

NHRC-National Human Rights Online News

The Hindu

Longest internet shutdown in 2023 took place in Manipur amidst human rights violations: Report

<https://www.thehindu.com/sci-tech/technology/longest-internet-shutdown-2023-took-place-manipur-amidst-human-rights-violations-report/article67726259.ece>

India shut down the internet for over 7,000 hours last year, with the longest blackout taking place from May to December amidst ethnic clashes and violence in Manipur, reported Top 10 VPN on January 2.

The country imposed around 30 major internet shutdowns last year, which came at a cost of \$585.4 million and affected 59.1 million people, whilst the right to peaceful protest and press freedom were violated, according to the research.

“As in previous years, these internet outages were highly localized to specific districts, cities and even villages, and tended to be in response to civil unrest, often preemptively,” said Top 10 VPN in its analysis of India’s internet shutdowns.

Social media was shut down for around 144 hours in total, per the report.

“Although social media shutdowns are much less common in India than elsewhere in the world, authorities in the state of Bihar blocked multiple social media platforms in April following clashes during a religious festival,” said Top 10 VPN.

India ranked fifth in terms of the economic loss suffered due to internet shutdowns, while Russia came in first with a cost of \$4.02 billion. Meanwhile, internet shutdowns in Ethiopia, Myanmar, and Iran crossed 10,000 hours each last year.

While Pakistan’s internet was shut down for 259 hours last year, 82.9 million people were affected and the right to peaceful protest was violated, according to the report.

The Hindu

India in constant touch with Israel, Palestine leaders: Ambassador Ruchira Kamboj tells UNGA

<https://www.thehindu.com/news/international/india-in-constant-touch-with-israel-palestine-leaders-ambassador-ruchira-kamboj-tells-unga/article67725889.ece>

India has said that it is in constant touch with the leaders of Israel and Palestine and its “clear and consistent” message since the start of the latest Middle East conflict has been to prevent escalation to ensure continued delivery of humanitarian aid and early restoration of peace and stability.

“The ongoing conflict between Israel and Hamas has led to a large-scale loss of civilian lives, especially women and children and has resulted in an alarming humanitarian crisis,” India’s Permanent Representative to the UN Ambassador Ruchira Kamboj said on January 10 in the UN General Assembly.

“This is clearly unacceptable and we have strongly condemned the death of civilians,” she said. She underlined that India is aware that the immediate trigger was the terror attacks in Israel on October 7, which were shocking and “deserve our unequivocal condemnation. India has a zero-tolerance approach to terrorism. There can be no justification for terrorism and hostage-taking.” Ms. Kamboj said India demands the immediate and unconditional release of those taken hostage.

Ms. Kamboj told the 193-member UNGA that the “leadership of India is in constant touch with the leaders of the region, including those of Israel and Palestine.” “The message that India has conveyed since the start of this conflict is clear and consistent. It is important to prevent escalation to ensure continued delivery of humanitarian aid and to work towards an early restoration of peace and stability. A peaceful resolution of the conflict through dialogue and diplomacy is the only way forward,” she said.

Ms. Kamboj was addressing a General Assembly meeting on Tuesday convened after the U.S. had on December 22, 2023, vetoed an amendment proposed by Russia to a resolution tabled in the Security Council on delivery of humanitarian aid throughout the Gaza strip.

The 15-nation Council had adopted the United Arab Emirates-drafted resolution that demanded scaling up humanitarian assistance throughout Gaza but had not called for a ceasefire. After days of intense negotiations and delays on a vote, the Council had adopted the resolution with 13 votes in favour, none against and abstentions by Russia and the U.S.

An amendment to the resolution proposed by Russia was not approved after the U.S., a permanent member of the Council, cast a veto. This veto triggered the UNGA meeting that was convened on January 9. The UNGA is now required to meet and discuss any

time a veto is cast in the Security Council by any of the five permanent Council members.

India took note of the adoption of the Security Council resolution aimed towards scaling up humanitarian assistance to the people of Gaza and commended UAE's "able leadership" in piloting the text.

India's humanitarian assistance to people of Palestine

Ms. Kamboj said India has voiced its views on the conflict in multilateral fora such as the G20, BRICS and at the Voice of the Global South Summit in November 2023, reiterating its long-standing and principled position on the issue.

India has also called for continued humanitarian aid for the affected population and in this regard, Ms. Kamboj expressed hope that the Security Council resolution adopted in December would aid in enhancing humanitarian assistance. Ms. Kamboj told the General Assembly that India has so far provided 70 tonnes of humanitarian aid, including 16.5 tonnes of medicine and medical supplies in two tranches to the people of Palestine.

India has also provided five million dollars, including the 2.5 million dollars it provided in December to the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). "This will go to support the agency's core programs and services, including education, healthcare, relief and social services provided to Palestinian refugees," she said.

Ms. Kamboj reaffirmed India's firm commitment to achieving a just, peaceful and lasting solution to the Israel-Palestine issue. "We firmly believe that only a two-state solution achieved through direct and meaningful negotiations between both sides on final status issues will deliver an enduring peace that the people of Israel and Palestine desire and deserve."

She said that for this, India urges the parties to de-escalate, eschew violence and work towards creating conditions for an early resumption of direct peace negotiations. Ambassador Robert Wood, Alternate Representative for Special Political Affairs at the U.S. Mission to the UN, said that the adoption of the UNSC resolution had demonstrated Washington's commitment to working with other Council members to speak out on this humanitarian crisis.

"This work supports the direct diplomacy the United States is engaged in to get more humanitarian aid into Gaza and to help get hostages out of Gaza. And it is unfortunate that rather than contributing to the hard work of diplomacy, one permanent member of the Security Council continues to put forward amendments and ideas that are disconnected from the situation on the ground,"

He said, referring to the amendment tabled by Moscow that Washington vetoed.

As member states addressed the plenary, dozens of rabbis demonstrated on the balcony inside the Security Council chambers and disrupted the General Assembly plenary session to demand that the U.S. stop preventing the UN from taking urgent action for an immediate, permanent ceasefire in Gaza.

Led by Rabbis 4 Ceasefire, and co-organised by Jews For Racial & Economic Justice (JFREJ), Jewish Voice for Peace, and IfNotNow, the 36 rabbis recited prayers and excerpts of the UN Declaration of Human Rights, held a memorial service while holding up banners that read 'Biden: The World Says Ceasefire', 'Biden: Stop Vetoing Peace' and 'Biden: Rabbis Demand Ceasefire Now'. "The rabbis were escorted out of the UN building by security," a release said.

Times of India

Govt homeo hosp asked to move to renovated building

<https://timesofindia.indiatimes.com/city/thiruvananthapuram/govt-homeo-hosp-asked-to-move-to-renovated-building/articleshow/106682083.cms>

Thiruvananthapuram: The state human rights commission has asked the government homeo hospital to move to a renovated building as soon as possible and inform it in writing within one month. Acting chairperson of the commission and judicial member K Baijunath gave this order to the secretary of the city corporation.

The municipal secretary informed the commission that the functioning of the hospital has been temporarily shifted to another building and that the renovation of the building has been completed. The secretary also informed that within 15 days the operation of the hospital would be shifted to the renovated building.

The action is based on a complaint filed by human rights activist Ragam Rahim. Chennai mayor asks officials to renovate Otteri old clock tower
Chennai mayor R Priya instructed officials to renovate the dilapidated clock tower located in her ward 74 on Subburaya Street at Otteri.

She also reviewed road laying and expansion work in the ward and checked the progress of stormwater drain construction in Jothi Nagar. The mayor emphasized the importance of removing garbage from roadsides and was accompanied by Greater Chennai Corporation chief engineer (general) S Rajendiran and other officials.

Just Security

Does the US Response to India's Alleged Extraterritorial Assassination Schemes Signal Impunity?

<https://www.justsecurity.org/91136/does-the-us-response-to-indias-alleged-extraterritorial-assassination-schemes-signal-impunity/>

It has been 3 ½ months since Canadian Prime Minister Justin Trudeau issued his explosive allegation that the Indian government assassinated a dissident in Canada in June. It has been almost six weeks since the U.S. Department of Justice alleged that an Indian government employee sought the assassination of another in the United States.

Beyond the criminal indictment of a co-conspirator in the U.S. case and some reported private conversations, the diplomatic response from the Biden administration has been muted. That could be a dark sign of what is to come if global norms against extraterritorial repression of dissidents — and the U.S. role in enforcing respect for human rights — continue to be eroded.

Historically, extraterritorial assassinations have been a tool reserved for the most hardened of authoritarian states — the likes of Russia, Saudi Arabia, and North Korea. Even China, which surveils, harasses, imprisons, and sometimes murders dissidents within its borders, has rarely engaged in targeted killings in foreign countries (though it certainly conducts surveillance, harassment, and occasionally even illegal rendition of Chinese dissidents living abroad).

For a putative democracy to carry out such acts, particularly on the territory of two States with which it has enjoyed close ties, would cross a major threshold, and augers poorly for both the future of India's democracy, and the future of democratic solidarity generally.

If U.S. policymakers fail to respond forcefully to these alleged provocations, in some misguided belief that giving India a pass on such basic questions of democracy and human rights would strengthen America's geopolitical influence, they would be sadly — and perhaps dangerously — mistaken. Instead, it would send a message of impunity to both openly authoritarian States and to any backsliding or supposed democracies, the number of which only continue to grow.

No democracy is perfect, and India's faces a constellation of daunting structural challenges that arguably exceed those of any other democracy, including an enormous population (estimated to be 1.4 billion, 3 ½ times that of the United States) that is very poor (per capita income of around \$2,500 a year) and extremely linguistically and religiously diverse.

Historically, Indian democracy has managed these challenges through a mostly decentralized approach to governance: coalition governments in New Delhi

relied heavily on the political apparatuses of each state to carry out policy. The once-dominant Indian National Congress party (known simply as the “Congress Party” or just “Congress”) sought to avoid encouraging ethnic and religious nationalism. In the last several decades, though, the trend has been towards both greater centralization and more explicitly identitarian politics. That culminated in the rise of the Bharatiya Janata Party (BJP), which in 2014 became the first non-Congress party to win an outright majority of seats in parliament.

The BJP, and its populist leader, Indian Prime Minister Narendra Modi, are outspoken adherents of “Hindutva,” a Hindu nationalist ideology dating back to the colonial period. Hindutva promotes the notion of India as a homeland for Hindus, and casts non-Hindu Indians as interlopers, or in some cases, even invaders.

Hindutva is particularly hostile to India’s large Muslim population, but has also come into conflict with adherents of religions that emerged in India, including Sikhism. Sikhs, who number at least 26 million worldwide, with the majority living in the Indian state of Punjab, practice a religion fully distinct from Islam or Hinduism, and have long feared domination by the Muslim majority in Pakistan and the Hindu majority in India.

