

Andhra : शेषाचलम मुठभेड़ मामले में आंध्र प्रदेश उच्च न्यायालय ने सरकार और एनएचआरसी को निर्देश दिए

<https://jantaserishta.com/local/andhra-pradesh/andhra-collector-thameem-ansari-highlights-benefits-of-sports-3493826?infiniteScroll=1>

Renuka Sahu29 Aug 2024 9:55 AM

विजयवाड़ा VIJAYAWADA : आंध्र प्रदेश उच्च न्यायालय ने बुधवार को राज्य सरकार को वर्ष 2015 में शेषाचलम मुठभेड़ में 'लाल चंदन तस्करों' के शिकार हुए लोगों के परिवारों द्वारा मामले में पुलिस द्वारा दायर आरोपपत्र के खिलाफ दायर विरोध याचिका की सुनवाई पर स्थिति रिपोर्ट प्रस्तुत करने का निर्देश दिया। साथ ही, मुख्य न्यायाधीश धीरज सिंह ठाकुर और न्यायमूर्ति सी रवि की खंडपीठ ने राष्ट्रीय मानवाधिकार आयोग से मामले की जांच पर स्पष्टता देने को कहा, क्योंकि मामले की सुनवाई उच्च न्यायालय में हो रही है।

इसने एनएचआरसी के वकील को निर्देश दिया कि वे इस मुद्दे पर समानांतर जांच जारी रखें या नहीं, इस पर निर्णय लें। बाद में मामले की सुनवाई अगले महीने के लिए स्थगित कर दी गई। मुठभेड़ में मारे गए लोगों के परिवार के सदस्यों द्वारा दायर याचिका के बाद एनएचआरसी ने मामले की स्वतः संज्ञान लेकर जांच की थी। इसे उस समय सरकार और डीजीपी ने उच्च न्यायालय में चुनौती दी थी।

Andhra HC directs government, NHRC on Seshachalam encounter case

<https://www.newindianexpress.com/amp/story/states/andhra-pradesh/2024/Aug/29/andhra-hc-directs-government-nhrc-on-seshachalam-encounter-case>

Express News Service

Updated:29th Aug, 2024 at 9:52 AM

VIJAYAWADA: The Andhra Pradesh High Court on Wednesday directed the State government to submit the status report on the hearing of the protest petition filed by the families of the victims of Seshachalam encounter of 'red sanders smugglers' in 2015 against the chargesheet filed by the police in the case.

At the same time, the division bench comprising Chief Justice Dhiraj Singh Thakur and Justice C Ravi, asked the National Human Rights Commission to give a clarity on the inquiry into the issue, as the case is being heard by the High Court.

It directed the NHRC counsel to take a call on whether to continue a parallel inquiry into the issue or not. Later, the case hearing was adjourned to next month.

Following the petition filed by the family members of the encounter victims, the **NHRC** had taken suo motu inquiry of the issue. The same was challenged in the High Court by the government and the DGP at that time.

"Group of citizens to submit representation to National Human Rights Council on West Bengal": BJP MP Saumitra Khan

<https://www.bignewsnetwork.com/news/274533328/group-of-citizens-to-submit-representation-to-national-human-rights-council-on-west-bengal-bjp-mp-saumitra-khan>

ANI 29th August 2024, 14:27 GMT+10

Kolkata (West Bengal) [India], August 29 (ANI): Citing the 'Nabanna Abhijan' rally and its aftermath, BJP MP from Bishnupur, Saumitra Khan said on Thursday that a group of concerned citizens will call upon the chairperson of the National Human Right Commission to submit a representation on the events that took place on August 27 and 28, which he said are a blatant violation of human rights.

In a note, the BJP MP said, "A group of concerned citizens of civil society across the country consisting of Members of Parliament, Former IPS officer, Senior Advocates of the Supreme Court and High Court, and Members of Legislative Assembly amongst others will be calling upon the acting chairperson of the **NHRC (National Human Right Commission)** on August 29 at 2 pm to submit a representation on the unfolding events occurred on August 27 and August 28 in the West Bengal that are blatant violation of human rights." On Wednesday, Union Minister Sukanta Majumdar staged a sit-in protest on the road at Baguiati in Kolkata during the 12-hour 'Bengal Bandh' called by BJP in Bengal.

Majumdar also wrote a letter to Union Home Minister Amit Shah against Chief Minister Mamata Banerjee for advocating violence and said that "shamelessly inciting gathering" by the West Bengal CM is nothing less than a blatant endorsement of revenge politics from the highest office in the state.

BJP had called for a '12 hour Bengal Bandh' on Wednesday after Kolkata police resorted to lathi charges, the use of water cannons and tear gas against the protestors in Nabanna Abhiyaan' Rally.

The rally termed "Nabanna Abhiyan" started from the College Square in the capital of West Bengal, amid heightened security around the West Bengal state secretariat with protestors gathering at the Santragachi area in Howrah.

On August 27, chaos broke out in the streets of Kolkata. Security personnel lobbed tear gas shells, used water cannons and resorted to lathi-charge to disperse protestors on the Howrah Bridge marching towards the West Bengal State Secretariat Nabanna, amidst the growing protests over the RG Kar Medical College and Hospital rape-murder case.

The murder and alleged sexual assault of a female trainee doctor on August 9 at RG Kar Medical College and Hospital caused national outrage and many rallies have been held in different states of the country. (ANI)

How The Case Against Kashmiri Activist Khurram Parvez Criminalises Human Rights Reports & Fact-Finding

<https://kashmirtimes.com/how-the-case-against-kashmiri-activist-khurram-parvez-criminalises-human-rights-reports-fact-finding/>

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“A criminal case registered against Kashmiri activist Khurram Parvez, imprisoned for nearly three years under India’s counter-terrorism law, cites two reports produced by his civil society organisation on human rights violations and the impunity enjoyed by security forces and the police in Jammu and Kashmir. In citing them as evidence of tarnishing India’s image and promoting secessionism under the garb of human rights, Prime Minister Narendra Modi’s government is criminalising crucial human rights research and fact-finding, said lawyers, setting a precedent that could have a chilling effect on other groups doing similar work.”

Betwa Sharma

In the terrorism case registered against Kashmiri human rights activist Khurram Parvez, the National Intelligence Agency (NIA) has cited two human rights reports as evidence that his non-profit was promoting secessionism and tarnishing India’s image under the garb of human rights work in Jammu and Kashmir (J&K).

Parvez, 47, was the programme coordinator of the Jammu and Kashmir Coalition of Civil Society (JKCCS), a nonprofit coalition of human rights, advocacy, and research groups started by a Kashmiri lawyer, Parvez Imroz, in 2000.

Over two decades, the JKCCS published 18 reports on human rights violations and the impunity enjoyed by security forces and the police in the erstwhile Muslim majority state, now a union territory, ravaged by a Pakistan-backed insurgency since the 1990s.

Lawyers said the NIA appeared to criminalise human rights reports by citing the Structures of Violence Report (published in 2015) and the Torture Report (published in 2019) as evidence in a case registered under India’s counterterrorism law, the Unlawful Activities Prevention Act (UAPA), 1967.

This sets a dangerous precedent, they said, that could have a chilling effect on other groups investigating human rights violations and producing critical reports.

