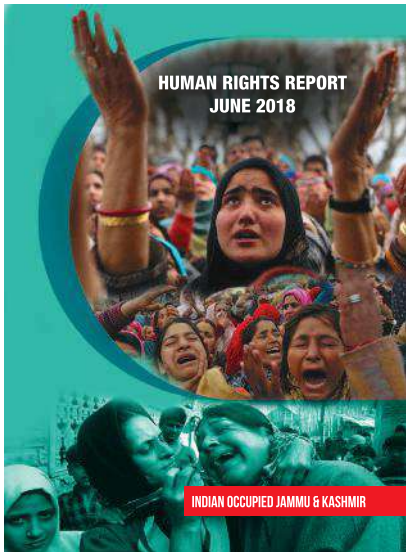




HUMAN RIGHTS REPORT JUNE 2018

INDIAN OCCUPIED JAMMU & KASHMIR



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INTRODUCTION

The Military occupation of Jammu and Kashmir by the Indian state is not enacted in abstraction. It is sustained by its stability to insinuate itself into the social fabric, economic life and culture of violence in a particular community. It works not only through the armed control over physical territory, but through the terrorizing of minds and bodies by enacting spectacular displays of necrophilic power and violence.

The events that took place in Indian Occupied Kashmir in last three decades lead us to know about different way in which the military apparatus penetrates the lives of people who live at its mercy, especially at the margins of the state. They expose the nitty-gritty realities of how the violent and total militarization of lives and livelihoods renders the lines between civilian and military operatives and institutions (army, police, and Indian funded and armed counter insurgency operatives, informers and 'sources') simultaneously non-existent, and rigidly impermeable, and the mechanisms by which war crimes by Indian state against unarmed women, children and other civilians can be officially constructed.

Indian rule in Occupied Kashmir can be characterized as militarization, repression, economic deprivation, and indiscriminate violence, including, extra judicial killings, disappearances, torture, arbitrary detention, rape, fake encounters and at various time, the denial of democratic processes, loss of life and property. Patterns of sustained disenfranchisement and marginalization have entrenched Kashmiri collective feelings of alienation from the Indian state. This document contains the incidents of militarized repression that took place between January to May 2018.

Victim # 1

Name: **Rayees Ahmad Ganie**

Father's Name: Muhammad Yousuf Ganie

Age: 22

Resident of: Narpora, Shopian

Agency Involved: Indian Forces

Date of incident: 31 January, 2018

Place of Incident: Gawanpora, Shopian

On January 31, 2018, Rayees Ahmad Ganie received bullets in his head when Indian Troops opened fire at protesters in Gawanpora village of Shopian. Rayees sustained serious brain injuries. He was referred from District Hospital Pulwama to SKIMS for advanced treatment. He was operated upon and was kept under observation. Rayees succumbed to injuries after battling for life for five days at the Intensive Care Unit of the SKIMS. He was living with his mother and studying in class 12th at Government Higher Secondary School Narpora.

Victim #2

Name: **Musharaf Fayaz Najar**

Father's Name: Fayaz Ahmad Najar

Age: 10

Resident of: Darmdoor Village, Shopian

Agency Involved: Central Reserve Police Force (CRPF)

Date of incident: 1 February, 2018

Place of Incident: Darmdoor Village, Shopian

On February 1, 2018, 10 year old boy Musharaf Fayaz Najar was critically wounded after an unexploded shell that went off in Shopian District. He succumbed at Sher-e-Kashmir Institute of Medical Sciences (SKIMS) Soura on Saturday, 3rd February. According to police the shell exploded in his hands when he took it from the debris from the cowshed blasted by the Indian Forces. Musharaf was the lone brother of two sisters, he was brilliant in studies and his voice was too melodious. His body reached his native village around 7 am on Saturday 3rd February



Victim #3

Name: **Syed Habibullah**

Age: 55

Resident of: Astanpora Soibugh, Budgam District

Agency Involved: CRPF

Date of incident: February 18, 2018

Place of Incident: Budgam District

On February 18, 2018, a 55-year old man Syed Habibullah was shot dead by Indian Troops outside Air Force station in Budgam District. While police said the slain appeared to be mentally unfit as he was not wearing shoes or slippers and was without proper winter clothes; the family, however, refuted police claims stating that Habibullah was suffering from only mild memory loss, demanding that the killing be thoroughly probed in a transparent manner. Habibullah is survived by five sons and a daughter. "All of them are unmarried.



Victim #4

Name: **Suhail Khaleel Wagay**

Resident of: Pinjoora, District Shopian

Agency Involved: Army's 44 Rashtryia Rifles (RR)

Date of incident: 4 March, 2018

Place of Incident: Pahnoo Village, District Shopian

On March 4, 2018 Four civilians namely Suhail Khaleel Wagay, Muhammad Shahid Khan, Shahnawaz Ahmed Wagay and Gowher Ahmed lone were killed when troopers of 4 RR opened fire on a car in Phanoo Village of District Shopian. The army claimed that victims were over ground workers of a militant outfit. However the locals refuted the claims of the army and described these killings as cold blooded murder and target killing. Hundreds of people took to streets to protest against these killings. Army used excessive force to disperse the protestors, which resulted in injuries to scores of protestors.

Victim #5

Name: **Muhammad Shahid Khan**

Resident of: Malikgund, District Shopian
Agency Involved: Army's 44 RR
Date of incident: 4 March, 2018
Place of Incident: Pahnoo Village, District Shopian
On March 4, 2018 Four civilians namely Muhammad Shahid Khan, Suhail Khaleel Wagay, Shahnawaz Ahmed Wagay and Gowher Ahmed Lone were killed when troopers of 4 RR opened fire on a car in Pahnoo Village of District Shopian. The army claimed that victims were over ground workers of a militant outfit. However the locals refuted the claims of the army and described these killings as cold blooded murder and target killing. Hundreds of people took to streets to protest against these killings. Army used excessive force to disperse the protestors, which resulted in injuries to many of protestors.

Victim #6

Name: **Shahnawaz Ahmad Wagay**
Resident of: Trenz, District Shopian
Agency Involved: Army's 44 RR
Date of incident: 4 March, 2018
Place of Incident: Pahnoo Village, District Shopian
On March 4, 2018 Four civilians namely Shahnawaz Ahmed Wagay, Muhammad Shahid Khan, Suhail Khaleel Wagay, and Gowher Ahmed Lone were killed when troopers of 4 RR opened fire on a car in Pahnoo Village of District Shopian. The army claimed that victims were over ground workers of a militant outfit. However the locals refuted the claims of the army and described these killings as cold blooded murder and target killing. Hundreds of people took to streets to protest against these killings. Army used excessive force to disperse the protestors, which resulted in injuries to scores of protestors

Victim #7

Name: **Gowhar Ahmad Lone**
Age: 24
Resident of: Mollu Chatrigam Imam sahib Tehsil, District Shopian
Agency Involved: Army's 44 RR
Date of incident: 4 March, 2018
Place of Incident: Pahnoo Village, District Shopian
On March 5, 2018, Body of civilian Gowhar Ahmad Lone was found around 250 meters away from the spot where on March 4, 2018 Army's 4 RR opened fire on car, In Village Pahnool of District shopian"

Victim #8

Name: **Syed OwaisShafi**

Father's Name: Syed Mohammad Shafi
Resident of: Vailoo Kokernag, District Anantnag
Agency Involved: CRPF
Date of incident: 13 March, 2018
Place of Incident: Hakoora Village, District Anantnag
On March 13, 2018, Syed Awais Shafi was shot dead by Indian Forces in the early hours of morning. CRPF cordoned off the area of Hakoora Village of Anantnag and killed Awais with bullets. Owais was the youngest of the six siblings. He was given a tearful farewell in his native village by hundreds of people in back-to-back funerals .

