

**Address by Kavita
Srivastava, President PUCL
(18/01/2025)**

- Dr. Suresh, Report of the General Secretary, 2022 – 2025 (18th January, 2025) 8
- PUCL expels R. Eswarraj, Haneef Saheb Pajapalla and Ajoy D' Silva 17
- Resolutions 18
- Newly Elected Members of the PUCL National Council (2024-2026) 20

Regarding Enrollment of Members

PUCL National office gets a large number of requests for membership. This should please be noted that the PUCL National office does not enroll any member directly except at the instance of the National President/General Secretary as an exception. Prospective members are advised to contact their respective state or district unit for being enrolled as members of the organisation.

Annual Subscription: PUCL Bulletin (w.e.f. January 01, 2017, INDIA)
 PUCL Members Rs. 200
 Non-Members Rs. 240
 Libraries, Institutions Rs. 300
OVERSEAS
 PUCL Members USD 50
 Non-Members USD 100
 Libraries, Institutions USD 120

SL. NO. 506

**ADDRESS BY KAVITA SRIVASTAVA,
PRESIDENT PUCL (18/01/2025)**

We find ourselves standing at crossroads in the year 2025. There are some gains and several losses. The biggest gain at the international level is that the Palestinians are inching towards the ceasefire after a 14 month Israeli war against them. A big downside is that liberal values which are already under threat will suffer another blow with the inauguration of Donald Trump as President of the United States. In today's neo liberal globalized world, even an organisation like the PUCL which works more in the context of India with Indian laws and humanitarian principles, cannot say that Palestine and the Trump Presidency will not affect us. The attack on liberal and humanitarian principles anywhere whether through increasing corporatisation of business, food & natural resources, trade of arms or surveillance technology, will affect the people all over the globe. Therefore this context must not be forgotten when addressing civil liberties and democratic rights in India.

What have the last two years meant for our country and the PUCL and where do we go from here. What does it mean for the PUCL as an organisation? These are some questions that we need to ask ourselves.

1. The UAPA cases in the Bhima Koregaon matter to present day killings in Bastar: Human rights implications of Government policy of eradicating and flushing out Maoists and Maoism from India

Let us begin with the case of Bhima Koregaon, 2018, where some of the finest dissenters, (sixteen in all) including writers, lawyers, cultural artists, Dalit rights activists, trade-unionists, those working with the issues related to the human rights of Adivasis were arrested. This 100 % false case, has already taken the life of one person, Father Stan Swamy, who died in judicial custody. Of the 16 arrestees, 9 have been granted bail. For some it has taken 6 years and 6 months to get bail. The Indian Courts' well-established jurisprudence of jail being the exception and bail being the rule has been thrown to the winds by our present day courts at all levels. Thus after six and half years we still have six of the 15 arrestees in jail. It is also painful to observe that in one case, where bail was granted by the HC, the Supreme court almost instantaneously stayed the order. Thus despite 12 months after the grant of bail Mahesh Raut stays in jail. Two others are in the process of getting out, bail has

been granted, but are still awaiting their release.

The Bhima Koregaon case in 2018 caused a chilling effect, silencing a lot of activists who were working for the rights of Adivasis. But this did not stop the young Adivasis in Bastar who formed the Moolwasi Manch in particular, to continue struggling against the Indian state and corporate interests who sought to plunder the area for Iron ore and Bauxite. The Manch is clear in its mission to save their forests and question the development model based on big roads being built for mining companies. The roads are accompanied by para military camps.

We saw more than 217 deaths in 2024 (official figures) beginning with a six month old child killed in January of 2024. Over 800 Maoists were also arrested while 802 laid down their arms. In the first week of 2025, we saw 16 deaths and killings, all happening under Home Ministry policy of snuffing out Maoists through various combing operations of the security forces, under the over sight of the Home Minister Amit Shah, who has vowed to eradicate the Maoists by 2026. Till the 19th of January 2025, another 18 Maoists including two women were killed, which according to the Hindu took the toll to more than 40 Maoists being killed by the forces since January 2025. The New Indian Express in its News report of 22nd January, 2025, states that, "so far 48 Maoists have been killed in separate encounters in different districts of Chhattisgarh in the month of January, 2025."

Mr. Amit Shah described it as a "major success" and a "mighty

blow to Maoism." Of the Maoists killed was one who carried a bounty of 1 crore, a 'high value target' by security forces. He also stated that "... the operation marked a major success towards building a Naxal free India and the joint efforts of our security forces. Naxalism is breathing its last today."

Let us not forget that the war against the Adivasis by the Indian State in the Bastar region is two decades old. It has been underway since 2005, to mainly take control of the natural resources in the name of carrying out development of the region. With one fifth of the country's iron ore found in the 5 districts of Kanker, Rajnandgaon, Durg, Dantewada and Bastar of Chhattisgarh, MOUs had been signed which are causing massive displacement of the people and immense human suffering. In that period the Congress-led UPA was in power at the centre and a BJP Government in the State of Chhattisgarh, with the two enjoying a cosy relationship, in their joint agenda to hand over the natural resources to the corporates.

The PUCL has first hand experience regarding the incarceration of activists. Dr. Binayak Sen, who is a Vice President of the PUCL, was one of the first human rights dissenters to be jailed in this war by the Indian State against Naxalism, which Dr. Manmohan Singh called the "biggest threat to internal security". In Manmohan Singh's thinking, it was "imperative to control Left-wing extremism for the country's growth".

It is important to recall that it was following the publishing of the PUCL Fact Finding report "When the State makes war against its own People", on the Salwa Judum, a militia that was mobilised and deployed by the State Government of Chhattisgarh, as a part of counter-insurgency operations 2005, that the then PUCL General Secretary, Dr Binayak Sen was arrested. While Dr. Raman Singh the Chief Minister of the Government of Chhattisgarh was relentless in arresting activists, Dr. Manmohan Singh with Mr. Shivraj Patil, the erstwhile Home Minister in year 2007 and later Mr. P. Chidambaram, the erstwhile Home Minister in 2008, were also uncompromising in keeping Binayak Sen behind bars. The bogey then was the recruitment of young people from the city as Naxals. The term Urban Naxals was coined then, by the DG police Mr. Rathore.

From Salwa Judum, where Adivasis were armed to kill Adivasis, we have reached a point where Indian security forces are directly firing at the people in Bastar. All institutional remedies seem to have collapsed, as far as justice for the adivasi people is concerned. The PUCL in Chhattisgarh has been in the firing line of the Indian State and under the scanner for taking up the cause of arbitrary killings, wrongful incarcerations and making the judiciary and other quasi agencies like the NHRC accountable.

The arbitrary killings by the State in the name of Maoism have to be stopped. The present operation of eradicating Maoists is violating all norms of combat in conflict areas. Children are being

attacked, civilians are being killed. Adivasis are unable to go on with their routine lives as the price of being killed by a Maoist is also very high. The policy related to Maoists who surrender is ridden with secrecy and there is no transparency about the process. The PUCL members in the course of human rights work of raising the issue of arbitrary killings, know that their work could be criminalised by the police and tarred in the name of supporting Maoists through money or any other support. Yet all civil society organisations including the PUCL are working fearlessly in order to expose the truth through fact findings, press statements and protests. Legal intervention are also being made through the support of lawyers from PUCL as well as other lawyers, with respect to justice and accountability for the injured villagers or those killed.

2. Delhi Riot cases, 2020: The use of terror laws as a tool to suppress the questioning of Government policy of discriminatory citizenship laws. (Bhima Koregaon Part II)

The continued incarceration in the name of crimes against the sovereignty of the nation, of the 17 young Muslim leaders (out of a total of 21 in the UAPA cases) made out as a part of the Delhi Riots of 2020 is a travesty. The fact that added to this unjust arrest is the opposition to bail being granted, by the Delhi police special cell, indicates that the young men protesting against the CAA and NRC have been held guilty without trial. The attitude of the State is to break the spirit of these young Muslims by delays related to the criminal justice

system, so that on release, they will not question the Indian state.

The Delhi Police Special Cell has been filing chargesheets with 25,000 to 30,000 pages, using the length of the chargesheet as a technique to buttress a baseless case. Though there is no evidence, a section of the media too has left no stone unturned in demonising these young leaders, so that the ordinary viewer/ reader is sought to be convinced that they are dangerous terrorists. The truth is being reduced to a lie by the media. The judiciary too has not been true to its constitutional responsibility, as in spite of these being false cases, there has been no release on bail, despite four years having passed. Their continued incarceration is becoming a fast forgotten history. The struggle has been left to family members to fight their cases. The PUCL role in the beginning was to oppose the witch hunt carried out by the Delhi Police Special Cell and to stand in solidarity with the activists who were in hundreds and had been called for interrogation by the Delhi Police Special Cell. This was followed by conducting press conferences against the false cases and demanding their release.

