



Rajiv Gandhi National Law Varsity wins NHRC Moot Court Competition

Rajiv Gandhi National Law University has won the NHRC Moot Court Competition organised at IP University. An affiliated college of IP University - Fairfield Institute of Law was adjudged runner up in the competition.

A distinguished panel comprised of Sushant Bali, Reeva Gugral, Shashank Garg, AOR Vishnukant, professor Anuk Vaksha, professor A P Singh, Dr. Zubair Ahmad Khan and D M Shaktivel adjudged the



winners on the basis of their performances in semi - final & final rounds. Justice Hari Shankar, Justice Girish Kathpalia & professor Manoj Kumar Sinha also graced the occasion.



Late Supreme Court judge Justice Fathima M Beevi awarded Padma Bhushan

<https://www.barandbench.com/news/late-supreme-court-judge-justice-fathima-m-beevi-awarded-padma-bhushan>

Justice Beevi was the first Muslim woman to be appointed to the higher judiciary in the country and the first woman to be elevated to the Supreme Court of an Asian country.

The first woman to be a judge of the Supreme Court of India, Justice M Fathima Beevi, was on Thursday posthumously awarded the Padma Bhushan.

Justice Beevi received India's third-highest civilian award in the field of Public Affairs.

The former Supreme Court judge passed away aged 96 in November last year. Justice Beevi was the first Muslim woman to be appointed to the higher judiciary in the country.

She was born in Kerala in 1927 and her father encouraged her to study law. In 1950, she topped the Bar Council exam becoming the first woman to receive a Bar Council gold medal.

She started her career as an advocate in Kerala and worked her way up to become a district and sessions judge in 1974. In 1980, she joined the Income Tax Appellate Tribunal and was appointed as a High Court judge in 1983.

She made history in 1989 by becoming the first woman appointed to the Supreme Court.

As a Supreme Court judge, she became the first Muslim woman in the higher judiciary and the first woman to become a Supreme Court judge in Asia.

After retiring in 1993, she had served as a member of the National Human Rights Commission and then as Governor of Tamil Nadu.

She had resigned from the post of Governor of Tamil Nadu after rejecting the mercy petitions filed by four condemned prisoners in the Rajiv Gandhi assassination case.

Courage's Counsel: An Interview with Bilkis Bano's lawyer Shobha Gupta

<https://www.newsclick.in/courages-counsel-interview-bilkis-banos-lawyer-shobha-gupta>

The Leaflet spoke to her on the Bilkis Bano case, and how the world has changed around the case over the years. Shobha Gupta, who has been representing her for more than two decades, calls Bilkis Bano the embodiment of “Himmat” (Courage). In this exclusive interview, Courage’s counsel shares her thoughts on the case, Bilkis Bano, and what has changed during these years in the courts and outside them.

The determined Shobha Gupta was recently designated as a senior advocate by the Supreme Court at the age of 54. She has been a standing counsel for the National Human Rights Commission for a decade and a half and is widely regarded as one of the most courageous and fearless members of the Supreme Court Bar.

The Leaflet spoke to her on the Bilkis Bano case, and how the world has changed around the case over the years.

Q. For how many years have you been involved in the Bilkis Bano case?

A. Since 2003, so for almost 21 years now.

Q. What made you pick up the case in the first place?

A. Actually, I did not pick up the case. Justice (Adarsh Sein) Anand (the 29th Chief Justice of India), who was the chairperson of the National Human Rights Commission at that time, had met Bilkis Bano in a relief camp. The Gujarat police had filed a closure report before a magistrate who had closed the matter.

Justice Anand asked Ashok Arora, the secretary of the Supreme Court Bar Association at that time, to suggest a lawyer who could take up the case and pursue it fearlessly—someone who was not prone to succumbing to pressure.

A lawyer asked me, what is this about? Have you suffered something personally? I couldn’t get his question. Does one need to have suffered personally to be sensible and sensitive on such issues?

I was hardly five years into practice at that time. Nevertheless, my name was suggested and I was asked to file a petition in the Supreme Court. That is how I came to take up the case.

Q. So at that time you were just beginning to find your feet in the profession, and this case has been with you for a major part of your career. What has the case come to mean to you over the years?

A. You know, I have had a long engagement with the cause of women's empowerment. Because of my work, and because of Bilkis Bano's case, a lot of people consider me a fearless and tough person.

But if they are showing a child or woman in distress on TV, I cannot watch it without crying. It is that easy for me to cry.

