

‘मुठभेड़ के जरिये त्वरित न्याय, व्यवस्थागत नाकामी’

जागरण ब्यूरो, नई दिल्ली

राष्ट्रीय मानवाधिकार आयोग (एनएचआरसी) के अध्यक्ष जस्टिस अरुण मिश्रा ने बुधवार को बढ़ती पुलिस मुठभेड़ों पर सचेत करते हुए कहा कि मुठभेड़ के जरिये त्वरित न्याय, व्यवस्थागत नाकामी की ओर संकेत करता है। इसे ठीक करने के लिए क्या किया जाए इस, पर विचार करने का अब समय आ गया है। उन्होंने कहा कि कई बार व्यवस्थागत नाकामी के चलते कोर्ट की डिक्री भी नहीं लागू होती। जस्टिस मिश्रा ने यह बात बुधवार को एनएचआरसी की राज्य मानवाधिकार आयोगों (एसएचआरसी) के साथ हुई बैठक में कही।

विज्ञान भवन में हुई इस बैठक में मानवाधिकारों के संरक्षण और इस बारे में आयोगों की भूमिका और कार्य पर मंथन हुआ। जस्टिस मिश्रा ने उद्घाटन सत्र में कहा कि कल्याणकारी योजनाओं के सही दिशा में लागू नहीं होने से मानवाधिकारों का हनन होता है। कहा कि एनएचआरसी और एसएचआरसी संस्तुति करने वाली संस्थाएं हैं, लेकिन फिर भी इनके पास मानवाधिकार



जस्टिस अरुण मिश्रा

एनएचआरसी ने एसएचआरसी के साथ बैठक में वंचितों व गरीबों के मानवाधिकार सुनिश्चित करने पर किया मंथन

संरक्षण कानून के तहत पर्याप्त शक्तियां हैं जिससे ये पंक्ति के आखिरी व्यक्ति और गरीबों के अधिकार संरक्षित करना सुनिश्चित कर सकते हैं। उन्होंने कहा कि सरकार की विभिन्न एडवाइजरी पर अमल सुनिश्चित करने के लिए राज्य आयोग, राष्ट्रीय आयोग का सहयोग कर सकते हैं। जस्टिस मिश्रा ने कहा कि एनएचआरसी सभी राज्यों को पत्र लिखेगा कि वे राज्य आयोगों को सुदृढ़ करने के अपने दायित्व का निर्वहन करें। उद्घाटन सत्र के अलावा एनएचआरसी और एसएचआरसी के मिलकर काम करने और विभिन्न पहलुओं पर मंथन व विचार विमर्श के पांच सत्र हुए। इन सत्रों में खाद्य सुरक्षा कानून, वन नेशन वन राशनकार्ड योजना लागू कराने और असंगठित क्षेत्र के कामगारों की योजनाएं लागू कराने आदि पर चर्चा हुई।

ANI News/Sify/ Big News Network.com/ News/ Daily Excelsior/ Lokmat News English/ LatestLY

Advocate seeks NHRC indulgence in 'killings of minority' in J-K

<https://www.aninews.in/news/national/general-news/advocate-seeks-nhrc-indulgence-in-killings-of-minority-in-j-k20211013124140>

<https://www.sify.com/news/advocate-seeks-nhrc-indulgence-in-killings-of-minority-in-j-k-news-national-vkniacijjggj.html>

<https://www.bignewsnetwork.com/news/271474593/advocate-seeks-nhrc-indulgence-in-killings-of-minority-in-j-k>

<https://news.webindia123.com/news/articles/India/20211013/3836406.html>

<https://www.dailyexcelsior.com/advocate-seeks-nhrc-indulgence-in-killings-of-minority-in-jammu-and-kashmir/>

<https://english.lokmat.com/national/advocate-seeks-nhrc-indulgence-in-killings-of-minority-in-j-k/>

<https://www.latestly.com/agency-news/india-news-advocate-seeks-nhrc-indulgence-in-killings-of-minority-in-j-k-2946746.html>

