

NHRC seeks info on casting couch in Bollywood

SUCHITRA KALYAN MOHANTY
@ New Delhi

THE National Human Rights Commission (NHRC) on Wednesday sought an action taken report from the Maharashtra DGP on the casting couch incidents in the Hindi film industry.

Acting on a petition filed by human rights activist and Supreme Court lawyer Radhakanta Tripathy, the NHRC passed the order and sought a detailed report from the Maharashtra DGP within eight weeks.

Talking exclusively to this newspaper, Tripathy cited several such instances and stated that the prevalence of the casting couch undermines the actors' dignity and fundamental human rights.

The petitioner said that due to the negligence and inaction of concerned authorities, the issue of casting couches remains untouched. The failure of the governments of Maharashtra and other states to act on this serious issue poses a serious question of the human rights of male and female actors in the film industry.

"This complaint be transmitted to the concerned authority for such action as deemed appropriate. The authority concerned is directed to take appropriate action within 8 weeks associating the complainant/


ALSO IN TOP COURT

SC summons local bar body officials

The top court has directed the president and secretary of the Gautam Budh Nagar district court bar association to appear before it over the alleged manhandling of a senior advocate. A two-judge bench on March 21 last year directed both the office bearers to appear before it but they failed to comply with the order.

Norms for dismissal of staff relaxed

The Supreme Court has said public employers were needed only to demonstrate the "preponderance of probabilities" to establish misconduct during the disciplinary proceedings to dismiss errant employee, a less stringent standard than the "beyond a reasonable doubt" burden required in criminal trials.



victim and to inform them of the action taken in the matter," the NHRC, in its order, said.

In response, Devidas Kathale, senior police inspector at Sanpada police station, Navi Mumbai, replied that if any actor informs about their stay within the jurisdiction of this police station and applies for security, then the same will be provided in accordance with the law, procedure, and guidelines.

Notably, Telugu film actor Sri Reddy had protested against the practice of powerful people in the film industry demanding sexual favours from female actors.

The casting couch controversy in the Odia film industry

continues to get uglier with each passing day, as several actresses are opening up about the alleged dark reality of the cinema industry.

Actors like Prakruti Mishra, Jasmine Rath, and Pupul Bhuyan are levelling allegations of casting couch against film producers.

Odia theatre artist Rani Priyadarshini said, "Casting couch exists in Ollywood. No newcomer gets a break without being subjected to the casting couch. Those who have taken that route have destroyed their career, while those who did not compromise are now considered as successful in the film industry."

5 recommended as permanent judges in HCs

SUCHITRA KALYAN MOHANTY
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THE Supreme Court collegium on Wednesday recommended the appointment of five additional judges of Madras and Telangana High Courts as permanent judges.

Headed by Chief Justice Sanjiv Khanna, the collegium met on Wednesday. "The Supreme Court collegium in its meeting held on February 5, 2025, has approved the proposal for appointment of the following additional judges as permanent judges in the Madras High Court — Justice Venkatachari Lakshminarayanan and Justice Periyasamy Vadamalai," a statement said.

It further added approval of the proposal for appointment of additional judges — Justices Laxmi Narayana Alishetty, Anil Kumar Jukanti and Sujana Kalasikam — as permanent judges in the Telangana HC.

The SC collegium is a statutory and independent body looking into recommending for appointment, elevation and transfer of judges to courts.

Nagaland Tribune

NHRC, India organises meeting of Core Group on Children focused on 'Human rights of children in conflict with law'

<https://nagalandtribune.in/nhrc-india-organises-meeting-of-core-group-on-children-focused-on-human-rights-of-children-in-conflict-with-law/>

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Justice V Ramasubramanian, Chairperson, National Human Rights Commission (NHRC), India on February 4, said that it is necessary to have authentic and verified data on the children in conflict with the law to have a clear understanding of their problems and make suggestions to address them. He was chairing the meeting of the Commission's Core Group on Children focused on the theme 'Human rights of children in conflict with law' in the presence of Member, Vijaya Bharathi Sayani, Secretary General, Bharat Lal, senior officers and expert speakers at its premises in New Delhi today. The meeting was attended by a number of senior officers and experts working in the field, informed the NHRC.

Justice Ramasubramanian said that going by the discussion on the subject, two major concerns have emerged including how to collect data and how to authenticate the data already available on the children in conflict with law. Therefore, he concurred with the suggestion to constitute a working group of experts to check and authenticate the available data related to the children in conflict with the law, particularly their age and numbers and not necessarily their identities in coordination and consultation with the Bureau of Police Research and Development (BPR&D), National Crime Records Bureau (NCRB), National Legal Services Authority (NALSA) and different High Courts.

The NHRC, India Chairperson also asked the experts working in the field of Juvenile Justice Care to segregate their suggestions to bring improvements by amendments in statutes, changes in rules or by SOPs, as part of the long-term and short-term measures to bring improvements in the area of the Juvenile Justice System. He also concurred with the suggestion to organise State-wise meetings of the Juvenile Justice Boards, District Legal Services Authority, State Legal Services Authority and the NHRC to find a way forward in terms of their counseling, rehabilitation and reintegration into families.

Referring to the report of a working group called 'the Commission for the Application of Alternative Measures' under the auspices of UNICEF titled 'Rights of Children in Conflict with the Law 2007', the NHRC Chairperson expressed the hope that the NHRC core group could develop solutions for Juvenile Justice Care on those lines which included recommendations for developing diversion programmes;

Juvenile offenders must admit to the crime;

Juvenile offenders should not be placed in custody to participate in diversion programmes;

Juvenile offenders are entitled to a court procedure if they or their guardians disagree with the diversion measures;

Juvenile offenders may withdraw from the diversion process at any time and opt for the formal court procedure.