When the Kathua rape and murder happened, whenever I sat down to watch TV with my mother, I could not stop my tears at the revelation of the details of how a nine-year-old girl was mercilessly raped and murdered. I used to cry inconsolably.

At one point, even my mother was taken aback and she asked me, why are you crying like this? It took me time to take control of my emotions.

Some lawyer friends keep asking me, why does an emotional person like you get entangled in cases like these? I run a forum for women, 'We The Women of India'. We provide *pro bono* services to women.

A lawyer asked me, what is this about? Have you suffered something personally? I couldn't get his question. Does one need to have suffered personally to be sensible and sensitive on such issues?

A few years after I had taken up the case, I realised that it had made a difference in my approach. It has made me more sensitive. Maybe because from a very young age, I have read the facts. The pain might not have been directly inflicted on my body and mind, but I have lived under its shadow too.

So that might have changed me as a person. It might have made me more sensitive towards all these issues.

Maybe my agitation and inner voice when it comes to crimes and ill-treatment of women would have been the same without the case as well, but leaving speculation aside, the Bilkis Bano case has played a big role in strengthening my voice and engagement with such issues.

Q. So crimes against women were not an area of focus for you before you took up Bilkis Bano's case?

A. It was not, and it has not been even after that. I take up a wide variety of cases. Even at the time when I took up the Bilkis Bano case, I used to take up cases related to service law, eviction, civil matters, criminal matters... I worked under seniors who used

to do all sorts of matters, education matters, for example. In fact, if you ask me what my focus area is, it is education matters. That is a favourite subject of mine.

The Bilkis Bano case has played a big role in strengthening my voice and engagement with issues of crimes and ill-treatment of women.

When the Bilkis Bano case came to me, I did what a lawyer has to do. Rationalise things and put them in the right perspective. Read the facts carefully and put them next to the law. Apply the law and put it to the court. But it has never been my expertise area.

Q. When the Supreme Court quashed the remission of the 11 convicts in the case recently, many celebrated the decision with hyperbole. The counter-argument was that the court had just done its bare minimum and it did not call for laudatory and celebratory commentary. What is your take on it?

A. I remember this one time when I was praising Yakub Rasul (Bilkis Bano's husband) in a press conference, for standing by her along with his family all through these years.

There were many social workers at the conference. One of them got up and asked me, *"Why are you praising Yakub for being alongside Bilkis? What has he done that is so extraordinary and different?"*

A male companion or a husband is supposed to stand by his wife and support her, just like a wife is supposed to stand by her husband. That is the bare minimum. If someone does not do even that, they need to be criticised.

If someone does work at an office diligently, that is not something to be praised. If you don't take leaves, it is your choice, but you should not expect to be praised for it.

But it is also human nature that we praise something that might have become a rare occurrence, even if it is supposed to happen during the ordinary course of life and business, especially the business of justice, which is our profession.

Sometimes we celebrate such tiny victories because of our fear. For example, in a cricket match, if the number of runs required is much lesser than the number of balls remaining, and you still have some batting left in the dugout, still people sit at the edge of their seats on their toes, apprehending that the match may slip out of their hands.

Secondly, maybe the courts are failing to do what they were supposed to do as the bare minimum.

Q. What are the major changes you have witnessed in the judiciary during the years you have been part of this case?

A. There have been some major shifts, some visible and others more difficult to discern. When I took up the case, I remember judges would jump from their seats when the case

was first argued. There was so much anger and shock in their reactions to such a crime that it was heartening to see for a young lawyer.

The courts were much more approachable. There used to be a very straight message from the judges. Citizens could expect good Orders in quick time and express anger over what was happening then and there rather than go through complicated court procedures every time.

When the Bilkis Bano case came to me, I did what a lawyer has to do. Rationalise things and put them in the right perspective. Read the facts carefully and put them next to the law.

The Supreme Court has been consistent with that approach, except in the recent past when we went to it as a collective of lawyers when students of Jawaharlal Nehru University and Jamia Millia Islamia were attacked, we did not get a similarly prompt response from the court.

Usually, when it comes to fundamental rights and liberty, the court is very prompt, but that was a rare occasion when the Supreme Court asked us to approach the high court.

Generally speaking too, the Supreme Court has become a tad bit more procedural, although I am not in a position to make a judgment on whether that makes it better or worse.

As I said, earlier occasions when you did not have a written petition but could still approach a Bench were more frequent. One could just mention a matter at 10:30 a.m. and get a response from the court. The judges would say, just hand over a sheet to me and get to it.

