

MINUTES OF SECRETARY LEVEL MEETING OF NHRC-SHRCs ON 07.12.2018 AT INDIA INTERNATIONAL CENTRE (IIC), MAX MULLER MARG, NEW DELHI

A Secretary Level Meeting of the NHRC & SHRCs was held at India International Centre (IIC), Max Muller Marg, New Delhi. The meeting chaired by Shri Ambuj Sharma, Secretary General, NHRC, was attended by the Secretary Generals of SHRCs, Investigating Agencies of State, Representatives of National Legal Services Authority (NALSA) and State Legal Service Authority (SLSA) and Nodal Officers from Ministry of Home Affairs. The objective of the meeting was to share the best practices and explore how the NHRC and SHRCs could collaborate to fill in the gaps in the system for the cause of promotion and protection of human rights.

At the outset, **Shri Ambuj Sharma, Secretary General, NHRC** welcomed the delegates and stressed on the importance of the current year that marks the 70th year of UDHR and Silver Jubilee of NHRC. He gave an overview of the series of events organized by NHRC to create awareness pertaining to human rights in the present year including Online Human Rights Pledge, street plays, painting contest, logo and Slogan contest, short-film contest, Human Rights Walk etc. He further stressed on the importance of e-governance in the promotion of human rights and the need to extend it to the rural areas, especially the vulnerable and marginalized sections of the society. He added that NHRC has been consistently upgrading its Complaint Management System coupled with a revamped website which has been shared with a lot of West Asian

Countries. The new website, he stated is richer in content and user-friendly. The crux of Complaint Management System lies in its response to Complaints and redressal mechanism. He apprised the delegates about the HRCNet portal where NHRC and SHRCs can interact and complement each other to discuss the issues of mutual interest and avoid duplicity of complaints. In future, the portal will have the facility to upload the reports, thus enabling an online real time basis exchange of information. He also suggested all the participants to involve their intellectual resources and work together to complement each other's efforts in advancing the goal of promoting human rights.

Dr. Neeta Verma, Director General, NIC apprised the delegates about the importance of Digital India Programme launched in 2015 in the development of digital infrastructure, digital services and digital empowerment. She further added that digital India has been put into place with the support of information technology by developing Common Services Centre portal. She appreciated the NHRC India's initiative to utilize the MyGov and Common Service Centre portals for building awareness on human rights and reaching out to the people in far flung areas.

She also launched Human Rights Commission Network Portal, (HRC Net) developed by National Human Rights Commission with the support of National Informatics Centre (NIC). It aims to connect all the Human Rights Commissions in India. HRCNet is a web and workflow based portal that integrates the Complaint Redressal applications being used at the National Human Rights Commission and the State Human Rights Commissions. She mentioned that a similar project has been proposed by Ministry of Home Affairs to connect Police, Courts, Prosecution, Prisons and Forensic

Labs into an Interoperable Criminal Justice System (ICJS) where NHRC can also associate for facilitating data exchange between the various pillars of criminal justice system and receive a holistic view of the complaints.

Dr. Ranjit Singh, Joint Secretary (P&A), NHRC addressed the meeting and gave brief idea of the activities and initiatives undertaken by the Commission since its inception to spread awareness and protect the rights of the people. He further mentioned the series of events organized by the Commission in its Silver Jubilee Founders Day Celebration including Media and Human Rights Dialogue, Silver Jubilee Lecture, International Human Rights Conclave, Human Rights Mela, Human Rights Walk and Street Plays etc. He also shared the information about the handling of Complaints and Complaint Management System and registration and disposal of cases during last five years and the rise in the number of cases. He further mentioned that the new version of the NHRC website is very user friendly and citizen centric with easy navigation and search, accessible to disabled and responsive to Smart Phones, Tablets, PCs, Laptops etc.

He also demonstrated the complete workflow of the Real Time Management Information System (RTMIS) and presented the Dashboard to show per minute status of Complaint received, case registration, disposal, pendency, Suo Moto/ Human Rights Defender Cases, monetary reliefs etc. He further through Graphic Representation had shown the statistics of Case registration State wise, incident wise and section wise cases where NHRC recommended monetary relief.

Elucidating further on the initiatives of NHRC, he mentioned that NHRC appoints Special Rapporteurs, the extended arms of the Commission, which are sent to vital areas to bring out first hand information. He further added that Commission had also conducted workshops and field visits in the 28 backward districts of the States throughout India and the Commission in the coming years is intended to further increase its activities to protect the interest of people, especially from the marginalized sections of the society and work with all the stakeholders for continuous improvement in laws & schemes to promote and protect human rights in a holistic manner:

Giving an insight into HRCNet portal, **Mr. Sudhir Chandra, Sr. Technical Director, NIC** explained that the new portal has a centrally managed cloud management system which not only provides servers that agility but also provides ability to experience new things and people with phone can also have easy access to the website. He also mentioned that the portal is integrated with Common Service Center (CSC) which is now available at district and in future it will be made available at taluk level as well. Citizens can easily access the portal, lodge complaints without hassle and approach NHRC and on-boarded SHRCs for redressal of their grievances. It also provides features to facilitate communication with various stakeholders through emails and SMS messages. It also aims to minimize duplicity in case registration. Using this application, Government Authorities can upload reports online.