The diversion programme includes seven components: victim-offender mediation, admonition, local community corrections councils, joint family meetings, circle trials, juvenile courts, and community service.

The report argues that while crimes are often seen as offences against the state, they should also be viewed from the victim's perspective, seeking reconciliation. It suggests that allowing juveniles to make amends to society can help them reintegrate faster, without a criminal record, which would help them avoid future employment or social exclusion issues.

Before this, NHRC, India Secretary General, Bharat Lal said that the Commission is committed to ensuring the protection and promotion of child rights. In this context, it has been organizing various consultations on the different thematic issues of the human rights of children and issuing advisories also from time to time. The discussion on the human rights of children in conflict with the law has also been organized to identify the challenges, to suggest measures for improvement in the Juvenile Justice System with a specific focus on juveniles in adult prisons, juveniles in correctional homes and measures for rehabilitation of juveniles in conflict with the law. He stressed that juveniles must be viewed as victims of circumstances rather than mere offenders, calling for a focus on rehabilitation measures that would help reintegrate them into society, offering them opportunities for a better future.

NHRC, India Director, Lt. Col Virender Singh gave an overview of the meeting and the three critical areas of discussion significant to the children in conflict with law.

A number of experts and senior officers like Rajeev Kumar Sharma, Director General, BPR&; Isha Pandey, DIG, BPR&D; Balkrishan Goel, NHRC Special Monitor on Children; Amod K. Kanth, Founder and Mentor Prayas Juvenile Aid Centre (JAC) Society; Prof. Vijay Raghavan, Tata Institute of Social Sciences; Sourabh Ghosh, CRY; Swagata Raha, Legal Researcher, & Head Restorative Practices Enfold India; Adv. Anant Kumar Asthana, Child Rights Lawyer; Deepshikha, Prayas Juvenile Aid Centre (JAC) Society, among others, gave their suggestions and inputs. NHRC DG (I), Ram Prasad Meena and Registrar (Law), Joginder Singh also attended the meeting.

Some of the other suggestions emanated from the discussions are as follows;

Make information on proceedings involving Children in Conflict with the Law available on a portal, without revealing their identity;

Establish a cadre of child protection officials in all States;

Identify and delineate responsibilities within the child protection workforce, and fill vacant positions to strengthen the child care mechanism;

Conduct a social audit of Child Care Institutions, ensuring adequate manpower, including counselors;

Encourage institutional contributions to engage children in useful activities;

Strengthen the Legal Aid Mechanism for Children in Conflict with Law;

Increase 'Community Service' as a correctional measure for child offenders;

Revamp rehabilitation and social reintegration programs for Children in Conflict with Law;

Introduce joint training for stakeholders involved in child welfare, focusing on the behavioural aspects of child offenders;

Collate and publicise best practices for the welfare of child offenders across the country;

Increase funding and staff recruitment for Child Care Institutions;

Develop Standard Operating Procedures (SOPs) to streamline the process.

The Commission will further deliberate upon these suggestions and more inputs to finalize its recommendations to protect the human rights of children in conflict with law, in the country.

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एनएचआरसी, भारत द्वारा 'कानून के साथ संघर्ष कर रहे बच्चों के मानव अधिकार' विषय पर केंद्रित बच्चों पर कोर ग्रुप बैठक का आयोजन

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प्रेस विज्ञप्ति

राष्ट्रीय मानव अधिकार आयोग

नई दिल्ली: 04 फरवरी, 2025

एनएचआरसी, भारत द्वारा 'कानून के साथ संघर्ष कर रहे बच्चों के मानव अधिकार' विषय पर केंद्रित बच्चों पर कोर ग्रुप बैठक का आयोजन

एनएचआरसी, भारत के अध्यक्ष न्यायमूर्ति श्री वी रामासुब्रमण्यम ने कहा कि कानून के साथ संघर्ष कर रहे बच्चों पर प्रमाणित डेटा समस्याओं को समझने और निवारण के लिए आवश्यक है

बैठक में कानून के साथ संघर्ष कर रहे बच्चों से संबंधित विभिन्न एजेंसियों के पास उपलब्ध डेटा की जांच और प्रमाणीकरण के लिए विशेषज्ञों का एक कार्य समूह गठित करने की सिफारिश की गई

अध्यक्ष ने यूनिसेफ कार्य समूह की रिपोर्ट की तर्ज पर कानून के साथ संघर्ष कर रहे बच्चों के लिए बिना किसी अपराधिक रिकॉर्ड के समाज में उनके प्रभावी पुनः एकीकरण के लिए डायवर्सन कार्यक्रमों की प्रतिकृति पर जोर दिया

किशोर न्याय देखभाल के क्षेत्र के विशेषज्ञों से वैधानिक कानूनों में सुधार, नियमों में बदलाव या एसओपी द्वारा अपने सुझावों को अलग करने के लिए कहा

एनएचआरसी, भारत के महासचिव, श्री भरत लाल ने किशोरों के पुनर्वास के लिए उन्हें केवल अपराधी के बजाय परिस्थितियों के शिकार के रूप में देखने पर जोर दिया

