THE ROLE OF NON-GOVERNMENTAL ORGANISA-TIONS (NGOs) AND CIVIL LIBERTIES GROUPS IN THE PROMOTION OF HUMAN RIGHTS - CASE STUDY OF ANDHRA PRADESH

POLICE FELLOWSHIP SCHEME (1997)



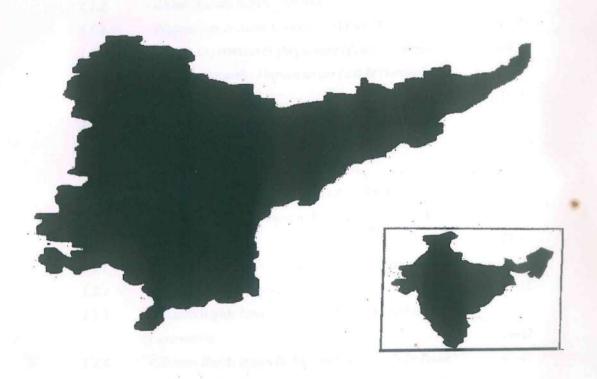
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- A CASE STUDY OF ANDHRA PRADESH



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FOREWORD

In a time when bombs explode and kill hundreds of civilians, terrorists play death game with hostages, spine-chilling stories "encounter-killings" prick our conscience, people die in the streets and villages due to starvation, "prisoners of conscience" languish in jails and detention camps and the atrocities against women and marginalised sections go unabated, we hear more and more about the protection and promotion of human-rights. But, the rhetoric ends, even before the aching-memories of such bizarre incidents fade from our minds. This dichotomy between what nations and governments profess and practise in the case of human rights is, perhaps, the greatest tragedy confronting the 21st century. And, do the states alone responsible for this tragedy? What exactly is the role of 'civil society' on issues such as protection and promotion of human rights ? To what extent Non-governmetnal Organisations (NGOs) and Civil rights groups can take up these challenges ?

The main effort of this research study was to examine the role of Civil Liberties groups and NGOs in the protection and promotion of human rights, which, for the study, have been interpreted

in the broader terms covering political, civil, economic, social and cultural rights of the people, as enunciated by Vienna Declaration and Action Plan (1993) on human rights. The Area of research, was mainly confined to the state of Andhra Pradesh. From the historical and empirical sources the bulk of the data, has been collected and incorporated in the study. The first and most conventional of the historical sources came from books, journals, news-papers, magazines, documents, monographs, annual reports of NGOs/Civil liberties groups etc., where as the empirical data were collected from samples, structured interview, interaction with wide spectrum of people and case-studies of selected organisations.

The entire report is structured into 9 chapters for better presentation, continuity of ideas/ concepts, incorporation of maximum useful data/statistics and easy and lucid reading. Chapter 1 which deals with the origin and Conceptual, Legal and Constitutional framework of Human-Rights, gives an insight into the codification of humanitarian and human rights laws as well as the Constitutional and legal status of the human rights, in the Indian context. It also examines, the categorisation of the main areas of human rights violations in India, with particular reference to Andhra Pradesh, where the human rights issues in the fields of left-wing extremism, dalits, Tribals, women and children, are dealt with in detail.

Chapter II brings out the conceptual framework of NGOs, the emergence and functions of human rights NGOs, major international human rights NGOS and the geographical disposition, statistical profile, major activities, foreign funding channels emerging trends of NGOs movement in Andhra Pradesh, whose brief geographic - demographic profile is also furnished. Case studies of NGOsone each from Civil rights front, women, dalit, tribal, rural poor, minorities/urban poor- bringing out their aims and objectives, major areas of operation, notable achievements in the human rights field, major sources of finances etc. are incorporated in Chapter IV.

Chapter III gives the detailed Research Design, highlighting the main hypothesis, sample, procedural dimensions etc. V, VI, VII inter-related chapters, in which analysis and interpretation of data from samaple 1) on NGOs role in the promotion of human rights, b) the awareness of general public on human rights/NGOs and c) the views of police personnel on human rights/NGOs, have been made, with the diagramatic representation of the frequency distribution of attitude scale. These chapters also highlight the content-analysis of the response to three major questions, raised in the research study, viz. the ways and means to improve 1) the effectiveness of civil-liberties groups and NGOs in the human rights field 2) overall human rights scenario in the country and 3) better NGOs-police

relations. Chapter VIII incorporates the responses made by certain eminent personalities on human rights and NGOs, during interaction.

The concluding Chapter (IX), discusses the main findings and recommendations. The study has vindicated the main hypothesis that the Civil liberties groups/NGOs have contributed to the protection and promotion of human rights in Andhra Pradesh. The extent of their contribution on the basis of the analysis of data, case study of selected organisations and interaction with a wide spectrum of individuals was rated as 'moderate' to 'high' depending upon the areas/fronts, in which NGOs are working for promotion of human-rights and related issues. Significantly, more achievement, could be made in the dalit/tribal front, where the ongoing process of resurgence, an inevitable fall out of 'social-engineering ' and 'dynamism' may be accentuatedd by NGOs , which have chalked out new-strategies like 'net-working' in order to attain better results with optimum mobilisation of resources. Another inter-related finding is that NGOs have accelerated the socio-economic development, particularly of marginalised sections, which has created positive awareness on their socio-economic and cultural rights. There are also discerning trends in NGOs/Civil liberties movement. The proliferation of NGOs, lack of commitment of functionaries, outstretching of resources by taking up many projects, over-dependence on foreign funding

agencies/ their guidelines in policy-formulations, trends of 'institutionalisation' by constructing big-complex/establishments instead action-oriented programmes and last but not the least the controversies centring on the use of foreign funds etc. have affected the image and credibility of some NGOs among the masses. This speaks the need of a shift in the strategy in NGO- functioning , which among other things, should strive for more self-sufficiency, active participation of target groups, especially from weaker sections , prioritisation programmes/projects and suo-motto net-working for achieving optimum results. A similar paradigm shift in the strategy of civil-liberties movement, is more important , as the prominent bodies, in the state, still carries the image as the appendage of left extremists, because of their ideologicalstance, reservations to denounce revoluntionary violence and campaigns and activities targetting mainly state and its agencies notably police. And this has also estranged the relations between NGOs particularly Civil liberties groups and police, as clearly manifested in this study. But whatever be the ideological interpretation of strategy, no civil liberty or human rights group can broaden its support-base by adopting a 'biased approach' in respect of human/civil rights or their violations. After all, conceptually, human rights are one and the same for all human beings whether they may be rich or poor , men or women, revolutionary or police personnel.

The above concept, not a reality, but a myth, at practical plane, leads us to a major question, what should be done to transform the myth to a reality or rather to narrow down the wide gulf between the profession and actual practice of human rights ? . Many issues are involved in this question and its answer. But, from our point of view, two aspects are important - the role of state and the role of 'civil society' .There is a shift in the exact role of state: no longer, it is a mere " provider" or "producer" a regulator or formulator of policies. Privatisation, decentralisation etc are expressions of the changing role of state. Here, comes the relevance and importance of "civil society" or the Community or Non- governmental Organisations (NGOs) which can be described as the most representative characters of 'Third-way" (Antony Gidden), who play a key role in socio-economic development through their "action" "intervention" in the market or the forces which regulate the market. In such endeavours, they can assist state in delivering "social goods" such as basic education, health care, sanitation , poverty-alleviation, gender-justice etc, which are inextricably linked to the very broad concept of human rights . The healthy inter-relations between the state and NGOs in the process of development the major agenda of Coppenhaguen "Social Summit" (1995) which coined the new slogan "Development with social justice" as the main theme

for nations in 21st century. Even the success of the 'neo-classic welfare economics' of Dr.Amartya Sen, which, he advocates, for the socio-economic development and social-justice of the various cross-sections of the society, depends much on the participation of such organisations in the developmental process, as state alone has limitations to effectively implement land reforms; eliminate the under-utilisation of agricultural labour and generate high domestic savings which are the three vitals of the "welfare- economics" for any developing country.

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Needless to say, I alone remain responsible for any errors that have crept into these pages, despite the best efforts to avoid them.

CHAPTER 1

HUMAN RIGHTS: AN OVERVIEW OF CONCEPTUAL, LEGAL AND CONSTITUTIONAL FRAMEWORK

In this Introductory Chapter, the origin, and crystallisation of human rights have been traced, with the particular reference to the role of United Nations in the promotion of these rights. The current dimensions of human rights such as the Asian concept and the universality of these rights, as declared by Vienna Conference (1993) are also examined, along with the legal and constitutional aspects like the consolidation of humanitarian and human rights law, the Indian Constitutional provisions and the Protection of Human Rights Act, 1993.

1.1.1.Origin :

The subject of human rights is perhaps the most powerful new addition to the international agenda. But the concept of an individual having inalienable rights has its origin in the doctrine of natural law and justice. These rights are based on the belief that all men are born free with equal dignity, esteem and honour. Thus, 'human rights'- as the term, is most commonly used - are the rights, which every human being is entitled to enjoy and have protected. The underlying idea of such rights- the fundamental principles that should be respected in the treatment of all men, women and children existed in some form in all civilisations and societies. We find the rudimentary form of these rights in the instructions of Pharaohs of ancient Egypt, in the Sermons of Moses to Israelites, in the Charter of Cyrus the Great, and in the Code of Hammourabhi, the Kings of Persia and Babylon respectively about 2000 years before Christ. The Ori-

ental civilisations had rich legacy on human rights. Our epics and scriptures, have many references on these rights. 'Rig-Veda' talks about 3 civil rights pertaining to the body, dwelling place and life 'Atharvaveda' says about right to equality- the source of all human rights. Mahabharatha speaks about civil-liberties. "Vasudaiva Kutumbam' is ample proof that long ago, we believed that the whole world is one family.

The evolution and crystallisation of human rights had been a very long process, in which the contributions of philosophers and political

"Pen is mightier than sword-" Contributions of philosophers and thinkers thinkers were significant. Thomas Acquinas (1225-1274) sow the seeds of the concepts of 'natural laws' and 'liberty of individuals'. Kautalya of ancient India, dealt with civil and legal rights along with economic rights. But the philosophical foundations of the concept of hu-

man rights were strengthened by the philosophers and thinkers of the West. Grotius, (1588-1645), the Dutch Jurist, through his classical work ' De Jure Belli ac Pacis', originated the concept of 'jus genitum' (law of nations) and laid down the basic principles of international law. Benedict Spinoza (1632-1677) of Holland, strongly defended the natural rights and value of freedom of thought and of expression, essential for the proper development and dignity of individual as well as the security and welfare of the state. The French Philosophers like Montesque (1689-1775), Voltaire (1694-1778) and Rousseau (1712-1778), gave new dimensions to the concept of human rights, when they advanced the slogan that "all men are born and remain free and equal in their rights ". More significant were the contributions by the political thinkers of England. John Locke (1632-1704) advanced the concept, with the thought that " laws of nature assume each individual, inalienable rights like right to life, health, liberty and property" which has much sembalance with the key proposals of the

Vienna Declaration of human rights, adopted by the comity of nations, at the fag end of the 20th century. Thomas Paine (1737-1809) through his work 'Rights of Man' immortalised the basic rights of man such as "right to life, liberty and property ". The utilitarians like James Stuart Mill (1806-1873) emphasised the role of state to protect the rights of individuals particularly the women and other weaker sections. Germany was also a play ground of such philosophers and thinkers. Samuel Pufendrof (1632-1694), gave birth to the idea of 'civil society' and the spirit of individual freedom. Immanual Kant (1724-1804). advocated that men are by nature free and equal and their natural rights should be protected by the state. Johann Fichte (1762-1814), who followed the liberal and individualistic doctrine of Rousseau, sanctified the law of nature, the rights of individuals and security of the people. Hegel, through "historical materialism" and Karl Marx, through Dialetical materialism " broadened the scope of human-rights interlinking it with the moral and legal obligations of the state to promote and protect these rights.

Revolutions, rebellions and wars, contributed to the growth of Human Rights concept. In England, 'Magna Carta' of 1215 guaranteed

Not pen alone, but sword also influenced human-rights evolution to citizens freedom from imprisonment or from dispossession of his property and freedom from prosecution or 'exile', "unless by the lawful judgement of his peers or by the law of the land". The Revolution of 1640 and the 'Glorious Revolution of 1688, led to the

Habeas Corpus Acts and the Bill of Rights of 1689, which assured the freedom of speech, the right to bailand freedom from unusual punishments and right to trial and jury. Industrial Revolution, trade union movement and the concept of "collective bargaining" affirmed the rights of workers against physical and economic exploitation. The period of revolutions in America and France gave numerous

important governmental documents in which the human rights philosophy was crystalised. In USA, the Declaration of Independence (1776), the resolutions of the colonial Assemblies and Continental Congresses, the Articles of Confederation and the Virginia Bill of Rights (1791) were most significant. The French Revolution, also produced remarkable series of documents and Constitutions, which formed the mainstream of the historical and philosophical foundations for the modern idea of human rights. The Declaration of the Rights of man and citizens (1789), was the most significant one which subsequently became part of the French Constitution. The Communist Manifesto of 1848 and the Russian Revolution , paved the way for the genesis of the 'socialist concept of human-rights', which emphasises the primordial role of state as the protector of human rights, more on Marxist class-lines, based on the dictatorship of the proliteriate and the socialist- production relations. Above all, the Second World War, which witnessed devastating consequences of most heinous crimes, mass- killings, genocide, gang-rapes and the unprecedented use of brutal force, unleashed by Fascism and Nazism, led to strong determination among nations to create world order, in which fundamental human rights and dignity of human persons are respected.

1.1.2. Role of UN in the protection and promotion of human rights

The genesis of United Nations and the adoption of its charter, were major landmarks in the evolution of human rights. The Preamble of the Charter, underlines that " the peoples of the United Nations determined to reaffirm faith in fundamental human-rights , in the dignity and worth of human person, in the equal rights of men and women and of nations large and small..... have resolved to combine efforts to accomplish these aims. However, the most important provisions are probably those contained in Articles 55 and 56 of the

Charter. Article 55 provides that UN shall promote "universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion' while in Article 56 ' all members pledge themselves to take joint and seperate action in cooperation with the organisation for the achievement of the purposes set forth in Article 55'. The most significant contribution of UN, in the direction of promoting human-rights, was the adoption of UN Declaration of Human Rights on December 10, 1948. The rights, as enshrined in the declaration, fall uder six major categories. First and foremost one is the right to life, which includes the protection of life from physical assault or deprivation of materials essential for the sustenance of life. The second category includes freedom of thought, expression, religion, association and movement. The third is the right to property and the fourth includes rights concerning the individuals status as a citizen, such as the right to nationality and democratic rights. The fifth category seeks to regulate the behaviour of the state by interpreting into the law of land processes like the rule of law, judicial review, the right not to be subjected to arbitary detention, arrest etc. Finally, the sixth category which gives more emphasis on 'social justice' includes right to education, work, social security, minimum standard of living etc.

The broad spectrum of human rights which one visualises, today, is the outcome of number of national and international issues that

Extension of Human rights to new areas and UN efforts

had cropped up in the world during the second half of 20th century. Those included the national liberation struggles, and civil wars, ethnic conflicts and organised moves of 'ethnic cleansing,' international terrorism,

disintegration of nation states and displacement of persons, economic disparities and lop-sided development, large scale migration of people due to famines, poverty and internal disturbances, refugees and

stateless persons, environmental issues etc. UN had given shape and substance to number of covenants and Declarations in order to confront these changes in the human rights field. Thus International Covenant on Civil and Political Rights (ICCPR) came into existence in 1966. These civil and political rights constitute the first generation of rights. In the same year, UN General Assembly adopted the International Covenant on Economic, Social and Cultural Rights (ICESCR), which are now called as 'second generation of righs'. They include health care, education, food security ,housing, right to employment with equal pay for equal work etc. Similar Covenants and declarations, have been adopted by UN in order to safeguard the rights of specific groups, such as women, children, displaced persons, refugees, ethnic-religious minorities, shelterless etc. Side by side, good deal of thought has been given to the question of extending the scope of human rights to the new areas such as right to development, right to the environment, the right to share the 'common heritage of mankind, right to peace etc. These rights christened as 'new human rights' constitute the 'third generation of human rights', which, according to its protractors, should receive international recognition after the first two generations or categories, protected by UN Covenants of 1966.

The setting up of Human Rights Committee (under Article 28 of International Covenant on Civil and Political Rights), as a principal

UN efforts for the Rights.

organ of implementation of the Covenant on Civil and Political rights, with the powenforcement of Human ers to monitor and review the enforcement of these rights, was a major step. The real test of the effectiveness of an international

system for the protection of human-rights, is whether it permits individuals who believe that their rights have been violated to seek a remedy from an iternational situation. With the inclusion of a

seperate Optional Protocol in 1977, UN has improved the position of individuals who are the victims of human-rights violations. The Optional Protocol provides that any state party to the Covenant, which ratifies the protocol thereby "recognises the competence of Human Rights Committee to receive and consider communications from individuals, subject to its jurisdiction who claims to be victims of a violation by that state party of any of the rights set forth in the covenant". Similarly, prominent Non-governmental Organisations (NGOs), who had no right to lay information before the Human Rights Committee, when it was considering the reports of the governments, have been empowered (1993) to send their information to the committee, which would distribute the same to all members as official documents. This has improved the status of 'human rights NGOs' which vigorously espouse human-rights issues.

The Resolution 1503 Procedure' (adopted by Economic and Social Council in 1970) which empowered UN Human Rights commission to examine "communications, together with replies of governments, if any, which appear to reveal a consistent pattern of gross violations", with the setting up of a body called the Sub commission on Prevention of Discrimination and Protection of Minorities, was an important break-through and a move away from the neglect of human rights by UN. Similarly, "The Resolution 1235 Procedure" which enabled the Commission " to give annual consideration to an item entitled "Questions of the Violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories" made NGOs to play an active role in espousing the human-rights issues and corner the nations which are gross-violators of these rights. The appointment of First UN Commission of Human Rights in 1994, with responsibilities such as promotion and protection of

human rights, co-ordination of human rights activities' within and outside the United Nations and assistance to other UN organs by performing delegated tasks etc. has broadened the scope of UN to intervene in specific areas of human rights violations. While appraising the contributions of UN in the field of human rights since the adoption of Universal Declaration in 1948, one can easily find that the international body has done excellent work in the field of standard setting and promotion, through Universal declaration, two covenants (ICCPR & ICSECR), numerous conventions dealing with specific topics and a variety of soft-law instruments and declarations. But in the case of actual protection of human rights and implementation - measures, UN's record is 'less impressive'. Thus, serious violations of human rights are occuring in many countries.

1.1.3. Global human rights scenario-a matter of great concern Richard Reoch's (Editorial Co-ordinator of independent News Paper 'Terra Via'') report on the human rights situation in the world, just on the eve of World Human Rights Conference (Vienna/1993) is thought-provoking. According to him, around 120 million people have been killed in this century both in peace time and armed conflict as a result of government intervention including tens of thousands sentenced to death or executed or who have disappeared in over 60 countires in the last decade. The toll of economic injustice and deprivation is no less horrendous. 14 million children die every year before they reach the age of 5. Slavery is banned in international law. Yet about 200 million people are held in conditions amounting to slavery including some 100 million children as the victims of child labour. Torture and ill-treatment of persons in prisons, police stations or detention-centres have been reported from over 100 countries. Despite guarantee of freedom of expression and association, "Prisoners of conscience"- people jailed solely for non-violent exercise of human rights-are held in more than 60 countries. Estimated political refugees

run to 14-17 million with between 12 and 24 million informally displaced people. On the economic, social and cultural side, the figures are profoundly disturbing. Worldwide, nearly 140000 under fives die from the combined efforts of hunger and disease every three days. Over 100 million people were affected by famines in the opening year of this decade. More than a quarter of world's population do not get enough food and nearly one billion go hungry. More than one billion people still lack access to health servics. 130 million children lack access to primary school. Nearly, one billion adults are illiterate with around 600 million of them women.

Majority of nations, irrespective of their political system or economic advancement adopt double-standards in respect of what they profess

Reasons for

and practise in the case of human-rights. Sir Stephen Sedley has rightly observed in "Human Rights - A 21st Century Agenda" that distressing human rights "human rights are a commodity like anyother capable of being traded for political or economic advantage and the rhetoric lit-

tle more the conduct of politics by other means". Manytimes, a complex of factors- strategic, economic, trade, political and diplomaticcondition the approach to human rights. A case study of United States, which is claimed to be the champion of human rights all over the world, will elucidate the above trend. In mid 1970s, USA and Soviet Union, had reached an understanding under which the former, was not to raise in the UN the Afghan issue in exchange for the latter not raising the issue of Chile in the UN Human Rights Commission, though Afghanistan and Chile were the gross-violators of human rights. Similarly, USA never threatened Egypt and Israel, two close allies, by the cut in the economic or strategic assistance, though both the nations have been engaged in the persistent violations of human rights. Till May 1998, USA has imposed 'sanction'

against 73 nations covering almost half of world population overriding the provisions that relate to human rights under Article 1,55 and 56 of the UN Convention on Economic Social and Cultural Rights. Their impact was most distressing in countries like Iraq where more than 5.75 lakhs, children died due to starvation and scarcity of life-saving medicines till 1993. USA also adopted extreme steps, when U.S. establishmets or citizens were subjected to terrorist attack in other countries. Thus, when a bomb exploded in a night club in West Berlin (April 5,1986) in which an American was killed, US administration concluded it as the handiwork of Colonel Gadaffi's (Libiya) men and soon followed the bomb- attack in Tripoli and Benghazi, killing the innocent civilians. In Mogadishu, a UN soldier, was killed and 5 were wounded (Sept,9,1993). The US helicopter gunships went into action and over a hundred Somalis, including children and women were killed as a result of 'strafing'. In the same year, USA resorted to extensive bombing in Bagdad, which resulted in the killing of 8 Iraqis and injury to many civilians. U.S. fighter planes made repeated attack in Basra State (Iraq) . In the Northern Iraq, USA dropped 'cluster bombs' which caused extensive damage to civil establishments. When US diplomatic establishmetns in Nairobi and Darusalam, were striked by Islamic terrorists in September 98, U.S. resorted to massive missile attack in Afghanistan and Sudan, which caused major casualities to civilians and civil establishments. And USA has also initiated a world wide hunt in order to nab Osama Bin Laden, the most inspiring force behind Islamic Terrorism. The metamorphosis of U.S. Foreign policy towards China, also demonstrates its double standard. For many decades, 'China' was 'untouchable' to USA, which extensively used 'veto-power' to resist China's entry into United Nations, by highlighting issues such as annexation of Tibet, strained relations with Taiwan and violation of human rights etc. But, once China has gradually emerged as a major 'economic power' with vast

potential for international trade, all these issues became 'non-issues' for USA, whose main endeavour at the end of the millinnieum was to strengthen Sino-US relations, at any cost. The economic considerations outweighed human rights issues. Tiananmen square massacre or the ordeal of Tibetans became a forgotten memory. No doubt, many countries in the West practise such double standard in the case of the promotion and protection of human rights.

Differences in the social, economic and political philosophies of the nations also create impediments in the protection of human rights. Even in the West, individual nations are rooted in different intellectual thoughts. The Western Liberal democracies place more weight on individual rights, whereas the protogonists of the 'socialist concept of human rights' comprising of countries which follow Marxian Philosophy interpret citizens rights as states rights. The oriental societies attach more importance on 'community or groups and their rights. Someother countries like Iran and Saudi Arabia argue that human rights must be recognised as different in different religious contexts, whereas a few governments had begun to argue that the very idea of human rights conflicts withthe every specific characteristics of regional culture and customs. Such wide divergences make difficult the task of Universal applicability of human rights.

The evolution and acceptance of precise human rights is a slow meandering process. A mere endorsement of an international bill or charter is not sufficient. It has to be ratified and a particular covenant becomes operative and thus legally binding only upon its ratification by required number of states. The general approach of nations is to vote for human rights convention in the United Nations, but to drag their feet and move in slow motion in the matter of ratifications. This is the characteristic behaviour of many nations which eugolise themselves as the great champions of human rights. For example, it was as late as 1992 that USA, ratified the International Covenant

on Civil and Political Rights of 1966. India has ratified it only in 1996. Another main lacunae in the human rights front is the absence of enforcement mechanisms. Though there are organs to monitor and report breaches of human rights violations, they have no enforcement powers. Of all the enforcement bodies, the most effective one and perhaps, the only one is the European Commission of Human Rights.

1.1.4. Regionalism & Asian Concept on Human Rights.

A major trend in the field of human rights is the formation of regional level conventions. Three regional systems, have now come into existence with the setting up of European Convention of Human Rights (1953) American Convention on Human Rightgs (1975) and African Charter on Human & Peoples Rights (1986). A draft document on the Arab Charter on Human Rights, has been adopted by the council of the League of Arab states in Sept 1994. There have been call for the creation of such regional systems in Asia and Pacefic. Asian Human Rights Commission(AHRC), a body of leading Nongovernmental Organisation and Civil/human Rights Activists in Asian Countries, has drafted an Asian Human Rights Charter in 1998, which while endorsing the universality and indivisibility of human rights emphasises the concretisation of these rights in the Asian context. A lot of debate has now come up on the regionalism of human rights. The main question is whether the regional conventions would facilitate the implementaion of human rights more effectively or they would weaken UN efforts to protect and promote human rights at global level? One generally accepted conclusion is that Regional bodies, which operate in consistent with the norms and principles set out in the Universal Declaration can accelerate the enforcement of these rights among the member countries.

The dichotomy, shown by the advanced 'Northern governments' in the practice and profession of human rights, sharpened the differences between the West and the Asian countries, mainly on the question of important areas of 'human rights'. The affluent 'North' have come to use the term human rights in the very narrow sense referring only to civil and political rights, thereby denying or neglecting the economic or social rights of the people in the less developed "southern nations . The argument of developing countries is that " the right to subsistence is the most important of all human rights without which the other rights are out of question". These debates have now focused on the concept of 'development'. The practice of Western Countries, attaching 'conditionality' relating to human-rights safeguards such as protection of political or civil rights, holding of regular elections etc to the provision for developmentassistance to poor countries in Asia has been strongly resisted by majority of developing countries. For example, Indonesia, has taken a strong stand with the argument that most of the Asian countries happen to be at the level of development which necessitates the accordance of priority to the fulfilment of the most basic rights of peoples such as eradiction of illiteracy, the alleviation of poverty, the improvement of health and creation of employment opportunities. Malayesia has taken a sterner line, when its President Mahathir Mohammed questioned even the relevance of Universal Declaration of Human Rights and held that "Political rights were outdated and unsuited to developing countries ". Singapore went a step ahead and advised Phillippines President Ramos in 1994, to sacrifice a degree of democracy for the sake of political stability and economic growth. However, Ramos outrightly rejected the advice, which is a clear indication that even the South East Asian Governments, have different perception on the current concept of human rights. Needless to mention that the Asian concept of human rights has been influenced by a number of factors such as a) reservation of ASEAN leaders to relinquish soverignity by somehow opening policy-processes to foreign interference b) existence of extrordinary problems, which stem up from a combination of ethnic diversity, economic vulnerability and formative political institutions c) the approach of oriental societies attaching more importance to groups, d) apprehension that the strict practice of human rights as in the West, may lead to economic decline, moral decay etc.

1.1.5. Vienna Declaration(1993)- a major landmark in the growth and consolidation of Human Rights

The challenges and issues confronting the human rights movement such as different perceptions of nations on human rights, the concept of 'new human rights' etc were the major agenda of the World Human Rights conferences, held in Vienna, during 1993. Vienna Declaration and Programme of Action (1993) settled a number of key issues on the intergovernmental agenda. The 'Universality of human rights' was reaffirmed and the entire spectrum of human rights was endorsed without division. It upheld that "all human rights are universal, indivisible, interdependent and inter-related "Human Rights were reaffirmed as including both civil and political rights and the broader range of economic, social and cultural rights, as well as right to development. Thus the Declaration, which had a great deal to say about the need for development stated that "Democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing. The International Community should support the strengthening and promotion of democracy, development and respect for human rights in the entire world". It also reiterated the significant role that Non-governmental Organisations (NGOs) can play in the protection and promotion of human rights.

1.1.6. Legal framework of Human Rights - Humanitarian Law & Human ights Law.

Mr. Jean Pictet has written: "Humanitarian law comprises two branches - the law of war and the law of human rights". But, the

extension of human rights to different areas - political, social economic and cultural- has led to a different interpretation that "humanitarian law is one branch of the law of human rights and the human rights provide the basis and underlying rationale for humanitarian law". In the other words, human rights law is the genus of which humanitarian law is a species. The major human rights treaties, which form the core of the human rights law, are based on the principle that some human rights are so fundamental that they must be respected at all times, even in periods of armed conflict. This, of course, is one of the foundations of humanitarian law. Further, number of rights, which humanitarian law seeks to guarantee to the victims of armed conflict are also included in human rights treaties, as rights which should be guaranteed to everyone. Humanitarian law has developed as 'law of war', greatly influenced by the various developments in the 19th century relating to the first matters of concern to the Red Cross: the condition of the sick and wounded in the field, the condition of the sick and wounded and the shipwrecked at sea and the care and exchange of prisoners of war. Three main strands viz concern for the sick and wounded in the wars, rules regulating the weapons which may be used in conflicts and the protection of civil population, influenced the development of the humanitarian law . Perhaps, the most single factor, which greatly contributed to a fundamental reappraisal of humanitarian law and its codification was the cataclysm of Second World War, which caused the death of around 50 million people, who included 26 million combatants and 24 million civilians of whom 1 1/2 million were civilians killed in air-raids. The result was the four Geneva Conventions of 1949, which relate to:

 The amelioration of the condition of the sick and wounded in the field.

- The amelioration of the condition of the wounded, sick and ship-wrecked members of armed forces at sea.
- 3) The treatment of prisoners of war.
- 4) The protection of civilian population in time of war.

More than 180 countries have ratified these conventions. In 1977, protocols to the Geneva Conventions of 1949, were concluded, representing a significant further step in the development of humanitarian law. The First Protocol relates to the protection of victims of international armed conflicts and was intended to bring provisions of the 1949 conventions up to date, especially as regards the use of weapons of mass- destruction and the protection of the civilian population. The Second Protocol pertains to the protection of victims of non international armed-conflicts and develops the rules in Article 3 of four Geneva Conventions. In fact, Article 3 of the Four Conventions of 1949 and the Second Protocol of 1977, were attempts to extend protection of human rights in areas of civil-war, national liberation struggles and insurgency movements, which were major trends of 20th century. Article 3 set out rules which apply to "armed conflict not of an international character occurring in the territory of one of the High contracting parties". In such cases, "persons taking no part in the hostilities, including members of armed forces, who have laid down their arms and those placed 'hors de combat' by sickness, wounds or anyother means.... are in all circumstances, to be treated humanely without any distinction, founded on race, colour, religion or faith, sex, birth or wealth oranyother similar criteria" 1977 Protocols, further improved the position. The wars of national liberation and armed struggles against racist regimes have been promoted by the First Protocol to the status of international conflicts. The Second Protocol, is therefore, mainly concerned with other forms of internal conflict i.e. civil-wars. The main object of the protocol is to secure the humane treatment of those threatened by,

but not directly involved in such conflicts. Neverthless, there has been considerable difficulty in ensuring the effective application of these provisions. In many cases, various situations of civil conflicts, have never been accepted as internal conflicts by established governments which treat them as local insurrection or 'proxy-wars'. The application of humanitarian law becomes particularly difficult in situations of civil-strife, especially when insurgents receive assistance from a sympathetic foreign power. The case of 'Jammu-Kashmir' is a unique example, where foreign mercenaries in disguise are fighting a 'proxy war' for the local militants/ insurgents. The need for further international action in such grey-areas of humanitarian law is therefore plain.

From the universal Declaration of 1948, the first international text to list the human-rights ,the modern 'human rights law' has developed into an elaborate networkof treaties and Covenants. At universal level, the most significant treaties are the two United Nations Covenants of 1966. At regional level, pride of place must be granted to the European Convention of 1950, the first, and in terms of effectiveness still the most important of the regional instruments and the instrument, which by demonstrating the feasibility and value of regional arrangements set the pattern for the subsequent American Convention of 1969 and the African Charter of 1981. Similarly, other conventions and agreements dealing with more specific aspects of human rights, broadened the scope of human rights law. For example, 1966 convention on the Elimination of all forms of Racial Discrimination and 1979 Convention on the Elimination of All forms of Discrimination against women, have each made an important contribution to the developing law on discrimination and in the field of economic and social rights, the treaties and recommendations emanating from the ILO, have generated an enormous and effective code of International labour law. These Covenants and protocols and the subsequent addition to humanitarian law demonstrate that the treaties which form the basis of the modern law are constantly being modified and added to. However, the real test of legal progress is not the number of new agreements, but the extent to which the human rights treaties are ratified. Even if no new human rights treaties were to be concluded, human rights law develops, if those already agreed were being more widely accepted by the nations. If the growing network of Treaty Obligations is one measure of the growth of human rights law, the development of means of implementation is even more significant. Now, there are a number of international bodies such as Human Rights Committees, UN Commissions, European and Inter-American Courts of Human Rights etc., which have been given the competence to supervise the performance of those obligations and treaties. But the deficiencies such as optional implementation procedures, the reluctance of states to accept optional protocols etc. defeat the effective application of human rights law. Encouraging states to accept the competence of the Human Rights Committee or optional provisions of regional conventions, is therefore necessary to strengthen human rights law.

1.1.7. Constitutional-Legal framework of human rights in India The philosophical foundations of the concept of human rights, can be found at varying degrees in the constitutions of almost all nations, particularly in parliamentary democracies. For example, belief in natural law asthe basis of certain rights and duties finds expression in the 20th century in the Constitution of Ireland of 1937, which recognises the family as a moral institution possessing inalienable and inprescriptible rights, antecedents and superior to all positive law. The Magna Carta of 1215 AD in Britain, Declaration of the French National Assembly of Rights of Man and Citizens, the Virginia Bill of Rights (USA), which sanctified the basic canons of human rights, not only find expression in the constitutions of Great

Britain, France and USA respectively, but also in the Constitutional framework of many other democratic countries.

The adoption of Constitution of India in January 1950, was a major landmark in the history of the development of human rights in India. The Preamble, Fundamental Rights and Directive Principles of State Policy, cover a wide spectrum of human rights issues and guarantee them for the people of India. While Fundamental rights stress on the existing Rights, directive principles provide the dynamic movement towards the goal of providing Human Rights for all. The Preamble of the Constitution of India declares that the people of India have solemnly resolved to constitute Indiaa Sovereign Socialist Secular Democratic Republic and to secure to all its citizens:

JUSTICE: Social, Economic and Political

LIBERTY: Of thought, expression, belief, faith and

worship

EQUALITY: Of status and opportunity, and to promote

among them all.

FRETERNITY: Assuring the dignity of the individual.

The Fundamental Rights, as enumerated in Part II of the Constitution, which can be described as "Indian Magna Carta' of human rights are :

I. Rights to Equality

Article 14 : Equality before Law

Article15 : Prohibition of discrimination on grounds

ofreligion, race, caste, sex or place of

birth.

Article 16 : Equality of opportunity in matters of

public employment.

Article 17 : Abolition of untouchability

Article 18 : Abolition of Titles

2. Right to Freedom

Article 19 : Protection of certain rights regarding

freedom of speech.

Article 20 : Protection in respect of conviction of

offences.

Article 21 : Protection of life and personal liberty.

Article 22 : Protection against detention in certain

cases.

3. Right Against Exploitation

Artcile 23 : Prohibition of traffic in human beings

and forced labour.

Article 24 : Prohibition of employment of Children

in Factories.

4. Right to Freedom of Religion

Article 25 : Freedom of conscience and free pursuit

of profession, practice and propagation

of religion.

Article 26 : Freedom to manage religious affairs.

Article 27 : Freedom as to payment of taxes for

promotion of any particular religion.

Article28 : Freedom as to attendance at religious

instruction or religious worship in

certain educational institutions.

5. Cultural and Educational Rights:

Article 29 : Protection of interests of Minorities.

Article 30 : Right to Minorities to establish and

administer educational institutions.

6. Right to Constitutional Remedies

Article 32 : Right to Constitutional Remedies.

Besides, the Directive Principles and social Legislations uphold an array of human rights, pertaining to the rights of workers, children, women, dalits, adivasis etc. But, inspite of such constitutional safeguards, numerous social legislations and the commitment of the state to promote and protect human rights, these rights have been violated in many areas. In such cases, of large scale violation of human rights, the courts step in , especially at the instance of Public Interest Litigations (PIL), which initially were closely intertwined to human rights issues.

1.1.8."Human Rights Jurisprudence in India has constitutional status now" (Justice (Retd).V.R.Krishna Iyyer)

It emanates from the fact that many human rights- though guaranteed by Universal Declaration and various Covenants, supplementing the declaration, yet not specifically enshrined as enforceable rights in Indian Constitution- have been given such status by the Indian Judiciary through the instrumentality of placing reliance upon the declaration, while interpreting the provisions of the Constitution and laws of the land. Unlike other branches of Indian law, where statutory provisions outstrip "judge made law", inthe matter of human rights we owe more to the Courts than the legislatures. The apex court, itself has explained this position (AIR 1980 SC 470 PP-473-474) as "the remedy for the breaches of International law perse or 'proprio vigore', has not the force or authority of civil law, till under its inspirational impact, actual legislation is undertaken.... Declaration of Human Rights merely sets a common standard of achievement for all peoples and all nations, but cannot set a binding set of rules. Member states, may seek through appropriate agencies, to initiate action, when these basic rights are violated, but individual citizens cannot complain about their breach in the municipal courts, even if the country concerned has adopted the covenants and ratified the protocol. The individual cannot come to court but may complain

to the Human Rights Committee, which in turn, will set in order procedures. In short, the basic human rights enshrined in the International Covenants, may at best inform judicial institutions and inspire legislative action within member states, but apart from such deep reverence, remedial action at the instance of an aggrieved individual is beyond the area of judicial authority. The apex Court, in a number of leading cases such as 'Prem Sankar Case (AIR 1980) SC 1535 P. 1537), Sunil Batra (AIR 1980 SC 1578 PP-160-1603) Regional Director, ESI Corporation Vs Francis Decosta (AIR 1993 Supp (4) SAC 100) etc., has taken due note of international instruments on human rights, while dealing with the cases of violations. However, legal luminaries hold that Municipal laws should be given more teeth, for dealing human rights issues, by incorporating major provisions of International instruments on human rights. Even the 'Human Rights Courts' enshrined in Article 30 of the Protection of Human Rights Act, 1993, would become more effective, only when Municipal laws, are having such provisions.

1.1.9. Protection of Human Rights Act, 1993 & NHRC

The first major legislation, enacted by the govt in protecting human rights was ' the Protection of Human Rights Act, 1993, which came into force on September, 28, 1993. The Act which provided for the constitution of a National Human Rights Commission (Article 3), State Human Rights Commissions (Article 21) and Human Rights Courts (Article 30) was " for better promotion of human rights and for matters connected therewith or incidental thereto " . The National Human Rights Commission(NHRC) which came into existence during 1993, during the span of 5 years could play a pivotal role in strengthening the concept of human rights in Indian society. It dealt with a myriad of complaints and issues ranging from "Custodial deaths" to "fake encounters" and disappearances, from child labour to bonded labour and violence against women, from refugees to mi-

grants, from rights of dalits to those of tribals, from complaints about the way in which TADA took its toll, to submissions questioning the constitutional validity of other Acts, such as the Armed Forces Special Powers Act etc. Apart from inquiry /investigation into these complaints and recommending redressal measures such as compensation to the victims (their kith and kin) of human rights violations, the Commission has taken up more important issues such as Jail Reforms / revision of Indian Prison Act 1864, insulation of the investigation functions of police from political and other extraneous pressures through the implementation of the recommendations of II Report of Police Reforms Commission, ending the child labour by enacting appropriate legislation to provide for free and compulsory education fo all the children of India until the age of 14 years as enshrined in Article 45 of the Constitution etc. The Commission with the help of NGOs drafted a new Prisons Act, conducted extensive studies/researches on the child labour, with the particular reference on the patterns of exploitation in which money, violence, caste, community and social-weakness had played its part and undertook another study on the state ofgovernment run Mental hospitals in the country. The promotion of human rights literacy/awarenessamong various sections of the society was another major area of activity of the Commission. As part of this agenda, Training modules for police personnel on human rights, have been compiled and circulated to all state police establishments. The Commission also entered into certain areas beyond the purview of its statute, particularly when it entertained complaints resulting from death and disability due to public health and environmental hazards. Similarly NHRC's stringent recommendations to curb the 'encounter killings/Fake Encounters, "Third -degree methods" and other excesses by police and other security forces, evoked criticism from a section of police/security personnel on the plea that such actionsby NHRC would adversely affect the operational efficiency and morale

of the personnel, dealing with extraordinary situations such as Terrorism and Political extremism. Any body or Commission, which is committed to the cause of the protection of human rights, cannot be deterred by such criticisms so long as our Constitution uphold the fundamental rights to life guaranteed under Aritcle 21 which the apex court has ruled "must be a right to life with dignity " (Bandhu Mukti Morcha Vs Union of India, 3SC 161, 183 & 84). Thus, the Commission has aptly highlighted in its third annual Report, " NHRC, increasingly worked on the premise that human rights whether civil, political, economic, social and cultural are in the words of 1993 Vienna Declaration & programme of Action, are universal, indivisible, interdependent and inter- related and that it was necessary for the Commission to remain keenly aware of this, when deciding whether to take cognisance of particular complaint or issues. This was all the more necessary in a country where the seeds of unrest or grievance arising from the human rights violations often resulted from a complex mix of reasons that were historical, social, economic, cultural and in which particular groups, not least for caste or community, economic deprivation or gender continued to be specially vulnerable ". The aim of NHRC is ideal. But, to materialse that aim, it should be equipped with more powers and resources.

1.2. HUMAN RIGHTS VIOLATIONS IN INDIA, WITH PARTICULAR REFERENCE TO ANDHRA PRADESH

In this sub-chapter, the issues such as categorisation of human rights violations in India, law enforcement agencies and human rights violations and the main areas of violation (left wing extremism, dalits, tribals, women and children) in Andhra Pradesh have been dealt with.

Though India has a vibrant democracy, independent judiciary and a Constitution upholding the sanctity of Human Rights, the country's overall human rights records are far from satisfactory. Human Rights violations continue unabated in various fields, in spite of the fact that India is a signatory to the UN Charter and other Covenants/International instruments on human rights. The Annual Reports of the National Human Rights Commission (NHRC) demonstrated the distressing trend of the steady increase of such violations, in almost all states. The number of complaints which was 496 in 93-94 (Oct 93 to March 31 94) has increased to 6987 in 1994-95, 9757 in 95-96, 20883 in 96- 97 and 36792 in 1997-98. The state of Uttar Pradesh accounted for the largest number of such complaints during this period (93-102, 95-96 - 2642, 96-97 - 8787 and 97-98 - 17638) except in 94-95 when Andhra Pradesh showed the highest number (1643) . These complaints manifested the array of human rights violations such a custodial deaths, custodial rapes, other police excesses, dowry deaths, indignity to women, excesses by Armed Forces, illegal detention, "disappearances", false-implications, Terrorist- Naxalite violations, atrocities on SC/ST, child-bonded labour etc.

1.2.1. Areas/categorisation of Human Rights Violations

Sumanta Banerjee, a Civil right activist, has categorised the major areas of human rights violations in India as (1) State repression on various mass-struggles and violation of human rights of ordinary citizens (2) Coercion resorted to by some of the revolutionary groups engaged in mass-struggles against the Indian state, which has led to the violation of the fundamental rights of innocent citizens. (3) Religious-communal parties and fanatic xenophobic forces, which have wrecked nation wide havoc by unleashing riots that destroyed the lives and properties of common people . (4) Indian state's coercive measures against these perpetrators of communal violence like their arrest under draconian laws or punitive actions. The above,

categorisation which is mainly from civil liberties angle, has not touched the areas of socio-economic, cultural rights of people, particularly the marginalised sections of the society. A compilation , made by Legal Resource and Social Action (LRSA), in Tamil Nadu, to a great extent covers these areas and categorises the violation of human rights, in a broad spectrum of political, civil, social, economic and cultural rights as :

- (1) Violation of Law Enforcement agencies.
- (2) Laws that create conditions for violations of human rights by law enforcement agencies eg :- TADA, NSA etc.
- (3) Special legislations such as Armed Forces Special Powers Act, Disturbed Areas Act and wide powers extended to security forces under the provisions of such acts.
- (4) Insurgency Areas :- Threat to life and property is faced by civil-population from Armed opposition groups on one side and other from security forces .
- (5) Undertrial prisoners :- 10% of all our prison-inmates are undertrial prisoners ; majority of them are from the marginalised or poor sections, who often are unable to reach the corridors of justice.
- (6) Women: Though Vienna Declaration (93) categorically places violence against women as Human Rights violations, Indian Women are the victims of custodial rape, dowry deaths, female foeticide and deprivation in normal and crisis situation.
 - (7) Dalits/ Tribals: Large scale atrocities on these groups are common in various parts of the country in addition to balatant day to day human rights violations such as untouchability, harassment, social-boycotts, bonded labour, development displacements, oppressive forest and natural

- resources law, below minimum wages, lack of developmental opportunities and lack of political space for participation.
- (8) Communal violence and security of minority communities/ethnic groups.
- (9) Children and other deprived sections :- Issues such as child- labour, bonded labour affect these sections.
- (10) Lack of access to NHRC: In many cases, ordinary affected civilians, with genuine issues are prevented from disposing before the commission/its sittings, due to the intervention of political parties, security forces and vested interests.

1.2.2. Law enforcement agencies and human rights violations

The above categorisation of the main areas of human rights violations and the general statistics of such violations, indicate that law-enforcers- though conceptually the protectors of human rights - sometimes, act as the violators of these rights. In fact, the highest number of complaints on human rights issues, received by NHRC during the last 5 years (1993-98) emanated from the omissions and commissions of police or other security agencies. The "custodial deaths" - perhaps the most barbaric and inhuman act - never expected from any civilised law enforcement agency-showed an alarming increase of almost 100%, when it increased from 444 (96-97) to 888 (97-98). There were also other violations such as "encounter-killings", "fakeencounters", "custodial-rape", "illegal-detention", "forced disappearances", use of "third degree methods", falsification of evidence and non-registration of FIRs of poor and less- privileged sections of the society etc. Such violations of human rights during day to day policing, many times, evoked controversies and gave leverage to the

detractors of police to malign police image through orchestrated propaganda.

In fact, the human rights violations by police, are due to a confluence of factors, such as the legacy of the police of total subservience to the authority and influential sections, out-dated legislations like the Indian Police Act of 1861, the political interference at all levels of police functioning, inadequate police- training, lack of emphasis in application of Science and Technology in police work, poor service conditions of police personnel and resources, public-pressure to detect cases somehow etc. Thus, it is imperative that corrective mechanisms should be adopted in order to make law-enforcement agencies human rights-friendly. These measures should include (1) improvement in police- professionalism through better recruitment procedures/ Training modules/human resources management in tune with the future trends/challenges in the law enforcement field (b) minimisation of political interference in policing, especially at investigation level, for which the important recommendations of National Police Commission like the formation of State Security Commission and seperation of investigation wing from general policing should be implemented (c) Creation of human rights awarenes in the police, especially at Constabulary level, with the inclusion of Human rights oriented subjects/ legal- constitutional-international covenants etc in the Training Schedules/ inservice courses etc., (d) Replacement of outdated legislations like Indian Police Act 1861, Indian Prisons Act etc with new Acts, which should contain provisions to make police/prison officers etc more human rights friendly and (e) Better resources, manpower and scientific and technological devices in order to equip the police professionally- competent and to free them from "Third-degree culture".

1.2.3. Human Rights violations in Andhra Pradesh-left wing extremism

The spread of political extremism in Andhra Pradesh, had two-fold impact on the protection and promotion of human and civil rights On onehand, it led to the extreme forms of human-civil rights violations, but on the otherhand contributed to the social transition with increasing awareness on the rights and privileges of the marginalised sections. For instance, Telengana armed struggle (1949-52), which was a movement of peasants against exploitation by landlords and demand for "land to the tillers", though witnessed the ruthless repression, popularly known and "Sardar Patel Measures" (SP measures) and caused the killing of around 6000 persons, it also accelerated the process of social transformation. Similarly, the genesis of left-wing extremism, initially in the Northern districts of Andhra Pradesh viz Srikakulam, Vizianagaram, Visakapatnam, East Godavari and West Godavari during late 1960s and later to Telengana region since the middle of 1970s can be largely attributed to socioeconomic factors such as poverty, unequal distribution of land, lowwages, caste and gender oppression, oppressive behaviour by the village elite and the corruption and maladministration by the local government officals etc. In this context, Gunnar Myrdal's interpretation of India as a "soft state" has much relevance, as the failure of the state to vigorously carry out effective 'land-reforms' and other pressing socio-economic changes in the society with a view to establishing an egalitarian and less oppressive society, led to the emergence of movements like left-wing extremism, which attracted the underprivileged and exploited sections of the society.

The case of Telengana region is unique in this respect. Telengana area, though very rich in water and other natural resources, poverty and ignorance, still prevail to a very large extent. Most part of the erstwhile princely state of Hyderabad was divided among Jagirs,

Samstans and big land-lords and land-holders, possessed anything between 50 to 200 acres of land. Though, immediately after the liberation of state from Nizam's rule, the Jagirs and Samsthans were abolished and further steps were taken for release of tenants from the landlords, unfortunately there had been failure in the real distribution of land on account of several factors including the defects in the policy and the real intent in the implementation thereof, so much so, the gap between the rich and poor remained. Even the measures of land ceiling law, which are common to all areas of the state of AP did not satisfy the hopes and expectations which were roused to great heights by the leaders of all political parties. The poorest strata of the society was forced to work as daily wage labourers and annual or seasonal farm labourers in conditions similar to debt-bondage. The most striking form of feudal oppression was vetti or vettichakiri (beggar) forced unpaid labour which working people of lower castes had to perform and give as "free" gifts to the dora (land lord). All categories of public land were in the hands of 'dora' or those who were subservient to him. The Patwari's records were unfathomable and the record of 'patta (title deeds) and the public land were most confusing. The revenue officials, influenced by the rural elite, never tried to settle such issues. Even today,75 % of the agrarian population in North Telengana is either landless or owns less than 2.5 acres of land. The condition of tribals, was more distressing. The tribal land alienation is still a major issue, in which the non-tribals occupy sizeable percentage of fertile and irrigated tribal land. The development of Agency Areas (dominated by Tribals) with the formation of Integrated Tribal Development Agency (ITDA), has become a myth, as lion's percentage of the funds allocated under the scheme, went into the pockets of local officials, political intermediaries and contractors. The contractors, their agents and corrupt forest officials, exploited the poor peasants and tribals, engaged in 'tendu leaf-picking' during the agriculturally-lean season, by denying them minimum wages or by collecting regular 'bribes' from the workers. Added to this is the traditional social domination through castes of which upper-caste elites, maintained superiority over the dalits and tribals. It was in such a socioeconomic milieu, inter-mingled with land-issues, caste-factors, social-oppression, exploitation of weaker sections and apparent failure of government agencies to ensure development that Telengana region became a citadel of left-wing extremist groups.

