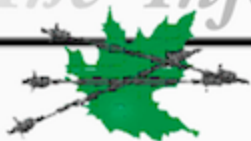


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# *The Informative*



## MISSIVE

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*On the occasion of International Day of the Disappeared*

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INTERNATIONAL CONVENTION FOR THE PROTECTION  
OF ALL PERSONS FROM ENFORCED OR INVOLUNTARY  
DISAPPEARANCES

&

INSTITUTIONAL VIOLENCE AND DENIAL BY INDIA

On IDD APDP Urges for Ratification of  
International Convention Against EID

Editor: P. IMROZ

## **WILL DISAPPEARANCES IN KASHMIR GO PUNJAB WAY?**

In Punjab, during 1984 to 1994 thousands were secretly cremated. A human rights activist, who made public the crime of secret cremations, was assassinated. Supreme Court of India in a petition directed the Crime Branch of Investigation (CBI) to enquire into mass cremations as reported. The CBI investigation confirmed 2097 surreptitious cremations were carried out by security agencies in three crematoriums in Amritsar district. The Apex court directed the National Human Rights Commission (NHRC) to have the matter examined. However, the NHRC ignored CCIP's contention to widen the investigation to other districts as well. The NHRC restricted its mandate only to these numbers on the plea that it will hamper the "smooth investigation". This prompted CCIP to withdraw its active participation before the Commission. Finally, the Commission endorsed the government line to offer Rs. 1 lakh without admitting wrongdoings or pleads for prosecution of the officers involved. The secret cremations hogged limelight not only nationally but internationally as well and remained center of discussion for some time. But not even a single perpetrator was brought to book. The activist Jaswant Singh Kalra, who removed the lid from the crime paid through his life. His assassin SSP Sidhu later committed suicide.

On the contrary, the perpetrators like KPS Gill the then Director General of Police, Punjab was coronated as a national hero and was projected as an icon, who had rendered meritorious services to the nation, for police. The Punjab experiment, which made governments confident, likely would be repeated to suppress the mass grave issue in J&K. The way the state is behaving while dealing with the mass graves issue, despite its own Human Rights Commission confirmed the existence of nameless and unmarked graves concomitant with disappearances in the state, buttressed the apprehension about repeat of Punjab formula in J&K.

SHRC investigation which brought out existence of 2700 unidentified and nameless graves in 38 graveyards of north Kashmir got widely published in international media, however, the Indian mainstream media blocked the spine chilling news. Nevertheless, the investigation findings were discussed by a miniscule section of Indian civil society at New Delhi, which came up with few suggestions for example to take up the matter to the court, preferably, to Supreme Court. The group harbours the notion that the Supreme Court, which is very proactive can deliver in the matter. IPTK / APDP discussed the suggestions threadbare and reached to the conclusion that in view of Supreme Court's role in Kashmir related matters approaching it would be a trap. Though, it would caught the media attention and remain in the headlines for sometime but at the end it would take the shape of Punjab formula, where reportedly are more disappearances than in Kashmir. It would also lay a negative impact on sustained campaign initiated by the relatives of disappeared people, and in dejection, desperation and exhaustion could embrace injustice.

We should not forget that the state has now gained enough experience how to neutralize the issues of discomfort for them. The time and resources are on its side while victims have fading memory and fatigue to live with. Internationally, mass graves existence is a sensitive issue and has embarrassed the Indian state to a certain extent, but finally things revolve around the trade relations between the governments.

Often human rights groups and diplomats during interactions raised questioned whether we have approached the institutions like judiciary for redressal. Not fully aware, they hold a naïve notion about India and its institutions that it protects human rights, little realizing that once there is institutional injustice where lies the remedy for the victims. Argument, whether one has exhausted domestic remedies but the requirement need to be fulfilled where the domestic remedies are real not illusory where theoretical remedies are ineffective or inadequate, for any reason, such as inordinate delay in judiciary, lack of independent judiciary, clear judicial precedent upholding the challenged act or limits of the judiciary jurisdiction, a petition need not to be filed, it is the wastage of time. The above example is there. The argument would have been appealing, if in the Punjab case the justice would have been delivered.

The systematic and wide-scale disappearance by the security forces shielded by impunity constitutes crimes against humanity and no state can deliver, as judiciary is the part of the state. Under such circumstances, we still believe only international institutions and humanitarian intervention can be decisive in building pressure on the state to address the serious issue affecting thousands of families.

We don't want Kashmir disappearance and mass grave issue will go the Punjab way. Had in Punjab the perpetrators be taken to justice and the victims were awarded reparation, the mass grave issue would not have been surfaced in Kashmir. And if, the Punjab formula worked in Kashmir, about which govt. appears confident, it will be taken to other conflict areas and this vicious cycle will continue... The APDP is not campaigning only for the justice for disappeared people but also the struggle is against a culture, which needs to be put to an end anywhere in India or outside.

**ON INTERNATIONAL DAY OF DISAPPEARED  
APDP URGES FOR RATIFICATION OF INTERNATIONAL CONVENTION AGAINST EID,  
SUBMITS 507 CASES OF EID BEFORE SHRC**

**Aug 30:** On the International Day of Disappeared members of Association of Parents of Disappeared Persons (APDP) gathered in a local hotel to commemorate the occasion. As a part of their campaign, the association also submitted a list of 507 disappeared persons from Bandipora and Baramulla before the State Human Rights Commission (SHRC) for its intervention.

The APDP organized a seminar titled “**International Convention for the Protection of all Persons from Enforced or Involuntary Disappearances and Institutional Violence and Denial of Justice by India**”. APDP members mostly half-widows travelled from different districts and gathered at the venue to re-affirm their resolve to continue with their struggle for justice. The programme was attended by prominent civil society actors, who threw the light on the different aspects of enforced disappearances and the urged the Govt. of India for ratification of International Convention for the Protection of all Persons from Enforced or Involuntary Disappearances.

Further, the Association of Parents of Disappeared Persons (APDP) submitted 507 cases of enforced or involuntary disappearances from Baramulla and Bandipora districts to the State Human Rights Commission (SHRC) for conducting investigations.

Out of the 507 cases of enforced disappearances submitted today to SHRC, 369 are pertaining to Baramulla district while 138 are from Bandipora district. The submitted cases are of the people living in Baramulla and Bandipora, who have disappeared since 1989 under various circumstances. As per the knowledge of victim families, some families have registered cases in their concerned police stations, while in many cases missing reports or complaints could not be filed at the police stations due to the reluctance of police and sometimes due to threats to the victim families.

Amongst the 369 documented cases of enforced disappearances from Baramulla district, based on the information provided by the families of the disappeared persons, 141 persons have been subjected to enforced disappearance by the state forces (Army – 98, BSF – 21, CRPF – 10, Government Militants – 7, Jammu and Kashmir Police – 5). Within the 369 documented cases of Baramulla in 144 cases the families of the disappeared claim that their loved ones disappeared in unknown circumstances by unknown agencies while militants have been responsible for disappearing 8 persons. In 76 cases the families of the disappeared claim that their loved ones being abducted by unidentified gunmen have disappeared.

Amongst the 138 documented cases of enforced disappearances from Bandipora district,

based on the information provided by the families of the disappeared persons, 38 persons have been subjected to enforced disappearances by the state forces (Army – 26, BSF – 6, CRPF – 3, and Jammu and Kashmir Police – 3). Within the 138 documented cases of Bandipora in 44 cases the families of the disappeared claim that their loved ones disappeared in unknown circumstances by unknown agencies while militants have been responsible for disappearing 10 persons. In 45 cases the families of the disappeared claim that their loved ones after being abducted by unidentified gunmen have disappeared.

In 179 cases of enforced disappearances from Baramulla and Bandipora districts where the state actors have been identified as involved, so far nobody has been prosecuted or held accountable. The processes of justice have been barred from prosecuting personnel of armed forces.

In 121 cases of enforced disappearances from Baramulla and Bandipora districts where the families of the disappeared claim that they have witnessed unidentified armed men abduct their loved ones, the unidentified gunmen could be either state or non-state actors. In the last 22 years, armed forces personnel, militants and government sponsored militants (Ikhwanis) have been accused of disappearing people in the garb of unidentified gunmen, and therefore it would be very difficult for APDP to accuse any particular agency with certainty.

In 188 cases of enforced disappearances from Baramulla and Bandipora districts where the families are clueless about the circumstances in which their loved ones have disappeared, the government investigations so far have also failed in ascertaining the whereabouts.

It is in this context that APDP has submitted these 507 cases of enforced disappearances from Baramulla and Bandipora to the SHRC, so that a thorough investigation is carried out regarding the whereabouts of all the cases of enforced disappearances. The family members of the disappeared want to know whether their loved ones are dead or alive. If they are alive they want the government to divulge the whereabouts of these disappeared persons. If they are dead the families want the government to identify the graves of these persons.

The relatives of disappeared persons fear that their loved ones might be buried in unmarked graves across Jammu and Kashmir, and in this regard they have appealed to the SHRC to direct state authorities to carry out investigations into such unmarked graves, through available means of investigation like DNA testing and other forensic methods.

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

It is pertinent to mention, that last year on 10<sup>th</sup> December 2011, APDP similarly submitted 132 cases of enforced disappearances from Banihal area, regarding which the investigations are continuing.

### **MACHIL ENCOUNTER EXPOSE**

#### **PROMPTS FAMILIES TO TAKE UP DISAPPEARANCE OF THEIR KINS**

After Machil encounter expose few more cases, somewhat of identical nature of enforced disappearances, came to fore from Baramulla district in north Kashmir.