Most Sikhs in Punjab are proud and active Indian citizens, although a few are vocal separatists who aspire to establish a state of their own in the parts of India (or India and Pakistan) in which they constitute a majority of the population. Some in the past have even engaged in terrorism in pursuit of this goal, and Sikh terrorists in Canada were responsible for the 1985 bombing of Air India Flight 182 from Montreal to London, which killed 329 people. Governments in New Delhi have long feared and resented Sikh separatism and have worked to suppress it.

Brazen Schemes

But Canada’s Sikh community, which numbers more than 700,000, was shocked in June when Hardeep Singh Nijjar, a prominent activist and proponent of Punjabi separatism via a peaceful referendum, was gunned down outside a Sikh temple in British Columbia.

The shock turned to anger and outrage in September when Trudeau announced that “Canadian security agencies have been actively pursuing credible allegations of a potential link between agents of the Government of India and the killing of a Canadian citizen, Hardeep Singh Nijjar.” Nijjar, who was shot to death on June 18, was viewed as a terrorist by the BJP government in New Delhi, which had sought his arrest and extradition for years.

The international outrage was multiplied in November, when the U.S. Justice Department announced that an Indian national with links to New Delhi had attempted to pay an undercover DEA agent he believed to be an assassin to kill Nijjar’s friend and attorney Gurpatwant Singh Pannun, a dual U.S.-Canadian citizen based in New York City.

Such brazen schemes with obvious implications for India's foreign affairs, if proven, would reveal several things about the disposition of Modi's government, none of them good.

First, it would suggest that the BJP's commitment to Hindutva is not only a cynical ploy to weaponize religious nationalism for electoral benefit, but a true zealotry that can be satisfied only through aggressive or violent confrontation with India's sectarian minorities. This, unfortunately, fits with a rise in ethnic and sectarian nationalism around the world, which has been very effectively weaponized politically by other current and recent illiberal leaders of democratic regimes, including in Israel, Hungary, Poland, Turkey, and even the United States.

The alleged assassination plots also suggest Modi and his government may feel a sense of impunity with respect to relations with the United States, especially in the aftermath of his feting at a White House state dinner on June 22 despite rising concerns about widespread human rights violations in India (and just four days after the Canadian assassination).

Under normal circumstances, the potential blowback in terms of diplomatic and economic consequences, if nothing else, would discourage a government like India's from perpetrating a clandestine killing in the United States or Canada — an operation that would inevitably involve a substantial risk of exposure.

Geopolitics Blurs Lines

Unfortunately, if the allegations are proven, India's brazenness may be somewhat explained by geostrategic realities. India is the largest counterweight to China in the region. It is also a key trading partner of Russia, one on which the latter has relied as it tries to survive a punishing sanctions regime imposed by the United States and its European allies.

At a time when the international community is increasingly characterized by pro-democracy and anti-democracy camps, New Delhi may be gambling that the United States will be unwilling to risk a rift with the world's largest democracy over the human rights of a stateless people with little organized political power in Washington.

Thirdly, the plot is another sign that global norms against extraterritorial assassination are eroding. Russia has for decades used overseas assassination as part of its toolkit for intimidating and silencing critics. Saudi Arabia and Iran have both become more brazen in such efforts, including the former's successful 2018 assassination of Washington Post columnist and permanent U.S. resident Jamal Khashoggi, and the latter's unsuccessful 2023 assassination plot against New York City-based Iranian dissident Masih Alinejad.

In the Khashoggi case, the U.S. government sanctioned 17 Saudis linked to the killing; in the Alinejad case, the Justice Department has charged three men with involvement in a murder-for-hire scheme. But the absence of any major diplomatic fallout for either

country, especially for Saudi Arabia's close ties to the United States, have the second-order effect of making extraterritorial assassination less unthinkable, not only for such outright authoritarian states, but even for other backsliding democracies.

This is one of the many reasons it would be a mistake for U.S. policymakers to minimize or excuse New Delhi's alleged murderous schemes. A perception of U.S. fecklessness would contribute to the erosion of U.S. deterrence generally, making the world more violent and less predictable. Examining the situation through a realist lens, authoritarians the world over would conclude that the United States is too preoccupied with threats to democracy from Russia and China to pay serious attention to threats to democracy from other States.

And through a more idealistic lens, an inevitable conclusion would be that the United States enforces its values on its enemies, but never on its chosen partners, however little they may return the respect. Both of these conclusions would be dangerous. The United States, Canada, and other democratic allies must continue to diligently pursue allegations of extraterritorial rendition, assassination, and repression, regardless of whom is accused of perpetrating them. This includes legal consequences for those directly involved, and U.S. Treasury sanctions or travel bans on those who concoct and attempt to carry out such plots from abroad.

U.S. leaders including President Biden apparently have raised the issue privately with senior Indian officials, including Modi himself, but if the Indian government fails to take clear action to repudiate and punish such offenses and signal that these transgressions are unacceptable, the United States may need to make hard decisions in its diplomatic relations with India to demonstrate that it is serious not only about trade and geopolitics, but also about human rights, democracy, and the rule of law.

These values are not luxuries: they are essential to the international order on which U.S. foreign policy relies, and eroding democratic norms and institutions is a central goal of authoritarians, including those in Beijing. Preserving democracy and human rights in India — and for Indian nationals abroad — is not in tension with U.S. strategic goals in the region. In fact, it is a prerequisite to any sustainable success in the other realms.

Ultimately, government schemes to assassinate their own citizens have a poisonous effect on the relationship between State and citizen, whether the attacks occur domestically or abroad. The survival and solvency of all democracies is jeopardized by state-backed murder and lawlessness, India's included.

Jurist

Teacher arrested in India for allegedly supporting Maoist insurgents

<https://www.jurist.org/news/2024/01/teacher-arrested-in-india-for-allegedly-supporting-maoist-insurgents/>

The police in the Indian state of Chhattisgarh reported Monday the arrest of a schoolteacher on charges of supporting Maoists. The arrest led to protests by the local people, including students. 25-year-old school teacher Ramlal Nureti was arrested in Chhattisgarh after being apprehended from Karekatta village.

The arrest was made based on his alleged involvement in displaying Maoist banners and posters in the area in September of the previous year. Nureti, a guest teacher appointed on a contractual basis at a government primary school, was apprehended by Sitagaon police after investigations and technical evidence confirmed his involvement.

He has been charged under the Chhattisgarh Special Public Security Act 2005 and sent to jail. In response to the arrest, a group of villagers, including school children, staged a protest in front of the police station, demanding Nureti's release. They argue that he is a schoolteacher and not a Naxalite insurgent. The villagers have vowed to continue their demonstration until Nureti is released.

The Maoist, or left-wing extremist, insurgency in India, also known as the Naxalite-Maoist insurgency, originated in the late 1960s to address social and economic inequalities. Inspired by Mao Zedong's ideology, the rebels operate in the "Red Corridor," engaging in guerrilla warfare primarily in states like Chhattisgarh, Jharkhand and Odisha. The conflict involves attacks on security forces, resulting in a significant loss of lives.

The Indian government has responded with military and developmental measures, but challenges persist, including human rights concerns and the need to address underlying socio-economic issues in affected regions. Human Rights Watch (HRW) has also condemned the human rights violations by the rebels.

The Indian government established the Left Wing Extremism (LWE) Division on October 19, 2006, within the Ministry of Home Affairs, to address the Left-Wing Extremist insurgency comprehensively. It executes security-related programs to enhance the capabilities of states affected by LWE.

The division monitors the LWE situation and the countermeasures taken by affected states, coordinating the implementation of development initiatives by various ministries/departments of the Government of India in these states. Chhattisgarh, Jharkhand, Odisha, Bihar, West Bengal, Andhra Pradesh, Telangana, Maharashtra, Madhya Pradesh, and Kerala are recognised as LWE-affected states, albeit to varying extents.

OpenDemocracy

LGBTQ+ asylum seekers 'at risk' if UK declares India and Georgia 'safe'

<https://www.opendemocracy.net/en/5050/uk-asylum-safe-list-lgbtq-rainbow-migration-dangerous/>

The UK government is planning to add India and Georgia to its list of so-called “safe countries” where migrants can be sent, in a move branded “dangerous” for LGBTQ+ people. It would mean people who arrive in Britain could be returned to the countries without having their asylum or human rights claims properly considered in the UK.

Former home secretary Suella Braverman said in November that expanding the government’s ‘safe’ countries list would allow it to “more swiftly remove people with no right to be here and [send] a clear message that if you come here illegally, you cannot stay”.

Legislative changes to the “safe countries” list can be made through the hugely controversial Illegal Migration Act, which passed last year. MPs have the chance to debate the latest change on Wednesday, though only members of the Delegated Legislation Committee are permitted to vote.

In theory, the change could be rejected by the House of Lords at a debate yet to be scheduled – but this is considered unlikely. LGBTQ+ rights group Rainbow Migration told openDemocracy the addition of the two countries was “cruel” given the evidence of widespread human rights abuses in both countries.

Noah*, a gay man who fled homophobic persecution in Georgia, was granted asylum in the UK last month. “No one can know that you are gay in Georgia. If people do, homophobic people will try to attack you,” he told us. He has strong evidence to support his case of past persecution including hospital records documenting injuries, a police report, and a supporting statement from his former employer.

Noah pointed to Georgia’s pride march two years ago that was cancelled after a violent mob attacked activists, journalists and passers-by, leading to the stabbing of a Polish tourist. “They came armed with stones – they were completely uncontrolled,” Tamas Sozashvili, co-founder of Tbilisi Pride, told openDemocracy at the time.

“To be gay in Georgia means that you can only kill yourself or flee,” Noah added, describing how many Georgian families think that LGBTQI+ people need to be exorcised or sent to mental health institutions. Meanwhile, Amara*, an Indian national who claimed asylum in 2022 because of her sexual orientation, fears persecution at the hands of her father, a politician in India. The Home Office has indicated that it is currently considering her case.

Rainbow Migration, which has been working with Amara, says it is “clear” India “cannot be considered safe in this context” for her.

A joint briefing of the Immigration Law Practitioners’ Association (ILPA) and Rainbow Migration points out that the UK government has already recognised both India and Georgia as places that people may flee for their own safety. Seventeen Indians and 14 Georgians were granted refugee status or humanitarian protection in the UK between April 2022 and March 2023.

“Imagine experiencing violence for being LGBTQI+ in your home country and fleeing to the UK hoping to find safety, only to be told that your country is deemed safe for everyone and you’ll be sent straight back,” Leila Zadeh, executive director of Rainbow Migration, told openDemocracy.

“Most of us would welcome LGBTQI+ people who can’t be themselves in other countries and are hoping to rebuild their lives in the UK.” Zoe Bantleman, legal director at ILPA, called the proposed changes to the safe countries list “cruel, unusual and unjustified” and said that they “place the UK at risk of breaching its international legal obligations and further damaging its reputation as a champion of the rule of law and human rights”.

Beyond LGBTQ+ rights, the ILPA and Rainbow Migration briefing also details human rights abuses in both countries against other minorities such as Dalits, poor press freedom and abuse against journalists, and violence against women including forced marriage. It says the government has failed to conduct a clear impact assessment of human rights in the two countries.

