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**APF Member Reports - India**

**Hon'ble Dr. Justice A.S. Anand**  
**Chairperson**  
**National Human Rights Commission of India**

**Introduction**

During 2004, the National Human Rights Commission continued in its pursuit of the task of “better” protection and promotion of human rights in fulfillment of the mandate bestowed on it under the Protection of Human Rights Act, 1993.

During the period, Dr. Justice A.S. Anand continued to serve as the Chairperson of the Commission with Shri R.S. Kalha, Justice Y. Bhaskar Rao and Shri P.C. Sharma as Members. Dr. Justice Shivaraj V. Patil, former Judge of the Supreme Court assumed office as Member, NHRC on 3rd February 2005 consequent on demitting of office by Justice Smt. Sujata V. Manohar, Member. The Commission continues to be benefited by the presence of Special Rapporteurs appointed by it to aid and assist it in several key areas of human rights.

Similarly, the Commission has also been benefited by the system of Core Groups which have been constituted by the Commission in areas where it felt the need to have expert opinion on complex issues. These Core Groups consist of eminent persons in specialized fields, who have given their valuable time to the Commission in spite of their busy schedules. Core Groups have been set up, inter-alia, on the Right to Food, on Mental Health, on emergency medical care, on Health, of Lawyers.

**Right to health care**

The Commission, in partnership with an NGO, held public hearings on Right to Health care in five regions of the country followed by one at the National level in New Delhi. During the day-long public hearings, selected cases or instances, wherein individuals or groups who have suffered denial of right to health care and have not received mandated health care from Public and private health facilities, were presented. In these public hearings, the Commission brought victims, NGOs and concerned authorities on the same platform, which helped in the resolution of individual problems, identification of systemic problems and forging of partnerships. Over 1000 victims from marginalized sections presented their testimonies. Their complaints are being redressed by the Commission and the concerned authorities. Systemic improvement in health care have been suggested to all concerned authorities. The active participation of NGOs and State Governments have contributed considerably to the success of this programme.

The National Public Hearing was held in New Delhi on 16-17 December, 2004, in which the civil society representatives presented structural deficiencies noted in the various regional public hearings, followed by delineation of state-wise systemic and

policy issues related to denial of health care. Special presentations were made on issues such as women's right to healthcare, children's right to healthcare, mental health rights, right to essential drugs, health rights in the context of the private medical sector, health rights in situations of conflict and displacement, health rights in the context of the HIV/AIDS, and occupational and environmental human rights. A National Action Plan to operationalize the Right to Health Care was proposed. Detailed recommendations on right to health care were made in the National Action Plan to the Government, State Human Rights Commissions and NGOs and health service networks.

### **Trauma care project**

The Government has planned a Rs. 1000 crores (US \$ 220 million) project to create an extensive trauma service network across the country to tackle highway accidents. The project got its final push following a recommendation by the Indian National Human Rights Commission.

### **Human Rights and HIV/AIDS**

Deeply concerned about violations of human rights of those affected/infected by HIV/AIDS, the Commission made detailed recommendations to all concerned authorities based on the National Conference organized by it in New Delhi on 24 - 25 November 2000, in collaboration with the National AIDS Control Organization, Lawyers Collective, UNICEF and UNAIDS. The recommendations cover areas such as; consent and testing, confidentiality, discrimination in health care, discrimination in employment, women in vulnerable environments, children and young people, people living with or affected by HIV/AIDS and marginalized populations.

Acting on a press report regarding significant increase in the prevalence of HIV positivity among pregnant women attending antenatal clinics in Andhra Pradesh, one of the States in the country, the Commission made recommendations to all authorities on the prevention of mother-to-child transmission of HIV/AIDS. The Commission is also taking steps to spread awareness about Human Rights and HIV/AIDS. It has published an 'info kit' on HIV/AIDS and Human Rights for wide dissemination amongst the general public. The Commission has also taken up the issue of production of six video spots with the Government and also offered technical assistance in this regard.

Deeply concerned by the plight of children affected by HIV/AIDS, the Commission addressed the Government to take steps to prevent discrimination of such children in access to education and healthcare. In particular, the Commission has asked the government to:

- Enact and enforce legislation to prevent children living with HIV/AIDS from being discriminated against, including being barred from school
- Address school fees and related costs that keep children, especially girls, from going to school
- Provide care and protection to children whose parents are unable to care for them due to HIV/AIDS

- Provide all children, both in and out of school, with comprehensive, accurate and age-appropriate information about HIV/AIDS.