Though there are around 16 left wing extremist groups in Andhra Pradesh five of them are more active. They are :-

(1) The Peoples War Group (PWG) :- Which came into formal existence in 1980, withstood several organisational crises as also severe repression and has presently positioned itself as the predominant group. It spread to all the 23 districts of the state. PWG has declared the five districts (its strongholds) of North Telengana as "Guerilla Zone' (Warnagal, Karimnagar, Nizamabad, Adilabad and Khammam) and divided the rest of the state into four "struggle area". It aims at promoting the "guerilla zone" into "liberated zone" and "struggle areas" into guerilla zones" in phases. Besides, PWG, has presence in the neighbouring states of Maharashtra, Madhya Pradesh, Orissa, Tamil Nadu and Karnataka. The major front organisations of PWG include (1) Rytu cooli sanghams (Peasants & Agricultural Labourers Unions) (2) Singareni Karmika Samaikhya (SIKASA) which is active among the coal-miners (3) Radical Youth League (youth wing) (4) Radical students Union and (5) Progressive Democratic Students Union (both students wing) (6) Progressive Organisation of Women (Women's front) (7) Revolutionary Writers Association @ VIRASAM (Literary front) and (8) Jana Natya Mandali (cultural). Another significant trend is the efforts initiated by PWG, to establish fraternal links with revolutionary groups within the country and outside, which has been manifested

by PWG's manifesto on the Website of Belgiam Workers Party (WTB).

- (2) CPML/Janasakthi: It has strong bases in the districts of NIzamabad, Karimnagar, Warangal, Khammam, Nalgonda, Mahaboobnagar (all in Telengana) East Godavari, West Godavari (Coastal Andhra) and Kurnool (Rayalaseema) Janasakthi has split into three factions named after respective faction leaders viz Kurra Rajanna, N.v. Krishnnaih and Veranna. The Rajanna faction is strong in Telengana and Rayalaseema districts, while NVK faction, has its presence in the Coastal districts. The presence of the Veranna faction is discernable in the Telengana districts.
- (3) CPML/New Democracy: This group has its main pockets of influence in the districts of Nizamabad, Karimnagar, Warangal, Khammam, Mahaboobnagar (Telengana region), Srikakulam, East Godavari, West Godavari, Guntur, Prakasam (Coastal Andhra). It indulges in moderate violence and concentrates more on mass mobilisation programmes. New Democracy, acknowledges the relevance of parliamentary democracy and is even willing to associate with other mainstream communist parties and like-minded CPML groups for carrying out joint agitational programmes on mass-issues.

 (4) CPML (Phani-Bagchi): It has its pockets of support in the districts of Warangal, Khammam, Nalgonda, Ranga Reddy (Telengana) East Godavari (Coastal Andhra) and Kurnool (Rayalaseema). This group indulges in violence. It suffered a split, and the breakaway faction, CPML- Praja Prathighatana was formed.
- (5) CPML-Praja Prathighathana: It operates mainly in the Telengana districts of Khammam and Warangal and is committed to violence.

The internecine conflicts and factricidal-killings between the major CPML groups, have added new dimensions to the human rights vio-

lations, arising out of left-wing extremism, apart from their moderate to large scale violence and depradations against civil population, security personnel and government/semi-government officials.

The unabated violence perpetrated by left-wing extremist groups and the counter measures adopted by police and other security agencies continue to be one of the main areas of human rights violations in the state. According to some estimates, 4000 -odd people have died in the violence between the police and the left-wing extremist groups. Official statistics say 1204 persons were killed by Peoples War Group (PWG) in the state, between 1990-1996. Human Rights groups have recorded at least 854 killings by police in the encounters during the same period. APCLC's statistics on 'encounter-killings' since the first of such incident in March, 1968, till 1996 (as tabulted below) manifests the extent of human rights violations in the state.

Table No.1.2.3

Encounter Killings in Andhra Pradesh (1968-1996)

Year		No.of	person s killed			
1968-77	n n		About 335	1 10		
1978			Nil			
1979			Nil			
1980			7			
1981			5			
1982			4			
1983			3			
1984		0	Nil			
1985			35			
1986			20			
1987			29			
1988			61			
1989			51			
1990			20			
1991			104			
1992			256			
1993			136			
1994			109			
1995			67			
1996			161			
and the same	Total	140	3			

The official statistics (statement of DGP Andhra) also showed tht 1316 extremists and 33 policemen were killed in 1432 'encounters' which took place during the period 1968 to 1997 (upto 6/6/97).

Eqally distressing were the casualities and human rights violations caused at the instance of left-extremist groups. The total figure of

persons, killed by them from 1968 to 1997 (4/6/97) as given by DGP, comes to 2046. These included 307 policemen/Home Guards and 69 other government servants, killed during the period 1981 to 1997 (6/6/97). The official statistics, also indicate that the left wing extremist groups, were instrumental for the extensive damage to public and private properties, such as government vehicles, APSRTC buses, Railway stations, Railway lines, Railway bridges, VHF wire stations, cinema theaters, private buildings, arrack shops etc. during the period from 1992 to 1997, as follows:

Table No.1.2.3.1

Cost of Properties Destroyed in Extremist Violence (1990-97)

1990	Rs. 78695000	
1991	Rs.104410000	
1992	Rs. 60160000	
1993	Rs. 53370000	
1994	Rs. 55245000	
1995	Rs. 37905000	
1996	Rs.442365000	
1997	Rs.111173000	
(4/6/97)		

Besides, several crores worth of cultivable land is lying fallow, mainly in Telengana districts, as extremist groups have forcebly occupied them, from land-owners, but could not start cultivation due to legal entanglements. This has either created a decline or stagnation in agricultural production in Telengana area.

The anatomy of left-wing extremism, their depradations and humanrights violations manifest certain clear trends. Firstly, among the various groups, PWG has been able to sustain high militant and violent profile in the state, as can be clearly seen from the following table on left-wing extremist violence in the state, during the period 1994-1997:

Table No.1.2.3.2

Statistics of Extremist Violence (1994-97)

S.N	lo Category	/Year	Total No. Inc	idents By PWC its front	
	de to to.				
1.	Murders	1994	127	103(81.1%)	24(18.4%)
		1995 .	121	86(71%)	35(29%)
		1996	202	165(75.3%)	37(18.4%)
		1997	253	190(75.1%)	63(24.9%)
2.	All other	1994	608	521(85.7%)	87(14.3%)
	types	1995	735	605(82.3%)	130(17.7%)
	of violence	1996	1169	990(84.7%)	79(15.3%)
		1997	1499	1196(79.78%)	303(20.22%)

Secondly Telengana is bloodied form violence: of the left wing extremist groups, of the state, and of internecine fights between different groups. Caught in this bloody war are the people, especially the poor, the dalits and the tribals. The following table demonstrates the intensity of violence and the plight of common people in Telengana districts, who are virtually sandwiched in between the wanton-killings by left-extremist groups and the repressive polices of the state.

Table No.1.2.3.3

Abstract of District Wise (Telengana) offences
by Extremists and police (1980-97)

	extr	emists e	s by extremis	by sts police	threat by pol	property ice affected	es Property D Damaged by by P ts extremists ext	to ublic
1.	Adilabad	103	6	7	1	3	14	2 1974
2.	Hyderabad	2			11.4	2	2	
3.	Karimnagar	453	102	23	28	25	39	ANGU
4.	Khammam	47	18	1	2	4	14	5
5.	Mahaboob- nagar	61	5	1	11	-	1 11	3
6.	Medak	45	53	19	6	8	25	3
7.	Nalgonda	44	22	3		4	18	6
8.	Nizamabad	65	42	4	18	11	12	
9.	Warangal	218	64	15	6	15	25	e all
	Total	1038	312	73	74	70	147	17

Thirdly though the prominent left-wing extremist groups like PWG, are ideologically committed to secessionsim and violence in pursuance of their ultimate goals, the "social reformist role" played by them, in a society dominated by feudal, oppressive and exploitative forces cannot be undermined. Perhaps, this role, coupled with the association of large number of sincere and ideologically committed intellectuals with the movement, during 1970s and 80s enabled it to create much good will and mass-support among the marginalised sections of the society, particularly tribals and rural poor. The movement was instrumental in bringing about a sea change in the rural economy. They could considerably demolish the feudal oppression which impeded raising of capital by the landless labour. The left-

extremists were able to curb the practice of vetti (forced labour) indiscriminate levying of taxes and collection of 'Dhandaga'- surplus yield form the landless. Significantly, they catalysed the enactment of land-legislations, which to a great extent contributed to the distribution of surplus land to the landless and the tribals. On the social plane, the people belonging to SC/ST and backward classes unfurled the flag of self-respect and thereby initiated the process of the resurgence of dalits and tribals. Through their tactics of 'Praja Courts' and 'ready-justice', they created deterrence on the corrupt practices of many forest officials, local government officers, especially in the Rural/Tribal development sectors. They have also undertaken a number of developmental/welfare schemes such as safe-drinking water-supply schemes, repairs to irrigation tanks, establishment of farmer's co-operative societies to supply quality of seeds, pesticides and fertilizers and construction of hospital and school-buildings etc. For example, ex PWG activists, confided that the outfit continues to maintain their support base in Nizamabad, mainly because of such welfare-oriented schemes, which included the construction of rural roads of about 120 kms linking Nizamabad and Karimnagar districts, laying of about 13 km stretch of village road between Manala village of Kammarpalli Mandal and Rudrangi at a cost of around Rs.35 lakhs, distribution of about 400 acres of surplus land (forcibly occupied) to landless poor, forest management by fully protecting the interests of tribals in around 18000 acres of forest land, construction/repair of irrigation tanks in Gandhari mandal, Sirikonda etc, holding of medical camps and free distribution of medicines in rural villages and digging of bore-wells. No doubt, such welfare schemes, for rural and weaker sections, should be interpreted as positive contributions in the human rights field.

However, just like anyother movement, many unhealthy influences have crept into the left-extremist movement in the state, since the

late 80s, which have considerably eclipsed its overall image and charisma, in many areas. The entry of 'lumpen elements into the organisation," large scale extortion of money from land-lords and its misuse for personal ends, moral turptitude of leaders/cadres, tactical-flaws in the form of wanton-killings and depredations, destruction/ damage of public/private properties, personality clash among leaders, induction of large number of immature and uneducated youths etc. have disillusioned sizeable number of committed leaders/ cadres, who have either left the organisation or surrendered before the authorities. Coupled with this, is the mounting pressure, exerted by police and their security agencies, through their systematic operations. This has created more desperation among the cadres which sometimes appears in the form of indiscriminate killings of civilians by branding them as 'police informers' or the use of landmines and explosive against police and other security agencies. It is this widespread, all consuming violence that takes a few lives daily in the state prompted Justice M.N.Rao of AP High Court to seek solution to it. In his judgement in June'96, he observed, "Despite its magnitude and menacing dimensions, the problem we think does not admit of no solutions. A Peace Commission with representative character inspiring confidence in all sections of the society including the Naxalites and police and backed by the state power and consent, we believe, can bring about immediate cessation of police encounters and violence by Naxalites and then only in the resultant peaceful atmosphere a meaningful search for permanent solution is possible". It was in line with the observation of the High Court that an independent initiative viz "Committee of Concerned Citizens" (CCC) headed by retired IAS Officer, S.R.Sankaran and consisting of prominent civil-human rights activists, has been constituted in order to arrest the escalation of violence and violation of human rights arising out of left-wing extremism. However, the Committee could not achieve any specific result, as the PWG was not prepared to deviate

from the revolutionary path to capture political power through the use of gun, nor it would stop the use of land mines or explosives as internal-strategy and the police not prepared to suspend their operations.

While searching a permanent solution to the left-wing extremism in the state, political, administrative, legal and developmental measures should be blended and right strategy should be formulated to tackle the menace. The political parties should dispense with their present strategy, of the "hide and seek game" and should adopt a co-ordinated approach by treating it as "national issue" posing danger to the democratic set-up and Constitutional framework of the country. In order to play a constructive role, peace committees comprising of all political parties should be formed at the district, mandal and village levels involving the poor section of the masses to wean them away from the influence of the extremist groups. The following are some other proposals to combat the left-extremism.

- (1) The strengthening of the police set-up in the affected areas through additional manpower, resources and modern equipments. They should function strictly within the parameters of the rule of law and should avoid the harassment of civil population, particularly women, tribals etc. in the name of combating extremism The deployment of forces from outside the state, who are alien to the area and not accustomed to the customs, traditions of the people, should be minimised as their omission and commissions during law enforcement would invite vociferous reaction from local population notably tribals, whose alienation from the mainstream would consolidate the bases of ultras.
- (2) Effective decentralisation of administration and the government agencies such as Revenue, Forest, Tribal Welfare, Health, Education, Irrigation etc. working in the affected areas, should remain more

accountable to the people. An effective monitoring system at mandal/district level should be worked out in order to evaluate the performance of these departments, especially in the implementation of developmental/welfare programmes.

- (3) Strict enforcement of acts/legislations such as Minimum Wages Act, the Protection of Civil Rights Act of 1976, the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities Act) 1986 etc and speedy dispensation of justice in the case of violations etc.
- (4) Top-priority should be accorded by Revenue officials in settling land-disputes (on title deeds), implementation of land- reform Acts and sorting out issues of the alienation of tribal land. Land related issues are exploited by extremist groups to increase their support base in Telengana districts.
- 5) Revamping the functioning of Integrated Tribal Development Agency (ITDA) through effective monitoring mechanisms, elimination of corrupt officials and the active participation of tribals. The governments proposed programme viz "Remote Area Development Scheme" aimed at weaning away the people from the influence of left wing extremists, with an estimated budget of Rs.1299 crores, can attain some success, only if the scheme is launched with the active involvement of tribals. It should not meet with the fate of earlier "ITDA schemes" in which crores of rupees allocated by government for the development of tribal belts, had been eaten away by political intermediaries, local officials and contractors.
- (6) Taking up new and improving all existing irrigation projects major, medium and minor- so that maximum possible extent of land in districts such as Adilabad, Nizamabad etc gets water for irrigation and cultivation, thereby making more people engaged in agricultural operations and for providing much higher wages to agricultural labour.

- (7) Encourage the people, especially in rural areas to start cottage/small scale industries with a view to absorbing the 'large number of unemployed youths/persons.Only Madak district has taken some initiative in this direction. The state should arrange marketing strategies for the products manufactured by such units.
- (8) The public and private industries, which are operating in tribal/remote areas and avail the subsidies/ incentives from the govt/financial institutions, should employ the local youths/ tribals.
 (9) Promotion of industries/trade, which will give an impetus to the optimum use of forest resources/ products which are heavily depended upon by tribals for their livelihood.
- (10) Formulation of more comprehensive and effective rural rehabilitation schemes with certain amount of amnesty to the extremists to encourage the surrender of the ultras. NGOs/Civil liberties groups should try to involve the surrenderees in their campaigns and programmes.

1.2.4. Dalit - Front

In the social-specturm of Andhra Pradesh, the dalits who constitute 15-16% of the total population is a significant force. As per 1991 census, their total strength was 10.59 million (Coastal Andhra - 4.42 million, Rayalaseema -1.90 million and Telengana - 4.27 million). Out of 69 subgroups of dalits, Madigas(with 18 communities predominantly in Telengana), Malas (25 communities in Coastal Andhra & Rayalaseema), Rellis (12 communities in Coastal Andhra) and Adi Andhras (4 communities) are prominent by nomenclature and socio-political clout. In socio-economic and educational status, the Malas are the most advanced and they enjoy more than 70-80% of the reservation facilities, extended to the scheduled castes in government job as well as admission in educational institutions, eventhough Madigas outnumber them numerically. This apparent

contradiction, which was endorsed by K.Ramachandra Raju Commission (1993) which probed into the socio-economic status of major SC groups (Madigas and Malas) vis-a-vis the extent of reservation facilities enjoyed by them, has now opened a new controversy in the state, with the demand of Madigas that 50% of the reservation facilities (15%) for Scs, should be ensured to them. Though the state government has worked out a formula of categorisation of SCs into 4 groups with 7% reservation to all Madiga groups, 6% to Malas and 1% each to Adi Andhras and Rellis, this formula, which is not acceptable to Malas, is now facing constitutional and legal hurdles, in view of the intricacies involved in the very concept of 'Reservations' after the Mandal Commission recommendations and the concept of 'Creamy Layer' as enunciated by the Apex Court.

The dalits in Andhra Pradesh, constitute the backbone of the state's rural economy, as overwhelming majority of them are involved in agriculture or allied occupations. In spite of their significant role in the rural economy, they are the most deprieved, under-privileged and exploited sections in the society. Micro level studies conducted in Chittoor and Nalgonda districts showed that the naked violation of human rights of these sections still prevail in the rural areas in the form of untouchability, wide-spread practice of seperate cups for dalits in tea-shops, prohibition from entering temples, restrictions in wearing foot-wear, shirts or talapaga (headwear), tilak or ornaments, prohibited release from caste-related functions as disposing dead animals, manual scavanging different types of bonded labour, the denial of minimum wages etc. In some parts of Telengana r egion, the 'doras' (land lords) legitimised their superior position over dalits by super imposing and maintaining caste-based inequality. Caste perceptions played a significant role in establishing the new power structure, in which they control the economy, society and life of the people. In spite of such oppression and exploitation, organised dalit movement has not yet come up inthis region, as left-wing exertremists on many occasions, take up dalit issues and defend them against the onslaughts of landlords or other powerful sections.

One noticeable trend in the dalit front is the general resurgence among them, which was initiated during 1970s. Thanks for Dalit Mahasabha, which played a pivotal role in Coastal Andhra districts, particularly Krishna, Guntur, Prakasam, West Godavari and East Godavari. In this regard the dalits, particularly the younger generation, are not perpared to content to bemoan their fate, but demand land, economic betterment, educatin, employment and above all social equality and dignity. This has sharpened the rift between the dalits and 'rural-elite' who with their political clout and socio-economic advancement tried to oppress the resurgence of dalits. The outcome was the organised mass-attacks against dalits, wherever their self-assertion was widespread and a mass-phenomenon, as in the Krishna and Godavari basins of Coastal Andhra.

The massacre of dalits at Karamchedu (Prakasm district in 1985) and Chundur (Guntur district) in 1991, by upper castes belonging to Kamma and Reddys respectively was the culmination of such efforts of self-assertion of dalits and intolerance ,shown by the privileged castes. A case study of Chundur massacre, clearly manifested the above facts. Chundur the, mandal headquarters is located about 15 kms from Tenali town (Guntur district) with an area of 18 square miles and about 5800 population, having equal strength of dalits and upper castes. The most dominant among the upper-castes wasthe Reddys with nearly 800 families who owned most of the land followed by Telaga (225 families) Brahmin (25 familes) and Vysya (15 families). Among the dalits, the largest group was malas (401 families) followed by Madigas (100 families).Of the nearly 2400 acres of cultivable land in the village, the Reddys owned about 1200 acres and Telegas 250 acres, the Brahmins over 100 acres and Vysaya about

65 acres. The dalits owned a mere 90 acres. Except for about 100 acres which were given on tenancy to the dalits, the most of the land was cultivated by the upper-castes themselves. There were only few landlords in the village. Those villagers who possessed more than two hectres of land were only around 85, whereas majority of them (1100) owned land less than one hectre. However, the upper castes men of the village, owned around 2600 acres of land inthe adjoining villages. The socio-economic development in the coastal areas around and including 'Chundur' had been rapid. Canal irrigation, multiple cropping and increasing social wealth had contributed to a transformation of dalit occupations. The age-old "Vettichakiri" (bonded labour) had given way to 'rythukooli' (wage farm labour) which in turn had been replaced by a system of 'Kavuludhari" (tenancy) farming as a common made of earning for dalits. The extent of socio-economic transformation had also reflected in the fact that many of the dalit-women had given up menial housejobs in favour of field work during late 1980s. Education was another factor, which contributed to the resurgence of dalits. There were three primary schools and high school in the village. Nearly 3000 persons in the village, including a good number of women knew to read and write. The literacy among dalits was also high: 15 dalits had done post-graduation; many of them graduated and over 200 had passed metriculation. The better education facilitated the dalits to secure jobs in the Railway, Banks, P&T and Revenue Offices. The mobility in geographical terms, with a Rail line connecting Chuntur with Tenali, had led to a broadening of the dalit perspective, leading to criticism and challenge of caste dominance in the village. Added to this was their political clout, with their representatives, getting elected to Mandal Praja Parishad (Chundur) and to mandals as Presidants. Over a period of time there was all round change in the 'life' style, perception and attitude of dalits, which clearly reflected their self-assertion. This transformation was seen as threat to the authority and superiority of 'rural -elite' represented by upper-castes. Thus, a small incident like an educated dalit youth, stretching his leg on a seat occupied by an upper caste boy in a Cinema hall led to the social-boycott of dalits and culminated in the carnage.

The post-Chundur period, demonstrated certain significant trends in the dalit-front. One source of great strength for dalits was the emergence and strengthening of Dalit Mahasabha, which with the support of progressive and civil rights groups, could strongly defend dalit cause, during the immediate post-Chundur phase. Their determination and efforts, coupled with the moves of major political parties in the state, to woo the 'solid-dalit-vote bank' averted subsequent tragedies like Chundur, eventhough process of 'dalit self-assertion' through conscientisation and socio-economic advancement, is going on at the instance dalit organisaitons and non-governmental organisations. Though Dalit Maha Sabha, suffered a major jolt, because of their leaders' attempts to transform it on the lines of Bahujan Samj Party (BASP) with a view to attaining political leverage for dalits, Dalit movement, remains well organised, in spite of Madiga-Mala controversy onthe question of reservation.

Human Rights violations of Dalits, have been focussed as one of priority areas of Non-governmental Organisations (NGOs) in the state, which through net-working of NGOs in the dalit movement and "action-oriented programmes try to build up strong movement against such violations. Their strategy is all-round attack of "Untouchability" which apparently is the root cause of 'dalit-paradigm' - influencing the socio-economic cultural exploitation of dalits. Inter-related with this strategy are other programmes such as (1) transformation of target-groups to" action groups " (2) dalit participation in power (including Net-work groups/NGOs) (3) overcoming disabilities of caste (4) specific training for human resources development of dalit groups (5) Linking up developing and sustaining

micro-linkages (6) viable geo-political movement (7) Researh on Dalit issues and concerns (8) Atrocity monitoring cells to monitor human rights violations (9) Projection of dalit issues at national/international level (10) Bringing a dalit perspective in both government policies and NGO- donor- interventions (11) Linking up micro level dalit issues to macro changes. Through such pro-active and affirmative campaigns/programmes, the NGOs/dalit organisations envisage the total transformation of dalits, which would, not only put an end to their socio-economic exploitation, but may enable them to play a crucial role in the political field, with their numerical strength of around 15-16% of the total state population.

1.2.5 . Tribal front:

The tribal community in Andhra Pradesh, which mainly resides in hilly-tracts, can be mainly divided into 5 geographical groups, on the basis of the geo-ethnic characteristics of tribal areas . These categories are :-

- 1) The region of the Gonds which constitutes the tribal areas of Adilabad district, which is part of Gondwana region adjoining the districts of Maharashtra. The major tribal community of this area is Gonds which are divided into six sub-tribes viz . (1) Raj Gond (2) Pardhan (3) Toti (4) Dadve (5) Kolams and (6)Gowari.
- (2) The Koya-Konda Reddi region which includes areas along the Godavari gorges: tribal areas of Karimnagar, Warangal, Khammam,

W/Godavari and East Godavari districts. Koyas are found along the Godavari river from Karim Nager to the East and West Godavari districts, whereas Konda-Reddis inhabit either banks of Godavari banks from Bhadrachalam area of Khamman district to Devipattnam and Polavaram areas of East and West Godavari respectively. Ma-

jority of them are concentrated in Maredmilli and Addatigala region of East Godavari district

- (3) The Khand-Savara region constitutes those tribal areas which are parts of Eastern-ghat spreading across forests and hill- tracts of Srikakulam to Vizianagaram and Visakhapattnam.
- (4) The Chenchu region comprises the tribal areas of Mahabubnagar, Nalgonda, Kurnool, Prakasam and Guntur districts. The traditional habitat of Chenchus is the contiguous forest tracts of Nallamalai hills. (5) Plain areas which comprise Yanadis, Yerukulas and Lambadas. These three groups have been recognised as scheduled tribes in teh Andhra REgion from 1956 and Telengana as late as 1976. The

Yanadis are concentrated in Andhra Region, the Yerukulas throughout the state and the Lambodas, mainly in Telengana region. The main source of livelihood of the Yanadis is fishing, Yerukulas intermingled with non-tribals are traditionally pig- rearers and lam-

badas are prosperous cultivators and herdsmen.

Out of the estimated 41 lakh tribal population in Andhra Pradesh (around 6% of total population) comprising 33 communities, two thirds live in the hilly and scheduled areas of Srikakulam, Vizianagaram, Visakhapatnam, East Godavari, West Godavari, Khammam, Warangal and Adilabad districts. Karim Nagar and Mehboobnagar are other two districts having major tribal- concentration. The notified tribal areas in Andhra pradesh are known as 'Scheduled areas' under a special order in 1953. These areas are governed by the provisions of the Fifth Schedule of the Constitution of India, in order to protect their rights and privileges, as well as the cultural-identity. The following table provides the details of the scheduled villages etc:

Table No.1.2.3.4

Statistics of Scheduled Villages in A.P.

S.No.	Name of the Scheduled district	e Scheduled Tribes	No.of Scheduled villages
1. S	rikakulam S	avana, Jatape, Gadaba, Konda-Dora	108
2. V	izianagaram	-Do-	298
3. V	isakhapatnan	n Bagata, Gadaba, Kammara, Konda-Dora Kotia,Khond, Mali, Manne Dora, Mukha Dora Reddi-Dora, Porja Valmiki, Goud,Kulia	
4. E	ast Godavari	Koya, Konda Reddi, Kammara, Konda-Dora	559
5. W	lest Godavar	i Koya, Konda Reddi, Yerukula, yanadi	102
6. K	hammam	Koya, Konda Reddi Sugali or Lambada	889
7. W	/arangal	Koya, Lambada	412
8. A	dilabad	Gond Kolam, Pardhan Thoti , Lambada, Andh	23
9. N	lahbubnagar	Lambada, Chenchu	177
	Tot	al	5936

The human rights violations of the tribal community in Andhra Pradesh, are closely intertwined to the land issues and their increasing loss of identity. For the overwhelming majority of tribals, the land and the forests are their main sources of livilihood . and, deprivation in these fields, virtually makes them helpless to survive in the fast- chanaging socio-economic set-up, in which the only alternative for them is to forgo their indigenous character and cultural identity. The extent of land alienation, prevalent in the tribal belt of the state is phenomenal, and it is true of all districts where there are sizeable tribal population. At onetime, the entire cultivable land was held by tribals in the tribal-belts, located in the far-flug under-

developed remote areas of hilly tracts. Today, the non-tribals own more than 6 lakh acres in the schedueld areas of the state, taking into consideration only the legal titles (pattas) held by them. The extent of land, illegally occupied by non-tribals through benami transactions', falsification of revenue records etc, is not fully known. In fact, 55.6 % of the land in schedueld areas comprising Srikalulam ,Vizianagaram, Visakhapatnam, East Godavari, West Godavari, Khammam, Warangal, Adilabad districts and parts of Mahaboobnagar, is owned by non-tribals, who constitute 48% of the population. The land alienation in the sub-plan areas is even more devastating as there is no effective legal protective cover. The tribal land has been alienated mainly in two ways.

-by non-tribal migrant land lords and trading class with the indirect assistance of the judicial and executive arms of the state. This includes benami transfers, occupation by force, illegal endowments, illegal transfer of land, mortgages, lease arrangements, fradulent settlement of lands and concubinage (marrying tribal-women by non-tribals to stake claim on tribal lands).

- by the state itself through its various development policies apparently for the benefit of the general public. This includes, the construction of hydro-electric power dams, increased mining activities in tribal belts, rapid industrialisation with incentives and subsidies etc.

Another causative factor for the alienation of tribal land, is the introduction of commercial crops, depending on external demands at the cost of domestic economy. For example, commercial crops such as tobacco, cotton, coffee etc are proliferating in tribal belts in the place of subsistence crops like ganti, budama etc. The effects of these cropping pattern seem to be adverse for the tribal communities, in the long run because of its implications for the soil and its de-

pendence on market-fluctuations and easy access to exploitation by middlemen. The introduction of such crops, was a main source of attraction for non-tribals to purchase tribal lands.

The process of displacement of tribals in their home land, has been accentuated through other factors such as gradual depletion of forest and water resources, deforestation and ecological imbalance adversely affecting the livlihood systems of tribals. For example, out of the 65000 sq.kms of forest cover in Andhra Pradesh, about 11000 sq kms are under sanctuaries. Only 5% of the forest area is protected. The main cause of deforestation is the commercial exploitation of forests for the urban needs of the elite and for the export of forestbased raw-materials. At present, there are 10 major and medium forest based industries in the state, whose raw-material requirements are met through a contract with the government authorising them to cut the forests. Neither the availability of timber nor the potential of the forests is taken into consideration. Added to this is the problem of illegal-felling, which goes unabated because of the nexus between the forest department and smuggling-syndicates, backed by political parties. Another major issue of decreasing access to forest resources for subsistence by tribal communities, isthe state control of forest resources. This has created loss of livlihood for tribal communities, severely affecting their access to timber, fuel-wood, minor forest produce and fodder needs. In the search for alternative areas for subsistence and livelihood, the tribals are subjected to extreme exploitation. Tendu leaf collection is an important source of exploitation in the forest areas. Apart from abysmally law-wages, the tribals are forced to give a substantial part of their collection as part of customary payments to the contractors, besides the bribes to the forest officials. Another area of exploitation/torture is country liquor (arrack sector). In Andhra Pradesh, the contract for brewing and country liquor is auctioned off to the highest-bidder every year, in

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what is called excise auction. Over the years, the 'Arrack /Toddy business' has grown up leap and bounds, with the emergence of powerful liquor-barons, who run their own 'private armies' forthe smooth conduct of the business in many districts. Becuase of the 'steep-hike in the price of liquor, many tribal-hamlets are engaged in brewing their own liquor, through a process, colloquially known as "Ippa sara" (liquor made out of "Ippa/Mahuva flowers). The private armies of the liquor contractors, particularly in some districts like Karim Nagar, Visakhapatnam etc, resort to the constant raid of such hamlets and atrocities against the tribals, involved in such practices. Added to this, is the raid by Excise/Police officials, who, on many occasions torture the tribals on the behest of powerful and influential contractors.

In many cases, the developmetnal projects do not reach the tribal population, but only deplete their basic resources for livelihood. For example, a check dam across Pendilipadagu stream in Bhimavarm village of Addatigala Mandal (East Godavari district) led immediately to a proces of leasing land by tribals to non-tribals. Thus, much of the benefit of the check-dam goes to the non-tribals of the area. Similarly, a reservoir in the river Maddigedda (major tributary to the Yeleru river in East Godavari) was constructed in 1982 in Addatigala, at a cost of Rs.3.98 corores with the main objective to irrigate tribal lands. but, its benefit is now reaped mainly by non-tribals. Further, bulk of Yeleru water from the tribal areas of East Godavari district is being channelised to Visakhapatnam steel-plant. Another area of concern is the displacement of tribals, through the construction of big dams. The state has 18 major dams and more are being planned. Reliable data available for six of them indicates that they have together displaced around 5.5 lakh persons, majority of them are tribals. For example, about 5098 families were displaced by Nagarjunasagar Project of which 36% belong to tribals (Lambadas). In

the case of Srisailam Project, 80% of the 20728 displaced families belonged to tribals and other backward castes with 75% did not having any land at all. In the proposed Polavarm dam, 30205 families with the population of 130052 are likely to be displaced. Around 45% would be tribals.

Above all the 'neo-cultural invasion' of the indigenous culture, values and traditions of the tribals, by systematically demolishing their existing institutions (family, community) values (equality, equal status of women) etc. should be interpreted as major onslaught on the human rights. This leads to the emergence of unhealthy influences in the tribal community such as exploitation of tribal women by non-tribals, increasing number of 'unmarried women, and 'orphaned children', lack of community bonds' more internal conflicts and dowry system and other evil social practices. Such issues are the breeding grounds for the easy subversion of tribals; growth of militancy or extremism or the spread of ideologies like secessionism or seperatism or their further alienation from the mainstream.

As the most marginalised section of Andhra- society, the human rights of tribals can be safeguarded, only through the socio-economic and cultural advancement of these sections. The policy of the government that tribals should be brought to mainstream will be fruitified when such a developmental strategy is worked out. Ironically, the government's efforts in this direction - socio - economic progress of tribals or their integration into the mainstream- could not meet with any major success. No doubt, the government is spending crores of rupees in this sector, for which agencies like Integrated Tribal Development Ageny (ITDA) etc have been constituted (since 1970) for the speedy development of the tribal belts, particularly in the fields of education, health, alleviation of poverty etc. Apart from governmental agencies, non-governmental bodies such as International Fund for Agricultural Development (IFAD) - UN specialised agency

based in Rome, which seeks to combat hunger and rural poverty by increasing food- production and incomes and improving health, nuitrition and educational standards, have also stepped into the field of tribal development. IFAD has already sanctioned Rs.770 million to 4 tribal districts for a period of 7 years (1991-98) with an additional sanction of Rs.1.85 billion crores to five more tribal dominated districts (1994-2001). The pertinent question that arises is where did all these funds had gone? If 50% of the total funds, spent by governmental and non-governmental agencies for the development of tribal belts since 1970, has gone to the actual beneficiaries, the scheduled areas of the state and people, there of, should have become the most advanced. But, the tragedy was that only less than 5% of these funds, reached these most ignorant and marginalised sections, who still remain in poverty, illiteracy and under-development (According to the study of an NGO, only around 2% of the developmental funds reached the actual beneficiaries). The anachronism of this developmental pattern and the fate of the tribals, have been well -focused in the words of a tribal leader as , " when roads are there, there are no culverts, when culverts are there, roads are washed off. Then what to speak of public conveyance. There are primary health centres, but no doctors or medicines. There are schools in the villages, but no teachers. There are bore wells, but no water. ITDA offices are here and there, but no officials there."

1.2.6. Women : -

The human-rights scenario pertaining to women in Andhra Pradesh, has been well-focused by the Election Manifesto of Telugu Desam Party in 1983, which read as , " Telugu Desam opposes the feudal culture which regards women as an object of pleasure and as commodity....It will strive with all its might to provide protection to women from the activities of anti-social elements". Though some cosmetic measures such as a bill giving equal property rights to women

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and a university meant exclusively for women etc have been initiated at political level, the plight of the majority of women, particularly in rural areas continues to be one of exploitation, gender- inequality, denial of opportunities etc. As any violence against women is interpreted as violation of human-rights (Vienna Declaration/1993), the extent of such violations are comparatively high in the state. The following statement showing the atrocities against women in Andhra Pradesh (1991 upto May 97) explains the above trend.

Table No.1.2.3.5

Statement on atrocities / offences against women in A.P.(1991-97)

		Ye	ear					
Nature of 199 Offence	1991 19		92 1993	1994	1995	1996	1997	Total
Dowry Murders	46	41	56	55	79	70	36	383
Dowry Deaths	210	256	328	368	419	390	182	2153
Abt.Suicide	358	420	486	686	693	741	327	371
Harassment	1087	1402	1.634	2337	2725	3367	1351	13947
Murders	366	407	409	472	467	566	258	2955
B.P.Act	64	67	67	122	100	158	49	627
Rape	655	737	769	826	792	769	369	4917
Kid&Abdn.	299	409	421	536	652	667	337	3321
Molestation	1736	1936	1870	2258	2692	2663	1106	14261
Bigamy		160	227	364	505	438	298	1992
Total	4821	5835	6267	8024	9124	9829	4367	48267

(Based on the Statistics on Women Welfare & Child Development, Andhra Pradesh)

The increase in the cases of harassment, dowry-prohibition Act, abetment of suicide, bigamy, etc are due to the increased awareness among the public on the existence of law preventing the rights of women. Though the concern of the state/its agencies to protect the rights of women is appreciable, the distressing trend is the violence perpetuated by law enforcing agencies against women, particularly in Telangana district. The incident of the rape of Ms Ramejebee and the murder of her husband (1979), gang rape of Parvathamma (1983) and last but not the least, the abduction and gang-rape of Hussainee Bee (1998) expose that law enforcing agencies are not free from the influences of feudal and colonial trend, which treated woman as 'mere property'.

The growing violence against women, is only one face of the human rights violations. There are other areas of violations, such as sexual exploitation, prostitution, female focticide etc. which reflect the low status of women in the society and the failure of the civil society to protect their rights. Tradition, superstition and obscurantist practices and customs also play a major role in the exploitation of women. In the remote villages of Telangana, parents still decide their prepubescent daughters to Goddess Yellamma. Unmarried girls, dedicated to village dieties, forced to remain unmarried throughout the life, take up the aged old profession of prostitution and end their life in utter agony and miseries. They are known in different names -Davadasis in Nizamabad, Yoginis in Medak, Basvis or Basvinis in Kurnool (bordering Karnataka). Their total number is in between 5000 to 6000. No government can eradicate such social evils, which are inter-linked with poverty, customs and traditions and on many occasions the 'social- sanction' of the communities that practise them. Many voluntary organisations have come forward to rehabilitate these hapless women. For example, 'Sanskar Plan International' a NGO- based at Vani (Nizamabad) which was successful in the rehabilitation of around 1844 Jogins in Nizamabad district by launching a special drive at the cost of around Rs.1.20 crores, plans to Yoginis there. One major handicap of NGOs, working in this field is the lack of powers, as the government does not empower th NGOS. The state government has its own programmes such as "Jeevanjyothi" (launched in 1995). As per the programme, Rs.10000/- would be deposited by the government in the name of evry identified victim, in the nearest bank with provision that she can utilise the interest amount for livelihood. But, the reality is that social evils like prostitution cannot be eradicated through financial help alone. What is needed is the conscientisation (of victims), proper-rehabilitation through alternate employment and financial help and the acceptance of the victims by civil society. For that purpose, joint programmes by the government and NGOs are imperative.

1.2.7. Children:

Andhra Pradesh accouts for the highest numbr of child-labour, one of the worst-forms of human rights violations in any civil society. According to official statistics, around 1661940 children, are working in Agriculture, manufacturing and processing, consumer, Live-stock & Forestry, Trade and Commerce, transportation, mining and quarrying in the state. The maximum number of child-labour is in Hyderabad/Ranga Reddy district, followed by Mahaboobnagar. In Yedira village at Jarcherla Centre in Mahaboobnagar district the feudal practice of children working as "cattle-grazers" under landlords, for 2/3 years to clear the debts, ranging from Rs.2500 to Rs.4000, taken by their parents to sink bore-wells etc still prevails.

Poverty alone is not the sole factor for the child-labour in the state. Rao (1980) through his study on the extent of child labour, particularly in the agricultural sector, showed that certain traditional practices in rural areas, prompted many families to send their wards for labour to the landlords, for getting favours from the latter in

the tenancy of lands, irrigation water etc. Low-wages, unorganised character of child- workers and their limitations to bargain with the employees for better conditions are other facets of the child labour in the agrarian sector. Rani and Singh (1983), in their study on child labour in 28 major restaurants and other commercial establishmetns in Warangal city also identified the poor wage- structure, absence of any norms on jobs and above all the willingness of parents to send their children for any work- hazadrous or nonhazadrous as the major trends in this sector. COVA, a Hyderabad -based NGO, in their study on the Child-Labour in the old-city of Hyderabad (1996) however, identified poverty, illiteracy and more number of children as the major factors for the child- labour, particularly in muslim community. Significantly, though the majority of child-workers earned income of less than Rs.300 per month, neither they nor their parents complained about the low-wages. Similarly, around 27.3% of the children felt even the primary education, as a luxury for affluent classes and was not eager to have such education. In the course of interaction with child-labours in Restaurants/commercial establishments etc, in Hyderabad, Vijayawada, Warangal and Visakhapatnam, etc such trends have been noticed. Many of them are proud of their financial contributions to their poverty stricken families, in the form of monthly wages and less concerned on the future.

An inter-related issue is the case of street children - who run away from problems at home or are born on the streets. The large cities like Vijayawada, Hyderabad, Visakhapatnam, Guntur etc account for the largest numbr of such children , whose estimated strength is over 1.5 laksh. Vijayawada alone has more than 25000 such children. The rehabilitation of these children is an important agenda for NGOS and human -rights groups.

A number of NGOS are involved in the rehabilitation of child-labour and street children. Sri Krishna Chaitanya Vidhyatharh Vidhyavatharh (SKCVV) started in 1987 by Mathew Norton, once a drug - addict from London, in Vijayawada, Navjyothi Balabhavan (Vijayawada), SIDur, M.V. Foundation (both in Hyderabad) etc are some leading NGOs in the field. The state government has also initiated a programme "Back to School" to deal with child-labour. The children, who have never gone to school and drop out are picked up and taught lessons at 1067 social welfare centres in the state. In 1997, under Dr. Ambedkar Jayanti Scheme - around 42014 children (27474 boys and 14540 girls) have been covered with the help of 1661 teachers and 382 social workers. The second phase of the project targets 105000 child-labours. In fact, schemes such as 'Back to School" or primary education through social welfare centres, have limitations to fight child-labour effectively, especially when the sizeable section of the children have less inclination towards basic-education. Such programmes should be linked up with financial incentives to child labours/ family as well as vocational training which may enable them to take up new jobs. Co-ordinated approach between NGOs and government is needed for the success of such programmes.

CHAPTER 2

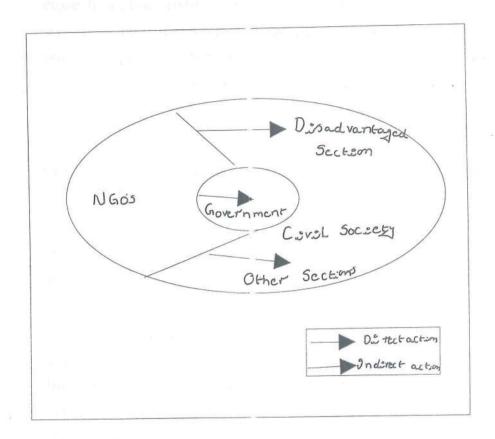
NON-GOVERNMENTAL ORGANISATIONS AND HUMAN RIHGTS

2.1. ROLE OF NGOS IN PROMOTING HUMAN RIGHTS

This chapter analyses the place of NGOs in civil society, emergence of 'human rights NGOs' their role and leading international NGOs like Amnesty International and the growth of NGO concept in India. With a brief profile of Andhra Pradesh, it also examines the genesis and spread of major civil liberties groups and NGOs in the state with special emphasis on their activities in the human rights front and emerging trends.

The Non-governmental Organisations (NGOs) are those organisations in Civil Society, which are either formed to assist the needy or disadvantaged or formed to pursue a common interest in and/or to take action on a particular subject or issue which causes disadvantage or is detrimental to the well-being of people or society as a whole. Though NGOs are part of the total fabric of the organisations in the civil society, they are distinguishable from other groups by their focus on the disadvantaged, disadvantage or wider concerns and issues which affect peoples well-being (see illustration -1). On one hand, they share the concern that the governments have with disadvantage and with broader matters affecting peoples well being, whereas on the otherhand NGOs take action directly as well as indirectly to deal with the needs, problems and issues which they are concerned. Thus, NGOs operate at the interface between the government and its institutions as well as Civil Society, more broadly. The question of precisely where on this interface NGOs are 'located'

ILLUSTRATION 1: THE ACTIONS AND PLACE OF NGOs IN CIVIL SOCIETY (1)



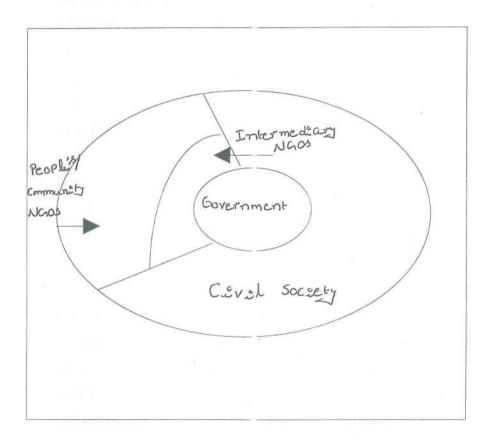
(FROM: NON-GOVERNMENTAL ORGANISATIONS: GUIDELINES FOR GOOD POLICY AND PRACTICE)

leads to another way of their interpretation as "Institutional or intermediary NGOs" and Peoples or Community NGOs. The former ones are usually formal legally incorporated organisations, more close to public institutional fabric, whereas the latter are characterised by their more reliance upon the members themselves to control or / and undertake the work of the organisation (See illustration-2). The "Peoples' NGOs" which are more close to the fabric of Civil Society, are more potential in espousing issues such as human rights.

2.1.2. NGO explosion in 1970s - & emergence of Human Rights NGOs.

Towards the end of the 20th Century, there was a virtual explosion of NGOs which are now concerned or involved with every aspect of human need and endeavour. The size of NGO sector varies widely across the countries. It is estimated that about 10% of the public development aid, world-wide is now being channelised through NGOs. The United Nations Development Programme estimates that the total number of people "touched" by NGOs in developing countries across the world is probably 250 million (20% of the 1.3 billion people living in absolute poverty in developing countries) and that this " will rise considerably in the years ahead". The explosion of NGOs, was the result of a myriad of international and national factors like the erosion inthe "concept of state sovereignity", "globalisation", shrinkage of the globe brought about by the "information and telecommunication revolutions", the end of cold-war etc. Many key issues and problems that were once national, no longer could be solved at national level. They included concerns such as poverty, environmental degradation, population- explosion, the regulation of mult-national corporations, the control of the drug-trade and criminal syndicates and the need for humanitarian responses to the natural disasters and civil wars. There has been paradigm shift on the

ILLUSTRATION 2: THE PLACE OF NGOs IN CIVIL SOCIETY (II)



(FROM: NON-GOVERNMENTAL ORGANISATIONS: GUIDELINES FOR GOOD POLICY AND PRACTICE)

role of government that it should be more that of policy-maker and less thatof provider. The governments have turned to NGOs to do more of the providing. Privatisation, decentralisation and localisation are parallel manifestations of the same general trend.

The 'NGO explosion of 1970s, synchronised with the enormous expansion in the number of NGOs concerned with human rights. Many factors contributed to this trend. The coup against Allendae government in Chile in 1973 and the solidification of military dictatorships in the continent of South America gave rise to human rights organisations throughout the continent and human rights and "solidarity groups" in Europe and North America. With the active involvement of a section of Christian clergy and laymen in the "national liberation struggles" in Latin American countires like Nicaraguae and El-salvador in late 70s, the concept of 'Liberation Theology' and 'Social-Justice' which took genesis, following Pope John's Vatican II Declaration (1961) and Medelin Conference (1968) gained further momentum in the Christian Community. This led to the formation of a number of "Christian Action Groups" (CAGs) and NGOs throughout the world, which strongly espoused the cause of social justice, development and human rights. Changes in the socialist world were equally significant. The dissidents in the East Europe and USSR were given an enormous boost by signing and subsequent dissemination of the Helsinki. Final Act of the Conference on Security and Cooperation in Europe in 1975 and by the 'Helsinki Watch Committee' and 'Soviet Jewish Groups' that emerged in the West to support. The development to Human Rights Programme by the US based 'Ford Foundation' in the middle of 1970s which made resources available to human rights groups, the selection of Amnesty International for 1977 Nobel Peace Prize, the end of Vietnam War which enabled the progressive, Americans to redirect their energies to a broader range of concerns and the enactment of UN covenants and instruments on Human Rights in 1976 etc. contributed much to the consolidation of human rights NGOs at international level.

With the emergence of prominent NGOs in the human rights field, UN Charter (Article 71) acknowledged the potential contribution that they can make in the activities of organisations in the areas of concern to the Economic and Social Council i.e. international ,economic, social, cultural, health, educational and related matters. The role of NGOS has further increased when, "there was in practice a visibly discernable lack of commitment on the part of many governments either to protect human rights in their own countries or act for their protection at international level" (Theo Van Bouen/ Director, UN Centre for Human Rights, 1977-82). Thus, Felice Sauer, has aptly noted, "virtually in every instance NGOs have been a factor in documenting the human rights situation, thus confronting abusive governments and their sponsers at the Commission of human rights sessions". 'The Resolution 1503 Procedure' approved by the Economic and Social Council (of UN) in 1970 improved the status of NGOs in supplying information to the members of Human Rights Committee in their individual capacity. In 1993, the Committee, formally recognised the role of NGOs, by deciding that information sent by them to Secretariat should be distributed to all members of the Committee as official documents. Thus, the unquestionable role of NGOs in the protection and promotion of human rights, has been upheld by the World Conference of Human Rights, held in Vienna during 1993. The Vienna Declaration (Article 38) highlighted, "the World Conference of human Rights recognised the important role of NGOs in the promotion of all human rights and in humanitarian activities at national, regional and international level. It appreciates their contributions to increasing public awareness of human rights issues, to the conduct of education training and research in the field and to the promotion and protection of all human rights and fundamental freedoms. While recognising that the primary responsibility for the standard setting lies with the states, the conference also appreciaites the contributions of NGOs to this process. In this respect, the World Conference emphasises the importance of continued dialogue and co-operation between governments and NGOs. NGOs and their members genuinely involved in the field of human rights should enjoy the rights and freedoms recognised by UN Declaration of Human Rights and the protection of national law. These rights and freedoms, may not be exercised contrary to the purpose and principle of UN. NGOs should be free to carry out their human rights activities without interference within the framework of national law and UN Declaration of Human Rights (UNDHR)".

