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**People carrying corpse of Showkat Ali, a victim of grenade explosion**

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## R2P

Responsibility to Protect (R2P) is emerging norm in international law. R2P was mentioned by an international commission on Intervention and State Sovereignty led by Gareth Evans, who argued that the international community has a moral duty to intervene, to avert or halt atrocities against innocent civilians anywhere in the world. Following doctrine of R2P, several interventions have been made in Somalia, Bosnia, and other places. The UNSC resolution shows that there is a grudging acceptance of controversial doctrine of R2P. Recently, the UNSC resolution No. 1973 on March 17 authorized on humanitarian ground, action under Chapter VII of the UN Charter for the Protection of Civilians, asked the Govt. of India (GOI) abstain from using force. The growing evolution of the international humanitarian law is being welcomed but the interventions have always remained controversial, as in the case of Libyan resolution. Even novice students of the political science know that nations are not led by moralities but by permanent interests. The double-standards of US have been exposed as intervention has been ruled out in Bahrain and Yemen whose rulers are friendly to US. Even before the doctrine of R2P, nations for their geopolitical interest have intervened in other countries "on humanitarian issues" as has been the case of India in 1971, which was then East Pakistan to stop the genocide. India also intervened in Sri Lanka, Maldives and about the US the less said the better.

GOI abstained from resolution No. 1973 on Libya, since GOI is too obsessed with its sovereignty and have resisted surrendering to ministrations of the UN. Like US the sole superpower India has not behaved differently than any aspiring regional power obsessed with hegemony. Even the founder of modern India and the first PM, Pandit Nehru hailed as a world statesman was not different when there was an Anglo-French invasion on Egypt during nationalization of the Suez Canal and did not take an opposite position when then USSR intervened and occupied Hungary and other eastern European countries. Pandit Nehru said on the record that, "morality and democracy in Kashmir can wait". India has no history of moral outrage against occupation; consider for example India's position on East Timor's referendum or justifying Russian occupation of Afghanistan. Notwithstanding, the controversies or selective use of international humanitarian law by the international players, the growing concern about the treatment of civilians in their countries is a positive trend.

In J&K where the Indian army has remained busy for the last 21 years unsuccessfully trying to neutralize the overwhelming aspirations of the Kashmiri people, who are determined to seek the internationally recognized right guaranteed under Article 1 of ICCPR and ECOSOC and also by the Indian government which took the matter to the UN under Chapter VI.

Last year was a witness to the agitation when millions of unarmed civilians took to streets demanding their rights. The trigger-happy police officials ran out of ideas in how to deal with those large-scale protests and resorted to disproportionate use of force. In violent police action more than 100 civilian mostly young boys got killed and hundreds were injured of whom 18 lost eyes by sling shots and many boys were randomly arrested under Public Safety Act (PSA). These protests continued for 4 months paralyzed life and negated the Indian propaganda that Kashmir is only about terrorism and Jihad backed by Pakistan. It was not only killings but the frenzy let loose by largest police force of the world to avenge the protests. Ambulances carrying injured and serious patients including pregnant women were halted to cause them to deteriorate. Fire brigades were not allowed to move freely and at many occasions were halted, seemingly ensuring that the fire engulfed the neighboring areas. School children received bullets while playing; some were buried with balls in their pockets. Shopkeepers were shot dead while playing carom board on their shop porches. All this was being done on the name of peace, law and order. It is important to note that the events attracted global attention towards Kashmir causing embarrassment to Indian government, which to some extent deflated the Indian propaganda. These events could have been enough for international humanitarian intervention to protect Kashmiri civilians from the onslaught of the state, but the functionaries of law are hell-bent to punish Kashmiris and therein lie the double-standards.

Like in the past, no concern was by shown by any nation beyond routine calls for peaceful resolution of Kashmir issue. Indian media debated the issue and Indian civil society as expected also did not do much. GOI is used to such turmoil's and they managed the crisis by brutal force, and ensured putting mechanisms in place that made sure the situation died down.

The ethics of morality, truth, justice and peace may not be issues for the state but they are definitely important for the global civil society. The civil society prioritizes these ethics over trade relations, geopolitical interests and it is they who can be approached, engaged, as has been the case in Palestine or in East Timor or Kosovo like international solidarity movement. These ethics which are prioritized by a conscious civil society are the silver lining, which will enable making governments accountable. It has been manifested in the 10 million people who marched globally against the US invasion of Iraq. In a way, we see that history has already convicted neo-cons warmongers. This movement of global solidarity amongst a conscious civil society engages a long drawn strategy, and it needs determination and consistency from the actors who are committed for peace, justice and truth.

### STRAY SHELL INJURED 3 MINORS IN LOLAB

On March 10, three minor children of Sharief Khan of Chotti-Margi, Tikipora, Lolab, about 115 kms from Srinagar in the north district, Kupwara were seriously injured after a shell fell into the compound of their dilapidated house. The injured were identified as, Mashooq Khan, 15, – 8<sup>th</sup> standard student, Nazia, 12, – 4<sup>th</sup> standard student and Adil Khan, 8, – 2<sup>nd</sup> standard student. All the three injured were rushed to the Primary Health Centre Sogam, Kupwara, where from critically injured Mashooq and Adil were shifted to Srinagar Hospital. Police Station, Lalpora registered a case into the incident and assured victim family and villagers of investigating the matter.

This was second such incident in the past one month in the Kashmir Valley. Three Minors were killed in a similar kind of incident in Maloora locality in the outskirts of Srinagar city on February 13.

Soon after the incident, a researcher of *The Informative Missive* visited Chotti-Margi and talked to the victim family and other village inhabitants.

According to Yasmeen, 36, mother of the three injured children, that she was inside her hut when the shell exploded. While elaborating on the incident she said, "In the morning of March 10 at about 10 am my children put on their uniform, carried their school bags and were about to leave for school. We have only two rooms in our hut, kitchen and a bedroom. At the time of explosion, I was busy with cooking in the kitchen. Our entrance to the hut is from kitchen. All my kids were about to leave for school. I kissed Adil, and then they put on their shoes and left out of the kitchen. Merely after few seconds I heard an extensive jingling sound followed by a heavy explosion. Instantly, I ran towards the door and found my three children lying in the courtyard in a pool of blood."

She added, "I got shocked and cried for help. My husband had gone out for some work. Then all of our neighbors rushed to our house and picked up my wounded kids. It was like a catastrophe. I could not dare to touch any of the three kids. Mashooq's front side of body was badly damaged. His skin had burnt and some pieces of flesh were hanging from his body. Nazia had injuries on

### PARTIALLY CRIPPLED YOUTH BOOKED UNDER PSA IN SOPORE

Feroz Ahmad Wandroo alias Parvez son of Ghulam Qadir of Baba Yousuf Sopore, has been booked under PSA after he was arrested from his house on March 5, 2011. The youth is partially crippled and is suffering from a severe brain damage in Udampur jail. Feroz Ahmad got injured on October 5, 2009 outside his house after he was hit by a tear smoke shell on his head during clashes between youth and SOG and CRPF personnel at Baba Yousuf, Sopore.

Feroz's elder brother Ghulam Mohammad Wandroo alias Jan Mohammad (25) was shot dead by unidentified gunmen in 2008 while he was talking to his friends in his locality at Sopore. The victim family is traumatized for losing their elder son and detention of younger son under PSA.

While talking to a researcher of *The Informative Missive*, Naseema elder sister of Feroz stated, "First our elder brother was being persecuted by SOG and other security agencies. He was arrested many a times for being associated with militancy, which was baseless and eventually he was shot dead by SOG personnel in civvies.

both her legs. Her left thigh muscles were detached and her hands had scorched. While youngest Adil bore grave abdominal injuries as his intestines had come out from abdomen. The villagers immediately rushed them to the Primary Health Centre Sogam, Kupwara, where from Mashooq and Adil were referred to SMHS hospital Srinagar while Nazia was discharged after few days' treatment. Mashooq's legs were pinned in the Bone and Joint Hospital as he was suffering from severe bone fracture in the legs."

"Soon after the incident Deputy Superintendent of Police (DSP), Sogam, SHO Police Station, Lalpora and Major of Army's 18RR visited our house. They collected some pieces of shell and assured us help, but later they did not turn up. They neither helped us nor conducted any investigation. In SMHS hospital the doctors advised that Adil has to undergo a plastic surgery. We are very poor as my husband hardly earns two times food after doing hard labor work. We had no money to treat our sons. Then our villagers collected some donations and paid to my husband. Still we are surviving with the help of villager's charity."

According to villagers the district administration came up with a different version of incident as officials reported to the media that the children had found an unexploded shell in the fields of Margi Tikipora in Lolab area and brought it home. They shell exploded after children fiddled with it. The official version is totally baseless. Whenever the fact is that the shell came soaring from forests and exploded into the compound of Sharief Khan's house.

Yasmeen further said, "The administration is pitiless because they did not bother to provide free medical assistance to my kids. We are worried, who will help us now to in running our family and to treat our children. Instead of providing any relief, the officials gave false report to the media as my children had brought the shell from outside, which exploded after fiddling. It is a blatant lie, they shell was fired from forest side because I still remember it's resonance before it dropped into our courtyard and injured my siblings."

One year after elder brother's killing my younger brother was hit by a tear smoke shell on his head when he was moving out of his house. On the fateful day of October 5, 2009, clashes were going on in our locality between youth and security agencies. Feroz used to drive an Auto rickshaw and at the moment he had returned home for taking tea. After finishing tea as soon as he went out of the house, a joint party of police, SOG and CRPF fired tear smoke shells indiscriminately at the youth. They had entered our lane while chasing away clashing youth. One of shell hit the head of my brother. He received severe injuries and fell down on the ground."

She added, "First he was rushed to Sub-district hospital wherefrom he was instantly referred to SKIMS, Srinagar. In SKIMS he underwent a surgery and doctors confirmed severe damage to his brain, stating that his right frontal compound is depressed with underlying contusion. In SKIMS he was hospitalized for two months. After two months treatment he was discharged from the hospital but was under regular medical treatment. He recovered from

the injury but continued to suffer from mental illness and headache. After being hit by tear smoke shell the doctors advised that he cannot run Auto rickshaw."

According to victim family, Feroz was lone breadwinner in the family. Apart from earning for family he was also paying for father's treatment, who is an ailing person and is suffering from semi-paralysis on the left side of his body. After Feroz got injured the family was badly hit by poverty. Then Feroz had started to sell peanuts on a handcart at Sopore Chowk so as to run the family.

Naseema, further said, "Despite being unwell, my brother was working hard to support the family. This year (2011) doctors prescribed that he has to undergo one more surgery. But before he could get himself operated, SOG personnel in the intervening night of March 5/6 at 1:00am raided our house and picked him up. When they barged inside our house, they beat him up severely and whisked him away. Next day we visited police station, Sopore and pleaded for his release but they turned a deaf ear to our pleas. For few days he was detained in the Police station Sopore, where he was tortured. Then on March 9 when we sought bail from the court of chief judicial magistrate, Sopore and wanted his release, the police authorities shifted him to Sub-district Jail, Baramulla and booked him

#### **MISSING YOUTH OF LADOORA FOUND DEAD**

Mohammad Yaseen Mir, 26, son of Ghulam Nabi Mir of Ladoora, Rafiabab Baramulla, went missing in the evening of March 2, 2011 at about 8pm. After three weeks his dead body was recovered from a trench in the compound of the public health centre in proximity of his house. Concerning the incident police station Sopore registered a case under FIR No. 80/2011 dated 25/03/2011. However, police is investigating the matter but there has been no development in divulging the reality behind the killing of Mohammad Yaseen. According to family members, police is less active in investigating the matter and till now nothing has been done. Even the status of investigation is not being shared with the family.

Ghulam Nabi, Block Secretary of National Conference and father of slain Yaseen stated to *The Informative Missive*, "On the fateful evening of March 2 at about 7:30pm my son came down from his room after changing his clothes. He called his mother to provide food and told that he would return soon from outside after talking to someone. Heavy rainfall was going on. He was wearing brown colour *pheran*, black T-Shirt and black trouser and was carrying a torch in his hand. It was completely dark outside and he moved out. He did not return for few hours. We became worried and went out to search him but found nothing."

He added, "Next day we searched him at his friend's and relative's houses but nothing divulged out. Then on 3<sup>rd</sup> day which was March 4, we approached police station Sopore and filed a missing report. We submitted application for missing report on March 4 but the copy of missing report was given to us on March 5 having the date as March 5. Police told us that they would investigate and would search my son. Police also provided us a copy of details for media circulation. We then approached different media organization and appealed for clues about Mohammad Yaseen but nothing traced out."

Ghulam Nabi further said, "On March 6, Deputy Superintendent of police (DSP) of SOG wing, Chowdhary Ifthikhar and an Assistant Sub-Inspector from Police

under PSA vide detention order number, DMB/PSA/2010/184, dated 17/03/2011. Finally from Baramulla he was sent to District Jail, Udhampur."

"Next day to my brother's arrest, the SOG personnel again raided our house. After entering into our house, they took my father into a separate room upstairs and thrashed him. During the raid and search in our house they stole rupees 3300, a gold ring, two cell phones and my elder brother's motor bike. After looting things and ransacking all our households they ran away. Next day and later we craved police for returning our things, which they refused. Instead, they abused me and forced me out of the police station", grumbled Naseema.

She further said, "Our brother is at the brink of death in Udhampur Jail because his head has extremely engorged due to the head injuries and lack of medical attention. We had a visit to Udhampur Jail where we saw his pathetic condition. We want his release so that we can treat him and get him operated."

According to victim family, Hurriyat lawyer Bashir Ahmad Tak has challenged the detention order under PSA in the J&K court but so far there is no development in the case.

Station Sopore visited our house. They took mine and Yaseen's cell phones, personal dairy of Yaseen and two SIM cards of Yaseen. DSP assured us that he just needs two days and would trace out Mohammad Yaseen. When nothing trace out up to March 7, we along with help of locals held a *dharna* (Sit-in) in the morning of March 8 and blocked the Baramulla-Handwara national highway. We demonstrated to disclose the whereabouts of Yaseen and demanded urgent action. To pacify the demonstrators DSP Ifthikhar visited the spot and assured publically that in just two day he would ascertain the whereabouts of Yaseen. After DSP's promise the demonstrators dispersed peacefully."

While disclosing the suspicions about the disappearance of Mohammad Yaseen, Ghulam Nabi stated, "My son was in love affair with a girl namely Fancy, who is also resident of Ladoora area. Fancy, without her consent was engaged with her paternal cousin namely, Mohammad Asif Dar son of Habibullah Dar of Ladoora. We were unaware about all this but after Yaseen went missing; Fancy called on my daughter's cell number and asked about whereabouts of Yaseen. She continuously called my daughter and kept on asking about Yaseen. She during communications with my daughter also mentioned that on the evening of March 2 when Yaseen had gone out of the house, he was seen by her fiancé Mohammad Asif with a torch in his hand near the gate of house. Even they had a little chat at that moment. Nothing more was disclosed by fancy, but even after being engaged to Asif fancy was still in relation with Yaseen, which she had disclosed to my daughter that she has been engaged forcibly with her cousin. We also became skeptical that after Yaseen's disappearance, fancy's brother name prince alias Tenga who was lubricant vendor at Ladoora, was absconding, as he did appear on his shop for two weeks instead his father, Ghulam Mohammad Mir was running the shop. Moreover, Asif's brother namely Gowhar Habib was also absconding from the area."

