

NHRC issues notice to Delhi govt, MCD

<http://www.uniindia.com/nhrc-issues-notice-to-delhi-govt-mcd/india/news/2917084.html>

New Delhi, Feb 15 (UNI) The National Human Rights Commission (NHRC) on Wednesday said it has issued notice to Delhi government, Municipal Corporation of Delhi (MCD) and Delhi Jal Board (DJB) over reported inaction on the complaints of overflowing choked sewer lines and contaminated water in the Vishnu Garden area in the national capital.

Taking suo motu cognizance of a media report that the residents of the NW Block of the Vishnu Garden area are facing extreme difficulty due to the industrial waste being inappropriately disposed of by a jeans dying unit in the drains of the colony which blocks the drains as well as the sewage lines in the residential area, the Rights body has issued the notices to the Chief Secretary, MCD Commissioner, and the Chief Executive Officer of DJB and sought detailed reports in the matter within 4 weeks. Reportedly, the sewage water keeps overflowing on the colony roads and the drinking water has also been contaminated. Several complaints have been made by the residents to the civic authorities but no action has been taken.

The Commission said it has also sought a report from the Delhi Pollution Control Committee (DPCC) regarding action taken by them against the industrial unit responsible for causing the pollution in the area. Issuing the notices, the Rights body said that the interest of the general public in Article 19(5) of the Constitution is a comprehensive expression comprising several issues which affect public welfare, public convenience, public order, health, safety, etc. all intended to achieve the socio-economic justice of the people. "The expression life, enshrined in Article 21 of the Constitution has a much wider meaning, which includes the right to livelihood, better standard of living and hygienic conditions while living at home or in the working place. Therefore, it is the bounded duty of the State to protect the above rights of the citizens in the discharge of its constitutional obligation in the larger public interest," the NHRC said in a statement.

NHRC notice to Delhi govt, MCD, DJB over 'inappropriate disposal' of unit waste in drains in colony

<https://theprint.in/india/nhrc-notice-to-delhi-govt-mcd-djb-over-inappropriate-disposal-of-unit-waste-in-drains-in-colony-2/1374100/>

New Delhi, Feb 15 (PTI) The NHRC has issued a notice to the Delhi government, city's municipal corporation and the water board over reports that some residents of the Vishnu Garden area are facing extreme difficulty due to industrial waste being "inappropriately disposed" of in drains of a colony by a unit, officials said on Wednesday.

The National Human Rights Commission (NHRC), in a statement, said the content of a media report, if true, amounts to a violation of human rights affecting people's health.

It has taken suo motu cognisance of the report that the residents of a block in the Vishnu Garden area in Delhi are facing "extreme difficulty due to the industrial waste being inappropriately disposed of by a jeans dying unit in the drains of the colony, which blocks the drains as well as the sewage lines in the residential area".

The sewage water keeps overflowing on the colony's roads. The drinking water has also been contaminated. Several complaints have been made by the residents to the civic authorities but no action has been taken, the statement said.

Accordingly, the Commission has issued notices to the chief secretary, government of Delhi, the commissioner of the Municipal Corporation of Delhi (MCD) and the chief executive officer, Delhi Jal Board (DJB), and sought detailed reports within four weeks, it said.

The NHRC has called for a report from the Delhi Pollution Control Committee (DPCC) regarding action taken by it against the industrial unit responsible for causing pollution in the area, it added.

Issuing the notices, the Commission has further observed that the interest of the general public in Article 19(5) of the Constitution is a comprehensive expression comprising several issues which affect public welfare, public convenience, public order, health, safety, etc. all intended to achieve the socio-economic justice of the people, the statement said.