2.1.3. Functions of human rights NGOs.

Though Vienna Declaration presents an ideal situation of interface between NGOs and govts, many states perceive them as a potential threat. What are the reasons for that? A brief argument is that they speak "truth to power". If a government is repressive and violative of international human rights norms, the power elite has every reason to view Human Rights NGOs as a threat to their legitimacy. And, many of these NGOs have made excellent contributions in the following fields: a) Fact Finding or information gathering, analysis and documentation :- It is now generally accepted that inter- governmental Human Rights machinery depends heavily on the Fact-Finding reports of human rights-NGOs. For example, UN Working Group on "Forced Disappearances" along with many governmental organisations basically rely upon NGOs and not the governments themselves. The Working Group on Arbitary detentions, for example, reported in 1995 that 74% of the cases that it took up in 1994 were brought by International NGOs, and another 23% came from national NGOS. The special Rapporteur on Arbitary Executions acknowledged the important role of NGOs in alerting the international community about summary executions. At national level, though the governments are charged with investigating allegations of human rights violations, there are only a handful of countries, where the system for administration of justice, together with national institutions, can be relied on to gather, analyse and act impartially on the facts. b) Denunciation of human rights violations at national/international level c) Lobbying in the Governmental and intergovernmental arenas: - Human Rights NGOs recognising the limitations of their power, have lobbied governments at national, regional and international levels to take action to halt gross violations. Many NGOs have been active before the Inter-American Commission, Court of Human Rights, European Convention and Courts of Human Rights, African Commission of Human Rights, the Organisation of Security and Co- operation in Europe, the European Parliament etc. In recent times, such lobbying has started targetting International Financial Instutions like IMF, World Bank and WTO. In fact, Amnesty's intensive lobbying at international forums, on human rights issues in India, was one of the contributory factors for the formation of National Human Rights Commission (NHRC) in India during 1993 D)International solidarity and Humanitarian Relief :- Many NGOs provide protection to victims and potential victims under dictatorial regimes. One of the tactics, adopted by Amnesty International is the adoption of specific political prisoners by its (Amnesty) sub-groups and launching intensive campaign for their release. Another strategy is to apply international humanitarian norms in the domestic courts, to sue human rights violations. The 1988 decision of US Court of Appeals to the Second Circuit in the case of FILARTISA Vs.PENA-IRULA, was a landmark victory, in this regard. The Centre for Constitutional Rights (CRC). a New York based NGO, filed a case in Newyork in 1984 on behalf of Peruguayan activist and physician Joal Filartiga, accusing the Inspector General of Police, Agunsion, in the torture death of Filertiga's 17 year old son. This involved the application of Alien Torts Act, as the basis for bringing a federal action for an alleged human rights violation of internationally recognised human rights law. Though the District Court refused to hear the case, on appeal the case was both heard and decided in favour of Filertiga. Subsequent to the decision, US human rights groups, lobbied for and saw a new law enacted "The Torture Victim Protection ACT" e) Human Rights education: Potential NGOs can provide considerable expertise to UN, international bodies and national commissions on Human Rights, in the formulation and implementation of their programmes. They can participate in human rights norm creating processes in a variety of way such as participation in Conferences, suggestions on draft articles for inclusion in norm-creating institutions, constructive criticism of articles in draft stage, conducting research on major issues, providing legal expertise and advice etc.

2.1.4. Prominent Human Rights NGOs - Amnesty International
The major international NGOs with specific human rights concern
are 1) International League for the Rights of Men (established in
1942, now rechristened as International League for Human Rights),
International Committee of Jurists (1951) and Amnesty International
(1961). There are regional bodies like Human Rights Internet (HRI)
in Canada, Indo-American Institute for Human Rights in Costa Rico,
Peoples Union for Civil Liberties (PUCL) in India or those having
broad mandate like Human Rights Watch Committee in New York
or specific issue based ones like Minority Rights Group (MRG) in
United Kingdom.

Foremost among these bodies is undoubtedly the AMNESTY INTER-NATIONAL: Founded in 1961, by the British lawyer Peter Benensen and with its head quarters in London, the Amnesty International is the largest non-governmental human rights organisation in the world, having around 7 lakh estimated members, spread over 165

countreis. With the headquarters staff of more than 350 well - trained and dedicated persons, Amnesty has set high standards of research, documentation and reporting. It covers human rights issues all over the world and has been publishing annual reports of human rights violations in different parts of the world. Such reports from 1972 are being regularly published. In addition, two special volumes under the title 1) Political killings by governments (1983) and 2) Torture in the Eighties (1984) have made a global survey of problems. Several other publications have made extensive data on various facets of human rights violations and also has some surveys on alleged encounter-killings and custodial deaths in Andhra Pradesh. The Amnesty Report on 1992 focused on the problems of Torture, rape and deaths in custody in India listing out 415 specific instances of human rights violations during the period 1985-1991. The report held the view that large proportion of India's torture victims are criminal suspects. It also highlighted that torture to punish political activism is also meted out as a punitive reprisal for resistance to m ilitary or police- operations. The report has cited the instances of torture in counter-insurgency operations in Jammu and Kashmir, the North-East and Punjab and has listed out events and incidents in order to substantiate their findings. An analysis has been made citing some of the reasons, which provide fertile ground for torture in custody, such as poor service conditions of police personnel, political interference in police work, overloading of mere police staff in crime detection, inadequate police- training, lack of emphasis in application of science in police work, poor resources, public pressure to detect cases somehow etc. The report has also observed that laws providing for the protection of human rights are substantial, but in practice they do not seem to be working satisfactorily. The grievance redressal, it is alleged in the report, as virtually a facade to protect the guilty for several reasons and there is inadequate arrangement for compensation to be given to the victims of these violations. A ten

point programme, suggested by Amnesty to combat Torture included 1) adoption of official policy to protect human rights 2) impartial investigation of all allegations of Torture 3) Bringing perpetrators of violations to justice 4) Strengthening legal and other safeguards against torture 5) Inform detainees of their rights 6) Proper Training to police and Security Forces to uphold human rights 7) Compensation to victims 8) Medical Treatment and rehabilitation of victims 9) Authoritative investigation into the causes and patterns of Torture and 10) Strengthening of India's international human rights commitment.

In 1996, Amnesty published a report on TADA, in which, it alleged that hundreds of "prisoners of consience" are languishing in Indian jails. Its 1997 Report, highlighted the issues such as alleged misuse of TADA, Torture, ill-treatment of prisoners, "Custodial deaths" instances of rape, "disappearance", disgusting jail-conditions, extra-judicial executions by Security Forces, deliberate and arbitary killings of civilians and hostage taking by Armed opposition groups etc, Though Amnesty appreciated the initiative of National Human Rights Commission (NHRC) in raising public awreness on human rights, awarding compensation to victims, it observed that the mandate of NHRC remained limited in relation to human rights violations, committed by Armed Forces etc. One main criticism against Amnesty is that its perspective is biased towards the West. It does not investigate the human rights violations in the West as vigorously and as extensively as it investigates them in third-world countries, even though more than 90% its staff are from the West European and American countries. It is also alleged that its pro-West bias is also the result of its finances/funds, which mainly come from the West. Unless such biases in its recruitment of personnel and perspective are rectified, Amnesty cannot claim to be "international" or "global".

2.1.5 NGOS in India

The NGO movement in India started even before independence. Then their role was mainly confined to charity, relief and welfare activities. Raja Ram Mohan Roy's "Bramha Samaj" Dayananda Saraswathi's "Arya Samaj", Mahatma Gandhi's "Khadi Village -Industries Commission" and Acharya Vinoba Bhave's "Boodan Movement" etc were examples of such organisations. They were preoccupied with the reform of society riddled with myriad problems, created by caste-system. However, the second half of 1970s, witnessed a virtual 'NGOs explosion ' in India, with the formation of large number of small and medium Organisations, known under a variety of names such as "Action Groups" "Voluntary - associations" "non-party affiliates" etc, wheih strived hard for an alternative approach to development. NGOs in India received a further fillip in their growth, when the Centre in 1982, formulated major guidelines for rural development with the direction to the states that they should enlist the support of NGOs for such developmental activities. This has become institutionalised when the 7th Five Year Plan of Govt of India, explained the supplementary role of NGOs in the rural reconstruction programmes, with the allocation of Rs.250/- crores, to be channelised through NGOs. Further, the Council for Advancement of Peoples Action and Rural Technology (CA-PART) was formed in September,86 with a view to promoting NGO movement in the rural development and advancing new technological innovations in rural India. With such governmental patronage, NGOs have taken up wide range of activities, which include conscientisation of vulnerable sections, bringing the fruits of science and technology to the masses, providing educational and other basic requirements to the "marginalised sections", orienting people towards the changing world, persuading them to shed superstition and obscurantist practices, organising women and giving them opportuni-

ties to equip themselves continuing welfare activities among tribals, dalits, women and children and making people aware of environmental protection and sustainable development. Correspondingly, the NGOs have grown enormously in numbers. The exact statistics of which is difficult to arrive at because of their varying terminology, widely divergent functions and lack of systematic data .One estimate refers to more than 100000 NGOs, while another claims 25000 registered gross-root organisations in one state- Tamil Nadu, alone. What matters much is not the number, but the quality of NGOs, the commitment of their functionaries and the credibility that they enjoy in the society and with the government. The committed NGOs, which are aptly described by National Human Rights Commission as "the eyes and ears of the people of India" can contribute much to the protection and promotion of human rights, as their wide specturm of activities are inextricably linked to the human rights concept and issues, especially from socio-economic cultural agenda.

2.2. A BRIEF PROFILE OF ANDHRA PRADESH.

Andhra Pradesh, situated in the tropical region is the 5th largest state in India, having an area of 275909 sqkm and a population of 66508008 (1991 census). It is the biggest among South Indian States both in area and population. It has a long coastline of around 1600 kms, which, open up for the best exploration of ocean wealth.

The present state of Andhra Pradesh was born on Nov 1st,1956. Presently the state comprises of 23 districts with boundaries to Orissa, Madhya Pradesh, Maharashtra, Karnataka and Tamil Nadu. They are generally divided into three geographical regions- Coastal Andhra, Rayalaseema and Telengana. The districts under each region are:

Table No.2.2.1

Geographical regions (district-wise) of Andhra Pradesh

Coastal Andhra	Telangana	Rayalaseema		
Srikakulam	Mahabubnagar	Kurnool		
Vizianagaram	Ranga Reddy	Cuddapah		
Visakhapatnam	Hyderabad	Anantapur		
East Godavari	Medak	Chittoor		
West Godavari	Warangal			
Krishna	Nizamabad			
Guntur	Adilabad			
Prakasam	Karimnagar			
Nellore	Nalgonda.			

Among them, the Coastal Andhra, mainly the deltas with fertile and well-irrigated lands, is the most prosperous and wealthy, Rayalaseema is the 'stalking ground of famines' and Telangana is economically backward.

The history of Andhra actually begins only from the rise of Satavahanas who flourished after the decline of the Mauryan Empire. The Golden Age of Satavahanas, who ruled from 3rd century BC to the first quarter of the 3rd century AD, was marked by great literary, artistic activity and expansion of trade and commerce across the seas. Under the patronage of Satavahana rulers such as Gauthamiputra and Pulamayi, there was all round progress in the state. Satavahana hegemony at its peak extended from East-Coast to West-Coast and from Mysore in the south to Ujjain in the North. In the east where Andhras mastered to develop their commerce, Maisolia was the biggest and well-known seaport as early as in 3rd century B.C. Maisolia in Krishna delta became the present Machilipatnam, once a coloney of the Dutch, the French and later the British.

Jainism and Buddhism received great impetus for nearly 600 years under the enlightened rule of Andhra dynasty. The most important phase of the rise of Andhra Power dates back to the Kakatiya Empire in the 13th and 14th centuries. Eventually, Kakatiya Empire was lost and the muslim dominated the scene in Deccan. Side by side, the consolidation of muslim power, in Deccan, the nucleus of mighty Hindu Empire was taking place on tenbanks of river Thungabhadra under the guidance of saint stateman, Swami Vidhyaranya. From the ruins of Mughal and Thuglak Empires, the muslims dominated the scene in Deccan. TheVijayanagar empire served as the most effective check to them for more that 200 years. The battle of Talikota in 1565 AD led to the final and complete collapse of Vijayanagar power in the Deccan. Then, it was under the Nizam and British rule, until India attained independence in 1947.

Language: Telugu is the predominant official language spoken by about 88% of the population, followed by Urdu, spoken by around 7% mainly in Telangana area.

Population: The total population of the state is 66508008, of which about 4.86 crores live in rural areas and around 1.78 crores in urban areas. The main pre-occupation of rural masses is agriculture.

Table No.2.2.2

Population- Break-up of Andhra Pradesh.

Region	Population		
Coastal Andhra (area -33.8%)	28733209 (43.2%)		
Rayalaseema (area-24.5%)	11685725 (17.6%)		
Telangana (area-41.7%)	26089074 (39.2%)		
Total	66598008 (100%)		

Rural population	48121000 (approx)
Urban population	17887000 (approx)
Agricultural workers	19516000
Non-Agrarian workers	10447332
Scheduled castes	10592000 (approx)
Scheduled tribes	4199000 (approx)
Muslims	6371839 (approx)
Forward Casts	19260719 (approx)
Decadal growth rate of population +	2.42%
Density of population	242 per sq km
Sex ratio (Female :Male)	972:1000

Agriculture :- The main occupation of rural masses is agriculture. Statistics relating to land utilisation is as follows.

Table No.2.2.3
Statistics of Land Utilisation in Andhra Pradesh

Item/Crop	Extent of Land	
Forests	6245404 hectrs	
Net Area Sown	10302435 "	
Total Cropped Aras	12687940 "	
Rice	3546815 "	
Jowar	1053217 "	
Redgram	516500 "	
Groundnut	2351850 "	
Cotton	728112 "	
Sugarcane	305248 "	
Tobacco	149123 "	
Chillis	206085 "	

Irrigation: The net irrigated area is 3889948 hectars with the help of canals, tanks, tube-wells etc. The Coastal Andhra has better irrigation facilities (28.33% of the cultiable land) whereas Telangana has poor irrigational system (4.17% of cultivable land). Godavari and

Krishna are the two rivers which supply much of the irrigational water to the state.

Education: Andhra Pradesh with literacy rate of 44.09%(1991 census) ranks among the least literate state (It ranks 26 in the country out of 31 states/Union Territories). Telangana districts are the most backward educationally, with Mahbubnagar has the least literacy rate (40.8% among males and 18% among females). Break up of educational institutions is as follows:

Primary Schools	-	49153
Upper Primary Sch	ools-	6851
High Schools	-	7289
Junior Colleges		1465
Degree Colleges	-	467
Universities	-	10

(This include the Central University and one Mahila University).

Industries: There are large number of industries mainly in and around Hyderabad, manufacturing various products including Chemicals, fertilizers, drugs, cement, asbestos, ferro-alloys and machine-tools. The city is also fast developing as a 'Hi-tech' one with Computer, Information Techonology and Research- development establishments. Visakhapatnam Steel Plant and Hindustan Shipyard are the major manufacturing units. Besides coal and sugar are major industries - 3140000 Tonnes of coal and 148668 Tonnes of sugar are produced every month.

2.2.1- Major Civil Liberties Groups in Andhra Pradesh

The genesis and growth of civil liberties movements and non-governmental organisations (NGOs) in Andhra Pradesh, can be largely attributed to the dynamics of societal forces, socio- economic factors, demographic features etc. The class-caste orientation of the society with the 'elite section' dominating the socio-economic and political specturm of the state through 'neo-colonial strategy', the widening

gulf between the haves and haven'ts particularly in rural areas, the plight of sizeablechunk of dalit-tribal and backward population immersed in poverty and illiteracy etc. led to a unique situation, when the formal developmental process could neither reach the lower strata of the society, nor improve the socio-economic conditions of the overwhelming majority of the population. This has paved the way for the civil liberties movements and Non-governmental organisations (NGOs) to step into the political social and developmental issues, targetting specific groups and segments of the society.

However, there are major differences on the ideology and strategy of civil liberties groups and NGOs, as the former interprets that the social justice and egalitarian concepts cannot be attained so long as the state adopts its strategy against peoples' movements by branding them as basic law and order problems, whereas the latter highlights voluntary activities with mass-participation as major panacea to sort out many issues, which are the outcome of ill-conceived development, administrative indifference, bureaucratic red-tapism and corruption.

The genesis and spread of civil liberties movements in Andhra Pradesh are closely intertwined with the emergence of left-wing extremist groups. As early as in 1970, a United Civil Liberties Organisation, has been set up by all Maoist groups, comprising United Coordination Committee of Revolutionaries of India (UCCRI/ML), CPI (ML) Central Organising Committee and Andhra Pradesh Revolutionary Communist Party (APRCP). However ideological differences that had developed in the left-wing extremist movement in the state, surfaced in the Civil-liberties movement as well. Thus, at the instance of UCCRI/ML, a new body viz "Organisation for the Protection of Democratic Rights (OPDR) has been formed in 1974. The declared aims of OPDR included a)struggles and compaigns against the repressive laws of government b) resistence against the

'fascist acts' and the despotic rule of establishment and c) collection and documentation of details pertaining to the repression and harassment of poor citizens by state and its agencies. In line with the above aims and objectives, OPDR, extended legal aid to undertrial left-wing extremists and organised campaigns demanding commutation of death sentence to some of the detenus like 'Bhoomiah' Kista Gowda etc. In the immediate post-emergency period, OPDR played a major role in furnishing details/evidence before Bhargawa Commission, which was constituted in 1977 to probe into the alleged encounter-killings of persons in the state during the period 1968-77. However, OPDR lost much of its clout as the major civil liberties movement in Andhra Pradesh, when another body viz. Andhra Pradesh Civil Liberties Committee (APCLC), formed in 1973, had regrouped and strengthened its activities since 1978, with the participation of urban intelligentsia, who were drawn from among lawyers, teachers, journalists and doctors. APCLC, soon emerged as the major Civil Liberties movement in the state, with wide ranging activities such as formation of Fact-Finding Committees (FFC) to probe into all 'encounter-killings', documentation of such details, campaign against alleged police excesses through meetings and protest actions like rallies, dharnas etc. It strives to bring awareness among people and mobilises their opinion against government's alleged undemocratic actions. APCLC also files cases in courts of law for redressal of the grievances of the victims of state repression and other undemocratic actions (Detailed case study on the Organisation incorporated in Chapter IV).

Peoples Union for Civil Liberties (PUCL) Andhra Pradesh, which is an affiliate of its national body, is also active in the Civil Liberties Front. PUCL, which came into existence at national level, as a result of the struggle against National Emergency (1975-77), started its campaigns in Andhra Pradesh since early 80s. The objective of the Or-

ganisation is the 'defence and promotion of Civil Liberties "through peaceful and democratic methods". An equally important aim and objective of PUCL is "to combat social evils which encroach on civil liberties such as untouchability, casteism and communalism ". The organisation mainly takes up issues such as torture and other custodial offences, repressive acts like TADA, education in human-rights and protection and promotion of human-rights particularly of weaker sections. The fact-finding missions on torture/custodial excesses, legal aid to the victims of Civil-rights violations, seminar/workshops on civil human rights subjects etc are the major activities. Though PUCL stands for the unity of various civil-human rights groups for the protection and promotion of these rights, ideologically, they are opposed to violent movements/struggles, which may weaken the democratic polity. In this regard, PUCL is critical of the stand of APCLC, of not denouncing the left-wing extremist violence, which according to them, is the balatant violation of human and civil rights and negation of the basic concepts of democracy. The perception of PUCL leadership is that instead of blind criticism of police for their omissions and commissions in the civil or human-rights front, efforts should be made by civil rights activists to establish contacts with progressive police personnel and seek their cooperation for the protection of civil liberties and human rights.

All India Peoples Resistance Forum (AIPRF), which was formed jointly in 1992, by CPML-PWG of Andhra Pradesh, Maoit Communist Centre (MCC) and CPML-Party Unity of Bihar, occasionally takes up civil-human rights issues. The aim of the organisation is to build up public opinion against the alleged state repression on the left-extremists, by mobilising leftist intellectuals and human-rights activists. During its formative years, AIPRF organised a few seminars in Delhi and Calcutta, in which wanton repression, unleashed on the weaker sections, particularly in Bihar and Andhra,

in the name of counter- extremist measures, was condemned. These seminars, however did not create much impact as the agenda, had a limited appeal. In order to widen its influence among masses, the AIPRF, decided to step up its mass-activities on populist issues. The current theme is the neo-imperialist role of international bodies like World Trade Organisation (WTO), World Bank/International Monetary Fund (IMF) and GATT, in exploiting the developing countries, through economic assistance and influencing the domestic governments, detrimental to the interests of the people. The body, has come up against Andhra Pradesh's much dependence on World Bank and other international Financial Institutions, for the mobilisation of funds to invest in key infrastructural sectors, without considering the long-term interests of the state and the people.

2.2.2. Prominent Non-governmental Organisations

The Non-governmental Organisations (NGOs) in Andhra Pradesh, represent a mixture of various groups and individuals with different ideologies, modus-operandi, concerns, target-groups and funding sources. The proliferation of NGOs, all over the state, particularly during the past one decade, was mainly due to the availability of resources, facilitated by foreign-funding agencies. A study of the voluntary organisations, registered under Andhra Pradesh (Telangana Area) Public Societies Registration Act (Act I of 1350 F) and Societies Registration Act of 1860, indicated that large number of organisations were registered in all the 23 districts, mainly to avail such facilities. These societies are of varied nature - educational, cultural, social, religious, rural-development oriented etc. Vincent Ferror (Spanish) of Rayalaseema Development Trust (RDT) Anantpur district, Dr.Parameswara Rao (Bhagavattula Charitable Trust, Ellamanchil/Visakhapattnam) Prof Windy (Belgium/Village Reconstruction Organisation, Hyderabad). Dr.John David (AMG India International/Chilakaluripet, Guntur district) and PKS Madhavan (Action for Welfare and Awakening in Rural Development/AWARE, Hyderabad) were the pioneers of NGO movement in Andhra. These NGOs generally known as "Giant NGOs of Andhra Pradesh" by virture of their vast financial resources and wide spectrum of activities had given inspiration to manyothers to float other NGOs. Side by side, some individuals, who were associated with above NGOs and acquired expertise and linkages with foreign funding agencies, formed their own organisations and extended their activities to new areas.

It is estimated that there are around 2308 voluntary Organisations operating in the state. Based on the background of the promoters and nature of activities, they can be categorised as "Christian Action Groups" (CAGs), "Social Action Groups" (SAGs) and Muslim Organisations. Their district-wise break-up is as follows:

Table No.2.2.4

District-wise break-up of NGOs in Andhra Pradesh

S.N	lo District		No.of voluntary organisations			
			CAGs	SAGs:	Muslims	Total
C	oastal Andhra					
1.	Srikakulam	6		15	*	21
2.	Visakhapatnam	2.6		77	1	104
3.	Vizianagaram	10		31	*	41
4.	E/Godavari	44		76	-	120
5.	W/Godavari	140		60	-	200
6.	Krishna	45		35	-	80
7.	Guntur	98		310	9	417
8.	Prakasam	15		93	2	110
9.	Nellore	12		78	1	91
	selvaniani salah salah	396		775	13	1184

Ra	yalaseema				
10.	Chittoor	3	27	2	30
11.	Anantapur	1	585	1	587
12.	Cuddapah	88	49		57
13.	Kurnool	38	102	12	152
То	tal	50	763	13	826
Te	langana	401-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-			i ii tiga
14.	Mahboobnagar	7	33	1	41
15.	Ranga Reddy	24	8	-	32
16.	Hyderabad	18	58	14	90
17.	Medak	3	21		24
18.	Nizamabad	4	2		6
19.	Adilabad	7	5	-	12
20.	Karimnagar	5	2	*	7
21.	Warangal	8	4	1	13
22.	Khammam	31	6	-	37
23.	Nalgonda	5	30	1	36
	Total	112	169	17	298
e de	Grand Total	1 558	1707	43	2308

(Note: Purely Charitable, cultural and governmental organisations are not included).

The above statistics also highlight certain major trends. Firstly, the concentration of NGOs is more in Coastal Andhra and Rayalaseema than Telengana, which is more backward in socio-economic development. One main reason for this is the presence of large chunk of tribal/dalit population in Rayalaseema and Coastal Andhra, which prompted the early 'activists' to float their organisations there. Secondly, the mass-base of left- extremist movement in Telangana

acted as deterrent on the spread of voluntary bodies in that region. Further, Peoples War Group (PWG) have issued ultimatum to some NGOs like SAMATA, AWARE, LAYA, SPANDANA, Chaitanya Saravanti and TCDC, operating in the agency districts of Visakhapatnam and East Godavari to stop their activities and leave the area. This ultimatum, which was in the form of a Telugu pamphlet, distributed during October,97, highlighted that NGOs are hampering the growth of revolutionary movement in the region and influencing the rural masses to depend upon the courts and government machinery for solving their problems. PWG, accused them of serving as agents of imperialists and working for the benefit of bourgeoisie, by depending heavily on foreign-finances and their directives, instead of mitigating the genuine problems of the down-trodden and exploited sections of the society. Some NGOs like SAMATA (East Godavari) Chaitanya Saravanti (Vishakapatnam district) and LAYA (Visakhapatnam district) shifted their sphere of activities, while the others "purchased peace" with the revolutionaries through negotiations etc. Ironically, later PWG, itself admitted (July,98) that such steps were lapses from the part of revolutionaries in properly assessing the ground level situations and clarified that people themselves should shoulder the responsibility of supporting or opposing NGOs or other organisations on the basis of their activities and commitment to the down-trodden sections.

NGOs in the state are engaged in a wide spectrum of activities, targeting dalits/tribals, rural poor, landless agriculturists /agricultural workers, women and children, victims of child and bonded labour, street-children, slum-dwellers etc. Their activities include a)dalit-empowerment programmes through training and financial support b)health-sanitation schemes in rural/dalit-dominated areas c) rehabilitation of street children/victims of child-labour d) financial incentives/loans to women and rural poor for launching

self-employment or income- generating schemes e) creation of general awareness on the rights and privileges, especially of weaker sections f) human-resources development programmes through training, seminars, workshop etc. A few organisations, no doubt, have done note-worthy work, in rural development, health, education etc. On the rural development front Rayalaseema Development Trust (RDT) Anantapur, Young India Project (YIP) of Narendra Singh Bedi, at Anantpur, Village Reconstruction Organisation (VRO), Hyderabad and ASSIST of Guntur district, have done appreciable work. Similarly, AWARE and Sakthi could make significant contributions in the dalit/tribal fronts, whereas AMG India, International of Guntur district, has rendered notable service to the poor in the health front.

The concept of "Networking" which did not exist among NGOs in the past has been gaining momentum, mainly at the initiative of major foreign donor-agencies/ voluntary bodies, which have worked out such concepts in their home-front. The very idea of the concept is that the formation of a 'platform' of NGOs working in the same-front, by pooling all their financial and manpower resources, can attain optimum results, with the minimisation of the misuse of funds etc. While a good number of NGOs have accepted the net working concept "and started implementing projects, many traditional NGOs like ASSIST, Village Reconstruction Organisation and CARDS show lukewarm attitude to the idea fearing that they would lose their financial and organisational clout in any such arrangement. Some of the prominent 'net-works' which have now come up in the 'NGO-movement' are:

a) Dalit Voluntary Associations Federation (DVAF) floated in Jan,97 by TPS Vardhan of Society for Integrated Development in Urban and Rural Areas (SIDUR), Hyderabad. The DVAF, which has now about 150 members (NGOs) in the state, work on the ultimate aim

of unity among dalits. The members of the forum, are divided into 3 action groups viz. big, medium and small. On an average, these groups receive Rs. 1 lakh per year, with a monitoring budget to the tune of Rs.10 lakhs. The entire budget is handled by SIDUR, which receives the finances from EZE, West Germany and BILANCE, Netherlands for the project.

- b) Guntur District Action Network: was formed during November,96 at Pedakani (Guntur District) on the initiative taken by T.Nageswara Rao, Chief functionary of Creative Action for Rural Development, Pedakani. It has a membership of 33 NGOs, operating in Guntur district. The network which strives for bringing about development through savings and political awareness among dalits gets its bulk of finances from BILANCE, Holland.
- c) Voluntary Action Network of Anantapur (VANA):- Came into existence during Jan,96, mainly at the instance of Gangi Reddy, Chief functionary of Chaitanya Rural Education and Development Society (CREDS), Lepakshi, Anantapur district, with the main object of the protection of interests of NGOs from political harassment, and mobilisation of resources for common action programmes of the upliftment of dalits and women. The long-term objective of VANA is to build up bigger movements on the pattern of CHIPKO or National fishermen Forum, so that they can exert pressure on the government in support of the issues of target groups. Around 20 NGOs functioning in Anantapur district have come under the umbrella of VANA, which mobilises its funds mainly from EZE, West Germany.
- d) Cuddapah District Pariyavarana Pariraksha Samiti (CPPS):- is a network of 14 NGOs formed in 1997 at Cuddapah, at the initiative of P.Siva Reddy, the Chief functionary of the Centre for Human Resources Development, an NGO-based at Cuddapah. Its objectives in-

clude Forest Conservation and aforestation under joint forest management programme.

- e) West Godavari District federation of voluntary Organisation (WEDFED): was formed in 1993 at the initiative of V.Prabhudas, the Chief functionary of Centre for Reconstruction through Social Action (CRESA) which is operating in West Godavari. It has 17 NGOs under its fold.
- f) Andhra Pradesh Rashtra Vyvasaya Cooleela Samakhya (AP State Agricultural Workers Federation):- was formed at Chittor, in March, 1989, mainly at the instance of Young India Project (YIP), an Anantapur-based NGO and 'Sakshi' another NGO of Chittoor district. The primary objective of this samakhya is to fight for legislation on right to work and to unite the agricultural workers in the state. The long-term goal is to float an apolitical organisation of agricultural workers at national level. The Samakhya, which has its units in 13 out of 23 districts with around 55 NGOs as members, also take keen interest on dalit issues and extend support for the campaigns and struggles by dalit-bodies such as AP Dalit Mahasabha, Dalit Porata Samiti etc.
- g) "The Southern Collective" :- it is a net-working of various NGOs, initiated by Narendra Singh Bedi of Young India Project (YIP) Anantapur. There are around 70 NGOs from Southern States and West Bengal under this network, which works for the formation of a broad-platform of NGOs at national level. It maintains links with National Network of Employment Guarantee Assurance (NNEGA), formed by Citizens for Democracy, Bndhu Mukthi Morcha etc.

The other concepts like 'Social-watch for Andhra Pradesh", which is an effort to work out better co-ordination and co-operation among NGOs and Civil-Liberties movements, have also started emerging in the NGO-movement in the state. The idea of 'Social -watch' which was originated from the Coppenhagen Social- Summit (March 1995)

attended by 118 heads of States/government and around 2000 NGOs, has been transplanted to India, at the instance of the Voluntary Action Network of India (VANI) whose endeavour is to float state level 'Social-watch groups' as prelude to a national level body, to monitor the theme of 'Development with social justice'. The Social-watch for Andhra, which came into existance during May, 98 in a representative meeting of NGOs and Civil Liberties groups, have identified a number of areas/ issues for intervention/campaings. They include

- a) state policies/programmes such as poverty alleviation, health care, public distribution, primary education, public-transport etc and their implications/impact over the poor.
- b) poverty combatting, capacitiating of the poor, peoples movements, NGOs, development cooperation agencies, paradigm shifts in development intervention policies and institutions, civil society and NGOs.
- c) resistance movements from the poor, issues like patriarchy, the gender-justice, atrocities on women etc. vis-a-vis the response of the state, media and civil society on such issues
- d) human rights, democratiation processes, state violence particularly issues such as Social Movements by dalits, backward communities and minorities, environment, development and displacement of poor.
- e) casteism, social discrimination, communalism, religious fundamentalism, criminalisation of politics, indigenous people/ their culture and right to identity.

One significant outcome of this new move is the joint campaigns by NGOs and Civil Liberties Movements, particularly Andhra pradesh Civil Liberties Committee (APCLC) which hitherto, was generally keeping aloof from the activities of conventional NGOs. The crucial question is how far the NGOs can influence APCLC, especially its pro-PWG stance, which is not endorsed by the majority of NGOs in the state?

The 'economics of NGOs' which largely depends on foreign donor agencies, influences its prioritisation and targets almost in line with the directions of the donors. Thus, the issues like empowerment of dalits, women and rural poor, protection of human-rights of tribals/dalits, children and fishermen, rural development and the protection of environment, which are in the agenda of major foreign funding agencies like EZE, West Germany, BILANCE, Netherlands, OXFAM, England, Bread for the World, etc. are getting priority in the activities and campaigns of the majority of NGOs in the state. Some leading NGOs, which have concentrated activities in these areas are 1) Creative Action for Rural Development (CARD), Pedakani, Guntur district 2) Dalit Action and Research Centre (DARC) Chittoor district 3)LAYA, Visakhapatnam 4) Society for National Integration through Rural Development (SNIRD), Ongole, Prakasam district 5) St. Xaviers Society, Ongole, Prakasam district 6) Rural Integrated Development Educational Society (RIDES) Gooty, Anantapur district 7) Centre for World Solidarity (CWS), Taranaka, Hyderabad 8) Society for Integrated Development in urban and Rural Areas (SIDUR), Hyderabad 9) Action for Welfare and Awakening in Rural Environment (AWARE), Hyderabad and 10)SAKTHI, East Godavari district. By actively involving in the issues of dalits/tribals, fishermen, rural agricultural workers etc. these NGOs could build up much influence in these target- groups. Though some overambitious NGOs like AWARE, tried to capitalise the good will/influence of these sections to fulfil political aspirations by floating their own parties (eg. Sama Samaj Party of AWARE) and contesting in the elections, all such efforts could not meet with any major success.

The inflow of foreign funds to NGOs in Andhra Pradesh, according to the rough estimates is to the tune of Rs.100 to 150 crores per annum. The major foreign donors include 1) Evangelische Zentralstelle Fur Entwick- Lungshilfe (EZE), Germany, 2) Humanistic Institute for Development Corporation with Developing Countries (HIVOS), Holland, 3) BILANCE, Netherlands, 4) ICCO, Holland etc which are funding NGOs directly. Clubs formed in Western countries are also a source of funding. A new concept of NGO-funding has emerged in the West, particularly in USA, Canada etc, where the expatriates from India, who have settled there raise a consortium of funds to support the NGOs. Besides , a number of voluntary Organisations have been receiving indigenous funds from agencies such as CAPART and other Central and State Welfare departments like DRDA for rural and women- welfare oriented programmes. (The details of major NGOs and the main target areas and foreign donor agencies are furnished in Annexure - A).

CHAPTER 3

RESEARCH DESIGN

This chapter deals with the Research design, which includes the need and importance of the study, objectives and hypotheses, sample, data gathering instruments, procedural steps and the definition of key terms/concepts used in the research.

3.1. NEED AND IMPORTANCE OF STUDY :-

With the end of 'Cold-war' the subject of 'Human Rights' is perhaps the most powerful new addition to the international agenda of items, demanding the immediate implementation . However, the 'double standard' maintained by nations in respect of what they profess and practise in the case of human rights and the efforts of the affluent ;Northern governmetns' to use the concept as a potential weapon in pursuance of their global economic, strategic and military interests, especially in developing countries, created distressing humanrights scenario, in many countries. There is "discernable lack of commitment on the part of many governments either to protect human rights in their own countries or to act their protection at international level " (Theo Van Boven/Director of UN centre for Human Rights from 1977-1982). The Non-governmental Organisations (NGOs) and Civil Liberties groups, assume "a significant role to exert pressure upon national governments and Inter-governmental Organisations (IGOs) for the horizontal enforcement of these rights " (Professor Louis Henkin of Columbia University). Encouraged by United Nations and other International Human Rights bodies, NGOs through their fact- finding or information gathering and documentation (on human rights violations), open denunciation of human rights violations at international and national level, lobbying in

governmental and inter-governmental arenas and international solidarity and humanitarian relief, could contribute much in the protection and promotion of human rights. With all limitations and criticisms, Amnesty International is a living example to the above trend. Added to this, are the myriad of projects/programmes, campaigns and "action-oriented ventures" undertaken by large number of NGOs, in the socio-economic cultural arenas, especially in developing countries, targetting the marginalised sections who are the worst victims of human rights violations.

This brings us to the Indian scenario, in which poverty, unemployment, undernourishment, illiteracy, lack of drinking water and health facilities, deprivation and inequalities, have created serious stress and strains in our social and economic fabric. Think of a nation with hundreds of millions denied of basic minimums of life; 70-100 million children outside the schools, 30 million persons without shelter and over 40 million unemployed and more than half of its 1000 million population illiterate. It is almost a herculean task for any democratic government to resolve these himalayan issues even in 21st century. 50 years of our experiment- economic planningand development, rural upliftment schemes, poverty alleviation and employment generation programmes and social- justice and welfaredemonstrate this cardinal truth. The "penalties of discrimination and deprivation will catch up with all of us" (Amartya Sen). In fact, this has already caught us in many fields. Terrorism, insurgency, political extremism and violent regional movements have come up in many areas, with socio-economic issues as the inspiring force for such struggles. Many parts of country in the North East, J&K, Andhra Pradesh etc are ungovernable. Dogged battles are being waged in many areas by marginalised sections for land, water and forest resources. Correspondingly, there is increasing incidence of the

negation or violation of human rights, especially of the rural poor and weaker sections.

Andhra Pradesh, leaves a unique picutre on above lines. Political extremism, perpetrated by left-wing extremist groups, has affected the entire Telengana and adjoining districts, in which the people, particularly the tribals and rural poor are sandwiched between the extremists and the forces fighting against extremism. Large segments of the tribals are a deprived lot with issues such as the alienation of their land, lack of development and neo-cultural invasion. The conditions of rural poor are equally distressing. Unsettled land issues (on title deeds), lack of irrigation facilities, erratic power-supply, the 'debt-trap' laid by money-lenders and the absence of effective marketing mechanisms, add to their miseries. The recent tragedy (1997-98) of the suicide of Cotton growers in many districts, was the culmination of these factors. Side by side, the remanants of feudalist tendencies still exist in rural areas, in the form of bonded and child labour, untouchability, exploitation of women etc. The above social and economic milieu of the state, has given the birth of civil liberties movements and Non-governmental organisations, which during the last one decade, are actively involved in the intricate and complex issues such as "state-violence" human-rights and the protection and promotion of the rights of weaker sections. The study is intended to unfold the above issues and reach conclusions/findings on the exact role that NGOs/Civil Liberties movements can play in the promotion of human rights, in a civil society, inflicted with stress and strains arising out of the conflict and interaction of diverse societal forces.

3.2. STATEMENT OF THE STUDY: THE STUDY WAS WORDED AS UNDER:

"The Role of Non-governmental Organisations (NGOs) and Civil Liberties Groups in the promotion of Human Rights" - A case study of Andhra Preadesh ".

3.3. OBJECTIVES OF THE STUDY :-

The main objectives of the study were:

- a) to examine the extent of success attained by NGOs/Civil Liberties groups, in the promotion of human rights, through their campaigns activities and programmes.
- b) to study the projects/programmes of selected NGOs/Civil Liberties organisations, with a view to assessing their impact in the Human Rights field.
- c) to arrive at conclusions on the future role that NGOs/Civil Liberties Groups can play in the promotion of human rights.

3.4 HYPOTHESES

Following hypotheses were formulated:

- (1) The NGOs/Civil Liberties groups- through their campaigns and activities had promoted the concept of human rights in various cross-sections of the society.
 - (2) The activities of NGOs had accelerated the process of socio-economic changes in many sectors with a corresponding fillip to the growth of human-right concept.

3.5 SAMPLE

1) From the initial pilot study conducted, it was found that the subject of Research was not a very familiar one for ordinary members

of the society and they were not capable of giving sufficient data or critical evaluation of the role of NGOs/Civil Liberties groups in promoting human rights. Thus, it was decided to collect the data from knowledgeable people, for which the researcher adopted the "decisional" and "reputational" approaches often used in community-research studies, with some modifications (The decisional approach that had been tried by Palsby, Dahl and some other researchers made use of empirical determination of actual decisions and persons, who were involved in taking such decisions. The "reputational approach, the most popular in community-based studies, was made use of by Floyd Hunter in his study of "Regional City). A list of persons, having knowledge about the subject, had been prepared and 103 were selected as sample, as follows:

NGO/Civil Liberties groups functionaries - 36
Persons from Judiciary- 15
Bureaucrats/Ex-bureaucrats-14
Academicians- 12

Journalists/Mediamen - 8 Police Officers- 18

- 2) 70 prominent personalities from Andhra Pradesh and other states, who were connected with Human Rights movement/inter- related fields, had been selected as samples for interview (Detailed interviews incorporated in Chapter 8)
- 3) 100 police men/police officers of the rank of Constable/head Constables, SI/CI, DSP/SPs from different districts of Andhra.
- 4) 200 Members of public from different districts of Andhra, in order to ascertain the public awareness about human rights and NGOs.

3.6. DATA GATHERING INSTRUMENTS

The questionnaire / opinionnaire and interview schedule were prepared on the basis of the knowledge gathered from the study of literature and the insights from the pilot study. The following tools were applied for data collection.

3.6.1. Opionionnaire on the role of NGOs in promoting Human Rights: -

It was prepared on a 'Likert Model' 5 point scale marked 'Fully', 'To a considerable extent', 'To some extent', 'To a little extent' and 'Not at all'. Each point was given a weightage 5 to 1. Two open ended questions were also framed - one pertaining to the suggestions for improving the effectiveness of NGOs in the human rights field and the other on the proposals for better understanding between NGOs and police in order to protect and promote these rights (Copy enclosed -Appendix 'B')

3.6.2. Opinionnaire for cliciting views of police personnel on NGOs- contributions to human rights:

This opinionnaire had 3 parts:

- Part A: Abbrevations of 4 major NGOs, for their expansion by samples along with a question on the 3 major campaign/activities by APCLC, an organisation taken up for case study.
- Part B:- 'Likert Model' 5 point-scale opinionnaire, marked 'Strongly agree', 'Agree', 'Undecided', 'Disagree' and 'Strongly disagree', with each point given a weightage ranging from 5 to 1.
- Part C:- An open-ended question, eliciting suggestions from the sample to improve the relations between the police and NGOs (Copy enclosed Annexure 'C')

3.6.3. Opinionnaire for the general public, on the contributions of NGOs in promoting Human Rights:-

'Likert' model 3 point scale questionnaire, with an open-ended question on the suggestions (of samples) to improve the human rights scenario in the country (copy enclosed Annexure 'D')

3.6.4. Observation schedule for NGOs/Civil Liberties Groups, with a self assessment opinionnaire (Likert model-5 point scale) in order to collect detailed data on the NGOs/Civil Liberties Groups, as part of case studies (Copy enclosed as Annexure 'E')

3.7. PROCEDURAL STEPS OF THE STUDY

The Research data had been collected through historical and empirical methods. The study of literature, comprising books, documents, journals, pamphlets, Annual reports of NGOs, and other publications, enabled to collect useful data on conceptual, legal framework of Human Rights/NGOs, as well as the statistical profile of NGOs/Civil Liberties Organisations in Andhra Pradesh. The different samples, selected for data-gathering were personally contacted and the personal interview provided deeper and more detailed information on the subject of study. The case study of Civil Liberties Groups/ NGOs- one each from Civil Liberties front, women, dalit, Tribal, rural poor and minorities fields, provided ample opportunity for the researcher to gather additional data on the subject through interaction with their functionaries. Similarly, the interview with prominent personalities, helped to add more flesh and blood to the required empirical data.

3.8. DELIMITATION OF THE STUDY

The study was mainly focused in the state of Andhra Pradesh, but the conceptual, legal and inter- related aspects of the growth and consolidation of Human Rights. NGOs and Civil Liberties movements, were examined in a larger canvass, as these concepts now transcend beyond national boundaries. Further, many of the human rights groups and NGOs, were guided by their foreign donors and as such the latters influence reflect in the policies and programmes of these organisations. These aspects had been taken into account during the study. Above all, the entire concept of human rights vis-avis the role of NGOs in promoting these rights, had been studied in the broad spectrum of these rights covering civil, political, social, economic and cultural rights.

3.9. DEFINITIONS OF KEY-TERMS :-

A) Non-Governmental Organisations(NGOs): Currently there are two approaches to defining NGOs- one broad and other narrow. As per broad definition "every organisation in society which is not part of government and which operates in civil society is a Non- governmental organisation (NGO)". Thus, this includes such organisations like political groups, labour and trade unions, religious bodies and institutions, sports-clubs, arts and cultural societies, trade associations, chambers of commerce professional associations etc. While the broad definition is based on semantic correctness, it is problematic as it embraces a huge number and variety of diverse organisations. For the present study, the narrow definition on NGO was applied. Accordingly, "NGOs are those organisations, which are not serving the self-interests of members but are concerned in oneway or another with disadvantage and / or the disadvantaged, or with concerns and issues, which are detrimental to the well-being, circumstances or prospects of people or society as a whole." Terms such as "voluntary organisation", "private voluntary organisation" or the American terms "non-profit organisation" or "not for profit organisation" etc have also been used for NGOs.

At international level, the concept of "Human-Rights NGOs" has been developed in late 70s when a set of NGOs or Inter-governmental Organisation (IGOs), through better case-studies ofhuman-Rights issues, could confront the abusive governments which tried to play down such issues. "A Human-Rights NGO is one established specifically to do human-rights work." Amnesty International, Human Rights Internet (HRI) Canada, Indo-American Institute for Human Rights in Costa Rica, Peoples Union for Civil Liberties (PUCL) India, etc are described as such NGOS.

B) Civil Liberties: "Civil Liberty is said to consist of physical freedom from injury or threat to life, health and movement of body, intellectual freedom for the expression of thought and belief and the practical freedom for the play of will and the exercise of choice in the general field of contractual action and relations with other persons "(Our Fundamental Rights- Their Nature and Extent by Shri D.N.Banerjee).

Professor Ernest Barker identifies three key elements in Civil liberty viz a) personal security not only of life and health but also of reputation b)Personal freedom especially of movement and personal property and c) Free use, enjoyment and disposal of all acquisitions (Principles of Social and Political theory).

C) "Human Rights": The definition and interpretation of Human Rights vary from nation to nation. The United States defined the Human Rights in a policy document in 1978 as; " Freedom from arbitary arrest and imprisonment, torture, unfair trial, cruel and unusual punishment and invasion of privacy. Right to food, shelter, health care and education, freedom of thought, speech, assembly, religion, press, movement and participation in government."

In India, "The Protection of Human Rights Act 1993", defined Human Rights as " The rights relating to liberty, equality and the dignity

of the individual guaranteed by Indian Constitution and embodied in the Fundamental rights and International Covenants " . These covenants mainly include :

- a) The International Covenant on Civil and Political Rights (1966)
- b) The International Covenant of Economic, Social and Cultural Rights (1966).

<u>D)" Marginalised Sections</u>":- "The communities or groups on whom day to day Human Rights violations take place or are denied of due rights and privileges as enshrined in our Constitution and other legislations". From the point of view our research, they include:

- a) Predominantly living in rural areas and urban slums, selling their labour and agriculture and unorganised.
- b) Predominantly landless and asssetless characterised by lack of house site in urban areas and land holdings in rural areas.
- c) Illiterate, semi-literate whose skill and knowledge are not recognised as marketable commodities in the capital market.
- d) Indebted for lack of any fall back mechanisms and often reduced to the status of bonded labour and having to employ their children as child-labourers.
- e) The victims of development paradigms and displacement.
- f) Victims of atrocities, excesses, exploitation.
- g). Under-trial prisoners and others who are denied of basic rights.

h) Socially untouchables and religiously polluting with no scope to get above the 'ghetto' situation.

E) 'Third degree methods: "The illegal use of force or threat by police in extracting confession from the suspect /accused, during investigation or compelling him or her to disclose facts bearing on investigation".

The Constitution of India (Article 21 and 20(3) CrPc(Section 163), IPC(Sections 330,348,376(2),Indian Police Act

(Section 29) Indian Evidence Act (Section 27) and International Instruments viz Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, The Declaration on the Protection of all persons from being subjected to Torture and other Cruel Inhuman or Degrading Treatment or Punishment, UN Declaration on all forms of Racial Discrimination, the International Convention on the Elimination of all forms of Racial Discrimination, The International Convention on the Suppression and Punishment of the Crime of Apartheid, The Convention on the prevention and punishment of the crime of Genocide, the Standard minimum Rules for the Treatment of Prisoners and Vienna Convention on Consular Relations, prohibit in uncertain terms, the use of "third degree" or "custodial- violence " by law enforcement officials.

F) "Custodial death": Neither procedural nor substantive acts give definition of custody "Custodial death" generally includes the death of a person in police custody". However, David Byle has interpreted that the definition should include:

a) All cases where a person dies of whatever cause while in plice custody, whether or not the custody is lawful and regardless of the actual location of death.

- b) It should also include cases where the deceased was out of custody, at the time of death, where the death may have resulted from injuries sustained during the period of custody.
- c) Where a person dies, having escaped from police custody.

G) "Encounter-Killings": The extra-legal killings or the obnoxibus practice of killing persons belonging to political groups, sympathisers or others, by branding them as extremists, terrorists or mafia-men by police or security forces, under the guise of confrontation or encounter."

In UN parlance, it means "extra-judicial execution". The UN and International Community in the beginning of 1980s drafted "The Principles on the Effective Prevention and Investigation of Extra-legal and Arbitary and summary Executions", which was endorsed by UN General Assembly in December, 1989. To supplement the principles, the Minnesota Lawyers International Human Rights Committee, prepared a manuel in 1991 for thorough, prompt and impartial investigation of all suspected cases of extra-legal, arbitrary and summary executions. The principles have not been adopted so far by many countries including India.

