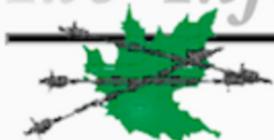


A monthly newsletter of Public Commission on Human Rights

The Informative

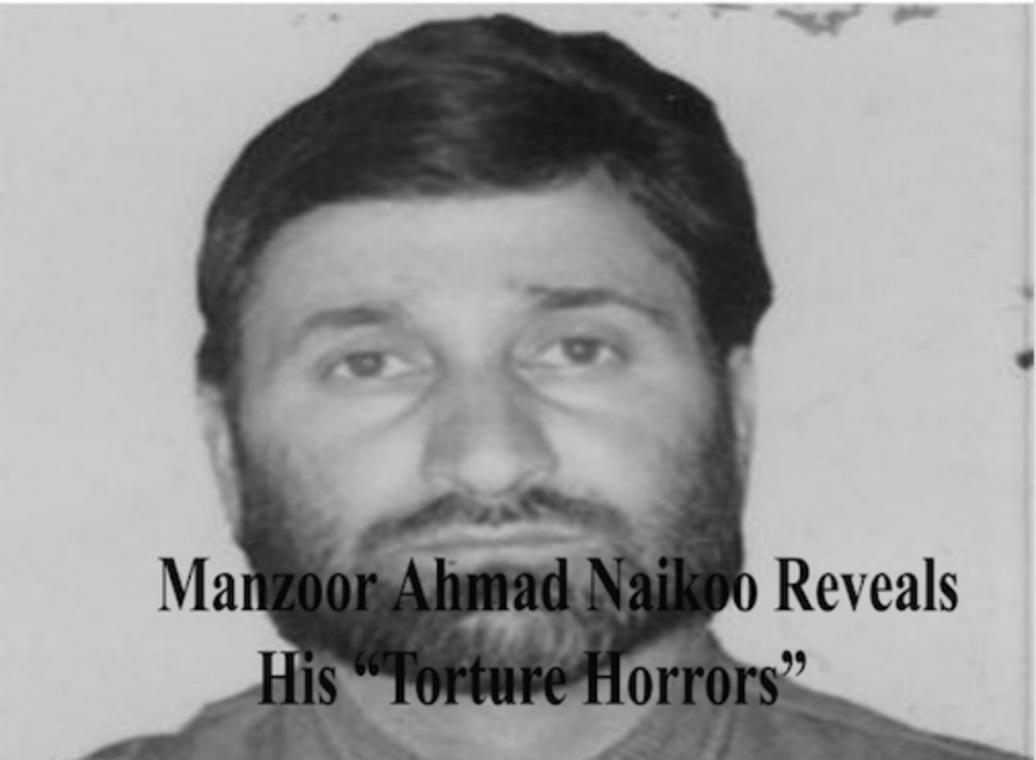


MISSIVE

(For Private Circulation)

VOL.173

November 2011



Manzoor Ahmad Naikoo Reveals His “Torture Horrors”

Editor: P. IMROZ

TRAVEL DOCUMENT – A MAJOR ISSUE

The denial of travel documents to a large section of Kashmiris is a routine now. The matter has been agitated at different occasions by people particularly the youth that how their right to travel had been usurped, as different intelligence agencies didn't issue No Objection Certificate (NOC), a requisite for obtaining travel documents. From time to time, individual cases have been raised by the media but what is unusual is when a legislator of state assemble, who had been elected by the people of his constituency, have been denied travel documents as per his claim made in the media. Probably, it would be the first case in any south Asian country, where the state has no legitimate reason to deprive its legislator, not having any criminal case pending against him, of travel documents. State has 'reasons' to withhold the travel documents in the name of "threat to its security, sovereignty and public interest" which has become a buzz word to deprive the citizens from universally recognized rights be it peaceful protest, dissent, public meetings, expressive opinions on social media. This state policy is likely to continue because it has not been made a public issue. Few years back, an initiative "Campaign for Right to Travel" was initiated but the campaign got discontinued only to comfort of the govt. Had the campaign sustained and got intensified with the time, definitely it would have mounted pressure on the government and it could have made some difference. The government finds difficult to ignore the issues having potential of inviting international attention. We have a cultural problem that people expect immediate outcomes and are not prepared to institutionalize any campaign. On the contrary, these short-term campaigns turn counterproductive.

In the era of globalization, depriving travel documents to the citizen guaranteed under Universal Declaration on Human Rights, ICCPR and ECOSOC are universally recognized rights and a country signatory to all of them will definitely face pressure from the international community once the issue gets eternized. There are thousands of families who have been indexed. Students for advanced studies, pilgrimage aspirants and young people to seek job opportunities outside J&K are deprived of the travel right. One can understand the reasons for govt. to prevent human rights activists or dissident voices to go aboard and cause 'embarrassment' to the Indian state, while exposing the lies of the state and placing the truth before the international audiences. But what could be the reasons for non-activist Kashmiris, whose only aim is to move outside either for job or educational purposes. The conclusion one can draw that deprivation is well-designed and well-thought-out policy to prevent large section of society particularly the young people from availing avenues and opportunities outside especially in Gulf countries.

The non-industrialized J&K state has 6, 02,979 unemployed youth registered with state employment department, which swells with every year. The urge to seek jobs oversea enhances. The professionals or educated youth are facing problems to avail opportunities outside for instance in Gulf and Europe like the other part of J&K, where more than half-a-million Kashmiri people are not facing such problems. They are well-settled in Gulf and Europe particularly in Britain that too when they are not accepted as citizen of Pakistan instead as natives of former state of J&K. They are sending 40% remittance to Pakistan and educationally they are not at par with the state subjects of this part of Kashmir. This is an apparent policy of economic strangulation of Kashmiris and army of unemployed youth are made no choice but to fell prey to the designs of the state like recruitment in police organization. According to Director General of Police Kuldeep Khoda, nearly 60,000 men applied for less than 3,000 jobs in J&K police. The employment in J&K police is highest than in another conflict ridden state to follow the state policies to join as Special Police Officers (SPOs) and become part of the privatization of the human rights violations. As per the figures available, there are 30,000 SPOs in Jammu and Kashmir. In a recent landmark judgement by the Supreme Court, the recruitment of youth as SPOs was banned. The apex court observed that it is an exploitation of the youth who are underpaid and used as cannon fodders and distribution of guns amongst illiterate youth, amongst the poor to control the disaffection in such segments of the population would tantamount to sowing of suicide pills.

Then we have the examples of people lured for working for army and getting killed for promotions. Machil Expose is one of the glaring examples. Restricting the choice of Kashmiri people and in order to domesticate them is one of the noticeable designs of non-issuance of travel documents. Restricting people's movement is causing the other humane problems within the families where people blame each other for the problems. It needs a detailed and in-depth research project to take up the travel document issue and its implications on the society as whole.

What is the solution? A state where everything revolves around police NOC be it a job or business venture or acquiring ration card. Every problem has a solution but the solution is to be invented which is a challenge. Fortunately, we are living in an era where the denial of universally recognized rights can become an issue outside, if it is denied in institutional way and as a matter of policy. The issue needs to be highlighted and public opinion to be galvanize by connecting people confronted with the same problem and prepare them for a sustained campaign instead of taking individually embarrassing and compromising positions. Ones it invites the outside concern, it will definitely make some difference because the arrogance of the state could only be moulded, otherwise people will suffer individually and collectively, and the measures like approaching judiciary which has otherwise proved futile would be an exercise in futility. The denial of travel papers is a powerful issue before the people, and how it affects their life and tantamount to collective punishment. The challenge in front of us is how we can show determination and will.

MANZOOR NAIKOO REVEALS HIS "TORTURE HORRORS"

A torture subject Manzoor Ahmad Naikoo, 43, son of Abdul Aziz of Palhallan, Pattan falls in district Baramulla has never got himself associated overtly or covertly with the ongoing militancy or ever established any connection with any political organization. To *The Informative Missive* Manzoor made a detailed account of how he was tortured, what horrors he had gone through and how much he had suffered all through these years.

According to Manzoor, a shopkeeper, he was arrested and tortured thrice by different army battalions at different times. He claimed he was subjected to heinous forms of torture. For his injuries, he received during army torture, he was operated upon twice and both operations went unsuccessful. Now the doctors refused to operate him again fearing that it involves huge risk, even may cost his life.

