



# National Human Rights Commission of India

This is an old revision of this page, as edited by **2405:204:3125:324e:1d95:530:64d7:94a1** (talk) at 09:41, 5 December 2017 (→*Former chairpersons*). The present address (URL) is a permanent link to this revision, which may differ significantly from the current revision.

The **Rights Commission** (NHRC) of **India** is an autonomous public body constituted on 12 October 1993 under the Protection of Human Rights Ordinance of 28 September 1993.<sup>[1]</sup> It was given a statutory basis by the Protection of Human Rights Act, 1993 (TPHRA).<sup>[2]</sup> The NHRC is the **National Human Rights Commission of India**,<sup>[3]</sup> responsible for the protection and promotion of human rights, defined by the Act as "rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants".

"Human Rights" means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the constitution or embodied in the International covenants and enforceable by courts in India. "Commission" means the National Human Rights Commission constituted under section of All human beings are born free and equal in dignity and rights known as Human rights, as commonly understood, are the rights that every human being is entitled to enjoy freely irrespective of his religion, race, caste, sex and nationality, etc. (Jagdish chand, 2007) In Declaration of Independence acknowledged the fundamental human rights. Human right means different thing to different people. Human Rights are not static, but are rather dynamic in nature. New rights are recognized and enforced from time to time. Only persons fully conversant with the latest development about the expanding horizons of Human Rights can promote their awareness better than others.

## Functions

TPHRA mandates the NHRC to perform the following functions:<sup>[2]</sup>

- proactively or reactively inquire into violations of human rights or negligence in the prevention of such violation by a public

### National Human Rights Commission राष्ट्रीय मानवाधिकार आयोग



national human rights commission  
logo

#### Agency overview

**Formed** 12 October 1993

#### Jurisdictional structure

**Federal agency** India

**Operations jurisdiction** India

**General nature** Federal law enforcement

#### Operational structure

**Headquarters** New Delhi, India

**Agency executives** Justice H. L. Dattu, Chairman  
Satynarayan Mohanty,

servant

- by leave of the court, to intervene in court proceeding relating to human rights
- to visit any jail or other institution under the control of the State Government, where persons are detained or lodged for purposes of treatment, reformation or protection, for the study of the living conditions of the inmates and make recommendations
- review the safeguards 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
- to study treaties and other international instruments on human rights and make recommendations for their effective implementation
- undertake and promote research in the field of human rights
- engage in human rights education 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 NGOs and institutions working in the field of human rights
- such other function as it may consider it necessary for the protection of human rights.
- requisitioning any public record or copy thereof from any court or office.

Secretary  
General

#### Website

Official website (<http://www.nhrc.nic.in>)

## Composition

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The NHRC consists of:

- A Chairperson, should be retired Chief Justice of India (though Gol mulling appointment of retired SC Judges as chairperson<sup>[4]</sup>)
- 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 a 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 Chairpersons of four National Commissions (Scheduled Castes, Scheduled Tribes, Women and Minorities) serve as ex officio members.

The sitting Judge of the Supreme Court or sitting Chief Justice of any High Court can be appointed only after the consultation with the Chief Justice of Supreme Court.

## Chairman and Members

Justice JS Kehar is going to be next chairman after H.L. Dattu The chairman of the NHRC is Justice H. L. Dattu and the other members are:<sup>[5]</sup>

- Justice Cyriac Joseph
- Justice D. Murugesan, Chief Justice of Delhi High Court
- Sharad Chandra Sinha, former Director General, National Investigation Agency
- Jyotika Kalra

Ex-officio members:

- Ram shankar Katheria, Chairperson, National Commission for Scheduled Castes
- Nand Kumar Sai, Chairperson, National Commission for Scheduled Tribes
- Syed Gayorul Hasan Rizvi, Chairperson, National Commission for Minorities
- Lalitha Kumaramangalam, Chairperson, National Commission for Women

## **State Human Rights Commission**

A State Government may constitute a body known as the Human Rights Commission of that State to exercise the powers conferred upon, and to perform the functions assigned to, a State Commission. In accordance to the amendment brought in TPHRA,1993<sup>[6]</sup> point No.10 below is the list<sup>[7]</sup> of State Human Rights Commissions formed to perform the functions of the commission as stated under chapter V of TPHRA,1993 (with amendment act 2006). At present, 24 states have constituted SHRC<sup>[8]</sup>

