

POPULAR BULLETIN

Vol. XI. No. 6

Rs 1.50

June, 1991



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Lack of Sensitivity

All right thinking people having respect for human rights and democracy have no doubt condemned, and rightly so, the cowardly and brutal murder of Rajiv Gandhi. But is this condemnation enough? Have we analysed the causes behind this kind of criminal violence in our political life, which, at least in form, is democratic? And where will this violence lead us to? Let us hope our social scientists give their thought to this aspect of our political life. Meanwhile, we deeply mourn the tragic death of Rajiv Gandhi and 18 others who died in the bomb blast in Tamilnadu. Apart from other things, the murder of Rajiv Gandhi and all those 18 who died with him is a gross violation of human rights.

Lovers of freedom and democracy will continue to feel distressed over this ghastly tragedy. But what about Rajiv Gandhi's party men? Some of them have gone to the extent of charging that some non-congress political party leaders are behind this murder, while knowing full well that it is utterly false. One of these Congress party leaders, we are ashamed to say, belongs to the learned profession. Such political behaviour is no less condemnable. That instead of deeply mourning, sharing their grief with the members of the family, and thinking about the future of the country these leaders should think in terms of political gain, is indeed a sad commentary on their sensitivity and values.

We may note another disconcerting thing. That feelings have been hurt by human insensitivity has also been demonstrated by leaders of the Congress party in that they rushed to announce, even before the funeral took place, that Mrs. Sonia Gandhi be appointed party president. Why this indecent haste? One could understand this haste if Rajiv Gandhi were the prime minister (as it happened after the tragic death of Mrs. Indira Gandhi). In all propriety and dignity, and having respect for the sentiments of Mrs. Sonia Gandhi they could have waited until at least the last rites were performed. What a sad commentary, again, that these leaders should be trading on a tragedy, and would not even allow Mrs. Sonia Gandhi to absorb the shock and grief that she has undergone at such a young age. In their action they have shown respect neither to Mrs. Sonia Gandhi nor to her late husband who was their leader until the other day.

The PUCL and other human rights activists are not concerned with the appointment of party leaders, but in this case we have felt constrained to refer to this in view of the utter insensitivity shown to the human aspect of the situation.

PUCI EXECUTIVE MEETING-PROCEEDINGS

A meeting of the National Executive Committee was held on May 5, 1991 at 'Sannidhi' Delhi. Following members and observers attended the meeting: **Sachar** Rajindar Sachar, Delhi; Hemlata Prabhu, Jaipur; Amrik Singh, Delhi; Prabhakar Sinha, Muzaffarpur; Y. P. Chhibbar, Delhi; Abu Baker, Delhi; Rajni Kothari, Delhi; R. M. Pal, Delhi; Sita Bhatia, Pune; Jatin Zaveri, Delhi; Sehjo Singh, Delhi; and vijay Pratap, Delhi.

The agenda for the meeting was as follows ;

1. Report of the General Secretary.
2. Drafting a programme to be placed before the National Council,
3. Fixing the meeting of the National Council, and agenda for the meeting.
4. Progress of donation-drive.
5. Action Programme in connection with the elections to the Parliament.
6. Any other item with the permission of the Chair.

GENERAL SECRETARY'S REPORT

This is the first meeting of the newly constituted Executive Committee of the National Council after the National Convention was held on May 26 and 27 at Pune. I welcome you all. I am sorry that this meeting was called at a very short notice and that no meeting could be held earlier due to reasons beyond our control.

The first task to which we addressed ourselves after the National Convention was concerning the decision of the National Council in January 1990 to undertake a drive for identifying some annual donors who would commit themselves to donating Rs. 1000/- a year. The National Council had requested Shri Rudra Dutt and Shri Dalip Swami to help the National office in organising this drive. This two member-committee, in consultation with Shri Surendra Mohan and the President and the Secretary, drew a list of members and sympathisers to whom letters signed by Shri Sachar and Shri Tarkunde were sent by the National office. We received a positive response from 29 persons. Out of these, 5 persons have also sent the first instalment. The second instalment is not yet due from 16 persons. This shows that though there has been some response for annual donations, the drive needs to be broadened and pursued further.

The National Convention had decided that a team of the National PUCL should visit North-Eastern States in order to strengthen the organisational set-up in that region. Steps in this direction are under way. A team

is also going to Assam to look into the complaints of Army atrocities in the name of curbing extremism.

The PUCL was able to secure the release, in Bihar, of Shri Virendra Vrdrohi, and activist of the LP.F., who was arrested in August 1988 for blackening the face of the then Chief Minister of Bihar. He was charged with Section 124, 124-A and 307/34 of the Indian Penal Code. Later, clause 3 (2) of the N.S.A. was also invoked, and then the Terrorist Act was invoked. The PUCL wrote to the Chief Minister, Shri Lalu Prashad Yadav pointing out that he was arrested on trumped up charges and should be set free. He was consequently released.

The National Convention had persuaded Shri Ashgar Ali Engineer not to undertake an indefinite fast in front of the residence of the then Prime Minister Shri V.P. Singh to focus the attention of the Union Government on the ongoing problem of the atrocities committed by the Bohra High Priest on reformist Bohras, assuring him that the PUCL would renew its efforts in this direction (the PUCL had sent a memorandum in this regard to the President a few years ago). It may be mentioned here that after many years, last year the reformist Bohras were allowed to visit their place of worship in Rajasthan under police protection provided by the BJP government. Shri Ashgar Ali Engineer has suggested the passing of a resolution in this meeting on this problem. This will be taken up today."

The National Convention had also approved the General Secretary's suggestions to present to the Government a document on 'Tasks Ahead' following the PUCL Charter of Demands which was accepted by the National Front during the general elections in 1989. In view of the fact that the National Front government did not fully implement the Charter, and in view of the fact that the political situation became fluid, this document, the final draft of which was prepared by Dr. SP. Sathe, was withheld. It will be presented to the new government that comes to power after the current elections.

We have received memoranda signed by a large number of foreign nationals, who have been detained under N.D.P.S. Act in various jails in Maharashtra, alleging ethnic discrimination against them and we are pursuing the matter.

We have been demanding the holding of elections in Punjab and in Jammu & Kashmir and it appears that elections in these states may be held soon.

A World Congress on Human Rights was held at Delhi in December 1990. In an informal meeting of the humanist groups of the South Asian regions, it was decided to form a South-Asian forum for Human Rights, with Fr. Timrn of Bangladesh as its Conveonor. This forum decided to bring out a monthly news-letter of the SAARC countries. Pending its publications the *PUGL Bulletin* has offered space to it and the publication of human rights news from the region has started.

The National office requested, in December 1990, all the branches of the PUCL to take steps to help in easing the communal tension wherever it may erupt.

