CHAPTER (V)

SIMILARITIES AND DISSIMILARITIES OF HUMAN RIGHTS SITUATION IN JAMMU & KASHMIR AND CHHATTISGARH

In chapter 3 and 4, we have studied in detail about the situation of human rights in both states of Jammu & Kashmir and Chhattisgarh, the violations and the categories in which the most cases of human rights violations are taking place. Along with this an attempt was made to identify the people, the organizations and the groups which violate human rights. In previous lessons, we not only learnt about the action taken against those who violate human rights by the government and various administrative units in both the states, but also about the efforts made by the government, the administration, international organizations such as UN, non-governmental organizations and the media in detail. According to estimates, over the last few years the cases of human rights violations have increased rapidly.

Reports and figures of the National Human Rights Commission, the National Crime Records Bureau figures and different organizations show that
human rights violations are exposed continuously in both states. Several Reports show that due to violent activities in the state of Jammu & Kashmir and Chhattisgarh, hundreds of innocent people are being killed every year. These reports and figures have been referred in Chapter 3 and 4. Now, for comparative study of Role of the Media in promoting human rights between Jammu & Kashmir and Chhattisgarh, we shall have to analyse similarities and dissimilarities between the two states. As we know that method of comparative study suggests that one should analyse similarities and dissimilarities between two things, place, person etc.

The study of Chapters 3 and 4 also shows that the media is trying to play a key role in informing the society, the country and the world about all these incidents of human rights violations. Media is making people aware of the human rights violations, as well as it is trying to create a better environment to put a stop to human rights violations. Media has made efforts to motivate the government by putting pressure on it so that it takes effective steps to stop human rights in various cases.

On the other hand in many cases media has also communicated the strong feelings of the government, the administration and the people to the human rights violators and tried to warn them. After the Chhattisgarh Naxal attack on 25 May 2013 on the Congress leaders, both the local and national media introduced the strong feelings of the government, the administration and the people to the Naxalites and tried to warn them that no naxal who violates human rights will be spared.
By publishing and broadcasting the strong statements of the government, the administration and the representatives of security forces in various newspapers, TV, radio and on social media, the effort was made to warn the naxalites that human rights violations will not be tolerated under any circumstances. Many TV channels, newspapers and various media including India Today presented the statement of CRPF Director General Pranay Rai in a strong way after the incident. To do a comparative study of media’s role in the growth of human rights in Jammu & Kashmir and Chhattisgarh, it is essential to study the differences and similarities between the role of media and the cases of human rights violations, the nature of violence, the background of both the states and situation of human rights there. The meaning of comparative study is in fact studying equality and inequality between two or more things. This study of equality and inequality is called comparative study.

To do a comparative study of human rights violations and the role of media in the development of human rights in Jammu & Kashmir and Chhattisgarh, it is also important to study the similarities and differences between Chapter 3 and Chapter 4. The comparative study of human rights violations taking place in both the states and the role of media in the development of human rights can be based on the following points:

5.1 GEOGRAPHY

While doing the comparative study on the geographical level, we can say on the basis of differences that Pakistan and China have illegally occupied
78,114 and 37,555 square kilometres of Jammu & Kashmir. In addition, Pakistan has given the 5180 square kilometres of illegal occupation to China, whereas no part of Chhattisgarh is occupied by any foreign power. The state of Jammu & Kashmir shares its border with many Indian states and neighbouring countries but the border of Chhattisgarh is not touched by any other country. According to the official figures of Chhattisgarh Forest Department almost half of the area of the state which is 59772.389 sq km is surrounded by forests. On the other hand, more than half of the State’s territory of Jammu & Kashmir is surrounded by mountains and mountain ranges.

The weather is normal in Chhattisgarh, and in most of the territory of Jammu & Kashmir it remains cold. There is snow in many parts. There are many high mountain ranges of Himalayas in Jammu & Kashmir which get hit by the monsoon and it rains in all of north India. Mainly apples, walnuts, saffron etc. are cultivated in the state. These are large-scale exports. Whereas in Chhattisgarh Rice and lentil are cultivated on a big scale. If we talk about similarities then in terms of geography both the states have got tough conditions. Chhattisgarh does not have better transport system due to dense forests and Jammu & Kashmir lacks it because of the tall mountains. Though, some national highways pass through both the states.

5.2 HISTORY

As far as the differences between both the states are concerned then Jammu & Kashmir had existed pre-independence. It was known as an
independent princely state, while Chhattisgarh came into being in 2000. At the time of independence Jammu & Kashmir was one of the nearly 565 princely states of India. Raja Hari Singh took power of the princely state in 1925. After India gained independence in 1947 this state was acceded into India.

It came into being as a state of India after the merger. Whereas Chhattisgarh was not part of any princely state or else. It was part of Madhya Pradesh state in central India. It had different dialect and culture than the other areas of Madhya Pradesh. Particularly, the number of tribals here was very high who were the victims of backwardness for a long time and they were demanding a separate state.

On November 1, 2000 their demand was met. Madhya Pradesh was divided on the day and the state of Chhattisgarh was formed. Historically, Jammu & Kashmir has been a matter of controversy between India and Pakistan. Pakistan has forcibly occupied thousands of square kilometres land of Jammu & Kashmir which is known as POK (Pakistan Occupied Kashmir). The issue of Jammu & Kashmir has been echoed in the United Nations as well. The United Nations had deployed its Observer Force for some time in India and Pakistan whereas no part of Chhattisgarh has been occupied by a foreign power.

The Government of India had to struggle a lot to merge Jammu & Kashmir with itself. Even the Indian Army had to fight the Pakistani tribesmen in October 1947. It was a small war in itself. And after the win Jammu & Kashmir
finally joined India, while there is nothing of this sort in the history of Chhattisgarh. During the formation of Chhattisgarh the Indian government had to face only sporadic violence, protests and rallies. Pakistan has forcibly taken possession of a large part of Jammu & Kashmir which in fact is a part of India, whereas there is no right or occupation of any country over the state of Chhattisgarh.