State Commission	City	Date constituted
<u>Assam Human rights Commission</u>	<u>Guwahati</u>	19 January 1996
<u>Andhra Pradesh State Human rights Commission</u>	<u>Hyderabad</u>	2 August 2006
<u>Bihar Human rights Commission</u>	<u>Patna</u>	3 January 2000
<u>Chhattisgarh Human Rights Commission</u>	<u>Raipur</u>	16 April 2001
<u>Gujarat State Human Rights Commission</u> <sup>[9]</sup>	<u>Gandhinagar</u>	12 September 2006
<u>Goa Human Rights Commission</u>	<u>Panaji</u>	--
<u>Himachal Pradesh State Human rights Commission</u>	<u>Shimla</u>	--
<u>Jammu &amp; Kashmir Human Rights Commission</u>	<u>Srinagar</u>	January 1997
<u>Kerala State Human Rights Commission</u>	<u>Thiruvananthapuram</u>	11 December 1998
<u>Karnataka State Human Rights Commission</u>	<u>Bangalore</u>	28 June 2005
<u>Madhya Pradesh Human Rights Commission</u>	<u>Bhopal</u>	1 September 1995
<u>Maharashtra State Human Rights Commission</u>	<u>Mumbai</u>	6 March 2001
<u>Manipur State Human Rights Commission</u>	<u>Imphal</u>	--
<u>Odisha Human rights Commission</u>	<u>Bhubaneswar</u>	27 January 2000
<u>Punjab Human Rights Commission</u>	<u>Chandigarh</u>	--
<u>Rajasthan State Human rights Commission</u>	<u>Jaipur</u>	18 January 1999
<u>State Human Rights Commission Tamil Nadu</u>	<u>Chennai</u>	17 April 1997
<u>Uttar Pradesh Human Rights Commission</u>	<u>Lucknow</u>	7 October 2002
<u>West Bengal Human Rights Commission</u>	<u>Kolkata</u>	8 January 1994
<u>Jharkhand State Human Rights Commission</u>	<u>Ranchi</u>	--
<u>Sikkim State Human Rights Commission</u>	<u>Gangtok</u>	18 October 2008
<u>Uttarakhand Human Rights Commission</u>	<u>Dehradun</u>	13 May 2013
<u>Haryana Human Rights Commission</u>	<u>Chandigarh</u>	--
<u>Tripura Human rights Commission</u>	<u>Agartala</u>	--

## Appointment

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Sections 3 and 4 of TPHRA lay down the rules for appointment to the NHRC. The Chairperson and members of the NHRC are appointed by the President of India, on the recommendation of a committee consisting of:

- The Prime Minister (Chairperson)
- The Home Minister
- The Leader of the Opposition in the Lok Sabha (Lower House)
- The Leader of the Opposition in the Rajya Sabha (Upper House)
- The Speaker of the Lok Sabha (Lower House)

- The Deputy Chairman of the Rajya Sabha (Upper House)

## Former chairpersons

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Sr No	Name	Tenure
1.	Justice <u>Ranganath Misra</u>	12 October 1993 – 24 November 1996
2.	Justice <u>M N Venkatachaliah</u>	26 November 1996 – 24 October 1999
3.	Justice <u>J S Verma</u>	4 November 1999 – 17 January 2003
4.	Justice <u>A S Anand</u>	17 February 2003 – 31 October 2006
5.	Justice <u>S. Rajendra Babu</u>	2 April 2007 - 31 May 2009
6.	Justice <u>K G Balakrishnan</u>	7 June 2010 - 11 May 2015
7.	Justice <u>H.L. Dattu</u>	29 Feb-2016

## Acting Chairpersons

- Justice Cyriac Joseph from 11 May 2015 to 28 February 2016
- Dr. Justice Shivaraj Patil, from 1 November 2006 to 1 April 2007
- Justice G.P. Mathur, from 1 June 2009 to 6 June 2010

## International status

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The NHRC has been accredited with "A status" by the International Coordinating Committee of National Human Rights Institutions (the ICC), indicating that it is in conformity with the Paris Principles – a broad set of principles agreed upon by a conference of experts on the promotion and protection of human rights, in Paris in October 1991, and subsequently endorsed by the UN General Assembly. The Commission is thus entitled to participate in the ICC and in its regional sub-group, the Asia Pacific Forum, and may take part in certain sessions of the UN human rights committees.

## Controversy

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A report concerning the manner of which the Shivani Bhatnagar murder controversy case was rejected, a case which involved high-ranking officials being implicated in the murder of a journalist, opened the organisation up to questioning over the usefulness of human rights commissions set up by the government at the national and state levels.<sup>[10]</sup>

In mid-2011, the chairman of the NHRC, ex-Chief Justice K.G. Balakrishnan came under a cloud for allegedly owning assets disproportionate to his income.<sup>[11]</sup> His son-in-law P. V. Srinijan, an Indian National Congress politician, had to resign for suddenly coming into possession of land worth Rs. 25 lakhs.<sup>[12]</sup> Many prominent jurists, including former CJ J. S. Verma, SC ex-Judge V. R. Krishna Iyer, noted jurist Fali S. Nariman, former NHRC member Sudarshan Agrawal and prominent activist

lawyer Prashant Bhushan, have called on Balakrishnan's resignation pending from the HRC pending inquiry.<sup>[13]</sup> In February 2012, the Supreme Court inquired of the government regarding the status of the inquiry.<sup>[14]</sup>

## HRC's recommendations

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NHRC held that 16 out of 19 police encounters with suspected maoists in Guntur and Kurnool districts of Andhra Pradesh, prior to 2002 were fake and recommended to Government payment of compensation of Rs 5 lakh each to the kin of the families.<sup>[15]</sup>

## References

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## External links

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- [National Human Rights Commission Official Website \(http://nhrc.nic.in/\)](http://nhrc.nic.in/)

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