

## मणिपुर में हिंसा पर अपनी टीम भेज सकता है राष्ट्रीय मानवाधिकार आयोग

इफ़तः राष्ट्रीय मानवाधिकार को मणिपुर सरकार से हाल की हिंसा की घटनाओं को लेकर रिपोर्ट मिल गई है। आयोग ने मानवाधिकार उल्लंघन के मामलों को गंभीरता से लेते हुए खुद से संज्ञान लिया था और मणिपुर को जुलाई में नोटिस जारी किया था। इसमें आयोग ने महिलाओं के साथ अमानवीय घटनाओं को लेकर जवाब तलब किया था। मानवाधिकार आयोग के अध्यक्ष जस्टिस अरूण कुमार मिश्रा ने भास्कर को बताया कि राज्य सरकार से दो दिन पहले रिपोर्ट मिली है। यह पूछने पर कि क्या आयोग की टीम मणिपुर में हिंसा प्रभावित क्षेत्रों का दौरा कर स्थिति का मौके पर जायजा लेगी।

## स्कूल में पिटाई से आहत कक्षा सात के छात्र ने की आत्महत्या

बबराला (संभल)। गांव कैल के एक पब्लिक स्कूल में पिटाई से आहत कक्षा सात के छात्र दानवीर (14) ने आत्महत्या कर ली। उसका शव घर में बनी पशुशाला में फंदे पर लटका मिला।



दानवीर। फाइल फोटो



छात्र के पिता की तहरीर के आधार पर रिपोर्ट दर्ज की जा रही है। आरोपों की जांच करके आगे की कार्रवाई की जाएगी। - आलोक सिद्ध, सीओ गुन्नौर

दानवीर के पिता भूरे सिंह का आरोप है कि सोमवार को स्कूल के प्रधानाध्यापक, एक शिक्षक और बेटे के साथ पढ़ने वाली एक छात्रा के पिता उनके घर आए। ये तीनों दानवीर को जबरन बाइक पर बैठाकर स्कूल ले गए। ऐसा देख दानवीर की मां पीछे-पीछे स्कूल पहुंच गई। स्कूल में तीनों ने दानवीर की पिटाई की। स्कूल पहुंची मां ने मिन्नत करके दानवीर को उन लोगों के कब्जे से छुड़ाया और घर ले आई।

मां दानवीर को घर छोड़कर मंदिर चली गई। वापस आई तो पशुशाला में प्लास्टिक की रस्सी से बंधे फंदे पर

उसका शव लटका मिला। पिता भूरे सिंह का कहना है कि स्कूल में पिटाई से आहत होकर बेटे ने खुदकुशी की है। उन्होंने प्रधानाध्यापक, एक शिक्षक और बेटे के साथ पढ़ने वाली छात्रा के पिता के विरुद्ध गुन्नौर थाने में तहरीर दी है। वहीं, प्रधानाध्यापक ने छात्र की पिटाई करने से इन्कार किया है। उनका कहना है कि दानवीर ने साथ पढ़ने वाली छात्रा के बैग में एक पत्र रख दिया था। इससे नाराज छात्रा के पिता स्कूल में शिकायत करने आए। छात्रा के पिता ने दानवीर को पीटने का प्रयास किया। उन्होंने और शिक्षक ने दानवीर को उनकी पिटाई से बचाकर मां के हवाले कर दिया। संवाद

## शिक्षकों के आंदोलन से बच्चों की पढ़ाई बाधित, एनएचआरसी में मामला दायर

संस, कटक: राज्य में चलने न होने के चलते सितंबर 8 तारीख वाली शिक्षक आंदोलन के चलते से पूरे राज्य भर में पढ़ाई बाधित है।

लाखों छात्र-छात्राओं का भविष्य

बिगड़ रहा है । यह

दर्शाते हुए राष्ट्रीय

मानवाधिकार आयोग

यानी एनएचआरसी

में एक याचिका दायर

की गई है । 'न्याय के

लिए लड़ाई' संगठन

के राज्य अध्यक्ष सुब्रत

कुमार दास की ओर

से यह याचिका दायर

की गई है । जिसमें यह

दर्शाया गया है कि राज्य

के लगभग 1 लाख

30 हजार प्राथमिक

शिक्षक और शिक्षिका

पीछले कुछ दिनों से

आंदोलन कर रहे हैं।

राज्य सरकार के पास 5

दफाओं वाली मांगों को

लेकर वह आंदोलन छेड़े

हुए हैं । यह मांगे पूरा

# भास्कर खास • मानवाधिकार उल्लंघन के मामलों पर आयोग ने खुद संज्ञान लिया था मणिपुर सरकार ने मानवाधिकार आयोग को रिपोर्ट भेजी, अब जांच टीम भेजने पर विचार : जस्टिस मिश्रा