A communal riot in Aligarh, D.P., that took place in December 1990 and January 1991 attracted wide attention/condemnation, especially the role of the Hindi press during the riots. The National PUCL sent a team consisting of Shri V.M. Tarkunde, Shri Rujindar Sachar, Prof. Abu Baker, Prof. Dalip Swami, and Dr. H.M. Pal. The report of the team was released in January. Besides, looking into the communal incidents

in the city and the charges against the Jawahar Lal Nehru Medical College Hospital of the AMU, the report also included the press-coverage of the incidents by Hindi dailies prepared by Ms. Sehjo Singh, National Assistant Secretary and Shri Prashant Kumar, National Organising Secretary. Shri Prashant Kumar also moved the Press Council of India on this matter.

We have filed a writ petition in the Supreme Court challenging the provisions of the Indian Telegraph Act which are being abused for tapping telephones. The writ has been admitted for arguments. Shri Sanjay Parikh and Shri Rajindar Sachar are appearing in the case.

Two Burmese students in their early twenties, Soe Myint and Htin Kyawod, hijacked a Thai Airlines plane to Calcutta and been put in the jail custody of Dum Dum Central jail, West Bengal, since November 12, 1990. The PUCL has viewed this attempt as a part of the struggle for restoration of democracy in their country, especially, since they carried no weapons and harmed no passenger or the crew. The legal cell of the West Bengal PUCL is fighting their case in the Court. The national PUCL held a press conference, jointly with the C.P.D., in November 1990, appealing to the government to grant these young boys political asylum and not to deport them to Burma. The West Bengal PUCL also met the State Chief Minister in this regard. The National PUCL sent their appeal to the President of India and is pursuing the case further.

We had sent a 7 point Charter of Demands to all political parties asking them whether they would commit themselves to implement it within a year of coming to power, at the time of elections in 1989. We had asked our branches to publicise the names of the parties that did not accept it, asking voters not to vote for them. The National Front had accepted the Charter and after coming into power it took some action on it. We are now again sending the same Charter to the parties with our comments on action taken by the N.F. government and asking them to commit that if they come into power, they will implement the remaining points of the Charter. We have also sent it to all our

branches to publicise it; copy of this document was published in the last issue of the BULLETIN.

The Padrausa branch of the PUCL in U.P. has filed a writ petition in the Supreme Court against The Cownpore Sugar' Works Ltd., Padrauna Factory Branch, for causing pollution. under Article 32 of the Constitution of India. The Court directed for closure of the mill forthwith. Thereupon lives of the PUCL activists were threatened. The national office took up the matter with the District Magistrate of Deoria and the Minister of State, Environment and Forests, Ms. Maneka Gandhi, who took prompt action and is still in touch with the case.

The Punjab branch of the pueL was formally established on March 24, 1991. at Chandigarh, with Shri Mohinderjit Singh Sethi, former Advocate-General of Punjab, as President and Shri Ved Prakash Gupta as General Secretary.

We have an arrangement with the C.F.D. with regard to the Hindi monthly journal, *Jantantra Samaj*. Those members of the PUCL who wanted to subscribe to a Hindi journal, in place of our *PiCl: Bulletin*, were enrolled for the *Jantantra Samai*. This journal has been coming out very irregularly for some years now. This causes us great embarssment with cur members. I suggest that we discontinue this arrangement with the C.F.D.

Following branches csnducted investigation locally during this period and sent us their reports :-

1. Violence in Jehanabad (Bihar PUeL May 1990)
2. Police firing on workers in Abhanpur, (Madhya Pradesh, PUeL May 1990)
3. Arrest of an Environmentalist. (M.P. PUeL Sept. 1990)
4. Petition to the Commission of inquiry with respect to Bhagalpur Disturbances Bihar PUeL, October 1990)
5. Arrest of Medical officer of a Hospital in Madhya Pradesh by Maharashtra Police. (M.P. PUCL, Sept 1990)

6. Press Reporting of the Communal Situations in U.P. by the Hindi press, seminar organised by the National Organising Secretary, Lucknow (Nov. 1990)
7. Police Excesses Against a Journalist (PUCL Guntur, A.P. December 1990)
8. Enquiry into Narmetta Firing (A.P. PUCL, Dec. 1990).

I have to end thereport. oa a sad note. Ms, Chitra Tarkunde, our very active supporter and wife of Shri V.M. Tarkunde, passed away on October 16, 1990. In her death the PUCL has lost a person deeply committed to our case. I would request the members to stand in silence for one minute as mark of respect to her.

Thank You,

05-05-1991.

Y.P. Chhibbar,
General Secretary.

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I. Matters arising out of General Secretarys Report:

With regard to the arrangement with the Hindi journal of C.F.D. *The Jantantra Samaj*, (See report it was agreed that the General Secretary's suggestion to end this arrangement be accepted. The members were, however, of the opinion that Shri Prabhakar Sinha, national Vice President and President of Bihar PUCL and Shri Prashant Kumar national Organising Secretary and the officiating General Secretary of the U.P. PUCL, should explore the possibility of bringing out a PUCL Bulletin in Hindi, mainly depending on the translations from the Bulletin in English.

2. The tentative agenda for the National Council meeting was decided as follows:

1. Finalisation of the document 'Tasks Ahead' to be submitted to the Union Government.

2 Finances.

3. Review of the national scene after the elections being held in this month. It was decided that Shri Kannabiran, Shri Prabhakar Sinha, and Shri Vijay Pratap will prepare a report on the malpractices that have crept in the election system and how to tackle them.

3. It was decided that the National Council meeting should be held on the last weekened of July and the General Secretary should explore whether it can be held at Lucknow, or Bhopal, or Bombay.

4. The meeting expressed its gratitude to Shri Rudra Dutt and Shri Dalip Swami for their efforts for enrolling annual donors. It was decided that Shri Rajindar Sachar, Prof Amrik Singh, and Shri Vijay Pratap should help them in strengthening further this drive.

5. The meeting approved the actions taken by the General Secretary with regard to the PUCL Charter of Demands and constitution of Observers Team during the ejections. It was decided that Dr. R.M. Pal, Prof. Amrik Singh, Shri Rajinder Sachar, and others who may be available would strengthen the teams being set up in Bihar and Rajasthan.

6. The meeting passed the following resolutions:

I. Bobra Muslims

The PUCL has been raising its voice on the plight of those members of the Dawoodi Bohra Muslim community who are fighting for reform in some of their practices and have been calling for curbing the powers of the High Priest of the community.