An advocate practising in the Supreme Court has filed a complaint with the National Human Rights Commission (NHRC) on violation of human rights of minority Hindus and Sikhs in Kashmir and sought the indulgence of the commission towards the "heart-wrenching plight of the minorities." Alakh Alok Srivastava, Advocate-on-Record at Supreme Court in its application submitted that in the last one week, four innocent civilians belonging to the minority Hindu/Sikh communities have been brutally killed in targeted killings in Kashmir. He has mentioned incidents of killing of Makhan Lal Bindroo and Virender Paswan on October 5 and Satinder Kaur and Deepak Chand were killed on October 7. He said, "as per the media reports, on October 7, few terrorists entered into Government Boys Higher Secondary School, Idgah, Sangam, Srinagar in broad daylight, separated Muslim teachers after checking their Identity (ID) Cards, dragged away Satinder Kaur and Deepak Chand and brutally killed both of them inside their school premise, at point-blank range." "In the instant case, the aforesaid targeted killings have caused immense agony and panic amongst the minority Hindu and Sikh residents of Kashmir (J&K), which has, in turn, triggered a fresh wave of exodus of Hindus and Sikhs from Kashmir, something which has not been witnessed since the onset of terrorism in Kashmir in the 1990s. As per the media reports, many Kashmiri Hindus and Sikhs, who even withstood the 1990s exodus, have started leaving Kashmir after targeted killings of the minorities. This has resulted in large scale human rights violations of the Hindu and Sikh minority residents of Kashmir," the advocate said. He said that even otherwise, the Sikh and Hindu minorities of Jammu and Kashmir are

living in constant fear and insecurity, which is in flagrant violation of their rights relating to life, liberty, equality and dignity.

"The aforesaid human rights violations are, inter-alia, attributable to the negligence and failure of the Jammu and Kashmir administration in protecting the Hindu and Sikh minority residents of Kashmir," the advocate said. He has sought appropriate steps for the protection of human rights of the minority Hindu and Sikh residents of Kashmir. He has urged the Commission to call for a comprehensive report from "the Lieutenant Governor of the Union Territory of Jammu and Kashmir" about the flagrant violation of the human rights, targeted killings and exodus of minority Hindu and Sikh residents of Kashmir (J&K), including the "detailed reasons of negligence" on the part of the authorities in prevention of such violations and "proposed remedial action" in this regard. Advocate Srivastava has sought to review the factors, including acts of terrorism, that inhibit the enjoyment of human rights of the minority Hindu and Sikh residents of Kashmir and recommend appropriate remedial measures. Advocate Srivastava has urged NHRC to direct the Lieutenant Governor of the Union Territory of Jammu and Kashmir, "to provide adequate police protection to the Hindu and Sikh residents of Kashmir" and to direct the Lieutenant Governor of the Union Territory of Jammu and Kashmir, "to provide compensation/ damages of Rs 1 crore each to the family members of the abovenamed deceased persons, who have been brutally killed in targeted killings" in Kashmir (J&K) in the last week. (ANI)

NCTP takes cognisance of article on Santhi Soundarajan

<https://www.thehindu.com/news/national/tamil-nadu/nctp-takes-cognisance-of-article-on-santhi-soundarajan/article36996269.ece>

Gopi Shankar Madurai, the South Regional Representative of the National Council for Transgender Persons (NCTP), a statutory authority under the Union Ministry of Social Justice and Empowerment, has taken suo motu cognisance of a “discriminatory and inter-phobic” Tamil magazine article against Santhi Soundarajan, a recipient of several medals at various international sporting events, who is currently serving as a coach in the Sports Development Authority of Tamil Nadu (SDATN).

The NCTP sought an on-record complaint from Santhi Soundarajan. She emailed the complaint against the Tamil magazine and athletics coach Rajan Abraham who, she alleged, had repeatedly harassed her on the basis of her gender identity and caste.

The athlete, who belongs to a Scheduled Caste community and is a native of Pudukottai district, sent the complaint on Tuesday to the NCTP, which attends to the grievances of inter-sex and gender non-conforming persons and takes suo motu cognisance of their grievances.

“We received the e-mail complaint from Santhi Soundarajan on Tuesday evening, and the NCTP has taken cognisance of it and will seek an explanation from Rajan Abraham, the Tamil magazine and the journalist who wrote the article,” Gopi Shankar told The Hindu on Wednesday. The article was “highly discriminatory and inter-phobic in nature”, he added.

EXPAND

In her complaint, the athlete alleged repeated gender-based and caste-based harassment by Rajan Abraham, her colleague, adding that he had also given interviews against her gender identity to the media, colleagues and trainees. She also complained that he was preventing her from discharging her official duties, and that the remarks allegedly made by him had affected her family members.

She sought protection for herself in the complaint she sent to the NCTP. Rajan Abraham, in a recent interview to the Tamil magazine, made remarks legitimising the gender test on Santhi, which was ruled unscientific by the Court of Arbitration for Sport in 2015, Gopi Shankar said.