As far as similarities between both the states are concerned, they have been affected by violence since both became independent states. On one hand, the separatists and terrorists in Jammu & Kashmir are indulged in violent activities; on the other hand in Chhattisgarh Maoists are spreading violence.

5.3 POLITICS

A comparative study of the two states on the political level shows that there are very few similarities and higher amount of differences between both the states. If we talk about the differences then in Jammu & Kashmir the legislative assembly is formed for six years but in Chhattisgarh it is formed for five years. The Jammu & Kashmir Assembly is bicameral. Means, there are two houses - the legislative assembly and the legislative council whereas Chhattisgarh legislative assembly has one house.

The total number of members in Jammu & Kashmir assembly is 87 members and in Chhattisgarh assembly it is 91. There are currently 22 districts in Jammu & Kashmir while 27 districts in Chhattisgarh. The politics of Jammu &
Kashmir mainly moves around some regional parties such as National Conference, PDP, Panthers Party and others. Although the national political parties like the Congress and the BJP are also active in the state but in the present context the regional political parties of the state are more powerful than the national parties.

On the other hand the entire politics of Chhattisgarh is centred on national parties such as the Congress and the BJP. Since the formation of Chhattisgarh in 2000, national parties like the BJP and the Congress have retained the power while in Jammu & Kashmir only the governments formed by or with the support of regional parties have existed.

Jammu & Kashmir enjoys a special status under the Article 370 of the Constitution, while Chhattisgarh does not have such status. Due to Article 370 in Jammu & Kashmir its people have dual citizenship, an Indian citizenship and the citizenship of the state. Jammu & Kashmir also has its own constitution. In Chhattisgarh the people neither have dual citizenship nor a separate constitution. The Constitution of India fully works in the state of Chhattisgarh. The parliament of India can only make laws regarding defence, foreign affairs and communications for Jammu & Kashmir because it has the special status. Because of the special status of Jammu & Kashmir, Article 356 of the Constitution does not apply in the state.

But Section 356 applies to Chhattisgarh and the Parliament of India has the right to enact any legislation in the state. No one from other states can sell
or purchase land in Jammu & Kashmir whereas the land rules are such that any
citizen of the country can sell and purchase land. As far as the question of
similarities in the politics of both the states is concerned, it is very difficult to
know one because the similarities between the politics of Jammu & Kashmir
and Chhattisgarh is almost negligible or not at all. The politics of both the states
work in two different ways.

5.4 ECONOMY

After doing the comparative study of Jammu & Kashmir and Chhattisgarh
it can be said that more than 70 per cent population of both the states live in
rural areas. What is similar about both the states is that most of the rural
population is dependent on agriculture for their livelihood. Both states have
mass production of crafts and handlooms, which is exported abroad. Both the
states get crores of rupees through exports revenue.

If we talk about the difference then Jammu & Kashmir get more than 60
per cent of its revenue from service sector (mainly tourism sector) and on the
other hand in Chhattisgarh it mostly comes from the industries. Since the state
is full of natural resources (iron, steel, coal), there are large governmental and
non-governmental industries from where steel, coal, etc. are exported to other
parts of the country. In Jammu & Kashmir trade and industry are at extremely
low level. Actually Jammu & Kashmir is much more famous for tourism, so it
has more tourist destinations (Vaishno Devi Temple, Kashmir, Gulmarg, Dal
Lake, etc.) than the industries and due to these tourist destinations and other
trade related to this the government receives multi-crores in revenue. Jammu & Kashmir in 2013-14, according to a report by ASSOCHAM had an annual turnover of Rs 3,800 crores in the tourism sector. (ASSOCHAM, 2014)

As far as farming is concerned, it is cultivated in both the states, but the nature of cultivation and the types of crops grown in these states are different. On one hand, in Chhattisgarh rice and pulses are grown in greater quantities, on the other in Jammu & Kashmir apples, walnuts, saffron, etc are produced in huge amounts. It is the strong point of the economy of Jammu & Kashmir that the apples, walnuts, saffron, etc grown here are exported worldwide. If we talk about the craft and handloom, in Chhattisgarh various traditional crafts, artwork, cloths of tribal culture are made which are exported all over the country. While in the silk saris, Kashmiri shawls and things like these are produced in large quantities in Jammu & Kashmir. They are exported worldwide and Jammu & Kashmir gets large amounts of revenue. In Chhattisgarh there is plethora of coal and other natural resources and due to this huge amount of energy is produced and sent to various states in the country. Electricity is generated in J & K as well, but in comparison to Chhattisgarh it is significantly lower.

5.5 HUMAN RESOURCES

The study about the human resource in Jammu & Kashmir and Chhattisgarh shows that similarities between both the states are very few and differences are much higher. If we talk about the differences, according to 2011 census the total population of Jammu & Kashmir is close to 12.5 million, of
which about 6.6 million are men and 5.9 million women. On the other hand, Chhattisgarh's population is around 25.5 million, of which about 12.8 million are men and 12.7 million women. In terms of gender the two states are very different from each other. In Chhattisgarh there are 991 women on 1,000 men which according to the international standards is a good ratio.

Whereas in Jammu & Kashmir there are only 889 females for every 1000 males and it is a cause of concern for the state. From the perspective of state-wide gender ratio, Chhattisgarh is ranked 5th in India but Kashmir is ranked 30th. Another difference between both the states is that according to the 2011 population statistics the Muslim population in Jammu & Kashmir is around 65 per cent, while in Chhattisgarh the Hindu population is close to 90 per cent. The Hindu population of Chhattisgarh primarily has tribals. It is important to note that barring one or two states of north-east, Chhattisgarh is the only state in the country where the population of tribals (ST) is the most (31.76 per cent).