Let us reflect and ask ourselves as to whether we are able to sustain such a campaign in the long term. Presently, we do not have a strategy to work with individual case work. So what is it that we can do? Our young PUCL group in Bengaluru, ran a campaign of sending letters of solidarity for the falsely incarcerated in jail, covering both the Delhi riot accused and the Bhima Koregaon accused. While

such activities may not be enough to create a ground swell for justice to be obtained, but they do prevent prisoners and their family members from getting into isolation and feeling that they are fighting lonely battles. Such solidarity activities should continue in more widespread ways with the PUCL taking a lead and mobilising other organisations to join in.

The PUCL at another level after the death of Father Stan Swamy, initiated a dialogue with the political parties for the repeal of the UAPA. An ongoing agenda, which needs to be worked upon. Most political party leaders were in agreement that we had to repeal these laws, but till now, no plan has been made between civil society and political parties to put pressure on the Government to repeal UAPA or read it down.

Repeal UAPA should be a part of our agenda for the next two years and before the next Parliament elections, in an effective way we should build a campaign which has an impact and becomes an election issue.

3. The attacks on Human Rights defenders

The attacks on human rights defenders can be understood through four lens:

- 1) There are clear trends demonstrating the use of anti-terror and sedition laws against civil society actors and human rights defenders. This disproportionate and targeted application of law creates an atmosphere of fear and self-censorship.
- 2) The growing number of arrests and lengthy incarcerations is

discouraging young people from engaging with human rights work. This is, in turn, will lead to a situation that our future generations may not have the checks and balances and independent voices that exist in some measure today.

3) There is a shift towards dominance of groups espousing divisive, hate-filled ideologies, often drawing on Hindutva and related extremist narratives. These groups have gained significant influence often with overt state support.

4) At the same time, activists and organisations advocating democracy, pluralism, and constitutional values face systematic harassment, delegitimisation, and resource constraints. This has also led to a negative public discourse on human rights work.

What is the way forward to address these concerns?

a) In addition to domestic efforts, international engagement with global networks and UN mechanisms.

b) In many jurisdictions, explicit recognition of human rights defenders as a protected category—akin to journalists, whistle-blowers, or vulnerable witnesses—has significantly helped in safeguarding their work. However, given the challenging political climate, achieving state-backed recognition in India must become a long term vision.

c) Even if immediate legislative progress is unlikely, it is crucial to continue pushing these conversations in the mainstream and lay the groundwork for future reform through processes like advocacy with like-minded parliamentarians, judges and

legal experts.

d) In the short term when there is not much expectation of 'official support', civil society coalitions, legal networks, and human rights institutions should come together to develop independent mechanisms. This could include: (i) Setting up a credible, transparent process for "accrediting" or identifying HRDs, which could serve as a means of mutual recognition and collective advocacy.

(ii) Establishing support systems that provide legal aid, solidarity and advocacy for defenders under threat. (There are similar models in Europe as well).

4. The new criminal tribe, The Muslim: Criminalisation by consensus of the majority, with any requirement of notification

The Hindu Rashtra has several enemies. Presently the two who are frontline targets are Adivasis and Muslims (and to some extent the Dalits). The Adivasis and Muslims have been criminalised in every sense. The Adivasis were always "criminals" since the times of the British, as they were leading resistance to reclaim their land since 1830s. But this time round the Indian Muslims are the new criminal tribe without notification. Under the 1871 law, you had to declare a tribe as a criminal tribe through notification. But this time round, there is a consensus against the Muslims amongst a large section of the majority community that Muslims should not exist, leading to the de facto status of Muslims becoming a criminal tribe.

From lynching in the name of the cow, which started in a major

way in 2015, where the poorest Muslims were killed, we have now moved to bogus surveys of Mosques, to discover temples underneath. Today Muslims are seen as blasphemous, as "potential slaughterers" of the holy cow. Bovine laws have life imprisonment to death sentence for slaughtering the cow, which has empowered the mob to kill the person there itself. Today Muslim religious structures have no right to exist, with the allegation that they are encroachments on Hindu religious places. Making almost every Muslim believer a criminal and an encroacher of temples and in the same breath an anti-national. As such either the structure is to be handed over to the Hindu community or else the other community has no right to exist. The law protecting religious structures called the Places of Worship Act, 1991, was diluted by the former CJI Justice Chandrachud, by playing into the hands of those who wish to declare all Muslim religious structures to be disputed structures, by agreeing to the survey of a religious structure as a first step towards their demolition or hand over.

5. The Whistle blower (Litigant) as the Criminal

The role of the courts in this present crisis situation of human rights violation, is of either refusing to intervene, or mostly criminalising the litigant. This trend was established by Justice Khanwilkar, Justice Dinesh Maheshwari, Justice CT Ravikumar in the judgement passed on 24th June 2022 in the Zakia Ahsan Jaffery vs. State of Gujarat, where personal remarks were made against Teesta

Setalvad and R B Shreekumar, IPS and Sanjeev Bhatt, IPS for having pursued 'lies and defamed the PM for Gujarat riots, taking up the time of the police and courts, with misleading cases.' FIRs were lodged against them and they were arrested and jailed for no crime committed but merely on untruths.

Similarly in the matter of *Himanshu Kumar vs the state of Chhattisgarh*, Justices Khanwilkar and Pardiwala, imposed costs of Rs. 5 lakhs on Himanshu Kumar case in 2022 and directed 'the State of Chhattisgarh/CBI (Central Bureau of Investigation) to take appropriate steps in accordance with law ... A case of criminal conspiracy or any other offence under the IPC may also surface. We may not be understood of having expressed any final opinion on such action/proceedings. We leave it to the better discretion of the State of Chhattisgarh/CBI to act accordingly keeping in mind the seriousness of the entire issue. Thus, the relief prayed for in terms of Para 67(b) hereinabove, of the subject interlocutory application is hereby granted that he be investigated and prosecuted as it is the agenda of NGOs to divert the state agencies through reports and other processes like litigation in their pursuance of snuffing out anti national activities of the Maoists.'

The seeds sown by the judiciary, attacking those exposing the crimes of the state, was reflected in the NIA Lucknow judgement. 4th January, 2025 where the judge of the Kasganj court states that NGOs ought not to be providing litigation support and

lawyers to those who have committed heinous crimes. He states that "NGOs advocating Muslim interest promptly provide legal aid. This contradicts constitutional principles as it boosts the morale of these undesirable elements."

The judgement went on to state that, "Fact finding reports puts undue pressure on the judiciary and that communal element with stealth creeps into the realm of ideas. NGOs providing legal aid and lawyers is resulting in promoting a point of view which is very narrow and dangerous. In this context the judiciary and all eminent persons associated with it, and all stakeholders must think about this. It is important to think about the point that the communal contestation which happened in UP in the district of Kasganj, several NGOs located in India ... along with NGOs located abroad ... What could be their interests? Where is their funding coming from, and what are their collective objectives? To investigate this, prevent their unwarranted interference in the judicial process, and to take necessary action to stop them, a copy of this decision should also be sent to the Chairman of the Bar Council of India and the Principal Secretary, Ministry of Home Affairs, Government of India."

These cases demonstrate that today, the Whistle blower (Litigant) is being treated as the criminal.

5. The PUCL role in defending the Non-violent and peaceful tool of fact finding.

This is not the first time that the tool of Fact finding has been

attacked. The attack is on the most powerful tool of human rights, which is documentation. The work of rigorously bringing out the facts and exposing the truth. This is our key work. We are not being allowed to do our work. Our work is being criminalised, our spaces our closing in.

"Can there be a parallel judicial system? I cannot have my own tribunal. If you have grievance go to the competent court. I cannot have my own fact-finding committee." The remarks were made by Tushar Mehta, Solicitor-General, on February 23 before a Division Bench of the Delhi High Court comprising Chief Justice D.N. Patel and Justice Jyoti Singh. He was speaking on a petition which challenged five reports by private individuals and non-governmental organisations (NGOs) on the riots in North East Delhi last year.

The petition was filed by the head of a school management; the school had been set on fire during the riots. Tushar Mehta's plea was that the reports affected the cases registered by the police with respect to the arson. The court rightly issued notices to the Delhi Police and the Government of India to file their response and declare their stand by March 26.

