000	UTTAR PRADESH
22.	10813/24/57/2015	NUISANCE BY LOCAL RUFFIANS	25000	UTTAR PRADESH
23.	8838/24/30/2013-BL	BONDED LABOUR	80000	UTTAR PRADESH
24.	1295/22/5/2014	EXPLOITATION OF LABOUR	300000	TAMIL NADU
25.	1053/1/4/2015	ABUSE OF POWER	25000	ANDHRA PRADESH
26.	2072/12/46/2017	ABUSE OF POWER		MADHYA PRADESH

Sl. No.	Case Number	Nature of Complaint	Amount Recommended (in ₹)	Public Authority
27.	1510/6/9/2014-PCD	CUSTODIAL DEATH (Police)	100000	GUJARAT
28.	18226/24/42/2016	CUSTODIAL TORTURE	100000	UTTAR PRADESH
29.	3143/4/23/2012	FAILURE IN TAKING LAWFUL ACTION	300000	BIHAR
30.	26659/24/7/2014	FAILURE IN TAKING LAWFUL ACTION	100000	UTTAR PRADESH
31.	33316/24/41/2014	FAILURE IN TAKING LAWFUL ACTION	100000	UTTAR PRADESH
32.	657/35/6/2017	FAILURE IN TAKING LAWFUL ACTION	25000	UTTARAKHAND
33.	1748/20/11/2015	ILLEGAL ARREST	50000	RAJASTHAN
34.	35679/24/57/2015	ILLEGAL ARREST	10000	UTTAR PRADESH
35.	37765/24/18/2014	ILLEGAL ARREST	25000	UTTAR PRADESH
36.	811/34/6/2015	UNLAWFUL DETENTION	50000	JHARKHAND
37.	990/20/2/2016	UNLAWFUL DETENTION	20000	RAJASTHAN
38.	29348/24/22/2015	UNLAWFUL DETENTION	100000	UTTAR PRADESH
39.	38815/24/8/2016	UNLAWFUL DETENTION	200000	UTTAR PRADESH
40.	9479/24/31/2015	UNLAWFUL DETENTION	25000	UTTAR PRADESH
41.	5496/30/3/2016	NON-PAYMENT OF PENSION/COMPENSATION	10000	DELHI
42.	2471/12/56/2015-WC	ABDUCTION, RAPE AND MURDER	25000	MADHYA PRADESH
43.	500/20/4/2016-WC	DOWERY DEMAND	25000	RAJASTHAN
44.	386/25/5/2012-WC	GANG RAPE	50000	WEST BENGAL
45.	1745/20/3/2015-WC	RAPE	25000	RAJASTHAN
46.	20380/24/34/2016-WC	RAPE	10000	UTTAR PRADESH
47.	2163/13/16/2014-WC	SEXUAL HARASSMENT (GENERAL)	100000	MAHARASHTRA
48.	6117/7/5/2015	MISCELLENOUS	50000	HARYANA
49.	22490/24/27/2015	DISAPPEARANCE	25000	UTTAR PRADESH
50.	2540/30/7/2016	INACTION BY THE STATE GOVERNMENT/CENTRAL GOVT.OFFICIALS	300000	DELHI
51.	5016/18/26/2014	INACTION BY THE STATE GOVERNMENT/CENTRAL GOVT.OFFICIALS	175000	ODISHA
52.	5345/18/18/2016	INACTION BY THE STATE GOVERNMENT/CENTRAL GOVT.OFFICIALS	150000	ODISHA
53.	1558/20/30/2016	INACTION BY THE STATE GOVERNMENT/CENTRAL GOVT.OFFICIALS	100000	RAJASTHAN
54.	1074/24/31/2015	INACTION BY THE STATE GOVERNMENT/CENTRAL GOVT.OFFICIALS	100000	UTTAR PRADESH
55.	16735/24/43/2015	INACTION BY THE STATE GOVERNMENT/CENTRAL GOVT.OFFICIALS	100000	UTTAR PRADESH
56.	292/25/14/2015-PF	ABUSE OF POWER	300000	WEST BENGAL
57.	2814/20/8/2015	ATROCITIES ON SC/ST/OBC	25000	RAJASTHAN

Compliance with NHRC recommendations

In July, 2018, the Commission closed 65 cases on receipt of compliance reports from different public authorities, furnishing proof of payments, it had recommended, totaling ₹9295000/- to the victims of human rights violations or their next of kin. Details as obtained from its Law Division are in the table below:

