

Parimal Nathwani

Member of Parliament
(Rajya Sabha)

Member:

Standing Committee on Personnel, Public Grievances, Law & Justice
Consultative Committee, Ministry of Civil Aviation

Permanent Special Invitee:

Consultative Committee, Ministry of External Affairs



165, South Avenue,
New Delhi - 110 011
Ph.: 011-23794010
e-mail : parimal.nathwani@sansad.nic.in

B/107, Harmu Housing Colony, P. O. Doranda,
P. S. Argora, Ranchi - 834 012
Ph. : 0651-2244144

Media Release

NHRC Issues Show Cause Notice to the State Govt for Demolishing Islamnagar

A Clear Case of Violation of Article 21 of the Constitution and Directions of SC

State Govt Required to Reply by May 27, 2013

In Default, NHRC Free to Proceed to Take Actions It May Deem Proper

NHRC Probes the Case on Initiative of RS MP Parimal Nathwani

Displaced & Aggrieved of Islamnagar See a Ray of Hope

Ranchi : May 5, 2013: Rajya Sabha member Mr. Parimal Nathwani on April 24, 2011 had submitted a complaint to the National Human Rights Commission (NHRC) alleging that the state government authorities like Ranchi Regional Development Authority (RRDA), Ranchi Municipal Corporation (RMC) and Police ruthlessly destroyed the slum areas like Islamnagar, Alinagar, back-side of the collector's office and vegetable market on April 5 and 6, 2011 without following the due process of law. The NHRC, in response to this application, proved the case and issued a show cause notice on April 5, 2013 to the Government of Jharkhand; and asked to 'show cause' by May 27, 2013. The notice from the NHRC was served on the Government of Jharkhand on April 8, 2013. The Commission also asked to take notice that in case of default, the Commission might proceed to take such action as it may deem proper.

The Commission observed that the public servants of state of Jharkhand prima facie violated human rights of the persons, violated Article 21 of the constitution and directions of the Supreme Court and a show cause notice was required to be issued to the Government of Jharkhand under section 18 of the Protection of the Human Rights Act, 1993. Two persons were killed, eight persons sustained injuries in the incident and others lost their property and were removed illegally from the site without following the procedure under the law.

The Commission asked to show cause within six weeks as to why (1) next of kin of the two deceased should not be recommended to be compensated by interim relief, (2) the injured should not be recommended to be compensated for injuries caused on their persons, (3) the displaced persons should not be recommended to be paid the amount of their property lost in illegal or arbitrary action of the public servant, (4) the displaced persons should not be recommended to be paid reasonable amount of rent till they are rehabilitated at the same place (as they have not been declared as encroachers by serving orders in accordance with law and action is taken illegally, arbitrarily in violation of law and before limitation period expired) or in alternative at some other place nearer to their work place.

The NHRC Coram under chairmanship of Justice KG Balakrishnan and two other members Justice B. C. Patel and Mr. Satyavrat Pal probed the case threadbare in the wake of the complaint filed by the member of parliament Mr. Parimal Nathwani.

It is well-known that Mr. Nathwani raised his voice explicitly against the demolition drive at that time. He helped and supported Mr. Mohammad Shakil who filed an appeal in the Supreme Court to stay the demolition of Islamnagar. The Supreme Court transferred the case to the High Court of Jharkhand. But the government officials, in the mean time brutally destroyed Islamnagar on April 5 and 6, 2011 and inflicted loss of lives and property. Seeking intervention of the Court at the initiative of Mr. Nathwani however came as a blessing for Millantnagar which was saved from being demolished.

The High court, vide its order dated May 12, 2011 asked the State Government to rehabilitate the displaced within 13 months but the Government failed. A contempt application was filed thereafter on which the High Court in January 2013 asked the State Government to submit the status report in July 2013.

Mr. Nathwani himself paid Rs. 2 lakhs towards pending electricity bill even after the demolition of Islamnagar upto February 2013 and ensured formation of a committee of the local people to arrange for timely payment of electricity bills thereafter.

The NHRC's notice has brought a ray of hope among aggrieved and displaced people of Islmanagar. It is certain that they won't get exactly what they have lost so far; the honor, the pride, the men and the material; but if the Government still implements the remedies as suggested by the Commission, then at least it would bring about a succour to their miserable life. That will help them restoring their faith in the democratic systems of the country.

★ ★ ★