THE HUMAN RIGHTS COMMUNIQUÉ

YOUR QUARTERLY DOSE ON HUMAN RIGHTS

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#HumanRights

QUICK LOOK…

DEMONETISATION: IMPACT & ABUSE OF RIGHTS OF THE HOI POLLOI

'Demonetization' as a political move, which was rolled out with multiple justifications and was cited as being a part of fight against corruption and black money, is now rather termed as an economic and political mistake by the government. But merely limiting it in terms of 'bad move' insulates it from the popular dissent felt among the masses.
The announcement by the Prime Minister on November 8 demonetizing Rs. 500 and Rs. 1000 notes was said to be a 'surgical strike' in his government's crusade against 'black money'. But for this move to be fruitful, some 'inconveniences' were to be anticipated and borne by all; these were expected to last for 50 days. However, it turned out that the move created manifold struggles for the common man, the gravity of which can be attributed to the fact that many people died in the process. Many prominent economists have analyzed and critiqued the implementation and basis of demonetization. In short, the result has been an unmitigated disaster.

THE RIGHTS & THEIR VIOLATION

The 'inconveniences' caused by this political move were enormous. The same can be said based on the fact that there were over hundreds of deaths reported connected to demonetization. Individuals were forced to stand in lines for extended periods of time, even for days, outside banks and ATMs to get their own cash as though it was philanthropy. Weddings were cancelled because of the money crunch. Small-scale organizations, which, to a great extent, thrive on cash transactions, endured a huge drop in exchange. Agriculturists, amidst the sowing season, couldn't pay for seeds, composts, other ranch sources or get credits. Patients, including newborn children and the constantly sick, were being denied treatment. Travel, both local and remote, had been upset. Everyday breadwinners, agro-business workers, transient and casual labourers and contract specialists constituted a portion of the most noticeable and awfully hit groups, not able to earn a wage or utilize their reserve funds. Ladies, youngsters, elderly and other people with inabilities were especially powerless and confronted the seriousness of this move intensely. Consistently, new tragedies unfurled. This was all created by a mere executive order, without having the backing of any legislation. Terming these problems as mere 'inconveniences' is both derogatory and insulting, particularly for the people who lost their lives. What demonetization has caused is a violation of fundamental human rights.

A discussion on "rights" appears to be important nowadays with respect to any order or legislation passed; which affect the lives of the majority of the population. Each and every individual has basic rights ensured to him under the Constitution and under worldwide human rights law. These rights are not given by any government, but, in fact, by the supreme law of the country. They must be regarded and secured by the state in all circumstances. Notwithstanding a couple of special cases, these rights are ensured even in times of 'Emergency'. These are vested as fundamental human rights unequivocally, keeping in mind the rights of citizens to grow and to be safeguarded against any form of discrimination. Any obstruction in enjoyment of the same ought to be an unprecedented exemption and just on the off chance that it meets the benchmarks of need, proportionality and legality for a predetermined timeframe. None of these appear to have been satisfied in this situation. There was no justification given as to why this measure couldn't hold up past November 8, till the legislature was better arranged. Besides the impact of demonetization, the approach and usage additionally raised genuine concerns about the violation of rights. The state, by way of confiscating monetary resources, limited the capacity to utilize, or acquire cash. The right to property is a constitutional right (cash is covered by the same) under Article 300A of the Constitution and it ensures that "no individual should be deprived of his property save by authority of law." While demonetization as such is not illicit under the law itself, different measures, particularly limitations on withdrawal, have no authority under the law. The government over and again has attempted to conceal this policy failure under the grab of a step to fight corruption. Demonetizing 86% of currency notes in a nation where 90% of the exchanges are done in real money is by all accounts not the most brilliant approach, given the estimate that around 6% of black money is held in hard cash. Regardless of it being a bad decision or one which could not bear the expected result, a measure of this magnitude essentially requires fastidious arranging, infrastructural support and full arrangement to provide safety against the slightest disturbance. This would not have been just a perfect or ideal way, but rather the best way to execute a strategy like this. The government has a lawful obligation to look after the people. The unavoidable damage and hardship that the executive order brought about was sensibly predictable. In not finding a way to alleviate that, the government is liable for the deaths that took place or the hardships ensued to the people due to its failure to implement the policy effectively. The justification given for demonetization has revolved around two ideas- one as a fight against corruption so as to bring transparency in the economy and other, as a beneficial measure for the common people.

Ironically, people are compelled to endure the inconveniences to free 'the economy' of black money. The economy is naturally political. It appropriates control specifically through such routes as by deciding the material well-being of people, gatherings and parts. Demonetization is a political move framed in monetary terms and calling its aftermath as a mere endurance for better governance protects it from prevalent dispute. Be that as it may, in always making these logical refinements, the economy is cut out as an unmistakable circle, cleaned and isolated from political issues, choices identified with which are consigned to specialists and technocrats. It gets away from the examination and meticulousness of political and popularity based procedures; and thus 'the general population' is distanced from 'the economy.' This distance is not new or specific to this administration. We have resorted to a specialist and official-driven, technocratic and undemocratic arrangement of financial decision making amid the greater part of autonomous India. Be it amid the times of arranging, the 1991 changes or post changes, the polity has never effectively taken an interest in defining financial strategies, with the exception of voting on its endorsement or generally at regular intervals. Despite the fact that it influences each person, it was brought about by subverting federalism, parliamentary debate and judicial scrutiny. The same was shielded from 'the people's' most essential right of citizenship – to take part in the administration of the nation.

POLITICAL ASPECT OF DEMONETIZATION

Bringing around the focus on 'black money' produces more noteworthy political advantages than the ones based on economic discussions. In pursuing this action plan, the government turns into a Messiah, so as to help the poor people. The redistributive impacts of demonetization are described short-sightedly – no black money implies better welfare for poor people. This can't be further from reality.

Cutting the chase and getting straight to the point, with or without demonetization, the rich would stay rich and the poor would stay poor. Demonetization has, best case scenario, made a couple of exceptionally rich individuals somewhat less so. So far as that is concerned, even a 'white economy', without a doubt, vital for the rule of law, does not guarantee success for all, unless approach and legislative issues on a very basic level change from serving 'the economy' to serving the general population. In the event that the present arrangements are proceeded with, whatever the shade of the economy, India will not perceive any noteworthy fall in lack of healthy sustenance levels, infant or maternal mortality, poor training, well-being, work or wage levels. Black money fills in as an advantageous clarification for the financial disparities and destitution of the country. This is for sure a masterstroke simply because it has deflected from the anti-poor measures of the government.

There is an indifferent and deluding connection being made amongst cash and black money, denouncing the general population, mostly poor people, who overwhelmingly depend on and undertake transactions and make savings in currency notes. The unnecessarily stringent measures to control money surges, the monitoring, and inking of individuals as though they are potential crooks, the steady efforts to move to a cashless economy, have thrown a sad remnant of doubt on all the transactions involving cash. There is nothing innately "terrible" about money or inalienably "great" about cashless exchanges, other than the fact that this move would vigorously support greater organizations over littler ones. Then again, the impact has been borne mainly by the rural economy, especially the informal sector which employs most of the poor on daily wages.