Geographically there is a region in Jammu & Kashmir where the Buddhist population is much higher. That area is known as Ladakh. The Buddhist population here is around 46 per cent. On the other hand in Chhattisgarh there is no area where people from Buddhist faith live in such a big number. In Chhattisgarh Hindi language is mainly spoken, though it is spread primarily up to the cities. One of the dialects of Hindi in the state which is Chhattisgarhi is spoken in most of the areas of the state and most importantly in the villages here. On the other hand in Jammu & Kashmir Urdu and English are the dominant languages. In addition to these two, language such as Hindi,
Dogri, Kashmiri and Ladakhi are spoken in Jammu & Kashmir. In terms of human resources, the similarities between Jammu & Kashmir and Chhattisgarh are extremely low. Although the level of education of both states is moving extremely fast. In the past decade, the standard of education has much improved in both states. The literacy rate has increased in both states, in the last decade. Compared to the 64.66 per cent rate in 2001 the literacy rate in Chhattisgarh has increased to 71.04 per cent in the 2011 census. On the other hand, compared to the 55.52 per cent in 2001 the literacy rate in Jammu & Kashmir has increased to 67.16 per cent in the 2011 census.

5.6 HUMAN RIGHTS

We all know that both the States of Jammu & Kashmir and Chhattisgarh are prone to violent activities. It has been proven in the reports of governmental, non-governmental and international groups. One of the main reasons for the Human rights violations in these states is different kinds of violence. Though, the nature of violence in both states is often different. When we do the comparative analysis of the nature of violence we know that on one hand Jammu & Kashmir is affected by terrorism and on the other Chhattisgarh is troubled by violent activities such as Maoism and naxalism.

5.6.1 Violent activities and the nature of Human Rights

When we compare the violent activities and the nature of human rights we come to know that both the states have similarities as well as their
differences. In terms of differences, the state of Jammu & Kashmir is severely affected by terrorism; on the other hand Chhattisgarh is affected by Maoism and Naxalites. The feeling of revenge and occupy Kashmir in every way possible are in the root of terrorism in Jammu & Kashmir.

In fact, when one understands the root cause and hidden elements of terrorism in Jammu & Kashmir it becomes clear that this form of violence is a kind of poison unleashed by foreign powers, whose sole purpose is to occupy Kashmir by any means. A disease called “Jihad” is also at the base of terrorism in Jammu & Kashmir. People especially Muslims are being instigated against India in the name of Jihad by the neighbouring country. They are being trained in the name of jihad. They are being prepared to take over Kashmir by every possible means. People from various communities are being killed prematurely in the terrorist violence in Jammu & Kashmir.

The property in India is being damaged. An effort has been made to create fear in the minds of governments and citizens. With the aim of promoting terrorism in Jammu & Kashmir, the neighbouring country is conducting training camps for terrorists in some areas. However, in the current context terrorism has become quite widespread and the aim is now much more extensive.

But it seems that terrorism in Jammu & Kashmir is still attached to the division of the country. Experts also believe that the sole aim of terrorists is to take over Kashmir and integrate it with Pakistan. On the other hand, the circumstances are completely different in Chhattisgarh. The main reason and
source of violence here is Maoism. In its root is hidden conflict with mainstream politics, society, culture and backwardness. At the centre of naxalism is backwardness and poverty and by taking advantage of it the naxal groups are exploiting ordinary people and forcing them to do violence. Maoists are being provoked against their own government. If we talk about Chhattisgarh, naxal violence is going against its own government and in this violence people are being killed by their own fellow citizens. Various reports say that already active naxal groups are doing a different kind of propaganda to convert the people of Chhattisgarh into Maoists.

People who are training to be Maoists are told that the government wants to take control and destroy their water, forests, land. They are being told that government wants to snatch away tribal culture and civilization and want to keep the people of naxal affected areas poor for life so that they can maintain political benefits from this situation. So only the People of naxal Maoist-affected areas are the governments and the ones who can fight the governments for the rights of people in the said areas. Therefore people in greater number should connect with the Maoists and work to overthrow the governments, which make anti-people policies and teach them a lesson.

As far as the similarity is concerned, the foreign powers are using violence in both the states of India to make it weak and shallow. On one hand, it is a well known fact before the world that Pakistan is trying the harm India by spreading terrorism in Jammu & Kashmir and on the other hand some foreign forces are indirectly taking advantage of the Maoist problem in Chhattisgarh and
using it to conspire against India. Many reports have also revealed that many
countries, including neighbouring China are providing arms to Maoists and
continuously plotting against India so that they can weaken it. Former home
secretary of India along with many government and non-government people
have accepted this themselves on several fronts.

The Home Secretary, G K Pillai said on November 2009 that he was
confident about the supply of arms from China to the Maoists in India - “Chinese
are big smugglers and suppliers of small arms. I am sure that the Maoists also
get them.”1. The former Home Minister P Chidambaram agreed to the notion
that the naxalites get weapons from outside India through the borders of Nepal,
Myanmar and Bangladesh, but also maintained that he was unsure of any direct
help the naxalites get from the Chinese state actors. 2. However, the repeated
recoveries of Chinese made arms, radio sets etc from the Maoists is a
substantial exposition of Maoist-China linkages.

There is also this similarity between both the states, that the powers
carrying out violent activities are putting harm to the government machinery and
killing innocent people. While in Chhattisgarh government buildings, offices and
schools are targeted so that they can be heard by the government, on the other
hand in Jammu & Kashmir the state machinery is constantly attacked in the
name of separatism and terrorism.

Violence during the time of elections is also a similarity between the two
states. In both the states various violent and anti-national organizations have
been boycotting elections. People have been intimidated to abstain from voting during elections. In both the states the attack on polling stations and the killing of innocent people is going on by the people who are engaged in violent activities against the government and the administration. According to the news published on the website of India Today Group on November 11, 2013, A CRPF jawan was killed when Maoists ambushed a polling party in troubled Dantewada district of Chhattisgarh on Monday. The incident took place when the party was returning after concluding polling near Nayanar village of Katekalyan police station limits, a senior official said. The ultras opened indiscriminate fire on members of the polling team leaving B Joseph of 186 CRPF battalion, who was with them, dead.

Due to these violent activities massive human rights violations are happening in both the states. According to the National Human Rights Commission thousands of peoples’ human rights have been violated in the past three years. A chart has also been displayed in chapter 3 and 4 in this regard.