The dejected father said, "After 24 days constant search, on March 25 at about 9:00am came to know that Yaseen's body is lying in a ditch in the premises of public health centre, Ladoora. The body was first seen by one Abdul Hameed Ganai, a mason and was engaged with some constructional work in the said health centre. The health centre is at a stone throw distance from our house and is surrounded by a very high wall. The main gate of health centre always remains closed during the evening hours and also due to the height of wall climbing is not possible. But we fail to understand that who took Yaseen inside the health centre and after killing him threw him into the ditch."

Adding to the suspicions, the family stated that Fancy's uncle namely Ghulam Nabi Mir son of Mohammad Ramzan Mir (family nickname-Tenga) is a very influential person and is running a black-marketing fuel shop outside Tragpora, Army camp. The family also apprehends his involvement into the disappearance and killing of Mohammad Yaseen. However, the family undoubtedly said that the relation between Asif and Mohammad Yaseen was normal. Even Asif knew that Fancy had been in love with Mohammad Yaseen.

Ghulam Nabi, further added, "During preliminary investigation SHO, Police Station Sopore called Fancy, her brother-Prince, her fiancée-Asif, her brother-in-law - Gowhar and her cousin sister-Anjum (Anjum was a mediator in Yaseen's and Fancy's love affair) and questioned them. My elder son Mohammad Yousuf, my daughter Shameema and I myself was called to the police station. Initially during police questioning Fancy retreated from communicating to my daughter after Yaseen went missing, but finally she accepted that she talked to my daughter. But still nothing revealed about the killing."

"We believe that Fancy's family is somehow associated with the disappearance and killing of my son.

#### **FAMILY MOURNS SHOWKAT'S DEATH INJURED IN GRENADE EXPLOSION**

**March 1:** Deeply engrossed in their childhood, Sadaf Zehra, Dawood and Zoorin Zehra don't know that they have lost their father to pernicious Kashmir tragedy. Their father Showkat Ali Khan, wounded in a grenade explosion in Batamaloo on March 1 evening, lost his battle for life at SKIMS late night.

With the family mourning the death, the siblings studying in class 4th, 3rd and 1st respectively, are fretfully waiting for their father's return.

"How can we make them understand that their father is no more? Why my nephew and nieces were orphaned? They would wait for his return every day. They don't know that he would never return today," says their uncle Shahid Ali Khan.

As Dawood enters the room, his uncle and grandfather hug and kiss him.

"Don't worry my dear I will give my blood to up-bring you, but I cannot return your father," Shahid says as tears roll down his eyes.

Benumbed by the death of her husband, Zaheena is worried about the future of her children.

"When they would ask for their father, what answer I will give them," she says, as women around console her.

The suspicions also raised in our minds at a time when we noticed that during the period of disappearance of Yaseen, the friend of one Gowhar (Brother in law of Fancy) namely Jamsheed Malik of Achabal made regular visits to the house, which he never made before. We also became doubtful at a time when Yaseen's dead body was being brought back to home from Sopore after conducting its autopsy, Gowhar and his friend were blissfully talking to each other at the moment when whole of the village was mourning Yaseen's killing. Moreover, Gowhar's uncle namely Javaid Ahmad Dar is a National Conference leader and is an active MLA of our area, which might also be one of reason's of police inaction into the matter", Complained Ghulam Nabi.

He further added, "We continuously approach police to know the status of the case but every time they say that investigation is going on, but so far no body has been seriously questioned or arrested in connection to the disappearance and killing of my son. Initially, when my son went missing DC (Deputy Commissioner) and SP (Superintendent of Police) Baramulla publically assured us that they would ascertain the whereabouts of Yaseen in just two days but now months have passed nothing has been done. It is apparent that police is trying to cover up the matter. Even I made a number of attempts to meet the high ups of district administration concerning my son's case but I was never given permission to meet any of them. Everything seems to be devious in the police investigation. Notwithstanding, our repeated requests the post mortem report was not given to us and still we are unaware about the cause of his death."

"Irrespective of any trepidation from politicians police has to impartially investigate the case my son's disappearance and killing. I will fight for the just until the perpetrators are uncovered and brought to justice", concluded Ghulam Nabi.

Last evening Showkat left his Balgarden home to purchase medicines for himself after returning from his day's official duty as he was suffering from cold.

"He went to the medical shop where he usually purchased medicines, but fate had something else in store for him. The shop was shut and he went to other shop and brought 3 tablets from there. When he was returning, suddenly there was an explosion nearby," Shahid said.

Three persons including Showkat were injured in the blast near Fire Service Chowk Batamaloo.

He says that an hour after the blast, they were shocked when their maternal uncle Bashir Ahmed rang them up, saying that Showkat had met with an accident.

"We knew something worse has happened and we rushed to SMHS where he was lying in a pool of blood. There were bruises on his head and leg," Shahid said.

"He was shifted to SKIMS from SMHS where he was operated upon, but he couldn't defeat the death and breathed his last after few hours," he says.

Talking to media, medical superintendent of SKIMS, Dr Amin Tabish said that he primarily died due to fatal head injury.

"He was brought in a very critical condition, we operated upon him but couldn't save him due to severe head injury," he said.

After completing his civil engineering from Regional Engineering College Srinagar, Showkat was

### AMNESTY RELEASES "A LAWLESS LAW" REPORT

March 21: The Amnesty International (AI) in its 82 page report "A lawless Law" accused the J&K government of holding hundreds of people each year without charge or trial to keep them out of circulation. Amnesty International said the state government has been using Public Safety Act (PSA) to create a parallel or informal criminal justice system. The 3 member AI team comprised of South Asia Director AI Madhu Malhotra, South Asia member, Bikramjeet Batra and Ramesh Gopalakrishnan released the report in a local hotel in Srinagar.

The Amnesty reported that 20,000 persons in the state have been detained under PSA over the past two decades and recommended to the Government to carry out an impartial probe into the alleged abuses against the detainees and their families.

AI criticizing the state authorities, the human rights organisation in its latest report has described the Public Safety Act, commonly used against separatists and suspects, as a 'lawless law'.

In its report 'A Lawless Law: Detentions under the Jammu and Kashmir Public Safety Act', the organisation documents how 'the PSA is (mis)used to secure the long-term detention of individuals against whom there is insufficient evidence for a trial'.

#### Few excerpts from the report

"Estimates of the number detained under the PSA over the past two decades range from 8,000-20,000, with around 322 reportedly held from January to September 2010 alone," the report says. "The Jammu and Kashmir authorities are using PSA detentions as a revolving door to keep people they can't or won't convict through proper legal channels locked up and out of the way.

"Hundreds of people are being held each year on spurious grounds, with many exposed to higher risk of torture and other forms of ill-treatment," it says. Detainees include political leaders and activists, suspected members or supporters of armed opposition groups, lawyers, journalists and protesters, including children. Often, they are initially picked up for an 'unofficial' interrogation, during which time they have no access to a lawyer or their families."

"Over the past decade, there has been a marked decrease in the overall numbers of members of armed

### AMNESTY CALLS FOR FAIZAN'S RELEASE

AI SEEKS URGENT GLOBAL ACTION ON THE ISSUE

March 31: Faizan Rafiq Hakeem, detained by the state Government under the controversial Public Safety Act, is becoming part of a global campaign for human rights defenders who are seeking his immediate release.

appointed in Roads and Buildings Department in '90s and was presently working as Assistant Executive Engineer.

groups operating in the state. But in the last five years, there has been a resurgence of street protests. Despite this apparent shift in the nature of the unrest, state authorities continue to rely on the PSA rather than attempting to charge and try those suspected of committing actual crimes. The PSA undermines the rule of law and reinforces deeply held perceptions that police and security forces are above the law.

"Our research shows how the implementation of the PSA is often arbitrary and abusive, with many of those being held having committed no recognisably criminal acts. The Supreme Court has described administrative detention, including the PSA, as 'lawless law'.

"Those held under the PSA can face up to two years in detention. But the state authorities consistently thwart high court orders for the release of improperly detained individuals by issuing successive detention orders. Many detainees are thus trapped in a cycle of detention, and remain, in the words of one high-ranking Jammu and Kashmir official, 'out of circulation'.

"Those being held have no access to legal representation and cannot challenge their detention in any meaningful way. Once released, they cannot seek any redress or compensation for the wrongful detention they have endured and virtually never receive justice for the torture and ill treatment.

"The use of administrative detention does not conform to international human rights legal obligations and agreements that the Indian government is a party to it,"

said Sam Zarifi, Amnesty International's Asia-Pacific director said.

"The government must ensure that Jammu and Kashmir authorities repeal the PSA and end the odious system of administration detention once and for all," he added.

#### Amnesty International has recommended that India:

\* Repeal the PSA and end practices of illegal and incommunicado detention and immediately put in place safeguards to ensure that those detained are brought promptly before a magistrate.

\* Carry out an independent investigation into all allegations of abuses against those detained.

\* Extend invitations and facilitate the visits of the UN officials and panels, including the UN Special Rapporteur on Torture and the Working Group on Arbitrary Detention.

The human rights watch dog Amnesty International, terming him as a minor, has demanded urgent action from its millions of members around the world to write appeals to the state authorities for the immediate release of the 'child.'

"We have asked our members globally to urgently write and demand the state authorities to immediately end the detention without charge or trial of

charged, the police originally claimed that Faizan Rafiq Hakeem's age was 27, later he appeared to them as 20. But on March 28, the police announced that age-tests

#### OMAR FOR MEDICAL TESTS OF ARRESTED YOUTH

Following the booking of a minor boy of South Kashmir under infamous Public Safety Act, the Chief Minister Omar Abdullah Tuesday said the best way to determine his age was to conduct a medical test.

"Best way to settle any doubts is to order a medical examination to certify the age. I have seen too many fake certificates," Omar wrote on micro-blogging site Twitter.

He was responding to media reports that 14-year-old boy Faizan Rafiq Hakeem of South Kashmir's Islamabad township has been booked by authorities under PSA and sent to Kotbalwal Jail.

Faizan Rafiq Hakeem. He has been detained without charge or trial by the Kashmir police since 23 February," South Asian member of Amnesty International, Bikramjeet Batra, told Greater Kashmir over phone from New Delhi.

"We have also urged them to write that if Faizan is to be held on charges of a recognizably criminal offence, he be afforded all fair trial guarantees set out in international law and specifically Article 40(2) of the UN Convention on the Rights of the Child, which stipulates also that any detention shall be used only as a measure of last resort and for the shortest appropriate period of time; such detention should be in a separate facility for children, as close as possible to his family in order to facilitate family contact," he added.

Amnesty International is a global movement of more than 3 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

The Amnesty has asked its members to send their appeals to Chief Minister Omar Abdullah and Union Home Minister P Chidambaram before May 11, 2011.

Batra said Faizan was a minor and his age was 15.

"The Amnesty International has inspected the original records maintained in the school register at Anantnag. It verifies the date of birth of the child as 18 May 1996 - making him less than 15 when he was arrested," Batra said.

He said earlier the authorities have given conflicting versions regarding his age. "When he was

conducted in the Government Medical College Jammu showed Faizan Hakeem's age as between 17 and 18 years."

The Amnesty said the medical tests conducted on the 15-year old should have been the last step taken by the Government to determine the age.

"The school register had gathered the dust when Amnesty inspected Faizan's records. The date of birth record in the register has not been tampered," Batra said. "The documents should have been taken as the prime source of data. There are sufficient Supreme Court directions which observe that school records should be taken as credible evidence."

"By International Law Faizan is a child and there is no scope for his detention under 18," Batra said.

The Amnesty further said Faizan has been detained in a jail 300 kilometers away from his home. "Prison conditions are believed to be harsh there with limited provisions of health care," Batra said.

"Faizan's father Muhammad Rafiq Hakeem - a fruit vendor in Anantnag - told Amnesty International that since he was busy trying to seek the release of Faizan, his younger son aged approximately 14 had to drop out of school to manage the fruit cart as the family of five has no other source of income," Batra said.

Faizan's family had produced a birth certificate which showed the boy was minor as his age was 14 years and nine months. The certificate issued by the school reads the date of birth of the victim as 18-05-1996.

#### CRACKDOWN ON YOUTH

##### ➤ MORE THAN 150 WANTED, 2 DOZEN BOOKED UNDER PSA

**March 3:** With the slapping of Public Safety Act (PSA) on about two dozen youth in Kupwara district in recent past for alleged involvement in stone pelting and street protests last summer, police has launched a man hunt for youth who police allege are involved in disrupting peace.

During past some time many a youth were arrested by police in different parts of district and among them about two dozen have been booked under PSA and have been lodged in different jails of the state. Around 160 police sources said are wanted in different alleged stone pelting cases.

"We are looking for around 150 youth who are responsible for disrupting peace in district," superintendent of police Kupwara VK Birdhi told KTNS. "There is no concession for youth who are involved in pelting of stones and disrupting peace," he added.

Police is raiding the residential houses of the youth to get them arrested and at some places the youth are being called to police stations. The police action has forced many a youth to flee from their villages. "To escape arrest some youth of the village have left their homes," a Rawathpora resident said adding police is visiting the residence of these youth off and on.

Kupwara district also witnessed some civilian killings and after the men in uniform opened fire on protesting people who were taking to streets against the civilian killings.

Interestingly most of the youth have kept the bail in their pockets fearing arrest by police. They do not know whether they have been named in cases or no. "I have kept the bail by the court in pocket as I fear the arrest by the police," Nazir Ahmad of Batpora said adding that some of his classmates have done the same thing.

Pressing on with its crackdown on stone-pelters, the police on March 3 arrested six persons in Srinagar and Pampore, while the parents of 15 youth were arrested in the Trehgam area of Kupwara.

A report from Kupwara said that at some places police earlier had arrested the parents of 15 youth who had been accused of being involved in stone pelting. The youth were absconding after the police summoned their parents to the police station and put them behind bars.

In the Handwara tehsil of Kupwara district police records maintain that 63 people have been arrested so far and 20 of them have been booked under the PSA, on charges of stone pelting out of a list of 140.

Police sources said that the police had recently finalised its identification of stone-pelters in the town, drawing up a list of 140 people whom it has under surveillance. The list includes the

names of a number of government employees who, according to the police, have been involved in fomenting trouble and instigating people on violence. Three of the 25 identified employees have been arrested, and those taken into custody include several school-going boys, police sources said.

#### ➤ **PSA ON 70 PERSONS, 600 YOUTH WANTED IN SOUTH KASHMIR**

**March 5:** With the slapping of Public Safety Act (PSA) on more than 70 people in South Kashmir, police is also hunting for 600 youth of all districts there who cops claim are allegedly involved in stone throwing and street protests in last summer.