भारत के राष्ट्रीय मानव अधिकार आयोग (एनएचआरसी) के अध्यक्ष न्यायमूर्ति श्री वी रामासुब्रमण्यम ने आज कहा कि कानून के साथ संघर्ष कर रहे बच्चों के बारे में प्रामाणिक और सत्यापित आंकड़े होना आवश्यक है, ताकि उनकी समस्याओं को स्पष्ट रूप से समझा जा सके और इन समस्याओं के समाधान के लिए सुझाव दिए जा सकें। वे आज नई दिल्ली स्थित आयोग के परिसर में सदस्य श्रीमती विजया भारती सयानी, महासचिव श्री भरत लाल, वरिष्ठ अधिकारियों और विशेषज्ञ वक्ताओं की उपस्थिति में 'कानून के साथ संघर्ष कर रहे बच्चों के मानव अधिकार' विषय पर केंद्रित बच्चों पर आयोग के कोर ग्रुप की बैठक की अध्यक्षता कर रहे थे। बैठक में इस क्षेत्र में काम कर रहे कई वरिष्ठ अधिकारियों और विशेषज्ञों ने भाग लिया।

न्यायमूर्ति रामासुब्रमण्यम ने कहा कि इस विषय पर चर्चा के आधार पर दो प्रमुख समस्याएं सामने आई हैं, जिसमें कानून के साथ संघर्ष कर रहे बच्चों के बारे में आंकड़े कैसे एकत्रित किए जाएं और पहले से उपलब्ध आंकड़ों को कैसे प्रमाणित किया जाए। इसलिए, उन्होंने सहमति व्यक्त की कि पुलिस अनुसंधान एवं विकास ब्यूरो (बीपीआरएंडडी), राष्ट्रीय अपराध रिकॉर्ड ब्यूरो (एनसीआरबी), राष्ट्रीय विधिक सेवा प्राधिकरण (एनएएलएसए) और विभिन्न उच्च न्यायालयों के समन्वय और परामर्श से एक कार्यकारी समूह का गठन किया जाए जो कानून के साथ संघर्ष कर रहे बच्चों से संबंधित उपलब्ध डेटा की जांच और प्रामाणिकता सुनिश्चित करे, विशेष रूप से उनके आयु और संख्या के बारे में, न कि उनकी पहचान के बारे में।

एनएचआरसी, भारत के अध्यक्ष ने किशोर न्याय देखभाल के क्षेत्र में काम करने वाले विशेषज्ञों से यह भी कहा कि वे किशोर न्याय प्रणाली के क्षेत्र में सुधार लाने के लिए दीर्घकालिक और अल्पकालिक उपायों के हिस्से के रूप में कानूनों में संशोधन, नियमों में बदलाव या एसओपी द्वारा सुधार लाने के लिए अपने सुझावों को अलग-अलग रखें। उन्होंने किशोर न्याय बोर्ड, जिला विधिक सेवा प्राधिकरण, राज्य विधिक सेवा प्राधिकरण और एनएचआरसी की राज्यवार बैठकें आयोजित करने के सुझाव से भी सहमति जताई ताकि उनकी काउंसलिंग, पुनर्वास और परिवारों में पुनः एकीकरण के संदर्भ में भविष्य की संभावनाएं खोजी जा सकें।

यूनिसेफ के तत्वावधान में 'वैकल्पिक उपायों के अनुप्रयोग के लिए आयोग' नामक कार्य समूह की रिपोर्ट 'कानून के साथ संघर्ष कर रहे बच्चों के अधिकार 2007' का हवाला देते हुए, एनएचआरसी अध्यक्ष ने आशा व्यक्त की कि एनएचआरसी कोर समूह उन तर्ज पर किशोर न्याय देखभाल के लिए समाधान विकसित कर सकता है जिसमें डायवर्सन कार्यक्रम विकसित करने की सिफारिशें शामिल हैं;

- i.) किशोर अपराधियों को अपराध स्वीकार करना चाहिए;
- ii.) किशोर अपराधियों को डायवर्सन कार्यक्रमों में भाग लेने के लिए हिरासत में नहीं रखा जाना चाहिए;
- iii.) किशोर अपराधी न्यायालय प्रक्रिया के हकदार हैं यदि वे या उनके अभिभावक डायवर्सन उपायों से असहमत हैं;
- iv.) किशोर अपराधी किसी भी समय डायवर्सन प्रक्रिया से हट सकते हैं और औपचारिक न्यायालय प्रक्रिया का विकल्प चुन सकते हैं।

डायवर्सन कार्यक्रम में सात घटक शामिल हैं: पीड़ित-अपराधी मध्यस्थता, चेतावनी, स्थानीय समुदाय सुधार परिषद, संयुक्त परिवार बैठकें, सर्कल ट्रायल, किशोर न्यायालय और सामुदायिक सेवा।

रिपोर्ट में तर्क दिया गया है कि अपराधों को अक्सर राज्य के खिलाफ अपराध के रूप में देखा जाता है, लेकिन उन्हें पीड़ित के दृष्टिकोण से भी देखा जाना चाहिए, ताकि सुलह की कोशिश की जा सके। इसमें सुझाव दिया गया है कि किशोरों को समाज में सुधार करने की अनुमति देने से उन्हें आपराधिक रिकॉर्ड के बिना तेजी से फिर से एकीकृत करने में मदद मिल सकती है, जिससे उन्हें भविष्य में रोजगार या सामाजिक बहिष्कार के मुद्दों से बचने में मदद मिलेगी।

