

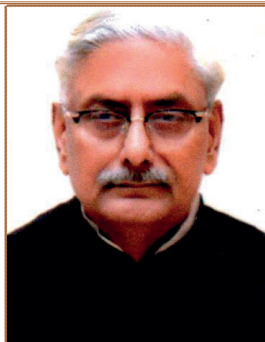
ANNUAL REPORT

2021-22



NATIONAL HUMAN RIGHTS COMMISSION INDIA

FOREWORD



Mr. Justice Arun Kumar Mishra
Hon'ble Chairperson, NHRC

The National Human Rights Commission of India is pleased to present to the Central government and the State governments, its Twenty Ninth Annual Report for the period from 1st April 2021 to 31st March 2022. The National Human Rights Commission is a statutory authority established under the Protection of Human Rights Act, 1993 (PHRA) with a mandate to preserve and protect human rights to ensure greater accountability and stronger human rights regime in conformity with the India's commitment to the Paris principles that set out the minimum standards the National Human Rights Institutions (NHRIs) need to meet in order to function effectively. The PHRA, 1993 was further amended in 2006 and 2019 to maintain the diversity and plurality in the composition of NHRC that form the key pillars of the aforementioned Paris principles. Due to its efforts to comply with the Paris principles, the Commission has been accredited with 'A' status by the Global Alliance of National Human Right Institutions a number of times.

2. In almost three decades of its existence, the Commission has tirelessly endeavoured to perform multifarious functions, from linking the government to civil societies, bridging the gap between responsibilities of the State and the rights of individuals, in promoting and protecting human rights, i.e. the right to life, liberty, equality and dignity of the individuals, especially the ones from vulnerable sections of the society, guaranteed by Indian Constitution or embodied in the international covenants and enforceable by the courts in India.

3. The Commission has, over the years, meticulously addressed the significant issues pertaining to human rights either by way of a suo-moto cognizance of cases that violate human rights or when such cases are brought to the notice of the Commission by media, civil society, concerned citizens, experts, and the like; which is evident from the data representing the rate of disposal of complaints. Other than its complaint redressal mechanism, the Commission functions in comprehensive partnerships with key stakeholders such as the judiciary, police personnel,

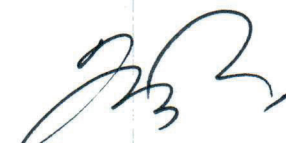


media, representatives of NGOs and civil societies, academicians and researchers to carry out research studies, conduct consultations, seminars, workshops and release publications. Additionally, it also conducts training programmes for students and police personnel.

4. To act as a bulwark against human rights violation, the Commission has also identified certain focus areas including rights of women, children, refugees, LGBTQI community, prisoners, scheduled castes, scheduled tribes, minorities, persons with mental illnesses, persons with disabilities, elder or senior citizens, seafarers, consumers, prisoners, etc., environment and human rights, business and human rights, etc. to name a few. Out of these focus areas, Core groups of experts have been constituted for a few to advice the Commission in tackling the issues warranting immediate attention. These focus areas have been identified and core groups have been constituted to conduct discussions and meetings in order to release recommendations and advisories embracing measures that need to be implemented by the concerned Public authorities.

5. In this Annual Report, the initiatives undertaken by the Commission in its journey to strengthen and safeguard human rights have been described at length. The chapters detailed herein deal with a wide range of issues concerning women, children, terrorism, minorities, health, militancy, custodial violence, and torture etc. and summaries of principal cases handled during the period. It also focuses on the landmark decision taken by the Commission to recognize human rights of the dead people during the second wave of the Covid-19 pandemic, among others.

6. I take this opportunity to express my profound gratitude for the support provided by various Ministries/ Departments of the Government of India, cooperation of the State Governments/ Union Territories, Civil Societies, NGOs, Human Rights Defenders my colleagues, officials and staff of the Commission. The collective efforts and commitment has made it possible to ensure improved outcomes even during the pandemic year. It is my ardent hope that this Annual Report will not only serve the readers with information about the important initiatives undertaken by the Commission, but also encourage meaningful participation of both the Government and the civil societies.



(Justice Arun Kumar Mishra)

FROM THE DESK OF SECRETARY GENERAL



Mr. Devendra Kumar Singh
Secretary General, NHRC

It is my immense pleasure to present the Annual Report of NHRC for the year 2021-22.

Over the years, NHRC has established a proud legacy to promote, protect and defend human rights of all and has emerged as a trusted, independent national institution. It has followed Paris principles to ensure fair and equitable action to promote and protect the rights of everyone including religious and minorities and HRDS.

A number of significant developments have taken place during 2021- 2022 on various aspects of human rights. There has been significant rise in use of information technology in registration of grievances. The decisions of the Commission are also placed in the public domain to ensure transparency and fair play. The Commission has always strived to accept the emerging challenges relating to human rights and has adopted a collaborative approach through different mechanism like dialogues with State Human Rights Commissions, Core group meetings, workshops, Seminars, Engagements with NGOs, Civil Society, HRDs and Internship programmes. It has adopted new methods of its own to bring qualitative improvements in its functioning and also to get reports from different parts of the country through Special Rapporteurs and Special Monitors. The period has also witnessed enhanced participation by NHRC at international level in the United Nation Human Rights Council, Asia Pacific Forum of National Human Rights Institutions & GANHRI (Global Alliance of National Human Rights Institutions).

We sincerely hope that this Annual Report could prove to be a useful resource tool as well to understand comprehensively about its functioning, various dimensions of human rights and other initiatives taken by the Commission.


(Devendra Kumar Singh)

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CHAPTER - 1

INTRODUCTION

- 1.1** This report covers the period from 1 April 2021 to 31 March 2022. It is the twenty-ninth Annual Report of the Commission. This report presents comprehensive details of the initiatives/activities undertaken by the Commission to ensure better protection and promotion of human rights.
- 1.2** The twenty-eighth Annual Report of the Commission, covering the period from 1 April 2020 to 31 March 2021 was submitted to the Ministry of Home Affairs for preparing the Memorandum of Action Taken and placing the same before each House of Parliament in accordance with the procedure laid down under Section 20 of the “Protection of Human Rights Act (PHRA), 1993” and its subsequent amendment in September, 2006 and July, 2019.
- 1.3** During the period under review, Justice Shri Arun Kumar Mishra (Former Judge of Supreme Court) assumed charge as the Chairperson in the Commission on 02.06.2021. Justice Shri P.C. Pant (Former Judge of the Supreme Court) was holding the office of Member in the Commission and demitted the office on 11.09.2021; Smt. Jyotika Kalra (Advocate on Record, Supreme Court of India), was holding the office of Member in the Commission and demitted the office on 04.04.2022; Justice Shri M.M. Kumar (Former Chief Justice of Jammu & Kashmir High Court) assumed charge as Member of the Commission on 02.06.2021; Dr. D.M. Mulay (Former Secretary, Indian Foreign Service) continued to serve as Member of the Commission; and Shri Rajiv Jain (Former Director, Intelligence Bureau) assumed charge as Member of the Commission on 02.06.2021.
- 1.4** Shri Bimbadhar Pradhan demitted the office of Secretary General on 31.03.2022 on superannuation. Shri Santosh Mehra, IPS, demitted the office of Director General (Investigation) on 12.07.2022 on transfer to his parent cadre and Shri Manoj Yadava, IPS, assumed charge as Director General (Investigation) of NHRC on 12.07.2022. Shri R.K. Khandelwal, IAS (BH: 1989), was holding the post as Additional Secretary in the Commission and demitted the office of Additional Secretary on 18.08.2021. Smt. Anita Sinha, IRS (1990), continued to serve as JS (Programme & Training) in the Commission. Shri Harish Chandra Chaudhary, IFoS (1992), assumed charge as Joint Secretary of NHRC on 08.11.2021.
- 1.5** As provided in Section 3(3) of the PHRA (1993), Smt. Rekha Sharma, Chairperson of the National Commission for Women, Dr. Bhagwan Lal Sahni, Chairperson of the National Commission for Backward Classes, Shri Priyank Kanoongo, Chairperson of the National Commission for Protection of Child Rights, Dr. Kamlesh Kumar Pandey, Chief Commissioner for Persons with Disabilities, Shri Vijay Sampla, Chairperson of the National Commission for Scheduled Castes, Shri Harsh Chouhan, Chairperson of the National Commission for Scheduled Tribes, and Shri



Iqbal Singh Lalpura, Chairperson of the National Commission for Minorities were the deemed Members of the NHRC for the discharge of functions specified in clauses (b) to (j) of Section 12 of the PHRA, 1993.

- 1.6 During the year 2021-22, the Commission focused its attention on a wide range of activities in accordance with the various functions as prescribed under Section 12 of the PHRA, 1993. It took *suo motu* cognizance of media reports as well as action on the basis of complaints covering wide range of issues, such as alleged human rights violation due to negligence by public servants in the prevention of such violations, alleged custodial deaths, torture, fake encounters, police high-handedness, violations committed by security forces, conditions relating to prisons, atrocities committed on women and children and other vulnerable sections, communal violence, bonded and child labour, non-payment of retirement benefits, negligence by public authorities and atrocities on SC/ST etc. In all these, apart from making some important interventions by way of issuing directives to the concerned State Governments and sending its own teams from the Investigation Division for conducting on the spot inquiries, the Commission also recommended the payment of monetary relief to the victims, whose rights were violated or their next-of-kin (NoK) along with directions to state governments to furnish proof of payments.
- 1.7 The Commission also explored areas of cooperation and coordination between NHRC and State Human Rights Commissions (SHRCs) for protecting and promoting human rights. The Commission organised a meeting with all the State Human Rights Commissions and Statutory Full Commission's Members as special invitees on 13 October 2021, to discuss important issues related to various thematic areas of human rights and also to explore the probable areas of collaboration between NHRC and SHRCs for effective protection and promotion of human rights.
- 1.8 The Annual Report for the year 2021-2022 deals with the issues pertaining to civil and political rights including deaths in police/ judicial custody, illegal detention, high-handedness of police, death in police encounters, etc. The Report also focuses on economic and social rights, such as rights relating to health care including mental health care, right to food, right to education, rights of vulnerable groups including women, children, persons with disabilities and elderly persons, rescue, release and rehabilitation of bonded and child labours.
- 1.9 The above-mentioned issues have been detailed out in different chapters of this Annual Report for the year 2021-2022.



CHAPTER - 2

HIGHLIGHTS

2.1 The National Human Rights Commission (NHRC) of India is a sentinel of India's concern for the protection and promotion of human rights. Important activities undertaken by the Commission during the period under review:

A. Complaints and monitoring

2.2 Complaints Handling

2.2.1 During the year 2021-2022 (01.4.2021 to 31.03.2022), 1,11,082 cases were registered in the Commission. The Commission disposed of 1,02,608 cases which included 12,045 cases transferred by the Commission to the State Human Rights Commission u/s 13(6) of the Protection of Human Rights Act, 1993. Of the total number of cases disposed of by the Commission during the year under review, 51,727 were dismissed '*in limine*'.

2.2.2 During the period 1 April 2021 to 31 March 2022, the Commission recommended Rs. 11,72,25,840 as payment of monetary relief/compensation to the victims/next of kin of the deceased in 359 cases.

2.2.3 The Commission took *suo moto* cognizance in a total of 16 cases.

2.2.4 During the year under review, the Full Commission took up 198 cases of human rights violations in its 13 sittings. In addition, the two Division Benches considered 595 cases in 33 sittings.

2.2.5 The Commission closed 14,182 of the total 1,02,608 complaints that were disposed of.

State wise details of registration of cases are given in **Annexure – 1**. **Annexure – 2** contains the details of state wise disposal of cases.

B. Interventions to safeguard human rights

2.3 The Commission is mandated to intervene in any matters of violation of human rights, be it court proceedings, jail administration or any other institution discharging the functions of reformation or protection. To ensure this, the Commission organises camp sittings by the Members of the Commission headed by Hon'ble Chairperson and spot enquiries by the specialised teams of investigation officers empanelled by the Commission.



- 2.3.1 During the period under review, two camp sittings and 28 spot enquiries were organised by the Commission. The same have been detailed under **Chapter – 3**. A list of all the spot enquiries undertaken by the Commission is also enclosed as **Annexure – 7**.
- 2.3.2 Custodial Deaths – During the period from April, 2021 to March, 2022, 1558 cases of Judicial Custodial Deaths and 239 cases of Police Custodial Deaths were processed/disposed of by the Investigation Division.
- 2.3.3 Deaths in Police Firing – During the period, more than 257 cases of encounter deaths were processed/disposed of by the Investigation Division.
- 2.3.4 Rapid Action Cell – During the period 01.4.2021 to 31.3.2022, the Investigation Division has dealt with 49 such Rapid Action Cases (RACs) where immediate intervention by the Commission was able to prevent not only Human Rights violation, but also threats to human life and liberty.

C. Review of law

- 2.4 Commission conducted an analytical study of the United Nations Convention on Elimination of all forms of Discrimination Against Women (CEDAW) and the Indian Constitution, Legislations, Schemes, Policies and Programmes.

D. Core group meetings

- 2.5 Core Groups of experts have been constituted by the Commission on certain key areas that require special attention. The Commission organises Core Group Meetings annually to discuss relevant issues pertaining to each thematic area. Details of core group meetings organised during the period under review have been provided under **Annexure – 8**.

E. Policy advisory

- 2.6 The Commission is mandated to issue Policy Advisories in order to ensure compliance of the safeguards provided under the Constitution of India, other laws and international standards for protection of human rights. In the period under review, the Commission released a total of 12 advisories on Right to Health in the light of second wave of Covid-19, Protection of Rights and Dignity of the dead, Informal Workers, Bonded Labours, Children, Manual Scavengers, Particularly Vulnerable Tribal Groups, among others. A detailed account of the same can be found under the thematic areas covered in **Chapter – 7**. A list of all the advisories released during the period under review is also enclosed as **Annexure – 10**.

F. National seminars

- 2.7 Despite the outbreak of Covid-19, around eight virtual conferences and webinars were organised by the Commission throughout the year. These included conferences on rights of domestic workers, manual scavengers, victims of human trafficking, women and children and webinars on cooperation



between NHRC and CSOs and NGOs, HRDs on human rights issues, digital education for children in the advent of Covid-19, which have been enlisted under **Annexure – 9**.

G. Promote research on human rights

- 2.8** The Commission is also mandated to undertake and promote research in the field of Human Rights for which it sanctions and supervises research projects under various thematic areas of Human Rights to be carried out by Principal Investigators (PIs) from various institutions of repute. During the period under review, the Commission sanctioned 18 new projects and 25 projects were ongoing. The research projects, their PIs, thematic areas and research objectives have been detailed under **Annexure – 12**.

H. Promotion of human rights literacy

- 2.9** One of the major functions of the Commission includes spreading human rights literacy among various sections of society and promoting awareness of the safeguards available for the protection of these rights through publications, the media, seminars and other available means. All the major activities undertaken by the Commission to spread human rights literacy have been elaborated under **Chapter – 7**. To promote literacy, the Commission also undertakes to organise visits by students from various Universities, internship programmes and funds, and organises moot court competitions. The same have been detailed under **Chapter – 6**. The officers of the Investigation Division deliver lectures in training institutes and other forums, wherever they are invited to sensitise the various stakeholders and spread human rights literacy and promote awareness of the safeguards available for the protection of human rights. Regular lectures and presentations are given by officers of the Investigation Division to students of Short Term as well as Long Term Internship Programmes of NHRC.

I. Engagements with NGOs and civil society organizations

- 2.10** The Commission encourages the efforts of non-governmental organisations and institutions working in the field of human rights by collaborating with CSOs and NGOs registered on Darpan Portal of NITI Aayog in spreading Human Rights literacy or awareness and releasing funds for the same, and availing their expertise on various burning issues by offering them membership of core groups and organising meetings thereof in order to provide them with an opportunity to voice their opinions. **Chapter – 6** that deals with the training programmes covers support to NGOs and CSOs during Human Rights literacy programmes, whereas **Chapter – 7** deals with advisories, which are released based on valuable inputs received from the representatives of NGOs, CSOs and others during Core Group meetings.

J. Engagements with HRDs

- 2.11** Human Rights Defenders (HRDs) are engaged by the Commission, who, individually or with others, act to promote or protect human rights. Human Rights Defenders have actively contributed in addressing human rights concerns, such as arbitrary arrest and detention, discrimination, forced evictions, access to health care, etc. They also aim to protect basic human rights, such as the rights

to life, to food and water, to health, to adequate housing, to education, to freedom of movement and against discrimination. They also ensure that the rights of vulnerable categories, such as women, children, refugees, internally displaced persons as well as minorities, national, linguistic or sexual, may be secured. The role of HRDs in promoting and protecting Human Rights has been detailed under **Chapter – 7**.

K. Foundation day

- 2.12** The Commission celebrated its 28th Foundation Day Function on 12 October 2021 at Plenary Hall, Vigyan Bhawan, New Delhi. Hon'ble Prime Minister, Mr. Narendra Modi was the Chief Guest and Mr. Amit Shah, Home Minister, was the Guest of Honour on the occasion. Around 1800 participants attended the function in hybrid mode, which included representatives from NGOs, CSOs, Universities, Chief Secretaries, Ministries, etc. A short film was also made on the occasion.



Image 2.1: Address of Hon'ble Prime Minister at the Foundation Day Function

L. Human rights day

- 2.13** Human Rights Day is celebrated by the Commission on 10th of December every year to commemorate the adoption of the Universal Declaration of Human Rights by the United Nations General Assembly by organizing a special function. The National Human Rights Commission celebrated the 'Human Rights Day' Function on 10th December 2021, in physical mode. His Excellency, Mr. Ram Nath Kovind, Hon'ble President of India, graced the occasion as the Chief Guest.



Image 2.2: Hon'ble Chairperson addressing the gathering at the Human Rights Day

M. RTIs

2.14 During the year 2021-2022, the Commission received Rs. 11,500/- (Eleven Thousand and Five Hundred) as registration fee for RTI applications and Rs.12,422/- (Twelve Thousand Four Hundred and Twenty Two) for photocopies of documents provided to the applications.

Details of RTIs

1.	No. of applications received	2,461
2.	No. of applications disposed of within 30 days	2,461
3.	No. of applications pending but disposed of beyond one month	-
4.	No. of applications pending but are within one month	-
5.	No. of applications transferred to other Ministries/Departments/Organizations	91

Details of 1st Appeals

1.	No. of appeals received by the Appellate Authority	339
2.	No. of such appeals disposed of within one month	339
3.	No. of appeals pending	-

Details of 2nd Appeals with CIC

1.	No. of notices received from CIC	34
2.	No. of hearing attended by C.P.I.O/Appellate Authority	34
3.	No. of hearing in r/o where compliance report was submitted to CIC	34
4.	No. of hearing in r/o where compliance report was not submitted to CIC	-



CHAPTER - 3

NHRC: ORGANIZATION AND FUNCTIONS

- 3.1** NHRC India was set up by an Act of Parliament on 12 October 1993 as amended in September, 2006 and July, 2019, called as the Protection of Human Rights Act, 1993 (PHRA). This Act is aimed at giving ‘*better protection and promotion of human rights*’. It is an institution, which acts as a compliment to the judiciary and is engaged in the protection and promotion of the constitutionally enshrined fundamental human rights of all people in the country.
- 3.2** As per the Act, ‘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’. International Covenants include the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of all Forms of Racial Discrimination (CERD). The Government of India acceded to the ICCPR and ICESCR in 1979. It ratified the CEDAW in 1993, the CRC in 1991 and the CERD in 1968. Many of the rights as referred to in the ICCPR and the ICESCR were available to Indian citizens when India became independent. These rights are primarily reflected in Part III and Part IV of the Constitution under the broad heading of Fundamental Rights and Directive Principles of State Policy.
- 3.3** Unquestionably, the greatest strength of the PHRA is to provide the Commission with ‘independence, functional autonomy and broad mandate’, which are essential to the composition and proper functioning of a NHRI conforming with the Paris Principles. NHRC-India is an embodiment of India’s concern for the promotion and protection of human rights.
- 3.4** The experience of NHRC-India, ever since it came into existence, has shown that its independence and strength is well guaranteed by the requirements of the statute relating to its composition, appointments procedure, and powers relating to inquiries, extensive range of functions and specialised divisions and staff.

A. Constitution of the commission

- 3.5** Section 3 of the PHRA, (amended in 2019) provides for the constitution of a Commission consisting of:
- A Chairperson who has been a Chief Justice of India or a Judge of the Supreme Court;



- ii. One Member who is, or has been, a Judge of the Supreme Court;
 - iii. One Member who is, or has been, the Chief Justice of a High Court;
 - iv. Three Members, out of which at least one shall be a woman, to be appointed from amongst persons having knowledge of, or practical experience in, matters relating to human rights.
- 3.6** With this amendment, the number of Deemed Members of the Commission has increased from five to seven. As per PHRA (amended) 2019, the seven deemed members of the Commission are as under:
- v. Chairperson of the National Commission for Scheduled Castes
 - vi. Chairperson of the National Commission for Scheduled Tribes
 - vii. Chairperson of the National Commission for Minorities
 - viii. Chairperson of the National Commission for Women
 - ix. Chairperson of the National Commission for Protection of Child Rights
 - x. Chairperson of the National Commission for Backward Classes
 - xi. Chief Commissioner for Persons with Disabilities
- 3.7** The Chairperson and the Members of the NHRC are appointed by the President of India, on recommendations of a high-level Committee comprising of the Prime Minister (as Chairperson), the Speaker of the Lok Sabha (House of the People), the Minister in-charge of the Ministry of Home Affairs in the Government of India, the Leaders of the Opposition in the Lok Sabha and Rajya Sabha (Council of States), and the Deputy Chairman of the Rajya Sabha.
- 3.8** The Chief Executive Officer of the Commission is the Secretary General, an officer of the rank of Secretary to the Government of India. The Secretariat of the Commission works under the overall guidance of the Secretary General.
- 3.9 Powers Relating to Inquiries:** The NHRC has been entrusted with the powers of a civil court trying a suit under the Code of Civil Procedure, 1908, especially with respect to summoning and enforcing the attendance of witnesses and examining them on oath; discovery and production of any documents; receiving evidence through affidavits; requisitioning any public record or copy thereof from any court or office; issuing commissions for the examination of witnesses or documents, and any other matter that maybe prescribed. In case of breach, it calls upon the concerned Government to take remedial measures and pay compensation to the victim or to the next of their kin and also remind public servants of their duties and obligations. Depending on the case, it may further initiate proceedings for prosecution, or any other suitable action as it may deem fit, against the person(s) concerned. It is armed with the power of taking *suo motu* cognizance of serious matters based on newspaper and media reports.
- 3.10 Extensive Range of Functions:** The Commission has a wide mandate. Its functions, as laid down in Section 12 of the PHRA, include:



- xii. Inquire, *suo motu* or on a petition presented to it by a victim or any person on his behalf or on a direction or order of any court, into complaint of (i.i) violation of human rights or abetment thereof; or (i.ii) negligence in the prevention of such violation, by a public servant.
- xiii. Intervene in any proceeding involving any allegation of violation of human rights pending before a court, with the approval of such court.
- xiv. Visit, notwithstanding anything contained in any other law for the time being in force, any jail or other institution under the control of the State Government, where persons are detained or lodged for purpose of treatment, reformation or protection, for the study of the living conditions of inmates thereof and make recommendations thereon to the Government.
- xv. 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.
- xvi. Review the factors, including acts of terrorism that inhibit the enjoyment of human rights and recommend appropriate remedial measures.
- xvii. Study treaties and other international instruments on human rights and make recommendations for their effective implementation.

B. Strategic plan and annual action plan

3.11 The NHRC India has evolved a comprehensive institutional mechanism of an Annual Action Plan (2021-22) and a three-year Strategic Plan for 2021-2024 to streamline the Commission's work more effectively. One of the key objectives of these plans is to further strengthen the Commission's engagement with NGOs, Human Rights Defenders, and Civil Society actors, and to make the existing mechanisms even more robust within its mandate. Its focus areas are Bonded and child labour issues, human dignity for all, protection of rights of people from marginalised sections of society, prison reforms, women and child rights, rights of disabled, elderly, LGBTI rights, environment protection, health care and mental health, human rights education, good governance, business and human rights, active engagement with the human right defenders, NGOs/civil society and encourage research on the same. It also encourages spread of awareness and work with all the stakeholders for improvement in laws and schemes to promote and protect human rights. These plans are being reviewed regularly.

C. Statutory full commission meeting

3.12 The Statutory Full Commission (SFC) of NHRC consists of the Chairperson and Members, including the deemed members. The Statutory Full Commission meetings are convened regularly to discuss the issues of common interest and participate in the conference/seminars of the Commission. However, during the period under review, no Full Commission meeting was organised.

D. Commission meetings to deal with cases of human rights violations.

3.13 Sitting Details during the year 2021-2022

Table 3.1: Sitting Details during the year 2021-2022

Month	FC		DB-I		DB-II		DB-III	
	No. of sittings	No. of cases	No. of sittings	No. of cases	No. of sittings	No. of cases	No. of sittings	No. of cases
Apr 21	1	10	0	32*	0	0	0	0
May 21	0	0	0	39*	0	0	0	0
Jun 21	1	16	0	95*	0	0	0	0
Jul 21	1	30	0	59*	0	0	0	0
Aug 21	0	0	0	24*	0	0	0	0
Sep 21	2	43	0	0	2	35	0	0
Oct 21	2	8	0	0	1	15	0	0
Nov 21	1	20	1	20	1	15	0	0
Dec 21	0	0	0	0	1	15	0	0
Jan 22	0	0	0	0	0	29*	0	0
Feb 22	1	40	2	50	1	44	0	15*
Mar 22	1	40	0	0	1	77	0	76*
Total	10	207	3	319	7	230	0	91

*Considered on circulation basis

3.14 Camp Sitting Details during the year 2021-2022: The Commission considered 207 cases in 10 sittings of Full Commission. And 640 cases were considered in the 10 sittings of the Divisional Benches of the Commission; however, out of these, 91 cases were considered on circulation basis.

- a. Camp Sitting at Shillong covering the States : 19 Cases
Meghalaya, Mizoram and Tripura
(14-15 December 2021)
- b. Camp Sitting at Guwahati covering the States : 40 Cases
Assam, Arunachal Pradesh, Manipur, Sikkim and
Nagaland (16-17 December 2021)



Key Statistics

Details of the last five years perspectives on certain important parameters are given below:

Table 3.2: Details of the last five years perspectives on certain important parameters

S.No	Financial Year	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
1	Death in Police Encounter (Inc. Code 812)	169	155	156	112	82
2	Custodial Death (Judicial) (Intimation) (Inc. Code 301)	1,616	1,636	1,797	1,584	1,840
3	Custodial Death (Police) (Intimation) (Inc. Code 807)	145	146	136	112	100
4	Child Labour (Inc. Code 101)	50	46	76	66	64
5	Bonded Labour (Inc. Code 601)	240	210	355	404	361
6	Inaction by the State Government/ Central Govt. Officials (Inc. Code 1505)	13,578	9,982	10,929	8,268	3,092
7	Gang Rape (Inc. Code 1307)	455	392	422	375	217
8	Rape (Inc. Code 1311)	535	498	700	648	477
9	Children (Inc. Code 100 –112)	1,211	906	1,340	1,019	538
10	Health (Inc. Code 200-205)	1,832	1,210	1,377	887	793
11	Jail (Inc. Code 300 – 318)	2,447	2,416	2,669	2,167	2,336
12	Police (Inc. Code 800- 823)	27,845	26,391	27,491	16,286	13,023
13	Pollution/Ecology/Environment (Inc. Code 900-904)	446	403	471	458	358
14	Women (Inc. Code 1300-1314)	7,413	7,459	7,842	6,791	4,218
15	Defence Forces (Inc. Code 1600-1617)	72	103	98	94	65
16	Para-Military Forces (Inc. Code 1700-1717)	152	95	132	135	157
17	SC/ST/OBC (Inc. Code 1900-1904)	3,207	2,679	2,660	2,403	942
18	Manual Scavenging (Inc. Code 1905)	14	14	17	27	22

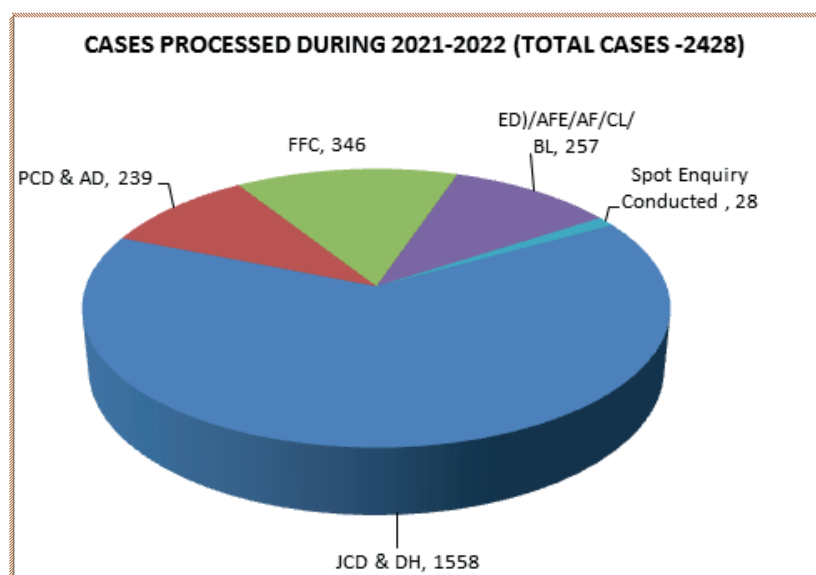
E. Cases Dealt by Investigation Division

3.15 The following table indicates the statistics of cases dealt by Investigation Division from April 2021 to March 2022

Table 3.3: Statistics of the cases dealt by Investigation Division from April 2021 to March 2022

Cases/Status	Judicial Custodial Deaths	Police Custodial Deaths	Fact Finding Cases	Total Cases
Received (including carry forward cases)	1,579	392	778	2,749
Processed	1,558	239	631	2,428

3.16 The following paragraphs enumerate the total cases processed by the Investigation Division from April 2021 to March 2022.

Illustration 3.1: Total cases processed by the Investigation Division from April 2021 to March 2022

PCD = Police Custodial Deaths, AD = Alleged Deaths, JCD = Judicial Custodial Deaths, DH = Death in Homes

Table 3.4: Month-wise details of cases processed by the Investigation Division during 2021-22

Month Name	Cases Processed Judicial Custodial Death (JCD) & Death in Homes (DH)	Police Custodial Death (PCD) & Alleged Deaths (AD)	Fact Finding Cases (FFC)	Encounter Deaths (ED)/Alleged Fake Encounter (AFE)/ Police Firing (PF)/Alleged Firing (AF)/ Child Labour (CL)/ Bonded Labour (BL)	Spot enquiry conducted	Total
Apr-21	124	23	33	51	1	232
May-21	160	27	44	33	1	265
Jun-21	115	23	25	25	1	189
Jul-21	25	4	8	3	0	40
Aug-21	156	14	41	25	3	239

Month Name	Cases Processed Judicial Custodial Death (JCD) & Death in Homes (DH)	Police Custodial Death (PCD) & Alleged Deaths (AD)	Fact Finding Cases (FFC)	Encounter Deaths (ED)/Alleged Fake Encounter (AFE)/ Police Firing (PF)/Alleged Firing (AF)/ Child Labour (CL)/ Bonded Labour (BL)	Spot enquiry conducted	Total
Sep-21	163	19	47	14	6	249
Oct-21	127	21	12	18	1	179
Nov-21	132	15	11	15	1	174
Dec-21	201	24	44	26	7	302
Jan-22	115	15	21	8	1	160
Feb-22	137	23	26	18	2	206
Mar-22	103	31	34	21	4	193
Total	1,558	239	346	257	28	2,428

3.17 In compliance with the Commission directions, 28 spot enquiries have also been conducted by the Investigation Division. Details of the spot enquiries carried out by the Investigation Division from April, 2021 to March, 2022 are mentioned in **Annexure-7**.

3.18 West Bengal Post Poll Violence Enquiry: In compliance of orders of Hon'ble Calcutta High Court issued in r/o WPA(P) 142 of 2021, a Committee constituted by the Chairperson of NHRC in June, 2021 was directed to visit the post-poll violence affected places, interact with the complainants/ victims and their families, record statements of independent witnesses and the State Police/ Administrative authorities in the State of West Bengal. Seven (7) teams consisting of 25-30 officials of the Investigation Division have visited the various spots in different districts of West Bengal within a short span of time. After compilation/scrutiny of enquiry reports, the Committee had submitted the report to the Hon'ble Calcutta High Court on 12.7.2021.