Also, as far as Special Forces and special regulations are concerned, Jammu & Kashmir has a special status under Article 370 of the Constitution since it acceded to India due to separatism and terrorism; the condition often remains unchecked in Jammu & Kashmir.

That's the reason why the central government has imposed Armed Forces Special Powers Acts (AFSPA) so that is can protect civilians and the state from the foreign forces and terrorism. Under which the forces are given
special rights so they can protect the state without fear. From time to time, due to the violent activities by Maoists, situation in Chhattisgarh have become worse and despite this, the central government has not given any special rights to the security forces in Chhattisgarh. However, to deal with adverse situations and serious issues such as Maoism the Chhattisgarh government has on its level implemented Chhattisgarh Special Public Security Act 2005. The Act implemented by the State Government mostly resembles AFSPA of Jammu & Kashmir. In both the acts there are provisions that people engaged in unlawful activities or the ones suspected of being engaged in such things can be arrested or taken into custody.

Also, any person can be taken into custody for questioning on the basis of mere suspicion makes these acts from both the states somewhat similar. It is significant to note that various NGOs constantly raise their voice against these acts. They say that governments have strengthened the police and the security forces but under the guise of these rules fierce human rights violations are taking place. People’s Union for Democratic Rights (PUDR) says that the CSPSA in Chhattisgarh authorizes the police to detain a person for committing acts, which among other things, show a “tendency to pose an obstacle to the administration of law”. The act also states any person whose actions “encourage(s) the disobedience of the established law” will be considered “unlawful”.

Commonwealth Human Rights Initiative, in a statement, said that the present definition of “unlawful activities” imperils free exercise of fundamental
freedoms set out under Article 19 of the Constitution and illustratively it appears to restrict the right to hold public meetings; organize public protests; and oppose government policies through the media. Dr. Binayak Sen, General Secretary of Chhattisgarh People's Union for Civil Liberties (PUCL), and Vice-President, National PUCL was detained under this Act on 14 May 2007 allegedly for his linkages with the Communist Party of India (Maoist).

5.6.2 Situation of human rights and its violations

In the case of human rights violations, both Jammu & Kashmir and Chhattisgarh stand as equals. Since Jammu & Kashmir was acceded to India it has been caught in the flames of violence. Insurgency has been dominant from early on but the menace of terrorism has expanded during the last few years. Because of the separatist and terrorist activities, massive human rights violations have been happening in Jammu & Kashmir. In addition, prevalent inconsistencies such as religion, caste and creed also become the cause of human rights violations. Moreover, the police and the administration are also responsible for human rights violations in many individual cases. Overall, the human rights situation in the state is not very good.

As far as the state of Chhattisgarh is concerned it has been facing the wrath of violence since its inception. Due to Maoism and extremism, massive violation of human rights has taken place here. In many cases innocent people were either forced to become rebels, or they were badly tortured. There is a lack of basic amenities such as good health facilities and clean water due to
problems like poverty, backwardness and illiteracy. These are also the reasons responsible for the large-scale human rights violations in Chhattisgarh. In Chhattisgarh, human rights violations of citizens have taken place on a big scale by the police and the administration, which has been described in detail in Chapter 4. However, large-scale human rights violations have been happening on both the states, but it is not that there are only similarities in human rights violations. On many levels there are differences in the level of human rights violations in Jammu & Kashmir and Chhattisgarh.

5.7 COMPARISON BETWEEN HUMAN RIGHTS CASES REGISTERED IN NATIONAL HUMAN RIGHTS COMMISSION

National Human Rights Commission (NHRC) is an autonomous body of the Government of India which works in the field of protecting human rights. According to the main categories set by NHRC we can do a comparative study of human rights violations in Jammu & Kashmir and Chhattisgarh as following:

5.7.1 Human rights violations of Children (Boys/Girls)

According to the National Human Rights Commission, from the year 2012 to the year 2014 (till 31-07-2014) a total of 160 cases were recorded in this category in Chhattisgarh and Jammu & Kashmir. Of these, 117 cases were related to the state of Chhattisgarh, while 43 cases were from Jammu & Kashmir. If we have a comparative glance at it, we see that out of all the cases of human rights violations in 2012 for girls and boys that were lodged with the
National Human Rights Commission, 16 were from Chhattisgarh and only 10 cases were from Jammu & Kashmir. In 2013 the figure was 41 in Chhattisgarh and 14 in Jammu & Kashmir. As far as 2014 (until 31-07-2014) is concerned 60 cases in this category were registered in Chhattisgarh and 19 cases were from Jammu & Kashmir.

5.7.2 Health-related cases of human rights violations

In both the states of Jammu & Kashmir and Chhattisgarh, health related cases of human rights violations keep cropping up. In Chhattisgarh alone several cases of human rights violations in health have surfaced during the past few years. We all remember the instances where clinic assistants sterilized women and elderly people underwent cataract operations. NDTV India uploaded a news piece titled, “12 people blinded after the cataract surgery goes wrong in Chhattisgarh” on December 18, 2012 at 8:06 in the morning. A video in the news gives detailed information of the human rights violations of the people who lost their eyesight. These incidents are not too old. Many of these people have lost their lives, while many have lost their eyesight for life.

On the other side if we talk about Jammu & Kashmir, two infants died due to medical negligence in a health-related human rights violations case. The entire incident and its investigation have been shown in news titled “Medical negligence behind death of two infants, says Jammu & Kashmir health department probe report” which was published by the website of NDTV on 17 December 2012 at 18:46 pm. These incidents are just a couple of examples;
there are many more cases where health-related human rights have been violated. In terms of statistics, according to the National Human Rights Commission a total of 144 cases of human rights violations in health were recorded from the year 2012 to 2014 (till 31-07-2014) in Chhattisgarh and Jammu & Kashmir. Of these, 99 cases were related to the state of Chhattisgarh, while 45 cases were from Jammu & Kashmir. When compared it is found that out of the total cases registered in 2012, 34 were from Chhattisgarh and only 12 cases were from Jammu & Kashmir. In 2013 the figure was 14 in Chhattisgarh, while 7 in Jammu & Kashmir. If we talk about 2014 (until 31-07-2014), 51 cases from Chhattisgarh were registered in this category and 26 cases were from Jammu & Kashmir.