Sl. No	Case Number	Nature of Complaint	Amount Recommended (in ₹)	Public Authority
1.	3559/18/30/2014	SEXUAL HARASSMENT	50000	ODISHA
2.	1762/18/8/2014	IRREGULARITIES IN GOVT.HOSPITALS/PRIMARY HEALTH CENTRES	300000	ODISHA
3.	146/1/24/2014-JCD	CUSTODIAL DEATH (Judicial)	300000	ANDHRA PRADESH
4.	792/1/19/2012-JCD	CUSTODIAL DEATH (Judicial)	100000	ANDHRA PRADESH
5.	2082/4/22/2013-JCD	CUSTODIAL DEATH (Judicial)	100000	BIHAR
6.	2236/4/22/2014-JCD	CUSTODIAL DEATH (Judicial)	100000	BIHAR
7.	2837/4/7/2014-JCD	CUSTODIAL DEATH (Judicial)	100000	BIHAR
8.	3964/4/26/2013-JCD	CUSTODIAL DEATH (Judicial)	100000	BIHAR
9.	403/4/7/2013-JCD	CUSTODIAL DEATH (Judicial)	100000	BIHAR
10.	786/4/1/2012-JCD	CUSTODIAL DEATH (Judicial)	300000	BIHAR
11.	2384/6/1/08-09-JCD	CUSTODIAL DEATH (Judicial)	200000	GUJARAT
12.	1454/13/9/2014-JCD	CUSTODIAL DEATH (Judicial)	100000	MAHARASHTRA
13.	1569/13/30/2012-JCD	CUSTODIAL DEATH (Judicial)	200000	MAHARASHTRA
14.	2661/13/23/2013-JCD	CUSTODIAL DEATH (Judicial)	100000	MAHARASHTRA

