



JAMMU KASHMIR COALITION OF CIVIL SOCIETY (JKCCS)

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KASHMIR COALITION OF CIVIL SOCIETY**

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The Informative Missive is a monthly newsletter published by Jammu Kashmir Coalition of Civil Society (JKCCS). The Informative Missive is a collection of all human rights related news, stories and data on a monthly basis. The Informative Missive provides monthly figures of killings due to violence in Jammu and Kashmir and information on related human rights violations and abuses.



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The Informative Missive

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1. Editorial

Kashmir Needs A Testimony Bank of War Crimes

Jammu and Kashmir Police disallowed JKCCS delegation to lay epitaph on the grave of Atta Mohammad who died at the age of 75 on 10th January two years ago following a prolonged illness. Atta Mohammad had buried more than 230 unidentified bodies in Boniyar graveyard between 2003 to 2009.

The police authorities were already waiting near the unmarked graves and mass graves site of Chahal at Boniyar and they detained the editor and other two lawyers. The families of the disappeared persons of APDP - mostly half widows and parents, had decided to lay an epitaph at the grave of Atta Mohammad, who was a farmer by profession. Atta had ensured a dignified and a proper burial to many unidentified bodies. Besides that, he played a significant role in identifying unmarked graves. Atta Mohammad came into our contact in 2005 while our organisation was researching the issue of unmarked graves. He provided valuable information regarding his own experiences. With the death of Atta Mohammad, an important witness for any future Commission of Inquiry on war crimes has been lost. Conscious of this fact, his testimony was recorded long back. However, there are other similar witnesses of war crimes whose testimonies have not been recorded anywhere. Atta Mohammad's death also shows a general apathy of the society towards these unsung heroes who have done commendable services to the society particularly to the victims of the human right violations. There are a considerable number of witnesses in the valley who could have been important witnesses for future war crime tribunals (if any) but they are also deceased now and a lot of the evidence has gone with them to their graves. There are witnesses to massacres or torture survivors who have not shared their horrendous ordeal to anybody. There is a need for a testimony bank wherein the statement of the victims/non-victims/witnesses could be recorded and which could be used in future commission of inquiries/truth and justice commission.

Long back during the Second World War, a Dutch minister had requested the people in the Netherlands under Nazi occupation to write diaries, which could be used in future. No such culture exists here and therefore the excesses perpetrated by the state erase from the mind and get obliterated after the death of the victim. One example is very important to lament on this fact; the example of 1953 protests in which there are different versions for 300 to 1300 people being killed after the ouster of Sheikh Mohammad Abdullah. Not to speak of any monument there is nothing to prove the incident has happened. This editor long back happened to visit Lidice a village near Prague where 180 persons were executed in 1942 by Nazis. There are monuments raised on massgrave sites listing the name of the victims in different places. In this year on 16th of February the 50th anniversary of My Lai massacre is being commemorated in Vietnam where the victims have raised monuments of the horrendous massacre by the American army on 16 February 1968.

Atta Mohammad's death and the death of the other witnesses are finally going to absolve the state. The job of the civil society is to institutionalize their memory. Memory is the only weapon against impunity and injustice. The police came up with all kinds of nonsensical reasons to prevent gathering at the grave of Atta Mohammad, an innocuous act. It demonstrated the fear the state perceived that it should not allow the evolution of a culture aimed to resurrect the truth. This is what they are afraid of. This event is the first endeavour to pay respect to a person who has served the public cause out of religious conviction and particularly to the families of the disappeared people. Normally in any civilized society, a mausoleum or remembrance would have been laid on his name to inspire the people from the honest services he rendered despite living in poverty and penury. Unfortunately, this

culture is not properly evolved in the Jammu & Kashmir where we have the graves of the 13 July Martyrs but of nobody else. It is a pity that a lot of people like Kabir Sheikh and Atta Mohammad have rendered services of the highest order to the society but have not been acknowledged. Even the grave of Robert Thorpe, a man who died for the cause of Kashmir, where every civil society activist pays obeisance to the Brit, has not been renovated since 1868. Every year people decide to renovate it but there is no serious persuasion later on. It is just one-day remembrance. But if such a culture is lacking then it is more important endeavour to do so and the greater challenge in Kashmir is the cultural impediment.

2. Chronology of Incidents

Feb 01: A 10-year-old boy, Musharraf Yusuf Najar, who was injured after an unexploded shell went off at an encounter site in south Kashmir's Shopian district last week, succumbed to injuries. Musharraf was critically injured on January 24 when an explosive substance he had brought to his house from the site of encounter at neighbouring Audoo village exploded. While India and Pakistan troops clashed along Line of Control in Jammu triggering panic among residents and closure of 71 schools in the hilly area. "Heavy shelling was resorted to by Pakistan troops in Nowshera and Lam sectors of Rajouri district since this morning," Deputy Commissioner, Rajouri, Shahid Iqbal Choudhary said. The shelling was reported in Kampla, Pukhari, Lam, Anwas Bhandar and Rattal Basali areas, he said. In the wake of the shelling, 71 schools were closed, the deputy commissioner said.

Feb 02: Militants attacked a joint party of Jammu and Kashmir Police and paramilitary Central Reserve Police Force (CRPF) in Banura area of south Kashmir's Pulwama district. The forces retaliated, leading to a brief exchange of fire. There was no report of loss of life on either side. While restrictions were imposed in Srinagar and Shopian to foil the JRL protest march to Shopian against the civilian killings there.

Feb 03: Two civilians and an equal number of CRPF personnel were injured in a grenade explosion triggered by the suspected militants in Tral area of Pulwama district.

Feb 04: An army captain along with three soldiers were killed and five others including a minor were injured in cross LOC in Poonch and Rajouri districts of Jammu province.

Feb 05: A youth was shot in his face after army soldiers opened fire in Hawoora Mishpora village of south Kashmir's Kulgam district. The injured youth was identified as Arif Lone, son of Abdul Rasheed Lone, a resident of Howur Mishpora village. While militants attacked army camp with rifle grenade on at Kakapora village of Pulwama. However, no loss of life or injury took place in the attack. In continuing cross LOC shelling A BSF sub-inspector (SI) was injured in shelling and firing by Pakistani troops along the Line of Control (LoC) in Jammu and Kashmir's Rajouri district.

Feb 06: Militants launched an attack on policemen taking an arrested militant for treatment to SMHS hospital at Srinagar. In the attack two policemen were killed and the militants succeeded in freeing the militant. While heavy cross LOC shelling took place in Rajouri area in Jammu province.

Feb 07: Three army personnel and equal number of porters were injured in a landmine explosion along LOC in Rajouri district of Jammu province.

Feb 08: A 45-year-old woman was killed in firing and shelling by Pakistani troops along the Line of Control (LoC) in Poonch district. She was identified as Zainab Bi, the officer said.

Feb 09: Three army soldiers were injured in exchange of fire along LOC in Poonch district. While a youth was hit in eye by pellet during clashes between protesters and forces in Meminder area of Shopian. Restrictions were imposed at various places across Kashmir to foil the protests in view of the Afzal Guroo's death anniversary.

Feb 10: Saima Wani who was injured during a gunfight between militants and armed forces on January 24 in south Kashmir's Shopian succumbed to her injuries. The girl Saima Wani (18) daughter of Hilal Ahmad Wani, resident of Chaigund village was shifted to general ward yesterday and succumbed to injuries there after battling for life for seventeen days at SKIMS Soura. On January 24,

two local militants including Sama's brother, Sameer Ahmad Wani, were killed in a gunfight with forces at Chaigund village of Shopian.

Feb 11: Five soldiers, three militants and a civilian have been killed while 10 others have sustained critical injuries during the 30-hour-long gunbattle that started after militants stormed the military base at Sunjwan on the outskirts of Jammu city. The slain civilian, father of a soldier, was identified as Ghulam Mohammad Sheikh of Tral. The slain militants were reported from JEM. While a woman was killed in the firing by Pakistani forces on the Line of Control (LoC) in Poonch district, police said. The 65-year old victim was critically injured by a mortar fired by the Pakistan Army in Mendhar area on February 10 evening. Last night, Parveen Akhter was killed in firing by Pakistani troops along the Line of Control. She was hit by a bullet fired by Pakistani troops along the LoC in Pkukherni and Lairan villages of Noushera around 10:40 PM, said a police official. The official said Parveen was hit inside her home at Lairan village of Noushera sector of Rajouri. In Shopian, a youth was injured in Brethipora, Shopian after alleged 'unprovoked' firing by army. The injured was identified as Adil Ahmad Wagay, son of Abdul Khaliq Wagay, resident of Nadpora village. Reports said, suspected militants attacked Chilipora army garrison in Shopian but there was no report of any casualties or damage to property.

Feb 12: A CRPF trooper was killed and a policeman injured after militants tried to storm into a CRPF camp in Karanagar, Srinagar. While a Hurriyat Conference (G) activist was shot and killed by unknown gunmen in Chahrangam, Beerwah area of Budgam district. The deceased was identified as Mohammad Yousuf Rather alias Yousuf Nadeem of Saidapora, Budgam. While an army man, who was injured in cross-border shelling by Pakistan, died at a military hospital in Udhampur district.

Feb 13: The 30-hour long encounter in Karan Nagar Srinagar ended with the killing of two LeT militants. The identity of the slain militants has not been ascertained immediately. While body of another soldier was recovered from Sunjwan army camp, which was attacked by the militants on February 10. Panic gripped Domana area in Jammu city outskirts when suspected militants reportedly fired at an army camp. "Around 4.30 a.m two motorcycle-borne gunmen opened fire at the army camp. Sentry on duty responded timely to initial fire by suspected militants and averted a possible attack on the unit," an official said. In Qazigund, clashes erupted in Vessu area in the afternoon following rumours that a local militant was killed during the gunfight in Karan Nagar, Srinagar. No one was injured seriously during the clashes. Some youth sustained minor injuries and were given local first aid.

Feb 14: Panic gripped Kareemabad area of Pulwama district when clashes erupted between government forces and local youth. Police claimed that a group of youth allegedly attacked army vehicle with stones. Locals alleged that troopers fired a couple of rounds in the air to disperse the youths. Reports said, Pakistan army resorting to heavy mortar shelling and firing on civilian areas along the LoC in Rajouri district of Jammu and Kashmir.

Feb 15: The Army claimed it has killed two unidentified militants in a gunfight on the Line of Control (LoC) in Poonch district on Thursday, foiling an infiltration bid from Pakistan, military sources said. "Alert troops noticed suspicious movements in Balakote area early on Thursday," a source said. "A brief firing exchange took place between the sides. Two militants were killed while a search operation is going on." Suspected militants on Feb 15 evening fired at a paramilitary CRPF camp in Panzgam area of Awantipora. There were no reports of any loss of life or injuries in the firing. While clashes erupted during a Cordon and Search Operation (CASO) in Arwini village of Bijbehara. Reports said, cross LOC shelling took place in Rajouri district in Jammu.

Feb 16: After a brief encounter with armed forces militants managed to escape the cordon laid in Palhallan, Pattan of Baramulla district by the forces.

Feb 17: Army claimed it has foiled an infiltration bid along LOC in Poonch.

Feb 18: At least three army soldiers were reportedly injured in cross LOC shelling in Poonch district. While two army soldiers were injured accidentally in a landmine blast along LOC in Rajouri district.

Feb 19: An aged civilian was shot dead by the armed forces after he was seen around high-security Air Force station. The civilian was later identified as Syed Habibullah, of Soibug, Budgam. An unidentified intruder, army claimed, was killed and grievously injured two others along the Line of

Control (LoC) in Poonch. While three civilians were injured in cross LOC shelling along LOC in Uri area of Baramulla district.

Feb 20: The water supply pump shed of the Air Force station in Malangpora area of Awantipora police district came under a grenade attack followed by heavy firing. The pump shed is located right outside the Air Force station on land owned by SKUAST. No one was injured and no loss to property was reported. The sentries guarding the pump shed also fired several rounds as the militants managed their escape. While a BSF trooper was reportedly injured in cross-border firing in Tangdar village of north Kashmir's Kupwara district.

Feb 21: A BSF man was killed after being hit by Pakistani troops sniper fire in Tangdhar sector of north Kashmir.

Reports said, Constable S K Murmu was hit by Pakistani troops sniper fire along the Reports said, LoC in Karnah sector of Tangdhar area.

Feb 22: Three persons were injured and three residential houses were completely damaged and two others damaged partially in Tilawari village of border town Uri, when troops of India and Pakistan exchanged heavy gun fire across the Line of Control (LOC). While an army soldier sustained injuries in a brief gunfight with militants at Hajin in Bandipora. Later the militants managed to escape the forces cordon.

Feb 23: No incident of violence reported.

Feb 24: India and Pakistani troopers exchanged heavier gunfire along LOC in Uri sector of Baramulla district. While a SPO was injured in Accidental fire when his rifle went off in Shopian district.

Feb 25: A policeman guarding the Charar-i-Sharief shrine in central Kashmir's Budgam district was killed after a group of suspected militants attacked the police post at the shrine. In another incident, in Srinagar's Soura area, a policeman from Budgam who was guarding the residence of a Hurriyat leader was killed by militants, who decamped with his service rifle.

Official sources said the militants attacked the police guard, Farooq Ahmad Yattoo of Chadoora Budgam, at the residence of Hurriyat leader Fazal Haq Qureshi at Bilal Colony Soura. The injured policeman was taken to SKIMS Soura but he succumbed to his injuries there. The militants carried away his service rifle after shooting him.

Feb 26: A captive HM militant was killed and a policeman injured in a grenade blast in Tral area of south Kashmir in a grenade blast on Tral police station. The grenade, police said, was hurled to help the detained militant to escape. The slain militant was identified as Mushtaq Ahmad Chopan alias Haroon of Wagad, Tral. While in north Kashmir's Hajin area of Bandipora district militants managed to break the armed forces cordon and escape.

Feb 27: A Pakistani militant, who was injured in a gunfight with forces at north Kashmir town of Hajin, succumbed to injuries. Identified as Abu Haris the militant was buried in Hajin and a large number of people attended his funeral. Two BSF soldiers were injured along the Line of Control (LoC) in Poonch and Rajouri districts of Jammu and Kashmir.

Feb 28: Pakistani troops have fired and shelled forward areas along the LoC in Sunderbani, Nowshera and Khour sectors of Rajouri and Jammu districts, forcing the Indian Army to retaliate effectively, defence spokesperson said. A 38-year-old man was shot at by unidentified gunmen in Tral area of Pulwama district. The injured man, identified as Aijaz Ahmad Shah also known as Aijaz Fakeer, is a resident of Tral town. As per local sources, Shah was shot at multiple times near the Gol Masjid in the main town, very near to his home. While armed forces conducted a search operation of DC office Pulwama after receiving a tip off. In a different incident suspected militants allegedly decamped with the mobile phones of three policemen guarding a shrine in Khiram area of south Kashmir's Anantnag district. Two minor boys were injured in an explosion in Anantnag district on Wednesday, police said. "Liyakat Khan (14) and Ishfaq Khan (12) — were injured when they were fiddling with some suspicious object which exploded near Panchayat Mohalla, Rakh-e-Brah, in Anantnag district," a police spokesperson said.

3. Killings in February 2018

In February 2018, a total of **34** killings took place in different incidents of violence, which included **07 civilians, 10 militants and 17 armed forces**. The day to day break up of killings is given below.

Date	Armed Forces	Militants	Civilians
Feb 01	-	-	1
Feb 02	-	-	-
Feb 03	-	-	-
Feb 04	4	-	-
Feb 05	-	-	-
Feb 06	2	-	-
Feb 07	-	-	-
Feb 08	-	-	1
Feb 09	-	-	-
Feb 10	-	-	1
Feb 11	5	3	2
Feb 12	2	-	1
Feb 13	1	2	-
Feb 14	-	-	-
Feb 15	-	2	-
Feb 16	-	-	-
Feb 17	-	-	-
Feb 18	-	-	-
Feb 19	-	1(Intruder)	1
Feb 20	-	-	-
Feb 21	1	-	-
Feb 22	-	-	-
Feb 23	-	-	-
Feb 24	-	-	-
Feb 25	2	-	-
Feb 26	-	1	-
Feb 27	-	1	-
Feb 28	-	-	-
Total	17	10	7
Total Killings in February		34 Killings	

4. Human Rights Stories

Killed old-man, a faith healer, not an insane person He was as fine as anybody else

Fifty-eight-year-old, Syed Habibullah ridiculed the police statement made to media that “he was mentally unsound person” killed for breaching the air forces barricade by the forces on guard. The family’s visit to the scene of incident created deep doubts in their minds, as Shah has no reason to visit there. For family, it appears he was first taken there and later killed. The family termed the police statement misplaced and irresponsible, probably, made with intent to cover the crime. As the public pressure mount over the

Shah’s family killing, police filed an FIR stating, Shah was negligently kill by a sentry.

“On seeing the elevated location of the air force camp, it was impossible for a 58-year-old and frail man to get even closer to the installation and it was weaved around with razor wires”

“We are sure he can’t go there. It appears that he, in a planned manner, was taken there and killed”

Shah’s killing and terming him mentally unsound had triggered anger in his home town Astanpora, Soibugh village of Budgam.

The Informative Missive researcher visited Shah’s hometown at Soibug, Budgam in central Kashmir to record his family’s statement. On entering Shah’s residence, one could easily see a 3 ft. by ½ ft. wall hanging with Qaranic verse meticulously written over it by Shah himself.

The family is living in a makeshift teen-shed and their conditions were pathetic. The abject poverty of the family could be easily gauged by the conditions they are living in. Shah was the only source of income to his family. No one in the area corroborated what police claimed about Shah's mental health.

On 19-02-2018, at around 6 pm, Shah left his home to offer *Namaz-i-Magrib* (dusk time prayers) to his native Masjid just some metres away from his house. On that night he didn't return home. It was quite normal for his family, as he often used to stay at his disciples residences at different paces without informing his family.

"On February 20, at around 10:30 am, I saw a face-book post about the killing of my maternal uncle. I called his family and informed them about the news", stated Syed Javaid, Shah's nephew, who was at Jammu on time of the incident.

In the meantime Javaid's elder brother Syed Mushtaq, a CID sleuth, had also received a phone call from police asking him to visit police station Budgam to identify a body. Shah's family along with some village elders visited the police station to bring the body home.