IMPACT ON THE COMMON MAN

Calling the damage that has been incurred most certainly by the common masses as a mere inconvenience is not simply the way of describing the situation. An executive order can force people and expect compliance. Opposing demonetization because of its effect on the common people is then stated as a refusal to acknowledge minor problems, a resistance that can be effortlessly expelled as outlandish, damaging, pernicious and even silly. It acquits the administration of responsibility. Calling these inconveniences what they truly are – an infringement of human rights and freedoms by the state – is important keeping in mind the end goal to make such resistance a genuine as well as a political need. The state cannot condemn its most essential, just and enshrined obligations for the sake of chasing black money. The fact that most of the population has bank accounts but do not possess a charge or ATM card only leaves rashness and insensitivity as the only clarifications for the policy. If the motive behind the policy was the elimination of black money, demonetization ought to have been the last stride, not the first. The government ought to have taken more focused measures on off-shore accounts, non-performing assets and benami exchanges before it chose to move this policy of demonetizing the currency as a thoroughly considered measure on the whole country. Be that as it may, they wouldn't have had an indistinguishable dramatic impact of demonetization – the sudden declaration, the requesting, the higher ethical quality of the general population willing to endure at the call of their leader, the disclosure of 'sacks of money' and the happiness of a retributive equity. Demonetization was a political bet that did not yield the outcomes that its designers envisioned. Its economic failure and the negative impact on the growth rate of the country further goes on elaborating and proving the same. The long haul macroeconomic effect of this measure is yet to be seen, however, it has disabled the economy for the time being. Regardless of how 'the economy' plays out, the trouble that the individual and the nation as a whole have endured will go unredressed and unaccounted.

RIGHTS OF PRISONERS

In "Human Rights in Constitutional Law", Durga Das Basu observed that human rights are those minimal rights which every individual must have against the State or other public authority by virtue of his being a member of human family, irrespective of any other consideration. In *Sunil Batra* v. *Delhi Administration (I)*, AIR 1978 SC 1675, Krishna Iyer, J. observed that, "In our world prisons are still laboratories of torture or warehouses where human commodities are sadistically kept and where the spectrum of inmates range from drift-wood juveniles to heroics dissenters." Any person who is in a prison for the time being is termed as a prisoner. He can be a convict or an under-trial.

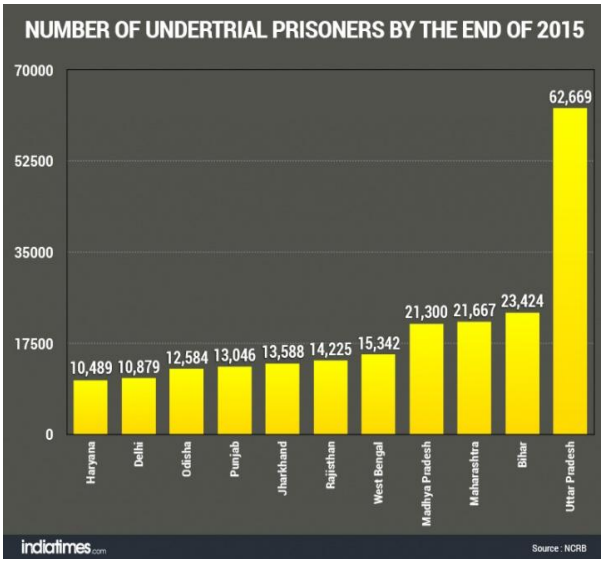
The first principle of the General Assembly Resolution regarding 'Basic Principles for the Treatment of Prisoners' provides that, "All prisoners shall be treated with respect due to their inherent dignity and value as human beings". It is imperative that the prisons all around the world, which are entrusted with the responsibility of reforming the prisoners, ensure that the rights of the prisoners are protected. It is essential that the police authorities respect the rights and liberties of these prisoners which exist irrespective of them being imprisoned. However, in India, the real situation is in stark contrast with this ideal notion. Run-ins with law and police are considered unfortunate as the police have acquired the image of being the wrong doers in recent times. The fear of being taken into custody arbitrarily and consequently being denied basic human rights is paramount in people. This fear finds its roots in a number of instances where custodial violence is reported to have been inflicted on prisoners. Custodial violence is a grave problem that threatens to harm the very fabric of our constitutional framework that provides inalienable rights to human beings. Custodial violence is not just a law and order problem. It is a different type of criminality which is more serious in nature, grave in its impact and whose consequences are extremely dangerous as compared to other crimes.

In the post-independence period, various commissions were appointed by the government to look into the working and methods adopted by the state police forces. Almost all these Committees and Commissions have revealed the tale of third degree or torture in police custody due to political ends, practice of corruption and lack of infrastructural support, of scientific aids and training, etc. The recommendations of most of these Commissions were mainly concerned with the details of the administrative set up, the strength of the Police Force in different wings of the system, the relationship between Police and the Principal District Collector, pay and allowances for the Police in different ranks, qualifications for recruitments, setting up of training centers and the like. Shah Commission (1978) observed the police brutality on a wide range during the emergency from 1975 to 1977. The Commission drew attention of the Government towards the way police behaved during that period as they were not accountable to any public authority. In its recommendations, the Commission suggested the Government to take measures to insulate the police from illegitimate political and executive interference.

It was provided by the Malimath Committee on Reforms of the Criminal Justice System that:
"*Manner in which police investigations are conducted is of critical importance to the functioning of the criminal justice system. Protection of the society being of paramount consideration, the laws, procedures and police practices must be such as to ensure that the guilty are apprehended and punished with utmost dispatch and in the process the innocent are not harassed.*"

The committee further observed that, "*If tortured, an accused should have the freedom to apprise the Magistrate of the incident, when produced before him. In such cases, the magistrate can remand him to judicial custody. This should be true of any violence or sexual offence perpetrated against an accused person in custody. In all such cases, there must be a detailed inquiry.*"It has been observed that most of the victims of custodial violence are those who belong to the lower section of the society, who do not have any strong political or financial backing to their rescue. The defenseless and hapless people are subjected to merciless treatment by the authorities in prisons with absolutely no knowledge about their rights. Lack of awareness of these rights on the part of these people makes them give in to the situation. The responsibility of protection of the right to life lies in the government of the nation and its various organs. In a democracy, a policeman is a custodian of law. Apart from the police, there are several other government authorities, like Directorate of Revenue Intelligence Bureau, Research Analysis Wing, Central Bureau of Investigation, Criminal Investigation Department, Traffic Police, Mounted Police and Indo-Tibetan Border Police, which have the power of detaining any person and to interrogate him in connection with the investigation of any matter. But the irony is that the protectors of these constitutional and statutory rights have become their major violators.