इससे पहले, एनएचआरसी, भारत के महासचिव श्री भरत लाल ने कहा कि आयोग बाल अधिकारों के संरक्षण और संवर्धन को सुनिश्चित करने के लिए प्रतिबद्ध है। इस संदर्भ में, यह बच्चों के मानव अधिकारों के विभिन्न विषयगत मुद्दों पर विभिन्न परामर्शों का आयोजन करता रहा है और समय-समय पर परामर्शी भी जारी करता रहा है। कानून के साथ संघर्ष कर रहे बच्चों के मानव अधिकारों पर चर्चा का आयोजन चुनौतियों की पहचान करने, वयस्क जेलों में बंद किशोरों, सुधार गृहों में बंद किशोरों और कानून के साथ संघर्ष कर रहे किशोरों के पुनर्वास के उपायों पर विशेष ध्यान देने के साथ किशोर न्याय प्रणाली में सुधार के उपाय सुझाने के लिए भी किया गया है। उन्होंने कहा कि किशोरों को केवल अपराधी के बजाय परिस्थितियों के शिकार के रूप में देखा जाना चाहिए, उन्होंने पुनर्वास उपायों पर ध्यान केंद्रित करने का आह्वान किया जो उन्हें समाज में फिर से शामिल करने में मदद करेंगे, उन्हें बेहतर भविष्य के अवसर प्रदान करेंगे।

एनएचआरसी, भारत के निदेशक लेफ्टिनेंट कर्नल वीरेंद्र सिंह ने बैठक का संक्षिप्त विवरण दिया और कानून के साथ संघर्ष कर रहे बच्चों के लिए चर्चा के तीन महत्वपूर्ण क्षेत्रों पर प्रकाश डाला।

चर्चा में श्री राजीव कुमार शर्मा, महानिदेशक, बीपीआरएंड; सुश्री ईशा पांडे, डीआईजी, बीपीआरएंडडी; श्री बालकृष्ण गोयल, एनएचआरसी के बच्चों पर विशेष मॉनिटर; श्री आमोद के. कंठ, संस्थापक और संरक्षक प्रयास किशोर सहायता केंद्र (जेएसी) सोसाइटी; प्रो. विजय राघवन, टाटा इंस्टीट्यूट ऑफ सोशल साइंसेज; श्री सौरभ घोष, सीआरवाई; सुश्री स्वागता राहा, कानूनी शोधकर्ता, और प्रमुख रिस्टोरेटिव प्रैक्टिसेज एनफोल्ड इंडिया; एडवोकेट अनंत कुमार अस्थाना, बाल अधिकार वकील; सुश्री दीपशिखा, प्रयास किशोर सहायता केंद्र (जेएसी) सोसाइटी, सहित कई विशेषज्ञों और वरिष्ठ अधिकारियों ने अपने सुझाव और इनपुट दिए। बैठक में एनएचआरसी के महानिदेशक (अन्वेषण), श्री राम प्रसाद मीना और रजिस्ट्रार (विधि), श्री जोगिंदर सिंह भी शामिल हुए।

चर्चा से प्राप्त कुछ अन्य सुझाव इस प्रकार हैं;

- कानून के साथ संघर्ष कर रहे बच्चों से संबंधित कार्यवाही की जानकारी पोर्टल पर उपलब्ध कराना, उनकी पहचान उजागर किए बिना;
- सभी राज्यों में बाल संरक्षण अधिकारियों का एक कैडर स्थापित करना;
- बाल संरक्षण कार्यबल के भीतर जिम्मेदारियों की पहचान करना और उनका निर्धारण करना, तथा बाल देखभाल तंत्र को मजबूत करने के लिए रिक्त पदों को भरना;
- परामर्शदाताओं सहित पर्याप्त जनशक्ति सुनिश्चित करते हुए बाल देखभाल संस्थानों का सोशल ऑडिट करना;
- बच्चों को उपयोगी गतिविधियों में शामिल करने के लिए संस्थागत योगदान को प्रोत्साहित करना;

- कानून के साथ संघर्ष कर रहे बच्चों के लिए कानूनी सहायता तंत्र को मजबूत करना;
 - बाल अपराधियों के लिए सुधारात्मक उपाय के रूप में 'सामुदायिक सेवा' को बढ़ाना;
 - कानून के साथ संघर्ष कर रहे बच्चों के लिए पुनर्वास और सामाजिक एकीकरण कार्यक्रमों को नया रूप देना;
 - बाल कल्याण में शामिल हितधारकों के लिए संयुक्त प्रशिक्षण शुरू करना, जिसमें बाल अपराधियों के व्यवहार संबंधी पहलुओं पर ध्यान केंद्रित किया जाए;
 - देश भर में बाल अपराधियों के कल्याण के लिए सर्वोत्तम प्रथाओं को एकत्रित करना और उनका प्रचार करना;
 - बाल देखभाल संस्थानों के लिए वित्त पोषण और कर्मचारियों की भर्ती में वृद्धि;
 - प्रक्रिया को सुव्यवस्थित करने के लिए मानक संचालन प्रक्रिया (एसओपी) विकसित करना।
- आयोग देश में कानून के साथ संघर्ष कर रहे बच्चों के मानव अधिकारों के संरक्षण के लिए अपनी सिफारिशों को अंतिम रूप देने के लिए इन सुझावों और इनपुट पर आगे विचार-विमर्श करेगा।

The New Indian Express

NHRC seeks action taken report on casting couch incidents in Bollywood

The failure of various state government authorities to address the problem raises serious human rights concerns for those working in the film industry.

