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**Shopkeeper Beaten by Miscreants,
Forcing Shut Down, Dies in Hospital**

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PERCEPTIONS

In conflict, perceptions differ about human rights. The human rights defenders (HRDs) look at it through a different prism while as the victims have their own experiences. Mostly, human rights defenders came from elite class and for them human rights campaign is linked with their class interest. The economical condition is an important factor in human rights. Poverty being the worst human rights violation made economically disempowered sections of society more vulnerable to subjugation. Being voiceless and ignorant about their rights, there develops a culture of acceptance of repression from state instrumentalities. The predominate factor in elitist HRDs campaign remain justice and punishment to the perpetrators. However, the victims are for relief and rehabilitation, which is of paramount consideration for sustaining rest of family. Therefore, the considerable size of victims approaches government and at times even perpetrators for financial support. Being fully-conscious of the fact, the same people have wronged them. It becomes more impertinent when there is no alternate civil society institute, which will help them in mitigating their sufferings. There are, but very few organizations with little resources, thus, coping up with huge number of victims becomes difficult for them. The civil society cannot be an alternative to the govt. in the matter of resources.

HRDs and victims contradiction in the conflict area is obvious. Sometimes, the HRD blame victims for letting them down by compromising on pittance and ending up in frustration. There has been instances which are disturbing like during assembly elections, watching a mother of a disappeared dancing for election campaign in remote village of Kupwara or observing an army's torture victim, whose legs were amputated, joining the programme of Operation *Sadbhavana* (goodwill) and tour India to glorify the perpetrators. Or victims not cooperating with HRDs and accusing them of running after their bones, as the flesh have already taken away by the state.

There are other shocking examples. Victims dissatisfied with legal or financial relief, which one was clumsily arranging from local resources, starts yelling outside the office and accusing the HRDs for not sustaining it endlessly. This disgusting attitude from the victims made HRDs to rethink their decision to fight on their behalf. It becomes more disheartening to observe that the victims are least concerned or offensive / agitative against their wrongdoers (army and police). Instead they create hurdles to their supporters, who have taken on state. We have another shocking case of a young lady tortured and gang raped by army. Her uterus was removed. Further she was incarcerated for three years under the administrative detention. Her father was also disappeared but she showed no hesitation in marrying her daughter to a young army official from Gujarat.

Through these ways, though very few such examples, the HRDs felt let down. Every society has different cultural backgrounds and complexities. We have to categorize the victims. Even under the prevailing situation, there are victims who have become agents-of-change and most of them are from the lower strata of the society. They have displayed will and determination for seeking justice. They also contribute in galvanizing the victims for a collective initiative. On the contrary, there are victims from the privileged class also like doctors and engineers. This class has no such financial insecurities but has accepted the disappearance of their relatives. The Editor's strange experience with an engineer from Uri, who was more interested in getting his children enrolled in a boarding school in Simla or Delhi than about the fate of his disappeared brother. Victims are the products of the society; of course, they being realist are more focusing to the left over relatives' survival. The frustration of the HRD is uncalled for. While campaigning for human rights one has to strive to change the culture that too in a society where there is long history of suppression, oppression and enslavement, and silence has become a part of the culture.

STRUCK ON HEAD, SHOPKEEPER DIES IN HOSPITAL

A shopkeeper, Tariq Ahmad Bhat, 31, son of Abdul Salam of Rangar Hamam, Nowhatta succumbed to his injuries on December 14 after two weeks of hospitalization in Sher Kashmir Institute of Medical Sciences (SKIMS), Soura. Tariq was badly beaten by a group of youth, who were forcing shutdown in the area.

Police Station Nowhatta filed a case under FIR No 84/2011 under section 302, 307, 148,149,336 / RPC and arrested four persons accused of beating the youth. Police claimed it has initiated an investigation into the matter and assured that the investigation would be taken to its logical conclusion.

A researcher of *The Informative Missive*, talked to Tariq's brother, Showkat Ahmad who stated, "On December 2, there was stone pelting going on between youth and CRPF personnel in Rajouri Kadal and Gojwara areas of Srinagar downtown. CRPF used pepper gun to chase away the youth. The pepper gun fires caused panic in the entire area. Residents including women and children burst into tears and complained of pain. To protest the CRPF use of force and pepper gun in residential alleys, a strike was called by the locals on December 3 in the area."

Showkat further stated, "Next day on December 3, the strike call was not taken seriously. Few youth got engaged in forceful shutdown. After forcing shutdown in Rajouri Kadal and Gojwara areas, the youth moved to Nowhatta to carry on. Tariq runs a furnishing store opposite to historical Jamia Masjid, Srinagar. While he was busy in his shop a group of boys appeared and threatened him to shut his shop. He obliged them and closed his shop immediately."

The miscreant group went to other shops to force the strike. "The miscreants while forcing the other shops to observe strike, a shopkeeper owns Bismillah Enterprises entered into an argument with the group. He was trying to convince them that strike will not going to yield anything except loss. On this, the group turned violent and threw the articles of the shop here and there. Tariq intervened and tried to stop them from doing so. In the meantime, one of the youth identified as Muna Chotu started to fight with Tariq and hit him on the head with a cricket bat. The blow was so strong that it inflicted a severe wound on his head. In critical conditions he was rushed to hospital where he was admitted for treatment. Doctors on seeing him declared his condition serious," Showkat averred.

INFANT GIRL'S BODY WITH BULLET MARKS BURIED IN UNMARKED GRAVE

Dec 09: Atta Muhammad has buried 235 bodies of unidentified people. But it was the burial of a six-month-old baby girl in 2002 that brought tears to his eyes for the first time.

"She was brought here by policemen in a vehicle and handed over to me for burial. I buried her as per the Islamic rites. The girl was not more than six months old," the 75-year-old grave digger says in a choked voice.

Showkat questioned the media reports that he was beaten for defying the diktats of the group. "What appeared in the media was not correct. I don't know where from they got the news. He never defied the miscreants. He abides what was instructed to him. He was just helping his fellow friend in collecting his goods after closing his own shop. After Tariq was hit, the locals of the area gathered and caught four of the miscreants Mina Chotu, Haroon, Abdul Majeed and Ghulam Hassan, all residents of Rajouri Kadal. All the four were handed over to police station Nowhatta," Showkat said.

In SKIMS, Soura according to victim family Tariq was kept in the Intensive Care Unit (ICU) on ventilator. Finally on December 14, at about 2:00 pm, he breathed his last after two painful weeks of treatment. To condemn this act the traders of Nowhatta called for a shutdown in the area on December 15.

While recalling the gentleness of brother, Showkat further said, "Tariq was a member of a local charitable trust and played active role in helping needy people. He was the lone bread earner in the family and all our hopes were lying on him. The miscreants ruined our family."

Soon after Tariq's death, the government sanctioned an ex-gratia relief of rupees 1 lakh to the his family and also his younger brother Showkat Ahmad Bhat was benefitted with a job under SRO-43 on the recommendation of acting MLA Ali Mohammad Sagar.

POLICE VERSION

A police spokesman said to the media that Tariq was severely beaten by a group of stone pelters on December 3 when he defied their dictates of enforcing shutdown in the area.

"On that day, a group of miscreants appeared in Gojwara area and resorted to pelting stones on shopkeepers to enforce a shutdown. Tariq objected to their dictates and refused to close his shop. The miscreant pelted stones on his shop and severely beat him with a cricket bat. He suffered serious head injuries and was shifted to SKIMS, Soura for treatment, where he succumbed to injuries," he said.

"Police Station Nowhatta registered a case FIR No: 84/2011 under section 302,307, 148, 149 and 336/RPC. Police has arrested four stone pelters involved in the killing of the shopkeeper," he added.

"When I took her for burial bath, I saw a bullet wound near her belly. That was for the first time I wept while burying somebody."

The infant's body is among the 250 bodies buried in one of the valley's biggest graveyard of unidentified people at village Chahal in north Kashmir's Baramulla district.

The girl is buried in the third row of the graveyard. "Nobody came to claim her body since I buried her," says Atta.

Most of the people he buried here since 2000 were young men.

"All of them were young and most of them had bullet injuries."

They are now haunting the aged grave digger. "I can't sleep, as faces of those I have buried come to

disappeared people, but there may be some of them buried in them as well," said Pervez.

Former chairman, State Human Rights Commission, Justice (Retd) Syed Bashirudin said the Commission should take suo moto cognizance of the case.

"The Commission has full powers to start an independent inquiry about the girl child. It has to be found who she is," he said.