The NCTP would file a criminal defamation complaint if it did not receive the replies within 30 days, he said. The organisation would constitute a fact-finding team to look into Santhi’s complaint and take necessary action based on the report after inquiring with her and Rajan Abraham.

“We are not treating it as an isolated case, but as an attack on female athletes with diverse sex characteristics,” Gopi Shankar said.

Santhi had, in September 2018, filed a harassment complaint against a male colleague, alleging that he had made casteist remarks and had made fun of her gender.

She also lodged a complaint with the National Commission for the Scheduled Castes, the National Human Rights Commission and the National Commission for Women, Gopi Shankar said.

NHRC chairman functioning as caged parrot

<https://theshillongtimes.com/2021/10/14/nhrc-chairman-functioning-as-caged-parrot/>

Now, Prime Minister Narendra Modi has said that there's "selective" outrage; that people are "interpreting" human rights violations keeping in mind their "selfish interests". Not surprisingly, the National Human Rights Commission chairperson Justice (retired) Arun Kumar Mishra agrees with Modi.

Human rights are routinely violated in our country. But rarely do ministers' sons drive a jeep over human beings, deliberately. Lynching of human beings, they say, became frequent after 2014. Mostly because of the cow. Lakhimpur-Kheri saw four farmers killed by a rampaging jeep driven by a Union minister's son, and in a "reaction to action" three BJP workers were beaten to death by enraged farmers.

Simultaneously, for altogether different reasons, farmers were set upon by police and a Dalit was beaten to death with lathis and shoes in Rajasthan.

Now, Prime Minister Narendra Modi has said that there's "selective" outrage; that people are "interpreting" human rights violations keeping in mind their "selfish interests". Not surprisingly, the National Human Rights Commission chairperson Justice (retired) Arun Kumar Mishra agrees with Modi. After all, how many times does the NHRC boss get to catch the eyes and ears of the Prime Minister? Luckily for him, Tuesday, October 12, happened to be the NHRC's foundation day and Modi chose to do the honours of ushering in the day himself.

Let's be honest, political parties haven't been honest and fair in their treatment of human rights abuses. Human rights violations have been "divided" according to ideology and the party – ruling party or opposition party? So, Rajasthan is Congress-ruled and, therefore, for the Congress and the rest of the Opposition not to raise Cain! But Lakhimpur-Kheri is in BJP-ruled Uttar Pradesh; therefore, fertile ground to go all out against Modi and Yogi.

The surprising thing, however, is that while Priyanka Gandhi and Rakesh Tikait and RLD leader Jayant Chaudhary have parked themselves in Lakhimpur-Kheri, top BJP leaders are not out in strength in Rajasthan. Does it mean that none of the political parties are with the Dalit? The Opposition has concentrated its ire & fire in Lakhimpur-Kheri while mum on "Rajasthan".

And the BJP, caught with fingers in the cookie jar, hasn't ventured anywhere close to Lakhimpur-Kheri, while avoiding travel to Rajasthan! So, what's Prime Minister Narendra Modi trying to say when talking of "selective" interpretation of human rights? He should make it clear whether he includes the BJP also among the "selective outrage" lot.

There cannot be two interpretations on who all is outraging. The Prime Minister and Home Minister have been "selectively silent" on MoS (Home) Ajay Kumar Mishra. Maybe it's because it will be bad for the BJP, a big embarrassment, if Mishra is terminated from the Union ministry. Isn't Ajay Kumar Mishra guilty of playing around with the human rights of innocents?

Narendra Modi should explain his reluctance to act against Mishra. He cannot let talk swirl that it's Home Minister Amit Shah who is saving Ajay Kumar Mishra from the pink slip. Shah also his human rights! And infringement of human rights cannot be seen through a "political prism." Not taking action against Mishra is "political".

The PMO has “cautioned against the selective interpretation of human rights and using human rights to diminish the image of the country.” How does raising Cain over the Lakhimpur-Kheri killings “diminish the image of the country”? If anything, the world will applaud, happy that there is democracy in India and not just a “democratic Prime Minister”.

The BJP should be thankful to Modi. He’s told his party leaders what to do? Go posthaste to Rajasthan and raise ruckus there. Actually the BJP will not go to Rajasthan, or Chhattisgarh – or Punjab! The BJP is worried stiff about Uttar Pradesh. An “Indira lookalike” is giving Modi and Shah sleepless nights and Yogi Adityanath cannot stay awake enough!

Now, farmer leader Rakesh Tikait says he and his farmers’ army will pitch tents in Lakhimpur-Kheri and stay put till Ajay Kumar Mishra is removed. Whatever happened to Delhi “gheraoed” or Punjab and Haryana? All roads are leading to Lakhimpur Kheri only!