<https://www.newindianexpress.com/entertainment/hindi/2025/Feb/05/nhrc-seeks-action-taken-report-on-casting-couch-incidents-in-bollywood>

Suchitra Kalyan Mohanty | Updated on: 05 Feb 2025, 9:53 pm

2 min read

NEW DELHI: The National Human Rights Commission (NHRC) has directed the Maharashtra Director General of Police (DGP) to submit an action-taken report on casting couch incidents in the Bollywood film industry. The directive follows a petition filed by noted human rights activist and Supreme Court lawyer Radhakanta Tripathy, who raised concerns over the issue.

Acting on the complaint, the NHRC has sought a detailed report within eight weeks. Tripathy, speaking exclusively to TNIE, highlighted the widespread prevalence of the casting couch across India, stating that it undermines the dignity and basic human rights of actors and actresses. He further pointed out that negligence and inaction by concerned authorities have allowed the issue to persist. The failure of government authorities in Maharashtra and other states to address the problem, he said, raises serious human rights concerns for those working in the film industry.

In its order, the NHRC stated that the complaint should be forwarded to the relevant authorities for appropriate action. It directed the concerned authority to take necessary steps within eight weeks, ensuring that the complainant or victim is involved in the process and informed about the action taken.

Following the NHRC's directive, Devidas Kathale, senior police inspector at Sanpada police station in Navi Mumbai, responded by stating that if any actor or actress reports their stay within the jurisdiction and applies for security, the police station will protect in accordance with legal procedures and guidelines.

The issue of the casting couch has been a long-standing concern in the entertainment industry. Telugu film actress Sri Reddy had previously protested against the practice, exposing how powerful figures in the industry demand sexual favours from female actors. The controversy has also gripped the Odia film industry, where several actresses, including Prakruti Mishra, Jasmine Rath, and Pupul Bhuyan, have come forward with allegations against film producers.

Odia theatre artist Rani Priyadarshini confirmed the existence of the casting couch in Olywood, stating that no newcomer gets a break without facing such demands. She

added that those who compromised have seen their careers ruined, while those who resisted are now successful in the industry.

Sexual harassment and abuse of power have long plagued the entertainment industry. Actor Isha Koppikar recently revealed her own casting couch experience at the age of 18, shedding light on the ongoing struggle faced by aspiring talents. Tripathy emphasized that while Bollywood appears glamorous from the outside, there are many untold stories hidden behind the screen.

The term "casting couch" dates back to the early 20th century when Hollywood producers such as Samuel Goldwyn and Louis B. Mayer of Metro-Goldwyn-Mayer, along with Jack Warner of Warner Brothers, gained notoriety for allegedly exploiting actresses by offering roles in exchange for sexual favours. The NHRC's intervention is expected to bring renewed focus to the issue and push for stricter measures to protect actors and actresses from such exploitation.

National Herald

Child protection cadre, expert working group: NHRC core group recommendations

Meanwhile, questions remain on how to collect data and how to authenticate the data already available on children in conflict with the law

National Human Rights Commission grappling with human rights of children in conflict with the law

<https://www.nationalheraldindia.com/national/working-group-of-experts-cadre-of-child-protection-officials-nhrc-core-group-recommendations>

PTI | Published: 05 Feb 2025, 5:38 PM

Constituting a "working group of experts" to check and authenticate data related to children in conflict with the law and establishing a "cadre of child protection officials" in all states are among a slew of suggestions that have emerged out of a core group meeting of the NHRC, the rights panel said on 4 February, Tuesday.

Chairing the meeting of the National Human Rights Commission's core group on children focused on the theme 'Human rights of children in conflict with law', its chairperson Justice (retd) V. Ramasubramanian said it is necessary to have "authentic and verified data" on the children in conflict with the law to have a clear understanding of their problems and make suggestions to address them.

Going by the discussion on the subject, two major concerns have emerged, including how to collect data and how to authenticate the data already available on the children in conflict with law, the National Human Rights Commission (NHRC) chief was quoted as saying in a statement issued by the rights panel.

He concurred with the suggestion to "constitute a working group of experts to check and authenticate the available data related to the children in conflict with the law, particularly their age and numbers, and not necessarily their identities in coordination and consultation with the Bureau of Police Research and Development (BPR&D), National Crime Records Bureau (NCRB), National Legal Services Authority (NALSA) and different high courts".

The NHRC chairperson also asked the experts working in the field of Juvenile Justice Care to segregate their suggestions to bring improvements by amendments in statutes, changes in rules or by SOPs, as part of the long-term and short-term measures to bring improvements in the juvenile justice system.

He also concurred with the suggestion to organise state-wise meetings of the juvenile justice boards, district legal services authority, state legal services authority and the NHRC to find a way forward in terms of their counselling, rehabilitation and reintegration into families.

Referring to the report of a working group called the Commission for the Application of Alternative Measures under the auspices of UNICEF, titled 'Rights of Children in Conflict with the Law 2007', the NHRC chairperson expressed hope that the NHRC core group could develop solutions for juvenile justice care on those lines, which included recommendations for developing diversion programmes.

"The diversion programme includes seven components: victim–offender mediation, admonition, local community corrections councils, joint family meetings, circle trials, juvenile courts and community service," the statement said.

The report argues that while crimes are often seen as offences against the state, they should also be viewed from the victim's perspective, seeking reconciliation.

It suggests that allowing juveniles to make amends to society can help them reintegrate faster, without a criminal record, which would help them avoid future unemployment or social exclusion issues, it added.

A range of recommendations emerged out of the discussion held the NHRC headquarters in New Delhi.

These include making information on proceedings involving children in conflict with the law available on a portal, without revealing their identity; establishing a cadre of child protection officials in all states; identifying and delineating responsibilities within the child protection workforce and filling vacant positions to strengthen the childcare mechanism.