GOVT TO INITIATE PROBE, ACTION AGAINST GUILTY

Dec 11: Taking cognizance of the presence of an infant girl's body, bearing bullet mark, in an unmarked grave in Baramulla district, the state government said it will investigate the matter and appropriate action will be taken against the guilty.

"The government won't remain silent if something wrong has happened. We will investigate and initiate action against the guilty. I will discuss the issue with Deputy Commissioner Baramulla and ask him to look into the issue," Minister for Law, Parliamentary Affairs and Justice, Ali Muhammad Sagar told Rising Kashmir.

Sources said Deputy Commissioner Baramulla, Bashir Ahmed would be appointed as the inquiry officer for probing the case.

haunt me. I am losing my eyesight now, but still I see them in dreams."

Four graves bear the headstones after the bodies buried in them were identified by their family members.

"Their family members came and asked me to exhume the bodies. I refused. Then they did it on their own and identified their relatives. There are just four such graves, rest are still unidentified," says Atta.

Meanwhile, human rights activists say the revelation of the grave of the infant girl contradicts the claims of the government and security agencies.

Coordinator JK Coalition of Civil Society, Khuram Pervez termed the development as an eye-opener for the government, especially police, who claim that only militants were buried in these graves.

"The presence of such a grave contradicts police and government claims. We are not saying that all the bodies buried in the unidentified graves are those of

Bashirudin said the report about unmarked graves, which the Commission has made public, has not pointed out who is buried in them.

"We have called for an independent investigation to ascertain the truth," he said.

According to the SHRC report released early this year, there are 2156 unidentified graves at 38 sites in Kashmir.

It may be recalled that the issue triggered ripple s catching the attention of world community besides prompting the chief minister Omar Abdullah to make a statement in the State Legislature in Srinagar. "There are no mass graves. Yes there are unmarked graves in Kashmir. Most of the people buried in them are those killed while crossing the LoC," he told the House in September.

He also asked the APDP to come for DNA mapping to end suspicion whether their loved ones were buried in those graves.

APDP MOVES SHRC OVER DISAPPEARANCES FROM BANIHAL

Dec 10: On the occasion of International Day of Human Rights, Association of Parents of Disappeared Persons (APDP) submitted 132 cases of enforced or involuntary disappearances of Banihal, Ramban, to the State Human Rights Commission (SHRC).

The submitted cases are of the people living in different villages of Banihal, who have disappeared since 1989 under various circumstances. As per the knowledge of victim families, some families have registered cases in their concerned police stations, while in many cases missing reports or complaints could not be filed at the police stations due to the reluctance of police and sometimes due to threats to the victim families, APDP petition alleged.

The perpetrators involved in these 132 cases have been identified as personnel of the Army, militants and Jammu and Kashmir police.

As per the documented findings, out of total 132 disappearance cases, 21 have been perpetrated by forces

of the Army, 24 by different militant groups, 1 by the personnel of Jammu and Kashmir police. While in the 43 cases the perpetrators were unidentified gunmen and in remaining 43 cases disappeared in unknown circumstances by unknown agencies.

Among the 24 cases perpetrated by militants, 10 have been disappeared by Hizbul Mujahideen militant, Nazir Ahmed Wani alias Pappu who was later killed by the Hizbul Mujahideen organization itself.

In the 21 cases where the Indian army has been identified as involved, so far nobody has been prosecuted or held accountable. The processes of justice have been barred from prosecuting personnel of armed forces. Similarly in 1 case where Jammu and Kashmir Police were involved, impunity persists.

In 43 cases where families of the disappeared claim that they have witnessed unidentified armed men abduct their loved ones, the unidentified gunmen could be either state or non-state actors. In the last 22 years,

armed forces personnel, militants and government sponsored militias (*Ikhwanis*) have been accused of disappearing people in the garb of unidentified gunmen, and therefore it would be very difficult for APDP to accuse any particular agency with certainty.

It is in this context that APDP has submitted these 132 cases to the SHRC, so that a thorough investigation is carried out regarding the whereabouts of all the cases of enforced disappearances. The family members of the disappeared want to know whether their loved ones are dead or alive. If they are alive they want the government to divulge the whereabouts of these disappeared persons. If they are dead the families want the government to identify the graves of these persons.

The relatives of disappeared persons fear that their loved ones might be buried in unmarked graves

APDP CONCERNED OVER HEADLESS SHRC

December 28: Association of Parents of Disappeared Persons (APDP), during its December monthly sit in, lambasted the Government for not taking up seriously the State Human Rights Commission (SHRC) judgement, in which, it asked it to constitute an Independent Commission for probing the identity of those buried in unmarked graves. APDP also takes on the government for running SHRC headless and reiterated its demand of appointment of Commission to look into the cases of enforced disappearances since 1989.

A press statement was issued during the sit-in, the complete content of which is following:

Callousness of the government continues vis-à-vis victims of human rights abuses and in particular against the family members of those who have disappeared in the last two decades in Jammu and Kashmir. The relatives of more than 8000 persons continue to wait for the government to probe all the cases of disappearances, deliver justice to the families of the disappeared and punish the perpetrators.

More than three months have passed since the SHRC, after endorsing our findings on unmarked graves and mass graves, passed a judgment in which it asked the government to constitute an Independent Commission for probing the identity of those buried in unmarked graves, investigating the circumstances in which they were killed and identifying the perpetrators involved. The government as usual has buried the SHRC judgment through delaying tactics to continue obfuscation. Obviously for the family members of the disappeared knowing the truth regarding the

across Jammu and Kashmir, and in this regard they have appealed to the SHRC to direct state authorities to carry out investigations into such unmarked graves, through available means of investigation like DNA testing and other forensic methods.

Besides identification of unmarked graves and ascertaining the whereabouts of their loved ones, APDP demands that all those involved in this heinous crime of enforced disappearances should be prosecuted irrespective of their backgrounds or posts they hold.

This petition has been submitted in the SHRC by Adv. Parvez Imroz - legal adviser of APDP, Abdul Gani Tantray - APDP representative from Banihal and Khurram Parvez - program coordinator of APDP.

whereabouts of their loved ones is the priority, but successive governments through their actions have expressed that justice and human rights is not their priority.

From 23rd October 2011 till now, the government has not appointed the new chairperson of the SHRC, which of course is impeding its inquiry into unmarked graves and mass graves in the Poonch and Rajouri districts. By not appointing the SHRC chairperson the only impression which we as APDP can gather is that government wants to delay the inquiry of unmarked graves and also the constitution of an Independent Commission on unmarked graves and disappearances in Jammu and Kashmir, which again is an example of how human rights and justice is not a government priority.

Enforced disappearance is not an issue of the past. Even this year a 21 year old young man, Susheel Raina, disappeared mysteriously in the month of April 2011. Till now the government has done nothing to probe his disappearance.

Since 1998, APDP has been demanding the appointment of an independent Inquiry Commission for probing the phenomenon of the enforced disappearances in Jammu and Kashmir but successive governments have never paid any heed to this demand. If the killing of Haji Mohammad Yousuf, an NC activist, merits a Commission of Inquiry, then certainly disappearances of 8000 persons should also be probed by a credible and capable inquiry commission.

HUMAN RIGHTS REVIEW

JAMMU AND KASHMIR - 2011

Dec 31: Jammu Kashmir Coalition of Civil Society (JKCCS) questions the much touted govt.'s peace claim making its base a review of human rights scenario year 2011. On the eve of year 2012 JKCCS issued a detailed statement "**Human Rights Review - Jammu and Kashmir - 2011**" to the media wherein different aspects of human rights situation were deeply touched. Besides statistical figures, the statements present the picture of functioning of state institutions including judiciary while dealing with the human rights related matters.

TOTAL KILLINGS

Year 2011 has just passed, and many have declared this year, a peaceful year in Jammu and Kashmir. Ofcourse assertions of peace by various quarters are relative. Enforced silence cannot be construed as peace. Despite the hype of peace, people of Jammu and Kashmir have witnessed unabated violence, human rights abuses, denial of civil and political rights, absence of mechanisms of justice, heightened militarization and surveillance. The figures of violent incidents suggest that 2011 as usual has

been the year of loss, victimization, mourning and pain for the people.

In 2011, a total of 233 people have lost their lives due to violent incidents in Jammu and Kashmir. Out of 233 persons, 56 were civilians, 100 were alleged militants, 71 armed forces personnel and 6 were unidentified persons and counter insurgent renegades.