Way back in April 23, 1991, on mere suspicion, Manzoor said, he was first arrested and tortured for five days by the army stationed at Haider Beigh, Pattan. He along with 30 other youth of his area was separated, during army's cordon and search operation, from a local ground, where villagers were assembled on the orders of the army. All the 30 youth were tortured but not to that extent they tortured Manzoor.

Manzoor was taken to Haider Beigh Camp, where he was tortured in a tin-shed barrack by an army *Subedar* and his associates. Immediately, he was stripped naked, leaving no cloth on his body. They cuffed his hand backward and roped his both legs. Then they laid him on the bare-ground and applied iron-roller on his thighs to knees, for half-an-hour. Two soldiers sat on each side of the roller to make it heavier. After finishing roller, they (army) administered power currents all over his body including his private parts for 15 consecutive minutes. Then he was beaten up with bamboo sticks and kicked all over. The soldiers forced him to admit that he was a militant and also to name the militants whom he knew. He unsuccessfully tried to convince them that he was not a militant nor he knew any militant within or outside his area, but army was not in a mood to believe him.

Then after an hour, he was moved to another barrack of the camp, where another party comprised 6 strongmen were waiting for him. Those men forced him to got upside down against a wall and beat him randomly with sticks and rods whenever he failed to maintain his balance. This practice continued for an hour. Suddenly, a trooper struck a strong and wild blow on his skull. The blow was so severe that it paralyzed him by his left hand and blood started oozing out of his mouth.

After 1 ½ hour Manzoor was taken to another barrack where all the 30 arrested men were put together, who were jostling each other for breathing space. In the middle of the night, an identification parade of all the youth was conducted. After the parade they were told to go back to the

barrack and sleep there. But after a little while, an officer in civvies called Manzoor. The officer on seeing his conditions told him that he was injured badly and asked him to show all those injuries he had received owing to torture. Manzoor had to remove his cloths to show his wounds. After seeing his injuries, quite visible all over his body, the officer told him to wear back his cloths. While Manzoor struggled to put back his cloths, as his left arm was completely dysfunctional, the officer helped him in wearing his cloths back.

Then the officer told the *Subedar*, who tortured Manzoor that he was not handed over to him to kill. Then the officer got out of the room and a little later came again with a doctor. The doctor examined Manzoor and prescribed some medicines and rigorous rest to him.

Next morning, all the 30 men were asked to stand against a wall and to keep their *Pherans* (a Kashmiri traditional gown) around their heads. All were warned not to sit, even by mistake. For the entire day they were kept standing.

On 3rd day, for half-a-day, they were kept standing with their face towards wall and in the evening some of the youth were sat free.

On day four, in the morning at around 10 am, all the arrestees were called while Manzoor was told to come at last by the same officer (who provide him the doctor) and recorded his statement. The officer told him that nothing incrementing was found against him and he had been proved innocent and will be released soon.

On fifth day, Manzoor along with other arrestees were sat free, but was not tortured.

Manzoor has lost most of his physical strength owing to the torture. He remained confined to bed for few weeks until he regained some energy.

Again after five months, on September 28, 1991, Manzoor was re-arrested and tortured, but that time more heinously. A wooden rod was inserted into his rectum due to which his intestines got ruptured.

He was picked up by 2 Dogra Regiment Army stationed at Haider Beigh camp during a crackdown. Early morning of September 28, army made an announcement from loud speakers ordered the Palhallan villagers to get assembled. Males were ordered to get assembled in Govt. High School compound while women were asked to gather at the ground of Sayed Jamaal-ud-Din Bukhari's shrine.

An identification parade was conducted of all those assembled males. While the identification parade was going on, and before Manzoor could present himself for identification, he was taken away by an army Major from identification queue. The Major took him into a classroom of the school. There was already a party of army to whom he was handed over to. They (troops) bolted the door from inside and asked him to put off all his cloths. His hands were cuffed and legs roped, and he was asked to sit on a table. The troops tied pieces of cloths on his penis and

lit the cloth on fire. In desperation, Manzoor tried to douse the flame but was not allowed to do so, and was beaten ruthlessly. In other classroom army were torturing another man Latief Ahmad Mir, 30, a school teacher.

The loud screams of both caught people's attention assembled in the ground. On hearing their cries, people raised hue and cry forced the troops to shift them to a nearby house, a little away from the ground, which happened to be Manzoor's own house to choke their cries.

In Manzoor's house both were separated and taken to different rooms. Manzoor was stripped completely naked. His hands were tied backside and army started beating him with sticks all over his body. Meanwhile, they (army) demanded weapons from Manzoor, which he never posses. They accused him of being a militant. He told them he has nothing to do with militancy and was simply a shopkeeper, which they can confirm from anyone in his village. Since the torture was performed in his house, he showed them the stuff he had purchased for his shop but they refused to believe him.

Then they bought a bucket full of water and dipped his head into it. Two of them (soldiers) pushed his head into the bucked while two other hold his legs upwards. Whenever, they sensed he was going to die they pulled back his head for a second or two to allow him to breath. While the dipping was going on, one of the soldiers inserted a wooden rod into his rectum and then stirred the rod for about 25 minutes consecutively. The stirring ruptured his intestines badly. Shortly, blood started oozing out of his rectum incessantly. While Manzoor resisting the torture the water bucket felt down. Then he was laid against bare-floor and his neck was throttled with jackboots and soldiers kept demanding weapons from him. For 15 minutes, he was kept like that with booths on his neck to make him suffocate. Then a soldier gave 12 blows on his chest with military bulletproof helmet. One of the soldiers, when realized that he will die, if torture would not be stopped on him, intervened telling his colleagues to stop beating him, as few more blows will kill him. Then Manzoor was told by the soldiers that they were convinced that he was not a militant, as no one lie after that much of torture.

The soldiers on the orders of their officer took him back to the school. They want to take him naked but their officer objected to it and asked his men to put cloths on his body. While moving him towards school blood was coming out of his rectum continuously.

In school, he was taken into a classroom where already few boys of his village were detained. Manzoor was suffering from severe pain, with blood stains all over his legs. And, on seeing his critical conditions, few soldiers brought an army doctor. The doctor after conducted his superficial examination refused to prescribe him any medicine since his

conditions were very critical, required intensive medical care.

In the late afternoon, the soldiers announced that the crackdown continues, but allowed people to move back to their respective places for a night. All were told to get reassembled next day morning at the same place. But the detained youth were tied with a single rope and asked to proceed towards the camp. Manzoor was also tied with them but he was unable to walk. Then an army officer ordered his men to leave him there and tell him to go home for now and come next morning to the school.

Since he was unable to stand by his legs, he crawled to some distance, and then some youth of his area took him on their arms and dropped him at home. On entering home, Manzoor saw Latief Ahmad Mir in half-dead conditions and was left there to die. His family was called and he was taken back to his home. At the same night Latief Ahmad Mir succumbed to his injuries he received in army torture. Manzoor and Latief were subjected to same nature of torture. Manzoor was lucky enough to survive while Latief wasn't.

Since the area was under siege some youth dared out and brought a local doctor, who advised Manzoor's family to take him to the hospital immediately, as his conditions were serious. The army had imposed strict curfew in the area and he was not allowed to hospital. In the area there was no medical care available and he bled for whole night. Some of his family members early morning sought permission from the army personnel to allow him to the hospital, but the permission was denied. Instead they asked them to take him to the school, as the crackdown was not over. Since his conditions were critical, some boys courageously took him in a hard-cart and managed to take him to the main bus stop. The boys couldn't have been succeeded hadn't they were helped by a soldier guarding a *naka* of the area. He was straightaway taken to Shree Maharaja Hari Singh (SMHS) Hospital at Srinagar. In hospital, the doctors without wasting anytime time operated him on September 29, 1991. The doctors made colostomy (reversible surgical procedure in which a stoma is formed by drawing the healthy end of the large intestine or colon through an incision in the anterior abdominal wall and suturing it into place) on the left side of his abdomen. He remained admit in the hospital till 30-10-1991.

On 24-12-1992, he was readmitted in SMHS for operation. His colostomy was closed and on 20-01-92 he was discharged from the hospital. Unfortunately for him, operation wasn't successful.

Three months later on 10-4-1992, he was again admitted in SMHS for re-operation. But there was no luck for him and again the operation failed. Then he developed hernia and fistula (is an abnormal connection or passageway between two epithelium-lined organs or vessels that normally do not connect. It is generally a disease condition) There was no improvement in his conditions and the stool started

leaking from his open wound where colostomy was done.

