

FOR INTERNAL CIRCULATION

ANNUAL REPORT 1988

PEOPLE'S UNION FOR DEMOCRATIC RIGHTS
(DELHI)
DECEMBER 18TH 1988

The last Executive started functioning from 21st December, 1987. We present below a brief report on our activities since then, arranged according to the mode of our intervention.

1. Press Statements, Letters to the Editor and protest letters/telegrams.

This covers those issued where our response was only at the level of publicising the issue through the media.

- i) In December, 1987, we gave a statement protesting against Swami Agnivesh's anti-sati march being stopped before it could reach Deorala. Our statement appeared in most Delhi papers.
- ii) In January we sent a letter to NT Rama Rao, A.P. C.M., protesting against the disruption by the police of the Indian People's Human Rights Tribunal hearing on the burning of Adivasi hamlets in East Godavari district by the police. This was also sent as a letter to the editor to the press.
- iii) In January this year we sent a letter to the Central Board of Water Pollution protesting against the pouring of 2000 litres of milk in the Jamuna to 'purify the river'. Milk has a very high Biological Oxygen Demand - several hundred times the approved limit. It is thus a serious pollutant. We sent copies of the statement to the press. It appeared in several Delhi papers - Indian Express, Times of India, Statesman and the Hindustan Times. Though the Central Board is supposed to reply within sixty days they wrote back to us only in the first week of August, though we had sent a reminder in February, saying that the issue was not of much importance since the river is already quite polluted. We released their reply, along with our counter-reply, to the Press, but did not get good coverage. Much later it was covered in Statesman.
- iv) We sent a letter to the editor condemning the killing of several persons in a clash between two panidars, in Bhagalpur district in Bihar. The panidars are water-lords who farm out portions of the Ganges to fishermen. Around 15 persons - mainly poor fishermen - were killed in the clash. The letter appeared in one daily newspaper.
- v) We sent a letter to the editor on the indiscriminate use of the terrorist act in West Bengal, Andhra Pradesh and Gujarat, in January this year. The letter appeared in the Times of India.

- vi) In early March we sent a Press Statement (jointly with other civil rights organisations) condemning the proposed 59th Amendment to the Constitution. The statement did not appear anywhere.
- vii) We gave a statement on the death of Shankar Dalai, a goldsmith, in police custody, in Karol Bagh.
- viii) We gave a statement against the Defamation Bill which was introduced by the Government in Parliament in the last session, and subsequently dropped. The statement was widely reported.
- ix) We gave a statement on the harassment and the cases filed against Pradip Krishnatre, of the journalism department of Sagar University, in September. The statement was not carried.
- x) We gave a statement condemning the police repression on striking workers in Delhi in November. The statement was carried only by the Hindi papers.
- xi) We gave a statement condemning the attack on Srilata Swaminathan and other activists of the Rajasthan Kisan Sabha in Banswara in November. The statement was carried by several Delhi papers.
- xii) In early October we gave a statement on the disappearance of Veeramani, an activist of a youth organisation in Bangalore. Veeramani had been picked up by the police and kept in illegal custody. The statement was carried by a few papers. We also sent a letter to Amnesty International, asking them to intervene in the matter. We were later informed that Veeramani had been produced in Court in early December, after two and a half months in illegal custody.
- xiii) We sent telegrams protesting against the arrest of Prof. Dalip Singh, a member of the secretariat of the IPHRC under the terrorist act. The telegrams were sent to the Governor and the police commissioner of Punjab.
- xiv) We gave a statement condemning the arrest of Amarjeet Singh Sohi and the killings by the police in Penthit village in Jehanabad district of Bihar, on 18th November. The statement was widely reported by Delhi newspapers. We later on organised a Press Conference (along with AFDR, Punjab) to highlight the case of Amarjeet Sohi, a Sikh boy settled in Canada and associated with anti-communal cultural

organisations in Punjab and Canada. He was arrested on a visit to Bihar by the police, who are since alleging that he is a Khalistani terrorist and trying to concoct links between the peasant movement in Bihar and Khalistani terrorism. The press conference was reported in almost all Delhi newspapers and in several other papers.

xv) We sent a letter to the editor condemning the gang rape by police in Madhopur village, Dumka District, Bihar in November. In two papers it appeared as a news item and in HT as a letter to the editor.