They commit custodial violence- physical and mental, rape and murder of persons under their custody with the aid of weapons such as fake encounters. There seems to be a lack of awareness or non interest of the existence of prisoners' rights by all sections of the society. The general public also gets to know about the violations of these rights through various modes like the court decisions and the press, television, magazines, etc. Human rights cut across political, social, ideological and cultural domains and are of universal importance as they are available to the entire humanity irrespective of race, religion, color, sex or domicile. Custodial violence such as lock-up deaths, unlawful detentions, custodial rapes and physical violence are not tolerated by any faith or culture, which respects humanity. But one of the major problems India is facing today is violation of human rights by individuals and institutions established to uphold these very principles under the Constitution and other statutory laws. There is a need to build an in-built mechanism in the administrative and supervisory structure to ensure constant watch on this vulnerable group of the human society. The violence committed on the detainees in various forms in the custody of the governmental agencies is a matter of grave concern. This problem has taken a magnified form especially because most of the Indian population is poor and illiterate.



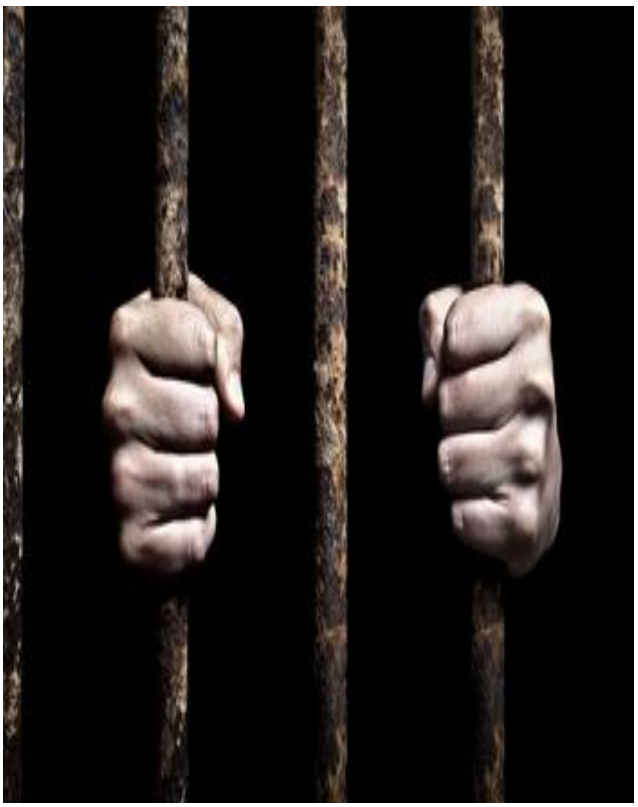
It was provided by the Hon'ble Apex Court in the matter of *D.K. Basu* v. State *of West Bengal*, AIR 1997 SC 610, that "Custodial death is perhaps one of the worst crimes in a civilised society governed by the Rule of Law. The rights inherent in Articles 21 and 22(1) of the Constitution are required to be zealously and scrupulously protected. We cannot wish away the problem. Any form of torture of cruel, inhuman or degrading treatment would fall within the inhibition of Article 21 of the Constitution, whether it occurs during investigation, interrogation or otherwise. If the functionaries of the Government become law breakers, it is bound to breed contempt of law and would encourage lawlessness and every man would have the tendency to become law unto himself thereby leading to anarchism. No civilised nation can permit that to happen."

Complaints of abuse of power, torture and violence towards suspects in custody of police and other law enforcing agencies is the concern of the society. Such crimes are heinous and revolting as they reflect betrayal of custodial trust by a public authority against the defenseless citizens and violate fundamental rights and human rights. There is a pressing need to control this malady.

A death in police custody is made to look like a suicide or an accident and the body is disposed of quickly without post-mortem. The records are manipulated and evidences are destroyed to shield the police personnel responsible for the offence. Political influence is used to hush up the matter and thus crime goes unpunished. The relatives and friends of the victims are unable to seek justice because of fear, poverty and ignorance of law.

Most of the tortures and custodial deaths occur while the police try to extract confessions from the accused during interrogation.

In the eyes of law, prisoners also have inalienable human rights that cannot be forsaken in light of their imprisonment and therefore, if any guardian of law harms those rights and defiles the dignity of its people, he must be accordingly punished.



THE STORY OF IROM SHARMILA VIS-A-VIS
RIGHT TO COMMIT SUICIDE IN INDIA

Part of the seven sister states in the often neglected North-Eastern part of the country is the Indian State of Manipur. A troubled state caught in the midst of insurgency and the draconian Armed Forces Special Powers Act (AFSPA), Manipur has seen bad times. It is here where lie numerous tragedies, full of oppression and bravery, one of which has recently come to the notice of the general public of the country.

At the age of 28, after seeing a massacre (termed as the Malom Massacre) in Imphal, the capital of Manipur, in which 10 persons were killed, a young, conscious woman, named Irom Chanu Sharmila, decided to go on an indefinite hunger strike, demanding the repeal of the draconian AFSPA.

Amnesty International called the law "as providing impunity for perpetrators of grave human rights violations, including extrajudicial executions, enforced disappearances, rape, torture and excessive use of force" in Manipur. Many other human rights organizations have also spoken against it.

Still, the solitary struggle of the *Iron Lady* continued till August 2016, when she ended the hunger strike, and conveyed the intention of joining politics to improve and change the condition of her state. She ended her fast exactly a month after the Supreme Court passed a historic judgment questioning the immunity enjoyed by the security personnel under the Armed Forces (Special Powers) Act of 1958 (AFSPA) for acts committed in disturbed areas. The Apex Court also asked various local rights groups which claimed atrocities against the populace, to give details of 1,528 alleged extra-judicial executions by security forces in the state between 1979 and 2012. The Court observed that there was no concept of "absolute immunity" from trial by a criminal court if an army man has committed an offence.

However, during the long period of her hunger strike, she was regularly arrested by the police and charged with an "attempt to commit suicide", which was unlawful under the Indian Penal Code (IPC) at that time, and was later transferred to judicial custody. She was forcefully fed to be kept alive during this time. This raised serious questions regarding her right to life and subsequent right to die for the cause she believed in and the conflicting penal provisions.