### **Rights of the Disabled**

Section 12 (d) of the Protection of Human Rights Act, 1993 mandates the Commission to review the safeguards provided by the Constitution or any law and make recommendations for their effective implementation. The Commission undertook a detailed investigation of the functioning of many legislations, including the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. A questionnaire was circulated to all the State Governments and UT Administrations to examine range of measures introduced by them in keeping with the obligations of the Act. Most of the States have neither instituted a mechanism nor have used existing arrangement to undertake a systematic review of the Service Rules, building byelaws etc. in the light of 1995 Act. As a result inconsistencies continue but some improvements have been possible, although with the intervention of Courts and Tribunals.

In order to build capacity for better protection of rights of persons with disability, the Commission took up a project with the Canadian Human Rights Commission and a National Open University in 2003. The project culminated in a National Conference on Disability which was held on 23 June, 2005 in New Delhi. A detailed set of recommendations have been formulated as an outcome of the Project. As disability rights is a new dimension in the human rights regime, much needs to be done to develop awareness and enhance capacity of various institutions, and individuals. The Project can be described as one of the first organized initiatives that has laid the foundation for creating a new disability sensitive generation of legal practitioners. A Manual has been prepared as an outcome of the Project and compiles a range of positive examples of disability jurisprudence. The Commission hopes that the Manual will contribute towards sensitizing and educating lawyers, NGOs, academics, human rights activists and the general public not only in their work but also in their daily interactions as well.

### **National Rural Employment Guarantee Bill, 2004**

In the budget for 2004-05, the Government had announced the National Rural employment Guarantee Scheme, which guarantees a minimum of hundred days of employment in a year to 'one able bodied person' in every household. The Commission urged the Government to delete the reference 'able bodied persons' and to make appropriate provisions for employment of persons with disability. Following this intervention by the Commission, the National Rural employment Guarantee Bill which was introduced in the Parliament did not restrict the guarantee to 'able bodied persons'. However, there were other lacunae in the Bill which have been commented upon by the Commission.

### **Police action on unarmed workers**

Recently, on 26th July, 2005, the Commission took suo-motu cognizance of new items appearing, both, in the press and electronic media about the alleged brutal assault on agitating workers of Honda Motorcycle and Scooters India, a multi national company located in Gurgaon, Haryana, a State neighboring Delhi. The Commission strongly recommended to the Government of Haryana to take effective steps for

getting an independent investigation commenced , preferably by the Central Bureau of Investigation, at the earliest. The Chief Secretary of the State has also been asked to send an action taken report to the Commission. The matter is being closely monitored by the Commission as it considers it to be an issue of grave concern affecting human rights of a large number of industrial workers.

### **Tsunami**

The devastating Tsunami that affected many parts of South East Asia did not spare several coastal areas in the southern part of our country. The Commission took suo-motu cognizance of the calamity caused by the Tsunami to ensure smooth distribution of relief. The Commission has especially been concerned that women and children in tsunami affected areas might become victims of widespread trafficking and has, therefore, asked the concerned authorities to prevent this. The steps suggested by the Commission towards providing relief to the victims of the Tsunami include, preparing a computerized list of persons dead or missing as also a list of property which were totally or partially destroyed or damaged. Such a list would enable expeditious settling of insurance claims, hasten the rehabilitation process and help in tracing missing persons. A similar computerized list of widows and children would also be useful to authorities to guard against their exploitation. The Commission has asked for reports from all the concerned authorities and would be closely monitoring the progress on all these matters.