Mihir Desai, a senior advocate who practises in the Bombay High Court and the Supreme Court and has collaborated with the JKCCS on human rights reports, said the NIA cited the reports to prevent any critical voices from coming out of Kashmir.

“The present establishment is criminalising any narrative that is different from their own narrative,” said Desai. “Anything written about human rights violations is going to be frowned upon. If it is Kashmir, it will be frowned upon even more.”

“They are saying there is no reality except what we tell you,” he said.

Criminalising Fact-Finding & Human Rights Work

Before the Supreme Court stayed the amendment to India’s information technology rules in March, a union government fact-checking unit was supposed to identify “fake,” “false,” or “misleading” online content related to the government’s “business” to stop the creation of fake news or misinformation.

The government would rescind the legal immunity of online intermediaries and Internet service providers against the content shared by users if they did not remove or block content identified by the fact-checking unit.

A recent example of criminalising a fact-finding report was a September 2023 Manipur police case under the Indian Penal Code for “promoting enmity between different groups” after a media body published its findings on the media coverage of the conflict in the northeastern state.

Finding the Editors Guild of India report to be “one-sided”, chief minister N. Biren Singh said, “They are anti-State, anti-national and anti-establishment, who came to pour venom...”

Stopping the Manipur police from arresting guild members, a three-judge bench of the Supreme Court questioned whether a report could lead to a criminal case. “It is a report after all,” they said. “Can that be the subject matter of a criminal case?”

Kartik Murukutla, a Delhi-based lawyer who worked with the JKCSS for seven years, said the case against Parvez and the JKCSS’ reports were “significant because it was the first time a charge sheet under terror laws had been filed against a human rights group with the public work of the organisation under attack”.

“The State seeks to use the procedure of the law to shut down human rights work,” said Murukutla. “Human rights documentation—where the State has refused to investigate, and the local judicial remedies have been exhausted—is crucial.”

“Under the garb of terror and a regressive interpretation and application of the terror laws, the State is criminalising what is internationally recognised work, including the use and application of international law by human rights groups operating in conflict zones,” said Murukutla.

The Case Against Parvez

The NIA case in which Parvez was arrested on 22 March 2023 alleged that the JKCCS was not registered as a non-governmental organisation or under the Foreign Contribution Regulation Act (FCRA), 2010, which allows an organisation to get foreign funding.

The federal agency alleged the JKCCS was getting money and working on behalf of the intelligence agency of Pakistan, commanders of the Hizbul Mujahideen terrorist group

and separatists based in Pakistan Occupied Kashmir and Kashmir to foster unrest, organise stone pelting, strikes and protests, promote secessionism, instigate young men to Pakistan to join the insurgency, give monetary support to the families of active, arrested, and dead militants, and fuel the violence.

The first information report (FIR), registered on 18 October 2020, did not mention Parvez, JKCCS or any other organisation but read like a vague and open indictment of “NGOs, Trusts and Societies”, which the NIA said were “part of a larger criminal conspiracy” that was “prejudicial to the unity, integrity, sovereignty and security of India”.

Parvez was arrested in this case nearly two-and-a-half years after it was registered. He was, however, already jailed since 22 November 2021, when he was arrested in a case registered on 6 November under the UAPA, where he was accused of being part of a “larger conspiracy” of recruiting overground workers for Lashkar-e-Taiba, another terrorist group based in Pakistan.

‘The Next Frontier Of War’

Parvez’s arrest came, as Article 14 reported in November 2021, 10 days after India’s national security adviser Ajit Doval said civil society was ‘the next frontier of war’.

Indeed, “waging war” was one of the eight charges Parvez faced at the time.

“The new frontiers of war, what you call the fourth generation warfare, is the civil society,” said Doval, addressing police probationers at the Sardar Vallabhbhai Patel National Police Academy in Hyderabad on 13 November 2021.

“Wars have ceased to become an effective instrument for achieving political or military objectives,” said Doval. “They are too expensive or unaffordable, and, at the same time, there is uncertainty about their outcome. But it is the civil society that can be subverted, suborned, divided, and manipulated to hurt the interests of a nation. You are there to see they stand fully protected.”

Doval’s remarks appeared to be translated into policy, as a crackdown against Parvez and others indicated.

Others accused in the 18 October 2020 case are Kashmiri journalist Irfan Mehraj, Ghulam Hassan Ganai (Ghulam Hassan Bana), the alleged commander of the Hizbul Mujahideen and the convenor of the All Party Hurriyat Conference (APHC) of Pakistan Occupied Kashmir, Parvez Imroz, president of the JKCCS, and Natasha Rather, a member of the JKCCS.

Mehraj, 32, was arrested on 20 March 2023, and the NIA has filed a charge sheet or a document formally accusing him of a criminal offence. The NIA has chargesheeted Bana, too, but he is absconding. Imroz and Rather have not been chargesheeted.

Parvez and Mehraj are accused of raising funds for a terrorist act, conspiracy to commit a terrorist act, recruiting a person for a terrorist act, and supporting and raising funds for a terrorist organisation.

“Parvez has been incarcerated in Delhi’s Rohini jail for over 1,000 days.”

While their work would be defended if a trial ensued, Murukutla said it was important that those arrested be released on bail pending trial.

Imroz, a lawyer, said he founded JKCCS to fight fundamentalism and promote democracy, transparency and accountability.

“We started the civil society initiative because we never trusted politicians here. We thought the best way to fight extremism was to strengthen civil society and a culture of reason,” said Imroz. “We were doing things within a legal framework. We have not thwarted any law because we believe it gives us security.”

“The criminalisation of this initiative has resulted in it being completely aborted. As a result, there is a void. We don’t know what is happening,” he said. “Without a vibrant civil society, democracy is only a word.”

First Report In The Chargesheet

The report on the structure of violence, published in 2015, said it sought to analyse the role of the state in Jammu and Kashmir, which had resulted in more than 8,000 disappearances, 70,000 deaths, 6,000 unmarked mass graves and countless cases of torture and sexual violence.

The chargesheet said the report gave away “intricate details of deployment”, details of police and army officers posted in sensitive areas and their alleged crimes, and that it was “false and fabricated” and published to “tarnish the image of India at international level...”

The NIA said that a draft of the report was “shared from time to time with Pakistan-based handlers and terrorists,” and Parvez released it in Pakistan on the invitation of Shah Ghulam Qadir and Altaf Hussain Wani, who are associated with the Kashmir Institute of International Relations, an NGO based in Pakistan.

They said that Qadir was a member of the Pakistan Muslim League and a member of the Pakistan Occupied Kashmir Legislative Assembly, and Wani was a “separatist leader and a key man of the ISI” who was working on the “secessionist agenda” and associated with commanders of the Hizbul Mujahideen. They said that “terrorist commanders” facilitated the release of the report in various forums in Pakistan.

This JKCCS report, which the NIA said was fabricated and gave away details of deployment and officer names, has been available online since it was published in September 2015.

If there was material the authorities wanted to contest or sensitive military information in the report, the government could have communicated with the authors at the time instead of including it in a terrorism case nine years later said lawyers.