Victim #9

Name: **Eisa Fazili**
Resident of: Srinagar
Agency Involved: CRPF
Date of incident: 13 March, 2018
Place of Incident: Hakoora Village, District Anantnag
On March 13, 2018, Eisa Fazili was shot with bullets by Indian troops in the early hours of morning. CRPF cordoned off the area of Hakoora Village of Anantnag and killed Eisa with bullets. He was passed out from Ghulam Shah Badshah University, in Rajouri. Eisa was given a tearful farewell in his native village.

Victim# 10

Name: **Aitimid Hussain Dar**
Age: 26
Resident of: Kachdora village, District Shopian
Agency Involved: CRPF
Date of incident: 1 April, 2018
Place of Incident: Kachdora village, District Shopian
On April 1, 2018, Aitimid Hussain Dar was shot dead by Indian troops in a fake encounter site near Kachdora Village Shopian not far from his home. Dar was twenty-six-year-old with an MPhil from Hyderabad University. He came from a well-off family and lived a luxurious life. He never showed any inclination towards freedom movement. The funeral went on for many hours as several rounds of prayers were held for Aitimid.

Victim# 11

Name: **Rayees Ahmad Thokar**
Age: 22
Resident of: Paddarpora, District Shopian
Agency Involved: CRPF
Date of incident: 1 April, 2018
Place of Incident: Dragad, District Shopian
On April 1, 2018, Rayees Ahmad Thokar was killed by Indian Forces in a fake encounter site in Dragad,

District Shopian. CRPF cordoned off the area and killed Rayees with bullets. He was still in his teens and would have started his college this year. Fifteen years back, the elder brother of Rayees was also killed in a similar manner .

Victim# 12

Name: **Adil Ahmed Thoker**

Age: 23

Resident of: Humhona Zainpora, District Shopian

Agency Involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: Dragad, District Shopian

On April 1, 2018, Adil Thoker was shot dead by Indian troops in a fake encounter near Dragad, District Shopian. CRPF cordoned off the area and killed Adil. People came out to protest against Indian Army for their brutality against innocent civilian. Thousands of people turned up to participate in the funeral processions of the Adil at Zainpora amid pro-freedom sloganeering.

Victim# 13

Name: **Yawar Ahmad Yattoo**

Age: 19

Resident of: Safa Nagri Zainpora, District Shopian

Agency Involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: Dragad, District Shopian

On April 1, 2018, Yawar Ahmad was killed by Indian Forces with bullets in a fake encounter near Dragad, District Shopian. CRPF cordoned off the area and killed Yawar. Thousands of people turned up to participate in the funeral processions of the Yawar at Zainpora amid pro-freedom sloganeering.

Victim# 14

Name: **Zubair Ahmad Turray**

Age: 26

Resident of: Bonbazar, District Shopian

Agency Involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: Dragad, District Shopian

On April 1, 2018, Zubair Ahmad was killed by Indian troops with gunshots in a fake encounter near Dragad, District Shopian. CRPF cordoned off the area and killed Zubair. Thousands turned up to participate in the funeral procession of the Zubair at Bonbazar amid pro-freedom sloganeering.

Victim# 15

Name: **Ishfaq Ahmad Malik**

Age: 23

Resident of: Pinjoora, District Shopian

Agency Involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: Dragad, District Shopian

On April 1, 2018, Ishfaq Ahmad was shot dead by Indian troops with bullets in a fake encounter near Dragad, District Shopian. CRPF cordoned off the area and killed Ishfaq. Large number of people turned up for the funeral processions of the Ishfaq at Pinjoora and chanted slogans for freedom.

Victim# 16

Name: **Nazim Dar**

Age: 18

Resident of: Urpora Nagbal, District Shopian

Agency Involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: Dragad, District Shopian

On April 1, 2018, Nazim Dar was killed by Indian Forces with bullets in a fake encounter near Dragad, District Shopian. CRPF cordoned the area and shot Nazim dead. Thousands of people participated in the funeral of the Nazim at Nagbal and raised high pitch pro-freedom Slogan.

Victim# 17

Name: **Ishfaq Ahmed Thokar**

Age: 25

Resident of: Paddarpora, District Shopian

Agency Involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: Kachudoora Village, District Shopian

On April 1, 2018, Ishfaq Thokar was killed by Indian troops in a fake encounter near Kachudoora Village, District Shopian. CRPF cordoned off the area restricting movement and killed Ishfaq. Many thousands turned up to participate in his funeral of Ishfaq Thokar and condemned the cold blooded murder and demanded an impartial probe of the incident .

Victim# 18

Name: **Ubaid Shaffi Malla**

Age: 19

Resident of: Trenz, District Shopian

Agency Involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: Dragad, District Shopian

On April 1, 2018, Ubaid Shaffi Malla was shot dead by Indian troops in a so called encounter near Dragad, District Shopian. CRPF had cordoned off the area of

Dragad and killed Ubaid with bullets. Thousands of locals turned up for his funeral chanting pro-freedom slogans.

Victim# 19

Name: **Aedimad Fayaz Malik**

Resident of: Amshipura, District Shopian

Agency Involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: Dragad, District Shopian

On April 1, 2018 Aedimad Fayyaz was killed by Indian Forces in a fake encounter site near Dragad, District Shopian. CRPF conducted fake cordon and search operation in area of Dragad village of District Shopian and killed Aedimad with bullets. As soon as his body was brought to his native place, people in large numbers, which included men, women and children came out of their homes and protested against the killing.

Victim# 20

Name: **Mohammad Aqib Malik**

Age: 20

Resident of: Rangat, District Kulgam

Agency Involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: Dragad, District Shopian

On April 1, 2018, Mohammad Aqib Malik was shot dead by Indian Forces in a fake encounter near Dragad, District Shopian. Central Reserve Police Force cordoned off the area of Dragad and killed Aqib with bullets. People in large numbers including men, women and children came out of their homes and protested against the killing.

Victim# 21

Name: **Zubair Ahmed Bhutt**

Age: 22

Resident of: Gopalpura, District Kulgam

Agency Involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: District Shopian

On April 1, 2018, Zubair Ahmed Bhutt was shot dead by Indian troops in a fake encounter at Shopian District. Pro- freedom slogans were raised during large funeral procession.

Victim# 22

Name: **Mehraj-Ud-Din**

Age: 28

Resident of: Okey, District Kulgam

Agency Involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: District Shopian

On April 1, 2018, Mehraj-ud-Din was shot dead by Indian Forces in a fake encounter site near Shopian. CRPF cordoned off the areas of Shopian and killed Mehraj with bullets. As soon as his body was brought to his native place, thousands came out of their homes and protested against the killing.

Victim# 23

Name: **Muhammad IqbalBhat**

Age: 30

Resident of: Kasipora, District Shopian

Agency Involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: District Shopian

On April 1, 2018, Muhammad Iqbal Bhat was killed shot dead by Indian troops in a fake encounter site near Shopian. The CRPF cordoned off the areas of Shopian and killed Iqbal with gunfire. Many thousands turned up to attend his funeral chanting pro-freedom and anti occupation slogans.

Victim# 24

Name: **Mushtaq Ahmed Thokar**

Age: 38

Resident of: Dragad, District Shopian

Agency Involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: District Shopian

On April 1, 2018, Mushtaq Ahmed Thokar was shot dead by Indian Forces in a fake encounter site near Shopian. CRPF cordoned off the areas of Shopian and killed Ubaid with bullets. Men, women and children came out of their homes and protested against the killing during the funeral.

Victim# 25

Name: **Aqib Bashir**

Resident of: DH Pora, District Kulgam

Agency Involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: Kachudoora Village, District Shopian

On April 1, 2018, Aqib Bashir was shot dead by Indian Forces with bullets in a fake encounter near Kachudoora village, District Shopian. CRPF cordoned off the area and killed Ishfaq. Large number of local people turned up to participate in his funeral with pro-freedom slogans.

Victim# 26

Name: **Sameer Lone**

Resident of: Hillow, District Shopian
Agency Involved: CRPF
Date of incident: 1 April, 2018
Place of Incident: Kachudoora Village, District Shopian
On April 1, 2018, Sameer Lone was shot dead by Indian troops with bullets in a fake encounter near Kachudoora Village, District Shopian. CRPF cordoned off the area and killed Sameer. Men, women and children in large numbers came out of their homes and protested against the killing when his body was brought to his native place.