The Chief instrument used for the persecution and coercion of the reformist Bohras is that of social boycott known as Barat. In a small and well-knit community, ex-communication works with disastrous consequences. The boycotted persons become worse than untouchables. Their own kith and kin cannot speak to them. They are denied burial rights in the community cemetery. Long standing marriages are dissolved causing untold suffering, especially to the women. Thousands of Bohra families affected by this accursed instrument of coercion have been ruined financially as well as socially.

The enormous wealth at the disposal of the Syedna collected through taxes and Nazraanaas makes him very powerful and helps in persecution of the dissenters.

It is considered view that a suitable legislation should be enacted to provide relief to the much harassed reformist Bohra.

II. J & K : Kidnapping of Swedes and Gangrape at Kupwara,

Two Swedesh nationals, Mr. Johan Jansson and Mr. Johnole Loman, were kidnapped in the State of Jammu and Kashmir on March 31, '91, allegedly by the members of the Muslim *Janbaaz Force*. The mental torture of the victims and their families must end. These two are in no imaginable way connected with the impasse in Jammu and Kashmir.

The PUCL urges the captors of these two foreign nationals to release them immediately.

The PUCL is also exercised over the deplorable incident reported to have taken place in Kupwara district on 23/24 February, 1991 in which, according to the District Magistrate, 23 women were gangraped. The state government maintains that the report was baseless.

The PUCL demands that a judicial inquiry by an eminent judge, preferably of the Supreme Court, should be ordered into the incident.

III Calamity in Bangladesh

The PUCL expresses its deep anguish at the unprecedented calamity that has befallen Bangladesh. It is reported that lakhs of children, women, and men have perished and even larger number rendered homeless and destitute.

The PUCL urges all charitable organisations in India and governments of various countries to come forward to the help of the sufferers of the tragedy.

IV Election in Punjab and Assam.

The PUCL welcomes the decision of the government to hold elections in Punjab and Assam. This is a step

(Continued on Page 14)

CHARTER OF DEMAND

The PULC had sent a Charter of Demands (See May Issue of the BULLETIN) to all the political parties asking them to commit themselves to the points listed in it and to implement them in the eventuality of their coming to power. The National Front, Janta Oat and the Samajwadi Janta Party have accepted the Charter.

Y. P. Chhibbar, Gen. Secy, PUCL

independent Initiative (I.I.) Observer's Report On Patna Lok Sabha Constituency

R. M. Pal

I was asked to keep myself ready to go to Patna at short notice to observe the Lok Sabha Constituency election in Patna Constituency. The I.I. thought that it should be possible for them to get the required clearance from the Election Commission on the 17th so that I would have about 3 days to go around Patna before the Election on the 20th of May. I got a call from the Secretary of the I.I. that my name was listed for Delhi by mistake and that the Pass was sent back to the Election Commission Office for necessary rectification and that I would get the Pass on 18th May evening so that I should now proceed to Patna by the morning flight on the 19th. On the 18th evening I got a call from the Secretary of the Election Commission that a new pass could not be made ready before 11 a.m. on the 19th and that I might change my programme and should take the afternoon flight scheduled at 3-50 p.m. The Secretary of the I.I. also informed me accordingly. He assured me that the Pass would be sent to me latest by 2-00 p.m. on the 19th. Around 1-30 p.m. on the 19th I received a call from the Secretary of the I.I. that in spite of their best efforts they were not able to get the Pass, nor would the Commission return the original pass that was issued by the Election Commission but nevertheless I should proceed to Patna and observe the polling using my own resources and wit and submit a report to the I.I. I was thus not able to spend the amount of time in Patna which would have enabled me to study the situation before polling started on the 20th.

On reaching Patna I met Justice K B N. Singh, the Bihar representative of the I.I. and he told me that he had not received any authorisation from the Election Commission nor had he received any papers from the I.I. He therefore could not do anything since the Administration in Patna had prohibited movement of all vehicular traffic including private cars, and that the Chief Election Officer had declined to issue any pass. He told me that it would be dangerous to move out on the 20th since the atmosphere was surcharged and violence

of the greatest magnitude was going to take place. He added he that had already sent a pre-poll report to this effect to Justice Krishna Iyer. I was thus left on my own

I then met some BIP and Congress workers in the evening and at night, and many of them echoed the same apprehension that there would be large scale violence on the 20th and Janata Dal workers would indulge in booth capturing at an unprecedented scale; and I was advised not to go out without any proper authorisation. The only papers I had with me were a copy of the Election Commission letter addressed to the I.I. granting permission subject to certain conditions, and some badges issued by the I.I. Nobody was prepared to lend a car or to arrange to hire a car for me, even though I was prepared to pay handsomely! Seeing me in this predicament my friend and host took courage and offered his car with a driver who found it difficult to say 'no' to him.

Some HJP and Congress party activists told me that booths situated in Danapur area were the most sensitive ones and Janata Dal workers would definitely indulge in booth-capturing in that area.

On the 20th morning I set off for Danapur. The car was not stopped anywhere. I went to a number of booths in that area. On my introducing myself as an observer from the I.I., I was allowed to enter polling booths. I found polling peaceful in the booths in the area I visited. I spoke to polling agents of the political parties, and they had no complaints to make. However, in two booths (107 and 115) in Modern Mahavidyalaya I found that attempts to impersonate (i.e. bogus voting) were made. While I was there the Police arrived and took 4 boys in custody—they were taken to the nearby Police Station. The Presiding Officers told me that there was a determined effort to impersonate and that the staff meant business and would not allow any impersonation come what may. They were so angry—one of the officers even used 4 letter words to abuse those who

tried to impersonate. I went to the Police Station and asked the Police officers to let me know the facts. They said that they could not comment since no written complaint was yet made out. With their permission I spoke to the boys who were detained in the Police Station. Two of them said that they did make attempt to impersonate-one for the Congress, one for the BJP; the third said he was implicated falsely; the fourth said he was not a voter and he was only an onlooker at the polling booth.

The allegation about Danapur turned out to be unsubstantiated.

I was told by some political party workers that bogus voting was going on in Lal Kothi booth. I rushed there. I checked up with the Election Officers and party agents. They all said that everything was peaceful there and that rumour about bogus voting was baseless. It was a Muslim and carpenter community area and we checked up with some Muslim activists and they told us that no one would dare indulge in bogus voting or booth-capturing there!

I was told by BJP and Congress workers (I did not find any presence of any party other than BJP, Congress and Janata Dal in many booths) that large-scale booth-capturings were going on in the villages across the Sone river. I crossed the Sone river in a boat and walked about 1.50 Km to reach village Panapur Purani. I visited booths situated in Panapur Purani. Everything was peaceful there. What was surprising is that in this village I hardly came across any party worker except Janata Dal supporters. They told me that everything was normal. Election agents of the parties wherever present too told me the same thing. I talked to a number of villagers in that area and told them that I had information that bogus voting was going on smoothly there. One of them took me aside and said that I had come to a wrong place: why should there be booth-capturing here, for this was a Yadav dominated area and they were all Janata Dal voters and supporters? But what about others including the Scheduled Castes, I asked? They too were supporters of Janata Dal, he said. I could not however contact any Scheduled Caste voter there.