Reports reaching here from South Kashmir suggest that police is raiding the houses of the youth who police claim are involved in stone throwing and disrupting the peace.

Reports add that police is asking the parents of youth to get their wards to police stations.

The police action has forced many a youth of South Kashmir to take shelter at the houses of relatives or friends.

In Shopian district, 15 people have been booked under PSA and around 200 are wanted. "We are hunting for these youth and do not allow anybody to go scot-free," a senior police officer from Shopian told Kashmir Times. "Some of the involved youth themselves report to respective police station of their areas," added the police officer. In district Pulwama 24 persons have been booked under PSA for alleged stone pelting and street protests and number of youth wanted exceeds 250. "We are hunting for the involved ones and so far two dozen have been booked under PSA," a senior police from Pulwama told Kashmir Times. "Some of the youth report to police stations themselves for mercy," added the police officer.

In Kulgam, police said that they do not use coercive method against allegedly involved stone throwers and even then 60 people are wanted. In the district 200 persons were arrested. All of them police said were bailed out by court. "Five were booked under PSA, they got that quashed and they too were released," a senior police officer from Kulgam told KTNS. He added that police in no way is ready to use coercive methods in case the youth are ready to cooperate into the investigations.

In the Anantnag district more than two dozen have been booked under PSA for alleged stone pelting and around 300 are wanted in cases of disruption of peace in the district.

"It is a matter under investigation. Once some one proved hardcore we will not allow him to go scot free," said SSP Anantnag Ramesh Kumar Jalah, adding that there are many a case registered against the people who disrupt peace.

Deputy Inspector General (DIG) of police South Kashmir Shafiqat Ahmad Watali said that police is hunting for the youth and involved ones would not be allowed to go.

"Those who were involved in pelting, arson and disrupting peace will be brought to book," DIG said adding that every case is investigated. "Any person arrested for pelting and other violence related incident is arrested after proper investigation," he added.

#### ➤ **PSA SLAPPED ON 30 IN BUDGAM, 150 WANTED**

**March 9:** The Central district of Budgam did not witness massive protest rage against the civilian killings last year. Even then around 30 persons have been booked under Public Safety Act (PSA) and more than 150 are wanted by police for stone throwing and disrupting peace.

According to police sources, at least 250 were arrested, 30 were booked under PSA and rest of the people were released. Most of the people, police claim, were arrested and booked for throwing stones, damaging the railway tracks and torching the government buildings.

It is also the first district where two government teachers were dismissed for their alleged involvement in stone throwing and street protests against the civilian killings during last year's five month long agitation.

On September 13, Budgam witnessed some civilian killings besides death to a cop in four month long massive protest rage. A Class 7 student, Danish Nabi son of Ghulam Nabi Kumar

of Charar-i-Sharief was killed in CRPF firing near Hanwari in Char town.

The paramilitary troopers of CRPF killed Javaid Ahmad, Nissar Ahmad Kuchay, and Ghulam Rasool Ahanger of Humhama while a woman Rafeeqa of Ompora Budgam was also killed at Humhama during protest.

Showkat Ahmad Mir was also killed in firing by CRPF in the main town Budgam when he was leading a procession. At main town Budgam, a policeman Ravinder Singh, was killed after being run over by a vehicle that was reportedly carrying injured to Srinagar hospital.

Police sources said that the teachers were spotted during a protest demonstration against an act of sacrilege. On the same day five youth were killed in Tangmarg area of Baramulla after the precisionists protesting against the desecration of Holy Quran where fired upon by the police and CRPF.

Reports reaching from parts of Budgam said that police is raiding the residences of the involved. "If some one involved turns up to police station for mercy, we try to help him," said a senior police officer adding that they are meant for the welfare of the locals.

He added that they are hunting for the involved persons and the number of wanted people can go up as the cases are being investigated."

The police officer said that police in particular are hunting for the people who attacked police stations/ posts in district. "Once our investigations confirm that somebody was involved in attacking the police installations, we do not want him to go scot free," said the senior police officer.

#### ➤ **500 ARRESTED, PSA SLAPPED ON 35 IN BARAMULLA**

**Mar 18:** Though the police in Baramulla claims to have stopped the random arrests, 35 persons have been booked under public safety act (PSA) in district and more than 500 arrested and bailed out for taking to streets against the civilian killings.

Most of the youth are from Keeri, Singhpora, Palhallan, Tapper and Indergam area of Baramulla district. In the last four weeks around 25 youth were arrested in the jurisdiction of police station Keeri and there are reports of raids on the residential houses of youth by police.

During last years protest's rage against the civilian killings, Baramulla witnessed massive protest rage and subsequent killings by the men in uniform. Two youth of Baramulla drowned in river Jhelum after police chased them during the protest demonstrations.

With the large scale hunt by the police in parts of Baramulla district most of the youth are on run to evade the arrest. Reports said scores of youth have also fled from Pattan and Palhallan areas of Baramulla district to evade arrest after police launched a major drive to arrest the youth who they allege actively took part in last year's summer unrest.

Both Pattan and Palhallan also witnessed civilian killings and Palhallan area was put under crackdown for 40 odd days and eight civilians were killed in Palhallan in police and CRPF firing.

A senior police officer said that during last three months more than 500 youth were arrested. "We arrested 500 youth in raids and all of them were involved in stone throwing and disrupting peace. They were bailed out by court," he said adding 35 have booked under PSA. "50 more are wanted and we have stopped the raids and we simply call them to police stations," the senior police officer added.

Besides the statements on crime control activities by the police in Baramulla the police media cell off and on issues statements about the arrest of stone pelters in Baramulla. On February 15, a statement of police media cell said that 12 youth allegedly involved in stone throwing were arrested in a major crackdown in district. "Twelve stone-pelters from Kreeri and Pattan area, allegedly involved in several cases and evading arrest for a long time, were arrested," the statement said adding ten were arrested from Kreeri.

In another police statement they claimed that on a specific SOG Pattan, apprehended Fayaz Ahmad Wani son of Gh Mohiuddin Wani resident of Lolipora Pattan. He police claimed was linked to separatist and is involved in organizing and fomenting trouble.

There are yet reports that police are harassing the youth with out any provocation. The crackdown reports said has forced scores of youth to run away from their houses. Some of them have even left Valley, added the reports.

#### ➤ **1160 KASHMIRI YOUTH WANTED: POLICE**

**Mar 20:** There are at least 1160 youth who are wanted by police across the Kashmir Valley for their alleged role in the summer unrest of 2010.

Police sources said the accused are wanted in various cases lodged against them for creating law and order problems last year.

The youth, they said, are yet to be arrested and the cops are looking for them to close the pending cases and also produce the charge-sheets.

The policemen are calling the relatives of the accused to police stations, where they are asked to reveal the whereabouts of their wards. In many cases, the police have also conducted midnight raids to nab the accused protesters.

"The hunt for the absconding persons has been intensified to avert eruption of protests in future. We suspect they may organize the protests again," a police official said.

Most of the wanted youth have been charged with "attempt to murder, prevention of unlawful acts, burning and rampage, and for unlawful assembly."

On the other hand, many youth have fled from their homes to evade arrests.

#### **PHYSICALLY CHALLENGED SEEK PROTECTION AGAINST PSA**

**March 9:** The physically challenged people across the state have sought recommendation of special bench of judges and protection against Public Safety Act in the final draft of Disability Act bill 2011.

At a two-day state level "Consultation on draft of persons with Disabilities Act 2011", different groups and associations of handicapped persons working in the state put forth their recommendations to be incorporated in the final draft of the Act.

The programme was organised by Human Rights Law Network (HRLN), an NGO providing free legal aid in association

Sources said 1160 youth are wanted by police in Kashmir, excluding the figures of absconding youth in Sopore area where officials refused to divulge the details.

In Srinagar 60 youth are wanted by police. "We are looking for them," said Senior Superintendent of Police, Srinagar, Syed Ashiq Bukhari. "But most of them have left their places on account of winter." Police said majority of the wanted youth belong to downtown Srinagar.

The district-wise figures of the absconding youth, furnished by police, is Budgam (150); Baramulla (220), with large numbers from Pattan, Palhallan and Kreeri; Handwara (20); Kupwara (13); Bandipora (20).

Sources said the cases against most of the youth have already been registered.

In south Kashmir's Pulwama area some 300 youth are wanted. "There is a pending FIR against them. We have to charge-sheet them," said a police officer.

In Islamabad (Anantanag) there are 250 youth who are wanted in different cases lodged against them.

"There are 20 persons against whom there are serious charges. They may be booked under Public Safety Act," a police official said. "All of them have fled to unknown places. We are looking for them".

In Kulgam district police is looking for 70 persons who are on the run. Similarly, the Shopian police are looking for 50 youth.

On March 17, Jammu and Kashmir government admitted that over 5,228 protesters were arrested during the past one year in Kashmir of which over 4,900 have been released. This does not include the youth who were arrested, detained for some days and later released without any FIR lodged against them.

with Humanity Welfare Helpline (HWH) an NGO working for the welfare of disabled community. "Special bench of judges for cases of disabled persons and protection against PSA should be incorporated in the final draft of the Act," said a resident of Chadoora.

Demanding special schools for disabled children in all the regions of the state, he said, "The license of any school demanding capitation fee should be cancelled." Most of the participants emphasized that upper age limit for the disabled should be enhanced to 35 years.

#### **HANDWARA KILLING INQUIRY REPORT SUBMITTED TO GOVT 'PROBE FOCUSES ON SOP, POST MORTEM'**

**March 8:** The inquiry officer in Handwara killing has submitted the probe report to the Government.

Sources told media, that additional deputy commissioner Kupwara, Itrat Hussain, investigating the killing of Manzoor Ahmed Magray had submitted final report of the inquiry to the Government after completing the investigation.

They said probe primarily focuses on vital points including Standing Operating Procedure, post mortem report, besides recommendations for the action.

A copy of the report has been sent to divisional commissioner, Chief Secretary and Principal Secretary Home for further action, they added.

The deputy commissioner Kupwara, Muhammad Shafi Rather confirmed that probe report had been submitted to the divisional commissioner Kashmir.

"I don't know about the contents of inquiry," he said.

Divisional commissioner Kashmir, Dr Asgar Samoon acknowledged that he had received the report copy.

#### **FACTS CONTRADICT GOVT CLAIM**

##### **ONLY 1 CONSTABLE BOOKED IN TRIPLE MURDER CASE**

**Mar 31:** Contrary to the Government claims that a case of murder has been registered against the police officials indicted by the magisterial inquiry report in the cold blooded murder of three teenagers by policemen last summer in Anchidora area of Islamabad (Anantanag), a top police officer said that only one constable has been booked. The officer also ridiculed the claim that disciplinary action has been initiated against the then Senior Superintendent of Police (SSP) for dereliction of duties.

Chief Minister Omar Abdullah in a written reply to a question raised by CPI (M) leader MY Tarigami claimed that on

the basis of magisterial inquiry report (MIR) four policemen including two Sub-Inspectors - Feroz Ahmad and Farooq Ahmad besides constables Nisar Ahmad and Sartaj Ahmad were booked and case of murder was registered against them.

He also said that disciplinary proceedings have been initiated against the then Senior Superintendent of Police (SSP).

"The Special Investigating Team (SIT) of police booked only one constable namely Nisar Ahmad Lone against whom a murder charge was recently framed by the court. The investigating team did not name any other policeman in its final

report which it submitted to the court and hence no FIR stands registered against any other cop," the police officer said.

He further said that even the court has described the police investigation as faulty but has at the same time established the involvement of the accused constable, Nisar Ahmad Lone, and directed the Inspector General of Police (IGP) to himself carry further investigations and submit the report within a month.

The court also said the other accused police persons who had been named by the witnesses; SI Farooq Ahmad (Divisional Officer Police Post, Sherbagh), SI Feroz Ahmad, (DO Police Post, Bus Stand), SGt Sartaj Ahmad, Ct Muhammad Maqbool and Driver Abdul Jabbar be also interrogated to bring the real culprits to book.

"The police investigation agency did not even comply to the court directions of producing the other suspected police

officials named by the witnesses for identification parade and instead conducted the parade of only the constable, which clearly reveals their intentions of shielding the real culprits," he said.

#### **BACKGROUND**

Three teenagers- Shujat-ul-Islam, 17, Ishtiyaq Ahmad Khanday, 15, and Imtiyaz Ahmad Ittoo, 15, were killed in cold blood and four others injured in the compound of a house in Anchidora area of Islamabad (Anantnag) town on June 29, 2010.

"Policemen led by some officials chased protesting youth in an armored Rakshak vehicle up to SK Colony where they got down and entered into one of the by lanes leading to Anchidora area. They barged into one of the houses in Anchidora and resorted to indiscriminate firing on youth who had run for safety," the witnesses said.

### **3 INJURED IN MINE BLASTS**

March 7: Three persons including two children were injured in two separate landmine blast incidents in Rajouri and Jammu districts today.

Two children were injured when one of them stepped over a landmine in Rajouri districts, last evening.

Police said that two children were grazing their cattle when one of them stepped over a landmine resulting in an explosion near the Line of Control (LoC) in Pukhrni area of Nowshera tehsil in Rajouri district, last evening.

In the explosion both the children, identified as 9-year-old Mohammad Yasir and 6-year-old Mohammad Asid both residents of Pukhri, were seriously injured, police said, adding that the injured were shifted to Nowshera hospital where doctors referred them to Government Medical College (GMC) hospital here for specialised treatment.

A case has been registered in this matter.

In another incident, a 22-year-old Rajinder Kumar, 22, son of Gopal Das of Khandyal sustained critical injuries after he stepped over a land mine while grazing cattle in border village of Akhnoor tehsil of Jammu district this evening.

Police said that the injured had gone to graze his cattle when he inadvertently stepped over a landmine at Khandyal. His one of the goats entered the mine field and went to draw it back. He accidentally stepped over land mine and lost his one of the feet.

He was immediately shifted to Akhnoor hospital from where he was shifted to GMC here for further treatment.

His condition was said to be stable when reports last came in.

### **COP SON BACK IN JAIL WITHIN MONTH'S RELEASE**

#### **IS GOVT ABOVE LAW? FAMILY ASKS**

**March 8:** "Wani Anoun Wapas Bharoos Karev, SP Souban chi talab karmit (Trust us, we will bring him back soon, SP has summoned him)." This is what a police official told Fazi before taking her cop son Ghulam Rasool Wani who was released after eight years. The release followed directions by a local court, who acquitted him in a case involving killing of Mustaq Ahmad Lone, then MoS home.

Contrary to what the police told Fazi, Wani and three others arrested along with him were sent back to jail again after district administration booked them under Public Safety Act.

"Chief Minister Omar Abdul declared that justice will rule the roost in his tenure and we also seek justice," said Fazi, a heart patient. "The honorable court released my son and others. It was justice as my son is innocent justice shall prevail at all costs," she said, adding, "Is government above law and if not what is the justification in detaining my son again?"

