

Assam Police suspends officer for firing at ex-student leader, transfers SP

<https://www.newindianexpress.com/nation/2022/feb/09/assam-police-suspends-officer-for-firing-at-ex-student-leader-transfers-sp-2417468.html>

After suspending a sub-inspector and disbanding the Anti-Narcotics Squad of Nagaon district, Assam Police on Wednesday shunted SP Anand Mishra out of the district following a probe in the police firing on a former student leader, who was accused of drug peddling, according to a notification.

The late night notification from the state Home & Political Department said Mishra was transferred with immediate effect.

"In the interest of public service, Shri Anand Mishra, IPS, Superintendent of Police, Nagaon, is transferred and attached to Assam Police Headquarter, Ulubari, until further orders," the order issued by Home & Political Department Principal Secretary Niraj Verma said.

It also stated that the Additional SP has been given the temporary charge of the SP in the district.

The police are also in the process of completing the paperwork to transfer the 10 personnel of the disbanded squad out of Nagaon district, in accordance with the recommendations of Paban Kumar Borthakur, the state's Additional Chief Secretary who conducted the probe.

"After getting directions from the Home and Political Department, Sub Inspector Pradeep Bania was suspended yesterday.

We also disbanded the Anti-Narcotics Squad constituted by the Nagaon SP," a senior police official told PTI on condition of anonymity.

In his report, Borthakur had recommended transfer of all members of the squad and Bania out of Nagaon district immediately.

"Besides, we are preparing all related documents to shift the case to the CID of Assam Police.

The government directed us to transfer the two cases filed by Bania and constable Nilkamal Bora to the CID," the official said.

He, however, insisted the recommendations made by Borthakur in the report did not mean that police were at fault.

The recommendations were aimed at facilitating a "free, fair and just probe by a senior official".

According to an official release on Tuesday, the Assam government had asked the state's DGP to order conduct of a departmental inquiry by a senior police officer into the role of all policemen involved in the firing incident which led to injury to a former student leader at Kacholukhowa Tiniali in Nagaon town.

The DGP was also asked to ensure safety and security of witnesses and take measures for creating awareness among people against drug abuse.

Kirti Kamal Bora, who was alleged to have been involved in drug peddling, was injured in police firing on January 22, the incident opposition parties and social groups called an effect of the prevailing "police jungle raj".

They alleged the situation was worse than those prevailing in the 1990s when "secret killings" were rampant.

The term 'secret killings' refers to the extra-judicial killings in which masked gunmen, suspected personnel of the security forces, used to kill the kin of ULFA leaders.

Police, however, claimed that the former Nowgong College students union general secretary was selling drugs and was shot in the leg after he attacked law enforcers.

Disputing the claim, the influential All Assam Students' Union (AASU) alleged Bora was fired upon after he protested "drunk policemen" beating up a youth.

Facing public anger, Chief Minister Himanta Biswa Sarma had on January 23 announced a one-man commission of Borthakur to probe the circumstances leading to the police firing.

The Assam Human Rights Commission (AHRC) took cognizance of the incident on its own, and issued a notice to the state's chief secretary on January 24, asking why the government should not pay a compensation to the injured youth.

Based on media reports, the AHRC called it "prima facie" a case of violation of human rights.

The Commission has fixed February 28 for the next hearing.

The Assam government had claimed in an affidavit before the Gauhati High Court on February 7 that due process of law and all guidelines issued by the NHRC were being followed in all cases of police encounter that have taken place in the state since May last year.

The Assam government informed the court that 28 people have been killed and 73 others injured in police action since May 10 last year, when Chief Minister Himanta Biswa Sarma assumed charge, till January 28 this year.

NHRC Guidelines Followed In Police Encounters : Assam ...

<https://www.northeasttoday.in/2022/02/09/nhrc-guidelines-followed-in-police-encounters-assam-government-to-gauhati-hc/>

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Due process of law followed in police encounters: Assam govt ...

<https://www.eastmojo.com/news/2022/02/09/due-process-of-law-followed-in-police-encounters-assam-govt-to-gauhati-hc/>

Due process of law and all guidelines issued by the NHRC are being followed in all cases of police encounters that have taken place in Assam since May last year, the state government claimed in an affidavit filed before the Gauhati High Court.

In the affidavit filed in connection with a PIL, the Assam government informed the court that 28 people have been killed and 73 others injured in police action from May 10 last year, when Chief Minister Himanta Biswa Sarma assumed charge, till January 28 this year.