Victim# 27

Name: **Gayas-ud-Din Thoker**

Age: 28

Resident of: Paderpora, District Shopian

Agency Involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: Kachudoora village, District Shopian
On April 1, 2018, GayasUd Din was killed by Indian Forces with bullets in a fake encounter near Kachudoora Village, District Shopian. The CRPF cordoned off the area and killed Gayas during cordon operation. Protest was launched by the local people as soon as his body was brought to his native place.

Victim# 28

Name: **Rouf Bashir Khanday**

Age: 21

Resident of: Darhuna, District Anantnag

Agency Involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: Peth, District Anantnag
On April 1, 2018, A 21 year old boy Rouf Bashir Khanday was shot dead by Indian troops in a fake encounter at Peth, District Anantnag in south Kashmir. Indian Forces cordoned off the area and killed Rouf with bullets. People gathered and protested against Indian Forces for brutal killing of Rouf.

Victim# 29

Name: **Gowhar Ahmad Rather**

Father's Name: Abdul Rehman Rather

Age: 22

Resident of: Kangan, District Ganderbal

Agency Involved: CRPF

Date of incident: 3 April, 2018

Place of Incident: Kangan, District Ganderbal
Gowhar was killed from point blank range when he tried to save his innocent brother. On April 2, 2018, the forces personnel intercepted his younger brother,



Danish, near main mosque Kangan and thrashed him ruthlessly. Gowhar saw his brother being beaten by the men in uniform; he rushed towards them and started questioning it. The trigger-happy soldiers dragged Gowhar and then fired into his head from a very close range. He was taken to Sher-i-Kashmir Institute of Medical Sciences (SKIMS) Hospital Srinagar in a critical condition, where he was declared dead by the doctors .

Victim# 30

Name: **Musavir Hassan Wani**

Age: 23

Resident of: Dalipora, District Pulwama

Agency Involved: Rashtriya Rifles

Date of incident: 6 April, 2018

Place of Incident: Kangan, District Pulwama



On April 6, 2018, Musavir Hassan Wani was killed by Indian troops in a fake encounter at Kangan area of Pulwama District. Rashtriya Rifles cordoned off the area of Kangan and killed Musavir with Bullets. Wani was a student of final semester B.Tech in a private engineering college in Chandigarh. Tens of hundreds of people thronged Musavir's home in Dalipora to take part in his last rites. They were chanting pro-freedom slogans.

Victim# 31Name: **Bilal Ahmad Tantray**

Age: 16

Resident of: District Kulgam, South Kashmir

Agency Involved: CRPF

Date of incident: 11 April, 2018

Place of Incident: Khudwani Village, District Kulgam

On April 11, 2018, A Civilian Bilal Ahmad was shot dead by Indian troops in Khudwani Village, Kulgam. Indian Forces cordoned off the area of Khudwani Village and killed Bilal. As soon as his body was brought to his native place, people in large numbers, including men, women and children came out of their homes to participate in the protest.

Victim# 32Name: **Aijaz Ahmad Palla**

Age: 30

Resident of: District Kulgam, South Kashmir

Agency Involved: CRPF

Date of incident: 11 April, 2018

Place of Incident: Khudwani Village, District Kulgam

On April 11, 2018, a civilian Aijaz Ahmad was killed by Indian Forces with bullets in Khudwani Village, Kulgam. Indian Forces cordoned off the area of Khudwani Village and killed Aijaz. People in large numbers including men, women and children came out of their homes and protested against the killing.

Victim# 33Name: **Faisal Ilahi**

Age: 14

Resident of: District Kulgam, South Kashmir

Agency Involved: CRPF

Date of incident: 11 April, 2018

Place of Incident: Khudwani Village, District Kulgam

On April 11, 2018, A Civilian Faisal Ilahi was shot dead by Indian troops in Khudwani Village, Kulgam. Indian troops cordoned off the area of Khudwani Village and killed Bilal. His funeral was attended by a large number of people who protested atrocities committed by government forces.

Victim# 34Name: **Sharjeel Ahmad Sheikh**

Age: 28

Resident of: Khudwani Village, District Kulgam

Agency Involved: CRPF

Date of incident: 11 April, 2018

Place of Incident: Khudwani, District Kulgam

On April 11, 2018, Sharjeel was shot at and killed by the

occupation forces when he ventured out of his home near a fake encounter site at Khudwani area of Kulgam District. He was to get married in less than a fortnight but this would-be-groom did not know that the fate has something else decided for him. The dreams of Mahjabeen, bride to be, were shattered mercilessly and she had come only to sit beside her groom lying lifeless in front of her eyes.

**Victim# 35**Name: **Amir Lone**

Resident of: Ganderbal

Agency Involved: CRPF

Date of incident: 15 April, 2018

Place of Incident: Kangan, District Ganderbal

On 15 April, 2018, Indian Forces fired at Amir near the powerhouse at Kangan and wounded him critically when he was on way to attend a funeral procession. He was taken to Sher-i-Kashmir Institute of Medical Sciences (SKIMS) Hospital Srinagar after sustaining a bullet injury in his head. Amir was on life support for about two weeks, however succumbed to his injuries on April 15, 2018.

Victim# 36Name: **Abid**

Resident of: Khangund village, District Pulwama

Agency Involved: 42 RR, CRPF



Date of incident: 24 April, 2018

Place of Incident: Tral, District Pulwama

On April 24, 2018, Abid was killed by Indian troops in a fake encounter. 42 RR of Army and CRPF cordoned off the area and launched the fake operation early tuesday morning in Gaitangoo Forest of Laam-Aripal area and killed Abid.



Victim# 37

Name: **Ishfaq**

Resident of: Handoora, District Pulwama

Agency Involved: 42 RR, CRPF

Date of incident: 24 April, 2018

Place of Incident: Tral, District Pulwama

On April 24, 2018, Ishfaq was shot dead by Indian troops in a fake encounter on early tuesday morning. 42 Rashtriya Rifles of Army and CRPF cordoned off the area and launched the fake operation in Gaitangoo Forest of Laam-Aripal area and killed Ishfaq.

Victim# 38

Name: **Shakeeb Shabir**

Age: 21

Resident of: Kharpora, District Anantnag

Agency Involved: CRPF

Date of incident: 26 April, 2018

Place of Incident: Laizbal, District Anantnag



On April 26, 2018, the trigger-happy soldiers of Indian Central Reserve Police Force (CRPF) showered bullets on a passenger vehicle (Tata Sumo) near Laizbal area of Anantnag District. Shakeeb, who was travelling in this

vehicle, was hit by a bullet in the chest. He was rushed to Srinagar for advanced treatment but the victim succumbed to his injuries near Bijbehara Town on the way to Srinagar.

Victim #39

Name: **Shahid Ashraf Dar**

Father's Name: Muhammad Ashraf Dar

Age: 18

Resident of: Arihal, District Pulwama

Profession: Student

Agency involved: SOG, CRPF

Date of incident: 30 April, 2018

Place of incident: Drubgam, District Pulwama

On April 30, 2018, Shahid was killed when Indian Army's Special Operations Group (SOG) and CRPF fired indiscriminately on civilians and injured over a dozen people during a so-called Cordon and Search operation



in Drubgam Village. He was shifted to District Hospital Pulwama, after receiving bullet wounds, where doctors declared him brought dead.

Victim# 40

Name: **Muhammad Umer Kumar**

Father's Name: Abdul Ahad Kumar

Age: 14

Resident of: Pinjura, Shopian

Profession: Student

Agency Involved: Indian Forces

Date of incident: 3 May, 2018.

Place of Incident: Darazpora village, District Shopian

On May 3, 2018, Umer was killed in an orchard by Indian Army when its soldiers opened fire on a group of young boys at Darazpora Village of Shopian. He received bullets, one in his chest and the other in throat. Umer's father had died in November 2016 after some protracted illness and this orphan boy was a studying at Government High School Pinjuara, Shopian.