The expression of life, enshrined in Article 21 of the Constitution, has a much wider meaning, which includes the right to livelihood, better standard of living and hygienic conditions while living at home or in the working place. Therefore, it is the bounden duty of the state to protect the above rights of the citizens in the discharge of its constitutional obligation in the larger public interest, it said. PTI KND AQS AQS

NHRC notice to Delhi govt, MCD, DJB over 'inappropriate disposal' of unit waste in drains in colony

<https://www.devdiscourse.com/article/law-order/2355939-nhrc-notice-to-delhi-govt-mcd-djb-over-inappropriate-disposal-of-unit-waste-in-drains-in-colony>

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NHRC Issues Notice to Delhi Govt, City's Municipal Corporation and Water Board over ... - Latest Tweet by PTI News

<https://www.latestly.com/socially/india/news/nhrc-issues-notice-to-delhi-govt-citys-municipal-corporation-and-water-board-over-latest-tweet-by-pti-news-4846178.html>

The latest Tweet by PTI News states, 'NHRC issues notice to Delhi govt, city's municipal corporation and water board over reports that some Vishnu Garden residents are facing extreme difficulty due to industrial waste being 'inappropriately disposed' in drains of a colony by a unit: Officials'

India News | NHRC Notice to Delhi Govt, MCD, DJB over inappropriate Disposal of Unit Waste in Drains in Colony

<https://www.latestly.com/agency-news/india-news-nhrc-notice-to-delhi-govt-mcd-djb-over-inappropriate-disposal-of-unit-waste-in-drains-in-colony-4846040.html>

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PMC to begin slope reduction work at Mohammadwadi

<https://www.constructionworld.in/transport-infrastructure/highways-and-roads-infrastructure/PMC-to-begin-slope-reduction-work-at-mohammadwadi/39238>

The PMC roads department is investing 3 crore to reduce the slope from 10 feet to 3 feet and rebuild it to a width of 24 metres. Citizen activism on social media, combined with on-the-ground efforts by elected officials, has finally resulted in the Pune Municipal Corporation (PMC) launching repairs on the accident-prone Mohammadwadi slope near the main gate of the Anandvan forest areas.

The only connecting road to the opulent Mohammadwadi area is the slope that leads to Cloud 9 society, which has become a major traffic bottleneck. Despite the forest department's in-principle approval for land acquisition and other modalities, the project was further stalled because neighbouring societies objected to parting with their land, which included demolishing their fencing walls.

Residents of the area staged a number of protests against the PMC, led by the NIBM Annexe Residents Forum and the Anandvan Parisar Citizens Forum, demanding urgent repairs to the slope, but the civic body ignored their pleas.

Nanda Lonkar, a Mohammadwadi corporator, and NCP office holders previously discussed the matter with senior forest department officials in Nagpur and secured consent for the project.

"We have been demanding slope reduction of the bottleneck for the past ten years," said NIBM Annexe citizens forum director Daljeet Goraya.

"Our organisation had petitioned the PMO and CMO for the bottleneck removal work, but the PMC ignored our requests. The National Human Rights Commission of India (NHRC) was also contacted about the matter because both the PMC and the forest department had demonstrated apathy towards the citizens.

We hope that the work will be completed soon," Goraya said. Nitin Bokey, a prominent civic rights activist and Ganga Florentina Society resident, stated, "The area residents had been meeting the PMC commissioner and all the stakeholders including elected representatives for a long time.

Their efforts were rewarded when the forest department approved the land acquisition and the PMC approved funding for the project." Avinash Kamthe, a PMC road development sub-engineer, responded to the issue, saying, "We have sanctioned ₹3 crore for the project, and massive digging is currently underway to reduce the slope. The work should be concluded in two months."

Maharashtra topped custodial deaths in India during Covid-19 pandemic: MHA

<https://www.nagpurtoday.in/maharashtra-topped-custodial-deaths-in-india-during-covid-19-pandemic-mha/02151504>

Rai told Rajya Sabha that while Sikkim and Goa reported no incident from 2017 to 2020, both the states recorded one incident of custodial death each in 2021-2022.

Maharashtra was trailed by Gujarat (40), Bihar (21), Uttar Pradesh (16) and Tamil Nadu (6) custodial deaths.