Human rights groups including the PUCL are not being allowed to function with peaceful human rights tools. The entire history of India's freedom movement is studded with inquiries by citizens' bodies. The tradition continued after independence and was followed in the Delhi case as a matter of course. There is no difference in law, between reports of citizens' inquiries and

those of a public-spirited individual prepared to do the hard work or, for that matter, the press.

Neither a press report nor the report of a citizens' inquiry can prevent the state from instituting an inquiry with all the powers and sanctions under the Commissions of Inquiry. We will not go into the question of why these commission reports are discredited. But fact finding investigations by Citizens, especially when the state is perceived to have failed or, the state has behaved in an openly partisan manner, like in Bastar, Gujarat, Delhi is an essential characteristic of a constitutional democracy. The fact that the state is seeking to muzzle such inquiries is a testimony to the high credibility of these inquiries.

The PUCL Committee on Strengthening Human Rights tools needs to activate its work and develop this tool in a more robust way. Trainings regarding collection of evidence, recording testimonies and tools for documentation need to be done with urgency. The PUCL should also consider becoming an intervenor in the Delhi High Court Case.

6. Continued deaths of political activists in jails and the failure of the judiciary to prevent such unconscionable deaths

There is a shift in jurisprudence, that today jail is the rule and bail is the exception in crimes related to the sovereignty of the Indian state under laws such as the UAPA. What is particularly unconstitutional and completely unjust is the fact that stringent bail conditions are applied

without the concomitant speedy trial, resulting in prisoners spending many long years in jail.

We saw the tragic death of 82 year old Father Stan Swamy, 2021, Kanchan Nanavare alias Bhoomi, only 38 years in 2021 for lack of treatment, Pandu Narote, in 2023 for lack of treatment and Prof. Saibaba's demise in October 2024, seven months after his release, after having spent more than nine years in jail. It should affect us as a human rights organisation that the state is callously unconcerned by these deaths.

How do we seek justice for these unconscionable deaths caused through negligence and callous treatment in judicial custody? It is not known how many of the thousands of prisoners who die in our jails every year die due to neglect by the jail authorities. The official Prison Statistics India (PSI) states that 1,879 men and women died due to "natural causes" in prisons across India in 2021. "Illness" and "ageing" constitute natural causes. According to the PSI report, more than 185 prisoners died of "unnatural" causes, and 52 of "causes not yet known". "Unnatural deaths" include "deaths due to negligence or excesses by jail personnel". It is important to note that Justice Lokur in a landmark Supreme Court judgment, in 2013, said that "The distinction made by the NCRB [National Crime Records Bureau] between natural and unnatural deaths is unclear. For example, if a prisoner dies due to a lack of proper medical attention or timely medical attention, would that be classified as a natural death or an unnatural death?"

As a civil liberties organisation it is important to note that there is no assessment of whether prisoners die due to a pre-existing health condition which is neglected in prison, due to diseases which develop because of jail conditions or because of 'natural causes'. We have to ensure that there are systems of monitoring in place to assess the states responsibility for these deaths.

In conclusion, it must be stated that **the PUCL must on an urgent basis run a campaign demanding adequate and good treatment for prisoners who fall ill, their health conditions must be well documented:** Adequate treatment is the human right of every prisoner. Any abuse or neglect must be recorded. If they die due to neglect or abuse, compensation needs to be paid. This is not a matter of charity but the right of those for whose lives and that of their dependents the State is responsible.

7. Criminalising of the media and shrinking spaces for expression as well as the declining right to public protest in the country

In February, 2023 BBC was raided. In October 2023, 104 staffers of News click were raided and Prabir Purkayastha the editor along with the HR head Amit Chakraborty, a 90% disabled person were arrested. Several journalists had FIRs filed against them and several were sent to jail.

India was ranked 159th in 2024 out of 180 countries in the World Press Freedom Index which was a small improvement of the

earlier year of being 161 in the 2023 ranking. Thus India has among the worst ranking in the world when it comes to freedom of the press, which is deeply troubling for a country which prides itself on being the world's largest democracy. The PUCL is committed to standing for freedom of speech and expression. The constitution of the PUCL clearly states that it will work towards encouraging freedom of thought and defend the right of public dissent. Today this would extend to ensuring the freedom of the press and independence not just of mass media like radio and television but freedom at the level of cyberspace and social media. Similarly the freedom to public protest and civil liberties are paramount for upholding democracy. Increasingly State after state are becoming police states. Not allowing rallies and protests has become the norm in district after district. The selective manner in which some groups are allowed to protest and others not, is something that the PUCL must highlight.

It would be useful if the PUCL brought out annual reports, statewide of the status of the attack on the media and public protest and civil liberties.

8. The continuing tragedy in Manipur due to the abdication of constitutional responsibility by the Union of India

Since May 2023 the Kuki Meitei conflict has continued. The ethnic conflict between the Kuki and the Meitei, with the Naga groups being onlookers has put the entire population 28.6 lakhs (2011 census) in misery. The PUCL is putting together a well

researched Tribunal Report which analyses not only the situation of conflict and the abdication of the Indian State from stopping this internal war, but also proposes a road map to peace.

Very sadly, at the time of the completion of this report in December end, there is not even a glimmer of hope for a return to normalcy for the 60,000 + 'Internally Displaced People' (IDPs) who live miserable lives in the camps. Abandoned by the State and forgotten by the political parties, no one – not even the Chief Minister of the State, or the Union Home Minister or the Prime Minister of India – seem to be concerned about their plight. Nobody seems to be working to bring back peace and justice to the beleaguered people of the state. In a total violation of all constitutional norms and propriety, the state has been bifurcated into two zones, with the Imphal valley and its surrounding districts closed to entry of Kuki – ZO community and roads passing through the Hill areas barred to the Meitei community. Hatred and anger is allowed to fester, suspicion and hostility allowed to permeate all narratives and discourse between the two major ethnic communities – the Meiteis and the Kuki-Zos. Reconciliation, peace building and building harmonious relations appear like alien concepts.

Even while the political establishment, both in the State as also the Centre remains callously unbothered and unmoved by the continuing saga of violence and continues to foster impunity for

accountability and sense of hopelessness, should we, in the rest of India remain mute spectators to what many commentators are calling as 'acts of ethnic cleansing', 'human catastrophe' and 'crimes against humanity'?

As concerned citizens, should not all of us in the rest of India, own up to our responsibility for what is happening to our own people in Manipur and intervene to help build peace and harmony in the state?

The PUCL will have to seriously work on the road map to peace and justice in the next two years.

9. Organisational Challenges

In the last several months that I have had the opportunity to travel to the various states, what has disturbed me most is our differences organisationally. Our internal conflict, the conflict within us, our differences on how to run the organisation and attempts at which group will control the organisation, is weakening us. Which is not to say that we must not look at our differences. We must however address it in such a way that it helps us to move further. Non resolution of these differences, allowing them to fester can cause major breaks in relationships within the organisation.

My suggestion has always been to make our organisation as diverse as possible, by bringing in members who reflect a diversity in caste, class, ethnicity, region and religion. It is this diversity that helps us be a broad tent which cannot easily be branded. Leadership should also be participatory and new faces

ought to be promoted. We have to learn to accept each other as members and work on providing leadership within each state.

It is my humble proposal that we establish internal mechanisms for resolution of these differences.

The national team will always be available but it is important that we dialogue with each other and find platforms to do it. State wide internal mechanisms off resolving conflict will open up a new doorway for other organisations too who work voluntarily.

I close here with the above issues which will be discussed not only in the next two days but also when we get back to our districts and states from this convention.

(PUCL National Council Meeting, 18th and 19th January, 2025)

DR. SURESH, REPORT OF THE GENERAL SECRETARY, 2022 – 2025 (18TH JANUARY, 2025)

On behalf of the team of PUCL National Office Bearers, it gives me great pleasure in welcoming all the members of the National Council to this meeting of the NC. This meeting was supposed to have been held in December, 2024 but had to be postponed due to situations beyond our control. Some members have raised the issue as to why we decided to have this meeting in January when Delhi is closeted with cold and fog. It was a simple reason – we needed to conduct the NC meeting at the earliest as the elections to the next set of office bearers needed to be held within 2 years from the last NC meeting which was held in November, 2022. And the NC meeting when elections are held are always held in Delhi. We consulted all the members of the National Executive before we finalised the dates. So please do bear with us!!