The Assam government on February 7 filed the “detailed affidavit”, a copy of which is available with PTI, as sought by the Gauhati High Court, which on Tuesday deferred the hearing of the PIL related to the encounters till February 10.

” due process of law and procedure established by law, including the guidelines issued by the NHRC, are being complied with by the district police,” Home & Political Department Additional Secretary Ashim Kumar Bhattacharyya said in the affidavit.

He said that as per the directions of the National Human Rights Commission (NHRC), the six-monthly “return” is also being regularly submitted and the last such report was submitted by the Assam Police on September 2 last year.

“FIRs have been registered in each and every case, and investigations are being carried out to take the cases to logical conclusions. In total, 28 nos. of death and 73 nos. of injuries have taken place in police action, since May 2021 till 28-01-2022,” the affidavit said.

In a table annexed with the affidavit, the government provided district-wise details of these encounters.

It showed that the incidents of police firing took place across 27 districts and the highest number of 10 people were killed in Karbi Anglong, while a maximum of nine injuries were reported in Guwahati.

The affidavit further stated that the Home & Political Department carried out an inquiry as per the order of the Assam Human Rights Commission (AHRC) after it took suo motu cognisance and the report was submitted to the body on October 30 last year.

“it is stated that the Government of Assam has so far designated 12 (Twelve) nos. of Court of Sessions at Dibrugarh, Jorhat, Nagaon, Tezpur, Dhubri, Silchar, Tinsukia, North Lakhimpur, Mangaldoi, Goalpara, Nalbari and Bongaigaon as Human Rights Court,” it added.

These courts were designated as per the provision of the Protection of Human Rights Act, 1993 for the districts of Dibrugarh, Jorhat, Nagaon, Sonitpur, Dhubri, Cachar, Tinsukia, Lakhimpur, Darrang, Goalpara, Nalbari and Bongaigaon in 1996 and 1998.

The Public Interest Litigation (No. 86/2021) was filed by advocate Arif Md Yeasin Jwadder. Besides the Assam government, Assam Police DGP, state Law and Justice Department, NHRC and AHRC have been named as respondents in the petition.

Jwadder, in his petition, sought an inquiry by an independent agency such as CBI, SIT or any other police teams from other states under the supervision of the court.

He has also sought a judicial inquiry by a sitting judge of the Gauhati High Court into the incidents and monetary compensation to the victims' families after due verification.

Jwadder claimed in the PIL that more than 80 "fake encounters" have taken place, resulting in 28 deaths and injuries to 48 people.

The people killed or injured were not dreaded criminals and the modus operandi of police has been the same in all the encounters, the PIL said.

The petition elaborated that as per police statements published in newspapers, the accused tried to snatch service revolvers of the police personnel and in self-defence, police had to retaliate and kill or injure the alleged criminal.

Madras HC seeks response from state over caste discrimination in Pudupatty village

<https://www.thenewsminute.com/article/madras-hc-seeks-response-state-over-caste-discrimination-pudupatty-village-160800>

Ayyappan, a 58-year-old bank employee, had to get his attire ironed for office one morning. However, when he went to the laundry services shop in his village of Pudupatty, in Tamil Nadu's Pudukottai district, he was turned away -- not because the shop owners were busy, or didn't provide ironing services, but because Ayyappan belongs to a Scheduled Caste community.

This is the reality of SC families that reside in the village, which comes under Karambakudi taluk. "Out of 600 families, around 150-200 belong to the Scheduled Castes (SC) community, who are denied these services by the by the dominant caste communities", says R 54-year-old Selvan, a resident of the neighbouring village of Kottaikadu, and a teacher. He is also a member of the Periyar Ambedkar Makkal Kazhagam, a political party. He says that he travels through the Pudupatty on a daily basis to his workplace at Karambakudi town, and that all his relatives reside in the village. He had been petitioning multiple government officials, including the district collector, Superintendent of Police (SP), Director General of Police (DGP), Additional Director General of Police (ADGP), National Human Rights Commission and others. "I have sent more than 13 petitions with detailed representation to all these officials, but no action has been taken."

Since there has been no action taken despite his repeated petitions, Selvan filed a Public Interest Litigation (PIL) at the Madurai Bench of Madras High Court, on January 29, 2022. Taking up the issue on Wednesday, February 9, a bench of Justice Paresch Upadhyay and Justice Krishnan Ramasamy has issued a notice to the state government and other respondents seeking an explanation within four weeks.