2. Fact-Findings:

During the year we could not have many fact findings.

There were a total of 4 fact findings in this year, of which two were in Delhi, one in Orissa and one in Uttar Pradesh.

We give below a brief description:

1. Anand Parbat: A PUDR fact-finding team investigated the death of Naresh a 9 year old boy, at the hands of the police in a landlord - tenant dispute. Naresh was severely injured while the police were trying to evict his mother from her rented house. He died later in hospital. While he died in November, 1987, it was reported only in early December. The fact finding was then done over December and January. We brought out a cyclostyled report in both Hindi and English which was released at a press conference in the last week of January. The report got wide publicity. We later filed a case in the Supreme Court along with Saheli (see legal cases).

2. We sent a fact-finding team to Baliapal in Balasore district in Orissa in late June. The fact finding was sent as a consequence of the recent attempts by the government to break the blockade in the National Test Range region, and was to go into the issues arising from the Baliapal movement. The report of the fact finding team titled "Bheeta - Maati" was released to the Press on 11th August. The report got good coverage and Indian Express carried an editorial based on our report. The fact finding enabled us to get in touch with many sympathisers in Orissa, and we managed to involve several new persons in the writing of the report and in the fact finding.

3. We did three fact findings into death in police custody in Delhi. The first, already mentioned, was of Shankar Dalai a Karol Bagh goldsmith, who died due to police torture in February. The

Second was the fact-finding into the death of Ram Swarup a daily wage labourer who died in police custody on 16th Oct., night. His body was disposed off by the police. We filed a petition in court on the basis of our fact-finding (see legal cases). The third fact-finding was on the death of Asha Ram, a NDMC sweeper, who was picked up by the police alleging that he was quarrelling with his neighbour. He died the next day, police lock-up. The police later brutally lathicharged a demonstration of local residents who were trying to give a memorandum to the Lieutenant Governor of Delhi. The incidents and the fact-finding took place in October. The fact-finding reports are to form part of our forthcoming report on police torture and deaths in police custody in Delhi.

4. We did a fact-finding (jointly with Saheli) into the mass rape with active police connivance, of several women of Mahtosh Mod Village in Natital district. The incidents took place on the 20th and 21st of October, but we could send a fact-finding team only in November. The report, titled 'The Beasts of the Terai' was released to the press on 12th of December. The report received extremely good publicity-including front page coverage in several news-papers.

Reports

1. The Death of Naresh: already mentioned. We brought out 200 copies in Both Hindi and English.
2. Rajiv's Gandhi's Black Act: This was the pamphlet we brought out on the 59th Amendment. We printed 2000 copies in both Hindi and English. This pamphlet has been quite widely circulated and we do not have many copies left.
3. A Citizen's Guide to Rajiv's India: This was a major report on black acts and the repressive powers the state has acquired over the last few years. The report was released in a press Conference in August and got good coverage. It was later reviewed in India Today and the Times of India. We printed 1000 copies of this report, which became quite popular, with orders coming from all India and even from abroad. We are now completely out of copies.

4. Bheeta Maati : (already mentioned). We printed 1000 copies. This report also has been disseminated well, especially since it was the only detailed report on Baliapal to appear at that time. We do not have many copies left. We could only bring this out in English.

5. We brought out a one page information sheet on the illegal arrests of activists of the Jharkhand movement in Orissa. This was circulated by our mailing list and also sent as a letter to the editor. It was also printed in the APDR magazine.

6. We brought out a small number of copies of a report on repression in Andhra Pradesh and the life of Dr. Ramanatham, for our meeting on Civil Rights day on 3rd September. This was distributed free of cost at the meeting and later on.