There is a great sense of urgency in holding this NC meeting at the earliest in view of some recent developments. The primary and foremost issue, is the continued attack on human rights defenders and rights organizations by the state – both State and Central government and the variety of agencies they control – which saw its apogee in a recent remark of the Special NIA Court

in Lucknow, UP which while convicting 28 persons – Muslims - to life imprisonment in the 26th January, 2018 Kasganj incident in which one Hindu person was killed stated: *“The prosecutors have expressed concern that in NIA courts across the country, when accused in cases under the UAPA or other anti-national/terrorist activities are brought for trial, NGOs – primarily advocating Muslim interests – promptly provide legal aid. This contradicts constitutional principles, as it boosts the morale of undesirable elements,” and that “This trend is promoting very dangerous and narrow thinking regarding the judiciary and all the stakeholders of judiciary (bar and bench) must ponder over this.”*

The court named PUCL, along with other organisations like Alliance for Justice and Accountability (New York), Citizens for Justice and Peace (Mumbai), Indian American Muslim council, Washington DC, People’s Union for Civil Liberties (New Delhi), Rihaee Manch (Lucknow), South Asia Solidarity group, London and United Against Hate (New Delhi) and directed that the government agencies *“To investigate this [and] prevent their unwarranted interference in the judicial*

process, and to take necessary action to stop them, a copy of this decision should also be sent to the chairman of the Bar Council of India and the principal secretary, Ministry of Home Affairs, Government of India.”

We, of course, immediately issued a detailed condemnation of such remarks pointing that they were unwarranted, unsubstantiated and without any factual or legal basis. We pointed out that the remarks were passed in a trial in which the trial court has to strictly deal only with the facts on record led during the trial and marked as evidence, and cannot pass such remarks about organisations who were not parties to the case. While we are exploring legal options to respond to such comments made in the trial court judgment, the fact remains that a NIA court has passed such remarks which will be used by the state as the excuse to further clampdown on rights organizations.

The point to be kept in mind is that such attacks on human rights defenders and organizations is not happening in isolation. We have had repeated NIA raids on rights defenders, including on PUCL members like Seema Azad, and others. Seema’s brother, Manish Azad,

was rearrested in a case recently in which he was granted bail 4 years back. The trial court refused to accept the claim of the police that he was arrested based on new evidence and refused to prolong his police his police custody and he was granted bail. This is just one instance of brazen abuse of the draconian laws like UAPA. Many more examples can be cited from across the country.

We can see a pattern in the way the central agencies are attacking fundamental rights of free speech, assembly and association guaranteed to us under Articles 19(1)(a), (b) and (c). Apart from false implication in criminal cases, the state agencies are targeting social movements, rights organizations and campaigns by using the KYC method to close down their bank accounts thereby choking them of funds to function regularly. This strikes directly at their fundamental right to assemble and form associations and unions.

Police surveillance is widespread, and in all states, irrespective of whether they are ruled by the BJP or Congress. The police use prohibitory orders to deny the rights of organizations to assemble and protest, even after declarations that the protests will be non-violent and using constitutional means. Even hall meetings, which don't require formal police permissions are stopped/ blocked/ prevented. This was seen particularly in protests and demonstrations to protest the genocide happening in Gaza and in support of the rights of Palestinians to live and exist. Again, this trend is visible in both

BJP ruled states as also in states ruled by the opposition parties including Congress and DMK governments. The picture is clear: ruling governments across India, irrespective of whether they are BJP, Congress, DMK or other parties, have a common agenda of suppressing people's expressions, social movements and human rights bodies.

One also notices two distinct trends in terms of the judicial process: **on one hand, there is a continuous assault on the independence of the judiciary**, which we have commented upon in our editorials in the PUCL Bulletin. On the other, the impact of the **process of ensuring selection of judges who owe allegiance to the majoritarian agenda** – otherwise referred to as 'saffronisation of the judiciary' - is also becoming evident. The most glaring example of this was the comment made by a sitting Judge of the Allahabad HC, Justice Shekar Kumar Yadav, on 8th December, 2024 in a VHP event when he said that the country would function as per the wishes of the majority and used a derogatory term to refer to Muslims. The public controversy that erupted over his comments led to the SC Collegium calling him to explain to them, and a move seeking his impeachment. PUCL UP also filed a PIL in Allahabad HC against the CM of UP, Yogi Adityanath, supporting the comments made by Justice Shekhar Kumar Yadav, seeking his dismissal on the ground that the CM's comments amounted to a "*gross violation of the oath of the office, in as much as, he has defied the faith and allegiance to the Constitution of India.*" In fact the PIL was one of the last major contributions of Shri Ravikiran

Jain, our past National President and also a Senior Advocate who recently passed away.

What is noticeable in these attacks are not random incidents but highlights a growing and systematic assault aimed at silencing and crushing rights defenders and organizations using the legal and criminal justice process. Unfortunately the courts, especially the constitutional courts have not risen to their expected role of being the unbiased sentinels of the citizen's fundamental rights. The way the courts have responded to the bail petitions of the BK16 or the young Muslim persons arrested in the Delhi communal violence of Feb-March, 2020 are an examples. Many of them are still in jail about 5-6 years after their arrest with the trials not even starting or charges framed. Forced evictions and demolitions of minority communities still happens across many states, with the SC passing strong orders to stop such unlawful and illegal demolitions having been passed only recently. One can list many issues which the SC has not been addressing including the electoral bonds case, habeas corpus petitions, money bills case and other issues of national importance. The role of courts in safeguarding the citizen's fundamental rights being violated with impunity by a brutal state and what we need to do in this context are issues which needs serious discussion amongst civil society groups, including ours.

It is important for the PUCL to discuss these trends and issues. Our responses cannot be symptomatic or knee jerk reactions. We need to critically

assess the varied dimensions of the human rights challenges confronting the rights movement so as to come out with a comprehensive and detailed plan of action which encompasses mobilising citizens at grass roots levels while also working to create a new human rights discourse and imagination. We need to evolve campaigns aimed at increasing awareness about the fundamental rights guaranteed in the Indian Constitution and also about international human rights laws and instruments. We need to mobilise and also enlist the youth, students, marginalised communities and others in the fight to preserve, promote and protect the Constitution of India. As also to expand notions of constitutional morality.

It is in such a challenging situation that we are meeting today as the National Council, the highest decision making body of PUCL. The crucial question is - **are we organisationally prepared to take on a leadership role in addressing current and future types of human rights challenge?**

It is time we ask hard questions to ourselves:

- How effective are we as a civil liberties and human rights organisation?
- Have we become complacent about our work – or are we ready to face current and new challenges before us which will require us to think 'out of the box'?
- Do we function in a coordinated, collective and collaborative manner?

•What are the areas where we need to improve and expand our work?

We cannot function in a manner of doing more of the same. This is not to demean the core of our work to defend basic human rights violations – conducting FFTs and visits to sites of rights violations; helping victims of state excesses and police brutality. It is only to emphasise that with a new generation of youth and youngsters we need to be more dynamic in involving them to address new and emerging human rights challenges.

To illustrate, after a prolonged period of discussions of over 16 months the *Union Ministry of Electronics and Information Technology (MEITY)* on 3rd January, 2025 announced Draft Rules for implementing the *Digital Personal Data Protection (DPDP) Act, 2023* – India's first major comprehensive data privacy legislation applicable across all sectors of commerce and industry. The Draft Rules have been widely criticised as functioning like a 'digital leash' to the main law, which contrary to its stated objectives actually only increases state's control of electronic medium through law which is opaque, non-transparent and undemocratic.

There is an entire area of new laws which have diluted environmental protection and accountability of monitoring agencies and corporates, just as there are major changes to laws relating to labour, urban development, agricultural sustenance and other critical issues, which have already become sites of human rights violations. As a human rights

organisation, there is an expectation of PUCL that we will highlight a path to addressing the new age human rights challenge.

Organisational Review

It is a matter of great satisfaction when during the NC meetings we have a chance to come to know about the range of work that all our state units undertake. I urge all members to carefully study all the State reports to understand the wide variety of human rights concerns they have espoused. It is for this reason that I had requested colleagues from the different state units to send their state reports so I can incorporate both the key contents of their work and also a critical review of the same. But not all units have sent their report, hence I will have to undertake that task at a later time.

In this report we first start with a review of our work, organisationally, before we consider the type of human rights challenges confronting us.

1. Organisational Report - Streamlining PUCL:

The process of streamlining our functioning which started in 2013, focused on the following key issues, amongst other issues:

1. Regularising and updating membership in all state units;
2. Functioning in compliance with the PUCL Constitution, especially formation of State and National Councils and election of office bearers at state and national level.
3. Some measure of uniformity in the human rights activities and

campaign launched by different state units with a common agreed national programme.