In the same year, on December 8, he was readmitted for one more operation. Again there was no luck for him, as the then Head of Department of SMHS hospital denied him being operated there cited that one more surgery could cost his life. The HOD also conveyed to Manzoor that such types of operations were never conducted in the hospital.

Then Manzoor traveled to All India Institute of Medical Sciences (AIIMS) at New Delhi hoping that he would be treated there. To his shock, the doctors there refused to operate him, since he was a torture survivor from Kashmir. Disturbed and dejected, he returned back to valley. He is yet to operate upon for his physical problems. Manzoor, despite his ordeal, displayed tremendous courage and resumed his shop.

An FIR No. 120/1991 stand registered against 2 Dogra Regiment Army in police station Pattan Police. Police never bothered to investigate into Manzoor's torture case.

Again in July 1996, army called him into Palhallan camp, where an army Major accused him of receiving telephonic instructions from Pakistan. Manzoor told the Major that he was tipped wrongly and there was nothing like that, as he knew no one in Pakistan. Then he was threatened to shave the beard or face consequences. He was also told after shave to come back immediately to the camp to show them whether he had shaved his beard or not. When, he went to the camp to show the Major his shaved face, the Major tendered apology for threatening him to shave his face.

There seemed to be no end to his miseries. In the year 1996, Manzoor while digging a pit in his ancestral orchard spotted a dead body of a youth. The body later turned out to be of a disappeared youth of other village, who had gone missing some time ago. The body was taken by his legal heirs. But Manzoor had to bore the brunt of that. On the same day, at evening, Manzoor was called by the army to Palhallan Camp. At the camp, he was asked why he informed villagers about the body. He told the army that he was not alone in the orchard, as there were other villagers as well, either busy in nearby farming land or passing through, and they came to know about it of their own. Afterwards, Manzoor was allowed to go back home after spending an hour or so there.

This incident became sore in the eyes of army. After 15 days, a contingent of army of 8 Raj Rifles arrived at his shop. He was asked to get out of his shop and few soldiers entered his shop and put some literature of *Jamaa-e-Islamia* (religio-political organization) there. Then they, shockingly, accused him of advocating and propagating *Jamaat* ideology and distributing its literature. Meanwhile, an Army Major S.S. Sinha, calling himself Liyakat Ali, also reached the scene. When he enquired from his men what they were doing there, they told him that they

had recovered some *Jamaat* literature from his shop. Then the Major started harassing him, telling him that he was responsible for advocating and propagating *Jamaat* ideology in the area, which he categorically refused. Manzoor strongly believed that it was a well-knit conspiracy of army to revenge discovering the body of a disappeared youth. When he told the Major that it were his men who dropped this literature into his shop and also showed the name (Mohammad Ramzan Malik of Palhalan) written on those books. It were the books of some Ramzan Malik. The Major got furious over his defiance and told his men to take him to the camp.

In the camp, Major S.S. Sinha started beating him all over his body with his cane till he got tired. The Major accused Manzoor of selling *Jamaat* literature under the garb of selling school books. Then he was detained there for a night. During the night, he was interrogated and threatened to reveal all the descriptions and information he possess about his relatives. Manzoor had no idea why the troops asked him to divulge the details of his relatives, as none of his relatives was either a militant or in politics.

Next morning, a village *Lumberdar* (village head) came to the camp to meet the Major S.S. Sinha. The Major called Manzoor into his room and told him why he told the people about the dead body, why not he informed them about it immediately. Manzoor assured the Major that he not only first to see the body there were also other people present when the surfaced. The *Lumberdar* pleaded for Manzoor's innocence and he was sat free.

Naikoo had filed a suit against the Dogra-2 in the Additional District Judge Srinagar. The state of J&K has admitted in a written statement the arrest of Naikoo by the Dogra-2. Court has on 17-12-2004 has ordered the state which has requisition the army and Union of India who is controlling the army to bore the amount equally in share Rs 5 lacs, 1 lac for medical expenses and 4 lacs for monetary loss which Naikoo have suffered because of his torture injuries. He had incurred huge amount of money over his treatment and is indebted.

Manzoor's torture case attracted media and human rights organizations attention making his case a high-profile one. He was interviewed by journalists, global human rights watchdogs like ICRC, Human Rights Watch besides local human rights groups. A documentary film was made on his torture by then Eye Witness production, New Delhi, which was banned from screening by the government of India. A renowned Supreme Court Lawyer R.K. Garg, known for highlighting social issues, filed a petition before Supreme Court of India against Manzoor's torture and torture death of one Muzaffar Mirza of Tral area of south Kashmir. Muzaffar Mirza was torture in the same manner by the army as they did Manzoor. But after his demise nobody knows about the fate of that petition.

Manzoor's daughter Masrat Manzoor dropped out her studies, as she failed to maintain her

focus on her studies. Manzoor's torture laid serious impact on her daughter's psyche. She took consultation and counseling from psychiatrists. Now with little improvement in her father's health she feels better now. But Manzoor managed to stick his sons to studies.

Manzoor prefer not to spend even a single night away from his home even on marriage times of his close relatives, since his wound is still open and

TRAGIC FAMILIES

Maimoona Begum, 53,

W/o: Molvi Ali Mohammad Shah

R/o: Beerwha, Pethzoni Gham, Budgam (central Kashmir)

November 10: Maimoona Begum, 53, found it hard to hold back her tears when she was asked to unfold her ordeal. She said her pain and agony is "deep and permanent." The ongoing armed conflict had consumed her brother, young son-in-law and her dear son.

A resident of Beerwha, Pethzoni Gham, Budgam (central Kashmir) Maimoona wife of *Molvi* Ali Mohammad Shah is inconsolable since tragedies struck her family one after another. Maimoona has three sons and a lone daughter. Her husband *Molvi* Ali Mohammad Shah is an ordinary *Khateeb* (religious preacher) in a local Masjid. The family has no political history except its son in-law, who was a militant for few years.

The armed insurgency was just erupted, she said to *The Informative Missive*, "it was in 1991 when unknown armed-men appeared from nowhere and killed my brother Ghulam Mohammad Shah. He was murdered in Kangan, where he was posted and was living there with his in-laws. His killing shook entire locality as he shared amiable relations with one and all. Till now, we are wondering for which of his fault he was murdered. Who the gunmen were and what motive they hold, still a mystery to unravel."

She further stated, "Shah was an ordinary employee with Govt. Electric Department and has nothing to do with insurgency or counter-insurgency forces. It appears that he was killed for settling some score, about which we have no idea. He was an upright person, who never compromise on his hard kept honest principles."

Maimoona further related, "Shah's young wife turned widow and his two minor children orphans. Shah had married twice. He divorced his first wife on great mutual civility, and there remained no ill-will from either side. Then he re-married at Kangan area and put up there afterwards. His two children were from his first wife and her second wife was issueless."

Nine-years later, Maimoona son-in-law was killed in custody by Border Security Forces (BSF). "In 2000, my son-in-law Tariq Ahmad was arrested by BSF stationed at Sanat Nagar Camp. He was picked up in a raid at his house in Beerwha, Pethzoni Gham. Next day, his family and relatives jointly went to the BSF Camp only to be told that he would be free after

intermittently stool and gases are leaking out. Manzoor is making tireless rounds of hospitals hoping that doctors would agree to operate him, but there seems to be no end to his physical problems. Doctors are adamant no to operate him as it involves 85 % of risk. Even Manzoor is not getting much support for his operation from his children or wife, as they don't want to risk his life.

some questioning. Then BSF Commanding Officer (name not known) himself assured them of his release in good health. Contrary happened; his family got the news from Beerwha police station to get his dead body."

"On hearing the news, we all were shell-shocked. In desperation, my daughter (his wife), then recently operated upon for child delivery, jumped from a window of second floor. Lucky enough, she survived but her fresh wounds got re-opened and she injured herself badly. She is inconsolable since then," Maimoona said.

Maimoona further stated, "Tariq's body bore torture marks all over. The dead body speaks of itself about how much the torture was inhumane. The marks are deep telling a horrible story. His whole body had turned pale."

Maimoona said, Tariq had shunned the path of militancy and had turned to farming. It was perhaps his past association, which came into his way. "Tariq was a cadre of *Tehreek-ul-Mujahideen* (a militant outfit) and five years prior to his marriage he fully disassociated himself from it. And he never turned back to it again. He was living a happy life with his wife Fahmina. Then suddenly life took an ugly turn for him. His only son Samid was only a-month-old when he turned orphan. My daughter is living a life of a recluse," Maimoona averred.