CHAPTER 4

CASE STUDIES - NGOs ROLE IN THE PROMOTION OF HUMAN RIGHTS IN ANDHRA PRADESH

In this chapter, detailed case studies of 6 organisations- one each from Civil Liberties Front (APCLC), rural poor/tribal (AWARE), Women (ASMITA), dalit (SIDUR) Tribal (LAYA) and urban slums / minorities (COVA), have been undertaken in order to bring out their activities and extent of contributions in promoting human rights among the target-groups.

4.1. Andhra Pradesh Civil Liberties Committee (APCLC)

Andhra Pradesh Civil Liberties Committee (APCLC) took birth in 1973, mainly as a pro-left extremist Civil Rights movement espousing

History & Organisational structure the cause of Maoist Communist revolutionaries in the state. A year and half after its birth, APCLC was immobilised by the Emergency regime, which arrested its first General secretary, P.Venkatesweralu, a High Court lawyer and many other activists. The organisation regrouped

itself after the lifting of National Emergency and held its first annual conference at Warangal in 1978, when K.G.Kannabiran, senior Advocate of Andhra Pradesh High Court, was elected as its President. He continued in this post till 1993, when he became the All India President of Peoples Union for Civil Liberties (PUCL), a national level civil liberties organisation. The present state office bearers of APCLC (elected Sept,98) are as follows.

President M. Ratnamala (Ex PWG Women activist/Mehaboobnagar) Freelance Journalist, 302 Megha Apts, Nallakunta, Hyderabad. Roja Rao Vice President 1) 2) G. Lakshman Adv.S.Subhash Chandra Bose 3) (Vijayawada) General Secretary Prof S.Seshaiah, SKD University, Anantapur... G.Mohan Rao It.Secretaries 1) (Advocate/Nizamabad) B.Chitti Babu 2) G. Venkata Rao 3) Kranti Chaitanya

Treasurer - G.Ravi

Executive Members - 1) M.T.Khon (Puranapul/Hyderabad)

Ex President - 2) Prof.G.Hargopal (Central University/Hyderabad)

APCLC, has well-established organisational set-up in all the 23 districts of Andhra Pradesh. And majority of the office bearers at district level are Lawyers, Teachers, Writers, Journalists or intelligentia.

As per APCLC constitution, the organisation stands to protect the Constitutional and other legal rights of citizens, particularly the poor,

Organisational Mission, Values &Targets dalits, the tribals and women and to safeguard democratic norms, values and principles in the administration as well as in the social, political and economic life of the society. At practical plane, the organisation launches campaigns and activities on issues such as police-excesses against the left-wing extremist activists, particularly Peoples War Group (PWG). Thus, one major criticism against APCLC is that it functions as an appendage of PWG and is more concerned with the violation of civil and human rights of the cadres belonging to that outfit (PWG).

Geographically, APCLC operates in all the 23 districts of Andhra Pradesh and their activities are more concentrated in Telangana dis-

Major areas of operation (geographic and functional)

tricts, where PWG has strong -bases. At functional level, the initial endeavour was to fight for the protection of Civil Rights. Subsequently, it has broadened its activities and now the outfit undertakes a wide spectrum of campaign and activities like 1)fact

finding Mission on Police excesses/atrocities, particularly against left wing extremists, dalits etc. 2) Dalit issues such as untouchability, atrocities by caste Hindus 3) Violence against women such as rape, molestation, dowry-deaths & other atrocities. 4) Child and bonded labour 5)Suppression of workers' rights like denial of minimum wages 6) discremination in development, particularly the economic backwardness of Telangana 7) Environmental issues like pollution from Cement Factories etc.

APCLC's activities are mainly in the form of a Fact Finding Mission (FFM) on all Encounter-killings, police atrocities and other human-rights violations by police or other agencies and better documentation of the findings b) Petitioning the administration on such issues c) Publication of literature d) Conduct of public meeting and other peaceful mass activity e) Filing cases in courts of law on Civil Rights issues f) Presenting evidence before Enquiry Commissions or other bodies such as National Human Rights Commission (NHRC) etc.

Since its inception in 1973, APCLC's entire resources and energy, have been utilised on the main theme of fighting for the civil and

human rights of left-wing extremist cadres/their sympathisers and affected people, especially in Telengana districts of Andhra Pradesh. In that process, it vociferously opposed all forms of 'state violence' or the vio-

lations of law, but showed reservations to

Significant Projectlactivity in the direction of promoting human rights and notable achievements

denounce the 'violence by revolutionary groups' on the ground that the "violation of laws by the state is of greater threat to democracy and democratic values than private violence". The major activities, undertaken by APCLC/its leaders in the direction of protecting and promoting human/civil rights are chronicled below:

1)APCLC, along with Organisation for the Protection of Democratic Rights (OPDR) played a crucial role for the appointment of V.M.Tharkundae Committee in 1977, in order to probe into the alleged 'encounter killings of 77 citizens in Andhra, during the period of National Emergency. Apart from Tharkundae, the other members of the Committee were 1) Naba Kurushna Chowdhury (Angal/Orissa) 2) M.V.Ramamurthi (Hyderabad) 3)Kaloji Narayana Rao (Warangal) 4) B.G.Verghese (Delhi) 5)Balwant Reddy (Hyderabad) 6) K. Pratap Reddy (Hyderabad) and 7)K.G.Kannabiran (Hyderabad).Based on the findings of Tharkundae Committee, the Central Govt, appointed Bhargava Commission, after the Emergency in June 1977 to investigate into the deaths of Naxalites during 1968-77. However, the Commission could not complete its work due to the non-cooperation of the state govt and non-extension of its term in 1978.

2) Fact-finding Mission and campaigns on the suppression of Civil Rights in Karim Nagar district (1978). It mainly dealt with a) attack

by land lords b) attack by goondas c)police-excesses etc against rural peasants and activists.

- 3) Panditapuram incidents in Khammam district, in which small-scale farmers belonging to backward castes were denied of irrigation facilities by local landlords (1979).
- 4) Police excesses and suppression of Civil Rights in Karim Nagar district (1979).
- 5) Campaign connected with police-firing on workers of Coromandel Agro Products and Oil Ltd, Chirala, Prakasam District (1979)
- 6) Police action against students in Lal Bahadur College, Warangal (1979).
- 7) Police firing on Harijans at Sircilla, Karminagar district (1980).
- 8) Campaigns against the exploitation and repression of rural poor/peasants/dalits in Karim Nagar district (1980).
- 9) Fact Finding Mission and documentation on police firing on Gonds (Tribals) in Indravelli, Adilabad district, in which 13 persons were killed (1981).
- 10) Campaign/public rally against Liquor Contractor at Warangal (1981).
- 11) Taking up the issues of workers in the Pratap Steel Rolling Mills Ltd, Patancherru, Hyderabad (1981).
- 12) Fact Finding Mission and documentation of Encounter Killings at Suryapet, Nalgonds district (1981).
- 13) Campaign against National Security Act (NSA) in Godavarikhani Collieries, Karimnagar district (1981).
- 14) Probe into "Encounter Killings" at Madapuram, Daroor and Peddapalli in Karimnagar district (1982)

- 15) Bonded Labour and exploitation of weaving-labourers of Narayanpet, Mahaboobnagar District (1982).
- 16) Campaigns against police excesses/atrocities in Tekulagudem and Battupally villages, Mulugu Taluk and Bhongir Taluk in Warangal district (1982).
- 17) Campaign against the atrocities of Arrack contractors on dalits in Wardhomnapet and Narsampet Taluks in Warangal district (1982).
- 18) Public rally against police harassment of voters in Sircilla Constituency, Karimnagar district (1982).
- 19) Police excesses against poor peasants of Pisra Village in Warangal district (1982).
- 20) Protest campaigns against the killing of Rama Rao (farm labourer) of Pisara, Warangal district by land lords (1982).
- 21) Killing of Bhupathi Reddy of Konaraopet, Karimnagar district by the relatives of village patwari and police collusion with the culprits (1982).
- 22) "Encounter- Killing" of Mamidala Haribushan, Warangal district and joint campaigns by APCLC and other bodies (1983).
- 23) Documentation and dessemination of the instances of the repression on the rural poor in Andhra Pradesh (Nov 83)
- 24) Campaign on the repression on the people of Rampur and Unikicherla villages of Ghanpur Taluk, Warangal district (1983).
- 25) Public campaign against the rape of Parvathamma of Vikarabad, Ranga Reddy district by police (1983).
- 26) Campaign on the molestation of in-patient of Hanumakonda Maternity Hospital Warangal Dist by watchman (1983).

- 27) Encounter killing of Palle Kanakaiah of Pinnaram Village, Adilabad district (1983).
- 28) Campaigns connected with 'encounter-killing' of Tribal 'Atran Ashok' in Ratnapur village, Adilabad district (1983).
- 29) Public campaigns against police atrocities in Gurrampetta and Nallagunta villages, Ghanpur ,Warangal district (1983).
- 30) Joint Fact Finding Committee Report of APCLC, CPDR (Bombay), APDR (West Bengal), OCDR (Tamil Nadu), CPDR (Nagpur) and PUDR (Delhi) on the repression of Tribal poor in Warangal, Karimnagar and Khamman districts (1983). The major findings of the Committee included a) the landless and poor peasants in the villages are in struggle for their legitimate demands like the implementation of Minimum Wages Act distribution of public land to landless etc. b) the collusion of police with well-to-do sections of the village and converting social and economic conflicts into the so called law and order problems c) Suppression of the rural poor, through illegal means such as illegal detention, torture in police custody, foisting of serious and false cases, raiding of houses etc. d) Restrictions on the movement of journalists and civil rights activists in the villages.
- 31) Fact Finding Committee report on the police atrocities on tribals of East Godavari District (1983).
- 32) Fact Finding Committee Report and campaigns against thekilling of Amru by CRPF at Madhavpur forest, Karimnagar district (1984).
- 33) Campaign against police excesses in Warangal district (1984).
- 34) Complaint No.1957 of 1984, filed by APCLC, before 'Lok Ayukta' Andhra Pradesh, in respect of the excesses and atrocities by police in Warangal district. In the affidavit, the organisation, highlighted the issues of civil/human rights violations such as prolonged illegal detention of rural peasants, torture of arrested persons at public

places, ban on all democratic activities etc (1984). The legal and constitutional implications of the issue, had been highlighted by APCLC as follows; "The violence, committed by police is not confined to one police officer, nor is it a sporadic occurance. It is a systematic campaign that is sanctioned by the government and is being implemented at its behest by police officers. It is not an activity that can be attributed to sadism or inhumanity of any individual police officer, but a matter of policy decided upon by the state government and implemented at its behest by the district police officials of the state and district. These officials are all appointed under the Constitution. They are all subjected to the oath of office by which their allegiance to Constitution is secured. Persons, who are entrusted with power under the Constitution must act in accordance with the Constitution. Otherwise, they have no right to continue in the position. Whatever justification they provide for their actions must be judged by the Constitution and not by any considerations beyond it".

35) APCLC continued its legal battles for the protection of Civil democratic and human rights in 1980s and 90s. It filed a writ-petition in the Supreme Court in 1982 requesting that the court set-up an independent body to investigate 'encounter-killings' between 1980 and 1981. Over the next 4 years, the Committee approached the Supreme Court with fresh affidavits concerning further encounter-killings. The Court admitted the petition in Sept 1985, but threw it out in April 89, along with other two petitions on the alleged extrajudicial executions in Tamil Nadu and Uttar Pradesh. The apex court gave a remarkable piece of advice, "aggrieved parties, if any, should file private complaints before the local magistrates against police". In 1989, the Supreme Court, further advised APCLC, to submit a memorandum to the state of Andhra Pradesh and directed the government to report to the Court, about the action taken. Pursuant to the Supreme Court's order, the APCLC submitted a detailed list of

all the encounter-killings in Andhra Pradesh, after the lifting of Emergency. Extensive documentation, in the form of Fact Finding Committee reports, has been made by APCLC in respect of such killings. In one such report, (Encounter killings- Post Emergency Period), it highlighted that from March 1977 to Sept 1980, the police establishment in Andhra Pradesh gave a 'respite' to encounter-killings, because of the nation- wide exposure of these killings by APCLC, OPDR and other Civil rights groups, immediately after the Emergency and the institution of the Bhargava Commission.

36) During the period 1983-85, APCLC has investigated about 30 cases of human -civil rights violations and published its findings, submitted a number of memoranda to the authorities at various levels, ranging from local police officials to the Chief Minister, issued countless press statements and its lawyers defended a number of people implicated in various cases from magistrate courts to the High Court. For effectively projecting human/civil rights issues, at national level, it co-operated with other civil-rights groups such as Peoples Union for Democratic Rights (PUDR) Delhi etc. And proper documentation has been made in respect of 25 persons who were killed in police action, during the first 20 weeks of 1985.

37). APCLC took an active interest in the protection of the rights and privileges of dalits, who are the victims of the violations of basic rights. Apart from mobilising tribals and involving them in struggles for the attainment of minimum wages, ending social evils like untouchability and the possession of tribal-land, APCLC's Fact Finding Committees, made extensive documentation on the organised atrocities against dalits, either by the upper-caste groups or by the police. First of such report was on "Karamchedu Carnage" (Prakasm District) on July 17, '85 in which six dalit youth were murdered and three women raped in mass assault by forward castes. Another major attack on dalits was the burning down of 638 houses in 46 hamlets

in the Chintapally Agency Area of Visakhapatnam district during March and May 1987, by AP State police in the name of protecting the forest from shifting cultivation. A Tribunal, consisting of Justice T.Chandrasekhara Menon (of Kerala High Court) and Justice Jyotirmayee Nag (Former Judge, Calcutta High Court) which conducted a probe into the incident, on behalf of Indian Peoples Human Rights Commission (IPHRC), Bombay, highlighted in unambiguous terms that the tribal/Forest policy of AP Govt, should be changed in such way to protect the social, political economic and cultural interests of the tribals. In the entire proceedings of the Commission, APCLC played a major role. An APCLC team consisting of Dr.K.Balagopal (General Secretary) and some others had toured the Agency areas and recorded about 225 statements from the alleged victims of the arson and taken about 50 photographs of the remains of the burned houses. On their efforts, 46 tribals had come to dispose before the Tribunal. Besides, Prof.D.Narasimha Reddy and Prof.Hargopal (of Central University, Hyderabad) actively associated with APCLC, gave very cogent evidence in respect of the socio-economic and political background to the problems of the tribals, whereas K.G.Kannabiran (then President of APCLC), placed a written note before the Tribunal, highlighting that police action amounted to gross violation of human-rights of tribals. Similarly, APCLC, through its Fact Finding Committee, brought out the details of "Chundur carnage" at Chundur (Guntur district) in August, 1991, in which 13 dalits were killed in mass assault by forward caste men in six villages. The Chunder massacre, which is the result of various socio-economic factors and a sign of the resurgence of dalits and the upper caste resistence, reflects the complex social-spectrum of the rural Andhra society. APCLC, in its effort to focus the dalit issues in the state, has documented the major incidents of attack on dalits in Andhra Pradesh, from Karamchedu (July 85) to Chundur (Aug 91). According to this statistics, there were 27 incidents, in which 51 dalits were

killed, 4 women were raped and more than 360 of their huts were set on fire. Prakasam district accounted for the largest number of such incidents, followed by Guntur and Krishna districts.

38) The Fact Finding Committees of APCLC, documented 42 cases of Encounter-killings in 1988, 45 cases in 1989 and 75 cases in 1991. During 1991, a joint Fact Finding Committee comprising the representatives of APCLC, Committee for the Protection of Democratic Rights (CPDR) Bombay, Peoples Union for Democratic Rights (PUDR) Delhi and Organisation for Civil and Democratic Rights (OCDR) Tamil Nadu, investigated sample of encounter killings in 5 districts (Adilabad, Nizamabad, Karimnagar, Warangal, Khammam). In their report, they highlighted that out of the 20 'encounter-killings' which they had probed, only six of the victims were underground activists and the remaining 14 were tribal/rural youth or labourers. There were gross violations of civil and human-rights and one'disturbing aspect was the massive deployment of special squads like STF and SSF as well as para-military forces like CRPF. BSF,ITBP etc. These forces, particularly PMFs, which were ignorant of local conditions, language and customs of villagers, behaved arbitarily much to the discomfiture of local population. The joint Fact Finding Committee, demanded the arrest and prosecution of policemen involved in encounter-killing, Judicial enquiry into all such incidents, compensation of atleast Rs.1 lakh to the families of the victims and the withdrawal of paramilitary forces, from the districts.

39) Another area of concern of APCLC, from human rights angle, was the exploitation of women and violence against them. In Oct,89, Visakhapattbam District unit of APCLC, conducted Fact Finding Mission on the dowry-deaths in Visakhapattnam City and adjoining areas of the district. This was followed by another study on the incidence of dowry-deaths and domestic harassment of women in 16 police stations of Visakhapattnam during the period 1989-90. The

above study revealed that 31 cases of deaths of married women due to dowry demand or some other form of harassment had been registered in 1989-90 in Visakhapattnam City, whereas 104 cases of harassment of women were registered during the same period in the city. The overwhelming majority of women who had either died or were being ill-treated, were young, had very little schooling and mostly house-wives. The findings of the Committee is that dowry related issues are one of the major areas of human-rights violations in the state. In many such cases, APCLC and women organisations like 'Sree-sakthi', Progressive Organisation For Women (POW) etc.could make an effective and combined intervention. However, the depressing regularity with which such offences are occurring make it difficult for APCLC, with limited resources, to make sustained follow-up.

40) The most significant contribution of APCLC in the direction of protecting and promoting human/civil rights, was the legal battles conducted by it in the apex courts and High Courts on issues of human- civil rights, particularly the police excesses and atrocities like 'encounter killings' and 'disappearance' of persons from police custody. It also liberally used the 'democratic space' of National Human Rights Commission, in order to pursue such cases vigorously. 'K.G.Kannabiran, the founder member of APCLC, thus elicited a landmark judgement from Andhra Pradesh High Court on an oral presentation, in connection with the killing of T.Madusudan Raj Yadav (State Secretary of the CPML/Chandra Pulla Reddy- Phani Bagchi group) in an alleged encounter with the police at Ashok Nagar, Hyderabad on the night of July 26,1995. A division Bench of the High Court, directed (Aug,1995) the CBI to investigate the killing and ruled that in every such case police must register a case of homicide death. It also directed the state government to cooperate with CBI in the investigation. Similarly, APCLC had filed a complaint

before National Human Rights Commission (NHRC) in March 1994 on 496 encounter-killings (in 285 incidents) in the state during 1991-1993. The complaint also highlighted that only 204 (41.1%) of the victims were Naxalite activists, but 210 of the victims (42.3%) were peasants, peasant youth and dalits. The other victims included rural and small town poor (30), students and unemployed youth (11), persons involved in crimes (8) others (33). Thus, around 60% of the victims, were no way connected with Naxalite activity, but were killed in 'extra-legal' actions by police. The Commission took up six cases, which had taken place within one year preceding the date of complaint. It considered the case finally on Nov 5, 1996 and decided to send the recommendations to the state government, seeking reply by December 6, 1996. These recommendations were:

- i) "As the information furnished to the police officers in charge of the respective police stations in each of these cases is sufficient to suspect the commission of a cognizable offence, immediate steps be taken to investigate the facts and circumstances leading to the death of the PWGs, in the light of the elucidation made in this order.
- ii) As the police themselves in the respective cases are involved in perpetrating encounter, it would be appropriate that the cases are made over to some other investigating agency-preferably the State CID. As a lot of time has already been lost, we recommend that the investigation be completed within four months from now. If the investigation results in prosecution, steps for speedy trial be taken. We hope compensation would be awarded in cases ending in conviction and sentence.
- iii) Deceased Shankariah (Case no.234 (3)/93-94/NHRC) admittedly was not involved in any pending criminal case nd ending his life through the process of alleged encounter

was totally unjustified. So far as he is concerned, we are of the view-learned Advocate General conceded that our view was right-that the state Government should immediately come forward to compensate his widow by payment of compensation of Rs.1 lakh as done in similar cases and the police involved in killing him should be subjected to investigation and trial depending upon the result of investigation.

iv) We commend to the state police to change their practice and sensitise everyone in the state to keep the legal position in view and modulate action accordingly. In case the practice continues notwithstanding what we have now said, the quantum of compensation has to be increased in future and stricter view of the situation has to be taken. Being aware of the fact that this practice has been in vogue for years and the people have remained oblivious of the situation, we are not contemplating the award of any interim compensation at this stage."

Consequent on the acceptance of the recommendations by Andhra Pradesh Govt, NHRC, on March 29, 1997has issued a letter to all Chief Ministers of the States to follow the guidelines in respect of the investigation of encounter-deaths' (See Annexure-F). Through this landmark direction, which is largely the outcome of APCLC's continued legal crusade for the protection of civil, democratic and human rights, a clear message has been given to the law-enforcing agencies in the country that they should uphold the 'due process of law', even while dealing with emergency situations like extremism or militancy. And NHRC, in its order, has rightly quoted Article 6 of the International Covenant on Civil and Political Rights which provides; "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitarily deprieved

of his life". Not only the human-civil rights activists in the country, but also the NGO representatives abroad, welcomed the direction of NHRC. Thus Ingeberg Hilding, Tranebergs, Strand 39, Amnesty Swedish Section, Stockholm, in a communication (June 17,1997) to the Chairman of NHRC, welcomed the intervention of NHRC covering the issue of extrajudicial executions in AP and its directions to AP Government, but also made a plea that steps may be initiated for the implementation of the directives by the Govt. And notably APCLC also followed up the implementation aspect. It has submitted another list of alleged encounters occured in the state between 6/11/96 and 30/4/97 to the Commission with the plea that the state govt. has not followed the guidelines, as laid down by the Commission and the compensation of Rs. 1 lakh awarded to the family of Varikkupala Sankaraiah, a victim of encounter-killing, has not been paid by the government. The Commission on 16/6/97, appointed Shri.Chaman Lal, the former DGP of Nagaland to conduct an enquiry as the special Rapporteur of the Commission on the question whether the procedures in the guidelines were applied and adopted in the cases of encounter-deaths. Thus, after a period of 15 months, since the issuance of guidelines by NHRC, the state govt has refered the 5 cases of encounter-killings (taken up by the Commission earlier) to state CID for investigation, whereas the payment of compensation to the family of Sankariah, has been defered. However, because of the continued follow-up action by APCLC leaders, NHRC during May 98, has ordered that payment of compensation, should be made within 4 weeks and investigation of encounter deaths, should be completed within 3 months. The non-implementation of the guidelines of NHRC, by the state governments or concerned parties, is one of the main bottlenecks on the functioning and effectiveness of NHRC. Bodies like APCLC feel that this can be overcome, only by making suitable amendments in the protection of

Human Rights Act,1993 and empowering the National Human Rights Commission, with more statutory powers.

41) Hostage taking /kidnapping are extreme forms of the violation of human rights. Such incidents do take place in areas affected by Terrorism or political extremism. APCLC leaders viz K.G. Kannabiran and Prof. Hargopal, intervened in two such major kidnapping incidents (by PWG) in Andhra Pradesh and succeeded in the release of kidnapped persons, without any blood-shed or violation of human-civil rights. The first one was the kidnapping of 8 top officials and 17/18 Junior staff of Andhra state govt. service at Guerthedu East Godavari district on 27 December, 1987. At the instance of Shri B.N. Yugandhar, the them Secretary for Industries, Andhra, Kannabiran intervened in the episode and managed the release of all the kidnapped officials, in exchange for the release of PWG undertrials in Rayalaseema jail. In the second incident, Kannabiran, along with Prf.Hargopal (of APCLC) was instrumental for the release of Balaraju, MLA, a tribal, Srinivasulu, IAS, Project officer and 4 other employees of Girrijan Co-operative Corporation, who were kidnapped at Koyyuru, during Feb,93.

As a Civil Liberties movement, APCLC, mainly covers the areas of civil-democratic-human rights, especially those sections and groups,

Major Target Groups,covered which are denied of these rights. Thus, they take-up the cases of a) political activists, particularly of left-wing extremist groups like PWG, whose civil and democratic rights have been negated through the ex-

cesses by police and other agencies b) rural landless peasants, who have been subjected to social and economic exploitation through bonded labourer by denying minimum wages etc c) dalits, who have been subjected to upper-caste atrocities and illegal social practices like untouchability d) women, who are the victims of dowry-

deaths, harassment in homes and atrocities like rape, molestation etc. e) backward sections, who are the victims of biased or lop-sided developmental scheme, especially of Telengana districts. f) people, who are the sufferers of environmental pollution or other ill-concerned policies and programmes of the governments at rural and urban areas.

'Swechha" (Telugu) monthly is its official organ, which is printed and published by M.Kodandarami Reddy (Political Science Depart-

Publications

ment of Osmania University). It has got approximate circulation 7000 and the circulation of copies is mainly through the district units of APCLC. The clientale mainly include the

sympathisers of left-wing extremist groups in the state. The aim of the publication is to create awareness among the masses on their civil and democratic rights and thereby to strengthen revolutionary and progressive ideas within the society.

Besides, APCLC also publishes a number of Fact Finding Committee (FFC) reports on the 'encounter-killings' 'police excesses', 'dalitatrocities' 'violence against women' etc in Telugu and English, in order to retain the revolutionary fervour of the masses. It also publishes such reports on human-civil rights issues outside the state, in cooperation with other civil-human rights groups. On 'Kashmir issue', three such reports have been brought out, the first report viz "Blood in the Valley; Kashmir behind the Propaganda Curtain", published in December,1995 jointly by APCLC, Committee for the Protection of Democratic Rights (CPDR) Bombay, documented in brief, the historical-political background of Kashmir problem and the alleged violence perpetrated by the Indian state. This was followed by another report viz "Voting at the point of a Gun Counter-Insurgency and the farce of elections in Kashmir" during July,1996. The

third report, captioned "Civil War and Uncivil Government "(Nov 1997) gave a detailed account of human rights violations in Kashmir.

Another area of activity of APCLC is the publication of books on Civil-Human Rights issues. During Jan,1998 it published "Digest on Human Rights " which was compiled by Adv.K.Sudarshan, President of the Mahaboobnagar Committee of APCLC. The main aim of the publication was to familiarise lay citizens of the judicial status of human-rights and to enlighten the professional lawyers on the latest legal pronouncements on the protection of human-rights etc. The book in question, mainly dealt with the legal position pertaining to human rights concerning 1) life and liberty 2) preventive detention 3) bail 4) custodial torture 5)custodial deaths and encounters 6) TADA 7) prisons and correctional institutions 8) handcuffs 9) women and children 10) dalits 11)environement and pollution 12) compensation 13) secularism 14) public interest litigation and legal aid etc. Significantly, APCLC has a set of intellectuals, who have excelled themselves in the field of literature, especially on civil human rights and dalit issues. They include Prof. Hargopal, Prof. D.Narasimha Reddy (Central University, Hyderabad), Prof.Kodandarami Reddy, Kancha Illaiah (Osmania University) Dr.Balagopal (Hyderabad) etc. Prof.Hargopal, for example, has published two books viz 'Gandhian World View- A Civil Liberty Perspective" and "Political Economy of Human Rights", which analyse the conceptual, legal and political basis of Civil Liberties and human rights in the backdrop of Gandhian and Marxian Philosophy. The inter-related issues of the violation of these rights, have also been examined by the author in the background of the experiences in Andhra. Kancha Illaiah's article (India's caste/class culture- An Andhra Pradesh Perspective) figured in the book "Democracy in India- a hollow shell" edited by Arthur Benner. It mainly focuses on the plight of dalits in AP, particularly Telangana, where 'bonded labour' and sexual exploitation of dalit women by forward castes, existed for many decades.

Apart from case studies on 'Encounter-killings' and police excesses,

APCLC alone or in co-operation with other civil liberties

groups/NGOs, have undertaken a number of
studies on issues connected with civil/human
rights. Some of the major studies are listed be-

low.

- 1) Report on undertrial prisoners in Andhra Pradesh- This study was undertaken by K.Ramiah Pillai and K.Krantichaitanya of APCLC, Chittoor district, in 1993 by selecting the subjails in Chittoor districts. As per the report, there were 12000 prisoners in 5 central-jails, 4 district jails and 149 subjails in the state. Only 30% of them, were serving out their sentences, whereas 70% of them were undertrials. It highlighted that there was overcrowding of inmates in all the jails and small jails lacked latrines and toilet facilities.
- 2) Project studies undertaken by Visakhapattnam district Committee of APCLC, on Dowry deaths and harassment of women in Visakhapattnam city (1989-90) demonstrated that 'dowry-deaths' and atrocities against women, continued to be a major social evil.
- 3) Research study on the Cement Industries in Andhra Pradesh with particular reference to their potential for environmental pollution which adversely affects human-life and the agricultural crops etc on the proximity of such industries (1998).
- 4) Repression of the Rural Poor in Andhra Pradesh (1983).

The pro-left wing extremist stance of APCLC, has become the main impediment for the organisation to implement its projects and ideas. From the very beginning of its formation, such issues came up. During National Emergency, its prominent leaders including the then

President Adv.P.Venkateswarulu, had been arrested. In Jan 1985, Gopi Rajanna, an young lawyer of Jagitial, Karimnagar district ac-

Problems in implementing projects and ideas: tivist was killed in political clash. Dr.A.Ramanadhan and JapaLakshmana Reddy, Senior Office bearers of APCLC, were killed in police action on Sept 3 .1985 and Nov 7,1986. Narra Prabhaker

Reddy, Convenor of the Warangal District unit 3 APCLC as well as the secretary of the Warangal District Bar Association, was shot dead on December 7,1991. Dr. k.Balagopal (General Secretary)was kidnapped by some people, styling themselves as "Prajabhandu" at Hyderabad, during Sep,89, but was released later. Adv.T.Purushothaman, Joint Secretary, Mahboobnagar District Unit, was attacked during May.97. Many other civil liberties activists have been detained, whereas in some areas, the APCLC fact finding teams were prevented from visiting places of 'encounter' or other actions. Because of such attacks and restrictions, the mass-base of the organisation remained almost static. New cadres particularly from women and dalits, could not be attracted to the organisation. This has also incapacitated the organisation to take up issues of women and dalits effectively. Instead, the organisation is dominated by the old-leaders and cadres, who could not give new detraction or drive to it.

Its main finances are from the sale of literature, subscription by members and contribution by well-wishers/ organisations. The other ma-

> jor Civil Liberties Organisations, which help APCLC in mobilising finances through the sale of literature etc are

Finances:

1) Association for the Protection of Democratic Rights, 18, Madan Barai Lane, Calcutta -700012.

- 2) Committee for the Protection of Democratic Rights (CPDR), 104, YMCA, N.Parekh Marg, Colaba, Mumbai - 400039.
- 3) Manab Adhikari Sangram Samiti (MASS), Bamuni Maidan, Gauhati, Assam.
- 4) Peoples Democratic Forum (PDF), 8th Main Padmanabhan Nagar, Bangalore -560070.
- 5) Peoples Union for Democratic Rights (PUDR), D2, Staff Qrs, Indra Prastha College ,Shamnath Marg, New Delhi-110054.
- 6) Organisation for the Protection of Democratic Rights (OPDR) Guntur, Andhra Pradesh.
- 7) People's Union for Civil Liberties (PUCL) Tamil Nadu.

of the organisation in the protection and promotion of human civil-rights

APCLC, as the major civil right group in Assessment on the role Andhra Pradesh, could make moderate contributions in protecting and promoting civil/human rights. Its legal-battles and the exposure of human-civil rights violations by police and other agencies, especially against

the left-wing extremist groups, acted as deterrant against the oftrepeated violations. APCLC, could also establish certain significant precedents on the need of law enforcing agencies adhering to the 'due process of law' while dealing with emergency situations like political extremism and terrorism. These precedents like the proper investigation into 'encounter-deaths' and compensation to the family of innocent victims, were laid down, on the basis of the directives by National Human Rights Commission (NHRC) in '96 which was moved by APCLC, on a complaint pertaining to large number of encounter-killings in Andhra Pradesh. APCLC could also create moderate awareness among the rural masses on the basic civil and human rights through their campaigns and the circulation of literature notably 'Swechha' its monthly in Telugu which highlights almost all major human civil rights issues. Its activities in the dalit front also contributed marginally to the dalit resurgence in the state. But, APCLC's pro-PWG image and its reservations to denounce "violence perpetrated by revolutionary groups' acted as the main impediment for the organisation to broaden its mass-base, particularly among the middle class intelligentsia. These factors, have also adversely affected APCLC to strengthen its links with independent Non-governmental Organisations (NGOs) which by and large, are against the extremist groups. And within APCLC, also, the debate on the question of denouncing the violence by revolutionary groups, has created serious schism, with one set of its leaders strongly argue that a civil-rights movement, built up solely on the pillars of civil and human rights, can never justify the violence and killings, perpetrated by revolutionary groups, whatever be their ideological commitment. Such polemics in the organisation, led to the exist of prominent leaders like Prof.Balagopal and Kothanda Rami Reddy (Hyderabad) during the 10th State Conference of APCLC (Hyderabad/Sept 98) from the organisation. These "soft-liners" who patronisethe line that APCLC should denounce the violence by extremists, have floated a new outfit viz "Human Rights Forum" during Oct,1998.

4.2. Action for Welfare and Awakening in Rural Environment (AWARE), 5/9-24/78, Lake Hill Road, Hyderabad.

Action for Welfare and Awakening in Rural Environment (AWARE), one of India's largest Non-governmental Developmental Organisa-

History and organisational structure tions, was startedin 1975, at Achampet in Mahaboobnagar district (Andhra pradesh) by PKS Madhavan (Kerala), who was earlier working as an Evaluation Officer of Planning Commission in the North East (Nagaland and Meghalaya). His inspiration to float the organisation, came from the miseries, sufferings, exploitation and inhuman treatment of Girijans (tribals) and Harijans (untouchables) in various parts of Andhra Pradesh, which he came across, during his anthropological studies on Chenchus, one of the most backward tribes in Andhra Pradesh, in early 1970s. Madhavan's findings that more than 62% of the governmental funds for tribal- development schemes, had gone to maintain bureaucracy,; 31% misappropriated by middlemen and agents,; 5% misused by the tribals and only 2% has really spent for development also influenced him to form a Non-governmental body with a view to creating awareness among tribals, as precondition to development.

Started with 3 villages in 1975, AWARE, has now grown to Rs.100 crores organisation, with a well planned structure. It is registered as non-profit, charitable rural development organisation under Indian Societies Registration Act. AWARE's general body of 241 members with half of them belonging to tribals and Harijans, elect the 9 member governing body once in 5 years with Chairman, Secretary and Treasurer. PKS Madhavan, continues to hold the post of Chairman. Its National Administration office is located at Hyderabad, consisting of departmetns like Project Implementation, Human Resource Development, Human Rights and Legal service, Women- development, Research, Finance and Administration, with each department, headed by a qualified expert as the Director. There are 1248 full-time staff working in villages staying with the people at gross-root levels, whereas more than 50000 volunteers are involved with the rural peoples' development programme. AWARE has a Board of Advisors, drawn from internationally eminent personalities from various walks of life. They include:

- Justice P.N.Bhagwathi (former Chief Justice of Supreme Court of India/Vice President, UN Human Rights Committee).
- (2) Soli. J.Sorabjee (Solicitor General of India)
- (3) Dr. Abid Hussain (Vice Chairman/Rajiv Gandhi Foundation)
- (4) Mrs. Pramila Dantavatae (Patron, Mahila Dakshata Samiti)
- (5) Suman Krishan Kant (Mahila Dakshata Samiti)
- (6) N.N. Vohra (Director/India International Centre)
- (7) Dr. M.S.Swaminathan (Chairman/ M.S.Swaminathan Research Foundation).
- (8) Prof.S.Bashiruddin (Former Vice Chancellor, Dr.B.R.Ambedkar Open University)
- (9) Kushawant Singh (Journalist and Syndicate Columnist)
- (10) Adv. M.C.Mehta (Supreme Court of India/ Environmentalist)
- (11) Justice Ismail Mohammed (Judge, Constitutional Court of South Africa)
- 12) Lord Lester (Founder of Inter-Rights, UK)
- 13) Prof.Jack Green Berg (Columbia College, New york, USA)

"Awareness is a precondition to development" is the main motto of the organisation. Its objective simply stated is to increase the "equity" of the tribals and Harijans in the business

Organisational Mission values and Targets

of development. Through their psychological empowerment, it seeks to attack the culture of submissiveness. Socio-economic interventions are then used to minimise poverty. The strate-

gies, deployed are mainly three fold:

- a) psycho-social mainstreaming of the harijans and tribals.
- b) higher production directly benefitting those two groups.
- more even distribution of resources for better co- existence of people.

The essence of AWARE's strategy mainly lies primarily in the educational and organisational programmes, which end the voicelessness and powerlesness of the target-groups, who have been silenced and debarred from their shares of the sun for centuries. To do that AWARE builds an organisational system, that can function autonomously, but at the sametime can also interact, interlink and network with other systems and structures in pursuit of the objective of treating self-sustainable rural and tribal societies. This process involves specifically:

- (a) Creating organisations or associations of people at various levels, (village, cluster of villages and Taluka or block levels) to represent their own interests and causes.
- (b) Supporting such organisations and their members to have access to development resources and services available through government.
- (c) Phasing out once the organised population has reached a level of articulation and autonomy.

The ultimate objective is to create, alert, sustainable and autonomous communities and to reach them to a point where they can function on their own steam without further catalying help from AWARE.

The activities of AWARE are now spread into 6000 villages in the states of Andhra, Orissa, Maharashtra, UP, Kerala, Karnataka and

Tamil Nadu. Its functional areas include development of social education, motivational training, legal assistance, agriculture, animal

Major areas of operation (geographical and functional)

husbandary, marketting- justice, community health and rural reconstruction based on equality, social justice, self-help and community action. These programmes are mainly meant for the tribals, Harijans and rural backward people. The major institutions/bodies which undertake these schemes are

- 1) Human Resource Development Centre at Bhagawathipuram, S.Hyderabad, named after Justice P.N.Bhagawathi (former Chief Justice of India), formed in 1988, imparts training to rural functionaries, annually.
- Centre for Human Rights Education and Development at Bhagawathipuram, provides training for lawyers, social investigators and barefoot legal workers.
- 3) Six Community Health Centres (Rural Hospitals) at Padkal (Mahaboobnagar district), Naidupet (Khammam District) Chinnapuram (Krishna district) Kamalapur (Gajapati district/Orissa), Muniguda (Rayagada district/Orissa) Laximipur (Koraput district/Orissa).
- 4) Floating Hospital (Boat Hospital) established on river Godavari (Godavari district) covers 80 interior tribal villages.
- 5) 300 bed Cancer Hospital in Andhra Pradesh.
- 6) Rural Vocational Training Centre at Aswaraopet (Khamman district) which imparts skills-training/ technical education to tribal youths.
- 7)"Bliss Foundation", which imparts formal education.
- 8) 'Peoples Bank' with 20 branches in Andhra and Orissa, covering about 50000 beneficiaries.
- 9)Yuvajana Sangham (Youth Association) Mahila Mandalis (Women Associations) Balasangham (Children Association), Village Associations, Cluster Development Service Society (CDSS) and Area Development

opment Service Society (ADSS) which operate in the Tribal/rural belts.

In the broader spectrum of human rights concept, major activities/projects were directed towards promoting these rights of

Significant projectl activity in the direction of promoting human rights tribals/Harijans and the rural backward sections. Some of these specific projects include a)Centre for Human Rights Education and Development: provides training in Human Rights education, which included not only Civil and political rights, but also economic, en-

vironmental, health and right to development. The training has been imparted to functionaries of voluntary organisations, members of Mahila Mandali and Youth Club, NGO leaders and occasionally academicians and government officials. It also acted as a forum for interaction, networking of ideas, experience which ultimately provides strength for peoples movements for better presentation, advocacy and systematic approach to macro-micro problems, related to right to development . The Centre also organised seminars, conventions and conferences on human rights subjects like "Right to vote and voting as fundamental rights", "Citizens Rights and responsiblities", "Gender Justice" and "Atrocities against Women". Galaxy of leaders/human rights activists such as Justice Ranganath Mishra (former Chairperson of NHRC), Justice P.N.Bhagawathi, Justice Prabha Sankar Misra, Dr.M.C. Mehta (Environmental Lawyer/Supreme Court) Dr(Ms) Irene Khan (UN High Commissioner for Refugees), Natwar Thakkar (Gandhi Peace Award Winner) etc participated in such programmes. b) Involvement with bonded labour :- Due to AWARE's efforts, around 33000 bonded labourers, mainly of Telangana region of Andhra Pradesh, were released from the clutches of money-lenders and were subsequently rehabilitated. The Supreme Court of India, appointed PKS Madhavan (Chairman/AWARE) three times as Commissioner of the Court to investigate into the problem of bonded labour and atrocities on Harijans. As a result of his report, about 3000 bonded labourers were released and rehabilitated and justice was done to Harijans in various villages in Andhra Pradesh. c) Legal-struggles on human rights issues:- The full time lawyers in AWARE, work for human rights education, out of courts settlements by mediation and land reclamation from the big landlords who are in illegal possession of poor peoples' land, especially tribals land. Around 135846 families were provided with free legal service. 44000 acres were taken from the landlords by legal means and redistributed to landless tribal families. d) Formation of Women Brigade (Chaitanya Shakthi) : - Women, particularly of tribal villages were trained as members of 'Chaitanya Sakthi', who motivated other women to fight for their rights, equalities and economic independence. About 6000 women who were trained under this scheme, work voluntarily for achieving gender-justice, by forming Mahila Mandalis etc. They launch campaign against bonded labour, illiteracy, alcholism and fight for land rights. e) Poverty alleviation, Health-care, Environmental education, Ecology and development, which are different aspects of human rights, are the main endeavours of AWARE. These programmes have created major changes among the tribals/Harijans and rural poor, who live with more dignity, equality and social justice.

The development strategy of AWARE, is based on the concept to make the Girijans and Harijans 'independent' in their socio-economic advancement.

The major achievements are as follows:

Other Notable achievements

Table No.4.1

Major achievements of AWARE

Population of the area where AWARE works	-	2573120
Population benefited	-	1004253
Population covered by economic programme	15	886493
Women beneficiaries	-	518261
Farmers benefitted		169526
Landless poor benefitted	÷	157700
Bonded labourers rehabilitated		32254
New employment created	1	115608
People who became literate	-	138655
Number of trees planted and grown	-	300000
No. of People benefitted by legal service	-	135846
No.of families which became independent and established self-reliance	-	155904
Villages covered by AWARE	-	6000
Villages from where AWARE has withdrawn (independent villages)	2	2620
Land brought under cultivation(Acres)	~	54671
Land brought under irrigation "		42137
Additional food production due to AWARE's agricultural development programme(metric tonnes)	-	95000
Man-days generated by agriculture programme	-	1133492
Land gained from landlords and distributed to landless tribals	20	44000 acres

AWARE has launched a mega-project - development of the tribal belts of Dandakaranya which covers 5 districts of Andhra Pradesh, 5 of Orissa and one of Madhya Pradesh. Twenty one sects of tribals numbering about 7.8 lakhs are the beneficiaries. The scheme is meant to promote every tribal as an entrepreneur in production and marketing of the over 60 forest products without any heavy machinery or manpower involvement which would disturb environment. ITDG of United Kingdom and 'TOOL' and 'NISSET' of Netherlands, are

also associated with the project, which is estimated at Rs.21 crores and spread over five years.

The target-groups, who have been benefitted through AWAREs programmes are tribals (lambodas, Koyas Nayakpodus, Yonadis,

Major target groups covered MARE, as a matter of policy does not work in any area more than a specified time. Once the potential of the rural people or target groups is understood and can do without external assistance, it encourages the villagers to form their own assocations. The Lambada Service Society, the Girijan Seva

Samity and Harijan Seva Sangh are the products of this approach and they work as second-line organisations.

The policy Research and Evaluation Department of AWARE, undertakes Research studies, related to the issues of Tribals/harijans and

Research studies Projects undertaken other weaker sections of the society. The Institute of Social Studies Advisory Service (ISSAS), PO Box No.29776, 2502 LT, the Hague, Netherlands, at the instance of AWARE conducted re-

search on "An Impact Study on AWARE's Programme among Harijam Girijan and Mixed Communities, now independent from AWARE in 1993". Besides the Research team of AWARE, Dr.F.Wils (ISSAS/Hague), Dr.(Mrs) N.Sohoni (Stanford university/Stanford), Dr.VBNS Madduri (Central University/Hyderabad) and Dr.K.C.Alexander(National Institute of Rural Development, Hyderabad) were associated in this project. The study was meant to assess the impact of 'AWARE Programmes' among the target groups, by making comparitive assessment of the 'socio-economic-political changes' in control villages and in 'AWARE-Villages' which were subdivided into'second-generation and 'first generation' villages, in accordance with AWARE's intervention, respectively five and ten years. The

main findings of the research were a) impressive economic results were achieved by AWARE villages in respect of landownership, output from agriculture, domestic consumption, marketable surplus, net income from farming, assest-formation and median total annual income b) socially, the status of those long discriminated and exploited groupings in the village community vis-a-vis powerful public and private actors like landlords and officials has undergone a major change freeing them from fear and enhancing their claims to more recognition and egalitarian relationships, besides, the level of basic needs satisfaction has significantly risen c) Girijan and Harijan women, too have moved notably forward in various areas, basic needs, partnership with their husbands in house, empowerment and status in the community and beyond, and in the awarenes of gender issues and need for action d) politically, the Harijans and Tribals have organised themselves in bottom-up fashion, from their own local autonomous associations, all the way an apex organisation, with the result-oriented and accountable leadership e) Girijans have responded more and more rapidly in the social and political fields , whereas Harijans more and more in the economic field.

In 1998, 'AWARE' has undertaken another Research study on "Farmers suicide in Andhra Pradesh", in which one Ms Susan Misra, an American Student volunteer, was also associated. The objective of this study was to identify various factors that have led the farmers to commit suicide and possible solutions to avert such suicides in the future. The suicide of farmers, mainly in the Cotton-sector, was a major socio-economic tragedy, which confronted the state during 1997-98, with a toll of 307 farmers till April 98. The Telengana districts accounted the larget number (250) followoed by Coastal Andhra (45) and Rayalaseema (12). The study unravelled the main factors responsible for suicide as 1) cultivation of crops in dry-leased land, subjected to the vagaries of monsoon and ground water 2) Bor-

rowing from money-lenders for commercial crops 3) alienation of farmers from society and social disintegration 4) non-adoption of crop - rotation, which led to the out break of pests and diseases 5) use of substandard pesticides. 6) lack of technical-expert advice/intervention to the cultivators. The possible remedies for the future included a) enactment of a comprehensive irrigation Policy b) Reexamination of Forest-Laws with respect to local situations and state needs c) Steps to avert erratic power supply to agriculturists/rural areas d) Detailed study of rural indebtedness, moratorium of five years for existing loans and strengthening of institutional and cooperative credit mechanisms to save the farmers from the clutches of money-lenders etc.

Funds for "AWARE" are received from various local, national and international sources. More than 60% of these funds come from foreign donor agencies viz 1) NOVIB (Netherlands Organisation for International Development Coopera-Finances tion 2) ICCO(Inter-Church Co-ordination Committee) of Netherlands 3) MEMISA - Netherlands 4) Community Aid Abroad (CCA) Australia 5) Australian Freedom from Hunger Campaign 6) Deustche Welt hungerhelfe/ German Agro Action, Germany 7) DIAKONIA, Sweden 8) Help the Aged, London (9 OXFAM/UK 10) Canadian International development Agency (CIDA), Canada, 11) FORD Foundation, USA 12) European Community etc. Internationally it is also associated with CIVICUS, Asian Development Bank-NGO working Group, Greenpeace International, Amnesty International, Earth Action, Japan Tropical Association Network, International Rivers Network, World Wildlife Federation (WWF), ANGOC, LUNGOS, Abolish- 2000 and UN Human Commission on Refugees (UNACR) etc. With the help of these foreign donor agencies/organisations, AWARE mobilises funds, which run in crores. Details of the accounted funds for 10 years (1984-95) show the above trend.

Table No.4.1.2

Foreign Funds received by AWARE (1984-1994)

make major contril	1984		Rs.1,68,00,000	
	1985	-	Rs.2,45,00,000	
	1986	15.7	Rs.4,22,00,000	
	1987	- 17	Rs.6,36,00,000	
	1988	-1	Rs.11,12,34,706	
	1989	-	Rs.3,34,05,538	
	1990	-	Rs.6,78,60,460	
	1991	-	Rs.1,16,68,393 (till April))
	1992-1993	-	Rs.3,64,28,147	
	1993-1994	-	Rs.3,57,45,636	

The organisation has also come under cloud on the accounting and utilisation of funds when it was detected that AWARE maintained two set of audited foreign account statements - one undershowing the actual balance/credits meant for foreign donors and the other actual balances in order to file the returns to the government of India under Foreign Contribution Regulation Act (FCRA). The disparity was substantial that as on March 31'93, the audited statement for the govt showed a cash and bank balance to the tune of Rs.430 million, whereas the same for donors, showed a balance of Rs.70-80 million only. Following the unearthing of this disparity, in 1994, some foreign donors like NOVIB, ICCO and NCOS, stopped their financial support and NOVIB (Netherlands) initiated legal proceedings in Delhi High Court against AWARE in 1997 on the grounds of criminal breach of trust/maintenance of false accounts. The averment of NOVIB is that it had funded more than 286 lakhs Deutsch mark (Rs.50 crores) to the AWARE. The present endeavour of AWARE is to overcome the legal tangles with the help of well-placed patronisers. Now (Nov 1998), Delhi High Court, has appointed special Auditors (M/s. BATLIBOI & Co.) to audit the whole accounts of AWARE.