Documenting 333 cases of human rights violations—198 case studies on extrajudicial killings (415 persons killed) and 73 cases of enforced disappearances (89 disappeared persons)—the report said the layout of the Indian army structure allowed tracing “the theoretical line that connects individual victim and perpetrator in any neighbourhood in Kashmir all the way to the army and BSF (Border Security Force) in New Delhi”.

“The case studies reiterate the lack of any will to provide justice. Despite overwhelming evidence, the Indian judiciary and executive (supported by the legislature through laws such as AFSPA) do not allow for fair and independent processes of investigation or prosecution,” the report said.

“The list of alleged perpetrators, their ranks, units and areas of operations strongly suggests that the crimes listed within this report occurred across Jammu and Kashmir by various armed forces and the police and at various levels of hierarchy for each of these armed forces and police. The Indian state narrative of human rights violations being mere aberrations is not substantiated on consideration of these cases.”

Lawyers said the Jammu and Kashmir Armed Forces Special Powers Act (AFSPA), 1990, and the Public Safety Act (PSA), 1978, which give sweeping powers to the army and the administration, respectively, are responsible for the existing impunity.

Under the AFSPA, security forces can open fire and even kill a person found in contravention of the law or carrying arms and ammunition in an area the centre determined to be “disturbed”. It allows for arresting people based on “reasonable suspicion” and searching their homes.

“Whether any particular incident in the report is wrong, I don’t know. If you don’t agree with a particular incident, you give your alternate argument. But you can’t criminalise fact-finding as a whole,” said Mihir Desai, who was legal counsel for the International People’s Tribunal on Human Rights and Justice in Kashmir (IPTK), which produced the report on strictures of violence.

“The fact of the matter is that human rights violations at the hands of security forces have been rampant in Kashmir for the past 30 years. That’s a fact. AFSPA and PSA have been used in a very discriminatory manner,” said Desai. “People have been tortured. People have been encountered.”

In a rare instance of justice, a military court in March 2023 convicted an army captain for the “staged encounter” of three people in the northern district of Shopian in Kashmir in July 2020 and recommended life imprisonment.

Nine months later, in response to the captain's appeal, the armed forces tribunal found "defects and perversity" in the case against him, suspended his sentence, and said that acquittal could not be ruled out.

Human Rights In Kashmir

The JKCCS was not alone in documenting extrajudicial killings, enforced disappearances and the failure of the Indian state to respond to human rights violations in Kashmir. Human Rights Watch, Amnesty International, the United Nations, the National Human Rights Commission, and the now defunct State Human Rights Commission have called attention to these violations and urged the government of India and authorities of the erstwhile state to address them.

In 2003, while seeking information from the state on enforced disappearances, the **National Human Rights Commission** said, "...the Government of J&K sent a reply which was singularly silent about the establishment of a system to record allegations of enforced or involuntary disappearances or the nature of that system. It has also not informed the Commission about the number of allegations, the details of the system established to investigate the allegations and the results of those investigations."

India signed the International Convention for the Protection of all Persons from Enforced Disappearance 2006 in 2007 but did not ratify it.

In 2008, the European Parliament, a legislative body of the European Union, passed a resolution calling on "the government of India to urgently ensure independent and impartial investigations into all suspected sites of mass graves in Jammu and Kashmir" and "to investigate all enforced disappearances..."

In 2015, the Association of Parents of Disappeared Persons (APDP) in Srinagar, which estimates that 8,000 to 10,000 Kashmiri civilians have disappeared since 1989, asked the Jammu and Kashmir government at the time to form an independent commission, co-chaired by two retired Supreme Court justices and comprising international experts, to probe "enforced disappearances and unknown, unmarked and mass graves, within a time frame".

This was four years before the Modi government rescinded Jammu and Kashmir's semi-autonomous status in August 2019 and made the country's only Muslim-majority state a union territory, bringing it under the direct control of the central government.

The abrogation in August 2019 was followed by the closure of the state human rights commission, formed in 2007, which was investigating hundreds of cases of human rights violations, including mass graves, enforced disappearances, extra-judicial killings and rape.

The commission, a four-member panel with a recommendatory, supervisory, and advisory role, was a toothless tiger, but it gave people hope.

In 2019, Abdul Rashid Khan, a resident of Kupwara district, told HuffPost India, “My son had disappeared 14 years ago. My case was at its final stage, and suddenly, the commission was shut. I feel shattered today.”

Bad To Worse

Successive governments have failed to address human rights violations and hold the security forces in Kashmir accountable for enforced disappearances, extra-judicial killings and torture.

But the past 10 years since the Bharatiya Janata Party came to power have witnessed a crackdown on the limited freedom the media and civil society groups had to report such cases, prosecuting journalists and activists for grave crimes like being part of a terrorist conspiracy and terrorist funding.

Several similarly crafted cases had spun a narrative where media outlets and civil society groups critical of the government are said to be using foreign funding to promote secessionism and militancy under the garb of human rights and journalism.

Given the abdication of the mainstream media to the government in the past decade, the disappearance of these smaller, more independent outlets has meant there is almost no one left to report on the human rights violations in the conflict-ridden region where the insurgency appears to be worsening and spreading to previously peaceful areas.

In February 2023, Article 14 reported how the NIA’s terrorism case against journalist Fahad Shah, who ran one of the last independent news websites in Kashmir, was based on assumptions and an exercise in retribution.

The NIA alleged that Shah was working with Pakistan handlers and conspirators to produce journalism that led to an “increase in terrorism” and “motivated” young men to join the militancy.

While granting bail to Shah in November 2023, the Jammu and Kashmir High Court quashed the charges of terror conspiracy and waging war against the nation while retaining the ones on unlawful activities and receiving foreign funding illegally.

How It Started

As the insurgency became more and more entrenched in the nineties, Kashmir, home to eight million people, became one of the most militarised zones in the world.

As the number of locals being picked up by the army and police rose, Parvez Imroz, a lawyer, co-founded the APDP (Association of Parents of Disappeared Persons) with Parveen Ahangar, a Kashmiri woman whose son had disappeared after security forces picked him on 18 August 1990.

“I want every single mother in Kashmir and other places whose sons have been forcibly disappeared to get answers to the questions that haunt them: where is my child? Where

did you take them? Bring the dead body if you killed them – but for God’s sake, bring them back,” she wrote in 2019.

Khurram Parvez, who hold a Masters degree in mass communication and journalism from Kashmir University, joined the APDP in 1997. He received the 2006 Reebok Human Rights Award and the 2023 Martin Ennals Award.

In 2000, Imroz, Khurram and other human rights activists started the JKCCS, a coalition of human rights, research and advocacy groups.

The JKCCS started filing cases related to disappearances and extended them to other human rights violations. They also published reports.

In 2004, JKCCS monitored the Assembly and Parliament elections.

While gathering information in Kupwara district, the jeep carrying Khurram hit a landmine. He survived, but his leg had to be amputated. The driver, Ghulam Nabi Sheikh, was injured. Aasia Jeelani, a journalist, died.

The JKCCS was instrumental in forming the Asian Federation Against Disappearances (AFAD) based in the Philippines, which brought together civil society groups from different countries that started lobbying the United Nations to take a stronger stand against the problem.

In 2014, Khurram became the chair of the AFAD, which the NIA has identified as one of the alleged conduits of funding foreign funds into India without an FCRA license.