5.7.3 Death in prison, murder and other human rights violations

In both the states, such cases of human rights violations have surfaced, but according to the data from the Human Rights Commission more incidents of such human rights violations have taken place in Chhattisgarh whereas the situation of human rights violations in this category in Jammu & Kashmir is slightly better. A total of 281 cases were registered in this category from the year 2012 to 2014 (till 31 July 2014). According to the data from NHRC there were 145 cases of human rights violations in this category in Chhattisgarh, while the figure in Jammu & Kashmir was only 12. In 2013, the state of Chhattisgarh recorded 82 cases in this category and only 09 cases came across in Jammu & Kashmir. While in 2014 the incidents of human rights violations in Chhattisgarh in this category decreased substantially and figure
reduced to only 28 cases and in Jammu & Kashmir only 5 cases were recorded in this category.

5.7.4 Judiciary or judicial system related human rights violations

National Human Rights Commission has decided various categories of human rights violations and among them is a category of judiciary or the judicial system. Though, the number of cases of human rights violations in this category is nominal. But according to the data obtained by the NHRC in this category almost every year a few cases of human rights violations take place.

From the year 2012 to 2014 (till 31 July 2014) a total of 19 cases were reported in this category in both the states. Of these, 12 cases were related to the state of Chhattisgarh, while 7 cases were from Jammu & Kashmir. If we glance comparatively, in 2012 only 1 case came across in Chhattisgarh and 3 cases were registered from Jammu & Kashmir in this category. In 2013, a total of 8 cases from Chhattisgarh were filed with the NHRC and only 2 cases were related to Jammu & Kashmir. As far as the year of 2014 is concerned a total of 3 cases came from Chhattisgarh and 2 cases were reported from Jammu & Kashmir in this category.

5.7.5 Mafia/underworld related human rights violations

According to the National Human Rights Commission the cases of human rights violations of people by the mafia or the underworld have been
included in this category. Threats to people, forcible seizure of property and looting etc are the cases which are placed in this category. In both the states incidents of human rights violations in this category take place on a big scale. According to the data of NHRC a total of 132 cases were filed in both the states from the year of 2012 to 2014 (till 31 July 2014).

Out of these 108 cases were from Chhattisgarh and 24 cases from Jammu & Kashmir. In the year 2012, 20 cases of human rights violations in this category were from Chhattisgarh and 10 cases were related to Jammu & Kashmir. In 2013, there was a rapid increase in such cases in Chhattisgarh. The figure was 56 that year. On the other hand such cases increased nominally in Jammu & Kashmir and the figure got to 13. As of 2014, 32 cases were from Chhattisgarh and only 1 was from Jammu & Kashmir. Chhattisgarh is on higher level in respect of registered cases of underworld and mafia related human rights violations issue.

5.7.6 Human rights violations cases of Workers

Certain rights for the workers have been laid down by the centre and state governments which are violated from time to time by different people. That is why the NHRC has ranked the violations of workers in the category of human rights violations. In this category a total of 53 cases have been filed in both the states from 2012 to 2014 (till 31 July 2014). Of these, only 16 cases were reported in Chhattisgarh and the number of such cases was 37 in Jammu & Kashmir. In this category of human rights violations Jammu & Kashmir is far
ahead of Chhattisgarh. A yearly comparison shows that in 2012 the number of such cases from Chhattisgarh was 4 and 8 from Jammu & Kashmir. In 2013, only 3 cases related to Chhattisgarh and 8 from Jammu & Kashmir were recorded. However, in 2014 the cases in this category recorded a substantial difference in Chhattisgarh and Jammu & Kashmir. In Chhattisgarh only 9 cases were registered in this category and 21 cases were related to Jammu & Kashmir.

5.7.7 Human rights violations with regard to minorities

Very few cases have been registered in this category of human rights violations decided by the NHRC from 2012 to 2014 (31 July 2014). During the above period a total of 10 cases were filed in both the states. Of these 8 cases were from Chhattisgarh while 2 cases were from Jammu & Kashmir.

5.7.8 Police related human rights violations

The National Human Rights Commission included human rights violations by the police as a category of human rights violations. The harassment of people by the police, extortion of their money, people's complaints or FIRs not being registered, harassment of the accused without permission are the kind of cases that fall into this category. A number of such cases in both the states are entered. From the year 2012 to 2014 (till 31 July 2014) a total of 728 cases surfaced in this category in both the states. Of these, 537 cases were related to Chhattisgarh alone, while the number of cases from
Jammu & Kashmir was 191. A year-wise comparison shows that in 2012, 181 cases were registered from Chhattisgarh in this category and 84 cases were registered from Jammu & Kashmir. In 2013, the number of cases from Chhattisgarh was 203 and from Jammu & Kashmir it was 80. While in 2014 the number of such cases in Chhattisgarh was 153 and on the other hand the number from Jammu & Kashmir was 27.

5.7.9 Pollution, climate and environment related human rights violations

The number of cases in this category of the National Human Rights Commission is very low. Only 10 cases of human rights violations in this category have been filed in both the states from year 2012 to 2014 (till 31 July 2014). Of these, 5 cases were registered in Chhattisgarh and in Jammu & Kashmir also the number was same. However, human rights violations in this category have become burnt and attentive issue these days, as climate change is creating challenge before the world. Whole world considers this issue in their top priority and everyone want to make proper solution in this regard. United nation has also taken many steps to control global warming and other climate related issues.

5.7.10 Cases of human rights violations pertaining to religious and communal violence

The National Human Rights Commission has one category of human rights violations of religious and communal violence. Although, not many cases
in this category are registered but such cases do come before the National Human Rights Commission every year. From year 2012 to 2014 (till 31 July 2014) a total of 10 cases were filed in Chhattisgarh and Jammu & Kashmir. Of these, 5 cases were from Chhattisgarh and 5 were related to the state of Jammu & Kashmir.