Then again, in short span of two years, tragedy with catastrophic impact struck Maimoona's family. Her son failed to survive army torture. Twenty-two-year, Altaf Ahmad Sheikh was arrested by 19 RR (Army) from Badami Bagh Camp, Batwara (Srinagar). Altaf had quit his education after completing his 10th standard, and switched to painting profession with the aim to improve his family's financial state.

"In 2002, I was yet to recover from the shock of my son-in-law's demise, my son Altaf succumbed to torture. He was arrested by army from Shivpora (Srinagar) and after three days torture he was handed over to 34 RR and SOG Beerwha in moribund conditions. Later, the army, hand him over to police which took him first to SMHS hospital, wherefrom doctors referred him to SKIMS, Soura as his condition kept deteriorating. For two days he battled for his life in SKIMS", Maimoona said while failing to control his tears.

"On June 22, 34 RR and SOG arrested my son Hilal Ahmad Shah and his cousin Mohammad Imran. Both were released next day after being

tortured. The duo was questioned about Altaf's engagements after getting satisfied they were set free," Maimoona lamented.

She further stated, "His body was rolled over harshly, with some heavy roller damaged his kidneys. His face was badly beaten, abdomen full of scars and his body has brutal torture marks all over. Despite he talked to me till he slipped into coma. During his conversation, though with pauses and struggle, he told us about one Ayub Waza, who had wrongly tipped the army about him. My son told me Ayub Waza (who was also arrested and released after a short while) had misinformed the army about him. My son was neither associated with militancy nor he worked for any counter-insurgency agency."

The family had filed two FIRs one immediately after his arrest and the second after his death. The first FIR was filed with Ram Munshi Bagh P/S, Sonwar and the second FIR No. 73/2002 U/S RPC was lodged in Beerwha P/S.

Maimoona said, Altaf slipped into coma and was referred to Intensive Care Unit. "After spending a night in ICU my son died," Maimoona said and again broke down.

"Partly poverty and partly Altaf's interest he opted for painting and emulsion profession. He was doing well and his earning was helping the family. He turned to painting profession to alleviate family financial conditions. Meanwhile, Ayub Waza, himself a painter, impressed by his skills and befriended him but he was unknown of his association with the army. Waza was a snake in the glass. Then they were living together at Shivpora, Srinagar. One evening of 17 June 2002 at around 9.00 pm, army raided the house and took along Altaf," Maimoona lamented.

Maimoona further stated Altaf was kept in army custody for three consecutive days during which he was subjected to inhuman torture. Sensing more torture could take his life away then and there, the army handed him in bad shape to police. "After torturing him for three consecutive days and failed to extract anything implicating from him, army handed him over to the police. During conversation at hospital, when asked why Waza got him arrested, he said he himself had no idea but at the same time said the arrest was made to please the army for petty rewards. Waza never came to see him during treatment in the hospital further strengthen our doubt for his involvement in getting Altaf arrested and killed," Maimoona grumbled.

Maimoona's husband Ali Mohammad is suffering from multiple ailments including diabetes which doctors described as an offshoot of depressing tragedies. Maimoona herself a chronic heart patient and her husband are making every effort to keep her away from harsh past.

"The tragedies have ruined my entire family. There is nothing which can bring happiness to my family. The pain is permanent, deep, excruciating and eternal and there is no hope left. I have to live a life, a

life not less than a burden. I have no dreams now," Maimoona averred.

The family after six years of cumbersome process got *ex gratia* relief and a job in the case of Altaf killing. "It took Deputy Commissioner's office 5-6 years to sanction *ex gratia* relief to the tune of Rs. 1 lakh (one hundred thousand) and a job to my youngest son Manzoor Ahmad Shah, while as, the SHRC had recommended *ex gratia* to the tune of Rs. 3 lakh," Maimoona said added that only justice will bring emotional closure to her and her family.

2. Jana Begum

Widow of: Ghulam Mohammad Bhat

R/o: Wantwoora Mohalla, Kandi Kupwara

November 28-2011: 16-years elapsed, Jana Begum, 50, is still having fresh in her mind, the horrible memories of the days when her elder son become subject of disappearance and, few years later, her other son was killed by unknown armed men. She too lost her paralytic husband, in between, who many a times was beaten by army troopers for none of his fault. She had to dismantle her house and migrate, within her native village, to avoid Special Task Force (STF) shadow, which set up a camp base near to her house.

A resident of Kandi Kupwara, over 110 km away from Srinagar city, Jana, mother of eight children, is travelling to Srinagar from last few months to participate in monthly silent protests organized by APDP. Jana is clueless about his elder son's whereabouts, who disappeared in 1996 without any trace.

In 90s' her native village in Kandi, Kupwara was hot bed of militancy and on the other hand, army, STF and *Ikhwanis* (govt. backed gunmen from Gujjar community) had made the lives of people miserable there. Her fears are deep rooted, initially reluctant to speak openly; she relates her ordeal in pauses to *The Informative Missive*.

Jana while revealing her tale struggling with the accuracy of the dates but was good in sequence of her tragedies. She confided, "Mohammad Ashraf Bhat, 18, labourer, disappeared 16 years ago, in the month of November 1995. He had left his home for his routine labour work to Kupwara and was never seen again. I along with many of my relatives launched a search, confined to Kupwara only, but couldn't break loose any clue. No one has seen how he vanished. I never went to police for the fear and terror was deep and widespread in our area. I don't want to invite further wrath from the culprits who disappeared my son by reporting to police."

With Ashraf's disappearance army started raiding Jana's house for Ashraf and every time beat up her husband Ghulam Ahmad with sticks and gun butts. Army beating had turned Ghulam Ahmad paralytic. Jana said, "In 1999 my husband died. Army had made our lives miserable. After Ashraf's disappearance they often raid and search our house. The army leveled baseless allegations against us of being militant sympathizers and asked for Ashraf.

Whenever, we told them we ourselves were wondering what exactly has happened to him, they beat up my husband. They beat him with bamboo sticks and gun butts. The severe beating rendered him paralytic by his right side. He remained bed ridden till he died in utter shock”.

In 2001, tragedy revisited Jana’s house when her second son Ghulam Ahmad, 17, was kidnapped and subsequently killed by unknown gunmen.

“On August, probably 15, 2001, at round 11 am, a group of armed masked men – 6 in number – barged into my house and asked for my elder son Ghulam Ahmad, 17, a labourer. Without giving any reason, the gunmen took him along and said only by 12:00 noon (i.e. an hour later) he would be set free. Helpless, we can’t do anything. Exactly an hour later he was freed but dead.”

Jana paused, as these worst memories, she said, are still haunting her. After a brief pause she resumed, “His corpse was thrown at Rasun forest behind Forest Department’s rest house. Two bullets were pumped into him, one in his chest and another on his right thigh.”

She further stated, “Prior to his killing, Ghulam Ahmad was frequently harassed, arrested and tortured by army, STF and *Ikhwanis* (Govt. backed gunmen) working with army. He was at receiving end of *Ikhwanis* and STF. They were harassing and intimidating him to work for them and supply information about militant movements in the area. He never submits to their pressures and apparently for his defiance he was killed.”

Police filed FIR into his killing but never bother to conduct investigation. Even the public was not in a position to mount any pressure on police for

CM’S AIDE REVIVING GULAB SINGH’S RULE: RATTANPURI

Nov 27: Calling Jammu and Kashmir as police state, ruling National Conference (NC) Member Parliament on Sunday alleged that a person in Chief Minister’s office had tried to teach him a lesson through an incident in Pulwama. He said the Chief Minister’s trusted aide wants to take the state back to Gulab Singh’s rule.

“There is no suspicion that Jammu and Kashmir is a police state. I am afraid of police as they are running parallel government here,” Rattanpuri told media.

He said that on July 26, Superintendent of Police Pulwama used ‘foul’ and ‘derogatory’ language against him. However, he said since then no action has been taken against the police officer nor Chief Minister Omar Abdullah had bothered to ask him about the incident.

“You know who call shots in Chief Minister’s office? He wanted to teach me a lesson as during a working committee meeting of NC when I presented true picture before the CM. The close aide of CM wants to take state back to 1853 rule of Gulab Singh,” he said. Asked about the action taken by Chief Minister against two senior police officers for using ‘foul’ and ‘derogatory’ language in Jammu, he

investigation. The army, *Ikhwan* and STF were on terror spree and had made the lives of people miserable in the area.