भास्कर न्यूज़ | नई दिल्ली

राष्ट्रीय मानवाधिकार आयोग को मणिपुर सरकार से हाल की हिंसा की घटनाओं को लेकर रिपोर्ट मिल गई है। आयोग ने मानवाधिकार उल्लंघन के मामलों को गंभीरता से लेते हुए खुद संज्ञान लिया था और मणिपुर सरकार को जुलाई में नोटिस जारी किया था। इसमें आयोग ने मीडिया रिपोर्टों के हवाले से महिलाओं के साथ अमानवीय घटनाओं को लेकर जवाब तलब किया था।

आयोग के अध्यक्ष जस्टिस अरुण कुमार मिश्रा ने भास्कर को बताया कि दो दिन पहले रिपोर्ट मिली



## असहिष्णुता का सवाल

असहिष्णुता के मामलों पर उठाए जा रहे सवालों के बारे में जस्टिस मिश्रा ने कहा कि नस्लीय हिंसा का जहाँ तक सवाल है भारत में स्थिति कई ऐसे देशों से बेहतर है। यहाँ ऐसा नहीं होता कि एक नस्लीय हिंसा पर पूरे देश में माहौल बिगड़ जाए। हमने अमेरिका से जर्मनी और फ्रांस तक में नस्लीय हिंसा की तस्वीरें देखी हैं। उन्होंने कहा, देश में होने वाली हर पुलिस मुठभेड़ के मामले पर मानवाधिकार आयोग की नजर है।

है। इस पर बारीकी से गौर करने के बाद आयोग आगे की कार्रवाई तय करेगा। जरूरत पड़ी तो जांच भी होगी। यह पूछने पर कि क्या आयोग की टीम मणिपुर में हिंसा प्रभावित

क्षेत्रों का दौरा कर स्थिति जायजा लेगी, जस्टिस मिश्रा ने कहा कि अभी राज्य सरकार की रिपोर्ट पर विचार किया जाएगा। जरूरत पड़ी तो टीम भेजी जाएगी।

आयोग की ओर से यह सक्रियता ऐसे समय में दिखाई गई है जब भारत 23 अंतरराष्ट्रीय मानवाधिकार संस्थाओं के सम्मेलन की मेजबानी करने वाला है। दो दिन के इस सम्मेलन का उद्घाटन राष्ट्रपति द्रौपदी मुर्मू 20 सितंबर को करेंगी।

**ये मुद्दे भी प्रमुख:** अंतरराष्ट्रीय सम्मेलन में जलवायु परिवर्तन और पर्यावरण के मानवाधिकारों पर असर को लेकर व्यापक बहस होगी। साथ ही इंटरनेट अपराधों, ड्रग्स के अवैध धंधे, इंटरनेट के जरिए मानव तस्करी, यौन अपराधों और व्यावसायिक दुनिया में हो रहे मानवाधिकार हनन पर भी विचार होगा।

**Bahanaga train mishap**

# NHRC sends reminders to CS, Rly Board chief

**Seeks ATRs within 4 weeks****RAJESH BEHERA**  
■ BHUBANESWAR

The National Human Rights Commission (NHRC) has warned the Odisha Chief Secretary and the Railway Board Chairman for their failure in submission of requisite report related to the Bahanaga train accident in Baleswar district within a period of four weeks.

If the report is not submitted within the stipulated time, the commission would be constrained to invoke its coercive power under the Section 13 of the PHR Act, 1993 calling for the personal appearance of the authorities con-

cerned before the commission, the NHRC said.

Earlier, the NHRC had sought action-taken reports (ATRs) from the Chief Secretary, Railway Board Chairman within a period of four weeks. However, the aforesaid authorities have not submitted any report till date.

The NHRC passed the order acting on a petition filed by lawyer and human rights activist Radhakanta Tripathy. The petitioner stated that the Bahanaga train accident on June 2, 2023 happened due to gross negligence of the Railways. The subsequent violation of human rights of the passengers both dead and alive continues due to lack of appropriate, timely action by the Railways and State administra-

tion.

Tripathy alleged that the rights of deceased and victims are being violated by the State Government and Railways as the authorities have failed to give proper treatment to dead bodies. Fake claimants are coming forward to stake claim and for that reasons, even compensation to the families of the deceased victims are pending. Dead bodies are still lying for disposal.