### **Right to Life and Civil Liberties**

#### **(i) Case of Mr.Charanjit Singh, Delhi**

Recently, the Commission was instrumental in providing relief to an under trial prisoner who was in Judicial custody for twenty years. The Commission intervened through a Criminal Writ No. 1278/04 before a Division Bench of the Delhi High Court depicting the plight of an under trial prisoner Mr. Charanjeet Singh, who continued to remain in judicial custody for 20 years, as his trial could not make any progress because of his unsound mind and, since the law prescribes that such a trial shall stand postponed till he is fit to stand trial. Despite prolonged treatment in Government and private hospitals, his condition had deteriorated and finally besides his mental ailment, he was suffering from cancer as well. The High Court noted that it has become clear by now that the under trial prisoner cannot be tried, as there is no chance of reversal of his deteriorating mental and physical condition and as per his medical history and expert opinion, there is no scope of improvement. Keeping in mind all these facts the chargesheet was quashed. The High Court has appreciated the filing of the petition by NHRC for quashing of the chargesheet as an appropriate step, since NHRC was constituted to safeguard the human rights of the citizens of this country.

The guidelines issued by NHRC regarding the cases of those who are mentally ill in jail have been quoted extensively by the Division Bench of the High Court in their judgment. The High Court has directed that necessary scheme on the lines suggested by NHRC shall be prepared within three months and the Bench has further directed to take immediate steps for establishing half way homes for such destitute people. The Bench has directed to send a copy of the judgment to Delhi Judicial officers likely to deal with mental health cases as mentioned in the NHRC's guidelines and copies be also sent to Sessions Judges, Additional Sessions Judges and Metropolitan

Magistrates so that they pass appropriate orders in such cases.

(ii) Case of Mr. Jai Singh, Ambala, Haryana

During his visit to Central Jail, Ambala on 18th October 2003, the case of a mentally ill prisoner, Mr. Jai Singh, came to the notice of the Commission. The Jail authorities were requested to send full particulars of the under-trial prisoner giving details of his appearance before the Court. It appeared that after his admission to jail he was transferred to a Mental Hospital, on 9/5/79 for treatment and, thereafter, was never produced in the trial court. The under trial prisoner was facing trial in a case but had not been able to stand the trial, presumably because of his mental condition, never produced in the trial court for trial in the said case and continued as an under-trial prisoner for over 26 years.

The Commission observed that the relevant provisions of the Code of Criminal Procedure does not adequately address the cases in which the concerned accused fails to recover for a long duration and remain in custody for treatment at such mental hospital because no one comes forward to take his responsibility. The Commission approached the Hon'ble High Court of Punjab & Haryana for appropriate directions in the interest of justice. Subsequently, the Commission came to know that the case of the under trial prisoner is already being considered along with similar other persons by the Hon'ble High Court. However, the intervention application filed by NHRC has been allowed by the Hon'ble High Court and the matter is under consideration by the High Court.

(iii) Case of Mr. Machang Lalung, Tezpur, Assam

Recently, another heart rending case was brought to the notice of the Commission involving an under trial prisoner languishing in a mental institution in Tezpur, Assam, since April, 1951. The report of the Special Rapporteur who visited the institution where the under trial was lodged, showed that he was admitted at the age of 23 years as an under trial prisoner. For 15-16 years he was regularly produced before the Board of Visitors. After several years of protracted and apparently contradictory exchanges of correspondence between the institution and jail officials, the case seems to have been simply forgotten. The Commission took cognizance of the report of the Special Rapporteur and issued notices to the State administration. A report has been received indicating that the prisoner has been released. The matter is under consideration of the Commission.

**Punjab Mass cremation case**

The Supreme Court of India vide its order dated 12/12/96 had referred the Punjab Mass Cremation case to the National Human Rights Commission. During the period 2004-2005, the Commission heard the matter from time to time and vide its proceedings dated 11/11/2004 it awarded compensation @ Rs. 2.50 lakhs to the next of kin of each of the 109 deceased persons who were admittedly in the custody of Punjab Police at the time of their deaths. The Commission held that the State of Punjab is accountable and vicariously responsible for the infringement of the indefeasible right to life of those 109 deceased persons as it failed to "safeguard their lives and persons against the risk of avoidable harm while in custody of the State". The Commission has recommended a total amount of Rs. 2,72,50,000/- (US \$

600,000), as compensation to the next of kin of 109 deceased in the matter of Punjab Mass Cremation remitted by the Hon'ble Supreme Court of India.

In 2004-2005, the Commission, in 45 cases, recommended interim relief under section 18(3) of the Act to the extent of Rs. 23,27,000/- (US \$ 50,000/-). Since 1993, the Commission has recommended more than Rs.10 crores (US \$ 2.2. million) by way of interim relief in 632 cases. The remaining issues are still under consideration of the Commission.