Victim# 41Name: **Adil Ahmad Yadoo**

Father's Name: Ghulam Ahmed Yadoo



Age: 18

Resident of: Gasi Mohalla Safakadal, District Srinagar

Profession: Student

Agency Involved: CRPF

Date of incident: 5 May, 2018

Place of Incident: Noorbagh Downtown, District Srinagar

On May 5, 2018, Adil was crushed to death under an armoured vehicle by the Indian Forces during a civilian protest in downtown Srinagar. He was taken to Shri Maharaja Hari Singh (SMHS) Hospital Srinagar, where doctors declared him brought dead. A video of this brutal murder went viral on social media. It shows how



the armoured vehicle of occupation forces deliberately changed its direction and crushed the victim to death. (https://www.youtube.com/watch?v=Oe_md6Ljm-k).

Victim# 42Name: **Asif Mir**

Father's Name: Ghulam Mohammad Mir

Age: 19

Resident of: Rohamoo village, District Shopian

Profession: Student

Agency Involved: CRPF

Date of incident: 6 May, 2018

Place of Incident: Badigam, District Shopian

On May 6, 2018, Asif was hit in head by a direct bullet



in Badigam area of Shopian District when Indian Forces used indiscriminate force by attacking a civilian protest with bullets and pellets. He was shifted Shri Maharaja Hari Singh (SMHS) Hospital Srinagar where he succumbed to his injuries. The victim had recently passed 12th class examination and was pursuing his graduation.

Victim# 43Name: **Zubair Ahmad Naiko**

Father's Name: Muhammad Rajab Naiko

Age: 16

Resident of: AveenGund, District Pulwama, South Kashmir.

Profession: Student

Agency Involved: Indian Forces

Date of incident: 6 May, 2018

Place of Incident: Nagbal village, District Shopian

On May 6, 2018, Zubair was killed in an orchard when the soldiers of occupation army fired a volley of bullets on a group of people waiting to attend the last rites of a boy killed by the same forces. The victim had received multiple bullet injuries. According to eye witnesses, the ruthless killers did not allow the ambulances to ferry the victim. He was rushed to hospital by the villagers, first on a motorbike and then in a private car, where the doctors declared him brought dead.

**Victim# 44**Name: **Sufail Ahmad Bhat**

Father's Name: Ghulam Hassan Bhat

Age: 19

Resident of: Dachoo Nagbal, District Shopian, South Kashmir

Agency Involved: CRPF

Date of incident: 6 May, 2018

Place of Incident: Wurpur Nagbal, District Shopian

On May 6, 2018, Sufail was wounded critically on May 6, 2018 when Indian Forces opened fire on Kashmiri civilians near Wurpur Nagbal had gathered to protest the killings of their young in Badigam area of Shopian during a fake encounter. Sufail



breathed his last on May 8, 2018 at Shri Maharaja Hari Singh (SMHS) Hospital Srinagar.

Victim# 45

Name: **Adil Bashir Ganai**

Father's Name: Bashir Ahmad Ganai

Age: 28

Resident of: Mahgund Ashmuji, District Kulgam, South Kashmir

Profession: Teacher

Agency Involved: CRPF

Date of incident: 6 May, 2018

Place of Incident: Badigam District Shopian, South Kashmir.

On May 6, 2018, Indian Forces fired directly on a group of unarmed and defenceless protesters at Badigam



Village of Shopian District, injuring many including Adil. The injured were taken to a nearby Hospital by the villagers from where doctors shifted him to District Hospital Kulgam. However, he succumbed to his injuries on the way.

Victim# 46

Name: **Sajjad Ahmad Rather**

Father's Name: Manzoor Ahmad Rather

Age: 17

Resident of: Sehpora Dooru, District Anantnag

Profession: Labourer

Agency Involved: CRPF

Date of incident: 6 May, 2018

Place of Incident: Badigam, District Shopian

May 6, 2018, Sajad sustained fatal bullet injuries when Indian Forces opened fire on a group of civilian protesters in Badigam Village of Shopian District. He was shot in the left eye and the bullet pierced into his skull. The victim was shifted to District Hospital Shopian, where doctors declared him brought dead.



Victim# 47

Name: **Mohammad Rafi Bhat**

Age: 30

Resident of: Chunduna village, District Ganderbal

Profession: Professor

Agency Involved: Indian Forces

Date of Incident: 6 May, 2018

Place of Incident: Badigam village, District Shopian



On May 6, 2018, a civilian Dr Mohammad Rafi Bhat was shot dead by Indian troops in a fake encounter near Badigam Village of Shopian District. Occupation forces cordoned off the area and killed Professor with bullets. The 30 year old assistant professor, won his doctorate degree in Sociology in

November 2017 and soon started teaching. Students remember their beloved teacher with fondest memories. Rafi left behind his wife of three years and a grieving community of students.

Victim# 48

Name: **Bilal Ahmad Ganie**

Parentage; Mohammad Ramzan Ganie

Resident of; Kakpora, District Pulwama

Place of Incident; Village Dogam, Kakpora District Pulwama

Date of Incident; 29th of May 2018

Agency Involved; Indian Army stationed at Kakpora Dogam



On 29th of May 2018 Bilal Ahmed Ganie cape driver and his brother Mahraju din let for their poultry farm in a Sumo car in the evening, when reached Dogam village of Kakpora at around 10:00PM in the evening, there was a siege laid

down by the army, while noticing the moment of the vehicle in the area, without any warning army fired indiscriminately on the vehicle killing Bilal. Bilal was found dead in his car.

Victim# 49**Name: Kaiser Amin Bhat**

Parentage: Late Muhammad Amin Bhat

Age: 22- Years

Address: Fateh Kadal, district Srinagar, Central Kashmir.

Civil Status: Single

Profession: Student/Salesman

Place of incident: Nowhatta Downtown, Srinagar

Date of incident: June 1st, 2018.



Qaiser was crushed to death by India's Central Reserve Police Force (CRPF). He was mowed down when occupation forces, in a deliberate attempt, ploughed their vehicle into a group of pro-freedom protesters in Downtown Srinagar. Qaiser was taken to Sher-i-Kashmir Institute of Medical Sciences (SKIMS) Hospital Srinagar in a critical condition where he succumbed to his injuries. He had suffered internal injuries, as per the statement of doctors. The victim is survived by two teenage sisters. All the three siblings were living with their aunt in Dalgate area of Srinagar for the past few years, as both their parents had died.

INJURED**1. Rizwan Ahmad Kaboo**

Age: 9

Father's Name: Riyaz Ahmad Kaboo

Resident of: Arampora Sopore, District Baramulla, South Kashmir

Profession: Student

Agency Involved: CRPF

Date of incident: 20 May, 2018

Place of incident: Arampora Sopore, District Baramulla,



On May 20, 2018, Rizwan was wounded when the soldiers of CRPF fired bullets and tear smoke shells indiscriminately, while carrying out a brutal attack on a group of unarmed protesters at Arampora Sopore. This minor boy sustained a bullet injury into his head. As per the statement of doctors, the skull bone of this minor victim is fractured and he has lost a lot of blood. Rizwan's father is himself a paralysis patient.

4. Abdul Salam Bhat

Father's Name: Mohammad Ibrahim Bhat

Age: 53

Resident of: Havoora Mishpore, Redwani, District Kulgam.

Profession: Labourer (Artisan)

Agency Involved: CRPF

Date of incident: 11 April, 2018

Place of incident: Khudwani, District Anantnag

On April 11, 2018, Abdul Salam got a new life while CRPF killed three youth and injured over 40 people by showering bullets and pellets on unarmed protesters in South Kashmir's Khudwani area of Kulgam District. Salam was seriously wounded and the vital arteries of his neck and throat were shattered. His life saving surgery was later on done in Shri Maharaja Hari Singh (SMHS) Hospital Srinagar.

