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The Mission of LCHR is to empower the weak, The poor, the needy and the powerless, accompanying them to claim their inalienable rights and human dignity, which has been impaired by inhuman social structure and unfavourable.

NRC updating in Assam harasses the "Indigenous Assamese People"

- *Satya Narayan Boruah*

The National Register of Citizen (NRC) updating process is progressing under direct supervision of Hon'ble Supreme Court of India. As per the provisions of the Assam accord, Hon'ble Supreme Court of India has given direction to the State Government to prepare the modalities to update the NRC. The clause six of the Assam Accord talks of providing constitutional safeguard to the Assamese people. This is known fact that Assam as a state has been deprived by the Central Government throughout the post colonial history. The natural resources of the state have been harshly exploited by the Central Government. The development data says that in post colonial era Assam is on downward stream. Hence, Assamese people need extra attention and constitutional safeguard. This safeguard or positive discrimination described in the accord also says that the person, who immigrated to Assam after 25th March, 1971 will be detected and deported. It is important to clarify here that the accord did not talk about providing constitutional safeguard to 'indigenous Assamese people' but to 'Assamese people' which includes all the communities irrespective of caste, creed, language or origin except those who entered the state illegally after 25th March, 1971.



Now question arises who are 'Assamese people' and who are indigenous Assamese people? All the indigenous Assamese people are Assamese but all Assamese may not be indigenous Assamese people. The indigenous Assamese people are those groups

"The time has now come, when the court must become the court for the poor and the struggling masses of this country. They must be sensitized to the need of doing justice to the large masses of people to whom justice has been denied by a cruel heartless society for generations" (AIR 1982 SC 1473)



who were the origin of the land of Assam e.g. Koch, Kalita, Maran, Matak, Bhuyan, Schedule caste and schedule tribes of Assam etc. Though Adivasi or Tea Tribes were not indigenous Assamese people of the land of Assam, they are regarded as indigenous Assamese people because they were brought to Assam prior to India's independence by British.

Now question arises why "indigenous Assamese people" should identify themselves as an Assamese? The updating of NRC harasses indigenous Assamese people because the indigenous Assamese people were not aware about their political rights. They enjoyed the political rights as their festival. Besides, the lack of education was also an important factor of the ignorance of political rights. So they did not think that participation in the Government was their fundamental rights in the Democracy. They were not aware about the electoral role so they did not enter their names in the voter list. Even the literate persons also might not enter their names in the voter list. E.g. Gopinath Bordoloi & Hiteshwar Saikia are the Chief Ministers of Assam but their names are not found in the voter list of 1951 and 1971 respectively. Now who can say that Gopinath Bordoloi and Hiteshwar Saikia were not Assamese? Why their son and grandson have to submit the legacy data with the application?

Now, NRC updating harasses the indigenous Assamese people who have not legacy data and necessary documents. Some of the organizations filed writ petition in the Supreme Court for the protection of the rights of the indigenous Assamese people. The Government should take initiative to protect the rights of the indigenous Assamese people. No questions should come in case of identification of indigenous Assamese people. Otherwise it will harass and violate the rights of the indigenous Assamese people of the land.

HUMAN RIGHTS TRAINING AT HAGUE NEITHERLAND

- *Shobha. K.P.*

The Hague, the City of Peace and Justice

Among 300 voluntary organizations around the world LCHR was selected to represent the Human Rights Defenders (HRD) training organized by Justice and peace, and Mensen met een Missie (MM) two organizations situated in the city of Hague, Netherland. The programme was held at HAGUE, a city known as "The city of peace". Participants from 18 countries took part in the same. The fact is that the HRDs face tremendous problems even threat to their lives and the lives of their dear ones. It is very interesting to know that in spite of these risks they are fascinated to defend the cause of the poor and the needy in human rights violations against them. Some of them said "It is a Call".