There was no respite for Jana, as he had to dismantle her house and shift to interiors of Wantwoora Mohalla, Kandi Kupwara to escape the STF shadow. “As there was no let up to STF harassments and vulnerability has increased, with the deaths of my son and husband, to my other children coerced me to move to Wantwoora Mohalla, comparatively populated. In 2002 (probably), STF has set up a camp base near to my house exposed my children particularly my daughters to them, therefore, as already suffered at their hands, I had to dismantle my house and migrate to a little safer place,” Jana averred.

Jana’s family is going through tough times since the tragedies one after another befell on her family. Jana said, “I have a very small piece of land and can’t make any earning out of it. I had to send my son Imitiyaz to Punjab to ran for the family. All my four daughters are unmarried and I have to arrange things for them. I am receiving a paltry amount of widow fund from Govt.’s Social Welfare Department. In 2010, I filed an application in DC Office, Kupwara in Ghulam Ahmad’s killing under SRO 43 for providing a job to one of my sons.”

In last few years police couple of times came to Jan’s house and recorded her statements about Ashraf’s disappearance. “Police came twice or thrice and recorded my statements about Ashraf’s disappearance. But I don’t see any serious effort on part of the police. Only recoding statements will not do, they (police) have to do something concrete to establish Ashraf’s whereabouts,” Jana hopes.

said this shows how much Kashmiris are ‘disempowered’.

“It shows where we stand. Even a Member Parliament is easily hounded. Nobody from my own party bothered to say anything. Not even the Chief Minister. Though I talked to NC president Dr Sahib (Farooq Abdullah) about the incident who assured action but I didn’t feel to remind him,” he added.

On 24 November, government attached two police officers, including an IPS officer after a video showing them using “foul” language against some politicians was circulated on the internet.

“Minister for social welfare during Development Board meeting on July 28 asked me to remain silent as SP Pulwama shouted against me repeatedly. Sakina told me in the meeting that SP might fire from his pistol,” said Rattanpuri

“Even I have moved privilege motion against SP Pulwama through Home Ministry. But no acknowledgement has been received from the state home department so far despite . And November 25 being a deadline for it,” Rattanpuri said.

He said that an RTI application has been filed with Chief Engineer Roads and Buildings department to seek details about any favor made on

his behalf for his workers as was alleged by the Police.

MLA DENIED TRAVEL DOCUMENTS

Nov 14: A legislator from Langate constituency of border district of Kupwara said he has been denied a passport because of an "adverse" report submitted by police investigation wing.

"I had applied for a passport 11 months ago, and when I sent a colleague to collect the passport he was told that the CID report in this case is adverse," MLA Langate Sheikh Abdul Rashid said.

He said he had received a "Tatkaal" passport last year when he was invited to attend a conference in the United States. "Now when I have applied for a permanent passport, they are denying it," he said.

He said there were cases registered against him, "but all are politically motivated". "I am a vocal about human rights but that does not mean I will not be given passport," he said.

"The RTI application has not been accepted by R&B," he added.

"The denial of passport to a legislator has punctured the tall claims of government that it is trying hard to create the environment of reconciliation in the State. When an MLA is denied passport, it reveals apathy of government towards the settlement of any issue," Rashid said.

He said, "If this government cannot do these simple things, how can Chief Minister Omar Abdullah claim to bring major changes."

A senior police official in the Criminal Investigation Department (CID) said inquiry into the Rashid's case "is pending".

Passport officer Shrikanth Sharma told media that he will look into the matter. "I will look into all the details," he said.

MILITARIZATION

➤ **CRPF 'OCCUPIES' 18 UNITS IN SOPORE INDUSTRIAL ESTATE**

Nov 15: On one hand government claims to promote entrepreneurship in the State but on the other hand it has failed to reclaim the major chunk of land in the industrial estates 'occupied' by CRPF.

Till date, nearly 60 per cent of the Sopore Industrial estate, established in 1972 on 80 kannals of the land, is 'occupied' by the CRPF as a result large chunk of the estate land is defunct since December 7, 1989.

In the Sopore Industrial estate area, 19 units started in its early phase which further increased to 36 in 1987- 88 and out of which 18 prime units of the estate were occupied by the security forces.

"Out of 36 units, 18 prime units are defunct as they have been occupied by the security forces for last 21 years," said Vice President of the Federation Chamber of Industries, Kashmir Javed Bhat.

"These 18 units were meant for manufacturing of nails, joinery, plastic shoes, rolling shatter, soaps, candles, barbed wires and channeling fences," added Bhat.

According to FCIK, Governor N N Vohra had assured them last year that the industrial estate would be freed from the security forces "but the land is still under the occupation".

"Governor promised to evacuate security forces from estate land but they have not kept promises so far. The government is only giving empty assurances regarding the matter," said he.

FCIK said that at evacuation of the estate land would provide opportunity for aspiring entrepreneurs to start the new units.

"There are other estate lands also which are under occupation. If the government vacates security forces from the area, at least 500 entrepreneurs can establish their units. The problem of unemployment can also be solved," Bhat added.

On why land was not given to new entrepreneurs, Minister for Industries and commerce, SS Salathia said the issue would be solved soon.

"Government has set up a commission which is headed by the Chief Secretary and other high officials. The issue will be solved soon," said Slathia.

➤ **CRPF VACATES FIRDOUS CINEMA PARAMILITARY PERSONNEL SHIFTED TO KUPWARA; LOCALS RELIEVED**

Nov 30: In what can be termed as major confidence building measure for people of old city, paramilitary CRPF has vacated its camp in Firdous cinema in Hawal chowk, much to the relief of the local population.

The Firdous cinema, one of the popular movie halls in the old city, was occupied by paramilitary personnel in early 1990s after eruption of militancy in the State.

Ali Muhammad, a shopkeeper at Hawal said few days back CRPF personnel left the place and vacated the camp. "They have taken their belongings. However, they have not dismantled the bunkers yet," he said.

People of the area have heaved a sigh of relief over removal of the camp from the area. "The camp was main target of militants. The militants targeted the camp repeatedly during past 20 years of armed conflict. The presence of paramilitary personnel camp in the area was major cause of stone pelting incidents in the area during unrest last year," they said.

Terming it a welcome gesture, the locals said removal of camp from the area will ensure peaceful environment in Hawal and adjoining areas. "All the bunkers located in congested residential area in Srinagar and other places of the Valley should be removed," they said.

"When there will be no bunkers, there won't be any stone pelting incidents. The presence of

bunkers prompted youth to hurl stones on the force personnel during protest demonstrations," he said.

CRPF spokesman Mohsin Shaheedi while confirming the development said, "CRPF men of 162

'GET SANCTION FROM CENTRE AGAINST ACCUSED PERSONNEL'

SHRC ASKS STATE GOVERNMENT

ENFORCED DISAPPEARANCE OF SOPORE

Nov 27: Jammu and Kashmir State Human Rights Commission (SHRC) has asked the State Government to obtain sanction from Centre for prosecution of the personnel of paramilitary CRPF allegedly involved in custodial disappearance of a civilian of Apple Town Sopore in north Kashmir's Baramulla district in 1990.

The Commission gave the direction in the case of Khursheed Ahmad Bhat of New Colony Sopore who was allegedly subjected to custodial disappearance on September 5, 1990. In his judgment, the member SHRC, Abdul Rashid Khan has expressed resentment over delay in according sanction for prosecution by the Centre against the accused personnel. He has asked the State Government through Chief Secretary to obtain the sanction from Centre to pave way for initiating criminal proceedings against the accused.

Pertinently, by virtue of AFSPA, no legal proceeding can be brought against any member of the armed forces without sanction of the Central Government.

The judgment states that the Commission had taken suo-motto cognizance of a report that personnel of 50th battalion of CRPF had whisked Khurshid Ahmad Bhat to Jagir Camp at Sopore on September 25, 1990 and since then his whereabouts are not known.