As per the news reports, "at around 11:45 pm Shah had crossed the security fence of Air Force station in Nooru, Budgam". Reports said, "He was warned by a sentry on guard not to move ahead and fired few warning shots. Despite warning, the old man didn't stop and came close to the perimeter wall, and then the sentry shot at him and killed him on spot." The police statement claim that the old man appeared to be mentally challenged and was not wearing proper winter clothing and was without slippers.

Shah's family has no information as to how Shah had reached near the camp and for what purpose. The distance from his house to the Air Force camp is over 15 kms.

To understand, how Shah reached the Forces camp his family visited the Air Force station. "On seeing the elevated location of the air force camp, it was impossible for a 58-year-old and frail man to get even closer to the installation and it was weaved around with razor wires," Javaid said while stating about their visit to the air force station.

Shah's family sees some conspiracy behind his killing. "No one is able to understand for what purpose Shah has gone there. We are sure he can't go there. It appears that he, in a planned manner, was taken there and killed," Javaid stated while questioning the forces claim of killing an intruder.

Javaid further stated, "If for a moment, we agree with the forces that he was killed while advancing towards their camp, after warning, can't they shot him in

his legs. The forces claim is bereft of truth, a weak statement can't convince anybody. There seems a ploy behind his killing,"

Shah's family also lambasted the police for claiming him that Shah was not in proper winter outfits and barefoot, therefore, a mentally deranged person for them. "The police claim has no basis. Shah left his home wearing enough cloths and boot to protect him from winter cold. Ask anyone about his mental health, he was as fine as anybody else in the village," Javaid said while rebutting the police claim.

Shah's family members said, in past there were numerous cases of people being picked up by the forces from somewhere and killed somewhere else in fake encounters. They said they believe there is every possibility of him being picked up and killed to send a message out to the people of Kashmir particularly the Budgam natives.

The family further stated, often on Fridays clashes took place between the forces of 2 Rashtriya Rifles camped at Darmuna and protestors. The camp is located close to the village and many a times protestors had pelted stones over the camp. The forces on numerous occasions entered into the village and damaged window panes and vehicles. Shah's family also suspects that he was killed with an aim to inject fear among the local population particularly the youth of area to dissuade them from protesting.

On time of Shah's body was brought to his home, youth vent their anger by clashing with the forces. Forces used tear smoke shells to disburse the protestors. Thousands of people gathered to participate in Shah's funeral prayers.

Shah is survived by his wife, five sons and a daughter. Shah was a poor man hardly making his both ends meet. His family was living in abject poverty with only him the main source of income. Whatever little he was earning comes from his disciples. Four of his sons have to leave their studies half-way. His eldest son Syed Mohammad Younis is only twenty-two-year-old.

Police has filed FIR no 38/2014 u/s 304 in police station Budgam. The family has filed an application for *ex-gratia* relief in District Magistrates Office in Budgam.

On the fifth day of Shah's killing, District Magistrate Budgam visited his house and stayed there for more than two hours. He ensured the family that the compensation will be sanctioned and the investigations will take place into Shah's killings. He also ensured Shah's elder son to qualify 10th class examination so the job will be provided to him under SRO.

Hurriyat Activist murdered family clueless why and by whom?

Feb 12: The killing of a Hurriyat activist, Mohammad Yousuf Rather alias Nadeem, aged 55, in a brazen manner by unknown gunmen while traveling in a public transport vehicle reminds the vulnerability to political activists active in Kashmir espousing the Kashmir resistance movement. His killing was widely condemned. One day strike call was also given by the Hurriyat Conference to protest the killing. Police filed FIR.



Yousuf's killing was not first of its kind, in past, many Hurriyat leaders have been assassinated by unknown gunmen.

To collect Yousuf's family statement a researcher of *The Informative Missive* visited his family at Sendpora village of Budgam district in central Kashmir. His family has no idea why he was killed and what were the reasons behind his assassination.

Yousuf was one of the low-profile leaders of the Hurriyat

Conference led by Ali Shah Geelani while as well-known for his social activities in his native place. Yousuf was an employee with State Power Development Department at Sub Division Beerwah, Budgam.

“We have no clue who killed him and why. We can’t blame anyone blindly as we have, so far, no information about the perpetrators,” stated Yousuf’s elder son Shabir Hussain, government employee.

On February 12 at around 4:30 pm, Shabir stated, his father was coming back from his office and the Tavera bearing registration number JK04C-8016, public transport, in which he was travelling was also boarded by his killers at some place. “When the vehicle reached at an isolated place at Charangam village, the unknown gunmen on board pumped a bullet in his brain. The bullet ripped his skull and he died on the spot. He was sitting in the middle seat of the vehicle when a gunman sitting in the same vehicle opened fire on him. Immediately, after killing him, the gunmen disappeared from the spot leaving the passengers on board in shock,” stated Shabir while explaining his father’s murder.

“If there would have been any threat to his life he might had surely shared with his family. However, there was nothing like that”

After a short while police from Beerwah police station arrived at spot and took the body in their custody. At 7:30 pm Yousuf family was informed by the police to take the body for last rites. The driver of the vehicle was

Saima dies in hospital after seventeen days

A student Saima Wani, 18, daughter of Hilal Ahmad Wani, resident of Chaigund village succumbed to her injuries seventeen days after she was fatally injured by the armed forces well before an encounter was started in south Kashmir’s Shopian district last month. On January 24, Saima’s brother Sameer Wani, a militant, along with his associate were killed in an encounter with the armed forces in Shopian. A seventeen-year-old, boy Shakir Ahmad Mir, a labourer, son of Mohammad Yousuf Mir of Qalampora, Shopian was shot and killed an hour before the encounter started between the armed forces and holed up militants in Shopian.

“As the crowd started moving, the armed forces directly targeted Saima in her head. She immediately fell on the ground. When people tried to take her to the hospital forces blocked their way. I along with my family members_literally begged before the forces to allow us to take her to the hospital but I was thrashed by forces.”

To collect the case details of Saima’s killing a researcher of *The Informative Missive* visited the young girl’s house in Shopian district. “She was directly and with a clear aim targeted by the armed forces well before the encounter started. After shooting her, the forces blocked the people from taking her to the hospital, which worsen her conditions further. After remaining admitted

arrested and freed after two days of questioning by the police.

Police filed an FIR no 22/2018 under Section 302 ROC and 7/27 Arms Act and are investigating the matter. Police has forwarded the case to District Magistrate’s office at Budgam for compensation to NOKs of the slain.

Shabir stated, there were no early signs or threats to his father’s life, and he was living a smooth life. “If there would have been any threat to his life he might had surely shared with his family. However, there was nothing like that,” stated Shabir.

He further stated, “It appears that my father was killed in a planned manner by the perpetrators, and there is for sure a proper plan with purpose to eliminate him. Let’s see where the police investigation reaches.”

His killing draws condemnations from various pro-resistance parties. One day long strike was also given by the Hurriyat to protest the killing.

Yousuf is survived by five children.

Who was Mohammad Yousuf Rather alias Nadeem:

Yousuf was associated with Hizbul Momineen, a militant outfit, between 1990-1995. Yousuf had served a three year jail term in central jail Srinagar for his association with militancy. After his release, he was reinstated and was working as RE in PDD department and was currently posted at Beerwah. Later, he joined *Tahreek-e-Wehdat*, a constituent of Hurriyat Conference (G) led by Syed Ali Shah Geelani. Besides his political activities, he was very active on social front. He has earned a name for himself in the social circles for being helpful and beneficial to the people particularly the poor section of the society.

for seventeen days she bretherned her last on a hospital bed” stated Saima’s father Hial Ahmad Wani.

While relating the circumstances in which Saima was killed Hilal Ahmad said, “On 23rd January Sameer Wani along with his companion were staying at his uncle’s residence in Shopian. Next day, on 24th January, the area was sealed off by armed forces. Some youth assembled to facilitate the escape of the trapped militants.”

Hilal Ahmad was out of his house on time of armed forces cordon and search operation and when he was moving towards his house but the forces didn’t allow him to enter his house. Later, he convinced them by saying, “let him enter into the house and he will make the people who have assembled in the yard to disperse and you (armed forces) can carry on the search operation”.

In the meantime, Sameer and his associate were told by the people to disguise themselves into the clothes of women to give slip to the armed forces. They wore clothes of woman and entered into the crowd who had assembled there. Saima Wani was also in this crowd.

“As the crowd started moving, the armed forces directly targeted Saima in her head. She immediately fell on the ground. When people tried to take her to the hospital forces blocked their way. I along with my family members_literally begged before the forces to allow us to take her to the hospital but I was thrashed by forces. My other daughter and her aunt were also harassed by the forces,” stated Hilal Ahmad while sharing the details of his slain daughter’s case.

Somehow some of the courageous youth managed to take Saima to nearest Rajpora hospital. From where she was referred to District hospital Pulwama. As her conditions were critical, Pulwama district hospital referred her to SMHS hospital at Srinagar. She was in ICU for 17 days and on February 11 she was declared dead.

On the encounter day, Hial Ahmad's neighbour Mohammad Ayoub house was ransacked. Hilal said, the window panes of his house were broken. Forces also took away his washing machine, water pump and some cosmetic items. House of another neighbor's was ransacked. His LCD was stolen by the armed forces, as per the statement of Hilal Ahmad.

Hour before the January 24 encounter a 17-year-old boy Shakir Ahmad Mir, son of Muhammad Maqbool Mir, resident of Kalanpora village of Shopian was shot dead by the forces. "As soon as Shakir along with his friend reached near the Oodu village, the forces engaged in CASO fired at Shakir targeting his temple. The aim of the bullet tells it all. He was murdered with intent", stated Shakir's uncle while talking to a researcher of *The Informative Missive* at his house.

Shakir was fired well before the encounter was started or people have started protesting against the

armed forces operation. "People have assembled near the site but they all were watching peacefully. No protest, no stone pelting or sloganeering were going there. Suddenly, one of the armed forces personnel shot at Shakir and killed him on the spot," further stated Shakir's uncle while relating the circumstance in which his nephew was killed.

Later in the encounter Sameer Ahmad, Saima's brother along with his associate Firdous Ahmad of Ganowpora Shopian were killed by the forces. Both the killed militants were affiliated with Hizbul Mujahideen. The two-storey residential house of Abdul Lateef Wani where the militants were holed up was also razed to the ground during the encounter.

SHRC seeks report from govt.

On February 13, the State Human Rights Commission (SHRC) has sought a report from the government into the killing of Saima Wani.

The commission has issued directions to the Kashmir range inspector general of police, Shopian superintendent of police and deputy commissioner Shopian.

Sixth class student injured in littered explosion, succumbs

Feb 01: A 10-year-old boy, Musharraf Yusuf Najar son of Fayaz Ahmad Najar of Daramdore, Shopian who was injured after an unexploded shell went off at an encounter site in south Kashmir's Shopian district, succumbed to injuries on February 1.

Pertinently, in past also, many children died of littered explosions and there seems no proper mechanism in place of combing the encounter sites fully of deadly explosives to avoid civilian casualties.

Musharraf was critically injured on January 24 when an explosive substance he had brought to his house from the site of encounter at neighbouring Audoo village exploded.

He succumbed to injuries at SKIMS Soura, Srinagar on February 1.



Musharraf Yusuf

A researcher of *The Informative Missive* visited the minor boy's house to collect the details of the case.

His family was in shock and mourning. The people were visiting the family to console.

"He would have turned 10 on March 10 next month. There was an encounter in the nearby Chaigund village on January 24. The house was reduced to rubble. Like other people from surrounding areas, Musharraf had also gone there with other kids and teens. He'd picked up a shell from the encounter site and brought it home. He was playing with the shell along with other kids just outside his home. He didn't know what he had picked. We were not here. Then the shell had exploded in his hands when he was playing with it. His arms were badly

injured. He had injuries in his head and face. The impact of the shell had badly injured his left hand and both his eyes and face," stated his family.

His family stated, "at home nobody has any idea of what Musharraf has brought home till the explosion exploded."

Immediately, people rushed him to the district hospital in Pulwama and from there he was referred to SKIMS, where we found him in an unconscious state. He was put on a ventilator and kept in the ICU ward for eight days. At around 12.55 pm on the night of February 1, Musharraf lost his battle for life.

During his treatment in the hospital, his family said, he never shows any sign of improvement. His death was imminent, as he had multiple and grave injuries all over his body.

Musharraf's mother, Shaada Banoo, was inconsolable he kept calling his children throughout the time the research was at their residence.

Musharraf was a student of class 6th at Iqra Public Institute Daramdora.

The locals raised few questions, if there were unexploded shells near the encounter site, why didn't the army and the police check the site properly before leaving? Everyone knows people visit the site after such encounters end. Why did they not check and scan the site properly? Had they done that, perhaps our boy would have been alive today.

Thousands of people had participated in the funeral prayers of Musharraf amidst.

On the time of the researcher's visit to the area there was a complete shutdown for the 8th consecutive.

People faced tough time in consoling them.

Detained militant killed in grenade blast in Tral Clashes in Tral, locals allege custodial killing

Feb 26: A Hizbul Mujahideen militant who was in police custody since January 10 was killed while a police

constable was injured in a grenade explosion inside a police station, here in Tral area of Pulwama district.

While the police say the militant was trying to escape in a burka, when “his associates hurled the grenade”, locals allege it to be a case of custodial killing.

Mushtaq Ahmad Chopan, son of Ghulam Muhammad Chopan, resident of Wagad village in Tral, was apprehended in Watlab, Sopore, on January 10 along with another militant and as many as nine “Over Ground Workers”.

Police said Mushtaq was trying to escape in a burqa (veil) when his associates, in a bid to help him escape, hurled a grenade inside the police station.

“When he was near the main gate, someone from outside lobbed a grenade as part of a planned conspiracy to divert attention, so that he could escape conveniently,” a police statement said.

The statement further said that the grenade exploded inside the station when Mushtaq was nearby, killing him and injuring a police constable, Mehraj-uddin.

Inspector General of Police (IGP) Kashmir SP Pani told media that a pistol was recovered from the possession of the killed militant and an autopsy was being carried out.

“A pistol has been recovered near his body. We are investigating the case,” Pani said.

The recovery of the pistol and the fact that the militant was wearing a burqa indicates a major security

breach at the police station, which the police says is being investigated. If a security breach indeed took place, it would be the second within a month, after LeT militant Abu Hunzallah’s escape from SMHS hospital in Srinagar on February 6.

Director General of Police (DGP) SP Vaid said that an inquiry has been ordered into the incident, when asked whether the incident was a case of a security breach or not.

“We have ordered an inquiry. Things will be ascertained very soon,” Vaid told media.

People in Tral alleged that it was a case of custodial killing. Soon after the incident, they came out on streets and protested against police.

A complete shutdown was forced in the town when stone-pelting took place in Tral town and Mushtaq’s native village, Wagad.

Police, later in the day, handed over Mushtaq’s body to his family, after which it was taken to Wagad where thousands had assembled for his funeral prayers.

Funeral prayers were going on when this report was filed. A group of militants who arrived at the funeral also offered a gun-salute for the deceased.

The injured policeman is being treated at the army’s base hospital in Srinagar.

“He is stable as of now and is being treated at the base hospital,” Pani said.

Kathua Rape and Murder:

Cop who was assigned to find her raped and murdered her, says Police Hindu Ekta Manch threatens agitation if main accused not released

Feb 10: A Special Police Officer (SPO) has been arrested by the Crime Branch in the Kathua rape and murder case. While Hindu Ekta Manch took out a rally threatening agitation in case Special Police Officer accused of rape and murder of a minor girl in Kathua is not released from custody.

The eight year old girl was found dead in Rasana village, a week after her abduction.

The cop identified as Deepak Khajuria was one of those who were assigned to find the girl after she went missing.

“He raped a murdered her after holding her captive for a week,” Alok Puri, Additional Director General of Police, Jammu Range told media.

The DC of Rajouri, Dr.Shahid Iqbal Chowdhary tweeted,“Police official held for rape and murder of 8 year old girl in Kathua. It has shaken our soul for ever. Kudos to IGP Mr Puri for professional and timely investigation.”

“Khujaria, a 28-year-old SPO was posted at Police Station Heera Nagar.

Earlier a ‘15-year old’ was being blamed for the crime however activists alleged that the real culprits were being shielded by the government.

Recently, in a press conference, Chairman All Tribal Coordination Committee, Talib Hussain claimed that the real culprits in the rape and murder of minor Kathua girl were being shielded in a planned manner under the “guise of 15-year-old’s age”.

Hussain, who was detained during protests against the murder earlier this week, said that the persons involved in this “heinous crime” are not being punished because of “political influence”.

Addressing a presser after his release in Jammu, he said that circumstantial evidence on the basis

of doctors’ version and people who gave her ceremonial bath suggest that girl was “brutally raped”.

“Her two ribs and a leg were broken. She was given electric shocks. She was clubbed by stones,” said Hussain.

While on February 14, in a bid to create pressure on the investigating team of Crime Branch, Hindu Ekta Manch took out a rally threatening agitation in case Special Police Officer accused of rape and murder of a minor girl in Kathua is not released from custody.

Led by BJP leader and leader of Hindu Ekta Manch, the people in large numbers took out a rally from Ghagwal to Hiranagar (Kathua) in protesting against the arrest of Deepak in rape and brutal murder case.

The protesters said: “Deepak should be released and those whom the Crime Branch (CB) has called for questioning should not be harassed.”

“It will disturb the situation. We are against the murder of the minor nomad girl but we don’t want our men to be framed,” threatened leader of Hindu Ekta Manch.

Not respecting the rule of law, they threatened that “if such things continue to happen (suspecting of member of one community in murder of Asifa), the people will come on the roads”.

Pertinently, the Crime Branch has arrested a SPO of Jammu and Kashmir who allegedly kidnapped, raped and brutally murdered the minor girl before dumping her in the forests.

As per the reports CB has said he wanted to spread terror in the hearts of the minority community due to which he took this extreme step.

Meanwhile, nomads in Rasana and Kootah (Kathua) have claimed that they have become unsafe

after the arrest of SPO of Jammu and Kashmir Police as “he has backing of Sangh Parivar”.

“They have already cut our drinking water. The social boycott is a small thing but it is indicating that anything can happen,” said a nomad, wishing anonymity.

It may be mentioned here that the police was under tremendous pressure after the dead body of Asifa was found in the forests in Rasana and it had led to protests by the nomads.