Image 3.1: West Bengal Post Poll Violence Enquiry in June 2021



Image 3.2: West Bengal Post Poll Violence Enquiry in June 2021

F. Visits by chairperson and members

3.19 The following visits were made by the Hon'ble Chairperson and Members:

1. NHRC-India delegation headed by Justice Shri Arun Kumar Mishra, Chairperson, accompanied by Justice Shri M.M. Kumar, Member, Dr. D.M. Mulay, Member and Shri Rajiv Jain, Member, visited Guwahati in the State of Assam and Shillong (Meghalaya) to attend the Commission's Camp Sitting from 13 to 17 December 2021.
2. Dr D.M. Mulay, Member, visited Imphal in the state of Manipur from 12.12.2021 to 13.12.2021 to interact with the Professors, Professor Emeritus, Staffs, Students and Alumni of Dhanamanjuri University.
3. Smt. Jyotika Kalra, Member, visited Dimapur in the state of Nagaland from 19 to 21 October 2021 to take part as Jury Member in the annual Inter CAPF Debate competition 2021, organised by ASSAM RIFLES in Dimapur (Nagaland).
4. Shri Rajiv Jain, Member, visited Mussoorie from 7.6.2021 to 11.6.2021 to deliver a lecture at LBS National Academy of Administration, Mussoorie.
5. Shri Rajiv Jain, Member, NHRC, visited Kolkata in the state of West Bengal from 25.6.2021 to 30.6.2021 and 7.7.2021 to 10.7.2021 to enquire into the complaints of post-poll violence in West Bengal.

G. Complaints addressed by law division

3.20 To check the spread of the pandemic, there had been lock-downs in the country. Consequent upon these circumstances, the communication and transport systems were severely hampered. The functioning of the offices, including trade and business activities, were almost held up. Since the Commission has shifted its functioning from traditional files system to paperless through computerised software, the officials of the Commission continued to work, even during lockdown, from their homes, through online computerised programme, HRCNet Portal. The Commission



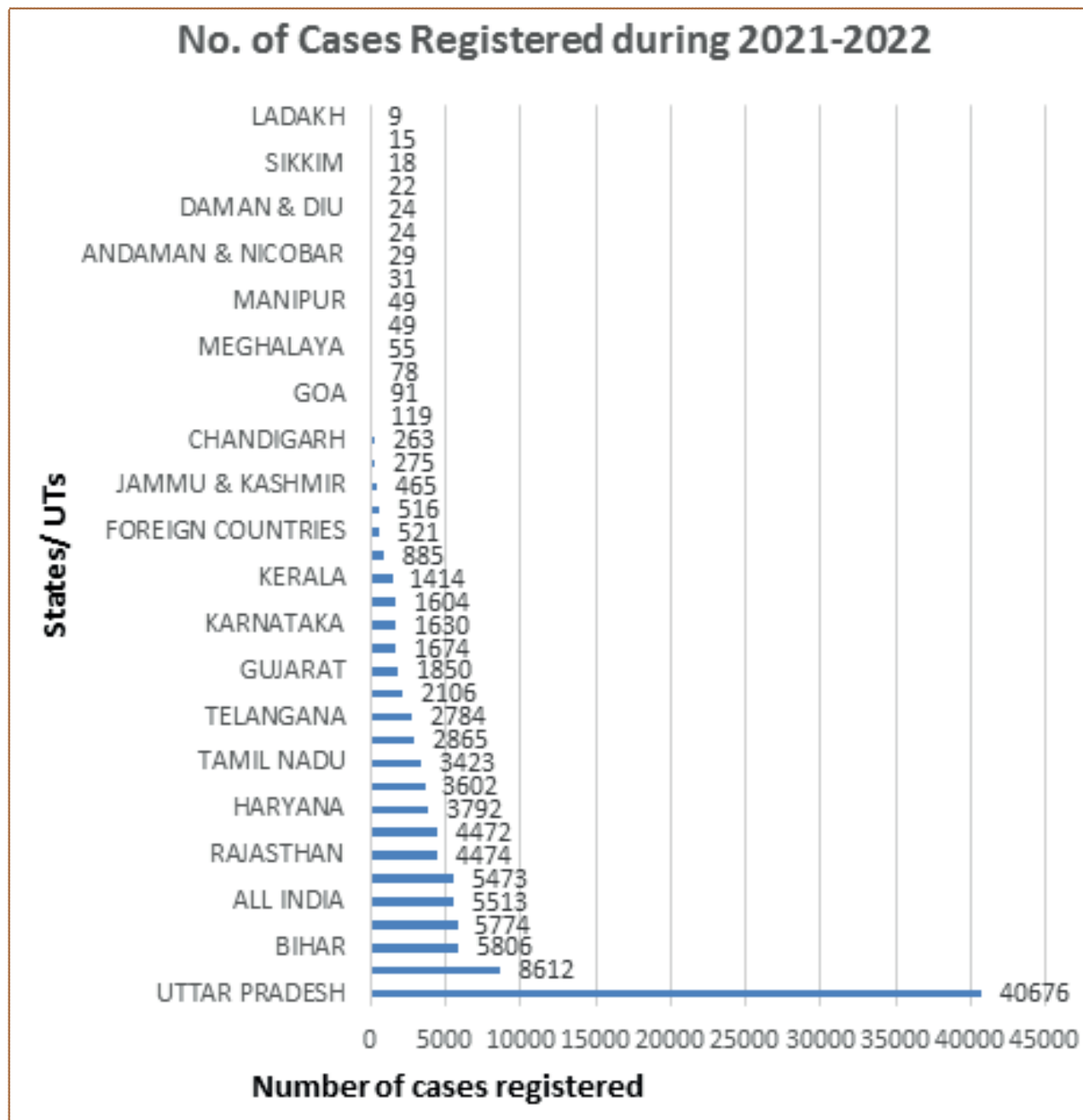
could also facilitate the complainants to lodge complaints online, on its website; hence complaints were also being lodged on the portal of the Commission through on-line mode. They could also lodge on-line complaints from the Common Services Centres at District Head Quarters.

3.21 A number of officials of the Commission also got infected with Corona Virus and two of its officials lost their lives. Many of them also lost their near and dear ones. But despite these adverse situations, the undaunted spirit of the officials of the Commission prevailed. During the year 2021-2022 (01.4.2021 to 31.03.2022), 1,11,082, cases were registered in the Commission on receipt of complaints, intimations, and *suo motu* cognizance of the press reports alleging human rights violation. These cases related to incidents of different nature, mainly relating to custodial deaths, deaths in encounter, police excesses, illegal arrests, false implication in criminal cases, negligence by public servants in the prevention of human rights violations, land grabbing, medical negligence, kidnapping and rapes of women and girls, bonded and child labour, non-payment of retirement benefits, etc. There were also a number of complaints related to the crisis arising out of impacts of Corona pandemic. During the previous year (2020-2021), the Commission had registered 74,968 cases, which increased to 1,11,082 cases registered in the year under consideration. This increase may be attributed to the prevailing conditions, resulting in sufferings to a large number of people.

Human rights violation cases

3.22 Out of these 1,11,082 cases registered by the Commission during 2020-2021 (**Annexure-1**), 40,676 cases related to the State of U.P., 8,612 to the NCT of Delhi, 5,806 cases to Bihar and 5,774 cases to West Bengal and 5,513 cases to all over India or to more than one state. The state-wise break-up of the number of cases registered, in descending order of number of complaints is given in the chart below:

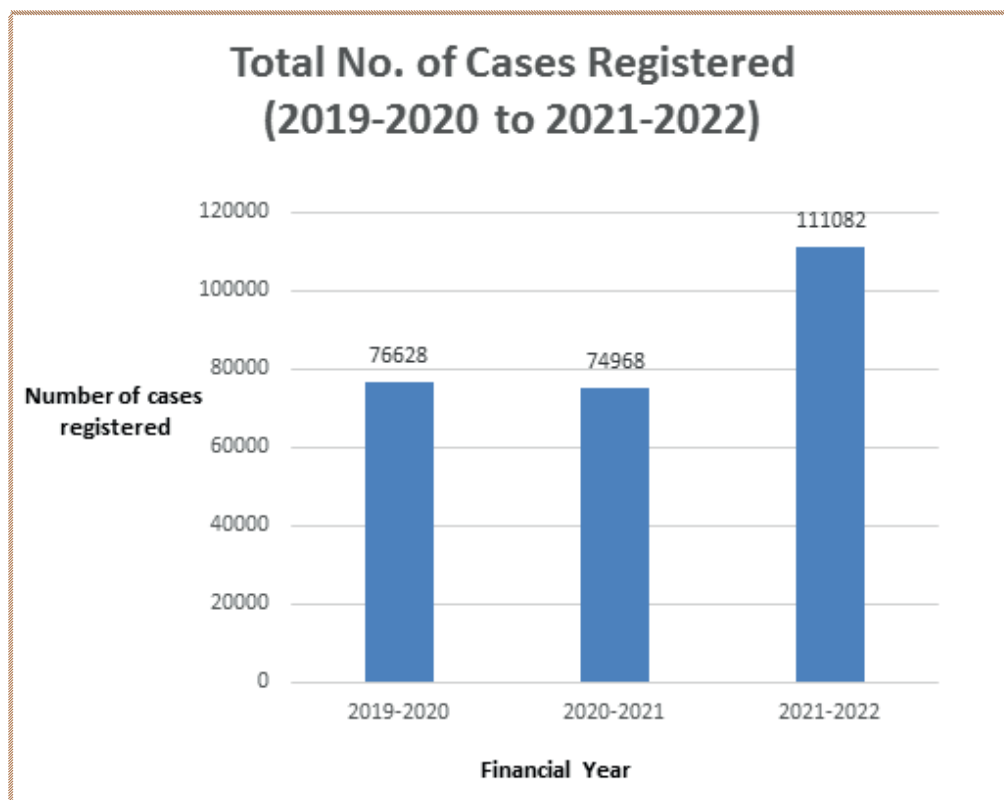
Illustration 3.2: No. of cases registered during 2021-22





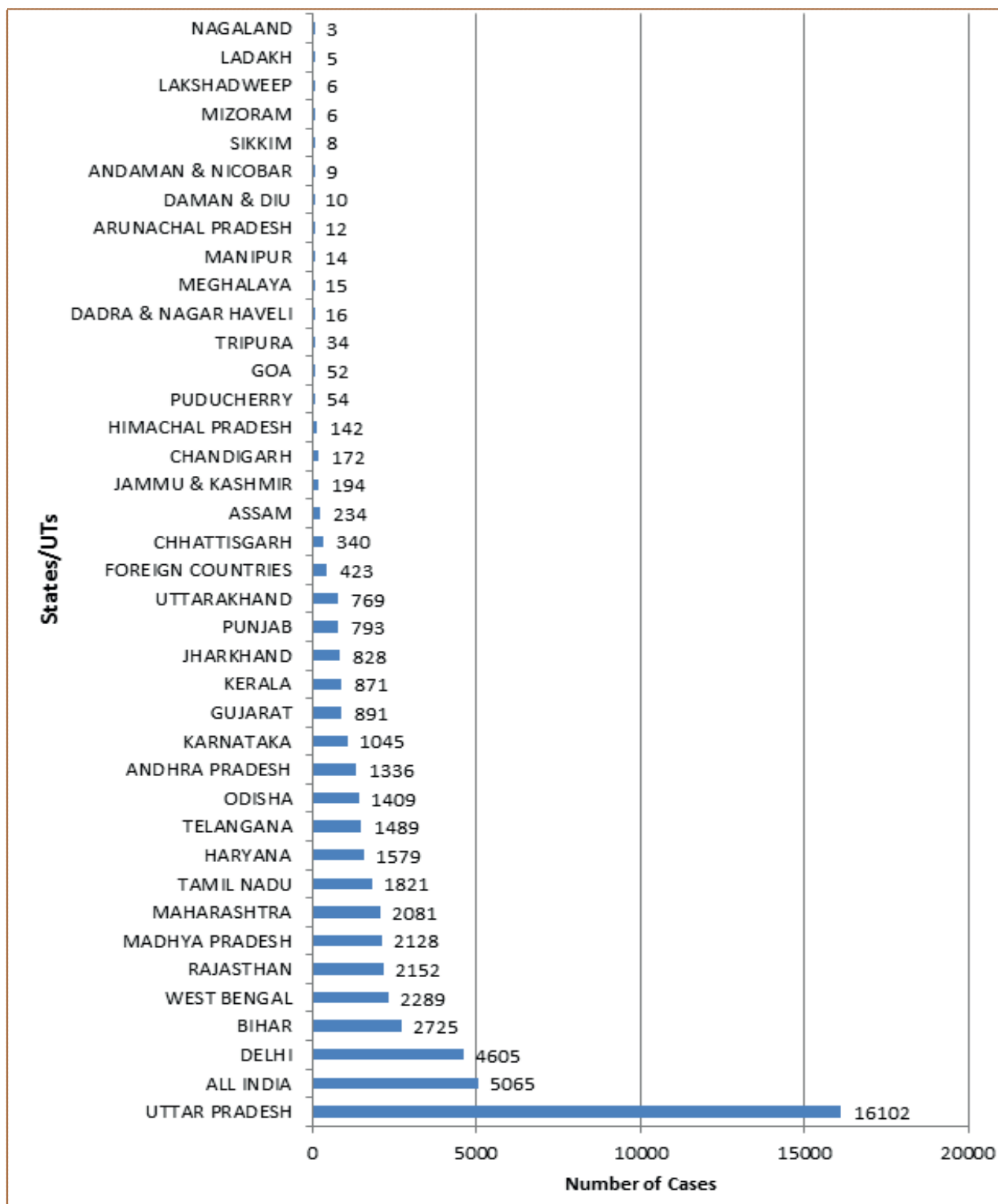
3.23 The Graph below gives a comparative analysis of total number of cases registered in the NHRC from 2019-2020 to 2021-2022:

Illustration 3.3: Total No. of cases registered 2019-20 to 2021-22



3.24 It disposed of 1,02,608 cases which included 12,045 cases transferred by the Commission to the State Human Rights Commission u/s 13(6) of the Protection of Human Rights Act, 1993, for disposal in accordance with the provisions of the Act. It also included cases registered in previous years, which were pending for disposal. Of the total number of cases disposed of by the Commission during the year under review, 51,727 were dismissed '*in limine*'. The state wise break up of these cases is furnished in the chart below:

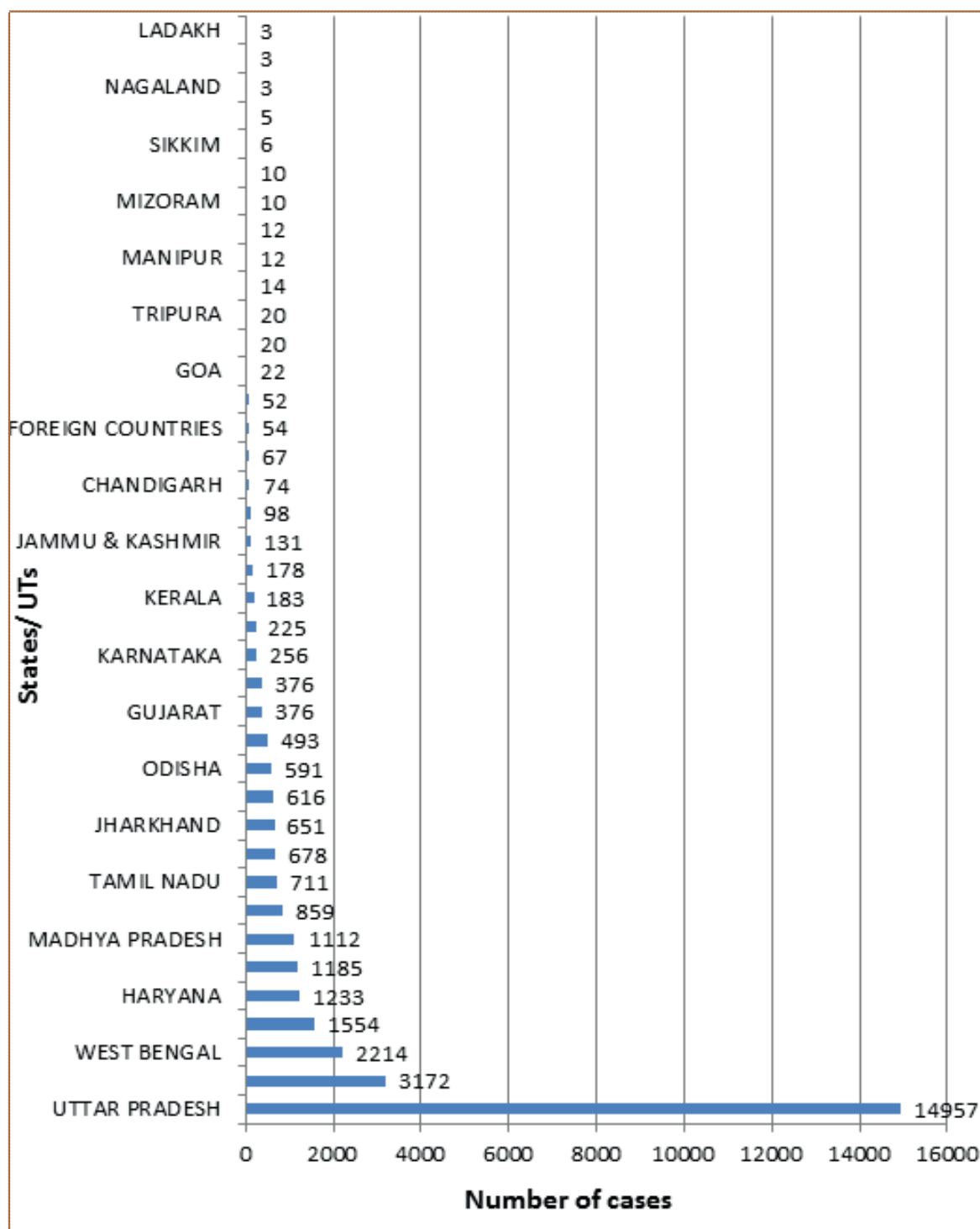
Illustration 3.4: State wise breakup of the cases disposed of during the period under review





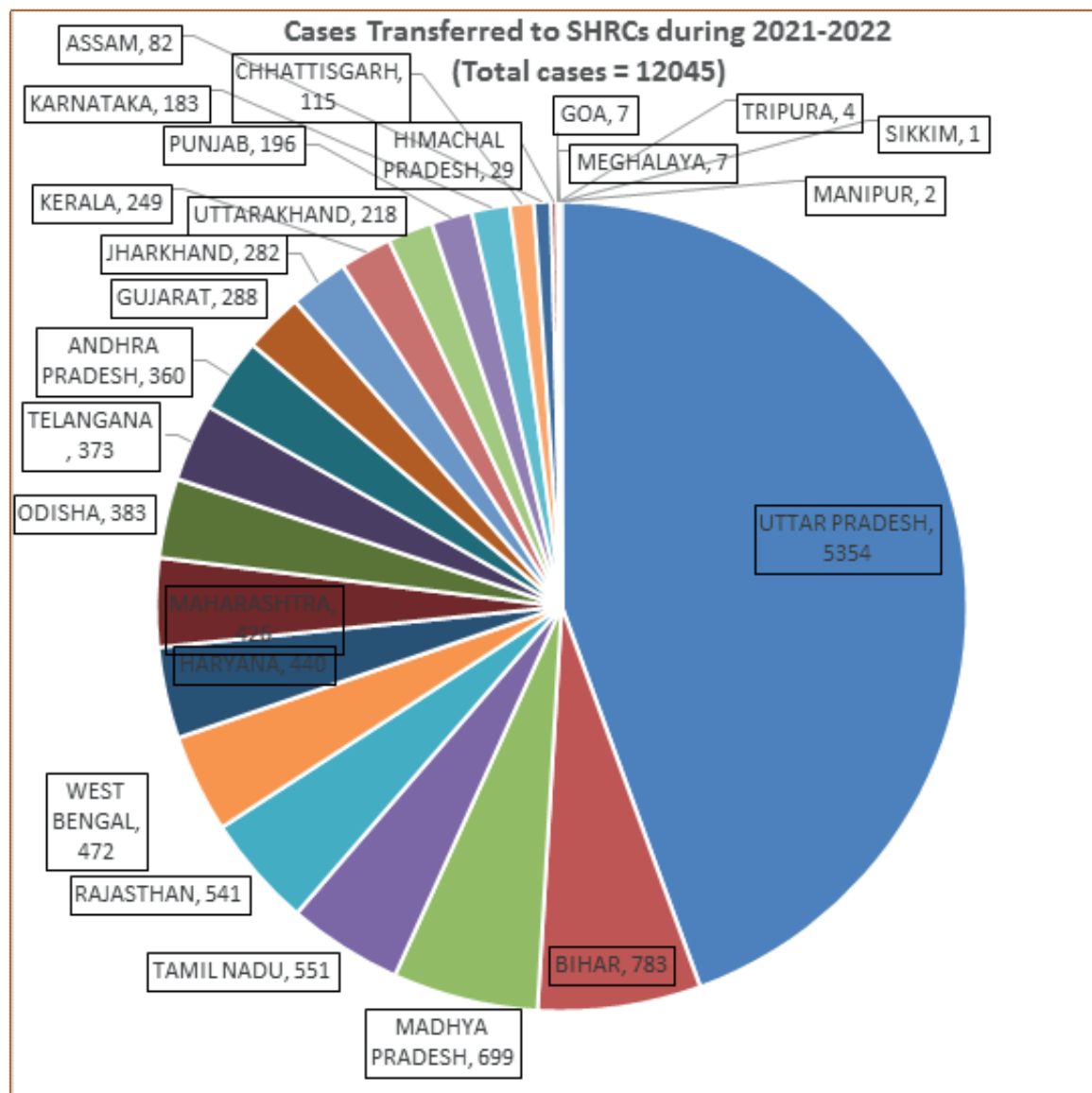
3.25 The Commission disposed of **32,236 cases** with directions to the appropriate authorities for remedial measures during 2021-2022. The state wise break up of these cases is furnished in the chart below:

Illustration 3.5: State wise breakup of the cases disposed with directions during the period under review



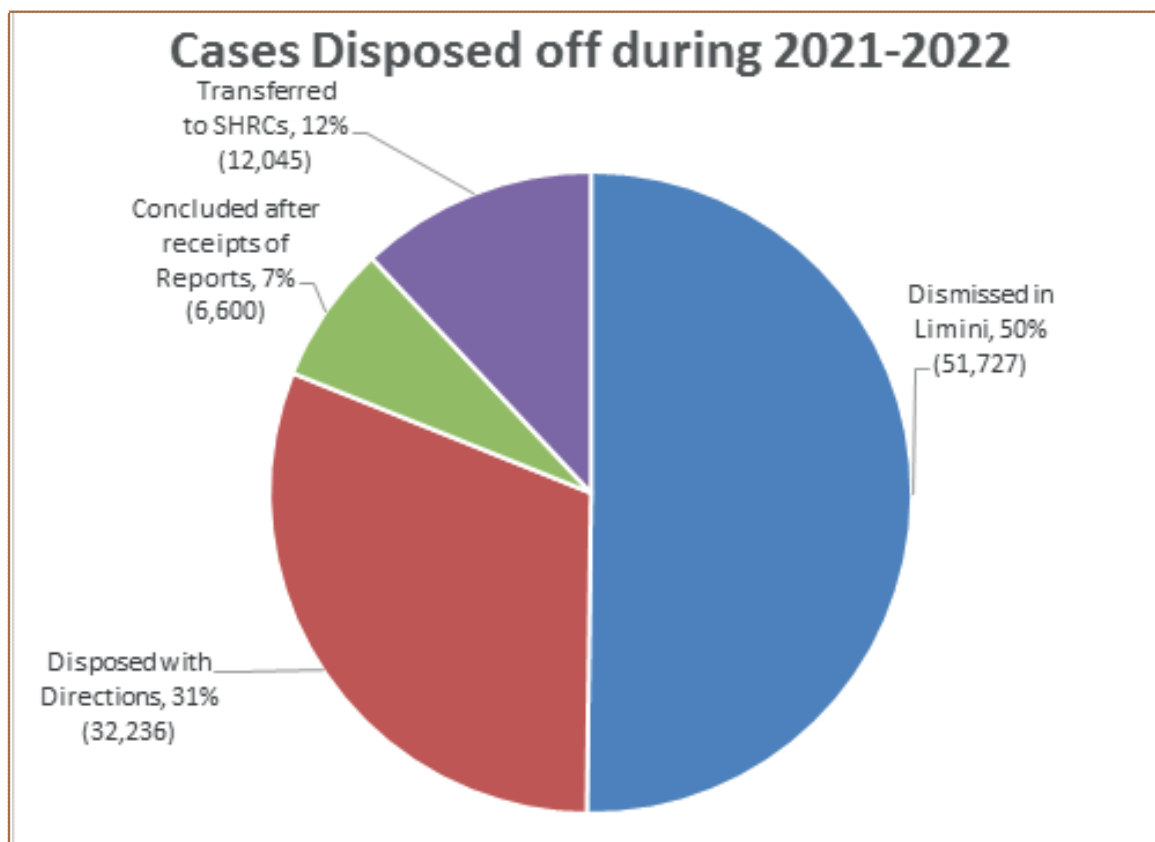
3.26 12,045 cases were transferred to the State Human Rights Commissions for disposal in accordance with the provisions of the PHRA. For details of State/Union Territory-wise cases disposed of by the NHRC during 2021-2022, please see **Annexure – 2**. This also reflected in the chart below:

Illustration 3.6: Cases transferred to SHRCs during 2021-22



3.27 The disposal of the cases during the year in different ways, by dismissal of the complaint (DIL), by directions to the authorities for taking appropriate action, transferring of the complaint to the State Human Rights Commissions, closure of the case upon consideration of the reports received pursuant to the Commission's directions, is indicated in the chart below:

Illustration 3.7: Cases disposed of during 2021-22

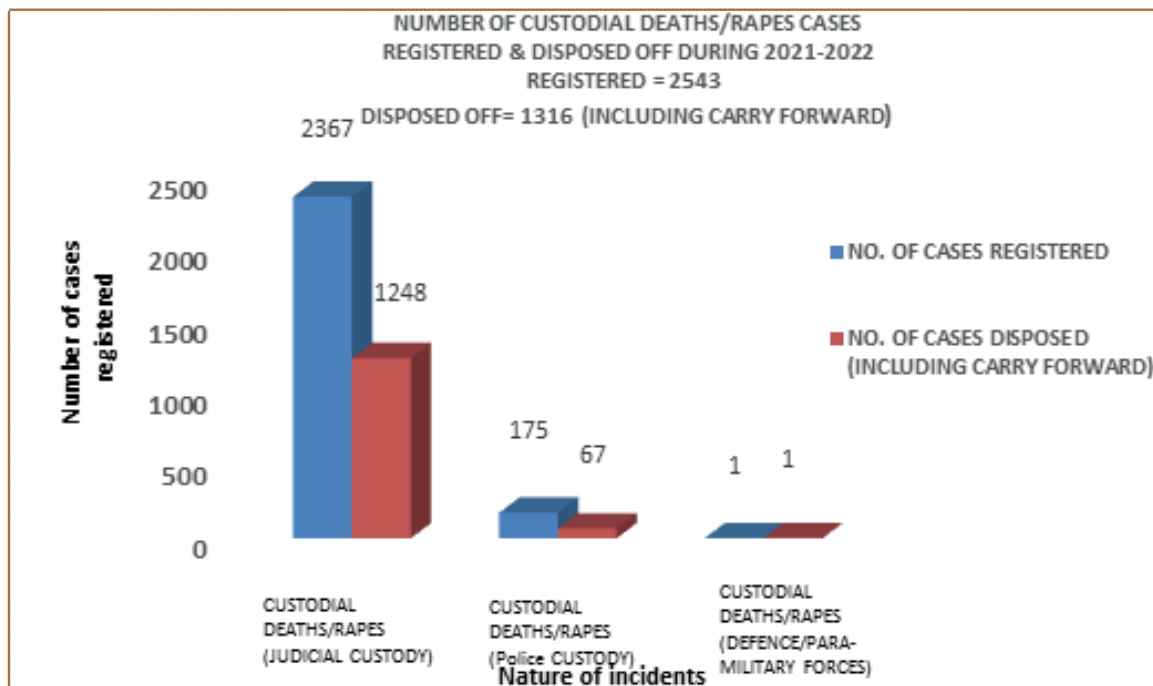


3.28 At the end of the reporting period, i.e., on 31 March 2022, the total number of cases pending with the Commission was 16,515, which includes 4864 cases awaiting preliminary consideration and 11,651 cases pending for reports from the authorities concerned or the reports received being pending for consideration by the Commission (**Annexure – 3**).

Preventing Custodial Violence

3.29 The NHRC received 2,367 intimations concerning death in judicial custody¹, and 175 intimations of death in police custody during the year 2021-2022 and one intimation of death in para-military/defence forces custody was also reported during the review period. It disposed of 1,316 cases of custodial death. Out of these 1,316 cases, 1,248 cases relate to death in judicial custody, 67 cases of deaths/rapes in police custody and one case of death in the custody of para-military forces. These figures contain cases of previous years as well. Please see the Graph below for all details.

¹ In the Annual Report, judicial custody means persons in jails as per the orders of the court.

Illustration 3.8: No. of custodial death/rape cases during 2021-22**Recommendations of NHRC for Monetary Relief and its Compliance**

- 3.30** During the period 1 April 2021 to 31 March 2022, the Commission recommended Rs. 11,72,25,840 as payment of monetary relief/compensation to the victims/next of kin of the deceased in 359 cases. Out of these 359 cases in which monetary relief was recommended, compliance reports were received only in 100 cases, wherein a total amount of Rs. 3,05,65,840 was paid to the victims/next of kin of the deceased. The State/Union Territory-wise details of these cases are at **Annexure– 4**.
- 3.31** As on 31.03.2021, compliance reports were awaited in 259 cases wherein monetary relief amounting to Rs.8,66,60,000 was recommended during the year (details of the cases at **Annexure – 5**). Apart from the recommendations for monetary relief, the Commission also recommended disciplinary/departmental action against the errant public servants in one case (details of the cases at Annexure – 4A). The Commission, once again, recommends to all those States/Union Territories, in particular, the Government of Uttar Pradesh, to take speedy action on cases pending with them for compliance so that the monetary relief recommended in each case is immediately given to the victim/next of their kin.
- 3.32** As is evident from the given Annexure – 5, during 2021-2022, out of total of 259 cases pending for compliance of the Commission's recommendation for grant of compensation/monetary relief, 75 cases were found to be pending with the Government of Uttar Pradesh, 27 cases with the Government of Bihar, 25 cases with the Government of Odisha, 23 cases with the Government of NCT of Delhi, 14 cases with the Government of Jharkhand, 11 cases with the Government of West Bengal, eight cases each with the Governments of Andhra Pradesh, Assam and Haryana, seven cases with the Government of Rajasthan, six cases each with the Governments of Madhya Pradesh and Maharashtra, five cases with the Government of Arunachal Pradesh, four cases each with the



Governments of Chhatisgarh, Gujarat, Kerala, Tamil Nadu and Telengana, three cases with the Government of Punjab, two cases each with the Governments of Karnataka, Nagaland and Tripura, One case each with the Governments of UT of Andaman & Nicobar, UT of Jammu & Kashmir, Manipur, Meghalaya, Mizoram and Uttarakhand. With regard to compliance reports relating to cases pertaining to previous years, compliance was awaited in 25 (12+13) cases; for details see **Annexures – 5 & 5A**.

- 3.33 Annexure – 5** gives details of 12 cases, where compliance of the payment of monetary relief recommended by the Commission during the year 2020-2021 is still pending. These cases include two cases pending with each of the Governments of Assam, NCT of Delhi and Uttar Pradesh. Further, one case is also pending for compliance with each of the Governments of Andhra Pradesh, Bihar, Kerala, Nagaland, West Bengal and UT of Laksha Dweep.
- 3.34 Annexure – 5A** gives details of 13 cases, where compliance of the payment of monetary relief recommended by the Commission during the year 2014-2015 to 2019-2020 is still pending. These cases include three cases pending with the Government of Jharkhand, two cases pending with the Government of Madhya Pradesh, and one case pending with each of the Governments of Assam, Bihar, Chhatisgarh, Odisha, Punjab, Tamil Nadu, Telengana and NCT of Delhi.
- 3.35** These cases involved allegation of death in judicial custody or police custody, custodial torture, rape and abuse of power by police, inaction by the concerned state authorities, irregularities in health centers and government hospitals, and hazardous employment, etc. The details of these cases have been reported in the Annual Reports of NHRC for previous years. State Governments have been requested to take immediate steps for sending their compliance reports to the Commission and simultaneously take comprehensive steps for protection and promotion of civil, political, economic, social and cultural rights, along with special measures to prevent acts of violence and discrimination towards women, including those belonging to the scheduled castes, scheduled tribes and other backward classes.

H. Research activities by research division

- 3.36** The Commission, in an attempt to ensure that the Human Rights are upheld and enjoyed by all, irrespective of their backgrounds or categories, has recognised certain focus areas and apportion issues that warrant immediate attention in its Strategic Plan. Once any thematic area is identified as a priority area, the research division organises conferences, seminars, open house discussions, meetings or workshops to issue recommendations or advisories on pressing issues of human rights violations pertaining to that thematic area. The above-mentioned activities undertaken for each thematic area have been elucidated in **Chapter – 7** of this report. Besides conferences, seminars, workshops, open house discussions and meetings, the Commission undertakes and promotes research on human rights, which have been enlisted under **Annexure– 13**. Additionally, the division reviews policies, laws, treaties and other international instruments in force for the protection and



promotion of human rights and offers inputs to the Central, State and UT authorities.

I. Media

3.37 The Media desk is engaged in dissemination of information pertaining to the activities undertaken by the Commission through various means such as twitter handle, press releases, media briefings, press conferences, interviews of Chairperson and Members, etc. The desk also monitors news clippings on the basis of which, NHRC intervenes or takes *suo moto* cognizance. The activities undertaken by the division have been detailed under **Chapter – 6**.