Referred to as an anachronism unworthy of human society like ours *by* the Delhi High Court, attempt to commit suicide is a serious problem requiring mental health interventions, instead, it finds its place as a criminal offence under the Section 309 of Indian Penal Code. Section 309 of IPC clearly states as follows: "*Whoever attempts to commit suicide and does any act towards the commission of such offence, shall be punished with simple imprisonment for a term which may extend to one year or with fine or both.*"

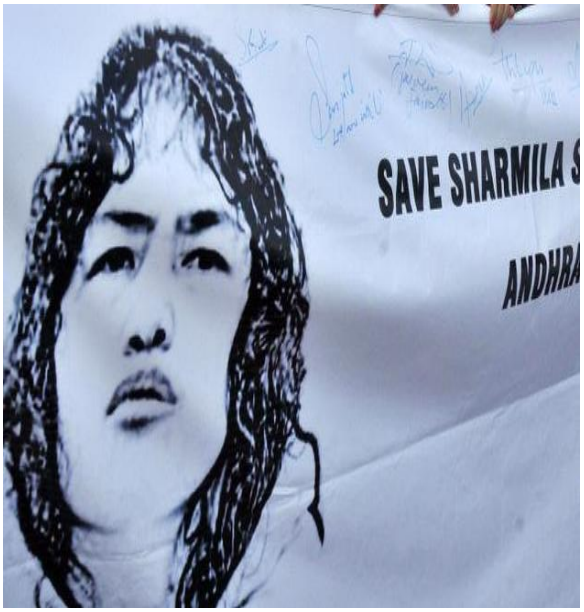
The Indian Penal Code is the only act, in which the attempt to suicide alone will become an offence. The person who attempts to commit suicide is guilty of the offence under Section 309 whereas the person who committed suicide cannot be reached at all. Section 306 renders the person, who abets the commission of suicide, punishable for which the condition precedent is that suicide should necessarily have been committed.

Indian Penal Code, formulated during British Raj Regime of 1860, and mainly governed by British law of that time, ironically, still continues to be followed blindly in India, even though Britain itself had decriminalized suicide way back in 1961.

In India, there has been no definite stand on the issue until quite recently. In an early attempt to repeal the law, the Rajya Sabha had passed the IPC (Amendment) Bill, 1978, but the Bill lapsed as the Lok Sabha was dissolved in 1979. In Indian Constitution, under Article 21, it is said that, "*No person shall be deprived of his life or personal liberty except according to procedure established by law.*"

The meaning of the words "personal liberty" was read in a narrower sense by the Supreme Court in *A.K. Gopalan* v. *Union of India*, AIR 1950 SC 27, which was later over-ruled in Maneka Gandhi v. Union of India, AIR 1978 SC 597, wherein the Supreme Court widened the scope of the words "personal liberty". Further, in *Maruti Shripati Dubal* v. *State of Maharashtra*, (1987) 1 BomCR 499, the Bombay High Court held that the right to life guaranteed under Article 21 includes right to die, and the Hon'ble High Court struck down Section 309 IPC as unconstitutional which provides punishment for attempt to commit suicide by a person.

Later, the Supreme Court, in *P Rathinam* v. *Union of India*, 1994 (3) SCC 394,while relying on the above judgment of the Bombay High Court, stated that the right to life under Article 21 of the Constitution included the "right not to live a forced life", thus holding the provision unconstitutional. But subsequently, in *Gian Kaur* v. *State of Punjab*, (1996) 2 SCC 648, a five-judge bench overruled P. Rathinam, upholding the validity of Section 309. Gian Kaur stated that sanctity of life was a significant aspect of Article 21, and "by no stretch of imagination can extinction of life be read to be included in protection of life". Similarly, the Law Commission of India in its 42nd Report (1971) recommended that Section 309 should be repealed, while in the 156th Report (1997) recommended retention based on Gian Kaur. Further, in the *Aruna Shanbaug* Case, (2011) 4 SCC 454, the Supreme Court allowed only for a highly circumscribed right to approach courts to seek withdrawal of life support systems for patients in a permanent vegetative state.



The Law Commission's 210th Report (2008) again recommended a repeal of the law. It said Section 309 needs to be effaced from the statute book because the provision is inhuman, irrespective of whether it is constitutional or unconstitutional. One of the factors responsible, globally, for aiding the penal law against suicide was perhaps the condemnation of suicide by institutional Christianity. This ethic found its way into English common law in the mid-13th century and later in the Indian Penal Code, and suicide remained an offence in England until 1961. Interestingly, the 42nd Report of the Law Commission relied, inter alia, on Manusmriti, that holds suicide circumstantially permissible, to recommend the repeal.

A welcome decision in this regard came in year 2014, wherein attempt to suicide was said to be decriminalized in India, based on the above mentioned 210th report of the law commission of India and responses in affirmative by 18 states and four union territories. It must be duly noted that the Supreme Court in Gian Kaur focused merely on the constitutionality of section 309 and did not go into the wisdom of retaining or continuing the same in the statute. International organizations like the World Health Organization, the International Association for Suicide Prevention, France, and the Indian Psychiatric Society have time and again supported decriminalization of suicide in India. Further, attempt to commit suicide may be regarded more as a manifestation of a diseased condition of mind deserving treatment and care rather than to be viewed an offence carrying punishment. Also, only a handful of countries in the world, like Pakistan, Bangladesh, Malaysia, Singapore and India have persisted with this undesirable law.

INFO BOX

JALLIKATTU

- An ancient blood sport said to date back to 400 BC, Jallikattu is organised during the mid-January harvest festival, Pongal. It involves releasing a bull into a crowd of people when participants attempt to grab its hump and ride it as long as possible. Sometimes, participants must also try and remove red flags attached to the bull's horns.
- The Supreme Court banned the sport in 2014, upholding concerns raised by activists who said that Jallikattu amounted to cruelty to animal besides posing a threat to humans. Between 2010 and 2014, an estimated 17 people were killed and 1000-odd were injured during Jallikattu events. The Supreme Court said, "Use of bulls in such events severely harmed the animals and constituted an offence under the Prevention of Cruelty to the Animals Act."
- The Tamil Nadu government put out an ordinance to bypass the SC's order so that the effect of ban inside the Tamil Nadu territory is lifted. Prior to the lifting of effect of the ban, the ordinance had the consent of the President as there is a conflict of views between the centre and the state regarding this issue.

BACHPAN BACHAO ANDOLAN v. UNION OF INDIA&ORS.

There can be no keener revelation of a society's soul than the way in which it treats its children.

- Nelson Mandela

INTRODUCTION

The issue of child labour has continually posed a challenge to India's development. One of the major issues with respect to child labour in India is that it is a socio-economic problem which is embedded within the society due to the existence of poverty. Gurupadswamy Committee in the year 1979 stated that as long as poverty continued, it would be difficult to eliminate child labour totally and hence any attempt to abolish it through legal recourse would not be a practical proposition. As an alternative, recommendations were made to ban child labour in hazardous areas and regulate the conditions of work in other areas. All of this was done also in recognition of the right available to children.

The Constitution of India, under Article 23, guarantees right against exploitation, prohibits traffic in human beings and forced labour and makes their practice punishable under law. Article 24, which specifically prohibits child labour, states that no child below the age fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment. Further, the Convention on Rights of Child recognises that a child should grow up in a family environment, in an atmosphere of happiness, love and understanding for full and harmonious development.

The role of judiciary in this particular area is highly commendable. With regard to child labour in India, Justice Subba Rao, the former Chief Justice of India, rightly remarked, "Social justice must begin with the child. Unless a tender plant is properly nourished, it has little chance of growing into strong and useful tree. So, first priority in the scale of justice should be given to the welfare of children."