Later, the SHO Hiranagar was also placed under suspension following accusation that he allegedly

helped the suspected persons whom nomads were accusing of involvement in the heinous crime.

Notably, the case is being investigated by the Crime Branch which led to the arrest of SPO Deepak alias Deepu.

Since the main accused has been arrested, the saffron groups have joined hands to defend the suspected persons while allegedly trying to give it a communal color in Rasana and entire district of Kathua.

Elias has no inkling of the gunmen who rendered him handicapped

Once a hard working labourer, now living a life of handicapped, Elias Gujjar, 45, son of Mohammad Ismail of Doban, Bandipora was shot at in his legs by two unidentified gunmen on July 26/27 2003. Even after passing of fifteen years, Elias is still clueless who the gunmen were and why he was shot? Police has filed FIR but investigation never reaches to its conclusion. Elias’s filed a case before SHRC and the compensation recommended by it is pending before the office of Deputy Commissioner Bandipora for sanction.

Elias is now a part of a handicapped association, meant for the rights of handicapped people, who often protests to invite government attention towards their conditions.

Elias Gujjar while talking to *The Informative Missive* said, “On the evening of July 26, 2003 a group of two masked gunmen raided my house. They want me to leave the house to join them. When I resisted they forcibly, on the gunpoint, took me along. My parents and my wife were watching all this helplessly.”

Elias was first taken to the house of his neighbour’s Mushtaq Ahmad. Mushtaq was also abducted on gunpoint.



Elias Gujjar

Whatever little talk the gunmen did, it was in broken Urdu indicating they were locals.

Presumably after firing at him, the gunmen managed to flee the spot. In the morning, the injured Elias was spotted by the police who took him to the Bone and Joint Hospital at Srinagar. A native of Banyar village Raj Wali, who recognized injured Elias, also assisted the police in taking him to the hospital

“I don’t know how I reached the hospital. I was shocked to see my conditions. My legs were not functioning. My right leg was badly damaged, and I was twice operated upon. Finally, the doctors decided to amputate it to save my life,” Elias stated while talking about the pain of losing a body organ.

Clinically Elias’s 70 percent disability was established.

For over a month, Elias remained in the hospital for treatment. After sometime Elias managed to get prosthetic leg making him able to walk, nevertheless, with stick support.

Police filed FIR no 200/2003 u/s 307 with police station Bandipora. Police claimed that during investigation it came to fore that Elias was involved in timber smuggling. A charge shocked Elias and in 2005 police filed another FIR no.

- Neither they talk nor do we ask anything from them due to extreme fear.
- I don’t know how I reached the hospital. I was shocked to see my conditions. My legs were not functioning.
- They aimed their weapon below my waist and emptied the whole cartridges of their guns.

“They took us towards Doban village some 3 km away from our village on foot. Neither they talk nor do we ask anything from them due to extreme fear. Like dumb driver cattle were we walking with them. On reaching Doban, they started beaten me up with sticks without telling anything. Seeing this Mushtaq muster some courage and managed to give a slip to them,” Elias stated while explaining the behaviour of the gunmen who abducted him.

Enraged over the escape of Mushtaq, they cocked their guns and showered bullets into Elias’s legs. “They aimed their weapon below my waist and emptied the whole cartridges of their guns. I was only able to see the sparks coming out of the guns barrels and fell unconscious,” Elias stated while talking about the incident.

216/2005 U/S 379 RPC (Section Sec of Forest Act). He and Mushtaq were shown as timber smuggler in the police FIR. However, the Bandipora District Court quashed the FIR no. 216/2005 on 16-8-2011 declaring both innocent.

Many a times, Elias and Mushtaq were summoned by the army and police inquiring about the incident. “I was summoned by the army and police asking about the gunmen. I fully cooperated with them with the hope that truth will come out. Every time I told them about my ignorance about the identity of the assailants and the reason why I was shot,” Elias stated.

Elias said, it was the time when in his area militancy was at rock bottom and *Ikhwanis* (renegades) were at peak. However, he was unable to decipher who the assailants were and who send them.

He further stated that he was unable to understand why police filed FIR against him naming him as a timber smuggler. "Instead of conducting investigation into the incident police filed a FIR against me and Mustaq terming us as timber smuggler. Thankfully, the court acquitted both of us in the case. Now the questions remain why police didn't conduct proper investigation into the incident in which I lost my leg," questioned Elias while highlighting the failure of the police in reaching to the truth about the incident.

In May 2012, Elias filed a petition before the SHRC for compensation and for a job appointment under SRO. Police and Deputy Commissioner's office were asked to submit their reports to the Commission. On November 8, 2016, the SHRC passed its judgement recommending relief of Rs. 2 lac to the survivor. The case is pending before DC office Bandipora for sanction of restitution.

State Prohibits Commemoration event at Atta Mohammad's Khan's Grave at Chehal, Bimyar

Feb 4: Advocate Parvez Imroz, President Jammu Kashmir Coalition of Civil Society [JKCCS] and Patron Association of Parents of Disappeared Persons [APDP], and three lawyers accompanying him were illegally detained by personnel from police station Boniyar for more than one hour today. The members and activists of APDP were visiting the grave site of Atta Mohammad Khan in Bimyar village of Chehal area of north Kashmir's Baramulla district to pay tributes and to lay a tombstone on his grave and to offer prayers. The event was planned to remember Atta Mohammad and his contribution to the discovery of the phenomenon of unmarked and mass graves in Jammu and Kashmir. As a result of the police action, the event could not be held and APDP members, around 15 persons (mostly family members of the disappeared) could not pay their respects to Atta Mohammad Khan.

The police were waiting for Advocate Imroz and his team at Bimyar village. They informed him that he and his team had to accompany the police to the Boniyar police station to meet with the Station House Officer. At the police station the names and personal details of each person were recorded and their phones were taken away. Finally, after about an hour they were informed that the Station House Officer would not be able to meet them and directed the team not to hold the planned event. No formal order or reason was provided for the action of the police.

State action today is yet another reminder of the manner in which the Indian State has used violence to curb all human rights in Jammu and Kashmir. Not only does the State refuse to recognize the phenomenon of enforced disappearances, or find the disappeared and punish the perpetrators, the State refuses to allow any activity that serves to memorialize and respect the disappeared. By choking the space for peaceful events,

5. APDP and JKCCS statements

Herein below are the statements issued by APDP and JKCCS in the month of February on various human rights issues and cases.

➤ **APDP's STRUGGLE FOR JUSTICE AFFIRMS TRUTH BEHIND ENFORCED DISAPPEARANCES**

On November 15, 2016 SHRC writes to J&K Home Department to submit Action Taken Report within one month's time in Elias's case.

Elias has eight children - six sons and two daughters- the elder is 18 years-old and the younger 3 months-old. Since the incident Elias has been financially supported by his aged father. Due to abject poverty, he managed to enroll his one son in an orphanage at Srinagar and another son in Islamic seminary. "I was lucky enough that I was able to admit my children in charitable trusts so that their future will not get hit. One of my sons twice failed to qualify his matriculation due to poor quality of education in our area," Elias averred.

"My pain is more of why I was hit by the gunmen than the pain of being a handicapped," he concludes.

state wants to cover up the truth behind its sponsored violence.

Atta Mohammad, who died at the age 75, on 10th January 2016, following a prolonged illness, has buried more than 230 unidentified bodies in the Bimyar graveyard between 2003 and 2009. A farmer by profession, Mohammed's selfless efforts ensured a dignified proper burial to many unidentified bodies. He played a significant role in identifying unmarked graves in the Valley. APDP members and activists first met Atta Mohammad in 2005 while researching the issue of unmarked graves – a phenomenon where unidentified dead bodies, often bearing marks of violence, were buried across grave sites in Jammu and Kashmir after being handed over to locals by armed forces as bodies of "foreign militants". Gravediggers such as Atta Mohammad are recorders of evidence as the unmarked graves represent sites of possible crimes. Unmarked graves are also closely tied to the phenomenon of enforced disappearance in Jammu and Kashmir. According to conservative estimates more than 8000 people have been subject to enforced disappearances since 1989. Beginning from 2008, APDP documented 7000+ cases of unmarked graves in five districts of Jammu and Kashmir and found prima facie evidence that some of these unidentified bodies belonged to those disappeared civilians. Despite the SHRC confirming the presence of unmarked graves and recommending investigations, the State has refused to take any action on the issue.

Police action today is only a continuation of the state violence that APDP has faced since its inception. Such acts will not stop APDP from continuing its struggle for truth, justice and reparations for thousands of the disappeared of Jammu and Kashmir.

Feb 28: For twenty-four years, the Association of Parents of Disappeared Persons (APDP) and its individual members and volunteers have been campaigning against the phenomenon of enforced or involuntary disappearances in Jammu and Kashmir, wherein more than 8000 people have disappeared since 1989. The campaign has been to search and remember the

disappeared, affirm the disappeared families' right to know the truth, right to justice and reparations, and to demand that the government ratify and implement the International Convention for the Protection of All Persons from Enforced Disappearance.

An integral part of APDP's struggle has been to use the law and judicial institutions. Since last one week, APDP notes legal developments in three cases of enforced disappearances, which once again remind us that it is through the struggle for justice that the memory of the disappeared is preserved and the contradictions of the state exposed.

First, on 26 February, the Jammu and Kashmir High Court began final arguments in the case relating to the disappearance of ten persons (mostly from North Kashmir) in custody of the armed forces and the Intelligence Bureau in December 2004. The disappeared were militants, who after surrendering before the state forces were trapped to work for the state and then were disappeared. Before their disappearance the family members met their children on multiple occasions at army camps etc. Police has not filed first information report (FIR) and no investigations have been carried out. The High Court directed judicial enquiry confirmed the disappearances of ten persons and recommended investigations and compensation. The High Court part heard the case and arguments will continue on 29 March 2018.

Second, on 27 February, the High Court directed a fresh status report to be filed within two weeks by the Special Investigation Team (SIT) investigating the case relating to disappearance of five laborers from Poonch district who had come to Srinagar looking for work and then disappeared on 13 June 2005. On 14 December 2017, the High Court directed for the constitution of a SIT and for completion of investigations within 60 days. While investigations have not been completed, the SIT in its status report to the High Court has identified the suspects in the case including the main accused who was working for the army. The SIT also enquired from the Station House Officers across the Kashmir valley on whether there had been any burial of "unknown persons together" after 13 June 2005.

Third, on 27 February, APDP filed its rejoinder before the State Human Rights Commission (SHRC) in the composite complaint regarding the disappearance of 132 persons from Banihal Tehsil of Ramban District by the state and non-state actors. The police and civil administration in their reply have admitted that 112 persons out of 132 persons were indeed "missing". The SHRC directed for further response from the police and civil administration in the form of details of the enquiry conducted including whether the NOK's (Next of Kin) of the disappeared had been examined. The case is next listed on 12 April 2018.

The three cases detailed above form an integral part of APDP's relentless campaign against enforced disappearances. The evidence and testimonies arising from these cases make it crucial that all encounters be probed and the incentives that armed forces and police receive for these encounters be scrutinized. All the above-mentioned cases have seen an inordinate lapse of time and thus far no fair and proper investigations have been carried out. The state institutions failed to support the victim families and the legal processes have been delayed and exhausting. Yet, the struggle of the families of disappeared has ensured that the truth has not been

covered up or forgotten. The onus lies on the state to find the disappeared and investigate the role of the perpetrators responsible.

➤ **SHRC OBSERVES THAT NO LAW OBLIGES SEEKING PERMISSION FOR HOLDING AN EVENT**

Feb 21: The State Human Rights Commission (SHRC) in its order on banning of last year's event on Kunan Poshpora by the police has observed that, "there is no law which obliges a person to seek prior permission to hold a meeting in a private place within the four corners of a hall or a hotel for a lawful purpose". The order by SHRC proves that the Jammu and Kashmir Police unreasonably, arbitrarily and whimsically prevents peaceful assemblies and events highlighting human rights abuses from taking place.

The J&K government has been selectively either banning or declining permission for organizing peaceful events and meetings around issues that are inconvenient for them and which the State prefers to discourage people from discussing. The Indian state has always sought to curtail the freedom of Kashmiri people to assemble and express themselves.

In order to commemorate the struggles of the people of Kunan Poshpora, last year the Support Group for Justice for Kunan Poshpora organized a press conference on the 23rd of February where the survivors of rape and torture were to speak. The Senior Superintendent of Police, Srinagar denied permission to hold the conference in a letter dated 22nd of February stating that, "there is an apprehension of law and order problem when the issue of Kunan Poshpora is raised", thus preventing the survivors from addressing the media and speaking about their struggle.

It is important to note that the State administration disallowed a lecture on Kashmir by noted historian Dr Mridu Rai in 2015, stating no valid reason pointing to the fact that the government works on its whims.

It is pertinent to mention that the Support Group for Justice for Kunan Poshpora has been commemorating the struggle of the survivors of Kunan Poshpora mass rape as the Kashmiri Women's Resistance Day on the 23rd of February since 2014 through peaceful events in Srinagar.

This matter was taken by the Support Group in the J&K State Human Rights Commission (SHRC). In a shocking response to the SHRC queries, Inspector General of Police stated that "it was reliably learnt that some unknown miscreants had made a plan to indulge in stone pelting and create law and order problem in Lal Chowk area. They were roaming with the intention to carry out a militant strike in the area, in view of the said input/perceived threat of militant act, the said party was not allowed."

The police's response is in line with its policy of choking every space for dissent available to people of Jammu and Kashmir and prevent debate and discussion regarding widespread human rights abuses in Jammu and Kashmir. The bans and restrictions placed on freedom of expression and assembly, however, will not deter our resolve to speak on the issue of rights abuses and we pledge to continue this fight.

➤ **SIC UPHOLDS LACK OF TRANSPARENCY AND ACCOUNTABILITY ON 2010 KILLINGS**

Feb 22: The State Information Commission (SIC) has ordered JK Home Department to consider ‘with the approval of the Competent Authority’ in disclosing ‘a certain part of information or categories of information’ from the one man Koul Commission report, which was constituted to ascertain responsibility for the killings of civilians in 2010 uprising. However, instead of deciding the matter, the SIC has referred back the question of disclosure to the first appellate authority and has directed the Competent Authority only to consider disclosure of certain part of the information which concerns relief, compensation and withdrawal of FIR’s of victims. The decision is a negation of the very purpose of the existence of the Commission. The decision by SIC is nothing short of being subservient to the public authority, who have already denied and deprived the appellant of the requisite information not covered under Section 8 of the RTI Act.

The report of Retd. Justice Makhan Lal Koul Commission on 2010 killings was submitted to the government in December 2016 but the copy and findings of the report were not made public. In 2010, at least 120 civilians, many amongst them women and children, were shot dead by government forces. After the public outcry,

the government was forced because of the criticism from various quarters to establish the Commission of Inquiry to establish the circumstances of these killings and hold the perpetrators responsible. It is in the public interest that this report is made public as it is also the right of the victim families who have participated in the investigation process to be made aware of the results of that process. The families have the right to justice and truth, which by non-disclosure of this report gets impacted. Advocate Parvez Imroz filed an RTI dated 10 January 2017 seeking a copy of the report. The information wasn’t provided to the appellant even after filing of the first appeal and subsequently, the second appeal was filed in SIC. It is pertinent to highlight here the amount of time - from the filing of the RTI in January 2017 to the decision taken by SIC in January 2018, which in itself is an indictment of how public institutions function in Jammu and Kashmir.

The structure of impunity in Jammu and Kashmir is so deep and entrenched that the crimes perpetrated during the regime of previous government are being protected by the present regime. The impunity in Jammu and Kashmir is institutionalized and pervasive, which due to change in regimes or change of officers doesn’t alter. In Jammu and Kashmir, no government or public authorities have ever allowed justice to be the priority. The present government remains no different.

**SC stays action against army officer in 27 January Shopian killings
Judicial intervention for impunity continues**

February 12: The Supreme Court, as reported, stayed “coercive action” against Major Aditya Kumar of the 10 Garhwal Rifles, under first information (FIR) no.26/2018 Police Station Shopian, in a petition seeking quashing of the FIR. Government of Jammu and Kashmir and Government of India have been given notice to reply to the petition within two weeks. As reported, notice has also been issued on a separate petition seeking inquiry before registration of FIR’s against armed forces personnel. FIR 26/2018 relates to an incident on 27 January 2018 in Ganawpora village, Shopian district, Jammu and Kashmir, where three young men were killed in army firing. Families of the victims have informed JKCCS that the killings were targeted, and unprovoked.

First, the stay of investigations against Major Aditya Kumar is irregular and against the established norms of criminal procedure. Courts rarely interfere in ongoing investigations. The FIR is a recording of information of a cognizable offence (for example murder and other serious offences). When in receipt of such information, the police are duty bound to lodge the FIR and begin investigations. “Self defence”, and other such justifications for action, cannot be considered at the stage of registration of FIR and certainly cannot be a basis to quash the FIR (as the petition in the Supreme Court seeks). That is a question for investigations, and more importantly, trial. The army is entitled to its rival version of events (including in the form of a counter-FIR) but the claims of the army cannot be used to prevent the registration of a FIR at this stage and investigations on the version of the victims or other persons that the army firing was an act of murder.

Second, today’s order is neither surprising nor a serious setback to the extent that the impunity for the armed forces in Jammu and Kashmir is entrenched. While the police rarely file FIRs against the armed

forces, it is even more rare for them to carry out any proper or fair investigations resulting in the filing of a chargesheet. Further, even when investigations indict the armed forces, either sanction for prosecution under AFSPA is declined or the armed forces successfully transfer the cases to the opaque court-martial process that often result in acquittals. The Supreme Court’s own past record – in Kashmir related cases such as the 2000 Pathribal fake encounter and 2010 killing of Zahid Farooq – has appeared to favor the armed forces. The Supreme Court through its past judgments restricted the powers of the lower judiciary, and in this case it appears even the powers of the police are to be curtailed vis-à-vis the armed forces.

Third, and finally, it should be understood that the legal impunity for the armed forces is a consequence of a larger moral and political impunity for their actions in Jammu and Kashmir. It is this wider culture of impunity that influences the legal processes. A recent petition in the National Human Rights Commission (NHRC) – based on the “human rights” of the soldier – is a perverse example of this culture where an armed soldier is being compared to a protesting civilian. But the NHRC petition, perhaps unwittingly, does point to the true state of affairs in Jammu and Kashmir when it refers to “sub optimal war” and the “Geneva convention”. Past actions of the State – including the judiciary - under Indian domestic law that have ensured impunity for the armed forces, and the reality of Jammu and Kashmir – an armed conflict – clearly indicate that justice is only possible in Jammu and Kashmir under the broader framework of international law, including international humanitarian law.