5.7.11 Job related human rights violations (Service Matters)

A large number of cases are registered every year in both Chhattisgarh and Jammu & Kashmir in this category. According to the data from NHRC, a total of 385 cases have been reported in both the states from 2012 to 2014 (till 31 July 2014). In Chhattisgarh alone, the number was 284, while 101 cases were recorded in Jammu & Kashmir in this category. If we do a yearly comparison, in 2012, 83 cases were registered in Chhattisgarh and 48 cases were from Jammu & Kashmir. In 2013, 155 cases were registered under this category in Chhattisgarh and 38 cases were from Jammu & Kashmir. The year of 2014 saw a decrease in the number in both the states. This year the state of Jammu & Kashmir saw 15 such cases whereas in Chhattisgarh 46 cases were registered related to this category.

5.7.12 Human rights violations cases of women

Both the states have a high number of human rights violation cases related to women. From the year 2012 to 2014 (till 31 July 2014), a total of 222 cases were recorded in this category in both the states. In Chhattisgarh alone
142 cases were registered and the number of such cases in Jammu & Kashmir was 80. A year wise analysis shows that in 2012, the number of human rights violations with women was 24 in Jammu & Kashmir, while 25 cases were registered in Chhattisgarh. In 2013, 60 cases were recorded in this category in Chhattisgarh and the number in Jammu & Kashmir was 52. While in 2014, 57 cases were reported in Chhattisgarh in this category, while the number of such cases in Jammu & Kashmir was only 14.

5.7.13 Cases of human rights violations related to the defence forces

The National Human Rights Commission has created a category of cases, related to human rights violations by the defence forces. From year 2012 to 2014 (till 31 July 2014) both the states saw a total of 74 cases in this category. Jammu & Kashmir was on top with 71 such cases whereas in Chhattisgarh only 3 cases were registered. As far as the human rights violations by the defence forces is concerned the state of Jammu & Kashmir is way ahead from Chhattisgarh.

If one compares them yearly, in 2012 only 1 case was registered under this category in Chhattisgarh and in Jammu & Kashmir the number was as high as 27. In 2013 again the state of Chhattisgarh had only 1 case in this category whereas Jammu & Kashmir registered 36 cases. According to the data from the National Human Rights Commission in 2014 there was not a single case from Chhattisgarh under this category but in Jammu & Kashmir 8 cases were registered under this category.
5.7.14 Cases of human rights violations related to the Para military forces

According to the NHRC in human rights violations there is one category of violations by the Para military forces as well. Every year something or the other happens in both the states under this category. From year 2012 to 2014 (till 31 July 2014) many cases were registered in this category in both the states. During this period a total of 90 cases were filed in these states. If we take a comparative glance in 2012, Chhattisgarh saw 12 such cases and in Jammu & Kashmir the number was 18. In 2013 the numbers in these states were 19 and 27. In this category of human rights violations the year of 2014 saw 4 cases from Chhattisgarh, while 10 cases were reported in Jammu & Kashmir. In this category of human rights violations, Jammu & Kashmir has much cases compare to Chhattisgarh.

5.7.15 SC/ST/OBCs related cases of human rights violation

According to the data from the National Human Rights Commission a total of 42 cases were filed in this category of human rights violations in both states from 2012 to 2014 (till 31 July 2014). Under this category of human rights violation the cases are much higher in Chhattisgarh than Jammu & Kashmir. Of the 42 cases, 40 alone were reported in Chhattisgarh, while only 2 cases were related to Jammu & Kashmir. The year wise date shows that in 2012 there were 13 cases from Chhattisgarh and in Jammu & Kashmir only 2 cases were recorded. In 2013 and 2014, 22 and 5 cases were registered in Chhattisgarh whereas the figure was zero for both the years in Jammu & Kashmir.
Table: 5.1 - Statement showing no. of cases registered by NHRC during the years 2012, 2013 and 2014 up to 31/07/2014. (Date as per NHRC CMS Record as on 22/08/2014)

<table>
<thead>
<tr>
<th>NAME OF INCIDENT CATEGORY</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CHHATTISGARH</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CHILDREN</td>
<td>16</td>
<td>41</td>
<td>60</td>
</tr>
<tr>
<td>HEALTH</td>
<td>34</td>
<td>14</td>
<td>51</td>
</tr>
<tr>
<td>JAIL</td>
<td>145</td>
<td>82</td>
<td>28</td>
</tr>
<tr>
<td>JUDICIARY</td>
<td>01</td>
<td>08</td>
<td>03</td>
</tr>
<tr>
<td>MAFIAS/ UNDER WORLD</td>
<td>20</td>
<td>56</td>
<td>32</td>
</tr>
<tr>
<td>LABOUR</td>
<td>04</td>
<td>03</td>
<td>09</td>
</tr>
<tr>
<td>MINORITIES/SC/ST</td>
<td>03</td>
<td>03</td>
<td>02</td>
</tr>
<tr>
<td>POLICE</td>
<td>181</td>
<td>203</td>
<td>153</td>
</tr>
<tr>
<td>POLLUTION/ECOLOGY/ENVIRONMENT</td>
<td>02</td>
<td>02</td>
<td>01</td>
</tr>
<tr>
<td>RELIGIONS/COMMUNAL VIOLENCE</td>
<td>01</td>
<td>03</td>
<td>01</td>
</tr>
<tr>
<td>SERVICE MATTERS</td>
<td>83</td>
<td>155</td>
<td>46</td>
</tr>
<tr>
<td>WOMEN</td>
<td>25</td>
<td>60</td>
<td>57</td>
</tr>
<tr>
<td>MISC.</td>
<td>198</td>
<td>221</td>
<td>269</td>
</tr>
<tr>
<td>DEFENCE FORCE</td>
<td>01</td>
<td>02</td>
<td>0</td>
</tr>
<tr>
<td>PARA- MILITARY FORCE</td>
<td>12</td>
<td>19</td>
<td>04</td>
</tr>
<tr>
<td>JUVENILE/BEGGER’S HOME</td>
<td>01</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>SC/ST/OBC</td>
<td>13</td>
<td>22</td>
<td>05</td>
</tr>
<tr>
<td>TOTAL</td>
<td>740</td>
<td>894</td>
<td>721</td>
</tr>
</tbody>
</table>