Imroz said that the JKCSS wanted to be part of civil society on the mainland and the global civil society.

“Long ago, civil society was said to be the second superpower,” said Imroz.

“The young generation in Kashmir was very much for this initiative. This gave the people a vent,” he said. “But after the cases and the arrests, the process has been arrested. There is a big vacuum.”

In 2016, there was violent unrest in Kashmir after the security forces killed a young Hizbul Mujahideen commander named Burhan Wani.

Khurram was accused in four cases of rioting, unlawful assembly, hurting a public servant, and endangering human life and the personal safety of others.

A preventive detention order was slapped on him.

Second Report In The Chargesheet

The second report that the chargesheet cited, Torture: Indian State’s Instrument of Control in Indian Administered Jammu and Kashmir, published in 2019, documented 432 cases.

“Due to legal, political and moral impunity extended to armed forces, not a single prosecution has taken place in any case of human rights violations in Jammu and Kashmir,” the JKCCS said at the time.

“The widespread use of torture continues unabatedly in Jammu and Kashmir,” it said, citing the 2019 example of Rizwan Pandith, a 29-year-old school principal, who died in police custody in March 2019.

The chargesheet said “a number of individuals” had given statements that “clearly establish that the said report was just another tool in spreading concocted stories about human rights violations in Kashmir”.

Imroz said JKCCS reported what the victims stated.

Torture in Kashmir has been widely documented.

In a 2019 report, the UN High Commissioner for Human Rights (OHCHR) said, “No security forces personnel accused of torture or other forms of degrading and inhuman treatment have been prosecuted in a civilian court since these allegations started emerging in the early 1990s.”

The UN report relied heavily on the work done by the JKCCS.

Rejecting the report, the Indian government said it was “fallacious, tendentious and motivated”.

India signed the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in October 1997 but has not ratified it.

In May 2020, four UN special rapporteurs listed 14 Kashmiri Muslims and said, “...we express grave concern at the alleged excessive use of force, torture and other forms of ill-treatment reportedly committed during the arrest and detention” and urged the government “to conduct a prompt and impartial investigation into the allegations of arbitrary killings, torture and ill-treatment and to prosecute suspected perpetrators...”

In March 2021, the five UN rapporteurs wrote to the government about an “act of reprisal” against a politician and grassroots activist, Waheed Para, after he spoke with members of the UN Security Council about the treatment of Muslim minorities in India.

Para “was held in a dark underground cell at subzero temperature, was deprived of sleep, kicked, slapped, beaten with rods, stripped naked and hung upside down”, the rapporteurs said.

Para, who contested the 2024 general election from Kashmir, was arrested twice between November 2020 and January 2021; the first time was under India’s counterterrorism law.

While granting him bail in the terror case, a special court of the NIA said the offences under the UAPA were not prima facie made out. While granting him bail in the second

case alleging links to militant groups and financing terrorist activities, the Jammu and Kashmir High Court said the evidence against him was “too sketchy”.

Calling for Khurram’s release in March 2023, the then UN special rapporteur on human rights defenders, Mary Lawlor, said, “The Jammu and Kashmir Coalition of Civil Society carries out essential work monitoring human rights. Their research and analysis of human rights violations are of huge value, including to international organisations seeking to ensure accountability and non-repetition of abuses.”

Mumbai: NCDRC Criticises ESIC Officials For Negligence, Orders ₹50 Lakh Compensation Over Woman's Death

<https://www.freepressjournal.in/mumbai/mumbai-ncdrc-criticises-esic-officials-for-negligence-orders-50-lakh-compensation-over-womans-death>

The NCDRC not only awarded a hefty compensation to the complainant, but also directed the guilty authorities to form a trust in memory of the deceased and deposit Rs 35 lakh as a corpus funds in it, to be used for underprivileged girls.

Pranali Lotlikar Updated: Friday, August 30, 2024, 01:04 AM IST

The National Consumer Disputes Redressal Commission (NCDRC) has issued a scathing verdict against the senior state medical commissioners of the Employees' State Insurance Corporation (ESIC) in Hyderabad, Mumbai and Delhi, reprimanding them for their failure to provide timely medical assistance funds to an employee, resulting in the death of her 25-year-old daughter.

The NCDRC not only awarded a hefty compensation to the complainant, but also directed the guilty authorities to form a trust in memory of the deceased and deposit Rs 35 lakh as a corpus funds in it, to be used for underprivileged girls.

The case involved Manda Kumari, a resident of Hyderabad and a member of the ESIC, who sought medical support for her daughter, Shanti Ayani. Shanti was diagnosed with blood cancer in 2011 after initially experiencing frequent colds and fevers. Medical assessments recommended a bone marrow transplantation, for which the Tata Memorial Centre (TMC) estimated a treatment cost of Rs 50 lakh.

Despite a letter of credit issued to TMC in November 2012, the hospital requested a deposit before commencing treatment. However, ESIC delayed the release of funds despite repeated reminders. The situation became dire and Kumari approached the prime minister and the **National Human Rights Commission** for intervention. Additionally, a writ petition was filed with the Andhra Pradesh High Court, which issued an interim order directing the immediate release of funds. This order, too, was ignored by ESIC.

Due to the lack of funds, Kumari was forced to admit her daughter to a different hospital for chemotherapy in October 2013. Within a month, Shanti succumbed to her illness.

The state commission, when it heard the case, found the authorities guilty of negligence and awarded a compensation of Rs5 lakh to Kumari. Unsatisfied, Kumari appealed to the NCDRC for a higher compensation.

In its defence, ESIC argued that the delay in disbursing the funds was due to the time taken to verify the authenticity of the claim, despite having issued a letter of credit to TMC. ESIC contended that by the time the funds were approved for release, the patient had already passed away.

However, the NCDRC found this explanation inadequate and held ESIC accountable for the “inordinate delay” in processing the claim, which directly contributed to Shanti’s untimely death. The commission criticised the initial compensation of Rs 5 lakh as “too meagre”.

The NCDRC ruled: “After thoughtful consideration of the entire facts and circumstances of the case, and the inordinate delay in sanctioning or disbursing the amount to which the complainant was entitled, which ultimately led to the unfortunate and untimely death of her daughter, we are of the considered view that the compensation of Rs5 lakh awarded by the state commission is too meagre. The complainant definitely deserves a much higher compensation.”

The commission awarded a total compensation of Rs 50.75 lakh, the amount initially sanctioned for treatment, payable with 6% interest from 2013. The NCDRC directed that Rs15 lakh be immediately released to Kumari’s account, while the remaining amount is to be deposited in a public sector bank.

The NCDRC ordered the authorities to immediately form a trust in memory of Shanti Ayani, using the corpus fund to support the education and health of underprivileged girls in the area.

NHRC Seeks Report on Rise in Snakebite Deaths in Odisha

<https://odishabhaskar.in/odisha/nhrc-seeks-report-on-rise-in-snakebite-deaths-in-odisha-91517/>

By Sib Kumar Das On Aug 29, 2024 at 5:01 PM

Bhubaneswar: The **National Human Rights Commission (NHRC)** has issued notice to Odisha Chief Secretary seeking detailed report regarding the steps being taken by the government to reduce snakebite deaths in the State, reported The Statesman.