**5. Muneeb Ahmad Wani**

Father's Name: Abdul Majeed Wani

Age: 16

Resident of: Gopalpora, District Kulgam

Agency Involved: SOG

Date of incident: 1 April, 2018

Place of incident: Batbagh Kapran, District Kulgam.

On April 01, 2018, Muneeb was critically injured when Indian Army's SOG, without any provocation, fired bullets on a group of teenagers who were playing cricket in a local playground. He was taken to Shri Maharaja Hari Singh (SMHS) Hospital Srinagar in a critical condition where doctors carried out a major surgery upon him. The bullet has pierced on the right side of victim's abdomen and his liver was damaged badly.



On May 21, 2018, four teenage girls were injured when Indian troops opened fire on villagers for refusing to attend an Iftar party arranged by them. This brutal incident took place in Dreed-Kalipora (DK-Pora) village of South Kashmir's Shopian District when the soldiers of 34 RR of Imam Sahib Camp forced their entry into the village and tried to host an Iftar-party for the civilians near Jamia masjid (main mosque).. However, while withdrawing, they fired indiscriminately on the residential area which left four teenage girls wounded. They had bullet injuries and were shifted to Shri Maharaja Hari Singh (SMHS) Hospital Srinagar.

PELLET VICTIMS (INJURED)

On April 1, 2018, more than 25 civilians suffered pellet wounds when Indian Forces used excessive and indiscriminate force against the civilians in Dialgam, Dragad and Kachdora villages of South Kashmir's Shopian District. These civilians were protesting against the fake encounters staged by the occupation forces. Medical Superintendent (MS) District hospital Shopian, Dr. Shafat has said that the hospital administration was unable to maintain the record of the injured because of the heavy rush of patients.

Victim# 1

Name: Murtaza Hussain

Age: 14

Agency involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: Dragad, District Shopian

On April 1, 2018, 14 year old young kid Murtaza Hussain was shot with pellets by Indian troops in a fake encounter site near Dragad, District Shopian. An unspecified number of metal pellets have penetrated his face and eyes. Hussain's family is worried about the ultimate nightmare the mere mention of pellets invoke: vision loss.

Victim# 2

Name: Abbas

Age: 17

Agency involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: Dragad, District Shopian

On April 1, 2018, 17 year old young boy Abbas was shot with pellets by Indian Forces in a fake encounter site near Dragad, District Shopian. CRPF fired pellets on civilians without any provocation. Both his eyes have been damaged by pellets. Until bleeding in both eyes of Abbas stops, a doctor in the Ophthalmology ward said, the extent of the damage and resulting vision loss can't be predicted at this stage. Ten other youths have suffered serious pellet injuries in other body parts during the mayhem in Shopian. They were treated at the department of neurosurgery.

Victim# 3

Name: Zakir Ahmed

Age: 20

Resident of: Shopian

Agency involved: CRPF

Date of incident: 1 April, 2018

Place of Incident: Shopian

On April 1, 2018, 20-year-old science undergraduate Zakir Ahmed was shot with pellets by Indian troops site near Shopian. CRPF cordoned off the area and shot pellets on civilians. Zakir's neck, doctors said, has taken the brunt of an entire pellet cartridge (which has up to 600 metal pellets). On Sunday 1st April 2018, as per official record, 202 people were brought to various hospitals of Shopian, Kulgam, Pulwama and Anantnag with injuries. Most of them had pellet injuries.

Victim# 4

Name: Mohsin Nabi
 Age: 23
 Resident of: Shopian
 Agency involved: CRPF
 Date of incident: 1 April, 2018
 Place of Incident: Kachdora Village, District Shopian
 On April 1, 2018, A Civilian Mohsin Nabi was shot with pellet guns by Indian troops in a fake encounter near Shopian. CRPF cordoned off the area and fired pellets on innocent civilians. The 23-year-old says while he was walking along with his friends towards Kachdora village when the group of boys were hit by a volley of pellets fired by Indian troops. His face and left eye have small visible holes of iron pellets fired by the Indian Forces. "Peaceful Protests were happening at a distance but the firing was unprovoked, a total nine boys were hit with me, said Nabi

Victim# 5

Name: Adil Sheikh
 Age: 18
 Resident of: Supura, District Shopian
 Agency involved: CRPF
 Date of incident: 1 April, 2018
 Place of Incident: Kachdora Village, District Shopian
 On April 1, 2018, Adil Sheikh was shot with pellets by Indian Forces during fake encounter near Shopian. CRPF cordoned off the area and targeted innocent civilians with pellets. "I had gone to a shop and was hit on the way," said Adil. "I don't know what happened after that."

Victim# 6

Name: Alam
 Age: 14
 Agency involved: CRPF
 Date of incident: 1 April, 2018
 Place of Incident: Dragad, District Shopian
 On April 1, 2018, Young kid Alam was shot with pellets by Indian troops near fake encounter site in Dragad area of Shopian. His neighbour Faahid and a cousin rushed him to the District hospital in Shopian after which he was referred to SMHS. Alam was walking home from the shop and found him next to the procession when he was attacked by a shower of pellets.

**Victim# 7**

Name: Majid Ahmed Khan
 Agency involved: CRPF
 Date of incident: 11 April, 2018
 Place of Incident: Khudwani, District Kulgam
 On April 11, 2018, Majid Ahmad Khan was shot with pellets by Indian troops, injuring his left eye by during a fake encounter in Khudwani area of Kulgam. He underwent treatment for pellet injuries to his left eye in Srinagar's Shri Maharaja Hari Singh (SMHS) Hospital. "I was not part of the any protest but had ventured outside to check on my vehicle and was hit by pellets in my eye," he said. Doctors at SMHS Hospital told them they are not certain whether Majid would be able to see with his damaged eye.

Victim# 8

Name: Abdul Salam Bhat
 Age: 53
 Agency involved: CRPF
 Date of incident: 11 April, 2018
 Place of Incident: Qaimoh Village, District Kulgam
 On April 11, 2018, Abdul Salam Bhat was shot by Indian Forces. CRPF cordoned off the area and fired pellets on peaceful civilians. Bhat stepped out to meet a contractor for his work at the Qaimoh village while the Indian troops were firing on a crowd of peaceful protestors. "The bullet has cut through Bhat's main blood vessel in neck and he has lost a lot of blood. Let us hope he is able to make it" the surgeon said.

Victim# 9

Name: Adil Ahmad
 Age: 25
 Agency involved: CRPF
 Date of incident: 11 April, 2018
 Place of Incident: Qaimoh Village, District Kulgam
 On April 11, 2018, Adil Ahmad was shot with shell by Indian Forces, which hit him directly on his head near Qaimoh Village of Kulgam District. CRPF fired shells and pellets on innocent civilians. The shell hit him directly in the head. Medical superintendent at SKIMS, Soura, Dr Farooq Jan, said that Adil Ahmed, had sustained a head injury

Victim# 10

Name: Irfan Ahmad Butt
 Resident of: Nowpora, District Kulgam
 Agency involved: CRPF
 Date of incident: 11 April, 2018
 Place of Incident: Khudwani, District Kulgam

On April 11, 2018, Irfan Ahmad Bhat was shot with pellets by Indian Forces in a fake encounter near Khudwani area of Kulgam. CRPF shot pellets at innocent civilians. During this brutality, Irfan Ahmad received pellets on left eye. He underwent treatment at SMHS Hospital. Irfan was operated upon and doctors that he would needs another surgery to regain vision.



Place of Incident: Anantnag
 On April 23, 2018, a youth, identified as Wamiq Aijaz received pellets when Indian troops unloaded pellet guns on peaceful protestors in Anantnag town. Protestors were protesting against culprits of Asifa Bano who was brutally raped and murdered recently.



Victim# 11

Name: Faiz Farooq
 Agency involved: 55 RR
 Date of incident: 21 April, 2018
 Place of Incident: Kareemabad, District Pulwama
 On April 21, 2018, Faiz Farooq received bullet injury from Indian troops in kareemabad village of Pulwama. 55 RR encircled the area and directly fired at peaceful civilians. Faiz was shifted to bone and joint hospital Sringar for treatment.