Thus, while today’s Supreme Court order appears to favor the accused, at the cost of the victims, it provides yet another opportunity to appreciate the reality

of questions of human rights and justice in Jammu and Kashmir. Scuttling of legal processes against the armed forces is only strengthening the belief that there can be

no expectation of justice from the Indian State and its institutions.

Dodhipora Carnage Commemorated

Feb 22: On the 12th death anniversary of Dodhipora Carnage, the victim families assembled at a local graveyard to pay obeisance to their children killed this day in 2006 by the army. The commemoration was held by the parents of the four youth to reiterate their demand for justice. The parents of the victims resolve to continue their struggle till the justice is not delivered to them. The parents also highlighted the failures of the government in delivering justice to the families.

Last year in the status report filed before the high court the SP Handwara had stated that four officers of 33 RR were identified heading by Captain Niting Dutta @ Rambo out of which one Subedar Barkha Raj has retired from the army and is living somewhere in Nepal. The nominal role of the army has not been provided by the army and still investigation is in progress.

Youth shot in face in Kulgam

Feb 5: A youth was shot in his face after army soldiers opened fire here in Hawoora Mishpora village of south Kashmir's Kulgam district.

The injured youth was identified as Arif Lone, son of Abdul Rasheed Lone, a resident of Howur Mishpora village.

According to Health officials at District Hospital Anantnag, where he was first shifted, Arif has been sent to Srinagar for specialized treatment.

"He had a bullet wound on the left side of his face," a Health official said.

According to local sources, a group of youth hooted and pelted stones at an army patrol early February 5 morning in Howur-Mishpora village.

"In response, the army men opened fire, leaving the youth injured," the sources told Kashmir Reader.

Army denies hand in Kupwara man's disappearance but doesn't present crucial record

Feb 21: The army has denied its involvement in the disappearance of a man, Manzoor Ahmad Khan, who went missing after his detention at an army camp in Kupwara last year.

The army has stated its non-involvement before the Special Investigation Team (SIT) that is investigating the case. However, the army has not submitted before the SIT the register where it keeps a record of the people entering and exiting the camp.

A report submitted by the police before the State Human Rights Commission (SHRC) reads: "After a lot of correspondence and persuasion the concerned army authorities presented the accused/other army officers/officials at the headquarters of 8 sector RR, Cheirkote, Lolab, where they were questioned thoroughly by the SIT. They have denied their involvement in the case."

From last twelve years investigation has not been completed and case is still pending before the hon'ble high court.

On 22nd February 2006, four persons including 2 minors were allegedly killed by the troops of 33-Rashtriya Rifles (RR) while they were playing cricket in Dodhipora, Handwara of district Kupwara in North Kashmir about 95 kilometers away from Srinagar. The deceased persons were identified as Ghulam Hassan Bhat

(18) son of Ghulam Rasool Bhat, Mohammad AamirHajam (09) son of Mohammad Akbar Hiram, Shakir Ahmad Wani (07) son of Ghulam Hassan Wani and Abdul Samad Mir (21) son of Mohammad Ahsan Mir. All of them were the residents of Dodhipora village. Then chief minister GhulamNabi Azad ordered a judicial inquiry into the incident.

army firing

They said that the injured boy was taken to SDH Qaimoh from where he was

shifted to District Hospital Anantnag and then to Srinagar for treatment.

Deputy Inspector General (DIG) of Police, south Kashmir range, S P Pani, said that an army patrol was attacked with stones as they were in the process of removing a road block laid by some "miscreants".

"They fired in the air to disperse the stone pelting youth. A youth has been shot at in the process. He is stable, however," Pani said.

Pani told Kashmir Reader that a case has been already registered into the incident and investigation taken up.

He, however, refuted reports that an FIR was registered against the army.

"The FIR is registered for the incident and not against the army," Pani clarified.



Parents of Dodhipora victims

to make an entry in the register regarding their arrival/ departure to /from the area.

“Manzoor went to the army post sentry, police for making an entry in respect of all the three persons, while as the complainant and his sister kept waiting outside the camp,” the complaint reads.

“However Manzoor didn’t come out of the camp but was rather taken inside the camp by Nishant Kumar, the company commander. Jalal din asked the sentry why didn’t Manzoor come out of the camp but the sentry didn’t give any reply and Khan kept waiting outside,” it added.

In the meantime, the police report states, “the relatives of Nasrulla Khan who had also been detained in the said army camp on the same day and was tortured also appeared there and started enquiring about him. But the army threw him out.”

No justice yet for Kunan Poshpora rapes: AI

Feb 23: Amnesty International (AI) India said no justice has been provided yet for the Kunan Poshpora rapes.

Asmita Basu, programmes director at AI India, issued a statement the 27th anniversary of the rapes of dozens of women in the towns of Kunan and Poshpora, Jammu and Kashmir, in 1991, allegedly by Indian army personnel,

“For 27 years, the lack of accountability for the crimes committed in Kunan and Poshpora has been a festering injustice, and a chilling example of the impunity that surrounds human rights violations in Jammu and Kashmir,” Basu said.

The director stated that attempts at seeking justice and compensation for the survivors have been blocked by the Jammu and Kashmir state government, the central government and the Indian Army. Five of the victims have died waiting for justice.

“Authorities must ensure a thorough, impartial and effective investigation into the allegations. All

Doctors confirm torture victim had developed renal failure

Feb 21: Doctors have told an investigation team that a Kupwara man who had accused the army of torturing him in custody, had developed acute renal failure due to torture by the time he was brought to hospital.

The army has denied hand in the torture of the man, Nasrulla Khan.

A report submitted by the department of nephrology, SKIMS, Soura, before the State Human Rights Commission reads: “Nasrulla was brought to the hospital as a case of post torture rhabdomyolysis with acute renal failure. Patient was in a critical condition and was managed with multiple sessions of dialysis in addition to other medication. The patient was hospitalised for a period of 27 days.”

“The patient’s condition improved significantly. He was discharged with a serum creatinine of 2.0 mg/dl. The patient after being discharged is following nephrology OPD and presently the patients’ kidney function has normalized,” the report reads.

The report was submitted by the doctors after a petition was filed by an activist.

Nasrulla was detained by the army at its Trehmukh camp in Lolab.

In the FIR, Manzoor’s kin said that he was detained with the “intention to kill him and that all this has been done by Major Nishant Gupta of 27 RR who is the camp commander of Trehmukh top.”

The SIT headed by additional superintendent of police was constituted by the district police officer Kupwara 4 September 2017.

The additional SSP along with others visited the scene of crime, prepared a site plan and also recorded the statement of witnesses.

“The said Manzoor Khan was thoroughly looked for in the area and elsewhere, but has not been traced so far,” the police report said.

“His mobile number has been kept under continuous surveillance but has not been used since 31-8-2017, the day of occurrence, nor has his hand set been used. A large number of people of the area has been questioned but no clue has found,” it adds.

suspects, including those with command responsibility, must be prosecuted in a civilian court,” Basu said.

According to the director, previous investigations into the allegations have been ineffective. The J&K police declared that the case was ‘untraceable’ and stopped investigations in October 1991. To date, nobody has been charged or prosecuted in connection to the case.

“In October 2011, the J&K state human rights commission directed the state government to compensate victims and re-investigate the allegations. In June 2013, a court in Kupwara district directed the J&K police to investigate the long-standing allegations within three months. When the investigations proved ineffective, five survivors filed a petition in the Jammu and Kashmir High Court in October 2013. The state government, central government and the Army have since filed multiple petitions in different courts, sometimes simultaneously, and secured temporary orders suspending investigations and the provision of compensation,” Basu added.

An FIR in this connection was lodged at police station Lalpora.

According to the police report: “On 31 August 2017 police station Lalpora came to know that Nasrulla Khan has been brought from Trehmukh Behk by the villagers of Devsar in a very critical condition and has been taken to sub district hospital Sogam for treatment.”

The police had deputed assistant sub inspector Mushtaq Ahmad and head constable Muhammad Shafi of Lalpora to SDH Sogam to enquire into the matter.

“During the enquiry it was revealed that Nasrulla had gone to the Trehmukh top, as usual, he preceded to army camp 27RR headed by Nishnat Gupta (sic),” it said.

“He was forcibly taken inside the camp and was wrongfully confined there and was so severely tortured with an intention to kill him,” the report of the police reads.

A special Investigation team headed by additional superintendent of police was constituted.

“After a lot of correspondence and persuasions the concerned army authorities presented the accused/other army officers/ officials at the headquarters of 8 sector RR, Cherkoot Lolab, where they were

questioned thoroughly by the SIT. They all denied their involvement in the case," the report said.

The report said that despite requests the army unit has so far not presented before the SIT the entry/exit

Red Fort attack case: Businessman Bilal Kawa granted bail

Feb 07: A Delhi court granted bail to Bilal Ahmed Kawa, an LeT suspect arrested in the 2000 Red Fort attack case, noting that except one, all other co-accused have either been acquitted or discharged.

Additional Sessions Judge Sidharth Sharma noted that the other accused acquitted or discharged by the trial court and the Delhi High Court, were facing more serious charges than Kawa.

The court granted the relief to Kawa on furnishing of a personal bond of Rs 50,000 and a surety of the same amount, and directed him not to hamper the probe.

Kawa was arrested from Terminal-3 of the Delhi airport on January 10 during a joint operation by

register of its Gate No 1, in which the torture victim's name had been registered.

the Delhi Police and the Gujarat Anti-Terrorism Squad (ATS), and currently was in judicial custody.

In his bail plea, Kawa had claimed that no purpose would be served by keeping him in custody further.

The police have alleged that Kawa had received Rs 29.5 lakh from Pakistan to fund the terror attack on the historic Red Fort on December 22, 2000, in which three people, including two Army jawans, were killed.

They told the court that Kawa, one of the conspirators in the attack, was absconding for 17 years and had been declared a proclaimed offender.

Village head, Hindu groups threatening nomadic communities in Kathua: Gujjar activist

Feb 19: Talib Hussain, the Gujjar activist who has been rallying for justice in the horrific case of rape and murder of an 8-year-old girl in Kathua, has alleged that the village head of Kotah area in Hira Nagar has started profiling and threatening the nomad Gujjar and Bakerwal communities of the village.

Hussain told media that Kant Kumar Thapa, the Kotah village sarpanch who is associated with the Congress party, is seeking personal details of all nomadic people living there. "Kant Kumar Thapa has visited them and asked for details like name, age and family members," Hussain said.

Hussain said he came to know about the profiling from several calls made to him and also from a four-member Gujjar delegation from the village with whom he met in Jammu last week. "The delegation told me that the sarpanch is mostly seeking information about their girls," Hussain said. "Since the boycott call given by the Hindu Ekta Manch (HEM), the threat to the Gujjar community has increased."

Hussain said that Thapa has given an ultimatum of three days to Gujjars to vacate the area, or else they would be attacked.

Everything happening in Kathua, Hussain said, is being done under a conspiracy by rightwing Hindu groups and the rape and murder of the little girl was part of the same conspiracy. "She was raped to send out a message that if they can rape and murder an eight-year-old girl, they can be much more brutal with adults," Hussain said.

He said that radical Hindu groups were trying to communalise the entire district by carrying out several activities. "Rakesh Kumar Choudhary, the sarpanch of Bisachack village and also a member of Hindu Ekta Manch, went to Nagpur for three months," Hussain said. "Once he returned, he slaughtered a calf and threw its head close to the house of a person belonging to the Muslim community."

Family apprehends Army fired on their house, seeks police probe Police summons the officers

Feb 18: A family which lives near the Line of Control (LoC) in Mendhar area of Poonch has sought a police probe after their house was hit by a bullet and members had a narrow escape. The family apprehended that the house was targeted by army men as it falls nearly 5 kilometer away from Pakistan Administered Kashmir. Police summons the officers.

A resident Mohammed Younis and his wife were in their kitchen during the dinner time when a bullet hit the tin shed and pierced it. The family was scared and had sleepless night.

"I could not sleep during the entire night following the incident. In the morning, I went upstairs and found a hole in the tin shed of the kitchen," said Ayaz Khan, son of Mohammed Younis.

Khan told media that he his parents had a narrow escape last evening. He said that his parents have informed the police and shared photographs with SDPO Mendhar Rayaz Tantray.

"It should be investigated who has fired the bullet. A bullet cannot reach 5 kilometre from Pakistan

administered Kashmir (PaK) and hit our kitchen," said Khan. "It should be investigated who fired the bullet; whether it was done by Indian army on own civilian or Pakistan army has fired it."

"It is a matter of investigation. It should be proved because we apprehend something foul."

He further said that some other persons may be involved but "We have apprehensions that Army may have fired the bullet."

"I have got some photographs. I have called the family and will look into the issue," SDPO Mendhar Rayaz Tantray told media.

Heavy firing was also witnessed across the Line of Control in Gulpur and Kandi areas in Poonch district.

On February 20, police summoned the officers of a local army unit deployed near the Line of Control (LoC) after members of a family had a narrow escape as a bullet hit the roof of their house.

"We are investigating the matter," SDPO Mendhar Rayaz Tantray told media.

6. Harrasment against Kashmiris Living Outside

The Kashmiris continued to face various forms of harassment and arrests in various Indian states only for being Kashmiris. In a disturbing case, a Kashmiri student disappeared from his hostel in Orissa. The perennial harassments of Kashmiris further deepen the fear of their family back at home.

➤ **Kashmiri students assaulted in Haryana; CM shocked**

Feb 02: Two students from Jammu and Kashmir were brutally assaulted by a group of people in Haryana.

The students identified as Aftab and Amjad, doing Msc in Geography at Haryana's Central University, were beaten up after offering Friday prayers at a local masjid in Mahendragarh town.

A Kashmiri student Rehaan Andrabi at the varsity told media on phone that the students had gone to the market to offer the congregational prayers and buy some essentials. "When they came out, around 15 people followed them and brutally assaulted them for their appearance. One among the students was wearing skull cap. They received injuries on their face and body," he said.

According to him, they dialled 100 to register police complaint but nobody from the department came forward. "Police told us that doctors should talk to them so that they come to the hospital for registering the complaint. At 7pm, we reached our university hostel and brought the issue into the notice of the authorities, who got the complaint filed with the police after much struggle," he said.

After the photos of the assaulted students were posted on social media, Chief Minister Mehbooba Mufti tweeted that she was "shocked and disturbed" hearing about the assault faced by Kashmir students. "I urge the authorities to investigate and take strict action," she said.

Director general of police S P Vaid wrote on the Twitter that he contacted his counterpart from Haryana and "police is taking cognizance of the incident".

No scuffle took place, victims were beaten

Two Jammu and Kashmir students who were allegedly assaulted in Haryana by a group of over 15 persons on Saturday refuted the Haryana police version that they were beaten after a "scuffle" between the two sides. They said "no scuffle took place and they were beaten up by the goons without any reason."

Students Aftab Ahmad and Amjad Ali, of Rajouri district, were thrashed by miscreants in Mahendargarh town when they were returning to their university after offering Friday prayers at the town's Jamia Masjid. Both the students are pursuing post graduation in Geography at Central University of Haryana and are in their final year.

Director General of Haryana Police B S Sandhu said, "It was a scuffle between the two groups after an accident. Nothing serious. The case has already been registered in this connection."

However, the students and their friends refuted the police version that they were involved in a scuffle.

"Me and my friend were returning from mosque after offering Friday prayers and a group of 15 students was following us and attacked us at Mansi

Chowk and beat us ruthlessly," Amjad Ali told Greater Kashmir.

Amjad said there were at least 86 students from J&K studying in the University "who are feeling unsafe and insecure in the institution."

Rehan Andrabi, one of the students and friend of the assaulted students at the Haryana's Central University said the varsity is situated at Jant/Pali village, some 12 kilometers from Mahindergarh. "There is no market over here. Even for petty purchases such as pen or paper, we have to visit Mahindergarh market. Once in a fortnight, we go to market and buy whatever we require. Before venturing out, we inform the varsity officials through proper communication. We move out only after we get their nod."

Andrabi said that he saw both Aftab Ahmad and Amjad Ali around 1pm on Friday in the campus. "They sought proper permission to visit the market in Mahindergarh. They were a group of four friends".

One of the friends among the group with Amjad and Aftab was Ravi who studies MSC Geography.

Ravi said: "We were four friends. Amjad and Aftab went to offer Namaz at Mahindergarh. We two moved to Mashani Chowk. It was around 2:30 pm. We were 500 meters apart from each other. Aftab called me. He was petrified. From far away as we headed towards Aftab, we saw Amjad was running. We saw a group of some 12 boys who just vanished after we arrived. Blood was oozing from Aftab's nose".

"We called police. They came. But they didn't register FIR. They told us that it would be only registered when a doctor would tell them that the duo has been beaten. The case was only registered when University officials took up the matter with police". Both Andrabi and Ravi said that they are "apprehending that police were trying to give a twist to it".

"As the case is now in the media and it has been highlighted. I am sensing that they are trying to pretend as if nothing has happened. They may give it a new twist," alleged Andrabi.

CAPD Minister writes to Haryana CM

Meanwhile, Minister for Consumer Affairs and Public Distribution department Chowdhary Zulfiqar Ali has written a letter to Haryana Chief Minister and expressed displeasure over assault on two students of Rajouri district on Friday.

The Minister in his letter has urged the Haryana CM to pass necessary instructions to the administration and police in order to ensure safety of all the students. "It is unfortunate that two students of my native village who are pursuing PG courses in Central University Haryana were assaulted by some miscreants," Ali in his letter has said.

Parents worried

The beating of Kashmiri students in Haryana has perturbed the parents, whose wards are studying in different colleges and universities across the country.

The parents alleged that once their wards leave Kashmir, the students often face vicious verbal and

physical abuse. They also alleged that harassment of Kashmir students has become a routine affair.

Greater Kashmir received number of calls on Saturday from the parents who said that there was no let up in harassment.

It may be recalled that last April Union Home Minister Rajnath Singh had called upon all states to ensure the safety of all Kashmiris anywhere in the country.