Out of the total 56 civilians killed this year, 11 were students, amongst whom 7 were minors. Also amongst the civilians killed 6 were women.

➤ UNMARKED GRAVES AND MASS GRAVES

This year has been very significant for those struggling against the human rights abuses in Jammu and Kashmir. It is for the first time a state institution like State Human Rights Commission (SHRC) endorsed the findings of Association of Parents of Disappeared Persons (APDP) and International People's Tribunal for Human Rights and Justice in Kashmir (IPTK) regarding the presence of unmarked graves and mass graves in north Kashmir, besides acknowledging the possibility of burial of some of the people subjected to enforced disappearances in these unmarked graves and mass graves.

So far APDP/IPTK has submitted the prima-facie evidence of 6217 unmarked graves and mass graves in 5 districts; Kupwara, Baramulla, Bandipora, Poonch and Rajouri. While as the SHRC has acknowledged existence of 2156 unmarked graves and mass graves in Kupwara, Baramulla and Bandipora. The SHRC inquiry in Poonch and Rajouri is not yet concluded.

➤ ENFORCED DISAPPEARANCES

This year APDP submitted a list of 1417 cases of enforced disappearance to the Chief Minister of Jammu and Kashmir and urged the government to inquire into all the cases of enforced disappearances, but so far the government continues to be indifferent.

Enforced Disappearances is not an issue of the past. People have disappeared even in this year. At least 2 persons, Susheel Raina of Aishmuqam, Anantnag and Nisar Ahmad Banday of Chechal, Banihal disappeared this year. The government as usual has failed to initiate any conclusive investigation into those who disappeared this year.

Successive governments have given contradictory statements about the total number of people 'missing' in Jammu and Kashmir. In 2002, the National Conference government said 3184 persons are 'missing', then in 2005 Peoples' Democratic Party led government claimed 3931 persons were 'missing' and in 2009 the present National Conference led government divulged that 3429 persons are missing in Jammu and Kashmir since 1989. In this context APDP on 7th October 2011, applied for information under Jammu and Kashmir Right to Information Act 2009 from the State Home Department for providing all the lists of 'missing persons' as claimed by various governments. More than 2 months have passed the state government has failed to provide any information regarding the contradictory figures of 'missing persons' divulged by various governments on the floor of Jammu and Kashmir Legislative Assembly.

➤ CUSTODIAL KILLINGS

The year 2011 has not been free of custodial killings and fake encounters. 7 persons were allegedly killed in custody. In all the cases of custodial killings, the government has failed to either prosecute or conduct an impartial conclusive investigation. Whether it was the killing of Ashok Kumar, a mentally challenged person who was killed in a fake encounter in Surankote, Poonch or the killing of Nazim Rashid of Sopore who succumbed to custodial torture or the custodial death of ruling National Conference party worker, Mohammad Yousuf, who died after he was handed over by the Chief Minister to the Crime Branch officials, the practice of impunity is consistent. No credible investigations have been carried out, thus creating space for cover ups, which otherwise also is the norm in Jammu and Kashmir.

JKCCS on 4th August 2011, had filed an RTI application for seeking information regarding the investigations being conducted in the killing of Nazim Rashid of Sopore, but so far the Jammu and Kashmir Police has failed to provide the information.

➤ PROBES AND INQUIRIES

In 2011, the government has ordered 8 different probes on various human rights abuses. So far no probe has yet yielded any results, which is nothing unprecedented as even in the past probes have been announced by the government to neutralize the public pressure. From 2003 to 2011, different governments have appointed 151 probes but justice remains elusive.

It appears the basic objective of the government to appoint probes is not to convict perpetrators but to only deflate the public anger. If perpetrators would have been punished as a result of meaningful and effective probes in the past, it would have helped in creating deterrence for the recurrence of these crimes. We urge the government to ensure that investigations and probe should not be politically motivated, but aimed at holding the perpetrators accountable.

➤ KILLINGS OF POLITICAL WORKERS

Killings of civilian political workers continue to be an unabated phenomenon. In the year 2011, we have recorded killings of 8 civilian political workers. 4 out of the 8 political workers killed belong to ruling National Conference party, 2 were from Indian National Congress, while as 1 belonged to Peoples' Democratic Party and Moulvi Showkat Ahmed Ahmed Shah of Jamiat Ahle-Hadith. Killings of civilian political workers at the hands of state or non-state actors, is completely unacceptable. Killing of civilian political workers only creates a culture of intolerance and chokes dissent. It is therefore, JKCCS has been urging all the combatant forces - Indian military forces and the members of United Jihad Council to refrain from killing any civilian political workers.

Somehow government was very quick in probing the death of Molvi Showkat Ahmed Shah, which is a welcome step, but investigations into the killing of 7 other civilian political workers have not yielded any results so far.

JKCCS demands an impartial and independent investigation into all the killings of civilian political workers. Impartial investigations would help bringing the perpetrators to justice and also act as a deterrent.

➤ SUICIDES AND FRATRICIDES BY ARMED FORCES PERSONNEL

Suicides and fratricides by the personnel of the Indian armed forces, continues to exist as an issue in the year 2011. This year 15 armed forces personnel committed suicides in Jammu and Kashmir due to unknown reasons and another 9 were killed in fratricidal incidents of violence.

➤ TORTURE/HARASSMENTS/ILLEGAL DETENTIONS

The paranoia of government regarding the summer uprising of 2010, was very evident this year in the actions taken by the government. Even in 2011, when there was no apparent street uprising, hundreds of boys were detained on the pretext of being stone pelters. These young boys are subjected to torture, intimidation and harassment. In many police stations boys are illegally being detained; sometimes for few hours and sometimes for few days. Some boys are regularly being called to police stations on one pretext or the other. There is complete disregard towards the juvenility of the boys being detained. This year many minors were arrested on charges of stone pelting.

In some cases people alleged that police officials have been demanding ransom for releasing these boys who were illegally detained in various police stations.

➤ RAPES AND MOLESTATIONS

State Human Rights Commission (SHRC) passed a judgment on the Kunan Poshpora mass rape case of 1991, demanding re-opening of the case and also filing a case against the then Director Prosecutions. It is for the first time a government institution has acknowledged this mass rape incident. It took state 20 years to acknowledge the crime and it isn't clear how long government will take to convict perpetrators.

This year in Kulgam area of south Kashmir, there was an allegation of rape, where a woman alleged that she was raped for 2 days. The way police conducted investigations into this case and also kept the family literally under house arrest, raised more suspicion against the government.

Fear and social stigma makes it difficult for the victims to report the rape or molestation cases. One such case, by coincidence came into the notice of JKCCS in north Kashmir this year where the rape victim did not want to report her victimization. In the month of February a woman (identity withheld) from north Kashmir was allegedly raped in police custody in front of her husband. The husband was kept under detention as a hostage so that his wife would not report her case. The woman did not want to file complaint as she had no hope of getting justice and also was worried that by filing the case she would endanger her husband's life.

➤ IMPUNITY

Government of India has been claiming that despite the imposition of AFSPA, mechanisms of justice are functional and deliver whenever anyone is found indulging in human rights abuses, but facts provided by the state institutions this year contradict the claim of the Indian state.

In a reply to an application under Right to Information Act by JKCCS, the State Home Department of the Jammu and Kashmir government on 6th September 2011 claimed that from 1989 to 2011, they have applied for sanctions for prosecution from Ministry of Defence and Ministry of Home Affairs under section 7 of AFSPA in 50 cases only. Out of these 50 cases, 31 pertain to Ministry of Defence and 19 others have been sent to Ministry of Home Affairs.

Within these 50 cases stated to be applied by the State Home Department for sanctions under AFSPA, sanction for prosecution is awaited in 16 cases and declined in 26 cases. The State Home Department claimed sanction for prosecution has been recommended in 8 cases. A deeper study of these 8 cases where the State Home Department says that the status is "recommended", it appears that the information given is incorrect as the cases according to Defence Ministry are still in the category of "under consideration" or sanction has been declined.

Above facts reveal that the provision of sanctions for prosecution under AFSPA is a fig leaf and the truth is that there is 100% impunity for the soldiers operating in Jammu and Kashmir.

In the context where in Jammu and Kashmir we have more than 8000 cases of enforced disappearances, thousands of cases of custodial killings and fake encounters, thousands of cases of rape and molestation and thousands of cases of torture etc; applying for sanctions for prosecution in only 50 cases speaks volumes about the seriousness shown by the State Government so far for protecting the human rights of people of Jammu and Kashmir.