Bachpan Bachao Andolan, an Indian-based movement, filed a public interest petition, AIR 2011 SC 3361, under Article 32 of the Constitution concerning the serious violations and abuse of children who are forcefully detained in circuses. There are no labour or welfare laws which protect the rights of these children and the PIL also highlighted how state agencies have failed to deal with the issue of child trafficking. The Court, through this judgment, tried to enforce the mandate given under Articles 14, 21A, 23, 39 of the Constitution of India.

FACTS

The petition requested that the Court issue a number of orders or directions against the state, including the framing of appropriate guidelines for persons engaged in circuses' conducting raids on circuses to liberate the children and examine the gross violations of their rights; appointing special forces on the borders to prevent cross-border trafficking of children; criminalising intra-state trafficking, bondage, forcible confinement, sexual harassment, and abuse of children; empowering the Child Welfare Committee under the Juvenile Justice (Care and Protection of Children) Act, 2000 to award compensation to child victims rescued from the circuses; and prohibiting the employment/engagement of children under 18 in circuses.

ISSUES

The case dealt with the following issues:

1. Deprivation of the children from getting education, which, thereby, violates their fundamental right to education enshrined under Article 21 of the Constitution.
2. Deprivation of the child from playing and expression of thoughts and feelings, thereby violating the fundamental right to freedom of expression.
3. Competency to enter into contract for working in circus & its legality.
4. Existing labour laws and legitimacy of contracts for employment of children.
5. The working conditions prevailing in such employments.

JUDGEMENT

The Hon'ble Supreme Court in the present case stated that the Government of India is fully aware about the problems of children working in circuses and elsewhere. The bench decided to deal with the problem of children's exploitation systematically. In this judgement it limited itself to giving directions with regard to children working in Indian circuses and gave the following directions:

i. In order to implement the fundamental right of the children under Article 21A, it is imperative that the Central Government must issue suitable notifications prohibiting the employment of children in circuses within two months from today.

ii) The respondents are directed to conduct simultaneous raids in all the circuses to liberate the children and check the violation of fundamental rights of the children. The rescued children be kept in the Care and Protective Homes till they attain the age of 18 years.

iii) The respondents are also directed to talk to the parents of the children and in case, they are willing to take their children back to their homes, they may be directed to do so after proper verification.

iv) The respondents are directed to frame proper scheme of rehabilitation of rescued children from circuses.

ANALYSIS

The Apex Court specifically stated that it would be dealing with child labour and exploitation in a systematic manner instead of trying to provide a solution for the issue in a single order. The court identified that there could be exploitation of children even in areas where child labour is regulated by law.

The existence of child labour in the unorganized sector is extremely difficult for one to manage. In a country like India, the unorganized sector employs majority of population and also includes a huge percentage of children. In reply to the court's notice, the Solicitor General had made an appearance and submitted a report on child trafficking for the purpose of labour. This, in turn, expanded the scope of the petition.

The reasons for limited or lack of effective implementation of standards for child protection were:

- Poor implementation of existing laws and legislations;
- Lack of linkages with essential lateral services for children, for example, education, health, police, judiciary, services for the disabled etc;
- No mapping has been done of the children in need of care and protection or of the services available for them at the district, city and state levels;
- Lack of coordination and convergence of programmes/services;
- Weak supervision, monitoring and evaluation of the juvenile justice system.

In a report submitted by the Ministry of Women and Child Development, 40% of India's children have been declared to be vulnerable or experiencing difficult circumstances. They are entitled to special protection under Articles 14, 15, 16, 17, 21, 23 and 24 of the Constitution. The Supreme Court in this case played a proactive role and directed that the Child Welfare Committee must be brought under the direct supervision of the District Judge/Judge of the High Court, and also that the above implementation must be overseen by a Court-monitored mechanism.

Learned Solicitor General submitted that Child Welfare Committees are empowered committees under section 31(1) of the Juvenile Justice Act. However, the standards employed by the Child Welfare Committees are not the same across the country. In order to set up uniform standards, the direction relating to review of Child Welfare Committees must be re-examined. It was also stated that the state government must constitute committees for the prevention of child labour.

The court has given its judgment which is consistent with the provisions of the Convention on Rights of a Child. The court, however, to a certain level, failed to give recognition to the Optional Protocol on the sale of children, child prostitution and child pornography. Art. 5 obligates the member countries to adopt legislative and other measures to stop trafficking and child labour. India is a signatory to this protocol and the court could have directed the central or state governments to criminalise and prevent those acts that involve child exploitation. The court urged that the protection of children must be done on a full-time and firm basis with the government-civil society partnership. This will require active involvement of the voluntary sector, research and training institutions, law college students, advocacy groups and the corporate sector.

It also recognised that the implementation of Article 21 A is of utmost importance. Many times, this recognition will act as the first stepping stone in further answering the question of child labour. The Supreme Court in this case recognized the rights of children and passed an order where it ensured that education should be given a priority if the child stops working.

CONCLUSION

In this case, the government itself acknowledged the existing problem of implementation. The court took the responsibility of overseeing the antecedent law relating to child labour along with giving orders for the current issue. This judgment reminded the government of introducing policy imperatives in the field of Child Labour.

Through this particular case, one can understand the extent and the intensity of the problem of child labour in our country. Further, with the rise of liberalization, privatization and globalization, the vulnerability of the children has increased tremendously. The problem of child labour can only be solved when worked through a holistic approach where every order passed by the court is seriously implemented and a strong check and balance system for this implementation is placed in the society by all organs of the government. Efforts must be made towards ensuring the rescuing of marginalized children and putting them into the mainstream society and ensuring that they don't have a bad childhood because of the country's economic inefficiency.

Thomas Hobbes once said that in the midst of anarchy, there cannot grow the flower of stability; similarities in today's world of struggle, it is hard for human rights to stabilize. However, the endeavours to achieve both, the stability and protection of human rights, never seem to halt at their desired ends. But it is the cause of human right which has the potential of uprooting established institutions. Though, for the most part of human history, their presence has been felt by their absence, however, now many institutions, apart from the state, are coming forward for the purpose of augmenting this august cause. Non-Governmental Organizations (NGOs) play a prominent role in this. And it won't be wrong to say that NGO's are no lesser part of the Socialist hand of the state, rather more, than the State itself. Vatsalya is one such institution, which was established in 1995 by Dr. Neelima Singh, alumnus of the reputed King George Medical College. The objective of the institution is to bring everyone at par and to provide access to medical attention.

Vatsalya holds the distinction of forwarding the cause of human rights for the downtrodden and neglected portion of the society. It uncompromisingly works for the rights of the unheard and renders a valuable service to society for the least appreciation in return. Ever since its establishment in 1995, Vatsalya has been engaged in an unending war against gross human rights violations, female foeticides, advocating issues pertaining to health imbalances at different levels by demonstrating workable models with the most recent being in Swachh Bharat Abhiyan in the form of its ADARSH (Addressing Adolescent for Sanitation & Hygiene) programme.

Today, we are in conservation with its chief functionaries, Mr.Anjani Kumar Singh and Mr.Aman.