Ghulam Rasool Wani son of Abdul Ahad Wani was detained under PSA, order no: 44-DMK/PSA of 2010 on February 26 last. Wani, who served police as in-charge SHO of Police station Sogam, has been accused of nefarious activities which are prejudicial to the security of the state.

He has also been accused of abetting militant activities in the police dossier besides having close liaison with foreign /local militants "who are active in waging war in the valley in general and in district Kupwara in particular."

Three other persons, including two policemen – Abdul Ahad, Mohammad Rustum and a civilian Ghulam Nabir Pir, were also booked under same offenses.

All the four were acquitted by the Sessions court in January this year of the charge of murdering then Minister of State for Home Mushtaq Ahmad Lone and his brother Ghulam Mohidin Lone in 2002.

"The prosecution has failed to prove the charges against the accused, who are hence acquitted," the Sessions court said in its order passed in January this year.

Lone was shot dead by militants while he was addressing an election rally at Tekipora in Sogam area of Kupwara district on September 11, 2002.

During the course of investigation, police arrested the policemen on charges of hatching criminal conspiracy with Lashkar-e-Toiba (LeT) militants to kill the minister.

## SHRC ORDERS MAGISTERIAL PROBE INTO CIVILIAN KILLING

'ESTABLISH IF HE WAS KILLED IN CUSTODY OR CROSS-FIRING'

**March 11:** Following conflicting reports by the Police over the affiliation and killing of a youth of Ganderbal in an encounter allegedly by Army in 1994, the Jammu and Kashmir State Human Rights Commission (SHRC) on asked the Government to conduct a magisterial probe into the case to establish whether the civilian was killed in cross-firing or custody.

The Commission maintained that the police in its initial report had dubbed the deceased Mushtaq Ahmad Lone son of Abdul Rahim Lone of Batwina Ganderbal, as a militant and later contradicted it own stand by saying he was killed in cross-firing and not involved in any subversive activity.

In its complaint, the deceased's family told the Commission that Mushtaq was killed allegedly by the soldiers on September 9, 1994 during a cordon and search operation of Batwina. "Mushtaq was lifted by the armed forces. We wanted to lodge a report in Police Station, but the police refused to entertain our application. Next day his body with injuries inflicted all over was handed over to us. Despite passing of many years, we are yet to get justice," the family stated in its petition to the Commission.

In his judgment, the member SHRC, Abdul Rashid Khan states that the Commission had sought a report from the Police Department. "On September, 9, 1994, the Army's 10 Bihar Camp Safapora launched a cordon and search of Batwina. The search party was fired upon by militant from outside. In retaliation, two anti-national elements were killed, one of who was identified as Mushtaq Ahmad Lone, the Platoon Commander of Al-Jehad Outfit. Some arms and ammunition was also recovered from the spot. A case FIR no 125/94 under section 307 RPC stands registered at Police Station Ganderbal," the then IGP states in his report to Commission in 2003.

However, the judgment states the family of the deceased contested the police claims. On the directions of the Commission, the DGP ordered reinvestigation into the case. It states that the IGP Kashmir Zone had constituted a

special team under the supervision of SDPO Ganderbal to re-investigate the case.

"During reinvestigation, the statement of relatives of the deceased and respectables of village Batwina were recorded. It came to fore that the deceased was not a militant and he has fallen prey to cross firing which took place between militant and Army. The militants involved in the incident have managed to escape and could not be identified. As far as recovery of weapons shown by Army is concerned, the said arms and ammunition is believed to have been left by the militants at the time of encounter," the DGP states in his report to the Commission last year.

"In this way, the reinvestigation of the case has led to the conclusion that the deceased person was not involved in any subversive activities. The case has been closed as untraced on merits, as the militants involved in the incident could not be identified," the report add.

On basis of the conflicting reports of police, the member SHRC, Abdul Rashid Khan has recommended to the Government to conduct magisterial inquiry into the case.

"The reinvestigation of the case has established that the deceased Mushtaq Ahmad was not a militant, but an innocent person. The IGP Kashmir has negated his earlier report that Mushtaq was a militant and thereby partially substantiated the complainant's statement. The second report of police has further cast a shadow of doubt regarding the cause and circumstances which led to the death of Mushtaq," the member states in the judgment.

"It is recommended that the Chief Secretary to get the magisterial inquiry conducted into the case by the Deputy Commissioner Ganderbal through his subordinate magistrate to enquire into the cause and circumstances which led to the death of Mushtaq. The terms of reference of the probe will be to clarify whether Mushtaq was killed in cross-firing or in custody," it states.

The Commission also recommended to the Government to extend the benefits of SRO-43 and ex-gratia to the bereaved family.

## SHRC CENSURES BABUS FOR 'UNDUE INTERFERENCE'

'PATWARIS, COPS OVERRULE COMMISSION'S RECOMMENDATIONS'

**March 28:** Jammu and Kashmir State Human Rights Commission (SHRC), in its Annual Report to be tabled in the ongoing session of the Legislative Assembly, has castigated the police and civil administration for observing the Commission's recommendations in breach and terming it an attempt to degrade the credibility of the autonomous body.

In its Annual Report for 2009-10, the SHRC has decried undue interference by the civil and police officials, lack of powers, proper staff and own accommodation saying it hampers the Commission's functioning and delays justice to the victims of human rights violations.

### HUMAN RIGHTS STATISTICS

The report states that it has received 467 complaints of rights abuses from April 1, 2009 to March 31, 2010 and recommended various measures to spread awareness about the human rights at various levels. Out of 467 complaints, 276 have been received from Kashmir and 186 from Jammu, one from Ladakh and four from other states. Out of 467 complaints, 128 are of ex-gratia relief, 70 of harassment, 70 of death investigation/compensation, 53 of

disappearance, 29 of murder, 6 of custodial deaths, 24 of compassionate appointments, 15 of enquiries, 8 of release and 3 of pertaining to alleged rape.

Rest of the cases pertain to eviction and service matters. The Commission has disposed off 249 cases out of 467 with the recommendations ranging from expediting inquires and extension of monetary relief. Incidentally, during 2008-09 the Commission has received 404 complaints of human rights violations.

### 'OUR RECOMMENDATIONS VIOLATED'

The Commission states that its recommendations are based on evidence, probe, documentary proof, and statements of the respective parties.

"However, the Commission's recommendations are in some cases for the most part either not followed or declined to be complied with on flimsy grounds and that also on the report of a Patwari or any other official of the Revenue Department or at the instance and report of a police constable. Instances have been coming to the Commission's notice where even reports of senior police officers including the IGP and DGP are contradicted by a

constable at the base level," the chairperson of SHRC, Justice (Retd) Bashir-ud-Din states in the report a copy of which is with media.

"The report of the Commission - headed by a retired High Court judge and the members having held high positions in administration and judiciary with sufficient knowledge of legal matters and human rights experiences, is not to be brushed aside or taken lightly as to degrade the Commission itself," it states.

The annual report maintains that all the executive officers heading a district or his subordinates including assistant commissioners, tehsildars, Patwaris, police sub-inspectors cannot for all practical purposes upset the Commission's recommendations under assumed non-existent overriding powers.

"The officers give an impression as if they are exercising appellate, revisionary or supervisory powers. Taking such arbitrary actions in disguise of the powers is bound to be source of injustice, discrimination and unfairness," it states.

"It cannot be overlooked that the Commission has done its bit in most trying conditions with all sorts of difficulties in spreading the human rights literacy, promotion and protection and reaching the people whose rights are violated. The Commission has also tried hard to pinpoint the negligence of the people in authority in failing to prevent the violation of the rights. Contextually, the Commission has proposed amendments to give it more teeth and make it effective. Even so there is no room for any despair or pessimistic attitude," it states.

Elaborating, the chairperson in his end note states that the Commission will continue to serve to protect and promote the human rights of the Jammu and Kashmir citizens.

Incidentally in 2006, Justice (Retd) Ali Muhammad Mir had resigned as the chairperson of SHRC to protest against the non-implementation of the Commission's recommendations.

#### 'WANT BITING POWERS'

The SHRC was constituted in 1997 and is governed by Jammu and Kashmir Protection of Human Rights Act 1997. By virtue of the Act, the Commission can order investigations in cases of human rights violations and recommend measures for effective implementation of laws and safeguards provided by the Constitution to protect the human rights.

In the report, the Commission has sought more powers to ensure compliance of its recommendations and make itself a vibrant autonomous body.

"Without meaning to cast shadow on the bona fides of the Legislature in proclaiming the Commission's autonomous character to safeguard, protect, spread and promote human rights, the provisions of the Act and rules in practice have not yielded desired results. In many cases realization of human rights to life, liberty, opportunity and

#### **16000 KP FAMILIES TO GET HEALTH INSURANCE COVER**

**March 11:** The state government said that over 16,000 Kashmiri migrant families will get a health insurance cover during the next financial year.

Replying to a question by Vijay Bakaya in the Legislative Council during the Question Hour, the Revenue Minister, Raman Bhalla, said that Finance Minister while presenting the Budget announced a scheme

dignity have remained illusory and even public servants found negligent in preventing violation of such rights have not been made accountable for their omissions and commissions," the report said.

It further adds: "Over a period of time, non-accountability of public servants combined with lax attitude had given currency to widespread impression that the Commission's recommendations internal or final, howsoever weighty may be in practice, are not meant for compliance or implementation for the officials' convenience."

The reports states that though the provisions of the Jammu and Kashmir Protection of Human Rights Act at the first sight give an impression that the Commission is an autonomous body.

"However, closer examination proves that it is not so" the report said adding to make the Act effective and purpose oriented, it needs to be amended to bring it with tune with times. To make the Act effective and purpose oriented, it is expedient that it needs to be amended to bring it in tune with times and enable the Commission to play effective role to prevent violation of human rights."

The Commission has sought amendment to section 28 and 12 of the Act to give its chairperson full range of powers including appointments, transfers, discipline of the staff and to take disciplinary action, impose fine against the public authority which fails to initiate complete follow up of a case within stipulated time respectively.

The Commission has demanded amendment to section 3,4 and 6 regarding appointment of members, re-fixing of the term of the Chairperson at par with provisions of Central Human Rights Act 1993, besides making the Commission's headquarters at both Kashmir and Jammu for its wider reach.

The Commission has also demanded amendment to section 22 of the Act which provides for making available funds to it as grants instead of budget.

#### **LACK OF ACCOMODATION**

The Commission maintains that for past 12 years, it is functioning in a private building at Boulevard and in absence of adequate space faces problems. "The Government issued orders (982-GAD of 2001 dated 24.8.2001) giving the Old Settlement Record Room Building Bagh-e-Sunder at MA Road Srinagar to the Commission. Unfortunate as it may seem even repairs are not carried out and renovation, construction work of the building is struck up. It is sadness one to note that an institution like SHRC could be so conveniently denied even the office accommodation.

This has been one of the main roadblocks in SHRC's functioning and give a bad impression to the one and all including foreign delegations who visit the Commission office," it said.

for providing health cover to Kashmiri migrants, who are drawing relief.

"The group insurance scheme has been worked out for 16,000 families," he said. As per the scheme, premium due on this account has to be shared by the government and beneficiary equally, he said.

Accordingly, offers were invited from insurance companies for providing group insurance cover to migrant

families registered under relief category, he said, adding an amount of Rs 7,062 has been worked out as premium per family for providing insurance cover to 16,000 families. As per the scheme, insurance cover can be provided to such families who are registered under relief category, the number of which is 17,248, he said. An exercise has been

#### **4440 KP FAMILIES APPLIED FOR RETURN: GOVT '1790 MIGRANT CANDIDATES GIVEN JOBS IN VALLEY'**

**March 15:** Minister for Revenue, Relief and Rehabilitation, Raman Bhalla said the state government is working on a comprehensive return policy for Kashmiri Pandit migrants and 4440 families have already applied for going back to the Valley.

Replying to the discussion on demand for grants of the departments under his charge in the legislative assembly, the Minister said to create confidence in the community for returning to Kashmir, the Government has advertised 3000 vacancies out of which selection was made on 1790. He said 1179 candidates have already joined their postings in the Valley.

He said to accommodate the returnee migrants, transit accommodations have been set up at many places in the Valley, out of which allotment has been made in respect of 1277 families and 570 have even taken possession of the same. He said free transport service is being provided to the members of the community to visit the Valley at the times of festivals and holidays.

He said the State Government has submitted a comprehensive one time settlement package to the Centre for funding. He thanked the Muslim neighbours for instilling confidence among their Pandit brethren for their return to valley.

undertaken by the relief organization to ascertain the willingness of the families, who intend to avail benefit of the scheme as per the premium offered by the insurance company is to be shared jointly by government and beneficiary on 50:50 basis.

The Minister said 38119 families have been registered with the government as migrant comprising 1.42 lakh souls while as 22,000 families stand unregistered and 20,871 families have been categorized as non-relief families. He said at present 5000 families are living in various camps which are being provided assistance by 32 field offices. He said 2112 flats at Jagti would be formally handed over to the genuine allottees after March 28. On refugees, the Minister said Government has submitted a proposal of Rs 1775 crore to the Centre for one time settlement in respect of refugees of 1947, 1965 and 1971 and West Pakistan and hoped that the proposal would be considered by the Centre. He said Rs 49 crore have been given as land deficiency compensation among members of the community.

Bhalla said the Government has constituted a committee headed by Financial Commissioner Revenue to look into the issue of Dogra certificate and assured the House the matter would be resolved soon.

Under Roshni scheme, Bhalla said 1,47,752 beneficiaries have been provided ownership rights adding that revenue department has realized Rs 72.90 crore through Roshni scheme.

#### **FACT-FINDING TEAM RELEASES KASHMIR REPORT INDICTS TROOPERS FOR DELIBERATE KILLINGS**

**March 28:** A report of an independent fact-finding team has blamed the troopers for "disproportionate use of force" to quell the summer unrest in the valley last year, claiming that most deaths during the period were caused by deliberate intent on part of the troopers.

"More often than not responded with disproportionate force, which in turn set the stage for a further escalation in the cycle of killings and protests," concludes the 62-page report titled "Four months the Kashmir Valley will never forget- An enquiry into the mass uprising of 2010".

The report, released March 28, claims that around 120 people, who lost their lives, were killed in the "highly unequal street contest" that went on in the valley last year.

The report was prepared by a team comprising academician Bela Bhatia, advocate Vrinda Grover, journalist Sukumar Murlidharan and Ravi Hemadri of The

Other Media, a Delhi based rights organization. The team had visited the valley last October and the report focuses on "the totality of the situation principally to inquire into the causes for the unconscionably large number of deaths in Kashmir in 2010".

"Contrary to the alibi advanced on their behalf, the security forces were by no means acting always in self-defense. Indeed, the people of Kashmir believe that men in *khakhi* were actively involved in the coercive effort to deter and discourage demonstrations," reads the report.

Stating that deterrence often slipped over into active repression, the report observes, "There was also something new in the way each killing led to protests - typically associated with the burial ritual - that themselves became so threatening to the State agencies that they responded, more often than not, with disproportionate force."