'AWARE' as one of the 'gigant NGOs of Andhra Pradesh, could make major contributions in the field of human rights, through the socio-economic, political and educational advancement of Girijans (Tribals) and Harijans, the worst vic-Assessment tims of exploitation, deprivation and human-rights violations in the state. The 'development model' adopted by AWARE, of creating awareness among these downtrodden sections at the instance of AWARE volunteers, elevate them to a phase of social and economic advancement through apex organisations of their own and cluster of activities in the agriculture, health, literacy, marketing fields, supported by AWARE for a period of 8/10 years and prepare them to carry out the process of development by themselves, has much relevance in the Indian Context of rural development, especially for NGOs. Significantly, the achievements made by AWARE in the target groups speak of the success and viability of the model. However, AWARE could maintain its tempo of activities, as an 'action-oriented NGO" vociferously espousing the cause of Girijans and Harijans- be it in the case of tribal land alienation or alcholism encouraged by liquor-brons or bonded labour or semi-feudal exploitation or the bureaucratic corruption in Tribal belts- only for about one decade (1975-85). Subsequently, the trends of 'institutionalisation', 'consolidation' and 'popularism' considerably influenced its policies and programmes, with the increasing inflow of foreign funds. Its formation of political party (Sama Samaj Party) in 1994 at the instance of national level socialist leaders and unsuccessful electoral contest of 16 'activists' in the state assembly elections (1994) and the controversy on the accounting/utilisation of foreign funds, have considerably eclipsed the image of 'AWARE' as an NGO, fighting for the cause of downtrodden and weaker sections.

4.3. ASMITA

The exploitation of women, denial of their rights and privileges and atrocities against them in the family and outside, gave impetus to

History and Organisational Structure the formation of a number of women organisations, especially when large number of women have started associating with left-wing extremist movement in the state since middle 1970s. Movements like 'Sree-

sakthi' were floated espousing the cause of women. However, all these movements have undergone split on ideological and other reasons. ASMITA, whose legacy can be traced to outfits like 'Sreesakthi' was formed on 15th August, 1991, mainly as resource centre for women. Its headquarter is located at House No.45, Road No.2, West Marredpally, Secunderabad. It has got an Executive Committee with Kalpana Kannabiran (daughter of K.G.Kannabiran noted Civil-rights activist) as President, P.Lalithakumari @ Volga, leading feminist writer in Telugu as secretary and Executive members (4)who include Vasantha Kannabiran (Wife of K.G.Kannabiran). ASMITA undertakes its activities in the districts with the help of its trained volunteers and professionals working for the organisation.

Organisational mission, values and to provide

Targets

ASMITA, basically works for the empowerment of women and its declared objectives are
to provide

- a)a space for women to come together
- b) a context for creative writing, dialogue, analysis and reflection.
- c) a space for feminist action on critical issues.

d) necessary resources to empower women from under privileged groups, and

e) A context for building solidarity networks with other movements for civil and democratic rights.

ASMITA's activities have been spread all over the state, for which it has established 'solidarity network' with other NGOs and

Major areas of operation (Geographic functional)

Women's movement. After the World Women's conference at Beijing, ASMITA, has been designated as'focal point' for coordinating the major campaigns, as enunciated by Beijing Declaration. Accordingly, it has organised a Regional Conference of

Women- bodies from Andhra, Tamil Nadu, Karnataka, Kerala and Pondicherry at Hyderabad in 1995, in which problems confronting the women, in these states were discussed and general guidelines, adopted to ameliorate some of the major issues such as prostitution, child-sex, media-manipulation and commodetisation of women. Similarly, ASMITA, has a key role in the National Alliance of Women Organisations (NAWO) which is an apex body fighting for the rights and privileges of women at national level. ASMITA's main areas of concern are: 1) Reproductive practices 2)Prostitution 3)Institutionalisation 4) Child-marriage 5) Media 6) Education.

ASMITA's campaigns include a) Violence (against women) b) Childmarriage c)Health d)Education and e) Human-rights. In order to

Significant Projectl of promoting humanrights

achieve results, they bring together and strengthen groups of women-writers, huactivity in the direction man rights activists, development workers and women of local communities through workshop and get togethers. They also make efforts to sharpen the understanding of people, particularly women, on the issues relating to caste, communalism and global policies. Documentation of women-struggles is another important area of activity. Another significant activity from human-rights angle is the translation and dissemination of human-rights documents and feminist theory in Telugu. For that purpose, ASMITA keeps linkages with international bodies like UN-ESCAP project, Global Centre, New York, FORD Foundation etc.

In line with its goal to spread the message of human rights, it has launched the following programmes :

- 1) At the instance of Global Centre, New York, ASMITA organised 16 days campaign on the theme 'Violence against Women'during 1992, by organising workshop/seminar at different places in the state. About 20000 women participated in this programme.
- 2) Systematic campaign and propaganda against communalism and its adverse effects in the society. In co-ordination with Indian national Social Action Forum (INSAF), workshops were organised in Hyderabad in 1995 & 96, in which prominent personalities like Asghar Ali Engineer participated. In the series of its efforts to spread communal harmony, ASMITA organised 'Communal harmony day' during June 98, by holding seminars and workshops in which minority issues were discussed. Around 3000 women participated in these campaigns.
- 3) Holding of one month long 'Summer school in Women studies' in Hyderabad in 1997, in which women representatives from 4 southern states (Kerala, Andhra, Tamil Nadu and Karnataka) participated. The school which was organised in co-operation with 'Indian Association on Women Studies' Poona, discussed the main theme of violence against women, and chalked out action plan as how literary-media publicity activities can be streamlined by women groups to fight against violence. The representatives (19) who attended the

school, were asked to work out a plan of action, in their respective states.

4) Gender-Training, especially at rural areas for dalit and backward women, especially on issues of discrimination, violence against women etc. Such training camps/workshops were organised in all districts, covering around 4000 women. With the assistance of Overseas Development Agency (ODA), Britain, two major workshops for urban/semi-urban women activists were organised in Vijayawada & Visakhapattnam.

Women, particularly belonging to dalit/ backward section are the main targets, covered by ASMITA. The outreach mechanism is

Major target groups, covered

through a)counselling and legal aid for women in distress. b) Credit and savings for urban poor women. c) Literacy and skill-training d) Jatras/Fairs for neo-literate and non-literate women on violence,

child-marriage, health and work e) Training on gender, para-legal work, leadership, local-self government, non-formal education and health.

In the field of the creation of awareness and empowerment of women, ASMITA, could make the following achievements.

a) Worked as nodal organisation in the Anti-Arrack Movement, in Andhra, in which the active participation of rural and urban women was the major factor for imposing prohibition in the state. ASMITA also played a key role in mobilising the women against the lifting

Notable achievements of ban on Arrack, subsequently by the state govt. Under the auspices of National Alliance of Women organisations (NAWO) a woman-rally (15000) was organised in Hyderabad during July 96, against the lifting of ban on arrack and the enhancement in the prices of subsidised rice etc.

- b) Women empowerment works in urban slums, viz, Attaguta (near the outskirts of Hyderabad), one of the largest slums in South Asia with around 5000 families and Churi Bazar (in the old city of Hyderabad) which is highly sensitive from communal angle. For improving the lot of slum-dwellers, ASMITA concentrated on 3 basic amenities viz supply of provisions, electricity and safe-drinking water. At the instance of ASMITA volunteers, the local government departments have been sensitised for improving the condition in above 3 fields. Along with this, other schemes like Health camps, Family-counselling, Child-welfare, Adult education etc were also launched, for which special women squads were formed. Under the urban-slum projects, they cover a women population of around 50000, which was a major achievement.
- c) Sensitisation of women on current and topical issues. Apart from seminars and workshops, it launched certain novel programmes to attract the target groups. For example, before the last Lok Sabha Elections, ASMITA prepared Cassette containing a play on the main theme that only persons or parties, sympathetic towards women issues, be voted to power. It was telecast in all the 23 districts of the state and has created some impact among women folk on properly exercising their franchise. Similarly on issues of exploitation of women and violence against them, pamphlets were prepared in Telugu and distributed in all districts. This is a continuing strategy of ASMITA for the creation of awareness among women.
- d) 'Solidarity-Networking'- a strategy adopted by ASMITA to strengthen the unityand potential of women-movements, has contributed much in safeguarding the rights of women. In this regard, it also extended support to other NGOs/independent groups.

One of the priority areas of ASMITA, includes support to Feminist Writers, especially on issues relating to gender-justice. Side by side,

it also brings out selections of Feminist writing - creative and theoritical - in Telugu. The following 4 books viz 1) Neeli Meghalu (Blue

Publications

projects and ideas

Skies) - An Anthology of Women's Poetry 2) Saramsam (Essence) - A history of the Women's Anti-liquor Struggle in Andhra Pradesh 3) Sasihaddulie Leni Sandhyolu (Twilight with No Boundaries) a collection of Feminist theoritical writing and 4) Na Shariram Nadhi (My body is mine) - A self help health Training Manuel have been published by ASMITA. P.Lalitha Kumari@ Volga, a noted Feminist writer, who is the author of many Telugu novels and the winner of prestigious 'Nandi Award' is also financially supported by AS-MITA in her literary pursuits.

ASMITA, is having a well articulated Executive body with experienced persons in the field of women movement. But, for the im-

plementation of various schemes, Problems in implementing especially, the urban slum programmes etc, they have the dearth of field workers. This has resulted in the tardy progress in the implementation of the projects. In or-

der to overcome this lacunae, the present emphasis of the body is to train more volunteers for field oriented tasks. Similarly, because of the lack of effective network at grossroot level, dissemination of ideas or awareness campaigns, could not make much headway at rural areas. The urban-orientation of the body also poses another problem for its better inter-relations with rural-based NGOs. Thus, the concept of 'solidarity net-working' could not progress in the right-direction.

ASMITA is now working on certain new projects/programmes, such as 'Geriatrics Centre' /Health Clinics, in order to extend free

Futuristic plans

medical aid to old and poor sections of the society- With the completion of its own complex at East Maradepally , Secunderabad (Andhra Pradesh), such schemes would be started. As the organisation has a set of pro-

fessionals, these schemes would be implemented, without much difficulty.:

ASMITA mobilises its finances from the sources within and outside the country. As a major partner of National Alliance of Women Or-

Finances ganisations (NAWO), it is aided and funded by Ministry of Social Welfare on specific projects. The major foreign funding agencies include 1)NORAD 2)HOLDIN 3) Utilitarian

Universal Assistance (UUA), Newyork 4) FORD Foundation, USA. Besides, for specific projects of development/empowerment of women, ASMITA gets assistance from United Nations Development Programme (UNDP) and UN-ESCAP.

As a major NGO in the Women's front, partner of National Alliance of Women's Organisations (NAWO) and nodal agency for the fol-

low-up of Beijjing Declaration (on Women Rights), ASMITA could create moderate influence among large chunk of women population in the stae. Apart from women

Assessment:

empowerment Programmes such as adoption of urban slums, gender-training on women issues, its campaigns for creation of awareness among rural women on their rights and privileges, weakness and strength, are more important from human-rights angle. The translation of Human Rights documents to Telugu and their dessimination among rural people, encouragement given to human-

rights activists and feminist writers to bring out literature on the conceptual and creative aspects of women issues and mobilisation of women on socially important issues like anti-liquor campaigns or anti-communalism, have, no doubt, contributed to the promotion of human rights concepts among women. The inter-linkages of the organisation with women-movements within the country and outside could also facilitate ASMITA, to project human rights and inter-related issues with much clarity and precision.

4.4. SOCIETY FOR INTEGRATED DEVELOPMENT IN URBAN AND RURAL AREAS (SIDUR)

Society for Integrated Development in Urban and Rural Areas(SIDUR), one of the prominent NGOs in dalit front has been reg-

istered and started in Hyderabad, (AP) in

1990. It is registered with Govt of Andhra

Pradesh (Reg.No.1567/1990) and Ministry

of Home Affairs (Reg No.010230283). Its

office is located at B-51/F1, Vijayanagar Colony, Hyderabad-57.

History and

organisational structure

SIDUR has an Executive Board of Professionals drawn from different streams of specialisation; some work in P.G.College of Social work, some are lawyers, some are professional social-workers. 75% of them are women, but all have good exposure in development work, especially in rural and urban development work. The following are the office-bearers of SIDUR:

President : Benjamin Franklin (Madras)

Vice President : Paul Diwakar (Chittoor/AP)

Secretary : T.Nanda Vardhan (Hyderabad)

Treasurer : P.Siva Reddy (Anantapur/Andhra)

Member : TJPS Vardhan (Hyderabad)

Virtually, TJPS Vardhan and his wife Nanda Vardhan, control all the major activities of SIDUR.

The declared aim of the society, is to work for the equality of human being irrespective of caste, creed, religion and sex. Its foremost aim

Organisational Mission, Values & targets. is to strive for an egalitarian society that is just, freeand equal to everyone. The objectives of the organisation are as follows:

1. To undertake street children -development programmes with special emphasis on initiating such activities that enable these deprived children to have more access to their rights, for which specific programmes in the fields of health, education and rehabilitation would be launched. Lobbying and campaign on behalf of street children to recognise their rights by the society and government.

- 2. To engage and assist in service activities and action programmes of the needy of all kinds of people especially to improve upon the miserable living conditions of slum dwellers in Hyderabad and Secunderabad (twin cities) and to collect and disseminate the relevant information to concerned agencies and individuals and other places and cities without any distinction of caste, creed, religion and sex.
- 3. To involve and assist directly or indirectly in self-help and economic development programme and activities towards raising the standard of living of the urban and rural poor who are living in poverty stricken life conditions.
- 4. To organise programmes with a view to support women to organise themselves to strive for their own development and also to enable them to gain a fair opportunity to take an equal part in family, community and social development process.

5. To undertake programmes aiming at raising people's critical awareness on environmental issues which primarily refer to the life sustaining resources and channelise their awareness into action programmes that help in protecting the environment/the ecology which forms an essential and integral component of development.

6. To offer professional guidance services with a view to guidingand assist voluntary organisations in proper project formulations, securing suitable funding assistances. reporting, documents, etc.,of the programme implemented. Special Training programmes to project heads/personnel of voluntary organisations in order to develop their skills in the implementation of projects among target-groups.

7.To undertake directly or indirectly studies/participatory research assignments on issues related to peoples development and to collect and disseminate the relevant information to concerned agencies and individuals.

8. To collaborate and cooperate with government and voluntary organisations to undertake programmes on common problems related to development.

Thus, the main endeavour of SIDUR is to empower the oppressed poor-especially the marginalised rural/urban poor, viz.dalits, women, the street children and slum-dwellers.

The activities of SIDUR are spread over all the 23 districts of Andhra Pradesh, through around 150 NGOs, which are supported by the organisation. These NGOs are members of Dalit Voluntary Action Forum (DVAF), Major areas of operational (Geographic & which work for the empowerment of dalits, functional) through literacy/adult education campaigns, awareness programmes and legal education.

Apart from dalits, SIDUR, also has specific projects meant for street children, women, slum-dwellers and physically handicapped people.

All the major activities of SIDUR, directly or indirectly contribute to the promotion of human-rights. For example, SIDUR's work in

Significant project of promoting human-rights

the field of street children, could improve the lot of around 3000 children, of which activity in the direction 150 have been rehabilitated. At present, they run 4 centres for street children. The children, who are mainly engaged in rag-

picking etc. are picked up from the streets and are provided free food, clothing and shelter etc. They are refined in a systematic way through guidance and are trained in vocational courses such as tailoring etc. and are finally rehabilitated according to their skills. SIDUR has also got recognition from Andhra Police, as an organisation, committed to the cause of street children.

Equally important is SIDUR's 'urban slum projects' from humanrights angle. Its integrated slum Development Programme, covering aspects like school-dropouts, women, youth and children, is meant for 20 slums, located in an around Borabanda areas of Hyderabad. This programme covers 20000 families with an approximate population of 1 lakh. The scheme mainly operates through about 250 'sanghams' (peoples committes)from among the residents of the slums. A number of welfare-oriented schemes have been launched in order to improve the living conditions of the slum-dwellers. They include a)starting of non-formal schools for drop-outs b)skill-training programmes such as sewing-centres c) Training in income generation programmes d) Community based rehabilitation for the disabled etc e) Construction of lavatories, digging bore-wells etc. The slum-dwellers, in general, have expressed happiness to have such facilities and there is marginal improvement in their living conditions.

Its women empowerment programmees, could also help to improve the living conditions of women, especially in slum-areas. These activities mainly include a)Counselling b) Creating awareness about the availability of various avenues for women.c) Providing food, shelter, health facilities etc to deserted and battered women. d) Imparting skills-training in order to enable them to start Income Generation Programme (IGP).

SIDUR covers those target groups like dalits, women, street-children, disabled and handicapped and slumdwellers who are the victims of human-rights Major Target groups Covered violations.

Apart from the specific projects/activities in the human rights front, as mentioned above, SIDUR's other notable achievements are:

Notable achievements

a) Empowerment of dalits, through literacy/adult education campaigns, awareness programmes, health and sanitation schemes, legal education etc. in all the 23 districts. Around 150 NGOs, which are supported by SIDUR, undertake these programmes.

b)Housing project for weavers at Jandrapeta and Laskmipuram villages in Prakasam district. The first phase of the schemes, consisting 100 dwelling units, has been completed, whereas the works for the second phase (100 units) are under progress. The beneficiaries are the poorest lot of the weaver community, without any shelter.

- c) An orphanage for the disabled children (both physically and mentally retarded) at Chirala, Coastal Town in Andhra Pradesh. At present, there are around 120 inmates at the centre.
- d) Self-employment schemes for which SIDUR gives training in Tailoring, garment-making, preparing washing powder, soaps, phenyl,

wooden articles, basket-weaving, sarees embroidery, vegetable vending, Teashops etc. Nearly 1500 women and 250 men have taken up skill-training in40 different vocations. The trained hands are given loans ranging from Rs.1000 to Rs.10000 for starting self-employment projects. Already, 1300 women and 250 men have availed such loans.

The proper rehabilitation of street children, has become a problematic area, mainly because of the social taboo, which they carry. People

Problems in implementing projectslideas

usually treat them with certain amount of suspicion, however refined they may be. Thus street children, cannot stick on for long, in any job.For example, SIDUR, deputed a refined lot of their street children for cleaning works in residential flats. But arrangement failed to take

off smoothly, when the residents, always treated them, with an element of suspicion.

The "urban slum operations" of SIDUR, also faced some difficulties, when certain local leaders of Anjai Nagar (a slum area) in Hyderabad, staked claim for land, belonging to nobody. SIDUR, opposed these moves and demanded that 'patta' (title deed) should be given to the present settlers there. This has led to certain litigations which are still going on.

SIDUR, is now working on a project viz "Dalit Women Income Generation Programme" through Andhra Grameena Mahila Pragathi Per-

Futuristic plans

manent Fund Ltd (AGMPPF). Under this scheme, it plans to float a 'Nidhi' company to streamline loan and other facilities to women. Initially, such facilities would be extended to 300 dalit women from all over the state.

The major success of SIDUR, lies in its financial clout. Christian Aid, Action Aid, EZE (Germany), DESWOS, DEED and EFLCOR, are the

main foreign funding agencies of SIDUR. Besides, bilateral organisations like UNICEF/UNDCP, British Council and Overseas Development Agency (ODA) Britain also spon-

ser some of their projects. During 1995-97, SIDUR, received Rs.20989622 from these organisations. EZE was the largest of all contributors (Rs.8560045), followed by DESWOS (Rs.6626269), Christian Aid (Rs.5559580) and Action Aid (Rs.2857124). Significantly, EZE in 1997, has cleared a grant of Rs.1,43,25,292, for a period of 3 years for Dalit empowerment through Education and Awareness. Besides, NGOs sponsered by 'SIDUR' also get financial aid from CAPART, for launching specific projects.

Assessment

Finances

In their self-assessment, the key-functionaries of the organisation highlighted that they could only achieve 20-30% of their declared aims and objectives. However, in relation to

the promotion of human-rights, their main contribution was the creation of awareness on the basic rights of masses, particularly among dalits, illiterate women etc. There is much more to be done in these fields and SIDUR's main endeavour continues to be the dalit empowerment. In this regard, 'SIDUR' encourages the concept of 'networking of NGOs' and inter-linkages with like-minded NGOs who stand for the protection of the rights and privileges of dalits. However, they have reservaitons to join hands with Civil Liberties movements in Andhra Pradesh, which, according to them, are instrumental for creating schism among dalits. And, the disunity in 'Dalit Camp' has also adversely affected their 'bargaining power' which is also negative factor, in relation to the protection and promotion of their rights.

4.5 'LAYA' KRUPPAM FLATS' , LAWSONS BAY COLONEY, VISAKHAPATNAM.

'LAYA' was formed in Visakhapatnam, Andhra pradesh in 1989, mainly at the instance of Smt.Nafisa Goga D'Souza (Visakhapatnam)

History and Organisational structure. and Minar Pimple (Bombay) who was actively associated with Youth for Unity and Voluntary Action (YUVA), a well-known NGO, functioning in Maharashtra. While

Pimple was a state level leader of left-wing extremist group (CRC_CPML) in early 80s, prior to joining 'YUVA' in 1984, Mrs De Souza, a post graduate from TATA Institute of Social Sciences, was working as lecturer in Mumbai-based college of social-work. She continues to be the Director of LAYA, which has now seperate organisational wings for research (mainly on tribal issues), activities among agricultural workers and rural poor.

The tribals are the main targets of the Organisation. Thus, its vision statement highlights, " The major issues facing th tribal communities

Organisationl mision, values and Targets.

today is the continuing process of displacement, increasing loss of identity of the tribal community, degenerating forests and depleting resources. In this problem context, the scenario we envisage is one in which the tribal

homelands have a broad political base- a movement in which the marginalised and disempowered can gain access, make decisions and control their resources, which are essential for their livlihood. The major issues on which this movement needs to focus on is redemption of alienated lands, the access and control over forests and water-resources, the primary sources for their economic well-being". The mission statement of 'LAYA' highlights:

- a) to have a structural impact on the existing pattern of land ownership and access to forests and water, whereby tribals and other disadvantaged groups, who by law are entitled to the possession of lands, or access to forests and water can demand their rights and take action to regain/retain and use such possesssion.
- b) to equip people's organisations to deal with the issues of land, water and forests.
- c) to facilitate the empowerment of women to play an active and equal role in the process of sustainable development. In line with the above missions, the body has identified its goals as (i) increase the access and control over local resources and ensure its better utilisation by the tribal community. (ii) developing and facilitating the tribal activists with the capacities to intervene in the problem situation in the context of a macro development perspective. (iii) empowerment of tribal women as co-partners of sustainable socio-economic development (iv) promotion of peoples organisation at grass-root level (v) promotion of sustainable development actitivities in the region and (vi) Research, documentation and dissemination of information on life-systems, tribal culture and identity and development experiments in relation to tribals.

LAYA mainly concentrates in 'North Andhra Region (Seven Mandals viz Maredimilli, Y.Ramavaram, Rampachodavaram, Rajavmangi,

Major areas of operation (geographic functional)

Addatigala, Gangavaram and Devipatnam of East Godavari district, where almost 70% of the Population are tribals) with issue-based out reach in South Orissa and East Madhya Pradesh (mainly in tribal pockets). Its functional strategy include a) Networking (with

groups working among tribals to promote local communities network/platform) b) documentation (of all major aspects that touch the lives of tribals, with special emphasis on the basic issues relating to land, water and forests) c) Training (at grass-root level that will aid in the process of promoting a People's platform and /or effective micro level intervention) d) promotion of micro-level interventions (for demonstrating effective and equitable institutional mechanisms that tackle the basic issues affecting tribals) and e) empowerment of women.

LAYA's emphasis was the socio-economic and cultural advancement of tribals and other 'marginalised sections, the major victims of hu-

Significant projectl activity in the direction of promoting human rights. man rights violations. By launching various developmental projects, social and environmental awareness programems, legal aid and documentation works and forest management by tribals, in the interior agency areas of East Godavari districts, the Organisation

could contribute to improve the conditions of target groups, and for that matter increase their awareness on rights and privileges. In the tribal-dominated areas of the district, 'LAYA' has imparted regular training to tribals, launched schemes to improve the empowerment of tribal women and fought legal cases against the transfer of tribal lands to non-tribals. Its efforts in the above fields, prevented the exploitation of tribals especially in the alienation of tribal lands, indebtedness through money-lending etc.

Tribals in East Godavari districts, who include Konda Reddis (32%)
Koya Doras(30%) Konda Kammaras (11%), Konda Kampus (10%)
and Valmikis (4%). They are all listed as

Major Target scheduled tribes.

Major Target groups covered

150

In the field of Tribal Research and projects 'LAYA' enjoys a unique position among the NGOs of Andhra Pradesh. Some of the major studies/researches undertaken by the organisation include:

Research studies/ projects undertaken

- 1) Land Alienation in Tribal Andhra Pradesh
- 2) Tenurial Rights and Displacement of Indegenous People.
- 3) Pespective for Action in Tribal Areas of Andhra Pradesh.

'LAYA' alongwith Kakatiya University, Warangal and Central University, Hyderabad, is also assisting Indian Social Institute (ISI) Delhi, in a major Research Project on the "Displacement of Persons/Tribals due to large dams/mining etc" which is one of the major agenda on international human rights organisations/bodies. The above study by ISI is part of the endeavour to formulate a National Policy on the construction of major dams/establishment of Wild-life sanctuaries etc, causing minimum displacement of persons, particularly tribals and indigenous people. The formulation of a sound policy, in this direction by the govt may help to sort out many movements/struggles like Narmada Bachao Andolan, now spearheaded by environmentalists/eco-friendly organisations.

With the shifting of the centre stage of left extremist movement from Srikakulam district to the tribal dominated districts in the Godavari

Problems in implementing projects/ ideas

region and the hilly-tracts of Adilabad district, since early 1970s, the left-extremists try to consolidate their position in the Agency Area, particularly among tribals. This has opened strained relations between 'PWG-

dalams' and NGOs like 'LAYA' in certain areas like Paderu, Rampachandavarm etc (East Godavari District) where LAYA had con-

centrated activities among tribals. Because of such developments, the outfit limited their activities in these areas, but succeeded to net in certain ex-PWG activists/cadres to the organisation, who continue to carry out the programmes among tribals. Another inter-related problem was that 'LAYA' could not encourage 'direct action' such as forceable occupation of lands, which rightfully belonged to tribal people, but illegally occupied by non-tribals in the Agency areas of East Godavari district, as such actions would invite vegeance and repression, especially when the affected tribals are sandwiched between the left extremists on the onehand and the police on the other.

'LAYA' is in receipt of funds from foreign donor agencies like OX-FAM/UK, EZE, Germany, Community Aid Abroad, BILANCE, MIS-

Finances

EREOR (Indo-German Social Service Society) and World Council of Churches (WCC). During the last 5 years (1992-97), it has received a sum of Rs.1,18,32,337 from

these agencies (1992-93 0Rs.5,23,786; 1993-94 - Rs.9,08,040; 1994-95-Rs.8,53,089; 1995- 96 - Rs. 3,28,010 and 1996-97 - Rs.62,67,321). Dominic De'Souza, (husband of Smt.Nafisa De'Souza) who was earlier attached to Indo-German Social Service Society (IGSSS), New Delhi, as Head of Project Department, was instrumetnal for 'LAYA' opening channels with an array of foreign funding agencies. Bulk of these funds have been utilised for developmental projects among tribals, documentation and legal aid.

As an active 'NGO' in the field of tribals in Andhra Pradesh, 'LAYA' could make moderate contributions in promoting the rights and in-

Assessment in in promoting human rights

terests of tribals, one of the most exploited lot in the country. Issues such as tribal land alto its contributions ienation by non-tribals with the indirect assistance of bureaucracy and political intermediaries through benami transfer, illegal endowments, fradulent settlement, concubinage etc, depletion of forest resources which adversely affect the socio- economic balance/living conditions of tribals, displacement of tribals due to the construction of dams etc and the indifferent or ineffective functioning of governmental agencies in Tribal belts/scheduled areas, could be well-projected by LAYA, through its legal struggles, extensive documentation and mobilisation of affected sections. Such campaigns/programmes could be given more impetus and momentum through networking with like-minded groups and NGOs. The availability of adequate funds and a set of experienced persons, helped the organisation to go ahead with its campaigns/ projects-programmes/documentation and researches in the Tribal field, in spite of veiled threats from left wing extremist groups. Visibly, there is wind of change among the target population.

4.6. CONFEDERATION OF VOLUNTARY ASSOCIA-TION (COVA), HYDERABAD

The origin of COVA can be traced to the activities of the Deccan Development Society, which has been involved for more than a dec-

History of the Organisation and Organisational structure. ade, in the empowerment of poor, landless, dalit women in sixty villages near Zaheerabad, Medak district Andhra Pradesh. The earliest indication of the Deccan Development Society's concern about communal-disharmony in the old city (Hyderabad) is their documentary

film - KYA HUWA ISS SHAHAR KO? DDS produced this film in 1984, focusing on incidents of communal violence in the Old City (Hyderabad). And during the riots of 1990-91, along with other voluntary agencies, DDS participated in relief and rehabilitation work. Post-1990 intervention, DDS continued to be active in the Old City, organising literacy camps, cultural programmes such as painting ses-

sions, summer camps for children etc. During this period it became evident that a single organisation, that too, operting from outside the Old City (geographically and otherwise) cannot perform effectively due to several limitations, especially communal sensitivity or the "ghetto" like situation in the old city.DDS by now had established contact with several grass-root level organisations. These organisations (or rather groups-almost adhoc in nature)were ambitious to do more , but were restricted by lack of resources/ infrastructure. It was at this juncture that COVA--a Confederation of Voluntary Associations--was conceived. Thus COVA a network of different organisations was formed in 1994, to meet local needs through local organisations and peoples. It main endeavour was to bring together communities of people of different creeds, ages, sex and create an atmosphere of respectful interaction through a number of socio-economic-cultural programmes. In pursuance of its goals of communal harmony and empowerment through the active participation of local groups and organisations, COVA identifies groups and organisations active in different localities and also undertakes to form groups, if they are not available, especially in communally sensitive and economically backward areas.

As regards to organisational set-up COVA, has small and large, informal and formal community based groups, voluntary organisations, NGOs and Institutions, numbering over 70 and dispersed over a wide area. There are 15 individuals having expertise in the fields of entrepreneurship, Banking, Theatre, Fine Arts, Mass-communication, Environment etc. associated with COVA net-work as Honorary members. The representatives of member organisations are involved at all management, decision-making and monitoring levels. To ensure that all members get an opportunity to participate at all the decision making and management levels and prevent any individual or group from capturing the organisation, it is stipulated in the bye-

laws that no person can occupy the same post for more then one term of two years.

COVA and affiliated member organisations have different roles in the organisational set up. The primary goals of COVA are group formation, networking, resource mobilisation, conception, planning, management, implementation and monitoring of programmes, undertaken by COVA on its own or in collaboration with member organisations. The roles of member groups and organisations consist of conception, planning, management, implementation and monitoring of their programmes along with resource mobilisation and capacity building for organisational development and adequate resource mobilisation to reduce dependence on COVA and become self-reliant. There are 5 category of membership in COVA network. They are a) Probationary members :- Groups or organisations, wishing to join COVA net work are first enrolled as probationary members; their performance is observed and assessed closely for 3 months to one year, and are admitted to relevant membership on the basis of their commitment, integrity and performance b) Member Group :- Informal/Friendship groups in localities which organise activities and programmes, periodically are enrolled as members c) Member Organisation :- Locality organisations having formal membership and defined structure are enrolled as member organisations. They are eligible to use COVA facilities and infrastructure and are supported for medium and long term programmes. These organisations should be registered, have regular elections, maintain detailed activity reports and have their accounts, audited every year. d) Women Entrepreneurs establishment :- Entrepreneurs establishment managed by women and employing only women are enrolled as member entrepreneurs. Adult literacy, awareness and skills enhancement, capacity building and thrift programmes are organised for workers and managers, by COVA on regular basis e) Institution members :- NGOs and established organisations, having a budget of over 1.5 lakhs per year are enrolled as institution members. They are not provided direct financial assistance, but can utilise all infrastructure and the facility of the COVA net work. Member organisations which develop the capability of mobilising their own resources and raise Rs.1.5 lakhs or more for their project for 3 consecutive years are also transferred to Institutions membership and (6) Honorary members: Individuals who have expertise in some field and are interested in offering their services on voluntary basis for social development and transformation, compatible with the objectives of COVA, but cannot or do not want to form groups, are enrolled as honorary members.

COVA, has also given shape to Network of 'Community-based Organisations'. In this strategy, members or community-based groups, which are not interested to play the role of NGOs, but interested in advocating awareness campaign etc are brought under a network. There are two different types of network under this category viz. those groups which are interested in specific areas like Women's youth, children activities (Specific Activitiy Network/SAN) and the other type of network comprise of groups in a given geographical area or extended locality, to be called Local Area Network (LANs). Within 3 years of COVA's formation, it has over 70 community based groups as members of which 30 have good potential and promise.

i) Vision:

COVA proposes to establish communal harmony and comunity empowerment in the Old City of Hyderabad through a network of local

groups and organisations, and by providing them the opportunities, inputs and a platform for social activism oriented to the principle of service to humanity without any sectarian considerations, and

Organisational mission/values

which is free from affiliations with specific religious groups and political parties.

ii) Mission:

COVA aims to create a secular platform for localised needs of harmony and development, involving local people and organisations, cutting across communities and working on the principle of service to humanity. COVA acts as catalyst for enabling formation of grass root organisations and integrates them as members of the COVA network.

It endeavours to provide all necessary inputs to the member organisations to ensure harmony and sustainable development in their respective localities, and also become self-sustaining and free standing agents of the process of empowerment in each area of the Old City.

COVA gives special emphasis to the empowerment of women, and their integral involvement and contribution at all levels, in its endeavours and activities to establish communal harmony and community empowerment through the promotion of Micro-Enterprises and exercises in capacity building at the individual, community and organisational levels, to enable this important, but marginalised and disempowered section of society to secure economic independence, social dignity and act as powerful and effective catalysts and agents for social transformation and community empowerment.

Its specific objectives, in line with the above vision and mission include a) creation of awareness among the general public and target-groups on the social, economic and other issues which create poverty, illiteracy, unemployment, disempowerment and communal disharmony b) Encourage networking of organisations, groups and individuals, endeavouring for communal harmony and empowerment c) Formation of women/youth groups in communally - sensitive areas d) Training to women, youth and men for employment,

self-employment, vocational and income - generation activities e) Promotion of Micro- Enterprise Co-operatives for women f) Creation of awareness among all sections in environment concerns, regarding sanitation, safe- drinking water, health-care, ecological regeneration, civic amenities etc. g) Formulation of solutions to the social and development problems of old-city and sensitising the planners and administrators on such issues.

COVA's activities have been concentrated in the Old City of Hyderabad. From functional angle, it has twin objectives of attaining

Major areas of operation (Geographic & functional)

communal harmony and community empowerment in the old city through the creation and establishment of a network of local groups and organisations. These groups undertake the following activities.

- a) Womens activities (Centres for integrated development, which include micro-enterprises, capacity -building, Advocacy, counselling, Medical check-ups and legal assistance, Vocational Training, Literacy, Awareness enhancement, Leadership Training, Group formation, Women's Rights and Advocacy, Net-working of women's groups and resource mobilisation from financial institutions, government bodies and other agencies).
- b) Children's activities (Green-Kids Leagues, Ecological regeneration, Teachers Orientation and Training, Children's Sunday for creative activities, non-formal education and summer camps).
- c) Youth activities (Group formation and networking, orientation programmes for communal harmony and community development, Counselling, Training and assistance for job-placements and self-employment, workshops for employment and entrepreneurship development, language-proficiency and leadership training, Athletic training, Theater and creative arts).

- d) Human-resources development (The member organisations and general public): This include lectures, workshops, video-shows and Training.
- e) Net-working (meetings, compaigns, Advocacy, Riot-control measures, outstation participation, publications, press conferences, policy interventions).

The main goals of the organisation viz. the establishment of communal harmony and community empowerment, especially an area (Old city of Hyderabad) known for fragile communal situation and

Significant project I
activity
in the direction of
promoting
Human Rights.

socio-economic backwardness, come within the broader framework of human-rights. The following are the specific projects/activity, undertaken by COVA, in the direction of promoting human rights.

1) During May,94, COVA organised a workshop on "GATT in the context of Human Rights" in which Swami Agnivesh, national level crusader against bonded-labour and Asghar Ali Engineer (Social Scientist) delivered talks on the challenges against human rights, in the wake of economic liberalisation and globalisation.

- 2) In 1995, COVA launched a special campaign viz "Children's Sunday"- meant specially for child-labourers, victims of human-rights violations. It was conducted on the first and third Sunday of every month, for children below 15 years of age. It provided education and creative output for children with or without formal education. The programme constituted of theatre workshop, educational and creative games, painting, clancing, singing, clay-modelling etc.
- 3) During 95, COVA organised a series of lectures by eminent journalists, civil rights activitis, journalists, writers such as Kuldip

Nayyer (Citizens for Democracy) K.G.Kannabiran (APCLC/PUCL), Dr.Balagopal (APCLC) on themes such as Civil/human rights. On the basis of these talks and panel discussions, video-cassettes were prepared and they were sold to voluntary organisations and educational institutions. This was found to be an effective method of dissimination of human and civil rightsthemes to more and more sections of people.

- 4) COVA promoted 'Green Kids League Programme' that strives to create environmental awareness among children and with the help of around 10000 children from the schools, about 75000 saplings were planted in the old city in 1996.
- 5) Along with 20/30 NGOs, COVA played a leading role to trace and rescue a young girl, kidnapped by flesh-traders from Hyderabad. The organisation together with other NGOs are pressing for the conviction of criminals. Similarly, COVA volunteers were instrumental for mobilising campaigns (with other NGOs) for police action against a rowdy element, who murdered his wife at Chadarghat area during 1997. Initially, the incident was treated as suicide.
- 6) The net-work groups and community based organisations, working under COVA, played a major role in putting an end to the tendency of Arab nationals (on temporary visit to Hyderabad) entering into matrimonial alliance with young poor muslim girls and deserting them after 3/4 months. The poverty and other socio-economic factors, contributed to this evil, which sometimes, was even encouraged by the parents of the girls. After the detection of 2 cases by COVA volunteers from the old-city in April,97 and strict legal action, the menace has come down.
- 7) The 'Festival of the subcontinent' organised by a number of groups from India, Pakistan and Bangla Desh, to commemorate 50 years of freedom from colonial rule was celebrated in Hyderabad from

August 14 to 17, 1997, to spread the message of goodwill, cooperation and collaboration for progress in the subcontinent. A number of leading personalities, connected with human/civil rights, Art, culture, literature like Swami Agnivesh, N.Ram (Journalist), Dr.Dharni. P.Sinha (Chairman, COSMODE), Ustad Ahmed Hussain and Ustad Mohd. Hussain (G hazal experts from Jaipur), Himayat Ali.Shair (Poet from Pakistan) Malika Pudhraj (Singer from Pakistan)Sunil Karmakar (folk artist from Bangla Desh) etc participated.

Major target Women, youth, children, child labourers of old-city groups covered of Hyderabad.

Cova could attain moderate achievement in line with its main aims and objectives. The notable achievements are as follows

Notable Achievements:

1) Women empowerment: Cova along with network group, has undertaken the project under World Bank scheme (India population project). The target comprises 72 slums in the old city (Hyderabad) with 12000 households, covering a total population of over 1.5 lakhs. The priority areas of activity include family planning, health, sanitation and 100% immunisation of children. For launching these tasks, volunteers from the above slums have been selected in the ratio 1 volunteer for about 20 household. They have been imparted Training on legal rights, child care, health, sanitation etc. These volunteers act as the link between the people and the network groups. Already some 50 groups are operating in the area. They are assisted by doctors/nurses/teachers/lawyers for organising health/awarness/legal camps in each area. Workshop for adoloscent girls on hygiene, family-planning, counselling etc have been organised. Similarly, COVA, through community based groups has

launched Income-generation activities among the target population in order to make them sustainable from financial angle. These include Embroidery, Tailoring (ladies garments/school uniforms) wollen garments, handicrafts, artifical flowers/bouquets, Lace, Bangles, Jams, Jellies, Juices, Pickles, Candles, Detergent Power etc. COVA could also organise effective marketing net-work for the above products.

2) Green kids League: - This programme is meant to achieve the twin goals of achieving environmental awareness/communal harmony. 15 Leagues are operating in the old city in 45 schools. 30 students and 3 teachers from 3 schools in an area form one league. They try to work in the direction of spreading communal harmony among the children for which activities such as sports, games, seminar, cultural programmes etc., have been organised. Professional people, connected with media, medical institutions etc. impart Training to the Teachers who head the League. The scheme has created good impact in the schools of the area.

COVA, occasionally brings out brochures on communal harmony, environmental issues and civil-rights, which are mainly criculated among the residents of the old-city. The organisers also hold frequent press conferences, on its programmes/ projects, which get good media coverage.

1) Given COVA's close participation in both controlling riots and offering relief in affected areas, in 1995 it prepared a detailed investigative report with inputs from other organisations like 'Hyderabad Ekta'. Some suggestions made in the report (for the speedy restoration of normalcy) such as the ground-level work of

peace committees, have been duly considered by the state administration.

- 2) COVA participated in survey conducted about women in the old city. One such project was the survey on muslim -women's opinion on the uniform civil code, done by Women's Research and Action Group, Bombay. It also collaborated in a socio-economic survey of minority conducted by the Dept of Minorities, Osmania University.
- 3) It conducted a study on "Child Labour in the old city of Hyderabad" during 1997. The objective of study was to create data to help the government and NGOs to make policies to address the problem of child labour more effectively and also suggest remedial measures in the context of specific local, social and cultural factors. The study, which was made by sampling 165 children, working in various trades like carpeting, leather, zari, auto-works and bangles making in the old city, highlighted that the majority of these children, hailed from poor families, whose monthly earning was below Rs.2500, and were virtually illiterte. The monthly earning of these children, who worked more than 8 hours a day was less than Rs.300, but surprisingly there existed warm-relationship at work between the child and employer. Majority were not keen to pursue education, which did not equip them for anything and thus they felt it as luxury for the more affluent.
- 4) At the instance of Rajiv Gandhi Foundation, COVA, conducted survey and identified 2 localities, which were in dire need of developmental activities for women and children.

It also associated with Hyderabad Metro Water Supply sewerage Board (in implementing low-cost sanitation in the Old City slums), Hyderabad child labour project (initiative to start schools in the slums) and Municipal Corporation of Hyderabad (Pulse polio programme) etc.

A section of minority population in the old city, due to their orthodoxy, religious obscurantism, is not well-disposed to

Problems in implementing projects/ideas

COVA/community-based groups, in their compaigns such as family-planning etc. In such areas, their focus is more on health campaigns. The occurrence of conflicts and riots in the area, adversely affect the activities of the organisation. In

spite of its endeavour to establish communal harmony, sporadic communal incidents continue to plague the area- the latest of which took palce during May,98 as a result of the circulation of a leaflet, which wounded the religious sentiments of a particular community. Such oft-repeated communal conflicts adversely affect the credibility of COVA and its slogans of communal harmony and peace.

The future plan is to transform COVA into a Resource Centre for NGOs and network, which will together, own, control and direct

Futuristic Plans

Finances

COVA activities as its constituent members. It is envisaged that COVA will be able to enter the final phase of role transformation by enabling the emergence of self-reliant NGOs and networks to be-

come a Resource centre by 2009 A.D. Then, its endeavour will be to provide specialised services to various groups. An organisational development programme for 15 years (1994-2009) under 5 phases, has been formulated by the body.

COVA/its affiliated groups mobilise funds from within and outside the country. The major foreign funding agencies are Christian Aid,

London, BILANCE, Netherlands, and Alternatives. Their specific projects (like women empowerment/child welfare etc) are also financed by World Bank and UNICEF. Another source of fi-

nance is the large number of South Asian expartiates, settled in Can-

ada etc who raise a consortium of funds, through liberal contributions an send to COVA/net-work groups for specific projects.

The key functionaries of COVA, claim that they could attain 30-40 % success in their various aims and objectives. Ground-level assess-

Assessment

ment also indicates that COVA could make its presence felt in the Old City (of Hyderabad) which is unique in many respects in its socioeconomic and religious milieu. Orthodexy, ob-

scurantism and illiteracy are the main facets of the overwheleming popultion, which suffer from lack of development and infra-structures such as drinking water and sanitation facilities. Women are the worst victims of such socio-economic and educational backwardness. Added to this is the fear of communal conflicts and riots. In such an atmosphere of tension and frustration, only NGOs can win over the faith of the people. In fact, COVA plays this comparatively well. Its innovative schemes such as spreading the message of communal harmony through students/ Teachers in the schools, empowerment of women by constituting groups of volunteers in slums and imparting training to the dwellers on income generating trades and vocations and working out a marketing net-work to sell out the products by local entrepreneurs, could considerably change the social and economic mileu of this area. Coupled with these changes, they could also effectively fight against the exploitation of women like the kidnapping of girls for flesh-trade and the infamous 'temporary marriage of poor muslim girls by the visiting Arabs. All these activities could marginally promote the concept of human rights.

CHAPTER 5

ANALYSIS AND INTERPRETATION OF DATA- I "Role of NGOs in Promoting Human Rights"

5.1. INTRODUCTION

In this Chapter, an attempt has been made to:

- analyse data and report findings on each statement of attitude scale (N.G.Os-functionaries, Academicians, bureaucrats, journalists, judicial- experts and police executives) towards human rights and NGOs role.(Questionnaire at Appendix- B)
- analyse the views of respondents in response to two openended questions regarding the suggestions for improvement of the effectiveness of NGOs in the human rights field and NGO - police relations.

5.2.RESPONSE ON OPINIONNAIRE "ROLE OF NGOS, IN THE PROMOTION OF HUMAN RIGHTS

The responses were fed in computer by using SPSS Package . The analysis and interpretation of data yielded following results :

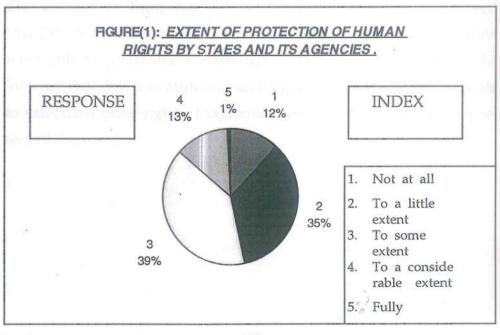
5.2.1 - Response on statement NO.1- "To what extent States & its agencies are able to protect Human Rights?"

The results from the statistical analysis are presented in Table 5.2.1:-

Table 5.2.1
Response on Attitude statement No.1

	Resi	Descriptive Modal Statistics/ Response			
Statement	Fully	To a considerable extent	To some extent	To a little extent 1	Not at all
1.	19	6 13%	39%	35%	12% Mean -2.563
					Mode - 3 To some S.D0.893. extent

From the table 5.2.1 it is evident that 39% respondents felt that the state and its agencies were able to protect human rights 'to some extent'(mode-3, Mean-2.563) . Only 1% of the respondents were of the view that state was fully protecting the human rights. Diagramatic representation of data is presented in Figure.1.



5.2.2. Statement No.2.- "To What extent the State and the administration are guaranteeing the Human Rights of people"?.

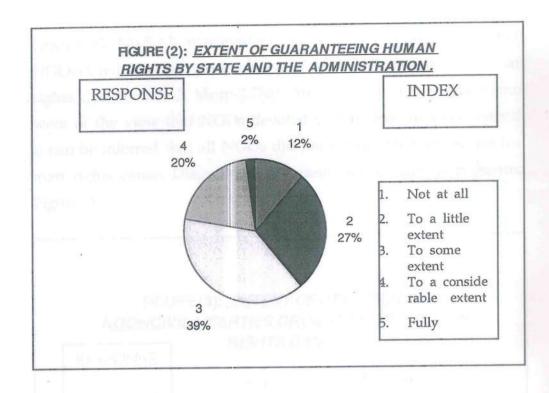
The results from statistical analysis are presented in Table No.5.2.2

Table No.5.2.2

Response on Attitude Statement No.2

	Res	Descriptive Statistics/	Modal Response			
Statement	Fully	To a considerable extent	To some extent	To a little extent l	Not at all	
12.7. 1.1	. 49			111	1	
2.	29	% 20%	39%	27%	12% Mean -2.7	18
					Mode - 3 S.D1.014	To some exten

The statistics in Table No.5.2.2 (with Mode-3, Mean-2.718) showed that 39% of the respondents felt that the state and the administration were able to guarantee human rights 'to some extent'. It can be inferred that the constitutional and legal provisions were adequate to safeguard these rights. Diagramatic representation of data is presented Figure 2.



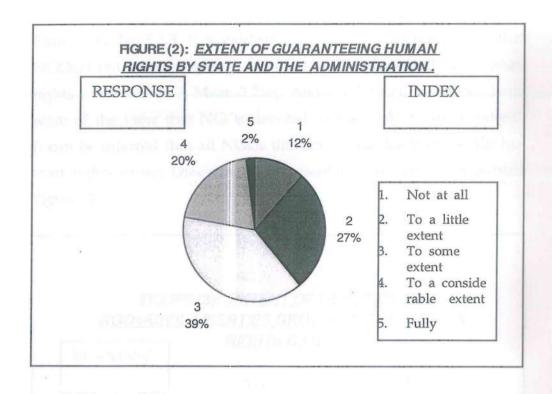
5.2.3. Statement No.3 - "To what extent NGOs/Civil liberties groups are devoting themselves to Human Rights cause?"

The results from statistical analysis are presented in Table No.5.2.3.

Table 5.2.3

Response on attitude Statement No.5.2.3

	Rest	Descriptive Modal Statistics/ Response			
Statement	Fully	To a considerable extent	To some extent	To a little extent	Not at all
524, 50	holven!	No. of L	who be t		.1
	39	The second of th	36%	40%	3% Mean -2.786
					Mode - 2 To a little S.D0.882 extent



5.2.3. Statement No.3 - "To what extent NGOs/Civil liberties groups are devoting themselves to Human Rights cause?"

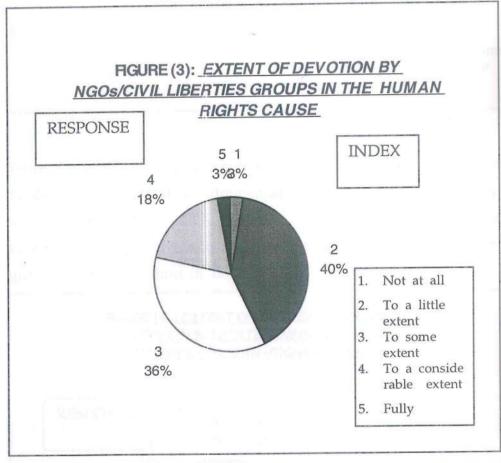
The results from statistical analysis are presented in Table No.5.2.3.