A Home Office spokesperson said: “We must stop people making dangerous and illegal journeys to the UK from fundamentally safe countries. “A thorough assessment of India and Georgia was carried out when deciding to add them to the safe countries list.”

Hindustan Times

Bangladesh elections fell short of democratic principles, says Canada

<https://www.hindustantimes.com/world-news/bangladesh-elections-fell-short-of-democratic-principles-says-canada-101704876990878.html>

The Canadian Government has expressed disappointment over the Parliamentary elections in Bangladesh falling “short of the principles of democracy and freedom’ upon which the country was founded. The Canadian Government has expressed disappointment over the Parliamentary elections in Bangladesh falling “short of the principles of democracy and freedom’ upon which the country was founded.

This was stated by Global Affairs Canada or GAC, the country’s foreign ministry, in a release on Tuesday. “Canada expresses its disappointment that this electoral process has fallen short of the principles of democracy and freedom upon which Bangladesh was founded and calls on the relevant authorities to work transparently with all parties to move forward towards democracy, respect of human rights and fundamental freedoms in line with the interests of the people of Bangladesh,” the statement said.

It added, “Fair elections with a viable opposition, independent democratic institutions and freedom of the press are critical to ensuring a strong and healthy democracy.” GAC also condemned “the acts of intimidation and violence that took place ahead and during the elections” while extending “sympathy to all of those who have been affected by the violence that has occurred.”

It said that Canada “commends and supports the democratic aspirations of Bangladeshi citizens.” The elections, results for which were declared on January 7, were criticized by the United States Department of State on Monday. It had said that the US “remains concerned by the arrests of thousands of political opposition members and by reports of irregularities on elections day.”

“The United States shares the view with other observers that these elections were not free or fair and we regret that not all parties participated,” the State Department noted. Bangladesh’s ruling Awami League swept back to power capturing 222 out of 298 seats, a near three-fourth majority.

That will mean that incumbent that Prime Minister Sheikh Hasina will return as Prime Minister of the country for an unprecedented fourth term. The principal opposition Bangladesh Nationalist Party had boycotted the elections.

Oikoumene

Symposium will explore human rights and dignity on the path to peace

<https://www.oikoumene.org/news/symposium-will-explore-human-rights-and-dignity-on-the-path-to-peace>

World Council of Churches general secretary Rev. Prof. Dr Jerry Pillay will speak during the opening high-level segment. The symposium was founded a decade ago by faith-based partners, and aims to foster dialogue on the intricate interplay between religion and international affairs. The programme of the online event will proceed in three sessions, each in a panel discussion with time for audience questions.

The first, “Upholding Human Dignity: Respecting Rights, Flourishing Humanity,” will serve as an introduction to where we are now and where we want to go in relation to the UN and its mandates. It will address the role of faith actors and religious institutions in serving as a moral compass and guide to keeping human dignity at the core of human rights.

The second, “Gender Equality, Peace, and Eradicating Violence,” will serve as a space for understanding interlinkages between the state of violence and conflict, its impact on gender equality, and how we can build a more just and peaceful world.

The third, “Key Learnings for a Just, Peaceable, and Inclusive Future,” serves as the learning and hearing section of the symposium on practical experiences from different levels—grassroots, national, regional, multi-regional, and international. This session also contributes to the Summit of the Future and an elaboration of the UN Pact for the Future.

The symposium is sponsored by the World Council of Churches, ACT Alliance, General Board of Church and Society of the United Methodist Church, Islamic Relief, Religions for Peace, Seventh-Day Adventist Church, Soka Gakkai International, United Religions Initiative, and in partnership with UN Women, UNFPA, and the UN Office on the Prevention of Genocide and the UN Inter-agency Task Force on Religion and Development.

One-Sided Bangladesh Election Raises Fear of One-Party Rule

<https://www.voanews.com/a/one-sided-bangladesh-election-raises-fear-of-one-party-rule-/7433199.html>

Despite assurances from a group of international observers that Bangladesh's January 7 election was "free, fair and peaceful," officials from several countries have expressed doubts over the credibility of the results. Bangladesh held its 12th parliamentary elections Sunday, with incumbent Prime Minister Sheikh Hasina's Awami League winning a fourth consecutive term. But many political parties, including the Bangladesh Nationalist Party, or BNP, the main opposition, boycotted the election.

The months before the vote were marred by protests that sometimes resulted in violence. A crackdown on opposition activists saw tens of thousands jailed. A group of international observers invited by Bangladesh's Election Commission that included former U.S. Congressman Jim Bates visited several polling centers in Dhaka as voters cast their ballots. At a press conference after polls closed, they issued glowing assessments of the vote.

"I'd like to say it's a free and fair election already," Bates said before results were announced. But a U.S. State Department spokesperson told VOA in an email that "The United States Government did not field an observation team for the 2024 Bangladesh Parliamentary elections. The individuals in question were acting as private citizens. ... Their comments do not represent the views of the U.S. government."

Instead, the United States, United Kingdom, and the United Nations released statements expressing concerns about the democratic process in general and the human rights situation. "The United States shares the view with other observers that these elections were not free or fair and we regret that not all parties participated," Mathew Miller, a U.S. State Department spokesperson said in a statement. "The United States condemns violence that took place during elections and in the months leading up to it."

"Respect for human rights, rule of law and due process are essential elements of the democratic process," the United Kingdom's Foreign, Commonwealth and Development Office said in the statement. "These standards were not consistently met during the election period."

U.N. human rights chief Volker Türk noted, "In the months leading up to the vote, thousands of opposition supporters have been detained arbitrarily or subjected to intimidation. Such tactics are not conducive to a truly genuine process." Türk also urged the Bangladeshi government to create conditions for truly inclusive democracy.

While the Western democratic states and international organizations were largely critical of the election, some countries, including China, Russia and India, were quick to congratulate Hasina. The Chinese envoy in Bangladesh was the first to congratulate Hasina. Indian Prime Minister Narendra Modi called to applaud her victory and expressed hope for continued close ties with its neighbor.

"Spoke to Prime Minister Sheikh Hasina and congratulated her on her victory for the fourth consecutive term in the parliamentary elections. ... We are committed to further strengthen our enduring and people-centric partnership with Bangladesh," the Indian prime minister posted on X.

Boycott results in low turnout

The opposition coalition demanded the resignation of the government ahead of the election and the appointment of an interim, nonpartisan government. When the Hasina government refused, the BNP announced a non-cooperation movement against the government, urging the people not to cooperate with the government or participate in the election.

Official figures provided by the Election Commission show voter turnout at 41.8%. However, the credibility of this figure has been questioned by a wide range of international media, observers, human rights organizations, and even by a section of those who contested in the election.

One reason for suspicion is an unusual jump in the turnout numbers. The Election Commission secretary estimated turnout at 27.15% an hour before polls closed. But the final figure provided by the commission was 41.8%. Opponents say the claim that more than one-third more votes were cast in the final hour of voting put the official figure in serious doubt. In 2018 elections, the voter turnout stood at more than 80%.

One-party rule

Among the 298 officially announced results, 280 seats are secured by the ruling Awami League and so-called independent candidates who are Awami League members. As a result, 94% of the parliament seats will be filled by lawmakers who are members of the ruling party. Of the 27 parties who fielded candidates in the election, 23 failed to secure a single seat.

G.M. Qader, chairman of the Jatiya Party, which managed to win 11 seats, told a local TV station the elections were held under government control. "Whoever the government wanted to win, won," Qader said. "I believe this election will not gain credibility."

Professor Ali Riaz, a political analyst at Illinois State University, said in a recent podcast on Global News that Bangladesh is heading toward one-party rule with Awami League holding power and the other parties constituting the opposition in the parliament with the support of the ruling party.

Prime Minister Hasina on two recent occasions referred to the BNP as a terrorist organization, leading to speculation among political analysts and activists that the new government may ban the BNP from politics.

Hindustan Times

Republic Day 2024: All-women contingent of Delhi Police to participate in parade

<https://www.hindustantimes.com/india-news/republic-day-2024-all-women-contingent-of-delhi-police-to-participate-in-parade-101704845467937.html>

This will be the first time in the history of the force when the marching contingent will comprise only women personnel. To provide a fillip to gender equality and women empowerment, the Delhi Police will have an all-women contingent marching down the Kartavya Path during the 75th Republic Day parade on January 26, officials said on Tuesday.

This will be the first time in the history of the force when the marching contingent will comprise only women personnel, they said, adding that 80 per cent of the participants this year are from the northeastern states. According to Delhi Police, it has a policy of recruiting people from the eight northeastern states to "bridge the gap" between the police and the people from that region.

A woman IPS officer, Shweta K Sugathan, will lead the marching contingent of 194 female head constables and constables of the force, an officer said. The participants practice daily at the Kartavya Path, he added. According to Special Commissioner of Police (Armed Police) Robin Hibu, all the participants are taking part in the parade for the first time and are "very excited".

"The marching contingent has been selected from the armed unit of our force and a majority of them are from the northeastern states," Hibu said, adding they will represent the people from the northeast in the Delhi Police. Hibu said the Delhi Police has added another feather in its cap this year as the women's pipe band will be led by a female officer -- constable Ruyangunuo Kense.

This band comprising 135 head constables and constables will play the "Delhi Police Song", he added. Last year, a female dedicated pipe band was inducted in the parade, but it was led by a male inspector, Rajender Singh.

Another officer said the all-women marching contingent will "definitely be a centre of attraction" during the parade. The defence ministry had last year asked all the forces, state governments and departments participating in the Republic Day parade to have women participants in their contingents, bands and tableaux.

The Delhi Police's marching contingent has a unique distinction of participating in every Republic Day parade ever since India became a Republic on January 26, 1950, officials said. It has been adjudged the best marching contingent 15 times -- the last being 2021. Its motto is "Shanti, Seva aur Nyaya", meaning "Peace, Service and Justice".

Times of India

Stepping up screening for cervical cancer in India: Every woman's right

<https://m.timesofindia.com/life-style/health-fitness/health-news/stepping-up-screening-for-cervical-cancer-in-india-every-womans-right/articleshow/106687181.cms>

India is home to over 500 million women and girls who are at risk of cervical cancer. More than 120,000 women are diagnosed with the disease each year across India, with 8,000 of these cases reported in my state of Maharashtra. Around 77,000 women die from the disease annually in India – the country has the highest burden of cervical cancer in Asia.

Yet, cervical cancer is preventable and curable, if detected early. However, this relies on women and girls having access to effective screening and human papillomavirus (HPV) vaccination services, as most cases are caused by infection with HPV. The growing burden of cervical cancer in India represents a major inequity that desperately needs correcting, to protect women and communities from the devastating effects of this disease.

We know how to eliminate cervical cancer as a public health problem. The elimination strategy of the World Health Organization outlines a clear pathway, with “90-70-90” targets for vaccination, screening and treatment to achieve this goal. Achieving elimination will require 90% of girls to be fully vaccinated with the HPV vaccine by the age of 15, and 70% of women to be screened using a high-performance test by the age of 35, and again by the age of 45.