4. Regularising and ensuring continuous communication between state units and national office.

1. Consolidation of Membership and regularisation of payment of membership dues.

There has been very small increase in the membership of PUCL since 2022 and 2025. Despite reminders from the National Office, some state units are still to send us their updated lists. As soon as the updated lists are provided, the details will be shared.

2. Streamlining elections to State Council and National Council

Almost all the active states have conducted their state council meetings where members to the National Council have been elected. These include the state units of Bihar, Chhattisgarh, Delhi, Jharkhand, Karnataka, Maharashtra, Rajasthan and TN. A few states where Ad Hoc / Coordinating Committees were formed like Gujarat, UP and Kerala have had elections to the State Body and representatives to the NC. West Bengal does not have an elected body as yet though they have been active in the past year. At the time of preparing this report, Punjab and Haryana state unit has not reported whether fresh elections were conducted as per PUCL Constitution. In fact they have not been communicating at all despite reminders. This NC has to decide on what to do about

this state unit.

3. Constitution of new state units

There is no unit in the entire North Eastern region, where too many individuals and small groups of people have indicated their interest to know more about PUCL. The visits planned in 2020 collapsed due to the lockdown and unfortunately could not be revived this year. This will have to be a priority for the next term.

4. Financial Status of PUCL

As all members know PUCL is a voluntary organisation which has only 2 full time staff at the national office to take care of documentation and office work. As a rule, we do not take institutional financing. Our work is largely supported by:

- (i) membership subscription,
- (ii) contributions by NC members and
- (iii) donations by members or well wishers. Occasionally, we have also sought donations for meetings like National Councils or Conventions from the Trust.

Members may remember that in the National Council meeting in Allahabad in September, 2015, it was decided that each State unit should contribute Rs. 50,000/- per year to the National Office towards maintaining the NO; it was also decided however that those state units who did not have much membership will pay Rs. 5000/- as for example Odisha.

In 2022 – 2024, our finances continue to remain in a perilous state and we had issued an appeal to all the state units to send their share of the annual

contribution to the National Office. I am happy to report that a number of the states came forward to share their part of the contribution. A few states however have to make their contribution.

The Annual Audited accounts are available in the National Office for scrutiny by members.

2. Activity Report

While we can take pride in the range of activities our state units have undertaken in the last 2+ years, we still need to ask the question, “**How effective have we been as a human rights organisation?**”. Very crucial to the process of planning our future activities is to undertake, a very frank, objective and crucial task of critically examining and analysing our internal functioning as an organisation. What are our strengths, weaknesses and limitations? What are we doing right? Where are we missing out? How inclusive and representative are we – at the state and national levels? How consistent are we in the activities we undertake?

Unfortunately, however, oftentimes, we do not talk about these issues or address internal organisational issues with the importance they deserve. While it is true that in the last few years since the Patna National Convention in 2014, we have been engaging with the task of internal analysis of our functioning, much more needs to be done. It is my fervent request that in this NC meeting we evolve an internal mechanism to constantly and continually review our functioning internally even when we are engaged with addressing human rights

violations.

A: PUCL Bulletin and Publications

During the National Conference held in Bengaluru in April, 2023, Resolutions No. 32 and 33 spoke of reconstituting the Editorial Committee of the PUCL Bulletin with the inclusion of new members. Following the resolution the Editorial Committee now consists of Aishwarya Ravikumar, Anant Bhatnagar, Arvind Narrain, Bhanwar Meghwanshi, Geeta Seshu, Lara Jesani, Kavita Srivastava, Seema Azad, and myself as Publisher and Editor. Ever since then the Editorial Committee has been meeting regularly to plan out the articles to be carried, lay out and so on.

A striking feature of the changed formation is the range of issues covered now by the Bulletin. The layout has been substantially changed and more reader friendly. Of particular importance is that we have elaborate editorials on a number of themes, which are specially written from amongst the Editorial Committee members.

We have recently published as a booklet all the 12 Editorials published by us in the calendar year 2024.

I am happy to inform you that the response from members, subscribers and others to the changes in the Bulletin has been very warm and welcoming.

After a very long time, a virtual Hindi version of the PUCL Bulletin has been brought out by the Editorial Committee, coordinated by Bhanwar

Meghwanshi, Anant Bhatnagar, Seema Azad and others knowledgeable in Hindi. Several issues have been published. These contain translation of select articles from the English version of the Bulletin but also contain specially written articles. Some of the state units have also planned to come out with virtual Bulletins in other regional languages. The Madurai district unit of TN state unit has come out with a Tamil version. Some other language versions are also in the pipeline.

Issues of Concern

While the content and quality of the Bulletin has vastly improved the following concerns we identified earlier still remain issues which need redressal:

1. We have to print at least 1000 issues each month to avail of the postal department's special concession rate.
2. We have less than 200 subscriptions who pay the full amount.
3. We need all state units to enrol at least 50 new subscriptions for the Bulletin so that it can become self sufficient. Unfortunately this is yet to become a reality.
4. It is important for all the General Secretaries of state units to take this up as a priority task and get 50 new subscriptions. Considering that the annual subscription is only Rs. 200/- state units should take p this issue as one of major importance and enrol at least 50 to 75 new subscriptions of PUCL Bulletin.
5. **Very importantly, we invite more articles from PUCL**

members for consideration for publication in the Bulletin.

Words of thanks to Ms. Babita and Mr. Ashok of National Office and Mr. Sanjeev Kumar Gupta of Royal Offset Printers who print PUCL Bulletin

I would like to place on record the crucial support and help rendered for the publication of the Bulletin by Ms. Babita Garg at the National Office. Our thanks are also due to Mr. Sanjeev Kumar Gupta of Offset printers who ensured the print copy was ready for despatch and to Mr. Ashok Kumar of the National Office who ensured that the Bulletins were promptly posted to reach all of us in time. We would also like to thank Mr. Ajay Sharma, our new Chartered Accountant for helping us maintain the accounts.

New Forms of Communication outreach: The PUCL Dialogues

One new activity which was launched by the Editorial Committee is the launch of digital discussion series called the 'PUCL Dialogues'. So far about 6 dialogues have been organised on the following themes:

1. **June 2, 2023** - Karnataka Assembly Elections & Role of Civil Society
2. **October 15, 2023** - Attack on News Click: Its Implications for Journalism & Democracy.
3. **January 7, 2024** - Abrogation of Article 370: What values did the Supreme Court Uphold?
4. **October 24, 2023** - Decoding the Supreme Court judgement denying Marriage Equality.
5. **November 6, 2023** - Bombing of Gaza: Genesis, Human Rights & Justice
6. **April 7, 2024** - On Citizenship Amendment Act - Striking at the heart of Secular India through an unconstitutional law.

A number of online discussions were also organised on other issues like the wrestlers issue, Manipur conflict with specific stakeholders.

B: Press Statements

During the period 2022 – 2025, PUCL National has issued a total of 52 statements. **The breakup of statements is as follows: 2023 - 24, 2024 - 27, 2025 - 1.**

The statements covered a wide range of issues of civil liberties violation including police and prison excesses, hate crimes, communal and caste violence, misuse of draconian laws by NIA and UAPA prosecutions, farmer's issues, on threat to independence of judiciary and a range of other democratic rights issues.

All the statements have been published in the PUCL Bulletin and members can access the statements from the PUCL website.

This apart, all the different state units have also regularly been releasing statements on issues of concern in their states. The range of issues is truly impressive as can be seen from the reports of different state units.

C: PUCL Litigation

During 2022-2025, a number of PILs have been filed by different state units which have been described in the state reports.

They cover the following themes:

1. Demolitions and evictions of slums and others habitations.
2. Issues concerning PDS entitlements.
3. Problems associated with night

shelters.

4. Justice for victims and survivors of gangrape.
5. Rights of undertrials.
6. Rights of physically challenged people.
7. Hate crimes (in the SC).
8. PIL challenging continuation of CM of UP for supporting Justice Shekhar Kumar Yadav.

While the range of PILs filed is interesting, some concerns exist. In many instances the state units have not informed the National Office about the filing of these PILs. Nor in the reports is anything elucidated about the status of the PILs, its impact and so on.

There is a need to document details about litigation filed by different state units. This task though identified earlier, could however not be completed.

The need for explicit guidelines is also urgently required. In a PIL before the Kerala HC, by PUCL members in their personal capacity without seeking approval of the State unit or even informing them. This has caused legal problems as the court asked for filing of the Resolution of the National Unit authorising the persons in filing the PIL. We had to refuse to issue such a letter and have instructed the Petitioners to continue the PIL in their personal capacity. Similarly, a person claiming membership of PUCL Mangalore unit filed a PIL in Karnataka HC which was not informed to the state unit.