“Police and public order are State subjects as per the Seventh Schedule of the Constitution of India. It is primarily the responsibility of the State Government concerned to ensure the protection of human rights. However, the Central Government issues advisories from time to time and also has enacted the Protection of Human Rights Act (PHR), 1993, which stipulates establishment of the National Human Rights Commission (NHRC) and State Human Rights Commissions to look into alleged human rights violations by public servants,” Rai said in Rajya Sabha. Citing information provided by the NHRC, the Minister said that in the incidents of deaths in police custody, the Commission has recommended monetary relief in 201 cases, amounting to over Rs 5.80 crore, and disciplinary action in one case.

Speaking to Nagpur Today, Commissioner of Police Amitesh Kumar clarified that, deaths inside the prison are also considered as Custodial Deaths. “Nagpur Police are sensitive towards the issue of custodial death. Any sort of violence inside custody is strictly prohibited. We’ve installed CCTVs across Police Stations to monitor the same. Nagpur cops are working to ensure no custodial deaths occurred,” he said. It is pertinent to mention that when complaints of alleged human rights violations are received by the NHRC, action is taken by the Commission as per the provisions laid down under the Protection of Human Rights Act, 1993. Workshops/ seminars are also organised by the NHRC from time to time to sensitise public servants for better understanding of human rights and, in particular, the protection of rights of persons in custody.

Explained | Does India's Mental Healthcare Act, 2017 protect patients' rights and dignity in institutions?

<https://www.thehindu.com/sci-tech/health/explained-does-indias-mental-healthcare-act-2017-protect-patients-rights-and-dignity-in-institutions/article66503295.ece>

The story so far: The National Human Rights Commission (NHRC) in a report flagged the “inhuman and deplorable” condition of all 46 government-run mental healthcare institutions across the country; out of which three are run by the Union government and the remaining by State governments. The facilities are “illegally” keeping patients long after their recovery, in what is an “infringement of the human rights of mentally ill patients”, the report notes. Moreover, the perennial shortage of doctors, lack of infrastructure, and proper amenities speak of a “very pathetic and inhuman handling by different stakeholders”, according to the report.

The human rights body's observations were made after visits to all operational government facilities, to assess the implementation of the Mental Healthcare Act, 2017(MHA). The MHA, which experts note was a “watershed moment for the right to health movement in India,” discourages long-term institutionalization of patients and reaffirms the rights of people to live independently, and within communities. This right is doubly guaranteed under the Rights of Persons with Disabilities Act of 2016.

Long-term institutionalisation thus not only violates Article 21 of the Constitution which protects personal liberty, but also indicates a “failure of the State Government(s) to discharge the obligation under various international Covenants [such as the United Nations Convention] relating to rights of persons with disabilities which have been ratified by India,” the present report stated.

What does the Mental Healthcare Act, 2017 say?

MHA's predecessor — the Mental Healthcare Act, 1987 — prioritised the institutionalisation of mentally-ill people and did not afford any rights to the patient. “The previous Act provided disproportionate authority to judicial officers and mental health establishments to authorise long-stay admissions often against the informed consent and wishes of the individual. As a result, several persons continue to be admitted and languish in mental health establishments against their will,” says Tanya Fernandes, a researcher with the Centre for Mental Health Law and Policy (CMHL&P). The 1987 iteration embodied the ethos of the colonial-era Indian Lunacy Act of 1912, which linked criminality and madness, Priti Sridhar, CEO of Mariwala Health Initiative (MHI), further explains. Asylums were places where “abnormal” and “unproductive” behaviour was studied as an individual phenomenon, isolating the individual from society. The intervention is meant to correct an inherent deficit or “abnormality”, thereby leading to “recovery”.

“On the basis of social norms, psychiatry solidified the creation of a normal/abnormal, which is what many experience as stigma today. Psychiatry also enabled the idea of

segregation as safety for communities and societies — and in tracing the legacy we can see that the intention was never to define illness but to protect social order,” a 2020 MHI journal article stated.

In 2017, the MHA in essence dismantled the clinical heritage attached to asylums. As part of Section 19, the government was made responsible for creating opportunities to access less restrictive options for community living — such as halfway homes, sheltered accommodations, rehab homes, and supported accommodation. The Act also discourages using physical restraints (such as chaining), objects to unmodified electro-convulsive therapy (ECT), and pushes for the rights to hygiene, sanitation, food, recreation, privacy, and infrastructure.

