

For Internal Circulation Only

A N N U A L   R E P O R T

1   9   8   6

---

PEOPLES   UNION   FOR DEMOCRATIC   RIGHTS

---

20   December ,   1986

---

## ANNUAL REPORT

Dec. 20, 1986

The new executive started functioning from Dec 21, 1985. We present below a brief account of our organisation and its activities since then. Details of some of our activities are given in the appendix.

Some of the main issues we have taken up through the press, courts, publication of reports and organising meetings are as follows:

### 1. Andhra

Repression on peasants, tribals, and civil rights activists has continued unabated this year. Dr. Varavara Rao, noted poet, was compelled to cancel his bail and go to jail due to intensified threats to his life. We issued a press statement asking the Andhra government to ensure the safety of Dr. Varavara Rao and others and also sent a telegram to the Chief Minister (Jan.) In Feb. we submitted affidavits attesting to Dr. Balagopal's presence in Delhi during the period of his visit here, when, according to police charges, he was allegedly involved in conspiratorial activities in Andhra. Dr. Balagopal was subsequently released on bail. On Sept. 3 we observed Civil Rights Day in memory of Dr. Ramanatham, killed by police last year and published "In Defence of Civil Rights" to honour his contribution to the democratic movement. Tragically, only two months later, Nov. 7, 1986, APCLC leader J. LAXMA REDDY was shot dead by the police in his house in Karimnagar. We brought out a pamphlet on the killing. We also wrote a rejoinder to the letter by Telugu Desam leader P. Upendra in the 'Times of India'. We pointed out that he had misrepresented facts and that not only had the NTR government not ordered judicial enquiries into the killings of APCLC leaders Dr. Ramanatham and Laxma Reddy, but that the journalist from "Andhra Jyoti" who had reported Reddy's killing was being harassed by the police. As to the courts, we wish to point out that the Supreme Court dismissed the petition on encounter killings and directed that a private complaint be filed.

Various cases were launched against activists working for the victims of the gas tragedy in Bhopal by the M.P. government. We obtained a stay on the cases against Dr. Anil Sadgopal and 20 others in 1985. We withdrew from the Delhi Committee on the Bhopal Gas Tragedy formed in the wake of the arrests of activists as the context in which it was formed was no longer operative. In Sept. this year volunteers of the Bhopal Group for Information and Action (BGIA) faced arrest and false charges under the Official Secrets Act. Nandita Haksar was in a team which met the Chief Minister in Bhopal for the release of BGIA volunteer. We conducted two meetings on this issue and are giving legal help for petition in Supreme Court for the right to information and free speech.

### 3. Bihar

We visited three districts in May after the Arwal killings to investigate the causes of rural killings in Bihar. We published a report "Behind the Killings in Bihar" and filed a case on the Arwal killings in the Supreme Court. According to one of our prayers that all victims, and not only Harijans as announced by the government, be given compensation, the court directed in December that families of the killed be paid Rs. 20,000/- each and the injured Rs. 5,000/- each. In August we cyclostyled a brief report on the ban on MKSS and the repression on various organisations participating in the Vidhan Sabha gherao in protest against the Arwal killings. Dr. Ashwini Ray addressed a meeting on Arwal organised by the Delhi Committee and Mr. Mukhoty addressed another meeting at Boat Club.

### 4. Delhi.

We participated in various meetings and marches for communal harmony and investigated the condition of migrants from Punjab, as well as visited riot affected areas in West Delhi and Jama Masjid. We also investigated the illegal lockout affecting 140 workers of Sigma Rubber Corporation. We investigated a case of torture at Rajinder Nagar police thana and we petitioned the Supreme Court concerning death in police custody of an alleged Sikh terrorist at the Ashok Vihar Thana. Our petition was dismissed and the court directed us to file a private complaint. In one case of a young boy picked

up on suspicion of theft and illegally detained at the Greater Kailash - I thana, we were able to intervene effectively and prevent further torture.

#### 5. Orissa

We sent a fact-finding team to investigate the impact of bauxite mining in the Gandhamardhen area in June. Later, with the help the journal MAIN STREAM, we published the report in November. The report was delayed due to the illness of our members.