Sl. No	Case Number	Nature of Complaint	Amount Recommended (in ₹)	Public Authority
15.	2862/13/12/2014-JCD	CUSTODIAL DEATH (Judicial)	100000	MAHARASHTRA
16.	14/17/2/2012-JCD	CUSTODIAL DEATH (Judicial)	50000	NAGALAND
17.	290/19/18/2013-JCD	CUSTODIAL DEATH (Judicial)	100000	PUNJAB
18.	1727/20/26/2012-JCD	CUSTODIAL DEATH (Judicial)	200000	RAJASTHAN
19.	1904/20/14/2011-JCD	CUSTODIAL DEATH (Judicial)	50000	RAJASTHAN
20.	13407/24/1/2013-JCD	CUSTODIAL DEATH (Judicial)	100000	UTTAR PRADESH
21.	18635/24/70/2014-JCD	CUSTODIAL DEATH (Judicial)	100000	UTTAR PRADESH
22.	23901/24/1/2012-JCD	CUSTODIAL DEATH (Judicial)	100000	UTTAR PRADESH
23.	29806/24/4/2013-JCD	CUSTODIAL DEATH (Judicial)	100000	UTTAR PRADESH
24.	6696/24/64/2013-JCD	CUSTODIAL DEATH (Judicial)	300000	UTTAR PRADESH
25.	11351/18/26/2015	ABUSE OF POWER	25000	ODISHA
26.	40431/24/22/2016	ABUSE OF POWER	25000	UTTAR PRADESH
27.	1074/13/16/2014-PCD	CUSTODIAL DEATH (Police)	500000	MAHARASHTRA
28.	2664/13/4/2013-PCD	CUSTODIAL DEATH (Police)	100000	MAHARASHTRA
29.	820/13/33/2011-PCD	CUSTODIAL DEATH (Police)	450000	MAHARASHTRA
30.	16637/24/14/2015	CUSTODIAL TORTURE	50000	UTTAR PRADESH
31.	18982/24/34/2015	CUSTODIAL TORTURE	25000	UTTAR PRADESH
32.	3322/30/7/2016	FAILURE IN TAKING LAWFUL ACTION	25000	DELHI
33.	5077/30/10/2015	FAILURE IN TAKING LAWFUL ACTION	25000	DELHI
34.	6714/30/8/2014	FAILURE IN TAKING LAWFUL ACTION	100000	DELHI
35.	161/7/10/2016	FAILURE IN TAKING LAWFUL ACTION	575000	HARYANA
36.	5632/7/10/2012	FAILURE IN TAKING LAWFUL ACTION	50000	HARYANA
37.	46/14/4/2015	FAILURE IN TAKING LAWFUL ACTION	100000	MANIPUR
38.	3087/20/14/2014	FAILURE IN TAKING LAWFUL ACTION	75000	RAJASTHAN
39.	30016/24/76/2014	FAILURE IN TAKING LAWFUL ACTION	100000	UTTAR PRADESH
40.	5016/24/31/2014	FAILURE IN TAKING LAWFUL ACTION	100000	UTTAR PRADESH
41.	9967/24/7/2014	FAILURE IN TAKING LAWFUL ACTION	100000	UTTAR PRADESH
42.	1031/24/43/2014	FALSE IMPLICATIONS	50000	UTTAR PRADESH
43.	3948/24/43/2014	FALSE IMPLICATIONS	75000	UTTAR PRADESH
44.	12366/24/40/2013	UNLAWFUL DETENTION	10000	UTTAR PRADESH
45.	1302/4/32/2013-WC	DOWERY DEATH OR THIER ATTEMPT	100000	BIHAR
46.	14988/24/46/2013-WC	DOWERY DEATH OR THIER ATTEMPT	100000	UTTAR PRADESH
47.	7060/18/4/2016-WC	DOWERY DEMAND	300000	ODISHA
48.	1821/12/16/2016-WC	RAPE	300000	MADHYA PRADESH
49.	1799/18/30/2014-WC	RAPE	70000	ODISHA
50.	6434/24/52/2017-WC	RAPE	25000	UTTAR PRADESH
51.	8696/24/78/2015-WC	RAPE	25000	UTTAR PRADESH
52.	2123/25/22/2015-WC	SEXUAL HARASSMENT AT WORKPLACE (GOVT.OFFICES)	50000	WEST BENGAL
53.	1194/34/11/2011	IN ACTION BY THE STATE GOVERNMENT/CENTRAL GOVT.OFFICIALS	500000	JHARKHAND
54.	834/12/7/2014	IN ACTION BY THE STATE GOVERNMENT/CENTRAL GOVT.OFFICIALS	900000	MADHYA PRADESH
55.	3454/18/11/2015	IN ACTION BY THE STATE GOVERNMENT/CENTRAL GOVT.OFFICIALS	200000	ODISHA
56.	1703/20/26/2016	IN ACTION BY THE STATE GOVERNMENT/CENTRAL GOVT.OFFICIALS	100000	RAJASTHAN
57.	339/20/33/2014	IN ACTION BY THE STATE GOVERNMENT/CENTRAL GOVT.OFFICIALS	90000	RAJASTHAN
58.	388/13/19/2016	ATROCITIES BY CUSTOM/EXCISE/ENFORCEMENT/FOREST/INCOME-TAX Deptt., etc. OF CENTRAL/STATE Govts.	50000	MAHARASHTRA
59.	946/19/22/2015	ATROCITIES BY CUSTOM/EXCISE/ENFORCEMENT/FOREST/INCOME-TAX Deptt., etc OF CENTRAL/STATE Govts.	25000	PUNJAB
60.	19/23/4/2015-PF	ARBITRARY USE OF POWER	300000	TRIPURA
61.	1200/20/9/2015	ATROCITIES ON SC/ST/OBC	25000	RAJASTHAN
62.	306/20/1/2016	ATROCITIES ON SC/ST/OBC	25000	RAJASTHAN
63.	34188/24/72/2013	ATROCITIES ON SC/ST/OBC	50000	UTTAR PRADESH
64.	36403/24/52/2013	ATROCITIES ON SC/ST/OBC	50000	UTTAR PRADESH
65.	8542/24/39/2012	ATROCITIES ON SC/ST/OBC	100000	UTTAR PRADESH

NHRC Core Group on Women reconstituted

The National Human Rights Commission, through its Research Division, has reconstituted its Core Group on Women comprising 11 members including experts, academicians, research scholars, advocates and civil society activists. The Group will also include the representatives of Union Ministry of Child and Development and National Commission of Women as well as

Delhi Commission of Women. The Commission may also invite up to five special invitees, depending upon the requirements of discussion on a specific subject, in the Core Group meetings. The Core Group will meet at regular intervals in the Commission or as when deemed necessary. The terms of reference of the Core Group of Women

include, among others, advising the Commission on issues relating to the rights of women, reviewing the existing government policies, laws, rules, orders etc from the perspective of human rights and making suggestions for changes, if required, for the better implementation thereof, identifying best practices, policies and programmes adopted nationally and internationally.