Other recommendations include conducting a social audit of child care institutions, ensuring adequate human resources are assigned, including counsellors; encouraging institutional contributions to engage children in useful activities; strengthening the legal aid mechanism for children in conflict with the law; and increasing 'community service' as a correctional measure for child offenders, the statement said.

Revamping rehabilitation and social reintegration programmes for children in conflict with the law; introducing joint training for stakeholders involved in child welfare, focusing on the behavioural aspects of child offenders; collating and publicising best practices for the welfare of child offenders across the country; increasing funding and staff recruitment for child care institutions; and developing standard operating procedures (SOPs) to streamline the process were also recommended.

The Commission said it would further deliberate upon these suggestions and more inputs to finalise its recommendations to protect the human rights of children in conflict with law.

Live Law

'Only Issue Is Whether PUCL Guidelines Were Complied': Supreme Court In Plea Alleging 'Fake' Encounters In Assam

<https://www.livelaw.in/top-stories/supreme-court-plea-against-assam-fake-encounters-only-issue-whether-pucl-guidelines-complied-283022>

Debby Jain | 5 Feb 2025 12:15 PM

While hearing a case raising the issue of 'fake' encounters in Assam, the Supreme Court yesterday indicated that the only issue to be considered is whether the guidelines laid down by it in PUCL v. State of Maharashtra (pertaining to investigation of police encounters) were complied with or not.

"We are not going to form any opinion on merits. We can't...Only limited issue is compliance of PUCL guidelines, that's all", said Justice Surya Kant.

A bench of Justices Kant and N Kotiswar Singh was hearing a special leave petition filed against a Gauhati High Court order, whereby the petitioner's PIL raising the same issue was dismissed. Reportedly, the High Court was of the view that no separate probe into the alleged incidents was required, as state authorities were conducting investigation in each case.

Previously, in the context of Assam, the top Court had called for data regarding enquiry, if any, initiated by the Assam Human Rights Commission into cases where allegations of 'fake' encounter were levelled. It had also stressed on the need for Human Rights Commissions to act pro-actively in civil liberty matters.

During the hearing, Advocate Prashant Bhushan (for petitioner) contended that about 171 cases of fake encounters have been filed in Assam in the past few years, and there has been gross non-compliance of the guidelines laid down in PUCL v. State of Maharashtra. Referring to the judgment, he highlighted the following directions:

"(3) An independent investigation into the incident/encounter shall be conducted by the CID or police team of another police station under the supervision of a senior officer (at least a level above the head of the police party engaged in the encounter)...

(4) A Magisterial inquiry under Section 176 of the Code must invariably be held in all cases of death which occur in the course of police firing and a report thereof must be sent to Judicial Magistrate having jurisdiction under Section 190 of the Code."

It was pointed out that in the PUCL judgment, the guidelines were also made applicable to grievous injury cases in police encounters.

Calling the encounters in Assam "a menace", Bhushan alleged that FIRs in many cases were registered against the victims. Further, in terms of the Court's earlier oral observations, he proposed setting up of an investigating committee headed by a retired

judge to give a preliminary report and cited specific incidents through affidavits filed by victims of encounters.

He also mentioned that on last two dates of hearing, State of Assam was asked to file an affidavit about the current status of the alleged encounters, but that had not been done.

On the other hand, Solicitor General Tushar Mehta submitted that some "really shocking things" had not been pointed out to the Court and the PUCL guidelines stood complied to the teeth. Seeking an opportunity to show "who the petitioner is", he further said, "I would show whether they (facts alleged) inspire confidence or something else is being done".

Background

The plea is filed by one Arif Md Yeasin Jwadder, an advocate from Assam, raising the issue of encounters by police personnel in the state. The petitioner claims that more than 80 fake encounters took place between Assam police and persons accused in different cases since May 2021 (when Chief Minister Himanta Biswa Sarma took charge). He seeks an enquiry by an independent agency, like the CBI, SIT or a police team from other states.

Notice was issued on the petition on July 17 last year, calling for the response of the National Human Rights Commission and Assam Human Rights Commission, besides the Assam government.

In April, the Court suggested that the petitioner place on record some additional information. Pursuant to the same, he is stated to have filed the affidavits of victims of Tinsukia encounter case, in which three persons (Deepjyoti Neog, Biswanath Burgohain and Manoj Buragohain) were allegedly injured in police firing.

The petitioner states that family members of two victims of the Tinsukia encounter case viz. Biswanath and Manoj had wanted to lodge a missing persons report. But, the officer-in-charge of the concerned police station refused to lodge the complaint unless they mentioned that the victims were going to join the banned militant organization-ULFA. Rather, an FIR was lodged against the victims after the encounter took place.

It is also alleged that the officer-in-charge of Police Station Dholla (Assam) appointed himself as an Investigating Officer in the case, even though he was present at the scene of the encounter and it was his pistol that was allegedly snatched by victim-Deepjyoti Neog.

When the matter was heard on September 10, the Court expressed that accused persons losing their lives "just like that" is not good for the rule of law. It also conveyed its intention to form a commission and asked the parties to suggest names of retired judges for the purpose.