#### **ALLEGED DISAPPEARANCES**

##### **> MISSING YOUTH FOUND IN MORIBUND CONDITION**

**Mar 9:** A youth, Ejaz Ahmed Mir son of Ghulam Nabi Mir of Handwara, who went missing from north Kashmir's Handwara town on March 8 was found in moribund condition on March 9 evening, media reported. Reports said the youth was shifted to district hospital Handwara where his condition was stated to be critical. When contacted, the Deputy Superintendent of Police, Ghulam Jeelani said that police are investigating the matter. "It is premature to say whether he was abducted or not at this juncture," he said.

##### **> RAFIABAD PROTESTS YOUTH'S DISAPPEARANCE**

**Mar 16:** Massive protests broke out in Rafiabad area of north Kashmir's Baramulla district Wednesday against the disappearance of a local youth.

Early morning hundreds of youth, raising pro-freedom and anti-government slogans, staged massive demonstrations at Ladoora Rafiabad demanding the whereabouts of Muhammad Yaseen Mir who is missing for the past two weeks.

Accusing police of failing to locate the youth, the protesters blocked Handwara-Baramulla road for more than two

hours. Later, cops baton-charged the protesters forcing them to disperse.

The family of Yaseen told media that the youth is missing from March 2, after somebody called him on his father's phone.

"He received a call on my cell phone on the fateful evening and went outside home, but did not return. We grew anxious and later lodged report in Sopore police station, but till date they have failed to provide any clue about the boy," Ghulam Nabi Mir, father of the youth said.

When contacted, DIG North Kashmir, Muneer Ahmed Khan said police was investigating the case.

"We have taken cognizance of the matter and questioned few people in connection with the case. We are also analyzing his call details," he said.

### ➤ **GOVT UNABLE TO RETRIEVE ARMY-OCCUPIED LAND FOR NOMADS**

Jammu, Mar 08: The state government Tuesday expressed helplessness to provide land, occupied by the Army, to the nomads.

A project for development of a housing colony for the settlement of migratory Gujjars was taken by Jammu Development Authority in 1976. A patch of land measuring 574 kanals was identified for the purpose in village Sunjwan. In the first phase 73 plots were allotted by the government on the recommendation of the committee in 1978-79.

"The work on the second phase could not be taken up due to occupation of land by the army," said Minister of Social Welfare Sakeena Itoo in reply to a query by MLC Syed Mohammad Rafiq Shah about rehabilitation of Gujjar and Bakerwal community.

Itoo said there is almost a population of 11 Lakh nomads in the state. "Among this population about seven lakh are gujjars and rest are bakerwals who still live a nomadic life," she said.

She added that the matter regarding the allotment of land for permanent rehabilitation of the Gujjar and Bakerwal people has been raised in various state advisory board meetings. "In these meetings it was decided to identify land for development of colonies for the community," she said.

She added that all the district administrators have been directed to look into the matter and appraise the government accordingly.

The reply by the Minister was countered by furious comments by Shah and MLC Nizam-ud-din Khatana, who demanded a reply from the revenue ministry in this regard. They later staged a walkout.

Meanwhile, Minister for Health, Sham Lal Sharma had heated arguments with MLC Abdul Rashid Qureshi. Addressing the Deputy Chairman, Sharma alleged that the MLC misbehaved with him.

"I am not an illiterate person. You should behave yourself. This member of the upper house is tell me Aaj Nahi Chodunga (I will not leave you today), how can he say this to me?"

Sharma sought action against Qureshi. However, the matter later died down after the deputy chairman intervened.

### ➤ **CONTROVERSY OVER VACATION OF TROOPS FROM STADIUM**

Mar 16: Controversy has again surfaced regarding the government's claims about the vacation of troops from Srinagar Sher-e-Kashmir indoor stadium.

While the officials associated with sports activities say that the vacation never took place, the visitors to the stadium say that the security forces have occupied the stadium as before once again.

As per the news report published in January 2010, the central Kashmir police Chief H.K. Lothai has been quoted saying, "The CRPF has vacated the place and sports-loving youth can

### ➤ **BANIHAL YOUTH MISSING IN JAMMU**

Mar 31: A 22-years-old Banihal youth went missing in Jammu under mysterious circumstances after returning from Patiala.

According to the relative of Nissar Ahmed son of Muhammad Siddiq Bandy of Chahahall, he was working as labourer in Patiala and reached Jammu on March 20. "On telephone, Nissar informed the family that after spending two days in Jammu he will reach Banihal. But from that day till he is untraced," the relatives said adding his cell phone was coming switched off.

They said Nissar was carrying some household items and an amount of Rs 12000.

A case has been registered in this regard.

## **MILITARIZATION**

soon go back to the stadium." The report also stated that the stadium was only partially vacated. However the officials associated with sports activities alleged that the vacation never took place and that it was mere eyewash.

"The stadium was not even vacated partially. The stadium has four doors. What was done was that the CRPF was shifted to the other side, from one gate to the other of the three gates to the stadium," officials said.

The official added that now the same CRPF men have been posted at their initial sports.

About the development of the stadium, no development has taken place for years in the largest stadium of the valley. Even though the government had stated that they were planning to restore the stadium after vacation from CRPF, no steps were taken on ground. "It is in a shambles. We are hiring an architect to prepare a project report for its restoration. An amount of Rs 1 crore has been earmarked for the purpose," Shameen Ahmad Laharwal, director-general, youth service and sports has been reported to have said.

However, nothing has been achieved so far. On the flip side, the visitors to the stadium are facing problems. They are sometimes denied admission to the stadium while at other times irked by frisking.

"Sometimes they don't open the gate and ask us to come later. Then they do frisking and all. We are unable to enjoy our sports," said Khawar, a regular visitor to the stadium.

Another visitor to the stadium Yusra added, "We have to be accompanied by our parents because it's so problematic there. There hasn't been my ease from the security forces in the stadium."

"The governments have been making false claims. They have neither made any development in the stadium nor have they vacated any troops from the stadium," Khawar added.

The CRPF had occupied the Bakshi with a capacity of 5,000, at the peak of militancy in 1990, dealing a blow to sports in the Valley.

### ➤ **TROOPS' OCCUPY LAND WITHOUT RENT**

**MAR 16:** Notwithstanding the claims of the government that the rent is being paid to the owners of the land under the occupation of the troops in the valley, hundreds of kanals of fertile land in Anantnag continues to be under the army occupation with no rent paid to its owners for last 20 years.

The residents of Donipawa village and other localities in Anantnag said the army occupied at least 900 kanals of their fertile horticulture land in Fatehgarh colony, Karewa 20 years ago.

"In early 1990s army occupied our land and set up a camp there but not a single penny has been paid to us as rent so far," the residents alleged. They said that the troops jolted their economy by turning their fertile land into barren.

"The land was fertile for the horticulture produce and we had grown apple, walnut and almond trees on it. It was the only source of economy for most of the residents. But the army turned this fertile land into barren thus severely jolted our economy," said Tahir Ahmad, one of the residents whose land is under the troops occupation.

Another resident Najeeb Ahmad Kochak said the army has rendered their land completely useless.

"The trees we had grown on that land used to produce good fruit but since it was occupied by the army all those trees dried up," Kochak said.

The residents said that even the divisional commissioner last year and the district administration many a time held meetings with the top army officials in this regard and directed them to pay the rent in favour of the land owners but nothing was done. "We knocked at the doors of the almost all the top politicians of the state to get rent cases of the land sanctioned but all in vain," the land owners lamented. They said the army should either pay them the rent or vacate their land.

### **GOVT TO DEPLOY 72000 SECURITY MEN**

**Mar 14:** The state government would be deploying around 72,000 security personnel in 29,719 polling stations across the state during the upcoming Panchayat polls.

According to official sources, 40,243 security personnel will be deployed at 13,760 polling stations in Jammu region, while 32,382 security personnel are being deployed for 15,959 polling stations in Kashmir division. "One section of security personnel at one location has been proposed by the election authority", sources said.

They said that 3164 security personnel have been proposed for Doda district, 5551 for Kathua, 2800 for Kishtwar, 4417 for Poonch, 3472 for Rajouri, 2149 for Reasi, 2457 for Samba, 5943 for Udhampur, 4004 for Anantnag, 1505 for Bandipora, 4830 for Baramulla, 5901 for Budgam, 1533 for Ganderbal, 1925 for Kargil, 1974 for Kulgam, 4039 for Kupwara, 1841 for Leh, 2513 for Pulwama and 2710 for Shopian.

Jammu district will have the maximum deployment with 7693 security personnel proposed for 2166 polling stations, sources said.

### **14 COIS, 21 MAGISTERIAL PROBES ORDERED**

#### **REPORTS AWAITED IN 12 CASES**

**March 17:** The state government has constituted 14 Commissions of Inquiry (COIs) under Commission of Inquiry Act since 1998. Besides, 21 Magisterial Inquiries have also been ordered in different incidents in the state since January 1, 2009.

In a written reply to the question by PDP legislator Choudhary Zulfikar Ali, the government said that three Commissions of Inquiry including inquiry into the causes of circumstances that lead to death of one Farooq Ahmed Sheikh son of Ghulam Qadir Sheikh of Sopore in 2008, causes and circumstances which lead to the alleged suicide by Kuldeep Kumar of Bishnah during Amarnath land agitation in 2008 and the events resulting in the death of 17 persons in Kashmir during summer 2010 have yet to submit their reports.

Out of total 21 Magisterial Inquiries, reports in 9 cases have not been submitted so far.

In the killing of Zahid Farooq son of Farooq Ahmed of Brane, Nishat who was killed in February 2010 while playing cricket near a tourist place in Kashmir, the DGP was requested to furnish present status of the case registered in this regard while in the alleged excesses by 34-RR at Kangripora, Pakherpora in Budgam in December 2009 the inquiry report has been accepted by the government and a case FIR number 276/09 U/S 148, 149, 354, 452, 457, 380, 332, 427 and 232 RPC registered in police station

"The army has deprived hundreds of families of their livelihood. We demand that the land should either be vacated or rent be paid to us," said another land owner.

When contacted, additional deputy commissioner Nisar Hussain said that they will take up the issue with the top army officials. "The land owners who have not received any rent should come to me so that we can recommend their cases," he said.

However, he added that all the occupied by the army in the area is not the proprietary land but was allotted to the residents by the government for construction of the houses.

When contacted PRO defense Col. J S Brar expressed ignorance about the matter. "I have no knowledge about the matter. I have come to know about it for the first time," he said, adding, "I will check it up with the concerned army officials."

However, the CEO B R Sharma said that there would be no additional deployment of the paramilitary personnel for the election purposes. "The existing strength of the paramilitary personnel will be used for conducting free and fair elections and they will be deployed in various parts of the state in phased manner".

He said the state has already adequate number of security personnel at its disposal and there was no requirement for any additional deployment.

Srinagar district has the lowest, 79 polling stations for its 10 Sarpanch and 79 Panch constituencies, while Kupwara has the highest number of Panch constituencies (2906) and Sarpanch constituencies (365).

The election authority will be using around 14000 ballot boxes for the elections, out of which 6000 were available within the state while around 8000 will be hired from the neighbouring Punjab. The government will have to pay a rent of Rs 10 per day per ballot box for this purpose.

Berwa and also GOC in Chief Northern Command was requested that the SOPs (Standard Operation Procedures) be followed strictly to prevent unnecessarily friction with people of the villages were cordon and search operations are being conducted, the reply furnished by the government said.

It said that government ordered closure of inquiry commission, headed by Justice (Retired) ML Koul, appointed to enquire into the causes and circumstances which led to the death of some persons allegedly in custody and fake encounters.

The Commission, which was constituted on April 2, 2007 filed its report on December 31, 2008. "However, as the report does not reveal anything substantial, it was ordered that it shall cease to exist with effect from December 12, 2008", the minister for law, justice and parliamentary affairs said in the reply.

Regarding the enquiry commission constituted to look into the events resulting in the death of 17 persons in Kashmir division, the minister said that the commission has not filed its report as of now and its term has been extended. "However, the High Court has issued interim directions, restraining the Commission from finalising its report in OWP No 38 of 2011", he said.

## PILLAI ASSURES 80-90 PERCENT REDUCTION IN PSA DETENTIONS: AI

'WE HAVE SOUGHT AN APPOINTMENT WITH CM'

Mar 22: The Union Home Secretary, G K Pillai, has assured the Amnesty International (AI) that there will be a decrease of 80 to 90 percent in Public Safety Act (PSA) detentions in Jammu and Kashmir in coming days. The three-member AI team - Madhu Malhotra, Romesh Gopala Krishanan and Bikramjeet Batra, had met Pillai in New Delhi before coming to Kashmir to release their report on rights violations here. "We had a positive meeting with Pillai and he assured us that PSA detentions in J&K would drop to 80 to 90 percent this year," AI team member Bikramjeet Batra was quoted as saying by a local news agency KNS. However, Batra said that Pillai told them PSA was prerogative of the state government. "We told him that he should instruct the state government to amend PSA in the state assembly," Batra said. Pillai has also assured the Amnesty team that he will take up the issue of minors' detention with the J&K government. "According to J&K law, person below 16 years of age is a minor while national law says under-18 years is a minor. State Legislative Assembly can amend the law," Batra said. Batra said he was confident that both

state and central governments would implement the recommendations they have made in their report.

"Amnesty will apply pressure on the government to implement the recommendations," he said.

Asked whether they took up the issue of denial of visas to UN officials to Kashmir with Pillai, Batra said, "He (Pillai) told us that there is no such request pending with Ministry of Home Affairs. It might be pending with External Affairs Ministry and we will take up it with them during our meeting," he added.

Asked whether report of Kashmir interlocutors had any contradiction with AI report, Batra said, "We had no access to their report, but we have given them copy of our report. They (interlocutors) are looking at broader issues while ours is specific to PSA and human rights."

He said that Amnesty will continue its work in Kashmir and it will raise the issues before Indian High Commissions in different parts of the world.

## DON'T SHOW UP ON BANNED CHANNELS: GOVT WARNS OFFICIALS

March 24: Following the ban on telecast of "news and views" programmes by the cable operators in Kashmir valley, the government has now barred its officials from participating in any "awareness or developmental" programme telecast by these channels.

As per a circular issued by the District Magistrate (DM), Srinagar, the heads of departments have been asked to "desist" from participating in any kind of panel discussion or awareness programme on the local cable channels, which stand banned by the government.

Pertinently, telecast of "news and views" programmes by the cable operators was banned in the Valley September last year following the summer unrest in which 117 persons were killed police and CRPF action.

While the cable channels discontinued with the news capsules following the ban, however, some of the channels were now airing programmes highlighting various public-specific developmental issues. In these programmes, the government

officials, mostly the heads of departments, were usually co-opted to put across the official version.

Through the latest circular by the District Magistrate Srinagar, the government functionaries have now been asked to, immediately, stop participating in any such programme on these channels.

"Telecast of News and Views programmes by cable operators has been banned vide this office order no. DMS/PS-Misc/10/1645-64 Dated: 13-09-2010. It has been reported that some heads of departments are participating in panel discussions on such cable networks which is against the spirit of the order mentioned above," states the DM's latest circular, copy of which has been besides all HoDs in the state, also sent to Joint Secretary, Union Ministry of Home Affairs and Joint Secretary, Union Ministry of Information and Broadcasting.