Response on attitude Statement No.5.2.3

Table 5.2.3

		Resp	Descriptive Modal Statistics/ Response			
Stateme	ent	Fully	To a considerable extent	To some extent	To a little extent	Not at all
5.2,4.	State	P1 95	Yor (1)	lac to-		, the contract Ma
3.		3%	3 TOTAL CONTROL W/	36%	40%	3% Mean -2.786
C.						Mode - 2 To a litt S.D0.882 extent

From table No.5.2.3, it is evident that 40% of respondents felt that NGOs/Civil liberties groups devoted 'to a little extent' for human rights cause (Mode-2, Mean-2.786). Another 36% of the respondents were of the view that NGOs devoted to this task 'to some extent'. It can be inferred that all NGOs did not devote themselves for human rights cause. Diagramatic representation of data is presented Figure 3.



5.2.4. Statement No.4.- "How far the NGOs could attract the attention of the stateladministration towards their failures at Human-Rights front?"

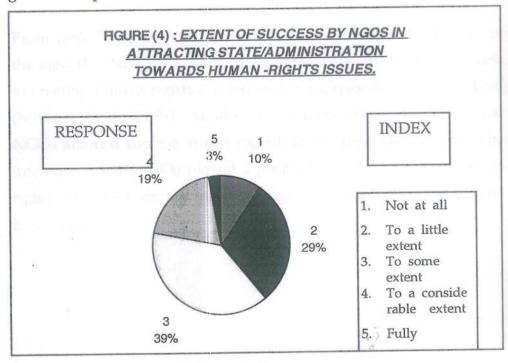
The results from statistical analysis are presented in Table.5.2.4.

Table No.5.2.4

Response on attitude Statement No.4.

Resp	Descriptive				
Fully	To a considerable extent	To some extent	To a little extent	Not at all	Response
3%	6 19%	39%	29%	10% Mean -2.7	
				Mode - 3 S.D1.002	To some extent
	Fully	Fully To a considerable extent 3% 19%	Fully To a To some considerable extent 3% 19% 39%	Fully To a considerable extent little extent To some To a extent little extent 3% 19% 39% 29%	Fully To a To some To a considerable extent little extent 3% 19% 39% 29% 10% Mean -2.7 Mode - 3 S.D1.002

From Table 5.2.4, it is evident that 39% of the respondents felt that NGOs could attract state/administration towards human rights issues 'to some extent' (Mode-3, Mean- 2.728). It can be inferred that NGOs played a positive role in the protection of Human Rights. Diagramatic representation of data is presented in Figure 4.



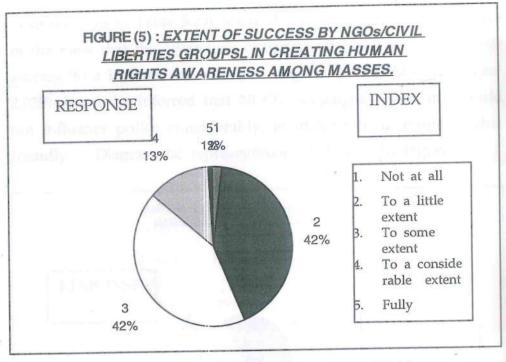
5.2.5. Statement No.5 - "To what extent NGOs/Civil liberties groups are successful in creating Human Rights awareness amaong masses?"

The results from statistical analysis are presented in Table No.5.2.5.

Response on attitude Statement No.5.

	Resp	Descriptive Statistics/				
Statement	Fully	To a considerable extent	To some extent	To a little extent	Not at all	
5.	12	2% 13%	42%	42%	1% Mean -2.68	39
					Mode - 3 S.D0.754	To some extent

From table 5.2.5, it is evident that 42% of the respondents were of the view that NGOs/Civil liberties groups were able to attain success in creating human rights awareness among masses 'to some extent' (Mode-3, Mean-2.689). Another 13% of the respondents felt that NGOs attained success in this regard 'to a considerable extent'. The inference is that NGOs played a positive role in promoting human rights awareness among masses. Diagramatic representation of data is in figure No.5.



5.2.6. Statement No.6 - "How far the Human Rights awareness campaigns by NG()s, could influence the police?".

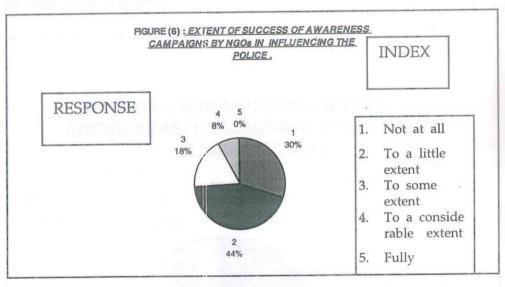
The results from statistical analysis are presented in Table 5.2.6.

Table No.5.2.6

Response on attitude statement No.6.

	Resp	Descriptive Statistics/	Modal Response			
Statement	Fully	To a considerable extent	To some extent	To a little extent 1	Not at all	
	hom	pond a first	T-FL		784 23	
6.	09	% 8%	18%	44%	30% Mean -2.0	39
		10 M			Mode - 2 S.D0.896	To a little extent

The statistics in Table 5.2.6, showed that 44% of respondents were of the view that the awareness campaigns by NGOs could achieve success 'to a little extent' in influencing the police (Mode-2, Mean-2.039). It can be inferred that NGOs campaigns / activities could not influence police considerably, in making them human rights friendly . Diagramatic representation of data is in Figure 6.



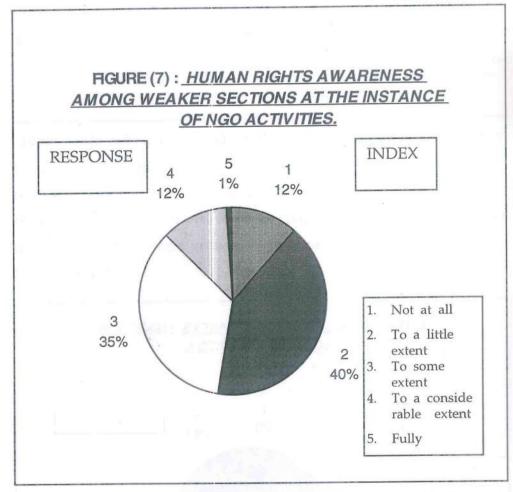
5.2.7. Statement No.7 - ("To want extent, vulnerable weaker sections, have become conscious of Human Rights because of NGO activities?")

The results from statistical analysis are presented in Table 5.2.7.

Table No.5.2.7.
Response on attitude statement No.7

	Res	Descriptive Statistics/	Modal Response			
Statement	Fully	To a considerable extent	To some extent	To a little extent	Not at all	1 18
7.	19	% 12%	35%	40%	12% Mean -2.4	-66
					Mode - 2 S.D0.916	To a little extent

From table No.5.2.7, it is evident that 40% of respondents felt that NGO activities could create human rights awareness among weaker sections 'to a little extent' (Mode-2, Mean-2.466). Another 35% of respondents were of the view that the impact was 'to some extent'. It can be inferred that NGO activities could create moderate human rights awareness among weaker sections. Diagramatic representation of data is in Figure.7.



5.2.8. Statement No.8 - "To what extent do you feel that the activities of NGOs are mere propaganda oriented?".

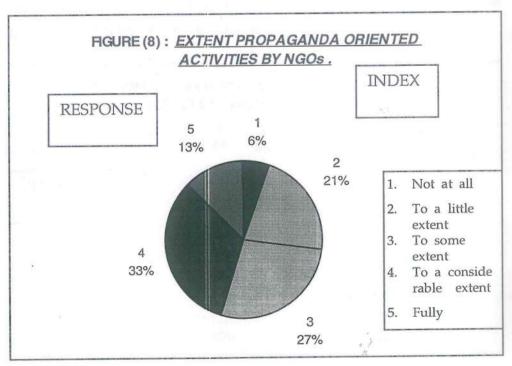
The results from statistical analysis are presented in Table 5.2.8.

Table 5.2.8

Response on attitude statement No.8.

Terr post	Resp	ponse in Percer	ntage		Descriptive Modal Statistics/ Response
Statement	Fully	To a considerable extent	To some extent	To a little extent l	Not at all
8.	13	3% 33%	27%	21%	6% Mean -3.233
					Mode - 4 To a con- S.D1.148 siderable extent

From table 5.2.8., it is evident that 33% of respondents felt that the activities of NGOs were 'to a considerable extent' propaganda-oriented (Mode-4, Mean-3.233). It can be inferred that a number of NGOs were more concerned on propaganda and publicity, rather than the uplift of target groups. Diagramatic respresentation of data is in figure 8.



5.2.9. Statement No.9 - "To what extent you support the view that NGOs can extent much help to police, in preventing many offences?".

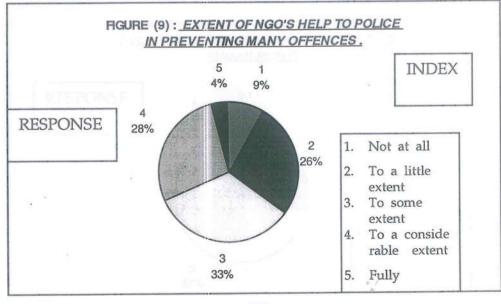
The results from statistical analysis are presented in Table No.5.2.9

Table No.5.2.9

Response on attitude statement No.9

	Response in Percentage				Descriptive Modal Statistics/ Response	
Statement	Fully To a considerable extent		To some extent	To a little extent	Not at all	
9.	4%	28%	33%	26%	9% Mean -2.922	
					Mode - 3 To some S.D1.026 .extent	

From talbe No.5.2.9, it is evident that 33% of respondents were of the view that NGOs were able to extend help to police 'to some extent' in preventing many offences (Mode-3, Mean-2.922). It can be inferred that NGOs - through better interaction and liaison with police- could make some contribution in the law enforcement task. Diagramatic representation of data is in figure 9.



5.2.10. Statement No.10. - "How do you rate the success of major civil liberties groups/NGOs in promoting Human Rights?"

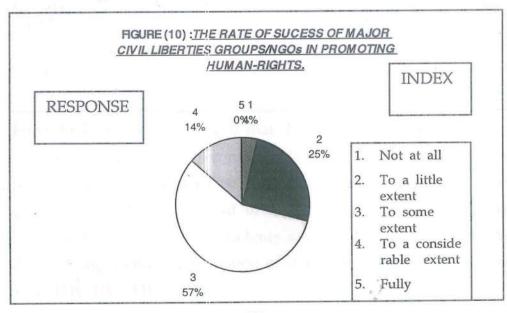
The results from statistical analysis are presented in Table 5.2.10.

Table No.5.2.10

Response on attitude statement No.10

	Resp	Descriptive Statistics/	Modal Response			
Statement	Fully To a considerable extent		To some extent	To a little extent	Not at all	
10.	0%	14%	57%	25%	4% Mean -2.80)6
					Mode - 3 S.D0.715	To some extent

From Table 5.3.10, it is evident that 57% respondents were of the view that the major civil liberties groups/NGOs were able to promote human rights 'to some extent' (Mode-3, Mean-.715). The inference is that NGOs / civil liberties groups played a positive role in the promotion of human rights . Diagramatic representation of data is in figure.10.



5.2.11 Research Question No.II -"To what extent, NGOs could create Human Rights Awareness in the following target-groups viz. a)Tribals-Dalits b)Intellectuals c)Political activistsd)Urban-elite e)Students&Youths".

The results from statistical analysis are presented in Table 5.2.11.

Table 5.2.11:

Contribution of NGOs in the creation of Human Rights in various groups

				Re	sponse in I	Percenta	ige	
Gro Stra	oups/ ata	Fully	To a consi- derable extent	To some extent	To a little extent		Descriptive Statistics	Modal Response
1.	Tribal/ Dalits	11%	30%	29%	21%	9%	Mean-3.097	
							Mode-4 ' S.D1.176	toa con- siderable
							S.D1.176	extent'
2.	Intell-							
	ectuals	3%	28%	30%	31% 8	%	Mean-2.835 '	to a
							Mode-2	little
				×			S.D1.039	extent'
3.	Political activists	3%	13%	26%	37%	21%	Mean-2.350 ' Mode-2	to a little
							S.D1.064	extent'
4.	Urban elite	1%	21%	32%	31%	15%	Mean-2.592 Mode-3	'to some extent'
							S.D1.033	
5.	Students	8%	17%	31%	34%	10	Mean-2.777	'to
	&Youths						Mode-2	little
							S.D1.120	extent'

From Table 5.2.11, it is evident that NGOs were able to create human rights awareness 'to a considerable extent' among Tribal/Dalits sections (Mode-4, Mean-1.176) and 'to some extent' among Urbanelite (Mode-3, Mean-2.592) and 'to a little extent' among intellecutals (Mode-2, Mean-2.835) and Students and Youths (Mode-2, Mean-2.777). Diagramatic representation of data are presented in figures 11A, 11B, 11C, 11D, & 11E.

FIGURE (11 A): EXTENT OF CREATION OF HUMAN RIGHTS AWARENESS BY NGOS AMONG TRIBAL/DALITS.

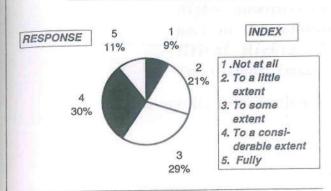


FIGURE (11 B): EXTENT OF CREATION OF HUMAN RIGHTS AWARENESS BY NGOs AMONG INTELLECTUALS.

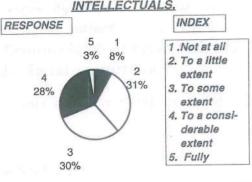


FIGURE (11 C): EXTENT OF CREATION OF HUMAN RIGHTS AWARENESS BY NGOS AMONG POLITICAL ACTIVISTS.

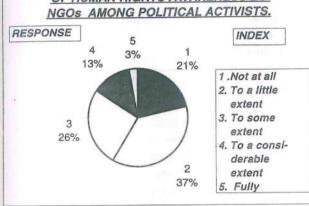
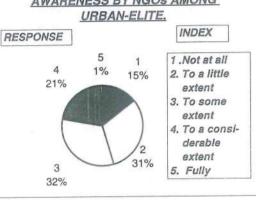
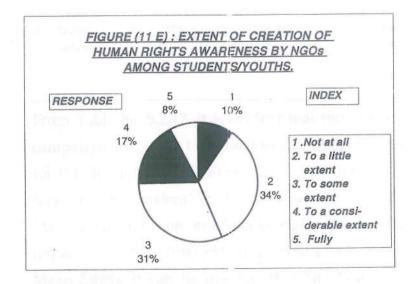


FIGURE (11 D): EXTENT OF CREATION OF HUMAN RIGHTS AWARENESS BY NGOS AMONG URBAN-ELITE.





5.2.12. Research Question No.III. -"To what extent the Human Rights awarenss campaigns by NGOs, could create impact in the following fields namely:- a) Civil & Political Rights b) Economic & Social Rights c) Tribal-Dalit issues d) Social-upliftment?".

The results from statistical analysis are presented in Table 5.2.12.

Table No.5.2.12.

NGOs and impact created in various fields

			R	esponse pa	ttern			
Fiel Asp	ects	Fully	To a consi- derable extent	To some extent	To a little extent	Not at all	Descrij Statisti	ptive infernce ics
1.	Civil &Politi- calrights	3%	21%	51%	19%	6%	Mean-2.922 Mode-3 S.D957	'to some extent'
2.	Economic &Social rights	5%	15%	38%	34%	8%	Mean-2.718 Mode-3 S.D1.004	'to some extent'
3.	Tribal Dalit issues	5%	31%	31%	26%	7%	Mean-2.971' mode-4 S.D1.098	to a considerable extent'
4.	Social upliftmen	3% t	17%	30%	31%	19%	Mean-2.485' Mode-2. S.D1.145	toa little extent'
							S.D.1.004	

From Table No.5.2.12, it is evident that the human rights awareness campaigns by NGOs had considerable imapet in the Tribal-Dalit sector (Mode -4, Mean-1.098). Similarly, the impact of such campaigns was 'to some extent' in the field of civil/political rights (Mode-3, Mean-2.922) and economic& social rights (Mode-3, Mean-2.718). Their impact was of 'a little extent' in field of social-upliftment (Mode-2, Mean-2.485). It can be inferred that NGOs and civil rights groups played a positive role in the protection and promotion of political,

civil, economic and soical rights especially of marginalised sections like dalits and tribals. Diagramatic representations of data are in figures 12A, 12B, 12C and 12D.

5.3. RESEARCH QUESTION NO.IV-"WHAT ARE YOUR SUGGESTIONS FOR FURTHER IMPROVING THE EFFECTIVENESS OF CIVIL LIBERTIES GROUPS/NGOS LIKE ANDHRA PRADESH CIVIL LIBERTIES COMMITTEE (APCLC) IN THE HUMAN RIGHTS FIELD?"

Response: After content analysis, the following suggestions emerged out:

- (i) As regards Civil Liberties groups, they should function as a united front of variety of individuals and groups. They should not create an image of the mass-front of a particular party or group guided by specific ideologies expressed in terms of 'hackneyed cliches'. They should desist from using the movement for furthering their specific political agenda or ideology. Then only, these groups can improve their image and credibility by focusing on the main task of the protection and promotion of civil and human rights. The civil liberties groups will have to be selective and make discrimination on their choice of cases in the light of these principles so that they avoid dissipation of their limited resources and manpower. At the sametime, their endeavour should be to extend their activities to grass root level as well as to the new fields of civil human rights issues. Rights and problems of marginalised sections such as dalits/tribals and women should find priority in their agenda of policies and programmes.
- (ii) NGOs, on the otherhand, can play a more important role in the promotion of human rights, through a wide range of strategies, campaigns and activities. They should include:

FIGURE (12 A): EXTENT OF IMPACT OF HUMAN RIGHTS-AWARENESS CAMPAIGNS BY NGOS, IN THE FIELD OF CIVIL & POLITICAL RIGHTS.

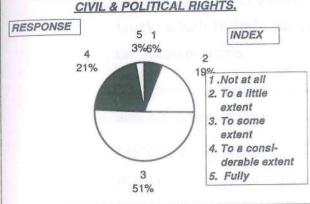


FIGURE (12 B): EXTENT OF IMPACT OF HUMAN RIGHTS AWARENESS CAMPAIGNS BY NGOS IN THE FIELD OF ECONOMIC & SOCIAL RIGHTS

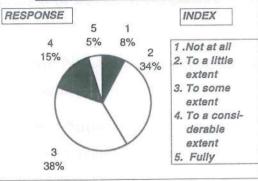


FIGURE (12 C): EXTENT OF IMPACT OF HUMAN RIGHTS AWARENESS CAMPAIGNS BY NGOS IN TRIBAL-DALIT ISSUES.

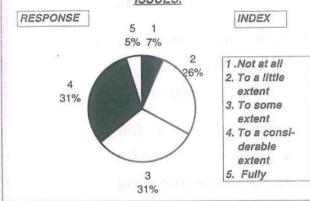
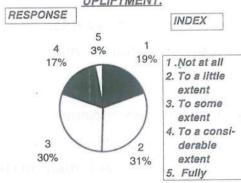


FIGURE (12 D) :EXTENT OF IMPACT OF HUMAN RIGHTS AWARENESS CAMPAIGNS BY NGOS IN THE FIELD OF SOCIALUPLIFTMENT.



- (a) Formation of human rights watch groups at village, taluk and district level.
- (b) Human Rights awareness campaigns through multi -media net work, which include the publication of booklets, magazines, leaflets on human rights.
- (c) Intensive Training Courses for NGOs/ Volunteers working among target groups on human rights.
- (d) Taking up issues in High Courts/ Supreme Court on major human rights violations particularly of marginalised sections such as SC/ST, Women, Children etc.
- e) Establishment of data centres or Documentation Centre to collect and disseminate information on human rights.
- (f) Promotion of human rights awareness among school and college students through distribution of literature or talk by NGO-functionaries.
- (g) Research and survey on human rights violations and publication of authentic reports for the intervention of authorities and public-consumption.
- (iii) A paradigm shift in NGO-functioning is essential in order to achieve better results in the human rights front. They should enrol grass-root workers, motivate them, train them and field them with clear objectives and goals. For example, in areas where literacy percentage is very low, door to door propaganda may be undertaken and should be given wide publicity with the involvement of the people. Cells or centres in every locality may be opened to receive complaints/grievances relating to Human Rights violations.
- (iv) Creation of awareness on human rights alone would not help to check the violations. Awareness coupled with action, would im-

prove the image and credibility of the NGOs. These 'actions' should be within the parameters of law and the existing political system. Public Interest Litigations (PIL) on genuine and grave violations of human rights can be initiated by NGOs. The lawyering community and professionals should take active role in NGOs, so that NGO movement will get more co-operation from the state agencies etc. These professionals should educate NGOs/volunteers on law and judicial process and develop an attitude among them to respect law and human rights.

- (v) A change in the strategy of NGOs is imperative to improve their effectiveness in the field of human rights. Prioritisation and specialisation are two key aspects in this regard. As many NGOs are overstretched with multiplicity of projects and programmes, disproportionate to their resources and manpower, actual achievements are marginal, particularly in the human rights field. This lacunae, to a great extent, can be overcome through the 'net-working of NGOs' working in the same field. More co-ordinated efforts are needed to improve their performance.
- (vi) Too much dependence on foreign funding agencies or their guidelines in the implementation of projects, deviates NGOs from their actual tasks/ targets. Self-sufficiency, in resources, may augument their effectiveness as well as image. For that purpose governmental support to NGOs is imperative. The strategies like the channelising of a portion of the developmental funds of government, through reputed and sincere NGOs, induction of NGO- representatives in governmental committees, especially for social development/ welfare, may help to strengthen NGO government relations.

5.4. Research Question No V.(What are your suggestions for better understanding between police and NGOs in order to protect and promote Human-Rights in a better manner?

After the content analysis, the following major suggestions had emerged out:

- (i) Better interaction between police and NGO functionaries will help to improve their relationships. NGOs should establish good rapport not only with senior police officers of the area, but also with lower functionaries, for developing a general feeling that NGOs exist to help the police on specific issues. NGOs should avoid interference in the procedural working of police. They can suggest ways and means to lessen the sufferings of common men who come to police stations. They should desist from highlighting the criminal gangsters' human rights violations as the sole business of the criminal gangs is to violate others' human rights. At times, the police set-up can extend resources to reputed NGOs in order to launch propaganda against anti-social activities etc.
- (ii) Involvement of NGOs in preventive and pro-active policing such as Juvenile issues, drug-menace, eve-teasing, dowry- harassment. Similarly, they can also assist police in reporting criminal activities and collecting facts etc. Through such exercises, NGOs, can harmonise and strengthen their relations with police both at functional and leadership level.
- (iii) Launching of effective campaigns /programmes by NGOs/Human Rights groups to make police more human rights friendly. This should include organising of seminars on human rights for police personnel, especially the lower level functionaries, circulation/ distribution of pamphlets relating to human rights among personnel,

panel discussions on human rights issues with the participation of NGO functionaries and police leaders.

- (iv) Annual planning of programmes by State Human Rights Commission, police personnel and NGOs to prevent human rights violations and chalk out strategy to protect human rights. Similarly, at district level, meeting of district magistrates, SPs/Senior Police Officers, Human Rights activists/NGOs, should be convened annually to review the overall law and order situation vis-a-vis human rights issues.
- (v) Better understanding of the problems/difficulties of police in enforcing law and order by NGOs and the police appreciating the positive role of sincere NGOs in the society.

CHAPTER 6

ANALYSIS AND INTERPRETATION OF DATA -II -VIEWS OF POLICE ON NGOs CONTRIBUTIONS TO HUMAN RIGHTS IN ANDHRA PRADESH.

6.1. INTRODUCTION:

Police are the protectors and promoters of human rights. Perceptions of police on the role of NGOs in contributing to human-rights in AP has been examined in this chapter. Following points are being covered:

- (a) General awareness of police personnel on the major NGOs/Civil Liberties groups
- (b) interpret data and report findings on each statement of attitude scale, towards the promotion of human rights by NGOs & their impact on policing.
- (c) arrive at major findings, to improve the police NGO relations. (Questionnaire Appendix- C)
- 6.2.RESEARCH QUESTION NO.I/PART -A "WHAT IS THE FULL FORM OF FOLLOWING NGOS VIZ. 1) APCLC 2) OPDR 3) PUCL 4) COVA?"
- Question No.II "Please mention any 3 main functions/campaigns launched by APCLC?"

The results from the statistical analysis are presented in Table 6.2.

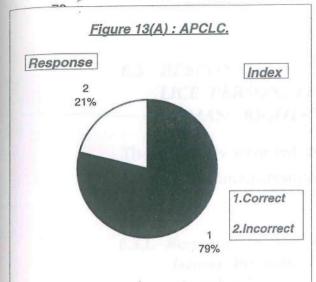
Table 6.2.

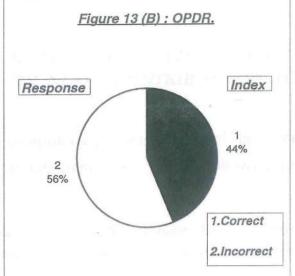
Awareness of police personnel on NGOs / Civil liberties groups.

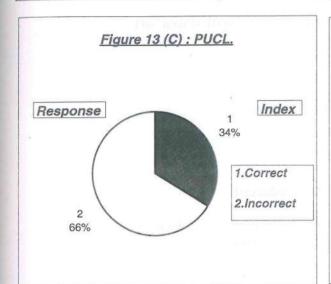
NGOs	Correct	Response Incorrect	Inference

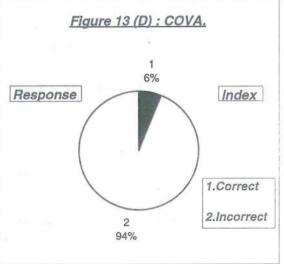
1. APCLC	79%	21%	Moderate awareness on Civil liberties groups like APCLC
2. OPDR	44%	56%	Awareness only ' to some extent'
3. PUCL	34%	66%	Police personnel are not much aware of PUCL
4. COVA	6%	94%	As the NGO having activities only in the old-city of Hyderabad awareness 'poor' Moderate
Q.NO.2 62% 3	0 70		awareness on the campaigns activities of APCLC

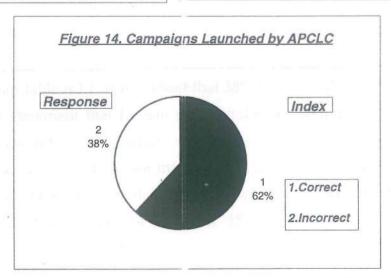
From Table 6.2. it is evident that the police personnel have moderate awareness on civil liberties groups notably APCLC. Middle level personal like Sub-Inspectors/Circle Inspectors showed better awareness as compared to lower level functionaries particularly Constables. Similarly, the extent of awareness remained comparatively high among police personnel in Telengana districts. Overwhelming majority (67%) of respondents felt that APCLC is mainly espousing the cause of left-wing extremists and their campaigns / activities were mainly against police. Diagramatic representations of data are in figures 13A, 13B,13C, 13D & 14.











6.3 RESPONSE ON QUESTIONNAIRE "VIEWS OF PO-LICE PERSONNEL ON NGOS' CONTRIBUTIONS TO HUMAN RIGHTS" .

The responses were fed in computer by using SPSS Package. The analysis and interpretation of data (item-wise) yielded following results:

6.3.1. Response on statement No.1- "The Human Rights Violations by police are mainly due to lack of awareness of rights."

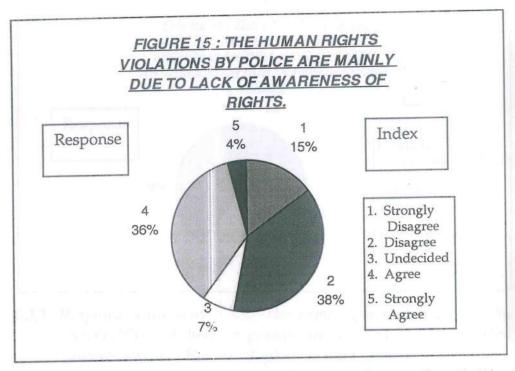
The results from statistical analysis are presented in table 6.3.1.

Table 6.3.1

Response on attitude statement No.1

	Response	e in perce	ntage	Destriptive Modal Statistics response		
Statement	Strongly agree	Agree	Un- decided	Dis- agree	Stron disag	gly
1	4	36	7	38	15	Mean-2.160 'disagree
						Mode-2
	₩ -Q1					S.D1.207

From table 6.3.1. it is evident that 38% of respondents disagreed with the statement that human rights violations were mainly due to lack of awareness on human rights among police personnel (Mode-2, Mean-2.160). It can be inferred that lack of awareness was not the major factor for violation of these rights by police. Diagramatic representation of data is in figure. 15



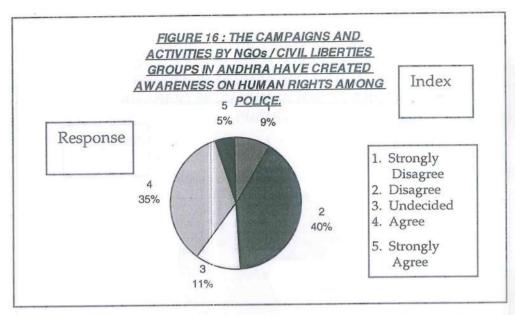
6.3.2. Response Statement No.2.-"The campaigns and activities by NGOs / Civil Liberties groups in Andhra have created awareness on Human Rights among police."

The results from statistical analysis are presented in Table 6.3.2.

Table 6.3.2.
Response on attitude statement No.2

Response in percentage						Destriptive Modal Statistics response
Statement	Strongly agree	Agree	Un- decided	Dis- agree		rongly
2.	5	35	11	40	9	Mean-2.870 'Dis-agree
						Mode-2
						S.D1.143

From table 6.3.2. it is evident that 40% of the respondents disagreed the above statement (Mode-2, Mean- 2.870). It can be inferred that the campaigns and activities of NGOs/Civil liberties groups in AP had limited impact in making police human rights friendly. Diagramatic representation of data is in figure 16.



6.3.3. Response statement No.3.-"The campaigns and activities by NGOs/Civil Liberties groups in Andhra, have created awareness on Human Rights among public."

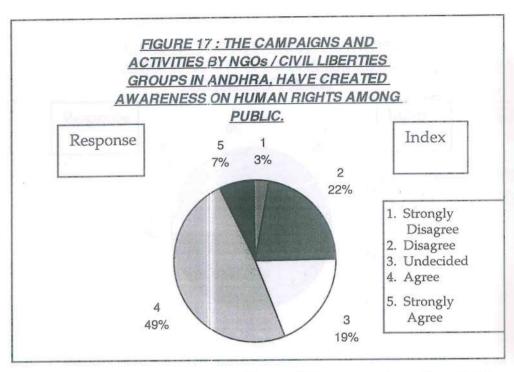
The results from statistical analysis are presented in table 6.3.3.

Table 6.3.3.

Response on attitude statement No.3

	Respons	e in perce	entage		Destriptive Modal Statistics response
Statement	Strongly agree	Agree	Un- decided	Dis- agree	Strongly disagree
3.	7	49	19	22	3 Mean-3.350 'agree'
					Mode-4
					S.D999

From Table No.6.3.3. it is evident that 49% of respondents were of the view that NGOs/Civil liberties groups - through their campaigns and activities - were able to create human rights awareness among public (Mode-4, Mean-3.350). It can be inferred that police personnel also found a positive role for NGOs in promoting human rights . Diagramatic representation of data is in figure 17.



6.3.4. Response on statement No.4 -"The campaigns I activities of the majority of NGOs in the state are against police."

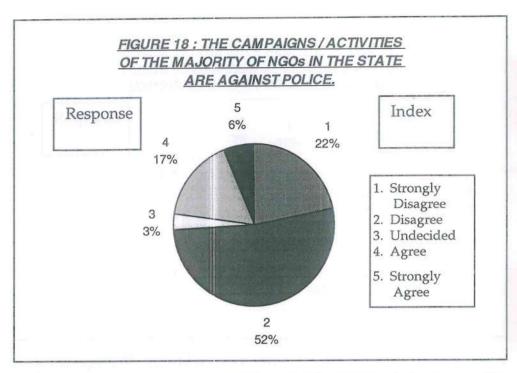
The results from statistical analysis are presented in table No.6.3.4.

Table 6.3.4.

Response on attitude statement No.4.

	Respons	e in perce	entage		Destription	ve Modal response	
Statement	Strongly agree	Agree	Un- decided	Dis- agree	Stron disag	gly	response
4.	6	17	3	52	22	Mean-2.	330
						Mode-2	'Disagree'
						S.D1.	173

From table No.6.3.4. it is evident that 52% of respondents disagreed with the above statement (Mode-2, Mean- 2.330). It is inferred that the perception of police was that, apart from APCLC other NGOs were not much against police in their campaigns/ activities. Diagramatic representation of data is in figure 18.



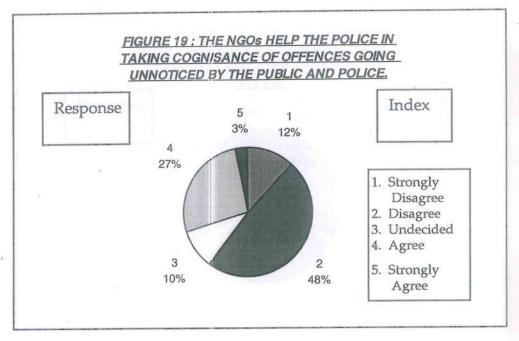
6.3.5. Response on statement No.5.-" The NGOs help the police in taking cognisance of offences going unnoticed by the public and police."

The results from statistical analysis are presented in Table.6.3.5.

Table No.6.3.5.
Response on attitude statement No.5.

	Respons	Destriptive Modal Statistics response			
Statement	Strongly agree	Agree	Un- decided	Dis- agree	Strongly disagree
5.	3	27	10	48	12 Mean-2.610 Mode-2 'Disagree' S.D1.100

From table No.6.3.5, it is evident that 48% of respondents disagreed with the above statement (Mode-2, Mean- 2.610). It can be inferred that police did not find any major role for NGOs in assisting them in the law enforcement. Diagramatic representation of data is in figure.19.



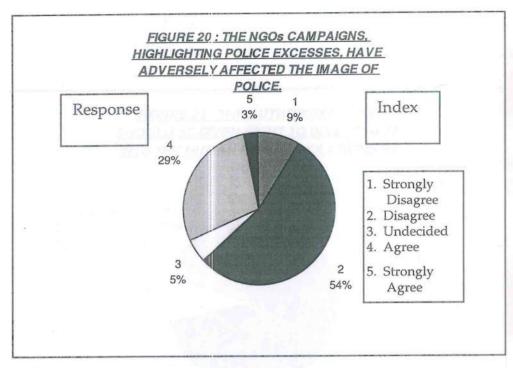
6.3.6. Response on statement No.6 - "The NGOs campaigns, hihglighting police excesses, have adversely affected the image of police."

The results from statistical analysis are presented in table No.6.3.6.

Table No.6.3.6.
Response on attitude statement No.6.

	Response	Destriptive Modal Statistics respons				
Statement	Strongly agree	Agree	Un- decided	Dis- agree		ingly agree
6.	3	29	5	54	9	Mean-2.630
						Mode-2 'Disagree
						S.D1.089

From table No.6.3.6, it is evident that 54% of the respondets disagreed with the statement that NGOs campaigns on police excesses have adversely affected the police image (Mode-2, Mean-2.630). It can be inferred that the campaigns by civil liberties groups highlighting police excesses etc. had no major adverse impact on police image. Diagramatic representation of data is in figure . 20.



6.3.7. Response on statement No.7.-"The authorised NGOs should be given right to investigate into the Human Rights Violations by police".

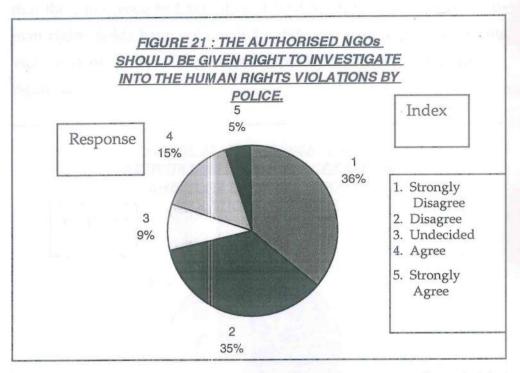
The results from statistical analysis are presented in table .6.3.7.

Table 6.3.7.
Response on attitude statement No.7.

	Response	e in perc	<u>entage</u>		Destriptive Modal Statistics response
Statement	Strongly agree	Agree	Un- decided	Dis- agree	Strongly disagree
7.	5	15	9	35	36 Mean-2.180
					Mode-1 'Strongly
					S.D1.218 disagree'

From table No.6.3.7, it is evident that 36% of respondents strongly disagreed, while another 35% 'disagreed' with the above statement (Mode-1, Mean-2.180). The inference drawn was that police personnel were not prepared to dilute their powers and as such they strongly opposed any move such as giving rights to reputed NGOs

to investigate into human rights violations by police. Diagramatic representation of data is in figure .21.



6.3.8. Response on statement No.8-"The presence and activities of NGOs have created a check on the human rights violations by police."

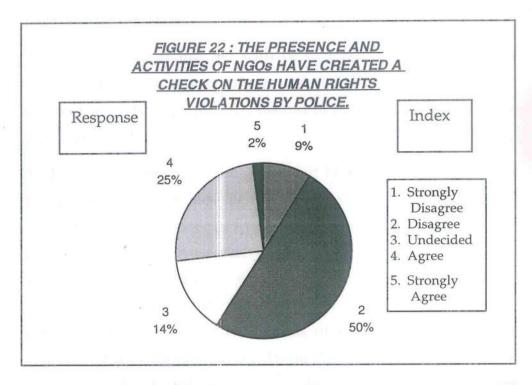
The results from statistical analysis are presented in table 6.3.8

Response on attitude statement No.8

Table No.6.3.8.

Response in percentage					Destriptive Modal Statistics Rresponse
Statement	Strongly agree	Agree	Un- decided	Dis- agree	Strongly disagree
8.	2	25	14	50	9 Mean-2.610
3420					Mode-2 'Disagree' S.D1.024

From table No.6.3.8, it is evident that 50% of respondents disagreed with the above statement (mean-2.610, Mode- 2). It can be inferred that the emergence and activities of NGOs particularly in civil / human rights fields have not created a deterrance on the human rights violations by police. Diagramatic representation of data is in figure.22.



6.4. RESEARCH QUESTION (PART - C) - "WHAT ARE YOUR SUGGESTIONS TO IMPROVE THE RELATIONSHIP BETWEEN POLICE AND NGOS IN PROMOTING HUMAN RIGHTS IN ANDHRA PRADESH?"

After content analysis, the following findings have been arrived at:
i) 'Police- bashing' by civil liberties groups/ NGOs, through open statements in the media, campaigns and activities should be shelved. In Fact Finding Mission on the alleged encounter- killings' other police-excesses etc, the members of Civil liberties groups/ NGOs

should interact with police personnel and their views should also be duly considered.

- ii) Civil liberties groups and NGOs should act as custodians of civil and human rights of citizens, and not as custodians of particular 'cliques' or groups. They should denounce all types of human/civil rights violations and violence, instead of targetting police only for their alleged excesses.
- iii) They should abjure the path of violence; shelve anti- establishment slogans and programmes and streamline their activities in a democratic and legal manner, instead of adopting the path of confrontation.
- iv) Better interaction between police and NGOs representatives. For that purpose, programmes such as Seminars/Workshops/Panel discussions on specific issues of policing/human rights should be organised and the representatives of Civil Rights groups/NGOs should be invited as guest speakers in order to share their views. v) Joint endeavours by NGOs and police in imaprting training/knowledge to lower functionaries of police on human-rights and inter-related aspects during day to day policing. Similarly, Police leadership should also initiate effective steps to update the knowledge/understanding of subordinates/ lower level functionaries on the legal and procedural changes, having relevance to human rights. Monthly meetings should be organised for such exercises.
- vi) Formation of independent committees at PS/District level to monitor the functioning of police as well as the campaigns/activities of Civil Rights groups/ NGOs. The committee should interact with police and NGO representatives, at regular intervals, in order to create 'human-rights friendly' atmosphere in that particular area.
- vii) NGOs should focus the limitations/compulsions of the police personnel at cutting edge level. Instead of targetting them for their

omissions and commissions, systematic campaigns/propaganda should be built up, with mass participation to expose the system or policy - makers, who encourage the practices, undermining civil/human-rights in a democratic society.

6.5. SUMMARY OF FINDINGS

The relations between the police and NGOs, notably civil liberties groups in the state, remain strained, if not hostile. The police and civil liberties groups are also critical of eachother. Thus, police personnel, in general, could not find any mojor role for NGOs in helping the police in law-enforcement. They were also strongly opposed to any moves such as giving rights to authorised NGOs to enquire into human-rights violations by p olice. However, police personnel, felt that NGOs, through their campaigns and activities, had created human rights awareness among the public. For improving police - NGO relations, the first and foremost requirement, according to police personnel , was that NGOs/ Civil liberties groups, should end their "Police-bashing".

CHAPTER - 7

ANALYSIS AND INTERPRETATION OF DATA -III - CONTRIBUTION OF NGOs IN HUMAN RIGHTS MOVEMENT

7.1. INTRODUCTION

In this chapter, an attempt has been made to:

-analyse responses on each statement of opinionnaireon NGOs and their contributions in human rights movement .

-analyse the response to the question pertaining to suggestions for the improvement of human rights scenario in our country (Appendix - D)

7.2. RESEARCH QUESTION NO.1A-"DO YOU THINK THAT CITIZEN'S RIGHTS HAVE BEEN VIOLATED IN ANY OF THE FOLLOWING SITUATIONS?"

- a) Whey they are called to police station
- b) When they are asked to accompany an accused.
- c) When they are arrested
- d) When they are kept in police station after arrest.
- e) When women are put in police custody.
- f) When ill people are in custody.
- g) When they are being questioned.

Response: The responses are presented in table No.7.2.1.

Table 7.2.1 .

Views on violation of citizens rights

		Response on violation of citizens rights in %		_inference	
Situation	Yes	No	Some extent		
a.	28	39	33	Majority found no violation; showed better awareness	
b.	29	37	34	People are aware of their rights to some extent	
c.	40	37	23	40% found violation. Arrest without complying procedural norms is a violation of right.	
d.	42	33	25	42% correctly assessed; which showedbetter awareness	
e.	48	25	27	48% correctly assessed It showed better awareness.	
f.	44	28	28	44% correctly assessed.	
g.	33	33	34	Respondents almost equally divided (33%). It showed that public lacke aware-ness on police powers on questioning of accused et	

From the table 7.2.1. it is evident that the public in general particularly the urban and semi-urban sections had reasonably better awareness on their rights on situations arising out of day to day policing. On an average 38% of the respondents correctly assessed the extent of violation of citizens rights during police functioning such as arrest, detention of women, ill-people, detention after arrest, questioning of accused etc. Diagramatic representation of data is in figures 23A, 23B, 23C, 23D, 23E, 23F & 23G.

FIGURE (23A): EXTENT OF
VIOLATION OF CITIZENS' RIGHTS ON
CALLING THEM TO POLICE STATION.

RESPONSE

INDEX

1
39%

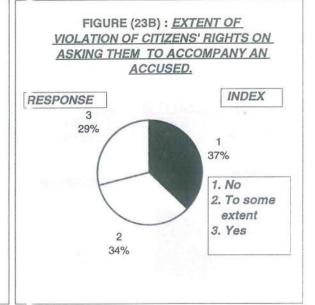
1. No
2. To some

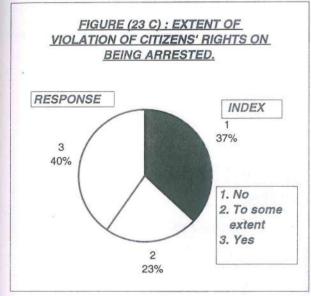
2

33%

extent

3. Yes





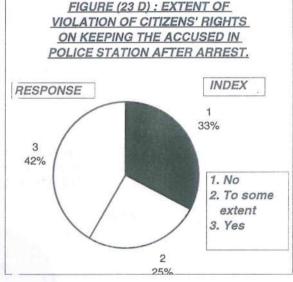


FIGURE (23 E): EXTENT OF VIOLATION OF CITIZENS' RIGHTS IN KEEPING WOMEN IN POLICE CUSTODY.

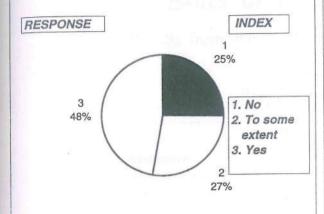


FIGURE (23 F): EXTENT OF VIOLATION OF CITIZENS' RIGHTS IN KEEPING ILL PEOPLE IN CUSTODY.

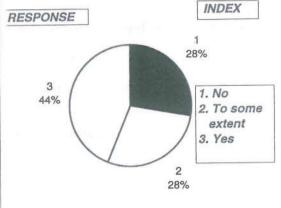
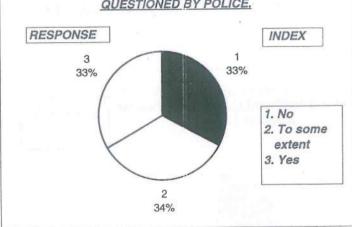


FIGURE (23 G): EXTENT OF VIOLATION OF CITIZENS' RIGHTS ON AN ACCUSED BEING QUESTIONED BY POLICE.



7.3. RESEARCH QUESTION NO.1B - RESPONSE ON STATEMENT NO.(I)- "DO YOU FEEL THAT CIVIL LIBERTIES GROUPS LIKE ANDHRA PRADESH CIVIL LIBERTIES COMMITTEE (APCLC) TAKE UP ISSUES OF POLICE EXCESSES?"

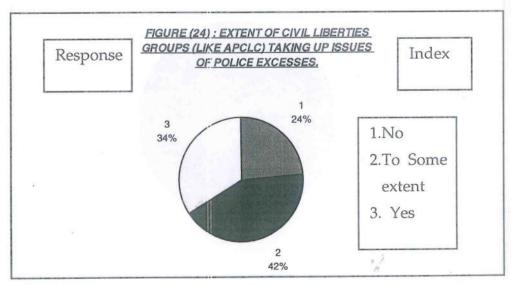
Results from statistical analysis are presented in Table 7.3.1.

Table 7.3.1.

Response on attitude statement No.(i)

	Respon	nse in perc	rentage	Inference
Statement	Yes	No	Sometimes	
(i)	34	24	42	Sometimes

From table 7.3.1, it is evident that majority (42) felt that civil liberties groups like APCLC took up issues of police excesses, 'sometimes'. Another 34% expressed affirmative views in this regard .Thus 76% of respondents found that civil iberties groups were taking up issues of police excesses. It can be inferred that these groups like APCLC had become familiarised among some sections of the people through their campaigns / propaganda. Diagramatic representation of data is in figure. 24.



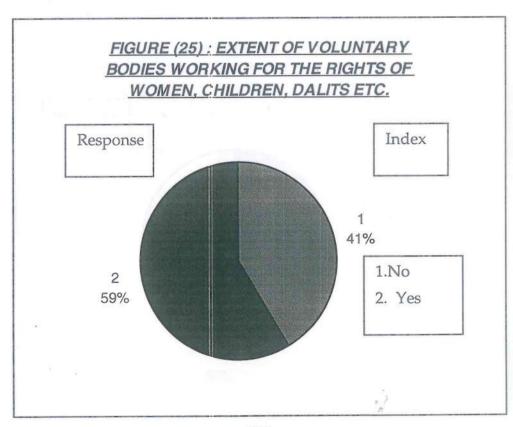
7.3.2. Response on statement No.(ii) - "Are you aware of other voluntary bodies working for the rights of women, children and dalits etc.?"

Results from statistical analysis are presented in table no.7.3.2.

Table No.7.3.2.
Response on attitude statement No.(ii)

	Response in pe	Inference	
Statement	Yes	No	
(ii)	59	41	Showed betterAwareness on NGOs.

From table No.7.3.2., it is evident that 59% of respondents were aware of NGOs working for the interests of women, children, and dalits. It can be inferred that many NGOs played positive role in protecting the rights of marginalised sections. Diagramatic representation of data in figure 25.



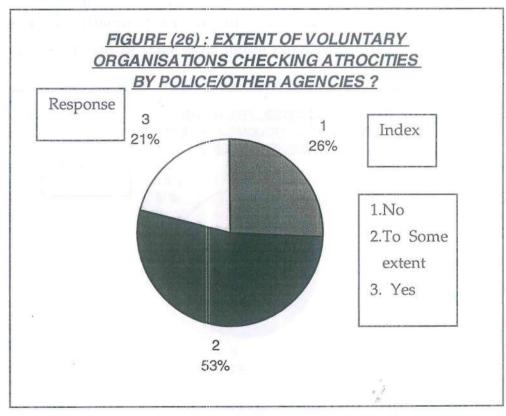
7.3.3. Response on statement No. (iii) - "Do you think that voluntary organisations check atrocities by policelother agencies?"

The results from statistical analysis are in table.7.3.3.

Table 7.3.3 .
Response on attitude statement No.(iii)

	Respon	Inference		
Statement	Yes	No	To some extent	
(iii)	21%	26%	53%	Positive role
				of NGOs

From table No.7.3.3., it is evident that 53% of the respondents felt that voluntary bodies were able to check atrocities by police / other agencies 'to some extent'. This reflected the positive role of NGOs in promoting human rights. Diagramatic representation of data is in figure .26.



7.3.4. Response on statement No.(iv) - "Do you feel that many of these organisations are working for propagandal publicity?")

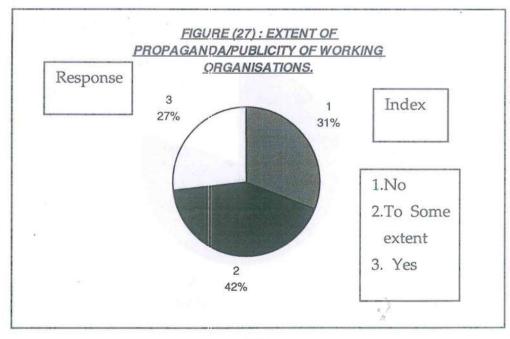
The results from statistical analysis are presented in table No.7.3.4.

Table No.7.3.4.

