

MINUTES OF THE MEETING OF THE CORE GROUP OF NGOs HELD ON 20th MAY 2010 AT 11.00 A.M. IN THE NATIONAL HUMAN RIGHTS COMMISSION, NEW DELHI

The meeting of the Core Group of NGOs was held in the National Human Rights Commission on 20th May 2010 at 11.00 a.m. under the Chairmanship of Justice Shri G.P. Mathur, Acting Chairperson, NHRC. The Members of the Commission, Justice Shri B.C.Patel, Shri Satyabrata Pal and Shri P.C Sharma participated in the meeting. The list of other participants is at Annexure I.

2. Welcoming the participants, Acting Chairperson informed that due to the austerity measures and budgetary constraints the Core Group meeting could not be convened in March 2010 as decided earlier.

3. The Members confirmed the minutes and action taken report of the last meeting of the Core Group of NGOs held on 10th September 2009.

4. Acting Chairperson informed that due to the increase in the activities of the Commission the budget allocation needs to be increased

5. The Core Group Members expressed their solidarity with the Commission in this matter and expressed concern on the reduction of budget allocation. Everybody present in the meeting was of the view that sufficient fund is required to be made available by the Government to the Commission to enable it to discharge its functions effectively.

6. Member Shri P.C. Sharma stated that lot more has to be done with regard to Mental Hospitals. He stated that the number of Psychiatrists have to be increased to ensure better mental health care in the country. The Members of the Core Group endorsed the views of the Member and expressed concern on the pathetic conditions of the mentally ill patients and requested the Commission to undertake frequent visits to mental hospitals, half way homes and look into the provision for rehabilitation etc. to help solve the difficulties faced by mentally ill people.

7. The Secretary General stated that the Commission is regularly monitoring the mental hospitals and gives directions to State Govts. to improve conditions in these hospitals and provide better mental health care and other facilities. He added that the Special Rapporteurs of the Commission visit hospitals and submit reports and the Commission calls for action taken report from the Governments concerned.

8. Dr. Tapas Kumar Ray stated that the Government of West Bengal does not even provide sufficient medicines to mental hospitals. His organization is providing medicines to Dum Dum mental hospital which is having about 100 patients.

9. Shri Cherian stated that there will be no place in Delhi to keep the mentally ill as the Commonwealth Games are approaching. So far nothing has

been done except forming a committee. Shri Goswami stated that the Government of Karnataka and Tamil Nadu are doing a good job. Mental health is not a priority for the Government, Civil society or NGOs.

10. Shri Satyabrata Pal, Member stated that there are good NGOs who are doing appreciable work in this field. NGOs in Rajasthan are doing good work. Role of civil society, NGOs is more also crucial in rehabilitation of mentally ill patients.

11. Member Shri P.C. Sharma stated that NHRC has identified 67 cases of prevalence of Silicosis and emphasized that NGOs can play a significant role in this area. Though Silicosis is not curable, it can be prevented by taking preventive measures. It is the responsibility of the State Govts. to enforce the law in this regard. The State Govt. of Madhya Pradesh and Gujarat need to act immediately where the problem of Silicosis is prevalent. NGOs involvement is necessary to spread the awareness among the masses and also to take the issue with the concerned authorities.

12. Ms. Maja Daruwala appreciated that the NHRC has lot of information on this issue and can thus play the role of a Catalyst.

13. Shri Kiran Kamal Prasad stated that in the case of bonded labour, the role of NHRC is pro-active, but State Govt. are not coming forward any constructive steps. He stated that his NGO has organized a number of awareness programmes in Karnataka and have distributed about 10,000 booklets on bonded labour but the State Govt. is not showing similar interest. With the change of officers the focus of attention also changes. Some officers are not at all interested in bonded labour issue. There is a serious problem of bonded labour in Karnataka. A large number of labourers migrate from Orissa for work in stone quarries. They are also exploited as domestic workers and paid meager amount.

14. Shri Satyabrata Pal, Member stated that partnership with civil society is a must and informed that in some cases the migration is seasonal but in the case of stone quarry people come and settle down and there are no welfare measures for them.