Case Title: ARIF MD YEASIN JWADDER Versus THE STATE OF ASSAM AND ORS.,
SLP(Crl) No. 7929/2023

Tehelka Hindi

NHRC for verified data on children in conflict

<https://tehelka.com/nhrc-for-verified-data-on-children-in-conflict/>

By Charanjit Ahuja| - February 5, 2025

Justice V Ramasubramanian, Chairperson, National Human Rights Commission (NHRC), India today said that it is necessary to have authentic and verified data on the children in conflict with the law to have a clear understanding of their problems and make suggestions to address them. He was chairing the meeting of the Commission's Core Group on Children focused on the theme 'Human rights of children in conflict with law' in the presence of Member, Vijaya Bharathi Sayani, Secretary General, Bharat Lal, senior officers and expert speakers at its premises in New Delhi today. The meeting was attended by a number of senior officers and experts working in the field.

Justice Ramasubramanian said that going by the discussion on the subject, two major concerns have emerged including how to collect data and how to authenticate the data already available on the children in conflict with law. Therefore, he concurred with the suggestion to constitute a working group of experts to check and authenticate the available data related to the children in conflict with the law, particularly their age and numbers and not necessarily their identities in coordination and consultation with the Bureau of Police Research and Development (BPR&D), National Crime Records Bureau (NCRB), National Legal Services Authority (NALSA) and different High Courts.

The NHRC, India Chairperson also asked the experts working in the field of Juvenile Justice Care to segregate their suggestions to bring improvements by amendments in statutes, changes in rules or by SOPs, as part of the long-term and short-term measures to bring improvements in the area of the Juvenile Justice System. He also concurred with the suggestion to organise State-wise meetings of the Juvenile Justice Boards, District Legal Services Authority, State Legal Services Authority and the NHRC to find a way forward in terms of their counseling, rehabilitation and reintegration into families.

Referring to the report of a working group called 'the Commission for the Application of Alternative Measures' under the auspices of UNICEF titled 'Rights of Children in Conflict with the Law 2007', the NHRC Chairperson expressed the hope that the NHRC core group could develop solutions for Juvenile Justice Care on those lines which included recommendations for developing diversion programmes;

- i.) Juvenile offenders must admit to the crime;
- ii.) Juvenile offenders should not be placed in custody to participate in diversion programmes;

iii.) Juvenile offenders are entitled to a court procedure if they or their guardians disagree with the diversion measures;

iv.) Juvenile offenders may withdraw from the diversion process at any time and opt for the formal court procedure.

The diversion programme includes seven components: victim-offender mediation, admonition, local community corrections councils, joint family meetings, circle trials, juvenile courts, and community service.

The report argues that while crimes are often seen as offences against the state, they should also be viewed from the victim's perspective, seeking reconciliation. It suggests that allowing juveniles to make amends to society can help them reintegrate faster, without a criminal record, which would help them avoid future employment or social exclusion issues.

Before this, NHRC, India Secretary General, Bharat Lal said that the Commission is committed to ensuring the protection and promotion of child rights. In this context, it has been organizing various consultations on the different thematic issues of the human rights of children and issuing advisories also from time to time. The discussion on the human rights of children in conflict with the law has also been organized to identify the challenges, to suggest measures for improvement in the Juvenile Justice System with a specific focus on juveniles in adult prisons, juveniles in correctional homes and measures for rehabilitation of juveniles in conflict with the law. He stressed that juveniles must be viewed as victims of circumstances rather than mere offenders, calling for a focus on rehabilitation measures that would help reintegrate them into society, offering them opportunities for a better future.

NHRC, India Director, Lt. Col Virender Singh gave an overview of the meeting and the three critical areas of discussion significant to the children in conflict with law.

A number of experts and senior officers like Shri Rajeev Kumar Sharma, Director General, BPR&; Ms. Isha Pandey, DIG, BPR&D; Balkrishan Goel, NHRC Special Monitor on Children; Amod K. Kanth, Founder and Mentor Prayas Juvenile Aid Centre (JAC) Society; Prof. Vijay Raghavan, Tata Institute of Social Sciences; Sourabh Ghosh, CRY; Ms Swagata Raha, Legal Researcher, & Head Restorative Practices Enfold India; Adv. Anant Kumar Asthana, Child Rights Lawyer; Ms Deepshikha, Prayas Juvenile Aid Centre (JAC) Society, among others, gave their suggestions and inputs. NHRC DG (I), Ram Prasad Meena and Registrar (Law), Joginder Singh also attended the meeting.

Some of the other suggestions emanated from the discussions are as follows;

Make information on proceedings involving Children in Conflict with the Law available on a portal, without revealing their identity;
Establish a cadre of child protection officials in all States;
Identify and delineate responsibilities within the child protection workforce, and fill vacant positions to strengthen the child care mechanism;
Conduct a social audit of Child Care Institutions, ensuring adequate manpower, including counselors;
Encourage institutional contributions to engage children in useful activities;
Strengthen the Legal Aid Mechanism for Children in Conflict with Law;
Increase 'Community Service' as a correctional measure for child offenders;
Revamp rehabilitation and social reintegration programs for Children in Conflict with Law;
Introduce joint training for stakeholders involved in child welfare, focusing on the behavioural aspects of child offenders;
Collate and publicise best practices for the welfare of child offenders across the country;
Increase funding and staff recruitment for Child Care Institutions;
Develop Standard Operating Procedures (SOPs) to streamline the process.
The Commission will further deliberate upon these suggestions and more inputs to finalize its recommendations to protect the human rights of children in conflict with law, in the country.

The New Indian Express

Puthiya Tamilagam leader Krishnasamy slams CM over Manjolai workers' plight

Krishnasamy further alleged that BBTCL owes Rs 1,100 crore to the Tamil Nadu government as lease arrears, but has been allowed to evade payments.