### **Trafficking in Women and Children**

In order to know the trends, dimension, factors and responses related to trafficking in women and children in India, the Commission, in collaboration with the UNIFEM and the Institute of Social Sciences, New Delhi initiated an Action Research on Trafficking in Women and Children in India in the year 2001. This was completed and its report was released to the public on 24 August 2004. The report is also available on Commission's website [www.nhrc.nic.in](http://www.nhrc.nic.in). This report has made a number of recommendations to prevent and combat trafficking. The Commission has requested all concerned to implement these recommendations and intimate the action taken in this regard.

### **Judicial Handbook on Combating Trafficking of Women and Children for Commercial Sexual Exploitation**

The Commission and the Department of Women and Child Development, Government of India in partnership with UNICEF have prepared a Handbook for sensitizing the subordinate judiciary on the issue of Trafficking of Women and Children for Commercial Sexual Exploitation. The purpose of the Handbook is to sensitize the Judicial Officers to the actual situation of the trafficked victims and to provide them with a perspective so that they could proactively safeguard the rights of victimised women and children, through a sensitive interpretation of the law. The Handbook has been finalised and is in the process of being printed by the UNICEF.

### **Terrorism**

As in previous years, terrorism continued to be a major concern with the world community, including the Governments, the civil society, human rights institutions and voluntary organizations. This has been more so after the "9/11 incident" which shook the very roots of the most powerful democracy in the world, the USA. We, in India, had been voicing our concern regarding tackling terrorism at a global level for the past many years, particularly with regard to cross-border terrorism. The evil of terrorism continued to raise its head again and again and hundreds of innocent people across the length and breadth of this country continued to become its targets.

From time to time, the Commission has expressed its views on terrorism and measures to combat it with focus on human rights. The protection and promotion of Human Rights is basic for civilized existence because these rights are demands to protect our only common identity as human beings. In democratic societies fundamental human rights and freedoms are put under the guarantee of law and therefore, their protection becomes an obligation of those who are entrusted with the task of their protection. There has been a growing consciousness amongst citizens all

over the world against violation of human rights. Strong national and international movements have emerged.

The Commission is convinced that a proper observance of human rights is not a hindrance to the promotion of peace and security. On the contrary, any lasting peace and long term national security depends on proper respect for human rights. The Commission has emphasized that anti-terrorism measures must, therefore, be consistent with democracy and human rights, which are fundamental values of our society, and should not undermine them, even inadvertently.

## **Gujarat**

The Commission has continued to play an active role in regard to the events in the State of Gujarat beginning with the tragedy that occurred in Godhra on 27 February, 2002. We have, in our past reports to this Forum explained in detail the steps that had been taken by the Commission on this vital issue. The intervention of the Commission before the Supreme Court resulted in the Supreme Court accepting the plea of the Commission for transfer of some of the crucial criminal cases out of the State of Gujarat to ensure justice. The Commission is keeping itself apprised on the progress of the trial of these cases which are now taking place.

## **Key Human Rights Concerns**

Several key thrust areas formed the focus of the Commission's attention. A brief account serves to highlight, the sensitivity of the Commission's responsibility as well as it enables all to gain a perspective of work done and still remaining to be done.

### **Bonded Labour:**

The Commission continued to monitor the implementation of the Bonded Labour System (Abolition) Act 1976 as directed by the Supreme Court in its Order dated 11 November 1997 passed in writ petition (civil) No. 3922 on 1985. The Supreme Court Order has the effect of arming the recommendations of the Commission with force of law. The Commission, through its Special Rapporteurs, is monitoring the status of bonded labour in the country. As per the directions of the Apex Court, sensitization Workshops have been organized for sensitizing the District Administration, Police, NGOs and other field functionaries involved in the implementation of the Bonded Labour Act.

### **Child Labour:**

The pernicious practice of child labour is still prevalent in some parts of the country. It is only natural for the Commission to not let the issue go to the back burner, as it is of the firm belief that children should not be seen anywhere except at school or play. The monitoring of the Child Labour situation in the country is being carried out through the Commission's Special Rapporteurs, visits by the Commission, sensitization programmes and workshops, etc. The Commission has been deeply concerned about the employment of children below fourteen years as domestic servants by public servants. It took up the matter with the Central Government and the State Governments to amend the relevant Rules. It is heartening to note that the Central Government and almost all the State governments amended the rules barring employment of children below the age of fourteen years as domestic servants by Government employees, treating it as a misconduct inviting major penalty.