Response on attitude statement No.(iv)

Respon	Inference		
Yes	No	To Some Extent	
27%	31%	42%	All NGOs are not committed to their programmes.
	Yes	Yes No	300000

From table No.7.3.4. it is evident that 42% of respondents felt that voluntary bodies were propaganda / publicity-oriented 'to some extent'. Another 27% expressed affirmative views on above lines. It is inferred that there were many voluntary bodies which were dominated by publicity / propaganda-oriented activities rather than actual upliftment / welfare of the target groups. Diagramatic representation of data is in figure No.27.



7.3.5. Response on statement No.(v) - "Do you consider the people who run voluntary bodies sincere?"

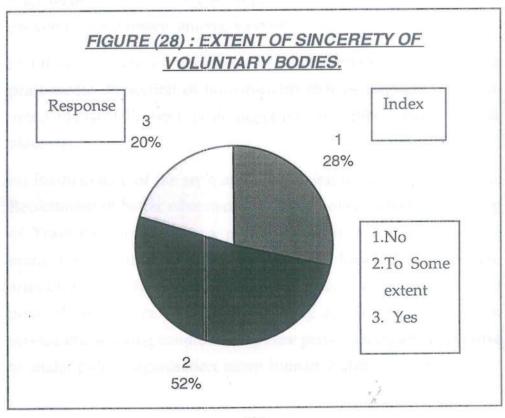
The results from statistical analysis are presented in Table No.7.3.5.

Table No.7.3.5.

Response on attitude statement No.(v)

	Respon	Inference		
Statement	Yes	No	To Som Ex	tent
(v)	20	28	52	Positive image of
				sincere NGOs

From table No.7.3.5. it is evident that 52% of respondents were of the view that functionaries of voluntary bodies were sincere to some extent. It is inferred that people in general had good-will to sincere and committed NGOs. Diagramatic representation of data is in figure.28.



7.4. RESEARCH QUESTION NO.3 - "WHAT ARE YOUR SUGGESTIONS FOR THE IMPROVEMENT OF HU-MAN RIGHTS SCENARIO IN THE COUNTRY?"

After content analysis the following suggestions had emerged out:There were varied responses from the public to the question on the suggestions for the improvement of human rights scenario in the country. When the urban-semi-urban and educated sections responded well, the majority of the rural/less educated respondents were less enthusiastic to express their views, though they were much concerned on issues like lack of drinking water, soaring-prices of essential commodities and the indifferent functioning of many departments. The major suggestions, on the basis of content analysis, are enlisted below:

- i) Creation of human-rights awareness through education, for which human rights subjects should be introduced in schools and colleges. Inter-related with this, is the adoption of effective steps for the improvement of literacy among women.
- ii) Effective awareness campaign by fully exploiting electronic and print media. Projection of human-rights themes through T.V.Channels, Cinema Halls, wall- postering of human rights slogans at public places etc.
- iii) Reorientation of the style and functioning of police organisation. Recruitment of better educated persons to police- forces, revamping of Training curriculum by giving more emphasis on humane, moral/ethical subjects, intensive training of lower police functionaries on human rights and related legal aspects, end corruption and political interference in police functioning and improvement in the service and working conditions of police personnel etc are imperative to make police organisation more human rights friendly.

- iv) Sensitisation of people on Terrorist/Violent groups and organised efforts at governmental level to wean away the people from the influence of such forces. Implementation of welfare programmes for the marginalised sections.
- v) All round efforts for empowerment of women, through better education, gender-equality and guaranteeing jobs.
- vi) Model punishment to violations of human rights, compensation to victims and easy accessibility to public for approaching Human Rights Commissions etc. to mitigate their grievances.

7.5. SUMMARY OF FINDINGS

It can be inferred that the general public, particularly the urban -semi urban sections, were aware of their rights and the presence of Non-governmental Organisations (NGOs) and Civil Liberties groups, to a great extent. Though the rural sections were not fully aware of the intricacies of day to day policing and violations of their rights and the myriad of activities/campaigns by NGOs and civil liberties groups, they also did not lack in their awareness on their basic rights. In the creation of such awareness, NGOs/Civil Liberties groups, played a moderate role.

CHAPTER 8

RESPONSES OF EMINENT PERSONALI-TIES ON HUMAN RIGHTS AND NGOS

Around 70 prominent personalities, connected with Civil liberties groups, Human Rights movement /NGOs etc. have been interviewed. This chapter includes the details of such interviews with a few eminent persons and highlights the responses of the interviewees on the main hypotheses of the research.

8.1. (CHIEF JUSTICE M.N.VENKATACHALIAH, CHAIRPERSON,NHRC

<u>Issue</u>: - NHRC's assessment of human-rights scenario in the country and role of NGOs in promoting human rights.)

Response: There is steady increase in human rights violations in the country. In fact, the ramification of human rights issues can be well gauged from the fact that more than 36000 complaints have been received by the Commission in 1997-98, with the state of U.P alone accounting for about 50% of such complaints. The commission has an open mind in probing the issues of human rights violations. The conviction of NHRC is that much should be done in the country in the protection and promotion of human rights. In such endeavour, NGOs, which are sincere and committed in their tasks can play a vital role "That is why,the approach of NHRC is to encourage the efforts of non-governmental organisations and institutions working in the field of human rights".

<u>Issue</u>:- NHRC's perception of police role in Human-Rights issues and suggestions to make police more human rights friendly.

Response:- The incidence of human rights viiolations can be brought down only when there is radical change in the functioning of police, which over the years, has not shown any substantial improvement. Thus, one of the priority areas of the commission is the creation of human rights awareness among police personnel, by sensitising the state police establishments for better training to them on Human Rights and inter-related aspects of police functioning. The commission has prepared and circulated 3 tier syllabus/training module (in human rights) for Constables, Sub-inspectors/Inspectors and Senior Police Officers . Some states like Karnataka along with some institutions, have initiated steps to impart human rights training to new recruits. "But the crucial question is whether such projects have created any change in the style of functioning of personnel at ground level? This can be evaluated only through post-training assessment with the help of reputed social Research groups. The introduction of certain innovative Training schemes for the personnel without objectively assessing its impact on police- professionalism, especially at ground level, would not help to create "human rights friendly police".

Issue: NHRC's assessment of Human Rights issues in Andhra & reasons for human rights violations in the state.

Response:- The main cause of human rights issues in Andhra Pradesh and for that matter in the majority of other states, is the non-implementation of land reforms Act. And, there were no serious efforts to set right the things in order. "So long as land related issues remain unsettled, the movements or groups which believe in violence, find a conducive climate to build up their movements, by taking up the issues of the exploited and underprivileged sections." This leads to a two-pronged attack on human rights-one through their criminal depredations and the other through the counter measures of law enforcement agencies to contain the movements. The

states, which have succeeded in implementing the land reforms, could check the growth of militant and extremist groups and thus the incidence of human rights violations. Kerala and Karnataka are two examples. The Civil Liberties Groups and NGOs should project such socio-economic issues, with a view to accelerating the process of land Reforms and social transformation.

8.2. JUSTICE(RTD) V.R.KRISHNA IYER OF SUPREME COURT OF INDIA

<u>Issue</u>:- The role of state in protecting and promoting human-rights, judicial intervention in human rights issues

Response: - The primary responsibility on the protection and promotion of human rights rests with the states. Generally, it is accepted that the states must establish open political processes in which rights and obligations of different groups are acknowledged and the balance between the interests of individuals and the community is achieved. "Normally democratic governments are the key to the protection and promotion of human rights. However, our records in the human rights field are not much good." The civil and political rights of citizens have been violated, whereas their socio-economic and cultural rights could not be safeguarded. Thus, on many occasions the courts interfere on such issues and give directions to the states, for the enforcement of rights, as enshrined in the Constitution . The genesis of Public Interest Litigation (PIL)and the positive gestures shown by legal luminaries like Justice P.N.Bhagawathi (Former Chielf Justice of India) gave further momentum to the concept of human rights. On issues like Bonded Labour, Child- Labour, denial of minimum wages to contract workers, exploitation of women, jail conditions etc., the courts made far- reaching judgements, which helped to improve the human rights situation in these fields.

Response:- "We have no dearth of Acts or legislations for the enforcement of Human rights". The Constitution itself covers almost all major aspects of human rights issues, except, perhaps the new hazards/dangers that have come up in the field of environment, development etc. due to the new concepts of liberalisation and globalisation. But, these trends have also been taken into account with the enactment of legislations. In spite of these legislations, human rights violations are on increase." The main reason for this distressing trend is the weakness of our institutions in the enforcement of various legislations and Acts.

Issue :- Role of police in the protection of human rights - how to make them human-rights friendly ?

Response:- The case of police is glaring. On many occasions, they negate their plenary commitment to the Constitutional human values. The real question is when the gold rusts, what can iron do? We have to ponder the reasons as why police deviates from the rule of law. The National Police Commission (1981) acknowledged extremely unsatisfactory police-public relations, which was mainly attributed to police-excesses, brutality and partiality. In its final report, the Commission felt it " urgent and essential to devise new mechanisms of accountability to ensure certain amount of direct responsibility to the people at various levels of police administration". Basically, accountability to the people means accountability to the Constitution and the laws of the land. But the crucial factor is that majority of our Constabulary, who constitute about 80% of the total force in the country are ignorant of the Constitutional provisions and judicial pronouncements concerning the basic rights of citizens. Then what to speak of civil, political (or human rights and the International Covenants and Declarations, which uphold these rights. "Thus, the need of the hour is the proper training and education, particularly to the constabulary, who is the cutting edge of the force. They should be familiarised with Constitutional provisions, every branch of law and power vis-a-vis human rights, legal parameters in the exercise of po lice powers, human rights and emergency situations, police and weaker sections and the major international covenents on human rights." It is salutory that a number of state police set-up, have initiated training modules on above line in order to enlighten the police personnel on the human values and the need of developing human rights friendly functionalism in investigation. The efforts of Kerala and Karnataka police in this direction are quite appreciable.

<u>Issue :-</u> Role of NGOs in strengthening human rights concept among police personnel.

Response:-In enlightening police through training andother campaigns, NGOs can play a major role. NGOs which have established reputation and working with women, children, dalits etc may be inducted with regular Faculty (of Training Institutions) to give their experience with police. In the day to day policing also , such NGOs should be encouraged to co-operate with police, especially in dealing with anti-social activities etc. Sanctioning certain powers to NGOs, which have established reputation, may also help to strengthen their commitment, while undertaking such tasks. Their representatives, may be authorised to enter police-stations , lock-ups and prisons, by law and may be enpowered to take action, if there is any violation.

<u>Issue</u>:- How to strengthen legal machinery to curtail human rights violations?

Response:-The strengthening of human Rights law at grass-root level, has become imperative to deal effectively with the human rights violations. Andhra Pradesh High Court, while disposing a pe-

observations on the need of designating Human Rights Courts, for taking up cases involving Human Rights violations. However in 1997, the Madras High Court, has passed orders to the effect tht every sessions judge in Tamil Nadu, can be designated as Human Rights Judge, for the trial of Human Rights violation cases. But, as long as the provisions of International Humanitarian law and the International Covenents are not incorporated in our Municipal (local) legislations, the Judges even designated as Human Rights Judgeshave reservations to do something substantial for the protection of Human Rights.

8.3. SHRI R.V.PILLAI, IAS (SECRETARY GENERAL/NHRC)

<u>Issue</u>:- Reasons for large number of Human Rights violations and the role that NGOs can play.

Response:-Though the country has attained progress in many fields during the last 50 years, there are disparities in socio-economic field, poverty and lack of development and dearth of sensitation of functionaries involved in eliminating them. Problem of poverty, undernourishment and illiteracy are compounded by disparities among states. Deprivation and inequalities have given rise to discontent which often finds expression in acts of violence. This has led to greater stresses and strains on the administration of criminal justice. Law enforcement machinery is under greater strain in areas characterised by greater socio-economic disparities. All these trends lead to the violation of human rights. In such a milieu, the voluntary organisations can play a major role in the promotion of human rights .NGOs can play a dual role in the society. On onehand, they can perform watch dog functions, by highlighting human right violations and attracting the attention of authorities for punitive and remedial measures, whereas onthe otherhand, they can equip and enpower

the people to enjoy their rights. Given the nature of rights, such a wide array of roles is inevitable. Strong expressions of outrage following illegal arrests, detention, fake encounters or custodial deaths capture the attention of the people at large and of the authorities in particular and create an atmospehre for prompt punitive and corrective action. Even though the role of voluntary organisations in such cases was earlier limited to articulating violation, there is a growing tendency, which is very welcome to undertake enquiries and report the finding. Similarly, of late, the voluntary bodies have taken active interest in promoting the socio-economic and cultural rights of the people, particularly the marginalised sections. There are a number of NGOs, which work for the empowerment of women, elimination of child and bonded labour, literacy among the poor & rural sections, upliftment of dalits and tribals and harnessing of resources and technology to ensure drinking water and pollution free air. Such tasks have been basically undertaken by conventional NGOs.

<u>Issues</u>:- The nature of activities of Civil Liberties groups and their rate of success in promoting human rights.

Response: The role of civil liberties groups are apparently different. They mainly focuse the issues relating to the civil and political rights like the police excesses etc. In fact, they have no other major sphere of activity. These bodies can increase their credibility only when they launch earthly programmes with much practical vision and perspective. "No civil liberty movement can broaden their mass base through ideological propaganda alone, which will influence a microscopic section". Instead, they should take initiative for the proper rehabilitation of the victims of human rights violations. There should not be any discrimination in such endeavour. If the victims are police, they should also be extended support by these groups. "After all human rights or their violations pertain to human beings only".

<u>Issue :-</u>Response of NGOs towards NHRC initiative to involve them in human rights issues.

Response:- The response of NGOs towards the efforts of NHRC, to actively involve them in Human Rights field is quite encouraging. Around 1000 NGOs are now in touch with the Commission on various issues, such as special area studies on bonded-child labour, human rights awareness compaign, human rights education and assistance on investigations etc. Even some NGOs, which were initially critical of the role of NHRc in protecting and promoting human rights, have now become more realistic and objective and started co-operating with the Commission. These are welcome developments in the entire gamut of relations between NHRC and NGOs.

8.4. SHRI K.G.KANNABIRAN (ADVOCATE)LEADING CIVIL LIBERTIES ACTIVIST IN ANDHRA PRADESH.

[Shri. K.G.Kannabiran, a practising Advocate of Andhra Pradesh High Court, is the Founder member of Andhra Pradesh Civil Liberties Committee (APCLC) and its President from 1978-1993. He is associated with Peoples Union for Civil Liberties (PUCL) and a number of Civil/human Rights Movements in Andhra Pradesh and other states. Sri.Kannabiran, touches upon myriad of issues and problems confronting Civil and Human Rights bodies in the country.]

<u>Issue</u>: India's commitment to the concept of human-rights and country's approach on human rights issues.

Response: Indian state has not given much sacrosance to the concept of Human or Civil righs. "For about 50 years in Jammu Kashmir and in the North East and around 30 years in Andhra Pradesh, such rights have been violated under one pretext or the other". In dealing with those issues, the successive governments at the Centre, adopted

uniform policies and programmes. The emergence of regional political parties, in these states, failed to fulfil the aspirations of the masses, because of their overdependence on "conventional politics". No serious attempt has been made by the Centre to sort out the socio-economic-political issues, projected by the people or the movements which spearheaded the struggles. "Instead, political issues were handled as mere law & order problems with the induction of Army and paramilitary forces, which were instrumental for the large scale violation of human/civil rights and the alienation of people from the national mainstream". Such trends also influenced the "Negotiations" initiated by the Centre to restore normalcy in these states. "Their endeavour was to retain the territories of the affected areas, and not the people. There was no sense on the majority of the 'Accords' signed between the government and the fighting groups. The North East, is now a grave-yard of such 'accords'. The successive governments dealt with the leaders of these groups, but seldom analysed the problems, raised by the masses. " And subnationalist aspirations of the people cannot be solved just like Trade-Union disputes, in which the leaders have considerable sway".

<u>Issue</u>:- Constitutional and Judicial safeguards in protecting human rights and the role of press etc.

Response: Our Constitution is crystal clear on the issue of the protection and promotion of civil Liberties and Human Rights. The Preamble itself ensuring all citizens, "Justice Social, Economic and political, Liberty of thought, expression and belief, faith and worship, Equality of status and of opportunity and fraternity assuring the dignity of the individual and the unity and integrity of the Nation" unequivocally uphold the commitment of the nation in safeguarding these rights. But where do we stand now? Many of these laudable, ideals even after 50 years, remain as unfulfilled dream for the majority of the Indian masses." So long as, the Constitutional provisions

and safeguards are not implemented in their true letter and spirit, we cannot use Constitution as protective shield, while taking about Human Rights violations". Same is the case with judiciary. "The institutional constraints force the judiciary to remain Human Rights in paper only". No doubt, they have their own limitations to enforce the decisions. A unique example is the guidelines issued by the Apex Court in all cases of arrest, while disposing a public interest petition, filed by Dr.D.K.Basu, Executive Chairman of the Legal Aid Services, West Bengal. "There is no decrease in the number of lock-up deaths or police torture in custody, even after the apex court judgement". The truth is that these guidelines have not been observed by police and there is no proper mechanism to ensure the enforcement of judicial pronouncements whether in the case of police or other institutions in the country. The press can only play a limited role in safeguarding Human Rights. The press bring up a large number of issues involving Human Rights violations. "But, who would initiate action on such press reports? ". In some cases, National Human Rights Commission (NHRC) chronicle such reports for their record purpose.

<u>Issue</u>:- The growth of Human Rights concept in India and related aspects.

Response: Though there had been human rights violations in the country in 50s and 60s mainly against the North East militant groups and left-wing extremist groups in West Bengal, Andhra and Tamil Nadu, the issue has developed as a major concept as post-emergency trend. After the National Emergency (1975-79), the violation of personal liberty has developed as a live issue in which not only the Civil rights groups, but also the press, intellectuals and even common people took keen interest. This period also witnessed the genesis of "Investigative journalism" and Public Interest Litigations" (PIL), which, to a great extent, were instrumental for bringing up issues

relating to the violations of Civil liberties/ human rights. Further, India has been exposed to international public opinion with a number of foreign Non-governmental organisations (NGOs) evincing interest on the Human rights issues in our country.

<u>Issue</u>:- The major areas of human rights violations in Andhra Pradesh.

Response: In the sphere of Civil/Human Rights violations, the state has a unique feature i.e. any Radical left movement had been ruthlessly dealt with and during this process human rights have been totally neglected. For example in the Telengana uprising (1948-51), more than 2000 people were killed in police action. During the Srikakulam Movement (1967-70), around 100 people were liquidated, whereas in the ongoing struggles by PWG, around 850 people were eliminated in police encounters, during the period 1990-96. The 'Encounter' and lock-up deaths have become common in the state. The other areas of violations include a)attack on dalits(Karamchedu-1985, Tsunder-1991, and Chintappally incidents, were the major incidents of organised attack and atrocities against dalits) b) Violence against women (this includes rape of women, dowry deaths and other atrocities) c) childand bonded labour d) practice of untouchability against dalits in rural areas e) denial of minimum wages to agrarian workers f)Mushroom growth of Aqua-farms, by violating the provisions of Coastal Regulation Zone (CRZ) Act and other state legislations . Other issues such as long-term neglect of Telengana districts in the field of socio-economic development and the suicide of farmers "due to poverty in certain districts like Karim Nagar, Mehboobnagar, Medak and Ranga Reddy, have also been projected as human rights violations, by certain movements such as 'Centre for Telengana Studies" and Peoples Tribunal for Raithie Sahaya Committee, set up to study the problems faced by farming community in the above districts. The neglect of Telengana districts has given an impetus to

the demand for seperate "Democratic Telengana state" which is likely to gain momentum in the wake of the policy-decision of the new Government in Delhi to form seperate states for tribals/backward sections in U.P, Bihar etc.

Issue :- Reasons for Human Rights Violations in Andhra :-

Response: The state has still the vestiges of feudal- colonial influences with upper castes playing a major role to maintain their socio-economic political hegemony in the state. The atrocities against dalits are mainly the outcome of the upper caste arrogance. The violence against women particularly in rural areas, is the result of caste factors. The subjugation of dalits and women has become a strategy of dominant castes to maintain their supremacy in the society. But at the sametime, dalits and women are clamouring for share in power in every sphere. The resurgence of dalits has become a major factor in the socio- political set-up of the state. The custodial deaths and custodial violence are equally influenced by such caste-factors. The majority of the victims are from the poor strata of the society, whose death in custody or torture, never become an issue, unless they are taken up by civil liberties organisations. This aspect emboldens the police to continue their custodial violence. "The Encounter Killings by police, would be continued, so long as the political issues, for which the parties are spearheading their struggles, remain unsolved." In general police excesses or violence, cannot be reduced unless the personnel who commit such crimes are prosecuted and sentenced. The element of discipline can be enforced only through such meas-

<u>Issue</u>:- APCLC and its role in protecting Human-Civil Rights in the state, its Modus Operandi and nature of campaigns and activities.

Response: - APCLC, which was formed in 1974, with considerable left wing extremist influence and civil liberty perception, became more open in its campaigns and activities, since 1978. It has well-knit organisational set-up in all the 23 districts in the state, since 78. Since its inception, it adopted a three-fold strategy for the protection and promotion of civil liberties and human rights. These included a)organisational campaigns/activities espousing the cause of civil liberties, particularly against police excesses/atrocities b) fact-finding mission in respect of such excesses/violations. APCLC leaders have participated in such missions in almost all "encounter- deaths" and attack against dalits as in Karamchedu (1985) Tsunder (1991) Chintapally etc. c)public interest litigation-petitions on issues such as 'Encounter-killings', police excesses and custodial violence. In one such leading petition, moved by me in Andhra Pradesh High Court during July, 1995, in connection with the 'encounter killing' of T.Madhusudhanraj Yadav (State secretary/ CPML Panibagchi faction) on July 26/27 '95 night at Musheerabad (Hyderabad) , I made a prayer 'to direct the government to notify sessions judges as Human Rights Court to take cognizance of all these of Human Rights Violations as provided for in section 30 of the Protection of Human Rights Act 93". While disposing the petition, Chief Justice P.S.Mishra and Justice C.V.N Sastri observed, "it is hightime that section 30 of the Protection of Human Rights Act is involved in the state of Andhra Pradesh as well as steps are taken for appointment of a state Commission so that people may have some forum where they can go with their reports and violations of Human Rights as defined under the said Act and there is some mechanism of redressal which is independent and fair operating in the state". However, no initiative has come from governmental side for the formation of a state Human Rights Commission, though there is steady increase of Human Rights violations in the state since 1995.

I totally disagree with the enticism that APCLC is not keen in espousing the cause of dalits, women and other weaker sections, so that the organisation could not expand its mass- base. " The allegations are contrary to facts. APCLC is very much concerned with dalit issues.2 Vice Presidents of APCLC are dalit leaders/intellecutals. They did not take any major steps for inducting into APCLC large number of dalit members. Though women issues were taken up, it was not able to attract members. This is because that it has been propagated by the state that APCLC is a front organisation of Naxalite movement. Thus, alongwith the violence against APCLC members by police, which included the killing of 3 Human Rights writers (Dr.A.Ramanathan, APCLC/Vice President, Japla Lakshmana Reddy, Senior Executive Committee member APCLC and Nara Prabhakar Reddy/Young Lawyer, Convenor District unit of APCLC) kept away persons, who otherwise, would have been willing to join the organisation. All our district committees actively involve in dalit and women issues. Karim Nagar district committee members are always under threat from police and landlords for their active involvement in such issues. I, myself, had appeared in Rameejabee case (Rameejabee was raped in Police station and her husband was tortured to death by police in Hyderabad), whereas Dr. Balagopal (APCLC Secretary) furnished evidence before Chintappally Commission, which enquired into the atrocities against dalits."

<u>Issue</u>:-APCLC's stand on 'state violence' and silence on the "Violence by revolutionary groups' - how to reconcile from human rights angle?

Response:-"State violation of laws and state violence are greater threat to democracy and democratic values than private violence. I was never apologistic about this stand. This does not however, mean that we are impervious or indifferent to large scale violence, resulting in the loss of innocent lives by Political groups and parties.

We also criticise violence leading to loss of human lives and loss of property by Naxalite groups. Based on this conviction, I have intervened in two kidnapping cases (Mr.S.R.Sankaran, IAS during December 87 and Mr.Bal Raju, MLA/Cong-I in Feb 93) by Naxalits and made all efforts for their release. It is hightime that revolutionary movements should try to build up Human-Rights relations, along with revolutionary struggles."

There is polemics within APCLC on their stand towards "revolutionary violence". "The ongoing debate on the question of violence by revolutionary parties, should be condemned at all". According to a group within APCLC, the violence by revolutionary parties is qualitatively different from state - violence and the two types of violence can never be equated. This was also part of international debate going on, when terrorist violence was on increase, throughout the world. Even there were some communications from Amnesty on this new trend. During such debates, some of us felt that political parties/groups, control vast areas and in possession of modern weapons which can inflict large scale damage to life and property, should also be subjected to human rights priciples. We took this position despite being conscious of the fact that the state, through its lawfully operated crime control mechanisms is responsible for the protection of civil liberties of citizens. The CrPc and Penal code are the means by which the violations of civil liberties as between citizens, inter-se or the means by which the state controls violations of civil liberties. We do not consider the violence against innocent people, who have nothing to do with the issues, raised by radical parties as justified. We are not extrapolating violence, omits social setting . When soft and soft targets are chosen by radical parties, it is their action that extrapolates violence. The state resorts to maligning the Human Rights activists by characterising them as supporters of radical or extremist parties of violence. This has been an age-old practice, so never deterred Human Rights activists in their campaign against Human Rights violation. However, APCLC approach on 'revolutionary violence' as demonstrated recently, is not healthy. It was unfortunate that during the debate held on May 8 & 9 1998 in Guntur, the ascendency of the view that the APCLC should be uncritical of revolutionary violence' is most unfortunate for the organisation, which has been built itself as a major force in the country in the Human Rights field.

<u>Issue</u>:- Perception on the role of NGOs in promoting human rights

Response:-Majority of the NGOs in the state are reluctant to step into the field of Civil liberties movement, because of the inherent risk involved in this sector. "They prefer to operate in risk-free sectors such as child labour, Environment, welfare of weaker sections etc." Giant NGOs, like AWARE led by Mr.P.K.S.Madavan of Hyderabad, operate with foreign financial support, but their contributions in the Human Rights field are not significant. However, there are other NGOs like 'Sakthi' of West Godavari district are active in safeguarding the rights and privileges of dalits and weaker sections. They have to face the wrath of land lords and other organised groups. For example, 'Sakthi' of West Godavari has faced a lot of problems at the instance of non-tribals and landlords. Dr.Shivarama Krishnan, the key functionary of Sakthi has also been implicated in a number of false-cases.

Issue: Police role in the field of human rights and the suggestion to make them more human rights friendly.

Response:-A transformation in the political set-up with corresponding socio-economic changes, alone can improve the functioning of institutions like police. So long as plice functions as an appendage of the existing political system, they would continue their excesses

and violence in which the Human Rights would be the biggest casuality. There should be greater autonomy to police with stringent methods of accountability to the rule of law and people where the slightest aberration should be initiated with major penality as severe as they make it against terrorists. "An erring policeman and terrorist should be treated one and the same."

Issue :- Role of NHRC in the field of human rights issues.

Response:-The bodies like National Human Rights Commission (NHRC) should be strengthened through proper amendments in the protection of HR Act.93. More powers should be given to the commission to take direct action against erring officials/personnel, for which the investigation wing should be strengthened further (presently, many of the recommendations of NHRC to state governments etc for instituting enquiries on police excesses or compensation to the victims have not been complied). Side by side, state level commissions should be constituted with better infrastructure and resources.

8.5. (MS)KIRANBEDI, JOINT COMMISSIONER (TRAINING) DELHI POLICE AND WINNER OF RAMON MAGSASAY AWARD FOR PUBLIC SERVICE.

<u>Issue</u>:- The role of the state in protecting human-rights its limitations and the NGOs role in protecting human rights .

Response:-As the human rights now cover a wide spectrum of activities, which determine the 'dignity of human life', no state- whatever effective in the enforcement of these rights can fully protect the human rights. In India, also, the situation is not different. Over the years, the concept of Human Rights has undergone radical transformation from the conventional, political and Civil rightsto "collective rights" covering a myriad of issues such as environmental

hazards, social security, health problems of aged and handicapped etc. Such issues cannot be tackled by government alone. Here the NGOs can step in . Already this process has gained momentum in the country. In Tihar jail, a number of innovative programmes, on "correctional lines" in respect of different sections of prisoners, could be implemented, with the active involvement of a number of NGOs. They could supplement "the resources crunch at official level" when programmes such as education, vocational training etc were taken up for jail-inmates. It is salutory to note that National Human Rights Commission (NHRC) has actively involved these NGOs, while drafting the new Prisons Bill, which would be soon presented before the parliament.

Issue :- Are all NGOs contributing to Human Rights ?

Response:- It is not correct to say that all NGOs have right objective or commitment or only spreading the Gospel truth. There are NGOs particularly from Civil Liberties side- which are totally biased and partisan in their approach and activities. "For many of them, bashing police in the name of the violation of human rights, has become a fashion of their campaign. Police is their whipping boy. For them, all other institutions are sacrosanct. See, no Civil Liberty group or Human Rights activities, have openly come up or denounced the brutal massacre of innocent civilians in Doda (J&K) recently." The NGOs and Civil Rights Groups should be equally concerned on the human rights of police personnel or the victims of militants". Their reluctance to denounce the violations by militant groups due to ideological or other reasons, is the major stumbling bloc in improving the relations between NGOs and police, at ground level. At the sametime, it is also unhealthy of NGOs toeing the line of police and keeping silence on their excesses or omissions and commissions "Such an approach is not only unethical, but would also act as an impetus for 'deviant, policemen to perpetrate their illegalities" . In

fact, much ground level research is needed to reach a conclusion onthe ideal NGO-Police relations which would be beneficial for both the institutions and the society and people in 'general'. But, steps like police leaders or retired police personnel associating with reputed NGOs, with clear policies and programmes, would go a long way in harmonising the relations between police and NGOs. "A number of police personnel take keen interest on the activities of Nav Jyoti" an NGO, floated by me in Delhi, which is engaged in the counselling of drug addicts, education to the children of prisoners, etc".

8.6. SMT. NAFISA D'SOUZA, DIRECTOR 'LAYA', VISAK-HAPATNAM

Not only in Andhra Pradesh, but in the entire country also, the overall human rights scenario is far from satisfactory. While considering the concept on a broader perspective, the issues like poverty, illit-

> eracy, lack of medical facilities, infant-mortality rate etc. mar our overall human rights records. In Andhra, the situation is further vitiated due to the growth of political extremism and the re-

Human Rights scenario in Andhra Pradesh

Impressions on the

"In many extremist-affected districts, the people particularly the tribals are sandwiched between the extremists and police. Fear

haunts them and they cannot exercise their genuine rights and privi-

leges".

In fact, NGOs have many limitations to function effectively in such a situation of fear and anxiety. Take for instance the NGOs like

'Role of NGOs in such Scenario' 'LAYA' which function in tribal dominated districts like East Godavari, where our effort is to ensure the land rights of tribals, mobilise them against the exploitation by non-tribals and empower them through training and awareness programmes . But, any "action- oriented programmes" such as forceable occupation of tribal lands, now illegally occupied by non-tribals, would be misconstrued as "Naxalite-inspired actions". This would be followed by police repression also.

This may be one of the reasons but needs more probe. but, there are other reasons. The NGO movement in Andhra started in Ray-

Can this be attributed as reason for less number of NGOs in Telengana belt?

alaseema and Coastal Andhra Pradesh, where there were also equally relevant issues like the presence of dalits, feudal social-relations and exploitation of dalits and the backward, floods and famines which led to the formation of pioneer bodies like Ray-

alaseema Development Trust (RDT), Village Reconstruction Organisation *VRO) etc. The proliferation NGOs started in that belt, getting inspiration from these organisations or certain second-line functionaries floating their own organisations after opening channels with foreign donor- agencies. Such a trend has not come to Telengana belt, where there were more pressing socio-economic factors for the intervention of NGOs.

It may not be correct to interpret on such lines. "NGO-intervention and activities are modulated on the basis of the issues which they

NGOS are more contion' ratherthan actionoriented programmes?

take up. There are conventional NGOs, radi-How far you agree that cal NGOs and action-oriented NGOs, depending upon the field in which they work. with 'institutionalisa- Social milieu and dynamics greatly influence their sphere of activities. When feudal issues or exploitation of weaker sections like

dalits, tribals, rural-poor and landless peasants, were rampant, the emphasis was on 'action-oriented compaigns' by mobilising the affected sections. Then came the phase of consolidation of NGOs, through the establishment of institutions, Training centres, incomegenerating projects etc. No doubt, the foreign funding agencies have greatly influenced this trend. Now, the stress is to transform the NGO movement more indigenous and self-dependent, with their roots firmly grounded in the soil, in which they work. Simultaneously the concept and approach need transformation in line with the perception and aspirations of target-groups. For example, for many 'tribal women' the non-tribal is alluring because he represents of new world view, which is charming and attractive. Social-evils like 'dowry-system' slowly creep into tribal communities, which shatter the concepts of gender equality, integrity in interactions and community-bonds. Such changes in the out look of target groups, should come in the purview of the policies, strategies and programmes of NGOs. Then only, they can do justice to their existence".

'Net works' are really good for the effective mobilisation of resources and manpower, with optimum impact or result in the target areas

of operation. But, the tragedy is that major-

impact in human rights field?

What about the concept ity of the 'networks' are imposed at the inof 'net working' and its stance of foreign-donor agencies, 'sometimes under veiled threat to some NGOs that their 'pipeline of foreign funds' would

be cut, if they do not follow the concept.

Such 'networks' definitely lack integrated approach, commitment and sincerity, but open complex organisational issues.

They could contribute moderately in promoting human rights, especially in target-groups like tribals, dalits and rural poor. But, they

role of NGOs in promoting human rights.

can contribute more, if they reorient their Overall impresion on the activities by giving more emphasis on the ground level situation, instead of heavily depending the directions of foreign donor agencies.

8.7 DR.M.V.PYLLE (MEMBER PRESS COUNCIL OF IN-DIA AND FORMER VICE CHANCELLOR OF CO-CHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY)

<u>Issues</u>:- The extent of protection of human rights by the state, Constitutional position, role of NGOs etc.

Response: As regards to the protection of human rights, the Indian Constitution has specific provisions and therefore the state and Administration have moral and legal duty to act in accordance with the spirit of the Constitution. But, over the last 50 years, the state could play only a limited role in the protection and promotion of Human Rights in the country. The enactment of the Protection of Human Rights Act 1993 and the subsequent ffmation of Ntional Human Rights Commision (NHRC) demonstrated that our human rights record, over the years, were far from satisfactory. Now the NHRC is flooded with complaints from every part of the country on issues of Human Rights. In such a scenario, the Non-Governmental organisations (NGOs) which work among the various cross sections of the society, can play a major role in promoting Human Rights. This has already been proved in Western Countries, particularly USA and U.K. where NGOs are engaged in multifold activities for the protection and promotion fo Human Rights. Even Mrs. Hillary Clinton is heading certain NGOs in the field of Child-care and health. Her declaration in 1992 that health care is a "non-negotiable human right" had evoked heated discussion in USA, when Clinton administration could not ensure proper medical facilities to all sections of American society. " The role played by Amnesty International in the field of Human Rights is an eloquent testimony as how much clout the Western NGOs enjoy in their various sphere of activities".

Issues: Suggestions to improve the role of NGOs in promoting human rights etc.

Response: - In the Indian context, the NGOS are yet to make their presence felt in the society. The general image that they depend heavily on foreign-funds for their activities mars their credibility among the general masses. This should be overcome through systematic activities, by depending more on internal resources/ funds. The following are some suggestions to improve the functioning of NGOs, which are active in the human rights field.

- (a) Involvement of more and more knowledgeable and educated people in NGOs.
- (b) To become financially more viable.
- (c) Mobilising good media support
- (d) Participation of more selfless active workers.
- (e) Organising more of discussions, seminars, conferences and similar campaigns.
- (f) Better tie-ups with organisations both nationally and internationally.

Issue:- Police role in the protection of human rights and ways and methods to improve police- NGO relations.

Response:-The role of police in protecting human rights is more significant, especially in developing countries like India, where they enjoy vast powers and authority. But experiences show that abuse of power and authority is on increase in police functioning. Just like many other institutions in India, degeneration has crept into police as well because of various socio-economic and political factors. "Those who hoped that Indian police, which had been constituted by the Britishers, would attain the status of 'London-bobby' have been totally disillusioned. There is no comparison on the profession-

alism ethics, m orale and humanist qualities between London Police and our police -personnel. Our cops are yet to develop these qualities. Definitely, there is change of attitude of police at higher levels. But, the constabulary, which is around 80% of the total force, is still dominated by archaic practices and behaviour, which eclipse the image of the force. Only through proper recruitment, better training and education and control by police leaders, the situation can be changed to the advantage of the organisation. The NGOs, having good reputation should be made use of by police for reforming the police at lower level. Those NGOs, working in the human rights or inter-connected fields should organise short term training programmes for the police, especially for the lower level functionaries. More of related literature on human rights, constitutional provisions etc should be produced and distributed among the police force. For such activities, there should be periodic dialogue between the police leaders and NGO-functionaries, who have good reputation in the particular area/district.

8.8 PROF.KODANDA RAMA REDDY, STATE EXECUTIVE MEMBER APCLC/DEPARTMENT OF POLITICAL SCIENCE, OSMANIA UNIVERSITY.

Issue:-Conceptulisation of human rights and their crystallisation through the activities of Civil Rights Groups.

Response:-The repressive character of the Indian state would

follow, so long as the ruling forces follow their predominant procapitalist class-character. In India, the concept of human rights are formulated in the course of freedom struggle by various movements. Anti-caste movements, peasant struggles, tribal revolts, nationality struggles have all contributed to the formulation of rights in India. The Constitution has given legal expression to these rights. But in reality, these rights could not be enjoyed by many sections of the

society because the institutions created by the Constitution have become the preserve of the dominant groups. The democratic elements of the Constitution have attained radical content only in those areas whose hegemonic relations are challenged. However, such efforts are viewed as law and order problem by the state, given its conservative character.

Issue: Role of Civil Liberties groups in promoting human rights in Andhra and their main areas of activities, perception on "private violence" etc.

Response:- CLM has changed its scope and nature according to the development of various socio political movements. Instead of strictly following the concept of rights enshrined in the Indian Constitution, it has followed the concept of 'democratic rights'. Though it originated in the context of Naxalite movement it has expanded its scope to include the 'dalits and women-rights'. In the dalit-front, the movement could create much human right awareness, but in the womenfront, much is yet to be done. In fact, the split in 'Sreesakthi', the most popular and mass-based women-movement considerably deccelerated the organised activities among women against their exploitation. Now, two NGOs viz'ASMITA' AND 'ANNESHVI', which originated from 'Sreesakthi' are active in the women's field. One main handicap for women- organisations to spread their activiteis to rural areas is the dearth of committed volunteers. In the context of 'liberalisation' policies, the rights of workers and the environmental rights of the people have entered the civil rights agenda. APCLC has recently published a booklet (Telugu) on "WTO & its Economic Implications in Andhra Pradesh". The aim is to create awareness among the masses on the organised moves of International bodies and MNCs to strengthen their stranglehold on the economy of developing countries, even by influencing their political structures. In the context of Andhra Pradesh, the autonomy of Civil Liberties movement is essential and unless it is maintained CLM itself would be jeopardised. Similarly, the debate between private violence and 'State violence' ignores that CLM, itself would be accepting the terms set by the state and its definition of violence by stating against state violence only and ignoring other forms of violence. CLM should be autonomous enough to have its own definition of violence and to set its own terms of discourse. Now, APCLC is engaged in efforts to chronicle and bring out a compendium on "30 years of left wing extremist movement in Andhra Pradesh" in order to enlighten the masses on the vital issues on the spread of the movement, state repression and the flaws of left-extremist movement including their wanton- violence against civil population, destruction of properties etc.

Issue :- Land-related issues and Human Rights violations and exploitation of the same by left-wing extremist groups.

Response:-The land issues, which were earlier glaring for the spread and consolidation of left extremist—movement in many parts of Telengana, have now been relegated, especially after the emergence of NTR government, which has done much in setting right land-records/disputes. Now, the movement is guided by major socio-political issues. And police continues to act as catalyst in many parts of Telengana for people going in favour of the movement. "Majority of the surrenderees of the movement or their relatives have been haunted by special squads to become police-informers. Because of harassment, they again join the movement and develop more vendetta and venon against the police. Many of the attack against police are engineered by such elements."

Issue :- Role of Civil Liberties Groups/NGOs in protecting human and Civil Rights ?

Response:-For the protection of human rights, Civil Liberties movement/NGOs should concentrate in 3 major aspects of prioritization of their campaigns and activities in support of rights such as liberty, equality and right to life, attainment of credibility through autonomous and unbiased actions and more serious efforts for the proper rehabilitation of the victims of human rights violations. APCLC is now working on these priorities. Their workers are more concerned on the support (both material and moral) to the relatives of the victims, killed in police encounters etc. But organised rehabilitation efforts, could not be launched on large scale due to tactical reasons and dearth of funds. The philosophy of the organisation is not to encourage the inflow of foreign funds. But many NGOs in the state, depend more on foreign funds and propaganda. "Such organisational weaknesses in the NGO-field defeat the very purpose of voluntary movements and the concepts like the promotion of human rights remain only a rhetoric in their agenda".

8.9. ADV. T. PRATAP REDDY - CHAIRMAN "VIGIL IN-DIA MOVEMENT" AND PUCL LEADER.

Issue:- Perception of PUCL on the human-civil rights issues in the country.

Response:- Among the various forms of governments like Monarchy, Oligarchy, Aristocracy and Democracy which the political scientists like Plato, Hobbes and Locke, had interpreted before many centuries ago, democracy is the most ideal form for the protection and promotion of human rights. Thus, in any closer analysis, any movements or struggles, which weaken democracy, would ultimately jeopardise the very concept of human rights. Based on this hypothesis, Lok Nayak Jaya Prakash Narayan, who floated the Peoples Union for Civil Liberties (PUCL) during the dark days of National Emergency (1975-77) identified the main task of the organisation as "to uphold

and promote by peaceful means Civil Liberties and democratic way of life throughout India". Thus, PUCL is against any form of violence by groups or movements in support of Civil Liberties and human rights, which may weaken democratic way of life. In this regard, the movement denounced the violence by left extremist groups as well as the violations of Civil Liberties by police. But, the approach of the organisation is that "human civil rights groups should not always oppose the law enforcement machinery of the Indian States and Union of India, as they constitute a vital element of Indian democracy. There are a number of highly placed police officers who recognise the importance of maintaining the rule of law by respecting civil liberties of the people. These movements in each state should establish contacts with such progressive police persons and seek their cooperation for the protection of Civil Liberties and Human Rights".

Issue:- PUCL's assessment of left-wing extremist violence from Human-Rights angle.

Response:- The left extremist violence in Andhra Pradesh, cannot be justified when the issue of human rights is examined by human rights groups/NGOs. "The basic question is what is their philosophy? Is it based on majority-desires of the masses or dogmatic ideological symbols of individuals? In the present context, it apparently seems to be on the latter lines. Or else, why should they resort to random killing of people branding as 'police informers(without even holding peoples'trails) or the wanton destruction of public properties? These are the violations of human rights ". Thus, the issue of extremist violence vis-a-vis the violation of human rights of civil population, also attracted the attention of bodies like PUCL. As per the direction of AP High Court, a committee of Senior Advocates probed into the matter of the atrocities and human rights violations by extremists as well as police against civilians in Telengana districts, the extent of protection to civil population against such violations

and the step to be taken for the rehabilitation of the victims of such violence. One major finding of the committee is that "extremist groups are equally responsible for the violation of human rights through their depradations against civilians/police,destruction of governmental and private properties etc. as in the case of police, which resorted to the killing of persons in fake-encounters in the name of fighting extremism". The committee has sent its report to National Human Rights Commission (NHRC) during the second half of 1997.

<u>Issue</u>:- NGO's campaigns and activities in the human rights field and the issues in the dalit front.

Response:-Majority of NGOs or Civil Liberties movements in Andhra fail to take up such issues, as they are habituated their propaganda/campaign on 'anti-state slogans' like police excesses/state terrorism. The conventional NGOs are more concerned on their foreign financial support and programmes have been chalked out on the basis of the receipt of funds. This prevalent strategy has caused much harm to the growth and consolidation of voluntary movements with some major contributions in the field of social resurgence or human rights awareness. A unique example is the dilemma among dalits. Majority of NGOs in the dalit front, utlise much of their energy and resources to spread the impression that "Brahminical dominance" (Upper caste hegemony) is the major force, which denies their basic rights including human rights. But at practical plane, this upper-caste dominance is not at all a causative factor for the 'dalit dilemma' in Andhra Pradesh. "The roots of thier illness are within their own community. For example, Malas, who are socially and educationally advanced but constitute only 4% of the total dalit population in Andhra, enjoy around 80% of the reservation facilities for SC/STs in contrast to the 'Madigas' who are in overwhelming majority with abject social and economic backwardness. And the

'Creamy layers' of these communities are deadly against shelving any of their privileges or rights which they enjoy for centuries, in favour of their most down-trodden brethern at the lowest bottom of the social- ladder. No NGO is prepared to take up such incogruties, though they make" mountain-sermons' that denial of equality is a grave violation of human rights. It is hightime that a new orientation should be given by NGOs in their compaign and activities so that they can attain more credibility among masses. Only then, the NGOs can spread effectively their messages on human rights or other issues.

CHAPTER 9

MAJOR FINDINGS, RECOMMENDATIONS AND SUGGESTED RESEARCH

This final chapter is divided into two sections: the first section brings together the major findings of the study and the second part highlights the new insights that are incorporated as recommendations.

9.1. FINDINGS

In the fast-changing world-order, with the global trends towards powerful institutions and individualism and nation-states undergoing "role-transition" from "provider" to "policy-maker", the Non-governmental Organisations (NGOs) which occupy a major space in 'civil-society' represent a "third-force" for collectivism and development. Their role is more important in developing countries like India, where traditional strategies of social and economic development, based on large-scale institutionalised methods and provisions, have not achieved the desired results. They have not "trickled down" to bring consistent and sustained improvement in the standards of living and quality of life of the poor and underprivileged sections. Such "developmental aberrations" which failed to provide basic amenities to human beings, acted as breeding grounds for organised struggles and movements, mainly by the deprived and exploited sections. These situations opened a flood-gate of human rights issues and violations. The study, which was mainly intended to examine these issues and find out how far NGOs were potential to protect and promote human rights in such a society, which was inflicted with

major aberrations in socio-economic development and internal conflicts and struggles, could bring out the following major findings:

- (i) Though the state and its agencies guaranteed the protection and promotion of human rights through various constitutional and legal provisions, they were able to protect these rights 'to some extent' only. The increasing incidence of human rights issues and violations, as manifested in the annual reports of "National Human Rights Commission (NHRC) and the fact-finding reports of civil liberties groups and NGOs, demonstrated this trend.
- (ii) The NGOs and Civil Liberties groups which occupied a moderate space in the civil society of Andhra Pradesh, had contributed to improve the human rights scenario in the state. The extent of their contributions, varied from moderate to high, depending upon the areas/target groups, in which they were working for the promotion of human rights / related issues. Their impact in creating human rights awareness, was more in the tribal/dalit front. When the civil liberties groups concentrated more in the protection and promotion of political and civil rights, the emphasis of NGOs was the promotion of economic and social rights of marginalised sections.
- (iii) The NGO movement in Andhra Pradesh, had accelerated the socio-economic development, particularly of dalits, tribals and rural poor. These target groups had marginally succeeded in strengthening their economic base, including ownership of cultivable and irrigated land, better tenancy-rights, attainment of minimum wages, increases in production and productivity, levels of capitalisation and production of marketable surpluses. Socially, their status, had improved to some extent, as there was noticeable change of attitude from the part of private and public actors like landlords and officials towards these discriminated and exploited lot of the society. These socio-economic

changes among the weaker sections, led to a moderate improvement in their human rights awareness.

- (iv) The awareness of the general public on their rights and privileges as well as the basic elements of human rights pertaining to individual freedom and liberty, vis-a-vis the role of major civil liberties groups/NGOs in espousing human/civil rights causes, remained high among the urban-semiurban sections as compared to rural people. The NGOs are engaged in accentuating the awareness of rights of marginalised rural sections, through a process of 'social resurgence' and 'social engineering' with the active involvement of these target groups and their representative organisations.
- (v) The civil liberties groups, particularly Andhra Pradesh Civil Liberties Committee (APCLC) had occupied their space in the civil society and sections of people, through their campaigns and activities focusing police excesses and alleged "encounter killings" etc. Their strategy and campaigns, particularly their reservations to denounce the violence and violations of human rights, perpetrated by left wing extremist groups in the state had created an impression among many sections that the outfit was an appendage of left-wing extremist-groups. This had adversely affected the credibility and the growth of the organisation.
- (vi) The police at cutting edge level (Sub-Inspectors/ Circle Inspectors), particularly, of Telengana districts (where left extremism is active) had high degree of awareness on the activities of major civil liberties groups/ NGOs, as compared to lower level functionaries notably constabulary. The relationships between NGOs /civil liberties groups and police, remained strained, if not hostile in the backdrop of the campaigns by civil liberties groups highlighting issues such as police excesses. NGOs could make limited impact in making

police human rights friendly; nor police found any significant role for NGOs, in assisting them in the enforcement of law and order.

(vii) The proliferation of NGOs in Andhra Pradesh, showed some geo-graphical trends. Though Telengana districts (41.7% of total area and 39.2% of total population of the state) are the most economically and socially backward with sizeable percentage of tribals/ dalits etc. there, the number of NGOs is around 11% in contrast to the concentration of NGOs in Coastal Andhra (54%) and Rayalaseema (35%) which are more advanced from social and economic point of view. This apparent contradiction in the geographical spread and functional-priorites of NGOs was largely the result of the concentration of pioneer NGOs in Coastal Andhra /Rayalaseema, the zeal of conventional NGOs to concentrate in charity/welfare projects rather than action-oriented programmes and the space occupied by left wing extremists among the marginalised sections of the area, by strongly espousing their issues with certain amount of resistence against NGOs, which were interpreted by them as "pro-establishment" and agents of "imperialist forces". Thus, the role of NGOs in promoting human rights, in Telengana area, was to a great extent, limited . But, this vacuum, had been effectively filled up by civil liberties groups.