J. Training

3.38 The training division, on the other hand, is engaged in spreading human rights awareness and literacy among different sections of the society. For this, it trains and sensitises various government officials and functionaries of the State and its agencies, non-government officials, representatives of civil society organizations and students on different human rights issues. The activities undertaken by the division have been detailed under **Chapter – 6**.

K. Core groups

3.39 Core Groups consist of eminent persons or subject experts or representatives of Government or technical institutions or NGOs in a given field required by the Commission, be it health, mental health, disability, or bonded labour, and so on. These Groups render expert advice to the Commission. Some of the important Core Groups that functioned in the NHRC during the year, 2020-2021 were:

- Core Group on Health and Mental Health
- Core Group on Disability and Elderly Persons
- Core Group on NGOs and Human Rights Defenders
- Core Group on Right to Food
- Core Group on Business and Human Rights
- Core Group on Bonded Labour
- Core Group on Women
- Core Group on Children
- Core Group on LGBTQ issues
- Core Group on Criminal Justice System

3.40 Meetings of the Core Groups are organised periodically at regular intervals or as and when deemed necessary. The details of all the Core Group meetings held in the Commission during the period under review are mentioned under **Annexure – 8**.



L. special rapporteurs and monitors of the commission

3.41 The Special Rapporteurs and Special Monitors of the Commission are human rights experts who are specifically appointed with the directive to report and advise on human rights concerns from a thematic or appointed with the directive to report and advise on human rights concerns from a thematic or state-specific perspective. The system of Special Rapporteur/Special Monitor is a central element of the NHRC machinery and covers all human rights: civil, political, economic, social and cultural. In addition, they cover sensitive issues like child labour, bonded labour, disability concerns; etc. and spread awareness among the people about the provisions contained in the PHRA from the point of view of seeking redressal from the NHRC in case of violation of their rights or that of others. The Special Rapporteurs/Special Monitors in position during the period under report are listed below.

1. Zonal Special Rapporteurs

Table 3.5: Zonal Special Rapporteurs of the Commission

S. No	Zone/area Covered as Per New Scheme	Name of Special Rapporteur	Tenure
1.	<u>SOUTH ZONE</u> Tamil Nadu, Puducherry, Kerala, Lakshadweep, Andhra Pradesh, Telengana & Karnataka.	Shri Devendra Kumar, Retd. Director (Finance)	02.04.2020 to 01.04.2021
2	<u>WEST ZONE</u> Maharashtra, Goa, Gujarat, Dadra & Nagar Haveli and Daman & Diu	Dr. Sadhana Rout,	11.03.2020 to 31.07.2021
3.	<u>CENTRAL ZONE</u> Madhya Pradesh, Chhattisgarh, Rajasthan, Bihar & Jharkhand.	(Vacant) Additional charge with Dr. Vinod Aggarwal, Special Rapporteur for East Zone	16.07.2020 to 15.07.2021
4.	<u>EAST ZONE</u> West Bengal, Odisha and Andaman & Nicobar Islands.	Dr. Vinod Aggarwal, IAS (Retd.) (Jharkhand Cadre-1980)	
5.	<u>NORTH EAST ZONE</u> Nagaland, Manipur, Mizoram, Tripura, Assam, Meghalaya, Sikkim and Arunachal Pradesh	Shri Umesh Kumar IPS (Retd) (Assam Meghalaya Cadre)	16.07.2020 to 15.07.2021
6.	<u>NORTH ZONE</u> Punjab, Haryana, Chandigarh, Delhi, Himachal Pradesh, Jammu & Kashmir, Uttarakhand & Uttar Pradesh.	Shri Ranjan Dwivedi IPS (Retd.) (UP Cadre-1979)	01.06.2020 to 31.05.2021



II. Special Monitors

Table 3.6: Special Monitors of the Commission

S. No.	Name of Special Monitor	Subject	Tenure
1.	Shri Ajeet Singh Founder - GURIA	Trafficking	11.07.2019 to 10.07.2021
2.	Shri Rajive Raturi NCPEDP	Rights of Persons with Disabilities and Senior Citizens	11.07.2019 to 10.07.2021
3.	Shri Ambuj Sharma IAS (Retd.) (Tamil Nadu Cadre – 1983)	Health and Environment issues includ- ing Mental Health, Water, Sanitation	11.07.2019 to 10.07.2021
4.	Shri Raiz Ahmad	Human Rights of Minorities	20.07.2020 to 19.07.2021
5.	Ms. Karuna Bishnoi Independent Child Rights, Poli- cy and Development Consultant	Human Rights of Children	25.08.2020 to 24.08.2021

CHAPTER - 4

ADMINISTRATION AND BUDGET

A. Staff and specialised divisions

4.1 As on 31.03.2022, 245 employees were in position against the total sanctioned strength of 355 consisting of various ranks. Over the years, NHRC has taken recourse through various methods with regard to selection of personnel for developing and building a cadre of its own. These methods include direct recruitment, re-employment, deputation, contractual appointments and outsourcing.

4.2 There are five Divisions in the Commission. These are:

- (i) Law Division,
- (ii) Investigation Division,
- (iii) Policy Research, Projects and Programmes Division,
- (iv) Training Division, and
- (v) Administration Division.

4.3 Law Division: The Law Division is headed by a Registrar (Law), who is assisted by Presenting Officers, a Joint Registrar, a number of Deputy Registrars, Assistant Registrars, Section Officers and other secretarial staff.

4.3.1 Basically, the Law Division facilitates discharge of one of the important functions by the Commission under Section 12 (a) of the Protection of Human Rights Act, 1993, viz., inquiring into complaints of alleged violations of human rights. It has been serving as the Registry of the Commission. It receives, scrutinises and registers complaints from the victims or others on behalf of the victims or intimations from the authorities about custodial deaths, custodial rapes, deaths in encounters or action by police/paramilitary forces or defence forces, references from the Courts. It further processes these complaints/matters by placing them before the Commission for orders/proceedings and ensures that necessary follow-up action is taken pursuant to the Commission's orders. It also organises Camp Sitzings, Open Hearings of the Commission, in various parts of the country, to enable the Commission to render justice to the victims at their doorsteps. The Law Division also provides comments and advice on draft legislations referred to the Commission, questionnaires received from OHCHR, and other international organisations, and also facilitates the Commission to make interventions in the Court Proceedings, or to respond in the Cases filed against the



Commission in the matters of human rights violations. It also facilitates the Commission in taking *suo motu* cognizance. Around one lakh cases are annually registered and disposed of by the Law Division. Disposal of a number of these cases results in relief to the victims in the forms of grant of monetary relief, disciplinary action or prosecution against the delinquent public servants, release of bonded labourers, registration of First Information Reports (FIRs), payment of pensions, etc.

4.3.2 During the year 2020-21, the Commission registered 1,11,082 complaints as against 74,968 complaints registered during the previous year. The Commission's awareness creation activities about human rights and easy access to the Commission facilitated through the online system of filing complaints including through the Common Service Centres appear to have played a major part towards increase in the number of complaints registered this year as compared to previous year. The Commission made efforts to increase its reach to the people. The use of hrc.net portal extended the facility to the people to make a complaint from anywhere in the country through the Common Service Centres ensuring immediate submission of complaints and safeguard against postal delays or loss in transit. The use of hrc.net portal benefitted the complainants by way of acknowledgement of receipt through SMS or e-mail message, alert on directions passed by the Commission on the complaint and access to information pertaining to the status /action on the complaint. The portal of which Complaint Management and Information System (CMIS) is a part, facilitates storage and retrieval of data, submission of reports online by the authorities and serves as an important tool in speedy decision-making and redressal of grievances. The focal point of NHRC (Mobile No. 9999393570) had constant interaction with State government officials for better protection of human rights of the human rights defenders.

4.4 Investigation Division: The Investigation Division is headed by an officer of the rank of Director General of Police, assisted by one Deputy Inspector General and four Senior Superintendents of Police. Each Senior Superintendent of Police heads a group of investigative officers (comprising Deputy Superintendents of Police and Inspectors). The functioning of Investigation Division is analytical and multi-dimensional and it carries out the following activities:

4.4.1 Spot Enquiries: The Investigation Division conducts spot enquiries and recommends suitable action in cases revealing human rights violations. The spot enquiries conducted by the Investigation Division not only bring out the truth before the Commission, but also sends a message to all concerned—complainants, public servants, etc. The Commission orders a Spot Enquiry in a range of cases concerning serious violation of human rights by public authorities—from illegal detention, extrajudicial killings, etc. by the police to lack of facilities in a hospital leading to unnatural deaths or cases of bonded labour. Spot enquiries enhance the confidence of the general public too and instil their faith in NHRC's role in protection of Human Rights. The Investigation Division also gives its comments/observations, whenever sought, in the cases of advice/analysis, besides monitoring of cases whenever referred to it.

4.4.2 Custodial Deaths: As per the guidelines issued by the Commission to the State authorities,



the latter are supposed to intimate the Commission in case of any death occurring in custody (whether in police or judicial custody) within 24 hours. The Investigation Division, on receiving such intimations, analyses the reports in order to find out if there was any human rights violation involved. In order to make the analysis more professional and accurate, the Investigation Division seeks opinion from forensic experts and doctors on the panel of NHRC.

4.4.3 Deaths in the course of Police Firing/Encounters: The Commission has laid down detailed guidelines for such cases in which people/extremists get killed during a police action, such as firing. The matter is mandatorily to be reported to the Commission within 48 hours followed by detailed report, post-mortem reports, status of investigation by an independent agency, ballistics report, magisterial enquiry reports, etc. The Investigation Division is entrusted with the work of analysis of such incidents and brings out the fallacies/anomalies, in such cases before the Commission.

4.4.4 Fact Finding Cases: The Investigation Division also calls upon different authorities to submit reports in “Fact Finding” Cases as directed by the Commission. The Investigation Division critically analyses these reports with a view to assist the Commission in deciding whether there is any violation of Human Rights or not. In cases where reports received are misleading or not factual, the Commission orders a spot enquiry as well.

4.4.5 Rapid Action Cell: From the year 2007, the Investigation Division has taken the initiative of making a Rapid Action Cell (RAC) functional in the Commission. Under RAC cases, the Investigation Division deals with cases which are of a very urgent nature, e.g., the allegation may be regarding a child marriage likely to be performed the very next day or else the complainant fears that a relative or friend picked up by the police maybe killed in a false encounter. In all such cases, the Investigation Division takes up urgent follow up required by the Commission. It may require speaking to them personally over telephone to ascertain facts, faxing the complaint to various authorities for reference and asking them to send their replies expeditiously—all these actions are performed by the Investigation Division.

4.4.6 Visits to places of detention: There are a large number of complaints related to the living conditions in the jails, shelter homes and other institutions where persons are detained or lodged for the purpose of treatment, reformation or protection. The Investigation Officers of the Investigation Division visit Jails, Shelter Homes and other institutions in different States as and when directed by the Commission and submit reports presenting the facts of specific allegations or the general condition of prisoners or inmates with regard to their human rights.

4.5 Policy Research, Projects and Programmes Division (PRP&P): The Division undertakes and promotes research on human rights and organises conferences, seminars and workshops on important human rights issues. Whenever the Commission, on the basis of its hearings, deliberations or otherwise, arrives at a conclusion that a particular subject is of importance, it is converted into a project/programme to be dealt with by the PRP&P Division. Besides, it reviews policies, laws, treaties and other international instruments in force for the protection and promotion of human



rights. It facilitates monitoring the implementation of NHRC recommendations by the Central, State and UT authorities. It further helps the Training Division in spreading human rights literacy and promoting awareness about the safeguards available for the protection of human rights. The work of the Division is handled by Additional Secretary and Joint Secretary (Programme & Training), Joint Director (Research), Senior Research Officer (SRO), Research Officers (ROs), Section Officers (SOs), Senior Research Assistant, Junior Research Consultants (JRCs) and other secretarial staff.

- 4.6 Training Division:** This Division is responsible for spreading human rights literacy among various sections of the society. As such, it trains and sensitises various government officials and functionaries of the State and its agencies, non-government officials, representatives of civil society organizations and students on different human rights issues. For this purpose, it collaborates with the Administrative Training Institutions/ Police Training Institutions and Universities/Colleges. Besides, it conducts internship programmes for college and university students. The Division is headed by a Joint Secretary (Programme & Training), who is supported by a Senior Research Officer (Training), an Assistant, Junior Research Consultants and other secretarial staff. The Coordination Section, under the Training Division, deals with all international matters, including international treaties and conventions. Besides, it coordinates with Camp Commission Sitzings/Open Hearings in various States/UTs, organises Commission's annual functions, viz., Foundation Day and Human Rights Day. It is also tasked with taking care of protocol duties as well as organizing visits of Chairperson/ Members/ Senior Officers of the Commission, both at the national and international levels. Coordination Section consists of an Under Secretary, Section Officer, Assistants, Research Consultants and other secretarial staff.
- 4.7 Administration Division:** The Administration Division of the Commission is responsible for various administrative functions related to establishment, personnel, accounts and procurement of goods for official use. Specifically, the division provides administrative support to the Chairperson and Members of the NHRC and also manages the personnel, accounts and other requirements of the officers and staff of the NHRC. The Joint Secretary is looking after the work of this division, with support from the Deputy Secretary, Section Officers, Assistants, and other secretarial staff. Overall, the General Administration Division of the Commission plays a crucial role in ensuring that the Commission operates efficiently and effectively in fulfilling its mandate to promote and protect human rights in the Country.
- 4.8** The sanctioned and actual strength of each division is tabulated below.



Table 4.1: Details of Sanctioned/Actual Strenght as on 31/03/2022

S.No.	Name of Post & Private Assistants	Sanctioned Strength	Actual Strength	Contractual
INVESTIGATION DIVISION				
1	D.G. (I)	1	1	
2	DIG	1	1	
3	Sr. S.P	4	1	
4	Dy. S.P.	11	10	
5	Inspector	26	12	
6	Section Officer	1	0	
7	Assistant	2	1	
8	Private Secretary	5	1	
9	Personal Assistant	5	0	
10	Steno D	4	1	
11	LDC	4	6	
12	Constable	12	12	
13	MTS	8	5	
14	Data Entry Operator	0	0	3
TOTAL		84	51	3
LAW DIVISION				
1	Registrar (Law)	1	1	
2	Presenting Officers	5	4	
3	Joint Registrar (Law)	1	1	
4	Dy. Registrar	3	3	
5	Sr. PPS	0	1	
6	PPS	0	3	
7	Private Secretary	6	1	1
8	Private Assistant	6	9	
9	Asstt. Registrar	11	3	
10	Section Officer	11	7	1
11	Assistant	15	13	
12	UDC	6	5	
13	Steno D	10	4	
14	LDC	11	9	
15	MTS	24	15	
16	Data Entry Operator	0	0	13



S.No.	Name of Post & Private Assistants	Sanctioned Strength	Actual Strength	Contractual
17	JLRC	0	0	11
Total		110	79	26
TRAINING & RESEARCH DIVISION				
1	Joint Secretary	1	1	
2	Joint Director	1	0	1
3	Under Secretary	0	1	
4	Sr. Research Officer	2	0	2
5	PPS	0	1	
6	Research Officer	2	0	
7	PS	1	0	
8	Assistant	1	1	
9	Sr. Research Assistant	1	0	
10	Research Assistant	3	0	
11	Personal Assistant	1	0	
12	UDC	1	2	
13	Steno D	2	0	
14	LDC	0	1	
15	MTS	3	4	
16	JRC	0	0	16
17	Data Entry Operator	0	0	4
Total		19	11	23
ADMINISTRATION DIVISION				
2	JS	1	1	
3	Director	1	0	
4	DS	1	1	
5	Sr.PPS	1	0	
6	Under Secretary	3	2	
7	DD (M & C)	1	1	
8	Senior System Analyst	1	1	
9	AIO (Publications)	1	1	
10	PPS	7	2	
11	Asstt. Director(H)	1	1	
12	Senior Accounts Officer	1	1	



S.No.	Name of Post & Private Assistants	Sanctioned Strength	Actual Strength	Contractual
13	System Analyst	1	1	
14	Librarian/Documentation Officer	1	0	
15	Section Officer	3	3	1
16	PS	2	2	
17	Asstt. Accounts Officer	3	1	1
18	Personal Assistant	9	4	
19	Assistant	19	18	
20	Senior Translator	1	0	
21	Programmer	1	1	
22	Programmer Assistant	3	0	
23	Accountant	3	2	
24	Dy. Documentation Officer	1	1	
25	Junior Translator	2	2	
26	Jr. Accountant	3	1	2
27	UDC	4	3	
28	Steno D	6	3	
29	Asstt. Librarian	1	0	
30	LDC	5	8	
31	Staff Car Driver	12	12	
32	Despatch Rider	2	1	
33	MTS	43	30	
34	Data Entry Operator	0	0	14
Total		144	104	18
Grand Total		357	245	70

B. Promotion of official language

4.9 Publication of Annual Hindi Journal: Since the dimension of human rights literature is very limited in our country in Hindi language, NHRC started to publish Hindi Journal from the year 2004 in order to create human rights awareness through creative writing. NHRC published its 18th Volume and released it on Human Rights Day, i.e., 10 December 2021.

4.10 MARG Booklets: The Commission published 21 booklets on various Human Rights issues in collaboration with Multiple Action Research Group (MARG), a Delhi based organization. Hindi translation of ibid booklets was done by MARG and correction and vetting has been carried out by Hindi Section of the Commission.



4.11 Vernacular Language Translation: Commission accepts complaints, etc. in all Indian Regional Languages. The Hindi Section is monitoring the translation of Vernacular Languages. During the period under review, more than 2000 complaints were translated by an approved panel of translators.

4.12 Hindi Fortnight: To promote the use of official language in its day-to-day work, the Annual Hindi Fortnight was held from 14 to 28 September 2021. The officers and staff of the Commission actively participated in the events organized on the occasion. Quiz competition, General Hindi, Hindi Essay Writing, Hindi Typing and Hindi Sulekh competitions, etc. were held during the fortnight. Cash prizes and certificates were given to the winners of these competitions.

C. Budget

4.13 The Budget estimates of NHRC for the year 2021-22 was Rs. 62.33 crores (including unspent balance of previous year, i.e., Rs. 3.29 crores). Out of which, the Commission incurred expenses amounting to Rs. 57.45 crores, leaving an unspent balance of Rs. 4.88 crores.

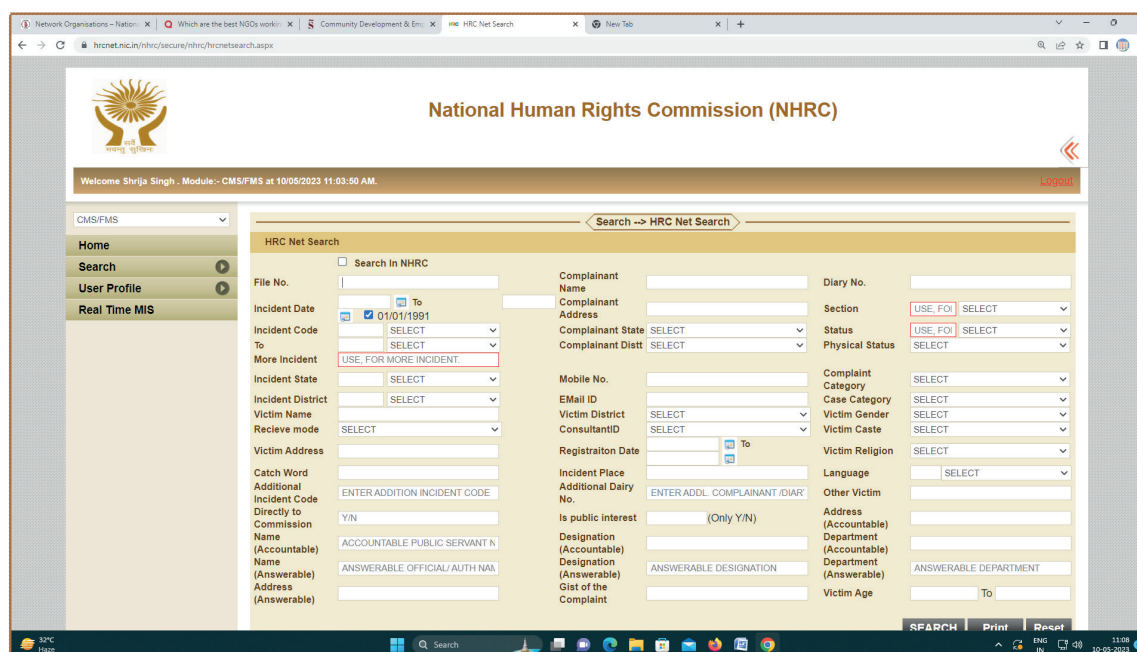
Head of Accounts		Allocation 2021-22	Expenditure	Balance
A	Pay & Allowances	40.99	36.91	4.08
B1	Adm. & Other Exp.	13.02	12.85	0.17
B2	Research and Training	2.38	2.18	0.20
C	Capital Expenditure	5.82	5.40	0.42
D	Loan & Advances	0.12	0.11	0.01
Total		62.33	57.45	4.88

CHAPTER - 5

E- GOVERNANCE AND LOGISTIC SUPPORT

A. Human rights commission network (HRCNet) portal

5.1 National Human Rights Commission (NHRC) has developed Human Rights Commissions Network (HRCNet) portal (<https://www.hrcnet.nic.in>) with the technical assistance of NIC. This portal can be used by all Human Rights Commissions in the country for Online Complaints Lodging/tracking System and handling of complaints received offline i.e. by hand, post etc. **HRC Net is enabling the NHRC in efficient handling of complaints for many years.** This software is useful in processing of complaints at every stage such as complaints diarisation, cases registration, entry of commission's proceeding etc. This software will also assist your commission in handling the complaints efficiently and in timely manner.



The screenshot displays the HRCNet Portal of the National Human Rights Commission (NHRC). The interface includes a header with the NHRC logo and a welcome message for a user named Shrija Singh. A sidebar on the left contains navigation links: Home, Search, User Profile, and Real Time MIS. The main content area is titled 'HRC Net Search' and features a 'Search -> HRC Net Search' button. Below this, there are multiple input fields and dropdown menus for searching and registering complaints. Fields include File No., Incident Date, Incident Code, More Incident, Incident State, Incident District, Victim Name, Recieve mode, Victim Address, Catch Word, Additional Incident Code, Directly to Commission (Y/N), Name (ACCOUNTABLE PUBLIC SERVANT N), Name (ANSWERABLE OFFICIAL/ AUTH NAI), Address (Answerable), Complainant Name, Complainant Address, Complainant State, Complainant Dist, Mobile No., Email ID, Victim District, ConsultantID, Registration Date, Incident Place, Additional Dairy No., Is public interest (Only Y/N), Designation (Accountable), Designation (Answerable), Gist of the Complaint, Diary No., Section, Status, Physical Status, Complaint Category, Case Category, Victim Gender, Victim Caste, Victim Religion, Language, Other Victim, Address (Accountable), Department (Accountable), Department (Answerable), and Victim Age. The bottom of the page shows a taskbar with various application icons and a system clock indicating 11:08 AM on 10-05-2023.

Image 5.1: HRCNet Portal of NHRC

Salient features of HRCNet Portal:

- (i) HRCNet provides **online system for lodging of complaints** and tracking complaint status, with **no financial cost of software for SHRCs.**



- (ii) SHRCs can start using this portal with a few PCs with internet facility, printers and scanners. There will not be any requirement of procuring / maintaining local servers by the SHRCs.
- (iii) It has the added advantage of **SMS and email** integration to inform stage-wise case/complaint status to complainant, deployed on **NIC Cloud**.
- (iv) The Software has the **provision for duplicity checking of complaints in NHRC and SHRCs** databases automatically on same incident, **Online transfer of complaints by NHRC to SHRCs**, Integration of Complaint **Registration through Common Service Centres (CSCs)** and Online provision for sending orders of Human Rights Commissions to Central / State Govt. Authorities and Online submission of reports by Authorities.
- (v) **Recent provisions made in the HRCNet Portal:**
 - a. 'Search Option' has been added in modules for Dak Movement, Grouping of cases and in the Sentbox of e-Case Files.
 - b. Textual report has been added for sending letters in closure cases.
 - c. Communication summons through emails has been made.
 - d. Submission of multiple proceedings at a time on a case has been provided.
 - e. Parking provision of e-Case Files has been provided.
 - f. Digital Cabinets for fresh cases has been introduced.
 - g. MIS Report showing cases where no response/ communication has been received from Govt. Authorities has been designed and developed.
 - h. Role-based Access of HRCNet Portal has been given to various stakeholders such as Proceeding Consultants and Govt. Authorities for preparing proceedings and uploading reports online respectively.
 - i. Real Time Management Information System (RTMIS): Additional reports for monitoring work done and pendency

B. E-office (<https://nhrc.eoffice.gov.in>)

- 5.2** E-Office has been upgraded to version 6.0 in the Commission. Digital Signature Certificate (DSC)/ eSign for signing the eFile electronically and Web VPN for accessing the software anytime from anywhere have been provided.

C. other Information Technology Resources

- 5.3 Online Application Submission Software for short term internship programmes:** The Commission has designed, developed and implemented a software for online submission of applications to apply for Internship Programmes conducted by NHRC.

- 5.4 ICT infrastructure:** The Commission has started work for getting additional VMs on NIC Cloud



for migration of NHRC Software for improving the efficiency, ensuring high-availability and configuring disaster recovery mechanism.

- 5.5 SPARROW software:** NHRC has implemented SPARROW software for all Officers and Staff of the Commission.
- 5.6 NHRC has upgraded its leased line from 34Mbps to 100Mbps.**
- 5.7 Software for vernacular language Translators:** A software has been designed, developed and implemented for maintaining records of communications sent for translation from vernacular languages to English language. The software has provision for electronic transmission of communications to translators and uploading of translated text by them. This software has increased the efficiency of the concerned officials.
- 5.8 E-HRMS software:** Implementation of e-HRMS software has been started in the Commission.

D. Documentation centre (E-Library)

- 5.9** The Library of the Commission was established in 1994 for research and reference purposes. It has been upgraded to NHRC Documentation Centre (E-Library), which is well equipped with computer and Internet services. Database of Books/Documents and Articles is available on the Internet for the wider use of readers. These readers include Research Scholars of Universities and other readers working in the field of human rights. The library is also equipped with two Online databases, i.e., SCC Online, Manupatra Online along with Software Package (E-Granthalaya) developed by the National Informatics Centre (NIC), New Delhi. The library is modernised with State of Art Computers, Printers and CCTV (Close Circuit Television) cameras. Books are also bar-coded. An online Open Public Access Cataloguing (OPAC) has been specially developed for quickly ascertaining the availability and location of any book or document available in the library. NHRC library is an Institutional Member of Developing Library Network (DELNET), New Delhi, which promotes resource sharing amongst the libraries. The library also maintains close liaison with other libraries through inter-library loan facilities for accessing and borrowing books, documents and journals.

E. Procurement

- 5.10** The division handles the procurement of goods required for official use, which is done through the Government e-Marketplace (GeM) in accordance with the General Financial Rules prescribed by the Government from time to time. The division also uses e-store software to issue the procured items to the users of the Commission.



CHAPTER - 6

ADVOCACY AND OUTREACH

A. National seminars and conferences

- 6.1** Despite the outbreak of Covid-19 virus, virtual conferences and webinars were organised by the Commission throughout the year. These included conferences on rights of domestic workers, manual scavengers, victims of human trafficking, women and children and webinars on cooperation between NHRC and CSOs and NGOs, HRDs on human rights issues, and digital education for children in the advent of Covid-19. All the virtual conferences and webinars have been enlisted under **Annexure – 9**.

B. Commission's meeting with state human rights commissions

- 6.2** The PHRA, in Section 21, provides for constitution of the State Human Rights Commissions (SHRCs) in the States. The Commission has been urging the State Governments, where no State Commission has been constituted, to initiate action to constitute a State Human Rights Commission to fulfil its responsibilities to the people in accordance with the Protection of Human Rights Act, 1993 and the 'Paris Principles'.
- 6.3** The Commission takes the initiative to hold regular interactions with the State Human Rights Commissions to explore and further strengthen areas of cooperation and partnership.
- 6.4** The Commission has taken up with the concerned State Government the issues for evolving a basic structure, minimum manpower and financial requirement of SHRCs to enable them to discharge their functions assigned under the Protection of Human Rights Act, 1993 and to streamline complaint disposal by the SHRCs. In response, the Government of India has requested to send the details of complaints registered, disposed of and pending division-wise existing manpower, financial allocation, details of shortage being experienced and justification for providing additional amount, etc. by each SHRC. The details, as received from SHRC, have been sent to the Government of India.
- 6.5** The National Human Rights Commission organised the NHRC-SHRCs Interface Meeting for Chairpersons, Members, and Secretaries of all the State Human Rights Commissions and Statutory Full Commission's Members as special invitees, on 13 October 2021 to discuss important issues related to various thematic areas of human rights and also to explore the probable areas of collaboration between NHRC and SHRCs for effective protection and promotion of human rights. The meeting was inaugurated by Justice Mr. Arun Kumar Mishra, Hon'ble Chairperson, NHRC and attended by Members, Secretary General, Senior Officers of NHRC and Chairpersons/



Members/Secretaries of all SHRCs and Chairpersons of Deemed Member Commissions.

- 6.6** The objective of the meeting was to share the experiences and explore human rights issues of mutual interest. Various issues were discussed in five Sessions, namely, Session-I: Areas of collaboration between NHRC-SHRC and monitoring the implementation of Advisories issued by NHRC; Session-II: National Food Security Act, 2013 and One Nation One Ration Card Scheme (ONORC); Session-III: Integrating a Gender Perspective; Session-IV: Status of Implementation of Schemes and Policies Related to Informal Workers; and Session-V: Open Discussion with SHRCs and SFCs.
- 6.7** The major recommendations emanating out of the meeting on 13 October 2021 has been circulated to all SHRCs and all Deemed Members of the Commission for information and necessary action.

C. Meeting of common programme committee (virtual mode)

- 6.8** During Session –I of NHRC-SHRCs Interface meeting held on 13.10.2021, it was decided that a Common Programme Committee consisting of representatives from NHRC (Chairperson and Members) as well as SHRCs from various zones of the country (Tamil Nadu, Kerala, Andhra Pradesh, Gujarat, Assam, Meghalaya, Madhya Pradesh, Himachal Pradesh and West Bengal) to be formed for addressing the pressing human rights issues as well as better collaboration and cooperation between NHRC-SHRCs. This Committee may meet in different parts of the country from time to time to address such issues. Accordingly, the First Meeting of Common Programme Committee consisting of representatives from NHRC (Chairperson and Members) and SHRCs of Tamil Nadu, Kerala, Andhra Pradesh, Gujarat, Assam, Meghalaya, Madhya Pradesh, Himachal Pradesh and West Bengal was held on 17 February, 2022 (Virtually). The meeting was attended by Members, Senior Officers of NHRC as well as all other SHRCs and representatives of National Commissions (Statutory Full Commission).
- 6.9** While welcoming all the participants, Hon'ble Chairperson praised the work being done by NHRC-SHRCs and SFCs. He has requested SHRCs to prepare and send the details of their requirements formally to take up the matter with State Governments. Various concerns were raised during the meeting and some suggestions on the issues were given by Justice Mr. M.M. Kumar, Member, NHRC, Dr. D.M. Mulay, Member, NHRC, Mr. Santosh Mehra, DG(I) and Secretary General, NHRC. Hon'ble Chairperson, NHRC has given his concluding remarks —(i) The issue of inadequate staff in SHRCs may be addressed by having staff on deputation from High Court; (ii) Separate Mental Health Wing in the prisons; (iii) Effective measure to be taken for proper rehabilitation of rescued laborers; (iv) Stern Steps to be taken for addressing the issue of Human Trafficking in the country; (v) Concerns such as using pesticides and chemicals in soil and safe and clean drinking water must be taken up at state as well as national level; (vi) Compulsory implementation of Section 18 and 27 of PHR Act, 1993, NHRC may send a written communication to the Chief Ministers of all the states to make available these facilities in all the States; and (vii) All the States are advised to adopt Haryana Policy, in the suicide cases in custody, as adopted by the NHRC.



6.10 The major recommendations emanating out of the meeting on 17th February 2022 has been circulated to the Secretaries of all SHRCs and the Secretaries of all Deemed Members of the Commission for information and necessary action.

D. Dissemination of information and outreach mechanisms

6.11 The NHRC, through Media and Communication wing, disseminates information about NHRC activities through various means. These include press releases, media briefings, press conferences, interviews of Chairperson and Members. Deputy Director (M&C) also provides feedback to the Commission about human rights issues reported in the media; and thus, it is a major source of news clippings for *suo motu* cognizance taken by the Commission.