Shri Sanjeev Sharma, Senior Systems Analyst NHRC, outlined the Life Cycle of a complaint and its movement from the beginning when it is received at Central Registry and till the end of Draft Proceedings by the

Commission. He also explained the CMS Module and HRCNet Modules where one can lodge complaints online at NHRC or any of the on-boarded SHRCs.

Smt. Madhu Sharma, Secretary General, Karnataka SHRC expressed her concern regarding the duplication of complaints. She also stated the unavailability of passwords and commands to the portal. To this, Mr. Sudhir Chandra and Mr. Sanjeev Sharma assured her and the rest of the SHRCs that these discrepancies will be looked into and addressed and it was suggested that Calendar Training Programme will also be initiated for the training of SHRC officials.

Smt. Chhaya Sharma, DIG (Investigation), NHRC, briefed the delegates about the working of the Investigation Division of NHRC. She stated that National Human Rights Commission of India is unique in the way where the provision for an Investigation Division has been clearly specified in the Statute. Investigation Division acts as eyes and ears of the Commission. It conducts spot enquiries and looks into the veracity of the complaints to help the Commission get the holistic view of the complaint. She further recommended that such a provision for the presence of an Investigation Division be replicated by SHRCs as well.

Smt. Sumedha Dwivedi, SSP (Investigation Division), NHRC gave a presentation on how the enquiries into the issues of human rights violations can help plug in loop holes in the police investigations for resultant reforms. She further gave an overview of the modalities of the Investigation Division of NHRC. Investigation Division also provides assistance to Training Division of police organizations and conducts

independent lectures for them to create awareness and sensitivity regarding human rights. She cited Raipur rape case where NHRC's investigation team revealed gross violations of the rights of the victim at the hands of the media as well as the police. NHRC's intervention led to immediate as well as systemic changes in Raipur. She further suggested that there should be a well defined media policy as well as an SOP on investigations pertaining to rape and sexual harassment.

Shri. Surajit Dey, Registrar (Law), NHRC spoke about working in tandem with NALSA, SALSA and DALSA to provide legal aid on issues like Bonded Labour, Custodial Death, Human Trafficking, etc. He further called on the participants to pool in their infrastructural and intellectual resources to address issues like sexual harassment of women at workplace and protection of children.

Representatives from NALSA, SALSA and DALSA assured that they will provide the requisite resources in the form of lawyers and legal assistance to NHRC and SHRCs. They further suggested that empirical research be carried out by NHRC in collaboration with them to fill in the knowledge gap.

The major recommendations emanating out of the meeting are as follows:

- HRCNet Portal developed by NHRC with the support of NIC to avoid duplicity of Complaints be adopted by the SHRCs as per their functional aspects and requirements and it was suggested that Calendar Training Programme will also be initiated for the training of SHRC officials if required.

- It was recommended to explore the possibilities of collaboration of NHRC and SHRCs with the District Legal Services Authority, State Legal Services Authorities as well as National Legal Services Authority, NLSA for Awareness raising, Human Rights Education, training and research.
- Legal aid must be provided through the empanelled lawyers of the District Legal Service Authority.
- It has been suggested that all the stakeholders involve their intellectual resources and work together to complement each other's efforts in advancing the goal of promoting human rights.
- The pendency of complaint should be deleted from the SHRCs portals when the complaint is transferred from SHRCs to NHRC.
- It is recommended that SHRCs may see the functional aspect of Investigation Division on the lines of NHRC and adopt it as per their requirements.
- It was recommended that Charter of Prisoners Right be formulated by the State Governments and be the prison authorities must take the responsibility of educating the prisoners about their rights.
- There should be a well defined media policy as well as an SOP on investigations containing recent guidelines of the Supreme Court and amendments in CrPc.
- The State police organizations should be requested to replicate the Kerala model for deputing a Victim Liaison Officer of the same sex as the victim of sexual assault to assist him/her till the prosecution of the accused is completed.

- The state governments should take an initiative to provide adequate infrastructure and financial resources at Police Stations as lack of resources leads to violations of people in custody.
- The state government should take into consideration the prisoners in Mental Asylum who have been declared unfit for trial be provided the benefit under Section 84 of the IPC.
- It has also been suggested that Social Media and Networking sites be used for Human Rights Awareness Campaigns.
- NHRC may also request the concerned state governments on the request of SHRC to fill in the vacancies at various levels.