Also Read | Insurance firms to comply with mental health Act: HC

Importantly, the Act recognised “people have a capacity of their own — unless proven otherwise,” Fernandes adds. Under Section 5, people are empowered to make “advance directives”. They can nominate a representative for themselves, thereby potentially helping to eliminate absolute forms of guardianship in favour of supported decision-making. This is barring cases where the person needs a higher degree of care and support (even then the admission is done for a limited period, Ms. Fernandes notes).

Experts note this was the first time a psychosocial approach to mental healthcare was adopted. The Act acknowledged that environmental factors — such as income, social status, and education — impact mental well-being, and therefore, recovery needs a psychiatric as well a social input. “The Act has shifted from providing only treatment to centring the rights and the will of the person,” Mangala, a project officer at MHI, notes. “Earlier it was treatment, but now it is more in terms of care.”

What are the challenges to implementation?

While the MHA safeguards the rights of people in mental healthcare establishments, enforcement challenges remain. Almost 36.25% of residential service users at state psychiatric facilities were found to be living for one year or more in these facilities, according to a 2018 report by the Hans Foundation. Experts note three main reasons: non-compliance to MHA regulations, absence of community-based services, and social stigma that looks at a person with mental illness as a “criminal” deserving of incarceration.

Under the MHA, all States are required to establish a State Mental Health Authority and Mental Health Review Boards (MHRBs) – bodies that can further draft standards for mental healthcare institutes, oversee their functioning and ensure they comply with the Act. Ms. Fernandes notes that in a majority of the States, “these bodies are yet to be established or remain defunct...Further, many States have not notified minimum standards which are meant to ensure the quality of MHEs.”

The absence of MHRBs renders people unable to exercise rights or seek redressal in case of rights violations. In September 2022, the Bombay High Court responded to a plea stating that mental healthcare institutes “do not routinely assess the condition of patients to ascertain if they can be discharged.” It results in cases where people “languish” in mental hospitals for decades, if not years, the plea said. In a separate order in December, the Court subsequently noted the “regrettable state of affairs.” The Court was informed that the State Mental Health Authority – which was required to meet at least four times every year under Section 56, had remained inactive until August 2022. The Court further reprimanded the government for its failure to implement the Act.

Ms. Sridhar of MHI notes that the Act takes on a human rights lens by shifting the obligation of care onto different stakeholders — including caregivers, government institutions, police officials, and mental health practitioners. Poor budgetary allocation and utilization of funds further create a scenario where shelter homes remain underequipped, establishments are understaffed, and professionals and service providers are not adequately trained to deliver mental healthcare, she added.

While the Act says a person can walk out if they are recovered, in practice, people still need somebody— a caregiver or the state -- to take them out. People are either put in these establishments by families or through the police and judiciary. In many cases, families refuse to take them because of the stigma attached to incarceration or the idea that the person is no longer functional in society. Gender discrimination plays a role here: women are more likely to be abandoned due to “family disruption, marital discords and violence in intimate relationships,” according to a study. Many long-term patients at mental healthcare institutions, especially women have no place to go -- families do not want them back and some are even asked to stay on at the institution as they do not want to go back. Moreover, 55.4% of people who lived in mental healthcare facilities were referred to by the police or magistrates –most people have histories of homelessness, poverty, and a lack of education— and they thus have no place to go after recovery.