For example, in 2018, when a law student said her life was in danger, a video was circulated among lawyers in the court and we quickly drafted a letter petition and went to the Chief (Justice of India)'s court where we got a positive response.

Today, I think there is less of a possibility of just rushing into a courtroom. The system of mentioning has become more formal. The government, when it is the respondent, reacts differently. There is so much media attention. The atmosphere is not as pure as it used to be.

The lawyers of today also lack the courage of the Bar two decades ago, and when the seniors do not set an example, the juniors learn to be more subdued as well.

Q. What do you think is the reason for all these changes?

A. One major reason is that the judges are overworked. They always have so much pressure of work on them. Every single judge is under a lot of pressure. The workload of every judge is immense, beyond human capacity.

This has necessitated the introduction of more procedures to streamline things and ensure optimum utilisation of the court's time.

But human rights defence is a business of the soul. You have to feel it. You have to get hurt. If I as a lawyer feel the pain, I have to convey it to the judge. They have to feel it too. This process takes time.

A male companion or a husband is supposed to stand by his wife and support her, just like a wife is supposed to stand by her husband. That is the bare minimum. If someone does not do even that, they need to be criticised.

Once you have mechanised everything because of the work pressure, there is an urgency to finish things faster. That kind of system is not conducive to human rights defence.

But you have to agree with me that the current Chief Justice has played a major role in bringing the soul back into the proceedings of the court. Not just him, certain other judges are also doing a commendable job, despite the work pressure.

Q. What role has live streaming played in terms of these changes?

A. Live streaming and the more general escalation of media attention to court proceedings is, of course, a factor, but once video conferencing was started, it was an inevitable reality. If being under the public gaze through live streaming is bringing some heat, I think it is only a temporary situation. It is only a matter of time before the courts adjust to this new reality.

Ultimately, in my opinion, the courts will balance the need for transparency with the need to ensure the integrity of the court processes. There has to be a limit to the transparency of court processes in a country like ours, we cannot have the justice of the town square. But I am confident the judiciary will take care of this matter in the long run.

Q. What is your perspective on the social changes during this time? In particular, do you think that the shift in the dominant political narrative in India, which made it seem 'normal' that the convicts in the Bilkis Bano case were garlanded when they were released upon remission of their sentence, while social media is full of commentary on how Bilkis Bano and her family deserved what they got, justice for her has been permanently deferred?

A. I do not think that is the case. The people who subjected Bilkis Bano and her family to those atrocious crimes have been punished and they are spending their days behind bars as a consequence of their actions.

Look, in a criminal case, in any court case, for that matter, there are two sides. The criminal has a right to say they are innocent and they did not commit the crime—

Q. —My question is slightly different. It is not about the right of the accused to defend themselves but questioning the law itself, saying what the law proscribes as a crime is not a crime at all.

A. I am coming to that. There will be opinions like that. There always are. But the fundamental question is what do the courts do? Do they deal with the matter as per the law or as per such opinions? Obviously, as per the law, and if a party is aggrieved by the decision of the court, it is free to approach a higher court.

I do not think justice for Bilkis Bano has been “*permanently deferred*”. She got closure in 2008, when the conviction first took place, and then again in 2019 when all appeals filed by the convicts were dismissed. Recently, we have seen again that the law has taken its correct course.

When I took up the case, I remember judges would jump from their seats when the case was first argued. There was so much anger and shock in their reactions to such a crime that it was heartening to see for a young lawyer.

The convicts had been remitted as per fraud and the Supreme Court has corrected it.

You see, even the Gujarat remission policy, which does not apply to the convicts in this case because their trial took place in Maharashtra does not allow remission in such heinous crimes, so there is no question of justice being deferred.

Once they surrendered, I called Bilkis Bano and said, please allow yourself to have a sigh of relief. Allow yourself to live peacefully. Allow yourself to live without any fear. Just try to live a normal life. Enjoy the life of a regular citizen of this country living under the reassuring shade of the Constitution.

Q. Finally, what has Bilkis Bano come to mean to you personally after all these years? What does a long-term client–counsel relationship look like, especially in a case like this?

A. You know, I have not done much for her. I have done the Supreme Court work for her, but most of the handholding was actually done by the social workers who stood by her, took care of her and protected her.

They are the ones who ensured she had two meals a day. That her children had two meals a day. That they get an education. All of this was done by the social workers, not by the State.

Then there are the lawyers who have represented her in the trial court and the high court. They have done excellent work for her.