7. The Beasts of the Terai: (already mentioned). We, with Saheli, brought out 350 copies of this report. It was released at a extended Press Conference, which practically converted itself into a meeting.

Public Meetings:

We could hold only six public meetings during the year.

1. Police Atrocities in Delhi: Held in Constitution Club on the 8th of April. A large number of speakers- Gobinda Mukhoty, Ashwini Ray, from PUDD and other speakers from AITUC, Saheli, IETU, PRO and others.

The meeting was well attended with high sales and donations, covering the cost of the meeting.

2. Civil Rights Day: We held a public meeting on 3rd Sept. to observe civil rights day. Speakers were Gobinda Mukhoty, Ashwini Ray and Geeta Mukherjee. The meeting was held in Saprau House. It was attended by about 50 people.

3. We held two meetings on academic freedom, highlighting the episodes at Sagar University in which the head of the Journalism department was beaten up by goons and the state government filed cases against him all because of a question he set in the entrance examination. The meeting in Delhi University was held on 21st September in Room No. 22 Arts Faculty. Speakers were Pradip Krishnatre, Krishna Kumar and Badri Raina and Prof. Manoranjan Mohanty Chaired. The meeting was not very well attended. Another meeting on the same topic was held in JNU on 22nd September. Speakers

were Pradip Krishnatre and Ashwini Ray. The secretary and the president of the JNUTA also spoke on the occasion. The meeting was not well attended either.

4. **Bidar Riots:** Six students were killed about 100 others injured in the violence in Bidar between September 14 to 16th. We held a public meeting on this in JNU on 3rd Nov. Speakers were Sumanto Bannerjee and Harbans Mukhia. The meeting was well attended with about 200 students in the audience and had high sales of our literature.

5. **Convention:** We held our seventh annual Convention this year on the 17th of December, on the topic 'State, Society and Crimes against People-Emerging Trends. Speakers are Randhir Singh, Arvind Narain Das, K Balagopal, Ruth Vanita, Darshan Khatkar and Rennet D' Costa. Gobinda Mukhoty chaired the session.

LEGAL CASES:

1. **The Death of Naresh:** Filed jointly with Saheli. The government has admitted most of our allegations and the SHO concerned has been arrested. At present the charge against him is under section 304, we are attempting to change this to section 302 (murder). The Supreme Court has meanwhile restored tenancy right to both Maya Devi and Kamlesh and ordered that electricity and water supply be resumed.

2. **Umesh Dobral:** The case concerns a journalist, Umesh Dobral, who was investigating into the activities of the liquor mafia in the hill districts of Uttar Pradesh. During the investigation he 'disappeared'. The police refused to take any cognisance of the matter, saying that he owed some people money and to avoid paying them had run away. We filed a case in the Court on the request of Patrachar Sangharsh Samity. The Court ordered the CBI to enquire into the disappearance. The CBI enquiry has unearthed enough evidence to show that Umesh Dobral was killed and on the basis of this enquiry two persons have been arrested for his murder. The case in the Court will proceed after the CBI enquiry has been completed and submitted to the Court.

3. **Ram Swarup:** On the basis of the fact-finding into the death in police custody in Inderpuri, Delhi (mentioned above) we filed a case in the Supreme Court (Habeas Corpus). The case been admitted and notice has been issued. The involved SHO has filed a reply and the case will come up in early January. Consequent to our filing the petition

and its wide coverage by the media the concerned SHO and five others have been arrested.

4. Manipur: Our case against the atrocities by the Assam rifles in Senapati district of Manipur, filed by the NPMHR in which our lawyers are assisting, is still continuing. The Guahati High Court has issued a naisi rule under which evidence is now being collected at the sessions Court in Imphal. Examination and Cross-Examination of witnesses has been going on for the last few months.

5. Hashimpura: We filed a case against the PAC's massacre of 44 people in Hashimpura on the 22nd of May 1987. The Government is currently claiming privilege, on the Gyan Prakash enquiry Committee report which has castigated the PAC. The report however has appeared in the Daily Telegraph. The privilege issue will be heard early next year.