Victim# 12

Name: Tanveer Hamad
 Agency involved: 55 RR
 Date of incident: 21 April, 2018
 Place of Incident: Kareemabad, District Pulwama
 On April 21, 2018, Tanveer Hamad recieved bullet injury from Indian Forces in kareemabad Village of Pulwama. 55 RR cordoned off the area and directly fired at peaceful civilians. Tanveer had been shifted to bone and joint hospital Srinagar for treatment.

Victim# 13

Name: Sajad Ahmad
 Agency involved: 55 RR
 Date of incident: 21 April, 2018
 Place of Incident: Kareemabad, District Pulwama
 Sajad Ahmad received bullet injury from Indian Army troops in kareemabad village of Pulwama. 55 RR encircled and cut off the area and directly fired at peaceful civilians. Sajad was shifted to bone and joint hospital Srinagar for treatment.

Victim# 14

Name: Wamiq Aijaz
 Agency involved: CRPF
 Date of incident: 23 April, 2018

Victim# 15

Name: Abdul Rasheed Wani
 Father's Name: Ali Mohammad Wani
 Age: 50
 Resident of: Waheed Mohalla Sumbal, District Bandipora
 Profession: Hawker
 Agency involved: CRPF
 Date of incident: 10 May, 2018
 Place of Incident: Sumbal Mohalla, District Bandipora
 On May 10, 2018, this lone breadwinner was blinded when the occupation forces showered pellets on college students who were protesting peacefully against civilian killings. Wani. was busy in selling street food on his hand-cart when all of a sudden everything went black for him. He was taken to Jehlum Valley Medical College (JVMC) Bemina Srinagar and later (SKIMS Hospital Srinagar.



On May 6, 2018, dozens of Kashmiris, particularly youth were injured with pellet gun when the occupation forces of India carried out attacks on different villages of Shopian and Kulgam Districts of South Kashmir.

- Zubair Ahmed-19, resident of Reban village was working in an orchard when he received pellets. According the doctors ,pellets have entered his abdominal region and caused serious damage to his liver and intestinal region.
- Irshad Ahmad Koli-18 is from Shopian. His right eye was badly damaged by the pellets.
- Sajad Ahmad-27, a laborer from Imam Sahab area of Shopian was admitted for an emergency surgery.
- Shoaib Malik a class 7th student was targeted near Badigam village of Shopian. He has lost eyesight in his left eye due to pellets. As per doctors this young boy may need multiple surgeries to get back some vision in his damaged eye.
- Simnan Ayub, a youth from Turkwangam village of Shopian has been seriously injured in his right eye.

As per the figures of SMHS Hospital Srinagar, from 1st to 9th May, 2018, seventy four Kashmiri civilians with pellet injuries were admitted in SMHS and 60 among them were fired in their eyes. Khurram Parvez, an eminent Kashmir human rights defender and



coordinator Jammu and Kashmir Coalition of Civil Society (JKCCS) has said that the occupation forces fire to kill the protesters, not to deter them and that is why they fire bullets and pellets above the waist, especially in the eyes and chest of the defenseless civilians.



On May 16, 2018, five Kashmiri civilians sustained pellet injuries when the occupation forces belonging to 23 PARA Commandos, CRPF and Police attacked villagers working in orchards falling between the villages of Jamnagri and Reshnagri in Shopian District of South Kashmir. One of the injured was identified as Rayees Ahmad, a mentally unstable person from Gagren Village of Shopian. This brutal attack was carried out on the name of Cordon and Search Operation.



The pellet victims of Kashmir have formed an association to demand their rights. After depriving them of their eyesight, Indian Government has completely neglected these Kashmiri pellet victims. No one can understand the pain they are suffering from. Their eyesight has been snatched. Losing eyesight means losing everything in life. They are dependent now. They need help for everything. Senior advocate and President of Jammu and Kashmir High Court Bar Association, Mian Qayoom, has asked that what happened to the promises of compensation, jobs and better medical facilities, made by the Government of India.



On May 25, 2018, the brutal soldiers of India's CRPF and Jammu Kashmir Police (JKP) attacked the Jamia Masjid (Grand Mosque) Srinagar with Pellets, Pepper-gas and Tear-smoke shells. This attack was carried out soon after the Friday congregational prayers, which left dozens of worshipers wounded. The SMHS Hospital Srinagar alone received at least 34 people with pellet injuries, 12 among them were pellets in eyes. A video showing bloodstains on the floor of this historical mosque, went viral on social media.



Lateef Ahmad, a young boy of Khanyar downtown was admitted in the SMHS Hospital in a critical condition. He has received severe pellet injuries.

Mehraj-ud-Din, a youth from Safa Kadal area of downtown Srinagar has received multiple pellets during this incident. The victim is an artisan (Shawl weaver) by profession.



Tanvir Ahmad, a teenage student from Chattabal area of Srinagar was hit by one full cartridge of pellets on his back due to which he lost a lot of blood. He had left his home in the morning for studies and while on way back, he had gone to the mosque to offer his prayers. Injured Tanvir was shifted to the ophthalmology ward of SMHS Hospital.

Adil Ahmad, a student from Soura Srinagar, who was fasting and had come to attend the Friday prayers in the mosque, has been hit by pellets in the left eye.



Danish Ayub-16 was hit with many pellets all over his face, leading to serious injuries. He was a topper at his school in class 10 exams with 98 percent marks. His dream of becoming a doctor was shattered when doctors told the victim family that Danish may not regain vision in his left eye. The retina and cornea of his left eye has been badly damaged. Danish's father is a poor man, earning a meagre amount by selling fruit, and it is very hard for him to bear the expenses for his son's treatment.

Basit Ahmad, a youth from downtown Srinagar was hit by pellets in both of his eyes. He had also gone there to attend the Friday prayers.

NO RULES, NO PROCEDURES FOR PREVENTIVE DETENTIONS IN INDIAN OCCUPIED JAMMU & KASHMIR

Since 1989, when popular resistance against illegal occupation of Jammu Kashmir and demanded for the implementation of United Nations resolutions on Jammu and Kashmir started, a lot has been written about death, and injuries, but one of the greatest weapons in the government's armoury, which has been widely ignored is preventive detentions carried out under the Jammu & Kashmir Public Safety Act (PSA) 1978. The law described by Indian Supreme Court a "lawless law" has been arbitrarily and indiscriminately applied since long against political leaders, human rights activists, protesters and common Kashmiris who show dissent.

Preventive detention under Jammu Kashmir Public Safety Act is an abnormal measure whereby the executive is authorized to impose restraints upon the liberty of a person who may not have committed a crime but who, it is apprehended, is about to commit an act in a manner prejudicial to the maintenance of public order or security of the state. In cases in which the conduct is said to be prejudicial to the maintenance of public order, the period of detention is three months, extendable to one year, while in cases involving the security of state it is six months, extendable to two years.

Modern criminal justice system rely on the presumption of innocence, that is, a person is innocent until proven otherwise through free and fair trial. The concept of preventive detention completely circumvents trial and this presumption of innocence. It allows an executive authority to deem a person worthy of detention merely on "subjective satisfaction" as opposed to a trial requiring conclusive evidence. It is understood from experience and judgment of the courts that many times the detaining authority in order to satisfy the government violates basic human rights of person.

Preventive detention laws confer on the detaining authority a wide discretion to act under Jammu & Kashmir Public Safety Act, if it is of opinion that a person's detention is inevitable for the purpose of restricting his from doing a prejudicial act. In this case, the detaining authority exercises arbitrary discretion. This arbitrary and wide discretionary power of detaining authority is contrary to the concept of rule of law. The position adopted by civil society groups

and international human rights organization is that the preventive detention law is a draconian and obnoxious law, which undermines the rule of law of law and fundamental principles of human rights.

The international Covenant on Civil and Political Rights, 1966 lays down in Article 9(5);

Anyone who has been victim of unlawful arrest or detention shall have and enforceable right to compensation.