Eliminating the disease will also require 90% of women with pre-cancer to be treated and 90% of women with invasive cancer to have their cases managed. Cervical cancer is preventable through screening and vaccination. Cervical cancer in India: Here are the reasons behind the rise of the disease

Yet, millions of women in India are being left at the risk of the disease. We need to do more to make sure every woman has access to screening services and step up our efforts to eliminate the disease. Access to screening for cervical cancer should be a basic right, one which will improve the health and wellbeing of women across India.

India is committed to achieving the elimination of cervical cancer and is strengthening all levels of cancer care. The National Technical Advisory Group on Immunization (NTAGI), India's apex technical advisory body, has recommended the inclusion of HPV vaccines in the country's Universal Immunisation Programme.

India has also developed its own indigenous and affordable HPV vaccine, offering greater accessibility to vaccination across the country. Women are being screened for cervical cancer across healthcare facilities. However, coverage of screening services

remains low- less than 2% of women aged 30-49 years in the country have ever undergone cervical cancer screening. While the HPV vaccine will prevent girls from developing cervical cancer in the future, we must step up our efforts to protect the women of today through early screening and linkage to treatment.

Recently, at a policy consultation organized by FIND, a non-profit organization dedicated to enabling equitable access to diagnosis, I heard the story of a cervical cancer survivor whose harrowing journey and courageous battle against the disease highlighted the devastation that cervical cancer can wreak.

Every woman in India should have access to screening for the disease, as a basic right, so stories like these can be relegated to the past. Screening for cervical cancer empowers women to take control of their health, and seek the help they may need earlier, sparing them and their families from unnecessary suffering. However,

challenges around cervical cancer screening are preventing women from accessing these life-saving screening programs. The foremost is women not prioritizing their own health! It is not easy for a woman to speak about her private organs and much of it is considered taboo. Further, women, particularly those living in rural areas, may not always have easy access to screening programmes.

Tackling the stigma around the disease is also an immense challenge. This requires a transformation in the social mindset and hence, creating awareness is necessary. The government must make elimination of cervical cancer a part of their advertisements. Elimination of cervical cancer is certainly not an impossible endeavor.

Moving forward, we need to adopt a holistic approach to cervical cancer screening and elimination that focuses on making screening accessible and acceptable to women. This can only be achieved through a collaborative, system-wide approach, which brings together clinicians, researchers, the public and private health sector, policymakers and civil society organizations to tackle the persistent barriers to cervical cancer screening.

We need to prioritize and incentivize programmes, funding and infrastructure for screening, vaccination and treatment as part of a robust cervical cancer elimination strategy. In all of this, we must centre women and consider what tools and strategies can provide the services women need, where they need it.

In this context, innovative approaches – such as allowing women to take their own samples for HPV through self-sampling – can empower women and ensure that more women are screened and diagnosed in time, on their own terms. We owe it to the women of India to make cervical cancer screening easy and accessible. Cervical cancer affects women at their most productive time in life and the consequences can be deadly.

We need to ensure that every woman realizes that her health is a priority and provide them with the health services to protect their wellbeing for themselves, their children,

and family. Eliminating cervical cancer in India is both necessary and possible. Now is the time for us to step up our efforts to diagnose, prevent and treat cervical cancer – doing so will save countless lives and help women across India prosper.

Live Law

Karnataka High Court Strikes Down 100% Reservation For Women In Recruitment To Cadre Of 'Nursing Officers' In Military

<https://www.livelaw.in/high-court/karnataka-high-court/karnataka-high-court-rules-woman-reservation-indian-military-nursing-services-ordinance-unconstitutional-gender-discrimination-nursing-officers-246349>

The Karnataka High Court has struck down the expression "if woman" found in Section 6 of the Indian Military Nursing Services Ordinance, 1943 as unconstitutional. By this expression, 100 percent recruitment was reserved for women in the cadre of 'nursing officers'. A Single judge bench of Justice Ananth Ramanath Hegde sitting at Dharwad partly allowed the plea filed by Sanjay M Peerapur and said "Women are justifiably considered to be a separate class under the Constitution.

However, it does not mean that there can be hundred percent reservations in employment for women to the exclusion of all others when the classification is solely based on the sex without having any rational nexus to the object sought to be achieved.

The Court held that the law which provided exclusive reservations without any intelligible differentia which had a nexus to the object sought to be achieved, violated the Constitutional guarantee under Article 14 and Article 16 (2) of the Constitution of India and would not fall within the ambit of Article 15(3). The petitioners had sought to strike down Section 6 of the Indian Military Nursing Services Ordinance, 1943.

Section 6 reads thus: Eligibility for appointment -(1) Any citizen of India, if a woman and above the age of 21, shall be eligible for appointment as an officer in the Indian Military Nursing Services, and, if she satisfies the prescribed conditions, may be appointed thereto in the manner laid down in section 5. It was contended that in a matter of public employment, Article 15(3) had no role to play and employment under the State was entirely governed by Article 16 read with Article 14 of the Constitution of India.

Further, it was argued that the classification based on gender in Section 6 of the Ordinance, 1943 did not pass the twin test of reasonable classification and rational nexus between the differentia and the object sought to be achieved. Petitioners argued that Section 6 of the Ordinance, 1943 was a temporary measure to overcome the emergency prevailing then, and the same had no relevance in today's context and did not conform to part III of the Constitution of India.

The respondents opposed the plea stating that exclusive reservation for women was provided to fill up the contingent temporary vacancy that may arise when male nursing officers working in hospitals (who are recruited under a separate recruitment process), would be deployed to attend to the soldiers during the war (during the 1940s).

Moreover, it was submitted that an exclusive reservation was also provided for men to be employed as nursing officers under a separate recruitment process, and as such, in practice there was no discrimination based on gender, and equality was ensured.

Further, it was said that the Ordinance, 1943 would be protected under Article 33 of the Constitution of India, and that in a matter concerning employees in the armed forces, there can be restriction or abrogation of any of the rights under Part III of the Constitution of India. It was added that petitioners had not questioned the law providing hundred per cent reservations for men to the similar post of nursing officers.

The bench noted that Article 14 of the Constitution of India provided for equality before the law and equal protection of laws within India. Among other Articles in the Constitution, Articles 15 and 16, (relevant for discussion) are the enabling provisions to achieve the goal set out in Article 14, it observed. It was further noted that the segregation of unequals to provide protection or accommodation or to confer some advantage on the marginalised section of society was not only desirable but also a constitutional imperative.

The bench cautioned that such an obligation had certain limitations as the classification must pass the well-established twin test. It added, "Under Article 15(3) of the Constitution of India, women and children are indeed treated as a separate class and the State is enabled under Article 15(3) of the Constitution of India to make special provisions for the benefit of women and children." Referring to the Apex court judgment in the case of *Indra Sawhney vs Union of India* – AIR 1993 SC 477, the court said that it was evident that in a matter relating to public employment, Article 16(2) governs the field, and Article 15(3) cannot override Article 16(2).

It also noted that there may be circumstances where the very nature or place of work, or the persons for whom the work is done required only women to be employed, such as while recruiting employees in girls' or ladies' hostels, or any institution exclusively meant for women. The court further said that in the case on hand, no such justification was claimed and that nursing officers appointed under Ordinance 1943, were not required to discharge the duty in a hospital exclusively meant for women and it was not anyone's case that the work is such that it can be done by only women and not by men.

Rejecting the contention that similar laws were available to men, the Court said: "There is no guarantee that the recruitment will take place simultaneously. Not going for recruitment under one Ordinance or law, when the recruitment takes place under another Ordinance or law, and if a particular sex is disqualified to apply for the post, then it results in denial of an equal opportunity in employment guaranteed under Article 16 of the Constitution."

It added, "Thus, the contention that the violation complained in view of exclusive reservation for women in Ordinance, 1943 is compensated by exclusive reservations provided for men in another law, in practice, will not ensure equality under Article 14 as

there is no mandate that the recruitments should take place simultaneously for both men and women.”

Court noted that the impugned ordinance was a colonial law till it was adopted post-independence through the mechanism provided under the Constitution and in 1943, on account of the Second World War, there was an urgent need to recruit nurses as male nursing officers were deployed on the battlefield. Accordingly, it observed that the emergency that prevailed in 1943 was no longer there and eight decades had elapsed since then and no grounds were made out to justify 100% reservation for women since there was no evidence that women were reluctant to join military establishments as nurses akin to the 1940s.

It added “The underlying philosophy of reservation is to accommodate and include, but not to exclude. However, if such an accommodation which is termed as a reservation, becomes exclusive and hundred percent, without justifiable grounds, then such exclusive reservation ceases to be a reservation in its true sense and it amounts to an exclusion which is not envisaged under the Constitution at all.”

Court observed that Article 33 of the Constitution of India, empowers Parliament to make special provisions affecting rights conferred under Part–III and that such power was given only to the Parliament and none other. It noted that the ordinance in question was not promulgated by Parliament but by the British Crown and adopted under Article 372(2) of the Constitution of India, which could not be equated with the law enacted by the Parliament under Article 33 of the Constitution of India.”

Accordingly, in holding that exclusive reservation conferred on women while recruiting "nursing officers" under Ordinance, 1943 violates the rights guaranteed under Articles 14, 16(2), and 21 of the Constitution of India the Court held that to ensure equity it would protect the appointments which had taken place over the eight decades for which the law was in force since they had not been challenged either.

"This Court is of the view that notwithstanding that provision is held to be ultravires, all appointments made hitherto under Ordinance, 1943 and consequences flowing from such appointments are required to be saved and hence saved," it concluded.

Hindustan Times

Reconsidering surrogacy clause barring donor gametes: Centre tells Supreme Court

<https://www.hindustantimes.com/india-news/reconsidering-surrogacy-clause-barring-donor-gametes-centre-tells-supreme-court-101704873628553.html>

The bench of justices BV Nagarathna and Sanjay Karol was considering an application on Tuesday filed by 12 women challenging Rule 14(a) of the Surrogacy (Regulation) Rules, 2022.

The Centre has informed the Supreme Court that amendments to rules under the Surrogacy Act imposing restriction on married couples to get donor gametes is under “active reconsideration” following orders passed by the top court doubting the correctness of this condition while dealing with exceptional cases of married women unable to conceive due to medical conditions.

The bench of justices BV Nagarathna and Sanjay Karol was considering an application on Tuesday filed by 12 women challenging Rule 14(a) of the Surrogacy (Regulation) Rules, 2022.

This rule states medical indications necessitating gestational surrogacy allowing a woman to opt for surrogacy if she has no uterus or missing uterus or abnormal uterus (like hypoplastic uterus or intrauterine adhesions) or if the uterus is surgically removed due to any medical conditions such as gynaecological cancer.

The petitioners before the Court could not conceive due to diverse reasons not contemplated under the rules, which included auto-immune condition called APLA, Mayer RokitanskyKuster Hause syndrome which affects production of oocytes.