Also Read | ‘Housing is important in rehabilitating mentally ill people’

While Section 19 recognises the right of people to “live in, be part of, and not be segregated from society,” there have been no concrete efforts towards implementation, according to Ms. Fernandes. The dearth of alternative community-based services -- in the form of homes for assisted or independent living, community-based mental healthcare services, and socio-economic opportunities – further complicates access to rehabilitation. In 2021, a petition was filed before the Supreme Court challenging the rehabilitation of persons from long-stay mental health establishments into beggar homes or custodial homes in Maharashtra. The plea was in relation to the Maharashtra government shifting 190 patients – who had no family to return to –to beggar homes, women shelter homes, and age-old homes as a way to “rehabilitate” them in society. The Court subsequently ordered for this practice to be discontinued since it violates

MHA, 2017, and that the people be transitioned into community-based rehabilitation facilities instead. States have begun experimenting with this model of reintegration and recovery: Chennai's Institute of Mental Health launched five halfway home, in collaboration with an NGO and managed by the District Mental Health Programme in October 2021, where people can access the confidence and skills needed to manage themselves outside a structured institution. Kerala has also started half-way homes and community living centres, providing rehabilitation to people who are abandoned by family members, who don't wish to return to their families, who have no memory of their families, and those who have mental disabilities and are unable to work.

In the absence of rehabilitation, institutions are the only spaces available for many persons living with mental illness. According to Jasmine Kalha, a research fellow at CMHL&P, "this is not the first time NHRC reports have highlighted various challenges and human rights violations within these institutions yet nothing changes on the ground... the real question is where do we go from here- why aren't we implementing rights and recovery-based approaches to change attitudes and practices on the ground?"

एनएचआरसी ने सीएस को दिया चार सप्ताह के अंदर रिपोर्ट दाखिल करने का निर्देश

जासं, भुवनेश्वर: कोरापुट जिले के पटांगी प्रखंड के सामुलू पांगी अपनी पत्नी के शव को कंधे पर रखकर ढोने की घटना में राज्य सरकार को 4 सप्ताह के अन्दर ऐक्शन रिपोर्ट दाखिल करने के लिए राष्ट्रीय मानवाधिकार आयोग (एनएचआरसी) ने निर्देश दिया है। राष्ट्रीय मानवाधिकार आयोग ने राज्य के मुख्य सचिव को चार सप्ताह के भीतर इस मामले में कार्रवाई रिपोर्ट दाखिल करने का निर्देश दिया है। वरिष्ठ अधिवक्ता और मानवाधिकार कार्यकर्ता राधाकांत त्रिपाठी ने इस मामले में एनएचआरसी का ध्यान आकर्षित करने के साथ ही कहा है कि यह मानवाधिकारों का स्पष्ट उल्लंघन है। आयोग ने उनकी याचिका को स्वीकार करते हुए राज्य सरकार से रिपोर्ट मांगी है। राधाकांत ने याचिका में दलील दी है कि सामुलू को अपने जन्म स्थान वाले क्षेत्र में मेडिकल की कमी, आन्ध्रप्रदेश के अस्पताल में उपेक्षापूर्ण व्यवहार तथा पुलिस की भाषा न समझ पाने के कारण सामुलू को परेशानी उठानी पड़ी। सामुलू की असुविधा में सरकार

पत्नी का शव कंधा पर लेकर चलना का मामला

उसके लिए जरूरी इंतजाम करने में नाकाम रही है। सामुलू पेट पालने के लिए मजदूरी करता है। श्रम कानून ठीक से कार्य नहीं कर रहा है, जिसके लिए सामुलू को परेशान होना पड़ा। उल्लेखनीय है कि पटांगी प्रखंड के युवक सामुलू पांगी ने अपनी बीमार पत्नी इडे गुरु को इलाज के लिए पड़ोसी राज्य के विशाखापत्तनम स्थित सांगीवालसा में मौजूद एक अस्पताल में भर्ती कराया। डॉक्टरों ने इडे को यह कहते हुए घर वापस भेज दिया कि उसके बचने की संभावना बहुत कम है। सामुलू अपनी पत्नी को ऑटो रिक्शा किराए पर लेकर घर लौट रहा था, तभी रास्ते में ही उसकी पत्नी की मौत हो गई और ड्राइवर ने उसे रास्ते में ही छोड़ दिया। त्रिपाठी ने याचिका में कहा कि कोई रास्ता नहीं मिलने पर वह अपनी पत्नी के शव को अपने कंधों पर उठाकर घर के लिए निकल पड़े।

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<https://www.ptinews.com/news/national/nhrc-notice-to-delhi-govt-mcd-djb-over-inappropriate-disposal-of-unit-waste-in-drains-in-colony/514767.html>

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<https://www.theweek.in/wire-updates/national/2023/02/15/des43-nhrc-delhi-unit.html>

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It has taken suo motu cognisance of the report that the residents of a block in the Vishnu Garden area in Delhi are facing "extreme difficulty due to the industrial waste being inappropriately disposed of by a jeans dyeing unit in the drains of the colony, which blocks the drains as well as the sewage lines in the residential area".