The parents alleged that claims made by the authorities about safety of Kashmiri students outside are just a hoax.

"They only claim and nobody is ensuring safety of all Kashmiris anywhere in the country," they added.

The harassment and attacks, they said seem coordinated. "Abuses are being hurled on our children. They are being labeled as terrorists and are blamed for throwing stones at the security forces," they alleged.

They expressed dismay over what they said failure of the government to protect their wards. "The police outside mostly downplay the harassment faced by our wards."

Muhammad Akbar, whose son is studying in Dehradun said that prejudice against Kashmiris isn't new. "Anti-Kashmiri sentiment has amplified," he added.

A student told Greater Kashmir over telephone that he has been living in Delhi for over two years now and he is always asked to prove his identity. "Whenever a group of friends are out late, no one else's ID is checked. No one else is ever interrogated except me. And the police are quite vocal about the fact that it's because I'm a Kashmiri," he said.

➤ **Kashmiri student arrested in Bhopal released: SKUAST**

Feb 2: The Kashmiri student of the Sher-e-Kashmir University of Agriculture Science and Technology (SKUAST) who was arrested in Bhopal was released after spending two days in Police custody, Registrar SKUAST said Friday.

The student was part of a team gone to Bhopal for a training course, sources said.

"A team from the university today rushed to Bhopal and got the boy released. We are yet to get the charges framed against him. Actually the students were carrying potable gas cylinder and it was the cause for the whole issue," SKUAST registrar told media.

Earlier Bhopal Police arrested a Kashmiri student who was part of the tour sponsored SKUAST, Srinagar.

SKUAST sources said that a group of 24 B.Tech students, including 17 females had gone to Bhopal, Maharashtra and Haryana for 3 months training course.

After completing their training course, on January 31, these students boarded a train from Bhopal to Delhi. In their AC Coach vide number 12155, a local woman first questioned them and later tweeted "Dozens of Kashmiris carrying a bomb in Delhi-bound Bhopal train", sources said.

The Kashmiri students were later paraded and photographed. The cops after questioning detained one of the students and lodged him at Habibgunj Police Station.

The detained student was identified as Muhammad Idrees of South Kashmir's Anantnag district.

➤ **6 Kashmiris arrested by Rajasthan Police, released: Govt**

Feb 5: The government said six Kashmiri persons were arrested by the Rajasthan police for allegedly entering a prohibited area along the IB near Jaisalmer and were later released.

Responding to a point raised by MLA Usman Majeed in the Assembly in this regard, Minister for Revenue Abdul Rehman Veeri informed the Assembly today that six persons -- Ehsaan Ahmad Mir, Athar Majeed Shah, Zaffar Qureshi, Sayeem Wani, Ghulam Mohammed (driver) and Shameem Awan, all residents of Bandipora, were in the custody of Rajasthan Police.

He said according to the information provided by the Rajasthan Police, these persons were stopped by the BSF as they had entered a prohibited area and were handed over to the police.

"During interrogation, they told the police that they started their journey from Amritsar and were using GPS for shortest possible route to Jaisalmer. They reached near Indira Gandhi Nahar Project (IGNP) canal (a prohibited area) by mistake. JIC of Jaisalmer questioned them," Veeri quoted the Rajasthan Police as saying.

He said all the persons were released on February 4 evening according to the Rajasthan Police, and further details were awaited.

➤ **Kashmiri student beaten near Haryana varsity campus**

Feb 08: A student from Sopore was allegedly beaten up by fellow students near the campus of a private university in Haryana's Ambala district, police said on Thursday.

The student, aged about 19 years, was thrashed by the accused in Mullana town in Ambala on Wednesday after which the university ordered suspension of one of the accused students.

"The student, who is pursuing an undergraduate course in radiology in the university located in Mullana town (near Ambala) and the other group of students had entered into an argument over some matter earlier," SHO, Mullana Police Station, Inspector Rajesh Kumar told PTI over phone.

The student from Kashmir sustained minor injury on his nose while the main accused suffered some scratches on his back, he said.

Kumar said the university administration had ordered the suspension of one of the youths allegedly involved in the incident.

The latest incident comes close on the heels of a similar incident in which two university students, residents of Jammu and Kashmir, were allegedly beaten up by some people in Haryana's Mahendragarh. The SHO said the student enrolled in the varsity in Mullana did not file a police complaint.

After the incident, a group of students from Kashmir enrolled in the varsity sat on a protest. After assurance from authorities about their safety and security, they dispersed.

The police officer said that there are about 300 students from J&K who are pursuing various courses in the private university in Mullana.

“We have assured all the students about their safety and security. We have also stationed a Police Control Room Vehicle and put in additional personnel near the campus,” he said.

➤ **Kashmiri student pursuing MBBS goes missing from college in Odhisa**

Feb 25: A Kashmiri student pursuing MBBS in AIIMS Medical College in Odhisa has gone missing from February 9.

Aijaz Ahmad Kataria, father of Suhail Aijaz, who was pursuing MBBS since 2016 at All India Institute of Medical Sciences, (AIIMS) Bhubaneswar, Odisha told a local news agency that his son called him on Feb 6, asking for depositing money in his account.

“I deposited money in his account on next day (Feb 7),” Aijaz, a resident of Marsari Chowkibal, Kupwara said, adding “since then there is no contact with him. We waited till Feb 20, thinking that he might call and as he might be busy with studies”.

However, he said when there was no contact, the family decided to visit the Bhubaneswar, Odisha to know about his wellbeing.

“As I reached here (Odhisa) I visited his room and did not found him. I called his friend who informed me that he has not seen him from Feb 9,” Aijaz said, adding “later I visited college authorities who also informed me that they have lodged a missing report with the local police station.

Aijaz said that he had later called college authorities to know about the whereabouts of Suhail.

Meanwhile, Aijaz appealed local authorities in Odhisa to trace out his son.

When GNS called the concerned police station, Bhubaneswar, a police officer picked the phone and said that they a missing report has been filed at the instance of college authorities on Feb 18.

“In this regard, we subsequently registered an FIR (21/2018) and have started investigations to trace out the missing student. (GNS)

7. Violations Due to Cross LOC Shelling

The continuous cross border shelling has wreaked havoc in the lives of the people living close to the LOC. The shelling not only killed and injured people but at many places forced people to migrate to different places leaving their hearth behind. In the unabated shelling many civilian houses also got damaged.

➤ **Border firing victim loses both hands, rues Govt apathy**

Feb 01: In sensitive Jammu and Kashmir state, where both centre and state governments have claimed to be on ‘toes’ for providing every possible assistance to border firing victims, a poor father washes dishes at a dhaba in Jammu to meet expenses of son’s treatment who lost both hands in a mortar explosion.

Mohammad Rashid, a resident of Islamabad, Poonch, whose son Mohammad Iqbal lost both hands in border firing between India and Pakistan in Keri sector on January 13, 2018, is doing odd jobs for own survival and to meet the expenses of son’s treatment. Government has provided no assistance to the victim.

The father has to wash utensils at a local dhaba to meet expenses of his son’s treatment, who is admitted at Government Medical Collage and Hospital Jammu.

“On Jan 13, around 11:30 AM, a mortar shell fired by Pakistan landed near our home, Iqbal was there and he got splinter injures on entire body,” Mohammad Rashid told media.

“We took him to district hospital Poonch from where he was referred to Government Medical College & Hospital, Jammu,” he said added the district administration arranged an ambulance and district commissioner handed over Rs 5000 as assistance. Since then no one from administration didn’t even bother to know that is he dead or alive,” the father said.

“Here at Medical College (GMC&H, Jammu), we only get a free bed. Doctors prescribe injections and medicines which are not available in hospital’s dispensary, so I have to purchase them from market,” he said.

“I have no money even for food, so I worked at a dhaba from where I get some food as well as money to buy medicines for his treatment,” the aggrieved father said.

“My son lost both hands. His right eye and leg may not work properly due to injuries. At 12, he may not realize what has happened to him, but government should ensure his proper rehabilitation,” the father demanded.

➤ **Firing stops in Uri, 25 families moved out of villages**

Feb 23: A day after Indian and Pakistani troops exchanged heavy gunfire and mortar shelling across the Line of Control (LoC) in Uri, there was a complete lull on Friday. However, all people living in the several villages along the LoC were directed to not move outside of their homes. The administration has also shifted out 25 families, comprising 107 people, from the area, 70 of them to a higher secondary school building in Uri.

Sub Divisional Magistrate (SDM) Uri, Dr Sagar, told media on Friday afternoon that there was no firing at all in Haji Peer sector since Thursday evening. However, to avoid any untoward incident, 25 families from Silikote and other villages have been moved to a safer place. He said 107 persons of the 25 families were shifted, of whom 70 were put in the building of the higher secondary school and the rest went to stay at the homes of their relatives in Uri town.

Deputy Commissioner Baramulla, Dr Nisar Ahmad Naqash, along with Senior Superintendent of Police Baramulla, Imtiyaz Hussain, and other officers visited Uri on Friday to check arrangements made for people shifted to safer places. The officers directed the divisional administration of Uri to provide all help to the affected families. The deputy commissioner also personally assured the evacuated people that more accommodation would be arranged for them and, if required, more people will be shifted to safer places.

Villages of Churanda, Silikote, Thajal, Hathlanga, Sony, Balkote, Tilawari, and some others, fall in the Haji Peer sector which is very close to the LoC. All these villages are under firing range of Pakistani troops and they have lost dozens of lives in cross-border firing in the past few years.

Villagers have told media that troops of both the countries are constructing more bunkers along the

LoC, which is why they are firing at each other to disrupt the construction.

Sources in the border district of Kupwara told Reader that troops of India and Pakistan exchanged heavy firing in Karnah and Tangdhar sectors on Thursday night. Some houses suffered minor damage in this firing but there was no report of any human life lost.

Deputy Commissioner Kupwara, Khalid Jahangir, said that no one has been moved out in Karnah and Tangdhar sectors. He said there is silence along the LoC for now but we people will be moved to safer places if such a need arises. Evacuation teams are ready and senior officers are monitoring the situation, he said.

➤ **Evacuation on in Uri: 700 people moved out in ambulances, private vehicles**

Feb 24: A massive evacuation of civilians is underway in the border area of Uri in Baramulla district. The Sub-Divisional Magistrate (SDM) Uri, D Sagar, told media that ambulances and private vehicles were used to move out nearly 700 people from Tilawari and adjoining areas on Saturday to school and college buildings in Uri town. All the residents of Silikote village have already been moved out, most of them put in a school building in Uri. The SDM said that about 8,000 people of seven villages are affected due to cross-border firing between Indian and Pakistani troops. He said that senior officers of the district administration are monitoring the situation and the rescue operation is continuing. He said that there is no report yet of any human life lost.

Local people said that Tata Sumo vehicles were also put into the service for rescue, police and Army vehicles are not allowed to go into the area as the area is under the firing range of Pakistani forces.

Heavy exchange of gunfire and mortar shelling began Saturday morning between troops on either side of the Line of Control (LoC). There had been a halt to the firing on Friday but Saturday morning began with bullets

Under police cordon, 5 walnut trees cut down for police officer

Feb 20: Because the Deputy Superintendent of Police (DSP) needed the wood for his house, five huge walnut trees were cut down in Woyen village of Shopian on February 19 evening, even as policemen formed a cordon so that nobody could go near the spot. The owners of the trees themselves cut them down, though the felling of walnut trees, especially green walnut trees, has been banned by the state government for several years now. The Tehsildar of the area said that the Sub-Inspector under whose supervision the trees were cut down, has been involved in several cases of corruption in the past.

Tehsildar Imam Sahib, Niyaz Ahmad, told media that the owners of the felled walnut trees, Mohammad Shafi and Bilal Ahmad, residents of Urpara tehsil Chitragam, cut down the trees on Monday at about 5pm.

“When the patwari of the area reached the spot, he found five big walnut trees chopped down,” Ahmad said.

He added, “When I contacted the in-charge of police station Imam Sahib, Sub-Inspector Javid Ahmad, for bringing the said culprits to my office, he admitted that it had been done under his knowledge, as the wood was to be taken to DySP Imam Sahib, Mir Gafoor, for his personal use. I have recorded the conversation between us.”

being fired from both sides and then heavy mortars targeted army posts either side of the LoC. Locals said the shelling continued for hours and several residential houses, cow sheds, and huts were damaged. Locals also said that scores of cattle were killed in the shelling.

A senior official of the Indian Army posted in the area said that Pakistani troops targeted Indian posts with machine guns and mortars at 11:30am, but alert Indian troops retaliated effectively and damaged several Pakistani posts. He said there was no loss of life or injury to the Indian Army.

SDM Sagar said that when the cross-border firing started, “I along with SDPO Uri personally visited the spot and we shifted about 600 to 700 people to safer places in ambulances and Sumo vehicles. We shifted these people to the government boys’ higher secondary school Uri, government degree college Uri, and government girls’ higher secondary school Uri, where we arranged all the necessities for these affected people.”

The SDM said that situation was tense when he visited the area. “I personally saw dozens of shells in the area,” he said.

The SDM said that more accommodation will be arranged for the people if required.

Residents of Silikote, Hathlanga, and Tilawari villages said that the situation on the other side of the LoC is also tense. They said that dozens of ambulances and private vehicles were seen in Pakistan’s Khawajabanday area shifting people behind the mountains. They said that some people announced through mosque loudspeakers in Khawajabanday that people should run to safer places and, soon after the announcements, people were seen running towards safer places behind the mountains. Several houses across the LoC were also seen damaged because of the shelling by Indian Army.

Despite heavy rains, mortar shelling was going on from both sides, when last reports came in.

Ahmad said he was shocked to hear this from a police officer holding the charge of Imam Sahib police station.

“It is pertinent to mention here that the said Sub-Inspector is a corrupt official. He often interferes in matters of the revenue department, so as to extract money from the public. I have received a number of complaints against him,” Ahmad said.

The Tehsildar added that he has discussed the issue with senior revenue officers and awaits strict action as per law. “The higher authorities are requested to kindly take the necessary action regarding this brazen crime in which police officials are the main culprits,” Ahmad said.

An official from the revenue department said that the chopped wood of the walnut trees has been handed to the Numberdar and Chowkidar of Woyen, till further action.

Residents of Woyen told Kashmir Reader that at 5pm on February 19, policemen cordoned off the locality where the trees stood. They said that due to the police cordon, nobody dared to interfere and the five walnut trees were chopped down.

Tehsildar Niyaz Ahmad made further accusations against Sub-Inspector Javid Ahmad. “Whenever anyone comes to us for registering a complaint against this Sub-Inspector, he raids their

houses at night and arrests them on baseless cases. He takes money (bribe) from people whenever anyone starts construction of a house or shop. He goes there and asks for money," the Tehsildar said.

The chopping of walnut trees was banned by the Divisional Commissioner Kashmir's office many years ago.

Senior Superintendent of Police Shopian, AS Dinkar, told media that he will check the details first.

Deputy Commissioner Shopian, Aijaz Asad, said, "We have lodged an FIR in this matter and we are investigating it. I have talked to the Senior

Superintendent of Police in this regard and we are doing a thorough investigation."

When told that police officers were involved in this crime, he said, "Whoever is involved in this illegal work, will be booked as per law."

Deputy Inspector General (DIG) of Police, South Kashmir, Amit Kumar told media that if the allegations are found to be true, strict action will be taken against whosoever is involved. "Let me confirm first. If this turns out to be true, appropriate action will be taken," Kumar assured.

Kulgam village allege youth forced into labour by army

Feb 27: For the past several days army soldiers have been snatching I-cards of youths in Ashmuji village of Kulgam and then summoning them to their camp where they are beaten up and forced to do labour jobs, local residents allege.

Army has termed residents' statements as "baseless".

"My I card was snatched by army and later asked to report to their camp. As I went there next morning I was beaten up on the allegations that I am a stone pelted. I was then made to work as a bonded labourer. I was allowed to go home in the evening but told that I should report to the camp again," said Muhamad Amir Sheikh, a final year student at the Government Degree College Kulgam.

He said the soldiers forced him to haul construction material, oil barrels and other materials besides breaking stones and cutting grass at the camp.

A class 11 student, Umar Rehman Dar, who also was forced to work at the camp:

"I was forced to carry big iron rods and boulders. They let me go in the evening but they did not return my I-card. They told me to bring my other friends along the next time. Though my father went there to fetch my card, he was told to tell me to come myself," says Umar.

"My entire body is aching. I am not even able to sleep properly. I feel scared that the army might come home any time and beat me up for not coming to the camp," Umar said.

Local residents said the army has been dialling their numbers and summoning them to their camp.

"I too was summoned and made to do all sort odd works by army men from morning till evening and then told to come again along with my friends. I have switched off my phone because they army used to make calls too frequently," said another student, Ubaid Abdullah Dar.

Suhail Ahmad Dar, a final-year student from Boys Degree College Anantnag, said his I-card was snatched by soldiers who also asked him to report to the camp.

"I didn't go after I heard from other what they make you do there," he said.

The villagers alleged that not only the students but middle aged men also are being subjected to similar harassment and forced labour.

Forty-year-old Muhamd Altaf Khanday, a shopkeeper, was also called to the camp.

"The army even calls us on our phone numbers asking us to report to their camps. They threaten us of dire consequences if we don't," said a group villagers on the condition of anonymity because they fear reprisals.

However, army denied that it is forcing students into doing labour jobs.

"The allegations are baseless. The locals are lying. Army is not involved in any such act," army's Srinagar-based defence spokesperson told media.

The practice of forced labour by the army was common throughout the nineties in the Valley, especially in Kupwara district.

Incumbent legislator from Langate assembly segment of Kupwara has said that he too was taken as a "bonded labourer".

"The people in north Kashmir areas of Handwara and Langate used to be quite frequently taken for bonded labour and forced to clear the road for the army right from 1989 to 2004. We fought against it despite facing wrath of army," Rashid said.

He said: "That time the army had termed it as propaganda to malign their image. Now when similar incidents have come to the fore in southern Kashmir this validates the truth of our ordeal."

Rashid recalls how the killing of a man triggered mass movement after which there was an agreement between locals and army ending the practice then.

"The people of south Kashmir need to start a similar movement before this thing becomes normal," Rashid said.

The legislator has approached the State Human Rights Commission seeking compensation for the "bonded labour" he claims to have been forced to do in the past.