This year there have been voices raised by politicians regarding the revocation of AFSPA, which is also aimed at generating an impression that human rights violations will end by the revocation of AFSPA. The fact is that Jammu and Kashmir Police has been an equal partner in crimes committed on the people. The Jammu and Kashmir Police personnel also have been responsible for a huge number of human rights abuses.

The armed Village Defence Committees (VDCs), Special Police Officials (SPOs), and the counter insurgent government sponsored militias like *Ikhwan* have also been responsible for perpetrating heinous crimes. Which law allows the creation of these groups? Which law encourages them to perpetrate human rights abuses? Which law sanctions their impunity? It is the law of lawlessness.

Revocation of AFSPA from some areas would not help in ending the human rights abuses as the sense of immunity in the soldiers is not derived from laws but from the political culture of impunity, for which State Government and the Government of India are largely responsible.

The government should help the processes of justice and help prosecute officials accused of human rights abuses. The mechanisms of justice which have been forced to not function by the government should be empowered to punish the guilty, which would be a

meaningful confidence building measure for the people of Jammu and Kashmir.

We urge the Government of India to end the culture of impunity and not just AFSPA from Jammu and Kashmir.

➤ KILLINGS DUE TO UNEXPLODED SHELLS AND LANDMINES

This year 8 persons have lost their lives in explosions, which were caused due to unexploded shells used during counter insurgency operations and 1 out of 8 deaths was reported due to landmine explosion.

➤ ROLE OF INSTITUTIONS OF JUSTICE

State Human Rights Commission (SHRC) has tried to assert its existence by passing some very significant judgments this year. Prominent amongst the cases where SHRC passed the judgements was the case of unmarked graves and mass graves in north Kashmir, Kunan

Poshpora mass rape case and the plight of prisoners languishing in various jails across Jammu and Kashmir. Besides these judgments SHRC has been actively helping in the cases to provide ex-gratia relief.

Judiciary in Jammu and Kashmir continues to show an abysmal performance and has failed to live up to the expectations of the victims. Amongst the people of Jammu and Kashmir disillusionment regarding judiciary is at its lowest, as it has failed in holding perpetrators accountable. Notwithstanding the powers to protect life and liberty of citizens, judiciary has disappointed people of Jammu and Kashmir. Judicial activism for protecting the civil and political rights and seeking accountability from the state actors is very apparent in India, but it seems to be completely absent in the Jammu and Kashmir judiciary.

LITTERED EXPLOSIVES

TANGDHAR GIRL'S ARM MAY BE AMPUTATED

Dec 2: Littered explosives are taking a heavy toll of lives of people of Kashmir and in the latest incident, a 14-year old girl was critically injured at Tangdhar Tehsil of frontier district of Kupwara today and doctors say that her right arm might be amputated.

According to police sources, Masrat Fatima daughter of Nazir Hussain, a resident of Pingla Hari Dal village of Tangdhar while collecting firewood at Pingla near Nallah Qazinag Karnah, Kupwara, came in contact with some explosive device which exploded, resulting in injuries in her right arm.

Police sources added that the injured girl was shifted to SDH Tangdhar where from she was referred to Bone and Joint hospital, Srinagar for further treatment. Police said that the explosive device is believed to be pressure mine that seems to have been drifted or carried away by the flowing water in the Nallah from the "No Man's Land" near the Line of Control (LoC).

Masrat had been admitted to Bone and Joint hospital Srinagar and doctors said that her right arm might be maimed. "She has a critical injury. Right hand is almost dislocated. She is under observation," a senior doctor told media.

Police records maintain that around 15 persons have died and 17 injured due to the littered explosives in Jammu and Kashmir this year.

On July 24, two teenagers-21-year-old Ashfaq Ahmad Khan and Babar Khan (20)-were killed while fiddling with unexploded explosive object in a forest in Rafiabad area of north Kashmir's Baramulla district.

In the same month two teenagers were killed while another was injured due to an explosion from unattended explosive brought by the teens from the rubble of a house damaged in an encounter between militants and joint team of army and police in Tral town of Pulwama district in South Kashmir.

Earlier, in September this year a 14-year-old boy was among two persons killed and seven others including four females injured in an accidental explosion in the same district.

In April, two persons were killed in Akhnoor area of Jammu when a shell exploded in a scrap shop. A month later, another youth was killed in the same area in a similar incident. A labourer Abdul Hamid was killed in South Kashmir's Anantnag district when a live shell inside dead stock went off last month.

In February this year, three children of Muhammad Maqbool of Maloora on the outskirts of city were killed when they were playing with a live shell, after a gunfight in the area.

In July this year, security forces and separatist guerrillas had faced each other in a gunfight in Maidanpora village of Lolab.

HC DIRECTS STATE TO FILE STATUS REPORT OF INVESTIGATION SURANKOTE MASSACRE

Dec 02: Taking cognizance of a writ petition seeking reinvestigation into the massacre of 19 persons at a village in Surankote, High Court issued notices to Additional Advocate General (Home) directing him to file within two weeks the status report regarding the investigation conducted into the matter so far.

The directions of the Single Judge High Court Bench came following the submissions by petitioner counsel Advocate Parvez Imroz that though an FIR No. 122/1998 was registered at police Station Surankote about the massacre on August 04, 1998, however, no

investigation was conducted and the case was closed within five months as "untraced".

Justice Mohammad Yaqoob Mir, after hearing the submissions made by the petitioner counsel issued notices to Additional Advocate General representing Home Department, directing him to file a report within two weeks time explaining the status of the investigation into the case FIR No. 122/1998 registered at Police Station Surankote. Besides, he directed to list the case for hearing after December 19, 2011.

The petition came to be filed before the court by three petitioners - Abdul Ahad (44 years), Mohammad

Shabir (35 years) and Masood Ahmad Sheikh, all residents village Sailan, Surankote in Ponch District.

In the petition, they submit that on intervening night of August 3/ 4, 1998, their 19 relatives, including 6 male and 13 females belonging to three families, were massacred at the house of Hussain Mohammad Sheikh with active participation from army, some police officials and SPOs at village Salian, some 14 Kilometers from Surankote tehsil.

Subsequently, an FIR No. 122/98 under sections 122, 122 B, 121, 302, 449 of RPC and 3 EAO was registered at Police Station Surankote on August 4, 1998 besides, SHRC took suo moto cognizance of the matter and investigated the carnage by conducting spot inspection.

"The enquiry report was presented before the Govt. The SHRC first published an interim report and subsequently on 21 Oct 1998 final report No. 98/PS/1127, was presented to then Chief Minister of J&K State", the petition read.

It added, "In the final report, SHRC recommended that Home Department should issue directions to SP Poonch to identify the 3 SPOs associates of Zakir SPO, slain, who

were attached with 9 Para of Balfayaz army camp and bring them in the net along with the father of Zakir".

The SHRC report added that the silence of the army over the occurrence of incident was not meaningless.

"Uniformed persons were seen moving with torch lights around the scene of occurrence, then moving down to board a vehicle on the main road. It leaves none in doubt except biased mind. To sum up, the occurrence of killing in question doesn't travel beyond the belief that three unnamed associate SPOs of Zakir slain SPO, his relations joined by security forces of the area, who could not be identified, have to shoulder the allegations of the massacre of innocent", reads the petition while quoting SHRC report.

Claiming that the case was closed because the army and police officials and the SPOs working for both were involved in the massacre, the petitioners prayed that HC direct for re-investigation of the case.

"Even according to the SHRC recommendations made on 21 Oct 1998 in its final report in which army and police officials were directed to investigate the matter, it was hushed up in order to save the real culprits".

ATTACK ON JOURNALISTS: PRESS COUNCIL OF INDIA WARNS OF ACTION

December 2: Press Council of India Chairman Justice Markandey Katju has written to Jammu & Kashmir Chief Minister Omar Abdullah stating that "the paramilitary forces and police in all States/Union Territories must...be instructed not to commit any violence on media persons; otherwise they will face criminal proceedings which the Press Council will launch against them."

He added that he was writing to the Union Cabinet and Home Secretaries, to all Chief Ministers, to the Chief and Home Secretaries of all States, and to the Chief Secretaries of all Union Territories to the effect that

"I am not going to accept violence on journalists by the police or paramilitary forces."

In response, Mr. Abdullah said he understood the sentiment behind Mr. Katju's letter, but that the police "have never had the intention of targeting media personnel" and he regretted "the recent incident involving members of the media & the J&K police." He proposed that "perhaps the time has come for the PCI...in consultation with states & the media fraternity" to frame "a code of conduct for the media while covering such situations."