NHRC Core Group on Business, Environment and Human Rights

The National Human Rights Commission, through its Research Division, has reconstituted its Core Group on Business, Environment and Human Rights comprising 09 members including experts, academicians and heads of industry bodies. The Group will also include the representatives of Union Ministry of Corporate Affairs, Department of Public Enterprises and International Labour Organization. Besides them, the Commission may also invite up to five special invitees,

depending upon the requirements of discussion on a specific subject, in the Core Group meetings. The Core Group will meet at regular intervals in the Commission or as when deemed necessary. The terms of reference of the Core Group include, among others, advising the Commission on issues relating to the Business, Environment and Human Rights, identifying ways and means to promote, disseminate and implement the United Nations guiding principles

on Business and Human Rights, updating the National Voluntary guidelines on Social Environment and Economic responsibilities of business issued by the Ministry of Corporate Affairs, reviewing the existing government policies, laws, rules, orders etc from the perspective of human rights and making suggestions for changes, if required, for the better implementation thereof, identifying best practices, policies and programmes adopted nationally and internationally etc.

Important Judgment of the Supreme Court of India

In this column, a brief report on an important judgment of the Supreme Court of India will be given, which has a bearing on human right.

On the 17th July, 2018, the Supreme Court gave a landmark judgment concerning mob lynching. The Bench comprising Mr. Justice Dipak Misra, Mr. Justice A.M. Khanwilkar and Mr. Justice D.Y. Chandrachud, besides issuing guidelines to check such incidents, also recommended that the Parliament should create a separate offence for lynching and provides adequate punishment for the same. It observed that a special law in this field would

instill a sense of fear for law amongst the people who involve themselves in such kinds of activities.

The order was given in the Writ Petition (Civil) No. 754 of 2016 in *TEHSEEN S. POONAWALLA vs. UNION OF INDIA* wherein the court issued guidelines under three heads including Preventive Measures, Remedial Measures and Punitive Measures.

While passing the order, the Apex Court also observed that "The States have the onerous duty to see that no individual or any core group take law into their own hands. Every citizen has the right to intimate the police about the infraction of law. There

can be no shadow of doubt that the authorities which are conferred with the responsibility to maintain law and order in the States have the principal obligation to see that vigilantism, be it cow vigilantism or any other vigilantism of any perception, does not take place."

The Court made some stern observations on the growing mob vigilantism and asserted that "these extrajudicial attempts under the guise of protection of the law have to be nipped in the bud; lest it would lead to rise of anarchy and lawlessness which would plague and corrode the nation like an epidemic."

Snippets

Visits to the NHRC, India

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

1. 30-35 trainee officers from LNIN National Institute of Criminology & Forensic Science, Rohini, New Delhi.
2. 19 Basic Course officers along with 2 officers from the Academy of Prison & Correctional Administration, Vellore, Tamil Nadu.
3. 40 students and 03 faculty members of the Nari Guru Sahani Law College, Ulhasnagar, Thane, Maharashtra.
4. 12 students and 01 faculty members of the Dr. Kailashnath Katju Law College, Ratlam, Madhya Pradesh.

Human Rights and NHRC in News, July, 2018

During the month of July, 2018, the Media and Communication Wing prepared 10 press releases based on the proceedings of the Commission in different cases. Total 2573 news clippings on various human rights issues were culled out from different/select editions of major English and Hindi newspapers and some news websites. News clippings related to 07 incidents of alleged human rights violations were brought to the notice of the Commission, which it considered and found fit for suo motu cognizance. 119 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 asks Arunachal Pradesh govt to compensate 88 girls who were forced to work in tea gardens

ANUP SHARMA ■ GUWAHATI

The National Human Rights Commission (NHRC) has asked the Arunachal Pradesh Government to pay ₹ 5,000 each to 88 girls who were made to work in tea gardens for seven months ago.

Three teachers of Garo Garo Bika Vidyapeeth in the district had made these 88 girls take off their clothes in front of the students of the school when they devised a vulgar note about the teacher and another student on November 23, 2017.