There is no provision for payment of compensation for illegal detention under preventive detention law. As result, the detaining authority exercises arbitrary and malicious discretion. Every year a huge number of political prisoners demanding right to self-determination become detainees without committing any offence whatsoever. It will be surprising to know that the High Court of Indian Occupied Jammu & Kashmir declares dozens of detentions illegal in a day. There is no example of such a huge detention cases being declared illegal in a day in the judicial history of India. The result of these judgments leads us to believe that the court is not satisfied on the orders of detention passed by the occupation authorities. So, the lack of provision for compensation in the detention law for illegal arrest and detention allows detaining authority to apply this law at their sweet will.

A.G. Noorani, legal luminary and constitutional expert writes the Public Safety Act (PSA) is a way of doing away with the requirement of civilised jurisprudence; it is "a devious way to imprison political opponents".

Since 1978, more than 20,000 Kashmiris were detained under the controversial Public Safety act and as per High Court Bar Association more than two thousand Kashmiris are languishing in different detention centres presently. Amnesty International appealed for repeal of the law in its two reports published in 2011 and 2012. Following this, the act was amended to reduce the periods of detention and to exclude its application to minors. However, this has proved largely ineffective. While the period of detention was earlier two years, it was reduced to six months, extendable to two years. In practice, it is extended two years in almost every case. Minors clearly still slip through the cracks as they did previously.

Despite serious concerns by international human rights organizations about the misuse of this detention law, Jammu and Kashmir Government has not notified any rules or Standard Operating Procedure (SOP) under

the J&K Public Safety Act, 1978 (J&KPSA) in the four decades of its existence; the State Home Department has admitted in response to an RTI (Right to Information) query. The query was filed by members of the J&K RTI Movement. District magistrates (DMs) and divisional commissioners (DCs) have been issuing hundreds and sometimes even thousands of detention orders every year, under the controversial J&KPSA, allegedly without any guidance except the reports and dossiers prepared by the J&K Police.

Section 23 of the J&KPSA empowers the state government to make rules to implement this law. It is common practice for legislatures to delegate powers to the executive to make rules to provide detailed procedures for implementing the bare bone provisions of the laws they enact. Yet, by the Home Department’s admission, the J&K government has not invoked Section 23 to make any rule for implementing the J&KPSA even after forty years of enactment. This shows the seriousness of Government toward the human rights and international concerns.

The RTI reply also revealed that 1,003 persons had been detained across J&K, for varying periods under this law, between March 2016 and August 2017 – a period which included several months of turmoil across J&K. The Home Department – looked after by the Chief Minister Mehbooba Mufti – refused to reveal the identities of the detainees.

CONTRADICTORY REPLIES FROM THE DISTRICTS

Members of the J&K RTI Movement and other civil society activists filed common RTI applications across all Districts of J&K in June 2017 asking for copies of the Rules, SOPs, number of persons detained under J&K-PSA, procedure for ascertaining age of a detune, and detention orders, police reports and dossiers related to such detainees.

While the J&K Home Department’s was admitting that rules and SOPs did not exist, the District authorities gave contradictory and bizarre replies to similar queries. Given below is a sampler of these replies:

Anantnag: Deputy Commissioner’s office in response to RTI query replied that “: “The Standard Procedures (SOPs) is a rule book consisting upon hundreds of pages. It is not possible to Photostat the same. The book is available at Govt. Press, Srinagar.”

Srinagar: PIO attached a copy of the complete text of the

J&KPSA to his reply and advised the RTI applicants to approach the proper forum, namely Home Department for the rules and the SOPs.

Kulgam: The PIO attached a copy of Section 8 of the J&KPSA to his reply, indicating that these were all the rules and SOPs that were being followed while issuing detention orders in the District.

Kishtwar: The PIO attached the text of the J&KPSA and an amendment made to this law in 2012 (which prohibits the detention of persons below the age of 18 years) to his reply and stated that they are the rules as well.

Budgam: RTI application was transferred to the Budgam District Police, without even informing the applicants about such transfer as required under Section 6(3) of the J&K RTI Act. The PIO Budgam District Police replied that “The latest version of the rules framed under the J&K Public Safety Act does not pertain to us. It can be had from concerned government department or agency.

“The law in this regard is clear that subjective satisfaction of the District Magistrate is required on the dossier provided to him for making detention. The mention of the SOP made by you in point No. 02 is factually as well as, (sic) legally misconceived.”

In other words, the Budgam District Police treated the act of even asking questions about the existence of SOPs under the J&KPSA as an “affront to their power and authority”

The revised list of detenues collected by High Court Bar Association Srinagar lodged in various jails within the State and Outside is as under:-

S. No.	Central and District Jails	(Male Inmates)
1.	Central Jail Srinagar	476
2.	Central Jail Kotebalwal, Jammu	342
3.	District Jail Kathua	462
4.	District Jail, Amphalla	111
5.	District Jail Udhampur	212
6.	District Jail Rajouri	104
7.	District Jail Poonch	98
8.	District Jail Baramulla	137
9.	District Jail Hiranagar, Jammu	5
10.	District Jail Kishtwar, Jammu	41
11.	District Jail Reasi, Jammu	15
12.	District Jail Kupwara	08
13.	District Jail Islamabad-Mattan	08
14.	JIC Kashmir Humhama-Budgam	05
15.	Police Station STF Humhama	15

OUT OF STATE

16.	Tihar jail Delhi	64
17.	Rajasthan Jaipur Jail	11
18.	Jodhpur Jail	04
19.	Ahmadabad Jail	03
20.	Sangroor Jail	17
21.	Agra Jail	03
22.	Gazi Abad Jail	02
23.	Bangalore Jail	02
24.	Ghaziabad Jail	13

Total 2158

Amnesty International and other International human rights watch dogs have time and again called upon the Government of Jammu and Kashmir to:

Repeal the J&K Public Safety Act and any other legislation facilitating the use of administrative detentions;

Abolish the system of administrative detentions in J&K and either release or charge persons accused of committing criminal acts for recognizably criminal offences and try them in a regular court with all safeguards provided;

Implement court rulings ordering release of detainees without delay;

Immediately and unconditionally release all detainees deprived of liberty solely for the peaceful exercise of their rights of freedom of thought, conscience, religion, opinion or expression;

In the period before repealing the PSA, strengthen protection during detention by: -

- Ending immediately the use of incommunicado detention;
- Ending detention in unofficial places of detention;
- Ensuring officers carrying out the initial arrest inform the families of the place where the detainee is held;
- Ensuring all detainees are brought before a judicial magistrate within 24 hours of arrest; -
- Ensuring that detainees have access to their families and legal counsel and all detainees are able to exercise their right to be examined by an independent doctor as soon as they are arrested and after each period of questioning; and monitor the quality of medical reporting;
- Ensuring that the families of those detained are

informed of subsequent transfers to other places of detention, without delay;

- Maintaining a centralized register of all detainees available for public access, detailing the date of order or arrest and detention, authority issuing such orders and all transfer, release and revocation orders;

Take all necessary measures to improve prison conditions, including by:

- (1) ending overcrowding and providing adequate food and medical care, in accordance with the UN Standard Minimum Rules for the Treatment of Prisoners and the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment; and
- (2) adopting a mechanism that provides for the mandatory independent, unrestricted and unannounced monitoring of all places of detention (which include confidential interviews with any detainees of the visiting body's choice);

Amend the J&K Juvenile Justice Act to make it compatible with the UN Convention on the Rights of the Child and implement its provisions in full.