#### 6. Punjab.

In addition to press statements condemning killings at Muktasar and the take over of the Golden Temple by the AISSF, we organised a meeting addressed by Dr. Sucha Singh Gill (Patiala) and Dr. Sandhu.

#### 7. Women

We got legal help in the Supreme Court for a petition on behalf of Stree Shakti Sangathan. The case was of rape by policemen of a woman in a village in Karimnagar in Andhra. The petition was dismissed. We also published an updated second edition of our booklet on women, "Inside the Family". We need another reprint as our stock is exhausted and there is continuing demand for this booklet.

#### 8. Journalists

We issued press statements on the harassment of the editors of "Peeng" and "Nai Duniya". The editor of "Peeng" had been arrested and illegally detained for three weeks for exposing corruption of the Bhajan Lal government. The government was admonished by the Press Council of India (PCI) for the arrest. The editor of "Nai Duniya" was arrested and kept two weeks in Tihar Jail. He was charged under the Anti-Terrorist Act for having published two years ago an interview with Khalistan supporter, Jagjit Singh Chauhan. We also provided legal help. In addition, we protested against the harassment by police of a reporter of "Andhra Jyoti".

PUDR lawyer is appearing in a unique case on behalf of four journalists who have filed a complaint to the PCI concerning the communal bias of an editorial of Times of India.

#### 9. Convention

Having been faced in recent years with rising communalism in Delhi and other parts of the country, we organised our fifth annual convention on the theme of "Religion, State and Democratic Rights." It was held on 6, December and was well attended. The first session included well-known historians and the second session included well-known activists. In the evening we screened a film on communal riots in Hyderabad, "Kya Hua Ees Saher Ko."

#### 10. Legal

We undertook at least 13 new cases this year, including two in the Press Council. Both the new cases and the large number pending from past years relate to a variety of issues concerning the rights of peasants, workers, fishermen, tribals, bonded labour, Jain Detenus, children, and other sections of our people.

##### R.N. Mishra Commission.

PUDR-PUCL petition to be impleaded as parties to the commission was dismissed in Jan as we were not called to give evidence despite the fact that we had submitted joint report "Who are the **Guilty?**" as affidavit. Our lawyer however appeared on behalf of Nagrik Ekta Manch ( NEM ). The citizens Justice Committee and NEM withdrew later in protest from the commission. Its report has been finalized but has not yet been made public.

#### 12. Fraternal

We highlighted the attacks on civil rights activists in Andhra, Chandrapur and Karnataka and gave legal assistance where possible. In addition, we participated in a conference on communalism organised by CPDR (Bombay), on dams and by CPDR (Chandrapur), and another on communalism

organised by CPDR (Nagpur). We also participated in conventions organised by the CPDR (Calcutta) and the NPHMR in Delhi. We have given several joint statements with PUCL and participated in its programmes.

#### 13. Other organisations

We have expressed our solidarity with human rights issues taken up by various joint fronts and organisations. These included the issue of arrests of 90 Nepali students and the violation of human rights of Tamils in Sri Lanka. Mr. Mukhety has addressed several meetings, including Human Rights Convention held at Aligarh.

#### 14. Organisation

We held six executive meetings this year, some thinly attended. Two members Ms. Tonuca Bhowmik and Dr. A. Ray (one of our secretaries) have left Delhi for academic work. We were unable to implement the decision to have an executive meeting every month. We were also unable to implement the decision to publish a commemorative volume on democratic rights in honour of Dr. Ramenatham. We have got only four articles so far for the volume.

Our weekly activists meetings continue. Although new activists have joined, we need strengthening of the activist group as a number of activists, due to new responsibilities at home at work, are not able to give as much time as they did previously.

#### 15. Finance

The annual turnover for 1986 was Rs. 17,028.26. This was lower than last years as total amount of printing this year was less. Printing accounted for 37% (Rs. 6,303) of the total turnover. Since we did not publish the convention

papers, cyclostyling costs accounted for only 3.9% (Rs. 671/-). Legal costs incurred were 5.1% (Rs. 765/- excluding a large amount done free of cost by our lawyers). Hall booking, projector, mike expenses were 6% (Rs. 870.50). Other expenditures were on postage, stationery, etc. and a small donation to the Delhi Committee on Bhopal Gas Tragedy.