The NHRC sent this notice following a petition filed by human rights lawyer Radhakanta Tripathy. In the petition, the activist had sought NHRC's intervention on the lack of government measures to check the rising cases of snakebite deaths.

The petitioner noted a series of incidents of snakebite reported in hospitals, police stations, schools, Anganwadi centres, residential homes in Odisha as well as State Government's failure to ensure safety and security at public places including the government offices.

In Last eight years, more than 7,000 persons have died due to snakebites in Odisha, noted the petition.

The NHRC sought replies from the concerned authorities regarding the matter within eight weeks. The NHRC also sought replies on the awareness programmes and availability of the requisite quantity of anti-venom serum in the Public Health Centres and Community Health Centres, whether monetary relief is being provided in a time bound manner to the victims/ next of kin of snakebite victims.

Odisha was the first State in the country to declare snakebite death as a State-specific disaster. From April 1, 2015, snakebites have been declared as a 'State Specific Disaster' by Odisha government. As per reports, around 900 people die of snakebites every year in Odisha.

NHRC seeks report on spurt in snakebite fatalities in Odisha

<https://www.thestatesman.com/india/nhrc-seeks-report-on-spurt-in-snakebite-fatalities-in-odisha-1503337171.html>

A petition filed earlier by human rights lawyer Radhakanta Tripathy had sought NHRC's intervention on the lack of measures on part of the government to combat the rising cases of snakebite deaths.

Statesman News Service | BHUBANESWAR | August 29, 2024 4:17 pm

The National Human Rights Commission (**NHRC**) has issued notice to Odisha Chief Secretary seeking detailed report regarding the steps being taken by the government to reduce snakebite fatalities in the State.

A petition filed earlier by human rights lawyer Radhakanta Tripathy had sought NHRC's intervention on the lack of measures on part of the government to combat the rising cases of snakebite deaths.

The petitioner had highlighted a series of incidents of snakebite reported in hospitals, police stations, schools, Anganwadi centres, residential homes in Odisha and failure of the State Government to ensure safety and security at public places including the government offices.

Due to the Government's lack of attention to it, more than 7,000 precious human lives were lost in the last eight years in the State, the petition noted.

Seeking replies from the authorities concerned within eight weeks, the top rights panel pointed out whether the authorities obtained opinions from the experts to minimise the incidents of the snakebites. The panel also sought replies on the awareness programmes and availability of the requisite quantity of anti-venom serum in the Public Health Centres and Community Health Centres.

The NHRC also sought to know whether monetary relief is being provided in a time bound manner to the victims/ next of kin of snakebite victims.

The snake bites, which has been declared as a 'State Specific Disaster' by Odisha government from 1 April, 2015, claim close to 900 human lives every year, according to officials of Special relief commissioner's office.

It's pertinent to note here that Odisha was the first State in the country to declare snakebite death as a State-specific disaster.

Saumitra Khan का दावा, "ममता बनर्जी सत्ता में वापस आई तो 'सिलीगुड़ी कॉरिडोर' को रोक सकती हैं"

<https://jantaserishta.com/delhi-ncr/saumitra-khan-claims-if-mamata-banerjee-comes-back-to-power-she-can-stop-the-siliguri-corridor-3492566>

Gulabi Jagat29 Aug 2024 1:49 PM

New Delhi नई दिल्ली : भाजपा सांसद और पश्चिम बंगाल भाजपा उपाध्यक्ष सौमित्र खान ने गुरुवार को एक बड़ा आरोप लगाते हुए दावा किया कि ममता बनर्जी अगर 2026 में फिर से सत्ता में आती हैं तो वह पूर्वोत्तर राज्यों को शेष भारत से जोड़ने वाले 'सिलीगुड़ी के चिकन नेक कॉरिडोर' को बंद कर सकती हैं। खान ने दावा किया कि वह अपनी राजनीति के लिए आतंकवादियों और अपराधियों को बढ़ावा दे सकती हैं। उन्होंने शीर्ष अदालतों और भारत सरकार से इस संबंध में संज्ञान लेने का आग्रह किया। पश्चिम बंगाल की सीएम ममता बनर्जी की टिप्पणी पर प्रतिक्रिया देते हुए पश्चिम बंगाल भाजपा उपाध्यक्ष सौमित्र खान ने कहा, "मैं पश्चिम बंगाल में रहता हूँ और मुझे डर है कि अगर भारत सरकार इस पर ध्यान नहीं देती है तो ममता बनर्जी 2026 तक सिलीगुड़ी हिस्से में भारत के (चिकेंस) नेक को बंद करके पूर्वोत्तर

भारत का रास्ता बंद कर देंगी। वह राजनीति के लिए कुछ भी कर सकती हैं। वह अपनी राजनीति के लिए आतंकवादियों और अपराधियों को बढ़ावा देंगी। अदालतों और भारत सरकार को इस पर ध्यान देना चाहिए, अन्यथा भारत खतरे में पड़ जाएगा।" पश्चिम बंगाल की मुख्यमंत्री ममता बनर्जी की टिप्पणी के खिलाफ हिमंत बिस्वा सरमा के ट्वीट पर खान ने कहा, "असम एक विकासशील राज्य है। असम के सीएम हिमंत बिस्वा सरमा के सत्ता में आने के बाद, असम के लोगों को असम में, उनके घरों में काम मिल रहा है।

रोजगार बढ़ रहा है और उद्योग स्थापित हो रहे हैं। दूसरी ओर, ममता बनर्जी बंगाल को बर्बाद कर रही हैं। मुझे भी लगता है कि वह विदेशी शक्तियों से जुड़ी हुई हैं।" इससे पहले बुधवार को, भाजपा के 12 घंटे लंबे 'बंगाल बंद' के आह्वान पर कोलकाता में एक सार्वजनिक समारोह में बोलते हुए, मुख्यमंत्री ममता बनर्जी ने दावा किया था कि प्रधानमंत्री नरेंद्र मोदी कोलकाता की महिला डॉक्टर के बलात्कार और हत्या की घटना को लेकर बंगाल में आग लगाने के लिए अपनी पार्टी का इस्तेमाल कर रहे हैं और चेतावनी दी कि यदि आप बंगाल को जलाते हैं, तो

असम, पूर्वोत्तर, उत्तर प्रदेश, बिहार, झारखंड, ओडिशा और दिल्ली सहित अन्य राज्य भी जलेंगे और आपकी कुर्सी गिर जाएगी। ममता बनर्जी ने कहा, "कुछ लोगों को लगता है कि यह बांग्लादेश है। मुझे बांग्लादेश से प्यार है; वे हमारी तरह बोलते हैं और हमारी संस्कृति साझा करते हैं। लेकिन याद रखें, बांग्लादेश एक अलग देश है, और भारत एक अलग देश है। मोदी बाबू अपनी पार्टी का इस्तेमाल यहां आग लगाने के लिए कर रहे हैं। अगर आप बंगाल जलाएंगे, तो असम, पूर्वोत्तर, उत्तर प्रदेश, बिहार, झारखंड, ओडिशा और दिल्ली भी जलेंगे! हम आपकी कुर्सी गिरा देंगे।" एक्स पर एक पोस्ट में, असम के मुख्यमंत्री ने सीएम ममता पर भी निशाना साधा और कहा, "दीदी, असम को धमकाने की आपकी हिम्मत कैसे हुई? हमें लाल आंखें मत दिखाइए। अपनी विफलता की राजनीति से भारत को जलाने की कोशिश भी मत कीजिए। विभाजनकारी भाषा बोलना आपको शोभा नहीं देता।" एनएचआरसी के एक प्रतिनिधिमंडल के दौरे पर बोलते हुए, जिसमें भाजपा नेता शामिल थे, खान ने कहा, "आरजी कर मुद्दे को लेकर सुप्रीम कोर्ट के वरिष्ठ वकील एनएचआरसी