During the National Conference, 2023 in Bengaluru, one of the resolutions spoke of the need to constitute a separate Legal Cell inside PUCL to coordinate the efforts of National Unit as also

the state units insofar as litigation efforts are concerned. This effort has not been successful and needs to be addressed immediately.

D: JP Memorial Lectures

The 43rd JP Memorial Lecture was delivered on 23rd March, 2023 by **Bhanwar Meghwanshi** on the theme '*Hindutva and the positionality of Dalits*' in Allahabad, UP.

The 44th JP Memorial Lecture was delivered on 23rd March, 2024 by Aakar Patel, senior journalist and former head of Amnesty India on '*Candles in Unending Night - The paths visible for liberty and justice after 2024.*'

E: Work on Thematic Committees

Members will recall that during the National Convention hosted in Bangalore (2023), it was decided that the National Unit will coordinate the work of the following 5 thematic Committees:

Theme 1: Threat to Freedom of Speech, Expression, association, assembly and dissent.

Theme 2: Unchecked Hate Speech, Hate Crimes, Rise of the Lawless Mob.

Theme 3: Weakening Independence of Judiciary.

Theme 4: Violations of socio-economic rights of marginalised sections – workers, Dalits, Adivasis, women, sexual minorities, workers and other marginalised sections.

Theme 5: Attack on legitimacy of

human rights works and the philosophy of human rights.

In **Theme 1**, the coordination committee were T.S.S Mani - Tamil Nadu, P Vijay - Tamil Nadu, Shujayathulla - Karnataka, Prasad - Gujarat, Bhanwar Meghwanshi - Rajasthan, Chaturbodh - Rajasthan, Sandhya ,Sabah - Maharashtra, Seema - UP. The group had presented an action plan which was to begin with investigating the abuse of orders under Section 144. All 5 states that were represented in the committee were to file RTIs to collect information and talk to organisations who had been impacted due to the restriction of the right to protest. However, there was not much progress reported to the National Council on their submitted action plan.

In **Theme 2**, the coordination committee were Manavi (Karnataka), Sarfaraz (Bihar), Fr. Cedric (Gujarat), Arthur M (Tamil Nadu) and Lara (Maharashtra). The group presented a plan to form state level committees, conduct national level workshops and facilitate the organising of state level workshops. This committee achieved a tremendous feat by successfully organising 3 national level workshops and tried several strategies to include state level activists from different states. The anti-hate campaign has produced significant impact and virtual discussion and training programmes have been held in several states. The efforts of Lara Jesani (Maharashtra), Manavi Atre (Karnataka), Fr. Cedric Prakash (Gujarat), Sarfaraz (Bihar) and Arthur Malaravan (TN), amongst others are commendable.

In **Theme 3**, the coordination committee conceptualised a legal cell, in which Jhuma Sen, Anand, Arvind, Mihir and Suresh would coordinate efforts to share legal strategies, case updates, and issues in their practicing courts, and also to deliberate on matters having human rights implications. It was decided that we come up with position papers under two issues:

a) On the importance of independence of judiciary, what it means, and steps to be taken to secure this. Jhuma volunteered to work on the first draft; and
b) On the method of appointment of judges.

Some amount of coordination has been initiated to streamline the process of legal interventions. However a lot more needs to be done.

While **Theme 4** group had not submitted any action plan, there was a substantial number of people interested to work on responding to the violations of socio-economic rights of marginalised communities. The discussions of this Thematic Committee can be seen to have been carried over to the activities in different states reflected in focusing on issues of Ecosoc rights.

Theme 5's coordination committee consisted of Anand Kishore, Arvind Avinash, Balamurugan, Brinelle, Dushyant Reddy, Kavita Srivastava, Kavya Kasthuri, Johanna, Praveer Peter, Priyakshi Aggarwal, Sayantan Chowdhury, Shahid Kamal, T. Arunugasam and Vanaja. The Committee proposed to organise periodic training camps or thematic workshops at the district or block level for each state unit came up,

citing the urgent need for increasing membership so that future mobilization can create a bulwark against further attacks on Human Rights tools. As a starting point, a National-level committee on the "Training-of-Trainers" was proposed to:

(a) consult & conceptualize thematic training modules (as per the need: Constitution/Law, Fact-Finding, Political/Cultural, Organizational Development, etc),

(b) prepare & pilot 3-day workshops based on the modules with members of select state units, and

(c) review & roll-out "training the trainers" programs for creating a cadre of trainers within each state unit, so they can take the trainings to their subsequent districts.

We need to point out here that several states have intensified the roll out of internship programmes as also conducting human rights awareness workshops for young people in several states. Rajasthan, Delhi, Maharashtra, Karnataka, Jharkhand and Bihar states have internship programmes involving scores of students, both law and non law students.

However it needs to be pointed out here that considering the voluntary nature of activists, and the fact that every state unit is engaged in issues of state level concerns, it's been difficult to have continuous engagement on these thematic. We need to evolve a mechanism to follow up on the planned work by all 5 thematic groups, so that we progress in developing concerted efforts in response to the identified issues. It must be noted that state units have continued to

work on these issues in different capacities; however, a national level initiative is the need of the hour. Just as Theme 2 have demonstrated in a commendable way, it is necessary for PUCL to bring in new people and build perspectives at a national level to strengthen civil society.

F: Manipur Conflict: Formation of an 'Independent People's Tribunal'

On 3rd May, 2023, major ethnic conflict broke out in Manipur between the majority Meitei community groups and the minority Kuki organizations, which is continuing even today 21 months after hostilities broke out. Over 250 people have been killed and more than 60,000 people displaced from their homes living in 'IDP Camps' in different parts of the state. After several meetings with human rights groups, women's organizations, student's bodies and other associations in Manipur, we took the initiative to organise a national level, 'Independent People's Tribunal on Manipur' consisting of eminent jurists, academics, human rights, Dalit rights, women's rights activists, media persons and former bureaucrats and police officials.

The objectives of the Tribunal will broadly cover the following:

1) Document the violations suffered by the people of Manipur with a specific attention to loss of life, sexual violence and violence suffered by children, women including pregnant women and the elderly.

2) Examine and analyse the

performance and responsibilities of the constitutional authorities by documenting the action taken to prevent the violence, provide access to remedy and justice, investigate and prosecute crimes, and in all other ways to provide redressal of violations and make efforts to establish the rule of law.

3) Examine the role of all security agencies as well as government functionaries at all levels of the state and central governments in ensuring law and order and also examine the role of independent national and state based institutions in protecting human rights.

4) Examine existing documentation on the Manipur situation and analyse the reasons for the continuing violence

5) Propose recommendations to repair the torn social, cultural and political fabric of the State.

The members of the Independent People's Tribunal are:

(1) Shri Kurian Joseph, former judge, Supreme Court of India.

(2) Shri. K. Kannan, former Judge, Punjab and Haryana High Court.

(3) Dr. Anjana Prakash, former Judge, Patna High Court

(4) Shri MG Devasahayam, IAS (retd), former Addl. Chief Secy, Haryana.

(5) Dr. Swaraj Bir Singh, IPS (retd), former DGP, Meghalaya.

(6) Prof. Uma Chakravarty, formerly from Delhi University.

(7) Prof. Virginius Xaxa, Social Scientist and Author

(8) Prof. Rosemary Dzvuvichu, formerly from Nagaland University.

(9) Prof. Tanweer Fazal,

University of Hyderabad.

(10) Dr. Sandeep Pandey, Peace Activist.

(11) Ms. Manjula Pradeep, Senior human rights activist.

(12) Dr. Navsharan Singh, Writer, researcher & Activist.

(13) Mr. Henri Tiphagne, Advocate, Madras/ Madurai High Court.

(14) Mr. Aakar Patel, Journalist and Author

A Secretariat was formed to assist the Tribunal consisting of both PUCL Members as also other volunteers. A week-long visit was organised in May-June, 2024 in which over 15 Jury Members and members of the Secretariat participated in visits to several parts of Manipur to visit victims in their homes and in special Camps, meet with officials and others involved with relief and security measures, journalists, academics, organizations of affected communities and others. Further hearings were held in July, 2024 in which actual victims of the violence who had fled the state and were residing in different cities, participated. Online recording of testimonies were also conducted. Court case papers, official reports and other documentation has been collected.

What type of changes are required?