Joint and Fraternal Activities:

1. At the last Annual General Body Meeting we passed a resolution of condolence on the death of Hemango Biswas, the well known Bengali singer, who was associated with the A.P.D.R. (W.E) for several years, and Neelam Raheja, who was associated with the C.P.D.R. (Bombay) since its inception. The resolution was sent to the concerned organisations and to the families of Hemango Biswas and Neelam Raheja.

2. Meerut riots: Alongwith some other Delhi organisation we formed a Morcha against State Sponsored Communalism and held cultural programmes in Jama Masjid area, distributed 5000 leaflets and burnt an effigy of the PAC on 22nd 23rd of May. These were the dates of the Hashimpura and Maliana massacres in Meerut last year.

3. Case on death of Naresh: Following our factfinding into the death of Naresh at the hands of the police in Anand Parbat last year, we along with Saheli filed a case in the Supreme Court (already mentioned).

4. We joined some other Delhi organisations in a dharna outside Karnataka Bhawan demanding the release of Veeramani who was kept in illegal custody by Karnataka police for over two months.

5. Members of the organisation attended and spoke at a demonstration organised by some Delhi organisations and trade unions on the occasion of the the anniversary of the

murder of Dr. Ramanadham by the A.P. police. This was held on 5th September.

6. We held a joint Press Conference along with AFDR on the arrest on false charges of Amarjeet Singh Sohi by the Bihar police. The Press Conference was held on 21st Nov. and was widely reported by the newspapers. We have also asked Amnesty International to Intervene.

7. Our lawyers have been working with the NPMHR on their case against army atrocities in Senapati district in Manipur. Since the case is filed in the Gauhati High Court and presently cross-examination of witnesses is going on at the Sessions Court in Imphal.

8. Our president, Gobinda Mukhoty, has as usual addressed a large number of meetings and conferences on Human Rights this year.

Organisation:-

The Executive met eight times in this year. The meetings were on the whole well attended. We could not implement the decision for the executive to meet every month. Some of the organisational decisions taken by the executive could not be implemented. We still need an inventory of our literature, though good sales during this year have reduced stocks. We have been unable to have monthly reports from the Treasurer. We also have not been able to audit our accounts. We hope that the new Executive will be able to complete these tasks.

Two PUDR activists who have also been members of the Executive left Delhi this year to settle in Calcutta. We wish them all the best in their further life. Though the volume of work that the organisation has done has come down compared to previous years, in some respects the organisation has improved. One welcome development is the fact that we have acquired some new activists. However, like last year, we again have to report work taken up but not completed during the year.

1. Victims of 1984 riots: We decided to bring out a publication on the commissions set up after the Misra Commission on the November 1984 riots in Delhi, to expose the injustice being done. We could not bring out this report. We had further decided to hold a meeting in Delhi University on the same topic, but but we could not do that either.

2. We decided to bring out a questionnaire on black acts to gauge the views of parliamentarians on anti-people acts. Though the questionnaire was prepared, we could not carry out the survey.

3. **6**Parliaments and Democratic Rights: We decided to update our publication on **6** Parliaments and Democratic rights till the present Parliament. Though some material collection was done the work could not be finished.

4. Death in Police Custody in Delhi: Work on this report started in May, with plans to finish it in August. This could not be done. Quite a lot of work has been done on this report however, and it is in a condition to be finalised. We hope that the new Executive will be able to expedite it.

This year has thrown fresh challenges and we have been able to survive them. But the twin tasks of, consolidating our organisation and at the same time expanding it by inducting new members and increasing the volume of work have become more crucial than ever.

With best wishes for the new year.