The bench asked additional solicitor general (ASG) Aishwarya Bhati if the Centre was considering the case of the petitioners as it was inclined to grant relief to 8 of the 12 petitioners about whom the district medical board under the Act certified their disability to reproduce.

ASG Bhati said, “I have written to the Ministry asking them to reconsider Rule 14(a) in the light of past orders of this Court. They (Centre) have referred it to the expert body under the Act which is under active consideration.”

The petitioners represented by advocate Mohini Priya had challenged the March 14, 2023, notification issued by the Ministry of Health and Family Welfare by which the use of donor gametes has been disallowed by an amendment brought in the Surrogacy Rules, 2022.

The amended rule in Form 2 appended to Rule 7 states, "Couple undergoing surrogacy must have both gamete from the intending couple and donor gametes is not allowed." In case of single woman, who is a widow or divorcee, undergoing surrogacy, she must use self-eggs while availing donor sperms.

On October 18 last year, the top court, while allowing women having medical condition that does not permit them to have eggs, had said, "When Rule 14(a) specifically recognises the absence of a uterus or any allied condition as a medical indication necessitating gestational surrogacy, the consent of the surrogate mother and the agreement for surrogacy in Form 2 appended to Rule 7 cannot mandate a condition contrary to Rule 14(a)."

The Court is already considering a challenge to the Surrogacy Act in a bunch of public interest litigations (PIL) filed by IVF specialist Arun Muthuvel along with several others who questioned several provisions under the Surrogacy (Regulation) Act and the ART (Regulation) Act for being discriminatory against men and women based on their age, marital status and sexual orientation.

Under the Surrogacy Act, the woman who was an "intending couple" had to be of the age of 23 and 50 years and as an "intending woman" she had to be Indian, a widow or divorcee aged between 35 to 45 years.

Such narrow definition kept out same-sex couples, members of the LGBTQ community, single women neither widowed nor divorced, single divorced women/widows less than the age of 35 or more than 45, single men, couples suffering from secondary infertility, among others.

The Court is yet to decide on these petitions even as it has taken up individual pleas by women seeking an exception under the Act. The Court in its October 18 order said, "The amendment which is now coming in the way of the intending couple and preventing them from achieving parenthood through surrogacy, we find, is, prima facie contrary to what is intended under the main provisions of the Surrogacy Act both in form as well as in substance."

The Court had observed, "When an intending woman avails of surrogacy naturally, she would have to use her own oocytes or eggs and donor's sperm. Conversely, when the woman in the intending couple is unable to produce oocytes or eggs, then donor oocytes or eggs have to be made use of... In circumstances stated in Rule 14(a) for instance, the intending couple would necessarily have to have a surrogate child through donor's oocytes because in such a condition, it is not possible for the woman to produce oocytes."

This goes contrary to what is intended under Form 2 appended to Rule 7, the bench added.

Advocate Mohini Priya further informed the Court that Rule 14 is not comprehensive as it does not consider other factors like late age of marriage, change in lifestyle and environmental toxins as a cause for women failing to produce oocytes.

“About 70- 80% of women going for a surrogate baby would require egg donors for the same. The impugned notification dated March 13, 2023, thus strikes at the very root of the matter, by incapacitating those very women who require donor eggs the most. The amendment negates the very purpose of surrogacy.”

Economic Times

Companies are taking steps to boost gender diversity

<https://m.economictimes.com/jobs/hr-policies-trends/companies-are-taking-steps-to-boost-gender-diversity/articleshow/106708075.cms>

Corporate India is making progress on the gender diversity score. The percentage of white-collar women in the workforce is likely to touch 38% in 2024 from 35% in 2022, according to latest estimates from the Avatar Group, a provider of diversity, equity and inclusion to companies, shared exclusively with ET.

More women are joining companies at the entry level, show the study based on data from 400 companies. Companies are taking various measures to increase the gender diversity numbers. These include hiring more women from campuses, offering flexibility at work and adding more women in leadership, HR heads and staffing sector experts said.

The increase in the number of women entering the workforce at the entry level is despite the 'break-up' phenomenon of women quitting corporate careers to pursue gigs or entrepreneurship, said Avtar founder-president Saundarya Rajesh. At Tata Group company Titan, the gender diversity ratio has increased from 26.9% in 2022 to 28.6% last year. It is now targeting to have women to account for over 35% of the headcount in 2024, chief people officer Swadesh Behera told ET.

"Our employee diversity should ideally mirror our customer base and hence there is a big effort to increase the gender representation in our organisation," he said. The company is also focusing on giving flexible working wherever possible. Other companies like Tata Steel, PepsiCo and Airtel are also taking similar steps.

Tata Steel is looking at increasing hiring numbers in 2024 versus 2023 to support its expansion plans, as it aims to take capacity to 40 million tonnes capacity by 2030. "All along this, diversity will be our area of focus as we are working to achieve 25% diverse workforce by 2025," said Atrayee Sanyal, VP of HR management.

India Today

Woman burnt to death in Telangana in broad daylight; probe underway

<https://www.indiatoday.in/india/story/telangana-woman-burnt-to-death-moinabad-broad-daylight-probe-on-hyderabad-police-2486719-2024-01-10>

The police reported that a woman's burnt body was discovered in Moinabad, Telangana, on Monday. She was found on a road leading to farmland in the village, her body bearing 90% burns.

Farmers en route to their fields noticed the charred remains and promptly alerted the Moinabad police on Monday. Upon their arrival at the scene, the police sent the body for post-mortem examination.

Preliminary investigations suggest that the perpetrator likely murdered the woman elsewhere before transporting her to the farmland and setting her body on fire.

"We have disseminated information across Hyderabad, Cyberabad, and Rachakonda Commissionates to inquire about any missing woman reports," stated G Pavan Kumar Reddy, the Station House Officer of Moinabad.

He added, "Her identity remains unknown." The awaited post-mortem report is expected to shed further light on the case.

Themooknayak

Rajasthan HC Frees Woman from Unlawful Confinement Due to Relationship with Transgender Man

<https://en.themooknayak.com/lgbtq-news/rajasthan-hc-frees-woman-from-unlawful-confinement-due-to-relationship-with-transgender-man>

Jaipur - In a landmark case heard by the Rajasthan High Court, a division bench led by Justice Pankaj Bhandari and Bhuvan Goyal intervened to rescue a young woman who had been unlawfully confined by her family due to her relationship with a transgender man. The court, addressing the habeas corpus petition, ruled in favour of the woman's right to autonomy and freedom to choose her life partner.

The petitioner stated that he was a transgender man, and he and the detainee were partners who wish to live together as a couple. The detainee was under immense pressure from her family to get married and since, the petitioner belonged to the transgender community, the detainee's family would oppose her relationship with the petitioner.

The case unfolded when the woman, pursuing her MBA in Jaipur, met her partner on social media in April 2023. Their connection deepened, culminating in a decision to marry in September. However, her family vehemently opposed the relationship. The family filed a police report in October when she left home to be with her partner.

However, the police found her and gave her custody to her family leading to her forcible confinement. The family's disapproval stemmed from the fact that the woman's partner, had undergone sex reassignment surgery to transition from a woman to a man.

Detailing the distressing turn of events, the detainee revealed before the court that her family closely monitored and restricted her every move, denying her communication and even threatening harm to the transman. In a desperate bid to obtain a mobile phone, the woman was coerced into an engagement in November, which failed to materialize as promised.

Taking matters into her own hands, she utilized her father's phone to inform her partner, who promptly filed a habeas corpus petition in the High Court. The petitioner revealed that the detainee's suffering reached a critical point, pushing her to attempt suicide on December 1, 2023, through the ingestion of multiple sleeping pills.

Despite surviving this harrowing incident, the petitioner, deeply concerned for the detainee's well-being, took proactive measures. On December 5 and 11, 2023, the petitioner urgently wrote emails to the High Court, Supreme Court, District Magistrate of Sawai Madhopur, Director General of Police in Jaipur, and the National Commission for Women, seeking immediate intervention from the authorities.

Regrettably, despite the petitioner's desperate pleas for help, local police visited the detainee at her parents' residence, and no action was taken to address her calls for rescue from torture, confinement, and harassment.

The petitioner argued that the police's inaction directly jeopardized the detainee's life and well-being, asserting a failure to protect her fundamental rights under Article 21 of the Constitution. Consequently, the petitioner filed the present petition to secure the immediate release of the detainee from the alleged illegal captivity imposed by her parents.

The HC ordered the government to produce the woman before the court on January 8. During the court proceedings, the woman, recognizing the significance of her testimony, broke her silence and spoke up about her confinement. The division bench, considering the woman's age and her right to make independent decisions, ordered her immediate release from captivity.

The court further directed that she be taken to a place of her choosing under police protection, emphasizing the importance of safeguarding individual liberties and personal choices. The couple left for Rajkot on Tuesday. Advocates Alind Chopra and Naman Maheshwari, representing the petitioner, highlighted the significance of the court's decision and disclosed that the High Court directed the Additional Advocate General (AAG) to ensure the immediate implementation of the order.

The young advocates took to social media and hailed the HC decision. They stated, that the ruling by the Rajasthan High Court not only sets a precedent in acknowledging and upholding the rights of individuals in unconventional relationships but also sends a strong message against forced confinement and opposition to personal choices. In a conversation with The Mooknayak, Karuna, a prominent advocate for transgender rights, highlighted the challenging landscape for LGBTQ+ individuals in the Indian societal context.

She emphasized the prevailing conservatism rooted in traditional values, resulting in a constrained acceptance of same-sex relationships. Karuna pointed out that members of the LGBTQ+ community often confront stigmatization and discrimination, as their unions are perceived as unconventional in the broader societal framework.

NDTV

"Didn't Kill Him, Child Was Dead When I Woke Up": Bengaluru CEO Told Cops

<https://www.ndtv.com/india-news/murder-of-ceos-son-seems-pre-planned-key-evidence-found-in-room-police-4834319>

Panaji:

The Goa police have found empty bottles of a cough syrup in a room where the CEO of a start-up allegedly killed her four-year-old son, indicating she might have given a heavy dose of the medicine to him and that it was pre-planned murder, an official said today. The postmortem has revealed the child was smothered to death either with a cloth or a pillow, as per officials.

The accused woman, Suchana Seth, allegedly killed her son in the apartment at Candolim in Goa and stuffed the body in a bag before taking it to neighbouring Karnataka in a taxi, police said. She was arrested from Chitradurga in Karnataka on Monday night and brought to Goa on Tuesday.

A senior police officer told Press Trust of India that during the inspection of the service apartment room where the woman stayed, they found two empty bottles (one big and another small) of a cough syrup. "The post-mortem conducted on the body has indicated the possibility that the child might have been smothered to death and there were no signs of struggle," he said.

"We are examining the possibility if the woman gave a heavy dose of cough syrup to the child before putting him to death," the official said. Enquiries with the service apartment staff revealed the woman had asked them to buy a small bottle of a cough syrup claiming she was having cough, he said, adding the bigger bottle might have been carried by her.