The Commission quoting a report of Sopore Police Station stated that Khurshid was running a shop named 'Light and Sound' at Iqbal Marker Sopore and was lifted by CRPF from his shop at 11 am on the fateful day. It states that Police had registered an FIR no 258/1990 under section 365, 346 RPC at Sopore Police Station and started investigation. During investigation, statement of nine witnesses mostly shopkeepers of the area was recorded. "The witnesses deposed that the personnel from 50th Battalion of CRPF led by two officers Dy SPs Lakha Singh and Manmohan Sharma alias Moni Singh forcibly entered his shop and lifted him. They forced him to enter into their vehicle (DL/1714) and took him to CRPF camp located at Fruit Mandi Sopore," the judgment stated.

It said that when Khurshid's relatives had approached the CRPF camp, they were assured that he will be released. But the assurances turned to a hoax.

PUNJAB POLICE UNLEASHES TERROR ON HIGHWAY

KASHMIRI BUSINESSMAN PAYS RS 15000 TO SAVE HIS LIFE

Nov 29: The harassment and loot allegedly by Punjab Police has triggered panic among the Kashmiri businessmen traveling to different parts of India.

Over a month after highway robbers decamped with shawls worth lakhs of rupees from a

bn, who were stationed in the camp, have vacated the place. They have handed it over to local police".

He said 162 BN CRPF have been shifted to border district of Kupwara.

The Commission stated that the witnesses, who were kept in custody with Khursheed acknowledged that he was brought to the camp on the fateful day.

"They deposed that the Commandant of the battalion Kripal Singh with ASI Ram Chande alias Chaha and Constable Gabbar Singh tortured Khurshid severely in their presence due to which he was not even in a position to stand on his legs. He was then dragged to another room in a critical condition where he was further beaten and tortured," the judgment states.

"From the perusal of the police report and other material facts on the file, it has been established beyond any doubt that Khurshid was lifted by personnel of 50th battalion of CRPF and died in their custody. The case of enforced disappearance has been proved against the accused personnel under section 365 and 34. The case was sent to the higher authorities on November 11, 1995 for accord of sanction for prosecution. However, the sanction has not been accorded by the competent authority even after lapse of more than 16 years," the judgment states.

It states that the prosecution has opined that as per the section 108, 114 of the Evidence Act, there is no possibility of Khurshid being alive. "Even his dead body has not been handed over to legal heirs for performing last rites,"

The Commission recommended to the Government through Chief Secretary that necessary sanction for prosecution against the accused must be accorded from the competent authorities in Centre immediately.

"After the sanction for prosecution is received and other formalities are completed, the challan of the case should be presented before the Court of law against the accused personnel," it added.

The Commission also recommended grant of benefits under SRO-43 to the victim's eligible family member.

Incidentally, many cases, in which the Commission has established the involvement of armed forces including Chattinisighpora, Panchathalan and Brakpora massacres, Kunanposhora and Handwara rapes, are pending from years together due to want of sanction from the Centre.

prominent businessman, Syed Maroof Shah of Sanantnagar near Hoshiarpur, another businessman of the valley had to pay Rs 15000 as bribe in broad day light to uniformed men to save his life and goods.

Narrating his woeful tale Basharat Rashid of Nowgam calmed that on November 21 his car was intercepted by three uniformed men traveling in Qualis No. PB-08PQ-74180) at Jalandhar around 1:30 pm. "The police party was headed by Assistant Sub Inspector and his two subordinates. I was traveling in my car along with my family, including my 4 year old kid. The policemen asked us to disembark from the vehicle and we followed their orders. They (policemen) started searching my vehicle and asked me awkward questions as to why I was carrying blankets, clothes and shawls along," he said.

"They harassed us asking to show sales tax receipts. I told them (policemen) that sales tax is not

YOUSUF'S DEATH ROW: GOVT APPOINTS JUDICIAL COMMISSION

Nov 18: The J&K government appointed one-man judicial commission to probe NC worker Syed Mohammad Yousuf's death. The former Supreme Court judge H S Bedi will probe the mysterious death of ruling party's worker.

An official spokesman said in exercise of the powers conferred under Section 3 of the Jammu & Kashmir Commission of Enquiry Act 1962, government has appointed a Commission of Enquiry comprising Justice H S Bedi, former Supreme court Judge.

"The Commission shall inquire into the causes and circumstances leading to death of NC worker Syed Mohammad Yusuf son of Syed Ghulam Ahmad of Loktipora, Bijbehara, Islamabad and fix the

PRISONER THRASHED IN JMU JAIL BY SUPERINTENDENT

Nov 18: The Superintendent of Amphala Jial in Jammu allegedly broke both the arms of a prisoner after some altercation.

According to sources within the jail, one Fareed Ahmad of Doda who was admitted in the GMC Jammu this afternoon was beaten ruthlessly by the jail superintendent.

"We don't know the reason but we saw the Superintendent ruthlessly beating Fareed inside the jails," sources said.

Fareed was taken to the hospital to in a worst condition. "His both arms are fractured," a doctor said.

CRPF MEN HELD FOR 'HARASSING' WOMAN

Nov 18: Police arrested two paramilitary CRPF men on the charges of harassing a woman in old city Srinagar.

Locals alleged that three CRPF men in civvies were following a woman in Karfali Mohalla Habbakadal. "After she entered into her house the trio tried to barge into her house forcibly. However, the woman raised an alarm attracting the attention of neighbours," they said. "We nabbed two personnel while the third one escaped from the spot. We didn't take law into our hands so we handed them over to police. Let's hope police acts responsibly and lodges a case against them."

Meanwhile, a police officer told media that two CRPF men of 75th battalion were detained on the

applicable on shawls but they refused to listen. The police party asked me to follow them to the office of Sales Tax department nearby. I agreed to it," Rashid said.

However, he said on way to the police vehicle stopped and the cops demanded Rs 25000 for setting them free. "I feared for our lives so I paid them Rs 15000 and gave them walnuts. There was no nameplate on their uniform which I looked into so as to identify the trio. We were humiliated so much that I will never forget it. Only thing which struck my mind was Maroof Shah's fate. These thugs and goons could have gone to any extent to loot us," he said.

responsibility for the lapses, if any committed by any person in discharge of his duties under law," he said.

He said the Commission shall perform all the functions necessary for holding the inquiry or incidental thereto and submit its report to the government within a period of six weeks.

"The Government further being of the opinion that it is necessary so to do, has directed that the provisions of the sub-section (2),(3),(4),(5) and(6) of Section 5 of the said Act shall be applicable to the Commission," the spokesman added.

Justice Bedi is a former Chief Justice of Bombay High Court and retired as Supreme Court judge on September 5 this year.

According to the jail records Fareed was allegedly a worker for Hizb-ul Mujahideen militant.

However, Fareed denied any such allegation and said that he fell on the ground while doing physical training inside the jail.

Contrary to the Fareed's explanations, sources within the jail said, he is frightened and has been pressurized.

Sources said that the complaint has reached the high police officials and probably an internal inquiry will be lodged into the incident.

charges of harassing a woman. "The duo was lodged in Police Station Shaheed Gunj. However no formal complaint has been lodged against the accused they are in our custody on the basis of suspicion. We are waiting for a formal complaint so that a case can be registered against the duo. We are questioning them," the officer added.

The CRPF spokesman M Shahidi denied the allegations of molestation and harassment. "CRPF men had gone to market to make some purchases. However they lost the way and went into interiors of the locality. The allegations about harassing or molesting any woman are completely false and fabricated," he claimed.

"The unit commandant has taken up the issue with Police for their release. Whatever is the

allegation it can be probed as they will be available in the unit," he added.

LENSMEN ASSAULTED

Nov 25: A photojournalist was detained by police and paramilitary CRPF while three others were allegedly assaulted Friday in old city Srinagar.

The lensmen were covering the clashes at Saraf Kadal after the Friday prayers. The injured have been identified as Umer Mehranj of Associated Press, Yawar Kabuli of Kashmir Dispatch, Showkat Shafi freelancer, and Shahid Tantray of Dainik Bhaskar.

Kashmir Press Photographers Association (KPPA) has condemned the action of security personnel. The detained lensman was later released.

A police spokesman said, "After the Friday prayers some miscreants resorted to stone pelting at Saraf Kadal area of downtown Srinagar. Police exercised maximum restraint in spite of grave provocations and to quell the mob chased the miscreants and in the ensuing melee some photo journalists, who had intermingled with the crowd to cover this subversive activity, got trampled down by the fleeing miscreants."

OVER 50 YOUTH ARRESTED IN 3 DAYS: POLICE

'MORE ARRESTS LIKELY'

Nov 27: A senior police official Sunday said over 50 youth including 21 minors have been arrested by police during last three days for participating in protest demonstrations in the city. He warned that the crackdown against stone-throwers would continue.