(viii) The major activities of NGOs in Andhra Pradesh, which gave a fillip to the promotion of human rights included a) dalit/tribal development/empowerment projects b) health, sanitation schemes in rural/areas dominated by marginalised sections c) rehabilitation of street children/victims of child nad bonded labour d) empowerment of women, landless agricultural workers and rural poor e) Self-employment and Income generating schemes for weaker sections through financial incentives, loans etc f) housing projects for the shelterless, urban-slum dwellers, underprivileged and unorganised sections g) Human- resources development schemes/awareness

campaigns of weaker sections, through workshop/seminars, training of volunteers etc. h) specific campaigns and propaganda on human rights issues such as untouchability, denial of minimum wages to agricultural workers, alienation of tribal lands, displacement of tribals, atrocities against women/dalits etc.

- (ix) A shift in the strategy and operations of NGOs, had come up, largely at the instance of foreign funding agencies. The major concept, which was gaining ground in the NGO movement in the state was the 'Net-working' and 'alliance building'. In this concept, NGOs identified common interest and concerns, shared information provided support to eachother and maximised the use of available resources to achieve optimum results in the target areas/groups. They were the manifestations of co-operative strategies to improve the impact of NGO operations. Such 'net- working of NGOs are active in the dalit and landless agricultural workers fronts. The empowerment and the protection of the right and privileges of these target groups, are the main tasks of these net-works.
- (x) Overwhelming majority of NGOs in AP, depended upon the foreign funding agencies for the mobilisation of their resources/finances. The priority sectors of leading foreign donors viz EZE, West Germany, BILANCE Netherlands, OXFAM England, ICCO, & HIVOS (both Holland) included a)empowerment of dalits/tribals, rural poor and women b) protection and promotion of human rights of weaker/marginalised sections such as tribals, fishermen, children and c) protection of environment .
- (xi) Though NGOs in the state, could make moderate contributions in the socio-economic development and the promotion of human rights among weaker sections, unhealthy trends such as the emer-

gence of fradulent NGOs (nick-named as'Briefcase NGOs), overdependence on foreign funding agencies in policy formulations/prioritisation of projects, overstretching of resources by taking up multifold activities for mere propaganda and publicity without any tangible achievements, building up 'pressure groups' on political-ideological lines, advancing personal interests and last but not the least the improper accounting and utilisation of foreign funds, had also crept into the movement, because of the omissions and commission of a few NGOs. These trends had also eclipsed the image of NGOs among sections of the people, notably the middle class intelligentsia.

(xii) Left-wing extremism and couter-measures to combat it, constituted one of the major areas of human-rights issues and violations in Andhra Pradesh. The extent and gravity of such violations could be well assessed from the fact that over 1300 extremists and 2046 persons were killed as a result of the movement during the period from 1968 to 1997 (4/6/97). The ascendency of violence and violations, emanating from this area was clear, when there were around 854 encounter - killings' and 1204 liquidation of civilians by extremists, during the period 1990-96. The depredations by these groups in the form of wanton killings of innocent civilians branding them as police-informers, abduction of citizens, bomb explosions/landmine blasts, fatricidal killings, destruction of public and private properties worth crores of rupees and the counter-extremist operations by law-enforcement agencies - which sometimes went beyond the parameters of rule of law-accounted for the largest number of human rights violations in Andhra Pradesh. Thus, quite aptly, a learned judge of the state High Court (Justice M.N.Rao) has described the situation (June 96) as one of "larger magnitude and menancing dimensions" and called for immediate steps to end this mindless violence.

(xiii) The untouchability, in different shades and forms, which persisted in the rural society, was the root cause of many socio- economic issues, particularly of dalits, and tribals - two vulnerable sections who were subjected to exploitation and violation of human rights. There is an ongoing process of "dalit- resurgence" in the Coastal Andhra districts, which has been accentuated by dalit organisations and NGOs, working in the dalit-front.

(xiv) The human rights issues in the tribal-front in Andhra Pradesh, are closely intertwined to the land issues and their apprehensions on the loss of identity. The alienation of tribal lands in scheduled (agency) areas by non-tribals, diplacement of tribals due to developmental projects, depletion of their basic resources for livelihood etc were the major issues, confronting the tribal community.

(xv) Andhra Pradesh has the highest number of child-labour (1661940 as per official statistics) - one of the worst forms of human rights violations in any society. The intensity of the problem is more serious, as more than 64% of the child- labour are girls, who are engaged in more strenuous works such as farm/agricultural labour, in the most depressing conditions. Poverty alone was not the sole causative factor for this social- tragedy. The subservience of the dalit/backward sections to the landed gentry and their eagerness to get the patronage of the 'rural-elite' in the form of tenancy rights, supply of irrigation-water etc acted as motivating factors, for child-labour.

(xvi) The growing violence against women, gender inequality, lack of opportunities for the welfare/development of girl-child sexual exploitation of women camouflaged in traditional and obscurantist practices sch as 'Devadasis' 'Yoginis' or 'Basvinis' etc in some parts of the state (mainly Nizamabad, Medak and Kurnool districts) were the major violations of human rights concerning women . A sharp

increase of around 105% in respect of registered cases relating to atrocities/offences against women during the period 1991-96, was a clear indication of the extent of such violations and gender issues in the state.

9.2. RECOMMENDATIONS:

In any democratic society, the extent of protection and promotion of human rights, depended on three major constituents viz. government/its institutions, the civil society and the Non- governmental or community organisations, which operate at the interface between the government and its super-structures. The major role no doubt, vests with the state/government, whereas the civil society is morally bound to create 'societal-changes' or 'social-transformation' in order to safeguard the human rights. Equally important is the role of NGOs, which are increasingly, being recognised by governments as potent forces for social and economic development, important partners in nation building and national development and valuable forces in promoting the democracy. Needless to say that the better inter-relationships and interface among these three components would not only accelerate socio-economic development, but also promote concepts like community welfare and human rights.

(i) The state /government, with its changing role as a 'policy- maker' and less that of a 'provider', should turn to dependable NGOs to do more of the providing, especially of 'social goods' such as health care, sanitation, poverty alleviation, literacy etc, in which the institutionalised strategies of social and economic development could not make significant qualitative and quantitative achievements in line with the expectations and aspirations of the people, especially marginalised sections. Thus, developmental strategies, with the active involvement of reputed NGOs in the fields of rural/tribal development, social- welfare, empowerment of women, eradication of pov-

erty etc., may be worked out with a thrust to effective decentralisation.

(ii) The 'development model' adopted by some NGOs in Andhra Pradesh, of creating awareness among down-trodden/rural poor at the instance of NGO-volunteers, elevating the target-groups to a phase of social and economic development through apex organisations of their own and clustering of activities in the agriculture, health, literacy, marketting fields etc. with the full support (finances and resources) of NGOs for a period of 3/5 years and preparing the groups to carry out the process of development by themselves under the monitoring mechanism by sponsered NGOs may be initiated at governmental level, with the involvement of committed NGOs, instead of the stereo-type developmental programmes, which during the last five decades, could not contribute much to the overall socio-economic development of the marginalised sections in the state.

(iii) A change in the strategy of NGOs is imperative to improve their operations, particularly their effectiveness in the field of human rights. Prioritisation and specialisation are the two key aspects. Instead of launching multiple and manifold projects and programmes disproportionate to their resources and manpower, major issues/target should be selected for intensive campaigns/operations, with a view to achieving specific goals and results. In the case of Andhra, empowerment of dalits, tribals and women and the fight against different shades/forms of untouchability or caste-oriented discrimination are the priority- sectors of NGOs, particularly from Human Rights angle. The 'net- working of NGOs' is an effective mechanism to acheive the common-goals/results. But, such 'net-works' should be 'suo-motto' ones and not imposed by foreign donor agencies. As rightly observed by Smt.Nafisa D'Souza (Director of LAYA), a social activist with rich experience in NGO movement, "foreign - donorsinspired net- works lack integrated approach, commitment and sincerity, but often create complex organisational issues". This highlights a major aspect that too much dependence on foreign funding agencies or their guidelines, deviates NGOs from their actual tasks/goals. Self sufficiency, in resources, may augument their effectiveness as well as image. For that purpose governmental support to NGOs is imperative.

(iv) The ground level operational strategies of NGOs also need transformation in order to achieve optimum results in the protection and promotion of human rights. They should enrol grass-root workers, motivate them, train them and field them with clear objectives/goals. Cells or centres may be opened in their areas of operation to receive complaints / grievances relating to human rights violations. Human Rights Watch groups at village, Taluk or district level may be constituted at the instance of NGOs. Extensive documentation on Human Rights violations through research/fact-finding missions, publication of authentic reports for the intervention of authorities/public consumption, creation of human rights awareness among public through special campaigns/media etc. should form the major tasks of such watch groups. NGOs should also take up issues in Fligh Courts/apex court, NHRC etc on major human rights violations, particularly of marginalised sections such as SC/ST, rural poor etc, who have limitations to approach the corridors of justice. For that purpose, the lawyering community and professional should be attracted to the NGO- movement. Public Interest Litigation (PIL) is the effective legal weapon, which the NGOs can use, in this regard. In the words of Justic (rtd) V.R.Krishna Iyyer (Supreme Court) "on issues of bonded labour, child-labour, denial of minimum wages to contract workers, exploitation of women, jail conditions etc., the Public Interest Litigations and the far-reaching judgments by the courts, helped to improve the human rights situation in these fields (Chapter VIII)

(v) A shift in the strategy and the policies and programmes of civil liberties groups, particularly Andhra Pradesh Civil Liberties Committee (APCLC) is essential in order to improve their credibility and image and thus to play a more important role in the protection and promotion of human rights. Instead of operating as the mass-front of a particular group or party, guided by specific ideologies expressed in terms of 'hackneyed cliches', civil liberties groups should function as a united front of variety of individuals and groups, in pursuance of the sole task of the protection of civil and human rights, for which they should denounce the violence and violations of civil and human rights by the state as well as revolutionary and other groups. They will have to be selective and make discrimination on their choice of cases in the light of these principles so that they avoid dissipation of their limited resources and manpower. At the sametime, they should strive to extend their activities to grass-root level as well as to the new fields of human-civil rights issues. Rights and problems of marginalised sections viz.dalits, tribals, women, rural poor, daily wage labourers, landless agricultural workers etc. should find priority in their agenda of policies and programmes. In the words of Prof. Kothanda Rama Reddy, one of the pioneer leaders of civil liberties movement in Andhra, the major tasks of the movement now are: "Prioritization of their campaigns and activities in support of rights such as liberty, equality and right to life, attainment of credibility through autonomous and unbiased actions and more serious efforts for the proper rehabilitation of the victims of human rights violations". Such a shift in their strategy and activities may facilitate these groups to strengthen their relationships with conventional NGOs which now keep away from civil liberties groups because of the latter's reservations to denounce revolutionary-violence.

(vi) Better inter-relationships between NGOs and Civil Liberties groups, may enable them to play an important role in Telengana districts, where NGOs are yet to make their presence felt in spite of the socio-economic backwardness of the major chunk of population and the large scale violation of the human and civil rights of the people, sandwiched between the left wing extremist groups and state agencies like police. By occupying the space in the civil society in between these mutually confronting forces and adopting an independent line, a joint platform of NGOs and Civil Liberties groups can play a constructive role in ameliorating the issues of the common-people, in the region.

(vii) As rightly observed by Chief Justice M.M. Venkatachalaiah (Chair person of NHRC), "the incidence of human rights violations can be brought down only when there is radical change in the functioning of police". It is almost in the same line Justice (rtd) V.R.Krishna Iyyer (of Supreme Court) emphasised the need of refining the police by holding that; "the need of the hour is the proper training and education, particularly the constabulary the cutting edge of the force. They should be familiarised with constitutional provisions, every branch of law and power vis-a- vis. human rights, legal parameters in the exercise of police powers, Human Rights and emergency situations, police and weaker sections and the major international covenants on human rights". In enlightening the police through training and other campaigns, NGOs can play a significant role. For that purpose, joint endeavours by NGOs and police such as (1) Training programmes/workshop to lower functionaries of police on human rights and inter-related aspects during day to day policing (2) Panel discussions / Seminars on specific issues of human rights/policing with the participation of prominent NGO-functionaries and police-leaders (3) circulation/distribution of pamphlets relating to human rights among police personnel (4) In-

duction of reputed NGO-leaders as Guest-faculty of Police Training Institutions (5) Involvement of serving/retired police officers in the activities/campaigns of reputed NGOs especially in the field of human-rights (6) Planning of annual programmes by police, NGO / state Human Rights Commission to review the human rights scenario and chalk out strategy to promote these rights etc. should be launched. At the sametime, NGOs should strive to strengthen their relationships with police through a) Active involvement in preventive and pro-active policing in the areas of Juvenile issues, drugmenace, atrocities against women, activities of anti-social elements b) Assisting police in reporting criminal activities, collecting facts during communal or caste conflicts and in public relation campaigns connected with Traffic, law and order, crime-detection etc. c) Avoiding blind criticism and "police-bashing" for each and every omission and commission of police without appreciating the dimensions of law and order problems and the difficulties of the police for the effective enforcement of law, especiallay in emergency situations arising out of political extremism, terrorism and other organised crimes

(viii) Land and land-related issues, are the major sources of human rights issues/violations in Andhra Pradesh and for that matter, in other states where the vestiges of semi-feudal forces are rampant or the implementation of land-reforms is half hearted due to the stiff resistence by the landed gentry, potentially backed by political and bureaucratic institutions. Tribals, dalits, landless agricultural workers and rural poor are the victims of such omissions at governmental level.

This poignant situation, has been well highlighted by Chief Justice Venkatachalaiah (Chairperson/NHRC) as, "So long as land-related issues remain unsettled, the movements or groups which believe in violence find a conducive climate to build up their struggles by tak-

ing up the issues of exploited and underprivileged sections". This, has exactly happened in Andhra Pradesh, "a soft state" (Gunnar Myrdal) where the failure of the state to vigorously carry out land reforms and the equitable distribution of land, led to the genesis and spread of political extremism with substantial number of civil and human rights violations. The complexities connected with land issues still persist in the form of a)alienation of tribal lands in scheduled areas and the conflicts between the tribals and non-tribals on the possession of the disputed land b) illegal possession of governmental land by landlords c) Tenancy rights of tenants who were holding certificates of tenancy d) Benami land-transactions in order to overcome the provisions of Land Ceiling Act e) Disputes on the auction/distribution of Temple land and f) fallow land, forcibly occupied by left-wing extremists from landlords. The gravity of the situation is more in Telengana districts, where the Patwari's records were unfathomable and the record of Patta (title deeds) and the public land were most confusing. Because of the failure of real distribution of land due to the flaws in land-legislations and implementation formalities, even today, 75% of the agrarian population in North Telengana is either landless or possess less than 2.5 acres of land. Similarly, the possession of around 6 lakh acres of land in scheduled areas of the state, particularly in Telengana districts by non-tribals in violation of the Regulation I of 70, led to constant conflicts between tribals and non-tribals, in certain districts such as Khamman, East and West Godavari . The major land-legislations in the state such as the AP (Telengana Area) Tenancy and Agricultural Lands Act, 1950, protecting the rights of tenants, Andhra Pradesh Land Transfer Regulation 1959 (amended by Land Regulation No.I of 1970) which prohibited the transfer of Land in Agency (Tribal) tracts in favour of non-tribals, Andhra Pradesh Land Ceiling Act, 1973 empowering the state government to take over surplus land, the Assigned Lands Prohibition Act, 1977, prohibiting the sale or transfer of assigned lands etc, could not be implemented effectively, over the years. This had given a leverage to the left-wing extremist groups to build up their movement by exploiting the sentiments of the tenants, tribals and landless agricultural workers on land-related issues. Thus, effective steps should be taken up by the government to sort out the land-issues, for which the NGOs should extent their assistance and co-operation to the Revenue authorities and local self-governing bodies. Some NGOs like 'Sakthi' which are operating in the tribal (Agency) areas play this role effectively. The following aspects may be considered for working out permanent solution to land-related issues:

- a) Set-right the land-records, for which the revenue department in co-operation with local bodies should chalk out an 'action plan' in which the extent of surplus land, governmental land, (assigned land), tribal-land (Agency Area), Temple land, fallow land forcibly occupied by Naxalites etc should be identified, accounted and computerised at district level.
- b) Identification of governmental land in the 'enjoyment of non-tribals in Agency areas, for which mandal level panchayats' should be convened by District authorities attended by Revenue officials, tribals, non-tribals and representatives of NGOs. In such meetings, the claims on the disputed lands should be settled, on the basis of land records/physical verification and eligible-land (under Regulation I of 70) may be restored to tribals. This has more relevance in districts such as Khammam, East Godavari, West Godavari, Adilabad etc, where the influx of non-tribals and their possession of lands in Agency areas, have created major tension / conflicts.
- c) Rehabilitation/Settlement scheme for non-tribals who are deprived of lands in Agency Areas as a result of the restoration of their land to tribals and landless tribals, whose lands cannot be restored.

- d) Effective steps for the distribution of surplus land among landless peasants, tribals, dalits etc. Efforts should be made by Revenue authorities to unearth benami/fradulent transactions by landlords to overcome the provisions of Land Ceiling Act of 1973.
- e) A comprehensive strategy at governmental level for the distribution of land to the landless sections (Sc/ST) with adequate facilities such as irrigation, water, seeds, manure, pesticide and monetaryhelp. The earlier efforts, in this direction, failed to take off in some districts like Adilabad, where SCs/Sts who were distributed 1 to 1 1/2 acres of dry-land in interior areas without facilities for irrigation, virtually abandoned the land. According to official statistics, government has purchased 20640 acres of land in the state at the cost of Rs.70.41 crores and distributed among 21253 beneficiaries. But, it is difficult to understand as why the state government spent such huge amount in this sector, when there were thousands of acres of 'surplus land' in the state.
- f) Working out a strategy to resume the cultivation of lands, forcibly occupied by left wing extremist groups and lying vacant for years. This situation has led to a stagnation or decline in agricultural production in Telengana districts. As the possibility of the immediate restoration of these lands to the original-owners is remote, the present occupants (who are reluctant to start cultivation apprehending state repression) may be allowed the cultivation under Community Farming or Village level co-operatives.
- (ix) A comprehensive action plan, should be formulated to wean away the people from the influence of left-wing extremist groups, in which the socio-economic cultural agenda, should be backed by NGOs in their respective areas. This action plan should include
- a) effective decentralisation of administration and the improvement of the functioning of certain agencies/departments such as Tribal

Welfare, Forest, Health, rural development, Irrigation etc, with a monitoring system at Mandal/district level to evaluate their performance in the development/welfare sectors.

- b) Enforcement of social Acts/legislations meant for the marginalised sections like dalits/Tribals, daily-wagers, etc and speedy dispensation of justice in the case of violations.
- c) Governmental incentives and encouragement to start small-scale / cottage industries in the rural areas in order to absorb the large number of unemployed sections. The state should arrange initial capital and the marketing strategies for the products manufactured in such units.
- d) All out effort to fight unemployment in the rural areas, for which the public and private industries operating in such remote places with the subsidies/incentive from the govts, should be directed to absorb the maximum local unemployed and
- e) Formulation of a more comprehensive and effective rural rehabilitation scheme with certain amount of amnesty to the extremists to encourage the surrender of ultras.
- (x) The different forms and shades of untouchability and caste-discrimination, which breed the issues of human rights, should be fought at social-level by NGOs themselves and in collaboration with other organisations/groups opposing such trends. An action plan to fight caste-bias and social-inequalities should be chalked out. This should include issues such as (1) strict enforcement of laws against atrocities on dalits (2) formation of Special Courts for the speedy disposal of cases involving dalits 3) distribution of agricultural land and house-sites to SC/ST (4) protection of Tenancy (5) implementation of minimum wages (6) orientation to revenue and police officers to make them sympathetic to the aggrieved dalits and merciless on the offenders. The NGOs and Civil liberties groups should build

up campaigns/programmes on above themes so that the government, its institutions, political parties, social-organisations and the civil-society in general, will remain more sympathetic to 'dalit cause' especially on issues like untouchability. Such a socio-political transistion alone can overcome the 'dalit-dilemma' in the state.

(xi) In the tribal front, the NGOs, while striving to safeguard their cultural identity, should try to bring them more close to the national mainstream through their socio-economic advancement. Along with conscientisation on their rights and privileges, areas of exploitation etc, tribal empowerment through local initiatives and intervention should form the priority of NGOs working in this sector. The governmental initiatives such as "Vision-Tribal development-2000" meant for the all-round development of tribal community, should be fully made use of by enlightening the tribals to avail such facilities. On issues such as the displacement of tribals as a result of the developmental projects, the NGOs should try to ensure their proper rehabilitation and the optimum advantage of such projects to the development of tribals, instead of encouraging the concept of "Ecofundamentalism" and a path of confrontation with the state, which would only derail the process of development as well as the advancement of tribal community.

(xii) For the empowerment of women, the NGOs should extend their activities to more and more rural areas, for which volunteers should be trained and fielded among women with specific tasks such as literacy, health, social-awareness, self-employment etc. NGos should also join hands with the 'Mahila Mandalis' which have effective organisational network and widespread activities in the state. They should also actively associate with new governmental programmes such as "Kishore Balika Pathakam" which are aimed at universal elementary education among girls and the creation of a sense of confidence among women.

The role of NGOs in a civil society is ever increasing with the wide spectrum of functions of a modern welfare state. The protection and promotion of human rights which cover almost all aspects of human-life, are an integral part of such functions, of any civilised nation. The better interface between the state and NGOs is a prerequisite for the former to perform this role effectively. In order to create an enabling environment for NGOs, the government should promote voluntarism generally and acknowledge the validy of the role of NGOs in civil society, especially on issues like Human Rights.

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Documents

Andhra Pradesh Civil Liberties Committee (APCLC)

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Writ Petition No.16868 of 1985 filed by K.G.Kannabiran in AP High Court, in respect of encounter-killing of Modusudan Raj.

Amnesty International

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India: Govt.should respond to concerns expressed by Human Rights Committee (Aug 97) India: Signing of UN Convention (October,97) Ethnicity and Nationality in Asia(October,97)

Ajit Kumar Bhuyan (MASS/Gauhati)

'Civil Liberties Movement & Nationality struggles' (Document presented in the Seminar on Democratic movement & Human Rights Perspective/ Hyderabad-June 97)

Confederation of Voluntary Associations (COVA)

Memorandum of Association, activities (Year-Wise) and major campaigns.

Committee of Advocates

Full Text of the Report submitted to Andhra Pradesh High Court/NHRC (1997) on the extremist-police excesses/Human Rights Violations in Telengana districts.

Dalit Action Research Centre (DARC)

'Redefining the Human Rights Perspective-Policy Paper for Andhra Pradesh' Integrated Sustainable development of Chenchu Tribals in Nallamala.

LAYA

Perspective Action in Tribal Areas of Andhra Pradesh. Programme Perspective of LAYA. Tenurial Rights and Displacement of Indigenous People (1994)

NHRC

Case No.234 (1)-6/93-94 on the disposal of APCL petition on Encounter-Killings. Shri Chamanlal Report (Special Rapporteur of NHRC on encounter-killings in AP)
Circular Letter to Chief Ministers on Encounter deaths etc.

Ratnamala M (President/APCLC)

'State Violence on Women' - document presented at 6th National Conference of Women's Movement (Ranchi/Dec,97)

Sebashan P.A (CPDR/Bombay)

'Rule of Law & Class Struggles' (Document presented in the Seminar on 'Democratic Movement & Human Rights Perspective/Hyderabad, June,97)

Social Watch (Andhra Pradesh)

Policy document on the aims & objectives and plan of action (June 1998)

Sumanta Banerjee (Civil Right Activist)

'The Civil Liberties Movements Response to coercive measures by the Indian State & by its opponents (document presented in the seminar on 'Democratic Movement & Human Rights Perspective, Hyderabad / June 97)

MAJOR NGOs IN ANDHRA PRADESH WITH THEIR FOREIGN FUNDING AGENCIES ETC.

S.No.	Name of NGO	Target Area	Foreign Funding Agency
1.	Action for Welfare and Awakening in Rural Development (AWARE), Lake Hill Road, Hyderabad	Dalits/Rural Masses	NOVIB & ICCO, Holland NCOS, Belgium DICONIA, Swedon.
2.	AMG India International, Chilakaluripeta, Guntur district	Fishermen/ Health/housing	Wort& Tat,Germ-
3.	Action for Food Production (AFP), Street No.1, (Taranaka, Hyderabad) (Phone No.7150413)	Fishing Technology/Fishermen	BILANCE,
4.	'ASMITA' East Maredpally, Secundera- bad (Ph. 7803745 / 7730632)	Gender Justice/ Girl Child/ Slums	Utilitarian Universal Assistance
	Chartonya P . many his said distant I Cat - Depart Na II- peritan Catal II-		(UUA)NY Ford Foundation, USA,NCRAD HOLDIN& HIVOS, Holland)
5.	'Anneshi', Osmania University Campus Hyderabad	Women Issues	Indigenous Funds
5.	Andhra Pradesh Mahila Samatha Society, Plot No.134, Aravinda Nagar Coloney, Domalaguda, Hyderabad	Women Issues	Indigenous Funds
7.	Adarsa Rural Integrated Development Society, Bukkapattanam Manda, Anantpur district	Women Issues	Centre for World Solidarity
8.	"ACTION", Womens Team, Janga- Reddy Gudem, 534447, W. Godavari	Women Issues	Centre for World Solidarity
9.	"ASSIST", Chilakaluripeta, Guntur District	Rural develop- ment/empower ment of dalits	BILANCE,EZE & MISEREOR
10.	Action for Collective Tribal Improvement & Vocational Education, Khammam district	Dalit/Adult Education	Action Aid,U.K
11.	ANKURAM, 1/8/702/32/35, Nalla- kunta, Hyderabad	Non-formal education/ Women Issues	BILANCE

S.No.	Name of NGO	Target Area	Foreign Funding Agency
12.	"ARTIC", East Godavari District	Disaster Prepa-	OXFAM, U.K.
3	Complete effects of two functions of the	redness/flood control	1 9 1 , 1 1 2 3 4
13.	"BIRDS", House No.9/102, Gandhi Street, Nagalapuram, Chittoor district	Women Issues	Centre for world Solidarity
14.	Bhagavattula Charitable Trust, Ellamanchil, Visakhapatnam district	Village/Rural development/ dalits	EZE& MISEREOR
15.	Centre for World Communication, Hyderabad	HRD/Communication/Net- working	OXFAM, U.K.
16.	Centre for Human Resource Develop- ment, Cuddapah district	Training of vols disaster manage ment	
17.	"CRESA", Akiveedu, West Godavari	Water-manage- ment	OXFAM,U.K.
18.	Centre for Reconstruction Through Social Action, Akiveedu, W/Godavari	Rural develop- ment/dalit	MISEREOR W/Germany
19.	'CORE' Chittoor district	Food security/ land-develop-	OXFAM,UK
20.	Chaitanya Rural Education & Develop- ment Society, Lepakshi, Anantpur district	ment Dalit/Women/ drought	EZE, Germany
21.	Cuddapah District Pariyavarana Samiti, Cuddapah district	Forest Conservation/Afforestation.	BILANCE
22.	Creative Action for Rural Development Pedakani, Guntur.	Dalit Issues/Ne working	BILANCE, Holland
23.	Chaitanya Sravanti, via Chintapally Gudem, Visakapatnam district	Dalit/Rural Issues	Local Funds
24.	Centre for World Solidarity (CWS), Taranakam Secunderabad	Dalit/Network Human Rights	AIDE L'EN- France De'L INDE (AEE)
	Marine is promised to the second of the seco		Luxumborg & ASW,Germany
25.	Comprehensive Rural Operations Service Society (CROSS),Hyderabad	Dalit/Rural Development/ Environment	ICCO, Holland Bread for the World
26.	Comprehensive Social Service Society, Rompivalasa, Srikakulam district	Women/Dalit Issues	BILANCE
27.	Community Development Centre, Ramabhadrapuram, Vizianagaram dist	Community	Action Aid,U.K.
28.	Catholic Hospital Association of India (CHAI) Diamond Point, Secunderabad (Ph.848293 & 848457)	Health Programmes	MISEREOR, Christian Aid

S.No	Name of NGO	Target Area	Foreign Funding Agency
29.	Confederation of voluntary Associations (COVA), Charminar, Hyderabad. (Ph.231260,232867)	Women/Street Children/Chil- labour/slums	Christian Aid, UK BILANCE, Netherlands Alternative & Asian expatriates in Canada.
30.	Council for Advanced Rural Development, 234/31,S.K.Nagar, Yousafguda, Hyderabad	Rural Develop- ment	
31.	Centre for Operational Research & Rural Development Adersh Vidyanaga Hyderabad	Child Labour/ r Women/Edu cation	Local funds/ CAPART
32.	Deccan Development Society (DDS), Hyderabad	Communal harmony/ Education	EZE, W/Germany
33.	Deenajana Abhivrudhi Seva Mandal, Medak District	Dalit/Women Issues	OXFAM,U.K. MISEREOR, W/Germany.
34.	Dalit Voluntary Association Federation (DVAF), 2RT/144, Vijayanagar coloney, Hyderabad Ph. 3342108/3348512	Dalit Issues/ Slums/Child labour	DESWOS, Action Aid, Christian Aids, EZE
35.	Guntur District Action Group Network (GDAGN), Pedakani, Guntur District	Dalit/Rural Development	CEBEMBO/ BILANCE, Holland
36.	Gandhi Peace Centre,2/2/1133,5/6/A	Child Labour	AVARD/Gandhi Peace Foundation
37.	New Nallakunta, Hyderabad HEWSELF Society, Nandyal.	Women/Chi-	Action Aid, U.K.
38.	Hyderabad Council for Human Wel-	Rehabilitation	Indigenous Funds
39.	fare, 4/6/365, Isamia Bazar, Hyderabad IRDS,32, Railway Colony l'icket, Secunderabad-500026.		/ Local Funds
40.	Initiative Youth in Development (IYID) Vijaya Apartments, Central Excise Coloney, Bagh Amberpet, Hyderabad		Indigenous funds
41.	Jana Chetana, Goidi Village, Seethampet Mandal, Srikakulam dist.	Dalits/Rural development/	Bread for the Word (BFW)
	Manager Control of the Control of th	Community health	Terres Des Hommes(TDH) Germany
42.	KRUSHI(Association Saikerian) Plot No.34, Methodist Coloney, Begumpet Hyderabad	Rehabilitation of Ex-service- men/education	Local Funds
43.	Kanaka Durga Mahila Mandal, Mulagapudi, Natavaram Mandal, Visakapatnam district	Women Issues	

S.No	Name of NGO	Target Area	t Area Foreign Funding Agency	
57	Empt Sab-(300) a dunt	2 22 25 25 27		
44.	'LAYA', LAWSONS BAY Coloney, Visakapatnam	Tribal/Dalit Issues	OXFAM/U.K. EZE,Germany IGSSS,BILANCE,	
	Suor Samilier persona Satur si bintra moide, Sellica abun dimeksi	mail of the	Community Aid Abroad, World	
	Prophes List attent Newton (L.1715.) Mesons Pingur, Childring L. V. 1964	Linear Cons	Councilof Churches	
45.	Manna Ful Gospel Ministries (MFGM) Amalapuram, East Godavari district	Missionary works/educa- tion	1)Manna Ministries International USA	
	Marina News Advances of the second		2)Christian Church of North America	
	months and colors		3)Door	
	A STATE OF THE STA	To the second of	Fellowship Church 4) Joel Mitchel Foundation USA.etc.	
46.	Mahila Growth Centre, No.1-2-56/76, Advocates Coloney, Domalaguda, Hyderabad-500024	Women	Local Funds	
47.	"Mahitha", 1/2/63, Domalaguda, Hyderabad-29	Community Development	Indigenous Funds	
48.	Mass Education and Organisation Society (MEOS), 1/337-26/A5-5A A.K.Nagar, Anantapur District	Women Issues	Centre for world Solidarity	
49.	Modern Architects for Rural India (MARI), 3/1/94, Kakatiya coloney,	Women Issues	Local Funds	
50.	Hanumakonda, Warangal M.V.Foundation, West Marredpally Secunderabad	ChildLabour/ Vocational Training/HRD	CAPART/ MISEREOR	
51.	'MERISA', Kurnool district	Dalit/Women		
52.	Nalgonda Social Service Society, Nalgonda district	Community Development	MISEREOR/West- Germany	
53.	Navjyothi Youth Club,Medak dist Nazarath Association for social	Youth issues Dalit/Rural	EZE/W-Germany EZE/W-Germany	
54.	Awareness, Tuni, E/Godavari district	Issues	11	
55.	Navajeevan Balabhavan, Vijayawada City	Street children	BILANCE	
56.	PRAJWALA SANGHOM, Chittoor, Chittoor district	Dalit/Human Rights Issues	BILANCE, MISEREOR	

S.No . Name of NGO		Target Area	Foreign Funding Agency		
57.	Praja Abhyadaya Sanstha (PAS) Gaddu	r Nursery	OXFAM/U.K.		
.	Chittoor district	Promotion/			
1	Creaty, structure of the root	land manage-			
1	Social Action for Village Laure record	ment			
8.	Poor Peoples Service Society, Katra-	Rural Develop-	EZE, West -		
	gadda, Srikakulam district	ment	Germany		
9.	Peoples Initiative Network (PIN),	Child labour/	BILANCE &		
	Moosa Nagar, Chaddarghat, Hyd.	Community	Christian Aid		
	dirangh lamb Development, See or or	Welfare	*		
0.	Pratyannaya, 12/2/709/C/8, Karolbagi	Rehabilitation	Local funds		
30,200	Road, Mehdipatnam, Hyderabad-28	of Child labour	5 10		
	Hird Nagai, Desert He Trus F	/special school			
	My decident, ICh. No.	for children			
1.	Phoenix Women & Child Organisation,	Women &	Supported by		
	1/8/703/9/B, Nallakunta, Hyd-114	Children Issue	Centre for World		
	Vackepethem		Solidarity		
2.	"PARA" - Ravalapalam, Rajamundry,	Dalit/Tribal	BILANCE		
	East Godavari District	Issues			
3	"PREMA Vihar", Benz Coloney,	Street Children	/ Supported by		
-	Vijayawada City	Village uplift-	Canadian Govt &		
	"Alkaha" Madarian And Timera	ment	Agencies		
4.	"PEACE" `CROSS' Housing	Women/dalit	BILANCE &		
	Compound, Bhongir, Nalgonda Dist	issues	CWS		
5.	People Oriented Organisation for	Women/Rural	Centre for World		
	Reconstruction (POOR), Bairaganipall	i, issues	Solidarity		
	Kuppam, Chittoor district				
6.	Rayalaseema Harijan-Girijan Back-	Tribals/Dalits	OXFAM, U.K.		
	ward & Minority Sangam. Rayachoti,	1			
	Cuddapah district	30.1			
7.	Rural Integrated Development Educa-	Dalit/Tribal	EZE & HKES		
	tional Society(RIDES), Gooty, Ananta-	Issues			
	pur district	4 11			
8.	Rayalaseema Development Trust,	Dalit/land/	Agencies from		
	Anantapur District	rural issues	Spain, EZE,		
			MISEREOR etc.		
9.	Rural Amelioration Service Society,	Dalit/Tribal	BILANCE		
	Nalgonda district	Issues			
0.	Rural Development Advisory Service	Developmenta	ICCO, Holland		
	(RDAS), Hyderabad	Issues			
1.	Rural Downtrodden Uplistment	Dalit Issues	Centre for World		
	Society, Giddalur, Prakasam dist		Solidarity		
2.	Sakthi, Rampachodavaram, E/Goda-	Dalit issues	OXFAM, UK		
	vari district		Action Aid		
3.	Social Service Centre, Eluru, W/Goda-	Village Wel-	MISEREOR		
•	vari district	fare			
4.	Society for integrated Development	Child Welfare	EZE, Action Aid,		
700	in Urban & Rural Areas (SIDUR),	dalit/slums/	U.K.,DESWOS		
- 1	Hyderabad	education			
- 1					

S.No	Name of NGO	Target Area	Foreign Funding Agency
75.	Society for Promotion of Health Education & Rural Economy (SPHERE	Dalit Issues)	EZE
Sec.	Gooty, Anantapur district	Dalit / Dural	Dutch Lenten
76.	Social Action for Village Emancipation	Dalit / Rural issues	Campaign
	(SAVE), Vajrakarur, Anantapur dist SAMATA, Paderu, East Godavari	Tribal/Dalit	MISEREOR,
77.	SAMATA, Faderd, East Godavair	Issues	EZE
78.	Society for National Integration	Dalit/Fisher-	BILANCE
70.	through Rural Development (SNIRD), Ongole, Prakasam dist	men/Tribals	
79.	Sramika Vidyapeet, 6/3/349/19,	Child labour/	CAPART/
	Hindi Nagar, Banjara Hills, Panjagutta Hyderabad, R.R.Dist	Training centre	Local funds
80.	Sarada Valley Development Society,	Women Issues	
	Thunnapala-32, Anakapally Taluk, Visakapattnam		Solidarity.
81.	"Samaskar Plan International "Vani,	Tribal/Women	
	Nizamabad district	Issues	& Local funds
82.	"SALAHA", RTC Cross Road, Hyd	Land Issues/ Tribal	BILANCE
83.	"SAKshi" Madanapally, Chittoor dist	Dalit/agricul- tural workers	EZE/BILANCE
84.	Voluntary Action Network (VANA) Anantapur district	Dalits/Womer	
85.	Village Reconstruction Organisation (VRO), Hyderabad	Rural Develop ment	etc.
86.	Young India Project, Penukonda,	Agricultural	NOVIB, Holland
	Anantapur district	Labourers/	EZE, Germany,
	A CANADA CONTRACTOR OF THE PARTY OF THE PART	dalits	Action Aid,UK,
- 1	e tay ipu Matting Ang		ONEX,Switzerland CAPART
07	Young Farmers Rural Development	Peasants/agri-	
87.	Society, Nagarkurnool, Mahaboob-	cultural wor-	WIOLKLOK
	Nagar district	kers	
	Tingui diotires		
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OPINIONNAIRE

"ROLE OF NGOs IN PROMOTING HUMAN-RIGHTS"

I. Please respond to the following questions by circling the appropriate number

Questions	Ext	ent Indicator	Scale			Comments, if any
	Fully	y To a consi- derable extent	To son extent	little extent	Not at all	
	5	4	3	2	1	
1. To what extent States & its						
agencies are able to protect Human Rights ?	5	4	3	2	1	
To what extent the State and			g	,		
the administration are guarar teeing the Human Rights of	ı- 5	4	3	2	1	
People . 3. To what extent NGOs/Civil						
liberties groups are devoting						
themselves to Human Rights cause?	5	4	3	2	1	
 How far the NGOs could attract the attention of the state/administration toward their failures at Human 	s					
Rights Front?	5	4	3	2	1	
To what extent NGOs/Civil Liberties groups are success				•	4	
in creating Human Rights awareness among masses?	5	4	3	2	1	
6. How far the Human Rights awareness campaigns by						
NGOs, could influence the police ?	5	4	3	2	1	
To what extent, vulnerable weaker sections, have become	ne					
conscious of Human Rights because of NGO activities?		4	3	2	1	
8. To what extent do you feel that the activities of NGOs		4	3	2	1	
are mere propaganda oriente 9. To what extent you support the view that NGOs can exte	end				-	
preventing many offences? 10. How do you rate the success		4	3	2	1	
of major civil liberties group NGOs in promoting Humar Rights?		4	3	2	1	

Questions	Extent	Indicator	Scale			Comments,
	Fully	To a considerable extent	To som extent		Not at all	
	5	4	3	2	1	
II. To what extent, NGOs coul	ld					
create Human Rights Awa ness in the following target groups?	re- t-					
groups.						
a) Tribals- Dalits	5	4	3	2	1	
b) Intellectuals	5	4	3	2	1	
c) Political activists	5	4	3	2	1	
d) Urban-elite	5	4	3	2	1	
e) Students & Youths	5	4	3	2	1	
III. To What extent the Huma	n					
Rights awareness campaig						
by NGOs, could create im						
	ē.					
in the following fields?						
a) Civil & Political Rights	5	4	3	2	1	
a) Civil & Political Rights b) Economic & Social	5 5	4	3	2	1	***
a) Civil & Political Rights			Wass			

IV. What are your suggestions for further improving the effectiveness of Civil Liberties groups / NGOs like Andhra Pradesh Civil Liberties Committee (APCLC) in the Human Rights field?

V. What are your suggestions for better understanding between police and NGOs in order to protect and promote Human Rights in a better manner?

Name : Age : Profession: Experience:

Place/District:

VIEWS OF POLICE PERSONNEL ON NGO'S CONTRIBUTIONS TO HUMAN RIGHTS IN ANDHRA PRADESH

PART - A

- I. What is the full form of following NGOs
 - 1. APCLC
 - 2. OPDR
 - 3. PUCL
 - 4. COVA
- II. Please mention any 3 main functions / campaigns launched by APCLC
 - (1)
 - (2)
 - (3)

PART-B

(Please record your response on the 5 point scale for each of these questions by circling an appropriate number)

SA = Strongly Agree ; A = Agree ; U = Undecided ; D = Disagree SI > = Strongly Disagree

Land to the second from the	Strongly/Ap Agree	gree/ Undec	ided/Dis	sagree/St Dis	rongly sagree
1. The Human Rights Violations by	CΛ	A	U	D	SD
Police are mainly due to lack of awareness of rights.	SA	Λ	O		00
2. The campaigns and activities by					
NGOs / Civil Liberties groups in					
Andhra have created awareness	SA	A	U	D	SD
on Human Rights among police.			Gi.		
3. The campaigns and activities by					
NGOs / Civil Liberties groups in		Α	U	D	SD
Andhra, have created awareness	SA	A	U	D	312
on Human Rights among public 4. The campaigns / activities of the					
majority of NGOs in the state are	SA	Α	U	D	SD
against police.					
5. The NGOs help the police in					
taking cognisance of offences					
going unnoticed by the public	SA	A	U	D	SD
and police.					
6. The NGOs campaigns, high-					
lighting police excesses, have adversely affected the image	SA	А	U	D	SD
of police.	521	**	_	-	-
7. The authorised NGOs should be					
given right to investigate into		4, 1			
the Human Rights violations by	SA	Α	U	D	SD
police.					
8. The presence and activities of					
NGOs have created a check on	11		TT	D	SD
the human-rights violations by po	once 5A	Α	U	D	30

PART-C

What are your suggestions to improve the relationship between Police & NGOs in promoting Human Rights in Andhra Pradesh.

Name: Rank: Place/District

Opinionnaire on Non-governmental Organisations (NGOs) CONTRIBUTIONS IN HUMAN RIGHTS MOVEMENT

ties groups like ties Committee
xcesses?
y bodies working ı , dalits etc. ?
ganisations check es?
organisations are
ho run voluntary
-

Name : Sex: Occupation: Place/District.

OBSERVATION, SCHEDULE FOR MAJOR NGOs/CIVIL LIBERTIES GROUPS

- 1. History of the Organisation & Organisational Structure
- 2. Organisational Mission, Values & Targets
- 3. Major Areas of Operation (Geographic & Functional)
- 4. Significant Project / Activity in the direction of promoting Human Rights
- Major Target Groups covered (Dalits, Civil Right Activists, Street-Children, Bonded Labour etc.)
- 6. Notable achievements
- 7. Publications (If so, their circulation, clientele, issues projected etc.)
- 8. Research Studies/projects, if any undertaken
- 9. Problems in implementing projects / ideas
- 10. Futuristic plans

()PINIONNAIRE "ROLE OF NGOs IN PROMOTING HUMAN-RIGHTS (Self-Assessment of NGOs)

 Please respond to the following questions by circling the appropriate Number

Questions		Extent I	ndicator	Scale	Comr	nents, if any
commit Marine Region's pro-intersect in lieu tall-covery from all gris (Fe)	Fully 5	To a considerable extent	To som extent	e To a little extent 2	Not at all 1	
To what extent your NGO is devoting itself to Human						
Rights cause ?	5	4	3	2	1	
2. How far your NGO could attract the attention of the state/administration towards their failure at Human-Rights front?		4	3	2	1	
3. To what extent your NGO/ Civil Liberties group is successful in creating Human Rights awareness among masses.	5	4	3	2	1	*
4. How far your Human-Rights awareness campaigns could influence the police?	5	4	3	2	1	
To what extent, vulnerable weaker sections, have becom conscious of Human Rights because of your activities	ne 5	4	3	2	1	
6. To what extent do you feel that your activities are mere propaganda oriented?	5	4	3	2	1	
7. To what extent you support the view that you can extend much help to police, in pre- venting many offences?	l 5	4	3	2	1	
8. How do you rate your successin promoting Human Rights		4	3	2	1	

Questions		Extent I	ndicator	Scale	Comm	ents, if any
contact and that power in process and that power is process at law is offered	Fully 5	To a considerable extent	extent		Not at all 1	
II. To what extent, you could create Human Rights awareness in the following target-groups?		ante: PH (1 pm) pHipen (man X m	NI CONTRACTOR			
a) Tribals-Dalits	5	4	3	2	1	
b) Intellectuals	5	4	3	2	1	
c) Political activists	5	4	3	2	1	
d) Urban-elite	5	4	3	2	1	
e) Students & Youths	5	4	3	2	1	
III. To what extent the Human Rights awareness campaign by you, could create impact the following fields?						
a) Civil & Political Rights	5	4	3	2	1	
b) Economic & Social Rights	5	4	3	2	1	
c) Tribal - Dalit Issues	5	4	3	2	1	
d) Social-upliftment	5	4	3	2	1	

IV. What are your suggestions for further improving the effectiveness of your NGO in the Human Rights field?

V. What are your suggestions for better understanding between police and you in order to protect & promote Human-Rights in a better manner?

Name : Age : Profession: Experience :

Experience : Place/District:

Dear Chief Minister,

The Commission has been receiving complaints from the members of the general public and from the non-governmental organisations that instances of fake encounters by the police are on the increase and that police kill persons instead of subjecting them to due process of law if offences are alleged against them. No investigation whatsoever is made as to who caused these unnatural deaths and as to whether the deceased had committed any offences.

2. Complaint Nos. 234 (1 to 6) / 93-94 brought before the Commission by the Andhra Pradesh Civil Liberties Committee (APCLC), referred to one such instance. It was stated in the complaint that the police had shot and killed some persons alleging that they were members of the outlawed People's War Group who attempted to kill the police party that was attempting to arrest them. The case of the APCLC, on the other hand, was that these are cases of unjustified and unprovoked murders in what

they describe as 'fake-encounters'.

The practice obtaining in Andhra Pradesh, as perhaps elsewhere also, is that when an encounter death takes place, the leader of the police party engaged in the encounter furnishes information to the Police Station about the encounter and the persons that died. The stand taken by the police in all these cases brought by the APCLC was that the deceased persons, on sighting the police, opened fire at them with a view to killing them and were, therefore, guilty of the offence of attempt to murder under Section 307 IPC. The police justified their firing and killing as done in exercise of their right of self-defence. This information was recorded in the Police Station describing the persons killed by the bullets fired by the police as accused and FIRs were drawn up accordingly. Without any more investigation, the cases were closed as having abated, in view of the death of the accused. No attempt whatsoever was made to ascertain if the police officers who fired the bullets that resulted in the killings, were justified in law to do so, and if otherwise whether and if so what offences were committed by them.

4. Under our laws, the police have not been conferred any right to take away the life of another person. If, by his act, the policeman kills a person, he commits the offence of culpable homicide whether amounting to the offence of murder or not unless it is proved that such killing was not an offence under the law. Under the scheme of criminal law prevailing in India, it would not be an offence if death is caused in the exercise of the right of private defence. Another provision under which the police officer can justify the causing of death of another person, is Section 46 of the Criminal Procedure Code. This provision authorises the police to use force, extending upto the causing of death, as may be necessary to arrest the person accused of an offence punishable with death or imprisonment for life. It is, therefore, clear that when death is caused in an encounter, and if it is not justified as having been caused in exercise of the legitimate right of private defence, or in proper exercise of the power of arrest under Section 46 of the Cr.P.C., the police officer causing the death, would be guilty of the offence of culpable

homicide. Whether the causing of death in the encounter in a particular case was justified as falling under any of the two conditions, can only be

ascertained by proper investigation and not otherwise.

5. The validity of the above procedure followed by the police in Andhra Pradesh was challenged before the Commission. After hearing all the parties and examining the relevant statutory provisions in the context of the obligation of the State to conform to Article 21 of the Constitution, the Commission, by its order dated 5.11.1996, found that the procedure followed in Andhra Pradesh was wrong and the Commission laid down and indicated the correct procedure to be followed in all such cases. A copy of the order of the Commission furnishing the reasons and the correct procedure to be followed is enclosed. These recommendations have been accepted by the Andhra Pradesh Government.

6. As the decision of the Commission bears on important issues of Human Rights which arise frequently in other parts of the country as well, the Commission decided to recommend the correct procedure to be followed in this behalf to all the States. The procedure, briefly stated, is as

follows:

A. When the police officer in charge of a Police Station receives information about the deaths in an encounter between the Police party and others, he shall enter that information in the appropriate register.

- B. The information so received shall be regarded as sufficient to suspect the Commission of a cognizable offence and immediate steps should be taken to investigate the facts and circumstances leading to the death to ascertain what, if any, offence was committed and by whom.
- C. As the police officers belonging to the same Police Station are the members of the encounter party, it is appropriate that the cases are made over for investigation to some other independent investigation agency, such as State CID.
- D. Question of granting of compensation to the dependents of the deceased may be considered in cases ending in conviction, if police officers are prosecuted on the basis of the results of the investigation.
- 7. May I request you kindly to issue directions, through the Director General of Police, to all the Police Stations in your State to follow the procedure as indicated above in regard to all cases where the death is caused in police encounters and similar situations?

With regards,

Yours sincerely,

(M.N. VENKATACHALIAH)

All Chief Ministers