"It looks like a pre-planned murder," the official said.

According to police sources, the accused has denied her involvement in the crime during the interrogation and claimed the child was already dead when she got up from sleep. "We don't buy her theory. Further investigation will reveal the motive behind killing the child. As of now, we know that she and her husband were estranged because of which she might have done this," a senior police official said.

Suchana Seth checked in the service apartment on January 6 and stayed there till January 8 before leaving for Bengaluru in a taxi. Following her arrest, a court in Mapusa town of Goa on Tuesday remanded her in police custody for six days.

The child's father, Venkat Raman, who was in Jakarta (Indonesia), reached Hiriyur in Chitradurga on Tuesday night and took possession of his son's body after postmortem.

"He was strangled to death or what we call smothering. Either a cloth or a pillow was used. The child died due to strangulation. It doesn't look like the child was strangulated using hands. It looks like a pillow or some other material was used. The rigor mortis (postmortem muscle stiffness) had resolved in the child," Hiriya Taluk Hospital's administrative officer Dr Kumar Naik told reporters.

Suchana Seth is the CEO of 'The Mindful AI Lab', and according to her LinkedIn profile, she is an AI ethics expert and data scientist with over 12 years of experience in mentoring data science teams, and scaling machine learning solutions at startups and industry research labs.

Times of India

Boyfriend murders bank manager in Navi Mumbai lodge after night out to celebrate her birthday

<https://timesofindia.indiatimes.com/city/mumbai/shoaib-shaikh-kills-amit-kaur-at-turbhe-lodge-in-mumbai-jealous-youth-24-murders-bank-employee-in-lodge-after-night-out/articleshow/106681196.cms>

Mumbai: A private bank manager employed in a bank's Jui Nagar branch was killed in a Turbhe lodge allegedly by a male friend she met on social media three months back. Shoaib Shaikh (24), was dating the victim, Amit Kaur (35), a divorced mother of a teenager, since September 2023.

As he allegedly suspected her of having an affair with another person, Shaikh had planned to kill her after a night out to celebrate her birthday on January 8. He was nabbed based on a tip-off that Saki Naka police assistant inspector Valmiki Kore received. "Shaikh was picked up and during questioning, he admitted to killing the woman in a Navi Mumbai lodge," said DCP Datta Nalawade.

On Monday, Shaikh met Kaur after her working hours. They celebrated her birthday before checking into the lodge. "Shaikh and Kaur used their respective identity cards to book the room. Around midnight, the lodge staff noticed Shaikh leaving the premises. But they did not find anything suspicious about him. It was only when police opened the room that they found Kaur lying strangled," said Turbhe police senior inspector Ravindra Daundkar.

After leaving the lodge, Shaikh, a school dropout, had returned to his Saki Naka home. He was employed in a garage owned by a relative. Around 2 am, Saki Naka police officer Kore received a call from an informer who tipped him off about "a man from his neighbourhood who had done something wrong...Shaikh was brought to the police station and while questioning he revealed he had killed his girlfriend," said an officer.

After recording his statement, Saki Naka police got in touch with their counterparts at Turbhe; around 3.30 am, a team visited the lodge and confirmed that Shaikh had indeed committed the offence. Saki Naka senior inspector Gabaji Chimte said Shaikh has been handed over to the Turbhe police station where a case has been registered under the IPC section 302 (murder). The victim stayed with her mother in GTB Nagar, while her teenage daughter lives with her ex-husband.

Times Now

SHOCKING! Delhi Man Stabbed 25 Times By Teenagers, Dragged Till His Death

<https://www.timesnownews.com/mirror-now/crime/shocking-delhi-man-stabbed-25-times-by-teenagers-dragged-till-his-death-article-106694372>

New Delhi: In a shocking incident, three teenagers allegedly killed a man in Delhi's Badarpur area on Wednesday morning, the police said. According to details, the suspects allegedly stabbed the victim several times and then dragged him across the road until he took his last breath.

According to a report by NDTV, the police have arrested five accused in connection with the murder. Deputy Commissioner of Police (DCP) South East Rajesh Dev said that the deceased, Gaurav, was stabbed about 25 times at around 2:30 am on Wednesday. He was a resident of Gautampuri. The report added that the suspects tried to flee the spot after the killing. However, the police patrolling the area chased down three of the accused. Two others were later arrested.

As per Dev, two head constables saw the suspects attacking the victim. When they tried to escape, the cops took help of another police team, which blocked them from the other side. Two of the three accused were teenagers. Later, when two other suspects were caught, one of them identified as a minor.

According to the police, Gaurav was stabbed with a sharp object and the motive behind the murder is yet to be known. His body was sent to All Indian Institute of Medical Sciences (AIIMS) mortuary for post-mortem.

Indian Express

Hours after police mediated her return home, young woman from Tamil Nadu 'killed by family for marrying Dalit man'

<https://indianexpress.com/article/india/police-mediated-return-home-young-woman-tamil-nadu-killed-family-marrying-dalit-man-9103780/>

A young woman from the Kallar community in Tamil Nadu's Thanjavur district was allegedly killed by her family for marrying a Dalit man. This incident took place on January 3.

The victim, 19-year-old Aishwarya from Neyvaviduthi in Pattukottai, had fallen in love with Naveen, a 19-year-old Dalit man from Poovaloor village, Thanjavur. Naveen belongs to the Devendra Kula Vellalar community, a Scheduled Caste, while Aishwarya hails from the Kallar (backward) community, a dominant caste and a subgroup of the politically influential Thevar community.

A senior officer familiar with the case said their love story began in their school days. Naveen, after completing a diploma in mechanical engineering, secured employment in a garments factory in Tirupur. Aishwarya, after her higher secondary education, found work in a power loom in the same town.

"Their relationship blossomed over a year and a half, and they married on December 31, 2023 in a temple in Avarampalayam near Coimbatore. The marriage was not legally valid since Naveen is only 19," the officer said. Unaware of this legal hitch, the couple rented a house in Veerapandi locality, Tirupur, to start a new life together. It was short-lived.

On January 2, Palladam police, acting on a missing person complaint filed by Aishwarya's father Perumal, took her from the couple's residence. Naveen followed the police team and waited outside the station. According to a complaint he filed later, it was around 2 pm that day that Aishwarya's father Perumal and his associates reached the police station and took her home within 30 minutes.

Naveen was told that she agreed to go with her parents and was also warned against trying to contact her again. Naveen went to his native village that night and he received the news of her death the next morning. Her body had allegedly been cremated hurriedly by relatives.

According to the FIR, she was found dead in her room on January 3. Naveen lodged a complaint on January 7, accusing Aishwarya's family of murder. The police have detained six family members for questioning, including her father, suspecting their involvement in the crime.

The case has been registered under sections 302 (punishment for murder) and 201 of the Indian Penal Code, which stipulates punishment for destroying evidence. According to the Tirupur Superintendent of Police's office, Aishwarya had agreed to go with her parents after a negotiation with them was held before the police.

"Local officers also might have advised her to go with parents considering her age, but not knowing that a tragedy would unfold in the following hours," an officer said.

Hindustan

राज्य मानवाधिकार आयोग सेलगाई गुहा गुर

<https://www.livehindustan.com/bihar/aurangabad/story-appealed-to-the-state-human-rights-commission-9184401.html>

अंबा, संवाद सूत्र। अंबा थाना क्षेत्र के परता निवासी आलोक कुमार नेन्याय के लिए राज्य मानवाधिकार आयोग का दरवाजा खटखटाया है। बताया है कि पिछले दिनों उन पर जानलेवा हमला हुआ था। इसके लिए उन्होंने पंचायत...

अंबा, संवाद सूत्र। अंबा थाना क्षेत्र के परता निवासी आलोक कुमार नेन्याय के लिए राज्य मानवाधिकार आयोग का दरवाजा खटखटाया है। बताया है कि पिछले दिनों उन पर जानलेवा हमला हुआ था। इसके लिए उन्होंने पंचायत के मुखिया व उनके करीबियों समेत स्थानीय थानाध्यक्ष को जिम्मेवार ठहराया है। बताया है कि उनके विरुद्ध फर्जी मुकदमा भी दायर हुआ है। उन्होंने पूरे मामले की जांच करते हुए न्याय दिलाने की मांग की है।

Sterlite firing: HC seeks details of officials named in panel report

<https://www.dtnext.in/news/tamilnadu/sterlite-firing-hc-seeks-details-of-officials-named-in-panel-report-760369>

Taking note of the submission, the bench wondered if the commission's duty was to close the investigation as compensation was paid or to find out the officials involved in the firing.

Chennai: Noting that the State government has given double-promotion to the police personnel and other public servants allegedly involved in the infamous Thoothukudi Sterlite firing, the Madras High Court directed the government to furnish the details of the officials named in the Aruna Jagadeesan commission report. A division bench comprising Justice SS Sundar and Justice N Senthilkumar also observed that the police had raided the houses of innocent people after the firing, which, it said, was not different from what happened in the forest brigand Veerappan case. Hearing the petition filed by human rights activist Henri Tiphagne against the premature closure of the investigation into the incident by the National Human Rights Commission (NHRC), the court directed him to implead all the police personnel and public servants allegedly involved in the firing and posted the matter to January 19 for further hearing.

Appearing as party in person, Tiphagne said the commission closed the suo motu investigation over the police firing that left 13 anti-Serlite protestors dead without inquiring him. The NHRC closed the investigation after the State gave Rs 20 lakh as compensation to the victims' family. Taking note of the submission, the bench wondered if the commission's duty was to close the investigation as compensation was paid or to find out the officials involved in the firing. Advocate General R Shunmugasundaram placed the notification containing the list of officials found to have been involved in the firing, against whom disciplinary action has been initiated.

Sterlite: Madras High Court questions promotion of indicted officers.

<https://www.newindianexpress.com/states/tamil-nadu/2024/jan/11/sterlite-madras-high-court-questions-promotion-of-indicted-officers-2649900.html>

Henri noted that then IG (South Zone) Sailesh Kumar Yadav was promoted to additional DGP and recently to DGP, even after being indicted by the Aruna Jagadeesan Commission.

CHENNAI: The Madras High Court has questioned the rationale behind promoting police officers who were indicted by the Justice Aruna Jagadeesan Commission for dereliction of duty and failing to prevent the police firing on the anti-Sterlite protesters in Thoothukudi.

A division bench of justices SS Sundar and N Senthilkumar raised the question when a petition filed by People's Watch executive director Henri Tiphane questioned how the National Human Rights Commission (NHRC) closed its investigation into the police firing.

Henri noted that then IG (South Zone) Sailesh Kumar Yadav was promoted to additional DGP and recently to DGP, even after being indicted by the Aruna Jagadeesan Commission. The bench also questioned how NHRC suo motu closed the probe it had initiated on its own and said the duty of the commission would not end just with the recommendation of compensation for the victims

Referring to the recommendation of the Commission to take disciplinary action against 17 police officials, the bench directed Tiphane to implead all such police and revenue department officials in the case, following which the court will send them notices.