### **Manual Scavenging:**

The practice of manual scavenging has been the focus of the Commission's attention for the simple reason that it is a practice that violates human dignity in a very abhorrent manner. Forcing another human being to carry night soil is just not acceptable to the Commission. The Commission has made known its stand and voiced its anguish at every possible fora. While socio economic reasons do impede the progress towards the abolition of the practice, the Commission feels that effective monitoring and providing viable alternative employment by the Government, would hasten the results. It is in this context, that the Commission has repeatedly taken up this matter at the highest echelons of the Central and State Governments

### **Rights of the Mentally ill**

The Commission remained deeply involved in overseeing the functioning of the Government Protective Home for Women in Agra and the Government Mental Hospitals at Agra, Gwalior and Ranchi, as directed by the Supreme Court of India in their Order dated 11 November, 1997. The Commission views this area with concern and therefore, a Member of the Commission has been nominated to head the Core Group on Mental Health. The Group is in the process of formulating strategies for rehabilitation of long-stay patients cured, but who have nowhere to go. Under a joint collaborative project submitted by Action Aid India and the Commission, 11 Sensitization Workshops were held in the three mental health institutions.

### **Rights of Women and Children**

Dr. Justice Shivaraj V. Patil was appointed in the Commission as Member on 03 February 2005 and subsequently nominated by the Commission to serve as the Focal Point on matters relating to the Human Rights of Women, including Trafficking, in place of Justice (Smt.) Sujata V. Manohar, who demitted office.

### **Guidebook for the Media on Sexual Violence against Children**

In order to encourage media professionals to address the issue of sexual violence against children in a consistent, sensitive and effective manner, consonant with the rights and best interest of children, the Commission and Prasar Bharati with support from UNICEF have jointly developed a Guidebook for the Media on Sexual Violence against Children. The Guidebook is the culmination of four workshops organized in which professionals, legal functionaries, police personnel, communication specialists and media professionals participated. The Guidebook aims to facilitate media intervention to protect the rights of children against sexual violence.

### **National Policy on Resettlement and Rehabilitation:**

The Commission reviewed the provisions of the National Policy on Resettlement and Rehabilitation sent to it by the Ministry of Rural Development. The Commission has noted that the rehabilitation policy has not been made a part of the Land Acquisition Act of 1894. The Commission is of the firm view that resettlement and rehabilitation be incorporated in the legislation proposed to be enacted by the Ministry of Rural Development so that it becomes justiciable. Keeping in view human rights aspects and related public interest involved, the Commission has also sought a copy of the draft legislation in this regard for a critical review.

### **Visit of the APF team to India on issue of IDPs**

The Brookings-SAIS project on Internally Displaced and the Asia Pacific Forum undertook an eighteen month internal displacement project consisting of individual assessment of six institutions in countries experiencing displacement (India, Indonesia, Nepal, Philippines, Sri Lanka, and Thailand) and a regional workshop devoted to the issue to be undertaken in 2005. A four-member team visited the Commission from 4-7 October 2004 to undertake the fifth institutional assessment in the regional programme. The purpose of the visit was to discuss the NHRC's activities with regard to IDPs and develop recommendations for the Commission's consideration on means to enhance its role in this area. The recommendations of the Asia Pacific Forum's IDP Projects team have been considered by the Commission. A number of steps have been proposed to address this issue.

### **Prevention and Combating of Child marriage**

The problem of child marriage as such has continued to be a great concern to the Commission. In order to eradicate the practice of child marriage in the country, the Commission has been working continuously ever since its inception in the year 1993. With a view to curbing this practice, the Commission in the year 2001-2002 recommended to the Central Government (Department of Women & Child Development) a number of amendments to the Child Marriage Restraint Act, 1929. In pursuance of these recommendations, the Central Government (Legislative Department, Ministry of Law & Justice) introduced a Bill entitled the Prevention of Child Marriage Bill, 2004, in the Rajya Sabha on 20.12.2004 incorporating almost all the recommendations made by the Commission. One of the key recommendations made by the Commission was to urge the Government to define a 'Child' as per the Convention on the Rights of the Child which defines a 'child' as a human being below the age of 18 years. The Bill introduced by the Government had defined a 'child' as a person who, if male, has not completed 21 years of age and if a female, has not completed 18 years of age.