On October 9-2005, four youth Abdul Majid Malik, Naseer Ahmed Ganaie, Zaffar Ahmed Ganaie and Ejaz Ahmed Ganaie left their homes, hale and hearty, to their respective work places but since then they were never seen again. For months their families searched them far and wide, but failed to achieve any breakthrough. Exhausted and tired the families later chosen to reconcile with the fate. They had opted to suffer silently without speaking to anyone about their trail and tribulations. Reasons well understood. None of the families have educated member or have any know-how to pursue the matter. Neither were they ever counseled or educated by anyone about their rights and responsibilities. And the incident never came into the media. Finally, Machil encounter expose reignites hope of these dejected families and they have decided to fight for justice.

October 8 great earthquake had just struck both parts of Kashmir, people and state administration were busy in assessing the damage and provide relief. Following day, on October 9, another catastrophe struck but of different nature on four families of Baramulla. Four boys disappeared without any trace.

The families of four disappeared youth Abdul Majid Malik, Nasir Ahmed Ganaie, Zaffar Ahmed Ganaie and Ejaz Ahmed Ganaie came to the office of PCHR to get the cases documented and for seeking legal assistance.

Afzal Malik, 55, father of Abdul Majeed while talking to *The Informative Missive* said, "Entire valley was in shock as the great October 8 earthquake had just struck, Baramulla had badly hit by the calamity. We were unaware that another calamity will struck next day in a different way to my family. My son, Majeed left home at around 10 am on October 9-2005 to his workshop at Suel (3 km away from our village) and since then nothing has been heard of him."

Afzal Malik, a labour by profession said, "Till late evening, when he failed to turn up, I walked out of house to see him. While enquiring from

Despite this large number of cases which have been submitted by APDP to the SHRC, the Jammu and Kashmir government continues to claim, family members of the disappeared have not approached the state for investigations after the SHRC judgment on unmarked graves and mass graves.

This petition has been submitted in the SHRC by Adv. Parvez Imroz - legal adviser, APDP, Khurram Parvez - program coordinator, APDP and Tahira Begum - spokesperson APDP.

neighbours, the families of three other disappeared youth were already on a lookout for their children. All of them were highly perturbed. Next day, we all went together to find them at our relatives houses, and also enquired from their friends. Later, we filed missing reports with Dangiwachha police station. At police station police suggested us to search in relatives' houses which we had already done, but to no avail."

"My brother Ejaz Ahmad learning barber skills at a Barber shop at Sopore, as routine he left for his working place. Thereafter, he was never seen again by anyone. Ejaz had left studies in 8th standard to improve the worsening financial conditions of the family," Ghulam Mohammad, 27, brother of another disappeared Ejaz Ahmad Ganaie said.

Dilawar Ganaie, Nasir's father said, "Last I saw my son at bus station proceeding towards Sopore. The proprietor of the shop told me, when contacted, on that fateful day he didn't reach the shop. I filed a missing report on 20-10-2005 with Dangiwachha police station. But nothing was done by police in this regard."

Zaffar Ahmed Ganaie's mother Rafiqqa, 50, while recalling the fateful said, "Zaffar at around 9.00 am left home to work on a construction site hardly half-a-kilometer from our house. He was engaged with a contractor namely; Reyaz Ahmad Dar, who had paid Rs. 2000 in advance to him after seeing our conditions. When Zaffar failed to reach the site in time Reyaz sent one of his employees to enquire about his absence from work. The employee when told us that Zaffar hadn't reached the site, unworried, I told him he might have met some of his friends and could have been reach in the meantime you came here."

Since all four had left almost in same hour and earthquake had just struck large numbers of rescue and relief teams were rushing towards Uri. Presumptions were made that they might have gone with any of the teams. The families after wondered for days and finally came across a relief team, which made startling revelation that they had seen some boys were arrested by the army.

"Assumptions were made that they might have gone with relief and rescue teams to Uri where

the effect of earthquake was more. In Uri, we came across a relief team which had set up a base near a police picket in Uri told us that they had witnessed arrest of some 6-7 boys by army. The team also said, it had learnt that those arrested boys were spotted by the army while ex-filtrating to other sides of LOC. Later all of them were set free. But the team members later came to know those boys were re-arrested, as they had re-attempted to cross over to PAK," Afzal said.

Ghulam Mohammad said, "We all four families jointly visited many army camps in Baramulla only to be told that they are not there. A week later, after their disappearance, the army used to call us to the Sail camp, where they threatened us to inform them about the whereabouts of disappeared youth. Every time, we told them that we ourselves were desperate to know where they went. The families for a month were called to the camp where we were harassed and intimidated to divulge the whereabouts of the boys about which we were totally unaware of."

"On the eve of Eid, in the same year, army called all those families whose relative had gone across for arms training to their camp. In the camp, an army man of Major rank shared his phone number with those families and asked them to tell their relatives to call him on the given number. However, the Major didn't share this number with us. Even I caught him by his shirt sleeve to share the same number with us. Seeing my desperation he told me he knew that our children had not gone across", Afzal Malik said.

He further said, "His (Major's) revelation raised my eyebrows as to how the Major was enough sure that our children had not crossed over. This really buttressed my doubt that our children were either killed by army or languishing with them. Since, thereafter, we were never called by the Major in the camp again. We were in a state of helplessness don't know how to reach to the truth about our children. The army's ubiquitous presence also discouraged us."

Helpless, but optimistic the families sat at home in wait thinking that their lost ones will knock their doors anytime. All the four families had no idea how to fight for their disappeared dear ones. But with the passage of time their resolve weakened and finally Machil fake encounter expose reignite their struggle.

According to the families, they at their own places contacted Kashmiri youth crossed over to Pakistan Administered Kashmir (PAK) many years ago. "We contacted the Kashmiri boys who went to PAK for arms training through their relatives. The youth informed us that none of them were there," the families said.

The disappearance of Zaffar took a heavy toll on Rafiqa's health. "Since his disappearance I

turned hypertensive and developed multiple cardiac ailments. My husband Ghulam Nabi's who was already suffering from health disorder his conditions deteriorated further. His sister Abida left education after 9th class since she failed to keep focus on her studies," she said.

The health conditions of Nasir's family worsen with his disappearance. Dilawar said, "Nasir's mother has developed multiple psychological and cardiac problems. Since his disappearances even the festivals like Eid can't bring even a smile on her face. She remained deep in her son's memories. Often she talked about his etiquettes."

While revealing her struggle to find her son Rafiqa further said, "Whenever there were encounters we used to rush to the site to identify the unclaimed bodies but without any clue. My family also contacted the youth who crossed over to PAK and were there for years through their relatives but nothing came to fore. We also shot an application to the office of Superintendent of Police but nothing was done".

"We had reconciled with the fate that what had happened had happened. But the Machil fake encounter expose on April 30, 2010 reignite our dying resolve. Next day, after the expose, we held a sit in, a little distance away, from Sub District Police Officer's office at Watergam with the sole demand to show our children, whether dead or alive. The protest was peaceful and continued for 5-6 hours. Unnerved by the protest, some police officials arrived at the scene and took photographs of the youth. They left with the assurance that they will help us in our efforts to reach to the truth. Four days later, a police team assisted us to Machil where the photos of those killed in various encounter were displayed before us in a Machil police station. None among them were of any of our relatives," Ajaz Ganaie and Afzal Malik said.

They further said, "Thereafter, the police was never seen again. But we sense it could be a big scandal where people are fetched to earn awards and rewards by troops. The photographs (an album) showed to us at Machil police station spoke a lot. We are hell bent to reach to the truth and have decided to fight with unwavering resolve."

All four families came from downtrodden section of society with very little income and almost with no education. All the four boys were school dropouts compelled by abject poverty to leave the study half-way.

For Mohammad Afzal Malik life was not as difficult as it gets after the disappearance of his son Abdul Majeed. "My life was quite satisfactory and was going smoothly despite abject poverty. Things just started getting better for me as my children growing up. My expectations increase with the age of my children feeling that my children will shoulder

responsibilities and I would be relieved of. Little did I know that I would be put on endless tribulations."

Afzal had five children Ruquiya, 30, Showkat, 25, Abdul Majeed, 18, Mumtaza, 16, Rayees Ahmad, 12, and Choti, 9. Among his children Majeed was sharper than other. "Majeed was sharp and industrious amongst my children. He was the first to step in to shoulder family responsibilities and often talks that he will not rest till he gets his both sisters married. He showed great interest in automobiles, electronic equipments and gadgets. Finally, he started working as an automobile mechanic and started making earning out of it. His efforts were very beneficial to the family as whole," Afzal said with tears filled his eyes.

Majeed's disappearance caused havoc to his family. The family's suffering got manifold. The health of family members suffered badly. "My elder son, Showkat for two years kept the doors and windows opened, day and night even in winters thinking that his brother will enter the house anytime. My wife Sara Begum and I developed multiple health problems. She often made screams at night calling his son back. When I went to hospital for medical check-up, as my heart pains frequently. After going multiple medical tests the doctors declared that I had developed heart enlargement and a serious problem in left kidney. At times, I don't have money even to purchase medicines, which was strictly prescribed by the doctors to continue," Afzal said.

### **KASHMIRI STUDENT PENS HIS ORDEAL**

An anonymous letter, written in Urdu, dispatched by a Kashmiri (then a) student to the office of Public Commission on Human Rights (PCHR). The student in his letter unfolded his experiences he had gone through. The letter summed up, he was arrested, humiliated, tortured and branded as militant by Mumbai police in year 2002. He was finally acquitted after spending five years in jail.

#### **IN HIS OWN WORDS:**

In 2002, I after completing my graduation applied for a PG Course in Kashmir University. But I couldn't succeed in cracking the entrance test. Then I decided to continue my further education from BR Ambedkar University Agra and appeared in the qualification test. But I couldn't endure the unfriendly hot weather conditions of Agra and returned back to Kashmir. Then I convinced myself to get my PG done from Bombay now Mumbai. I went there with high hopes to appear in entrance test in Rizvi College Badra. On reaching CST railway station Mumbai, some people in civvies appeared and asked me to come to the police station. I refused and asked them to provide their identities. This made them furious and hot exchange of words triggered between us. Finally, I was forcefully bundled into a private car and taken towards some unknown destination.