During our journey through this area and Danapur I hardly noticed any police presence. There was no policeman on permanent duty in any polling booth in these areas. There was however mobile police patrols. Furthermore, contrary to reports that I had received in Delhi that whole of Bihar, and particularly Patna Constituency, was full of armed gangs, I found not a single person with any gun or any weapon.

I may note here that most of the booths in Danapur and Panapur Purani were badly set up in that no proper working arrangement even for polling officers was made.

After 2-30 p.m. I visited a number of polling booths in the urban area of Patna. I was told by a number of people on the way that there was a commotion in the Congress Party office on the question of booth capturing. I went to the Congress office and met the Congress Party candidate Mr. Thakur. His workers gave me a list of a number of booths (205, 206, 207) where booth capturing is said to have taken place. I was also told there by some people that booth capturing was going on in the School Inspector's Office booth. I went there. The Election officers would not open their lips. Party workers and agents told me that there was booth capturing there. I was told by some voters there that there was bogus voting there, but there was no booth capturing.

I then went to the BJP Office. As I introduced myself to a party worker in the office, one worker asked me to rush to booth No. 85, Vidyut Bhawan. He was kind enough to lead me there. I reached there a little after 5-00 p.m. and straightway went inside the polling booth. A large number of ballot papers were lying on the table duly stamped." The Election Officer seemed to be in a trauma. He told me that a crowd of about 50 Janata Dal workers had entered the booth and snatched away 3 bundles (each containing 50 ballot papers) and stamped them. Just then the Police arrived and the crowd ran away; After everything was normal, and as the police had gone away, the crowd again came and began to put the ballot papers in the box; the police again came and the crowd ran away. The crowd

managed. the Election Officer told me. to put a few ballot papers in the box, and the rest were lying on the table.

The above is a narration of what I saw in about 35 booths. One can't give a definite verdict about the extent of malpractices on the basis of what one saw only in 35 booths in a Parliamentary Constituency of over 1000 booths. After this I went back to the party offices. In my presence, a large number of Congress Party workers told Dr. Thakur that re-poll should be held in about 50 booths and that they had collected all relevant information about malpractices in these booths. (Later on I was told that even officially Mr. Thakur asked for re-poll in 50 booths.) I spoke to a number of party workers and they told me that although there was no violence in Patna, Janta Dal workers did capture some booths and indulged in bogus voting in the BJP Office. party workers told me that there should be re-poll in about 60 booths. They also told me that there was no violence except one minor case in which an Election Officer was slightly injured. I then went to Janta Dal Office; the Office was locked and the caretaker present there told me that all party leaders would be either at Mr. Ram Sundar Das or Mr. I. K. Gujral's house. I didn't have the physical stamina to hunt out offices when none could tell me for sure where the office was located.

As I mentioned earlier the presence of BJP was not felt, at all.

Both the Congress and BJP (and also Janta Dal workers I met during my trip to the constituency) told me that the election this time was much better conducted than in 1989, and that there was much less bogus voting and less booth-capturing. Why? Because they too were prepared to retaliate. I was told. The BJP complained that both the Congress and Janta Dal workers indulged in booth-capturing,

On 21st I was able to meet a number of senior officials including Police officials. They all told me that making allowance for bogus voting which has been going on all these years the election this time has been one of the most orderly. There have been fewer booth capturing; and that booth capturing has been

indulged in by the Janta Dal, Congress (I) and BJP. They all maintained that to say that only Janta Dal workers tried to capture booths is untrue. Nor was it true that the Administration did not take any action against Janta Dal workers. As soon as the Police received report about Mr. Rana Nand Yadav the police authorities instructed the mobile police to detain him; however he managed to escape and was not seen anywhere later. In Gardani Bagh Police Station one Janta Dal leader Sadhu Yadav was arrested while trying to snatch ballot papers. Five boys belonging to 'Fumihal' Caste were arrested from B. N. College Hostel-they tried to prevent Muslim voters from exercising their franchise. One ASP was accused of not allowing Muslim voters to vote; on enquiry, one senior police officer said, the accusation was found to be absolutely false.

Regarding Mr Laloo Prasad Yadav, Chief Minister, one senior police officer told me that some of his party workers told the Chief Minister that one official was preventing Janta Dal voters from exercising their franchise in a booth. He along with his supporters entered the booth and admonished the official concerned. Soon the police and other sane elements of his party prevailed upon him to leave the booth, and he did so. Thereafter he was not to be seen anywhere; I questioned the Police Officer as to how could he be sure that Mr. Yadav did not enter any other booth prior to that incident. Has it come to this, he said, that the Police would not know the movement of the Chief Minister? He said emphatically that there was no other incident involving the Chief Minister. One Inspector of Police also told me the same. They both added that the Chief Minister should not have come out of his residence that day.

How does one explain, I asked, the fact that none was seen with arms in Patna although we had been reading in Delhi papers and also watching on the Doordarshan that Bihar was full of armed gangs and that there would-be blood-shed during this election the kind of which had never happened before? They were indignant-the Press is casteist (all the officers I met belonged to the upper/forward castes); very strong words, I

thought. Furthermore, they said, the Chief Election Commissioner's press statements which he issued much too frequently with regard to Bihar 'hampered' their work. However the Administration, inspite of all insinuations, they maintained, was determined from the very beginning when poll process started to put down all such political and lurnpen elements who wanted to create a violent situation, and they succeeded, at least in Patna as I could see for myself, eminently. There was only one incident of poll vio ence, they told me proudly, in which one Election Officer sustained-minor injuries-i-his nose had to be bandaged. How is it that Patna constituency was considered by the Election Commission to be one of the most sensitive ones so much so that at one' stage the Chief Election Commissioner thought of countermanding election in the constituency, I asked. One of the angry officers told me, "You have seen for yourself, go and ask the Chief Ejection Commissioner". One very senior officer told me that obviously the Chief Election Commissioner got wrong informati- n. From whom? "No comment", he said.

Regarding deployment of Home Guards, one senior police official told me that if he bad his way he would have placed the Home Guard on patrol duty and at check points, but not at polling booths. This arrangement would have helped the Administration considerably, he said. Why couldn't it be done? The Chief Election Commissioner was adamant, he said.

It can be said without any fear of contradiction that the Patna Administration' is very unhappy over CEC's repeated statements regarding Bihar, especially Patna, and with his action which amounted to inter-

ference with the smooth running of the Administration, according to them.