Statement of Accounts

RESOURCES

Opening Balance	
Cash	3016.50
Bank	902.86
Sales	4444.50
Donations	
General	4177.60
Monthly	1550.00
Membership	90.00
Bank Interest	115.00
	<u>14296.46</u>

DISBURSEMENTS

Printing	4094.00
Cyclostyling	1172.50
Hall & Mike	1610.00
Postage	565.00
Legal Costs	450.00
Typing/Photostat	452.75
Stationary	155.00
Joint Activities	140.00
Miscellaneous	380.00
Loan Returned	3000.00
Closing Balance	
Cash	1361.25
Bank	915.96
	<u>14296.46</u>

The annual turnover for the year 1988 was Rs. 14,296.46. This is about Rs 3930 less than the previous year. While this reflects a reduced amount of work done than in the previous year, a closer scrutiny of the balance sheet does give us some hope for the future.

Of the total money resources of the organisation, 27.4% was provided by the opening balance, 72.6% was raised during the financial year. This year, thankfully, we did not have to take any loan to finance our work, and were able to return a loan taken last year.

Of the total resources raised, sale of booklets accounted for 42.8% while donations accounted for 55.2%-27% of which were monthly donations. Sales were 51.8% larger than last year. Total resources raised were more than the previous year; Rs. 10,377 compared to Rs 7765.

The total amount we spent was Rs 12,019.25 - only Rs 2000 more than the amount raised. Of this only 43.8% was spent on printing and cyclostyling - reflecting the fewer reports this year. Nearly 25% was spent on returning the loan taken last year while nearly 14% was spent on Hall & Mike, reflecting higher costs.

If we exclude loans, our position at the beginning of the new year is slightly better than what we started with - Rs2277 as compared to 919. Our liquidity is less but we are more solvent. We need to continue this proportion of sales with a higher output of work in the next year.

SOME OF OUR PENDING CASES:

The following list is not exhaustive :-

1. Sirahmal and others versus Hope Textile Ltd.
This is a case where our lawyers gave assistance where 1000 workers who were not paid their wages and pensions when the above mentioned unit closed down, appealed to the Supreme Court. The court directed that the claims of the workers should be treated in preference to the claims of banks and other institutions. The court directed that part of the property of the company should be auctioned for 1 crore to pay wages and pensions.
2. Law Students for social justice versus State of Karnataka
This is a case on bonded labour in Karnataka. Matter is pending.
3. Mineral and Magnesite vs. H.S. Karki. SLIP No. 2324, 1986. Case of a worker who organised the first union among magnesite miners in Pithoragarh dist. U.I. in 1979. He was thrown out of his job a few months later and filed a case. 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. The case is still pending.
4. Bhopal Group for Information and Action vs. State of M.P. (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. Pending
5. P. Laksman Rao vs. 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. The matter has been referred to the High Court.
6. Dr. Anil Sadgopal vs. Union of India
WP. (Civil) No. 695, 1986.

been implicated in numerous cases in the course of the last two years. The court has ordered a stay on all the cases. The stay was reversed in a recent order. The case is still pending.

7. Munnuswamy v.s. State of Tamilnadu, 1985.

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

8. Unpendra and others v. State of M.P.

A batch of writ petitions concerning 93 bonded labourers. Some of them have been rehabilitated & the sub-collector himself has brought out a list of 480 other bonded labourers who have been rehabilitated. The state has launched prosecutions against some of the labour contractors case pending.

9. Bandhua Mukti Morcha vs. State of Haryana and others. Contempt petition has been filed on non-implementation of the judgement by the court. Pending.

10. CIDR vs. State of Maharashtra.

Petition concerns illegal deaths in police custody in Bombay. The CIDR has filed an additional affidavit and the matter should come up early next year.

11. APCLC vs. State of Andhra Pradesh (No. 315 of 1984)

Petition concerns of police camps in villages and colleges of Warangal district. The court had asked for facts on current situation. As no fresh affidavits were filed, case will come up for hearing on basis of information upto 1982.

12. Our cases challenging the Disturbed Areas Act in Andhra Pradesh and in the North-east are pending before the constitutional bench for several years. The bench did not sit until the Bhopal case, and currently is only nearing that case.