"Now it is enjoined upon all the heads of department to desist from doing so on the channels which have no permission under the Cable Television Networks Regulation Act," the circular reads.

## OFFICIAL STATEMENTS

### ➤ KASHMIR GUN CULTURE JUST: CM

March 1: In a departure from the government's stated stand, Omar Abdullah said on Monday: "The youth [of the Valley] did not take up guns for *bijli, pani, sadaq* [power, water and roads], but for resolution of the Kashmir issue".

"For 20 years if our youth took up guns, they did not do it for *bijli pani and sadaq*. If Sher-e-Kashmir Sheikh Mohammad Abdullah spent years and years in jail and exile and his associates made sacrifices it was for resolution of the Kashmir issue," the chief minister told a gathering at Magam in Badgam district.

Officially, the government maintains that the armed struggle is terrorism

### ➤ MILITANCY DOWN IN KASHMIR: SPL DG

CRPF HAS MORE NON-LETHAL WEAPONS FOR CROWD CONTROL

March 1: Stating that the paramilitary force has procured more non-lethal weapons for crowd controls in the Valley, CRPF Special Director General for Jammu and Kashmir, Anirudh Uppal Thursday said militant activities have gone down.

"Time would tell what the coming summer has in store. We hope that last year's unrest won't be repeated this year," Uppal said while talking to reporters on the sidelines of career counseling programme organized by 25th BN CRPF in collaboration with an NGO at Institute of Management Public Administration (IMPA) here.

He said CRPF hopes for the wonderful summer in terms of tourism and business.

On the militancy front, Special DG CRPF said the militancy graph is on decline. "There is a considerably dip in the militancy related incidents since last one year," he said.

He said CRPF was working in close coordination with State police to maintain law and order in Valley. "We had procured some non-lethal weapons last year and have procured some more this year for crowd control. Our efforts will be to avoid any sort of damage to property and loss of life during riots. People should cooperate with us to ensure peaceful summer," he said.

About the counseling programmes, Uppal said, "CRPF has a social responsibility and by organizing counseling programmes, we are trying to deliver on this front as well. The purpose of such programmes is to bridge the divide between the youth and forces and to help them (youth) explore their career options in a better way. We want to tell them that government jobs are not the end of the world. There are many self employment schemes they should focus and avail as well," he said.

He said such programmes launched so far have attracted a good number of youth. "We are happy to see the response."

To a query whether the youth lodged in various prisons too need counseling, Special DP CRPF said the state government may be thinking on those lines. "But as far as CRPF is concerned, we have launched such initiatives at our own in Kashmir and in Jammu as well," he said.

Earlier, while addressing the youth, Uppal said youth should start about shaping their future after reaching an important stage. "You have to work to secure your future," he said and urged the youth to take advantage of the schemes

launched by the Government of India and State government aimed at curbing the unemployment.

➤ **GOVT ADMITS 4064 ARRESTS**

39 BUNKERS REMOVED; RS 5 CR RELIEF OFFERED TO VICTIMS

**March 03:** Stating that an amount exceeding five crore rupees was granted as ex-gratia to the families of youth killed in last year's unrest in Valley, the government admitted that 4064 persons were arrested across the valley in 2010.

The Chief Minister Omar Abdullah in a written reply to a question raised by MLA Sangrama, Syed Basharat Bukhari said about 4064 persons were arrested from March 2010 upto January 31, 2011. "However, 3900 persons were released by the end of January 2011," he said.

Omar further said that as recommended in the eight point package, the review of Public Safety Act is being done and it is a continuous process. "The first review is done by the state Advisory Board and a second review by a committee of officers. **A total of 137 persons were detained under PSA of which 32 have been released,**" he said.

About the review on the deployment of troopers in the Valley with respect to removal of bunkers, check points, the government said, "Many meetings were held in this regard. Till date 39 bunkers have been removed from the civilian areas. Two committees have already been constituted - one each for Jammu and Kashmir respectively - to look into the areas wherefrom the Armed Forces Special Powers Act could be withdrawn," it said adding the committees have held their meetings and the deliberations of the committees are under consideration of the government.

The government also gave details about the ex-gratia sanctioned to the next of kin of the persons killed during last summer's unrest in the Valley. "A relief package as one time exception was sanctioned to the families of the person killed since June 11, 2010 as a result of violence attributed to the breach of law and order. The government will appoint an eligible family member of the deceased person in the government services or provide a cash compensation of Rs 5 lakh rupees as ex-gratia in lieu for the government job," it said.

The chief minister disclosed that GoI had sanctioned grant of Rs five lakh as ex-gratia per person killed in civil disturbances since June 11, 2010. "Till date ex-gratia to the tune of Rs 5.10 crores has been sanctioned at Rs 5 lakh in each case to the families of the deceased persons," he said in the written reply.

➤ **92 DIED IN SUMMER UNREST: GOVT**

**March 5:** In the last summer unrest in the Valley of 2010, 92 civilians, who were part of the violent mob protests, succumbed after they were injured during clashes between protestors and security forces in the valley, Ali Mohamed Sagar on behalf of Chief Minister Omar Abdullah, who is also incharge for Home, said in a written reply to a question raised by MLC Mohammad Rashid Qureshi in the state Legislative Council.

Sagar further added that 12 people also died due to law and order disturbances in the state during that period. The state government has sanctioned a relief package for next to the kin of the victims. One family member of the deceased person would either be given a government job or Rs. five lakh compensation, including Rs. one lakh as ex-gratia in lieu of the government job, he said.

**AFSPA MAY GO THIS YEAR: OMAR**

**March 5:** The Armed Forces Special Powers Act, granting immunity to the army and paramilitary forces in anti-insurgency operations, may go from some parts of Jammu and Kashmir this year, Chief Minister Omar Abdullah said Saturday.

"Militancy is constantly on the decline and if it continues in this fashion, I can assure you that the Disturbed Areas Act (DAA) and Armed Forces Special Powers Act may be removed from the state this year itself, what to talk of during the tenure of my government (till 2015)," Abdullah declared in the legislative assembly while replying to the motion of thanks on the

governor's address to the joint session of the legislature on February 28.

Abdullah said the government has already removed 40 bunkers from the summer capital of Srinagar and also reduced the strength of Central Reserve Police Force by two battalions (approximately 1,200 personnel) and held out promise that "more would be reduced from Srinagar and other towns".

➤ **3 NEW JAILS FOR J&K**

**March 5:** Three new jails are under construction in the state and after their completion, the total number will rise from thirteen to sixteen. This was stated by the government in a written reply given to the question raised by MLC Aga Syed Ahmed Rizvi.

The written reply further maintained that thirteen jails including central and district namely central jail Kot-Bhalwal, central jail Srinagar, district jail Jammu, district jail Kathua, district jail Udampur, district jail Poonch, district Rajouri, district Baramulla, district jail Kupwara, district jail Leh, sub jail Hiranagar, sub jail Kishtwar and sub jail Reasi are presently functioning in the state. While three new district jails are being constructed in Anantnag, Pulwama and Kargil

➤ **'104 DIED IN SUMMER UNREST'**

**March 5:** The state government Saturday said as many as 104 civilians were killed during the unrest in Kashmir valley last summer.

"92 civilians who were part of the violent mobs got injured during the engagements between protestors and the deployment on ground and succumbed to their injuries," Minister for Rural Development, Ali Muhammad Sagar said in the Legislative Council on behalf of the Chief Minister who is also incharge home affairs.

He said in addition to action by security forces, 12 persons also died during law and order disturbance due to various reasons including stone pelting, stampede, blast, drowning etc.

He said the State Government has sanctioned a relief package of Rs 1 lakh and appointment of eligible family member of the deceased civilians in government service against lowest non-gazetted post or payment of cash compensation of Rs 5 lakh including Rs 1 lakh for ex-gratia relief in lieu of government job as one time exception, in favour of the NoKs of such of the civilians who have lost their lives since June 11, 2010.

He said besides the state government's relief package, central government has also sanctioned ex-gratia relief to the families of deceased persons at Rs 5 lakh per person killed in civil disturbance since June 11, 2010.

➤ **1400 ARRESTED IN SGR: DIG**

**'50 MILITANTS ACTIVE IN CENTRAL KASHMIR'**

**March 10:** Stressing that only 1400 protesters were arrested in Srinagar since summer unrest of 2010 till March 2011, the police said there were 50 militants who were active in the areas of Central Kashmir including the city outskirts.

"Beginning summer agitation June 2010 till March 2011 we have detained 1400 persons in Srinagar," Deputy Inspector General of Police Central Kashmir Range, Abdul Gani Mir, told media persons at a press meet here.

"We have released almost all the accused on bail. Currently there are only 82 persons in police custody", DIG said. Mir said there are people with some "vested interests" who created hype about the arrests.

"In the population of 14 lakh people in Srinagar, 1400 arrest is not such a huge number," he said. "We should know that during summer agitation, there were deaths, injuries and large-scale destruction of public property by the mobs.

The number of accused is not that large as is being projected," he said.

During the past one month, the separatists and the mainstream opposition have condemned the arrest of youth and booking some of them under PSA.

Meanwhile in the aftermath of recent blowing up of a railway track in central Kashmir's Budgam district, police said

there are an estimated 50 militants active in the three central districts of the state including Srinagar.

"There are 50 militants active in my area," Mir said who was flanked by SSP Srinagar Syed Ashiq Hussain Bukhari. He said there were also some foreign militants present among them.

#### ➤ **ARRESTS WON'T HELP: PROF SOZ**

**March 11:** Stating that arrests and harassment of the youth will not help in maintaining law and order in the state, former Union Minister and State Congress chief, Prof Saif-u-din Soz sought the list of the youth who have fled their homes to evade arrest.

"I am not aware how many youth have fled the Valley to evade arrest. However, if people have any such complaints, they should furnish a list of those youth to me," Soz said while speaking to media persons after addressing a gathering during the Congress Seva Dal's five-day training camp here at Dak Bungalow Khannabal.

#### ➤ **114 DETAINED UNDER PSA: IGP**

**Mar 11:** The Inspector General Police Kashmir Range, S M Sahai, Friday, said only 114 persons are detained under Public Safety Act in Kashmir.

"171 persons had been arrested under PSA, out of whom 57 were released. 114 persons, including three teenagers, presently detained under PSA are involved in serious offences ranging from killing and injuring policemen to rioting," Sahai told the local news gathering agency KNS.

"Those who aren't involved in any serious offence are being released. Some vested interests are spreading rumors that large number of arrests are being made. This is totally baseless," he asserted.

On detention of minors, Sahai said, "Tawseef Hassan who is 16 is in our custody. But under law even 16 year old is a major. Two others are 19 year old."

#### ➤ **RS 5 CR FOR 102 KILLED IN KASHMIR**

**Mar 14:** The Jammu and Kashmir government has sanctioned Rs 5.10 crore each for the next of kins of 102 persons killed in the summer unrest in the Valley last year. "An ex-gratia relief to the tune of Rs 5.10 crore has been sanctioned in favour of the Next of Kins (NoKs) of 102 persons at the rate of Rs 5 lakh each," Chief Minister Omar Abdullah said in a written reply to a question in the Assembly.

The state government has sanctioned a relief package as one time exception for the relatives of the civilians who lost their lives as a result of violence, attributed to breach of law and order and were not found directly or indirectly involved in the violence, he said.

One eligible family member of the deceased person will be appointed in government services in the lowest grade or payment of cash compensation of Rs 5 lakh including Rs 1 lakh as ex-gratia in lieu of the government job, he said. As many as 104 civilians were killed during unrest in the Valley last summer.

Over 894 persons were injured and 18 persons have been rendered disabled during the said period, the Chief Minister said. During the unrest in the Valley, 92 civilians who were part of the protests, got injured during the engagement between protestors and deployment on the ground, succumbed to injuries, he said. He further said that in addition to the action by security forces, 12 persons have also died due to law and order disturbances.

#### ➤ **2,345 SPOS APPOINTED IN 2 YEARS: GOVT**

**March 14:** The government said it had appointed 2,345 Special Police Officers on operational grounds in the state in past two years.

In a written reply to a question in the state Assembly at Jammu, Chief Minister Omar Abdullah said, 2,345 SPOs had been engaged in different districts on operational grounds in J&K in past two years.

#### ➤ **NEARLY 1000 YOUTH ARRESTED IN 72 DAYS**

4661 DETAINED POST MACHIL, 4595 RELEASED; SGR TOPS WITH 1355 ARRESTS; PSA SLAPPED ON 240

**March 16:** About 1000 youth were arrested in Valley since January 1 this year while 4661 persons were detained and 240 booked

under Public Safety Act across Kashmir post Machil fake encounter last year.

According to police statistics, 973 youth have been arrested in Valley since January 1, 2011 till March 12. Interestingly, 138 youth were arrested in Chief Minister Omar Abdullah's constituency, Ganderbal. They were subsequently released on bail.

The statistics reveals that 4661 persons were detained across Kashmir post Machil fake encounter last year.

"During its crackdown on stone pelters, police arrested 1121 youth in Srinagar alone last year. 234 more youth were arrested in the summer capital from January 1 to March 11 this year," the figures disclosed.

Police stated that of 1355 arrested youth in Srinagar, 1341 were released on bail. "11 youth are still in police custody while three are in judicial custody," the statistics revealed.

"427 arrests took place in Baramulla since last year. 354 youth were arrested for stone pelting charges last year while 73 arrests have taken place this year. Of the 427 arrested youth, 423 were released on bail while four are under judicial custody," it stated.

It further stated that 419 arrests have taken place in South Kashmir's Islamabad town. "331 youth were arrested last year and the figure rose to 419 till March 12 this year. Of the arrested youth, 413 have been released on bail while six are still under police custody".

The statistics revealed that 393 youth were arrested in Budgam. "Of these, 386 have been released on bail while seven continue to be under judicial custody. Similarly, in Kupwara, 333 youth have been arrested and all of them have been released on bail".

It further stated that 354 youth were arrested in Pulwama post fake encounter in Machil last year. "All except one youth have been released on bail. Similarly, 186 youth were arrested in apple-town Sopore and 169 of them were released on bail. Two youth are still under police custody while 15 are under judicial custody".

The statistics revealed that 295 youth were arrested in Kulgam and 289 of them have been bailed out while six continue to be in police custody. "250 arrests took place on Awantipora and of these 245 have been released on bail. Five youth are still in police custody. In North Kashmir's Bandipora district, 216 youth were arrested and all of them were released on bail. In Handawara, 93 youth were arrested and 89 bailed out while four continue to be in police custody."

Police stated that 240 persons including 59 separatist leaders and 181 stone throwers were booked under PSAs since last year. "Of the 181 stone throwers booked under PSA, 52 were released while 129 are still in custody. 14 separatist leaders have also been released," added the statistics.