Govt says no records available in Tehsil Aloosa

Killing of 22 civilians in Bandipora

Feb 23: Government has 'no record available' in Aloosa Tehsil of north Kashmir's Bandipora district with regard to killing of 22 civilians by Army in Bandipora in year 1991.

The government said this in a report sought by State Human Rights Commission (SHRC) in connection

with "whether the NOKs of the deceased were compensated or benefited under SRO 43 or not".

SHRC has sought a detailed report from DC Bandipora and Baramullaby 12th of March 2018 in connection with killing of 22 civilians in Bandipora in 1991.

In a reply to SHRC the State Government (DC Bandipora) has denied of having any records with regard to the killing of 22 civilians by Army in Bandipora district in year 1991 saying, "The (Aloosa) Tehsil is a newly created Tehsil (in year 2014 and), and no such records with regard to (killing of 22 civilians by Army at Bandipora) are available in his (Tehsildar) office."

ADC Bandipora in his reply to SHRC has further said, "The matter was taken up with the Deputy Commissioner Baramulla/TehsildarAloosa vide this office letter No DCB/SHRC/2017/314-18 dated 29-05-2017 whether any kind of exgratia or benefit under SRO 43 has been provided to the NOKs of the deceased and in response, TehsildarAloosa vide letter No 329/K/Aloosa dated 20-06-2017 has submitted that Tehsil is a newly created Tehsil i.e. 2014, no such records with regard to the subject captioned above are available in his office."

The government also informed the Commission that they have benefited "ParvaizAhsan (by appointing him under SRO-43 and exgratia relief of one lakh rupees (have been paid) in terms of serial number 1. Similarly, exgratia of rupees one lakh rupees and other benefits (of rupees four lakh) have been paid to NOKs of serial number 2. Abdul Qayoom S/O deceased has been

appointed under SRO-43 and one lakh has been paid in terms of serial number 5 and Habibullah S/O deceased has been appointed under SRO-43 and one lakh exgratia has been paid in favor of the NOKs of serial number 7."

"However, serial number six is not located till date," reads a submitted report.

The petitioner of this case AhsanUntoo earlier had contested the police version regarding the case and filed a rejoinder "because police earlier in a reply to SHRC through DC Bandipora have stated that during investigation on 15.09.1991 a letter received from ManhasRamyanBiswas (Lt) of 22 Grenadiers, C/O 56 APO described that at Aloosa during the search operation at Khatang, a party of six militants attacked forces."

"During the investigation on the same date i.e. 15.09.1991 seven dead bodies of following persons including two unidentified bodies were recovered from Graveyard (Aloosa) by the Police Station Bandipora (namely) 1, Mehraj din S/o GhRasool R/o DargahHazratbal Srinagar, 2, Nissar Ahmad Khan S/o Mohammad Afzal Khan R/o Kaloosa, 3, Abdullah Sofi S/o Ali Mohammad Sofi 4, Siraj Din S/o Sharief Din Katriya 5, Raja Gojer S/o Kama Gojer R/o Aloosa," police had informed Commission earlier.

Army seeks info on populations in vicinity of its camps

Feb 26: The Army has sought detailed information from police regarding populations residing in vicinity of its camps across J&K for fresh security audit of its installations, reliable sources informed.

"Although this has been done in the past also, but due to the recent militant strikes on Army camps both in Jammu and Kashmir provinces, and the most recent incident of stone pelting at Sunjwan Army camp, we have decided to review security around our camps and other vital installations afresh," a senior Army officer said.

The information provided by police will be thoroughly studied and analyzed after which the Army will scan the areas in the vicinity of all its camps, he said. He also said the security grid inside the camps will also be reviewed and accordingly strengthened based on the inputs received from police and other security agencies. PRO Defence, DevenderAnand, said, "The Army has to get details from police about surroundings of its camps to ensure security of the installations."

CID sounds alarm at 'glamorous' funerals

Feb 27: The Jammu and Kashmir Police's intelligence wing has urged steps to be taken to prevent "massive and multiple" funerals of militants in the Valley, because they are attracting local youths to militancy.

The Indian Express reported that a confidential report sent by the Inspector General of Police (IGP), Criminal Investigation Department (CID), to Director General of Police SP Vaid says, "(The) massive gatherings that are being witnessed in funerals of killed local militants post-2016 unrest is a serious concern which has to be addressed.... These gatherings romanticise and glamourise the terrorists and give boost to militancy."

The report, IE said, was prepared two months ago.

"It has been noticed that soon after burial of killed local militant(s), one or two local boys, who have participated in their funerals, join militancy. By giving regular appearance at funerals to give gun salutes, or to put forth their point of view/ideology, active militants have been successful in glamourising subversive activities. The massive turnout at funerals of killed terrorists is an indicator of the radicalisation level," the CID report says.

The report calls for keeping an eye on potential recruits living in the locality of the slain militant, and the need to keep them away from such funerals. These

youths, "who have inclination towards militancy", should be called to the police station concerned and directed to remain there until the burial is over," the report suggests. "The process should be initiated while the encounter is going on," it adds.

"There has been considerable increase in the number of funeral prayers for killed militants in the Valley and gatherings thereof compared to previous years," the report says. "When foreign terrorist Abu Qasim was killed in October 2015, multiple funerals were offered. Almost 20,000 people participated in his funeral and some militants also gave gun salute," the newspaper quotes the report.

"After the killing of Abu Qasim, it was decided to bury killed foreign militants in north Kashmir in order to avoid major law and order problems," the report has pointed out.

The report has suggested several measures to prevent such big funerals. One of them is: "Intelligence input should be generated about the exit routes of militants from such places and they should be chased and neutralised."

Another suggestion made by the CID is that "Local imams should be made accountable so that they desist from delivering charged/hateful speeches at funerals. (The) local auqaf committee should be taken into confidence so that they may not allow the public

address systems of masjid to be used for provocative

speeches at the funerals.”

Impunity for HR abuses persists in JK: AI

Aug 22: Impunity for human rights abuses persists in Jammu and Kashmir, with government forces continuing to use inherently inaccurate pellet-firing shotguns during protests, and authorities frequently shutting down internet services, the annual report (2017-18) of Amnesty International released said.

The report said that in April 2017, eight people were killed by government forces, some of them by the use of excessive force during a by-election for a parliamentary seat. One voter, Farooq Ahmad Dar, the report stated, was beaten by army personnel and strapped to the front of an army jeep and driven around for over five hours, seemingly as a warning to protestors.

“In May the officer suspected of being responsible received an army commendation for this work in counter insurgency operations,” the report stated. “In July, the JK Human Rights Commission directed the state government to provide Farooq Dar one lakh Indian rupees as compensation. In November, the state government refused to pay.”

The report, which was released in Delhi, said that Indian authorities were using repressive laws to stifle freedom of expression. It raised issues like lynchings, threat to journalists, and killing of Gauri Lankesh, a journalist who was shot dead outside her residence in Bengaluru last year.

“In India, the authorities were openly critical of human rights defenders, feeding a climate of hostility and violence against them. Repressive laws were used to stifle freedom of expression, and journalists and press freedom came under increasing attack,” it said.

Regarding minorities in India, the report said that hardline Hindu groups and pro-government media demonised Muslims.

“Religious minority groups, particularly Muslims, faced increasing demonisation by hardline Hindu groups, pro-government media, and some state officials. Adivasi communities continued to be displaced by industrial projects, and hate crimes against Dalits remained widespread,” the report stated, adding that “India failed to respect its human rights commitments made before the UN Human Rights Council.”

“In September, the Ministry said that all Rohingya in India were ‘illegal immigrants’ and claimed to have evidence that some Rohingya had ties to terrorist organisations. In October, in response to a petition filed by two Rohingya refugees, the Supreme Court temporarily deferred expulsions. In September, the Home Ministry said that it would grant citizenship to about 100,000 Chakma and Hajong refugees who had fled to India from Bangladesh in the 1960s.”

8. SHRC THIS MONTH

➤ SHRC direction on compensation can't be entertained: Govt

Feb 01: The government said SHRC's directing to pay a compensation of Rs 10 lakh to human shield victim Farooq Ahmad Dar couldn't be implemented.

In a written reply to NC MLA Ali Muhammad Sagar's question, the government revealed in Legislative Assembly today that Police Station Beewah received information about a video being uploaded on the social websites suggesting that on April 9, 2017, Dar was tied with ropes on the bonnet of an army vehicle (Rakshak) followed by a Casper under threat, keeping him under wrongful confinement and making him a human shield etc.

It said on basis of this, an FIR No 38 of 2017 under sections 342, 367, 506 RPC was registered and investigation is yet to be concluded.

While admitting that the SHRC has recommended a compensation of Rs 10 lakhs in favour of human shield victim, the government said the recommendation was considered by the Empowered Committee in its 28th meeting on October 6, 2017.

“The Empowered Committee observed that the grounds on which the compensation has been recommended by the SHRC cannot be accepted,” the government disclosed.

While divulging reasons for not paying compensation to Dar, the government said, “No allegations regarding violation of human rights of the applicant have been leveled against the State Government or any of its functionary. The government has discharged its obligation by registering an FIR No 38/2017 in the matter at P/S Beerwah and consequent, initiating the investigation.”

“That pending completion of the investigation in the matter, the recommendation with regard to payment of compensation to the complainant, shall tantamount to establish the guilt of the case without affording him an opportunity of being heard,” it said adding, “As on date, there is no scheme or policy in vogue in the State, which could cover the payment of compensation like the present case.”

“That the SHRC in its recommendation dated July 10, 2017 has inter-alia observed that the Commission is handicapped to go into the conduct of the Army, who are allegedly responsible for the incident. Having so observed, the Commission lacks jurisdiction to entertain and adjudicate upon the present matter,” added the government.

➤ Why doctor was put behind bars, labeled 'terrorist': SHRC asks SSP Srinagar

Feb 12: The State Human Rights Commission issued notice to senior Superintendent of Police (SSP) Srinagar asking him to explain as to why a doctor was put behind bars and labeled as 'terrorist'.

On February 7 a dentist, Dr Mushtaq Ahmad Khan, while going to his clinic was stopped by police at Nowhatta and asked to buy a lucky-draw coupon for a police fair and when he resisted he was detained.

Dr Mushtaq filed a petition in the State Human Rights Commission and also registered his complaint with the Director General of Police (DGP) grievance cell. The commission took cognizance of the case, but the police are yet to register the complaint of the doctor.

“I wrote a detailed complaint to the grievance cell, but they are yet to accept it. My grievance number is

JKP 29, and it's been five days, they didn't initiate any inquiry against the officers," said Dr Mushtaq.

The doctor has stated in the petition that "a group of policemen stopped his car near Nowhatta and asked him to buy a lucky-draw coupon for the upcoming Police Public Mela.

"I was made to buy the ticket forcibly which I didn't appreciate. I objected to it and asked a few questions, but the police took to the police station. The Munshi of the police station threatened, harassed and abused me to the best of his satisfaction.

"The Munshi told me that I am a terrorist and am planning to attack their naka here," he said.

"I kept telling the Munshi that I am a local resident and a respected person who is not only a doctor, but a social activist as well, but the Munshi ordered his men to put me in the lock up," the doctor said.

He alleged that he was kept with criminals for at least two hours.

"It was only after the intervention of the concerned SDPO that I was released. If the SDPO was not known to me I would have been booked for some serious criminal act," the doctor states in the petition.

➤ **Police probe into Khanyar massacre of 1991 stalled on flimsy grounds**

Now Home department seeking English translation of complaints, witnesses

Feb 14: It took five years but the J&K Home Department has finally submitted its reply to the SHRC in a petition related to the Khanyar massacre of 1991. The reply, though, makes for disappointing reading. It says the Home Department has denied sanction to the case, on one pretext then another, the latest of which is that the police do not possess an English translation of the FIR and of statements of witnesses.

Now the police are working on the translations, so that the file can be "immediately" sent back to the Home Department.

A petition was filed before the SHRC (State Human Rights Commission) in 2013 by an activist seeking justice for the massacre in which 22 civilians were killed by government forces in Srinagar's Khanyar area. The J&K Home Department has now stated in its reply that the police investigation into the case is in want of an English translation of the First Information Report (FIR) and of statements of witnesses.

A police report dated January 16, 2018, states that the Home Department kept returning the file sent to it for sanction. The last time it returned the file was in December last year.

"The file was submitted to Home Department for accord of government sanction, wherefrom the case file was returned with some observations/queries. The same were replied (to) and the file was again submitted to government Home Department for accord of sanction, but the same has been received back from said department vide letter number Home/Pros/23/2017/5225 dated 14/12/2017 for English translation of copy of FIR, statement of witness, final report and incriminating material relied upon and other documents in the CD file. The file will be submitted back to government Home Department immediately after translation of the requisite documents by IGP Kashmir Zone Srinagar," the police report states.

In 2013, the commission sought a report from Director General of Police, Jammu and Kashmir, on the

investigation into the Khanyar massacre. As yet, nothing substantial has been filed before the commission.

➤ **Publish photos in newspapers of Handwara massacre's 'untraced' victims: SHRC**

Feb 16: The State Human Rights commission (SHRC) has directed the Handwara district administration to publish, in local newspapers, names and photographs of the four "untraced persons" who were killed in Handwara by government forces on October 1, 1990, so that their kin can identify them.

Bodies of four persons, namely Ghulam Rasool Malik, Ghulam Rasool Sofi, Ghulam Rasool Hajam and Shahzad Ahmed Pir, who were killed in firing by BSF troops in Handwara, are still untraced, though the police have stated that bodies of all the 14 persons killed in that firing were handed over to their families.

The police report submitted to the SHRC reads that on 1st October, 1990, police personnel namely Abdul Hamid, Ali Mohammad, Farooq Ahmed, Sonallah and Mohammad Maqbool were deputed in Handwara town for patrolling duties. In the meantime, fire engulfed the town and some police personnel tried to reach police station Handwara but it was cordoned off by 76 Bn of BSF (Border Security Force) under the command of Ratan Raveen. "The BSF personnel forcibly entered inside the police station and threatened the police naffri to kill them and set ablaze the police station," reads the report submitted by the CID wing of J&K Police to the SHRC.

Constable Ali Mohammad, Ghulam Nabi Shapoo (revenue clerk Handwara), Nazir Ahmed Khan of Chogal, Nazir Ahmed Dar of Braripora, Ghulam Rasool Malik of Khanbal, Ghulam Rasool Sofi of Kupwara, Ghulam Rasool Hajam, Mohammad Hayat Najar, Mohammad Amin Bandy, Ghulam Nabi Mir Mst Azize, Mehraj-ud-din Tantray and Shahzad Ahmed Pir, all from Handwara, were killed in BSF firing in 1990, says the report.

The police report further reads that a case under FIR No 119/1990 U/S 302, 307, 436 RPC was registered and during the course of investigation it was ascertained that due to firing by BSF personnel, 14 persons were killed including former MLC Ghulam Rasool Malik and police head constable Ali Mohammad.

"During the course of investigation all the legal formalities were completed and bodies of the deceased were handed over to their legal heirs for the last rites," the report stated.

The petition in the SHRC was filed by a local activist on Feb 28, 2013. The SHRC Vs Union of India case made the Union Home Secretary, DG Police J&K, IG BSF Kashmir Range and SHO P/S Handwara as respondents. The police submitted its report four years after the petition was filed.

Untoo said that the report is confusing as on the one hand the police are saying they handed the bodies of the deceased to their families and on other hand they are saying four persons are untraced because nobody has come forward.

The case has been listed as "closed" in the compliance report filed by the state DGP (Director General of Police). The report said that an identification parade was conducted before witnesses but no BSF personnel were identified.

9. Militarization

➤ **Army leaves Shamsipora stadium only to occupy Panchayat Ghar**

Feb 09: After public opposition, the army has vacated the Shamsipora sports stadium which it occupied on January 17, but only to occupy another public property, a Panchayat Ghar this time. The army has occupied the Panchayat Ghar amid uncertainty over the holding of panchayat elections, which are long overdue and which Chief Minister Mehbooba Mufti announced last year would be held this February. As per the locals of Shamsipora, a unit of the army two days ago moved into the Panchayat Ghar that is supposed to be the seat of the local government, the Panchayat. Shamsipora falls in Jablipora area of Bijbehara in Anantnag district. The Panchayat Ghar is located near the railway line and the newly opened bypass of the national highway. Terming it as an operational requirement, the army had moved into a sports stadium in Shamsipora with the intent to set up camp there.

Stiff resistance and unrelenting protests by the locals forced the government to intervene. The district administration later said that the army had agreed to move out of the stadium after being given assurance that they will be provided an another space.

Sources said the army moved straight into the Panchayat Ghar of Jablipora two days ago, when it vacated the sports ground.

The army's move has irked locals in Jablipora, who complain that the Panchayat Ghar is surrounded by paddy fields and the under-construction fruit mandi.

Fruit growers and farmers in the area said that the presence of army will hamper their work.

"We have to visit our fields on a daily basis and the presence of army in the area is going to hinder our movement to our own property. Besides, our women folk too visit the place regularly," the farmers told media.

About a dozen associations of fruit traders are associated with the under-construction fruit mandi. "Army presence will only prolong the opening of the mandi, which has already been delayed for several years now. There will be curbs on movement of workers to and from the mandi area," fruit traders told media.

They said that they will soon take up the matter with the district administration.

The locals said that the space should not have been occupied even if there was no mandi or paddy fields nearby. "It is public property. The government on the one hand is talking of holding panchayat elections, and on the other hand the army is occupying a Panchayat Ghar. How ironic is that?" locals asked.

Army sources told Kashmir Reader that the Panchayat Ghar has been provided by the district administration.

Deputy Commissioner (DC) Anantnag, Mohammad Younis Malik, chose not to comment. He told media that the army had some security concerns and wanted to establish a camp in the vicinity.

"The matter will be shortly taken up with the army and the issue will be sorted out soon. They will leave the place," he said.

➤ **'Forces occupy 1390 govt, private buildings in J&K'**

Feb 10: As many as 1390 government and private buildings are under occupation of security forces in the state.

This was revealed in a written reply to a query raised by independent MLA, Er Abdul Rashid during the question hour of the Legislative Assembly (LA).

Chief Minister Mehbooba Mufti, who also holds the charge of the home department, in her written reply informed the House that 1094 private and 296 government buildings were occupied by the forces in the state.

"Around 385 private buildings are occupied by Army while as 709 are occupied by other security forces in the state," CM in her written reply said.