Human rights defence is a business of the soul. You have to feel it. You have to get hurt. If I as a lawyer feel the pain, I have to convey it to the judge. They have to feel it too. This process takes time.

Personally, I have a very, very special connection with her. I may not have been the biggest of presences in her life during these years, nor may she have been in mine, but I have a humongous soft corner for her.

I value her a lot. She means so much to me. She is the epitome of resistance, conviction and untiring perseverance. She embodies the name “*Himmat*”.

Anybody who has met her even once will have a similar kind of attachment to her. They will feel care and concern for her. Through her courage and her indefatigable will to live, she engenders those emotions in people.

*I value Bilkis Bano a lot. She means so much to me. She is the epitome of resistance, conviction and untiring perseverance. She embodies the name “**Himmat**”.*

Recently, I told her that I want to take care of the education of her children. I want to see her daughter study law and sit on the chair on which I am sitting right now and run this office like I do at present.

I want her children to use her name in her surname so that the world knows that they are the children of this brave woman.

First Women SC Judge Justice M Fathima Beevi Awarded Padma Bhushan Posthumously

<https://lawtrend.in/first-women-sc-judge-justice-m-fathima-beevi-to-be-awarded-padma-bhushan-posthumously/>

In a solemn tribute to a trailblazing legal luminary, the late Justice M Fathima Beevi was conferred the prestigious Padma Bhushan award on Thursday.

This recognition posthumously honors her unparalleled contributions to the Indian judiciary, marking her as the first woman judge of the Supreme Court of India. The award, which ranks as India's third-highest civilian accolade, was bestowed upon her for her outstanding service in the field of Public Affairs.

Justice Beevi, who passed away in November of the previous year at the age of 96, was a pioneering figure not only as the first female Supreme Court judge in India but also as the first Muslim woman to ascend to the higher echelons of the country's judiciary. Her remarkable journey began in Kerala in 1927, where she was born into a progressive family that encouraged her academic and professional pursuits. Her father's support played a crucial role in her decision to study law, a field in which she excelled by topping the Bar Council examination in 1950, becoming the first woman to receive a Bar Council gold medal. Her illustrious career was marked by a series of groundbreaking achievements. Starting as an advocate in Kerala, Justice Beevi's legal acumen and dedication saw her rise through the ranks to become a district and sessions judge in 1974. Her expertise in legal matters led to her appointment to the Income Tax Appellate Tribunal in 1980 and subsequently to the position of a High Court judge in 1983. Justice Beevi's historic appointment to the Supreme Court in 1989 shattered glass ceilings, making her the first woman to join the apex court's bench in India and the first in Asia. Her tenure as a Supreme Court judge underscored her status as a pioneering Muslim woman in the higher judiciary, where she made significant contributions to the legal landscape of India.

Following her retirement in 1993, Justice Beevi continued to serve the nation in various capacities, including as a member of the National Human Rights Commission and later as the Governor of Tamil Nadu. Her tenure as governor was marked by principled stands, including her controversial decision to reject the mercy petitions of four prisoners condemned in the Rajiv Gandhi assassination case, leading to her resignation. The Padma Bhushan award to Justice M Fathima Beevi is a fitting tribute to her enduring legacy and the path she paved for women in the judiciary and public service. Her life and achievements continue to inspire generations, reinforcing the ideals of justice, equality, and public service.

SC stays Meghalaya HC's order on custodial death compensation

<https://hubnetwork.in/sc-stays-meghalaya-hcs-order-on-custodial-death-compensation/>

Shillong, Jan 27: In a major relief for Meghalaya government relating to compensation for custodial deaths, the Supreme Court has stayed a Meghalaya High Court verdict that ordered the State government to pay compensation of up to ₹10-15 lakhs for custodial deaths.

The stay order, issued on January 22, 2024, specifies that the High Court's judgement remains stayed, but with the condition that the compensation determined by the National Human Rights Commission (NHRC) must be paid by the State government.

The order on Meghalaya government's appeal was passed by a Supreme Court bench composed of Justices BR Gavai, Sanjay Karol, and Sandeep Mehta, directing a response to be filed within four weeks.

In August 2023, in a suo motu case, the Meghalaya HC had expressed concerns about the deaths of under-trial prisoners due to excessive, third degree methods used by investigating authorities. It had concluded that custodial deaths would cease only when the compensation reached a level where the State would face significant financial consequences.

Rejecting the "Haryana Model" of compensation endorsed by the NHRC, the High Court emphasised the need for compensation that serves as both adequate support for victims' families and a deterrent for the State and its officials.