Requesting for in-depth analysis, independent and impartial investigation of the incident, Tripathy sought for compensation to the family members of the deceased, dignified farewell of the dead bodies and compensation with proper medical care to the injured.



## Wire

### **Rights Orgs, Activists Condemn Permission to NHRC to Host Global Meet Despite Accreditation Deferment**

<https://thewire.in/rights/nhrc-asia-pacific-forum-global-meet-accreditation>

Hosting the 28th bi-annual APF conference at New Delhi on September 20-21 will give the NHRC a fig leaf of international legitimacy to cover up its dismal performance, the organisations said.

New Delhi: Close to 2,000 civil society organisations and individuals have signed a statement condemning the fact that the Asia Pacific Forum has granted the National Human Rights Commission of India permission to host its next conference in Delhi despite the fact that a global alliance of human rights organisations has deferred its accreditation.

In May, reports had noted that the Global Alliance of National Human Rights Institutions had deferred the NHRC's accreditation for the second time since it was first recognised by the international body in 1999, citing lack of diversity in staff and leadership, political interference in appointments, police officers' involvement in investigations of human rights violations, and other reasons

The NHRC India after March 2023, did not have the courage to call for a meeting with civil society members to draw up strategies in partnership with us and has instead used the APF conference to politicise the issue on the sidelines," the note by the 1,877 civil society organisations and individuals says.

Hosting the 28th bi-annual APF conference at New Delhi on September 20-21 will give the NHRC a fig leaf of international legitimacy to cover up its dismal performance, the organisations said.

In their detailed press release the organisations cite the fact that anti-terror laws such as the Unlawful Activities (Protection) Act have been used to target and silence human rights defenders, lawyers, activists and journalists, most prominently in the Elgar Parishad case.

The release also noted the NHRC's role in Manipur.

"In spite of this shocking state of affairs which threatened human rights, it was bound to protect, the NHRC was silent. The NHRC was roused from its slumber to issue notice to the state of Manipur, only after the Supreme Court initiated suo motu action on the complaint of sexual violence against members of the Kuki Zo community. In one of the most serious human rights challenges in recent years which has dimensions of ethnic cleansing, sexual crimes and even possibly crimes against humanity, the response of the NHRC (belated and weak) has been nothing short of an abdication of its constitutional and legal responsibility."

Among other situations when it has been silent are when "the state has deployed bulldozers to destroy the homes of Muslim minorities as well as dissenters in total violation of the rule of law" in Uttar Pradesh, Madhya Pradesh, Delhi and Haryana, they said.

The NHRC has also been silent with respect to the rise in vigilante crimes against the Muslim minority happening with “a sickening regularity throughout India,” the organisations further said, noting also its silence when human rights defenders like Teesta Setalvad and journalists like Khurram Parvez were arrested.

“When NHRC’s own former Special Monitor Mr. Harsh Mandar was targeted by the government, the NHRC has decided to remain a silent spectator,” it said. Damningly, it added, “Not in a single case related to journalists which were before the High Courts or the Supreme Court did the NHRC ever in the recent past deem it pertinent to follow APF’s own action plan for protection of Human Rights Defenders of March 2022. The instances can be multiplied, but the simple point is that the NHRC is a silent spectator to the wilful destruction of both human rights and the rule of law in India today.”

The APF conference will be an opportunity to further whitewash the sins of omission of the NHRC on a global stage, the organisation said.

“India is the only country globally which has over 170 national and state thematic human rights institutions and we in civil society are deeply concerned that the hosting of this conference will provide legitimacy to an institution which sees itself as wanting to be a show piece to the external world rather than being the soul of protecting human rights in India,” they observed.

They added that the NHRC should meet the mandate conferred by the Protection of Human Rights Act as well as the Paris principles. “We also call upon APF and all chairperson members of NHRIs to see through the politicization of this APF conference by one of your own members whose track record has been extremely poor,” it said, adding that an indicator of its poor track record is the fact that the NHRC has functioned without filling in three key positions for the past nine months. The release is signed by Henri Tiphagne, National Working Secretary of the All India Network of NGOs and Individuals working with National and State Human Rights Institutions (AiNNI).