Q. Sir, please tell us something about your Organization?

Ans. Our organization came into existence around 1995, it was officially registered then, however we were working even before that, the idea of an NGO came to our Chief functionary, Dr. Neelima Singh Ji, since she was doctor that too a gynecologist, she used to get a lot of couples who used to come for sex determination and even female foeticide, if it was a girl. This had a great impact emotionally upon her for starting this NGO. However in 1994 the PNDT act had come, but not much authorities were aware of it. There used to be chief medical officers for the implementation of the act, but they themselves were not aware of the provisions or how to implement it so we took it upon ourselves to spread awareness among people regarding the issue and to acquaint them and ever since then we are working in this field and other human rights issues.

What is your mode of work? How do you operate?

Ans. Our way of work depends so much upon the project we work upon. We don't follow any strict modus operandi and prefer to work more according to the demand of Project. The basic method we operate through, starts from the meeting with the fund agency whereby we decide upon the issue to be worked on. We thereby decide upon how the things are going to be operated and how the plan is to be implemented to provide for large scale impact on the issue. We don't generally follow individualistic approach towards work whereby any issue by individual is picked up but rather we conduct a proper research and analyze the actual need of society in order to be more effective. The funding agency plays important role during this initial process and at times become a cause of contention during this process.

So when we pick up a project, we look toward an issue which addresses the larger section of society. So, rather than picking up individual projects as told earlier, we target specific area, section or community of society. For example in one of our present projects on Water Sanitization and Hygiene, we are trying to focus on the impact of poor sanitization and hygiene conditions in schools and therefore provide for proper sanitization facility including washrooms, toilets and other required essentials. In meanwhile we also work to make the program more effective by involving more and more volunteers, training them and also providing sensitization. In furtherance, we also try to develop the project as model project so that we could approach government agencies for the larger implementation of same, if plausible.

Q. Sir, considering the role of funding agencies and government as you told us, what are the main difficulties you face in running this Organization? Further, how do you manage funds for your initiatives? Do governmental aids play any role here?

Ans. Well, Fund agencies play an important role in the entire process. There is always subtle but strong expectation from us to meet the desire of funding agencies. During the selection of project, we have to make sure we are on same page as the funding agencies. But still, Vatsalya ensures that the motto of NGO is not compromised and furthers the major implementation process and work is with us.

Further Vatsalya, does not avail of any Governmental aid, however, when we try to avail governmental aid we had to suffer from difficulties in receiving the funds. Most time the funds were allotted to NGOs, who were not genuine and were just registered and not even working for the cause they were established.

(Intervening Question: Sir, wasn't there any scrutiny regarding this?) No, most of the time they use to be a nexus between the authorities and the person running the NGO. So this is the main reason that we do not avail of Governmental aid and even the governmental accountants who have to release the money won't give his sanction without the bribe and we do not pay a single penny to this corrupt practice. I'll tell you one instance in which our person had to run for three years in governmental departments just to compensate for the work we have done.

Q. Tell us something about your 'Link Worker Scheme' and 'UMANG' programme.

Ans. Link Worker Scheme and UMANG have come to an end. Under 'Link worker scheme', we used to sensitize people about HIV, mostly truck drivers and migrated population, we used to see the symptoms in them and orient them. And under UMANG, we used to give to adolescent girls in Lucknow one capsule of iron weekly, this practice was also adopted by the Government under the WIFS scheme.

Q. Sir, looking at the experience of Vatsalya and the initiatives carried on by it, what do you think is a backbone of any NGO or research centre for better efficiency ?

Ans. Well, Vatsalya has always believed that Proper and Effective Implementation of any scheme or policy is very important for success of any initiative. Many a times, we ignore the importance of small but deciding determinants of any measure and then end up at lager failure. So we believe that work at grassroots level is equally important. In fact, Vatsalya pays more importance to the grass root work. Here we believe that practical exposure to work is very important and the same is placed above theoretical views. We consider our volunteers working at grass root level as the actual pillars of our work.
In furtherance we try to train individuals be it school or college students, research assistants or other volunteers as a leader who help the work of organization. We conduct proper training programs providing required theoretical and practical knowhow. For us, the awareness of ground reality has always been an important factor.

Q. Sir, what are the present schemes running under your guidance?

Ans. There are several schemes running at present, but some major one's are ADARSH, GARIMA, GARV& REMIND.

Q. Sir, looking at the past work and present schemes running under your organization, what importance do you give to data collection for any policy implementation? Does your NGO work as a Data Collection Agency?

Ans. Yes, we work as Data Collecting Agency but as an independent agency and not in collaboration with or for government. We have always considered data collection an integral part of any program for its better implementation. Considering its importance we also share it with the government where the Base Line data is provided to them gathering information from every possible element of society.

Q. Sir, what is your expectation from institutes like ours in augmenting your cause?

Ans. There are several students who come and volunteer under us, but are not passionate, many of them are not acquainted with adequate data, some just come for the purpose of collecting data, they should understand it is hard for us to collect data at huge level; for example, if a student comes up to us to know the birth mortality rate, he should understand the data is taken out in lakh, how can he expect us to present the data. However, students from TISS's (Tata Institute of Social Science) student have shown much work efficiency, most of their volunteers stay in the community allotted to them. So, it will be very nice if they connect at ground level and work passionately.

VATSALYA

MATERNITY BENEFITS (AMENDMENT) BILL, 2016 - ANALYSIS

INTRODUCTION

With several years of robust growth under its belt, the prevalent notion amongst many is that India is developing in a wholesome manner and is well on its way to modernization. But, a look under the surface and these claims begin to seem rather tedious. According to the International Labour Organisation (ILO), between 1990 and 2005, the percentage of working-age women in the workforce grew from 35% to 37%. However, in the last decade, these trends have reversed. From 2005-2014, the female workforce declined to just 27%.[1]On a global scale, this means that India is tied with 16th lowest in the world.

Such data serves to strengthen the cause for laws aimed at securing women's rights and benefits at the workplace. The ILO conjectures that the aforementioned decline is testament to the fact that several social institutions such as family and marriage are yet to keep pace with the country's rapid economic development and apparent modernization. These numbers call for state initiatives to provide a level playing field for working women lest they get left behind.

One such attempt is the latest amendment to the Maternity Benefits Act, 1961 which has already been passed by the Rajya Sabha[1]. The Act aims to bring India's maternity laws on par with global standards and serve as a safeguard against women's job insecurity. The original law, Maternity Benefit Act, 1961, regulates the employment of women in factories, mines, plantations, shops or other establishments employing ten or more persons, except the employees who are covered under the Employees' State Insurance Act, 1948, for certain periods before and after childbirth and provides for maternity and other benefits. The 2016 Bill provides for amendment of provisions relating to the duration and applicability of maternity leave, and other facilities.