The sewage water keeps overflowing on the colony's roads. The drinking water has also been contaminated. Several complaints have been made by the residents to the civic authorities but no action has been taken, the statement said.

Accordingly, the Commission has issued notices to the chief secretary, government of Delhi, the commissioner of the Municipal Corporation of Delhi (MCD) and the chief executive officer, Delhi Jal Board (DJB), and sought detailed reports within four weeks, it said.

The NHRC has called for a report from the Delhi Pollution Control Committee (DPCC) regarding action taken by it against the industrial unit responsible for causing pollution in the area, it added.

Issuing the notices, the Commission has further observed that the interest of the general public in Article 19(5) of the Constitution is a comprehensive expression comprising several issues which affect public welfare, public convenience, public order, health, safety, etc. all intended to achieve the socio-economic justice of the people, the statement said.

The expression of life, enshrined in Article 21 of the Constitution, has a much wider meaning, which includes the right to livelihood, better standard of living and hygienic conditions while living at home or in the working place. Therefore, it is the bounden duty of the state to protect the above rights of the citizens in the discharge of its constitutional obligation in the larger public interest, it said.

NHRC notice to Delhi Govt, MCD, DJB for improper disposal of unit waste in drains in colony News Jani

<https://newsjani.com/national/nhrc-notice-to-delhi-govt-mcd-djb-for-improper-disposal-of-unit-waste-in-drains-in-colony-news-jani/>

NHRC notice to Delhi Govt, MCD, DJB for 'improper disposal' of unit waste in drains in colony

The NHRC has issued notices to the Delhi government, the city's municipal corporation and the water board over reports that some residents of the Vishnu Garden area were "improperly disposing" of industrial waste into the drains of the colony by a unit. It is very difficult due to , officials said Wednesday.

The National Human Rights Commission (NHRC) said in a statement that the content of a media report, if true, amounts to a violation of human rights that affects people's health.

It took personal notice of a report that residents of a block in Delhi's Vishnu Garden area were facing "extreme hardship due to improper disposal of industrial waste by a jeans dyeing unit in the drains of the colony." is, which blocks drains as well as sewer lines in residential areas".

Sewage water is flowing on the streets of the colony. Drinking water has also been contaminated. The statement said that several complaints have been made by the residents to the civic authorities but no action has been taken.

Accordingly, the Commission has issued notices to Chief Secretary, Government of Delhi, Commissioner of Municipal Corporation of Delhi (MCD) and Chief Executive Officer, Delhi Jal Board (DJB) and sought a detailed report within four weeks. . .

It added that the NHRC has sought a report from the Delhi Pollution Control Committee (DPCC) on the action taken against the industrial unit responsible for polluting the area.

While issuing the notice, the Commission further observed that the interest of the general public in Article 19(5) of the Constitution is a comprehensive expression which includes several issues affecting public welfare, public convenience, public order, health, safety etc. do The statement said that its objective is to achieve socio-economic justice of the people.

The expression of life in Article 21 of the Constitution has a very broad meaning, which includes the right to livelihood, better quality of life and hygienic conditions at home or at work. Therefore, it is the bounden duty of the State to protect the above mentioned rights of the citizens while discharging its constitutional responsibility in the larger public interest.

NHRC notice to Delhi govt, MCD, DJB over 'inappropriate disposal' of unit waste in drains in colony

<https://www.nationalheraldindia.com/national/nhrc-notice-to-delhi-govt-mcd-djb-over-inappropriate-disposal-of-unit-waste-in-drains-in-colony>

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