## Ver dictum

### **Police Disclosures To Media Must Not Consist Of Subjective Opinion Pre-Judging Guilt Of Accused: SC Directs MHA To Frame Guidelines**

<https://www.verdictum.in/court-updates/supreme-court/prepare-a-comprehensive-manual-on-media-briefings-by-police-personnel-supreme-court-to-union-ministry-of-home-affairs-1495374>

The Supreme Court has directed the Union Ministry of Home Affairs to prepare comprehensive guidelines for media briefings by police, and further directed the Directors General of Police to provide their suggestions within a month in consultation with stakeholders, including media organizations and the National Human Rights Commission. The Court held, "It is equally important to emphasise that the nature of the disclosure which is made by the police in the course of media briefings should be objective in nature and should not consist of a subjective opinion pre-judging the guilt of the accused. The guidelines must duly factor in the need to ensure that the disclosure doesnot result in a media trial so as to allow for the pre-judging of the guilt of the accused. Media trials are liable to result in a derailment of justice by impacting upon the evidence which would be adduced and its assessment by the adjudicating authorities."

A three-judge Bench of Chief Justice DY Chandrachud, Justice Pamidighantam Sri Narasimha and Justice Manoj Misra held that, "Bearing in mind the above aspects, we are of the view that the Union Ministry of Home Affairs should prepare a comprehensive manual on media briefings by police personnel." The Court added, "We direct that all the Directors General of Police shall, within a period of one month from the date of this order, communicate to the Union Ministry of Home Affairs their suggestions for the preparation of appropriate guidelines. Thereafter, the Union Ministry of Home Affairs shall proceed to prepare the guidelines after considering the views which have been received from the Directors General of Police and after consulting other stake holders including representative segments of the print and electronic media who may have 10 suggestions on the issue. Organisations representing the print and electronic media should also be consulted."

In this batch of cases, two significant issues were raised: the procedure for police investigation in police encounters, and the propriety and procedure of police personnel's media briefings during ongoing criminal investigations, especially in cases of public interest. The Court stated that the first issue regarding police encounters has been addressed in a previous judgment of *People's Union for Civil Liberties v State of Maharashtra*, (2014) 10 SCC 635. The second issue focuses on how police should conduct media briefings during ongoing criminal investigations, given the impact of media reporting on public perception. To address these issues, Senior Advocate Gopal Sankaranarayanan was appointed as Amicus Curiae by the Court and Adocate Shobha Gupta appeared for the Respondents.

The Court noted that a questionnaire was circulated to States and Union Territories, and several responded. Observations were also submitted by the People's Union for Civil Liberties. The Court observed that media reporting on crimes involves the right to free speech and expression, but it must be balanced with considerations such as the right to a fair investigation for the accused and the privacy and dignity of victims or survivors of crimes. The Court added, "While a disclosure by the media of relevant details involves public interest associated with the fundamental right under Article



19(1)(a) of the Constitution, equally, the rights of the accused and of the victims or, as the case may be, survivors of crimes have a direct bearing on the fundamental right to life and personal liberty which is protected by Article 21.”

The Court discussed Explanation to Section 3 of the Contempt of Courts Act 1971, which restricts media reporting on criminal proceedings until specific stages are reached. The Amicus Curiae presented suggestions for guidelines on media briefings by police, including who can brief the media, when it can be done, and what information can be shared. The Court reproduced the questions raised as below: “1. Who can brief the media? 2. At what stage is the briefing done? 3. How much information is to be shared at each stage? 4. What information cannot be shared? 5. Is the information to be shared or conveyed verbally or in writing? 6. What safeguards to be followed (no names of victims, no photos of accused who have to stand Test Identification Parade, no opinions/judgments, no disclosure of line of investigation or technical knowhow, no information in National Security issues) 7. Whether copies of Press Releases are maintained by the police department? 8. Disciplinary action against officers who do not abide by instructions.” The Court stated, “The guidelines of the Union Ministry of Home Affairs were prepared over a decade ago on 1 April 2010. Since then, with the upsurge in the reporting of crime not only in the print media, but in the electronic and social media, it becomes extremely important that there should be a Standard Operating Procedure which balances out the considerations which we have noted above.” The SOP should appoint nodal officers to provide official investigation updates, preventing speculative reporting that could harm public interest, the accused, witnesses, victims, and survivors. The Court said, “There can be no denying the fact that the disclosure of an official version of the investigation would ensure against speculative crime reporting, which may be of a dis-service both to the public interest involved and the interest of the accused, prospective witnesses as well as the victims and survivors of crime.” Additionally, these guidelines should prevent media trials that could disrupt the legal process and evidence assessment. The Court added, “There is, in that sense, a need to have a uniform policy which can be adopted for nominating nodal officers who would be available to share the official version at the stage of investigation, consistent with the need to ensure that the disclosure itself does not derail the course of the investigation.” The Court further stated, “The view point of the National Human Rights Commission shall also be duly taken into consideration.” The Court directed that the Union Ministry of Home Affairs should share the guidelines with relevant parties and the case will be listed again in second week of January 2024.