(राष्ट्रीय मानवाधिकार आयोग) जा रहे हैं। मैं भी जाऊंगा क्योंकि आरजी कर अस्पताल की घटना में शामिल लोगों को तुरंत गिरफ्तार किया जाना चाहिए। हम प्रदर्शनकारियों पर पुलिस लाठीचार्ज के खिलाफ (एनएचआरसी) जा रहे हैं।" इससे पहले दिन में 'नब्बाना अभिजन' रैली और उसके बाद की घटनाओं का हवाला देते हुए सौमित्र खान ने कहा कि चिंतित नागरिकों का एक समूह **राष्ट्रीय मानवाधिकार आयोग** के अध्यक्ष से 27 और 28 अगस्त को हुई घटनाओं पर एक ज्ञापन सौंपने का आह्वान करेगा, जिसे उन्होंने मानवाधिकारों का घोर उल्लंघन बताया। (एएनआई)

What does Himachal Pradesh's Bill raising women's minimum marriage age entail?

<https://www.thehindu.com/news/national/himachal-pradesh-bill-womens-minimum-marriage-age-entail/article68580118.ece>

What are the key provisions of the Bill? Why is the assent of the President required? What are the concerns?

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The Himachal Pradesh Assembly on Tuesday (August 27, 2024) passed a Bill raising the minimum marriageable age for women from 18 to 21 years. The Prohibition of Child Marriage (Himachal Pradesh Amendment) Bill, 2024, was passed by voice vote on the first day of the two-week monsoon session. It seeks to amend the Prohibition of Child Marriage Act, 2006 (2006 Act) to advance gender equality and encourage higher education among women.

The Bill was initially introduced in the Vidhan Sabha during the Budget session in February but could not be passed then. Earlier, in June, a central bill that aimed to bring uniformity in the minimum age of marriage for men and women lapsed with the dissolution of the 17th Lok Sabha. The Prohibition of Child Marriage (Amendment) Bill, 2021 was introduced in the Lok Sabha in December 2021 and was subsequently referred to a parliamentary standing committee for review. However, despite receiving multiple extensions, the 31-member committee failed to table its report.

Why was the Bill passed?

Chief Minister Sukhvinder Singh Sukhu told The Hindu that the passage of the Bill clearly demonstrates the Congress government's commitment to advancing the welfare of women. "We are the first State in the country to enact the legislation to increase the marriage age of girls to 21. The Congress has always been at the forefront to work towards the betterment of women," Mr. Sukhu said.

Tabling the Bill in the House, Health, Social Justice, and Empowerment Minister Dhani Ram Shandil highlighted that early marriage obstructs girls' education and limits their potential for progress in life. He noted that the proposed amendments to the 2006 Act aim to reduce instances of early pregnancies and motherhood, which adversely affect women's health.

"In today's world women are progressing in every field. The early marriages, however, act as a hindrance not only in the progress of their career but also in their physical

development. In order to provide for gender equality and opportunities to obtain higher education, it has become necessary to increase the minimum age of marriage for girls. Thus, it is proposed to amend the Prohibition of Child Marriage Act, 2006 and other related Acts in their application to the State of Himachal Pradesh and increase the minimum age for marriage for girls to 21 years," the Bill stipulates.

What are the key provisions?

Currently, Section 2(a) of the 2006 Act defines a "child" as someone "who, if male, has not completed twenty-one years of age, and if female, has not completed eighteen years of age." The Bill removes this gender-based distinction, redefining a "child" as "a male or female who has not completed twenty-one years of age."

The Bill also extends the time period for filing a petition to annul a marriage. Under Section 3 of the 2006 Act, an individual who was a minor at the time of marriage can file for annulment within two years of attaining majority —before turning 20 for women and 23 for men. The Bill extends this period to five years, allowing both women and men to file petitions before they turn 23, in accordance with the new minimum marriageable age of 21 years.

A new provision, Section 18A, has also been introduced to ensure that the Bill's provisions take precedence over all other existing laws. This means that the new minimum marriageable age for women will apply uniformly across Himachal Pradesh, regardless of any conflicting laws or religious and cultural practices.

Why will the President's assent be required?

The Concurrent List of the Seventh Schedule of the Constitution outlines subjects on which both the central and state governments can legislate. Entry 5 of this list deals with the subject of marriage and divorce enabling both the Centre and states to enact laws to regulate child marriages.

After a Bill is passed by a State Legislative Assembly, it is presented to the Governor for assent. Under Article 200 of the Constitution, the Governor can exercise four options — to grant assent, withhold assent, return the Bill to the Assembly for reconsideration, or reserve it for the President's consideration. A Bill can be reserved for the President's consideration only if the Governor believes that it could undermine the authority of the High Court.

In this case, Governor Shiv Pratap Shukla's assent would typically suffice to enact the Bill into law. However, since the Bill introduces a different minimum marriageable age

for women, its provisions will be deemed inconsistent with the 2006 Act—a law enacted by Parliament. This potential conflict brings Article 254 of the Constitution into play. According to clause (1) of this provision, if a State legislature enacts a law on a subject covered by the Concurrent List that is “repugnant” to the provisions of an existing central law, then that repugnant or inconsistent portion of the state law will be considered “void”.

However, if the State legislation is reserved for the President’s consideration and receives his or her assent in accordance with clause (2) of Article 254, then its validity can be upheld. With the President’s assent, the state law will take precedence within the State and override the provisions of the central law in their applicability to the State only. Thus, for the Himachal Pradesh Bill to come into force, the Governor must reserve it for President Droupadi Murmu’s consideration, who must then decide to give her assent to the Bill.

What do experts have to say?

Child and women’s rights activists have long opposed raising the minimum age for marriage. They argue that the existing provisions of the 2006 Act are frequently exploited by disapproving parents to penalise daughters who pursue inter-caste or inter-religious marriages against familial wishes. In a patriarchal society, increasing the minimum marriage age may further entrench parental control over young adults.

Author and activist Madhu Mera previously told The Hindu that raising the minimum marriage age for women to 21 years could upend young lives in a web of criminal prosecutions. “In our research at Partners for Law in Development, we looked at 10 years of use of the child marriage law. Overwhelmingly, the law was used by parents against eloping daughters. It has become a tool for parental control and for punishment of boys or men whom girls choose as their husbands. An increase in age to 21 years would mean further persecution of girls right up till 21 years,” she said.

Such a legislative reform could also leave a vast majority of Indian women who marry before the age of 21 years without the legal protections that the institution of marriage otherwise provides. It is also likely to endanger the life and liberty of the marginalised communities exposing them to further brutal policing. The 2008 Law Commission Report recommended setting a uniform age of marriage for both men and women at 18 years. The **National Human Rights Commission** in 2018 too proposed a similar reform.