The Governments of India and Jammu and Kashmir must further:

Carry out an independent, impartial and comprehensive investigation into all allegations of abuses against detainees and their families, including of torture and other ill-treatment, denial of visits and adequate medical care, make its findings public and hold those responsible to account;

Take all appropriate criminal or administrative measures against officials who fail to comply with safeguards against human rights abuses;

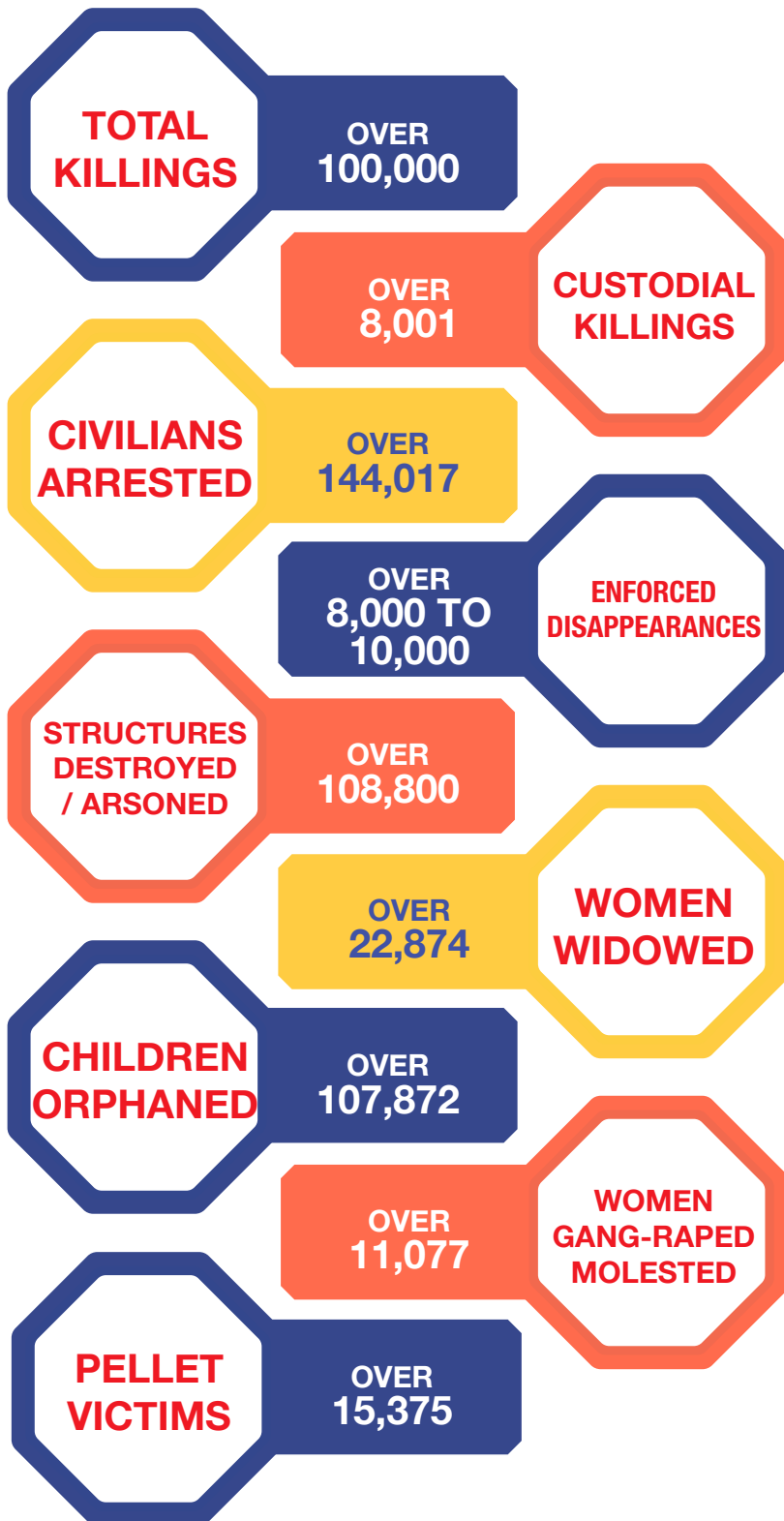
Ensure all victims of human rights violations have access to effective reparations.

Government of India to: Extend invitations and facilitate the visits of the UN special procedures including particularly the UN Special Rapporteur on Torture and the Working Group on Arbitrary Detention; Ratify without reservations, and fully implement in practice the UN Convention against Torture and its optional protocols; Withdraw its reservation to Article 9 of ICCPR.

MASSACRES IN INDIAN OCCUPIED KASHMIR IN LAST THREE DECADE

NO.	MASSACRE	DATE	NO. OF KILLINGS
1.	Gawkadal Massacre	January 21, 1990	50
2.	Zakoora and Tangpora Massacre	March 1, 1990	33
3.	Bijbehara Massacre	October 22, 1993	51
4.	Sopore Massacre	January 6, 1993	55
5.	Kupwara Massacre	January 27, 1994	27
6.	Sangrampora Massacre	March 21, 1997	7
7.	Wandhama Massacre	January 25, 1998	25
8.	Chapnari Massacre	June 19, 1998	23
9.	Prankote Massacre	April 17, 1998	26
10.	Chittisinghpora Massacre	March 20, 2000	36
11.	Kishtawar Massacre	August 3, 2001	17
12.	Chalwakote Massacre	February 9, 2001	15
13.	Kaluchak Massacre	May 14, 2002	31
14.	Qasim Nagar Massacre	July 13, 2002	29
15.	Nadimarg Massacre	March 23, 2003	24
16.	Teli Katha Massacre	June 26, 2004	12
17.	Doodhipora Massacre	February 22, 2006	4
18.	Doda Massacre	April 30, 2006	35

JANUARY 1989 TO 31ST MAY 2018

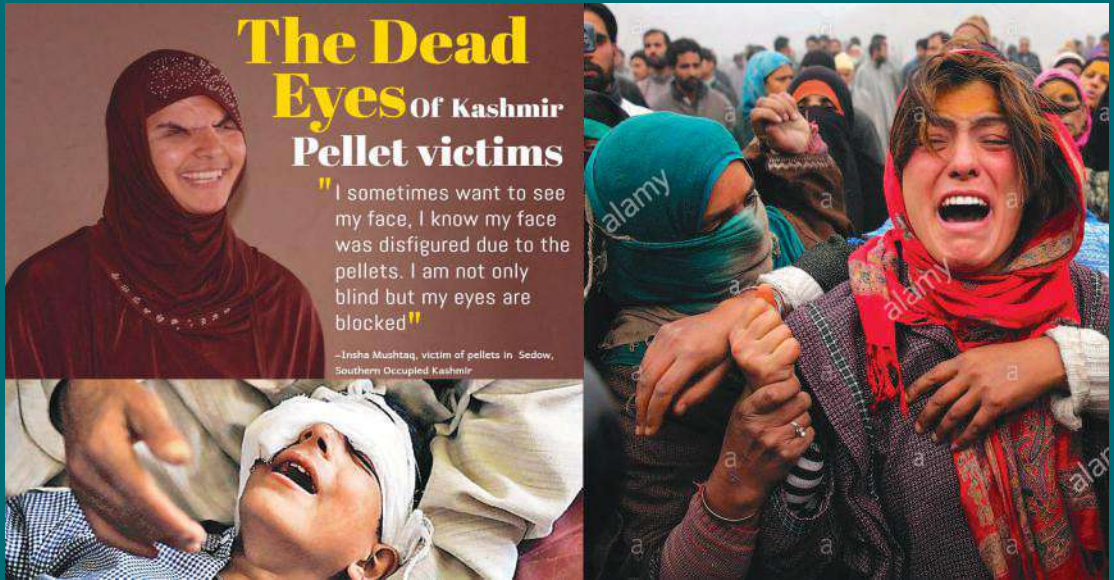


Before an encounter, we are killed as mistaken identity.

During an encounter, we are killed by stray bullets.

After an encounter, we are killed to maintain so called law & order.

When we resist, we are portrayed as terrorists.



Two key factors encourage the Indian Army, the Police and other Paramilitary Forces to use brute Force against civilian protesters in Kashmir "One, the belief that they will get away with it in the absence of accountability. Two, killing and blinding of civilians are seen as a punishment for the dissenting populace espousing a political aspiration".

Syed Ali Geelani



Published By:

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