Visit to the City Council

The participants visited the City Council (Municipal Council), one of the biggest buildings in the city. The city of The Hague has a dual government. There is a separation of powers between the Municipal Council (legislature) and the Municipal Executive. After the municipal elections, which are held every four years, the Municipal Council appoints the aldermen based on the number of representatives elected from each party. Together with the mayor, the aldermen make up the Municipal Executive. The Municipal Executive is responsible for the day-to-day administration of the city, on the basis of a joint four-year policy programme. Each alderman, or deputy mayor, is responsible for a number of particular policy areas and city districts. The statute gives the Mayor responsibility for public order and safety. The Municipal Council



currently comprises of 45 members from 15 political parties. The members represent the population in the municipal administration and are responsible for laying down the main principles of policy. More information can be found on: <http://www.denhaag.nl/en/residents/municipality-of-the-hague.htm>



View of Municipal Council of the City of Hague.

The Hague as the City of Peace and Justice

There are 160 international institutions and organisations in The Hague, employing more than 14,000 people who are committed to working towards a safe and just world.

It is the United Nations' second city, after New York. As far away as Sarajevo, Nairobi and Kabul, the name 'The Hague' represents hope:



hope for millions of people that the crimes perpetrated against them will not go unpunished. Many people in The Hague are working towards a peaceful and just world, in which conflicts are not settled on the battlefield, but in the courts. There are also many people in The Hague who are working for a world without chemical weapons, and without ethnic cleansing. A world in which the might of right prevails and not the right of the mighty. Anyone who thinks they are above international law will be called by the world to account in The Hague.

Human Rights Defenders and Justice and Peace

Human Rights Defenders (HRDs) play an important role in improving human rights all over the world. Justice and Peace Netherlands (JP) believes that HRDs need and deserve our support because of the difficult circumstances they work in. Due to these difficult circumstances, JP is convinced that HRDs need to be better protected and equipped with the necessary skills, knowledge and (international) contacts to execute their work in a safer and therefore more effective manner. The HRDs that JP work with are often activists that work in their own communities at the grassroots level; they are the agents of change in their countries. It is through their work that human rights can be established on the ground. Unfortunately, these HRDs often become victims of threats and are obstructed by legislative measures. These legislative measures range from restricted foreign funding to anti-terrorism legislation that restricts the freedom of expression, to the defamation of HRDs. Besides these legislative obstructions, these HRDs can also receive threats like: physical harassment and direct threats to themselves and their families, digital surveillance and online threats through Twitter and Facebook and cell phone surveillance and threats through text messaging. The HRDs who are the victims of these threats need our help to cope and to minimize the threats so that they are able to continue their important work:

Visit to The International Criminal Court (ICC)

The International Criminal Court (ICC), governed by the Rome Statute, is the first permanent, treaty based, international criminal court established to help end impunity for the perpetrators of the most serious crimes of concern to the international community.

The ICC is an independent international organisation and is not part of the United Nations system. Its seat is at The Hague in the



Netherlands. Although the Court's expenses are funded primarily by States Parties, it also receives voluntary contributions from governments, international organisations, individuals, corporations and other entities. The international community has long aspired to the creation of a permanent international court, and, in the 20th century, it reached consensus on definitions of genocide, crimes against humanity and war crimes.

On 17 July 1998, the international community reached an historic milestone when 120 States adopted the Rome Statute, the legal basis for establishing the permanent International Criminal Court.

EMPOWERING WOMEN MEANS EMPOWERING MOTHER INDIA

- *Supriya Dey Sarkar*

In the words of Pandit Jawaharlal Nehru, "If you educate a man you educate an individual, however if you educate a woman you educate a whole family. Women empower means mother India empowered."



During the ancient time women were not allowed to access education. However in India during British period there was revival of interest in education for women. In India Women education plays a very important role in the overall development of the country. It not only helps in the development of the human resources but is improving the quality of life at home and outside. Moreover educated women can also help in the reeducation of mortality rate and growth of the population. Though the women are educated, in India gender discrimination still persists and lot more needs to be done in the field of women's education. Education is milestone of women empowerment because it enables them to

responds to the challenges to confront their traditional role and change their life so that we can't neglect the importance of education in reference to women empowerment. Within the frame work of a democratic polity, our laws, development policies, plans and programmes have aimed at women's advancement in different spheres. Even in India some of the educational institute has started education for transgender which means it aimed to empower the transgender.