भयावह रूप से क्यों गायब हो रही हैं भारत से महिलाएं और लड़कियां?

<https://janchowk.com/zaruri-khabar/why-are-women-and-girls-disappearing-from-india-at-such-an-alarming-rate/?noamp=available>

August 29, 2024 स्वदेश सिन्हा

आज देश में महिलाओं और लड़कियों के प्रति अपराधों में भयानक रूप से वृद्धि हो रही है, विशेष रूप से बलात्कार के मामले में। देश का कोई राज्य इससे अछूता नहीं है। इसके प्रति कड़े कानून भी बनाए गए, बावजूद इसके यह सिलसिला थमने को नहीं आ रहा है। विभिन्न राजनीतिक दल अपने-अपने राजनीतिक हितों के अनुरूप ही महिलाओं पर अत्याचार के मुद्दे उठाते हैं।

पिछले दिनों कोलकाता में एक महिला डॉक्टर से बलात्कार और हत्या के मामले में इन चीजों को भलीभांति देखा जा सकता है। महिलाओं के साथ केवल बलात्कार के मामले ही नहीं हैं, बल्कि देश भर में महिलाओं और लड़कियों के गायब होने तथा उनके अपहरण के मामले भी बहुत तेज़ी से बढ़ रहे हैं और उससे सम्बन्धित आंकड़े भी चौंकाने वाले हैं।

देश में 2019 से 2021 के बीच लापता हुई लड़कियों और महिलाओं में सबसे अधिक लगभग दो लाख लड़कियां मध्य प्रदेश से और दूसरे स्थान पर पश्चिम बंगाल था। केंद्रीय गृह मंत्रालय के आंकड़ों के अनुसार, 2019 से 2021 के बीच देश भर में 18 वर्ष से अधिक आयु की 10,61,648 महिलाएं और उससे कम आयु की 2,51,430 लड़कियां लापता हुईं।

फेमिनिज़्म इन इंडिया यूएनएफपीए की रिपोर्ट बताती है कि यदि भारत की जनसंख्या वर्तमान दर से, जो लगभग एक प्रतिशत प्रतिवर्ष है, इसी तरह बढ़ती रही तो अगले 75 वर्षों में यह वर्तमान से दोगुनी हो जाएगी, लेकिन भारत महिला जनसंख्या के मामले में आज भी पिछड़ा हुआ है और यहां महिलाओं और लड़कियों की संख्या अनुमान से करोड़ों कम है।

हमारे देश में महिलाओं के खिलाफ हिंसा का एक क्रूर रूप है महिलाओं का लापता हो जाना। अफसोस की बात है ये महिलाओं और किशोरियों की आर्थिक स्थिति, शैक्षिक स्थिति, सामाजिक और यहां तक कि राजनीतिक स्थिति से भी जुड़ी है।

देश में लापता महिलाओं और लड़कियों की व्यापक वास्तविकता बेहद चिंताजनक और निराशाजनक है। हाल ही में विधानसभा में कांग्रेस विधायक और पूर्व गृह मंत्री बाला बच्चन द्वारा सवाल उठाए जाने के बाद आधिकारिक आंकड़ों में पता चला है कि पिछले तीन सालों में मध्य प्रदेश में 31,000 से ज्यादा महिलाएं और लड़कियां लापता हुई हैं। कुल लापता लोगों में से 28,857 महिलाएं और 2,944 लड़कियां साल 2021 से 2024 के बीच लापता हुईं।

एनडीटीवी की एक रिपोर्ट मुताबिक मध्य प्रदेश में हर दिन औसतन 28 महिलाएं और तीन बच्चे लापता होते हैं, इसके बावजूद आधिकारिक तौर पर सिर्फ 724 मामले ही दर्ज किए गए। पिछले 34 महीनों में उज्जैन में कुल 676 महिलाएं लापता हुईं, लेकिन एक भी मामला दर्ज नहीं हुआ।

रिपोर्ट बताती है कि राज्य के सागर जिले में सबसे ज्यादा 245 लड़कियां लापता हुईं। वहीं इंदौर में 2,384 मामले दर्ज किए गए, जो किसी भी जिले में सबसे ज्यादा है, लेकिन इंदौर में केवल 15 मामले दर्ज किए गए, जबकि इस में इस क्षेत्र में एक महीने में लापता मामलों की संख्या 479 है।

साल 2023 के सरकारी आंकड़ों के अनुसार 2019 से 2021 के बीच लापता लड़कियों और महिलाओं की संख्या 1.31 मिलियन से भी ज्यादा थी। इतनी बड़ी संख्या में महिलाओं का लापता होना देश में महिलाओं की सुरक्षा पर सवाल है।

राष्ट्रीय अपराध रिकॉर्ड ब्यूरो (एनसीआरबी) की रिपोर्ट से पता चलता है कि इसी समयावधि के दौरान 18 वर्ष से अधिक आयु की दस लाख से अधिक महिलाएं और 18 वर्ष से कम आयु की 25 लाख लड़कियां लापता हुई हैं।

डेक्कन हेराल्ड की एक खबर मुताबिक 2019 में भारत के सर्वोच्च न्यायालय के निर्देश पर शुरू किए गए एनसीआरबी द्वारा किए गए पहले के विश्लेषण का उद्देश्य बाल और महिला तस्करी के लिए अतिसंवेदनशील क्षेत्रों की पहचान करना था। इस विश्लेषण के अनुसार इन लापता मामलों के कारण जटिल और बहुआयामी हैं, जिनमें मानसिक स्वास्थ्य संबंधी समस्याएं और गलतफहमी से लेकर घरेलू हिंसा और आपराधिक उत्पीड़न तक शामिल हैं।

साल 2018 आर्थिक सर्वेक्षण के अनुसार देश में 63 मिलियन लापता महिलाएं और 21 मिलियन अवांछित लड़कियां हैं। हालांकि विशेषज्ञों का कहना है कि लापता महिलाओं के लिए सेक्स-सिलेक्टिव अबॉर्शन और पोषण और स्वास्थ्य देखभाल में प्रसवोत्तर उपेक्षा को जिम्मेदार ठहराया जा सकता है। ये लापता महिलाएं लड़कों के लिए एक मजबूत सामाजिक, सांस्कृतिक और आर्थिक प्राथमिकता को दर्शाती हैं।

भारतीय नोबेल पुरस्कार विजेता, अर्थशास्त्री अमर्त्य कुमार सेन ने गणना की कि किस प्रकार लिंग अनुपात और लापता महिलाओं की संख्या में परिवर्तित हो जाता है। सेन ने 1992 में ब्रिटिश मेडिकल जर्नल में 'लापता महिलाओं' की अवधारणा प्रस्तुत की थी। उन्होंने अनुमान लगाया था कि 100 मिलियन महिलाएं लापता हैं, जिनमें से 80 फीसद भारत और चीन से हैं।