#### ➤ **GOVT RELEASES NEW DATA ON ARRESTS**

'5255 ARRESTED DURING SUMMER UNREST, ONLY 264 IN CUSTODY'

**Mar 17:** In a contradictory revelation, the state government Thursday said 5255 persons, including 799 students, were arrested across the state for allegedly resorting to 'stone pelting' during summer unrest.

The government said these arrests were made between January 1, 2010 and February 28, 2011. Out of total number of people detained on charges of stone pelting, 5009 were released including 4,982 in Kashmir Valley while 21 and 6 in Jammu and Ramban districts, respectively. It said 'only' 264 stone pelters are still in the police custody.

The figures given in a written reply by the home department in the Legislative Assembly on Thursday contradict the earlier claims of the government and the police.

Chief Minister Omar Abdullah, in his reply to the Governor's address in the Assembly on March 5, had said that 4064 people were arrested across the state between June 2010 till date and out of them 3900 were released. He had said that only 164 people were presently under custody on the charges of stone pelting.

Replying to a question by BJP MLA Ashok Khajuria, the Law and Parliamentary Affairs Minister Ali Muhammad Sagar, on behalf of the Chief Minister, said that 5,225 stone pelters were arrested during the last one year in the Valley and 27 in Jammu and Ramban districts.

Srinagar district topped the list with 1716 arrests while number of youth arrested from Baramulla and Pulwama districts was 808 and 701 respectively during this period.

In Budgam, Ganderbal, Anantnag, Kulgam, Shopian, Kupwara, Bandipora, Jammu and Ramban districts around 357, 169, 414, 280, 178, 400, 205, 21 and 6 youth were arrested, respectively.

No foreigner was, however, arrested in such incidents, the minister said.

In another written reply to the question by PDP member Abdul Gaffar Sofi, the minister said that 799 students and youth were arrested during the protests in Valley from April 1, 2010 to February 28, 2011.

796 detained youth and students were released while three still are languishing in jails under Public Safety Act, the reply reads.

Asked if the government intended to withdraw the FIRs lodged against the students and youth, the reply said that investigations in these cases are going on and decision to release them will be taken after the inquiries are completed in each individual case depending upon the nature and gravity of offences committed.

Referring to the steps taken to release aged and ailing political prisoners, a question raised by Sofi, the ministry said the review of detention cases is a continuous process.

#### CONTRADICTION

Though the reply furnished in the assembly revealed that 1699 out of 1716 people, arrested for stone pelting, were released in Srinagar district, a senior police officer on March 10 had said that during the summer unrest 1400 people were arrested in the district out of which only 82 were presently in police custody and rest of them were released. A police report on the other hand claimed that till February 12, 2011, 1355 people were arrested in the district out of which 1341 were released.

Similar contradictions were also noticed about number of such other claims provided by the home department in the assembly today and the data provided by the police to media earlier.

#### 137 DETAINED UNDER PSA

The home department claimed that around 137 people have been detained under Public Safety Act, across the state, between March 2010 to February 28, 2011. Around 32 of them have been released, while 105 were still languishing in various jails.

In reply to a question by PDP's Nizam-ud-Din Bhat the minister incharge home acknowledged that it has received recommendations from the Ministry of Home Affairs Government of India on the basis of inputs provided by the Kashmir interlocutors for the release of detainees in the state.

The data was again contradictory as IGP Kashmir SM Sahai on March 11 when he claimed that around 171 people were detained under PSA during the summer unrest out of which 57 were released.

#### 6 DIE IN POLICE CUSTODY

To another question, the government said that six persons died in policy custody during last two years upto March 15, 2011.

However, the data says that only three deaths were reported from Kashmir and the deceased included Rajnesh Kumar, Billu Gupta and Tariq Ahmed Dar.

#### ➤ AFSPA REVOCATION DETRIMENTAL: LT GEN HASNAIN

**March 17:** Lt Gen Hasnain said revoking Armed Forces Special Powers Act (AFSPA) and Disturbed Areas Act (DAA) in Jammu and Kashmir would mean "compromising" Army's operational capabilities.

While speaking to reporters on the sidelines of a ceremony at Pattan, 30 km from Srinagar, he said "We feel that by

revoking special legal provisions, which are in place here, definitely our operational capabilities will be compromised,". He added that the Army's "line of thinking" about the revocation of AFSPA has already been conveyed many times to the government.

"It is very difficult to put the exact number of militants who are waiting to sneak into the Valley, but we have information that 600-700 militants are waiting at different launching pads on other side of the LoC," said Hasnain said.

#### ➤ WON'T ALLOW UNREST TO RECUR: DGP '400-450 MILITANTS ACTIVE IN JK'

**Mar 18:** The state police chief hoped that summer in the Valley would pass peacefully this year while maintaining that the force will tackle any situation threatening peace and order.

About the removal of bunkers from Srinagar city, Khoda said, "The process of deployment and redeployment will continue". "But while we do so we have to see that peace and order is maintained and militancy is not allowed to erupt at places where the security forces are removed. So it is a very calibrated approach," DGP told reporters on the sidelines of a function on the sidelines of a function at Manigam, Ganderbal.

Khoda said infiltration was an ongoing phenomenon, although the number of successful infiltration bids had come down during the last year.

"The credit for this goes to the forces manning the border. However, we cannot relax as it is difficult to ensure no infiltration in view of relentless efforts made by the ultras to sneak in last year," he said.

Asked about the number of militants active in the state, Khoda said the rough estimate was between 400 and 450.

#### ➤ NO ORDERS FOR TROOP WITHDRAWAL FROM VALLEY: IG CRPF

**New strategy evolved to face protests**

**Mar 20:** Unlike last year the Central Reserve Police Force (CRPF) claims all set to face any challenge this year with new strategy to avoid civilian killings and the force has no clear order for any troop withdrawal from valley.

CRPF Inspector General (IG) Operations B N Ramesh said that incase people tried to come on streets they would not allow them. "This year at any incident place the number of CRPF troopers will such a huge that they would not allow anybody to proceed or disrupt peace," Ramesh told Kashmir Times.

The senior paramilitary operations officer said that the CRPF will thwart any attempt of disrupting peace and will try that there must be not loss of human lives. "Though I was posted here recently, but I regret the loss of human lives. We will try there must not be loss of human lives while dealing any law and order problem," Ramesh said. "We have trained our forces about the use of non lethal weapons to avoid loss of human lives," he added.

About the blame of killings of killings by police and CRPF on each other, IGP paramilitary denied to comment. "But we assist the police and follow their orders," he said adding the CRPF is investigating every incident. "Be it civilian killing, encounter or protest demonstration and subsequent action we investigate it," added Ramesh.

Reacting to the union home secretary G K Pillai hint that 10,000 Central Reserve Police Force would be withdrawn from valley, the top CRPF official said that yet there is no clear order for withdrawal. "Once there is clear cut for troop withdrawal it will be implemented in letter and spirit," Ramesh said. "Three CRPF battalion had been moved out from valley for election duty outside," he added.

#### ➤ BAD GOVERNANCE CAUSE OF K CRISIS: ARMY

**March 22:** A top army officer has blamed lack of governance as one of the main reasons for the Kashmir imbroglio and warned that destruction of Pakistan would be dangerous for India.

Delivering a keynote address during a national seminar on "Conflict in Kashmir: Challenges Ahead" at Chennai, Lt Gen Dr Prakash Menon, Commandant National Defence College, said the biggest problem before India is to address the issue of governance and understanding the emotion of the people.

"When Kashmiri protestors chant for Azadi, authorities should understand what they really mean. They want basic amenities like water, power, infrastructure and jobs. The rage spreads due to lack of governance. The protest then snowballs into anger and with force being used to quell the anger results in a chain of protests," he said.

➤ **READY TO DO AWAY WITH PUBLIC SAFETY ACT: OMAR**

**AMNESTY REPORT WON'T BE RELEGATED TO DUSTBIN**  
**Jammu, Mar 23:** The state government will study a report by the international human rights watchdog Amnesty International on alleged human rights abuses in the state and would not relegate it to the "dustbin", Chief Minister Omar Abdullah said Wednesday.

"The report would not be ignored nor it would be thrown into the dustbin," Omar told the state assembly. He said his government was ready to discuss the 'draconian' Public Safety Act (PSA) and its possible revocation from the state.

"I have not studied the Amnesty report in detail, but yes, I can assure this House that same will not be ignored and relegated to dustbin but it would be considered on merits in the light of prevailing circumstances", Omar told the Legislative Assembly, while replying to the discussion on grants for the departments under his charge.

Referring to the visit of the Amnesty team's visit to the state, the chief minister said that his government had no objection with "such visits". "I met the Amnesty team and we gave them access to all information, we did not hide anything as we had nothing to hide and despite knowing that the report emerging out of it might be against us," he said.

"The report in an important document which needs to be studied seriously and there are many lessons to be learnt from it", he said adding there are several things in it that need to be considered on merits.

**REEMERGENCE OF IKHWAN**

Negating any facts about the re-emergence of Ikhwanis, Chief Minister said that there is no truth in these "canards spread by some vested interests". "Rumours are being spread that government is establishing an Ikhwan force and a political front was being created, but these are just wild allegations against the government", he said adding that contesting elections by Ikhwan cadres was nothing new but the government had no role to play in it.

**POLICE RECRUITMENT TO CONTINUE**

Rubbishing the charges of the opposition members that police recruitment is done on the basis of party consideration, Chief Minister said that DGP has never accompanied him during the rallies and organised recruitment drives. "I have been charged that DGP goes along with me in rallies, but the fact is that the incident of Doda quoted by the opposition was by just chance as we both had to go to district and used the same helicopter".

Referring to the recruitment rally at Khanyar, Srinagar, he said that it was after 20 years that direct police recruitment rally was organised in the area. "I had a close door discussion over the matter with Ali Muhammad Sagar, whom I cautioned that during 2002-08 recruitment drives were organised in 18 constituencies and except Mian Altaf and Taj-Mohi-Ud-Din all the members lost the elections. "We know that it does not ensure that people will vote you back in elections", he said.

➤ **READY TO HELP FAMILIES OF DISAPPEARED PERSONS: MLA**

**March 29:** The MLA Langate Engineer Rasheed said that he was ready to provide all the help and assistance to the families of disappeared persons.

"The issue of enforced disappearances, mostly in the custody of forces is a grave human tragedy. The call for attention by the families of disappeared persons to MLAs is genuine and I am ready in my humble capacity to play my role in this regard," Rasheed said in a statement.

He said that even before becoming an MLA he had worked to provide relief to the affected families whose relatives have gone missing during past 20-years. "I appreciate the

statement of APDP seeking MLAs help in knowing the whereabouts of their kith and kin. It is our duty to respond to this appeal," he said.

➤ **'1225 BUILDINGS VACATED FROM OCCUPATION'**

**March 23:** Jammu and Kashmir government today said it has vacated 1225 government and private buildings from the occupation of security forces.

A total of 427 government building, 766 private houses and 32 hotels has been vacated from the occupation of security forces till date, Chief Minister Omar Abdullah said in reply to a question in the Assembly.

Only in 2010-11, 100 government buildings, including 39 educational and 8 health institutions, were vacated.

Abdullah said the security forces are shifting in a phased manner to alternate accommodation being provided to them.

Under Phase 2 of Alternate Accommodation Programme (2010-11), construction at 33 locations will be completed and it will enable the government to vacate 56 more buildings and two hotels, he noted. Under the third phase (2011-12) of the programme, 67 more building will be vacated.

**'475 SPOs killed in JK'**

A total of 475 Special Police Officers have been killed since eruption of militancy in Jammu and Kashmir, the government said today.

475 SPOs have laid down their lives in militancy related incidents since eruption of militancy in the state, Chief Minister said.

Out of 265 cases received since March 2001, 262 have been settled for which Rs 5,19,50,000 was sanctioned, while remaining three cases are under process.

**'JAILS OVERCROWDED'**

The government today admitted that jails in the Valley are overcrowded as there are 651 inmates against the capacity of 400.

"Kashmir-based jails are already overcrowded and additional lodgment would affect the administration, including the maintenance of discipline of these jails," Chief Minister said in reply to a cut-motion moved by MLA Nizam-ud-Din Bhat.

At present there are 516 and 135 inmates lodged in Central Jail Srinagar and District Jail Baramulla respectively against the capacity to house only 300 and 100.

"As such, it is not desirable to consider the shifting of Public Safety Act (PSA) detainees and undertrials to jails in Kashmir division," he said.

➤ **'698 POLITICIANS AMONG 13,215 CIVILIANS KILLED IN JK'**

**Mar 31:** Jammu and Kashmir government said that 13,215 civilians, including 698 politicians, were killed in militant attacks in the state since 1990.

At least 13,215 civilians, including 698 politicians and political leaders and workers, were killed by militants since 1990 in Jammu and Kashmir, Chief Minister Omar Abdullah said in a written reply in Legislative Council here today.

Giving a break up, he said that 12,517 civilians and 698 politicians and political leaders and workers were killed between 1990 to February 25, 2011.

He said the highest number of 1,275 civilians were killed in 1996 and highest number of 101 political leaders and workers were killed in 2002.

In 2010, there was a decrease in killings as 33 civilians and 4 politicians were killed as compared to 59 civilians and 3 politicians in 2009, he said.

In two months period of current year, 4 civilians and a political activist were killed.

➤ **341 CUSTODIAL DEATHS IN 21 YEARS: GOVT**

**Mar 31:** After the recent report of Amnesty International on human rights violations in Kashmir, the State Government March 31 accepted that 341 persons have been killed in custody so far in the state since 1990.

In a written reply to a question of NC member Javed Rana in the Legislative Council, the Chief Minister Omar Abdullah said 341 people died in police custody in the state since 1990. However, there was no report of any custodial death from Rajouri and Poonch districts.

The Chief Minister said 113 people -- 99 from Poonch and 14 from Rajouri -- are reported missing since 1990. However, there was no report of any custodial death from Rajouri and

## SUICIDES AND FRATRICIDE

### ➤ CRPF HEAD CONSTABLE ENDS LIFE

**March 2:** A head constable of paramilitary CRPF committed suicide by shooting himself dead in a camp at Zakoora in outskirts of Srinagar.

Reports said constable DD Jankai (9891290662) reportedly shot himself dead at 28 BN camp in Zakoora last night. The gunshot triggered panic in the camp and as soon his fellow personnel reached the spot, the head constable was found dead, lying in a pool of blood.

CRPF PRO confirmed the incident and said that detailed were being collected to ascertain reasons behind him taking such an extreme step.

### ➤ SOLDIER SHOOTS SELF

## IN KASHMIR, CRPF BATTLES STRESS, SUICIDE

**March 29:** At the headquarters of the Central Reserve Police Force (CRPF) in Wazir Bagh, Srinagar, housed partly in abandoned villas of a Kashmiri Pandit neighbourhood, a yoga class is in progress.

A group of soldiers of the 117th battalion are lined up in three rows inside a hall. They sit cross-legged on a carpeted floor, staring with military attention at their instructor.

Last November, the Central government released figures showing suicide rates for the two largest paramilitary forces in India, the CRPF and the Border Security Force (BSF).