But Narendra Modi wants the Opposition to go to any state/place other than Lakhimpur Kheri! Modi is doing his own selective interpretation of Lakhimpur-Kheri, and the Opposition is loving it. At the crux of Modi’s selective outrage at what the Opposition is upto in Lakhimpur Kheri is his reading that the BJP has been rendered toothless in Uttar Pradesh.

That the BJP is rattled and bereft of an issue to rally around in Uttar Pradesh is apparent from the fact that BJP spokespersons are suddenly raising stuff like “What was Sonia Gandhi doing before her marriage to Rajiv Gandhi?” and “what was Rahul Gandhi doing with Sukhanya Devi?” The BJP’s desperation is showing, and it’s clear that deep down the BJP is hurting. Very bad. (IPA Service)

The New Indian Express/ NYOOOZ/ Outlook India/ Devdiscourse

NHRC chief cautions against growing instances of 'instant justice through encounters'

<https://www.newindianexpress.com/nation/2021/oct/13/nhrc-chief-cautions-against-growing-instances-of-instant-justice-through-encounters-2371314.html>

<https://www.nyoooz.com/news/delhi/1618941/nhrc-chief-cautions-against-growing-instances-of-instant-justice-through-encounters/>

<https://www.outlookindia.com/newsscroll/nhrc-chief-cautions-against-growing-instances-of-instant-justice-through-encounters/2177887>

<https://www.devdiscourse.com/article/law-order/1767166-nhrc-chief-cautions-against-growing-instances-of-instant-justice-through-encounters>

NHRC chairperson justice (retd) Arun Kumar Mishra on Wednesday cautioned against the growing instances of "instant justice through encounters" and said that it indicates a "systematic failure".

He said it is time to think about what needs to be done to correct such failures due to which even the decree of the courts is not implemented sometimes.

Mishra was speaking during a meeting of representatives of the National Human Rights Commission and State Human Rights Commissions (SHRCs) at Vigyan Bhawan here.

During the meeting, a decision was taken to set up a joint committee to chalk out a time-bound collaborative action plan to ameliorate the cause of human rights in the country, officials said.

The NHRC chief noted that the non-implementation of welfare schemes in the right earnest "leads to human rights violations".

During the meeting, Mishra cautioned against the growing instances of "instant justice through encounters", which, he said, indicate a "systematic failure".

"Time has come to think what we have to do to correct the systematic failures due to which even the decree of the courts is also not implemented sometimes," a statement issued by the NHRC quoted him as saying.

On Tuesday, at an event here to mark the 28th foundation day of the NHRC, Mishra had called for making the policing system more effective and independent so that "CBI investigation may not be needed".

He had said that encounters done by police were "against the Constitution and a condemnable act" and efforts should be made to "liberate ourselves from this barbarity".

During Wednesday's meeting, Mishra also said that the NHRC and SHRCs are recommendatory bodies but have enough powers under the Protection of Human Rights (PHR) Act, which derives its strength from the Directive Principles of State Policy, to ensure that the rights of the last person and the poorest of poor are protected.

SHRCs may also extend their support to the NHRC in ensuring the implementation of various advisories issued by it to the government, he added.

Mishra said that the NHRC will write to various states to fulfil their statutory obligations towards strengthening SHRCs.

The NHRC-SHRC interface meeting was held to "explore common and new areas of collaboration for the promotion and protection of human rights", a senior official said.

Its aim was also to share the best practices and activities of different SHRCs to work towards the promotion and protection of human rights in a more cohesive manner, the official said.

Both the NHRC and SHRCs were set up under the PHR Act.

However, SHRCs are autonomous state-level bodies and are not under the NHRC.

But, being the apex human rights body, the NHRC has been taking up the issue of strengthening SHRCs with the respective state governments so that they may be able to work more effectively for the fulfilment of their mandate under the PHR Act, the statement said.

During the five thematic sessions of the meeting, presentations were made on key issues of human rights, related laws, implementation mechanism and the present situation, the statement said.

These also included monitoring the implementation of advisories issued by the NHRC; status of implementation of the One Nation, One Ration Card scheme, the Food Security Act, 2013, and schemes and policies relating to informal workers; and integration of gender perspective, it said.