She informed the House that Rs 1.62 crore were paid (as rent) by the security forces per month against the buildings occupied by them in the state.

MLA Langate had sought details about the structures against which the rent is paid by the security forces.

CM in her reply however said that information relating to security camp location and other related issues was "extremely sensitive matter" as it reveals the location and strength of security units across state.

"Putting the information on public domain is likely to compromise the security of these camps," she said, adding that the details should remain classified and not revealed except in non-specific form.

She informed the House that efforts were being made for vacation of government and private buildings on priority basis.

"The alternate accommodation programme for CRPF is due under phase-V for which formal proposal has to be submitted to the ministry of home affairs, government of India," she said.

➤ **Now Govt defines over 404 kanals for firing range in Poonch**

Feb 21: Having already given thousands of kanals of state land as firing range, the ruling PDP-BJP government has defined over 404 kanals as an area for carrying out "periodically" field firing and artillery practice for a period of ten years in Poonch district of Jammu.

As per a notification issued here, the government has sought objections from the people within two months.

"In pursuance of sub-section (3) of section 9 of the Maneuvers, Field Firing and Artillery Practice Act, 1938 notice is hereby given that the Government of Jammu and Kashmir intend to authorize the carrying out Field Firing and Artillery Practice (at village Jhullas, Tehsil Haveli) for ten years. Objections, if any, may be communicated to District Magistrate, Poonch within a period of two months," reads a notification issued.

In October last year, the state government declared thousands of kanals of state land as the firing range in Akhnoor district of Jammu for ten years.

On 8 June last year, the government declared more than 82 kanals of land to be used by the army for firing and artillery use in Udhampur.

In March last year, the state government declared nearly 5 lakh kanals of state land as firing range

in cold desert of Leh in state's Ladakh region, bordering with China, for five years

Earlier, the government notified a large chunk of land in Ramban to be used for firing and artillery purposes by the army.

Sources said that the Army has been provided a large chunk of land after the government refused to renew the lease of 10 firing ranges in the state which expired in 2014 including Tosa Maidan meadow.

The Army had been using the meadow for artillery firing range for over five decades since 1964 and the government's decision against extending the lease followed stiff public resentment.

Nearly 50 residents living around the Tosa Maidan meadow are said to have lost their lives while hundreds of others were rendered crippled for life allegedly to stray or unexploded shells left by the army.

As soon as army vacated Tosa Maidan, it sought a new spot for lease: another meadow called Bajpathri in Bandipora which is also surrounded by tiny villages. The plan, after protests, was shelved along with a similar proposal to set up an artillery firing range near the Line of Control at Tulail, in Gurez area of the north Kashmir district. The Tosa Maidan meadow officially opened to the public as a tourist destination last year.

> 'Army occupied my land; now their dogs kill my sheep'

Feb 27: Two brothers carried their dead sheep to the Deputy Commissioner's office here in North Kashmir's Bandipora, as they came crying and lamenting for justice. Shepherd Nazir Ahmad Tantray and his brother were allowed to enter the mini secretariat main gate only after sustained protest and their agreeing to leave their dead sheep behind.

The brothers, both residents of Athwato village, allege that the army's 14 Rashriya Rifles has been creating a fear psychosis among the locals ever since it set up a camp there by occupying villagers' land in 2002.

Narrating the gruesome details of the death of his livestock, Nazir shared, "Eleven of my sheep have been killed by army dogs that roam free around the village.

"Four sheep are missing from my flock of 20. After searching everywhere in the village, I found one, dead and covered with dog bites, in a pit near the 14RR camp. I don't know where my other three sheep are."

Already prone to conflict with wild animals due to their village's geographical location, the locals accompanying Nazir said they have been appealing ever since the camp's construction for some restriction over the dogs that the camp sets to roam free. This request has gone unheeded for years. "Our demand now is that the camp be removed from the village, for which we have approached the administration many times," Nazir said.

Locals accompanying him said that 41 kanals of land belonging to locals is under camp occupation. "Four kanals of these are mine," added Nazir.

Narrating his livestock's ordeal, Nazir shared that, "Four months ago, an equal number of sheep went missing and were later found dead with dog bites. A Special Police Officer, namely Ghulam Mohammad Sheikh, was also bitten at that time. In 2013, three sheep died due to dog bites."

Speaking of the fear psychosis the villagers feel the army has created, the locals said they are living in fear and don't dare venture outside their homes.

"We lodged complaints with Pethkoot Police Station twice, but they have only been directing us to the Deputy Commissioner's office," Nazir said.

Talking to media, Deputy Commissioner Bandipora said that he has taken up this issue with the army and an inquiry has been initiated. "I have even ordered them to take care to keep the situation from arising again. We are also looking for compensation for the victims," he said.

10. Official Statements

> **94 militants killed in infiltration bids in 2 yrs: CM**

25 civilians killed in border firing

Feb 01: Jammu and Kashmir Chief Minister Mehbooba Mufti said that 94 militants were killed and three arrested during infiltration bids by militants along the Indo-Pak border in the state during the last two years.

In a written reply to a question by BJP MLA Rajesh Gupta in the state Assembly, Mufti said that 35 terrorists were killed and three arrested during infiltration bids in 2016.

She said 59 militants were killed during such bids in 2017.

Mufti said that 25 persons were killed and 162 civilians injured in shelling and firing by Pakistan along the Line of Control (LoC) and the International Border (IB) in the state during the last two years.

She said that 13 civilians were killed and 83 injured in Pak shelling along the border in 2016. In 2017, 12 people were killed and 79 injured in the shelling by Pakistani forces, she added. PTI

> **94 militants killed in infiltration bids in 2 yrs**

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In a written reply to a question by BJP MLA Rajesh Gupta in the state Assembly, Mufti said that 35 militants were killed and three arrested during infiltration bids in 2016.

She said 59 militants were killed during such bids in 2017.

> **336 braid-chopping incidents reported in JK in 2017**

Feb 01: As many as 336 incidents of braid-chopping were registered in Jammu and Kashmir in 2017 and three persons were arrested in this connection.

In a written reply to a question from National Conference (NC) MLAs Altaf Wani, Sheikh Jabbar and Abdul Majid Bhat in the Assembly, Chief Minister Mehbooba Mufti today said 336 of incidents had taken place in the state last year.

Of these, 201 incidents were registered in Jammu, while 135 took place in the Kashmir region, she added.

Mohammad Aslam Shah and Aadil Shah of Bamroda in Budgam district and Zareefa of Baramulla were placed under arrest in connection with these incidents, the chief minister said.

➤ **14000 youth arrested for 'stone pelting' in 3 years**

1100 booked under Public Safety Act

Feb 02: As many as 14210 youth were arrested for pro-freedom protests and alleged stone-pelting during the past three years of PDP-BJP government in Jammu & Kashmir.

In a written reply to a cut motion in the Assembly on Friday, the State Home Ministry informed: "14210 stone-pelters were arrested in 4173 FIRs registered during the said period." During this period, the ministry said 1114 persons were booked under the controversial Public Safety Act. Of them, 94 were detained in 2015, 660 in 2016 and 360 in 2017.

According to the ministry, 167 persons are still serving detention under the PSA in different jails of the State.

Those serving detention under the PSA include "29 stone-pelters, 21 motivators and Hurriyat activists, 22 militants and 47 over ground workers."

Under PSA, a person can be detained for up to two years without trial.

During the past 28 years, the law has been liberally used by successive regimes of the state to keep civilian protesters and separatist leaders behind the bars.

In the past three years, 111 civilians were killed "in law and order disturbances" in Kashmir, government said.

"Five were killed in 2015, 86 in 2016 and 20 in 2017," the reply states.

The ministry also said that it has approved withdrawal of cases against 9730 "stone-pelters" subject to certain conditions. "The government has approved the withdrawal of 1745 cases in respect of 9730 persons / youth with the permission of the trial court subject to certain conditions."

➤ **18 killed in pellet firing in 2 years '6221 injured by pellets in 2016 agitation'**

Feb 02: As many as 18 civilians were killed in pellet firing by government forces in Kashmir during the past two years, the government Friday informed the Legislative Assembly.

In a written response to a cut-motion of Congress legislator Viqar Rasool, the State Home department said: "As per reports, 18 civilians lost their lives due to pellets during the last two years in the state."

It also revealed that 6221 persons were injured in pellet firing between July 2016 to February 2017. Of them, 5197 injured persons were managed at district hospitals.

Defending the use of pellet guns, the government disclosed that pellet guns are used sparingly when all the other means and methods of controlling the agitating mobs fail. "The pellets are fired, as and when required, below the waist line so as to cause minimum damage to the members of agitating mob and the violent protesters," the reply states. "The pellets guns are not used against any peaceful protester."

The pellet guns were first introduced in Kashmir during the 2010 unrest triggered by Machil fake encounter and Tufail Matto's killing. Since then, scores

of civilians have been killed and hundreds blinded by pellet firing.

➤ **No sanction for prosecution of accused soldiers in 28 years: Govt**

Feb 2: Jammu & Kashmir government Friday revealed that Government of India has not granted sanction to prosecute army or paramilitary forces personnel in a single case in the past 28 years in Kashmir. As many as 482 cases of custodial killings, rape, molestation, etc. were registered against the armed forces from 1990 to January 2018.

It said 33 cases were sent to Defence and Home Ministries for according sanction for the prosecution of the accused army and paramilitary force personnel since 1990.

In a written response to a cut-motion of CPI(M) legislator M Y Tarigami, Chief Minister Mehbooba Mufti disclosed that 482 such cases were registered by police against the forces from 1990 to January 2018.

According to the reply, challan has been presented in only 140 cases while 81 are "under investigation."

The accused "could not be traced" in 231 such cases, the status report reveals.

As many as 293 cases of alleged custodial killings were registered against the forces from 1990 to 31 January 2018 in different police stations of the State, the reply reveals.

Till date, challan has been presented in only 65 such cases.

As many as 99 cases of custodial disappearance were registered against the forces during this period. Out of them, only eight have been challaned.

During this period, 90 cases of rape and molestation were registered against the forces. Of them, 67 have been challaned.

➤ **'Govt withdraws cases against 9,730 stone throwers'**

Feb 03: The Jammu and Kashmir government has approved withdrawal of cases against 9,730 stone pelters, Chief Minister Mehbooba Mufti told the assembly.

In a written reply in the assembly, she said that the government approved the withdrawal of cases registered between 2008 and 2017 against these people including first-time offenders, though withdrawal of 1,745 cases is subject to certain conditions, based on recommendations of a committee set up to look into the matter.

Mehbooba said the government has also recommended amnesty for more than 4,000 people involved in minor incidents of stone pelting over the past two years.

Due to "security reasons for them and their families", she did not disclose the particulars of first-time offenders.

Giving details, the Chief Minister said 3,773 cases were registered in 2016 and 2017, leading to the arrest of 11,290 people while 233 remained untraced.

Seven cases were not admitted, 1,692 were chargesheeted and 1,841 were under investigation, she added in her reply.

Intense clashes had rocked Kashmir Valley in 2016 following the killing of Hizbul Mujahideen commander, Burhan Wani on July 8 in a gunfight with the security forces in Anantnag district.

The Chief Minister said while 2,904 cases were registered and 8,570 people were arrested in connection with stone pelting incidents in 2016, the number of such cases in 2017 dropped to 869 in which 2,720 people were arrested.

The highest number, 2,330 people, were arrested in Srinagar followed by 2,046 in Baramulla, 1,385 in Pulwama, 1,123 in Kupwara, 1,118 in Anantnag, 783 in Budgam, 714 in Ganderbal, 694 in Shopian, 548 in Bandipora, 547 in Kulgam and two in Doda districts during 2016 and 2017.

She said 56 government employees and 16 Hurriyat Conference activists were among the 4,949 people found involved in stone pelting incidents while 4,074 were not affiliated with any separatist or militant group.

➤ **Policy for return of youth: GoI returns 391 cases for re-examination 68 cases cleared; 363 youth returned via Nepal since 2010**

Feb 03: The Union Home Ministry has returned to J&K government 391 cases of the youth who want to return from Pakistan administered Kashmir under the policy for return of ex-militants to the State. This information was disclosed by the government in the Legislative Assembly on Saturday.

In a written response to points raised by NC's Mubarak Gul, the government informed the House that 391 cases cleared by a high-level committee have been returned by the MHA for re-examination.

"On the recommendations of the high-level committee, the home department vide communications dated 14-07-2011 and 30-10-2014 recommended 391 prospective returnees to the government of India, Ministry of Home Affairs for return to the state. The Ministry of Home Affairs has returned the aforesaid 391 cases for re-examination in consultation with the concerned security/intelligence agencies," the reply reads.

In 2010, the state government unveiled a policy for return of the youth who had crossed over to the Pakistan administered Kashmir between 1990 to 2009 for arms training but have given up militancy and are willing to return to the state.

The government disclosed that MHA has cleared 68 such cases. "The Home department also received dossiers of the 68 persons from the then IGP CID which were examined and cleared by the high-level committee in its meeting held on 22.12.2015. The Ministry of Home Affairs has conveyed the approval to the return of these 68 prospective returnees," the reply states.

As many as 363 such youth have returned along with their 823 family members through Nepal route since September 2010.

"Since the inception of this policy, no youth has been able to return via the approved routes due to inexplicable reasons/difficulties. However, the youth have been returning to the state along with their families (wives/children) via Nepal which is not an approved route under the policy," the response reveals.

The routes approved are JCP Wagah/Attari, Salamabad, Chakkan-da-Bagh crossing on Line of Control and through the Indira Gandhi International Airport, New Delhi.

➤ **56 employees booked in '16, 17**

Feb 03: The J&K Government revealed that it registered cases against 56 government employees in 2016 and 2017.

In a written reply to a query raised by MLA Sheikh Ishfaq Jabbar in the House, the government said, "In 2016 FIRs were registered against 14 government employees in Srinagar, seven in Anantnag and nine in Kupwara during 2016 unrest and 2017 respectively." "Five employees were booked in Kulgam and Shopian districts respectively in 2016. FIRs were registered against three government employees in Ganderbal and four in Bandipora district during 2016 unrest. Two government employees were booked in Sopore and Baramulla areas," the reply revealed.

It said that amnesty was provided to 3584 persons who were booked during 2016 unrest.

➤ **No proposal to probe civilian killings in 2016 unrest: JK govt**

Feb 03: The Jammu and Kashmir government on Saturday said there is no proposal under consideration to constitute a judicial commission to probe the death of 106 people during the 2016 unrest in the valley.

"No such proposal is under consideration of the government," chief minister Mehbooba Mufti, who holds the portfolio of home department, said in a written reply in the Legislative Assembly to a question by CPI(M) MLA MY Tarigami.

The CPI(M) legislator had asked the government whether it intended to constitute a judicial commission to probe the killings.

Mehbooba said 85 people were killed in the Kashmir Valley and one life was lost in the Jammu region in law and order incidents in 2016, following the killing of Hizbul Mujahideen commander Burhan Wani in an encounter with security forces.

She said 20 people were killed in incidents of violence in 2017.

The chief minister said 9,042 people were injured between July 2016 and February 27, 2017.

The injured included 6,221 who were hit by pellets and 368 who received bullet injuries.

Mehbooba said a committee headed by the principal secretary, home, was constituted on January 27, 2017 to determine the eligibility of the families or next of kins of those killed in "law and order disturbances" in Kashmir from July 8 2016 to November 2, 2016 for consideration and payment of exgratia.

On the recommendations of the committee, an ex-gratia relief of Rs five lakhs each was sanctioned in favour of the families or next of kins of 77 civilians killed in law and order disturbances in the valley, the chief minister said.

Another committee was constituted under the chairmanship of the divisional commissioner, Kashmir, to identify people who have been permanently or partially disabled in the valley from July 8 2016 to November 2, 2016, she said.

The committee in the first phase recommended 54 victims for grant of exgratia which was sanctioned by the government on January 5, 2018, she said.

In the second phase, Mehbooba said, the committee recommended 10 more cases in December 2017 for grant of exgratia relief. The recommendations are being examined.

She said 13 people have been appointed in various departments by the general administration department on extreme compassionate grounds.

The chief minister said all the injured were treated with due care and specialized treatment was provided whenever required.

She said 936 people were detained under the provisions of the Public Safety Act from July 2016 to December 28 2017.

"Detention cases are being reviewed by the government from time to time in consultation with the criminal investigation department... And a good number of persons have also been released from time to time," she said.

At present, Mehbooba said, there are only 167 people in preventive detention including 16 detainees under the provisions of the Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act.

On pellet guns, Mehbooba said these are used sparingly, strictly as per the standard operational procedure for graded response in law and order situation, particularly when all the other means and methods of controlling the agitating mobs, like teargas, oleoresin grenades and stun grenades fail.

➤ **56 force personnel, 41 civilians killed in ceasefire violations in 3 yrs: Govt**

Feb 5: At least 56 security personnel and 41 civilians lost their lives in last three years in 834 ceasefire violations in Jammu and Kashmir.

In a written reply to a question by a PDP MLC Firdous Tak in the Legislative Council today, Chief Minister Mehbooba Mufti said that 379 ceasefire violations took place along the LoC and the International Border (IB) last year, while 233 violations took place in 2016 and 222 in 2015.

She said that out of the 41 civilians killed in the last three years, 12 were killed in 2017, 13 in 2016 and 16 in 2015.

As many as 383 people were injured, including 233 civilians, in the ceasefire violations. Mufti said 79 civilians were injured in 2017, 83 in 2016 and 71 in 2015.

The chief minister said that 31 security personnel were killed in 2017, 16 in 2016 and 9 in 2015, out of a total of 56 killed in last three years.

Of the 150 security personnel injured from 2015 to 2017, the chief minister said that 62 were injured in 2017, 74 in 2016 and 14 in 2015.

➤ **126 youth joined militant ranks in 2017; 280 in 3 yrs: Govt**

Feb 6: Chief Minister Mehbooba Mufti said 280 Kashmiri youth have joined militancy in Valley in last three years.

In a written reply to a question of NC MLA Ali Mohammed Sagar, Mehbooba, who also holds home portfolio, informed the Legislative Assembly that 126 youth had joined the militant ranks in 2017.

She further disclosed that 66 youth had joined militancy in 2015 and 88 in 2016.

CM said certain separatist leaders including two women were detained in terms of provisions of PSA, 1978 to prevent them from acting in any manner prejudicial to the security of the State and maintenance of public order.

