

WELCOME

# NATIONAL HUMAN RIGHTS COMMISSION OF INDIA

Presentation By:

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United Nations

# NATIONAL HUMAN RIGHTS COMMISSION OF INDIA



## Universal Declaration of Human Rights 1948 BY UNO

- The Un Commission on Human Rights formulated the Universal Declaration of Human Rights (UDHR). UDHR was adopted by the United Nations General Assembly in 1948.
- Promote a number of human, civil, economic and Social Rights. The adoption of the Universal Declaration is a significant international Commemoration marked each year on 10 December, and is known as Human Right Day or International Human Rights Day.
- In the year 1991 a UN –sponsored meeting of representatives of National Institutions held in Paris, a detailed set of principles on the status of National Institutions was developed, these are commonly known as the Paris principles. These principles became the foundation for the establishment and operation of National Human Rights Institutions.

# Protection of Human Rights Act ,1993,



- In the wake of these developments, India, enacted the Protection of Human Rights Act ,1993, with a view to bring about great accountability and strengthen the dominion of Human Rights in the Country. The National Human Rights Commission was established on Oct-12,1993. Its Statue is contained in the Protection of Human Rights Act,1993, and is in conformity with the Paris principles. States,23 of them as setup their own Human Rights Commissions under the protection of Human Rights Act 1993 to deal with the violations from within their states.
- NHRC was constituted U/s 3 of the 1993 Act for better protection of Human Rights.
- The term “Human Rights” is defined in Section-2 (d) of the 1993 Act which reads as follows.
- “Human Rights means the rights relating to life, liberty, Equality and dignity of the individual guaranteed by the Constitution and enforceable by course in India”.
- It is Autonomous i.e. it has been created by an Act of Parliament.
- NHRC is committed to provide independent views on issues .
- NHRC has the powers of a Civil Court.
- Authority to grant Interim relief.
- Authority to recommend payment of compensation or damages.
- Over 70000 complaints received every year reflects the credibility of the commission on the trust reposed in it by the citizens.
- NHRC has a very wide mandate.
- NHRC has a unique mechanism with which it also monitors implementation of its composition of NHRC.

# NATIONAL HUMAN RIGHTS COMPOSITION & FUNCTIONS



## COMPOSITION & FUNCTIONS

- One member who is, or has been, a Judge of the Supreme Court of India.
- One member who is, or has been the Chief Justice of High Court.
- Two members to be appointed from among persons having knowledge of or practical experience in, matters relating to Human Rights.
- In addition, the chair persons of four National Commissions of 1. Minorities, 2. S.C., 3. S.T., 4. Women serve as ex officio members.

## FUNCTIONS OF THE COMMISSION

- Inquire, Suo motu or on a petition presented to it by a Victim or any person on his behalf, into complaint of
- Violation of Human Rights.
- Negligence in the prevention of such violation, by a public servant.
- Intervene in an proceeding involving any allegation of violation of Human Rights pending before a Court with the approval of such Court.
- Visit, under intimation to the State Government, any jail or and other institution under the control of State Government, where persons are detailed or lodged for purposes of treatment, reformation or protection to study the living conditions of the inmates and make recommendations.
- Review the safe guards provided by or under the Constitution or any Law for the time being in force for the protection of Human Rights and recommend measures for their effective implementation.
- Review the factors, including acts of Terrorism that inhibit the enjoyment of Human Rights and recommend appropriate remedial measures.
- Study treaties and other International instruments on Human Rights and make recommendations for their effective implementations.
- Spread Human Rights Literacy among various sections of society and promote awareness of the safeguards available for the protection of these rights through publications, the media, seminars and other available means.
- Encourage the efforts of Non Governmental Organizations and institutions working in the field of Human Rights.

## MAJOR HUMAN RIGHTS ISSUES IN INDIA

- Custodial torture.
- Right to work and labour rights.
- Extra Judicial Killings.
- Arbitrary arrest and detention.
- Excessive powers of the armed forces and the police sexual violence.
- Conflicted induced internal displacement.
- Child labour.
- Manual scavenging
- Violence and discrimination against women, children, lesbian Gay, Bisexual, Transgender Rights, problems phased by Schedule Castes, Scheduled Tribes, Religious Minorities, Persons with disabilities.

# ROLE OF NHRC IN SAFEGUARDING HUMAN RIGHTS



## SAFEGUARDS

- Since its formation, the NHRC has widely dealt with issues relating to application of human rights.
- Some of the famous interventions of NHRC include campaigns against discrimination of HIV patients. It also has asked all State Governments to report the cases of the custodial deaths or rapes within 24 hours occurrence failing which it would be assumed that there was an attempt to suppress the incident. An important intervention of the commission was related to Nithari Village in Noida ,UP Capital, where children were sexually abused and murder. Recently, NHRC helped bring out in open a multi crore pension scam in Haryana. It also is looking up the sterilization tragedy of Chattisgarh.
- In spite of many achievements,the NHRD has been marred with controversies. For instance, the Batla House Encounter case in the recent past. The commission's report giving clean chit to the Delhi Police came under fire from various quarters. It was said that the Commission had failed to conduct a proper inquiry as its officials never visited the site and filed a report on the basis, on the police version.

## SUGGESTIONS

- If Human Rights Commissions are truly protect rights in India, it needs a revamp.
- The efficacy of Commissions will be greatly enhanced if their decisions are made enforceable by Government.
- If commissions are to play a meaningful role in society, they must include civil society Human Rights activists as members.
- Misuse of loss by the law enforcing agencies is often the root cause of Human Right Violations. So, the weakness of Laws should be removed and those Laws should be amended or repealed, if they run contrary to human rights.
- As chairman Justice K.G. Balakrishnan pointed out, to improve and the strengthen the Human Rights situation Human Right defenders, State and Non State actors need to work in tandem. As Citizens, we should treat all equal, remember out duties U/A 51A,and above all have respect for humanity.

Just a note to say... ✨

*Thank You!* ✨