Around 7-00 pm on the 21st I came to know from a friend that the CEC had countermanded ejection in Patna. It came to me as a great surprise. I at once rang lip Justice K.B.N. Singh and asked him what he thought about this order of the Chief Election Commissioner. I told him about my experience and also that even Congress and BJP leaders had demanded repoll in 50-60 booths. From all accounts it would appear that the Chief Election Commissioner's action is unjustified, I told Justice **Singh.**

I then got in touch with some officers in the Administration. They were all surprised and shocked. Unprecedented for it was 110t repoll, it was countermanding, they exclaimed! One of them told me the Chief Ejection Commissioner does not say anything about Jehanabad were violence had taken place; but countermanded ejection in Patna where there was no violence. I was informed by officials (last at 7 p m.) that neither the Chief Election Officer nor the central observers had sent any report until that time to the Chief Election'Commissioner.

I may add that I met some foreign journalists in Patna. They said, in lighter vein, I think, that they were disappointed 110t to see any violence in Patna!

I may conclude by saying that Patna Administration had done a good job under very difficult circumstances; and that the Administration was not only fair but businesss-like.vand not subservient to the Chief Minister or the party in power.]]

25-5-1991.

ATTACK ON DEMOCRACY

Mr. Rajinder Sachar, President and Dr. Chhibbar, -Gen. Secy. of PUCL have described the assasination of Sri RajivGandhi as an attack on democracy. Violence does not have any place, they said, once the people enjoy the freedom to elect' their representatives. They Sent their condolences to Mrs. **Sonia Gandhi.**

NEW SPIRIT IN PUNJAB

Tejinder Singh Ahuja, General Secretary, Citizens for Democracy

A new spirit is visible in the people of Punjab in that the people have collectively taken upon themselves the task of taking action against those security force personnel who are guilty of violating civil liberties as the Government has for long abdicated its responsibility of bringing those police, para-military and army officials to book who have been guilty of committing human rights violations and taking away the life and liberty of individuals without resort to the procedure established by Law. It has been alleged for a long time by various Human Rights Organisations and sometimes by the Media, that the Government especially the Senior Police officials have formed killergangs to liquidate individuals and have been flouting the various U.N. Resolutions with impunity. Article-S of the Code of Conduct for law enforcement officials of U.N. provides that Law Enforcement Police officials may use force only when strictly necessary and to the extent required for the performance of their duties. The 7th U.N. Congress on the Prevention of Crimes and Treatment of Offences, 1985, emphasised that the use of force and fire-arms by Law Enforcement officials should be commensurate with due respect for Human Rights and further that the Government shall ensure that arbitrary or abusive use of force and fire-arms by Law Enforcement officials is punished as criminal offence under their law. It further states that exceptional circumstances such as internal political instability or any other public emergency may not be invoked to justify any departure from these basic principles. However, in the State of Punjab, both the Indian Penal Code which is also applicable to Punjab provides for punishment to guilty police and security officials but no case till date has been reported where any police and security officials have been convicted for crimes committed by them. Section 197 of the Code of Criminal Procedure provides protection to police officials for any act committed during the course of their official duties and similar protection is provided

to the armed force personnel under the Armed Forces Special Powers Act.

Frustrated by the attempts of the Government and senior police officials to protect guilty officials, the people of Punjab have taken upon themselves the task of exposing crimes being committed by the men in Uniform and have collectively taken steps to ensure that the activities of these criminals in Uniform are brought to public notice but unfortunately these have been ignored by the National Press and it is, therefore, necessary to mention a few instances,

i) That on 26th Feb., 91, 8 persons from village Nathu ke Burj in District Amritsar were going in the early hours of morning on a bullock cart towards the diesel pump station to get diesel which was outside the village. After going a short distance, two of them got down from the bullock cart in order to relieve themselves and asked the others to go ahead. Two of them had just sat in the fields when they heard the sound of bullets and light bombs; in the light of the light-bombs two of them saw the bullock being hit and they heard the shouting and shriekings of the villagers. One of them ran towards the village and shouted himself heard and told the villagers about what had happened. All the villagers rushed towards the spot of the incident. When villagers reached there, they saw that the army-men were standing near the dead bodies and they did not at first allow the villagers to go near the dead bodies. When the villagers strongly protested and started shouting slogans against the army then they were allowed to go near the dead bodies and they saw that all the six persons have been killed in the bullock cart and the bullock has also been killed. The empty cans which these villagers were carrying for diesel were also lying near their deadbodies. The army men attempted to show it as an encounter by trying to place some arms but it was foiled by the villagers who made vociferous

protest and did not even allow the bodies to be separated or taken down from the bullock cart. After sometimes, the D.C, Amritsar and S.S.P., Taran Taran and other officers reached the spot and started apologising and expressing regrets. The D.C. also announced compensation of a sum of Rs, 50,000/- to the legal heirs of each of the deceased. a model school and animal dispensary for the village, but no action has been taken against the guilty army officials and nor are they being prosecuted

These acts of the army men are in clear violation of the following basic principles on the use of force and fire arms by Law Enforcement officials laid down by the 8th U.N. Council on the Prevention of Crime and Treatment of Offenders: 'Law enforcement officials shall not use firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape. and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of fire arms may only be made when strictly unavoidable in order to protect life.'

ii) On 6th April, 1991, at about 9 P.M. Piara Singh S/o Sh Rattan Singh, Rio Village Jhikka Ladhana, Banga, Distt. Jalandar who was driver of a Maruti van was coming towards his home when he was signalled by a police patrol party to stop. When he stopped, the police officials fired on him killing him on the spot. Then they took his body to Nawan Shahr Civil hospital for postmortem. the family was informed by the Police officials that he had been injured in the police firing and they should reach the hospital. On reaching the hospital, the family came to know that Piara Singh was already dead. His friends and relatives and the residents of the area brought the dead body and kept it outside the Police Station and started gherao of the Police Station at about 6 A.M. on 7th April, 1991. They were demanding prosecution of the Police officials. Total strike was observed in Banga and all road traffic was blocked. Senior Police and Civil officials reached the spot and tried to pacify the people but the people refused to budgetill the

guilty police officials were arrested under Section 302 o L.P.C. and suitable compensation awarded to the family of Piara Singh. The Police and Civil authorities attempted to postpone the matter on the pretext of conducting an enquiry but the residents refused to lift the gherao till the time that the case was registered and shown to the residents and they demanded that the police officers be hand-cuffed and brought on the roof of the police station in handcuffs and a grant of compensation be given in writing. The gherao continued for the full day and the whole night and finally the officials had to concede and on the morning of 8th April, 1991, they arrested the concerned 8 police officials, handcuffed them and produced them on the roof of the Police Station. They also gave in writing that a compensation of Rs. 10,000/- to both daughters of Piara Singh would be given and his wife be given Rs. 20,000/- in cash and Rs. 30,000/- in bonds and Rs. 60,000/- would be given from the Red Cross alongwith a monthly pension of Rs. 1,000/,. The District Magistrate later on informed that the case has been registered against the Police officials under Section 304 I.P.C. It was only after this that the gherao was lifted and the road blocks removed.