'KILLINGS FALL BY 50% AS MILITANCY DIPS'

158 PERSONS, INCLUDING 99 MILITANTS, KILLED IN 2011: REPORT

Dec 2: Dip in militancy-related incidents has resulted in 50 per cent decrease in casualties among civilian and force personnel in Jammu and Kashmir this year, a report submitted by Home Ministry revealed.

As many as 158 people, including 99 militants were killed this year up to November 15, there were 323 people killed in Jammu and Kashmir last year during the same period, showing a dip in killings by over 55 per cent, report states.

As against 40 civilians killed up to Nov 15 last year, as many as 28 civilian died this year during the same period, it states.

"Similarly, against 66 security force personnel killed in 2010, only 31 died this year and 99 militants were killed this year against 217 last year. There has been nearly 50 per cent fall in militancy-related incidents this year in the state with no such activities taking place in three districts and 13 others registering just single digit militancy cases," report states.

Of the 179 cases, Jammu witnessed 27 incidents and Kashmir 152. As per official statistics, 13 districts have witnessed less than 10 militancy cases this year,

while no such incident occurred in Reasi, Samba and Kathua districts in Jammu region.

In Kashmir valley, Budgam witnessed three militancy related cases followed by four in Kulgam, five in Islamabad(Anantnag) and eight each in Shopian, Ganderbal and Bandipore.

In Jammu region, Kishtwar witnessed eight such cases, Ramban (5), Doda (6), Poonch (4), Rajouri (2) and one each in Jammu and Udhampur districts.

Attacks directed against forces too saw a dip from 69 in 2010 to 36 up to November this year.

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.

There were 11,961 grenade attacks and explosions in the past 20-years period, 6,242 hurling of grenade incidents and 5,719 IED explosions reported since January 1990, it said.

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

RESTRAIN EXCESSIVE USE OF PEPPER GUN: SHRC

Dec 9: The State Human Rights Commission (SHRC) served notices to state home ministry and senior police officials to restrain excessive use of non-lethal pepper guns against protesters in civilian population in Kashmir. "Stone throwing is nothing new to Kashmir. We have been observing it for past five decades. A group of dozens of youngsters involved in stone pelting could be dealt in a manner which would not endanger health of old, infant and pregnant women," said justice Fida Hussain in his notice served to commissioner secretary home and director general of police where they have been asked to submit their view point over the issue of using hazardous non-lethal weapons like pepper guns.

"For a wrong of dozen of youngsters, thousands peace loving people could not be punished and their rights violated in any circumstance," said justice Hussain.

The judge was hearing the petition filed by a human rights forum wherein a complaint has been made that the police used heavy quantity of pepper gun November 25, 2011.

SHRC ORDERS ARREST OF DYSP

Dec 20: In a significant development, Jammu and Kashmir's State Human Rights Commission (SHRC) today ordered the arrest of a senior police officer heading a special investigating team (SIT) that was probing the disappearance of a local youth in 2007.

The SHRC issued arrest warrants against the deputy superintendent of police (headquarters) south Kashmir Anantnag district for failing to comply with the directions of the commission.

"The SHRC today ordered the arrest of the police officer and seizure of all the investigation record to be produced before the commission," sources in the SHRC said.

The SHRC has ordered that all the investigation records, including case diaries etc. prepared by the SIT headed by the police officer up to July 4, 2011, be produced before the rights panel.

The SIT had been constituted to probe the 2007 disappearance of a local youth named Nazir Ahmad Mir, who belonged to Zadoor village of Anantnag district.

MYSTERIOUS DEATH OF 2 YOUTH

FAMILIES MAINTAIN THEY WERE POLICE SOURCES, ACCUSE COPS OF COVER UP

Dec 20: The family members of two youth who were found dead in mysterious circumstances near the banks of Lidder river last month staged strong protests, accusing the police of trying to cover up the case.

Two cousins, Sabzar Ahmad Bhat and Muzaffar Ahmad Keenu were found dead in mysterious circumstances on the banks of Lidder near Mattan last month. Following their death, the family alleged that the duo was murdered. However, the police going by the preliminary report of the postmortem maintained that there were no marks of violence on the bodies which could suggest murder.

Police also says that they are yet to receive the report of the Forensic Science Laboratory (FSL) on the basis of which they can go ahead with the investigation into the case.

"Residents of Nowhatta, Safakadal, Nawakadal, Rajori Kadal and the adjoining area were subjected to huge torture. Infants and elderly persons got unconscious after inhaling the pepper gas," the complainant said.

The human rights forum has cited the study of well-known science writer Deborah Blum conducted in 2004 on pepper spray. "Spray can produce respiratory, cardiac, and neurological problems," says the study.

Quoting local doctors in Srinagar, HR forum claimed that pepper gas causes eye sight problem among infants and minors. "It can also cause dysentery, severe chest infection among elders and can lead to tuberculosis and asthma. The gas is highly harmful for pregnant woman," forum quoted the doctors.

Taking notice of the argument, Justice Hussain said, "If experts and doctors opinion is taken into consideration, it is a serious violation of human rights. Life is precious and right to life is a fundamental right," said the judge.

Gull Muhammad Mir, the father of the disappeared youth, had filed two petitions before the SHRC in 2008 and 2009 seeking the whereabouts of his son who allegedly had been called by his fiancée to the local bus stand in 2007 from where some unidentified people kidnapped him in a waiting auto-rickshaw.

Gul Muhammad Mir had also approached the state high court that had given police three weeks' time to complete the investigations into the youth's disappearance.

Source said the SIT headed by deputy superintendent of police (Headquarters) Anantnag had closed the investigations as "youth untraced". The SHRC has now sought all the relevant records and evidences based on which the case had been closed by the SIT.

This is the first time since the rights panel was constituted in Jammu and Kashmir in 1997 that it has ordered arrest of any senior police officer for non-compliance of the panel's directions.

Demanding speedy investigation into the case, hundreds of people including the families of the deceased today took to roads and staged protests against what they termed attempts to hush up the case. The protesters blocked the Dehruna-Matpora road for hours together and demanded that investigations be completed within week's time.

Gulam Rasool, father of one of the deceased, Muzaffar Ahmad said, "The deceased were the police sources and helped police a lot in curbing the narcotic mafia in the district. They were found dead only 24 hours after they got the house of one of the narcotic smugglers raided in Mattan area, which is a clear indication that they fell prey to the narcotic mafia."

He said the time buying approach of the police in investigating the case speaks of their attempts to hush up the case.

"Almost two months have passed since the incident took place but the police still says they are yet to receive the FSL report," said the cousin of one of the deceased Sajad Ahmad.

POLICE TO GET MORE NON-LETHAL WEAPONS: DGP

NEW EQUIPMENTS INCLUDE BLAST DISPERSAL CARTRIDGES, VEHICLE MOUNTED TEAR-SMOKE DEVICES AND STUN-LAC GRENADES'

Dec 8: Police is all set to get more non-lethal weapons and ammunitions to deal with the mobs during protests in the State in order to ensure zero causality and less injury to both sides.

"The use of non-lethal equipments and body protectors by police this year has resulted in zero death of civilians and security personnel. It has also resulted in less number of injuries during law and order disturbances in the state," DGP Kuldeep Khoda told media.

He said the new equipments include Blast Dispersal Cartridges (BDC), Vehicle mounted tear-smoke devices and Stun-lac grenades. "The supply is underway in addition to other equipments which are already being used by the police in the past," he said.

The items ordered also include body protectors, polycarbonate shields, polycarbonate *lathis*, helmets and visors, bullet proof bunkers, pump action guns, water cannons, anti-riot rifles, rubber pellets and plastic pellets. Besides, the police has also set up exclusive five law and order battalions to deal with protestors in Jammu and Kashmir.

The training imparted to the cops and officers in using non-lethal equipments would help them in controlling the situations without causing any damage to the human lives.

Police and paramilitary personnel this year during protests used Oliristen grenades, which emit irritant gas with pungent smell, modified plastic body tear smoke shell, dye-maker grenade, blue-coloured water canons on demonstrators and stone-pelters in old city and other parts of Kashmir to control crowds.

19 OF 24 AFSPA CASES AGAINST ARMY MEN REJECTED: ANTONY

Dec 19: The J&K Government has in the last five years sought sanction for prosecution against Army personnel in 24 cases under the AFSPA of which 19 were rejected as no prima facie case was made out against the accused officials, Lok Sabha was informed.