He further said, "It took me years to convince my elder daughter Ruquiya for marriage since she had put a condition that she will marry only when his brother returns. Finally, we got her married in the same village."

Ghulam Mohammad Ganaie, 27, Ejaz's brother said, "With the disappearance of Ejaz peace of mind and soul of my family also disappeared with him. My parents never had a peaceful sleep since then. My father Abdul Rehman on every other day in the middle of night got out of his bed to yard and raised screams calling his son back. These cries continued till he fell unconscious. Sometimes our neighbours object to his behavior, as they feel annoyed by it. Besides, psychological disorder he has developed multiple heart ailments. He was just confined to his room. My mother's eyes remained moist with tears every time she refused to take part in any of the functions whether of marriage or any other important celebration. Even on *Eid* days we never saw her celebrating since Ejaz's disappearance".

"I am single handedly looking after the entire family affairs. Be it medical or financial. We were four children to our parents. Three brothers and a sister. My elder brother left the family and got settled with his in-laws and once in a blue moon come too see his parents. My sister got married and I am alone at home with old aged parents. I find it very difficult to meet the family necessities since I am a petty labour hardly make good earning," Ghulam Mohammad Ganaie grumbled.

In the car I was blindfolded. After travelling a long distance the vehicle came to halt at some place. There I was pushed into a deserted house. In one of the rooms of the house they questioned me and asked my purpose of visit, which I clearly told them. Then I was assured of safe release.

Then from that house I was taken to another secluded place in the same vehicle. There I was taken into a room. The cloth was removed from my eyes. I saw few persons sitting in that room with handcuffed and eyes covered. I was asked to sit with them but strictly instructed not to communicate with them. Then I was again blindfolded. The cloth was removed from our eyes only on times of eating and drinking or interrogation. When I asked about my guilt? I was informed that they were waiting about my verification to come from Kashmir. There I was kept for five consecutive days in the same state.

One the fifth night, as it was pitch dark outside, I along with the other persons were pushed into a vehicle, with handcuffed and eyes blindfolded. After about 15 minutes travel at one place we all were asked to disembark. Two of them were asked to enter the park nearby. They were fired one by one the moment they stepped into the park. I witnessed this

entire scene. I was threatened of meeting the same fate, if I will not follow their diktats.

Then they removed my cuffs and instructed me *baag jao* (run away). When I started running, they went after me with shouting at me *pakdo pakdo* (nab him, nab him). The whole drama was orchestrated to invite the attention of passersby, so as to project me as a militant. The scene made people gathered around me. They told the mob "see the terrorist from Kashmir". On this, people started hurling abuses at me. And I was re-arrested.

During night I was taken to a police station. A media parade was conducted before which I was threatened of serious consequences, if I open up my mouth before journalists. Then a medical test was faked with the approval of a doctor. The doctor didn't examine the body and a prepared a medical report.

He was produced before Justice S.N. Dingra. Pertinent to mention here SN Dingra has earned notoriety while dealing with the cases regarding Kashmir. Dingra is widely known as anti-Kashmiri. To my shock the first thing Dingra asked, "how long you will play into the hands of Pakistan Why we were the part of this drama?" Then the court has sent me to 14 days police remand.

In custody, I was tortured and strictly told not to reveal the actual facts before the court. The signatures were taken on blank papers, in addition to it, I was produced before the magistrate and DSP for recording police scripted statement. Both times police was with me. Then I was taken to judicial lock up

#### **AWARDS TO PERPETRATORS CELEBRATING TYRANNY: JKCCS**

**Aug 15:** "It is despicable that the police officers responsible for serious human rights violations are receiving awards despite the crimes they have perpetrated. Today's (August 15) awards to some of the Jammu and Kashmir Police officers are an act of celebrating tyranny and victimization", reads JKCCS statement issued in the backdrop of awards conferred to policemen against whom there are serious allegations of rape and murder.

Citing the example of a Superintendent of Police, Altaf Ahmad Khan, who has been awarded with the President's Police Medal for Gallantry. "Altaf Ahmad Khan is notoriously known for perpetrating human rights violations in the areas where he has served", the JKCCS statement read.

The statement further reads, "On 3rd July 2004 a 16 year old girl (name withheld) was abducted from her school by Altaf Ahmad Khan, then Deputy Superintendent of Police Handwara, and taken to the Zachaldara Police Post. The girl was kept at the Police Post for three hours. Altaf Ahmad Khan and his associates tortured her. Altaf Ahmad Khan tore her clothes. Her shirt and pyjama were removed and she was thrown on the floor. When she asked for water and she was given water with salt and chilli. A heavy roller was rolled over her legs as well. She was kicked

where I came to know through media that I was projected as a dreaded militant of LeT and RDX was shown recovered from my possession.

The trail continued in the court but no technical or scientific or factual incriminating evidences against me were found. Only some policemen statements were merited as enough incriminating like recovery of RDX bags. I constantly pleaded before the court for forensic examination but the plea was never entertained. And I spent five long years in prison.

The life in the prison was horrible. It is difficult to put into words the sufferings I had gone through. The torture was severe. I was humiliated and beaten ruthlessly with body tied with rope. Drinking water was snatched from my mouth. I was forced to clean toilet and the worst my face was urinated. They also desecrated holy Quran to hurt my religious sentiments, they prevented me from offering prayers and forced me to observe Hindu rituals. Parading me naked and even dreaded criminals were instructed to torture and harm me.

I petitioned against this inhuman treatment before the court but nothing happened. The call goes into the deaf ears. Finally, I was acquitted and returned back to home.

For me there was no let up in the sufferings in Kashmir too. Police, SOG and army frequented my home. No heed or regard were paid to the court verdict, which declared me as innocent. They are after me. Hurdles are being created even in obtaining ordinary verifications.

in the abdomen by Altaf Ahmad Khan and this resulted in her falling unconscious. Subsequently, the victim realized that she had been raped while she was unconscious as she was bleeding profusely from her vagina. The victim was hospitalized for close to fifty days where she was operated upon and her uterus was removed."

The girl approached the State Human Rights Commission and on 19 November 2008 the final decision was issued where it was stated that the victim had been subject to "the worst type of human rights violations at the hands of two lady constables and the Dy.S.P. Altaf Ahmad Khan". The SHRC recommended appropriate relief and an enquiry by a senior administrative/police officer. Despite the SHRC recommendation for an inquiry, it appears no investigations have taken place. Further, Altaf Ahmad Khan was promoted as the Superintendent of Police and has multiple accusations of human rights violations while he was posted in the Sopore area of Baramulla District.

On 31st July 2011 Nazim Rashid Shalla died in police custody in Sopore, due to torture, after being picked up by a joint group of the Jammu and Kashmir Police and the army. In the extra-judicial execution of Nazim Rashid Shalla, Altaf Ahmad Khan was

implicated and transferred from Sopore. During the pendency of the enquiry in the same case Altaf Ahmad Khan on 26th January 2012 received Gallantry Award from the army and now today he received a President's Police Medal for Gallantry.

Pertinently in 2008, it was reported in the media that Supreme Court Justices Aftab Alam and G.S. Singhvi made observations in court in relation to the practice of fake encounters for rewards in Jammu and Kashmir.

In the past two decades several armed forces personnel and Jammu and Kashmir Police officers notoriously known for human rights violations have received gallantry awards, which suggest the institutional endorsement of the crimes perpetrated by these men in uniform. This policy of awards and

#### **KASHMIR CIVIL SOCIETY EXPRESSES CONCERN OVER AMARNATH CONSTRUCTION PLANS**

**Aug 16:** Civil society groups of Kashmir express their serious concern over the recent Supreme Court directions to the J&K government for undertaking civil engineering works leading to construction of roads and other infrastructure in the environmentally fragile Himalayan habitat around the Amarnath cave shrine in the valley of Kashmir. This move comes even as the committee formed by the Hon'ble court for recommending ways and means to promote safe journey of pilgrims to the cave shrine is yet to submit its report.

At a joint meeting of various civil society groups held on 16 August at Srinagar, the following resolution was adopted:

- i) While we fully share governmental concern to ensure good health and well-being of the intending pilgrims, we believe that the yatra must be conducted in accordance with the National Environment Policy, the State Forest Policy and also the Nitish Sengupta Committee recommendations.
- ii) Given the fact that a vast population of the Kashmir valley depend on the drinking water that originates from the glaciers around the Amarnath site, we believe any increased human activity through large-scale construction works will greatly enhance pollution, pose serious challenges to public health and result in irreversible damage to the flora and fauna of the area, critical to tourism and agriculture of the region. It must be noted that the area through which the current tracks lead to the Amarnath cave in the Sonamarg area fall under the Thajiwas Wildlife Sanctuary, and as such any construction activity will be in contravention of the established laws. Conserving the pristine waters of the Lidder, the Sindh, the Jhelum rivers and their tributaries must be a common goal, irrespective of religious beliefs, political affiliation or any worldview one might subscribe to.
- iii) We strongly believe that the principles of conservation for environment and administrative facilitation as applied to the pilgrimage to Holy

the perpetual impunity in Jammu and Kashmir shows the complete disregard of the Indian state towards the human, civil, political and democratic rights of the people of Jammu and Kashmir.

On the other hand Police officers who have shown exemplary service towards the people of Jammu and Kashmir have either been dumped or reprimanded. The police officer who conducted the investigation on unmarked graves and mass graves in North Kashmir on the orders of SHRC has not been encouraged. The Assistant Superintendent of Police, Bandipora after carrying out investigation regarding the recent fake encounter killing carried out by Army, was demoted and humiliated, which has sent a message to other officers that performing their duty diligently is undesirable for the government.