As for resources, a large amount Rs. 5,000/- was given by the Supreme Court as reimbursement for expenditure incurred for some of our earlier cases. Sales were poor and accounted for only 10% (Rs. 1,178/-) while donations accounted for 15.7% (Rs. 2,667/-). Sixty percent of donations were through monthly donations by members. Membership accounted for Rs. 150/- and bank interest amounted to Rs. 250.29.

The opening balance on Dec, 21, 1985 was Rs. 7,242.97 and the closing balance on December 20, 1986 is Rs. 7,459.76.

This year also various forms of harassment of civil liberties movement continued in the country. Activists in Karnataka, Maharashtra and Andhra and journalists from different parts including Delhi faced repression. But for us this year is a relatively less tense year. Organisationally, our strength is considerably depleted and presently there is an immediate need for expansion. Facing the increasing threat to our movement while building the strength of the organisation remains the difficult and challenging task for the coming year.



I. PRESS

1. Jan 4. Condemning threats to life of Dr. Varavara Rao, who had therefore to have his bail cancelled and go to jail. Also letter to Chief Minister
2. Jan.25 Condemning attacks on CPM and Congress-I workers in Assam. (Pub. in Bengali daily Aaj-Kal, Jan.28)
3. Jan.28 Joint PUDR-FUCL statement condemning death in police custody of alleged terrorist, Daljeet Singh (Pub. I.E.)
4. Feb. 4 Joint PUDR-PUCL statement condemning AISSF takeover of Golden Temple (Pub. I.E.).
5. Feb.18 Statement based on fact-finding of Jama Masjid riots, where two persons were killed in police firing on Feb 15(Pub. I.E.).
6. Feb.21 Condemning suspension of 8 students of Dibrugarh University for distributing pro-reservation leaflets (Pub. Frontier Statesman, Telegraph). Tragically one of the students, National President of Indian Students Association was killed a few months later (June/July).
7. March-April ~~Statement~~ condemning arrest of editor of "Peeng" for having exposed corruption of Bhajan Lal Government in Haryana.
8. May 7 Letter to editor, "Third World Calling" clarifying PUDR has no branches and that Orissa PUDR is an independent organisation.
9. June. Letter to editor condemning arrests of civil rights activists in Chandrapur and Karnataka(I.E)
10. July24. Letter to editor stating that the PUDR constitution prohibits taking of foreign funds and that listing of PUDR other civil rights organisations among those required to seek government permission to receive foreign funds under the 1984 amended Foreign Contribution (Regulation) Act, was mischievous slander.
11. July26 Condemning killing of bus passengers at Muktasar and riots in Delhi. we demanded that the Punjab Government and Delhi administration safeguard the lives of all citizens.



- 12 July.25 Report "Behind the Killings in Bihar" released at a press conference.
13. Sept. Joint statement with PUCI condemning arrest and harassment of volunteers of BGIA under the official Secrets Act.
14. Oct. 4 Condemning attack on Prime Minister's life.
15. Nov.10 Letter to editor condemning detention in jail of editor of "Nai Duniya" Shahad Siddiqui, for having published two years earlier an interview with Khalistan supporter, Jagjit Singh Chauhan.
16. Nov.25, Letter to editor in response to Telugu Desam leader P.Upendra's letter of Nov.,20, our Letter pointed out the misrepresentation of facts concerning civil rights in Andhra, and that no judicial enquiries had been instituted into the Killings of APGLC leaders, Dr. Ramanatham and Iaxmana Reddy.