<https://www.newindianexpress.com/states/tamil-nadu/2025/Feb/05/puthiya-tamilagam-leader-krishnasamy-slams-cm-over-manjolai-workers-plight>

Express News Service | Updated on: 05 Feb 2025, 9:20 am

2 min read

TIRUNELVELI: Ahead of Chief Minister M K Stalin's visit to Tirunelveli on Thursday and Friday, Puthiya Tamilagam leader Dr K Krishnasamy on Tuesday criticised the state government for its alleged inaction in addressing the struggles of the former Manjolai tea estate workers, who have been living without income for the past eight months.

In a statement, Krishnasamy accused the government of failing to show the same concern for Manjolai workers as it had done for the residents of Arittapatti, pointing out that the tea estate workers mostly belong to various Scheduled Caste communities. He demanded that the chief minister should take steps to ensure their right to continue living in the hills by granting them houses, cattle and 2.5 acre land in the hills.

"Since the Bombay Burmah Trading Corporation Limited (BBTCL) ceased tea plantation operations in Manjolai on May 31, 2024, around 534 families have been affected. While 164 families accepted voluntary retirement, the remaining 370 families have been struggling without any stable income, facing severe food shortages," Krishnasamy said. He added that the workers had spent generations in the region, cultivating tea and contributing to the state's economy.

Krishnasamy further alleged that BBTCL owes Rs 1,100 crore to the Tamil Nadu government as lease arrears, but has been allowed to evade payments. "While the government hesitates to recover these dues from the company, it is quick to displace poor workers from their residential units," he said. Referring to recent incidents, Krishnasamy said that when his party attempted to distribute rice, dal, and vegetables to the affected workers on Pongal day, forest and police officials prevented the aid from reaching them. He accused the district administration of deliberately neglecting the workers' welfare.

He also stated that the National Human Rights Commission had recommended the government to ensure the workers' rights under the Forest Rights Act, 2006. However, the state is yet to implement the recommendation, he added. Citing Stalin's possible meeting with the workers during his visit, Krishnasamy said, "Instead of meeting Manjolai workers as a mere formality, the chief minister must listen to their grievances, and take decisive steps to protect their rights."

Odisha Diary

Dr. Jitendra Singh Addresses Human Rights Concerns of Terrorism-Affected Families in Jammu & Kashmir

<https://orissadiary.com/dr-jitendra-singh-addresses-human-rights-concerns-of-terrorism-affected-families-in-jammu-kashmir/>

By Odisha Diary bureau, On Feb 5, 2025

Union Minister of State (Independent Charge) for Science and Technology, Minister of State (Independent Charge) for Earth Sciences, Minister of State in the Prime Minister's Office, Department of Atomic Energy, Department of Space, and Personnel, Public Grievances, and Pensions, Dr. Jitendra Singh was briefed today by the National Human Rights Commission (NHRC) Member, Priyank Kanungo about the human rights concerns of the terrorism affected families of Jammu & Kashmir, notably and particularly the Kashmiri Pandits.

Kanungo told the Minister that the National Human Rights Commission is very conscious of its responsibility to safeguard the human rights of every section of society, particularly those like the Kashmir Pandit community who suffered killings and hardship for three long decades, but were denied their due or justice by the earlier governments.

Dr. Jitendra Singh highlighted the nationalist credentials of the Kashmiri Pandit community and said that their welfare and concern have always been at the core of Prime Minister Narendra Modi's priorities.

Emphasizing the longstanding and tragic history of the Kashmiri Pandit exodus, Dr. Jitendra Singh stated, "The plight of Kashmiri Pandits remains unique, as they were made refugees within their own country overnight." He praised the Modi government's commitment to the welfare of these families, citing the Prime Minister's over 35 visits to J&K, which had played a significant role in implementing welfare initiatives, including the provision of separate accommodations for Pandit families and efforts to reintegrate them into the broader Kashmiri society.

In addition to these welfare measures, Dr. Jitendra Singh also highlighted infrastructure developments in the region aimed at reducing physical and emotional distances. He pointed to expanded train networks and express corridors that have enhanced all-weather connectivity to ensure smoother travel and communication.

The Minister expressed confidence in the government's approach to improving the human rights situation in the region and assured that both the Department of Administrative Reforms and Public Grievances and Department of Personnel and Training (DoPT) along with NHRC would collaborate effectively. He stated, "We will ensure an institutionalized mechanism to address citizens' grievances, working in synergy with the NHRC to ensure that the citizens' rights are safeguarded."

Dr. Jitendra Singh spoke of the role of human rights in governance, reiterating that under Prime Minister Modi's leadership, human rights governance has become a priority, with the Human Rights Commission playing an active and responsive role. As a part of this, the DoPT seeks to integrate human rights values into its training programs for government officials.

Dr. Jitendra Singh observed that sensitive officers, equipped with both emotional intelligence and intellectual capability, would be key to furthering the cause of human rights in India. These officers, once sensitized on human rights issues, could serve as patrons of human rights within their respective departments and communities, he added.

Dr. Jitendra Singh expressed delight and confidence in the appointment of Priyank Kanungo as a member of the National Human Rights Commission. He praised Kanungo for his commitment to the cause of the welfare and protection of human rights of citizens and recalled his earlier stint as Chairman of National Commission for Protection of Child Rights (NCPCR).

In conclusion, Dr. Jitendra Singh wished that NHRC would continue to work together to ensure that the rights of every citizen are safeguarded.

The National Human Rights Commission of India (NHRC) is a statutory body constituted on 12 October 1993 under the Protection of Human Rights Ordinance of 28 September 1993. The NHRC is responsible for the protection and promotion of human rights, which is defined by the act as rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution of India.