Gangotri and the larger conservation plans for the Holy Ganga river be applied to the pilgrimage to Amarnath shrine as was the established practice in the past. Any politicisation of the pilgrimage could be fraught with serious consequences.

iv) We note with deep appreciation the government of India's in-principle nod for declaring the 135-km stretch of the Ganga between Gaumukh and Uttarkashi as an eco-sensitive zone in November, 2010, seeking specific measures to protect the rich biodiversity of the region. We also view with satisfaction that the National Ganga River Basin Authority (NGRBA) has approved discontinuation of 3 hydro-electric power projects-Bhaironghati, Pala Maneri and NTPC's Loharinag Pala proposed on the river to improve the overall water quality in it.

v) We demand that the same principles be applied for the conservation of the area surrounding the Amarnath shrine in Kashmir and no human activity be undertaken there in a manner that will irreversibly damage the fragile ecology of the area. Application of uniform principles of conservation and protection are not only necessitated by the imperatives of the National Environment Policy and the National Forest Policy but also emphasized by the uniform standards of judicial principles. We call upon the Central Empowered Committee on Forests and Environment and the Parliamentary Standing Committee of Environment to initiate steps that the national environment and forest policies be implemented in letter and spirit and the plans of large scale construction around the Amarnath cave shrine be subjected to legal scrutiny in the light of the established laws and policies.

vi) While we support administrative measures to ensure good health and well-being of the pilgrims undertaking the pilgrimage to Amarnath shrine, we believe construction of roads and cable cars will not help in preventing deaths because of the inherent health risks in high altitude travel. It is a medically established fact that gradual acclimatization is needed



for ascent from 5000 feet to 14,000 feet for any human being, including pilgrims. Acute Mountain Sickness, High Altitude Cerebral Edema (HACE) and High Altitude Pulmonary Edema (HAPE) can happen in otherwise healthy people as well if the basic principles of acclimatization are not adhered to. These clinical conditions contribute substantially to high mortality encountered during the yatra. The health hazards are compounded in the elderly, persons with high blood pressure, heart disease, pulmonary insufficiency and diabetes. Pilgrims are especially susceptible to hypothermia and hypoglycemia which amplify morbidity and mortality. An equally important aspect of unregulated number of the yatrists

### **SHOPIAN KILLING: FATHER REJECTS POLICE VERSION SHRC TAKES COGNIZANCE**

**Aug 1:** The father of the driver, who mysteriously died inside a CRPF camp on July 30, rejected all the police statements in the case claiming he has audio recording of the initial statements of two witnesses who were later detained by the police. State Human Rights Commission (SHRC) took cognizance of the killing.

Mohd Yousuf Bhat, father of the deceased Aqib, alleged that a conspiracy has been hatched to hush the case up. Rejecting the police statement that Aqib was injured by a tanker, Bhat says that there were no such injury marks on his son's body.

Bhat claims he has an audio recording of two eye witnesses, Mukhtar and Ishfaq Ahmad, in which they clearly say that Aqib was beaten up badly by CRPF personnel in intervals after one among them was also beaten up.

While as the Bashir Ahmad Bhat, uncle of deceased who collected Aqib from the CRPF camp in an unconscious condition says that he lay 20 feet away from the vehicle (water tanker). He says that

On August 2, the State Human Rights Commission (SHRC) has initiated an inquiry into the death of a Aqib Bhat, fearing that it might be a matter of human rights abuse.

"The allegations if true, raises serious issue of violation of human rights. Accordingly a suo-motto cognizance in the matter is taken," reads an order vide No SHRC/227/2012 issued by the Commission on August 2.

### **PROTEST IN DODA VILLAGE OVER YOUTH'S KILLING POLICE TIGHT-LIPPED, CLAIM INVESTIGATION IN PROGRESS**

**Gandoh (Doda), Aug 23:** Protests continued for the second consecutive day in this far off area of Doda district following killing of a Gujjar youth allegedly by two Special Police Officers (SPOs).

Thousands of people from various villages of Gandoh- Bhallessa tehsil of the district took to streets on Thursday accusing the police and district administration of inaction and attempt to shield the accused persons, who killed a Gujjar youth in broad day light.

and extended duration of the yatra results in outbreak of water-borne diseases namely - gastroenteritis, hepatitis, typhoid etc causing immense morbidity among people using the polluted water.

vii) We strongly recommend authentic medical clearance for the intending pilgrims on the pattern of the Kailash-Mansarovar yatra where pilgrims above 70 years are not allowed to undertake the yatra and pilgrims are to produce genuine medical certificates certifying their health status.. We believe these very basic measures will greatly help in preventing pilgrim deaths in the high altitude area and at the same time ensure conservation of highly fragile and precious eco-diversity of the area.

Aqib was not in a condition to talk to anybody in the Hospital. Also rejecting the police statements regarding the death of Aqib, he says that police were using his statement inversely to hush up the case.

"That time I only said what actually CRPF personnel told me in the camp while lifting deceased. I only said in the hospital that CRPF personnel in the camp told me that Aqib has been hit by his vehicle."

Bashir also says that he was surprised when nobody in the camp asked him anything about his identity or stopped him at the entrance. He also says that only one CRPF person showed him the body of Aqib in the camp and nobody else among them came to help him lift the deceased from the spot.

Bashir questions, "if everything happened accidentally why then was the deceased not taken to the hospital immediately after the accident."

Meanwhile, some protestors from Balapora and adjacent villages tried to enter the Shopian town raising anti-India and pro-freedom slogans, but the police deployment managed to disperse them.

Raising its finger on the role of police in this matter, SHRC has also asked deputy commissioner not to depend on police inquiry, instead hold an impartial and separate inquiry.

"The DC Shopian will also furnish factual report regarding the incident to the Commission but he will get the same enquiry through his own field agency and will not bank upon any feedback from the police agency," reads the order.

on gun point. The victim was taken to nearby area and hanged to death.

The report of the killing spread like a wildfire in several villages of tehsil Gundoh and residents of Kahara, Gundoh, Batiyas, Guwadi, Bathri took to streets seeking immediate action against the culprit.

As the situation deteriorated, a spiritual leader and renowned religious head of the area Haji Ghulam Qadir Gani last evening addressed the protesters over telephone and requested them to return to their homes. He urged the protesters to maintain communal harmony at all cost.

However, the villagers again took to streets this morning accusing the police of shielding the accused persons. The protesters assembled at

Akhiyarpur and blocked vehicular movement on Thatri-Kilotran road for more than five hours.

A team of civil administration headed by Tehsildar rushed to the spot and held negotiation with the protesters. The villagers were assured that strict action would be taken against the assailants.

Meanwhile, though the officials were tightlipped over the matter, sources said that police have arrested at least three persons, including two SPOs in the case.

When contacted by media, Sub Divisional Police Officer (SDPO) Gandoh refused to give any details saying that he was not competent to speak on the developments. He, however, said that the investigation of the case was underway and accused will be dealt according to law.

### **SHRC PEEVED AT GILL'S SILENCE WARNS HIM OF ADVERSE INFERENCE**

**Aug 13:** The Jammu and Kashmir State Human Rights Commission (SHRC) on Monday passed strictures against the ex-IGP Kashmir, PS Gill saying he has failed to file his response in the abduction of six foreigners in 1995 by Al-Faran militants.

A division bench of SHRC comprising Javaid Kawoos and Rafiq Fida expressed strong resentment over Gill's non-response to the Commission's earlier direction to file report in the case.

"PS Gill, non-applicant has not till date responded to any of the communications addressed to him by the officers of this Commission. On the last date it was impressed upon him and that in case he fails to file his personal response an adverse inference will be drawn in the matter against him," the Bench observed.

"We think taking adverse inference against PS Gill will visit him with harsh consequences as he will be deprived of affording him a fair chance of hearing in this case. The Secretary will address an independent communication to him on the address as furnished by the Complainant calling upon the non-applicant to submit his personal response in the matter," it added.

The Commission also directed the Deputy Commissioner Islamabad to expedite submission of report in the case.

"The Secretary of the Commission will impress upon the DC Anantnag that the matter is of international importance and so he must expedite the submission of the report by or before the next date of hearing," the bench observed.

IGP Crime Headquarters, Jammu and Kashmir, vide his communication has submitted before the bench that the full Case Diary file along

### **EXCERPTS ACTION TAKEN REPORT FILED BY THE GOVT. BEFORE SHRC**

**August 16:** On filing its response in 27 page Action Taken Report (ATR) government asks the State Human Rights Commission (SHRC) to dispose off the case on unmarked graves. The government said the

with other relevant documents prepared by the Crime Branch, Kashmir had been sent by SSP, Crime to the Police Station Pahalgam on July 2, 2004 for submitting the Ikhtitami (closure report) before the competent court of law.

"The master file retained in the office of SSP, Crime has been gutted and reduced to ashes during the fire on September 11 2010. However SHO of Pahalgam police station has already submitted the Ikhtitamis of FIR's 66/1995, 67/1995 and 70/1995 before Judicial Magistrate, Aishmuqam."

"If that is so what it appears to be, the Secretary of the Commission shall call the record of the Ikhtitami's along with all Case Diary files and allied relevant documents from the Court of Judicial Magistrate, 1st Class, Aishmuqam, through Principal and Sessions Judge, Anantnag," the bench said.

Following the disclosures in a book Meadows released earlier this year that the foreigners were killed on the directions of the security forces, the International People's Tribunal on Human Rights and Justice and Association of Parents of Disappeared Persons (APDP) had filed a joint petition in the SHRC on April 6 seeking a fresh probe into the case.