6.12 Out reach mechanism—Press Releases, Press Conferences, Interviews, Newsletter: During the period from 01.04.2021 to 31.03.2022, about 115 press releases were prepared and issued by the Media and Communication wing about the various interventions and activities of the Commission. Several news clippings were brought to the notice of the Commission for consideration of *suo motu* cognizance. In order to give an idea about the issues reported in media about NHRC's role and interventions, daily news clippings were uploaded on the website of the Commission. A monthly compendium of these news clippings was also prepared and sent to the library for record and reference. Besides this, efforts were made to explore various alternative media platforms to expand the outreach through people's participation. The Newsletter in English is edited, designed, printed and circulated by the M&C Wing and translated, printed and circulated in Hindi by Official Language Section. These were circulated free of cost among all the important functionaries of the Government(s), academic institutions, media persons, individuals, etc. for spreading awareness about the importance of human rights and NHRC interventions and recommendations. It was also uploaded on the NHRC website. The copies of the Newsletters were also made available for the visitors in the reception area of the Manav Adhikar Bhawan. The number of soft copy recipients is about 5,000. More than 2,000 Newsletters in hard copy were sent by post every month. The list of hard copy recipients has been rationalised and made more inclusive to include, among others, education institutions, police and administrative institutions, libraries, international organizations and embassies.



- Coordinated the recording of 10 interviews of HCP and Members of NHRC in connection with the Human Rights Day 2021 and awareness about the human rights on DD, Sansad TV and AIR:
- Interview of Hon’ble Chairperson for All India Radio, which was broadcast on 7December 2021 at 09:30 pm.
- Interview of Hon’ble Chairperson for Doordarshan News, which was broadcast on the 9December 2021 at 10:30 pm.
- Interview of Hon’ble Chairperson for Doordarshan National, which was broadcast on 10December 2021 at 10:30 am.
- Interview of Hon’ble Chairperson for Sansad TV, which was broadcast on 10December 2021 at 09:30am.
- Interview of HM(MMK) for Doordarshan Punjabi, which was broadcast on 10December 2021 at 07:00 pm.
- Interview of HM(DMM) for Doordarshan Sahyadri, which was broadcast on 10December 2021 at 12:00 noon
- Interview of HM(RJ) for All India Radio Talks —‘Surkhiyo Mein’, which was broadcast on 10December 2021 at 07:40 pm.



- Interview of Hon'ble Chairperson for Sansad TV on UCC, which was broadcast on 2 April 2022 at 07:00 pm.
- Interview of HCP for DD and AIR Guwahati on Open Camp Sitting.

6.14 In-house feedback mechanism: Besides providing news clippings on various aspects of human rights to the Chairperson on a daily basis, a 'Weekly News Digest on Human Rights' issues, reported in the media, was prepared for the feedback of the Commission, a copy of which is also sent to the library. A monthly compendium of media reports on NHRC and analysis thereof, was also prepared for reference. Besides uploading NHRC specific news clippings on the NHRC website, the display boards on all the floors of the Commission were made more vibrant with the mounting of such clippings under 'NHRC in News' on a regular basis for the awareness and information of in-house functionaries and visitors to the Commission.

6.15 NHRC Twitter handle: 808 tweets were made from 01 April 2021 to 31 March 2022 and the total followers reached to around 39 thousand till 31 March 2022 with an average increase of 1500 organic followers in a month.

E. Publications

6.16 The National Human Rights Commission has been working for the protection and promotion of human rights of the people of the country. Under Section 12 (h) of the Protection of Human Rights Act, 1993, the Commission has published literature containing informative material for a cross-section of stakeholders, including students, researchers, scholars, human rights activists, academicians, trainers, policymakers, and the public at large. The following publications have been printed from 01/04/2021 to 31/10/2022:

- Annual Report 2019-20 (Eng)
- Annual Report 2019-20 (Hindi)
- Journal Vol-20,2021 (Eng)
- Manav Adhikar: Nai Dishayen 2020 (Hindi)
- The Protection of Human Rights Act, 1993 (Hindi)
- The Protection of Human Rights Act, 1993 (Eng)
- Human Rights Best Practices Relating to Criminal Justice in a Nutshell (Eng)
- Human Rights Glossary (Hindi, Eng)
- Disability Rights (Rights of Persons with Disabilities Act & National Trust Act) and Mental Healthcare Act(Eng)
- The Coasts, the Fish Resources and the Fish Workers' Movement(Eng)
- Women's Rights in India(Eng)



- l. Universal Declaration of Human Rights
- m. SOP on Collection and Processing of Scientific/Forensic Evidences in the case of Sexual Assault on Women

6.17 The Publications Unit has been disseminating NHRC publications for creating awareness about Human Rights to various stakeholders, academia and public in general.

F. Training programmes

6.18 The Training Division of NHRC spreads human rights literacy through training programmes on human rights issues through collaboration with Administrative Training Institutes (ATI), Police Training Institutions (PTI), Judicial Training Institutes, University and Colleges approved by University Grants Commission/All India Council for Technical Education (AICTE) and National Assessment and Accreditation Council (NAAC) accredited, and NGOs registered on Darpan Portal of NITI Aayog. Apart from these, a one-month Internship Programme twice a year, i.e., summer and winter, is organised by the Commission within its premises for the university/college students of different States of the country and also Short-term Internship Programme of fifteen days throughout the year for the students interested in the field of human rights. As part of its mandate, during the year 2021-22, the Commission had released funds to various organisations/institutions for conducting 28 collaborative training programmes relating to various aspects of human rights, which were successfully organised/conducted by various Institutions, Universities, Colleges, PTI, ATI, NGOs all over India for human rights awareness and were attended by 2550 participants. The activities of the Division in general suffered a huge setback on account of the spread of Covid-19. The month-long winter and summer Internship Programme of the year 2021-22 could not be organised by the Commission. Collaborative training programmes were also significantly curtailed.

Internship Programme

6.19 This year, due to the Covid-19 pandemic, the summer and winter Internship Programmes-2021-22 could not be organised in the Commission in accordance with MHA guidelines. However, NHRC has been conducting on-line internship programme from the year 2020 onwards. In 2021-22, NHRC conducted four online short-term internship programmes for a duration of 15 days each in the months of July, September, and November 2021 and February 2022 in which 45, 74, 66 and 59 student interns participated respectively and totally 244 students successfully completed their Online Short-term Internship with the Commission.

6.20 The Commission invited officers from different United Nations organisations, Chairpersons and Members of State Human Rights Commission, very senior officers of the Government of India of the rank of Secretary/Additional Secretaries, top rank officers of Indian Army/Air Force/Indian Navy, Chiefs of CAPF, Special Rapporteurs, Special Monitors, representatives of eminent NGOs, academicians, medical doctors, renowned Gandhians, etc. to address and interact with the student interns online through Google Meet/Webex platforms in all the Online Short-term Internship Programmes.



6.21 The matrix of the internship programme is designed in a manner which encompasses practical activities too. The student interns are made to read a book related to human rights issues and thereafter make a written and verbal submission, which is evaluated by in-house jury members and a cash prize is given to the winners. The student interns are assigned a group research project on human rights subject of relevant contemporary importance. The presentation is made before senior NHRC officers and the best ones are awarded cash prizes of Rs.15,000/-,Rs.10,000/- andRs.5000/-. Some of the research projects this year had the following subjects:

- Feedback Mechanism on Advisory 2.0 of NHRC (Rights of Informal Workers and Right to Health)
- Manual Scavenging in India: Where are we and the way ahead?
- Covid-19 and its implications on Human Rights
- Shelter Homes in India, State-wise data and the way ahead
- Environmental concerns, climate crises and BHR
- Feedback mechanism: Human Rights Advisory on Right to Mental Health in the Context of Covid-19 Pandemic
- Technology (Artificial Intelligence, Machine Learning, Big Data Analytics) and issues related to Human Rights
- Child Care Institutions and orphaned children during Covid-19 pandemic— Study and recommendations
- Issues related to Persons with Disability in India and the way ahead
- Impact of Global Warming: Indian Scenario and Rights
- Business and Human Rights: Need for responsible business practices to protect informal workers in India
- Complaint Management System of NHRC — What and how improvements can be effected
- Crimes in Cyber Space—Measures and Challenges to Control it
- Forced Labour, Trafficking and Sexual exploitation in India: Challenges and the way forward
- Feedback Mechanism: Human Rights Advisory on Right to Food Security and Nutrition
- Elderly citizens from the lens of human rights perspective
- Farmer's Agitation and Issues of Human Rights
- Covid-19, Pandemic and Build Back Better
- Trafficking and sexual exploitation in India: Challenges and the way forward.



- 6.22** A declamation contest is held on the day of valediction, again judged by senior NHRC officials where 10 interns participate with the top three winning cash prizes.
- 6.23** In addition to above, every student intern, after successfully completing the internship, gets a stipend of Rs. 2000/- to cover miscellaneous expenses like Internet, pen drive, etc.
- 6.24** From the point of view of giving hands-on experience to the participants of the internship programmes, the students are taken for virtual field visits to Tihar Jail, Police Stations and NGOs. The film on the police station has been commissioned by NHRC, which includes bytes by DIG (Investigation).

G. Details of competitions held

6.25 NHRC's Short Film Awards

The Commission decided to continue with its sixth year of the Short Film Award Scheme—2021. The aim of the NHRC Short Film Award Scheme is to encourage and acknowledge cinematic and creative efforts towards the promotion and protection of human rights. The awarded films are uploaded on the NHRC website to encourage people to screen and see these for human rights awareness. This year, the Commission decided to give Rs. 50,000 cash prize each to three films for the 'Certificate of Special Mention' also in addition to the three cash prizes of Rs. 2 lakh, 1.5 lakh and 1 lakh to the First, Second and Third, respectively.

- 6.26** The Commission received **tremendous response with 190 entries from various parts of the country**. . 'Street Student' by Mr. Akula Sandeep was given the first prize of Rs. 2 lakh. The film shows the story of a street urchin to send across a strong message on Right to Education and how the society needs to support it. It is in Telugu with sub-titles in English. The Second prize of Rs. 1.5 lakh was given to 'Karfew' by Mr. Romi Meitei through the story of a child in Manipur, pitches in hope for a better world, wherein people's right to life, liberty, dignity and equality can be protected against odds including stereotyped fear psychosis. It is in Meiteilon language with sub-titles in English. The Third prize of Rs. 1 lakh was given to 'Munghyar' by Mr. Nilesh Ambedkar, the film is a poignant tale of the victims of discrimination on the basis of caste and creed amounting to violation of right to life, liberty, equality and dignity. It is in Marathi with sub-titles in English.
- 6.27** The films selected for the 'Certificate of Special Mention' and cash award of Rs.50,000/- each are as follows:
- 'Main Special Hoon' by Ms. Reena Kaur Dhillon depicts the challenges of children suffering from Down Syndrome and raises concerns on their right to life with dignity and equality. It is in Hindi with sub-titles in English.
 - The film, 'Snake under the bed' by Mr. Romi Meitei, depicting the story of a young man, is a take on how the overbearing presence of security forces may leave an indelible mark on the psyche of the people by being in constant fear of losing their right to life and liberty. It is in Meiteilon with sub-titles in English.



- The film 'Khisa' by Mr. Rajesh Pritam More, through the story of a child, depicts stereotypes, which may blind our sense of reason, and cause social divide violating the right to life, liberty, equality and dignity. It is in Marathi with sub-titles in English.

6.28 Moot Court Competition: The Commission has been organizing Moot Court Competition since 2013 in collaboration with various Law Universities/colleges across India. For Moot Court Competition to be organised by institutions on behalf and in collaboration with NHRC, NHRC provides financial assistance after approval of the Commission. However, going by the severity of the Pandemic of Covid-19, no moot court competition was organised in 2021-22.

6.29 Human Rights Quiz 2022 on MyGov Portal: In collaboration with My Gov team, online human rights quiz competition was started on 15 February 2022 on MyGov portal and the last date was 15 March 2022. There are three cash awards of Rs. 15,000/-, Rs. 10,000/- and Rs. 5,000/- along with certificates that will be given to the first, second and third winners besides, seven consolation cash prizes of Rs. 2000/- each. Total 21,329 people from different age groups participated from all the 28 States and seven UTs, barring Lakshadweep, in this online quiz, which emerged as one of the most successful and highly participated quiz on the MyGov platform in the recent past. Maximum participation was from the 18-24 age group, out of which 52.9 percent were males and 47.1 percent were females. The youngest participant was 14 years old and the senior most was 68 years old.

H. Other activities

6.30 Exploring alternative communication platforms: The Commission, through its Media and Communication Wing, continued to explore alternative media platforms for building awareness about the importance of Promotion and Protection of Human Rights. As part of this endeavour, in the year 2021-22, it continued to maintain dialogue with the National Services Scheme (NSS) and Nehru Yuva Kendra Sangathan (NYKS) to persuade them to organise human rights workshops through their wide network of youth volunteers and officers.

6.31 National Services Scheme (NSS): Ten NSS online workshops for different zones were held in February and March 2022. NHRC provided the support and resource persons to address these awareness workshops.

6.32 Nehru Yuva Kendra Sangathan (NYKS): One NYKS online workshop was held in October 2021. NHRC provided the support and resource persons to address this awareness workshop. A total of 2,754 participants from NSS attended these interactive workshops in which NHRC composite film on issues, when and how to approach the Commission, ppt presentations, and questions and answers were also held.

6.33 Short Film on NHRC for Foundation Day 2021: The Commission coordinated with Films Division and Anhad Communication to make two-minute short films on NHRC for Foundation Day, which was screened before the Hon'ble Prime Minister, Home Minister, Minister of State for Home Affairs and other dignitaries at *Vigyan Bhawan* on 12 October 2021.

6.34 Debate Competition for personnel of Central Armed Police Forces: In order to promote



human rights awareness and spread sensitization towards it among the personnel of the Central Armed Police Forces (CAPF), the Investigation Division has been regularly organising a debate competition on such issues every year since 1996. Moreover, since 2004, as desired by the Hon'ble Chairperson, zone-wise debate competitions have also been organised as a run up to the final competition for larger participation of CAPFs all over the country. The semi-final and final rounds of teams selected during the zonal competitions are subsequently organised in the Capital. Each year, this event sees enthusiastic participation and an outstanding level of brainstorming sessions. The Commission provides necessary financial assistance to CAPFs to conduct these debates. This year (2021), the Assam Rifles (AR) had organised the Central Armed Police Force Debate Competition through Webinar. The Semi-final round of the competition was organised at Dimapur, Nagaland, on 20.10.2021 and the final round was organised on 09.11.2021 at *Vigyan Bhawan*, New Delhi. Trophies, certificates and cash prizes were given to six (6) winners of the final round. The Assam Rifles was the winner of the Rolling Trophy of the CAPF Debate Competition, 2021.



CHAPTER - 7

THEMATIC AREAS

A. Safeguarding criminal justice system

- 7.1 The Commission has always viewed the concerns regarding the criminal justice system seriously. The Commission has expressed this by taking *suo-motu* based on media reports and cognizance of complaints received. In addition, the Commission has initiated conversations on the poor condition of prisons and other detention facilities, which are filled with numerous problems like overcrowding, understaffing, lack of adequate medical care, physical maltreatment of prisoners, custodial deaths, dilapidated infrastructure, poor administration, inadequate inter-agency communication and prolonged detention.
- 7.2 The Commission has issued instructions/guidelines concerning issues like overcrowding, the mental and physical health rights of the prisoners, the detention of under-trials, Sentence Review Board, Visitor Board, Prison administration and infrastructure. The Commission has also issued instructions to all prison authorities, requiring compulsory health screening of all prisoners and sending a monthly report to the Commission. The Commission has also taken up the issue of premature release of prisoners undergoing life imprisonment.
- 7.3 Custodial violence and torture are the worst forms of excesses by public servants entrusted with the duty of law enforcement. The Commission regards crimes like sexual assault, torture, and fake encounters in police custody as manifestations of a systemic failure to protect the human rights of one of the most vulnerable and voiceless categories of victims. Therefore, it is deeply committed to ensuring that such illegal practices are stopped, and human dignity is respected in all cases. Besides awarding compensation to the victims or their next-of-kin, the Commission's efforts are also geared towards bringing an end to an environment in which human rights violations are committed with impunity under the shields of "Uniform" and "Authority" within the four walls of a police station, lock-up and prison, where the victims are helpless. The Commission has issued various guidelines in this regard. One such guideline is that a death in custody has to be reported to the Commission within 24 hours. Furthermore, though all custodial deaths may not be crimes or the results of custodial violence or medical negligence, no assumption must be made without thorough enquiry and analysis of reports like inquest reports, post-mortem reports, initial health screening reports, Magisterial enquiry reports, etc. Therefore, compliance with the Commission's guidelines by the State authorities plays a crucial role in the quick disposal of cases relating to custodial deaths.



Terrorism and Militancy

- 7.4** Terrorism is not a new phenomenon; it poses new challenges with changing times. With the emergence of technology, the challenge of protecting the common man has grown. The threats today have changed; the terrorist groups are more dispersed geographically and technologically along with diversified tactics. During the Covid-19 pandemic, the world has gone through mass space transition, which means transition from physical space to cyberspace. India has the biggest challenge of protecting the human right of its citizens on the face of terrorism to create a peaceful society for all.
- 7.5** An increase in the activities of terrorists and Naxalites has made the role of security forces even more demanding. They are increasingly called upon to control civil unrest, to enhance the security at important places and also to control and maintain law and order, whenever required.
- 7.6** The Commission is of the firm view that proper observance of human rights is not a hindrance to the promotion of peace and security. Rather, it is an essential element in any worthwhile strategy to preserve peace and security and to defeat terrorism. The purpose of anti-terrorism measures must, therefore, be to protect democracy, rule of law and human rights, which are fundamental values of our society and the core values of the Constitution.
- 7.7** The Commission, from time to time, has reiterated that terrorism creates an environment that destroys the rights of the people to live in freedom from fear. Terrorism's goal is to destroy the very fabric of democracy and society. India remains an important ally in the global war on terrorism. It has fought against terrorism for more than fifty years and has learnt a great deal from its success and failures. The endeavour of the Commission is to call upon the international community to co-operate in combating terrorism. At the same time, the Commission has always emphasised that in doing so, the approach should be humane, rational and secular.

Conditions of Prisons: Visits to Jails

- 7.8** Commission's team, led by Member, Mrs Jyotika Kalra, visited a Prison for an on-the-spot assessment of its facilities in the wake of the Magisterial Enquiry Report observing that there were complaints of several inmates having TB and lack of medical care while enquiring into the death of a 21 years old under trial prisoner due to pulmonary TB. The inmate was healthy at entry into the Prison on 27 April 2019 and died on 15 July 2020.
- 7.9** The National Human Rights Commission, NHRC India, in the wake of a sizeable number of TB patients in the Lajpore Central Prison, Surat, has recommended the DG Prisons, Government of Gujarat, to screen inmates every six months for TB, HIV/AIDS to provide timely treatment and check the spread of the disease. It has also asked to increase the staff strength of various personnel in the Prison, including the Hospital, besides filling up the vacancies at the earliest. The Commission also recommended that the Government consider terminally ill patients for commutation of sentence on a priority basis. Moreover, for commuting the sentence, the Government should consider all the cases as provided U/s 433 CrPC rather than only cases falling U/s 433 A CrPC.



7.10 The Commission has also said that the focus should be on initial health screening of every inmate at the time of admission or entry to the jail as per the format prescribed by the NHRC. Besides the ECG and diabetes tests at the time of initial screening, the multi-drug-resistant inmates should be kept separate from non-drug-resistant inmates. The Commission has asked the Registrar, Gujarat High Court, to ensure a high-speed network before conducting proceedings from jail. At the examination stage of witnesses, the inmates must be called from the Prison to assist their counsel in cross-examination. Further, on the litigation side, it has been recommended to provide senior lawyers from the Legal Service Authority to represent accused booked under heinous crimes and involve Law students to assist the Legal Aid lawyers.

7.11 Illustrative Cases

1. Custodial death of an under-trial prisoner by hanging (suicide) in Central Jail at Nahan Town under Sirmaur District of Himachal Pradesh.

(Case No. 117/8/10/2018-JCD)

- i. The Commission received an intimation dated 03.08.2018 from DM, Sirmaur, Himachal Pradesh, stating that an under trial prisoner, namely, Arjun, s/o Padam Bahadur, r/o Morang District of Nepal, had committed suicide on 03.08.2018 in Central Jail at Nahan Town under Sirmaur District of Himachal Pradesh.
- ii. In response to the Commission's directions, the requisite reports in the matter were received from the authorities concerned, which were analysed by the Investigation Division of NHRC. On analyzing these reports, the Investigation Division observed that as per the Magisterial Enquiry Report (MER), the death was on account of asphyxia. It was also concluded in the MER that the fan from which he was found hanging was easily accessible to any person who wants to end his/her life. However, it was stated in the MER that there was no negligence or foul play on the part of jail authorities in the death of the deceased.
- iii. On perusal of the aforesaid reports, the Commission directed to issue notice u/s 18 of the PHR Act, 1993, to the Chief Secretary, Government of Himachal Pradesh to show cause as to why the Commission should not grant monetary compensation of rupees three lakhs to the NoK of the deceased convict Arjun, s/o Padam Bahadur, of Model Central Jail, Nahan. The Commission also directed the DG Prisons, Government of Himachal Pradesh, to submit an action taken report against the delinquent jail officials.
- iv. In response to the show cause notice, the Special Secretary (Home), Government of Himachal Pradesh, Shimla, forwarded the reply dated 03.01.2021 of DG, Prisons, Himachal Pradesh. It was submitted by the DG Prisons that life convict Arjun, S/o Padam Bahadur, committed suicide by hanging and there had been no negligence or foul play or custodial violence on the part of the jail authorities in the death of the deceased. As far as the fan, which was used by the victim for hanging, is concerned, the ceiling fan was installed long back in the barracks of the jail because of the warm climate for the welfare of the prisoners. The deceased prisoner was a life convict and he had already served more than 11 years in the



jail and his work and conduct were good. He was also engaged as a cook in the jail many times on wages. Moreover, suitable security staff was placed on the day of the incident, i.e., 03.08.2018, but he deceived the security personnel and committed suicide by hanging during short time and when the security staff noticed the hanging, all possible steps were taken to save him, but they did not succeed in saving the convict's life. It was pleaded that keeping in view the above facts and circumstances, the grant of compensation in the case to the next of kin is not justified.

- v. The Commission considered the response from the DG (Prisons) on 24.05.201 and observed that the MER concluded that though there was no negligence or foul play on the part of jail authorities in the death of the deceased, but the fan from which he was found hanging was easily assessable to a person for committing suicide and the disparity in providing facilities in the jail to the co-convicts from outside the state/country has enlarged the feeling of being discriminated and victimised and has also given certain suggestions to avoid such deaths; hence, it proves the violation of human rights of the deceased. There is no explanation about the easy accessibility of the fan from which the prisoner could succeed in committing suicide without the notice of the security staff. The Commission, therefore, reiterates that since it is the bounden duty of a State to protect the safety and security of a prisoner under its custody and the deceased was in the care and custody of the State, thus, the State is also vicariously liable to compensate to the NoK of the deceased. Thus, the Commission recommends Rs.300,000/- (Rupees Three Lakh only) to be paid to the next of kin of the deceased prisoner Arjun, S/o Padam Bahadur, Model Central Jail, Nahan, as compensation. The Chief Secretary, Himachal Pradesh, Shimla, was asked to send the compliance report with a proof of payment.
- vi. The compliance report on the recommendations by the Commission for grant of compensation was received and the case was closed.

2. Custodial death of an under-trial prisoner due to health complications and inadequate health facilities in the District Jail, Etawah, Uttar Pradesh.

(Case No. 25834/24/23/2017-JCD)

- i. This case pertains to the death of an Under Trial Prisoner, Rameshwar, @Kalia, @Pramod, 22 years of age, in the custody of District Jail, Etawah, Uttar Pradesh on 26.08.2017.
- ii. A report dated 04.02.2020 has been submitted by the DG(I), NHRC, where *inter alia* it was stated that as per MLC report, as opined by the doctors at Dr. B.R. Ambedkar Joint Hospital, Etawah, he had contusions on hip and both lower legs. The deceased fell ill on 24.6.2017 and within six days, he was found to be suffering from jaundice, hepatitis and abnormal kidney functions. He died during treatment at UPUMS, Saifai. The Post-Mortem Examination Report revealed that the cause of death was septicemic shock due to acute liver failure. The enquiry by the Magistrate (MER) concluded that the deceased died naturally due to illness. The Enquiry Magistrate did not suspect any foul play on the part of jail authorities or doctor



in his death. The forensic expert on the panel of NHRC of the Commission examined the treatment record of the deceased and opined that the deceased died of septicemic shock consequent upon acute liver failure, which has been accelerated due to complications aroused because of multiple injuries sustained by the deceased.

- iii. The Commission, on perusal of the aforesaid reports, observed that there was negligence in providing adequate treatment and it has been, prima facie, proved. Hence, this case cannot be treated as a case of natural death and inadequacy of treatment to deceased cannot be ruled out. Therefore, the jail authorities were negligent in protecting the life of the prisoner. The State is vicariously liable for the negligence on the part of its servants. The Commission, vide its proceeding dated 09.03.2021, issued a notice to the Government of Uttar Pradesh, through its Chief Secretary, to show cause as to why the Commission should not recommend monetary relief of rupees three lakh to the next of kin of the deceased.
- iv. Since, no reply was received in response to the Show Cause Notice, the Commission assumed that the State of Uttar Pradesh has nothing to urge in the matter, and made the recommendations to the State of Uttar Pradesh to pay rupees three lakh as compensation to the next of kin of the deceased. The Chief Secretary, Uttar Pradesh, was directed to ensure compliance of the recommendations and submit proof of payment of the monetary relief to the NoK of the deceased. With these directions, the case was closed on 31.05.2021.

3. Death of a Child, Shivkumar, who was an inmate of Children's Observation Home, Khandwa, MP.

(Case No. 1008/12/25/2019-DH)

- i. This matter relates to an intimation dated 21.05.2019 received in the Commission from the Collector and DM, Khandwa, regarding the death of a Child, Shivkumar (18 years), an inmate of Children's Observation Home, Khandwa, MP, on 21.05.2019.
- ii. Pursuant to the directions of the Commission, the Superintendent of the said Home reported that the deceased had an altercation with his fellow inmate Golu @Shehnaz, inside the Home. During the altercation, he sustained injuries and succumbed to death, on the same day, during treatment at the District Hospital. FIR No. 349/2019 u/s. 302 IPC was registered at PS Khandwa in the matter against the accused child Golu @Shehnaz.
- iii. In response to the Commission's directions, requisite reports in the matter were received in the Commission from the State authorities. It was observed that in the Magisterial Enquiry Report submitted by the ADM, Khandwa, it was concluded that the deceased child died due to injuries inflicted upon him by the alleged child Golu in an altercation in the Children's Observation Home. It was further reported that, due to shortage of space at the Home, no Government staff was staying inside the Home, for which no supervision over the inmates could be made.
- iv. The Commission carefully considered the facts and circumstances of the case and observed



that the deceased child was in the care and custody of the State and it was the bounden duty of the concerned authorities to ensure his safety and security. But, as seen, due to absence of any staff and lack of any supervision at the Home, the child lost his life. Thus, apparently, there was negligence and the negligence shown amounts to violation of the human rights of the deceased and the State is vicariously liable. In the circumstances, the Chief Secretary, Government of MP, was directed to show cause u/s 18 (a)(i) of the PHR Act 1993, as to why recommendation be not made to the State to pay compensation of Rs.1,00,000/- (one lakh) to the next of the kin of deceased victim.

- v. A communication dated 02.10.2020 received from the Woman and Child Department, Government of Madhya Pradesh revealed that they were in the process of the compensation of rupees one lakh, in the matter. The Commission observed that the Government of Madhya Pradesh has nothing to controvert to the findings of the Commission and recommended to the State of Madhya Pradesh through its Chief Secretary for payment of compensation of Rs.1,00,000/- (one lakh) to the next of the kin of deceased child, Shivkumar.
- vi. On receipt of the compliance report, the case was closed on 31.12.2021.

4. Custodial death of an under-trial prisoner by hanging (suicide) in Central Jail, Jaipur, Rajasthan.

(Case No. 284/20/14/2018-JCD)

- i. This case relates to an intimation dated 27.01.2018 from the Superintendent, Central Jail, Jaipur, Rajasthan, regarding the custodial death of a prisoner, Vrindavan, s/o Dataram, on 27.01.2018.
- ii. In response to the Commission's directions, the requisite reports were received on the matter. These reports were analysed by the Investigation Division of NHRC. The Investigation Division observed that the victim was admitted to Central Jail, Jaipur, Rajasthan, on 14.12.2017 with a history of depression, inappropriate behaviour with crying spells and anxiety with reduced sleep. He also had a history of tobacco smoking. It was also revealed that the deceased was provided treatment for depression at the jail hospital. The deceased committed suicide on 27.01.2018, around 9.45 PM by hanging from the grill of the window of the jail hospital's ward. As per the post-mortem examination report, no injury other than ligature marks was seen on the body of the deceased, and the cause of death was asphyxia as a result of antemortem hanging. The Enquiry Magistrate did not suspect any foul play on the part of jail authorities in his death. The Investigation Division was of the opinion that since the deceased was undergoing psychiatric treatment for depression and was admitted to the hospital, therefore, the security and wellness of the prisoner was the responsibility of the Jail authorities and the fact that the deceased committed suicide in the jail's hospital ward indicates negligent behaviour on the part of the jail officials deployed for duty.
- iii. Keeping in view the observations made by the DG(I), NHRC, the Commission observed that it was a clear case of violation of the human rights of the deceased. The Government of



Rajasthan was vicariously liable for the acts of its servant. The Commission vide proceeding dated 06.07.2021 issued a notice u/s 18(a)(i) of the Protection of Human Rights Act, 1993, to the Government of Rajasthan through its Chief Secretary, to show cause as to why the Commission should not recommend monetary compensation of rupees two lakh to the next of kin of the deceased.

- iv. In response to the Show Cause Notice, a reply dated 26.8.2021 was received from the Additional Chief Vigilance Commissioner, Department of Home (HR), Government of Rajasthan, which stated that as per the magisterial enquiry report, the deceased prisoner had committed suicide due to depression. It does not bring out any negligence and lapse of duty on the part of jail authorities. Further as per the legal advice obtained by the Department, the jail administration cannot be held liable for the death of the victim, and therefore the department did not propose compensation in the matter.
- v. The Commission, on perusal of the records, observed that the Jail Authorities have failed to ensure the safety and security of the prisoner at the relevant time. It was a clear case of violation of the human rights of the deceased, and the Commission vide proceeding dated 30.09.2021 confirmed the monetary relief of rupees two lakh to the next of kin of the deceased and directed the Government of Rajasthan through its Chief Secretary to pay monetary relief of rupees two lakhs to the next of kin of the deceased victim as compensation, and to submit a compliance report along with proof of payment within six weeks.
- vi. A compliance report on the payment of compensation was received from the State authority on 21.12.2021, and the case was closed by the Commission on 18.02.2022.

5. Custodial death of a convict prisoner in the custody of District Jail, Meerut, UP.

(Case No. 34290/24/54/2016-JCD)

- i. The Commission received an intimation dated 17.09.2016 from the Senior Superintendent of District Jail, Meerut, regarding the custodial death of convict prisoner Mangeram, s/o Balwant, on 15.09.2016. The deceased had complained of severe pain in his abdomen. He was immediately sent to the Medical College, Meerut, where he was declared brought dead.
- ii. Pursuant to the directions of the Commission, requisite reports were submitted by the authorities concerned. On the analysis of the reports, the Investigation Division of NHRC observed that there was a deliberate attempt by the jail authorities to suppress information in this matter. None of the reports/documents such as the Inquest Report, Post-mortem Report (PMR), a video cassette of Post-mortem Report, MER, health conditions, and medical treatment records were timely submitted despite several reminders and summons. The viscera were sent for examination after two years; by that time, it had deteriorated, and thus, no viscera analysis could be done. The MER was concluded after five years, and that too without any documents and records, and due to non-availability of the viscera, the MER could not be completed for want of timely action by the jail police officials. While considering the reports received, the Commission observed that the way the investigation was carried out



by the police officials in this case, and a departmental enquiry had been initiated against the officials, who could not take timely action in sending viscera report, etc., corroborated the fact that there was negligence on the part of the jail officials while investigating the case. The Commission was not satisfied with the response of the jail authority.

- iii. In light of the above, the Commission held the State vicariously liable keeping in view that the State was bound to protect the safety and security of a prisoner and hence issued a Show Cause Notice dated 21.09.2020 to the State through its Chief Secretary as to why monetary compensation of three lakh rupees should not be paid to the next of kin of the deceased.
- iv. The DIG, Prison Administration and Reforms Services, Uttar Pradesh, vide communication 22.12.2020, opposed the recommendations for monetary relief pleading that the MER did not bring out any foul play in the matter nor did the family members of deceased victim raise any objection. Therefore, there was no justification for recommending compensation to the NoK of the deceased victim.
- v. The Commission held that it had issued Show Cause Notice based on the way the investigation was carried out by the police in the matter, which indicated a case of negligence on the part of the jail officials. Further, the Commission was also not satisfied with the response of the jail authority and, therefore, the Commission reiterated the earlier confirmation of the recommendation of compensation of Rs. 3 lakh on 22.04.2021.
- vi. In response dated 05.10.2021, the Superintendent of Prisons, Prison Administration and Reform Services, Uttar Pradesh, submitted that the compensation of Rs. 3,00,000/- was paid equally, i.e, 1,50,000/- each through DD to the two sons of the deceased prisoner as directed by the Commission, and the Commission closed the case on 01.11.2021.