SALIENT FEATURES

- Duration of maternity leave – The 1961 Act states that every woman will be entitled to maternity leave of 12 weeks. The 2016 Bill will increase this to 26 weeks.
- Maternity benefit prior to expected delivery – Under the 1961 Act, this maternity benefit should not be availed before 6 weeks from the date of expected delivery. The 2016 Bill changes this to 8 weeks.
- Maternity benefit for a woman having two or more children – If a woman has two or more children, the maternity benefit will continue to be 12 weeks, which cannot be availed before 6 weeks from the date of the expected delivery.
- Maternity benefit to adopting mother and commissioning mother – As per the 2016 Bill, a woman, who legally adopts a child below the age of three months, or a commissioning mother shall be entitled to maternity benefit for a period of 12 weeks from the date the child is handed over to the adopting mother or the commissioning mother.
- Provision for Crèche facility – The 2016 Bill introduces a provision which requires every establishment with 50 or more employees to provide crèche facilities within a prescribed distance. The woman will be allowed four visits to the crèche in a day. This will include the interval of rest allowed to her.
- Option to Work from Home – The 2016 Bill introduces a provision that states that an employer may permit a woman to work from home. This would apply if the nature of work assigned to the woman permits her to work from home. This option can be availed of, after the period of maternity leave, for a duration that is mutually decided by the employer and the woman employee.
- Informing women employees of the right to maternity leave – The 2016 Bill introduces a provision which requires every establishment to intimate a woman at the time of her appointment of the maternity benefits available to her. Such communication must be made in writing and electronically.

CRITICAL ANALYSIS

In 2015, the Law Commission of India recommended increasing the period of maternity leave under the 1961 Act from 12 to 24 weeks, and bringing the unorganized work force within its ambit[1]. This sentiment was reiterated by the Indian Labour Conference[1]. Recognizing the need to modernize maternity benefits and to conform to international standards, the current bill raises the period of maternity leave to 26 weeks with full wages. In spite of this, it cannot be considered a panacea to the problems women face while in the workforce. Well intentioned it may be, but the potential drawbacks of the current bill must not be ignored.

Firstly, it may be argued that increasing maternity leave from 12 to 26 weeks could have an adverse impact on the job opportunities available for women. Since the Bill requires the employer to pay full wages during maternity leave, it could increase the costs for employers and result in a preference for hiring male workers. Further, the increase in costs could impact the competitiveness of industries that employ a higher proportion of women workers. Some countries have addressed this issue by creating different mechanisms for financing maternity leave[1]. However, the same cannot be said about this bill.

Secondly, the provisions of this bill do not apply to women with two or more surviving children. Such women will be entitled to 12 weeks of leave only. This is a rather bizarre provision as it could defeat the entire purpose of amendment. The government notes that the increase in maternity leave is to provide a child with essential care during infancy. By taking this away from the third child, the bill not only defeats its stated purpose but also runs the risk of being unconstitutional.

Thirdly, and perhaps most importantly, the bill does not apply to women in the unorganized sector. The 1961 Act covers women workers employed in factories, mines, plantations, shops and establishments with 10 or more employees, and any other establishments. This constitutes about 18 lakh women workers[1]. What is required to be noted is that about 90% of working women are in the unorganized sector and are not covered by the 1961 Act[2]. In 2015, the Law Commission of India recommended that the provisions of the 1961 Act should cover all women, including women working in the unorganized sector[3].

Currently, such women may claim maternity benefits under the Indira Gandhi Matritva Sahyog Yojana, a conditional cash transfer scheme[4]. Under the scheme, assistance of Rs 6,000 is provided to a pregnant woman for the birth of two children. Such schemes provide a lump sum payment but do not fully address the issue of loss of income or assure job security.

CONCLUSION

Although the bill is a step in the right direction, it must be stated rather bluntly that it does not do enough to achieve its objective. Though it meets international standards, the bill is not adequate to improve the lives of women at the lowest rungs of the workforce, the same women who form the majority of said workforce. It also fails to account for potential losses to employers due to 26 weeks unproductive wages it mandates and does not provide for a mechanism to mitigate against the same. At best, one can look at this bill as the first in a series of future legislations seeking to address the concerns of all women working.

[1]"Amendments to the Maternity Benefits Act, 1961", Press Information Bureau, Union Cabinet, August 10, 2016, http://pib.nic.in/newsite/PrintRelease.aspx?relid=148712.

[2]"*The Challenge of Employment in India: An Informal Economy Perspective*", National Commission for Enterprises in the Unorganised Sector, Volume II, April 2009, http://nceuis.nic.in/The_Challenge_of_Employment_in_India_(Vol.%20II).pdf.

[3]*Supra* Note 3.

[4]Indira Gandhi Matritva Sahyog Yojana: 2011 Guidelines and 2013 notification, Ministry of Women and Child Development,http://wcd.nic.in/sites/default/files/IGMSYscheme.pdf;http://wcd.nic.in/sites/default/files/nfsigmsydtd10012013.pdf.

AROUND THE GLOBE…

QATAR WORLD CUP 2022: AMNESTY HITS OUT AT UK SILENCE ON HUMAN RIGHTS

Human rights groups criticised a UK trade minister for travelling to Qatar to seek contracts for British companies before the 2022 World Cup without apparently highlighting the abuses faced by migrant workers building venues for the event. Amnesty International said it was "extremely disappointing" that the minister had not spoken out about human rights ahead of the visit, saying Qatar's construction sector was "rife with abuse".The awarding of the World Cup to Qatar has proved hugely controversial, particularly the treatment of the thousands of foreign workers, mainly from south Asian nations, many of whom have been put up in squalid accommodation, had their pay withheld or delayed, and their passports confiscated.

AFRICAN NATIONS ATTEMPT TO SUSPEND UN'S LGBT RIGHTS MONITOR

African nations are seeking to suspend the work of the first UN independent expert charged with investigating violence and discrimination based on sexual orientation and gender identity. Botswana's ambassador to the UN, Charles Ntwaagae, said that African nations want the general assembly to delay consideration of a Human Rights Council resolution adopted on 30 June that authorised the appointment of an expert to monitor LGBT rights to discuss "the legality of the creation of this mandate". Ntwaagae told the 193-member world body that a general assembly resolution introduced by African nations seeking a delay also calls for suspending the activities of the first expert, Vitit Muntarbhorn, from Thailand, who was appointed in September, pending a determination of the legality.

UN RIGHTS CHIEF CALLS FOR MURDER INVESTIGATION INTO DUTERTE CLAIMS

The UN human rights chief has asked Philippine authorities to launch a murder investigation after the president, Rodrigo Duterte, claimed to have killed people in the past, and to examine the "appalling epidemic of extrajudicial killings" committed during his anti-drug crackdown. ZeidRa'ad al-Hussein said the country's judicial authorities "must demonstrate their commitment to upholding the rule of law and their independence from the executive" by investigating the president.