Paul Wells and Keith Mangan of Britain, Dirk Hassert (Germany), John Childs and Donald Hutching (US) and Hans Christan Ostro (Norway) were kidnapped by little-known Al-Faran militant group - believed to be a shadow outfit of Harkat-ul-Ansar - from the forests of Pahalgam in 1995.

While Childs managed to escape under the cover of darkness six days after his abduction, 27-year-old Ostro was killed and his body was located on August 13, 1995. The other four foreigners remain untraced.

matter will be investigated by yet to be constituted Truth and Reconciliation Commission.

**Excerpts of the ATR:**

Dated August 13, State Home Department submitted its 27 page Action Taken Report (ATR) in nameless and unmarked graves to the State Human Rights Commission (SHRC).

In the report, serious allegations were leveled against human rights defenders of raising boggy human rights violations at the behest of forces/elements, which are inimical to the unity of the state/country. A claim is being made that cognizance were taken in all the cases of enforced disappearances and action as warranted under law has been taken against the persons involved in such incidents. In the same para, a bizarre willingness is shown that any individual / human rights group may have specific information. The ART further goes, as far data on disappeared in concerned, it is available with the state authorities. Thus, the apprehension that some of the dead bodies which are unidentified may be of the victims of alleged enforced disappearances is only based on the statements of some persons and not on facts.

The report maintains that most of the unmarked graves already stand identified by the respective police stations during past over 20 years and the remaining ones are mostly of unidentified militants who were killed in encounters with various security agencies.

The state government quoting a govt. order No. 905 of 2008 dated 31-12-2008 claimed it has constituted an Empowered Committee under the Chairmanship of Principal Secretary to the Government, Home Department, for taking follow-up action on the report / recommendations given by the SHRC.

The ATR put forth 6 recommendations before State Commission. Govt. has replied that it is unable to meet the requirements of the resources in terms of forensic facilities, availability of professional

#### **CIC ASKS POLICE TO FURNISH INFO ON ENCOUNTERS SINCE 1989**

**'TRANSPARENCY WILL STRENGTHEN SECURITY AND SOVEREIGNTY OF COUNTRY'**

**August 17:** The State Chief Information Commissioner (CIC) has directed police to furnish details of the encounters that have taken place in Jammu and Kashmir since 1989. The commission has given the direction on the second appeal filed by human rights activist Khurram Parvez, who had sought details about total number of encounters from 1989, FIR numbers registered in all the encounters, names of BSF, Army, CRPF, SSP, and ITBP battalions, which carried out the encounter.

He had also sought names of militant organizations and names of militants ambushed in the encounters, list of locals/foreign militants killed and civilian casualties during encounters since 1989. The applicant also sought list of fake encounters.

Earlier, the PIO police headquarters refused the information citing under section 8(1)(a) of the Act, prompting Parvez to file the first appeal before the

expertise and economical and social cost further stating the DNA profiling facility within the state is non-existent, only limited facilities are available in rest of the country, as there are only 15/16 recognized labs in the govt. as well as in private sector in the entire country.

About the DNA profiling it has been mentioned that it would take years to complete, as there are legal formalities seeking permission from the district magistrates for exhuming the dead bodies. Home Department have stated that the victims should be willing for giving the DNA samples and the victim should provide the details based on which the preliminary investigation would be conducted by the police authorities and more importantly the complainant (blood relation) should be in a position to indicate with fair amount of certainty the exact location of the graveyard and the grave which is now sought to be reopened. Failing which the exercise would be non-starter it was completely ruled out the random DNA profiling but has stated the Chief Minister's statement made on 27 September 2011 in the Legislative Assemble that the people who desired to find the whereabouts of the blood relations who are alleged to be missing, should come forward, lodge a complaint / FIR with the nodal officer, provide a DNA sampling of their own.

It is further stated, that despite the statement from the CM not a single person came forward before the SP Human Rights Cell (Nodal Officer). It is further admitted, the police organization is unable to collect and collate the photographs of the killed people. ATR also mentioned about the Truth and Reconciliation Commission as proposed by the Chief Minister which shall look into all aspects relating to such issues. Eventually, in the ATR government said the recommendations made by the SHRC are not realistic.

First Appellate Authority (FAA) police headquarters on June 9. The FAA disposed of the appeal upholding the PIO's contention that the information sought is covered under Section 8(1)(a) of the Act.

Responding to Parvez's second appeal, CIC G R Sui said the commission has accepted the same and directed PIO police headquarters to provide the required information within 60 days.

Over-ruling the objections of the government that information comes under the official secrets act, he said Commission is of the considered opinion that these provisions are not applicable. "The provisions are meant to ensure that nothing should be done which effects sovereignty and integrity of India, security, strategic, scientific or economic interests of the state or leads to incitement of an offence".

The commission ruled that militant attack is itself an attempt on national security and if details are

given by the police, transparency will strengthen the security and sovereignty of the country.

The commission said for past 23 years, police and other security agencies came out with the details about the encounters through press releases, press conferences, and taking selected journalists to the encounter site.

"Therefore it will be a futile exercise if any attempt is made not to disclose any such information under the State RTI Act of 2009," it stated.

### **12-YEAR-OLD SRINAGAR BOY ARRESTED FOR EID VIOLENCE**

**Aug 27:** A local court sent a minor to the juvenile home for 15 days for "participating in the stone pelting and subsequent burning down a police vehicle" at Eidgah on Eid-ul-Fitr on August 20.

Faizan Bashir Sofi, son of Bashir Ahmad, a resident of Eidgah, Srinagar, was produced by police in the court of Sub Registrar Srinagar, Manzoor Ahmad Zargar.

"The court sent him to juvenile home for 15 days," Station House Officer, police station, Safa Kadal, Parvez Ahmad told media.

Violent protests broke out in downtown city after congregational Eid prayers on August 20. A group of protesters beat up three policemen and set their 'Rakshak' vehicle ablaze near in the Eidgah, where Hurriyat Conference (M) Chairman, Mirwaiz Umar Farooq was scheduled to lead the prayers. Mirwaiz, who was barred from participating in the prayers, addressed the congregation over phone.

Subsequently, police registered a FIR number 96/2012 to investigate the incident. "The video and photographs available with police showed Faizan participated in the beating of policemen and burning of the vehicle," the police officer said.

The commission ruled that reputation of police, armed and paramilitary forces will get enhanced by disclosure of such information.

The Chief Information Commissioner granted 60 days time to the police for providing the information to Parvez and directed PIO and FAA to report compliance to the commission after the expiry of the deadline.

"So, we produced the evidence before the court which sent him to the juvenile home," he added.

The FIR in the case has been registered under sections 435, 147 and 149 of Ranbir Penal Code which pertain to mischief by fire or any explosive substance "with the intention to cause damage to any property, rioting, unlawful activities and unlawful assembly," the police officer said.

He however claimed that Faizan was not arrested by police. "We didn't arrest him but had asked the family to produce him before the court after he was identified from the videos," he added.

However, the lawyer who appeared on behalf of Faizan, a 6th standard student, contested police version saying the minor was arrested by police on August 26 Sunday.

"Faizan was arrested by police on Sunday and was produced before court on August 27," advocate Babar Qadri told media.

"We have moved a bail application but police has not reported back yet," Qadri added.

### **KASHMIR AMENDS RTI ACT, COMMISSIONER CRIES FOUL**

**Aug 31:** The Jammu and Kashmir government's fresh amendments have rendered the most successful institute of public transparency and accountability, state Right to Information Act, powerless, triggering sharp reactions from civil society and political parties.

Surprised state's chief information commissioner G.R Sofi accused Chief Minister Omar Abdullah-led government of making unnecessary changes to make state information commission (SIC) a "toothless body".

"In first place, there was no reason to come up with new rules, which have taken soul out of the RTI Act," said Sufi.

In fresh amendments in the RTI Act 2010 made public this week, rules spread over 27 pages stands discarded. Instead, new rules are on only six pages.

"The old rules had provisions about the structure and the working of the information commission, such as division of labour, working

hours, vacations etc. The new rules delete all these provisions," said J-K RTI Movement chairman Raja Muzaffar Bhat.

Accusing the government of failing to take stakeholders into confidence before making these amendments, Bhat said, "The move is against the basic spirit of transparency. This has been done just to stop the commission from exercising its powers."

The new rules are silent about implementation of SIC orders and appeals, while old rules made it binding on official to implement orders. According to a new clause, one has to move the high court to get an order implemented.

"Who will go to the high court to make orders implemented? The move has killed the purpose of the RTI," said lawyer and human rights activist advocate Pervez Imroz.

The amendments are also silent about procedure for filing first appeal and counter before first appellate authority.

"The government has launched disinformation campaign that old rules were not in sync with the Right to Information Act of the State.

### **DELHI HC ACQUITS 3 KASHMIRIS IN 2005 FAKE ENCOUNTER CASE**

**Aug 5:** The Delhi High Court has upheld the acquittal of seven persons, including three Kashmiris, concurring with the trial court's verdict that they were nabbed after a fake encounter in 2005 and were falsely implicated in the terror case.

A bench of Justices S Ravindra Bhat and S P Garg upheld the acquittal, dismissing the police appeal against the trial court's verdict.

"If two reasonable conclusions are possible on the basis of the evidence on record, the appellate court should not disturb the finding of acquittal recorded by the trial court.

"...We are of the view that the findings recorded by the learned trial court acquitting the accused are not perverse and require no interference," said Justice Garg, writing the verdict for the bench.

The court, however, modified the trial court's order for registration of an FIR against four policemen for faking the alleged encounter and other evidence to implicate the accused.

"It is improbable that the investigating team consisting of more than 15 police officers of different ranks from different police stations would conspire against accused residing at different places to falsely implicate them...

"The petitioners cannot be punished before they are found guilty...The Commissioner of Police is directed to inquire into role and conduct of the petitioners in the investigation of the case and take appropriate action in accordance with Statute/Rules..." it said.