"They shall also be heard before we pass orders on the matter," the bench said, and adjourned the matter to January 19 for further hearing.

NHRC gives Centre 6 wks to fill CUO vacancies

<https://timesofindia.indiatimes.com/city/cuttack/nhrc-directs-centre-to-fill-cuo-vacancies-within-6-weeks/articleshow/106682876.cms>

Cuttack: The National Human Rights Commission (NHRC) on Monday directed the Union ministry of education to “take appropriate action within six weeks” with regard to the Central University of Odisha (CUO) which is running with just 13% permanent faculty. NHRC issued the direction after registering a fresh complaint on inaction on the commission’s direction with regard to largescale vacancy in the permanent faculty of the CUO on December 6, 2023.

Jeypore-based human rights activist and advocate Anup Kumar Patro filed the fresh complaint seeking intervention against “non-posting of sanctioned strength of teaching staff” as it was adversely affecting the students’ education. On perusal of records, the commission found that it had earlier directed the secretary, Union education ministry, to take appropriate action within 8 weeks on August 18, 2019.

The fresh complaint said the central university has a sanctioned teaching staff of 154 — professor (23), associate professor (43) and assistant professor (88).

But the university established in 2009 is functioning with 15 assistant professors, four associate professors and one professor. Only one professor and three associate professors have been appointed since the NHRC’s direction in 2019. “In these circumstances, the registry is directed to send a copy of the complaint to the authorities concerned for taking appropriate action within 6 weeks and intimating the action taken by them to the complainant,” the NHRC said in its order on Monday. “If the complainant is not satisfied with the action taken by the authority concerned, the complainant is at a liberty to approach the competent forum,” the commission said.

We also published the following articles recently

Jamia professor, firm director booked for briberyKhalid Moin and Amrit Paul have been booked by the CBI for alleged bribery related to the issuance of structural safety certificates to real estate projects. Moin is accused of entering into a criminal conspiracy with Paul and accepting a bribe of Rs 2,20,212 at a rate of 30 paise per square feet. The FIR mentions call recordings and documents as evidence.106557341

WinZO teams with professors of IITs, Stanford University to build statistical model for these gamesVernacular skill-gaming platform WinZO collaborates with renowned institutions to develop a transparent methodology that distinguishes between games of skill and chance, addressing a challenge in the gaming industry. This initiative enhances transparency and fairness, resolves skill versus chance issues, and reduces compliance

burden. WinZO also partners with leading academicians to create statistical tests using real game data, user behavior, and other factors to determine skill prevalence. Additionally, WinZO launches a cyber security program to protect against cyber attacks.106645494

Bihar professor lands in trouble for 'separate homeland' for MuslimsPolice investigate assistant professor Khursheed Alam from Jai Prakash University, Chhapra for demanding a separate homeland for Muslims. He resigned after protests from students. The professor had posted on social media expressing support for United Pakistan, Bangladesh, and the desire for a separate homeland for Indian Muslims. The university administration served a show-cause notice and the police have started an investigation. The professor apologized for any hurt caused by his posts.106602052

What Is Bilkis Bano Case and What Did Supreme Court Order?

<https://kashmirlife.net/what-is-bilkis-bano-case-and-what-did-supreme-court-order-337753/>

The Supreme Court has set aside the remission Orders which led to the premature release of 11 convicts and also quashed the May 13, 2022 Order where the court held that the Gujarat government is the 'appropriate government' to consider premature release, reports Gursimran Kaur Bakshi

Today, a Supreme Court division Bench of Justices B.V. Nagarathna and Ujjal Bhuyan quashed the remission Orders which led to the premature release of 11 convicts who gang-raped Bilkis Bano and murdered several of her family members during the 2002 Gujarat pogrom.

The court held that the 'appropriate government' to consider the remission of the convicts was the Maharashtra government and not the Gujarat government.

The court held that the definition of 'appropriate government' under Section 432(7) (power to suspend or remit sentences) of the Code of Criminal Procedure is the government of the state where the offender is tried and not where the offence occurred or where the convict is imprisoned.

Further, the court held that one of the convicts, Radheshyam Bhagwandas Shah alias Lala Vakil had suppressed facts when he came before the Supreme Court seeking premature release.

The court vitiated the Order of May 13, 2022, of the Supreme Court which held that the appropriate government to consider remission of Radheshyam is the Gujarat government on the ground of fraud.

Background

During the 2002 Gujarat pogrom, on March 3, 2002, a Hindutva mob barged into Bilkis Bano's home in Randhikpur village near Ahmedabad, gang-raped her and murdered seven members of her family, including her three-year-old daughter. Bilkis was twenty-one years old and five months pregnant with her second child at the time.

A case was registered in 2003 at a local police. On March 25, 2003, the police filed a report citing inconsistencies in the testimonies and a lack of evidence. Eventually, the report was accepted by a magistrate and the case was closed.

Bano approached the National Human Rights Commission (NHRC) which was then led by former Chief Justice of India J.S. Verma and also comprised former Supreme Court

judge Sujata Manohar. The NHRC intervened and ensured legal assistance to Bano. The NHRC approached the Supreme Court through senior advocate Harish Salve.

Salve urged the court for a fresh investigation by the Central Bureau of Investigation (CBI), and a transfer of the trial from Gujarat to Maharashtra.

In 2003, the Supreme Court transferred the investigation to the CBI and directed the trial to take place in Maharashtra to ensure a free and impartial trial.

Eleven persons were convicted of raping Bano by a CBI court in Mumbai in 2008 for the offences of murder (Section 302), gang-rape and rape of a pregnant woman under (Section 376(2)(e)(g) read with Section 149 of the Indian Penal Code). They were awarded rigorous imprisonment for life, along with a fine.

In 2019, the Bombay High Court upheld the conviction and sentencing. Subsequently, in 2019, the Supreme Court upheld the decision of the high court and awarded a compensation of ₹50 lakh to Bano.

However, they were granted remission by the Gujarat government for their 'good behaviour' under the 1992 Gujarat remission policy after serving fourteen years in jail. They were given a premature release during the Azadi ka Amrit Mahotsav on August 11, 2022.

This decision was approved by the Union Ministry of Home Affairs.

The remission led to public outcry. Bano filed a petition challenging the premature release. Several members of civil society, including journalists, academics and politicians also filed petitions challenging the remission.

On March 22, 2023, the Supreme Court constituted a special Bench to hear Bano's challenge. The Bench comprising Justices B.V. Nagarathna and Ujjal Bhuyan heard the matter in detail and reserved the judgment on October 12.

How Was the Remission Granted?

The remission was granted based on the May 13, 2022 decision of the Supreme Court.

In this case, one of the convicts, Radheshyam, approached the court seeking directions to the Gujarat government to consider his application for remission under the remission policy of the state government dated July 9, 1992.

The 1992 policy has been replaced by a 2014 policy. The 2014 policy explicitly bars remission for those convicted of rape and murder.

According to his writ petition, the 1992 remission policy must be applicable for considering his plea for premature release and not the 2014 policy.

However, the petitioner did not disclose that he was convicted in connection to the Gujarat riots nor did he make Bano a party to his petition.

In 2019, the Gujarat High Court heard his plea for premature release. Radheshyam had undergone a sentence of more than fifteen years and four months without remission.

On July 17, 2019, the high court dismissed his petition relying on the decision of the Supreme Court Constitution Bench in Union of India versus V. Sriharan alias Murugan and Others (2016). It held that since the trial was concluded in Maharashtra, the application for pre-mature release has to be filed in Maharashtra and not Gujarat.

The Supreme Court Bench of Justices Ajay Rastogi and Vikram Nath quashed the high court's Order and held that the 'appropriate government' under Section 432(7) of CrPC in the ordinary course remains the government of Gujarat even though the case had been transferred to Maharashtra.

The court reasoned that the case was transferred in exceptional circumstances and only for the limited purpose of trial. After the trial was concluded, the case was transferred to Gujarat where the crime was committed. It relied on its judgment in the State of Haryana versus Jagdish (2010).

NHRC ISSUES NOTICE TO TELANGANA GOVT ON STUDENT SUICIDE

<https://globalgreennews.com/2024/01/10/nhrc-issues-notice-to-telangana-govt-on-student-suicide/>

National Human Rights Commission (NHRC) has issued a notice to the Telangana Government over the reported suicide of a female student at an Engineering college in the Rangareddy district of Telangana.

Taking a suo motu cognizance, NHRC has sent notice to the Telangna Chief Secretary and the Director General of Police and sought a detailed report within four weeks.

The reports should include the outcome of the police investigation and inquiry conducted by the college administration, along with the action taken against the persons found responsible for the incident. The commission has also asked them for the steps taken or proposed to ensure prevention of such incidents.

State given double promotion to the officials involved in the Sterlite firing , says MHC

<https://www.dtnext.in/news/tamilnadu/sitting-ag-quits-raman-succeeds-760365?infinitescroll=1>

The bench directed the petitioner to implead all the police personnel and public servants allegedly involved in the firing and posted the matter to January 19 for further hearing.

chennai: The Madras High Court (MHC) noted that the police personnel and public servants allegedly involved in the Thoothukudi Sterlite firing were given double promotion by the State and directed the State to furnish the details of the officials named in the Aruna Jagadeesan commission report. A division bench comprising Justice SS Sundar and Justice N Senthilkumar observed that the police had raided the houses of innocent people after the firing, which is not different from the Veerappan case. The bench heard the petition preferred by human rights activist Henri Tiphagne against the premature closure of investigation of the firing, by the National Human Rights Commission (NHRC). The bench directed the petitioner to implead all the police personnel and public servants allegedly involved in the firing and posted the matter to January 19 for further hearing.

Henri Tiphagne appeared as the party in person contended that the NHRC closed the suo motu investigation over the police firing, which killed 13 anti-Serlite protestors, as premature without inquiring him. The NHRC closed the investigation after the State gave Rs.20 lakhs as compensation to the family of the victims. After the submission, the bench wondered that the duty of the NHRC is to close the investigation as compensation paid to the victims? or to find out the officials involved in the firing?. Advocate General (AG) R Shunmugasundaram appeared for the State and placed the notification containing the list of officials names involved in the firing to initiate proceedings to take disciplinary actions.

बिलक़ीस बानो के लिए लड़ने वाली महिलाओं ने कहा- यह किसी अकेले की लड़ाई नहीं है

<https://thewirehindi.com/265588/the-women-who-fought-for-justice-for-bilkis-bano/>

बिलक़ीस बानो के सामूहिक बलात्कार और उनके परिजनों की हत्या के 11 दोषियों की गुजरात सरकार द्वारा सज़ा माफ़ी और रिहाई को रद्द करने वाले सुप्रीम कोर्ट के फैसले के पीछे कुछ महिलाएं हैं जो बिलक़ीस को न्याय दिलाने के लिए आगे आईं.