6. Custodial death of an under-trial prisoner of the Central Jail Motihari, Bihar, during treatment on account of police assault/brutality.

(Case No. 2924/4/8/2017-JCD)

- i. The Commission received an intimation of death, dated 17.10.2017, from the Superintendent, Central Jail, Motihari, Bihar, regarding an under-trial prisoner Dheeraj Kumar, who died during treatment in Sadar Hospital, Motihari, on 17.10.2017.
- ii. In response to the Commission's directions, the requisite reports in the matter were received from the authorities concerned, which were analysed by the Investigation Division of NHRC. It was observed that the health screening report, inquest report and PMR revealed injuries on the body of the deceased. The cause of injury was not specified in health screening report. As per the record of treatment, the deceased was initially treated at the Jail Hospital that referred and sent him to Sadar Hospital, where he died on the same day during treatment. The cause of death as per PMR was chronic lung disease. Further, the magisterial enquiry in the matter submitted by JMJC, Motihari, East Champaran, Bihar, revealed that during the course of enquiry, the relevant records and witnesses were examined. It was mentioned in the MER



that initially the jail authority refused to get him admitted, as he was injured. After that he was taken to the Sadar Hospital for examination by the police. Thereafter, he was admitted into the jail and his health screening was done at the Jail Hospital. He was admitted in the Jail Hospital for treatment. The younger brother of the deceased was also examined by the Enquiry Magistrate. The brother of the deceased did not cast any doubt over the death of his brother. After going through the record and testimonies, the enquiry officer has concluded as follows:

- a) Prima facie the death of the deceased Dheeraj Kumar occurred due to Cardio-respiratory failure (as reflected from the PMR).
 - b) Actual cause of death in the absence of any suspicious circumstances is severe injuries caused to Dheeraj Kumar. He succumbed to these injuries.
 - c) These injuries were sustained by the deceased due to torture and assault by the police, while he was in their custody. Further, there had been lack of proper medical care resulting in his death.
 - d) The action of the police and mode of operation during the whole process is found doubtful. Particularly, the involvement of the then SHO of Pipra Kothi and investigating officer of Pipra Kothi Case Crime No. 201/17 cannot be ruled out.
 - e) The report of the medical examination of the doctor at Sadar Hospital is also doubtful and negligence on his part against his duty is not ignorable.
- iii. From the reports submitted by the State authorities, the Commission observed a case of serious violation of the human rights of the deceased, who was in the care and custody of the State whose role was to ensure the safety of the prisoner. Given the above circumstances, the Commission vide proceedings dated 24.05.2021 issued a Show Cause Notice to the State through its Chief Secretary as to why monetary compensation of Rs.3,00,000/- should not be recommended to be paid to the next of kin of the deceased.
 - iv. Pursuant to the directions of the Commission, a letter dated 12.02.2022 received from Inspector General Prisons, Bihar, revealed that monetary relief was paid to the next of kin, and hence the case was closed by the Commission on 17.02.2022.

Death due to Police Firing

7. Death in police firing at the Dherowal checkpoint in PS Nalagarh, Baddi, Himachal Pradesh.

(Case Number: 131/8/11/2017)

- i. The Commission received an intimation dated 03.09.2017 from the SP Baddi, Himachal Pradesh, regarding the death of one Kamal Kant, @Sagar, s/o Mitar Dev, in police action at the check post of Dherowal, PS Nalagarh, Baddi, HP, on 02.09.2017. An FIR was registered at PS Nalagarh.
- ii. Vide proceedings dated 20.09.2017, the Commission took cognizance of the matter. The



Commission obtained the requisite reports/records from the Investigation Division and got it analysed. As per the FIR, the Head Constable (HC) received information at about 02:45 am dated 02.09.2017 from the PS regarding a dacoity at an ATM by the occupants of a stolen car. The constable at the check post got its AK-47 rifle in a ready position on this information. Meanwhile, a speeding car tried to cross the barricade at the check post. Due to the sudden act of the car, the constable lost his balance, which led to fire from his rifle. After firing, the car hit the electric pole and stopped. From the car, three people ran away from the spot, two occupants were found injured in the car. They were sent to CHC Nalagarh for treatment.

- iii. A spot enquiry by the Tehsildar, Nalambgarh, District Solan, revealed that one person died in the police firing and another was injured. The deceased had injuries over the face and head. He had died of gunshot injuries. The Post-mortem report revealed gunshot wounds on the top of the head due to which both cerebral hemispheres were blown up. No evidence of scorching, burning or tattooing around the gunshot wound was found. No evidence of injury on the rest of the body parts. Injury of the brain and head is sufficient to cause death in the ordinary course of nature. The FSL report revealed small pieces of lead found in the exhibits.
- iv. The Enquiry Magistrate recorded the statements of the police officials involved in the incidents, relatives of the deceased and co-accused in the case and the doctors, who conducted the post-mortem. He also examined the preliminary enquiry report conducted by the Tehsildar, Nalagarh, the post-mortem report and the FSL report. The post-mortem report revealed that the gunshot wound at the head and brain area was sufficient to cause death. The report of FSL revealed that retained pieces of lead were found, which corroborates injury by gunshot. The father of the deceased did not raise any allegation. However, it was stated that he didn't know any of the persons accompanying his son at the time of the incident. The other co-accused apprehended by the police also corroborated the version of the police. Based on the statements and documents the enquiry magistrate opined that it was quite evident that the death of the accused was due to a bullet shot, which was fired at the deceased from behind. The enquiry magistrate concluded that the deceased died due to a gunshot fired at him behind from the rifle AK-47 of Head Constable Kishore Kumar, who inadvertently and accidentally fired at the car.
- v. However, the Investigation Division of NHRC observed certain lacunas in the police theory as well as the Magisterial Enquiry. It was pointed out by the Investigation Division of NHRC that no weapon was used by the occupants of the car after it got hit by an electric pole. The head constable cocked the rifle in an alert position as per the information of the ATM heist, but it failed to put the safety lock on the AK-47 which could easily be changed in time of emergency. Further, two people received bullet injuries in the incident which suggested that multiple rounds were fired from the rifle, which meant that either the rifle was at the burst position or the Head constable was continuously pulling the trigger. Both actions show that the HC was not trained in handling the AK 47 rifle. The SDM in the Magisterial Enquiry had concluded that the deceased died due to accidental firing by the Head Constable. Section 80 of IPC postulates that "Accident in doing a lawful act—nothing is an offence, which is done



by accident or misfortune, and without any criminal intention or knowledge in the doing of a lawful act in a lawful manner by lawful means and with proper care and caution." Here, the HC did not follow proper care and caution while handling the rifle, which resulted in the death of a person and the plea that he fired inadvertently holds no merit.

- vi. While the Commission considered the facts and circumstances as brought out on records, observed that the right to private defence cannot be justified in the course of police action. This negligence act of HC led to the death of one youth resulting in the violation of the human rights of the victim for which the State Government was vicariously liable. Therefore, the Commission issued Show Cause Notice u/s 18 of the PHR Act, 1993, to the Government of Himachal Pradesh through its Chief Secretary, as to why the Commission should not recommend a compensation of Rs. 5,00,000/- (five lakh only) to the NOK of the deceased.
- vii. In addition to the above, the Director General of Police, Himachal Pradesh, was directed to take disciplinary action/legal action against the negligent HC along with senior officers, who did not ensure whether the HC was capable of handling AK-47.
- viii. In response, the State authority reported that a closure report had been submitted in the court and stated that the deceased was a hardcore criminal and had committed theft, therefore, he is not entitled to any compensation, and if granted, then it will give a wrong message to the society. The Commission concluded that the State cannot refuse compensation to a victim on the ground that the deceased was a hardcore criminal, and hence the Commission confirmed its recommendation of monetary relief vide proceeding dated 15.11.2021.
- ix. The State authority submitted the compliance report, and hence the case was closed on 02.02.2022.

8. Death of one person and serious injuries to six others in police firing during their protest against the Citizenship (Amendment Bill), 2016, at NH-8 near Khumulwng Tripura.

(Case number:1/23/4/2019)

- i. The Commission was informed by the complainant on 11.01.2019 that during a protest by unarmed indigenous people from Tripura against the Citizenship (Amendment Bill), 2016, on NH-8 near Khumulwng, the police used tear gas, lathis and firing to disperse the crowd, resulting in the death of one person and seriously injuring six others on 08.01.2019.
- ii. The reports received dated 12.02.2020 in response to the Commission's directions revealed that as per Magisterial Enquiry Report in the matter, a total of 17 police personnel and five civilians were injured in the incident. An FIR was registered in the matter. Some shortfalls were also noticed in the performance of duties by some security personnel, and one medical officer in the incident. Departmental action was taken against the erring officials and some of them were placed under suspension. A report submitted by the State authority stated that financial assistance of Rs. 21,20,000/- had been distributed among the affected persons from the CM Relief Fund on compassionate grounds.



- iii. A copy of the above report was sent to the complainant for his comments. In response, the complainant submitted his comments dated 29.09.2020, and pointed out that the compensation amount was not deposited into the accounts of all the victims. The Commission directed the Chief Secretary, Government of Tripura, to submit the proof of payments of compensation to the victims, along with the Magisterial Enquiry Report and status report of the enquiry conducted against the erring officers for dereliction of duty.
- iv. The Superintendent of Police, West Tripura District, was directed to submit the status report of the cases registered. In response, the Director General of Police, Tripura, Agartala, reported dated 23.11.2020 that the case registered in PS Ranir Bazar was under investigation, while in the case registered in PS Radhapur, a Final Report was filed and accepted by the Ld. Court.
- v. The Deputy Secretary, Home Department, Government of Tripura vide communication dated 27.05.2021 submitted that an amount of Rs. 21,20,000/- was provided as monetary relief to 74 persons affected in the incident. It was further submitted that departmental action was taken against the erring officers, who were placed under suspension for dereliction of duty.
- vi. Further, the complainant expressed his dissatisfaction with the reports and submitted that he had nothing to urge further in the matter.
- vii. In view of the facts, the Commission observed that no further intervention by the Commission was required as monetary relief had been paid to the victims, FIR was registered and the case was under investigation, and departmental actions were taken against the erring officers including one medical officer and SDPO who were placed under suspension, and hence the case was closed on 24.01.2022.

9. Alleged illegal detention, mental torture and false implication by police officers over a period of nine days in PS Katihar town, Bihar.

(Case No. 2544/4/16/2017)

- i. The complaint was received in the Commission on 07/09/2017 from the complainant Sh. Sunil Kumar, s/o Krishna Kumar Lal, District Katihar, Bihar, alleging that he was illegally detained for 22 hours due to mistaken identity for the actual accused with the same, i.e, Sunil Kumar.
- ii. The Commission took cognizance of the matter on 21/09/2017 and report was sought in the matter from the concerned State authority. In response, on the basis of relevant records received from the State authorities, the Commission found that it was a serious matter in which an erring police officer had wrongly accused and detained the complainant in place of the actual accused, who had the same name. It involved the violation of the human rights of the victim, who had to spend almost nine days behind the bars and was subjected to mental, physical and social harassment. The police authority had also admitted the illegal act of the erring police officer and initiated disciplinary proceedings against him.



- iii. The Commission observed on 30/12/2020 that the State was vicariously liable for the acts of its employees/agents, and hence the Commission issued a Show Cause Notice to the concerned State, through its Chief Secretary as to why interim compensation of Rs. 2,00,000/- should not be paid to the victim.
- iv. The Commission on having been noted vide proceedings dated 11/03/2021 that no reply to Show Cause Notice was received by the State authorities and hence it was deemed that the State authority had nothing to submit in the matter and hence the Show Cause Notice was confirmed.
- v. Further, the Commission received a copy of a communication dated 22.11.2021 from SI, CID, Patna, Bihar, submitted that the informer gave the wrong information to the Police, which led to the wrongful arrest of the victim and requested the Commission to grant him an opportunity of being heard so as to enable him to submit presentation and stay on departmental order.
- vi. The Commission vide proceedings dated 27/12/2021 observed that the SI had accepted the fact that the victim was wrongly arrested on wrong information from the informer, but the Commission was not satisfied with the defence that the victim could not prove that he was wrongly arrested.
- vii. The Special Secretary, Home, Government of Bihar, vide communication dated 25.1.2022 submits the compliance report of payment alongwith proof of payment of Rs. 2,00,000/- to the victim.
- viii. In view of the above developments, the Commission closed the case on 09/03/2022.

10. Alleged illegal arrest and false implications of two persons for 18 days at PS Sadar Bazar, Saharanpur District, Uttar Pradesh

(CaseNo.4658/24/64/2018)

- i. The complaint was received in the Commission on 19/02/2018 from the complainant Smt. Veena Takkar, w/o Kewal Kishore, District Saharanpur, Uttar Pradesh. The complaint pertained to the illegal arrest and detention of the complainant's sons in a false case by the Saharanpur police.
- ii. The Commission took cognizance of the matter on 28/02/2018 and a report was sought in the matter from the State authority. In response to the directions of the Commission, on telephonic conversation, SHO PS Charthawal, Muzaffarnagar, Uttar Pradesh, told that FIR 532/2016 PS Sadr Bazar was registered, and final report was submitted in the Court due to lack of evidence. Later, the case was investigated by the Crime Branch. Sons of the complainant were arrested for 18 days, and an application was filed in the Court for conciliation of charge sheet and a FIR was filed. Later on, investigation of the case was entrusted to Charthawal PS. During further investigation under section 173(8) of Cr.PC, it was found that there was no evidence. The accused persons were wrongly arrested. After investigation, the final report



was submitted with request to cancel chargesheet and the matter is sub-judice.

- iii. On perusal of the report, the Commission on 18/04/2018 observed that the allegations of the complainant of illegal arrest were made out, leading to violation of human rights, for which the State was vicariously liable on the part of police authority, and hence issued a Show Cause Notice to the State of Uttar Pradesh through its Chief Secretary as to why compensation of Rs.25,000/- should not be recommended to be paid to each of the victims.
- iv. Since no response was received to the Show Cause Notice, the Commission on 27/11/2018 confirmed the recommendations for grant of monetary relief on the ground that the State authority had nothing to controvert in the matter.
- v. The Supdt. Of Police, (HR), vide their letter dated 26/11/2021, informed the Commission that compensation of Rs. 25,000/- was paid to both the victims and also sent proof of payment.
- vi. The Commission on 15/03/2022 noted that the present complainant had alleged that her sons were arrested by police with malafide intention on false grounds. The Commission, vide its proceedings dated 18.4.2018, had observed that as it was a case of illegal arrest, sons of the complainant were to be paid Rs. 25,000/- each. The Supdt. Of Police, (HR), vide letter dated 13.4.2020, informed that compensation of Rs. 25,000/- was paid to both the victims and also sent proof of payment. Even though compensation was paid to victims, disciplinary action was not initiated against errant officer as a result of which he retired from service. Now the matter is sub-judice, Hence, the Commission deems it fit to take reports on record and to close the case. The DGP of the State was directed to see that such incident do not happen in future.

Police High-Handedness

11. Police high-handedness in registration of FIR in a matter of abduction in Sitapur, Uttar Pradesh.

(Case No. 48326/24/68/2015)

- i. The complaint was received in the Commission from the complainant Smt. Ramrati, w/o Sobaran Lal, District Sitapur, Uttar Pradesh, alleging inaction by the Police in the matter of kidnapping of complainant's son on 24.10.2015.
- ii. The Commission took cognizance of the matter on 04.01.2016, and pursuant to the Commission's directions, a report was received in the case from the Deputy Secretary, UP Government. It is reported that the complainant had lodged a complaint of her son's disappearance on 26.10.2015, but a case was registered in the matter after a month, i.e., on 21.11.2015, due to sheer negligence on the part of the police inspector. Necessary disciplinary action under the Police Act was initiated against the accused Police official. An FIR under Section 364 IPC was registered against the accused persons and their involvement was proved. Accordingly, a chargesheet was filed before the court. Further, a report was received from the State authority regarding an unidentified dead body. The District Magistrate, Sitapur,



reported that from the DNA report of the skeleton received, it could not be established that it belonged to the missing son of the complainant. The case was investigated by CBCID, which concluded that the missing boy had not been recovered so far and there was enough evidence of his abduction by the accused persons.

- iii. After persistent follow up, the State submitted reports dated 15.11.2019 and 11.12.2019 on perusal of which the Commission observed on 01.01.2021 that there was sheer negligence on the part of the police authorities who did not act on time, due to which the victim was not recovered. The delay in registering an FIR led to the loss of vital pieces of evidence in the case. This was a gross violation of the rights of the complainant and therefore the State was vicariously liable. The Commission issued a Show Cause Notice u/s 18 of the PHR Act to the concerned State through its Chief Secretary as to why monetary compensation of Rs.1,00,000/- should not be recommended to be paid to the mother of the victim.
- iv. Since no reply had been received in response to the Show Cause Notice, the Commission, vide its proceedings dated 05.04.2021, confirmed the recommendation of monetary relief, assuming that the State authority had nothing to urge in the matter. The Commission directed IGP PHQ U.P. Lucknow, to submit the report on profiling of DNA report to establish the identity of the skeleton in the matter along with the Action Taken report against the erring police official within prescribed time frame.
- v. The Commission received communication dated 04.01.2022, of compliance from the State authorities informing therein that compensation of Rs. 1,00,000/- was sanctioned and the same would be recovered from the erring police officials in accordance with the Rules.
- vi. The Commission on 01.02.2022 noted the CBCID enquiry report that the missing boy had not been recovered, and enough evidence of his abduction by accused persons was found and a chargesheet was filed against all of them, and monetary compensation of Rs 1,00,000/- was also sanctioned for delayed registration of FIR, which will be recovered from the errant police officers. Hence, the Commission closed the case.

12. Slow action by the police on a complaint by a mother about the murder of her son in Ahmedabad, Gujarat

(Case number: 318/6/1/2020)

- i. A complaint was received by the Commission on 16.03.2020 from the complainant Kamalaben Natvarbahi Parmar, District Ahmedabad, Gujarat, about murder of her son, a Police Constable, named Ravindra Kumar Natwarlal Parmar on 23.02.2020.
- ii. The Commission took cognizance of the matter on 22.05.2020 and a report was sought from the concerned State authority in the matter. The report received from Police Commissioner, Ahmedabad City, dated 31.08.2020, in response to the Commission's direction revealed that an FIR was registered against unknown persons at PS. Shahi Bagh in the matter. During investigation, the four accused were arrested and sent to jail. In view of sufficient evidence



against the accused persons, chargesheets were filed against them in the court.

- iii. On perusal of the facts of the case, the Commission, vide proceedings dated 21.12.202, directed the DGP, Gujarat, to ensure payment of all dues to the next of kin of the deceased, and to provide all benefits to which the family of the deceased police officer was entitled under the Service Rules, and to submit a report on the same.
- iv. Simultaneously, DM, Ahmedabad and Police Commissioner, Ahmedabad, Gujarat, were directed to ensure the payment of statutory compensation to the NoK of the deceased under SC/ST Act and submit the report along with proof of payment within prescribed time frame.
- v. In response, a report dated 04.04.2021 was received from the Commissioner of Police, Ahmedabad City, wherein it was informed that the mother of the victim was paid total compensation of Rs. 8,25,000/-, i.e. Rs. 4,12,500 after post-mortem and Rs. 4,12,500/- after the filing of the charge sheet in Hon'ble Court on 20.04.2020.
- vi. In view of the above development noted by the Commission on 29.11.2021, the case was closed.

13. Suicide of an 18-year-old son of the complainant due to harassment by two police officers in the city of Amritsar in Punjab.

(Case number: 506/19/1/2020)

- i. The complaint was received in the Commission on 19.06.2020 from the complainant Sh. Dhana Kumar, Janakpuri, New Delhi. The complaint pertained to the death of an 18-year-old boy, Ankit, who allegedly committed suicide due to harassment by two police officers in Amritsar. The deceased was taken into Police custody and harassed, as he was driving two wheeler without helmet on 14.06.2020. Subsequently, he was released from police custody on payment of bribes to the police by his father. The victim felt severely humiliated and depressed to the extent that he committed suicide. The complainant urged for compensation to the next of kin and action as deemed fit.
- ii. The Commission took cognizance of the matter on 27.08.2020 and as per the directions of the Commission, requisite reports in the matter were received from the Commissioner of Police, Amritsar City, dated 13.10.2020. The report revealed that when the victim was intercepted by the police, some contraceptive pills were found in the motorcycle box. Further, relevant documents were not available with him, therefore, he was taken to the police post. Since he was a minor, he was challaned Rs. 500/- and the police released his motorcycle in the presence of his father. At 5.30 PM on 15.06.2020, Ankit committed suicide by hanging from the ceiling fan at his home. The reason was that the victim was upset on being vilified in front of his father on the recovery of contraceptives from the motorcycle.
- iii. It was further reported that he was also threatened by the police officials which hurt him from inside and, therefore, he took this extreme step. During the enquiry, two Police officials



were found guilty and recommended for suspension. An order for suspension was issued and departmental enquiry was ordered to be initiated.

- iv. The Commission on 14.12.2020 considered the report and observed that since police officials who are public servants have been found guilty of maligning the image of the victim boy and unnecessary threats in front of his father, which resulted in his untimely suicidal death, the State was vicariously liable to compensate the next of kin of the deceased. Therefore, the Commission directed to issue a show cause notice to the Commissioner of Police, Amritsar through its Chief Secretary, Government of Punjab as to why suitable compensation of Rs. 3,00,000/- (rupees three lakh only) should not be paid to the NoK of the deceased boy.
- v. In response, the Commission received a report from the Commissioner of Police, Amritsar City, refuting the recommendation for monetary relief with a submission that departmental enquiry was initiated against the erring police officials. As per the Magisterial Enquiry Report, the erring police officials should have exercised their authority within the four corners of law rather than imposing their super thoughts under the façade of moral policing, which amounts to misconduct on their part for which departmental action should be taken against them. Based on the findings of the Magisterial Enquiry, two annual increments of the erring police officials have been stopped permanently. Regarding taking a bribe of Rs. 500/-, it is submitted that the amount was fined and the same was deposited in the office of ADCP, Traffic, Amritsar. It was further submitted that the boy committed suicide two days after the incident and the victim could have been properly guided and counselled by the family members for proper mental and emotional support. If that would have been done, the unfortunate incident in question could have been avoided. The deceased was held for not wearing a mask and taking legal action against a person acting in disobedience of law does not amount to abetment of suicide. The report concluded the NOK of the deceased is not entitled to be paid compensation by the Government.
- vi. The Commission considered the report and observed that the Magisterial Enquiry had also held that erring police officials should have exercised their authority in accordance with the law rather than imposing their super thoughts under the façade of moral policing and the same amounts to misconduct on their part. Departmental action has been taken against the erring police officials. These facts corroborate the conclusion reached by the Commission while issuing show cause notice. Therefore, the Commission recommended monetary compensation.
- vii. Subsequently, the compliance report was received from the Addl. DGP, Human Rights, Punjab, vide communication dated 14.09.2021, wherein it was intimated that monetary payment of Rs 3,00,000/- was paid and hence the Commission closed the case on 12.11.2021.

B. Right to Health and Mental Health

7.12 Every human being is entitled to enjoyment of the highest attainable standard of health conducive to living a life of dignity. As defined by the WHO, health is a state of complete physical, mental



and social well-being and not merely the absence of disease or infirmity. This right is indispensable for the exercise of other human rights. It is the duty of the State to promote, protect and preserve the health of all individuals. The Constitution of India upholds 'right to health' as a Fundamental Right under Article 21.

- 7.13** Mental health, which forms an integral part of health, is the area where the country is facing a serious predicament. According to the World Health Organization (WHO), mental health is “a state of well-being in which the individual realises his or her own abilities, can cope with the normal stresses of life, can work productively and fruitfully, and is able to make a contribution to his or her community.”
- 7.14** Since the time the National Human Rights Commission (NHRC) came into existence in October 1993, the Commission has consistently taken the view that the right to life with dignity, enshrined in the Constitution, must result into the strengthening of measures to ensure that all people, and particularly those belonging to the economically disadvantaged sections of the society, have access to better, affordable, accessible and more comprehensive healthcare facilities. Following paragraphs throw light upon the work in the domain of ensuring right to health and mental health undertaken by the Commission during the year 2021-22.
- 7.15 Human Rights Advisory on Right to Health in view of the second wave of the Covid-19 Pandemic (Advisory 2.0):** The Commission issued “Human Rights Advisory on Right to Health in view of the second wave of the Covid-19 Pandemic (Advisory 2.0)” on 4 May 2021 to the concerned Union Ministries, States/UTs for its implementation.
- 7.16 Human Rights Advisory on Right to Mental Health in view of the second wave of Covid-19 Pandemic (Advisory 2.0):** The Commission issued “Human Rights Advisory on Right to Mental Health in view of the second wave of Covid-19 Pandemic (Advisory 2.0)” on 31 May 2021 to concerned Union Ministries, States/UTs for its implementation.
- 7.17 Advisory on Identification, Treatment, Rehabilitation and Elimination of Discrimination of Persons Affected by Leprosy:** The Commission issued “Advisory on Identification, Treatment, Rehabilitation and Elimination of Discrimination of Persons Affected by Leprosy” on 14 January 2022 to concerned Union Ministries, States/UTs for its implementation.
- 7.18 Supplementary recommendations to the earlier advisories on Right to Health in the context of Covid-19:** The NHRC, during the third major wave of the Covid-19 pandemic and with emergence of new variants like Omicron, re-emphasised on the two sets of "Advisories on Right to Health in the context of Covid-19" issued on 28.09.2020 and 04.05.2021. To supplement the recommendations made in these earlier advisories, the NHRC issued additional recommendations on 31 January 2022 to concerned Union Ministries, States/UTs for its implementation. Details of the said document can be accessed at https://nhrc.nic.in/sites/default/files/supplementary_recommendations_Right_to_Health_Covid19.pdf
- 7.19 Meeting on Leprosy and Leprosy Colonies:** A meeting was held on Leprosy and Leprosy Colonies on 20 July 2021 under the chairmanship of Hon'ble Chairperson, Justice Arun Mishra,



and co-chaired by Hon'ble Member, Justice M.M. Kumar. Two experts on the subject matter joined the meeting virtually, keeping in mind the Covid-19 protocol, Dr. Vineeta Shanker, Former Executive Director, Sasakawa-India Leprosy Foundation and Ms. Nikita Sarah, Head of Advocacy and Communication, The Leprosy Mission Trust India.

Important recommendations that emerged out of the meeting include:

- There is a need to repeal discriminatory laws against leprosy.
- Concerted efforts need to be made to sensitise and create necessary awareness among different stakeholders.
- There is a need for Psychological Counseling/Mental health support for people affected by leprosy, especially children.
- Special attention must be given to the most vulnerable population —women, children, elderly and residents of these colonies.
- There is a need to focus on the education and counselling of children of leprosy affected people to overcome the stigma and help them integrate with the mainstream of the society.
- Skill development programmes must be initiated to train them and provide them with opportunities for their socio-economic empowerment to earn sustainable livelihoods with dignity.

7.20 Meeting on Human Rights of People Suffering from Drug Addiction: A virtual meeting for a discussion with Society for Promotion of Youth and Masses (SPYM) on 'Human Rights of People Suffering from Drug Addiction' was held on 11 August 2021, via Cisco Webex, keeping in view the Covid-19 protocol. The meeting was chaired by Hon'ble Member, Dr. D.M. Mulay. Dr. Rajesh Kumar, Executive Director, Society for Promotion of Youth and Masses (SPYM), joined the meeting along with around 30 NGOs from different States/regions of the country to deliberate upon various issues faced by the drug abusers/addicts in India. There were various key issues identified in the meeting for further deliberations, including, non-availability of adequate and appropriate treatment facilities for deaddiction, large number of unauthorised 'de-addiction' centres, lack of Government treatment centres for women and children, need for treatment facilities in jails and lack of awareness.

Meeting of the Core Group on Health and Mental Health

7.21 Meeting of the Core Group on Health and Mental Health was held on 22 December 2021. The meeting was held in two parts. Session 1 on the topic, Leprosy and Leprosy Colonies, was chaired by Hon'ble Chairperson, Justice Arun Mishra and Session 2 on the topic Covid-19 and Mental Health was chaired by Hon'ble Member, Justice Mahesh Mittal Kumar. The meeting was attended by the Core Groups Members, Special Monitor, Health and Mental Health, NHRC, Representatives from the Ministry of Health and Family Welfare, Civil Society Organisations, Academicians and Clinicians from various esteemed health establishments.



Image 7.1: Session 1 of the Meeting of the Core Group on Health and Mental Health on 22 December 2021

7.22 Important recommendations that emerged out of Session 1 of the meeting of the core group on health and mental health are:

- The 99 law providing for discrimination of leprosy affected persons need to be amended or repealed in a time bound manner to end discrimination of leprosy affected persons.
- A law to provide for substitution of derogatory terms used to describe persons affected by leprosy, right of the person affected by leprosy to access health care facilities for the treatment of leprosy and associated complications, confidentiality of their medical and other records, security of tenure, title and ownership of property, right to access and enjoy public goods and services, including public transport services, right to employment, freedom to form family and right of access to education needs to be enacted. Such law may also provide for separate parameters for assessing the disability quotient for leprosy affected persons for the purpose of issuing disability certificates.
- Awareness programmes by involving print and electronic media, grassroots level functionaries and civil society organisations need to be launched to create awareness among the public that leprosy is fully curable and a person suffering from leprosy no longer remains contagious after receipt of first dose of MDT and may lead a normal married life, can have children, can take part in social events and go to work or school/college as normal.
- Special fact-finding surveys among the persons affected by leprosy (those still suffering from the diseases as well as fully cured) need to be undertaken to identify issues related to stigma, discrimination and violation of human rights. Periodic surveys need to be undertaken



to maintain an updated district-wise database of the leprosy affected persons. Such updated database needs to be prominently displayed on websites of the concerned State Governments and all concerned Ministries in the Central Government. Grassroot level organisations, civil society organisations and school children may be involved in such surveys.

- The State may establish a helpline to ensure prompt reporting and medical attention to new cases of leprosy as well as development of acute signs and symptoms of lepra reaction/new nerve function impairment in existing patients.
- The Union and State may endeavour to provide micro cellular rubber (MCR) footwear to all leprosy affected persons free of cost.
- A special programme needs to be initiated to provide counselling of the persons affected from leprosy and their family members, especially children, to help them overcome the stigma and integrate with the society.
- Efforts need to be made to improve healthcare, sanitation, electricity and other civic amenities in leprosy colonies. Property/tenure rights to the residents of such colonies need to be provided in a time bound manner. No resident of these colonies be removed or evicted without being rehabilitated and adequately compensated.
- Serious efforts need to be made by the Union and State/UT Governments to integrate leprosy colonies with the society. All such colonies need to be appropriately re-named to prevent their identification/tagging with the disease. All new leprosy patients need to be treated at their respective homes without shifting them to leprosy colonies.
- Special programmes providing for vocational training, employment benefit, parental leave, health insurance to the persons affected by leprosy and their family members need to be launched. While implementing employment generation schemes, such as MGNREGA, persons suffering from leprosy and leprosy induced disabilities may be given the option to undertake home based activities.
- States need to provide due attention to ensure that persons affected by leprosy are provided with BPL card, Aadhar card, Job card and other identity proof on priority to facilitate such persons to avail benefits of Government run welfare schemes including Indira Awas Yojna (AAY), MGNREGA, etc. While issuing Aadhar card to such persons, iris scan may be promoted as many such persons suffer from finger impairment.
- Provisions of Section 8 of the Rights of Persons with Disability Act, 2016, providing for protection and safety in situations of risks, armed conflicts, humanitarian emergencies and natural disasters to persons with disability need to be extended to all persons affected by leprosy and their family members.



Image 7.2: Session 2 of the Meeting of the Core Group on Health and Mental Health on 22 December 2021

7.23 Important recommendations that emerged out of Session 2 of the meeting of the core group on health and mental health are:

- Tele-medicine and tele-therapy need to be employed on a larger scale to bridge gaps in mental health services.
- Investment on mental health services, especially at taluk, district and State levels, needs to be increased significantly.
- Number of trained manpower to deal with mental health issues, such as Psychiatrists, Psychiatric nurses, Personal Support Workers (PSWs), Clinical Psychologists, Psychologists, etc. need to be increased substantially.
- District Mental Health Programme (DMHP) services need to be reviewed annually to identify and bridge the gaps.
- State-wise directory of services for acute care and tele-care facilities, helplines, rehabilitation centres and NGOs working in the mental health sector needs to be maintained and periodically updated.
- Awareness programmes by involving print and electronic media, grass root level functionaries and civil society organisations need to be launched to create awareness among the public.
- Regular trainings and awareness programmes on issues relating to mental health need to be organised for community workers.



7.24 Illustrative Cases in the year 2021-22

1. Death of a newborn girl delivered in an auto rickshaw in the premises of Gurudijhatia Primary Health Center in Cuttack, Odisha.