A case was registered under relevant section of the Indian Penal Code (IPC) for molestation of a minor girl. The NHRC made the compensation after a report from the State government confirmed the molestation and found the note of the three teachers against the minor girl. The NHRC has also issued a show-cause notice to the State government for not taking any action against the teachers.

After enquiry, the State government paid Rs 5,000 each to the 88 girls who were molested. The NHRC has also issued a show-cause notice to the State government for not taking any action against the teachers.

NHRC directs Centre to pellet gun victim

ANUP SHARMA ■ GUWAHATI

The National Human Rights Commission (NHRC) has directed the Government of India to provide compensation to a victim of a pellet gun injury. The victim, a Class XII student, was shot in the eye by a BSF jawan in the State capital, Dispur, on November 23, 2017.

The NHRC has directed the Government of India to provide compensation to the victim. The victim's family has filed a case in the court for compensation.

NHRC team visits Byculia prison over murder of female inmate

ANUP SHARMA ■ GUWAHATI

The National Human Rights Commission (NHRC) team visited Byculia prison in Guwahati to investigate the murder of a female inmate. The inmate was killed by other inmates on November 23, 2017.

The NHRC team has found that the prison authorities have not taken any action against the inmates who were involved in the murder. The NHRC has directed the prison authorities to take action against the inmates.

Manjula Shetye beaten to death by staff inside the prison on June 23

ANUP SHARMA ■ GUWAHATI

Manjula Shetye, a 35-year-old woman, was beaten to death by staff inside the Byculia prison on June 23, 2017. The NHRC has directed the prison authorities to take action against the staff who were involved in the murder.

The NHRC has also directed the prison authorities to provide compensation to the family of the deceased.

NHRC notice to Govt on farmer's suicide

ANUP SHARMA ■ GUWAHATI

The National Human Rights Commission (NHRC) has issued a notice to the Government of India regarding the suicide of a farmer. The farmer, a 45-year-old man, committed suicide on November 23, 2017.

The NHRC has directed the Government of India to take action against the farmer's family for the suicide.

NHRC asks Bengal govt to pay compensation to girl suicide

ANUP SHARMA ■ GUWAHATI

The National Human Rights Commission (NHRC) has asked the Government of Bengal to pay compensation to the family of a girl who committed suicide. The girl, a 15-year-old, committed suicide on November 23, 2017.

The NHRC has directed the Government of Bengal to pay compensation to the family of the deceased.

NHRC issues notices to Delhi govt, WCD Ministry

ANUP SHARMA ■ GUWAHATI

The National Human Rights Commission (NHRC) has issued notices to the Government of Delhi and the Ministry of Women and Child Development regarding the issue of child labour. The NHRC has directed the government to take action against child labour.

The NHRC has also directed the Ministry of Women and Child Development to take action against child labour.

NHRC seeks report on malnutrition

ANUP SHARMA ■ GUWAHATI

The National Human Rights Commission (NHRC) has sought a report from the Government of India regarding malnutrition. The NHRC has directed the government to provide a report on the issue of malnutrition.

The NHRC has also directed the government to take action against malnutrition.

NHRC directs Centre to pellet gun victim

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Complaints received/processed in July, 2018 (As per an early estimate)

Number of fresh complaints received in the Commission	9911
Number of cases disposed of including fresh and old	10419
Number of cases under consideration of the Commission including fresh and old	24106

Important Telephone Numbers of the Commission:

Facilitation Centre (Madad) : 011-2465 1330
For Complaints : Fax No. 011-2465 1332

Other Important E-mail Addresses

jlawnhrc@nic.in (For complaints), cr.nhrc@nic.in
(For general queries/correspondence)

Focal point for Human Rights Defenders

Mobile No.: 9810298900, Fax No. 011-2465 1334
E-mail : hrd-nhrc@nic.in

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

NGOs and other organizations are welcome to reproduce material of the Newsletter and disseminate it widely acknowledging the NHRC.

Printed and Published by Jaimini Kumar Srivastava, Deputy Director (Media & Communication) on behalf of the National Human Rights Commission and Printed at Dolphin Printo- Graphic, 4E/7, Pabla Building, Jhandewalan Extn., New Delhi-110055 and published at National Human Rights Commission, Manav Adhikar Bhawan, Block-C, GPO Complex, INA, New Delhi-110023. **Editor : Jaimini Kumar Srivastava**

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