नई दिल्ली: आजादी के 75 साल पूरे होने का जश्न मनाते हुए मोदी ने लालकिले से 'नारी शक्ति' का आह्वान किया था और 'हर उस व्यवहार, संस्कृति को समाप्त करने का आह्वान किया था जो महिलाओं को अपमानित करता है और नीचा दिखाता है.'

उसी समय, 2002 में गुजरात दंगों के दौरान गर्भवती बिलक़ीस बानो और उसके परिवार के सदस्यों के साथ सामूहिक बलात्कार करने और उनमें से कम से कम 14 लोगों की हत्या करने के लिए आजीवन कारावास की सजा काट रहे 11 दोषियों को गोधरा उप-जेल से सज़ा माफ़ी के बाद रिहा कर दिया गया था.

गुजरात सरकार द्वारा की गई इस समयपूर्व रिहाई के खिलाफ सुप्रीम कोर्ट का रुख करने वाले याचिकाकर्ताओं को प्रधानमंत्री के स्वतंत्रता दिवस के भाषण ने ही बिलक़ीस के समर्थन में आगे आने के लिए विवश किया था.

सीपीआई (एम) नेता और कार्यकर्ता सुभाषिनी अली ने द वायर से कहा, '15 अगस्त को जब प्रधानमंत्री महिला सुरक्षा और नारियों के सम्मान के बारे में बात कर रहे थे, गुजरात सरकार ने उन्हें (दोषियों को) माफ़ी का आदेश दे दिया और रिहा कर दिया. फिर मैंने सुना कि बिलक़ीस ने एक बयान दिया है, 'क्या यह न्याय का अंत है?' इसने वास्तव में मुझे और मेरे जैसे कई लोगों को हिलाकर रख दिया जिन्होंने सोचा, 'हमारे यहां होने का क्या फायदा?'

सुभाषिनी अली, पूर्व प्रोफेसर रूपरेखा वर्मा और पत्रकार रेवती लॉल ने संयुक्त रूप से गुजरात सरकार के छूट और रिहाई आदेश को चुनौती देते हुए सुप्रीम कोर्ट में याचिका दायर की थी.

अली ने कहा, 'हम यह सोचने का प्रयास कर रहे थे कि हम क्या कर सकते हैं और यह बहुत भाग्य वाली बात रही कि कपिल सिब्बल और अपर्णा भट्ट और अन्य वकील आगे आए.'

बता दें कि 8 जनवरी को सुप्रीम कोर्ट ने गुजरात सरकार के रिहाई आदेश को रद्द कर दिया था और कहा कि सरकार के पास दोषियों को इस तरह रिहाई देने की शक्ति नहीं है और निर्देश दिया कि वे दो सप्ताह के भीतर जेल लौट जाएं. अदालत ने यह भी कहा कि गुजरात सरकार ने दोषियों के साथ 'मिलीभगत से काम किया.'

जस्टिस बीवी नागरत्ना और जस्टिस उज्ज्वल भुइयां की पीठ ने यह भी कहा कि जस्टिस अजय रस्तोगी और विक्रम नाथ की पीठ द्वारा 13 मई 2022 को दिया गया फैसला, जिसमें गुजरात सरकार को सजामाफी पर विचार करने का निर्देश दिया गया था, 'अमान्य' है क्योंकि यह 'अदालत के साथ धोखाधड़ी करके' प्राप्त किया गया था.

जब सजामाफी के आदेश की खबर आई उस समय लखनऊ विश्वविद्यालय की पूर्व प्रोफेसर रूपरेखा वर्मा दिल्ली में थीं. उन्होंने कहा कि प्रधानमंत्री का भाषण 'देश के साथ एक क्रूर मजाक' था.

उन्होंने द वायर से कहा, 'प्रधानमंत्री जो अपने स्वतंत्रता दिवस के भाषण में महिलाओं पर हिंसा का रोना रो रहे थे, उन्होंने पहले ही सजामाफी की अनुमति दे दी थी. वह देश के साथ एक क्रूर मजाक था.'

वर्मा ने कहा कि तब उन्होंने अपने कुछ दोस्तों और सहयोगियों के साथ घटनाक्रम पर चर्चा की और कानूनी विकल्प तलाशने का 'सामूहिक विचार सामने आया.'

उन्होंने कहा, 'हालांकि उस समय तक हमारे पास ऐसे पर्याप्त उदाहरण थे कि हम अदालतों की ओर ज्यादा उम्मीद से नहीं देख सकते थे, लेकिन सुप्रीम कोर्ट में याचिका के अलावा खटखटाने के लिए कोई दूसरा दरवाजा नहीं था.'

पत्रकार रेवती लॉल इस मामले में याचिकाकर्ता बनने के लिए तब आगे आईं, जब उन्हें बताया गया कि वे एक तीसरी महिला याचिकाकर्ता की तलाश कर रहे हैं.

उन्होंने द वायर को बताया, 'वे एक तीसरी महिला याचिकाकर्ता की तलाश कर रहे थे जिसके पास इस मामले में अदालत में खड़ा होने का कुछ अधिकार हो. मुझसे पूछा गया कि क्या मैं तीसरी याचिकाकर्ता बनना चाहूंगी. मैंने 'एनाटॉमी ऑफ हेट' किताब लिखी थी जो गुजरात दंगों पर आधारित है. मैं इस मामले से गहरे से जुड़ी रही हूं तो मैंने सहमति दे दी.'

याचिकाकर्ताओं ने बताया कि याचिका दायर करने के बाद उन्हें पता चला कि वकील इंदिरा जयसिंह के माध्यम से तत्कालीन तृणमूल कांग्रेस सांसद महुआ मोइत्रा ने एक और जनहित याचिका दायर की है. इसके बाद सितंबर 2022 में पूर्व आईपीएस अधिकारी मीरा चड्ढा बोरवणकर ने भी एक और याचिका दायर की. उनके समूह में याचिकाकर्ता जगदीप छोकर और मधु भंडारी शामिल थे.

बोरवणकर ने कहा कि जब उन्हें एहसास हुआ कि बानो ने खुद से सजामाफी के आदेशों को चुनौती नहीं दी है, तब उन्होंने 'आगे आने' और मामला दायर करने का फैसला किया.

हालांकि, बाद में बानो ने भी अदालत का रुख किया.

'बिलकीस बानो को आगे क्यों आना पड़ा?'

बानो ने नवंबर, 2022 में सजामाफी के आदेश के खिलाफ शीर्ष अदालत का रुख किया था. यह फैसला उन्होंने एक दोषी द्वारा दायर उस याचिका के बाद लिया था जिसमें इन याचिकाओं की विचारणीयता पर

सवाल उठाते हुए कहा गया था कि याचिकाकर्ताओं के पास मामले में अदालत आने का कोई अधिकार नहीं है और वे इस मामले में 'पूरी तरह से अजनबी' हैं।

दो दशकों से बानो की वकील रहीं शोभा गुप्ता ने द वायर से बात करते हुए कहा कि इन याचिकाओं की विचारणीयता को अदालत में चुनौती दिए जाने के बाद बानो को याचिकाकर्ता बनना पड़ा था।

गुप्ता ने कहा, 'मैं व्यक्तिगत तौर पर पूरी तरह से स्पष्ट थी, अकेले उन्हें ही क्यों आगे आना चाहिए?' यह कोई व्यक्तिगत अपराध नहीं था। यह मानवता के विरुद्ध अपराध था और बर्बर प्रकृति का अपराध था। यह समाज को तय करना है। इसलिए वह शुरुआत में मामले में नहीं आई और मुझे खुशी है कि उन्होंने फैसला करने में पूरा समय लिया। इस बीच, कुछ अच्छे लोगों ने माफी आदेश को चुनौती दी और अदालत ने 25 अगस्त (2022) को जनहित याचिकाओं पर एक नोटिस जारी किया।'

उन्होंने कहा कि बानो के लिए यह 'कठोर आघात' था। कोई सोच भी नहीं सकता था कि यह इतने गुप्त तरीके से हो सकता है। अचानक आप पाते हैं कि आपके बलात्कारी सम्मानित होकर घूम रहे हैं।

11 दोषियों को अब अदालत द्वारा जेल लौटने का निर्देश दिए जाने के बाद मोइत्रा की ओर से पैरवी करने वाली अधिवक्ता इंदिरा जयसिंह ने कहा कि फैसला असाधारण है क्योंकि सुप्रीम कोर्ट 'बहुत कम ही अपने फैसले को अमान्य घोषित करता है।'

उन्होंने कहा कि फैसला न्याय की यात्रा में एक मील का पत्थर है।

वहीं, प्रोफेसर वर्मा ने कहा कि यह फैसला ऐसे समय आया है जब सुप्रीम कोर्ट पर भरोसा कम हो गया है। उन्होंने कहा, 'इससे पता चलता है कि कुछ जज ऐसे हैं जो सरकार के कर्मचारियों के रूप में काम नहीं करते हैं, बल्कि वही करते हैं जो उनसे अपेक्षा की जाती है।'

पत्रकार लॉल ने कहा कि यह फैसला अंधेरे में 'रोशनी की किरण' के रूप में आया है।

अली ने कहा कि इस फैसले के पीछे बड़ा संदेश इसे 'महिलाओं के मुद्दे' से परे देखना है। उन्होंने कहा, 'कृपया इसे एक महिला की लड़ाई के रूप में न देखें। यह इस देश को घोर अन्याय और हर तरह से संविधान को मनुस्मृति द्वारा प्रतिस्थापित किए जाने से बचाने की लड़ाई है।'

बोरवणकर ने कहा कि हालांकि बानो को न्याय दिलाने के लिए बड़े पैमाने पर महिलाओं के एक समूह की जरूरत पड़ी, लेकिन फैसला दिखाता है कि 'सरकार का आचरण में पक्षपातपूर्ण नहीं हो सकता।'

बहरहाल, सोमवार को बानो ने फैसले के बाद अपने पहले सार्वजनिक बयान में कहा कि 'वे अब सांस ले पा रही हैं।'

गुप्ता ने कहा कि 2002 में दंगों के बाद जब उन्हें राष्ट्रीय मानवाधिकार आयोग (एनएचआरसी) ने मामले में वकील के रूप में शामिल किया था, तब से उन्होंने इस मामले में एक पैसा भी फीस नहीं ली है।

वे कहती हैं, 'अगर आपके पास एक वकील के रूप में क्षमता है तो आप समाज के लिए ऐसा क्यों नहीं कर सकते? मुझे तब इस पेशे में सिर्फ पांच साल ही हुए थे. एनएचआरसी ने मुझसे कहा था कि हमारे पास वकीलों को भुगतान करने के लिए पर्याप्त धनराशि है लेकिन मैंने कहा कि इस मामले में कागजी कार्रवाई तक के लिए पैसा नहीं लूंगी. मैं उसके साथ खड़ी रही क्योंकि हम उसे और समाज को बताना चाहते हैं कि आप अकेले नहीं हैं और यह किसी अकेले की लड़ाई नहीं है.'