(Case No. 3079/18/3/2019)

- i. The Commission on 02/09/2019 received a complaint from Sh. Himansu Sekhar Nayak, Keonjhar, Odisha. The case pertained to the death of a newborn girl child delivered in an auto rickshaw in the premises of Gurudijhatia Primary Health Center (PHC), Cuttack, where no doctors or other staff were present and no medical facilities were available on the day of the incident.
- ii. The Commission took cognizance of the matter on 01/10/2019. On the instructions of the Commission, the report dated 12/03/2020, received from the Special Secretary, Department of Medical, Health and Family Welfare, Government of Odisha, revealed that as per the report of Chief Medical Officer and Public Health Officer, a pregnant woman, aged 27 years, came to the Gurudijhatia PHC at about 9.20 am, but as the said hospital was not open, the patient delivered a female child in an auto rickshaw by which she was brought to the hospital, and the child was declared dead by the attending doctor. A joint enquiry was conducted in the matter, and on verification of attendance and OPD register, it came to their notice that there was an official order by the MO, Gurudijhatia, to manage the OPD on every Sunday. However, the Medical Officer was on weekly off and the staff including a pharmacist, staff nurse and ward attendant, who were to attend the Sunday OPD, failed to attend. The report further revealed that necessary action was taken against the erring officials, and they were transferred/repositioned to different places with substitutes.
- iii. The Commission on 21/07/2020 noting that the State Government has accepted negligence on the part of its staff in the matter, issued a Show Cause Notice to the State through its Chief Secretary as to why monetary compensation of Rs. 2,00,000/- should not be recommended to the victim.
- iv. The Commission on 24/06/2021 rejected that contention of the State that the hospital in question was a single doctor primary health centre and again observed that the State had already admitted that their staff members including the pharmacist, staff nurse and ward attendant were to attend the Sunday OPD, but failed to do so. Thus, proving negligence on the part of the Government officials. The Commission confirmed Show Cause Notice and recommended the State to pay Rs. 2,00,000/- to the victim lady.
- v. Having received request that the monetary relief of Rs. 2,00,000/- has been paid to the victim on 24/11/2021, the Commission closed the case on 20/01/2022.

2. A newborn male child died due to non-availability of ambulances at the time of delivery in Malkangiri, Odisha.

(Case No. 4305/18/29/2018)



- i. The Commission received an complaint on 21.09.2018 along with a newspaper clipping alleging death of a 23-year-old woman named Sukri Dalpati and her new born male child during delivery, in Malkangiri, Odisha, due to lack of ambulances. The complainant also stated that if the ambulance had arrived on time, two precious lives could have been saved.
- ii. In accordance with the Commissions directions dated 22.10.2018, a report dated 16.03.2020 was received from the Collector and District Magistrate, stating that a thorough enquiry was conducted by the C.D.M.; P.H.O, Malkangiri, with the help of ADPHO (TB), and District Social Welfare Officer. The inquiry revealed that the deceased pregnant mother aged 23 years was brought by an ambulance and admitted at Mathli C.H.C for delivery. The victim was admitted in hospital at the eleventh hour and there was a possibility of delivery of child anytime. Since the woman was about to deliver, an O & G specialist took up the case for delivery on humanitarian ground, despite being less experienced about this kind of situation.
- iii. It had been further submitted in the report that the victim had given birth to a stillborn baby and after delivery, her health was checked by a doctor, who sensing the seriousness of the situation, referred her immediately to DHH, Malkangiri. Unfortunately, the woman lost her life on the same day. The victim could have saved her life if adequate precaution was taken by the field staff of Medical and ICDS in time during her pregnancy. It had been further submitted in the report that action had already been taken against three erring staff for such lapses and their salary was held up for three to four months.
- iv. The Commission examined the matter on 25.08.2020 and was of the opinion that that the victim suffered and died due to lackadaisical attitude of the staff and officials of the State Government, who were supposed to carry out their duties. In fact, the inquiry report had also suggested and castigated their faults in carrying out their duties. The inquiry found some staff wanting in discharge of their duties. The victim lost her life due to apathy shown by the apparatus of State Government, and hence, the Commission issued a show cause notice to the State of Odisha through its Chief Secretary as to why compensation of Rs. 2,00,000/- should not be awarded to the next of kin of the deceased.
- v. In response, the State authority informed that adequate treatment was given to the victim and cause of death was severe anemia with HB 3.8 and hypertension and requested the Commission not to recommend payment of Rs. 2,00,000/- to the next of kin of deceased victim.
- vi. The Commission was of the opinion that the victim could have been saved if adequate precaution was taken up by the field staff of Medical and ICDS in time, during her pregnancy, which was a serious violation of the rights of the victim and her right to medical care. Hence, the Commission confirmed its recommendation of monetary relief on 12.04.2021.
- vii. The Jt. Secretary, Health and Family Welfare Department, Government of Odisha, vide communication dated 26.10.2021, submitted that compensation of Rs. 2,00,000/- was paid on 18.09.2021 to the husband of deceased Sukri Dalpati. The Commission closed the case on 27.12.2021.



3. Death of a 9-year-old due to refusal of rabies vaccination and appropriate treatment at Community Health Center and Medical College Hospital, Agra(UP).

(Case No.26617/24/1/2019)

- i. The Commission received a complaint on 02.09.2019 regarding the unfortunate death of a 9-year-old child who was denied a rabies shot and treatment at the Community Health Center and Medical College Hospital, Agra, on 07.07.2019.
- ii. The Commission took cognizance of the matter on 03.10.2019 and called for reports. The report dated 2.07.2020 submitted by the Chief Medical Officer revealed that in connection with the matter a joint enquiry was being conducted by the Deputy District Magistrate and Addl. Chief Medical Officer, and that two officials — one duty doctor and a pharmacist were suspended.
- iii. On 25.03.2021, after careful examination and review of the reports, the Commission observed that notwithstanding the enquiry, which is still in progress, the report by the Chief Medical Officer, prima facie, indicated that it was a case of violation of human rights of the victim due to the acts of commission and omission on the part of public servants, which could have been avoided. The death of a nine-year-old child, who was denied adequate treatment at the State Health Centre, was an appropriate case for the award of compensation. Therefore, the Commission issued a show cause notice to the concerned State, through its Chief Secretary, as to why monetary compensation should not be recommended to be paid to the next of kin of the deceased.
- iv. In response, the Under Secretary, Medical Department-3, Government of Uttar Pradesh, vide his communication dated 31.03.2021, submitted that the matter has been enquired into and Dr. Dev Kumar, Medical Officer, CHC, Bah, Agra and Pharmacist Raghuraj Singh have been prima facie found blameworthy and both have been placed under suspension. Departmental proceedings for major penalty have been initiated in the matter. In these circumstances, the Commission on 19.6.2021, confirmed its show cause notice and recommended to the State to pay monetary relief to the next of kin of the deceased victim on 19.06.2021.
- v. Upon receipt of report that the monetary relief of Rs.1,00,000/- had been paid to the next of kin of the deceased victim, and action was taken against the erring officials, the case was closed by the Commission on 19.06.2021.

4. Wrong leg of the victim operated by a negligent Orthopaedic surgeon at the District Hospital, Chitradurga, Karnataka.

(Case No. 244/10/7/2018)

- i. The Commission received a complaint on 20.03.2018 that one Orthopaedic Surgeon of District Hospital Chitradurga, Karnataka, on 12.03.2018, operated on Shri Sidesh's left leg instead of his right leg, which was fractured, and that the doctor was attempting to cover up his negligence by using his political power.



- ii. The Commission took cognizance of the matter on 23.04.2018 and a report dated 18.07.2018 was received from the District, Health and Family Welfare Officer, which revealed that there was negligence in discharge of duties by the Doctors and staff. It was also stated that after a preliminary inquiry by the District Health and Family Welfare Officer, the Chief Vigilance Officer, Health and Family Welfare Directorate, opined that the said Doctor and two other nurses were found guilty of negligence. They were charge-sheeted, and their case had been recommended to the Health and Family Welfare Department, Karnataka, for Joint Departmental Enquiry at the Government level.
- iii. The Commission on 11.02.2021 observed and directed that a mere departmental investigation was insufficient and that the State must accept vicarious liability for compensating the complainant. As a result, the Chief Secretary of the Government of Karnataka, was issued a show cause notice to explain why compensation of Rs. 1,00,000/- should not be recommended to the victim of medical negligence.
- iv. Since no response was received to the Show Cause Notice, the Commission presumed that the State authority had nothing to urge in the matter and the recommended payment of monetary relief was confirmed. The Chief Secretary was directed to ensure compliance of the recommendation, and the case was closed on 04.06.2021.

5. Victim died during treatment due to the negligence of the staff in Dr. Shyama Prasad Mukherjee Civil Hospital, Lucknow, Uttar Pradesh

(Case No. 4075/24/48/2016)

- i. The Commission received a complaint on 09.01.2016, alleging that the complainant's sister died on 22.10.2015 while receiving treatment at Dr. Shyama Prasad Mukherjee Civil Hospital, Lucknow, due to gross negligence on the part of hospital staff.
- ii. The Commission took cognizance of the matter on 24.02.2016, and on subsequent follow-up, a report dated 10.1.2019 was received from the Director General, Health Services, stating that the patients, who came to emergency ward, were being treated by BAMS doctors, who were not competent to assess the seriousness of the illness, and the same happened with the patient in the instant matter. It was also revealed that the staff nurses were on duty on the day of the incident, but there was a delay in arranging the ambulance, thus, indicating negligence of the hospital staff. The Director of Dr. Shyama Prasad Mukherjee Civil Hospital, Lucknow, submitted a report stating that action was taken against the concerned doctor and staff for dereliction of duty, and that punishment of censure was recorded in their service books and their pay had been reduced by one increment.
- iii. The Commission on 18.03.2019 found gross negligence on the part of the concerned public servants, resulting in violation of human rights of the victim. The State Government was held vicariously liable for the death of the victim and issued show cause notice to the State through its Chief Secretary as to why monetary compensation of Rs.5,00,000/- should not be recommended to be paid to the next of kin of the deceased.



- iv. The Director of Dr. Shyama Prasad Mukherjee Civil Hospital, Lucknow, submitted a report dated 13.08.2019 reiterating that action was taken against the concerned doctor and staff for dereliction of duty, and that censure was recorded in their service book and their pay had been reduced by one increment.
- v. When no reply to the show cause notice was received, and it appeared that the concerned authority had nothing to urge against the opinion of the Commission, recommendation of monetary relief was confirmed by the Commission on 30.09.2020.
- vi. Subsequently, the Deputy Secretary, Medical Dept-VIII, vide communication dated 15.07.2021, informed the Commission that Rs. 2,50,000/- each was paid to the bank accounts of Ku. Diksha Singh and Ku. Priyansi Singh. The case was accordingly closed on 17.8.2021.

C. Right to Food and Nutrition

- 7.25** India constantly grapples with the issues of hunger and malnutrition. The foregoing year brought numerous challenges in almost every field, especially for the marginalised and vulnerable sections of the society. The Covid-19 pandemic made the situation even worse in 2021. It was estimated that between 702 and 828 million people were affected by hunger. The number has grown by about 150 million since the outbreak of Covid-19 pandemic.
- 7.26** The National Family Health Survey 2019-21 (NFHS-5) provides information on India's population, health, nutrition, and each State/Union Territory (UT). NFHS-5 fieldwork for India was conducted in two phases by 17 field agencies, and it gathered information from 636,699 households, 724,115 women, and 101,839 men. The reports have given the following figures — Anaemia in Children — 64.2 percent in Urban areas and 68.3 percent in Rural areas. Of the 22 States/UTs, 13 showed a rise in stunting, including some of the populous States like Maharashtra, West Bengal, Gujarat, and Kerala. Wasting has either risen or remained stagnant in most States/UTs. The prevalence of anaemia among women in the age group of 15-49 years also shows a similar trend, with 16 States/UTs showing an increase.
- 7.27** India is a State Party to the International Covenant on Economic, Social and Cultural Rights. The United Nations Sustainable Development Goals (SDGs) for transforming the world by 2030 have also been endorsed by the Government of India. This, all the more, casts an obligation to respect, protect and fulfil the right to food of every citizen of India. The Government of India has been implementing food, livelihood and social security programmes, such as the Integrated Child Development Services (ICDS) Scheme, Supplementary Nutrition Programme (SNP), Mid-day Meal Scheme (MDMS), Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS), National Social Assistance Programme (NSAP) and Public Distribution System (PDS). The National Food Security Act 2013, the National Nutrition Strategy and the National Nutrition Mission all aim to promote the convergent approaches that reflect the multi-dimensional nature of food and nutrition insecurity and address the inequalities related to gender, age, disability, income, caste and region. In such a favourable policy environment, the Government's efforts to address malnutrition and food insecurity have the potential to accelerate progress towards reaching



their targets under Goal 2 of the Sustainable Development Goals.

- 7.28** The Government has also taken significant steps to combat malnutrition over the past two decades, such as, through the introduction of mid-day meals at schools, *Anganwadi* systems to provide rations to pregnant and lactating mothers, and subsidised grain for those living below the poverty line through a public distribution system. The National Food Security Act 2013 aims to ensure food and nutrition security for the most vulnerable through its associated schemes and programmes, making access to food a legal right.
- 7.29** The world is affected by the Covid-19 pandemic, and the food security sector and nutrition are no exception. Various studies show that higher retail prices, combined with reduced incomes during the pandemic, led to more and more households cutting down on the quantity and quality of their food consumption. The role of a non-profit organisation has also significantly risen as the authorities alone cannot triumph over this challenge. But, even between the pandemic and lockdown, a contention evolved between physical distancing norms and ensuring ration, meals and immunisation to the eligible beneficiaries. The authorities ensured a pragmatic way to provide these services while maintaining social distancing norms. However, the welfare generated by ICDS and Mid-day Meal scheme significantly deteriorated during this pandemic period, and it was challenging to run Anganwadi and mid-day meals in the schools. Different state governments gave various relief measures, such as food grain rations under the public distribution system (PDS) were more or less doubled from April to November 2020; employment generation under the Mahatma Gandhi National Rural Employment Guarantee Act (MNREGA) expanded by nearly 50 percent compared to the previous year; and some cash transfers were also made, for example, to old-age pensioners and women's Jan Dhan Yojana (JDY) accounts. Some state governments supplemented this national package with relief measures of their own. With the onset of the lockdown, the Atma Nirbhar Bharat (ANB) Package was announced. In the ANB package, additional PDS rations of five kgs (wheat or rice) and one kg dal/chana per person per month were provided to NFSA cardholders from April to November 2020 under the Pradhan Mantri Garib Kalyan Anna Yojana (PMGKAY). Acknowledging that poor families still need food security support in the middle of a recovering economy, the Centre extended its free ration scheme, PMGKAY, until March 2022. This scheme also extended to eight crore migrant workers not covered under NFSA or State PDS scheme cards. Lately, while announcing the Union Budget 2021-22, the Government has merged the supplementary nutrition programme and the Poshan Abhiyan to launch Mission Poshan 2.0 to strengthen nutritional content, delivery, outreach, and outcome. The Finance Minister, Smt. Nirmala Sitharaman said, "We shall adopt an intensified strategy to improve nutritional outcomes across 112 aspirational districts."
- 7.30** The National Human Rights Commission (NHRC) is committed in its crusade to protect the right to nutritious food for citizens of India. Its Core Advisory Group on the Right to Food and Nutrition addresses issues, challenges and solutions to this field after analysing the steps taken by the government. Moreover, the Commission keenly observes the legislation related to food security and the eradication of hunger. NHRC has been emphasising proper implementation of the National Food Security Act, 2013 and the flagship schemes, namely, PDS, ICDS and MDMS. It gets the

picture of the ground reality through its Special Rapporteurs and Special Monitors, who undertake field visits and provide feedback on the status of implementation of these schemes as well as the food security legislation in the States.

NHRC meeting to discuss the status of the Right to Food, Nutrition and related Policies.

7.31 A meeting was organised by the National Human Rights Commission, NHRC India, on 10.08.2021 to discuss the status of the policies to ensure the Right to Food, Nutrition and its implementation. The meeting concluded with several key observations and suggestions. The meeting was held under the chairmanship of Mr. Rajiv Jain, Hon'ble Member, NHRC. The Secretary of the Department of Food and Public Distribution attended the meeting. In addition to NHRC Members, Additional Secretary, Senior Officers and Core Group members, the participants included senior officers and representatives of the Union Ministries and departments, experts, and different stakeholders of the domain. After detailed deliberations in the meeting, many important suggestions emerged. Some of the suggestions were:

- There is a need to introduce a policy for the urban poor and migrants on the lines of MGNREGA;
- Extend the Mid-Day Meal Scheme to the students up to XII standard from the existing VIII standard;
- With the digitization of services, connectivity is an issue in far-flung areas. Therefore, this issue needs to be looked into to ensure proper distribution to the beneficiaries.



Image 7.1: NHRC Member, Mr Rajiv Jain, chairing the meeting on the status of food, nutrition and related policies on 10 October 2021

D. Right to education

7.32 The Right to Education is recognised as a human right by the United Nations and is enshrined in Article 26 of the Universal Declaration of Human Rights and Article 14 of the International Covenant on Economic, Social and Cultural Rights. The right to education is one of the fundamental principles underpinning the Education 2030 Agenda, which is based on Goal 4 of the Sustainable Development Goals, which aims to “ensure inclusive and equitable quality education and promote lifelong learning opportunities for all” by 2030.



- 7.33** In India, the Right of Children to Free and Compulsory Education Act or Right to Education Act (RTE) is an Act of the Parliament of India enacted on 4 August 2009, which came into force on 01 April 2010. The Act makes education a fundamental right of every child between the ages of 6 and 14 years and specifies minimum norms in elementary schools. It requires all private schools to reserve 25 percent of seats for children from disadvantaged backgrounds. It also prohibits all unrecognised schools from practising and makes provisions for no donation or capitation fees and no interview of the child or parent for admission.
- 7.34** Despite significant gains in increasing access to literacy rate and schooling, there are still major glitches in the implementation of the RTE by States, especially concerning basic infrastructure requirements, such as proper classrooms, toilets and boundary walls for schools, availability of drinking water, having trained teachers in place, filling up of vacant posts of teachers and pupil-teacher ratio. RTE is illusory for many children from tribal and minority communities and conflict zones. Furthermore, not all states have the Commissions for Protection of Child Rights needed to monitor the implementation of the RTE. Therefore, besides investing substantial financial and human resources, much work on the ground level is required to access this right meaningfully and in full measure.
- 7.35** The National Human Rights Commission is concerned with the issues related to the education of children in India. The Commission, under 12(g) of the PHRA, 1993, is mandated to undertake and promote research in the field of human rights. In this regard, the Commission had entrusted a study on “Human Rights Education in Schools in India: A Comparative Study of Syllabus prescribed by State Education Boards” in collaboration with the Rajiv Gandhi National University of Law, Punjab. The Commission completed and approved the research study on 27 December 2018 and then uploaded it on the Commission’s website. One of the recommendations of the report was for the Union/State Governments to include content on human rights in the curriculum of schools in India.
- 7.36** In this regard, the Commission has issued letters to the Chief Secretaries of all Union and State Governments, requesting them to include content on human rights at primary, secondary and senior secondary levels. Some of the States have shown their interest and agreed to look into the matter from the next revision of the syllabus and also forwarded contents on Human Rights issues for the perusal of the Commission while the responses of other States/UTs are yet to be received.

7.37 Illustrative Cases

- 1. Non-payment of salaries to the teachers of Government Senior Secondary School, Idukki, Kerala (Case No. 512/11/3/2016)**
 - i. A Complaint from an office bearer of Kerala Non-approved Higher Secondary Teacher Association (KNHSTA), Idukki, Kerala, was received in the Commission on 07/10/2016. The complaint alleged non-payment of salaries to the teachers of newly established Government Senior Secondary School throughout the State since 2014.
 - ii. The Commission took cognizance of the matter on 07/11/2016 and sought action taken report



in the matter from the State authority.

- iii. The matter was taken up during the Camp Sitting of 31/10/2019 by the Commission at Thiruvananthapuram, Kerala. The complainant submitted about the regularisation/creation of some posts in the year 2014. He also stated that from the year 2014-15, 15-18 teachers were still continuing on daily wages and had not been absorbed. The Secretary, General Education Department of the State, who was present, informed in detail about the wages/creation of posts/criteria fixed by the Government for absorption of teachers. It was further informed that in the year 2014, a total of 3579 teachers were appointed on daily wages. During the year 2014-15, a total of 1796 posts including teaching and non-teaching were created in various Higher Secondary Schools. Similarly, in the year 2019, a total of 788 posts of teaching and non-teaching staff were created in various Higher Secondary Schools. These teachers have been paid their salaries and updated daily wages. Some teachers were not absorbed because of their ineligibility but were paid daily wages. It was further informed that as per Government Order, additional posts are to be created keeping in view the strength of 50 students in the academic year. He also filed a report before the Commission.
- iv. The Commission heard both the parties and noticed that the Right to Education is fundamental right of the students. The Secretary, General Education Department, Government of Kerala was directed to submit a report specifying the current status of creation of posts on the basis of number of students, and the status of the appointment of the teachers in the State.
- v. The Commission did not receive the requisite report. Hence, Chief Secretary of the State was directed to look into the matter, ensure the implementation of Right to Education Act and proper payment of the salary to the teachers.
- vi. With these directions, the case was closed by the Commission on 14/06/2021.

2. Impact of Covid-19 pandemic on the Rights to Education of Children in India (Case No 1370/90/0/2020)

- i. The instant matter pertains to the complaint dated 22.09.2020 in which the complainant raised an issue concerning education of students during Covid-19 pandemic on the online mode and alleged that no substantial measure was taken by the Government to address as bridges and bridge the gap due to dearth of resources, those living in remote areas where Internet facilities are inaccessible are facing the brunt.
- ii. The Commission considered the report submitted by the Department of School Education and Literacy, Government of India, about the initiatives taken and directed the Research Division to analyse the report and also directed to conduct a Webinar for framing of any advisory/guidelines for protecting the Right to Education of the children. The Research Division submitted its report and also submitted that they have entrusted a research study titled “Impact of Covid-19 pandemic on the Rights of Education of Children of Migrant Workers in Delhi” to Prof. Zubair Menai of Jamia Milia Islamia.



- iii. The Research Division conducted a Webinar on Digital Education and submitted the detailed report, which is summarised as under:
- iv. “The webinar was conducted in two Sessions, i.e., Technical Session on Digital Divide and Technical Session on Impact on the Wholesome Development of Children.
- v. During Technical Session on Digital Divide, various recommendations like adoption of hybrid form of education, transformation of classroom teaching, focus on social and emotional learning (SEL), inter-ministerial convergence, more involvement of the private sector in the form of CSR, activity based on IVR call/SMS and research on pedagogy were made for better learning of students with advanced ways in the field of education.
- vi. During the Technical Session on Impact on the Wholesome Development of Children, various recommendations like ensuring cyber safety, technology for ensuring learning of marginalised sections, rehabilitation of children with disabilities, Special Teaching Learning Materials(TLMs) for children with disabilities, counseling capacity-building of teachers, reviewing of curriculum, development of scientific test models and allocation of appropriate financial resources. Customisation of digital content in different languages, making of digital libraries, following the "Pragyata" guidelines were also given.
- vii. The minutes along with the recommendations were issued to the Ministry of Education, Ministry of Women and Child Development, Ministry of Home Affairs, Ministry of Electronics and IT, NCERT and NITI Aayog, for implementation of the recommendations and to submit the action taken report to the Commission.
- viii. In response, the Ministry of Education submitted its Action Taken Report(ATR) stating that various centrally-sponsored schemes of Samagra Shiksha, various digital tools in the form of DIKSHA portal, SWAYAM Portal, e-Pathshala; launching of a Student-friendly Handbook on Cyber Safety, National Education Policy 2020, uploading of special e-content for visually and hearing impaired developed on Digitally Accessible Information System (DAISY) and in sign language on NIOS website/YouTube, Integrated Teacher Training Programme called NISHTHA, etc. have been done for improving the education in better ways.
- ix. The matter is under consideration by the Full Commission.

3. Harassment of student by the officers of the NIOS Centre at Krishna Nagar, Noida, Uttar Pradesh

(Case No. 39770/24/30/2021)

- i. The Commission received a complaint on 27/12/2021 from Piyush Dubey, r/o Ghonda, Delhi stating that he has cleared Class X, NIOS exam in the year 2021 and despite running from pillar to post, he was not issued his mark-sheet. He alleged harassment by the officers of the concerned NIOS Centre at Krishna Nagar and by the NIOS Head Office in NOIDA.
- ii. The Commission took cognizance of the matter on 28/12/2021 and directed the Chairman,



National Institute of Open Schooling, Gautam Budh Nagar, Institutional Area, Sector-62, NOIDA, Uttar Pradesh – 201010, to conduct an independent enquiry into the matter and submit an action taken report within prescribed time frame.

- iii. In response, it was intimated by the Deputy Director (Evaluation), National Institute of Open Schooling, Ministry of Education, Government of India, vide communication dated 12.01.2022, that in compliance of the directions of the Commission, Mark-sheet, Migration and Provisional Certificate in question were handed over to the complainant on 31.12.2021.
- iv. The Commission considered the matter on 10/02/2022 and the said communication dated 12/01/2022 was forwarded to the complainant for his comments.
- v. Pursuant to the same, no comment was received from the complainant and, hence, it was presumed by the Commission that complainant had nothing more to urge in the matter and considering that as per report, Mark-sheet, Migration and Provisional Certificate of the petitioner were handed over to him on 31.12.2021, the Commission closed the case on 18/07/2022.

E. Rights of bonded, child and other forms of labour

7.38 The Supreme Court, vide its order dated 11.11.97 in Writ Petition (Civil) No. 3922/1985 *People's Union for Civil Liberties Vs. State of Tamil Nadu and Others* and report in 1997 (7) SCALE (SP) 17, entrusted the National Human Rights Commission (NHRC) with the responsibility of monitoring and overseeing the implementation of its directions as well as provisions of the Bonded Labour System (Abolition) Act (BLSAA), 1976, in all States/Union Territories (UTs).

7.39 The Commission has successfully organised a National Seminar on matters related to manual scavenging and hazardous cleaning in various parts of the Country. The Commission aims for a proactive approach towards elimination of manual scavenging by sensitising concerned state authorities and spreading awareness among citizens of India. So far, these activities have played a pivotal role in sensitising the concerned authorities in matters related to bonded labour and the Commission is committed to continue its endeavours on the subject.

7.40 The Commission, through its Members and Special Rapporteurs, records and assesses the performance of major bonded labour prone States/UTs with regard to pace and progress of implementation of BLSAA-1976 and Centrally Sponsored Scheme (CSS), 2016. Such reviews have been repeated in some States considering their performance. The State Governments have been taken into confidence both before and in course of the review, and the reviews have been fully participative in as much as prior to the review; the response of the State Governments has been elicited through a set of specific questions posed through a detailed questionnaire circulated sufficiently in advance.

Meeting of the Core Advisory Group on Bonded Labour

7.41 The Commission organised a meeting of the Core Advisory Group on Bonded Labour on 21 October 2021. The meeting was chaired by the Hon'ble Chairperson, NHRC, Mr. Justice Arun



Mishra.

7.42 Following were the existing issues discussed with regard to the Bonded Labour system:

- i. Lack of proper implementation of the relevant Schemes and associated laws and provisions relating to Bonded Labour
- ii. Non-issuance of timely Release Certificates to the rescued bonded labourers
- iii. Inadequate monitoring of the court cases
- iv. Linking rehabilitation with conviction is not appropriate
- v. Lack of awareness
- vi. Lack of Coordination between the district, state and central functionaries.
- vii. Lack of effective functioning of Vigilance Committees at District/sub-divisional level.

7.43 After elaborate discussions on the aforementioned agenda items, the following recommendations emanated:

- i. It was suggested that a National Action Plan (NAP) be prepared to solve the issues and challenges in the implementation of the Bonded Labour System (Abolition) Act, 1976.
- ii. Civil society organisations are encouraged to create awareness among individuals to report incidents of bonded labour to respective authorities.
- iii. To conduct workshops on a regular basis for sensitisation of concerned implementing authorities and other stakeholders.
- iv. To conduct research on the issues related to bonded labour and also to revise the Handbook on Bonded Labour for a comprehensive updated Compendium.
- v. Regular monitoring of rehabilitation measures and other benefits under the scheme related to bonded labour.
- vi. Adequate funds need to be provided for all the districts as per requirement.
- vii. Revisiting the areas involved in keeping the labourers in bondage under the changed economic scenario.
- viii. To sensitise the Police and District Authorities for ensuring invocation of requisite provisions of SC/ST (PoA) Act, 1989, wherever the victims belong to the SC/ST communities and further steps thereon for relief as mandated under the Atrocities Act and rules made thereunder.
- ix. Vigilance Committees be operationalised, made functional in all States/UTs and their constitution be reflected on National Portal for vigil. Data and other relevant information related to Vigilance Committee's functioning be uploaded to enable review of the status and fixing accountability of the Committees in every District.



- x. Simplifying the processes for creation of Corpus fund and recoupment thereof.
- xi. Necessary survey for identification of bonded labourer must be conducted and outcome of the survey be taken to a logical end.
- xii. Necessary modules with the help of VV Giri National Labour Institute be formulated for training and capacity building.
- xiii. All the stakeholders need to be sensitised considering the poor conviction rate.
- xiv. Gaps in implementation of CSS, 2016, need to be identified and suitable corrective measures to be taken for better outcomes of the existing scheme.
- xv. Format for the submission of Utilisation Certificates (UCs) and Half-Yearly Reports to be simplified and standardised.
- xvi. Necessary curriculum to be prepared and introduced in the training modules for the functionaries of Government Institutions/Police Academies NGOs/CSOs and other functionaries/stakeholders working in the areas of Bonded Labours.
- xvii. To increase participation in awareness programmes, in particular, for Students, youth, CSOs and others working in the field.
- xviii. To develop the mechanism for expeditious repatriation of Indian citizens, who are victims of bonded labour in foreign countries.
- xix. The State and District authorities to ensure that Cash and Non-Cash benefits are extended to the released bonded labourers in accordance with the existing CSS2016.
- xx. Necessary Information, Education and Communication (IEC) activities for sensitising the community for raising awareness.
- xxi. To ensure the effective implementation of NHRC's Advisory to identify, release, and rehabilitate bonded labourers during Covid-19 pandemic. Necessary updation and submission of data on MIS, pertaining to the Action Taken on the Advisory, at regular intervals.

7.44 Illustrative Cases

1. Injuries and deaths caused by a pharmaceutical industry explosion inside the Jawaharlal Nehru Pharma City SEZ in Visakhapatnam, Andhra Pradesh.

(Case No. 1881/1/21/2020)

- i. The complaint was received by the Commission on 14/07/2020 from the complainant Shri MVS Anil Kumar Rajagiri, District Visakhapatnam, Andhra Pradesh. The complaint pertained to Pharma Industry explosion within the SEZ of Jawaharlal Nehru Pharma City in Visakhapatnam.
- ii. The Commission took cognizance of the matter on 06/10/2020 and in accordance with the Commission's instructions, a report dated 20/04/2021 received from the District Collector,



Vishakapatnam revealed that a tragic incident took place due to the styrene gas stored at storage tank of M/s. Ley Polymers Ltd. The explosion destroyed five villages, killed twelve people, and left 585 people injured. The report mentioned that the concerned State released ex-gratia/financial assistance to the victims/deceased. There were 20,448 beneficiaries in total and the total amount paid to them was 37,03,35,000/-. Furthermore, the Central Government established an expert committee to control gas emissions through the air. The Government also formed a Highpower Committee, as well as a team of ten doctors, to provide input on the follow-up patients admitted with styrene poisoning.

- iii. The Commission also noted from the action taken report that treatment and other rehabilitation was provided to the victims. Pursuant to the direction of the Commission, a copy of enquiry report was sent to the complainant for comments; however, the Commission did not receive any response. In view of such facts, the case was closed 08/10/2021.

2. Daily Wage Mess Workers at Jawahar Navodaya Vidyalaya, Yanam, Puducherry, and elsewhere in the country do not receive minimum wages or other statutory benefits.

(Case No. 69/32/4/2019)

- i. The complaint was received in the Commission on 18/09/2019 from the complainant Shri Prudhvi Raj Jakkula, District Krishna, Andhra Pradesh. The complaint pertained to the issue that Daily Wage Mess Workers working in Jawahar Navodaya Vidyalaya (YNV), Yanam, Puducherry, and in other parts of India were not getting minimum wages and other statutory benefits.
- ii. The Commission took cognizance of the matter on 04/11/2019 and on the directions of the Commission, relevant reports were received on 18/12/2019 from the Assistant Commissioner, Navodaya Vidyalaya Samiti, vide letter dated 16/12/2019, stating that the Samiti had instructed that minimum wages as applicable in a particular State/District should be paid to the casual workers of NVS. The Jawahar Navodaya Vidyalaya, Yanam, was instructed to follow the instructions given regarding minimum wages to daily wagers/casual labours. Daily wages were being paid on the prescribed rates of Central or State governments whichever was higher. In the instant case, an Upper Divisional Clerk has been placed under suspension, pending enquiry.
- iii. It was further submitted in the said report that the difference amount was due to be paid to eight mess workers of Jawahar Navodaya Vidyalaya, Yanam. A chargesheet was issued against the suspended employee and it was further stated that all regional heads of NVS had confirmed that minimum wages were paid to the daily wagers/casual labourers throughout India as per prescribed rates of Central /State governments whichever was higher. In the meantime, the complainant submitted that no action was taken against the Principal, JNV Yanam, for not providing minimum wages to the mess workers and giving false information to the authorities.



