

**NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)**

**A REPORT ON THE
OPEN HEARING/CAMP SITTING AT JAIPUR, RAJASTHAN
(18th – 19th January, 2018)**

The National Human Rights Commission (NHRC) has been holding 'Open Hearings and Camp Sittings' and in different States and Union Territories of the country in order to address the grievances of people speedily as the Commission is committed to safeguard the human rights of every individual. These also provide an opportunity to take up pending cases of respective states for hearing and disposal on the spot. The aggrieved persons, NGOs etc get a platform to express the problems being faced by the people on account of omissions/commissions on part of public authorities. Another objective of these 'Open Hearings and Camp Sittings' is to sensitize the public authorities about the issues involving human rights.

2. In this series, the Commission held its two day Open Hearing and Camp Sitting at Jaipur, Rajasthan(18th – 19th January, 2018).
3. Shri Sunil Arora, Incharge Joint Registrar (Law), Nodal Officer for Open Hearing/Camp Sitting visited Jaipur as an advance party to liaise with the State Government officials for finalization protocol and logistic arrangements and other support work in connection with the organization of the Open Hearing and Camp Sitting.
4. Notices were published in national and local dailies of Rajasthan inviting complaints for public hearing at Jaipur on the problems and grievances of schedules castes and scheduled tribes from the persons belonging to those sects who have a complaint of atrocity committed by a

public servant or of negligence by a public servant in prevention of alleged atrocity. In response to public notice, 165 complaints were received. All these 165 complaints were placed before Commission. On consideration, 28 complaints were dismissed in limini as they were not entertainable. 11 matters were disposed of with appropriate direction concerned authorities for remedial measures at their end whereas six matters were transferred to the State Human Rights Commission for disposal in accordance with the provisions of the Protection of Human Rights Act. 120 cases were taken up for consideration during the Open Hearing. Besides the complaints received in response to the said public notice, the Commission also decided to take up some of the cases of Scheduled Castes and Scheduled Tribes victims, already under consideration of the Commission, during its Camp Sitting/Open Hearing. The authorities concerned were asked to remain present at the time of hearing of these cases. The complainants of the cases taken up during Open Hearing were also invited to attend the hearing to place their grievances in person before the Commission.

5. The two-day Camp Sitting/Open Hearing began with the inauguration of the Open Hearing by Justice Shri H.L. Dattu, Hon'ble Chairperson, NHRC on 18.01.2018. While inaugurating the 'Open Hearing and Camp Sitting', Justice H.L. Dattu emphasized on the need for speedy disposal of pending matters. He called upon the State Government, NGOs and all the other stakeholders to look into the issues of denial of rights to the people of SC/ST communities and atrocities against them so as to create an enabling atmosphere for them and other marginalized sections to raise their voices of concern.

6. Justice Dattu said that the 'Open Hearings and Camp Sittings' of the Commission are vital for strengthening the partnership between the NHRC,

States, NGOs, different stakeholders, including the media, for the protection and promotion of human rights and building awareness about the importance thereof.

7. He said that the Commission was not only awarding compensation in accordance with Protection of Human Rights Act, 1993 but also considering expanding the scope of human rights including civil, political, social, economic and cultural rights covering a gamut of issues pertaining to health, food, education, displacement due to calamities and proper implementation of welfare schemes.

8. Mr. N.C. Goyal, Chief Secretary Government of Rajasthan, on the occasion, highlighted the implementation of various Social Welfare measures by the State Govt. for the protection of human rights in the State.

9. Mr. Ambuj Sharma, Secretary General, NHRC emphasized that apart from providing a forum for disposal of pending cases, the 'Open Hearing and Camp Sitting' of the Commission also give an opportunity for a dialogue with the affected people and the public authorities concerned for on the spot redressal of their grievances.

10 Mr. Manish Chauhan, State Home Secretary, while welcoming the dignitaries, said that the Government of Rajasthan was committed to the protection and promotion of human rights and informed about the measures and opportunities provided to the people in the State for redressal of their grievances.

11. After inauguration, the Commission took up 169 cases in three benches, headed by Justice Shri H.L. Dattu, Hon'ble Chairperson, NHRC and Hon'ble Members of the Commission Justice Shri P.C. Ghose and Justice Shri D. Murugesan. The Commission closed 57 cases upon

consideration of reports. In 108 cases, further reports were called for. In one case, show cause notice under section 16 of Protection of Human Rights Act was issued to the erring police personnel for their failure in taking lawful action for the protection of the rights of the marginalized sections. In another case, the Commission recommended monetary relief of Rs. one lakh for prima-facie proven violation of human rights. In other cases, proof of payment of Rs. 3.10 lakhs was received from the State Government authorities. The Commission expressed concern over tardy implementation of SC/ST (Prevention of Atrocities Act) 1989 and the Rules of 1995 besides the delay by the State administration in taking action for redressal of grievances. There was also delay in providing the statutory monetary relief in several cases.

12. On the second day of its Camp Sitting, the Commission in its Full Bench sitting considered 14 old cases. Of these, five were closed. In five other cases, further reports were called for and in 4 cases, monetary relief of 12.90 lakh was recommended to be paid to the victims or next of kin of the deceased persons. During the hearing of the matters, the Chairperson urged the State authorities to comply with the recommendations of the Commission and if they have any objection thereto, they may challenge the same at the appropriate forum.

13. After the Full Commission hearing, the Commission had an interaction with the NGOs of the State for a feedback from the grass root level on the various issues pertaining to human rights violations. The issues raised by NGOs included Human Rights of SC/ST, Women, Police and Prison Custody, Trafficking of Children, and non-registration of cases by police, medical examination of HIV positive prisoners, migration due to atrocities, drug abuse of children in District Ajmer, Right to Education of

Dalit Children, Silicosis, Government Welfare Schemes, Prisoners Welfare and Rehabilitation of Manual Scavengers. The issues raised by the NGOs were also taken up with the State government during a meeting with the senior officers for sensitization and formulation of appropriate mechanism and schemes for better protection of human rights of the marginalized and weaker sections of society.

14. The two day Open Hearing/Camp Sitting concluded with a briefing of media persons by Hon'ble Chairperson and Members of the Commission.