She also informed the members that a total of 2694 people have been in jails as on January 2018. "288 male and 8 female inmates have been convicted while 2156 male and 88 females are under trials," she said.

She further disclosed that 213 male and one female have been kept in detention under Public Safety Act (PSA) and NDPS Act.

However, the government did not disclose particulars of the prisoners citing security reasons.

The government further disclosed that Government of India (GoI) had initiated several steps to normalize relationship with Pakistan.

"No person affiliated with any recognized political party is under preventive detention as on date," it said.

➤ **400 security men killed in JK, LWE areas in 3 years: GoI**

Feb 06: A total of 400 security personnel were killed fighting militancy in Jammu and Kashmir and Maoists in Left Wing Extremism-hit areas in the past three years, Union minister Hansraj Ahir said Tuesday.

Ahir said in Lok Sabha that 572 civilians lost their lives and 199 security personnel were killed in Left Wing Extremism (LWE) in 2015-17.

As many as 72 civilians and 201 security personnel were killed in militant violence in Jammu and Kashmir in 2015-17, he said in written reply to a question.

Replying to another question, Ahir said there were 342 incidents of violence in Jammu and Kashmir in 2017, in which 80 security personnel were killed. As many as 213 militants were also killed.

There were 133 encounters in 2017, and 97 militants were also arrested last year.

In 2018, so far, there were 28 incidents of violence in Jammu and Kashmir in which four security personnel and eight militants were killed.

In 2016, there were 322 incidents of violence in Jammu and Kashmir in which 82 security personnel and 150 militants were killed.

There were 101 encounters and 79 militants were arrested in the state in 2016, he said.

➤ **201 personnel killed in 3 years: GoI**
11,566 injured in stone-pelting incidents

Feb 06: As many as 72 civilians and 201 security personnel were killed in militancy related incidents in Jammu and Kashmir in 2015-17, GoI minister Hansraj Ahir said.

Ahir said this in written reply to a question in Lok Sabha. Replying to another question, Ahir said there were 342 incidents of violence in Jammu and Kashmir in 2017, in which 80 security personnel were killed. As many as 213 militants were also killed.

There were 133 encounters in 2017, and 97 militants were also arrested last year.

In 2018, so far, there were 28 incidents of violence in Jammu and Kashmir in which four security personnel and eight militants were killed.

In 2016, there were 322 incidents of violence in Jammu and Kashmir in which 82 security personnel and 150 militants were killed.

There were 101 encounters and 79 militants were arrested in the state in 2016, he said.

Meanwhile, as many as 11,566 security personnel were injured in 4,736 stone-pelting incidents in the Kashmir valley during the last three years, the Jammu and Kashmir government said on Tuesday.

Two policemen and 110 civilians also lost their lives during these incidents, it added.

In a written reply to a question by Congress MLC Naresh Kumar Gupta in the legislative council on February 6, Chief Minister Mehbooba Mufti said that as many as 9,670 police personnel and 1,896 security forces personnel were injured in 4,736 incidents of stone-pelting during 2015, 2016 and 2017.

"The year 2016 saw 9,235 personnel getting injured in stone-pelting, the highest figure for these three years. There were 1,198 such incidents in 2017 and 1,690 security personnel were injured. In 2015, 641 security personnel were injured in 730 incidents in 2015," the chief minister said.

As many as 110 civilians and 2 policemen were killed during these incidents in 2015, 2016 and 2017, she said.

➤ **49 policemen killed in 2 years: Government**

Feb 06: The Jammu and Kashmir government informed the Legislative Assembly that 49 policemen were killed and 134 injured during the past two years in militancy related incidents across the state.

In a written reply to a joint query raised by National Conference MLAs Mian Altaf Ahmad and Devender Singh Rana, Chief Minister Mehbooba Mufti informed the House that 32 policemen were killed in 2017 while as 17 were killed in 2016.

The reply stated that 84 policemen sustained injuries in 2017 while 50 were wounded in 2016.

➤ Withdrawal of cases against first-time offenders approved: Govt

Feb 06: Minister for Agriculture Ghulam Nabi Lone Hanjura, replying on behalf of Minister for Home informed the house that the government has approved the withdrawal of cases registered against first-time offenders during the period 2008-2017, on the basis of recommendations of the Committee constituted by the government.

He said these include 61 FIRs involving 530 persons of Shopian.

Replying to a question of Showkat Hussain Ganaie, the minister informed that 4,066 FIRs have been registered against 14,208 stone pelters during the last three years in the Kashmir Valley.

➤ **19 killed in 4799 stone pelting incidents in JK in 3 yrs: GoI**

Feb 7: Altogether 4,799 stone pelting incidents were reported in Jammu and Kashmir in last three years in which 17 protesters and two security personnel were killed, the Rajya Sabha was informed.

Union Minister of State for Home Hansraj Ahir said there were 730 stone pelting incidents in 2015, 2,808 such incidents in 2016 and 1,261 stone pelting incidents in 2017.

During the last three years, 17 protesters and two security personnel were killed in these incidents, he said replying to a written question.

Ahir said the Government of India (GoI) had constituted an expert committee on July 26, 2016 to explore possible alternatives to pellet guns as non-lethal weapons.

The recommendations of the committee were taken into account by the government for appropriate implementation and accordingly, various measures such as using PAVA-Chilli (shells and grenades), STUN-LAC (shells and grenades) and tear smoke shells were used to disperse the unlawful violent protesters before the use of pellet guns, he said.

➤ **12 militants shunned violence in 3 years: CM**

Feb 07: Chief Minister Mehbooba Mufti said on Wednesday that 12 militants in Kashmir had "shunned the path of violence and returned to the mainstream in the last three years".

She said this in the Legislative Council in reply to questions of several members, including Qaiser Jamsheed Lone and Ali Mohammad Dar of the National Conference (NC) and Congress' Gulam Nabi Monga.

From 2015 to 2017, 12 militants shunned the path of violence, but none of them gave representations for their rehabilitation under the Rehabilitation Policy 2004, the chief minister said.

The number of local youths joining militancy in Kashmir went up to 126 in 2017, a sharp increase from 88 in 2016, Mehbooba informed the House yesterday.

"As many as 66 youths joined militancy in 2015, 88 in 2016 and 126 in 2017," she said replying to a question by NC's Ali Mohammed Sagar.

➤ **3000 migrant quota posts filled, 2575 more referred for recruitment: Minister**

Feb 06: Minister for Disaster Management, Relief and Rehabilitation and Reconstruction, Javed Mustafa Mir today informed the Legislative Council that government has filled 3000 posts under Kashmiri Migrant employment package, even as it has referred more 2575 posts for recruitment to the concerned agency.

Winding up the discussion, allowed by the chair following a notice moved by MLC, Girdari Lal Raina, the Minister informed the House that Kashmiri Migrant employment package was announced by the Government in the year 2009, vide Government order no. Rev/MR/147 of 2009 dated 28.10.2009, in which government created 3000 posts in various departments.

"All the 3000 posts created were referred to JKSSB and Relief Commissioner (Migrants) Jammu in the year 2010 and after selections made by recruiting agencies, 1446 candidates were appointed in the year 2010-11," he said and informed that a number of candidates did not join after their selection while many applicants were not available under reserved categories, therefore, 1554 posts remained unfilled.

He further informed that a large number of candidates became ineligible due to overage and before de-reserving, the posts for open merit candidates were given one time age relaxation and accordingly, 1554 posts were again referred to recruiting agencies in the year 2012.

He also said that appointment/selections were made in respect of more than 2900 candidates but some posts again remained unfilled, which were filled by appointing 198 petitioners.

He further added that additional 3000 supernumerary posts have been also created vide Govt. Order No. 58-R&R of 2017 dated 29-07-2017.

"Out of 3000 posts created, 2575 posts have been referred to the concerned recruiting agencies in the

month of October 2017. Another, 290 vacancies are being referred to SSRB in next one week with the request to make the selections on Mission Mode basis. The remaining posts are also being referred to the recruiting agencies shortly after clarification in respect of some observations from concerned departments," he said.

Apart from 6000 Government jobs, 9000 unemployed Kashmiri Migrant youth were envisaged to get financial assistance under self-employment scheme and the financial assistance earmarked for each candidate was considered to be meagre.

"To encourage the self-employment and among Kashmiri migrants, the Minister said 9000 unemployed youth were facilitated to get financial assistance to come up with self-employment and business ventures. For this purpose one-time assistance of Rs. 5 lakh is provided.

"However, owing to poor response, the financial assistance earmarked for each candidate was considered to be meagre. Accordingly, vide letter No. Rev/MR/7B/2003 dated 15.04.2014, among other components, Ministry of Home Affairs, Government of India, was requested to enhance the assistance from Rs 5 lakh to Rs 10 lakh per candidate, in which 50% of the assistance shall be subsidy and the remaining as loan and to be paid back after three years of starting of the venture," he informed.

He said the total financial requirement on this account was also communicated as Rs 450 Crore adding that the approval of the same is awaited and the State Government will again take up the matter with the Ministry of Home Affairs, Government of India.

To improve the entrepreneurship qualities among unemployed Kashmiri Migrants, the department has already taken up the matter from time to time with EDI for imparting necessary training to the migrant youth particularly residing in migrant camps, which will be again pursued, he stated.

"To encourage Kashmiri Migrant youth to join back their roots in the valley, a package of Rs, 1618.40 Crore was announced by then Prime Minister," he said.

➤ **122 women injured in 2016 unrest: Govt**
Feb 8: The J&K government on Thursday said in the Legislative Assembly that 122 women were injured in Kashmir during 2016 unrest.

The government also admitted that the scores of people were killed and injured in the unrest and its aftermath.

This was revealed in a written reply to a query raised by National Conference MLA Shamima Firdous during the question hour.

However, local newspaper reports and rights bodies put the number of injured women in hundreds. Several women were also killed in firing by government forces during the unrest. "During the year 2016, 697 FIRs were registered against various persons on account of damaging civilian property," Chief Minister Mehbooba Mufti said, who also holds charge of Home department.

➤ **41 civilians killed in border firing in 3 years'**
Feb 08: As many as 41 civilians were killed in ceasefire violations by Pakistan while another 93 died in militancy related incidents in Jammu and Kashmir during the last three years, Chief Minister Mehbooba Mufti said today.

Overall, 134 civilians were killed and 477 injured in ceasefire violations and militancy related incidents in the state, she said.

Replying to a question by BJP MLA Kuldeep Raj in the state Assembly, Mufti said 63 civilians were killed in ceasefire violations and militancy in 2017, 38 in 2015 and 33 in 2016.

Giving further details, she said 187 civilians were injured in 2017 followed by 149 in 2016 and 141 in 2015. PTI

➤ **Major Aditya Kumar's Father moves Supreme Court for quashing FIR against son**

February 08: The father of Major Aditya Kumar approached the Supreme Court demanding that an FIR registered against his son by the Jammu and Kashmir Police for the death of three civilians in Army firing be quashed. Major Kumar, who is with 10 Garhwal Rifles, was named in the FIR against his unit after firing on protesters by soldiers in Shopian on January 27 left three people dead.

In his plea, Lieutenant Colonel Karamveer Singh said, "My son was just doing his duty and was wrongly and arbitrarily named, and his intention was to save Army personnel and property."

Police have accused the Army unit of murder, attempt to murder and endangering life. "The soldiers opened fire only to impair and provide a safe escape from a savage and violent mob engaged in terrorist activity," the plea said, adding that the FIR was arbitrary as the incident was related to an Army convoy on military duty in an area under the AFSPA.

The petition also states that the soldiers fired on protesters in Ganawpora village in self-defence to prevent the lynching of an officer, snatching of weapons by villagers and burning of their vehicles.

"The manner in which the lodging of the FIR was portrayed and projected by the political leadership and the administration reflected the hostile atmosphere in the state," Singh said in the plea, adding that he had approached the court to protect the fundamental rights of his son and himself.

"It is perfectly justifiable therefore, for the Army as a whole as well as the families of each and every serving soldier to feel that they are being treated as dispensable pawns in the game played by the various political entities operating in the State of Jammu and Kashmir who, in turn, are influencing the police agencies to issue such arbitrary First Information Reports against serving personnel of the armed forces of India operating in the State of Jammu and Kashmir," the petition says.

The petition sought guidelines to protect the rights of soldiers and adequate compensation so that no personnel were harassed with criminal proceedings for doing their duty.

➤ **Army kids' plea against stone pelters in J&K: NHRC seeks report from govt**

Feb 09: The NHRC has taken cognisance of a complaint filed by three children of Army officers alleging a violation of human rights of the force's personnel in recent incidents of stone-pelting in Jammu and Kashmir.

In a statement on February 9, the National Human Rights Commission (NHRC) said the complainants have also sought its "intervention for an appropriate enquiry in the recent incident of stone-pelting and assault by an unruly and disruptive mob on Army

personnel in Shopian district of Jammu and Kashmir on January 27".

In their complaint, the three children of Army officers have said they were "disturbed" by the recent incidents of stone-pelting and assaults by unruly and disruptive mob on security forces, according to the statement.

The commission has observed that in view of the facts narrated and allegations levelled in the complaint, "it will be appropriate to call for a factual report from the Ministry of Defence, through its secretary, to know the present status of the situation and steps taken by the Union government on the points raised by the complainants regarding alleged humiliation and violation of the human rights of the Army personnel in the state of Jammu and Kashmir".

A communication has been sent to the defence secretary, seeking a report in four weeks, it said.

➤ **16 cases against SFs: Government**

Feb 10: At least 16 cases have been registered against the security forces including J&K Police for excessive use of force in the state over the past three years.

This was revealed in a written reply to a query raised by independent MLA Er Abdul Rashid raised during the question hour of the ongoing budget session. "Out of 16, 14 cases are under investigation, one case is under trial wherein two police personnel involved in case FIR 35/2015 of police station Magam Budgam are facing departmental action. They are presently under suspension," the home minister in her written reply informed the House.

Chief Minister Mehbooba Mufti who holds the charge of home department informed the House that one case under FIR number 156 of 2016 in Police station Pampore has been challaned. "The case is under process for sanction of prosecution against the accused persons," she said.

In a separate query raised by MLA Ishfaq Jabbar, the Home Minister in her written reply told the House that one FIR has been lodged against security forces in district Pulwama on account of damage to civilian property.

➤ **SHRC says 3 cases of custodial deaths, 9 disappearances reported in 5 months**

Feb 11: State Human Rights Commission (SHRC) in its latest report has said that three cases of custodial deaths, and nine cases of disappearance, have been instituted in the commission in five months.

Of the 288 cases, registered by the commission in Kashmir division for five months - November 06, 2016 to 31 March 2017, one case of custodial death, as per the annual report, has been reported from district Srinagar, one from Anantnag and one from Shopian.

Similarly, three cases of disappearance have been reported from district Baramulla, two from Pulwama, and one each case of disappearance from Srinagar, Kupwara, Bandipora and Anantnag. The commission, however, has not given the details of custodial deaths and disappearances in their annual report.

Only one case of custodial death from Udhampur has been instituted in the commission and no case of disappearance has been reported from Jammu division.

The commission, as per the report, has cleared 28 previous cases of disappearance in five months – Nov 6 2016- 31 March 2017. The highest numbers of cases of disappearance reported were from district Kupwara, ten, followed by district Budgam five, Anantnag (four), Srinagar (three), Baramulla (three), and one case each from district Ganderbal, Bandipora and Pulwama.

And similarly, three cases of custodial deaths, which were pending before the commission, have been disposed off. Those three cases were reported from - Kupwara (one), Kulgam (one) and Shopian (one).

To avoid custodial deaths, the State Human Rights Commission had issued a directive, last year, to all the police stations to install CCTV cameras. The order was passed so as to bring transparency in the functioning of police.

While pronouncing the judgment, the commission said, "It is commonly known that tortures as well as custodial deaths are happening in Jammu and Kashmir intermittently. Many times, the police personnel convert a criminal case into a civil dispute, although the commission has no such record of how many custodial deaths have occurred in last few years... such deaths have occurred and instances of tortures also have come to the fore."

➤ **No HRs violation reported against the Army in 1 year: Army**

Feb 14: General Officer Commanding-in-Chief, Northern Command, Lt Gen D Anbu, Wednesday said Army would continue pro-active strategy in the State and won't be cowed down by *fidayeen* attacks.

"We are working as per our strategy and will continue to do so. I want to assure you that we are not going to be cowed down by small incidents, 'fidayeen' (suicide) attacks or other things. We are not going to derail from our main course of action," Anbu told reporters after presenting gallantry awards at an Investiture Ceremony Udhampur.

On the impact of filing of an FIR against Major Aditya Kumar over the killing of three youths in south Kashmir's Shopian district last month, he said, "I am heading the Northern Command and I can say it with confidence that the issue of Major Aditya has not dented the morale of my troops, not even a bit, not even an iota."

"I can say it with confidence because I meet them, I move around and I speak through my commanders and know the pulse," he said.

The officer said that there were no human rights (HRs) violation reported against the Army in the last one year.

"In the last one year, you have not seen any human rights violations taking place. That is (because of the) direction from me to the commanders. You will not find any one of them willfully indulging in it. Our intentions are clear so there is nothing to worry about," he said.

However, Anbu said that the case was sub-judice and would take its course.

"The Defence minister had made a statement during her visit to Jammu that the government and the ministry of defence are totally behind the soldiers and armed forces," he said.

➤ **6 civilians killed, 13 injured in Pak shelling during last 10 months in J-K**

Feb 25: Six civilians were killed and 13 others injured in heavy Pakistani shelling along the LoC in Rajouri district

of Jammu and Kashmir during the last 10 months, an official said t.

Nowshera and Manjakote sectors were worst hit and accounted for majority of the damage in the shelling from across the border, District Development Commissioner, Rajouri, Shahid Iqbal Choudhary told PTI.

As many as 169 residential houses and 12 government buildings were damaged in the shelling from May 1, 2017 to February 25, 2018, Choudahry said.

He said 4,600 people migrated from the affected villages along the LoC during the past 10

months even as the local administration constructed 86 underground bunkers at various places in the twin sectors for the safety of the people.

Over 80 schools, which were near the border, were closed to ensure safety of the students, he said.

Choudhary said the administration is making all efforts to reach out to the affected populace to mitigate their problems and has set up rehabilitation and relief camps for the border migrants with adequate facilities.