HUMAN RIGHTS IN INDIA

- *Felcita D' Souza*

"Freedom means the supremacy of human rights everywhere. Our support goes to those who struggle to gain those rights and keep them. Our strength is our unity of purpose. To that high concept there can be no end save victory."

Franklin D. Roosevelt

After 68 years of independence, India continues to have significant human rights problems despite making commitments to tackle some of the most prevalent abuses. The country has a thriving civil society, liberated media, and an independent judiciary but longstanding abusive practices, corruption and deficiency of accountability for perpetrators cultivate human rights violations.



Women: The principle of gender equality has been legislatively established by the Equal Employment Opportunity and other laws. In reality, however, fixed ideas on gender roles such as that the man should work outside and the woman should remain at home are deeply-rooted in society even today and cause various kinds of gender discrimination in homes and at workplaces. In addition, violence against women, such as abuse by a husband or partner, sexual harassment in the workplace and sex crimes, is one of the most important problems concerning women's rights.



Children: India has one of the largest populations of malnourished children in the world. According to estimates, at least 40 percent of children are vulnerable to sex trafficking, homelessness, forced labour, drug abuse, crime and need protection.

The recent rape and murder of two teenage girls in a village of Budaun district of Uttar Pradesh followed by many other human rights violation and violence against women in same State has raised question mark on ability of State Government in handling the law and order situation and has generated widespread wrath. These human rights violations bring more shame to State by double assault of caste-based and gender-based discrimination. This unfortunate incident reminds people about gang rape of a young woman in Delhi in Dec. 2012.

Class system: Backward classes face persistent discrimination and serious crimes committed against them ranging from abuse on caste name, murders, social and economic boycotts etc.

North East: The difference in culture, language, religion has made the North Eastern part of the country so alien that there is no common dialogue for the common targets. People in the region are facing crisis of belonging and identity prompting agitation in the region against the rest of the country.

Internet: Various human rights problems damaging the reputation and privacy of individuals have been taking place on the Internet by abusing its anonymity. It is necessary to use the Internet correctly and to eliminate human rights violation via the Internet.

Presence of Armed group: The presence of armed groups and the ongoing counter-insurgency operations has a tremendous impact on everyday life and the multi-ethnic dimension to the conflict in the region often spills over into community relations. In designated 'disturbed areas' the armed forces enjoy exceptional powers such as shoot-to-kill,

warrantless search, seizure and arrest, and immunity from prosecution for their actions. This has caused deep resentment among the region's populations.

As per the World Report of 2014 on human rights India has strong legislation to protect rights, but entrenched corruption and lack of accountability foster human rights violations. The courage and persistence of victims' families and human rights activists can be a strong force in the direction.

The real struggle to defend human rights in India has to be carried out in the streets and slums, villages and marketplaces, upper and middle class homes, through a patient campaign not only to sensitize our citizens to their fundamental rights but also to purge their minds of the superstitions and prejudices that drive them to violate the human rights of their fellow citizens.

THE EFFECT OF POVERTY ON CHILD DEVELOPMENT AND EDUCATIONAL OUTCOMES

- *Sabita Barwa*

Poverty affects on child's development and education outcomes beginning in the earliest years of life both directly and indirectly through mediated, moderated, and transactional process, school readiness, on the child's ability to use and profit from school has been recognized as playing a unique role in escape from poverty in developed countries and increasingly in developing countries.



In all countries poverty presents a chronic stress for children and families that may interfere with successful adjustment to developmental tasks, including school achievement. Children rose in low-income families are risk for academic and social



problems as well as poor health and well being which can in turn undermine educational achievement.