iii) It was on the 8th of April, 1991, in the night two persons in the garb of militants went to village Tibba near Malerkotla on a red hero-honda motorcycle No. PIL-4792 which had been snatched a few days ago. They entered the house of a farmer Mukand Singh and asked him to send his son Kuldip Singh with them because they wanted to enquire about the house of someone. One of them was in police uniform. Then they enquired from Sukhdev Singh about his son Karnail Singh about whom they told that he worked in a nearby vililage. The wife of Sukhdev Singh remarked that they were not militants but policemen. but they insisted that they were militants and they should keep quiet, otherwise they would be killed. They also gave beating to Sukhdev Singh and took Kuldip Singh alongwith them to the nearby village of Ganda Singh Wala where they woke up Karnail Singh and took him along. The next day the bodies of Kuldip Singh and Karnail Singh were found near the bridge. The residents went to Police Station. Sherpur to report the matter where the parents

of Kuldip Singh and Karnail Singh recognised Gurcharan Singh and Darshan Singh, constable as the two persons who had come in the village at night and killed Karnail Singh and Kuldip Singh. Even at that time, there were blood-stains on the collar of Gurcharan Singh but the SHO insisted that this was the work of the militants. At about 8.30, the D.C.P., Malerkotla came to the village and started making enquiry at which the people pointed out towards Havaldar Gurcharan Singh and Const. Darshan Singh and pulled the two accused out of the jeep. Both of them admitted before the Dy. S.P. and the villagers that they are guilty but insisted that they had done this on the instructions of SHO, Sherpur. At about 12 midday S.S P., Sangrur reached the spot and tried to pacify but when he saw the anger of the residents he made the SHO Bharat Lal escape but both Havaldar Gurcharan Singh and Constable Darshan Singh were handcuffed and the case was registered against them. Deceased Kuldip Singh was aged 24 years and had been married about 2 years ago and Karnail Singh was unmarried, aged 22 years.

iv) On 24th April, 1991, 7 persons kidnapped the Transporter Dharam Singh from Mustafabad in Amritsar and took him away in his truck. They were in the galb of militants. They demanded a ransom of Rs. 5 lacs for his release. When they were taking Dharam Singh, the truck was intercepted by the patrol party and it was disclosed that out of 7, one was SHO and two were constables. In the morning, the residents of the village came to know of the incident and they gheraoed the Vijay Nagar Police Station and refused to lift the gherao till a criminal case was registered against the Police officials. It was only on the assurance of the senior police officials that the case had been registered, and the gherao lifted.

In all these instances, the residents of villages have shown exceptional courage in getting the cases registered against the guilty police officials but the question is: will these cases be fairly, properly and independently investigated? Will the guilty security force personnel receive punishment? Past experience suggest that getting justice from the police and bureaucrats is a far cry and it is only the unity and the collective will and determination of

the people of Punjab which can assure them justice and this collective will is today very much visible in the people of Punjab. O

(Continued from Page 7)

in the right direction. The PUCL has always maintained that not holding of elections, especially in Punjab, all this time has worsened the situation in these states and only the democratic process can keep the atmosphere clear.

Attempts to reverse this process on the part of any individual or political party are to be deplored. Not only would such moves create confusion, these are politically irresponsible.

We appeal to all women and men of goodwill to view the problems of Punjab and Assam as those of human rights as well as of democratic functioning. Both are important and vital for the healthy functioning of Indian polity.

V. Peaceful and Fair Elections.

The newspaper reports suggest that the Election Commission has made arrangements for what it calls 'peaceful polling' in all the states. The PUCL is of the opinion that besides the elections being peaceful, they should also be fair, giving the opportunity to every voter to exercise her or his right to vote freely.

The PUCL appeals to all political parties and candidates to take special care to see that during the election time, specially on the day of polling, peace and freedom to vote prevail.

The PUCL is of the opinion that the polling staff has a special responsibility in this regard. It appeals to all the polling officers to enter into their diary all or any attempts to disturb polling in their respective booths.

VI. SAARC Observers for Elections,

It is learnt that some representatives of the SAARC countries have approached the government of India/the Election Commission for permission to send a team to observe polling during the forthcoming elections.

The PUCL welcomes this move and appeals to the government of India to permit such a team to come. It may be noted here that such outside observers were permitted to visit Bangladesh at the time of recent elections and currently Nepal has given permission to such a team. There is no reason why India should fight shy of it. -Yo P. Chhibbar, General Secretary

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THANKS

The PUCL expresses its profound thanks to Shri Rajendra, Paper Products Manufacturing Co., and his daughter, Ms. Era, for hosting lunch and tea to the National Executive on May 5th at Sannidhi, New Delhi.

NEWS

POLICE ARREST PFACEFUL DEMONSTRATORS IN BIHAR

We strongly condemn the arrest of social activist Mr. Kumar Chandra Mardi and 250 tribals while they were protesting against the construction of Icha dam, a part of Subarnarekha Multipurpose Project, at Icha near Chaibasa, Singhbhum district of Bihar. Financed by the World Bank, the Project is a joint venture of the states of Bihar, Orissa and West Bengal

On April 5, 1991, local people, mostly tribals, set on an indefinite dharna at the dam-site to stop the construction of Icha dam. The 500 strong non-violent protest was organised by the local organisations to stop the ongoing construction of this dam because this dam will displace about 30,000 people, majority of whom belong to "No" tribe. Over 61 villages' survival is at stake. They are up against the project as it violates international laws which say that no tribal can be displaced without proper rehabilitation and resettlement. So far, the project authorities have not come up with any rehabilitation plans to resettle the displaced people. But the lands of the would-be displaced people are being notified for acquisition and only cash compensation is offered as rehabilitation.

On 9th April, the Deputy Commissioner came with a large police force to evict the protesters. When the protesters refused to stop the dharna until and unless their demands are accepted by the project authorities. Without giving any notice, the police started pulling people including women and children and dragged them to the police bus and then took them to the Saraikala police station. Before arresting them the police ransacked the tent meant for lodging the activists and set it on fire. The police also harassed the women and separated them from their children. Mr. Kumar Mardi alongwith 250 tribal women were taken into custody. So far, they have not been released. Every day, about 50 people are courting arrest against the police action.