### **Discrimination based on Caste**

Despite elaborate provisions in the Constitution and other laws, it is an unfortunate reality that social injustice and exploitation of Scheduled Castes and Scheduled Tribes and other weaker sections persist. There are reports in the press about atrocities against persons belonging to these groups and the frequency with which they occur is a cause for disquiet. The humiliation which persons belonging to the Scheduled Castes in general and the Dalits in particular suffer even today, more than half a century after India proclaimed itself to be a Republic, is a matter of shame.

For the National Human Rights Commission, the protection of human rights is essential for defence of democracy itself—a democracy that is inclusive in character and caring in respect of its most vulnerable citizens. The Commission holds the view that human rights must be made the focal point for good governance. The Commission has been quite vocal and outspoken in defence of human rights particularly of the vulnerable sections of the society. The Commission draws inspiration in its work for defence of human rights from Mahatma Gandhi's very potent observation:

*'It has always been a mystery to me how men can feel themselves honoured by the humiliation of their fellow beings.'*

The Commission entrusted a Study to a senior retired civil servant, to go into the issue of discrimination faced by persons belonging to the Scheduled Castes. The study has been completed and a comprehensive report submitted, which contains a number of recommendations to various authorities. In order to monitor the implementation of these recommendations, the Commission set up a Dalit Cell and placed it under the charge of a Member of the Commission. The Commission has sent its recommendations on the ways and means to prevent atrocities against Scheduled Castes to various authorities, both in the Central and State Governments for taking necessary action. In particular, States have been asked to;

- Identify atrocity and untouchability prone areas and prepare a plan of action;
- Appointment of exclusive special courts where volume of atrocity cases is large and appoint competent and committed special public prosecutors
- A 3-tier Training programme for police and civil functionaries;
- An annual workshop of District Magistrates and Superintendents of Police on implementation of laws in this regard;
- Women officers should be assigned to all atrocity prone areas, with cells established to entertain complaints;
- Self-help groups of Scheduled Caste women should be given elementary legal training along with sessions on confidence building;
- Identify in each district a NGO which can be approached in case of custodial violence or any other atrocity;
- Panchayats may be sensitized about the issues concerning the Scheduled Castes and various De-Notified Tribes;
- Institute annual awards for the police stations and districts, which emerge as the most responsive to the complaints of the Scheduled Castes.

The Commission proposes to closely monitor the implementation of these recommendations in the coming years.

### **State Human Rights Commissions**

Only 14 States have set up State Human Rights Commission. The Commission has impressed upon all other States to set up State Human Rights Commissions. Given the federal structure of the country laid down in the Constitution, every State in the Union is also to constitute Human Rights Commissions. Enabling provisions exist for the purpose in the Protection of Human Rights Act, 1993. The National Human Rights Commission too is keen that such State Human Rights Commissions are set up in every State so that human rights promotion and protection are more easily accessible to every citizen, whatever be the culture she/he belongs to or language she/he speaks. To that end the Commission takes the initiative to hold regular interactions with the State Human Rights Commissions to explore and further strengthen areas of cooperation and partnership. The last interaction with the State

Human Rights Commissions was organized by the Commission on 13 May, 2005, in New Delhi. It provided a useful platform for a free exchange of views on a whole range of human rights issues. For the Commission, it provided a window to the nature of human rights violations affecting a particular area. In the multi-cultural and multi-lingual milieu that India nurtures, the role and importance of State Human Rights Commissions cannot be understated.

### **Coordination & Cooperation with other APF Member Institutions**

The Commission has always endeavored to share information and expertise with other APF member institutions. The Commission has developed an Internet based Complaint Management System (CMS), by which it is possible for a complainant to track the progress of his complaint lodged with the Commission through the internet. The Commission has been privileged to share its expertise with the Nepal Human Rights commission including training of the concerned personnel in handling the software. With the Nepal Commission, we have also imparted training on Investigation techniques, by officials from our Training division. A team from the APF Secretariat and the Jordan National Center for Human Rights had visited the Commission to understand the procedures and functioning of the Commission. Particular interest was evinced in the CMS package during the visit. Our Commission is also in the process of sharing the CMS package with the Jordan National Center for Human Rights.