Child development refers to the ordered emergence of interdependent skills of sensor motor, cognitive language, and socio- emotional functioning, which depend on the child's physical well- being, the family contacts, and the larger social networks. School readiness is generally defined as a broad set of skills that affect children's ability to learn in school, physical health, motor skills, self care, emotional and behavioral self regulation, social skills, communication skills, pre academic skills, attention and curiosity and motivation to learn although some people argue that it should be limited to literacy and numeracy skills.

Families are the primary socializing agents for the children. In addition to providing basic necessities such as food, shelter and clothes, families transmit cultural & educational values and help children adapt to societal demands and opportunities. Early parent-child interaction helps children to learn regulatory process and socialize them into the rhythm of their family and culture. Two decades ago children growing up in poverty experience 'double jeopardy' not only are they directly exposed to risks in their homes and communities includes illness, crowding and family stress, lack of psycho social stimulation and limited resources but they often experience more serious consequences to risks than children from high income family.

Parents education and support programme should be designed like in developed countries to reorganize the negative effects of poverty of family characteristics such as lack of responsive stimulation or learning materials with the goal improving child well being. These programmes have a variety of delivery mechanisms including a health centre or system visiting by a trained worker, combining counseling with growth monitoring providing group session for parents and media outreach.

LCHR PARA LEGAL PERSONNEL SPEAKS...

We Got Road... A Blessing from LCHR

I am Salomi Hasda, living in Shantipur village under Baksa district. I am trained at LCHR as Para Legal Person in the year 2013. In our village all the Job cards of the villagers were with the VCDC Chairman's office. Last year, one day I met the Chairman along with few ladies of my village and asked him to return the Job cards. At first the Chairman denied to return the Job cards to the job card holders. After much negotiation, he returned all the Job Cards to the beneficiaries. Thereafter, all the job card holders applied for the Job card works under MGNREGA and I also gave an application to construct the road of our village. Thereafter the VCDC sanctioned Rs. 5,00,000.00 (five Lakhs) for the construction of the road under MGNREGA. On 24/11/2014, the construction of the road was started but after the 5 days of the works the construction was stopped. I once again took information about the work and I met the VCDC Chairman and applied for the works under the MGNREGA. After receiving the application from me the VCDC chairman re-ordered to continue the construction work of the road. The construction of the road was completed on 06/03/2015. People of my village are ever grateful to LCHR for training me. People long to meet LCHR staff whenever they come to my village. After attending legal awareness programme, they are enlightened. Now they are ready to work against the corruption in my village.



Unity is our strength... Says villagers of the Choibari Newline..

I, Mantu Lohar a Para Legal Personnel (PLP) from Choibari Newline Chapar under Dhubri District. I had attended the first training in the month of June, 2014. Immediately after this first





training I started to work in my village as a PLP. On 10.7.2014 I organized a legal awareness programme in my village. In this awareness meeting when I interacted with the people of my village, the prime issue which came up was the non supply of electricity in the village. It was a major issue and all the villagers had given up their hope of getting electricity as they have tried several times going to different people pleading for it. The entire school going children were struggling to make up their studies in the darkness. So, in this awareness programme I pleaded the people to cooperate with me and motivated them to solve this problem. Some of the villagers had come together and submitted an application for electricity supply to the village. This application was returned to them. I asked the villagers to write another application and attached it with xerox copies of BPL cards. This time it worked and Electricity Board granted their application and within two months the work of electrification was started and completed. All the villagers got the connection of electricity. People thanked me for my initiative. Thus, my immediate initiative after getting trained became successful with the help of the villagers. Since then I get full cooperation and support from the villagers and they look at me as a leader which makes me feel proud of myself. I will continue to do good for my people to get justice done.

Education and knowledge is the way to live a happy life...

I, Sri Bikash Murah belong to an Adivasi tea tribe residing at Tengapani Tea Estate in Tinsukia District. I am very happy to be a part of the Para-legal and Advocacy Skill training in LCHR. I am grateful to Adv. Ravi Sagar, Director of Legal Cell for Human Rights (LCHR) for giving me the opportunity to be a part of the training. Prior to the Para-legal training I was not able to speak to the people or to the Government Officials. After the training I have been taking many



initiatives to protect and promote human rights. I am going to explain a story of mine which gave me a boost to work for the society.