Since 2007, 143 of the about 300,000-strong CRPF, and 75 out of approximately 230,000 BSF personnel have killed themselves, the data show.

Last July, a study by K.C. Dixit, a research fellow at Institute for Defence Studies and Analyses (Idsa), measured the psychological toll such areas take on soldiers, particularly in Kashmir and the North-East.

There are other stresses too. The local population tends to look at security forces "as the long and cruel hands of the administration, particularly when there are human rights violations," Dixit found.

The summer riots of 2010, when soldiers faced crowds of stone-pelting youths in the streets, created just such conditions. Although the violence has subsided, few believe it is over for good.

### ➤ PROTESTS AGAINST 60 YR OLD'S ARREST

On March 5, protest demonstrations were held at Palpora in central Kashmir's Budgam district after police arrested a sexagenarian man from the area.

Reports said that 60-year-old Ghulam Mohammad Dar son of Mohammad Abdullah was arrested by police on charges of stone pelting this morning. Soon after, hundreds of angry locals took to streets and staged protest demonstration against Dar's arrest.

Shouting anti-government and anti-police slogans the protesters claimed that Dar was innocent and demanded his immediate release.

However, when contacted, SSP Budgam Uttam Chand denied that police had made any arrests in Budgam.

Meanwhile, police claimed to have arrested a "wanted stone-pelter" from Singhpora Pattan today. A police spokesman said that Nissar Ahmad Bhat son of Ghulam Rasool resident of involved in various stone pelting cases. "He had been evading arrest since long. This

Poonch districts. Similarly, the Government said 104 people were killed in last year's summer unrest while 962 were injured and 18 crippled for life.

Replying to a question of independent MLA from Langate, Engineer Rasheed, the Chief Minister said, "Probe has been ordered in 17 killings so far and Rs 10 crore have been sanctioned in favour of the families of the victims." (KNS)

**March 24:** An army soldier allegedly committed suicide by shooting himself by his service rifle in Baramulla district.

Identified as, K Thangaswamy of 23 Mortar Regiment shot himself and died on the spot inside the army camp at Khanpora.

### ➤ ARMY SOLDIER KILL COLLEAGUE

**March 24:** An army soldier killed his colleague at a forward post along Line of Control (LoC) in bordering Poonch district of Jammu province.

Official reports said that Rifleman Romesh Bahadur of Nepal posted with 2/5 Gorkha Rifle shot dead his colleague identified as Havaladar Chittar Bahadur of same regiment with his service rifle in Balnoi area of Mendhar in Poonch district.

"Yes, we have seen growth tendency of the stress problem," says Prabhakar Tripathy, commandant and public relations officer of the 117th battalion in Srinagar. "But there is no problem in their service or duties."

"The reason is that the jawans are living alone; it's because of the vanishing of the joint family system," he says. "In 95% of suicide cases, it has been found that the problem is relating to family issues."

For the Idsa study, Dixit surveyed 1,085 soldiers and officers deployed in counter-insurgency and low-intensity conflict operations in Jammu and Kashmir. He found 72% of soldiers, and 60% of officers said they felt stressed in their environment.

Moreover, 74.3% in the former category said fear of human rights violations during an operation induces stress and affects performance, and 77% claimed operations were launched in haste without adequate briefing and preparation.

Tripathy maintains that although the suicide rate within the CRPF has risen over the past few years, it has stabilized recently due to the force's various initiatives.

"Tripathy says new battalions are being raised this year in response to the growing demand. "The problems are not being solved," he says. "We have been here 20 years and the men are kept on rotation; we are just transferring them from one place to another."

## IN BRIEF

(arrest) was possible by the efforts of SHO Pattan and the co-operation of the locals," the spokesman said.

### ➤ ARMY DESTROYS RUSTED ROUND IN MENDHAR

**March 5:** Security forces destroyed a rusted round using detonator in Mendhar tehsil of Poonch district.

Official sources said that a villager noticed a rusted round lying in Mirza Mohalla, Mendhar. He immediately informed the troops of 49 Rashtriya Rifle. The troops rushed to the spot and destroyed it on the spot.

"Troops recovered one rusted 'illuminating round' commonly known as parachute bomb from Gohlad area of Mendhar this morning at around 1130 hrs, which is used during nights to illuminate the war or encounter spots," an official spokesman in Jammu said.

He, however, said that it was not an explosive device but troops have seized and destroyed it.

### ➤ SOLDIER ACCUSED OF BURGLARY

**PROTEST IN KISHTWAR, POLICE REGISTER CASE**

**March 12:** Police have registered a case against army personnel for allegedly resorting to burglaries in Koriya village of this mountainous district, official sources said.

They added that the case was registered under Section 380 (theft) and 358 (trespass) of Ranbir Penal Code against Lance Naik Karan Singh of Army's Dogra Regiment after the locals filed a written complaint in Kishtwar police station.

Reports reaching here revealed that hundreds of people from Koriya village took to streets and staged protest demonstration against the Army. The protestors raised slogans against the police and Army and blocked vehicular movement for more than three hours. The villagers alleged that a masked man barged into the house of a villager, Ghulam Hassan Lone, late last night and took away two blankets from the house. The burglar later barged into the house of another villager Muhammad Sabir and decamped with some cash after breaking open the locks of a suit case, the villagers alleged.

They claimed that some locals noticed the masked man coming out of the house and chased him. "Though the burglar managed to flee from the spot, he left behind his jacket," the villagers told the police adding, "From the jacket an identity card was recovered which identified the burglar as Lance Naik Karan Singh."

Sensing the situation, SP, Dy SP Operations and SHO Kishtwar rushed to the spot. They seized the identity card and jacket and assured that appropriate action under law would be taken.

Later, based on a written complaint, police registered the case under FIR No 46/2011 at police station Kishtwar

**> 12 MORE SECURITY BUNKERS REMOVED FROM SRINAGAR CITY**

**March 17:** A dozen bunkers of the security forces have been freshly removed from Srinagar city in Jammu and Kashmir following recommendations of the Centre's interlocutors.

The bunkers were removed mostly from the old city areas and outside educational institutions during the

third phase of reducing the footprints of security forces in the city, a senior CRPF official said.

He said the bunkers were removed from Batamaloo (two), Karan Nagar (two), Saraf Kadal, Rainawari, Zainakadal, Aali Kadal, Baba Demb and Nowhatta.

The bunkers outside the Islamia College at Hawal and Amar Singh College at Gogjibagh in the city were also removed.

With this, the total number of the bunkers removed from the city has now gone up to 40. Sixteen bunkers were removed in the first phase in October last year followed by removal of another 12 bunker earlier this year.

**> REHAB POLICY FOR CERTIFIED MILITANTS NOT THREAT: ARMY**

**March 17:** The Army on Thursday said the Jammu and Kashmir government's rehabilitation policy for militants who want to return from Pakistan occupied Kashmir to the Indian side was not a major security risk as long as they are certified not to be dangerous.

"I do not think it is a major security risk as long as the procedures required to ensure that these people have been certified not to be dangerous are followed," General Officer Commanding of the Army's Srinagar-based 15 Corps Lt General SA Hasnian told reporters in this town, 30 kms from Srinagar.

He said the state government had recently asked for the Army's opinion about "certain individuals" who want to come back from PoK under the rehabilitation policy.

"We have given them to our agencies who are certifying, who are checking up on this," Hasnian said.

He said the civil administration, Government of India and the Army are all on the same page as far as the rehabilitation policy is concerned.

"I am sure that this joint procedure that has just started will refine itself over the period of time. I am sure that this initiative being taken by the Chief Minister will definitely be a success," he said.

**KILLINGS IN MARCH**

DATE	TROOPS	MILITANTS	CIVILIANS	OTHERS
March 01	-	-	1	-
March 02	1	1	-	-
March 03	-	-	-	-
March 04	-	-	-	-
March 05	-	-	-	-
March 06	-	-	-	-
March 07	1	-	-	-
March 08	-	-	-	-
March 09	-	1	-	-
March 10	-	2	-	1 (former militant)
March 11	-	-	-	-
March 12	-	3	-	-
March 13	-	1	-	-
March 14	-	-	-	-
March 15	-	-	-	-
March 16	-	-	-	1 Political activist
March 17	-	-	-	-
March 18	-	-	-	-
March 19	1	1	-	-

March 20	-	-	-	-
March 21	-	-	-	-
March 22	-	-	-	-
March 23	-	-	-	-
March 24	2	-	-	-
March 25	-	-	2	-
March 26	-	-	-	-
March 27	-	-	1	-
March 28	-	1	-	-
March 29	-	-	-	-
March 30	-	-	-	1 (NC worker)
March 31	-	-	-	-
In Toto	5	10	4	3

### WOMEN – CHILDREN KILLED

**March 25:** A woman who received four bullets, when CRPF and police fired upon protesters protesting against enforced disappearance of a youth on July 31 – 2010 at Kreeri, Pattan, succumb to her injuries. The deceased was identified as Haneefa Wani, 35, of Kreeri, Pattan of Baramulla district.

**March 27:** Throat slit body of a 6 year old was recovered from 100 meters of her house at Tikker area near Kupwara. The deceased was identified as Asra Shafi, d/o Mohammad Shafi of Tikker Kupwara district.

### **CHRONOLOGY OF INCIDENTS**

**March 1:** A civilian identified as Showkat Ali Khan a resident of Balgarden Srinagar, wounded in a grenade explosion in Batamaloo on February 28, lost his battle for life at SKIMS late night.

**March 2:** A district commander of Jaish-i-Muhammad militant outfit Shabir Ahmad Gojar son of Mehboob Gojar of Zarihal Machihama Tral was killed in an encounter with a joint party of police and soldiers in this south Kashmir area of Pulwama district. In another incident a head constable of paramilitary CRPF committed suicide by shooting himself dead in a camp at Zakoora in outskirts of Srinagar.

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

**March 4:** No incident of violence was reported from any part of the state.

**March 5:** No incident of violence was reported from any part of the valley. However, people protest arrest of a 60 year man at Palpora, Budgam in central Kashmir.

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

**March 7:** Three persons including two children were injured in two separate landmine blasts in Rajouri and Jammu districts. The children were injured when they stepped over a landmine while grazing cattle. They were identified as Mohammad Yasir, 9, and Mohammad Asid, 6, both resident of Pukhri, Rajouri. In another landmine explosion Rajinder Kumar, 22, son of Gopal Das of Khandyal sustained injuries when he inadvertently walked over a landmine Khandyal, Jammu. In the explosion Rajinder lost one of his legs. A police cop and a special police officer (SPO) were injured when they were assailed by unknown persons with an iron rod at Yaripora in Kulgam in south Kashmir. An army soldier of 32 RR allegedly committed suicide by shooting himself with his own service rifle at headquarters Coy Watergam, Danghiwacha, Baramulla. The deceased has been identified as Havildar Clerk Sudhkar (No. 15140326-A).

**March 8:** No incident of violence was reported from any part of the state.

**March 9:** BSF claimed that it had killed a militant while infiltrating from international border Jammu. The identity of the deceased was not established.

**March 10:** Police claimed that two militants of Jaish-e-Mohammad (JeM) were killed near foreshore road Srinagar. The killed militants were identified as Chief Commander JeM, Sajad Afgani alias Qari Hamaad and Umar Bilal. In exchange of fire two police men and a woman got injured. In a separate incident, three kids were injured in Lolab, north Kashmir's Kupwara district when an explosive device they were fiddling with went off. The children were identified as Masooq Ahmad, Adil Ahmad and Naza children of Sharief Ahmad Khan. Police claimed that a throat slit body of former militant Haider Gigi S/O Mohammad Yasin of Hayin Palpora was recovered from Kangan in central Kashmir.

**March 11:** An encounter broke out between militants and troops in Shopian area of South Kashmir. However, no causality was reported.

**March 12:** Two militants of LeT were killed in Shopian area of south Kashmir. The militants were identified as Ishfaq Ahmad Chopan, 19, of Harmain Kulgam and Khursheed Ahmad Yattoo, 23, of Reban Kulgam. Another militant was killed in Sopore encounter identified as Chota Kalimullah alias Shamsher alias Talwar Bhai of HuM.

**March 13:** One more militant claimed to be killed in Sopore encounter. The dead militant was identified as Wasim Ahmad Gania, 25, of Chinkiripora. A grenade was hurled by suspected militants towards a CRPF bunker in Hathi Shah area. No causality was reported.

**March 14:** Protests and clashes between people and CRPF personnel, over the killing of two militants in an encounter, were reported from Sopore are of Baramulla district. However, none was reported injured in these clashes.

**March 15:** Suspected militants fired two grenades towards a CRPF bunker at Hathishah in Sopore. However, no loss of life or injury took place in the blasts. A little later, in the same area militants exploded an IED, tied with a gas cylinder, placed near a CRPF bunker. But no damage was caused by the explosion.

**March 16:** Body of Congress activist was recovered from orchards in central Budgam. The activist was identified as Abdul Rashid s/o Mohammad Akbar of Nowbugh Chadoora. The body had strangulation mark.

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

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

**March 19:** One militant and a policeman were killed in a gun battle in Kellar, South Kashmiri's Shopian district. The deceased militant was identified as Abdul Rashid Awan s/o Mohammad Hussain of Rakh-e-Pehlipora, Kellar while the policeman was identified as Gulab Singh.

**March 20:** For persons injured were injured in a grenade explosion occurred in Rainawari area of downtown Srinagar.

**March 21:** Suspected militants fired upon at police and CRPF men near police station Sopore. However, no damage was done.

**March 22:** No incident of violence was reported from any part of the state.

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

**March 24:** An army soldier allegedly committed suicide by shooting himself by his service rifle in Baramulla district. In an incident an army soldier killed his colleague at a forward post along Line of Control (LoC) in bordering Poonch district of Jammu province. Official reports said that Rifleman Romesh Bahadur of Nepal posted with 2/5 Gorkha Rifle shot dead his colleague identified as Havaldar Chittar Bahadur of same regiment with his service rifle in Balnoi area of Mendhar in Poonch district.

**March 25:** A woman who received four bullets when CRPF and police fired upon protesters protesting against enforced disappearance of a youth on July 31 - 2010 at Kreeri, Pattan. The deceased was identified as Haneefa Wani, 35, of Kreeri, Pattan of Baramulla district. Dead body of disappeared Mohammad Yasin Mir of Jadeed Mohalla Rafiabad, Baramulla was recovered from a drench near the Rafiabad Hospital. Yasin went missing on March 2.

**March 26:** No incident of violence related incident reported from any part of the state.

**March 27:** Throat slit body of a 6 year old was recovered from 100 meters of her house at Tikker area near Kupwara. The deceased was identified as Asra Shafi, d/o Mohammad Shafi of Tikker Kupwara district.

**March 28:** A LeT militant was killed in an encounter with troops in Sopore town of Baramulla district. The deceased was identified by police as Chacha Talha.

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

**March 30:** Unidentified gunmen shot dead a ruling National Conference (NC) worker in Tral area of Awantipora district of South Kashmir, sources said. The worker was identified as Ghulam Mohi-ud-Din Bhat of Pinglish village of Tral.

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

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