The police had claimed it had nabbed four of the seven accused after a shootout on night intervening July 1 and 2, 2005 near Delhi-Gurgaon border and had recovered a huge cache of arms and ammunition from them. The three were arrested later, it had added.

Police had claimed acting on a tip-off that the accused, planning a strike in Delhi and its satellite

### **SUPREME COURT SLAMS JK GOVT ON ILLEGAL DETENTIONS**

**'STATE THROWING ALL CONSTITUTIONAL, LEGAL PROVISIONS TO THE WIND'**

**New Delhi, Aug 8:** The Supreme Court pulled up Jammu and Kashmir government for illegally detaining a Pakistani prisoner after he completed his sentence and summoned its Additional Secretary for misleading the court by giving wrong information about him in her affidavit.

A bench of justices R M Lodha and Anil R Dave directed the state government to release forthwith the Pakistani prisoner Sikander Azam and asked the officer Dilshad Khan to be personally present before it on the next date of hearing to show cause why contempt proceedings be not initiated against her. "You (state govt.) are throwing all

That is all rubbish. Previous rules were framed after giving them due thought and care," said SIC chairman Sofi.

towns, including Gurgaon, would be coming to the capital, it had been waiting for them near the border.

It had added as the accused, later identified as Saqib Rehman, Nazir Ahmed Sofi, Gulam Mohi-ud-Din Dar and Bashir Ahmed Shah did not stop their car, they were chased by police team led by sub-inspector Ravinder Tyagi, who fired from his service revolver in response to firing by Saqib.

In its appeal, police also claimed they recovered one AK-47 rifle, two magazines, 130 live cartridges, 2 hand grenades and 3 UBGL grenades at the instance of Saqib and these crucial evidence were ignored by the trial court.

The lower court had acquitted all the accused saying that "the encounter alleged to have taken place on the fateful night did not take place at all and an absolutely false encounter was projected."

It had said the story of encounter was "carefully scripted in the office of the Special Staff, Delhi Police by its main author SI Ravinder Tyagi with the assistance of SI Nirakar, SI Charan Singh and SI Mahender Singh."

Trashing the police version, the lower court had said that the investigating officer (IO) did not explain as to why no "independent public witnesses" were not associated during the arrest of accused after the encounter.

The IO did not intimate to his superior officers about the tip-off on alleged movement of accused, it had said, adding that the prosecution also failed to produce "original daily diary entries".

Out of 15 members of the raiding party, the prosecution examined only nine witnesses and failed to explain why other members of the raiding party were withheld, it said.

The investigating officer failed to explain as to why Tata Indica car allegedly seized at the spot was not searched immediately to recover the arms and ammunition lying therein, it said.-PTI

constitutional and legal provisions in the wind. You are a guardian of all people living in your territory whether he is a citizen or not," the bench said while pointing out that Azam continues to languish in prison even after his jail term ended 13 months back. "We are pained by the stance adopted by Jammu and Kashmir government particularly the incorrect information given by the officer. To say the least, it is highly misleading," the bench said while referring to government's affidavit which says that Azam's jail term will end in May 2013.

In this case Azam was arrested on July 19, 2008 and he was sentenced to three years of

imprisonment in June 2010 which ended in July 2011. But the state government said that his jail term will end in May 2013 as it did not take into account the time he spend behind the bar during the trial.

Taking strong exception to the state government's stand, the bench said that it is "shocking" and there is no law which said that time spent behind the bars during trial would not be taken into account. "We do not want government to be so

### **BANDIPORA KILLING FALLOUT WHISTLE BLOWER COP REMOVED, 'DEMOTED'**

**Aug 12:** A senior police officer who was investigating "fake encounter" case 'involving' Army has been transferred and 'demoted' from the post of incharge Additional Superintendent of Police to the Deputy Superintendent Police after he was allegedly found guilty of leaking information about the case to local media.

Official sources said Waseem Qadri the Incharge Additional SP of Bandipora, has been removed and 'demoted' to a junior position in Special Operations Group (SOG) Srinagar after being found involved in leaking information to press.

On July 25, Army had killed Hilal Ahmad Dar, 22, in an encounter in North Kashmir Bandipora district claiming that Dar was killed during an encounter with militants. Army claimed one AK-47 was recovered near his body.

Family of the deceased, however maintained, he was taken into custody and later shot dead in cold blood. The killing evoked massive protest in the area and the Valley observed shutdown on the call of separatists.

Concerned over shutdown and protests over the killing in the district Union Minister for Defence, A K Antony overruled Army and ordered an inquiry into the killing. Army also ordered an inquiry.

When Army's internal probe was underway, newspapers carried stories on the basis of unidentified police sources revealing that the youth was killed in staged encounter.

News reports said Police arrested Army helper Muhammad Ramzan and his associate Nazir Ahmad who revealed encounter was orchestrated by army in connivance with of its informers.

The reports revealed Special Investigation Team (SIT) of Police, supervised by DIG North Kashmir Rajesh Kumar, had found Army's own local helpers involved in staging the "fake encounter".

### **SUICIDE BY SOLDIER TRIGGERS PROTESTS BY COLLEAGUES**

ARMY DENIES PROTEST, SAYS COI ORDERED

**Aug 8:** In one of the rear cases, army personnel at a camp in Samba district turned hostile and staged protest demonstrations against the higher authorities following suicide by one of their colleagues during duty hours, near Jammu.

Trouble erupted after a soldier of 16 Light Cavlari Regiment ended his life by shooting himself with his service rifle near Mehsar area of district

casual. It shocks us and anyone who reads would be shocked," the bench said adding "Certain things are indefensible and do not play with court."

"Time has come when we must take serious action against the officer. It is not pardonable. Only god can help people if the state behaves like this," the bench said asking the officer to be present in the court on October 16 to explain why contempt proceedings should not be initiated against her.

Police had arrested an Army helper Mohammad Ramzan alias Rameez, and his associate, Nazir Ahmad. Reports based on police sources revealed how an officer of RR 27 Battalion had given an AK-47 rifle to Rameez who handed it over to Dar and told him that a group of militants was keen to meet him at a hideout.

While Dar was on way to the destination given to him by Ramzan, troops in ambush on (previously orchestrated tip off) opened fire at him. Dar died in the firing and Army claimed to have recovered his AK-47 rifle near his body.

Army has reportedly objected to the leakage of the Police findings to media and communicated its displeasure to J&K Police.

Police launched an internal inquiry into the leak. During the inquiry incharge Additional Superintendent of Police Wasim Qadri was found responsible for the leakage. Qadri was part of the SIT probing the killing of Dar.

The ASP has been removed and directed to join as Dy SP in SOG Srinagar. In the past fortnight Qadri had carried out a detailed investigation into the killing of a youth. Insiders in the police department however differ on the media reported details of the development saying that neither Qadri nor his batch mates were promoted by state cabinet. "When he was not promoted, how can he be demoted? However, he has been removed apparently for leaking the information to media about the Dar's killing case investigations," said reliable sources in police department.

Asked about Qadri's posting as incharge ASP Bandipora, sources said that it was an interim arrangement made by the department. "His other batch mates were also posted against higher ranks as an interim arrangement but they never wore uniforms," sources informed.

Samba. Sources said that Swaran Arun V, resident of Kerala, a soldier of 16 Light Cavlari Regiment camped at Mesar, Samba was on guard duty since last night. "He was about to be relieved when he went inside his barrack after receiving a phone call," sources said.

They further said that Swaran said to his colleague Santri Rajeev that he was going to wrap up his bedding. "After minutes a gunshot was heard

and when Rajeev went inside he found Swaran in a pool of blood. The soldier had shot himself from his service rifle and within minutes he succumbed", sources said.

It was reliably learnt immediately after the incident, other soldiers posted in the camp came out of their barracks and protested against their senior officers, who according to them were responsible for the death of their colleague, who had sought leave in view of some urgency at his home.

The soldiers even locked some of the army officers inside the office while some other officers locked themselves in the officers' mess, unofficial sources claimed.

The matter was resolved after senior army officers negotiated with the protesting soldiers ensuring them that the matter would be enquired in depth.

Though army has ordered a court of inquiry to ascertain the reason behind the suicide, it denied the reports of any protest within the camp. "I am not aware about any such protest", Defence PRO Jammu said.

Station House Officer (SHO) Samba Rajinder Khajuria said that the matter was being investigated. "As per preliminary investigation the deceased had returned after spending vacation in June this year and there is no possibility of conflict over leave issue," he said.

### **CUSTODIAL DISAPPEARANCE**

**PAY RS 10 LAKH TO YOUTH'S KIN OR APPEAR IN PERSON: HC TO DEFENCE SECRETARY**

**Aug23:** Jammu and Kashmir High Court directed Indian Defence Ministry to pay Rs 10 lakh as 'compensation' to the family of a Srinagar youth who disappeared in the custody of army in 1997.

A single bench of the court presided by Justice Mohammad Yaqoob Mir directed the Defence Ministry through its Secretary to pay the 'compensation' amount within five weeks.

"In case of failure, the Defence Secretary shall appear in person on next date of hearing," the bench said.

The directions were passed on an application moved by the Defence Ministry through its counsel advocate Karnail Singh Wazir, seeking more time. The application was moved after a division bench of the court directed deposition of the money by or before August 13.

While the order for compensation was issued by the High Court in March last year, the Defence Ministry had appealed against it. But the appeal was turned down.

The orders were passed by the then Chief Justice of J&K High Court, Justice Ibrahim Kalifullah on March 25, directing the Defence Secretary Shashi Kant Sharma to pay 'compensation' of Rs 10 lakh within eight months to the petitioner Mst Azizi.