| **JAMMU & KASHMIR**       |      |      |      |
| CHILDREN                  | 10   | 14   | 19   | 43   |
| HEALTH                    | 12   | 07   | 26   | 45   |
| JAIL                      | 12   | 09   | 05   | 26   |
| JUDICIARY                 | 03   | 02   | 02   | 07   |
| MAFIAS/UNDER WORLD        | 10   | 13   | 01   | 24   |
| LABOUR                    | 08   | 08   | 21   | 37   |
| MINORITIES/SC/ST          | 01   | 01   | 0    | 02   |
| POLICE                    | 84   | 80   | 27   | 191  |
| POLLUTION/ECOLOGY/ENVIRONMENT | 0 | 05   | 0    | 05   |
| REFUGEES/MIGRANTS         | 0    | 04   | 01   | 05   |
| RELIGIONS/COMMUNAL VIOLENCE | 03 | 01   | 01   | 05   |
| SERVICE MATTERS           | 48   | 38   | 15   | 101  |
| WOMEN                     | 14   | 52   | 14   | 80   |
| MISC.                     | 128  | 146  | 73   | 347  |
| DEFENCE FORCE             | 27   | 36   | 08   | 71   |
| PARA-MILITARY FORCE       | 18   | 27   | 10   | 55   |
| SC/ST/OBC                 | 02   | 0    | 0    | 02   |
| TOTAL                     | 380  | 443  | 223  | 1,046|

(Source: NHRC 2014, Data as per CMS Record)
5.7.16 Diverse cases of human rights violations

According to the data from the National Human Rights Commission there are many cases of human rights violations that are placed in the category of miscellaneous human rights violations. Such a large number of human rights violations take place under the category in both the states. From the year 2012 to 2014 (till 31 July 2014), a total of 1035 cases of diverse range of human rights violations were filed in these states. Of these, 688 cases are from Chhattisgarh and 347 cases are related to Jammu & Kashmir. The comparative analysis shows that under this category in 2012, there were 198 human rights violations in Chhattisgarh, while the figure was 128 in Jammu & Kashmir. In 2013, a total of 221 cases were registered in Chhattisgarh and in Jammu & Kashmir the number was 146 in this category. If we talk about 2014, a total of 269 cases were from Chhattisgarh and 73 cases were registered in Jammu & Kashmir.

5.8 HUMAN RIGHTS AND MEDIA

In both the states, the cases of human rights violations are very sensitive. Every year hundreds of cases of human rights violations come to light which we have discussed in detail in chapter 3 and 4. So this is a very big question as to what has been the role of media and how it can play its role in a much better way in these states which are extremely sensitive in terms of human rights violations. To find out the answer, it is very important to discuss the role of media. When we speak of media it is mandatory that we have an
analytical discussion on the methodology and role of print media (newspapers, magazines etc.), electronic media (TV, radio etc.) and new media (websites, social media, blogs, Twitter, Facebook and Whatsapp etc.).

The link between human rights and the role of media is very deep. Actually, it is also the responsibility of media to voice against the evils that have occurred in the society and try to improve it. The violation of human rights is one such harsh reality of our society that we have to face daily one way or the other. Sometimes it happens in the form of child rights abuses and sometimes as atrocities against women. In both the states, several cases are registered daily under various categories of human rights violation. There are several cases in which human rights have been violated, but for various reasons a person suffering from these torments is unable to register it with the government or the relevant government agencies. That is why in the cases of human rights violation there is generally a big difference in the figures of government and non-government agencies. The role of media is very important here. It is the duty of media to try and lead the people to justice who have been able to somehow file their complaint.

The ones whose basic human rights have been violated but can’t lodge their complaint, the media must motivate them in filing complaint and help them in getting justice. It is also an important responsibility of media to be aware of the identified categories of human rights violations. It should spread awareness in people about human rights. It must continuously put pressure on the government, the administration, the agencies and other organizations so that it
can be made sure that no new incident of human rights violation takes place. In this context the role of media in the development of human rights in Jammu & Kashmir and in Chhattisgarh has been discussed in chapter 3 and 4. In this chapter from the comparative perspective we are analyzing the role of media in the development of human rights.

Jammu & Kashmir freely joined India on October 22, 1947 shortly after the independence. Since its merger into India, the state has been facing stressful situations for various reasons. Whether it is terrorism or separatism or the atrocities on Kashmiri Hindus (Pandits) the incidents of human rights violations continue to surface in the state. The state has always been a topic of discussion in the media because it is very sensitive from the perspective of human rights violations. The cases of human rights violations in Jammu & Kashmir have been getting local, national and international media coverage.

On the other hand the state of Chhattisgarh was formed on November 1, 2000. After the formation this state has continuously been in the grip of violence by Naxalites, Maoists and extremist organizations. Human rights violations are widespread in this state as well. We have discussed these developments in detail in the previous chapters. Many anti-government organisations carry out different kinds of violent activities in order to run a parallel government. They oppose voting, attack polling stations, damage public property and kill innocent people in incidents of human rights violation. These kinds of violations are widespread here. That's why Chhattisgarh is also extremely sensitive in terms of human rights violation, where the role of the media is always at the centre of
discussion. Thus, there is a need to do a comparative study of human rights and the role of media in both the states on three levels. The Print media, electronic media and New Media are those three levels.