देश में 2019 से 2021 के बीच लापता हुई लड़कियों और महिलाओं में सबसे अधिक लगभग दो लाख लड़कियां मध्य प्रदेश से और दूसरे स्थान पर पश्चिम बंगाल था। केंद्रीय गृह मंत्रालय के आंकड़ों के अनुसार, 2019 से 2021 के बीच देश भर में 18 वर्ष से अधिक आयु की 10,61,648 महिलाएं और उससे कम आयु की 2,51,430 लड़कियां लापता हुईं।

इस खबर मुताबिक मध्य प्रदेश में साल 2019 से 2021 के बीच 1,60,180 महिलाएं और 38,234 लड़कियां लापता हुईं। इसी समय अवधि में पश्चिम बंगाल से कुल 1,56,905 महिलाएं और 36,606 लड़कियां लापता हुईं।

महाराष्ट्र में भी इस समय में 1,78,400 महिलाएं और 13,033 लड़कियां लापता हुईं। इसी तरह इसी समय के बीच ओडिशा में 70,222 महिलाएं और 16,649 लड़कियां लापता हुईं, जबकि छत्तीसगढ़ से 49,116 महिलाएं और 10,817 लड़कियां लापता हुईं। वहीं दिल्ली में इस समय सीमा के बीच 61,054 महिलाएं और 22,919 लड़कियां लापता हुईं, जबकि जम्मू कश्मीर से 8,617 महिलाएं और 1,148 लड़कियां लापता हुईं।

संयुक्त राष्ट्र जनसंख्या कोष (यूएनएफपीए) द्वारा जारी 2020 की वैश्विक आबादी की स्थिति रिपोर्ट के अनुसार पिछले 50 सालों में लापता हुई महिलाओं की संख्या दुगुनी हो गई है। यह संख्या साल 1970 में 6.10 करोड़ थी जो 2020 में बढ़कर 14.26 करोड़ हो गई है। रिपोर्ट में बताया गया है कि भारत में साल 2020 तक 4.58 करोड़ और चीन में 7.23 करोड़ और 23 लाख महिलाएं लापता हुई हैं।

राष्ट्रीय अपराध रिकॉर्ड ब्यूरो ने 2016, 2017 और 2018 की अवधि में किए गए 'भारत में लापता महिलाएं और बच्चे' अध्ययन में पाया कि देश में 5,86,024 महिलाएं लापता हैं। इसका मतलब है कि भारत में हर दिन 550 से ज्यादा महिलाएं लापता हो रही हैं।

दुनिया के हर कोने में होने वाला यह अपराध सभी उम्र और पृष्ठभूमि के पुरुषों, महिलाओं और बच्चों को प्रभावित कर सकता है। मानव तस्करी एक गंभीर सामाजिक समस्या है, खासकर महिलाओं और बच्चों के लिए, जो इस समस्या का सामना पुरुषों से अधिक करती हैं। यह उनकी गरिमा और मानवाधिकारों का हनन है। राष्ट्रीय मानवाधिकार आयोग के अनुसार महिलाओं और बच्चों की मानव तस्करी मानवाधिकारों के हनन के सबसे जघन्य प्रकारों में से एक है।

चूंकि यह एक जटिल समस्या है, इसलिए इस पर शिक्षाविदों, कानूनी पेशे और नागरिक समाज ने बहुत कम ध्यान दिया है। इसे अक्सर सेक्स ट्रेफिकिंग से जोड़ा जाता है, जबकि यह मानव तस्करी की कहानियों का सिर्फ एक पहलू है।

राष्ट्रीय मानवाधिकार आयोग की रिपोर्ट 'महिलाओं और बच्चों की तस्करी: चुनौतियां और समाधान' के अनुसार श्रम और यौन तस्करी के लिए, भारत एक स्रोत, गंतव्य और ट्रांजिट देश है। भारत में 90 फीसद तस्करी देश के भीतर होती है, जबकि 10 फीसद राष्ट्रीय सीमाओं के पार होती है।

आंकड़ों के अनुसार भारत में मानव तस्करी किए गए 95 प्रतिशत लोगों को जबरन सेक्स ट्रेफिकिंग में डाल दिया जाता है। 2011 में मानव तस्करी के खतरे के संदर्भ में तस्करी सूचकांक में 196 देशों में से इसे सातवें स्थान पर रखा गया था। संयुक्त राष्ट्र और विश्व बैंक जैसे संगठनों ने महिलाओं के खिलाफ अपराधों से निपटने के लिए मजबूत, विश्वसनीय और अलग-अलग डेटा प्रणालियों को संभावित तरीकों के रूप में माना है।

2021 की एक रिपोर्ट के अनुसार, वे स्वास्थ्य, शिक्षा, सामाजिक सुरक्षा और शासन जैसे प्रमुख क्षेत्रों में नैदानिक कार्य, रोकथाम और प्रतिक्रिया प्रयासों और नीतियों को सूचित करते हैं।

राष्ट्रीय मानवाधिकार आयोग की रिपोर्ट के अनुसार तस्करी की शिकार अधिकांश उत्तरदाता आर्थिक रूप से कमजोर वर्गों से थे। सरकार महिलाओं और लड़कियों की सुरक्षा की बात करती आ रही है। लेकिन लापता होती महिलाओं और लड़कियों की संख्या में कमी नहीं आ रही है। वहीं ये भी सच है कि ये सिर्फ दर्ज हुए केस हैं, क्योंकि बहुत से लोग लापता के मामले लोक लाज के डर से दर्ज नहीं कराते हैं।

असल में महिलाओं और लड़कियों का गायब होना और मानव तस्करी एक दूसरे से जुड़े हैं और ये बहुआयामी समस्या है, जिसमें गरीबी एक महत्वपूर्ण कारक है। आर्थिक संकट से निपटने के लिए, राज्यों को सभी कमजोर परिवारों, विशेष रूप से प्रवासियों और जोखिम में पड़े महिलाओं और किशोरियों की पहचान कर उन्हें सरकारी योजनाओं से जोड़ना चाहिए, ताकि नौकरी या अन्य झांसे के चक्कर में वे मानव तस्करी में न पड़े।

महिलाओं और किशोरियों का गायब होना एक गंभीर समस्या है, जो सामाजिक मानदंडों से जुड़ी है, इसलिए इसे सिर्फ कानूनी उपायों, सरकारी कार्यक्रमों या पहलों के ज़रिए संबोधित नहीं किया जा सकता। हमें रोजगार, आजीविका की संभावनाओं की कमी, लैंगिक भेदभाव जैसे गंभीर चुनौतियों को ध्यान में रखते हुए इसकी रोकथाम के लिए सोचना होगा।

दुर्भाग्यवश महिलाओं के साथ हर तरह के अपराध; जिसमें बलात्कार, देहव्यापार और उनका अपहरण जैसे मुद्दे एक-दूसरे से गहराई से जुड़े हुए हैं। सभी राजनीतिक दल इन मुद्दों को अपने राजनीतिक हितों को साधने के लिए ज़रूर उठाते हैं, लेकिन इसे कभी चुनावी मुद्दा नहीं बनाते। वास्तव में इसके पीछे वह पुरुष-सत्तात्मक मानसिकता ज़िम्मेदार है, जो महिलाओं और लड़कियों को दोगम दर्जे का नागरिक मानती है।

(स्वदेश कुमार सिन्हा स्वतंत्र पत्रकार हैं।)