NHRC's remit: Human rights body has an incredibly important job. Praising govt is not part of that

<https://timesofindia.indiatimes.com/blogs/toi-editorials/nhrCs-remit-human-rights-body-has-an-incredibly-important-job-praising-govt-is-not-part-of-that/>

The 1993 law that brought the National Human Rights Commission as well as the State Human Rights Commissions into being is crystal clear about their role: Inquire into violations of human rights or negligence in prevention of such violations by a public servant, and intervene in legal proceedings for the same. This is how regulatory checks on power work in a democracy, with one institution ensuring accountability of the other. It is against this backdrop that some of chairperson Justice Arun Mishra's comments on NHRC's foundation day cause a measure of disquiet, in that he spoke more for the government than for the organisation's core function.

To illustrate, he condemned the "new norm" of India being falsely accused of human rights violations at the behest of "international forces" and praised Gol for ushering in a "new age" of peace in Jammu & Kashmir. Other arms of government have the competence to sort out international conspiracies, if any, NHRC doesn't. Its work is incredibly weighty but decidedly domestic. As for J&K and "peace", that judgment is to be, again, made by many other stakeholders, including the media and voters. That's not NHRC's remit. This position holds even if one agrees with the nullification of Articles 370 and 35A, as this newspaper does. What is NHRC's job is what Justice Mishra referred to in other parts of his speech – citizens needing protection from false cases, instant justice and encounters.

This public body has been called a "toothless tiger" by the Supreme Court and a cynical argument could be that human right violations are so endemic in India, what can NHRC do after all? But the right approach is to push on nonetheless. Last year it memorably stood up for migrant workers. That's the kind of work NHRC should do – and talk about.

NHRC's Remit

Human rights body has an incredibly important job. Praising govt is not part of that

The 1993 law that brought the National Human Rights Commission as well as the State Human Rights Commissions into being is crystal clear about their role: Inquire into violations of human rights or negligence in prevention of such violations by a public servant, and intervene in legal proceedings for the same. This is how regulatory checks on power work in a democracy, with one institution ensuring accountability of the other. It is against this backdrop that some of chairperson Justice Arun Mishra's comments on NHRC's foundation day cause a measure of disquiet, in that he spoke more for the government than for the organisation's core function.



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'Revora panchayat violated human rights of dalit woman'

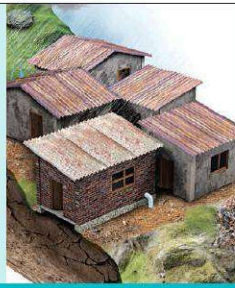
She Had Sought Nod For House Repair Work

Lisa.Monteiro@timesgroup.com

Panaji: In a case of discrimination against a woman by the Revora panchayat, the human rights commission found that the dalit mother's rights had been violated. It recommended that the panchayat secretary place her application for permission to repair her house before the panchayat for reconsideration.

"On consideration by the village panchayat, the same be forwarded to the Block Development Officer (BDO), Bardez for grant of permission of house repairs," the commission stated in its inquiry report/order.

The dalit woman's house was damaged after a tree fell on it in 2017 and thereafter, she had been given government accommodation under the Disaster Management Act, 2005. As the house repairs couldn't be carried out, she has sought permission to continue to occupy the government accommodation



The grievance of the woman is that the panchayat was not granting her permission to repair the house despite her being legally married and co-owner of the house, as her husband had not given his NOC.

The house was damaged after a tree fell on it in 2017 and thereafter she had been given government accommodation under the Disaster Management Act, 2005.

As the house repairs couldn't be carried out, she has sought permission to continue to occupy the government accommodation.

Recently the authorities asked to vacate the premises saying no more extension would be given. That is when she made a fresh application to the panchayat in respect of her equal right as co-owner of the house and sought permission to repair it.

The dalit mother of two has strained relations with her husband and lives on a monthly maintenance of Rs 5,000.

"The commission finds

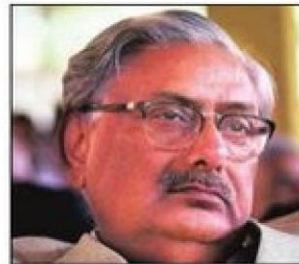
that, in the present case, the village panchayat of Revora has violated the human rights of the complainant by not forwarding her application to the BDO for the house repairs...only as her husband has also not given NOC," the commission's chairperson Justice U V Bakre and member Desmond D'Costa stated in the inquiry report/order.

The commission also recommended that the North Goa collector, BDO Mapusa, secretary of the Revora panchayat and assistant engineer sub division III, WD VIII Karaswada "consider the extension of the permission of the complainant to stay in the government quarters...for a further period of 60 days from the date of grant of permission by the BDO and secretary for carrying out repairs of the house".