"At least 38 youth are presently being held at various places," SP (City North) Showkat Shah told PTI.

He said there are 21 juveniles in the age group of 16 to 18 years, who have been sent to the juvenile home and 17 majors who are with police.

"We are gathering more information about others (who had participated in protests). Certainly, there will be more arrests," he said.

He said the crackdown against the stone pelters would continue.

"All the arrested youth are stone pelters," a police officer said.

However, the locals denied the police charge and said police arrested several innocent youth. "My son went outside to buy chocolate from a shop in our locality. But we learnt he has been picked up by police on charges of stone pelting. My son is innocent, he has never indulged in any such thing," said a mother of a fourth grade kid.

OFFICIAL STATEMENTS

➤ AFSPA WITHDRAWAL COMPLEX ISSUE: DG BSF

Nov 1: The BSF, which is entrusted with security-related duties in Jammu and Kashmir, said the issue of withdrawal of AFSPA from the state is a "very complex" question and will not yield a "very simplistic" solution.

Talking to reporters after taking over as the new Director General of BSF, U K Bansal said an appropriate decision on the issue will be taken by the government in the larger interest of the country.

"The issue of removal of AFSPA from J&K is a very complex question and it will obviously not yield a very simplistic solution. All I can say is that an appropriate decision would be taken by the government in the larger interest of the country and the region which is being discussed and BSF will implement it," he said.

➤ AFSPA DECISION TAKEN BY CABINET COMMITTEE ON SECURITY: CHIDAMBARAM

Nov 1: Home minister P Chidambaram has backed Jammu and Kashmir Chief Minister's announcement on withdrawing the Armed Forces Special Powers Act (AFSPA) from parts of the state. Omar Abdullah was only taking forward a September 2010 decision of the Cabinet Committee on Security (CCS), Chidambaram said.

There was nothing unusual or strange about Abdullah's decision to expedite the review of

AFSPA – recommended by CCS as part of an 8-point formula to restore normalcy in J&K after the violent public protests in the summer of 2010. "Let the chief minister come back to us after the state cabinet review. This is a CCS decision and I am part of the CCS," Chidambaram said while briefing reporters on MHA's report card for October.

➤ AFSPA REMOVAL WILL RENDER ARMY HANDICAP: PARNAIK

Nov 3: Army said withdrawal of AFSPA from certain pockets of the State as advocated by Chief Minister Omar Abdullah will render army handicap and affect their capability of dealing with militancy.

"To rollback AFSPA from certain pockets of J&K at this point of time may be a genuine point owing to peaceful year. But peace is very fragile. After all we have seen one of the most peaceful summers in 2011 and that has happened with AFSPA only," Army's Northern Command chief Lt Gen K T Parnaik told media persons at Teetwal.

➤ I HAVE THE AUTHORITY TO REVOKE AFSPA: CM

Nov 10: After holding discussions with the Army on the possibility of partial revocation of AFSPA, Chief Minister Omar Abdullah appeared defiant saying his government has the authority to revoke the controversial law.

"I have the authority. The elected state government of any state has the authority. In this case

(revocation of AFSPA), the authority rests with the governor who would act on the basis of the state government's recommendations," Omar told reporters on the sidelines of a function in Srinagar.

➤ **AZAD BACKS CM'S STAND ON AFSPA**

Jammu, 10 NOV: Union health minister Mr Ghulam Nabi Azad strongly backed Jammu and Kashmir Chief Minister Omar Abdullah's call to lift the Armed Forces Special Powers Act from some parts of the state, a demand which is being opposed by the Army. Talking to reporters in Jammu, Azad, who is also a former Chief Minister, said: "The matter (of dealing with AFSPA) should be left entirely to the wisdom of the CM and Union home minister P Chidambaram."

"This will send good signal both nationally and internationally," he added.

A Unified Headquarters meeting was held recently in which Army gave a detailed briefing on its opposition for even partial removal of AFSPA from certain areas of the state and also went to the extent that if AFSPA is removed, Kashmir may become independent by 2016, a statement which shocked everyone present at the meeting.

➤ **IF AFSPA IS REMOVED, KASHMIR MAY BECOME INDEPENDENT BY 2016: ARMY**

Nov 11: During a Unified Headquarters meeting Army gave a detailed briefing on its opposition for even partial removal of AFSPA from certain areas of the state and also went to the extent that if AFSPA is removed, Kashmir may become independent by 2016, a statement which shocked everyone present at the meeting.

Army contended that AFSPA is an enabling act to counter terrorists operations and should be seen in the context of the proxy war waged by Pakistan in the state.

Other central agencies opposed the Army's move and termed the assertion of the Army as a far-fetched and without any basis.

The Chief Minister told the meeting in no uncertain terms that "no is not an option" and that partial removal of AFSPA would have to take place. Omar also later went on to stress that he was fully authorised to revoke the act from the areas he wished.

➤ **JK RECORDED 50% DECLINE IN MILITANCY IN 2011: POLICE**

Nov 22: There has been nearly 50 per cent fall in militancy-related incidents this year in Jammu and Kashmir with no such activities taking place in three districts and 13 others registering just single digit militancy cases.

"There was fall in militancy-related incidents from 336 in 2010 to 179 this year up to November 15. It shows nearly 50 per cent dip," a senior police official said.

He said of the 179 cases, Jammu witnessed 27 incidents and Kashmir 152 violence related incidents.

As per official statistics, 13 districts have witnessed less than 10 militancy cases this year, while

no violence related incidents have taken place in Reasi, Samba and Kathua districts in Jammu region.

"In Kashmir, Budgam witnessed three militancy related incidents, followed by four in Kulgam, five in Islamabad and eight each in Shopian, Ganderbal and Bandipora. In Jammu region, Kishtwar witnessed eight such cases, Ramban (5), Doda (6), Poonch (4), Rajouri (2) and one each in Jammu and Udhampur districts", the statistics reveal.

It further discloses that attacks against forces too saw a dip from 69 cases in 2010 to 36 up to November this year.

➤ **'91 CIVILIANS KILLED IN POLICE FIRING IN JK IN 2010**

Nov 23: At least 91 civilians were killed and 494 others injured in police firing in Jammu and Kashmir in 2010, the Rajya Sabha was informed.

"As per National Crime Record Bureau data, 91 civilians were killed and 494 injured in police firing during 2010 in Jammu and Kashmir," Minister of State for Home Jitendra Singh informed Rajya Sabha in a written reply.

He, however, dismissed the suggestion that the number of police personnel, who become victims of violence at the hands of rioters, is highest in Kashmir in comparison to other states.

➤ **GOV, NOT CM HAS FINAL WORD ON AFSPA REMOVAL: LAW MINISTRY**

Nov 23: The Union Law Ministry saying the Governor can overrule the recommendation of the state government on AFSPA revocation.

Reversing its stand, the Law Ministry has informed the Government of India (GoI) that Governor N N Vohra enjoys the power to overrule any decision of the Omar Abdullah government for revoking the Armed Forces Special Powers Act (AFSPA) in the border state.

➤ **ARMY NOT MASTER OF JK PEOPLE: FAROOQ**

Nov 27: Union Minister Farooq Abdullah said Army was not the "master" of the people of the state and that it should concentrate on choking infiltration of militants.

"Army is not our master. Just remember that. People of Jammu and Kashmir are masters of the State. Army is not the master. Army is only to protect. They will continue to protect the interest of nation," Farooq told Karan Thapar in "Devil's Advocate" to be telecast on CNN-IBN.

➤ **6-TIME FALL IN STRIKES: POLICE**

2,096 SEPARATIST-SPONSORED PROTESTS IN 2 DECADES: POLICE

Nov 27: Jammu and Kashmir has witnessed a six-time fall in demonstrations called by separatists in 2011 as compared to the previous year, police said.

"There were 35 separatist-sponsored strikes in 2009 and the number increased to 131 in 2010. However, only 21 protests took place till November 15 this year, indicating a six-time decrease," a senior police officer said in Jammu.

According to Home department data, a total of 2,096 separatist-sponsored processions and

demonstrations took place in Valley in the past two decades. 1,692 such protests were recorded so far from January 1990.

"The State witnessed highest 416 demonstrations in 1992, while 207 strikes took place in 1991," the report added.