Azizi through her counsel, Mir Shafaqat Hussain had submitted before the court that her 20-year-old son, Mushtaq Ahmad Dar of Tengpora, Srinagar disappeared after his arrest by the soldiers of army's 20 Grenadiers on the night of April 13, 1997 from Boat Colony, Srinagar.

The court had directed the ministry to deposit the amount in J&K Bank, High Court Branch in a fixed deposit in the name of petitioner for a period of two years.

The court had clarified that if the amount was not cleared within the period specified in the impugned order alone, then the amount will carry interest at the rate of six percent per annum from the date of the order with the date of making the deposit.

Justice Kalifullah while directing the Defence Ministry to pay 'compensation' of Rs 10 lakh to the family had directed that Defence Secretary Shashi Kant Sharma was at liberty to recover it from the other respondents including Jammu and Kashmir state, Director General of Police, and commandant 20th Grenadiers (then camped at Boat Colony, Bemina, Srinagar).

After the fixed deposit gets matured, the court had said that the petitioner could either renew the deposit for further period or encash it depending on her needs and desire.

Meanwhile, Justice Muzaffar Hussain Attar, hearing the contempt plea, directed government to file within two weeks status report of the FIR No. 66 of 2009 registered with police station Parimpora.

The court had earlier asked the state government and the DGP to proceed with the prosecution of the case in FIR No. 66 of 2009 expeditiously and file the final report within three weeks before the competent court.

### **SHRC SUMMONS COP**

**Aug 23:** The Jammu and Kashmir human rights panel directed a police officer to appear before it in connection with alleged use of excessive force against a woman during a protest against power shortage in this summer capital city last month.

Javaid Kawos, member of the state human rights commission, issued directions to the Srinagar

senior superintendent of police to appear before the panel Oct 4.

"The commission has taken suo moto cognizance of a woman protestor fainting after police quelled a protest in Batmaloo area in July where the locals had hit the road against acute shortage of electricity," a source in the rights panel told IANS.

The source said that the commission earlier sought a report on the incident from the director general of police and the senior superintendent of police.

"The report was not submitted on the scheduled date and today the commission asked the Srinagar senior superintendent of police to appear in person on Oct 4," the source said.

### **JUVENILE HOME IS JUST ANOTHER JAIL**

#### **CHILDREN BROUGHT HANDCUFFED, LOCKED BEHIND IRON DOORS**

**Aug 31:** From the fortified windows of the two-storey building of the juvenile home here, some children are seen watching the hustle bustle in the nearby Harwan Gardens. They wave their hands and seem to join their free counterparts in the garden. These children, undergoing imprisonment for different faults, are locked behind iron doors.

Since 2008, the Government has detained dozens of children on charges of stone pelting and taking part in separatist protests. Recently the detention of 12-year old Faizan of Srinagar for taking part in anti-Government protests made headlines. A class 6 student, Faizan was charged by police with harsh accusations like 'waging war against the State' and 'attempt to murder.'

For a common person, entering into the juvenile home is no less disturbing. The building is highly fortified. Besides the fencing, the building is covered with concertina wire. For a visit, a written permission from Director Social Welfare Department is a must. When this correspondent entered the home, the imprisoned minors were peeping through the iron doors. They disappeared in seconds as they were warned.

"They peep through these iron doors expecting that somebody has come to meet them," says a policeman.

The juvenile home is no different from a jail. It has 18 rooms for minors and every door and window is iron made which are always locked. "It pains us all," says Superintendent of the home, Ghulam Ahmad Manphoo. "I only teach these boys to desist from their wrong acts. I cannot help them other than this," he says.

Manphoo says that he took charge of the home four months ago and did not allow police to bring the children handcuffed.

### **SECTION 144 IMPOSED IN SRINAGAR**

**Aug 09:** The District Magistrate, Srinagar has imposed restrictions under Section 144 Cr PC on the assembly of five or more than five persons within the territorial limits of district Srinagar. These restrictions would not be applicable on Government functions, marriage ceremonies, funerals, cremations and examinations.

### **MILITARY- PARAMILITARY SUICIDES**

#### **➤ ARMY MAN SUICIDES**

The panel sought a reply on why women police personnel were allegedly not present to control the protestors, the source said.

The victim was allegedly pushed by a policeman, causing her to faint on the road, the source said.

The ground floor houses the office of the Superintendent, a dining hall, recreation hall and a filthy kitchen.

All the doors to the first floor, which houses the prisons for the minors, are iron made and locked. The keys are with the police personnel. It has 18 rooms and each room has six beds with shabby bedding.

The minors can't venture out of their rooms.

"We are more careful now. Some days ago three minors tried to flee," says Manphoo.

The inmates' parents can meet their children once in a month. "But we allow them to meet a few times in a month on our own," a policeman says.

In a room the children were sitting on their beds, but were quite frightened. This correspondent tried to speak to some of them, but they did not talk.

Though the Superintendent tries his best to help and guide the minors, their living conditions are miserable.

"I ask them to study and we have books of every class here. Recently I took an inmate to appear for his school examination," he said.

He says though they are trying to provide good food and other amenities to the children, but the Government is paying peanuts for the same. "Government pays mere Rs 50 per day for each detained minor which is a mockery. We had written to the Government to double the amount, but there is no reply," he says.

The home is guarded by the cops of Jammu and Kashmir Police. "It is a jail for we people," a cop posted at the juvenile home said. "But it hurts us when children are brought here, most of them handcuffed," he adds.

Besides, these restrictions will not also be applicable at Sehri and Iftaar timings during the month of Ramadan.

These restrictions come into force with immediate effect and will remain in force for a period of two months.

**Aug 08:** An army trooper ended his life by shooting himself with his service rifle at Mahesar area in



Samba district. The deceased has been identified as Arun.V, a resident of Keral posted in Mahesar in the 168 Infantry Brigade.

Reports said he allegedly shot himself with the service rifle around 7.30 AM on August 8. Hearing gunshot, his colleagues rushed to the Barrack and found Arun in the pool of blood.

#### OFFICIAL STATEMENTS

##### ➤ **1028 SOLDIERS COMMITTED SUICIDE: A K ANTONY**

**AUG 8:** A total of 1,028 soldiers from the Indian Army have committed suicide from 2003 to July this year, parliament was informed Wednesday. Defence Minister AK Antony said this in the Rajya Sabha in a written reply to questions from a member.

Antony said he could not ascertain the veracity of information given by the member that over 15,000 soldiers had committed suicide in the last two decades in Jammu and Kashmir alone.

In 2003, the total suicides among soldiers was 96. It rose to 100 the next year.

A total of 129 committed suicide in 2006 and 77 in 2005.

In 2007, the figure was 118 and in 2008 123. In 2009, the number fell to 96 but rose to 115 in 2010. It was 102 in 2011.

Till July this year, 62 had reportedly killed themselves.

He said the major causes of suicides in the army were domestic problems, marital discord, stress and financial problems, according to studies by the Defence Institute of Psychological Research (DIPR).

Meanwhile, in a separate reply Minister of State for Home Affairs Jitendra Singh said the number of suicides in paramilitary forces BSF and CRPF has increased in recent years.

Suicides in the Central Reserve Police Force (CRPF) increased from 28 in 2009 to 42 in 2011. The incidents of fragging (one soldier killing other) was five in 2011, Singh said in a written reply in parliament.

In the Border Security Force (BSF), the number of suicides in 2011 was 39, compared to 26 in 2009.

In 2011, the Indo-Tibetan Border Police saw three suicides, Sashastra Seema Bal (SSB) recorded 12, the Central Industrial Security Force (CISF) recorded 11 while Assam Rifles saw nine suicides.

##### ➤ **I STALLED AFSPA REVOCATION: SOZ 'HAVE WON ACCOLADES AT NATIONAL LEVEL FOR MY STAND'**

**Aug 9:** Jammu and Kashmir Pradesh Congress Chief Prof Saif-ud-Din Soz said because of his stand New Delhi put the issue of revocation of controversial Armed Forces Special Powers Act (AFSPA) on backburner.

"I have won on this front at the national level because it was my stand that any decision on

They rushed him to the hospital where he was pronounced as brought dead by the doctors, following which the body was sent to his native village for performing last rites, after the legal formalities and autopsy.

AFSPA revocation should not be taken in a hurry and the issue should be discussed threadbare at various levels", Prof Soz told media persons on the sidelines of a party function in Jammu.

"People should have been consulted. There was no consultation on the issue (AFSPA) so I was of firm belief that the demand was premature", he added.

##### ➤ **CM SAYS NO TO AFSPA REVOCATION AT PRESENT**

**Aug 15:** Doing a U-turn chief minister Omar Abdullah ruled out withdrawal of AFSPA at present. He also stated that the gradual withdrawal of the law will start during his tenure.

Omar was addressing a gathering at Bakhshi Stadium after unfurling the tri-colour. "We wanted to reach a position where we could revoke the AFSPA from some areas of the state but, unfortunately, we have not reached that point yet and I will not like to go into details," he said.

"Recently, Defence Minister (A K Antony) and top brass of the Army were in the state. Discussions on the issue continued. I can say with confidence that AFSPA gradual withdrawal will take place during the tenure of this government and that day is also not very far," he said.

Chief minister claimed that the graph of violence in the state has shown considerable downward dip during past some years. "As against 370 violence incidents in 2010, the militancy related incidents in 2011 were 190 and in 2012 these were only 90. Civilian killings in militancy related incidents in 2010 were 50, these stood at 31 in 2011 and 8 in 2012. 70 security personnel were killed in 2010 while the number of killed personnel was 33 in 2011 and 7 in 2012," he added.

"He said the footprints of security forces on roads have been visibly decreased. We have vacated all school buildings from the occupation of security forces. All hospitals but three have been freed from forces occupation. 33 hotels, 256 government buildings and 25 industrial estates have also been cleared from the possession of security forces during the last over three years of his government. 40 bunkers from Srinagar have been removed and 10 CRPF companies and two BSF companies relived from security duty transferring it to Jammu and Kashmir Police," Omar said.