एनकाउंटर से तत्काल न्याय खतरनाक : एनएचआरसी

नई दिल्ली। राष्ट्रीय मानवाधिकार आयोग (एनएचआरसी) अध्यक्ष जस्टिस (सेवानिवृत्त) अरुण कुमार मिश्रा ने एनकाउंटर के जरिये तत्काल न्याय प्रक्रिया को खतरनाक माना है और कहा है कि इससे प्रशासनिक विफलता का संकेत मिलता है। उन्होंने एनएचआरसी और राज्य मानवाधिकार आयोगों के प्रतिनिधियों से कहा कि इन विफलताओं को दुरुस्त करने का वक्त आ गया है। इससे अदालतों के निर्णय भी कई बार लागू नहीं हो पाते हैं।

राज्य आयोगों के साथ बैठक में मानवाधिकारों के सिद्धांत में सुधार के लिए सामूहिक कार्ययोजना बनाने को लेकर साझा समिति गठित करने का निर्णय लिया गया। आयोग अध्यक्ष ने कहा, कल्याणकारी योजनाओं के गंभीरता से लागू नहीं होने के कारण मानवाधिकारों का उल्लंघन होता है। मानवाधिकार आयोगों को मानवाधिकार संरक्षण (पीएचआर) कानून के तहत पर्याप्त अधिकार हैं



**आयोग अध्यक्ष ने
कहा, इससे
प्रशासनिक
विफलता का
मिलता है संकेत**

कि वे अंतिम व्यक्ति के अधिकारों की रक्षा कर सकें और निर्धनतम को सुरक्षा प्रदान कर सकें। उन्होंने कहा, राज्य मानवाधिकार आयोग भी सरकार द्वारा सिफारिशें लागू करना सुनिश्चित करने के लिए एनएचआरसी को सहयोग कर सकते हैं। एक दिन पहले ही एनएचआरसी के 28वें स्थापना दिवस समारोह में मिश्रा ने पुलिस प्रणाली को अधिक प्रभावी और स्वतंत्र बनाने की अपील की थी ताकि सीबीआई जांच की नौबत ही न आए। एजेंसी

मुठभेड़ से त्वरित न्याय, व्यवस्थागत नाकामी : जस्टिस अरुण मिश्रा

जागरण ब्यूरो, नई दिल्ली: राष्ट्रीय मानवाधिकार आयोग (एनएचआरसी) के अध्यक्ष जस्टिस अरुण मिश्रा ने बुधवार को बढ़ती पुलिस मुठभेड़ों पर सचेत करते हुए कहा कि मुठभेड़ के जरिये त्वरित न्याय व्यवस्थागत नाकामी की ओर संकेत करता है। इसे ठीक करने के लिए क्या किया जाए इस, पर विचार करने का अब समय आ गया है। उन्होंने कहा कि कई बार व्यवस्थागत नाकामी के चलते कोर्ट की डिक्री भी नहीं लागू होती। जस्टिस मिश्रा ने यह बात बुधवार को एनएचआरसी की राज्य मानवाधिकार आयोगों (एसएचआरसी) के साथ हुई बैठक में कही।

विज्ञान भवन में हुई इस बैठक में मानवाधिकारों के संरक्षण और इस बारे में आयोगों की भूमिका और कार्य पर मंथन हुआ। जस्टिस मिश्रा ने उद्घाटन सत्र में कहा कि कल्याणकारी योजनाओं के सही दिशा में लागू नहीं होने से मानवाधिकारों का हनन होता है। उन्होंने कहा कि एनएचआरसी और एसएचआरसी संस्तुति करने वाली



जस्टिस अरुण मिश्रा • फाइल फोटो

संस्थाएं हैं, लेकिन फिर भी इनके पास मानवाधिकार संरक्षण कानून के तहत पर्याप्त शक्तियां हैं, जिससे ये पंक्ति के आखिरी व्यक्ति और गरीबों के अधिकार संरक्षित करना सुनिश्चित कर सकते हैं। उन्होंने कहा कि सरकार की विभिन्न एडवाइजरी पर अमल सुनिश्चित करने के लिए राज्य आयोग, राष्ट्रीय आयोग का सहयोग कर सकते हैं।

जस्टिस मिश्रा ने कहा कि एनएचआरसी सभी राज्यों को पत्र लिखेगा कि वे राज्य आयोगों को सुदृढ़ करने के अपने दायित्व का निर्वहन करें। एनएचआरसी व एसएचआरसी के मिलकर काम करने और विभिन्न पहलुओं पर मंथन व विचार विमर्श के पांच सत्र हुए।