➤ **GRENADE, ROCKET ATTACKS DOWN BY 50%: POLICE**

'6242 GRENADE BLASTS, 5719 IED EXPLOSIONS IN JK IN 20 YEARS'

Nov 29: The incidents of rocket and grenade attacks in the State have fallen by around 50 per cent this year as compared to the same period in 2010, a senior police official has said in Jammu.

"There is around 50 per cent decrease in the grenade attacks, explosions and rocket attacks this year up to November 15 as compared to the corresponding figure last year," the official said.

He said according to data compiled by the Home Ministry, as compared to 77 grenade blasts,

SUICIDE BY TROOPERS

➤ **CRPF MAN COMMITS SUICIDE**

Nov 2: A Central Reserve Police Force (CRPF) jawan allegedly committed suicide by shooting himself with his service rifle at Jammu Tawi Railway Station Jammu.

Police said that a CRPF jawan identified as Constable Rakesh Kumar, a resident of Tarore area of Samba district, posted at Group Centre, CRPF Headquarters, Bantalab, this morning shot himself with his service rifle (AK-47) inside bathroom at Railway Station platform.

Police said that on hearing a gunshot, his colleagues rushed to the spot and found the jawan dead.

The body was shifted to the hospital for postmortem, police said adding no suicide note or other document was recovered from his possession.

explosions and rocket attacks in 2010, there were only 39 such incidents in 2011 up to November 15.

While incidents involving hurling of grenades have fallen from 31 in 2010 to 21 in 2011, IED explosions have shown a dip from 25 to 15 and rocket attacks fell down to three from 21.

"In 2009, there were 56 grenade incidents and 25 IED explosions besides 29 rocket attacks," reveals the data.

"There were 11,961 grenade attacks and explosions in the past 20-years of turmoil in the State. 6,242 hurling of grenade incidents and 5,719 IED explosions have been reported since January 1990," the official said.

He said highest number of 821 grenade attacks were reported in 1994 and the highest number of 1,280 explosions took place in 1990.

Constable Rakesh Kumar shot three bullets in his chin which pierced through head and hit the roof inside the bathroom of the station, at 11.30 AM. The reason behind the man taking the extreme step is not known, police said, adding that inquest proceedings under section 174 CrPC have been initiated by the police.

➤ **SOLDIER SUICIDES**

Nov 22: A soldier allegedly committed suicide by shooting himself with his service rifle in Rajouri district of Jammu. Lance Naik Ravi Kumar shot himself during guard duty on the night of Nov 22, an Army official said. After hearing a gunshot, his colleagues rushed to the spot and found him profusely bleeding, he said. Kumar was rushed to military hospital where doctors declared him brought dead.

DATE	TROOPERS	MILITANTS	CIVILIANS	OTHER
Nov 01	-	-	-	-
Nov 02	1	-	-	-
Nov 03	-	-	-	-
Nov 04	-	-	-	-
Nov 05	-	-	-	-
Nov 06	-	-	-	-
Nov 07	-	-	-	-
Nov 08	-	-	-	-
Nov 09	-	-	-	-
Nov 10	-	-	-	-
Nov 11	-	-	-	-
Nov 12	-	-	-	-
Nov 13	-	-	-	-
Nov 14	-	-	-	-
Nov 15	1	-	-	-

Nov 16	-	-	-	-
Nov 17	-	1	-	-
Nov 18	-	-	-	-
Nov 19	-	-	-	-
Nov 20	-	-	1	-
Nov 21	-	-	-	-
Nov 22	1	-	-	-
Nov 23	1	-	-	-
Nov 24	-	-	-	-
Nov 25	-	-	-	-
Nov 26	-	-	-	-
Nov 27	-	-	-	-
Nov 28	-	-	-	-
Nov 29	-	-	-	-
Nov 30	-	-	-	-
Total	4	1	1	0

CHRONOLOGY

Nov 1: Two persons including a woman were injured when unknown person hurled a grenade towards a bunker of army's 41 Rashtriya Rifles in the crowded general bus stand at the border town of Kupwara. The explosive missed the intended target injured two persons, identified as 22-year old Saleema Bano daughter of Abdur Rahman of Gugloosa and 18-year old conductor, Muhammad Ashiq Bhat son of Muhammad Iqbal of Thandipora, Kralapora. In a separate incident, one Majid Majeed Padar son of Abdul Ahad of Kharpora, Shangas, in South Kashmir district of Anantnag was injured following an explosion during a marriage function at Zalangam, Kokernag. Eyewitnesses said a powerful blast took place in the compound of one Muhammad Rajab Mir son of Habibullah where a feast was being prepared in connection with the marriage ceremony of his daughter resulting in injuries to the villager. He was rushed to the District Hospital at Anantnag wherefrom he was shifted to SK Institute of Medical Sciences, Soura, in critical condition.

Nov 2: A Central Reserve Police Force (CRPF) soldier allegedly committed suicide by shooting himself with his service rifle at Jammu Tawi Railway Station Jammu. The deceased was identified as Constable Rakesh Kumar.

Nov 3: No incident of violence reported from any part of the state.

Nov 4: No incident of violence reported from any part of the state.

Nov 5: No incident of violence reported from any part of the state.

Nov 6: No incident of violence reported from any part of the state.

Nov 7: No incident of violence reported from any part of the state.

Nov 8: A suspected militant attempted to shoot a police cop was foiled in near Mehandi Kadal, Anantnag in south Kashmir.

Nov 9: No incident of violence reported from any part of the state.

Nov 10: No incident of violence reported from any part of the state.

Nov 11: No incident of violence reported from any part of the state.

Nov 12: No incident of violence reported from any part of the state.

Nov 13: No incident of violence reported from any part of the state.

Nov 14: No incident of violence reported from any part of the state.

Nov 15: A Special Police Officer (SPO) was killed in an encounter with militants of Hizbul Mujahideen in dense forests of Dachan area of Kishtwar district.

Nov 16: No incident of violence reported from any part of the state.

Nov 17: A militant of Hizbul Mujahideen was killed during an encounter with security forces at Shalidar village near Keller Shopian. The slain militant, who according to police was a district commander of Hizbul Mujahideen, has been identified as Muneer Ahmad Kalas son of Noor Muhammad R/O Draklaran.

Nov 18: There were reports of protests and at few stone pelting incidents from different part of Srinagar against blasphemous Facebook posts.

Nov 19: No incident of violence reported from any part of the state.

Nov 20: Unknown gunmen fired at officials of the Forest Department in Bandipora in north Kashmir. In the attach four officials Ghulam Nabi Shiekh, Iftikhar Bhat and Mushtaq Ahmed Sofi who were on duty in compartment No. 9

in Ningli Range of Bandipore Forest division got injured. The injured were rushed to the hospital where Mushtaq Ahmed Sofi succumbed.

Nov 21: No incident of violence reported from any part of the state.

Nov 22: An army soldier allegedly committed suicide by shooting himself with his service rifle in Rajouri district of Jammu. The deceased was identified as Lance Naik Ravi Kumar.

Nov 23: A paramilitary BSF man was killed in an accidental grenade blast in Jammu's Poonch district. Identified as Sambaji Shivaji of 94 battalion was killed when a grenade went off accidentally in the forward Ghora post along the Line of Control (LoC) in Mendhar sector. IN another incident two persons identified as Ghulam Muhammad Sofi of Pattan and Haji Abdul Khaliq Bhat of Malepora Pattan were injured in a grenade blast in Pattan.

Nov 24: a Territorial Army man and two civilians were injured when suspected militants fired upon TA soldier at Naidkhai in Bandipora district of North Kashmir.

Nov 25: Four persons including a National Conference block president and a Territorial Army personnel were shot at and injured by unidentified gunmen during last. Reports said NC block president Abdul Salam Malik who is also Sarpanch of village Panzu of tehsil Tral was shot at and injured by unidentified gunmen near bus stand in Tral town. "He was shot in leg and arm when he came out of the mosque after offering Friday prayers.

Nov 26: No incident of violence reported from any part of the state.

Nov 27: No incident of violence reported from any part of the state.

Nov 28: No incident of violence reported from any part of the state.

Nov 29: No incident of violence reported from any part of the state.

Nov 30: No incident of violence reported from any part of the state.

Published by:

PUBLIC COMMISSION ON HUMAN RIGHTS

Office: The Bund, Amira Kadal, Srinagar, Jammu and Kashmir

Tel: 91-194-2482820

E-Mail: p_imroz@yahoo.co.in

Web: www.jkccs.org