One day, I went to Rajgarali Tea Estate Hospital to get a signature in the application form for making a death certificate of Late Bantu Murah. I had collected a certificate from the village headman. With all the required documents I approached Mr. A. Boruah, the Death Certificate Issuing Officer, Hapjan Block. He received the application and asked me to come after 15 days.

After 15 days I went to the Block Office. Mr. A. Boruah asked me from which tea garden that I am coming from. He also asked me when I submitted the application. I responded to all his queries and asked him about death certificate. Then he checked the register and asked me to come after a week later. When I asked him about the reason for delay of preparing the certificate he did not answer.

One week later again I went to the Block Office and met Mr. A. Boruah. He checked the file and told that it was not ready. Suddenly I saw the certificate on his table. I showed him my application and certificate. Then he made some excuses and asked me to pay some money. I was not ready to pay the money. I told him that within 21 days of death of a person, the death certificate shall be issued free of cost. I requested him to issue the certificate without any fee otherwise I will complain to the higher authority. Immediately he issued the certificate and he tried to enquire from where did I get this knowledge.

These kind of corruptions and injustice is seen everywhere when we get into any offices. Now after getting trained in LCHR, I am not afraid to go head to ask our due or claim. I realized education and knowledge is the way to live a happy life. I help many of my people who are in need of.

My weapon is RTI.....

At the very outset I Satyam Pendro from Amlokhi Ronga Gora Tea Estate thank all the staff members of LCHR for their enormous work. Prior to attending the advocacy skill training programme, I did not know about the





legal matters. One day after attending the first training in LCHR, I went to the office of the Goan Panchayat (GP) to enquire about the houses provided under Indira Awaaz Yojana (IAY). I asked the list of the IAY house beneficiaries of my village from the year 2007 to 2014. The Gaon Panchayat authority denied giving me the list of the beneficiaries. I had to return home without the list. The next day, I went back to the office and filed an application under the provision of Right to Information Act, 2005. The Gaon Panchayat authority asked me not to file the RTI application. I did not agree to their suggestion and I filed RTI application asking the list of the IAY houses beneficiaries of our village from 2007 to 2014. After two days of filing the RTI application, the Panchayat authority called the IAY beneficiaries whose names were in the list but were denied of their houses for a long time. The beneficiaries were asked to open the bank accounts immediately in their name. Finally, all the beneficiaries whose names appeared in the beneficiaries' list got their houses under IAY. This was the first success I got in my work which boosted me to do more. I pray long live LCHR.

RECENT ACTIVITIES:

- Mr. Satya Narayan Boruah, Ms. Preeti Rekha Gogoi and Mr. Sanjib Hazarika conducted the monthly monitoring and evaluation meeting of the PLPs at Chandrapur Development Block, Kamrup District. They also conducted Legal Awareness at Dhamkhunda, Bherbheri and Panbari. They dealt with the topics i.e. Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), Public Distribution System

(PDS), Social Security Schemes (SSS) and Indira Gandhi Awaaz Yojana (IAY). The programme was attended by 80 villagers.



- The Consultation meeting was conducted in the tea garden areas of five districts of Assam i.e. Dibrugarh, Tinsukia, Sonitpur, Nagaon and Udalguri for the Para Legal Persons of LCHR to form them into cluster groups in area wise which will bring better results than PLPs working individually. 95 Para Legal Persons attended the meeting. Around 21 groups will be formed with 10-13 members in a group. LCHR will guide and support them to carry on their activities specially working on getting their dues.



- From 17th to 24th June, 2015 Sr. Shobha attended training on Human Rights organized by Justice and Peace, Neitherland and Mensen met een Missie, Neitherland. It was attended by 21 participants from 18 countries to discuss about the human rights issues.

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