"24 cases seeking sanction for prosecution under Armed Forces Special Powers Act (AFSPA) have been received from Jammu and Kashmir Home Department

RAMBAN CUSTODIAL DEATH CASE

DYSP ARRESTED, IN JUDICIAL CUSTODY

Dec 15: Court sent a Deputy Superintendent of Police (DySP) to judicial custody for his alleged involvement in custodial killing, at Ramban.

Principal Sessions Judge Ramban Akram Choudhary remanded judicial custody of DySP Sonallah Naik, then SHO Police Station Ramban, allegedly involved in custodial death of Ayaz Ahmed

SSP Anantnag, R K Jala, however, told media persons that they are investigating the case from all aspects and the samples have been sent to FSL examination.

"We are waiting for the FSL report and once we receive it we will go ahead," he said.

"Dye-maker grenades and coloured water canons used to dye protestors in colours, which takes 3-4 days to get washed out. The youth drenched in colours used to stay home for some time," DGP said.

He said Oliristen grenades also proved very successful in view of release of irritant and pungent smell.

At least 112 civilians were killed in police and paramilitary troopers action in the Valley during summer unrest last year. "1,049 civilians and 4,000 security men were also injured in law and order disturbances. Of these 825 security men had suffered critical injuries due to stone pelting," Khoda said.

After the civilian casualties during unrest, the police had approached the state and Ministry of Home Affairs (MHA) seeking non-lethal weapons and appropriate gear to avoid casualties on both sides.

The items were modified after visiting Tikinpora BSF Academy according to the needs.

The Union Home Ministry in November had constituted a group under the chairmanship of the Director General of Police Kuldeep Khoda to draft a Standing Operating Procedure (SOP) for controlling mob violence across the country with least damage to life and property.

The SOP was drafted and submitted to the Union Home Ministry for implementation last month. The move to procure non-lethal weapons comes in the backdrop of the flak faced by security forces in the state following the summer unrest which claimed many lives.

during last five years from 2007 to December 15 this year," Defence Minister A K Antony said in reply to a written question.

He said five cases were still under examination.

"In the 19 cases, the requests for prosecution sanction were rejected as it was found on examination that no prima facie case was made out against the accused Army personnel," he said.

Wani, son of Abdul Rashid Wani and directed to produce him before the court on December 28, 2011.

The applicant Dy SP Sonallah Naik has moved application supported by an affidavit duly sworn by him and some medical record, for grant of bail in his favour in a case titled State versus Sonallah and Others.

The applicant pleaded that he has been arrayed as an accused by the prosecution in the case and that

proceedings under section 512 Cr PC have been initiated against him by the court and he had no knowledge of the proceedings pending against him in this court. He sought bail on this plea.

On this, Principal Sessions Judge Ramban Akram Choudhary issued notice, which was accepted by Public Prosecutor. The Public Prosecutor sought adjournment for filing objections.

Court granted time and remanded the accused to judicial custody with a direction to produce him on December 28, 2011.

ARMY TO ESTABLISH CANTONMENT ON FOREST LAND IN BIJBEHARA

*LAND HAS BEEN OCCUPIED BY ARMY: DC * FOREST LAND WAS TRANSFERRED TO ARMY IN 1980'S: TEHSILDAR

* OUR FERTILE PADDY FIELDS AND ORCHARDS WILL TURN BARREN: LOCALS

Dec 18-2011: Amidst confusion within administration about transfer of 896 kanals of forest land to a security agency, army is all set to establish a cantonment in fragile forest area of Bijbehara in this South Kashmir district, much to the disappointment of local population.

Locals said Army has been demarcating the land in higher reaches of Nowshehra village in Bijbehara for last few weeks. "Large number of troopers are presently involved in demarcation and construction exercises in the forest area," they said.

They alleged that forest department has transferred more than 800 kanals of forest land to army some years back. "The army is now planning to establish a cantonment in the fragile forest area. The setting up of cantonment in the forest area is going to hamper our horticulture and agriculture activities," they said.

They accused army of trying to get hold of their proprietary land too. "Our proprietary land apart from the orchards and agricultural land falls in the immediate vicinity of the camp. Army has erected signages in the land and it speaks volumes of their ill-intentions of grabbing our land," they said.

"Agriculture and Horticulture is the mainstay of our economy. Our orchards and agricultural land is in the vicinity of the area, which is being demarcated by army for establishing the cantonment. Once it (cantonment) is established, our movement will be

On November 3, 1995, Ayaz Ahmad Wani, son of Abdul Rashid Wani of Bankoot Banihal, owner of a forest lease firm Gani Joo Assan Joo, was picked up by the then Station House Officer (SHO) Banihal on the orders of then Additional Superintendent of Police.

He was taken to Police Station Ramban, where he was subjected to third degree torture continuously for four days. He died on November 10 at Government Medical College (GMC) hospital Jammu and a case under FIR number 65 of 1998 was registered.

restricted to our paddy fields and orchards, which in turn will render our fertile land barren," said the locals.

They said they have been knocking every possible door to prevent army men from establishing a camp in the fragile forest area. "However, our pleas have fallen on deaf ears," they said.

Meanwhile, sources said the forest department had transferred 896 kanals of forest land in Bijbehara area to Defence ministry in early 1980s for setting up a cantonment. "The forest department has received payment for the transfer of land," they said.

Tehsildar Bijbehara, Ghulam Rasool confirmed that 896 kanals of forest land in the area has been transferred to army in 1980's. "The transfer has taken place way back in eighties and army is establishing a cantonment on the land," he said.

He denied allegations of locals that army is trying to occupy the proprietary land. "These allegations are not true," he said.

However, Deputy Commissioner Islamabad, Syed Kifayat Hussain Rizvi said the forest land has been occupied by Army. "Army is in occupation of the land and establishing a camp there".

He said the transfer of the land to army has not taken place yet. "However, negotiations are going on," he added.

When contacted, Defence spokesman refused to comment on the issue.

TEENAGER GOES MISSING FROM HABBA KADAL

Dec 27: A 13-year old boy, Tawseef Ahmad Shaksaaz of Karfali Mohalla is missing from his home since December 24.

According to his family, Shaksaaz, a 9th standard student and elder son of his parents left home on December 24 at 11:30 in the morning but didn't return. Despite lodging a report, police is yet to find any clue.

The family members have appealed the government particularly the concerned MLA to take the

matter seriously and direct the police to gear up the process. The family has already registered missing report in police station Shaheed Gunj.

Talking media, SP South Srinagar said police is investigating the case. "We have launched a man hunt to trace the missing boy but have not been able to get any clue till now," he said.

MINE EXPLOSIONS

> GIRL WOUNDED IN MINE BLAST

Dec 2: A girl was injured when an explosive device went off while she was collecting firewood in north Kashmir's Kupwara district, police said.

"Masrat Fatima, daughter of Nazir Hussain, of Pingla Hari Dal village sustained injuries when she came in contact with some explosive device which exploded," a police spokesman said. She was shifted to the sub-district hospital in Tangdhar town from where doctors referred her to the Bone and Joint Hospital for further treatment.

> BOY INJURED IN MINE BLAST

Dec 9: A boy was injured in a mine blast while grazing cattle in forward village Bagyal Dhara, Poonch.

Official reports said that a boy was grazing his cattle in the fields near the Line of Control (LoC) in Bagyal Dhara village of Poonch when some sheep entered in mine fields.

He ran towards the sheep and inadvertently stepped over a land mine. His right foot was blown up in this mine blast.

Troops of 27 Madras deputed nearby along with other locals provided him first-aid and then shifted him to District Hospital Poonch for medical treatment.

The injured has been identified as Mohammad Safir son of Shamas Din of Bagyal Dhara.

> LANDMINES EXPLODE IN MYSTERY MENDHAR BLAZE

Dec 21: Over-a-dozen landmines exploded in a mysterious blaze in Balakot sector of Mendhar tehsil in Poonch district, late night.

Official reports said that a fire broke out along LoC at forward Balakot area of Mendhar after midnight. The mysterious fire broke out in more than 40 hectares of evergreen forest enclosure near Chitali Ziyarat area of Balakot causing huge losses to forest produce.

"It was bush fire which spread in one kilometer area on the right of Chit Chitali Ziyarat and over a dozen sounds of landmine explosion were heard till 8 AM," a local Sarpanch said, adding that the blasts were heard from the old mine field area.