Instead of arresting and taking legal actions against the corrupt officials and contractors working at the dam site, the project authorities have arrested the peaceful demonstrators. Recently, several cases of economic offences involving crores of rupees have come to light which includes withdrawal of excess payments,

illegal removal of government property, filling of fake bank guarantees and false payments. The people involved are contractors, *M/s* Surya Constructions, *M/s* Gammon Enterprises, executive engineer and senior officials of Bank.

This is not the first time that non-violent protests against the Icha dam are met with an increasing level of repression and intimidation. On 4 April 1982, Mr. Ganga Ram Kalundia, an activist of Icha-Kharkai Bandh Sangarsh Samiti was killed by the police when he organised people against the unjust eviction.

We strongly condemn the arrest of activists and tribal protesters. We demand immediate release of activists and protesters and join the protesters demanding that the state Government and project authorities halt the construction of dam until ;

1. A proper rehabilitation plan for the displaced population is formulated and implemented;
2. A complete review of the project from the social, economic and environmental angles is carried om;
3. The displaced people are given access to information about the dam, displacement and rehabilitation;
4. Strict legal and administrative actions are taken against the corrupt project officials, bank staff and contractors;
5. Project authorities enter into dialogue with the displaced people and the organisations representing them and stop the use of force by the police.

Kavaljit Singh, Public Interest Research Group, New Delhi; Anil Singh, Voluntary Action Network India, New Delhi; Shankar Sudi, Icha Kharkai Bandh Visthapit Sangh, Bihar; Ghanshyam, Jai Prabha Adhayan Kendra, Bihar; Arviud Kumar, Lok Jagriti Kendra, Bihar; Ranjan Palit & Vashudha Joshi, Film Makers, Anil Prakash, Gan; a Mukti Aridolan, Bihar. J, John, Delhi Fururn, New Delhi; Avadesh Kumar, Lokhit Samiti, Madhya Pradesh' □

BURMESE STUDENTS IN THAILAND

By May 1990, an estimated 16,000 Burmese have crossed over to Thailand while fleeing from the Burmese army and worsening human rights violations

In December 1988, the Thai government reversed its original policy of granting temporary asylum to the

thousands of students who had fled from Burma. Repatriation of the students then began.

Those who were sent back to Burma were either detained or summarily executed.

Since 1988, Thailand has repatriated more than 3,200 Burmese.

On 31 March 1989, all Burmese students remaining in Thailand were declared to be illegal immigrants, subject to arrest and deportation.

At the moment, 1,200 Burmese students in Bangkok are receiving assistance from the *United Nations High Commission for Refugees* (UNHCR). They are considered as refugees by the UNHCR but this status does not prevent the Thai police from arresting and detaining them. Some 60 Burmese students are currently in detention at the Immigration Detention Center.

On 1 April 1991, Burmese students living illegally in Thailand were told to report to the Ministry of the Interior, for placement in a "safe camp" between Bangkok and the Burmese border. This house will initially house 500 students.

The safe camp is, in reality, a concentration camp. There is no guarantee that their rights will be upheld. They are bound to face more problems. Once in the camps, who knows for sure what the Thai government will do next, for if it has managed before to send or drive people back to Burma, it can easily ship the students back, either to be detained and tortured, summarily executed or forced to become porters carrying arms and ammunition for the army and indirectly to clear mine fields.

Students in exile (as is the Burmese students' case) should not be treated as outlaws by any government that temporarily holds them. It is because the Thai government is protecting its interests in Burma (especially in its vast forest resources) that it enforces such abhorrible policies against Burmese students and people who have sought refuge in Thailand.]

-ASA News Hong Kong.

Article 19 :

MURDERED JOURNALIST'S MOTHER RETURNS TO SRI LANKA TO FIGHT HER CASE

Dr. Manorani Saravanamuttu, mother of murdered Sri Lankan journalist Richard de Zoysa, returns to Colombo today after six months in Europe and America lobbying politicians and human rights groups in a campaign to seek international support for an independent inquiry into the unresolved abduction and murder of her son on 18th/19th February 1990.

On leaving London, Dr. Saravanamuttu expressed her desire to return to Colombo for the anniversary of her son's death in order to resume her campaign for the case to be independently investigated and for the perpetrators of the crime to be brought to justice.

The de Zoysa case is the most notorious of many unresolved 'death squad' murders which have taken place in Sri Lanka in the past two years. In the early hours of the morning of 18th February 1990 de Zoysa was abducted from his mother's house by six men, two of whom were wearing police uniforms. His body was found by fishermen on 19th February - he had been shot in the head and neck and his jaw broken. The subsequent inquest recorded a verdict of homicide.

Despite the fact that Richard de Zoysa's mother has been able to identify one member of the death squad, attempts to take the case through the courts have been hampered because the police themselves are conducting the investigation: Dr. Saravanamuttu, who was a witness to her son's abduction, filed an affidavit on June 1990 naming Ronnie Gunisinghe, a chief superintendent of police in Colombo, as the leader of the squad who abducted her son. The Magistrate's court ordered the arrest of the named officer but the police failed to carry out the order. Subsequently the Attorney General intervened in the case and informed the court on 30th August that there was insufficient evidence against the chief superintendent.

Repeated requests to the President by Dr. Saravanamuttu, by national and international human rights groups and a joint Opposition motion Sri Lanka's

Parliament calling for an independent inquiry have been either rejected or met with silence.

Since under Sri Lankan law investigations are normally carried out by the police and the Attorney General rather than by the Jaw courts and, in this case, the police themselves are accused of Richard de Zoysa's abduction and murder, the investigation is unlikely to proceed.

Dr. Sarvanamuttu takes certain risks in returning to Sri Lanka: both she and her lawyer, Batty Weerakoon, received death threats in May 1990 and she faces a libel suit brought by the policeman named in her affidavit - he has called for damages of RS 1m (£ 13,500)

ARTICLE 19, the International Centre on Censorship, has marked Dr. Sarvanamuttu's return to Sri Lanka by calling once again for an independent inquiry, to be attended by foreign observers, into the death of Richard de Zoysa, Frances D'Souza, director of ARTICLE 9, commented: "We find it incredible and unacceptable that, with almost a year having passed since Richard de Zoysa's murder, the police investigations into the case have made no progress"

She added: "The de Zoysa case is an important one and the public concern surrounding it illustrates the dissatisfaction felt nationally and internationally over the inadequacy of the official response to this and other deaths and disappearances." Feb. I, 1991. 0

SOUTH ASIAN FORUM FOR HUMAN RIGHTS

Pakistan Human Rights Report-1990

The Human Rights Commission of Pakistan issued its first report on the human rights situation of the previous year, an 81-page document. It regretted that Pakistan lagged behind other countries at comparable levels of development and that it had failed to ratify several basic UN covenants and protocols; as a result, courts could not invoke them. Despite the Constitution guaranteeing equal status to all citizens, it discriminates against denominational minorities through separate electorates. "A particularly reprehensible tendency is for the state to free itself of its human rights obligations on the pretext of the supremacy of belief, tradition or custom."