During the 2022 NC meeting I had put forward the following concerns are primary issues for us to focus on. While we have made progress in some issues, from an overall perspective, the scope for more focused engagement and involvement cannot be emphasised enough

1. Assessment of the varied dimensions of the human rights challenges facing the larger human rights movement in India in general, and PUCL in particular.

This is an ongoing discussion which needs further and more systematic and sustained work. During recent discussions with fraternal human rights and civil liberties organizations, the importance of evolving a larger conceptual framework to understand the changing context and challenges of human rights were emphasised. This remains a major concern we need to address.

2. Critical analysis / assessment of the strengths, weaknesses and potential of PUCL, both nationally and of the various states on the following vectors:

(i) Human rights / civil liberties - ideological / conceptual frameworks.

There is an increased interest shown by youth and new sections of people from marginalised, socially excluded and affected communities. There is a great need to evolve a larger human rights curriculum and teaching materials to reach newer generation of activists.

(ii) Organisational – structure, nature & style of functioning, clarity of vision/mission.

Greater role clarity of different office bearers and the responsibilities they need to undertake requires to be brought about. For example we have a number of National VPs, Secretaries and Organising Secretaries. Some of them have not attended meetings, even

virtual meetings. Some of them do not participate in national level activities undertaken by the national unit.

A committee requires to be formed to spell out the roles and responsibilities of different levels of office bearers so as to benefit from the varied skills and knowledge of our members.

(iii) Leadership – how to characterise present leadership; preparation for second/ third line leadership; age – gender – sexuality - caste – community profile.

(iv) Issue of 'Inclusivity and Representation' in PUCL.

What measures have we taken to ensure greater involvement and participation in PUCL of different members from socially marginalised groups & communities – Dalits, Adivasis, sexual minorities, women and other excluded groups.

The task of creating a new leadership level at state and national level is of paramount importance. Similarly greater focus is required to be paid to inclusion and representation of hitherto unrepresented groups and communities. This issue has already become a challenge in some states and requires greater attention.

(v) Challenge of increasing involvement of youth and students, from across all social, cultural and regional diversities, with PUCL's work and activities.

Almost all the state units have consciously initiated programmes to involve more students and youth from different social sections. A lot more work requires to be undertaken by

PUCL, nationally and also in different states.

(vi) Communication – internally as also with other institutions / organisations.

Communication has been streamlined between the National Unit and State units. Yet, problems exist in effective communication. This is an area which requires constant monitoring and focus, and is crucial to our functioning and growth.

(vii) Working Culture

The extent of accountability, cohesion and cooperation within PUCL. Institutional mechanisms to deal with internal conflicts.

By and large, a good sense of camaraderie exists within PUCL at different levels. However given the voluntary nature of our membership, many state units are reporting the problems of enforcing accountability and responsibility of members for activities they have volunteered and undertaken. This is an area of concern.

(viii) Finances

This has been a perennial problem. It's been difficult to raise finances to ensure that the organizations functions regularly. However a Special Committee requires to be formed which will exclusively focus on this subject.

3. Strengthening 'Social Media' presence across different media

This includes the website, Facebook, Twitter and other commonly used apps; evolving an architecture to coordinate social media content between state units and national unit in such a way as to permit

autonomy at the level of state unit in terms of messaging while ensuring that the messages conform to PUCL's larger positions, policies and stances on different issues.

4. Creating a distinct and separate 'Media Coordination' group inside the organisation tasked with moderating the content of all PUCL communication between the PUCL Bulletin and other social media communication.

As regards points in Sl. No. 3 and 4, a fair amount of progress has been made on this subject. Our social media presence and impact has improved, though there is tremendous scope for improvement. A dedicated media group needs to be set up exclusively on this issue.

5. Launching a coordinated 'Internship programme' to guide internship activities amongst different states.

We need a dedicated group on this subject as there is increasing requests for internships with different state units.

6. Need to consider restructuring nature of office bearers' responsibilities – to make it functional. For example Vice – Presidents / Secretaries in charge of different functional areas – Communication; Membership; Website; Litigation etc .

I propose that there be standing committees from amongst the national office bearers on the following key subjects (this is only suggestive):

1. Law and litigation.
2. Membership, Campaigns.

3. Publications and Bulletin, Web presence.

4. FFTs, Internship programmes.

5. Finances and administration issues.

I propose that from the National VPs, Secretaries and Organising Secretaries, we form **five - 3-member Committees/ groups** who will work on the above subjects and ensure that there is continuous engagement between the national and state units.

I fervently appeal to all members of the NC that when we consider who to choose for the various posts of VPs, Secretaries and Organising Secretaries we choose only persons who can and have the time to contribute to the above tasks and activities.

7. Litigation – evolving clear cut, transparent and accountable institutional mechanisms for deciding on PUCL initiated litigation in the SC as also in various High Courts.

This is **urgently required** and cannot be delayed.

8. Reviving the thematic committees and functioning.

9. Setting up of 'Internal Complaints Committee' (ICC) in each state unit as an institutional mechanism to deal with complaints of sexual harassment within PUCL.

It should be mentioned that we need to form some sort of 'Grievance Redressal' mechanisms in each state unit as also the National unit to ensure that as and when problems associated with styles of functioning, leadership issues and other internal issues arise, they can be referred to this

mechanism to deal with.

10. Training – creating a cadre of human rights conscious members especially amongst the youth and students.

PUCL EXPELS R. ESWARRAJ, HANEEF SAHEB PAJAPALLA AND AJAY D' SILVA

We herewith inform the Government officials, Bank officials, the District Collector and District Superintendent of Police and other officials, Media, as well as to bring the attention of the general public of Dakshina Kannada, to the findings of the National Enquiry Committee of the PUCL, which enquired into allegations against R. Eswarraj, Haneef Saheb Pajapalla, and Ajoy D' Silva has concluded that they shall be expelled forthwith from the membership of the PUCL. They will also not be allowed to become members in the future.

Members of the public, officials, and others are hereby informed that R. Eswaraj, Haneef Saheb Pajapalla and Ajoy D' Silva Do not represent PUCL and they should also not be entertained as representing PUCL.

The decision to expel and remove R. Eswaraj, Haneef Saheb Pajapalla and Ajoy D' Silva from the membership of PUCL has been duly ratified by the state executive of the PUCL.

We also announce that the Ad Hoc Committee constituted to streamline and regularise the functioning of PUCL DK-Mangaluru District unit is duly authorised by PUCL National to function as the official PUCL

District unit. **It is also brought to your notice that other than the below mentioned members, no one else is authorised to represent the PUCL Dakshina Kannada.**

The members are:

1. Mr. T. R. Bhat, Convener
2. Mr. Mohammad Haneef U
3. Mr. Colin D'Silva
4. Mr. Joshi Sathyannanda G
5. Mr. Kishor Attavar

Arvind Narrain, President, PUCL-K
Shujayathulla, General
Secretary, PUCL-K

(5th January 2025)

RESOLUTIONS

At the PUCL National Council Meeting held in Delhi 18-19 January 2025 it is hereby resolved to:

Subject Resolutions

1. The PUCL expresses our deepest condolences and paid respects to the many members who have passed away in the last two years:

a. Jharkhand

- i. **Dr. Ramesh Sharan**, passes last year (2024). He was professor of economics and former V.C of Sidhu-kanhu University, Hazaribagh, Jharkhand.
- ii. **B. N Das** - Jharkhand state treasurer.
- iii. **Jairam Tiwari** - founding member of Jharkhand PUCL, & was professor of Political science at Ranchi University.

b. Karnataka

- i. **Dr. Lakshminarayana**, former President, PUCL Karnataka
- ii. **PB D'Sa**, former President, PUCL Karnataka, former Vice-President, PUCL.
- iii. **Prof. Muzaffar Assadi**, Mysore

c. Rajasthan

- i. **Radhakant Saxena**
- ii. **P L Mimroth**

- iii. **Dr. Pawan Surana**
- iv. **Ms. Rajkumari Dogra**
- v. **Dr. Anita Soni**
- vi. **Virendra Vidrohi**
- vii. **Ashok Mathur**

d. Tamil Nadu

- i. **S. Natarajan**, former President, Chennai district unit
- ii. **SM Backer**
- iii. **Bastin Lincoln**
- iv. **Dhyan Chand Carr**

e. Uttar Pradesh

- i. **Adv. Ravi Kiran Jain**, former National President, PUCL
- ii. **O.D. Singh**
- iii. **Raj Narayan**
- iv. **Prof. Vallabh Mishra**

f. Bihar

- i. **Ram Chandra Laldas** - Former President, PUCL Bihar
- ii. **Ramesh Pankaj** - Former Vice President, PUCL Bihar.