The court outlined specific compensation amounts, ranging from ₹10-15 lakhs based on the age of the victims. For victims aged above 45 years, the fixed compensation was Rs. 10 lakhs, while those in the age group of 30 to 45 years were entitled to Rs. 12 lakhs. In cases where victims of custodial deaths were below 30 years, the specified compensation was Rs. 15 lakhs.

This particular decision prompted an immediate appeal from the Meghalaya government to the Supreme Court.

In a case of custodial death, the National Human Rights Commission of India (NHRC) has put forth a demand for compensation amounting to Rs. 3 lakhs.

India-Taipei Association celebrates Mahatma Gandhi with screening of biopic Gandhi

<https://www.taiwannews.com.tw/en/news/5086385>

TAIPEI (Taiwan News) — The India-Taipei Association (ITA) will hold a special screening of the 1982 biographical film “Gandhi,” in collaboration with Taiwan’s National Human Rights Commission on Jan. 30 to mark the 76th anniversary of Mahatma Gandhi’s death.

The event, which will take place at SPOT Huashan Cinema at 5:30 p.m., aims to spotlight his dedication and efforts toward human rights and equality through the content of the film, according to an ITA press release.

Gandhi was a messenger of non-violence and peace and is considered the father of India, ITA said. Throughout his life, he advocated for human rights, self-determination, and social security rights and fought against torture, inhumane treatment, and slavery.

The anti-colonial nationalist also made outstanding contributions to the rights of women, children, Indigenous people, and marginalized groups, striving for equal opportunities in all aspects of civic, political, economic, social, and cultural rights, per ITA.

Pynsangeh ka SC ia ka hukum ka Meghalaya HC ban siew bailutksan ia kiba iap ha along ki Pulit

<https://kashlem.com/pynsangeh-ka-sc-ia-ka-hukum-ka-meghalaya-hc-ban-siew-bailutksan-ia-kiba-iap-ha-along-ki-pulit/>

Shillong, K'lyngkot 27: Ka lingkashari Supreme Court kala pynsangeh ia ka jingtreikam jong ka hukum ka lingkashari Meghalaya High Court ba bthah ia ka Sorkar Jylla ban siew bai lutdakn ba kot haduh T.10-15 lak ia kiba iap ha along jong ki Pulit.

Kane ka hukum ba pynsangeh bala pynmih ha ka 22 tarik Kyllalyngkot 2024, ka kren shai ba ka hukum jong ka lingkashari High Court kan iai sangeh shuwa ia ka jingtreikam hynrei halor ka kyndon ba ka bai lutksan bala buh da ka National Human Rights Commission (NHRC) ka dei ia kaban siew da ka Sorkar Jylla.

Ia kane ka jingmudui jong ka Sorkar Jylla la shim rai da ka lingkashari Supreme Court ba kynthup ia u Justice BR Gavai, Sanjay Karol bad Sandeep Mehta haba bthah ban file hapoh ka saw taiew.

Ha u Nailar 2023, ha ka suo moto case, ka lingkashari Meghalaya High Court kala pynpaw ia ka jingsngewkhia halor ka jingiap jong ki Under-Trial Prisoner namar ka jingpynshitom ba palat pud jong ki bor ba tohkit. Kala rai ba ka jingiap ki koidi ha along kan kut tang lada ka jingsiew bai lutksan ka poi ha u pud ha kaba ka Sorkar Jylla kan hap ban siew ia ka jingsiew bai luksan kaba heh.

Haba kyntait ia ka 'Haryana Model' ban siew ban lutksan da ka NHRC, ka lingkashari High Court kala ban jur ia ka jing donkam ban siew bai lutksan ka ban ai jingkyrshan ia ki longiing jong ki lanot bad ruh ban tehlakam ia ki Ophisar jong ka Jylla.

Ka lingkashari kala buh ia ka bai lutksan kaba long naduh T. 10-15 lak kaba shong ruh kat kum ka rta jong ki lanot. Ia ki lanot kiba hapoh 45 snem, ka bai lutksan ka long T. 10 lak katba kito kiba hapdeng 30-45 snem kidei ban ioh T. 12 lak. Ia kito ki lanot kiba iap hapoh ka 30 snem ha along ki Pulit, ka jingsiew bai lutksan ka long T. 15 lak.

Kane ka rai kala pynbor ia ka Sorkar Meghalaya ban leit mudui sha ka lingkashari Supreme Court.