- iv. The Commission, vide proceedings dated 06.01.2021, examined the reports and the Commission observed that denial of basic wages to the workers is a serious violation of human rights, and it is the duty of the authorities concerned to ensure that safety and protection of such daily workers. Under these circumstances, the Commissioner of Navodaya Vidyalaya Samiti, Noida, Uttar Pradesh, was directed to ensure the payment due to all workers.
- v. In response, vide letter dated 22/01/2021, the Assistant Commissioner stated that the pending amount of Rs. 5,42,242/- had been paid to the workers on the direction of the Commission. Furthermore, the authorities' report also revealed that a departmental enquiry was pending against one person, thus, the Commission issued a directive to the Commissioner, Navodaya Vidyalaya Samiti, Noida, Uttar Pradesh, to complete disciplinary proceedings against the person in question.
- vi. In view of the above report, the case was closed by the Commission.

3. Complaint about 400 workers who developed silicosis while working in mineral mines in Jharkhand.

(Case No:766/34/0/2020)

- i. This case pertains to the complaint of Shri Samit Kumar Carr alleging that nearly 400 workers across the state have been affected with silicosis as a result of working in mineral mines, and that a number of them have succumbed to lung diseases. Hence, the complainant has sought intervention of the Commission.
- ii. The Commission took cognizance of the matter on 11.08.2020 and directed the Chief Secretary of the Government of Jharkhand and the District Magistrate of Seraikela Kharsaan, Jharkhand, to submit a report on action taken in this matter. As a result, the relevant authority submitted a report dated 10.11.2020, stating that an enquiry was conducted at the alleged M/s Gajanan Minerals Pvt. Ltd. (Unit 1 and 2) and it was found that Guhram Mandal and Joiyan Soren did not work at M/s Gajanan Minerals. An affidavit has also been filed with regard to the same by the Manager of M/s Gajanan Minerals. It is stated that the workers who are working at the alleged M/s Gajanan Minerals Pvt. Ltd., are medically examined from time to time. It is further submitted that the complainant did not provide any list of the workers who are affected with the alleged disease for which a letter dated 25.09.2020 has also been sent to the complainant, but no response has been received.
- iii. The Commission considered the matter on 22.03.2021, and sent a copy of the complaint to the complainant, requesting any comments. However, the complainant did not respond, and the Commission concluded that the complainant was satisfied with the report and had nothing further to urge on the issue.
- iv. Under the circumstances, the Commission saw no reason to continue, and hence the case was closed by the Commission on 31.05.2021.



F. Rights of scheduled castes/scheduled tribes/other backward classes/other minorities and issues of manual scavenging

- 7.45** The Scheduled Castes (SCs), Scheduled Tribes (STs), along with Other Backward Classes (OBCs), minorities and marginalised are some of the most disadvantaged groups in India. Their vulnerability and marginalisation often put them to disadvantage when accessing fundamental needs like education, gaining employment and other life opportunities.
- 7.46** NHRC has been proactive in monitoring state adherence towards implementation of Protection of Civil Rights (PCR) Act, 1955 and Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The Commission has also strongly recommended punitive measures against discriminatory practices. In furtherance, the Commission also receives inputs from the Chairperson of National Commission for Scheduled Castes and Scheduled Tribes and Backward Classes.
- 7.47** The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, gives a detailed definition of ‘manual scavenger’ in Section 2 (g) as, “a person engaged or employed, at the commencement of this Act or at any time thereafter, by an individual or local authority or an agency or a contractor, for manually cleaning, carrying, disposing of, or otherwise handling in any manner, human excreta in an insanitary latrine or in an open drain or pit into which the human excreta from the insanitary latrines is disposed of, or on a railway track or in such other spaces or premises, as the Central Government or a State Government may notify, before the excreta fully decomposes in such manner as may be prescribed, and the expression ‘manual scavenging’ shall be construed accordingly.”
- 7.48** The practice of manual scavenging is illegal in India. Various laws, mentioned in the succeeding paragraphs, have outlawed the practice for the last 60 years:
- i. The *Protection of Civil Rights (PCR) Act, 1955*, made it an offense to compel any person to practice manual scavenging.
 - ii. The *Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act (1993)* punished the employment of manual scavengers or the construction of dry latrines with imprisonment for up to one year and/or a fine of 2000 rupees.
 - iii. The *Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013*, which superseded the 1993 Act, outlaws all forms of manual scavenging (beyond just dry latrines), prescribing penalties for those who perpetuate the practice and protecting those who engage in it.
- 7.49** The National Human Rights Commission (NHRC) of India considers the systematic exclusion of certain communities a grave violation of human rights. It has been deeply concerned about the inhuman and degrading practice of employment of person for manual handling or manual cleaning, carrying, disposing of or otherwise handling in any manner, human excreta in an insanitary latrine or in an open drain, pits, railway track, private homes and toilets maintained by the Municipal Corporations, etc. It is committed to work towards promotion and protection of the rights of SCs,



STs and other vulnerable groups and address the inhuman and degrading practice of Manual Scavenging. The following is the Commission's engagement with the rights of SC, ST, Other Backward Classes (OBCs) and other minorities, and on the issue of Manual Scavenging in the year 2020-21.

NHRC issued an Advisory on the Protection of Human Rights of the Persons Engaged in Manual Scavenging or Hazardous Cleaning

7.50 The Commission issued an Advisory titled, 'Advisory on Protection of Human Rights of Persons Engaged in Manual Scavenging or Hazardous Cleaning' on 24 September 2021 to all concerned authorities of the Union/State Government(s)/UTs and advised them to implement the following recommendations made in the advisory.

7.51 The recommendations are:

- Ensuring proper protective gear/safety equipment for sanitary workers.
- Leveraging the use of suitable and worker-friendly technology and robotic machines.
- Welfare schemes: responsibility and accountability of the hiring agency/employer.
- Fixing the responsibility and accountability of the concerned authorities.
- Rehabilitation: Providing one-time cash assistance and credit support as mandatory in accordance with "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013".
- Access to Justice: Any crime such as threat, inducement, criminal intimidation, bonded labour, or atrocity in respect of such work, FIR be registered and investigated in a time bound manner.
- Strengthening infrastructure for providing sanitary services.
- Awareness/Sensitisation.
- Replicating the best practices.
- Ensuring proper identification of persons engaged in manual scavenging.
- Monitoring of Implementation of the PEMSR Act, 2013.

NHRC organised a Webinar on 'Issues and Challenges of Manual Scavenging and Hazardous Cleaning'

7.52 The Commission organised a webinar focusing on the challenges faced due to manual scavenging and hazardous cleaning on 5 July 2021. The three Technical Sessions of the webinar focused on:

1. Scope of converging on-going schemes with mechanised cleaning process,
2. Identification of constraints and replicating best practices at local level, and



3. Scope of innovative technological solutions for eradicating deaths due to manual scavenging.

7.53 The discussion concluded with the following recommendations to include an increased production of Robot Bandicoot, and fixing of municipal responsibilities for norm violations leading to deaths:

- Increase production of Robot Bandicoot and make it more cost-effective;
- Fix responsibility of local authority for violating the norms resulting in death of manual scavengers;
- Replicate Best Practices across selected Municipal Corporations (Hyderabad, Chennai etc.).

NHRC issued an Advisory to the Centre and the States for the protection of the rights of Particularly Vulnerable Tribal Groups (PVTGs) amidst Covid-19

7.54 The National Human Rights Commission, India, issued an Advisory on 4 June 2021 to ensure protection of human rights of Particularly Vulnerable Tribal Groups (PVTGs), keeping in view media reports about the spread of Covid-19 infection among several of them. According to the Census report of 2011, amongst the 104 million Scheduled Tribes (STs) in the country, there are 75 such groups who are further marginalised and identified as Particularly Vulnerable Tribal Groups (PVTGs) by the Government of India that accounts to a population of less than one lakh.

7.55 The Commission, in a letter through its Secretary General, Mr. Bimbadhar Pradhan, to the Secretaries of the Union Ministries of Tribal Affairs, Health and Family Welfare, Union Ministries/ Departments, Chief Secretaries of States and Administrators of Union Territories had asked for the implementation of its recommendations in the Advisory and sought action taken reports within four weeks and for every subsequent month during the Covid-19 pandemic.

7.56 Some of the important recommendations, among others, include the following:

- i. Frequent RT-PCR testing drives are conducted at doorstep while ensuring prompt delivery of reports with priority to be given to the PVTGs addressing the concern of their persistent digital divide.
- ii. Ensure vaccination of all the PVTGs having population less than 50 thousand within 60 days by sending mobile medical teams.
- iii. Ensure supply of Covid-19 medical kit to the PVTGs, which should be followed by consistent awareness generation campaigns across residential vicinities of PVTGs in the local dialect. The use of drones to render essential medical kit can also be promoted to avoid human contact;
- iv. Regular check on maintenance of proper hygiene and sanitation in the residential vicinity of PVTGs by the staff deputed should be ensured.
- v. Ensure deployment of dedicated team of doctors/nurses/paramedic staff in nearby PVTG vicinities;



- vi. Ensure that all expenses for treatment of Covid-19 patients belonging to the PVTGs are borne by the concerned State Government/UTs.
- vii. Introduce strict guidelines for entry and exit of outsiders wherever feasible in the core areas as well as in adjacent areas inhabited by the PVTGs.
- viii. Ensure sensitisation, pandemic awareness and consistent follow up by involving tribal heads/educated PVTG youths/old PVTGs women/ASHA/frontline workers/NGOs working in PVTGs vicinities/volunteers.
- ix. Ensure doorstep delivery of free dry rations/food basket among the PVTG households keeping in mind the concerns of the safety protocols, isolated natural containment zones and grassroot level exploitation being faced by PVTGs.
- x. Ensure implementation of all such food/ration-based schemes (Central Sector Schemes/ Centrally Sponsored Schemes/State Government Schemes) while keeping biometric authentication in halt/suspended mode.
- xi. Ensure monthly cash entitlement and pension distribution through Direct Benefit Transfer (DBT), equivalent to payments made under the MNREGA as income guarantee assistance for loss of income during the pandemic.
- xii. Uninterrupted transfer of scholarships (pre and post Matriculation) to youth of the PVTGs amid Covid-19 to be ensured including stationary, etc.
- xiii. A special 24X7 helpline in district control room be created by the concerned State Government/ district administration/Panchayat dedicated exclusively for addressing Covid-19 related concerns of the PVTGs.

NHRC organised ‘Open Hearing and Camp Settings’ for cases of violation of human rights of people of different communities in various North-eastern States.

7.57 NHRC organised an ‘Open Hearings and Camp Settings’ on 14 and 15 December 2021 for cases pertaining to human rights violation of people belonging to different communities in the States of Meghalaya, Mizoram and Tripura, and on 16 and 17 December 2021 for such cases in the states of Assam, Nagaland, Arunachal Pradesh, Mizoram and Sikkim.

7.58 The former was inaugurated by Justice M.M. Kumar, Member, NHRC; wherein 19 cases were heard by the Full Bench of the Commission presided over by the Members, Justice M.M. Kumar, Dr. D.M. Mulay and Mr. Rajiv Jain. These included six cases from Meghalaya, three from Mizoram and 10 from Tripura. While the latter was inaugurated by Hon’ble Chairperson, Justice Arun Mishra, and 40 cases were heard by the Commission. These included 23 cases of Assam, 13 cases of Manipur, one case of Arunachal Pradesh and three cases of Nagaland.

7.59 The matters heard in the ‘Open Hearing’ included non-receipt of the report cases; show cause notice cases; compliance cases; cases pertaining to deaths of labourers in illegal mines in Meghalaya; cases related to the forcible eviction of Tribal people living in the forest area in Tripura; cases of

death in judicial custody in Meghalaya and Nagaland; cases related to occupational hazards; cases related to violence against tribal women; and cases of non-distribution of food through PDS to the Chakma people.

- 7.60** The Commission also held a discussion with NGOs /HRDs and members of the Civil Society on 15 December 2021 and raised discussions on issues of healthcare, SCs/STs, women, elderly and children. The Commission reiterated that the NGOs are the eyes and ears of the Commission and they are true partners of the Commission in spreading awareness regarding the promotion and protection of human rights.



Image 7.1: Open Public Hearing and Camp Sitting at Shillong, Meghalaya, on 14 December 2021



Image 7.2: Discussion with NGOs/HRDs and members of the Civil Society at the Open Hearing and Camp Sitting on 15 December 2021

7.61 Illustrative Cases

- 1. Three workers were killed and one injured during the cleaning of a septic tank in the Mankubai Housing Society, Malad.**

(Case No. 771/13/16/2017)

- i. A complaint was received on 21.03.2017 from a Social and Human Right Activist, stating that despite the fact that manual scavenging is prohibited under the law, four labourers belonging to lower castes were directed to manually clean a septic tank located in a Housing Society in



Malad, Mumbai, on 15.02.2017. Three of the labourers died while cleaning and another was seriously injured due to inhalation of poisonous gas. Commission's intervention was sought in the matter.

- ii. The Commission took cognizance of the matter on 19.04.2017, and a report dated 25.07.2017 received from the DCP Zone-11, Mumbai revealed that at about 10 am, wireless mobile no.1 of Malwani Police Station received a call that two persons out of four were seriously injured due to sudden burst of poisonous gas while cleaning a septic tank in the premises of Mankubai Chawl. The two injured persons were unconscious. The third and fourth persons were also declared affected by the poisonous gas, accumulated in the underground sewage/septic tank of Mankubai house. All the four persons were taken to Hospital, where two persons were declared dead before admission, whereas the third person died while undergoing treatment. A crime case was registered, but the investigation did not disclose any negligence on the part of the employer or any other person, and stated that it was only an accident, and none were arrested in this regard. As such, the case has been classified as "C", i.e., 'Neither True Nor False', categorised as accident and was sent to the 24 Court, Borivali.
- iii. The Commission observed that three deceased and one injured person were deployed by the owner of the property and, therefore, they were the employees under the provisions of Employees Compensation Act, 1993. The owner of the property, i.e., Mankubai Housing Society was the principal employer of the petty contractor and under the provision of Employee Compensation Act, the principal employer is fully liable for the payment of compensation to the deceased and to the injured employees. The State Government appeared to have not paid any compensation to the NoK of these poor deceased labourers or to the injured labourer.
- iv. The Commission also noted that the owner of the property was responsible for safety and security of the employees by his contractor/sub-contractor in the premises.
- v. The Commission was of the view that the State was responsible for the non-enforcement of the prohibition of manual scavenging and responsible for such incidents in the State, due to such non-enforcement and by not forming any policy, in this respect, the poor labourers had lost their lives. As such, the State Government was vicariously liable for the omission on the part of the concerned public servants, and, hence, on 13.01.2018, the Commission issued a notice to the State through the Chief Secretary as to why monetary compensation of Rs.3,00,000/- should not be recommended to be paid to the next of kin of the deceased, and Rs.75,000/- to the injured victim for violation of their human rights.
- vi. In response to the notice, no reply was received despite reminders, and it appeared that the concerned authority had nothing to controvert the opinion of the Commission, and hence, the Commission confirmed its recommendation of monetary relief on 12.02.2019.
- vii. In pursuance to the directions of the Commission, a report was submitted by the Labour Commissioner, Maharashtra, Mumbai, alongwith the proof with regard to payment of



compensation of Rs. 9,75,000/- to the legal heir of three deceased persons @ Rs. 2,99,999/- each and Rs. 74,999/- to the injured.

- viii. Since compensation was paid to the victims, no further intervention of the Commission was required, and the Commission closed the case on 07/06/2021.

2. Injury caused to a shop owner by a customer due to the owner belonging to a scheduled caste.

(Case Number: 1726/20/2/2020)

- i. A complaint was received by the Commission on 06.03.2020 from Centre for Dalit Rights Jaipur, Rajasthan, alleging that an accused person allegedly beat the victims belonging to the Scheduled Caste in the shop where the victim went to get his punctured tyre repaired on 28.09.2019. When the victims approached the Police Station, Tehla, the police officials called the accused persons, who, in connivance with the police, again assaulted the victims, thus causing a fracture on the hand of one of the victims and head injury to three women.
- ii. The Commission took cognizance of the matter on 29.10.2020, and a report dated 30.04.2021 from the Superintendent of Police informed the Commission that an FIR had been filed on the complaint of the complainant, and also notified that during the investigation, the statement of the accused, victims and witnesses were recorded, spot enquiry was conducted, medical examination including x-ray was conducted, and a charge-sheet was also filed. Further, monetary relief of Rs. 25,000/- was sanctioned.
- iii. The Commission upon reviewing the SC/ST (POA) Rules, 2016, determined that the chargesheet was filed in the court against four accused persons, and hence, each victim was entitled to 75 percent of the total interim relief under Entry 25, Annexure-I. In light of the Commission's observations, the District Magistrate of Alwar, Rajasthan, was directed to submit a compliance report along with proof of payment to all the four victims.
- iv. In response, the DM submitted its report dated 04.08.2021, stating that all the four victims had been paid Rs. 75,000/- each. Therefore, no intervention was required, and the case was closed by the Commission on 22.10.2021.

3. A case of land grabbing, threat to life and derogatory slurs against a 90-year-old man and his family, who belong to the SC community, in Talapavri Gudem village, Ankalampad, West Godavari, Andhra Pradesh.

(Case number: 860/1/24/2020)

- i. The Commission received a complaint on 22.01.2020, alleging harassment of a 90-year-old man belonging to Schedule Caste by the accused persons, who tried to encroach upon his land by threatening to take the life of the complainant and his family, and using derogatory insults against the caste.
- ii. As per the directions of the Commission dated 20.07.2020, a report dated 28.07.2020 was received from the SP, West Godavari, which revealed that the police had registered an FIR



under the SC/ST (POA) Act, and investigation was in progress. The report also disclosed that a civil dispute had arisen between three parties for the title deed in the Land. The above disputed land was kept in dispute register and kept vacant and was not being cultivated. It was also revealed that after registration of FIR, Rs.50,000/- was paid to the complainant as mandatory monetary compensation as per SC/ST Act.

- iii. The Commission considered the reports, and observed that since the matter was civil in nature and the complainant was already paid the monetary compensation of Rs.50,000/- under the provisions of SC/ST Act, no intervention was required in the instant matter, and the case was closed on 12.08.2021.

4. Ten people belonging to the SC/ST community were killed and 23 were injured in an attack by upper caste members at Ubha village in Sonbhadra district, Uttar Pradesh.

(Case number: 22787/24/69/2019)

- i. The Commission received a complaint dated 02.08.2019 from the complainant Shri Krishan Kumar Barde, alleging that ten members of the SC/ST community were killed and 23 injured in an attack by upper caste members in Ubha village in Sonbhadra district, Uttar Pradesh, on 17.07.2019.
- ii. The Commission took cognizance of the matter on 22.08.2019 and a report dated 19.02.2020 received from the Superintendent of Police (HR), Police Hqr., Lucknow, revealed that in village Ubha, the village head and his supporters killed ten people. An FIR under the SC/ST Act was registered against 28 named accused people and 40-50 unknown persons, and a chargesheet was filed. It was also mentioned that a total of Rs. 8.25 lakh each have been deposited in two installments in the bank accounts of next of kin of all deceased victims and Rs.3 lakh each have been deposited in two installments in the bank accounts of all injured victims.
- iii. The Commission on 04.08.2020 observed that a chargesheet was filed against all accused persons and the matter was pending before the Court, and monetary relief was also granted. However, the reports did not disclose the details of the action taken against the delinquent police officers, therefore, the Commission directed the Director General of Police to submit the complete details of FIR/departmental action taken against the delinquent police officers.
- iv. In response, the report received by the Commission revealed that an enquiry was conducted and the names of 21 delinquent officials including the then District Magistrate, ADP, SDM etc. came into light and sanction was granted to initiate departmental action against these officials.
- v. Keeping in view the above development in the matter, the Commission closed the case on 02.06.2021.

5. A victim belonging to a Scheduled Caste was killed by the defendants by setting him on fire in Sagar, Madhya Pradesh.

(Case No.: 1746/12/37/2020)

- i. The Commission received complaint dated 10.08.2020 from the complainant Shri Sunil Gautam (Boudh) Samaj Sevireferring to a newspaper clipping, which alleged that the victim, belonging to the Dalit community, was killed by the accused persons by setting him on fire. The newspaper report alleged that the victim had asked for protection on several occasions, but the authorities failed to provide protection to the victim.
- ii. On the directions of the Commission dated 09.09.2020, a report dated 27.10.2020 was received from the Supdt.of Police, Sagar, according to which the investigation in the matter, revealed that the accused persons, who had a quarrel with the victim, later doused him with kerosene and set him on fire. The victim died during the treatment. It was also reported that an FIR was registered in the case, and the compensation amount of Rs. 8,25,000/- was equally distributed wherein Rs. 4,12,500 was paid to the father of the deceased and Rs. 4,12,500 was paid to the wife of the deceased. It was also intimated that the Beat Constable had been taking rounds of the deceased victim's residence periodically. However, the said incident took place suddenly and unexpectedly. The matter is sub-judice.
- iii. The Commission on 30.07.2021 examined relevant records and concluded that the compensation amount was paid to the next of kin of the deceased and the matter was sub-judice, therefore, there was no further reason to intervene in the matter, and hence the case was closed by the Commission.

6. Case No. 5/13/16/2022

- i. The complaint was received from Sanaya A. Dalal from Central Delhi on 30/12/2021 alleging discrimination against the victim for being the offspring of a non-Parsi father and Parsi mother, i.e., on the ground of religion, sex and race, etc.
- ii. The complainant, Ms. Saanya Dalal, stated that she is a Parsi-Zoroastrian woman married to a non-Parsi (Hindu) under the Special Marriage Act, 1954. Shealleged that she has been discriminated against by leaders of the Parsi Community ever since her marriage to a non-parsi (Hindu). And now her child was also being discriminated against as a consequence of her gender and misplaced ideology pertaining to ethnic purity.
- iii. She has stated that her son had been accompanying her to the Dadar Parsi Colony Gymkhana and played with children of the same locality, all of whom were growing up together. However, he had been deprived of membership of the Gymkhana, which is open to all children above five years old. His application for membership is pending since January 2019. He was turned away from the playground and denied Games membership for being the offspring of a non-Parsi Hindu father and a Parsi mother. Similar discrimination was being meted out in the Dadar Parsi Colony Gymkhana to similarly placed children. On the other hand, children of a male Parsi father and a non-Parsi mother are allowed.



- iv. She alleged discrimination because her son had been denied access to a public land allotted by Brihanmumbai Municipal Corporation (BMC) to Dadar Parsi Colony Gymkhana, for public purposes and for improvement of the city of Bombay. She added that three other iconic Gymkhanas in Mumbai on New Marine Lines, namely, Hindu Gymkhana, Parsi Gymkhana and Islam Gymkhana, had resolved these issues and do not discriminate.
- v. Her son (a minor) raised as a Parsi-Zoroastrian, is being discriminated against on the basis of religion and race. She further alleged that her son is being ex-communicated on the basis of race, which is a violation of Articles 14, 15, 19, 21 and 25 of the Constitution of India.
- vi. She further alleged that she had been discriminated against since her marriage to a non-Parsi Hindu. A year after her marriage, when her aged and disabled parents wanted to buy a flat in the Dadar Parsi Colony, the building housing Society objected because she had married a non-Parsi and would inherit the flat, in course of time, being the only child of her parents. She also alleged that ultra-orthodox members of the Parsi Community had been hosting disparaging remarks and insults publicly on social media. A male Parsi who marries a non-Parsi female, and their children are treated as Parsis, but not a female Parsi who marries a non-Parsi male and their children. This victimization is a clear case of discrimination and violation of fundamental rights guaranteed under the Constitution of India.
- vii. The Commission took cognizance of the matter 08/02/2022 and issued notice to the Chief Secretary to the Government of Maharashtra and the Commissioner of Brihanmumbai Municipal Corporation (BMC) calling for an action taken report to the Commission, within prescribed time frame.
- viii. The matter is under consideration by the Commission.

F. Rights of refugees and asylum seekers

- 7.62** Refugees are persons outside their respective countries of origin, who need international protection because of a severe threat to their life, physical integrity or freedom in their country of origin because of persecution, armed conflict, violence or serious public disorder. Asylum Seekers are those who have applied for asylum or refugee status and have not received a decision from the concerned authorities of the country of asylum. The Universal Declaration of Human Rights (UDHR), 1948, affirms: "*All human beings are born free and equal in dignity and rights.*"
- 7.63** Refugees and asylum-seekers are thus entitled to two partially overlapping sets of rights: those which States are obliged to respect, protect and fulfil under international human rights law, and the specific rights of refugees.
- 7.64** India has, however, neither signed the 1951 UN Convention nor the 1967 Protocol. Still, India has signed numerous human rights instruments of the UN and other World Conventions on Human Rights issues and related matters that articulate a commitment to protecting refugees and asylum seekers. These international regimes and the Constitution's guidelines make it necessary for India to adopt a refugee policy that is non-discriminatory and includes all who have faced persecution,

despite their nationality, religion, gender or place of birth.

7.65 In this regard, the Commission called for a national law to end ad-hocism and ambiguity in dealing with refugees and asylum seekers. The Commission said that it shall make attempts to promote uniformity and legal sanctity to ensure the protection and realization of human rights of refugees and asylum seekers across the country and help them to seek the benefits of other government welfare measures even while taking care of national security.

Open House Discussion on the Protection of Basic Human Rights of Refugees and Asylum Seekers in India. (Virtual mode)

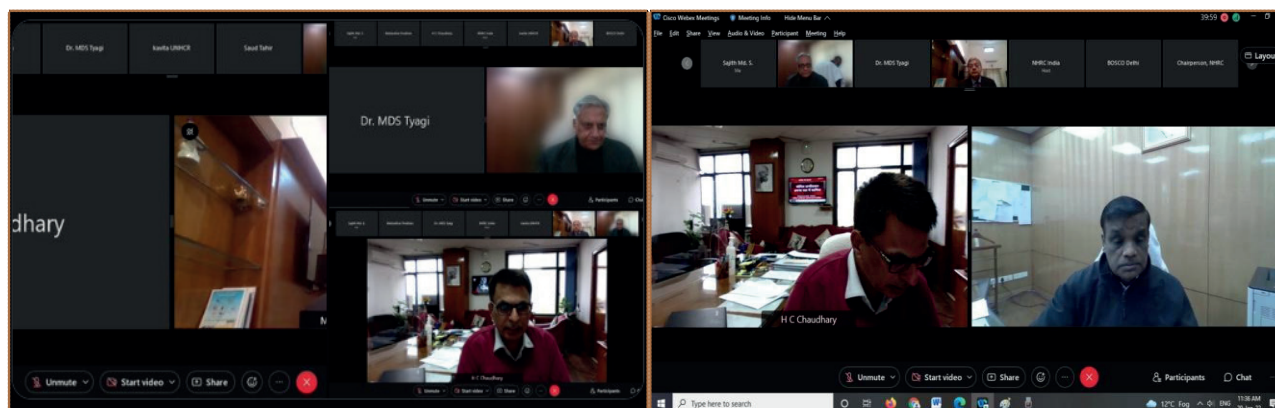


Image 19.1, Senior Officials of NHRC, Government representatives, Academicians and representatives from CSOs/NGOs attending virtual Open House Discussion on the Protection of Basic Human Rights of Refugees and Asylum Seekers in India on 20.01.2022.

7.66 An Open-House Discussion on the protection of the basic human rights of refugees and asylum seekers in India was held on 20 January 2022 under the Chairmanship of Justice Shri M.M. Kumar, Hon'ble Member, National Human Rights Commission (NHRC). Justice Shri Arun Mishra, Hon'ble Chairperson, NHRC, was also present in the meeting in listening mode. The discussion was attended by Shri Bimbadhar Pradhan, Secretary General, NHRC and other Senior Officers of the Commission; representatives of the Ministry of External Affairs, Ministry of Law and Justice, UNHCR; domain experts, Civil Society Organisations (CSOs), etc.

7.67 The agenda of the meeting was:

- i. International Instruments for the Protection of Rights of Refugees and Asylum Seekers
- ii. Rights of Refugees and Asylum Seekers in India and their situation in present context
- iii. Laws through which Refugees and Asylum Seekers are governed in India.
- iv. The Major Socio-economic, Educational and Legal Issues and Key Challenges of Refugees and Asylum Seekers in India

7.68 In the said discussion, Shri Bimbadhar Pradhan, Secretary General, NHRC, in his opening remarks, highlighted India's track record in dealing with and providing protection to refugees, which has also been internationally acclaimed. He stated that the Constitution of India guarantees fundamental rights, such as the right to life and personal liberty, equality before the law, and equal protection of



laws to all persons living in the country, not merely to the citizens. In addition, Justice Shri M.M. Kumar, Hon'ble Member, NHRC, highlighted the concerns of the most marginalised section, i.e., the refugee community across the globe. He stated that being human beings, the refugees and asylum seekers are entitled to all the basic human rights while referring to Articles 14, Article 20 and 21 of the Constitution of India.

7.69 After due deliberations, the following recommendations were made for the concerned authorities:

- i. To compile all the policies, the record of litigation, jurisprudence or the draft laws relating to refugees and asylum seekers to serve the individuals/organisations working for the rights of refugees.
- ii. To document and codify the good practices of the Government of India and the States, such as ensuring vaccination, education of children, protection of rights of women and children and other basic amenities.
- iii. UNHCR needs to update the previously published study reports, documented 15 years ago, regarding the Government of India's policies on refugees from different countries.
- iv. Need to update the two old NHRC documents regarding the Domestic Asylum Laws and Model Law for Refugees.
- v. Constitution of a panel/committee of scholars and domain experts to update these draft laws.
- vi. The need for an overarching law/legislation to protect the rights of refugees and asylum seekers and to end ad-hocism and ambiguity in dealing with refugees and asylum seekers has been felt. If enacted, it would bring uniformity and legal sanctity to ensure the protection and realisation of human rights of refugees and asylum seekers across the country and help them avail themselves of government welfare measures while safeguarding national security interests.
- vii. Need to have a specific policy framework, taking into account the concerns of refugees and asylum seekers until the absence of law.

G. Rights of women

7.70 Discrimination and violations of the rights of women continue to occur at a tragically high rate despite the constitutional provisions in India for their protection, survival, development, participation and empowerment. Taking into account this susceptibility, NHRC, India has been committed to the protection of rights of women and gives great importance to this thematic area in its work and functioning.

7.71 Moreover, India is party to major international conventions concerning rights of women. The most important international agreement on women's rights is the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) of 1979 with 189 UN member states as its signatories. The CEDAW was ratified by the Government of India in 1993. Having ratified the

CEDAW, its provisions are reflected in numerous policies, laws, schemes and programmes that are being implemented for women by the Government of India.

7.72 Despite these laws and provisions, the intergenerational cycle of multiple deprivation and violence faced by women have been adverse. It is, therefore, crucial to work in the direction of providing a protective and safe environment for them. To facilitate focused efforts and adequate coverage of key areas/issues, the Commission has a Core Group on Women. The paragraphs given below highlight some of the important activities undertaken by the Commission, especially Policy Research, Projects and Programmes Division, in short, Research Division of NHRC, on rights of women.

Conference on Vulnerability, Legal Protection and Human Rights of Domestic Workers

7.73 The Commission organised a virtual conference on ‘Vulnerability, Legal Protection and Human Rights of Domestic Workers’ on 16 April 2021 under the Chairpersonship of Smt. Jyotika Kalra, Hon’ble Member, NHRC. The conference was attended by representatives of National Commission for Scheduled Castes, ILO, independent experts and CSOs working towards protecting the rights of domestic workers, apart from senior officials of the Commission.

7.74 The conference was divided into three Technical Sessions, namely:

- Technical Session I: Locating domestic workers within Indian legislation and policy frameworks
- Technical Session II: Domestic workers in India; discussion on issues and challenges and their socio-economic status, vulnerability and violence
- Technical Session III: Regulation of domestic work; a way forward.



Image: Virtual conference on ‘Vulnerability, Legal Protection and Human Rights of Domestic Workers’ on 16 April 2021



7.75 Some of the major recommendations that emanated from the conference are as follows:

- **Centralised Database for Domestic Workers:** Ensure establishment of national portal for registration of domestic workers. Further, the State municipalities or state social welfare boards may be given the responsibility to regulate such registration and follow the Supreme Court directive of 31 January 2019 of registering ten percent domestic workers each month.
- **National Policy for Domestic Workers:** There should be a National Policy regulating the holistic working conditions of the domestic workers and this should be done under the purview of labour laws.
- **Expand the Mandate of Existing Social Security Scheme:** The Mandate of the existing social security schemes like RashtriyaSwasthya BimaYojna and National Health Insurance Scheme may be expanded and modified to include and address the social and medical grievances and health consultation of domestic workers.
- **Access to Social and Financial Insurance during Pandemic:** During the pandemic, domestic work should be recognised as 'essential services' and social and financial insurance shall be made available by the registered placement agencies or under Disaster Management Act, 2005.
- **Unionisation:** Ensure registration of domestic workers' trade unions by the district municipalities and their subsequent representation in the Welfare Boards.
- **Registration of Employers and imposition of Penalty:** The State should make a provision for the registration of employers along with the domestic workers. Penalties may be imposed on non-compliant employers.
- **Sensitisation of Law Enforcement Agencies:** The law enforcement agencies need to be sensitised to curb the issue of unnecessary criminal intimidation of domestic workers.
- **Ratification of ILO Convention on Domestic Workers, 2011:** India should address the gaps in national legislative framework and subsequently ratify the ILO Convention on domestic workers.