##### ➤ **59,000 KP FAMILIES LIVING OUTSIDE KASHMIR: GOI**

**Aug 22:** Over 59,000 families of Kashmiri Pandits are living outside Kashmir Valley, the government said.

"As many as 808 families are residing in Kashmir and 59,442 registered migrant families continue to reside outside the Valley," Minister of State for Home Affairs Jitendra Singh told Rajya Sabha in a written reply.

He also said 170 temples were damaged in Kashmir after migration of Kashmiri Pandits.

Of the total of 430 temples which existed before migration, 260 of them are intact, 170 were damaged and 90 others renovated, Singh said when an MP sought details of Hindu temples in Kashmir.

"In order to mitigate the hardships faced by the Kashmiri migrants, a cash relief of Rs 1,250 per person per month subject to maximum of Rs 5,000 per family per month is being provided to eligible families in Jammu and Delhi," he said.

The minister said return of the migrants to the Valley is voluntary and no roadmap is possible.

To facilitate their return, a Rs 1618.40-crore package has been announced by Prime Minister Manmohan Singh which provides for assistance for repair or renovation of damaged houses, transit, accommodation, government jobs and financial assistance for self employment among others, Singh said.-PTI

Five rights violation cases in JK last year: A K Antony

➤ **FIVE RIGHTS VIOLATION CASES IN JK LAST YEAR: A K ANTONY**

**Aug 27:** Out of 33 cases of human rights violation by armed force personnel registered last year, only three are being investigated, Defence Minister A. K. Antony informed the Lok Sabha. He said five such cases were registered from Jammu and Kashmir.

In a written reply to a question, Antony said; "There has been no delay in disposing of alleged human rights violation cases. Further, all the cases where investigations have been completed were found to be false."

Out of the total complaints, 25 were registered in North East and five in Jammu and Kashmir during 2011.

➤ **K POLICE FACING CHALLENGE OF LAW AND ORDER: DGP**

'STONE-PELTERS HAVE TO BE DEALT WITHOUT SHOWERING BULLETS'

**Aug 31:** With militancy ebbing away in Jammu and Kashmir, the challenge for state police has changed from counter-insurgency to law and order, Director General of Police Ashok Prasad said.

In an interview with media, Ashok Prasad urged his men to avoid firing of bullets while dealing with a law and order problem.

"If somebody throws a stone, he has to be dealt without showering bullets. The force has to be trained and that is a challenge," he said.

DGP Prasad said that law and order problems are also on decline in J&K and police force is taking to normal policing. "The cops have to manage the traffic. They have to investigate the crime and the force is getting transformed day by day. The transformation is a challenge," he said.

He revealed that J&K has witnessed a fall of 60 percent in militancy related incidents over the preceding year. "Around 150 militants are active all over the state with maximum concentration in Sopore and Tral areas of Valley."

**CALLING OF YOUTH TO POLICE STATIONS:**

DGP Prasad confirmed the frequent reports of calling of youth to police stations, saying, "Whenever there is any incident of stone throwing, youth are being called to police station to zero in on the perpetrators. We have to investigate and our effort is to reach to the real culprit and not to harass any innocent."

**MEDIA GAG:**

DGP Prasad said that they are formulating a policy to deal with media. "Statements from different police officers in one district about one incident create confusion. A middle rung police officer tells one thing and his senior something else, which creates confusion. Sharing information on sensitive issues hampers the investigations and at times the image of police and an individual is maligned. You can request Inspector General of Police (IGP) of Kashmir zone for clarifications and versions," he said.

**KILLINGS**

DATE	TROOPERS	MILITANTS	CIVILIANS	OTHERS
Aug 01	-	-	-	-
Aug 02	-	-	-	-
Aug 03	-	1	-	-
Aug 04	-	-	-	-
Aug 05	-	-	-	-
Aug 06	-	2	-	-
Aug 07	-	-	-	-
Aug 08	1	-	-	-
Aug 09	1	-	-	-
Aug 10	-	-	-	1 (Rtd. DySP)
Aug 11	-	-	-	-
Aug 12	-	-	-	-
Aug 13	-	-	-	-

Aug14	-	-	-	-
Aug 15	-	-	-	-
Aug 16	1	-	-	-
Aug 17	-	-	-	-
Aug 18	-	-	-	-
Aug 19	-	-	-	-
Aug 20	-	-	-	-
Aug21	-	-	1	-
Aug 23	1	-	-	-
Aug 24	-	-	-	-
Aug 25	-	-	-	-
Aug 26	-	-	-	-
Aug 27	-	-	-	-
Aug 28	-	-	-	-
Aug 29	-	-	-	-
Aug 30	-	-	-	-
Aug 31	-	-	-	-
<b>TOTAL</b>	<b>4</b>	<b>3</b>	<b>1</b>	<b>1</b>
<b>IN TOTO</b>		<b>9 KILLINGS</b>		

### CHRONOLOGY OF INCIDENTS

**Aug 01:** Suspected militants triggered two separate grenade explosions in Srinagar and Kupwara districts. In Chanapora Srinagar, a CRPF picket was attacked by a hand grenade; however, no serious damage was caused. In other incident, suspected militants hurled a grenade at the residence of a *Sarpanch* Mohammad Rustum Dar at Nagri, Kupwara. In the incident window panes of the house got damaged.

**Aug 02:** An encounter broke out between militants and troopers in Doodipora village of Handwara in frontier district of Kupwara. But no loss life or property was reported.

**Aug 03:** A top militant of Lashker-e-Tayeeba was killed in an encounter with 21 RR, SOG and 92 BN CRPF in Doodipora village of Handwara frontier district of Kupwara. The deceased militant had been identified as Abu Hanzla, a LeT commander. In a separate incident, CRPF fired in air to disperse a group of youth pelted stones on their vehicle in Nowhatta in Srinagar downtown. No one was injured in the incident.

**Aug 04:** No incident of violence reported.

**Aug 05:** No incident of violence reported.

**Aug 06:** The alleged prime accused in the Delhi High Court blast Amir Ali was among two Hizbul Mujahideen militants killed in a fierce gunfight with Army in Kishtwar district. They identified the deceased as Amir Kamal (23 yrs) alias Akram son of Ali Mohammad Kamal of Kamal and his associate Shafi Hajam son of Mohammad Sultan of Marwah.

**Aug 07:** No incident of violence reported.

**Aug 08:** Army soldier shot himself dead with his service rifle at Mahesar area in Samba district under suspicious circumstances. The deceased has been identified as, Arun.V, a resident of Kerala was posted in Mahesar in the 168 Infantry Brigade. In a separate incident seven persons including three civilians were wounded in a grenade blast hurled by unknown assailants towards police station Pattan in Baramulla district. The injured were moved to the hospital where the conditions of one of the injured identified as Bashir Ahmad Beigh were stated to be critical.

**Aug 09:** Army claimed while foiling infiltrating an army soldier died on Line of Control (LoC) in Gurez valley in north Kashmir's Bandipora district.

**Aug 10:** Gunmen suspected to be the militants killed a retired Deputy Superintendent of Police Abdul Hamid Bhat in Batamaloo outside a local Masjid. "When he came out of the mosque, he was fired from point blank range by militants from assault rifles. He received five bullets, which caused his on spot death," police said.

**Aug 11:** No incident of violence reported.

**Aug 12:** No incident of violence reported.

**Aug 13:** No incident of violence reported

**Aug 14:** No incident of violence reported

**Aug 15:** Unknown gunmen fired at an *Imam* (prayer leader) from a close range in the frontier Kotranka area of Rajouri district. The bullet hit the leg of the *Imam* identified as Mohammad Taj.

**Aug 16:** One Border Security Force (BSF) jawan was killed in the firing while the villagers from Abdullian left their homes and crowded at safer places in the village following heavy firing and shelling from across the border. Official said that in the evening at around 7.45 PM, Pakistani Rangers targeted Indian forward *naka* (bunker) at Tube Well number 1 in Abdullian from their Suragpur and Nandpur Border out Posts (BoPs). One sniper shot hit BSF Constable Chandan Rai of Assam of 135 Battalion deployed at naka. However, the jawan died on the spot as the bullet hit his head in the firing. DIG BSF (G-branch) JS Oberoi when contacted by media confirmed that jawan was killed.

**Aug 17:** No incident of violence reported

**Aug 18:** No incident of violence reported

**Aug 19:** No incident of violence reported

**Aug 20:** No incident of violence reported

**Aug 21:** A youth identified as Mushtaq Ahmed son of Muskin Ali, was killed allegedly by the SPOs in his Dhok on August 21. Reports said that the assailants barged inside the Dhok (temporary hut) of Mushtaq Ahmed at Gaschar Darmi and abducted him on gun point. The victim was taken to nearby area and hanged to death.

**Aug 22:** No incident of violence reported

**Aug 23:** A soldier was killed in an accidental misfire from his own gun during practice at the Khanpur firing range in Jammu, army said. Signalman Ravi Shanker was hit by "unfired" practice bullet in his chest during the firing exercise at Khanpur firing range in Nagotra belt in the outskirts of Jammu city, a senior army officer said.

**Aug 24:** No incident of violence reported

**Aug 25:** No incident of violence reported

**Aug 26:** No incident of violence reported

**Aug 27:** No incident of violence reported

**Aug 28:** No incident of violence reported

**Aug 29:** No incident of violence reported

**Aug 30:** No incident of violence reported

**Aug 31:** No incident of violence reported

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## **PUBLIC COMMISSION ON HUMAN RIGHTS**

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

E-Mail: [p\\_imroz@yahoo.co.in](mailto:p_imroz@yahoo.co.in)

Web: [www.jkccs.org](http://www.jkccs.org)