राष्ट्रीय और राज्य मानवाधिकार आयोगों ने सहयोग के नए क्षेत्र तलाशने के लिए बैठक की

एजेंसी ■ नई दिल्ली

राष्ट्रीय मानवाधिकार आयोग (एनएचआरसी) और राज्य मानवाधिकार आयोगों (एसएचआरसी) ने सहयोग के नए क्षेत्रों को तलाशने और मानवाधिकारों के संरक्षण और प्रोत्साहन के सर्वश्रेष्ठ तौर-तरीकों को साझा करने के लिए बुधवार को बैठक की। अधिकारियों ने मंगलवार को यह जानकारी दी। राष्ट्रीय मानवाधिकार आयोग के अध्यक्ष न्यायमूर्ति (सेवानिवृत्त) अरुण कुमार मिश्रा की उपस्थिति में यहां विज्ञान भवन में यह बैठक हुई। राष्ट्रीय मानवाधिकार आयोग ने मंगलवार को अपना 28वां स्थापना

भारत में एक लोकतांत्रिक प्रणाली है, जो हर मुद्दे को शांतिपूर्ण और वैध तरीके से हल करती है।

दिवस मनाया। एक वरिष्ठ अधिकारी ने बताया कि एनएचआरसी और एसएचआरसी की बैठक मानवाधिकारों के संरक्षण और प्रोत्साहन के लिए सहयोग के समान एवं नए क्षेत्रों को तलाशने के मकसद से हुई है। उन्होंने कहा कि इसका मकसद विभिन्न एसएचआरसी की ओर से मानवाधिकारों के संरक्षण एवं प्रोत्साहन की दिशा में अपनाए गए

सर्वश्रेष्ठ तौर-तरीकों और एवं गतिविधियों को साझा करना है। एनएचआरसी और एसएचआरसी मानवाधिकार संरक्षण आयोग कानून-1993 के तहत संचालित होते हैं। एसएचआरसी राज्य स्तर पर स्वतंत्र इकाइयां होती हैं और वे एनएचआरसी के तहत नहीं आते हैं। मिश्रा ने राष्ट्रीय मानवाधिकार आयोग के स्थापना दिवस के मौके पर कहा था कि एनएचआरसी पिछले 28 वर्षों से काम कर रहा है, हालांकि कई शक्तिशाली देशों में अभी तक ऐसी संस्थाएं स्थापित नहीं हुई हैं। दुनिया की आबादी का लगभग छठा हिस्सा भारत में रहता है। भारत में एक लोकतांत्रिक प्रणाली है।

एकतरफा मानवाधिकारों पर प्रधानमंत्री के आ

मा

नवाधिकार बहु-आयामी होता है। व्यक्ति या व्यक्ति-समूह द्वारा किया गया अधिकार हनन भी इसमें आता है। एक काल-खंड में लाखों कश्मीरी पंडित आतंक के डर से अपना घर-बार छोड़कर खानाबदोश बनने को मजबूर हुए। क्या मानवाधिकार के अलमबरदार बुद्धिजीवियों ने इस मुद्दे पर उसी क्रोधपूर्ण भाषा का प्रयोग किया या दिल्ली में प्रदर्शन किया, जैसा सुरक्षाबलों के खिलाफ करते हैं? प्रधानमंत्री ने हाल ही में सच कहा कि यह वर्ग कश्मीर में सुरक्षाबलों के एक्शन पर दुनिया भर में 'चुनिन्दा तथ्यों के आधार पर' देश (उन्हें सरकार कहना चाहिए था) को बदनाम करता है। यह सच है कि अगर आतंकियों ने घाटी में निर्दोष शिक्षकों, व्यापारियों की पिछले हफ्ते हत्या की, सुरक्षाबलों के जवानों को मारा तो राज्य को यह छूट नहीं मिलती कि वह भी वहां अत्याचार करे। यह भी सच है कि राज्य-शक्तियों द्वारा अपने खिलाफ आवाज को कुचलने का पुराना इतिहास है लिहाजा बुद्धिजीवी अगर आवाज उठाते हैं तो वे गलत नहीं हैं। लेकिन मानवाधिकार हर मानव का अधिकार है, देश के जवानों का भी। यह सर्वविदित