## 17. II MEETINGS

1. March13, Delhi University meeting on "Criminal Justice System and Democratic Rights," Speaker: Justice D.A.Desai, Mr. Gobinda
2. May 3 Meeting on Punjab; Speakers: Dr. Sucha Singh Gill (Punjab University Patiala) and Dr. G.S.Sandhu (Delhi University).
3. Sept.3 Meeting to observe Civil Rights day in honour of Dr. Ramanatham. Speakers: Justice D.A. Desai, Mr. Mukhoty, Mr. C.V.Subbarao
4. Sept 19. Meeting in Delhi University on arrests of BGIA volunteers. Speakers: Dr. Vinod Raina
5. Sept.25 Meeting in Delhi University on "Bhopal Science and People" Speakers: Prof.J.P.S.Oberoi and Dr. V.Verma.
6. Dec5 Convention on "Religion, State and Democratic Rights". Speakers: Dr. Romila Thapar, Dr.Harbans Mukhia ( both from JNU), Dr.Gyan Pandey (Delhi University), Swami Agnivesh, Ms. Madhu Kishwar, and Mr. Mukhoty.

## III. FACT-FINDING

### III FACT FINDING:

1. February Investigation into communal riot in Jama Masjid area in which two persons were killed in police firing on Feb. 15. Press statement on its basis
2. Investigation into reported higher incidence of mortality and respiratory disease and other health hazards due to bitumen plant at Mithapur.
3. May  
Team from Delhi and Calcutta investigated killings in rural Bihar. Report "Behind the Killings in Bihar", released at press conference in July.
- 4 July. Team investigated issues arising out of proposed bauxite mining plant in the Gandhamardhan area in Orissa. Report was published in November,
5. Team investigated torture in police custody of a fifteen years old boy at Rajinder Nagar police station, and prepared a brief report.
6. Team investigated illegal lockout of 150 workers of the Sigma Rubber Corporation, Azadpur. The investigation was discontinued after the union underwent change of leadership which politely informed our members that their visits were not necessary.
7. Team visited relief camp set up for migrants from Punjab and visited riot affected areas after the Muktasar Killings/ in July, both the West Delhi and Jama Masjid areas.

### IV PUBLICATIONS

1. March: Publication of updated and expanded second edition of "Inside the Family: A Report on Democratic Rights of Women."  
English 1000 copies.
2. June : Report on Rajinder Nagar police torture case in Delhi.  
English-Cyclostyled 150 copies
3. July: "Behind the Killings in Bihar". English-1500 copies.

4. August : Report on repression in Bihar during the agitation to protest Arwal killings. English -Cyclostyled 150 copies.
6. Sept.: " In Defence of Civil Rights," to honour the memory of Dr. Ramantham. English - 300 copies.
7. Nov.: " Gandharmardhan Mines: A Report on Environment and People. " English - 500 copies.
8. Nov, Pamphlet on the killing of APCLC leader, Lakshmana Reddy.  
English -Cyclostyled 150 copies.

V. Legal

The following list is not exhaustive.

1. PUDR vs. State of Bihar. W.P. (Crl. no. 369, 1986)  
Petition filed on behalf of victims of illegal police firing at Arwal on April 19, 1986. The court has acceded to one of the prayers, namely, that payment of compensation should not be confined to the Harijan victims as announced by the government. On December 19, the court directed that compensation of Rs. 20,000/- each be paid to the families of all the victims killed and Rs. 5,000/- each to the injured.
2. PUDR vs. Commissioner of Police (Delhi) WP (Crl. no: 101, 1986 )  
Petition concerning police custody death of Daljeet Singh, Ashok Vihar Police thana. Despite overwhelming evidence of torture, the SC threw out the petition and asked PUDR to file a private complaint.
- \*3. Mineral and Magnesite vs. H.S. Kerki. SLP no. 2324, 1986.  
Case of a worker who organised the first union among magnesite miners in Pithoragarh dist., U.P, in 1979. He was thrown out of his job a few months later and filed a case. He was an activists of the Uttarakhand Sangarsh Vahini. He suddenly died a few months ago leaving behind a young widow and three small boys. The case was won in the High Court, but an appeal was filed in the SC, which is pending. The arrears of his wages have been already deposited in court.
- \* 4. Press Council of India.  
  
PUDR lawyer is appearing on behalf of four journalists who have filed a complaint with the PCI about the communal bias in Mr. Girilal Jani's editorial Nov. 2, 1984, Times of India. It is the first case in which linguistic evidence was heard.