Ha ki kam ba iadei bad ka jingiap ha along Pulit, ka National Human Rights Commission ka Ri India (NHRC) kala buh ia ka jingdawa ban siew bai lutksan kaba long T. 3 lak.

NHRC seeks reports on orphanage's branches in 4 states after allegations of child abuse

<https://sahilonline.org/nhrc-seeks-reports-on-orphanages-branches-in-4-states-after-allegations-of-child-abuse>

New Delhi: The NHRC has called for reports on the branches of an orphanage in Jodhpur, Surat, Kolkata and Bengaluru from the state governments concerned after an FIR was registered against its Indore branch on the allegations of child atrocities.

In a statement, the National Human Rights Commission (NHRC) said it has taken suo motu cognisance of a media report that the children aged between four and 14 years were being subjected to torture at an orphanage in Indore, Madhya Pradesh and the police have registered an FIR in the matter on a complaint by the Child Welfare Committee.

Apart from Indore, the orphanage has its branches in Rajasthan's Jodhpur, Gujarat's Surat, Kolkata and Bengaluru, the NHRC said.

The commission said it has observed that the content of the news report, if true, "amounts to serious violation of human rights of the inmates at the orphanage".

Noting that the matter has inter-state ramification, the human rights panel has said that an enquiry/ inspection of the other branches of the orphanage, situated outside Indore, is also necessary.

It has issued notices to the chief secretaries and the directors general of police of the states of Rajasthan, Gujarat, West Bengal and Karnataka calling for an action taken report in the matter after conducting an enquiry or inspection of the branches of the orphanage mentioned in the news report. They are expected to submit their detailed reports, including the action taken against the responsible persons, within four weeks.

The chief secretary and DGP of Madhya Pradesh are also directed to indicate the further steps taken in the matter, within four weeks.

Minor girls at an Indore "orphanage" narrated tales of abuse and alleged horrifying ways of punishment, including branding with hot tongs, hanging them upside down and forced to inhale smoke from burning red chilies, prompting the local administration to seal the facility and the police to file an FIR against five women.

As the shocking tales, recounted by the inmates before the Child Welfare Committee (CWC) surfaced, an FIR was registered against five women associated with the facility

for allegedly ill-treating children in the name of punishment, a police official had said last week.

NHRC to begin 1st public hearing in Kashmir

<https://www.tribuneindia.com/news/j-k/nhrc-to-begin-1st-public-hearing-in-kashmir-585004>

The National Human Rights Commission (NHRC) will hear grievances about rights violations in Jammu & Kashmir from February 7 to 9.

This is will be first such hearing by the NHRC in Jammu & Kashmir after it was empowered to deal with human rights issues of J&K following abolition of the State Human Rights Commission. Earlier, Jammu and Kashmir State Human Rights Commission (SHRC) would with issues of human rights abuses in J&K.

NHRC to take up HR violation pleas in Srinagar

<https://thekashmirimages.com/2024/01/28/nhrc-to-take-up-hr-violation-pleas-in-srinagar/>

Asks concerned to register complaints by Jan 29

Srinagar: For the first time, the National Human Rights Commission (NHRC) will hear grievances about human rights violations in Jammu & Kashmir from Feb 7 to Feb 9.

Reports said that the Commission has decided to hold a camp on grievances about human rights violations in the Jammu & Kashmir Union Territory from February 7 to 9. This is the first such hearing by the NHRC in Jammu & Kashmir after it was empowered to deal with human rights issues of J&K following abolition of the State Human Rights Commission.

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According to a public notice issued by the NHRC, the complaints about alleged rights violations can be submitted to the commission by speed post or email by or before January 29.

As per the public notice, the complaints, deemed fit for enquiry, shall be taken up at the open public hearing. The parties shall be informed in due course about the date and venue of open public hearing.

Following abolishing of state human rights commission, the Government of India on March 18, 2020 empowered the National Human Rights Commission (NHRC) to deal with all human rights concerns in the union territory of Jammu and Kashmir.