The Commission has remitted an amount of US \$ 100,000 as our contribution to the APF during the year 2004-05.

The Commission was also privileged to receive several dignitaries, distinguished visitors as well as students, from overseas during the year. Some of the visitors included:

- A fifteen-member group of students from the Asia Pacific Human Rights Information Center, Osaka, Japan visited the Commission on July, 26th, 2004.
- A delegation of senior officials from the United Kingdom visited the Commission on July 13, 2004.
- Ambassadors from the European Union visited the Commission September 21, 2004.
- A group of member of European Parliament from the South Asia Delegation (SAD) in the European Parliament visited the Commission on November 2, 2004.
- Ambassador of the Arab Republic of Egypt visited the Commission on November 16, 2004.
- A 11 member delegation from the Iranian Ministry of Education visited the Commission on January 20, 2005.
- A delegation headed by H.E. Mr. Abdulrahim Mohamed Hussein, Interior Minister of Sudan visited the Commission on January 27, 2005.

- H.E. Dr. Boutros Ghali, Former Secretary General of the United Nations and President, Human Rights Commission, Egypt visited the Commission on February 8, 2005.
- Mr. Saleh Al-Zubi, Executive Director, Jordan National Centre for Human Rights visited the Commission from 7-9 February, 2005, to understand the procedures being followed in the Commission.
- A delegation from the German Parliament's German-Indian Friendship Group visited the Commission on February 10, 2005.
- Sr. Emilio Menendez del Valle, Socialist Group in the European Parliament and Special Rapporteur on EU-India strategic partnership relations visited the Commission on the 26th May, 2005.
- The Chairperson of the Commission was invited as Guest of Honour at a luncheon of EU Ambassadors in New Delhi.

### **"Know Your Rights" Series of Booklets on Human Rights**

The Commission decided to bring out a series of booklets titled "Human Rights" on the pattern of booklets brought out by the United Nations. Eight booklets on human rights themes were brought out in collaboration with the reputed National Academy of Legal Studies and Research University (NALSAR), Hyderabad. These booklets were released on December 10, 2004 on the Human Rights Day.

The booklets were also translated into four regional languages and are also proposed to be translated into all the regional languages.

### **Complaints before the Commission**

The total number of cases registered in the commission during the financial year 2004-05 was 74,401. The corresponding figure for the year 2003-04 was 72,990. This is a quantum jump from the figure of 496 cases registered in the first six months of the Commission's existence. It is also a barometer of the enormous trust and faith reposed in the Commission's sincerity of purpose.

### **Non-Governmental Organizations**

Encouraging the efforts of the non-governmental organizations (NGOs) working in the field of human rights is a statutory responsibility of the Commission under Section 12(i) of The Protection of Human Rights Act, 1993. The promotion and protection of human rights cannot gather momentum without the fullest cooperation between the Commission and the NGOs. In order to strengthen the relationship with NGOs, the Commission has been holding a series of consultations with NGOs and voluntary organizations engaged with the promotion and protection of human rights, on a regional basis. The Commission provides financial assistance to credible NGOs for organizing seminars, workshops, etc. associated with spreading human rights awareness amongst the people.

A Core Group of NGOs has been constituted under section 12(a) of the Protection of Human Rights Act, 1993 to encourage the efforts of the Non-Governmental Organizations (NGOs) and institutions engaged in the field of human rights. The Core

Group provides the Commission with crucial inputs regarding the hopes, aspirations and expectations of the civil society from the Commission.

### **Conclusion**

The quest for a just, equitable and fair society is indeed a noble endeavor. But it is a march, where there is no time even to pause except to reflect and to introspect. India, is a vibrant democracy of more than one billion people. It has a free press where young responsible reporters bring out stories which otherwise escape attention. It has civil rights activists who spend their lifetime spreading awareness of people's rights and empowering the weak and the vulnerable. A firm, fair and socially conscious Judiciary keeps an eagle eye on the happenings, or rather the mis-happenings that take place! The Commission is privileged in having a crucial link with the judiciary and believes that complementarity with the judiciary is very useful to protect and promote Human Rights.