5. PUDR lawyer assisted editor of "Peeng" in his case against the Haryana government. The editor had been arrested and suffered three weeks illegal detention because of his exposure of the corrupt practices of the Bhajan Lal Government. The Haryana government was admonished by the PCI for the arrest.

- \* 6. Sheela Barse vs. State of Maharashtra. WP (Civil, No                      ) , 1986

Petition by journalist focussing attention on the plight of juveniles in children's homes.

- \* 7. Sheela Barse vs. Union of India

Petition focusses on plight of children in jails.

- \* 8. Fayaz Amin Shan vs. State of J & K . WP. Crl. No                      1986 ).

Petition concerning illegal detention of student under the Public Safety Act, and torture, from July, 1986. Records have been manipulated to say the boy was arrested in October.

- \* 9. R.N. Misra Commission

Although PUDR was not allowed to be a party, our lawyers appeared for Nagrik Ekta Manch and assisted the Manch. Later they withdrew from the commission.

- \* 10. Bhopal Group for Information and Action vs. State of MP. ( Civil No 1643, 1986 )

Petition seeks to link the right to information with the fundamental right to freedom of speech and expression. The volunteers have been charged with spying, under the Official Secrets Act.

- \* 11. P. Laksman Rao v.s. State of A.P.  
WP. (Civil no. 1986 )

Petition concerns a bund built by the state government assisted by the centre. The bund on the Godavari river at Polovaram, west Godavari dist. is so constructed that the poor suffer annual floods in tribal villages.

- \* 12. Dr. Anil Madgopal vs. Union of India  
WP. (Civil) No. 695, 1986.

Petition linking right to information with freedom of expression. More than 20 activists and gas victims have been implicated in numerous cases in the course of the last two years. The court has ordered a stay on all the cases.

13. Susie Theauru vs. State of AP.  
WP (Crl) no: 512, 1985

Petition on behalf of Stree Shakti Sangathan concerning rape of a woman by policemen in a village in Andhra. The victim had indentified the policemen involved, but later withdrew her complaint due to severe harassment of her family. The SC dismissed the petition despite the fact that the victim had categorically named the involved policemen several times.

14. APCLC vs. State of A.P. WP.(Crl) No: 1258, 1985.

PUDR lawyers had asked for magisterial enquiries on encounter deaths. The enquiries were produced in court but the state claimed privilege. Before we could argue privilege, the SC dismissed the petition and told us to file a private complaint.

15. Munnuswamy vs. State of Tamilnadu, 1985.

Petition concerning 10,000 fishermen, deprived of their livelihood in the wake of beautification drive of Marine Beach, Madras. Court has appointed Commission consisting of representatives of fishermen and the government to solve the problem. Last

year it had directed that all the confiscated catamarans and boats be returned and the fishermen allowed to continue fishing from Marine beach.

- 16 Puli Srinivasulau vs. State of A.P.  
WP (Crl) No: 1132, 1985

Political Prisoner detained for 18 years has been released and the case has been disposed off.

- \* 17. Vinayan vs. Dept. of Irrigation WP 10661/84  
Contempt petition in SC because orders of SC not implemented. The case involves transfer of 318 workers because they had formed a union.

18. Upendra and other vs. State of M.P.

A batch of writ petitions concerning 93 bonded labourers. Some of them have been rehabilitated and the sub-collector himself has brought out a list of 480 other bonded labourers who have been rehabilitated.

( \* Mark cases are pending. )



# VI Accounts.

## Resources.

## Rupees

Starting Cash Balance	1,420.00
Bank Balance	5,822.97
Sales	1,718.00
Donations General	1,077.00
Monthly	1,590.00
Legal cost reimbursed by	5,000.00
Supreme Court	
Membership	150.00
Interest	250.00
Total	17,028.26

## Disbursements.

## Rupees

Cyclostyling/Typing/Photostate	671.00
Hall, Mike, Projector	870.50
Printing	6,303.00
Legal	765.00
Postage	295.00
Stationery	241.00
Donations	50.00
Tea & Misc.	243.00
Transport	130.00
Ending Cash Balance	860.50
Bank Balance	6,653.26
Total	17,028.26