15. The Acting Chairperson informed that Commission is pursuing about 500 cases of bonded labourers particularly in the Carpet belt of Uttar Pradesh but there is a problem of their rehabilitation as they again go back to their previous work because of the economic and social conditions.

16. Justice Shri B.C.Patel, Member informed that there is need for strict action against the administration to control this problem.

17. While endorsing the views of Member (JBCP), Ms. Maja Daruwala suggested that persons who are responsible are to be taken to task. She suggested that NHRC should organize workshops to discuss this issue. She

further suggested that reports of the Special Rapporteurs of the Commission be posted on the NHRC's website.

18. The Secretary General assured that important reports which have the approval of the Commission will be placed on the NHRC website.

19. Dr. Tapas Kumar Ray stated that the Govt. of India has introduced the Torture (Preventions) Bill in the Rajya Sabha but it may not make desired impact with the existing provisions in it. He suggested that NHRC should offer its comments on the bill to make it more effective and incorporate compensation clause. Acting Chairperson informed that NHRC has already given its comments to Government on the bill covering these points.

20. Ms. Maja Daruwala stated that the Mumbai High court passed directions to protect the whistle blowers. She asked about the NHRC's views and policy on Human Rights Defenders.

21. The Acting Chairperson informed that the NHRC had convened a workshop on Human Rights Defenders on 12th October 2009 and the recommendations are placed on the NHRC website. These recommendations have been sent to all concerned for action. NHRC has created a focal point for human rights defenders.

22. The Acting Chairperson also informed that the Commission has introduced the double-bench system for taking up complaints and this has expedited disposal. Now pendency of the cases has been reduced significantly.

23. The Director General(I) appreciated various suggestions of NGO about interaction with media, placing reports in website etc., but drew the attention of the participants to the negative observation on NHRC in the 8th page of Commonwealth Human Rights Initiatives booklet 2009 – Your Guide to using Police Complaints Authorities which was not the correct position. All the NGO participants expressed their unhappiness on the matter and promised objectivity in projecting issues in future.

24. Shri P.C. Sharma stated that NHRC always welcomes constructive criticisms. The Commission has done a lot on issuing various guidelines to State Governments on Custodial deaths, Trafficking in Women and Children etc. NGOs are expected to help and strengthen the hands of the Commission.

25. Ms. Daruwala suggested release of Annual Report of the Commission without waiting for the same being placed before the Parliament as there is no mention in the Act of such a condition.

26. In response to this the Acting Chairperson while quoting the Section 20 (2) of the Protection of Human Rights Act, 1993 stated that the Annual Report has to be placed before both House of Parliament along with the memorandum of action taken on the recommendations of the Commission and it is then only it could be made public. Though there is no mention in the Act specifically on this,

but by convention the report is not made public before it is placed before the Parliament by the Government.

27. The Acting Chairperson informed that the meeting of SHRCs with Commission is scheduled for July/August 2010.

28. Dr. Ray asked how many Special Rapporteurs the Commission can appoint. Shri P.C. Sharma, Member informed that there is no limit and that it is on need basis.

29. The Acting Chairperson thanked all the participants for their presence and fruitful discussion on various issues.

Members of Core Group of NGOs

1. Ms. Maja Daruwala, Director, Commonwealth Human Rights Initiative, New Delhi
2. Shri Mathew Cherian, Director General, Help Age India, New Delhi.
3. Shri Kiran Kamal Prasad, Secretary, Vimukti Trust, Bangalore.
4. Shri Mukul Chandra Goswami, Secretary, ASHADEEP, Guwahati, Assam.
5. Dr. Tapas Kumar Ray, Hony.Secretary, Mental Health & Human Rights Resource Centre, Kolkata.
6. Shri Pushkar Raj , General Secretary, People's Union for Civil Liberties, New Delhi.

Officers of NHRC

1. Shri K.S.Money, Secretary General
2. Shri Sunil Krishna, Director General (Investigation)
3. Shri Anil Kumar Garg, Registrar (Law)
4. Shri J.P. Meena, Joint Secretary
5. Dr. Sanjay Dubey, Director (Admn.)
6. Shri B.S. Nagar, Under Secretary (Coord)