भारत कि पहली महिला सुप्रीम कोर्ट न्यायाधीश जस्टिस एम फातिमा बीवी को मरणोपरांत पद्म भूषण से सम्मानित किया गया

<https://lawtrend.in/justice-m-fathima-bivi-ko-maranoparant-padma-vibhushan/>

एक अग्रणी कानूनी हस्ती को श्रद्धांजलि देते हुए, दिवंगत न्यायमूर्ति एम फातिमा बीवी को गुरुवार को प्रतिष्ठित पद्म भूषण पुरस्कार से सम्मानित किया गया। यह सम्मान मरणोपरांत भारतीय न्यायपालिका में उनके अद्वितीय योगदान का सम्मान करता है, जो उन्हें भारत के सर्वोच्च न्यायालय की पहली महिला न्यायाधीश के रूप में चिह्नित करता है। यह पुरस्कार, जिसे भारत का तीसरा सबसे बड़ा नागरिक सम्मान माना जाता है, सार्वजनिक मामलों के क्षेत्र में उनकी उत्कृष्ट सेवा के लिए दिया गया था।

जस्टिस बीवी, जिनका पिछले वर्ष नवंबर में 96 वर्ष की आयु में निधन हो गया था, न केवल भारत में पहली महिला सुप्रीम कोर्ट जज के रूप में एक अग्रणी शख्सियत थीं, बल्कि देश की न्यायपालिका के उच्च पदों पर पहुंचने वाली पहली मुस्लिम महिला भी थीं। . उनकी उल्लेखनीय यात्रा 1927 में केरल में शुरू हुई, जहाँ उनका जन्म एक प्रगतिशील परिवार में हुआ, जिसने उनकी शैक्षणिक और व्यावसायिक गतिविधियों को प्रोत्साहित किया। उनके पिता के समर्थन ने कानून का अध्ययन करने के उनके निर्णय में महत्वपूर्ण भूमिका निभाई, एक ऐसा क्षेत्र जिसमें उन्होंने 1950 में बार काउंसिल परीक्षा में टॉप करके उत्कृष्ट प्रदर्शन किया, और बार काउंसिल स्वर्ण पदक प्राप्त करने वाली पहली महिला बनीं। उनके शानदार करियर को अभूतपूर्व उपलब्धियों की एक श्रृंखला द्वारा चिह्नित किया गया था। केरल में एक वकील के रूप में शुरुआत करने वाली न्यायमूर्ति बीवी की कानूनी कौशल और समर्पण के कारण वह 1974 में जिला और सत्र न्यायाधीश बन गईं। कानूनी मामलों में उनकी विशेषज्ञता के कारण उन्हें 1980 में आयकर अपील न्यायाधिकरण में नियुक्ति मिली, और उसके बाद 1983 में हाईकोर्ट के न्यायाधीश का पद।

1989 में सुप्रीम कोर्ट में जस्टिस बीवी की ऐतिहासिक नियुक्ति ने सभी बाधाओं को तोड़ दिया, जिससे वह भारत में शीर्ष अदालत की पीठ में शामिल होने वाली पहली महिला और एशिया में पहली महिला बन गईं। सर्वोच्च न्यायालय के न्यायाधीश के रूप में उनके कार्यकाल ने उच्च न्यायपालिका में एक अग्रणी मुस्लिम महिला के रूप में उनकी स्थिति को रेखांकित किया, जहां उन्होंने भारत के कानूनी परिदृश्य में महत्वपूर्ण योगदान दिया। 1993 में अपनी सेवानिवृत्ति के बाद, न्यायमूर्ति बीवी ने राष्ट्रीय मानवाधिकार आयोग के सदस्य और बाद में तमिलनाडु के राज्यपाल सहित विभिन्न क्षमताओं में देश की सेवा करना जारी रखा। राज्यपाल के रूप में उनका कार्यकाल सैद्धांतिक रुख से चिह्नित था, जिसमें राजीव गांधी हत्या मामले में दोषी ठहराए गए चार कैदियों की दया याचिकाओं को खारिज करने का उनका विवादास्पद निर्णय भी शामिल था, जिसके कारण उन्हें इस्तीफा देना पड़ा।

सुप्रीम कोर्ट ने मेघालय HC के हिरासत में मौत के मुआवजे के आदेश पर रोक लगा

<https://jantaserishta.com/meghalaya/supreme-court-stays-meghalaya-hcs-order-on-compensation-for-custodial-deaths-1160334>

गुवाहाटी: सुप्रीम कोर्ट ने मेघालय उच्च न्यायालय के उस आदेश को चुनौती देने वाली मेघालय सरकार की याचिका पर नोटिस जारी किया है, जिसमें पीड़ित की उम्र के आधार पर हिरासत में होने वाली मौतों के लिए दंडात्मक मुआवजे के विभिन्न स्तर निर्धारित किए गए हैं। जस्टिस बीआर गवई, जस्टिस संजय करोल और संदीप मेहता की तीन-न्यायाधीशों की पीठ ने मेघालय उच्च न्यायालय के फैसले पर रोक लगा दी, लेकिन राज्य को राष्ट्रीय मानवाधिकार आयोग (एनएचआरसी) द्वारा निर्धारित मुआवजा देने का आदेश दिया। 1382 जेलों में पुनः अमानवीय स्थितियों पर सुप्रीम कोर्ट के निर्देश के बाद उच्च न्यायालय ने स्वतः संज्ञान लेते हुए जनहित याचिका शुरू की।