तथ्य है कि हमारे जवान आबादी वाले इलाके में पाकिस्तान यह नहीं पता होता कि अगली गोली किस खिड़की से आएगी। पनाह देने को मजबूर होते हैं। पूरी दुनिया में सुरक्षा बलों के आबादी वाले क्षेत्र में स्थानीय गुमराह युवा या बाहरी आतंकवादी निष्क्रिय कर सके। एनकाउंटर के समय अगर गोली खिड़की के द्वारा प्रावधान नहीं पड़ेगा बल्कि उस खिड़की की ओर अपनी 'इश' में निर्दोष छात्र दिखता है वह अगर अपनी 'फिरन' (कश्मीर) की प्रतिक्रिया भी स्टैंडर्ड ऑपरेटिंग प्रोसीजर से ज्यादा होगी। आम जनता के निजता के अधिकार हनन वाला कानून होम विरोध का एक भी स्वर नहीं उठा। प्रधानमंत्री की बात का

पुलिस से झड़प: एनएचआरसी पहुंचे किसान

● सुखबीर ने नोएडा पुलिस के खिलाफ दर्ज कराई शिकायत

पायनियर समाचार सेवा। नोएडा

बीते 11 अक्टूबर को प्रदर्शन कर रहे किसानों और पुलिस के बीच धक्का-मुक्की और नोकझोंक का मामला राष्ट्रीय मानवाधिकार आयोग (एचएचआरसी) पहुंच गया है। किसानों ने गौतमबुद्ध नगर पुलिस और अफसरों के खिलाफ शिकायत दी है। किसान नेता सुखबीर की तरफ से दी गई शिकायत में कहा, पुलिस-

प्रशासन ने अपनी शक्तियों का दुरुपयोग किया और किसानों के संवैधानिक अधिकारों का हनन किया है। पुलिस ने गैर कानूनी तरीके से किसानों पर लाठीचार्ज किया और 10 से ज्यादा किसानों को चोटें आई हैं।

सुखबीर खलीफा ने सख्त कार्रवाई की मांग की है। इस पूरे मामले में नोएडा पुलिस एक्शन में है। शहर के सेक्टर-20 थाना क्षेत्र में प्राधिकरण के एक अफसर की तहरीर पर 36 नामित समेत 1500 से ज्यादा किसानों के खिलाफ मुकदमा दर्ज किया गया है। हालाँकि किसानों ने भी थाने में अपनी शिकायत दी थी लेकिन कोई कार्रवाई नहीं हुई।

निजी स्वार्थ सिद्ध में लगे कुछ लोग: एडीसीपी

एडीसीपी रणविजय सिंह ने कहा, कुछ किसान शांतिपूर्ण ढंग से हरौला बारात घर में अपनी मांगों को लेकर प्रदर्शन कर रहे थे। अफसरों-किसानों के बीच कई बैठक कराई। किसान भी इससे संतुष्ट थे लेकिन उनकी आड़ में कुछ लोग निजी स्वार्थ सिद्ध कर रहे हैं। ऐसे लोग शांतिपूर्ण ढंग से प्रदर्शन कर रहे किसानों को भी उग्र कर रहे हैं। बार-बार उन्हें हिंसा और प्राधिकरण कार्यालय जाने के लिए उकसा रहे हैं।

NHRC's Remit

Human rights body has an incredibly important job. Praising govt is not part of that

The 1993 law that brought the National Human Rights Commission as well as the State Human Rights Commissions into being is crystal clear about their role: Inquire into violations of human rights or negligence in prevention of such violations by a public servant, and intervene in legal proceedings for the same. This is how regulatory checks on power work in a democracy, with one institution ensuring accountability of the other. It is against this backdrop that some of chairperson Justice Arun Mishra's comments on NHRC's foundation day cause a measure of disquiet, in that he spoke more for the government than for the organisation's core function.



To illustrate, he condemned the “new norm” of India being falsely accused of human rights violations at the behest of “international forces” and praised GoI for ushering in a “new age” of peace in Jammu & Kashmir. Other arms of government have the competence to sort out international conspiracies, if any, NHRC doesn't. Its work is incredibly weighty but decidedly domestic. As for J&K and “peace”, that

judgment is to be, again, made by many other stakeholders, including the media and voters. That's not NHRC's remit. This position holds even if one agrees with the nullification of Articles 370 and 35A, as this newspaper does. What is NHRC's job is what Justice Mishra referred to in other parts of his speech – citizens needing protection from false cases, instant justice and encounters.

This public body has been called a “toothless tiger” by the Supreme Court and a cynical argument could be that human right violations are so endemic in India, what can NHRC do after all? But the right approach is to push on nonetheless. Last year it memorably stood up for migrant workers. That's the kind of work NHRC should do – and talk about.

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