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The litigant has said in his petition, "Even if those at the barber shop agree to render their service, those belonging to the dominant community intervene and create issues". Citing section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 (Punishments for offences of atrocities), Selvan asked the state government to identify the area, visit and review the law and order situation.

"Despite Article 17 stating that untouchability is abolished and practicing the same is forbidden, and the enforcement of any disability arising out of 'untouchability' shall be an offence punishable in accordance with the law, it is still being practised in Pudupatty village," he said. Selvan argued that this discrimination against the SC community residents is against Article 14 of the Constituion which guarantees equality before law as a fundamental right.

"As far as I can remember, the two barber shops and one laundry shop does not render their services to people belonging to SC community," says Ayyappan. "We have to go to Karambakkudi town, which is ten kilometres away to get our hair done or get our dress

ironed.” He adds that if and when police come and enquire about the issue, the shop owners say that they do “cut their (SC community’s) hair.”

“There was an instance when my relative went to a barber shop to get a haircut and he was sent back because of his caste. I remember him crying to me on the way to his office,” says Selvan. While the barber and laundry stores refuse services to the SC community, this is not the case for other shops or establishments in the village.

Widows of silicosis victims ask NHRC for compensation

<https://timesofindia.indiatimes.com/city/jodhpur/widows-of-silicosis-victims-ask-nhrc-for-compensation/articleshow/89464404.cms>

The National Human Right's Commission has summoned the Jodhpur district collector in pursuance of a plea by

silicosis victims' widows, who are yet to receive compensations.

In all, 22 such widows wrote to the commission stating that years after deaths of their husbands due to silicosis, they have not

been given any compensation. The commission has directed the district collector to appear before it on April 30.

As per information, these women had lost their husbands to silicosis prior to 2010, but the compensation, provisioned by the

state government for the silicosis victims, has not yet been remitted to them.

According to Rana Sengupta, the managing trustee of the Mine Labour Protection Campaign (MLPC), 987 cases of silicosis toll

up to 2010 had been reported, but the identity of all these cases is yet to be determined and because of this lack of identity,

these cases have not been notified yet.

"We had undertaken a survey in 2007 which revealed that 48% of the total women working in stone quarries were widows and

surprisingly all had cited TB as the cause of their husbands' death. Though, we tried to access the medical documents or

hospital discharge tickets of the treatment of their husbands, most of them had either disposed or burnt them," said Sengupta.

These were only these 22 women, who had the discharge tickets of their husbands.

Perusal of these papers confirmed that

they had died of silicosis and not TB.

It may be noted that state government had come up with a policy in October 2019 to help silicosis affected workers and

prevention of the disease. But this policy is still been awaiting its implementation. TNN

Govt defends police encounters in HC

GUWAHATI, Feb 9: Due process of law and all guidelines issued by the NHRC are being followed in all cases of police encounters that have taken place in Assam since May last year, the State Government claimed in an affidavit filed before the Gauhati High Court.

In the affidavit filed in connection with a PIL, the Assam Government informed the court that 28 people have been killed and 73 others injured in police action from May 10 last year, when Chief Minister Himanta Biswa Sarma assumed charge, till January 28 this year.

The Assam Government on February 7 filed the "detailed affidavit", a copy of which is available with PTI, as sought by the Gauhati High Court, which on Tuesday deferred the hearing of the PIL related to the encounters till February 10.

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complied with by the district police," Home & Political Department Additional Secretary Ashim Kumar Bhattacharyya said in the affidavit.

He said that as per the directions of the NHRC, the six-monthly "return" is also being regularly submitted and the last such report was submitted by the Assam Police on September 2 last year.

"FIRs have been registered in each and every case and investigations are being carried out to take the cases to logical conclusions. In all total, 28 death and 73 injuries have taken place in police action, since May 2021 till 28-01-2022," the affidavit said.

In a table annexed with the affidavit, the Government provided district-wise details of these encounters.

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While defending the police actions in all the encounters, the Assam home department submitted to the Gauhati high court a detailed affidavit on police encounters, informing that 28 people were killed and 73 others injured in police action between May 2021 and January 2022.

In the affidavit filed in connection with a PIL on police encounters, the state also claimed that due process of law and all guidelines issued by the NHRC are being followed in all cases of police encounters that have taken place in Assam since May 2021.

Pointing out that the incidents took place across 27 districts in the state between May 10 last year and January 28, the affidavit filed by Ashim Kumar Bhattacharyya, an additional secretary at the home department, said, "The FIRs had been registered in "each and every case" and an investigation was being carried out to take the cases to their "logical conclusion".

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