इस मुकदमे का उद्देश्य राष्ट्रीय अपराध रिकॉर्ड ब्यूरो (एनसीआरबी) के अनुसार 2012 और 2015 के बीच राज्य की हिरासत में अप्राकृतिक मौत वाले कैदियों के परिजनों की पहचान करना और उचित मुआवजा देना था। कार्यवाही के दौरान, यह सामने आया कि 2012 के बाद से मेघालय में 53 हिरासत में मौतें हुईं, जिनमें से 25 प्राकृतिक कारणों से हुईं और शेष 28 को अप्राकृतिक माना गया। मई 2022 में, NHRC ने सिफारिश की कि सभी राज्य और केंद्र शासित प्रदेश हिरासत में हिंसा और मौत के मामलों में पीड़ितों और उनके परिवारों को मुआवजा देने के लिए एक नीति बनाएं।

इस सिफारिश के बाद, मेघालय सरकार ने दिसंबर 2022 में एक अधिसूचना प्रकाशित की जिसमें मौत के कारण के आधार पर अप्राकृतिक हिरासत में मौतों के लिए मुआवजा राशि निर्धारित की गई। रकम थी रु. कैदियों के बीच झगड़े या पुलिस/जेल कर्मचारियों द्वारा यातना/पिटवाई के कारण मृत्यु पर 7.5 लाख रुपये और रु. दुर्घटना, मेडिकल/पैरा-मेडिकल लापरवाही या आत्महत्या के कारण होने वाली मृत्यु पर 5 लाख रु. इस मुआवजे को अपर्याप्त पाते हुए, उच्च न्यायालय ने अधिसूचना को रद्द कर दिया और अपना आदेश जारी किया। उच्च न्यायालय ने राज्य सरकार को रुपये का भुगतान करने का निर्देश दिया। 30 वर्ष से कम आयु के पीड़ितों के परिजनों को 15 लाख रु. 30 से 45 वर्ष के बीच वालों के लिए 12 लाख और रु. 45 वर्ष से अधिक उम्र वालों के लिए 10 लाख। राज्य ने इसे सुप्रीम कोर्ट में चुनौती दी, जिसने मौजूदा नोटिस जारी किया।

NHRC ने इंदौर के अनाथालय में बच्चों पर कथित अत्याचार की खबर पर चिंता जताई

<https://jantaserishta.com/delhi-ncr/nhrc-expressed-concern-over-the-news-of-alleged-atrocities-on-children-in-indores-orphanage-1157309>

राष्ट्रीय मानवाधिकार आयोग (एनएचआरसी) ने मध्य प्रदेश के इंदौर में जोधपुर, सूरत, कलकत्ता और बैंगलोर में शाखाओं वाले एक अनाथालय में बच्चों के कथित उत्पीड़न पर एक समाचार रिपोर्ट पर स्वतः संज्ञान लिया है और संबंधित राज्य सरकारों को नोटिस जारी किया है।

रिपोर्ट के मुताबिक, इंदौर के अनाथालय में चार से 14 साल की उम्र के बच्चों पर अत्याचार किया गया और पुलिस ने बाल कल्याण समिति (सीडब्ल्यूसी) की शिकायत पर मामले में एफआईआर दर्ज की है।

एनएचआरसी ने पाया है कि समाचार रिपोर्ट की सामग्री, यदि सच है, तो मानवाधिकारों का गंभीर उल्लंघन है। इसमें कहा गया है कि “कानूनी कार्रवाई करते हुए, इंदौर में पुलिस द्वारा एक एफआईआर दर्ज की गई है, लेकिन मामले का अंतर्राज्यीय प्रभाव है। इसलिए, इंदौर के बाहर स्थित अनाथालय की अन्य शाखाओं की भी जांच/निरीक्षण आवश्यक है।”

तदनुसार, एनएचआरसी ने मध्य प्रदेश, राजस्थान, गुजरात, बंगाल और कर्नाटक के मुख्य सचिवों और पुलिस महानिदेशकों को नोटिस जारी कर चार सप्ताह के भीतर कार्रवाई रिपोर्ट मांगी है।