SAUDI ARABIA SET TO EXECUTE 150 PEOPLE FOR SECOND YEAR IN ROW

Saudi Arabia is on course to execute 150 people or more, for a second consecutive year, becoming one of the most frequent users of state executions to carry out judicial sentences, figures compiled by the human rights group Reprieve show. The group also claims its figures show the kingdom is increasingly using secret courts to impose the death penalty on drug offenders, juveniles and political prisoners. Many Gulf States use the death penalty and there is concern that executions are becoming the "new normal". The Reprieve figures show 150 people have been executed this year, close to the 2015 high of 158, and way above the 2014 figures of 87.

CHINA ABANDONING RULE OF LAW, HUMAN RIGHTS LAWYERS SAY

Top human rights lawyers say Xi Jinping's China is moving farther and farther away from the rule of law amid new claims about torture of Chinese attorneys. In a letter to the Guardian, a group of leading lawyers and judges from the US, Europe and Australia expressed "grave concern" over the detention and treatment of legal professionals. This comes after human rights lawyer Xie Yang detailed being tortured while in police custody. He was beaten, forced into stress positions, deprived food, drink and sleep, denied medical care and received death threats.

NATIONAL NEWS…

INDIAN POLICE TORTURING SUSPECTS, SAYS HRW DEATHS IN CUSTODY REPORT

Indian police are torturing suspects – including using sexual abuse, forms of waterboarding and beatings with a "truth-seeking belt" – a Human Rights Watch investigation has claimed. A report released by the rights group says more than 590 suspects died in police custody between 2010 and 2015, and though mistreatment was alleged in many cases, no police officers have been convicted in that time. Rules intended to curb the number of deaths in custody, such as bringing a suspect before a magistrate within 24 hours of their arrest, were routinely ignored, it says.

INDIA LOST 2.55 CRORE GIRLS IN TWO DECADES TO INFANTICIDE: REPORT

Just a day after Prime Minister Narendra Modi put girls at the centre stage at Haryana's Golden Jubilee functions, pledging to save the girl child, comes a report revealing that India has lost 2.55 crore girls in the last two decades to female foeticide. In other words, between 1991 and 2011, the country has been losing an average of over 13 lakh girls every year to infanticide owing to sex-determination tests. In comparison, the conviction rate in the cases of sex selection filed under the Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act, 1994, was 1 in 1,23,755. These are some of the findings of a report on the Act to be released by the Asian Centre for Human Rights (ACHR).

HUMAN RIGHTS PANEL NOTICE TO TAMIL NADU GOVERNMENT OVER DEATH OF 106 FARMERS

The National Human Rights Commission has issued a notice to Tamil Nadu government over reported death of 106 farmers during a period of one month in the state, and sought a detailed report in the matter within six weeks. The Commission, in a statement on Thursday observed that there is a need for sincere implementation of the laws and policies made for the farming sector especially, the small farmers. The farmers are required to be brought out of the agrarian crisis, which have been adversely affecting them since long, it said.

SUPREME COURT TELLS CENTRE TO APPOINT DIRECTOR GENERAL OF HUMAN RIGHTS PANEL

The Supreme Court directed the Centre to appoint the Director General in the National Human Rights Commission (NHRC) within a week. A bench headed by Chief Justice JS Khehar also asked the central government to appoint the members of the human rights body within four weeks. The Supreme Court had on December 2 last year expressed displeasure over inordinate delay in filling up vacant positions in the NHRC including that of the Director General of investigation and a member while directing the Centre to enumerate reasons for the delay

16 WOMEN ALLEGEDLY RAPED BY POLICE IN CHHATTISGARH, RIGHTS PANEL NOTICE TO GOVERNMENT

At least 16 women were raped, and assaulted sexually and physically by police in Chhattisgarh, the National Human Rights Commission has said, serving a notice to the state government and holding it "vicariously liable" for the incidents reported in 2015 and 2016. The Commission, in a news release also said that it awaits the recorded statements of about "20 other victims". The human rights panel said it has directed its officials to record the statements of survivors whose statements were not recorded either by the NHRC team or by the Magistrate and submit it within a month.

Contributions are invited for the May issue of the CASIHR newsletter. The last date of submission is 30th April and it can be mailed on casihr@rgnul.ac.in

IMPORTANT DATES RELATED TO HUMAN RIGHTS

6 November- International Day for Preventing the Exploitation of the Environment in War and Armed Conflict

20 November (third Sunday in November)-World Day of Remembrance for Road Traffic Victims

2 December-International Day for the Abolition of Slavery

3 December- International Day of Persons with Disabilities

10 December- Human Rights Day

20 December- International Human Solidarity Day

INFORMATION REGARDING DEMONETIZATION IN INDIA

OTHER COUNTRIES WHERE DEMONETIZATION HAS TAKEN PLACE PREVIOUSLY

Many countries have experimented with the process of demonetization in the past. Some countries benefited tremendously from the move while some terribly failed at it. Here is a list of some countries that have implemented the policy of demonetization:

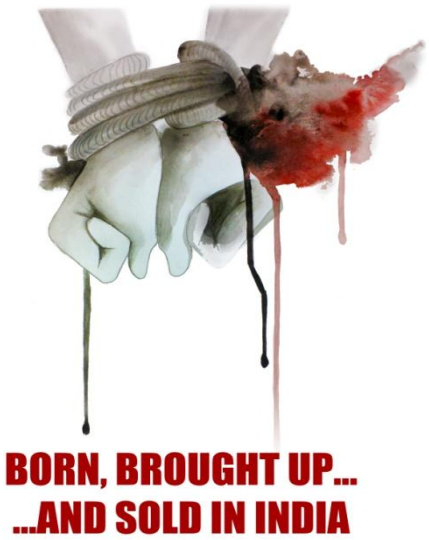
- France
- US (1969)
- Britain (1971)
- Ghana (1982)
- Myanmar (1987)
- Nigeria (1984)
- Zaire (1990)
- Congo (1990)
- Soviet Union (1991)
- Australia (1996)
- Zimbabwe
- North Korea (2010)
- Pakistan (2015)

HISTORICAL FACTS ABOUT DEMONETIZATION IN INDIA

Although the history of demonetization in India dates back to the time when various rulers ruled this country, the freshest and most significant instances of demonetization in India are:

1. On **12th January 1946, Rs. 500,** Rs. 1,000 and Rs. 10,000 notes were declared invalid as legal tender.
2. New notes of Rs. 1000, Rs. 5000 and Rs. 10,000 came into economy in **1954**.
3. On **16th January 1978**, the Morarji Desai led-*Janata Party* demonetized banknotes of Rs. 1000, 5000 and 10,000. The finance minister at that time was H.M. Patel.
4. RBI introduced a new banknote of Rs. 500 into the economy in **1987** to contain inflation.
5. On **8th November 2016**, the old banknotes of Rs. 500 and Rs. 1000 were barred from being legal tender and new notes of Rs. 2000 were soon introduced.

Also, the coins of 1, 2, 3, 5, 10, 20 & 25 paise were in circulation till June 30, 2011 but they were then withdrawn. 50 paise coins are still in circulation and are called *small coins*.



* **Derick Haokip**

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