The fire continued to spread to adjoining areas due to gentle wind blowing in the area. The sky touching flames creates panic among the people as it was easily visible from distant

villages. The fire reportedly affected Pakistan Administered Kashmir forward posts.

However, army immediately launched an operation to extinguish the blaze. The fire fighting operation was in progress when reports last came in. Forest products worth crores of rupees were turned into ashes and the wild creatures have started shifting to the adjoining areas adding more risk to the lives of villagers.

When contacted, a forest officer said that they have got information that fire broke out at more than 40 Hectares of forest enclosure causing big loss to the green gold. "I did not personally visit the spot but I got information that fire fighting operation was on by the army authorities."

> BLAZE CAUSES MINE BLASTS ON LOC IN MENDHAR

POONCH, Dec 26: At least ten landmines exploded in a mysterious blaze in Balakot sector of Mendhar tehsil in Poonch district.

Official reports said that fire broke out along LoC at forward Balakot area of Mendhar. The mysterious fire broke out in more than 36 Hectares of evergreen forest enclosure in Balakot causing huge losses to the forest cover.

"It could not be ascertained how the blaze broke out in the area and at least ten sounds of landmine explosion were heard," locals said, adding that the blasts were heard from the mine field area.

The fire, which reportedly broke out on the other side of the LoC, continued to spread to adjoining areas due to gentle wind blowing in the area. The sky touching flames creates panic among the people as it was easily visible from distant villages. The fire reportedly affected PAK forward posts.

However, army and forest department teams immediately launched an operation to extinguish the blaze. The fire fighting operation was in progress when reports last came in. Forest products worth crores of rupees was turned into ashes and the wild creatures have started shifting to the adjoining areas adding more risk to the lives of villagers.

Abdul Razak Range Officer Mendhar told media that they have got information that fire broke out over more than 36 Hectares of forest enclosure causing big loss to the green gold. "Our teams along with army came in to action and worked hard to control the blaze," he said.

FRATRICIDAL INCIDENTS IN TROOPS

> 3 CRPF MEN KILLED IN FRATRICIDE INCIDENT

Dec 25: Three CRPF men were killed and another injured in a fratricide incident at a camp in south Kashmir's Kulgam district on the evening of December 25.

Police sources said the incident took place at around 11 pm after a squabble between CRPF personnel in the barracks of 18th Battalion CRPF at Kulgam town followed by a shootout leaving three dead and one critically injured.

Head Constables Suman Pillay and P Sibbu died on the spot while S D Murthy and Javed Hussain (same rank) were critically injured in the firing incident. Javed succumbed to

injuries in the hospital while Murthy's condition was stated to be critical when reports late came in.

The reason of the scuffle remains unclear as the camp officials chose to remain tightlipped about the incident saying that they have been advised to do so. Meanwhile, police has detained six CRPF personnel, who were present in the barracks at the time of the shootout, for questioning.

"We have arrested six suspects from the camp and in addition to that we have seized the weapon of offense. Investigation has been started into the matter and hopefully we will crack the case soon," SP Kulgam, Maqsood-u-Zaman told media.

FIR bearing number 271/2001 has been lodged under Section 307 at Police Station Kulgam.

Despite repeated attempts Public Relations Officer, CRPF could not be contacted. This is the first incident of fratricide in CRPF this year in Kashmir valley.

> **BSF MAN KILLS COLLEAGUE**

Dec 30: A Border Security Force (BSF) personnel allegedly killed by his colleague after an altercation in south Kashmir's Awantipora area.

OFFICIAL STATEMENTS

> **NON-LETHAL WEAPONS PREVENTED CASUALTIES: POLICE**

'IT HAS REDUCED INJURIES TO CIVILIANS, COPS; ONLY 58 INJURED THIS YEAR'

Dec 4: Police has said that use of non-lethal weapons while dealing with demonstrators and stone-pelters in Kashmir has successfully prevented casualties and reduced injuries to civilians and security men, according to police.

"Use of non-lethal equipments and body protectors by police have resulted in zero death of civilian or security personnel and injuries to only 58 persons in law and order disturbances this year," a police official said.

He said last year, 112 civilians and policemen died and 1,049 civilian and 4,000 security men were injured in law and order disturbances in the Valley. "825 security men suffered critical injuries due to stone pelting".

The official said only 13 civilians and 45 policemen sustained minor injuries this year.

"The three-month-long civil unrest in Kashmir last year saw angry mobs torching government properties.

Police and paramilitary personnel used grenades, modified plastic body tear smoke shell, dye-maker grenade, water cannons to deal with demonstrators and stone-pelters in down-town and other parts of the Valley," he said.

The official said police had approached the state government and Ministry of Home Affairs, seeking non-lethal weapons and appropriate gear to avoid damage to life and property after the last year's unrest.

> **2011 RECORDED DECLINE IN MILITANCY: DGP**

'185 VIOLENT INCIDENTS THIS YEAR AGAINST 350 IN 2010'
Dec 6: Director General of Police (DGP) Kuldip Khoda said there has been fall in militancy-related incidents this year in the State with the overall improvement of security situation.

"There has been decrease in militancy-related incidents in Jammu and Kashmir. As compared to 350 such cases in 2010 in a period of 11 months, 185 incidents were reported this year till November- end," Khoda said on sidelines of raising day function of Home Guards and Civil Defence in Srinagar.

He said there is roughly 47-48 per cent decline in incidents of violence this year as compared to 2010.

> **MILITANCY DOWN TO 5%: OMAR**

Dec 7: Stating that militancy in Jammu and Kashmir has come down to mere five percent, Chief Minister Omar Abdullah reiterated his demand for revocation of Armed Forces Special Forces Act (AFSPA) from some areas of the State.

"If we compare situation in the State from 2002 to 2011, the militancy has come down to five percent. Time is ripe for revocation of AFSPA," Omar said while addressing a function after inauguration of Wullar conservation project at Garoora, Bandipora.

> **261 MILITANTS SNEAKED IN JK IN 3 YRS**

Dec 14: Defence Minister A K Antony disclosed that 261 militants managed to infiltrate through the LoC into Jammu and Kashmir while forces thwarted infiltration attempts of 948 militants in last three years.

Early in the morning, head constable PK Hanjak fired at his colleague constable Susheel Police from point blank range.

The BSF personnel 2nd Battalion was killed inside the BSF camp at Koil village in Awantipora area of Pulwama district, 30 km away from Srinagar.

"Preliminary investigation revealed there was an altercation between the victim and Hanjak on December 29. On December 30 morning, the head constable was found dead inside the camp," Superintendent Police Pulwama Amit Kumar said.

Tabling the assessment of Multi Agency Centre (MAC) on infiltration in Rajya Sabha, K Antony said, "Total 235 militants attempted to infiltrate into Jammu and Kashmir this year but only 52 could succeed. In last three years, 261 militants managed to infiltrate out of the 1209 who attempted to sneak into the State".

> **900 WOUNDED DURING 2010 KASHMIR UNREST: GOVT**

Dec 19: Nearly 900 people were wounded in the police and paramilitary action in the valley districts during the summer unrest of 2010, the director of Health Services has said in response to a plea under the Right to Information Act filed by Javaid Ahmad Tak, chairman of a non-governmental organization, Humanity Welfare Helpline.

The list furnished by the department relates to those treated at the district and sub district hospitals in Baramulla, Anantnag, Kupwara, Bandipore, Pulwama, Shopian, Kulgam, Budgam and Ganderbal. It does not include those of the injured who were treated at the city hospitals associated with Government Medical College or at the SK Institute of Medical Sciences as these do not fall under the Health Services directorate. In many cases, patients had been referred to them directly.

The information provided by the DHS vide its letter No DHS/RTI-14/128 said the highest number of injured was from Pulwama district with 335 persons, followed by Budgam and Shopian with 108 each. The injured in Baramulla were 74, Kulgam 57, Bandipore 45, Anantnag 67 and Kupwara 55.

Of those treated in Kupwara district, 15 were referred to Srinagar hospitals for treatment, the RTI reply said. Separate lists have been furnished by various sub district hospitals across the valley. The data furnished by the department includes name, parentage, residence, nature of injury, place where treated and details if the patient had been referred to any Srinagar hospital.

> **INFILTRATION NOT RELATED TO AFSPA REVOCATION: ARMY**

Dec 19: Finding fault with the attempts to link infiltration with the din over revocation of Armed Forces Special Powers Act (AFSPA), army statement said; "Army is capable of working within the parameters of difference of opinion as per democratic norms. It is incorrect to surmise that infiltration has taken place or is related to issue of AFSPA revocation. Infiltration attempts, however, are likely to continue to take place due to late onset of winters."