During 1990 the process of islamisation of laws began with the promulgation of the *Qisas and Diyat* ordinance on Sept. 6, 1990. Human rights groups objected that punishments provided in it conflict with UN Conventions on degrading and inhuman punishments. On Oct. 30 the Federal Shariat Court passed an order imposing the compulsory death sentence on anyone convicted for contempt against Muhammed, even by innuendo. Independence of the judiciary was challenged by removal of two judges of superior courts under suspicious circumstances. Several cases of intimidation of lawyers by administrative agencies and pressure groups were also reported in 1990.

1990 was one of the worst years for deterioration of law and order, especially in Sindh, where the average compensation for death by violence exceeded Rs, 500,000 per day. There were numerous reports of abuse of power by the police through excessive gunfire, resulting in the killing or wounding of innocent persons or mere "suspects".

Demand for legislation against bonded labour

continued. The Supreme Court judgment of 1988 against the *peshgi* system as applied to brick kiln workers has not been enforced. During the year 58 peasants were released from bondage through the HRCPC.

1990 was the SAARC Year of the Girl Child but nothing concrete materialized. Admission of women medical students on merit was an important issue in Punjab but discriminatory quotas are still being observed. Smuggling of women into Pakistan, including hundreds of Bangladeshi women, was investigated and the committee was to facilitate their release if under arrest. The major crime against women continued to be rape.

The most neglected right of the child is education. A Child Labour Bill draft was approved which would prohibit child labour. Thousands of cases of missing children were registered but only a very small percentage were recovered.

The most comprehensive violation of the rights of the 4 million minorities is the institutionalization of their minority status by the electoral system. The minorities also felt acutely threatened by the proposed Shariat Bill that aims to make Muslim orthodoxy the last word in the making of all laws. The rights to religious freedom and social and economic equality of the Ahmadis further declined during the year. Hindus were constantly threatened, especially in the furore over the Babri Mosque agitation.

A by-product of islamisation was a rise in sectarianism, sharpening the divide between *Shia* and *Sunni*.

Freedom of the press held up in 1990 but control and abuse of the electronic media reached new depths after the ouster of the PPP regime. At least five journalists lost their lives in the line of duty.

Bangladesh

1. Elections

Sheikh Hasina protested over the results of the election on February 27 but made no specific allegations. She could easily have challenged the voters' list and should have thought about investigating it ahead of time. After the success of the Awami League candidates in the upazila elections last year, it was most likely that the Jatiyan Party would rig the voters' list against the Awami League. This was possible, because it is easy to recognize the names of Hindus, Buddhists, Christians and tribals, most of whom vote Awami League.

The only ones who monitored the voters' list were the Coordinating Council for Human Rights in Bangladesh (CCHRB). Its 110-page report on the parliamentary election was published on April 14. Observers did door-to-door checks on voters' lists in five selected areas and found that total irregularities amounted to 14.2 per cent, a substantial flaw in the voting process. This was the main defect in the elections, which otherwise was relatively free, fair and non-violent, though 48 deaths were reported in the newspapers in pre- and post-election violence.

2. Charges Against Ershad

The first case against former President Ershad on a charge of illegal possession of arms is going on. A case hearing prevented him from attending the opening session of Parliament. Another case has been brought against him by the Anti-Corruption Bureau for making 80 trips to visit the Pir of Atroshi on private business. On 20 occasions he used one or two government helicopters at great expense. The Bureau also brought a corruption case against both Ershads on April 14, involving over Taka five crore. They are accused of taking kickbacks for getting property sanctioned at cut-rate prices to secure financial benefits in collusion with each other.

A second case against Ershad alone was filed on April 14, for giving instructions by abusing his power to reduce the price of yarn of the Bangladesh Textile Mills Corporation by Tk 3,000 a bale for the illegal benefit of four businessmen. With the change of government, the instructions of the former President could not be implemented.

On April it was reported that Fairfax, the U.S. investigative agency which is looking into the foreign money holdings of Ershad, has uncovered a cache of \$50 million. Their report has not yet been made public.

3. Jail Troubles

On March 27 a group of prisoners tried to break out of Cernilla Jail and at least 9 were killed. Three

days later 7 prisoners escaped from Narsingdi Jail with 12 rifles. (*Holiday*, 5.4.91)

On April 8 a jailbreak from Dhaka Central Jail resulted in the escape of 13 prisoners, the death of one and the recapture of two. Shortly thereafter, according to the testimony of six witnesses, police sprayed tear gas and hot water in the cells. All claimed that 30-35 died, of whom seven were said to be buried near the jail gate and the others taken to Gazipur. Arms and legs of convicted prisoners, especially the leaders, were said to have been systematically broken and these prisoners, said to number 120 were sent to Kushtia. The prisoners said they were completely starved for four days and had to resort to eating boiled cats. Since this news was disclosed right before newspapers were shut down for four days for *Eid* and since reporters were banned thereafter from access to the interior of the jail, no word of the alleged atrocities was published. The only leak came from the authorities themselves when they admitted two weeks after the event 10 two deaths from firing which had not previously been published.

All six eyewitnesses stated that they were threatened with death if they said anything outside the jail.

Commission for Justice and Peace
Dhaka-1000

2/4-91

STATES WHICH HAVE RATIFIED OR ACCEDED TO THE CONVENTION ON THE RIGHTS OF THE CHILD*

Angola; Argentina; Australia; Bangladesh; Barbados; Belize; Benin; Bhutan; Bolivia; Brazil; Burkina Faso; Burundi; Byelorussian Soviet Socialist Republic; Chad; Chile; Colombia; Costa Rica; Czech and Slovak Federal Republic; Democratic People's Republic of Korea; Djibouti; Ecuador; Egypt; El Salvador; France; Gambia; Ghana; Grenada; Guatemala; Guinea; Guinea Bissau; Guyana; Holy See; Honduras; Indonesia; Kenya; Malawi; Mali; Malta; Mauritius; Mexico; Mongolia; Namibia; Nepal; Nicaragua; Niger; Norway; Pakistan; Panama; Paraguay; Peru; Philippines; Portugal; Romania; Rwanda; Saint Kitts and Nevis; Senegal; Seychelles; Sierra Leone; Spain; Sudan; Sweden; Togo; Uganda; Union of Soviet Socialist Republics; Uruguay; Venezuela; Viet Nam; Yugoslavia; Zaire; Zimbabwe,

*As of 31 January 1991

Source: Human Rights News Letter, UNCHR, Jan '91.