5.8.1 Print media

To do a comparative study of the role of media in the development of human rights in both the states, it is essential to study the similarities as well as the differences. In terms of print media, numerous reports of human rights violations from both the states get prominent space in many newspapers and magazines at the national level which are published in Hindi and English and in various other languages. Since these are very sensitive states, the government at the centre regularly monitors the activities happening there. In this context the news related to human rights from both the states gets widespread coverage in various newspapers and magazines that are published nationally. What happens as the result of it is that people are made aware of human rights and its violation. The pressure is built on the government and the administration that they make strict policies and take action.

Though there are very few similarities and more of differences. If we talk about differences then Jammu & Kashmir is dominated by the Urdu and English language newspapers and magazines, while in Chhattisgarh Hindi-language newspapers and magazines are prominent. The reason behind this is that Chhattisgarh is a Hindi speaking state and the number of people who speak or understand Hindi is large. This clearly implies that the Urdu and English
periodicals affect the government, the administration and various organizations in a big way, while the same work is done by Hindi-language papers and magazines in Chhattisgarh.

As far as the role of print media in the development of human rights is concerned, a well known analyst and senior journalist Jawaharlal Kaul says that there are considerable differences between the print media of Chhattisgarh and Jammu & Kashmir. According to him there was a time in Jammu & Kashmir when most of the local newspapers had the support of some groups and due to this they were not able to work impartially whereas the conditions in Chhattisgarh are a little different.

Since the national newspapers are abundantly published from Chhattisgarh, it has a huge influence on the police, administration, government and other organizations. So by not getting associated with any violent group it is more likely that most of the newspapers and magazines in Chhattisgarh are impartial. Kaul feels that times have changed and since the network and the image of national print media in Chhattisgarh is superb, the role of media in the development of human rights in Chhattisgarh is way better at present.

In addition, if we look at the differences then the state of Jammu & Kashmir is divided into three different regions (Jammu, Kashmir and Ladakh). Kashmir has been the subject of controversy for a long time. The separatist regime continually tries to influence the power. The activities are more violent here and the atmosphere always remains hot due to terrorism and several other
sensitive issues. In most of the cases, the coverage of human rights violations by the print media is not completely fair. On the other hand more fairness can be expected from Jammu and Ladakh region. However, Chhattisgarh does not have such situations. Although violent activities are a reality in Chhattisgarh, Maoists and others keep the atmosphere often heated, but because of the domination of national newspapers, more fairness and uniformity can be expected in the coverage of news.

5.8.2 Electronic media (TV, radio, movies etc.)

Both in Jammu & Kashmir and in Chhattisgarh the influence of the electronic media has been excessive. Several films and documentaries have been made on the prevailing background and several problems of these two states. Many films were made with the objective of showcasing the violation of human rights in Jammu & Kashmir and one of them was Shahid Kapoor's “Haider”. The electronic media through films have tried to show human rights situation in the state and tried to force the government and the administration to re-think and improve the situation. Similarly, an organization called Volunteers has made a documentary on the background and the human rights situation in Chhattisgarh which can be watched on YouTube.

There are many such examples where films make efforts to show the human rights violation in both states via various mediums and play a role in the development of human rights. As far as news channels are concerned they give space in the coverage of human rights violation cases in these two states but
this space is not sufficient enough to the extent that is expected from this medium of media. If we take a look at the newspapers that are published from Jammu & Kashmir and Chhattisgarh, there is some news of human rights violation or the other daily, but, very few of them are broadcasted on TV or radio news channels. If we talk about radio then there is only one government radio channel called the “Aakashwani” that broadcasts news all day.

Apart from it BBC radio is also sporadic in its coverage. FM channels are not allowed to tell news. So Akashvani is a monopoly which covers the cases of human rights violations but it is not enough to prevent human rights violations or in the development of human rights. In terms of differences on one hand the electronic media in Jammu & Kashmir telecasts the incidents of human rights violations from the perspective of terrorism and the conspiracy of neighbouring countries but on the other hand in Chhattisgarh the view of Electronic media is quite distinct in such cases of human rights.

5.8.3 New Media (blogs, Facebook, WhatsApp, websites etc.)

We know that the new media is the most powerful medium of communication which in the future will be even more powerful. The new media has played a key role in many issues including human rights in the last few years. The power of new media is such that it spreads any information, video or audio in every corner of the world in just a few seconds. Then it plays a key role in creating a conducive atmosphere. In both Jammu & Kashmir and Chhattisgarh, the new media has tried to play an important role in the
development of human rights. However, there are some limitations to this medium. Many times it sends factually incorrect information or video which creates a situation of confusion. But keeping these limitations in mind, if the new media is utilized in a better way it has huge power which the traditional media doesn’t.

Since Internet is required for the new media, one must assess the number of Internet users. According to the 2011 census, there are 1,69,267 computers in the state of Jammu & Kashmir out of which only 58,438 have Internet access. On the other hand, in Chhattisgarh there are 2,58,651 computers, of which 67,474 have Internet service. In addition to this there are millions of mobile users in both states and most of them are using the service of internet. From this perspective, both states have large number of people connected to the internet facilities. And this population is the strength of new media. Now the cases of human rights violations are accessible to the masses without any delay or editing via new media. This has put the government and administration under pressure to draft better policies and aware people about several programs, which are being run by the government to the development of human rights.

Experts also believe that the new media has become an important tool in the development of human rights. Even the Prime Minister of the country, Mr. Narendra Modi has said in various rallies and meetings that through New Media (Whatsapp, Twitter, Facebook, blogs, YouTube, etc.) a person sitting in a far away village or town can send various information, audio, video or photos about
the violation of human rights or of its development to the people, the
government and the administration.

Every person in this age of new media is a reporter. So in the case of human rights violations the dependence of people on the traditional media is gradually decreasing because of the new media. In both the states of Jammu & Kashmir and Chhattisgarh, the new media is trying to play an important role in the development of human rights. The major difference regarding the new media in both the states is, that in Jammu & Kashmir Article 370 is imposed and many times internet gets banned here due to national security, but normally that's not the case in Chhattisgarh. A news piece published on the website of The New Indian Express at 4:26 pm on September 27, 2015 titled “Ban on Internet Services in Jammu & Kashmir Extended” also confirms this.