Maharashtra/ Delhi

- i. **Fali Nariman**, Life member

2. **Consider legal action regarding the ruling of the NIA court judgment on Kasganj** for passing prejudiced, unsubstantiated and potentially damaging comments about the role of human rights organisations in general and PUCL in particular for pursuing vital Constitutional tools that independent organizations use to establish facts, fix accountability and ensure succor for victims of

communal strife. It is also resolved to form a Committee consisting of Farman Naqvi, Mihir Desai, V. Suresh to examine the case papers and recommend appropriate action.

3. **Condemn the prolonged and unconstitutional incarceration of BK-16 activists and anti CAA protesters in Delhi as well as political prisoners** around the country under terror and Security laws, like UAPA, NSA and demand the false cases against them be withdrawn and the arrested are released.

4. **Form a campaign to demand that the principle of bail being the rule and jail the exception, become the norm**, particularly in cases related to the challenge of sovereignty of the Indian State. This is particularly important as there have been a series of cases which the state considers sensitive in which the constitution of benches have been delayed, hearing have not taken place and the right to speedy trial has unconstitutionally denied but the right to be granted bail continues to be stringently applied.

5. **Condemn the over 250 extra-judicial killings in Bastar**, since January, 2024 by state security forces, **demand impartial investigation into the killings and compensation to the kin of the deceased, also demand**

that all extra-judicial killings immediately cease and the release of the thousands of people arrested who are in jail, more than 800 arrested in 2024, without chargesheets and trials. The PUCL would also like to demand the immediate release of its young state executive member **Sunita Pottam**, who has been arrested on false charges against more than a dozen baseless cases since 2023 .

6. Condemn the killing of journalists who in the call of their duty have been killed for fulfilling their constitutional responsibility under Article 19(1) (a). The Indian state must bring in a special law related to the protection of media persons, like done by the state of Chhattisgarh.

7. Condemn the continuing intimidation and attacks on journalists, students, as well as individuals and communities who are fighting for their land and livelihood all of whom are entitled to protection as human rights defenders under the UN Declaration on Human Rights Defenders.

8. Condemn the ongoing campaign to convert Muslim places of worship into Hindu places of worship in violation of the Places of Worship Act and the constitutional principle of secularism.

9. Condemn the continued arbitrary demolitions of national heritage structures as well as shops and homes of members of the Muslim community.

10. Condemn the criminalisation of Muslim existence through a violent

discourse of hate as well as the filing of false and vindictive cases filed against Muslims for protesting the violation of their rights or seeking to protect their constitutional rights.

11. Consider the death of Prof Saibaba in prison as a judicial murder, provide all legal succor to family member of Prof Saibaba, particularly the restoration of his Associate Professor's in Delhi University, as the case had been dismissed by the Bombay High court, so that his wife and daughter can avail the benefits of his service and backed arrears and payments. We also demand that action be taken to prevent such further deaths.

12. Condemn the repression on farmers by state and central governments, assert the right to protest of farmers, and demand that the state take all necessary steps to fulfil the just demands of the farmers.

13. Urge the Government to urgently respond to the farmers protest by having a dialogue with the farmers to redress their demands and thereby redress the causes of the protest.

14. Put a check to the promotion of violence, hatred and discrimination against Muslims and minorities during the ongoing Kumbh Mela and demand hate speech monitoring and suo motu filing of FIR's against offenders by the police as per Supreme Court order in *Shaheen Abdullah v Union of India*.

15. Continue to work on issues of environmental justice which

is a matter of deep concern to those at the margins of society.

16. Urgently address the environmental impacts of mining and especially tungsten mining proposed by the Adani group in Aritapatti, which is bound to have drastic impact on livelihood concerns as well as the right to a clean environment.

17. Urgently address the deteriorating quality of the right to health of prisoners, many of whom have died in the custody of the state thereby violating the core constitutional protection of the right to life.

18. Condemn the introduction of the Maharashtra Special Security Bill in the legislature as the proposed bill is a anti rights repressive legislation which aims to turn Maharashtra into a police state.

19. Condemn the proposed one nation one election bill as the bill is antithetical to the tenets of a federal democracy.

Organizational resolutions

20. Empower the Committee comprised of Mihir Desai, T.S. Ahuja, Bhanvar Megwanshi and Madhuri to deal with the ongoing crisis in the Chattisgarh unit.

21. Set up a Committee to examine all possible solutions to resolve inter se disputes and violations of the PUCL Constitution.

22. Accept the proposal to constitute five standing committees on the five thematic areas and resolve to frame guidelines for the mechanism of the Standing Committee.

23. Resolve to draft guidelines on the opening and operation of bank accounts of national and state PUCL

24. Resolved that the Annual Membership fee should be enhanced to Rs. 100 per annum, Rs. 200 for two years, and Rs. 20 per annum for workers and students.

25. Resolved to enhance the Bulletin Subscription fee from Rs. 200 to Rs. 300 for one year.

NEWLY ELECTED MEMBERS OF PUCL NATIONAL COUNCIL (2024-2026)

President: Kavita Srivastava
Vice President 1: Binayak Sen, West Bengal
Vice President 2: Farman Naqvi, Uttar Pradesh
Vice President 3: Mihir Desai, Maharashtra
Vice President 4: ND Pancholi, Delhi
Vice President 5: YJ Rajendra, Karnataka
Vice President 6: Pushpendra, Bihar
Vice President 7: Prof. Saraswati, Tamil Nadu

General Secretary: V. Suresh
Treasurer: Tarakeshwari Negi

National Secretary 1: S. Balamurugan, Tamil Nadu
National Secretary 2: Bhanwar Meghwanshi, Rajasthan
National Secretary 3: Fr. Solomon, Jharkhand
National Secretary 4: Sudha Bharadwaj, Chhattisgarh
National Secretary 5: Seema Azad, Uttar Pradesh

National Secretary 6: Prasad Chacko, Gujarat
National Secretary 7: Lara Jesani, Maharashtra
National Secretary 8: Arvind Narrain, Karnataka
National Secretary 9: Shahid Kamal, Bihar

National Organising Secretary 1: Arvind Avinash, Jharkhand
National Organising Secretary 2: Aishwarya Ravikumar, Karnataka
National Organising Secretary 3: Kailash Meena, Rajasthan
National Organising Secretary 4: Mujahid Nafees, Gujarat
National Organising Secretary 5: Sarfaraz, Bihar
National Organising Secretary 6: TD Bhaskar, Uttar Pradesh
National Organising Secretary 7: Vertika Mani Tripathi, Delhi

**To read the following, scan
the QR Codes with your
mobile phone.**

**Targeting human rights
activism: PUCL Statement on
shocking comments by the
NIA Court**



**PUCL Special New Year Edition
Human Rights in 2024: Rule of
Law, Electoral Democracy &
the Continuing Struggle for
Justice**



PEOPLE'S UNION FOR CIVIL LIBERTIES

Founder : Jaya Prakash Narayan
President : Kavita Srivastava
General Secretary : V. Suresh
Treasurer : Tarakeshwari Negi
Vice-Presidents : Binayak Sen, Farman Naqvi, Mihir Desai, ND Pancholi, R.Murali, Surendra Kumar
Secretaries : Ashok Bharti, Bhanwar Meghwanshi, Fr. David Solomon, Rohit Prajapati, Seema Azad, Shahid Kamal, Sudha Bharadwaj, S. Balamurugan, YJ Rajendra.
Organising Secretaries : Arvind Avinash, Arvind Narrain, Kailash Meena, Lara Jesani, Mujahid Nafees, Sarfaraz, Sr. Sewti.

Printed and Published by:
V. Suresh, General Secretary, PUCL, on behalf of *People's Union for Civil Liberties*; **Printed at:** Royal Offset, 489, Patparganj Indl. Area, Delhi-92; **Published at:** 332, Ground Floor, Patpar Ganj, Opp. Anand Lok Apptt., Mayur Vihar-I, Delhi 110091; **Editor:** V. Suresh.

Regd. Office :
332, Ground Floor, Patparganj
Opp. Anandlok Apartments
Mayur Vihar-I, Delhi-110091
E-mail : puclnat@gmail.com
pucl.natgensec@gmail.com
Website : www.pucl.org

PUCL BULLETIN

Editor: V. Suresh
Editorial Board: Anant Bhatnagar, Arvind Narrain, Bhanwar Meghwanshi, Geeta Seshu, Kavita Srivastava, Lara Jesani, Seema Azad, Aishwarya
Assistance: Babita Garg