Army's statement came in reaction to a story circulated by Delhi-based news agency Press Trust of India published in various newspapers. As per the news report, the Army has started raising pitch over successful bids along the LoC following Chief Minister Omar Abdullah's AFSPA revocation move.

> **MILITANTS TRIGGERED 11970 BLASTS: GOVT**

Dec 23: Adopting "hit and run" strategy to avoid casualties in their ranks, militants have triggered over 11,900 blasts killing 1,766 people and injuring 15,685 others during the over two-decade-long militancy in Jammu and Kashmir.

Militants have triggered as many as 11,970 blasts to target security personnel and civilians in the state since 1990, according to the official data of the JK's Home Department. A total of 1,766 people were killed and 15,685 others injured in these blasts, it mentioned.

Of the total number of blasts, 5,722 were triggered using IEDs while the remaining 6,248 by hurling grenades, the data said.

The highest number of blasts took place in 1990 (1,522), followed by 1,005 explosions in 1993.

While the maximum number of casualties were reported in 1995 (153 deaths, 1,021 injured), the year 2001 came a close second with 133 deaths and 1,443 injured, the report said.

However, there has been a fall in grenade attacks during the past two years as only 39 and 65 blasts were reported in 2011 and 2010 respectively as compared to 79 and 170 blasts in the preceding two years.

> 49 % FALL IN MILITANCY IN 2011: DGP

Dec 23: Director General of Police Kuldeep Khoda said there has been 48-49 percent decline in the militancy related incidents this year.

"There has been 48-49 per cent decline in the militancy related incidents this year. People of the State want stability and economic prosperity," DGP told media persons on sidelines of a function at Sheeri, Baramulla.

> '4,080 MILITANTS SURRENDERED IN 22 YEARS IN JK'

Dec 25: The State Home Ministry data, over 4,000 militants including 276 have surrendered during the last 22 years in Jammu and Kashmir.

"As many as 4,080 militants including 276 commanders have surrendered before forces and police during the past 22 years in JK," the data up to November 30 stated.

It said while 19 militants surrendered this year till November, 20 militants surrendered the previous year.

"15 militants surrendered in 2009, while 38 in 2008, 122 in 2007, 190 in 2006, 64 in 2005, 137 in 2004, 119 in 2003, 159 in 2002, 85 in 2001 and 104 in 2000," the data said.

It said the highest number of 655 militants had surrendered in 1996, followed by 612 in 1991, 601 in 1995, 444 in 1992, 270 in 1997, 187 in 1998, 109 in 1999, 98 in 1993 and 32 in 1994.

The government has formulated a rehabilitation policy for the surrendered militants under which 2,876 of them have been provided Rupees three lakh as fixed deposit for three years and a monthly relief of Rs 3,000.

> 2011 WITNESSED DECLINE IN JK MILITANCY, SAYS DGP

Dec 29: Insurgent violence dropped to an all time low in Kashmir valley, showing 47 per cent decline in 2011 since 1989.

Director General of Police (DGP) Kuldeep Khoda, in his New Year message, said militancy related incidents continued to show dwindling graph and were lowest ever during the last 21 years.

This year witnessed a sharp drop of 47 per cent in insurgent violence compared to last year's total of 368 incidents.

> JK WITNESSED HISTORIC LOW LEVEL OF VIOLENCE: PC

Dec 31: Home Minister P Chidambaram said 2011 witnessed a "historic low" level of violence in Jammu and Kashmir.

"2011 witnessed a historic low in the level of violence in the affected states, especially Jammu and Kashmir, the North Eastern states and the left wing extremism (LWE) affected states," Chidambaram told reporters in Mumbai.

He said 31 civilians and 33 force personnel lost their lives in Jammu and Kashmir this year as against 47 and 69 respectively in 2010.

FIGURES

DATE	TROOPERS	MILITANTS	CIVILIANS	OTHER
Dec 01	-	-	-	-
Dec 02	-	-	-	-
Dec 03	-	-	-	-
Dec 04	-	-	-	-
Dec 05	-	-	-	-
Dec 06	-	-	-	-
Dec 07	-	-	1	-
Dec 08	-	-	-	-
Dec 09	-	-	-	-
Dec 10	-	-	-	-
Dec 11	2	-	-	-
Dec 12	-	-	-	-
Dec 13	-	-	-	-
Dec 14	-	-	1	-
Dec 15	-	-	-	-
Dec 16	-	-	-	-
Dec 17	-	-	-	-
Dec 18	-	-	-	-
Dec 19	-	-	-	-
Dec 20	-	-	-	-
Dec 21	-	-	-	-
Dec 22	-	-	-	-
Dec 23	-	-	-	-
Dec 24	-	-	-	1 (NC activist)
Dec 25	3	-	-	-

Dec 26	-	-	-	-
Dec 27	-	-	-	-
Dec 28	-	-	-	-
Dec 29	-	-	-	-
Dec 30	1	-	-	-
Dec 31	-	-	-	-
TOTAL	6	0	2	1

CHRONOLOGY

Dec 01: No incident of violence reported from any part of the state.

Dec 02: Unidentified gunmen shot at and injured block president of ruling National Conference at Safakadal in old city. Police said unknown gunmen fired towards NC block president Ghulam Muhammad Lone son of Abdul Salam Lone of Latter Masjid Safakadal outside his home. He sustained injury in neck and was shifted to SMHS hospital, where doctors operated upon him.

Dec 03: No incident of violence reported from any part of the state.

Dec 04: Scores of Shia mourners were injured and more than 200 arrested when police resorted to baton charge and lobbed tear smoke shells to prevent them from taking out 8th Muharram processions.

Dec 05: No incident of violence reported from any part of the state.

Dec 06: Minor incidents of stone pelting were reported from some areas in old Srinagar while in Nowhatta the vehicle of Deputy Commissioner Srinagar, Mehraj Ahmad Kakroo, was attacked.

Dec 07: A civilian was injured when unknown persons lobbed a grenade in Bijbehara town of this South Kashmir Anantnag while a youth was found dead in mysterious circumstances in Pulwama district. The injured was a pedestrian identified as Abdul Gani Bhat, 45 of Marhama Bijbehara. Meanwhile, police said a youth was found dead under mysterious circumstances in South Kashmir's Pulwama district. Body of 26-year-old Mushtaq Ahmad Ganaie of Shangerpora village was recovered from Hanjan Payeen. He was a driver by profession and his death looks suspicious.

Dec 08: No incident of violence reported from any part of the state.

Dec 09: A boy was injured in a mine blast while grazing cattle in forward village Bagyal Dhara, Poonch.

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

Dec 11: Minister for Law, Parliamentary Affairs and Rural Development, Ali Muhammad Sagar survived a bid on his life on Sunday when unidentified gunmen opened indiscriminate fire at his escort party leaving one of his security guards dead and three others, including a civilian, injured at Nawabazar in old city. The deceased was identified guard as Gulzar Ahmed and the injured PSOs as Feroz Ahmed and Muhammad Yaqoob. The injured civilian has been identified as Ali Muhammad. While body of a Special Police Officer (SPO) was recovered in Kishtwar district. The deceased SPO was identified SPO Mohammad Hanief.

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

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

Dec 14: 35-year-old Nowhatta trader, Tariq Ahmad Bhat, who was critically injured in an assault of miscreants, forcing shut down, succumbed to injuries at Intensive Care Unit (ICU) of SKIMS.

Dec 15: No incident of violence reported from any part of the state.

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

Dec 17: No incident of violence reported from any part of the state.

Dec 18: No incident of violence reported from any part of the state.

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

Dec 20: No incident of violence reported from any part of the state.

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

Dec 22: Suspected militants hurled a grenade towards army men in Amargardh area of Sopore. However it missed the target and exploded in a paddy field.

Dec 23: No incident of violence reported from any part of the state.

Dec 24: Suspected militants shot dead a National Conference activist Bashir Ahmed in Batmaloo area of Srinagar district. Bashir was a shopkeeper.

Dec 25: Three CRPF men were killed and another injured in a fratricide incident at a camp in south Kashmir's Kulgam district on the evening of December 25.

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

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

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

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

Dec 30: A Border Security Force (BSF) personnel allegedly killed by his colleague after an altercation in south Kashmir's Awantipora area

Dec 31: No incident of violence reported from any part of the state.

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