7.76 The above mentioned recommendations were sent to the concerned Union Ministries/ Departments and all the States/UTs for taking necessary action on 7 July 2021.

In-House meeting on "Human Rights Issues of Widows residing in shelter homes of Mathura-Vrindavan and Varanasi "

7.77 An in-house meeting on "Human Rights Issues of Widows residing in shelter homes of Mathura-Vrindavan and Varanasi " was held on 20 June 2021. It was chaired by Justice Arun Mishra, Hon'ble Chairperson, NHRC.

7.78 The main issues highlighted during the presentation are as follows:

- **Lack of Infrastructure:** Overcrowding, unhygienic living conditions, lack of basic amenities



in the shelter homes for widows.

- Health Issues: No routine health check-ups, no data available about vaccination and Covid-19 testing at the shelter homes for widows.
- Lack of access to schemes for economic and social benefits: Not able to enjoy their property rights, unemployment, lack of skill training, no financial assistance, these widows are abandoned by their families and many are begging for survival. Further, widows do not have access to social welfare schemes due to lack of proper identity and other required documents.
- Lack of funds for shelter homes for destitute widows: Most of the widows' shelter homes are poorly maintained and due to inadequate funds, the living conditions continue to be sub-standard and pitiable.
- Lack of updated demographic data on destitute widows. Only limited and outdated data available about their socio-economic conditions.
- Lack of Awareness: Due to lack of awareness and education, the widows are not able to exercise their constitutional, legal and human rights.

7.79 Some of the major suggestions that emanated from the meeting are as follows:

- The property rights of widows need to be restored in order to end their plight and to make a way for their dignified living.
- Leaving widows to fend for themselves has to be discouraged by making it punishable under the law to stop this practice.
- Government can be made accountable for non-implementation of welfare schemes, if basic amenities are not provided to the destitute widows, resulting in violation of their human rights including the right to food, shelter, dignity and property.
- Widows should be made self-reliant through self-employment by way of providing them necessary skill training.
- Government need to review the amount of monthly pension to widows in order to ensure that the same is sufficient to meet their basic needs.

Core Group on Women

7.80 A meeting of the Core Group on Women was organised on 14 September 2021 under the chairpersonship of Smt. Jyotika Kalra, Hon'ble Member, NHRC on the theme, '**Participation of Women at International Forums**' as reinstated under Article 8 of the Convention on Elimination of all forms of Discrimination Against Women (CEDAW) which was ratified by India in 1993.

7.81 The meeting was attended by Core Group members, representatives from various ministries including the Ministry of External Affairs, Ministry of Personnel, Public Grievances and Pensions and Ministry of Women and Child Development, special invitees along with senior officers of the Commission.

7.82 The objective of this meeting was to discuss the reasons behind lower participation of Indian women at the international level and how to ensure the participation of more women at the international level.



Image: Core Group Meeting on Women held on 14 September 2021

7.83 Major recommendations emanating from the meeting are as follows:

- Encouragement should be given for greater participation of women in the Parliament through gender mainstreaming. Also, the Parliament Committee Mechanism for nominating women representatives needs to be reviewed.
- There is a need to provide opportunities to Indian women in terms of employment, handholding, capacity-building, training and other avenues to learn and work, understand culture and values abroad and thereby contribute to nation-building.
- There is a need to maintain and make available in public domain disaggregated data indicating sex, showing the percentage of women in foreign services or those engaged in international work on behalf of the State, including representation of women in government delegations to the international conferences, and in peacekeeping or conflict resolution roles, etc., as endorsed by the General Recommendation No. 23 on the CEDAW.
- Promote small and medium enterprises for Indian women entrepreneurs at the international level via bilateral or multilateral trade relations and negotiations.
- The Government should come up with fellowship programmes for women leaders from different sectors for their training, exposure and attachment to various international bodies.

7.84 The above-mentioned recommendations were sent to the concerned Ministries/Departments for taking necessary action on 01 October 2021.



Meeting on Every Women Treaty regarding their proposal for an International Treaty to End Violence against Women

- 7.85** A meeting was organised virtually with the members of Every Women Treaty on latter's proposal for an International Treaty to End Violence against Women, on 11 January 2022 at 11 a.m., under the chairpersonship of Smt. Jyotika Kalra, Hon'ble Member, NHRC. Every Women Treaty is a coalition of more than 1,700 women's rights activists, including 840 organisations in 128 nations working to advance a global binding treaty on the elimination of violence against women and girls. The meeting was attended by the representatives of Every Women Treaty, Domain Experts, and NHRC Officials. A presentation was made highlighting the rising incidents of gender-based violence across the globe and emphasising the need and salient features of the proposed treaty to address the issue.
- 7.86** During the meeting, it was discussed that the present international laws have some limitations, and reiterated the Supreme Court Judgements, highlighting the relevance of present international laws in jurisprudence. Also, the good ideas and best practices must be shared with nations to curb violence against women and girls. Also, the proposal and points raised by experts will be deliberated upon in the Commission and, thereafter, a view will be taken up by the Commission.

Publications Undertaken—'Women's Rights in India: An Analytical Study of The United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and The Indian Constitution, Legislations, Schemes, Policies and Judgements 2021'

- 7.87** The Convention on Elimination of all forms of Discrimination against Women (CEDAW) is an International Treaty adopted in 1979 by the United Nations General Assembly, also known as an International Bill of Rights for Women. It consists of a preamble and 30 articles pertaining to discrimination against women and sets up an agenda for national action to end such discrimination. The convention defines discrimination against women as "... any distinction, exclusion or restriction made on the basis of sex, which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status on the basis of quality of men and women of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field." However, India had ratified CEDAW on 09 July 1993, and by accepting the Convention, the States commit themselves to undertake a series of measures to end discrimination against women in all forms.
- 7.88** Considering the persisting and prevailing issue of civil, political, economical, and socio-cultural discrimination against women, the National Human Rights Commission undertook an analytical study of the UN Convention on the Elimination of All Forms of Discrimination against Women and domestic legal framework in 2020. For this task, a Sub-committee of experts was constituted on 01 May 2020 with Smt. Jyotika Kalra, Hon'ble Member, NHRC as its chairperson.
- 7.89** After working on the study for 19 months and holding twelve meetings, the thirteenth official and final meeting of the Sub-Committee on CEDAW was held on 12 November 2021. During the hybrid meeting, the content of the comprehensive book titled, 'Women's Rights in India' was



finalised by the participants. The book is basically an analytical study of the CEDAW and the Indian Constitution, Legislations, Schemes, Policies, and Judgements. It also identifies gaps in the implementation of the convention and makes recommendations for addressing those gaps.

7.90 On the occasion of International Human Rights Day celebrated on 10 December 2021, the National Human Rights Commission (NHRC) released a book titled '*Women's Rights in India: An Analytical Study of The United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and The Indian Constitution, Legislations, Schemes, Policies and Judgements 2021*'.

7.91 The book is based on a study undertaken by a Committee of Experts on CEDAW with Ms. Jyotika Kalra, Hon'ble Member, NHRC, as the chairperson. The study is an endeavour to address gender discrimination and ensure gender equality. It identifies the gaps in the implementation of CEDAW in India by studying the domestic legislations, policies and court judgements, and recommends measures to address them.

7.92 The recommendations mentioned in the book were sent to all the States/UTs and their concerned Departments for taking necessary action on 04 January 2022.

7.93 Illustrative Cases

1. Sexual abuse of 36 girls in the Muzaffarpur shelter home in Bihar over a ten-year period.

(Case No. 690/4/23/2019)

- i. The Commission received a complaint from Sacchidanand, r/o R.U.M. Garhi, Prakhanda Madhpur, District Samastipur, Bihar on 29.11.2018 alleging sexually abuse of 36 girls at the Muzaffarpur Shelter Home for ten years.
- ii. Pursuant to the Commission's directions, a report, dated 14.9.2018, was received from the Director General of Police, Bihar. It was reported therein that the incident occurred in The Girls' Children Shelter Home in Muzaffarpur run by NGO 'Sewa Sankalp Evam Vikas Samiti'. An FIR was registered at Mahila Thana, and the matter was under investigation by the CBI. After investigation, a chargesheet was submitted against 21 accused in the court of Additional District and Sessions Judge cum Special Court of POCSO Act, Muzaffarpur, Bihar, against the owner of the NGO and 20 other accused. Later, the case was transferred to Saket Court, New Delhi, on the order of the Hon'ble Supreme Court. The trial court framed charges against 20 accused under the provision of IPC, POCSO Act and JJ Act. Nineteen accused have been convicted and one has been acquitted. It was informed by the Secretary DLSA that directions of the Ld. Trial Court Saket, New Delhi, was complied, concerning the compensation to the victims. The registration of NGO M/s Sewa Sankalp Evam Vikas Samiti, which runs Muzaffarpur Balika Grih, has been cancelled. The owner of the NGO and his associates were in jail. It was also informed that the building that housed the Shelter Home in Muzaffarpur was demolished under the Supreme Court's order, the entire investigation of the case was monitored by the Supreme Court, and the trial was concluded within the stipulated period fixed by the Hon'ble Supreme Court.



- iii. The Commission observed that the girls were sexually exploited for a long time, but State authorities were not aware of the same, which shows the negligence of officers, who did not keep appropriate vigil over the shelter home, for which the State was vicariously liable. Hence, a Show Cause Notice was issued on 19.02.2021, to the concerned State through its Chief Secretary, as to why an amount of Rs. 50,000/- to each victim as compensation was not recommended to be paid.
- iv. However, the Commission did not receive any response from the concerned authority, which led to the assumption that the State had nothing to urge in the matter, and therefore, the Commission confirmed its monetary recommendation vide proceedings dated 11.06.2021.
- v. Subsequently, it was informed to the State authorities, vide communication dated 01.10.2021, that monetary relief of rupees three lakh to nine lakh were paid to the victim girls and submitted proof of payment.
- vi. In view of such facts, the case was closed on 16.12.2021.

2. Woman sexually harassed at her workplace in Indian Statistical Institute, District Giridih, Jharkhand.

(Case No.: 1294/34/8/2018-WC)

- i. The Commission received a complaint on 11.09.2018 regarding the alleged harassment of the complainant, who was working as Assistant Cook (contractual) since 2015 in the guest house and canteen of Indian Statistical Institute, Giridih, Jharkhand. On 20.03.2018, the CEO was holding a meeting of the officers, and one Shri Provir Chatraj had come to the guest house, who tried to lure her by submitting that he would increase her salary and then made an attempt to rape her. She had reported this matter to the head of the Department, but no action was taken by them.
- ii. In response to the Commission's directions, requisite reports were received from the State authorities on 30.9.2020. It was revealed that an FIR was registered against the prime accused and several others, wherein the prime accused had surrendered before the court and got bail. It was also mentioned that the case was under investigation. The Commission was also in receipt of a communication from the complainant, wherein the complainant stated that since she had filed the case against officials of the Institute, she had been harassed by officials of her department and that they would dismiss her from service. It was also alleged that due to the vindictive action following her police complaint, the services of the contract staff were given to an external agency that would run the canteen. Thus, she was asking the Commission to restore her contractual services as it was before. On the analysis of facts and circumstances, the Commission mentioned that it was not inclined to interfere with the Institute's policy on contracting out cafeteria services to an outside agency, and since this was a service matter, the complainant may proceed to an appropriate forum to redress its grievance.



- iii. However, the Commission observed that it was well established from the records that the complainant was sexually harassed by a staff member of the Institute, and no timely action was taken by the Institute despite her complaint to the senior officers of the Institute. Thus, the Commission, vide its proceeding dated 10.11.2020, issued a Show Cause Notice to the Director of the Indian Statistical Institute to explain why compensation of Rs. 1,50,000/- should not be recommended for the violation of her human rights.
- iv. In response, the Officiating Executive (Admin & Finance), Indian Statistical Institute, Kolkata, submitted a reply to the show cause notice stating therein that a written complaint was submitted by the victim against the accused person. The ISI conducted an inquiry as per the norms laid down by the Hon'ble Supreme Court in the Vishakhacase. On the recommendation of the ICC, strong disciplinary action was taken against the said accused person. The Chief Executive Officer (A&F) and the Dy Chief Executive (Admn.) paid a visit to the said branch and interacted with the complainant and reassured her to continue her work as a contractual cook fearlessly.
- v. The Institute administration also took various measures to boost the morale of workers stationed there. Even after repeated assurance from the Institute administration, she lodged an FIR against the accused officer and other officials of the Institute related with the incident of sexual harassment. As per the policy of the Institute, the contractual workers of the Institute were presently engaged through an outsourcing agency and the complainant was now engaged as a Skilled Cook in ISI Giridih branch through that agency. It is further submitted that a sense of insecurity and joblessness was not an issue as the victim was now working in the Institute in a free and peaceful environment with adequate security arrangements and she had withdrawn her complaint lodged with Labour Enforcement Officer. The fear and apprehension of the victim after the incident of outraging her modesty in her workplace are natural by far from the facts. The Institute had taken adequate steps to ensure a free, fair and secure environment for her so that she may continue the said work in the Institute. After stating so, it was prayed that now the matter may be closed, and no compensation should be granted to her as the Institute has taken adequate steps to protect her financial and other social welfare entitlements proactively.
- vi. The Commission observed that it was not inclined to accept the prayer of the respondent that the Institute had now taken adequate steps to protect the victim financially or otherwise, and hence no compensation should be granted to her. The authorities have even failed to realise that the recommendation of payment of monetary compensation to the victim, in the instant case, was on the ground that the authorities were negligent in the prevention of the violation of the human rights of the victim affecting her dignity. For such omission and negligence, the Institute owes vicarious liability, which cannot be dispensed with merely on the ground that, at present, the Institute has taken adequate steps to protect her financial and other social welfare entitlements proactively. For the above-said reasons, the Commission confirmed its recommendation vide proceeding dated 17.3.2021.



vii. Subsequently, the Sr. Administrative Officer, Indian Statistical Institute, Kolkata, informed that monetary relief as recommended by the Commission was paid to the victim, and the case was closed on 18.06.2021.

3. Seventy girls of a residential school in Muzaffarnagar, Uttar Pradesh, stripped off by the warden to check, who had spoiled the bathroom with menstrual blood.

(Case No. 10587/24/57/2017-WC)

- i. The Commission received a complaint on 03.04.2017 from a human rights activist Radhakanta Tripathy, regarding 70 girls of a residential school being subjected to an undignified and inhuman circumstance of being stripped and checked for menstrual blood by the warden in Muzaffarnagar, Uttar Pradesh. The girls claimed that they were made to sit naked in the classroom during the search.
- ii. In response to the Commission's directions, requisite reports were received from the District Magistrate vide his order dated 31.03.2017, which revealed that the services of the Warden was terminated with immediate effect, and an FIR was registered at Police Station Khatauli on 31.03.2017 against her. During the investigation, allegations leveled against the accused were substantiated and a charge sheet was filed before the Court.
- iii. On the perusal of the reports, it was observed by the Commission that the allegations against the warden were substantiated during the investigation. As a result, a charge sheet was filed against the warden. As per the reports, it was clear that the warden had stripped off 70 schoolgirls to check for menstrual blood, and the Commission determined that this was a clear case of physical torture and negligence on the part of the authorities concerned to ensure the safety and security of the girls. Furthermore, it was also observed that several girls had left the school after the incident, which was another facet of the violation of human rights. Hence, the Commission issued a Show Cause Notice to the concerned State through its Chief Secretary as to why monetary compensation of Rs. 25,000/- should not be recommended to each of the victim girls.
- iv. In response, the Special Secretary, Department of Elementary Education, Government of Uttar Pradesh, vide his report dated 04.07.2018, stated that the services of the warden, who was found guilty of stripping naked 70 girl students, had already been dismissed. It was also pleaded that no fund was allocated by the Human Resources Development Ministry, Government of India, New Delhi, for payment of monetary compensation of Rs. 25,000/- per girl (i.e., Rs. 17,50,000/-), therefore, the compensation amount cannot be paid.
- v. The Commission examined the report and considered the inability of the State Government to provide interim relief to the students, stating the ground that the school, run under the instructions of the Central Government and Ministry of Human Resources Development, Government of India, was not provided any relief by the concerned Department. However, there was nothing on record to show that the State Government had taken up the matter with the Department/Ministry of HRD, Government of India, on the issue of payment of



monetary relief to the victims. The mere assertion that the District Magistrate has taken departmental disciplinary action and terminated the services of the guilty warden as well as criminal action was taken against her for the acts she committed, cannot be agreed for pleas of withdrawal of Show Cause Notice. The Commission observed that the State authorities seemed to be immune to violations of human rights of the victims, whose dignity has been put at stake by State officials and, perhaps, are ignorant of the legal position that the State owes vicarious liability for the acts of its servant. Hence, the Commission reaffirmed its recommendations.

- vi. A report dated 13.09.2021 of the District Basic Education Officer, Muzaffarnagar, Uttar Pradesh, was submitted by the Special Secretary, Government of Uttar Pradesh, vide letter dated 05.10.2021, that an amount of Rs. 25,000/- each as compensation has been paid to 63 victim girls out of 70 girl students. The bank ID of the remaining 05 victim girls has not been created on account of non-availability of their credentials and the compensation amount will be credited soon. The other two girls are not traceable, and efforts are being made to trace them.
- vii. In view of the above, the instant case was closed on 08.11.2021.

H. Rights of children

7.94 Discrimination and violations of the rights of children continue to occur at a tragically high rate despite constitutional provisions in India for their protection, survival, development, participation and empowerment. NHRC, India, is committed to the protection of rights of children and gives great importance to these thematic areas in its work and functioning.

7.95 Moreover, India is party to major international conventions concerning rights of children including Convention on the Rights of the Child (CRC), 1989, ratified in 1992. Having ratified the CRC, its provisions are reflected in numerous policies, laws, schemes and programmes that are being implemented for children by the Government of India.

7.96 Despite these laws and provisions, the intergenerational cycle of multiple deprivation and violence faced by members of this group have been adverse. It is, therefore, crucial to work in the direction of providing a protective and safe environment for children, particularly those rendered marginalised by their geographical, social and religious identities.

7.97 The paragraphs given below highlight some of the important activities undertaken by the Commission on rights of children.

7.98 In-house Meeting on 'Child Care Institutions': An in-house meeting to discuss the issues of Child Care Institutions (CCIs) was held on 12 July 2021. It was chaired by Mr. Justice Arun Mishra, Hon'ble Chairperson, NHRC.



Image: Mr. Justice Arun Mishra, Hon'ble Chairperson, NHRC, chairing the in-house meeting on CCIs held on 12 July 2021.

7.99 The major points that emanated from the discussion are as under:

- Multi-layered inspection mechanism of CCIs is already provided for; the need, then, is to examine whether these layers of inspection are functioning effectively or not.
- Any initiatives concerning children in CCIs and improving the status of CCIs in India will require collaborative efforts between NHRC, MoWCD and NCPCR/SCPCR.
- Best practices of CCIs from across the country should be captured and disseminated for pan-India implementation.
- Feedback should be sought on Advisory 1.0 and Advisory on 2.0 on the Rights of Children issued by the Commission to identify the problem areas at the earliest.
- The issue of incarceration of children in jails and establishment of Places of Safety within jails should be addressed.
- A major weakness and a violation of children's rights to voice their lived experiences in CCIs is the lack of adequate space for the children to communicate in a fearless manner. Children in a majority of CCIs are unable to access Childline (1098 helpline) for various reasons. All Inspection authorities should investigate this and provide specific feedback on the functioning of this aspect, along with feedback from children themselves.

7.100 Webinar on 'Digital Education for Children: Issues and Challenges': The National Human Rights Commission organised a webinar on 'Digital Education for Children: Issues and Challenges' on 21 December 2021. The webinar was chaired by Smt. Jyotika Kalra, Hon'ble Member, NHRC. Apart from senior officials of the Commission, the meeting was attended by representatives of Government bodies, including DCPCR, NITI Aayog, Ministry of Education, Ministry of Electronics and Information Technology, NCERT, domain experts from academics, research institution, CSOs, schools, parents' associations, etc. The objective of the webinar was to understand the issues and challenges in digital education for children, its impact on the holistic development of children and find solutions to minimise the digital divide. The agenda of the webinar was discussed in two Technical Sessions; the first Technical Session was on 'digital divide' and the second Session was on 'impact on wholesome development of children.'



Image: Webinar on 'Digital Education for Children: Issues and Challenges' held on 21 December 2021.

7.101 Key recommendations that emanated from the deliberation are as under:

- There is a need to focus upon continuity of education, especially in the case of poor and marginalised sections of the society. All necessary support in this regard should be provided.
- More focus on social and emotional learning (SEL) should be there, as digital education has significantly impacted the mental health of children, especially in the post-pandemic period.
- Inter-ministerial convergence and collaboration from local level to Central level is required in the education sector.
- The burden of providing requisite support in digital education should not be on teachers or parents. The State governments must ensure that the necessary support is provided for the same.
- Steps that should be taken to ensure cyber safety are: giving children a balanced digital diet, monitoring their friendships and people with whom they interact online, the gadgets they use, focusing on the kind of content they are consuming and its impact on their mental health and well-being.
- A holistic approach to rehabilitation of children with disabilities, especially through inclusive education and special Teaching Learning Materials (TLMs) should be practised.
- The terms used with reference to digital education need to be used carefully while policy-making. "Functional Access" needs to be preferred instead of "Access" and "Digitally-enabled education" is better as compared to "Digital education".
- Key questions of quality, equity and universalisation of education should be addressed. Developing scientifically tested models to ensure the empowerment of all children of our society should be done.
- The allocation of appropriate financial resources should be done by making efforts to bring out low-cost devices and technological solutions, and distributing free gadgets.
- Better implementation of 'Pragyata Guidelines'.



(2.0): In continuation of the previous advisory dated 29 September 2020, the Commission has issued another ‘Advisory for Protection of the Rights of Children in the context of Covid-19 (2.0)’ on 02 June 2021 to the concerned Union Ministries, States/UTs for its implementation.

7.103 Core Group on Children: A meeting of the Core Group on Children was organised on 25 February 2022, on the agenda of ‘Impact of Covid-19 on Learning Outcomes of Children: Bridging the Gap’, under the chairpersonship of Smt. Jyotika Kalra, Hon’ble Member, NHRC. In addition to NHRC officials and Core Group members, the meeting was attended by representatives of Ministry of Education, UNICEF India, National Council of Educational Research and Training (NCERT), Central Board of Secondary Education (CBSE) and NGOs.



- The existing vacancies of 11 lakh teachers should be addressed in a time bound manner.
- Community level volunteers or paid persons can be pooled to teach the lower grade students.
- The new school year should be planned in a way that the initial few months of Grade I and II students are utilised for pre-school type activities instead of directly rushing them into numeracy and literacy, so that the basic foundational learning could be ensured.
- The priority for grades III to VIII should be ensuring children's proficiency in the basic reading skills, understanding ability and building confidence in performing the basic mathematical operations.
- The teachers should support the children in all possible ways and conduct formative assessments in order to plan for the course of the teaching-learning process. Children's social and mental well-being needs to be ensured, extending towards identification of the current status of each child and planning for where they need to reach. Collaborative efforts should be made by involving all the stakeholders together in discussing ideas, sharing views and



planning the way ahead. Best practices should be shared, followed and replicated for faster recovery of the learning loss.

- Special efforts should be taken to address the needs of weaker sections and equity should be ensured keeping in mind caste, religion, region and gender.
- Digital platforms should be used to create a network of teachers, educators and learning communities, enriching them with quality content.
- Frequent collection of data should be done so as to closely monitor the progress of the on-going plans for improving upon the problem areas.
- Digital platforms should be utilised as an important tool that enables the teaching-learning process by equipping the teachers with necessary materials, and skills to instill confidence and motivation in children.
- The coming months should be utilised in a flexible way by executing some focused learning improvement programmes and teaching at the right level programmes for improving the foundational skills.
- Sufficient and improvised learning materials should be provided to the schools in the form of hard copies, instead of channelising all the resources towards individual devices required for the digital mode of education.
- De-centralised assessments should be encouraged in order to identify and address the specific needs of children.

I. Rights of LGBTQI+

7.105 Discrimination and violations of the rights of LGBTQI people continue to occur at a tragically high rate despite Constitutional provisions in India for their protection, survival, development, participation, and empowerment. The condition of persons belonging to the Lesbian, Gay, Bisexual, Queer, Transgender, and Intersex (LGBTQI) community has also been of equal vulnerability, if not more significant. Considering this susceptibility, the NHRC, India, has been committed to protecting human rights and gives great importance to these thematic areas in its work and functioning.

7.106 The paragraphs given below highlight some of the critical activities undertaken by the Commission, especially the Policy Research, Projects and Programmes Division, in short, the Research Division of NHRC, on the rights of women, children, LGBTQI and trafficking.

Meeting with the Transcare Team (Sangath) on Issues Related to Healthcare Access by Transgenders

7.107 A meeting with the Transcare Team (Sangath) on human rights issues related to Healthcare Access by Transgenders was held on 03 September 2021, which Hon'ble Member, NHRC, Smt. Jyotika Kalra chaired. The meeting was attended by NHRC officials and Team TransCare (Sangath.in/Transcare). The TransCare team presented their two ongoing projects, TransCare Covid-19 (sangath.in/transcarecovid19) and TransCareMedEd.



7.108 In the meeting, the following points were discussed:

- Lack of understanding among health professionals like doctors and attendants regarding sex, gender and sexuality often leads to inappropriate behaviour on their part, and perception of trans-identity as a disorder and even abuse.
- Structural barriers faced by the transgender community, the unavailability of suitable wards and washrooms in healthcare centres and other places.
- Delay in access to health care services, including self-medication during the time of the Covid-19 pandemic. Further, queries of the members of the transgender community regarding whether they can take vaccine with the ongoing hormonal and medical treatments.
- Structural inequality in Covid-19 vaccine access due to their gender, sexuality, caste and unavailability of identity cards or Aadhar card. According to figures presented in the Parliament recently, only 60,000 of the five-lakh transgender population in India (as per Census 2011 data) have Aadhaar cards so far, and around 90,000 are vaccinated with at least a single dose.

J. Human trafficking

7.109 An important issue closely related, especially with the subjects of women and children, is that of trafficking, which is an organised crime. Trafficking of women and children is a matter of growing global concern. A victim of human trafficking is a victim of continuous and multiple crimes at all stages of trafficking. In the Indian legal system, the recognised term is 'human trafficking' or 'trafficking in human being' which is prohibited under Article 23(1) of the Constitution of India.

Meeting on the Trafficking in Persons (Prevention, Care and Rehabilitation) Bill, 2021

7.110 A meeting chaired by Hon'ble Member, Smt. Jyotika Kalra was held on the occasion of 'World Day against Trafficking in Persons' on 30.07.21, wherein the Trafficking in Persons (Prevention, Care and Rehabilitation) Bill, 2021, was critically discussed. The meeting was attended by all important stakeholders, including representatives of Ministry of Women and Child Development, Ministry of Home Affairs, Ministry of External Affairs, National Investigation Agency, domain experts and NHRC's Special Monitors on the subject of Trafficking and Children.

7.111 Based on the discussions held in the meeting, the NHRC submitted the comments/suggestions on Trafficking in Persons (Prevention, Care and Rehabilitation) Bill in August 2021, to the Ministry of Women and Child Development for their consideration. The chapter/section-wise comments are given below:

Introduction of the Bill

1. "To prevent and counter trafficking in persons, especially women and children, to provide for care, protection, and rehabilitation to the victims, while respecting their rights, and creating a supportive legal, economic and social environment for them, and also to ensure prosecution of offenders, and for matters connected therewith or incidental thereto."



Suggestion: In the Introduction—“The word “especially women and children” should be removed (‘especially women and children’ was not there in 2016 Bill), as existence of the same will prejudice the mind of authorities, as if special emphasis has to be put on women and children only.

Chapter I: Preliminary

Section 2: Definitions

2. Section 2 (3) [child]: “Child shall have the same meaning as assigned to it in Clause (12) of Section 2 of the Juvenile Justice (Care and Protection of Children) Act, 2015”.

Suggestion: The definition of ‘child’ should be mentioned — “Child” means a person who has not completed 18 years of age.

3. Section 2(7) [exploitation]: “Exploitation includes causing harm to or taking benefit of or gain from a victim without due or appropriate consideration, compensation or return in any form or manner for the benefit or gain of another person, who himself may or may not be the perpetrator of such exploitation.”

Suggestions: The definition may be revised after victim, “Due to vulnerability be added as; [“exploitation” includes causing of harm to or taking of benefit or gain from a victim “due to vulnerability” without due or appropriate consideration, compensation or return in any form or manner for the benefit or gain of another person, who himself may or may not be the perpetrator of such exploitation”]

4. Section 2(8)[Magistrate]: “Magistrate means a District Magistrate, the Additional District Magistrate, the Sub-Divisional Magistrate, or any other officer authorised by the appropriate Government under this Act”.

Suggestion: The word ‘Magistrate’ defined in Section 2(8) of the present Bill should also include the word ‘Judicial Magistrate or the Metropolitan Magistrate.

5. Section 2(21)[rehabilitation]: “Rehabilitation shall include all processes of restoring the physical, psychological and social well-being of a victim, and includes protection, access to education, skill development, healthcare, psychological and physiological support, medical services, economic empowerment, legal aid and assistance, safe and secure accommodation.”

Suggestion: after the word ‘and includes’, ‘just and fair compensation’ be added; [‘rehabilitation’ shall include all processes of restoring the physical, psychological and social well-being of a victim, and includes, “just and fair compensation”, protection, access to education, skill development, healthcare, psychological and physiological support, medical services, economic empowerment, legal aid and assistance, safe and secure accommodation.]

6. Section 2(30): “Words and expressions used but not defined in this Act, but defined in the Indian Penal Code, 1860, the National Investigation Agency Act, 2008, the Information Technology Act, 2000, shall have the same meanings respectively assigned to them in those Acts.”

Suggestions: The names of the Acts Immoral Traffic (Prevention) Act 1956, The Bonded Labour System (Abolition) Act 1976, Juvenile Justice (Care and Protection of Children) Act, 2015 and other relevant



Indian laws for the time being in force should be inserted in Section 2(30) of the present Bill.

7. **Suggestion:** Add the definition of “prostitution”, as the word has been used in the Bill, as per Section 2(f) of Immoral Traffic (Prevention) Act, 1956, i.e., “prostitution” means the sexual exploitation or abuse of persons for commercial purposes, and the expression “prostitute” shall be construed accordingly.
8. **Suggestion:** Add the definition of the word “Anti-Human Trafficking Police Officer” as the word has been used in the Bill, as per the Section 2(j) of the Immoral Traffic (Prevention) Act, 1956, i.e., “Trafficking Police Officer” means a police officer appointed by the Central Government under Sub-section (4) of Section 13.

Chapter II: Prevention and Combating of Trafficking in Persons and other Offenses under this Act

9. Section 3: [Measures for prevention and combating of trafficking in persons and other offences under this Act.]

Suggestion: Under Section 3, clause may be added that ‘every information relating to commission of trafficking be registered at the local police station.

Chapter III: Anti Human Trafficking Committees and Nodal Officers

10. Section 5(3) [National Anti-Human Trafficking Committee]: “The National Anti-Human Trafficking Committee shall perform the following functions, namely....Trafficking Committee for effective discharge of the provisions of this Act.”

Suggestion: The representatives of the National Commission for Protection of Child Rights and State Commission for Protection of Child Rights be included as a member in the national and state level Anti-Human Trafficking Committees, respectively.

Chapter IV: Preventive Measures

11. Section 10(2) [Identification of victims of Trafficking Person]: “Subject to the provisions of any other laws and mandatory court directives for the time being in force, Aadhar enrolment of persons victimised or deemed vulnerable to be victimised under any offences under this Act shall be endeavoured for the purpose of effective identification, referral and tracking of victims and vulnerable persons.”

Suggestion: Replace the word ‘tracking’ with ‘monitoring’

Chapter V: Search, Rescue or Emergence, and Post Emergence Activities Including Care, Protection and Rehabilitation of Victims

12. Section 12(2) [Protection Homes]: “The protection homes shall provide security, shelter, food, clothing, legal assistance, psychological counselling, medical care, police assistance, and such other services as may be necessary for victims, in an integrated manner under one roof, in the manner as may be prescribed.”



Suggestion: The protection homes should be mandated to provide quarterly reports on actions taken for deinstitutionalisation and community-based rehabilitation in the spirit of the JJ Act 2015.

Chapter VIII: Offences and Penalties

13. Section 26(4) [Punishment for aggravated form of trafficking in persons]: “Where a person is convicted of an offence under this section against a child of less than twelve years of age, or against a woman for the purpose of repeated rape, the person shall be punished with rigorous imprisonment for twenty years, but which may extend to life, or in case of second or subsequent conviction with death, and with fine, which may extend up to thirty lakh rupees.”

Suggestion: This clause may be revised by adding “may be” before “death”; “Where a person is convicted of an offence under this section against a child of less than twelve years of age, or against a woman for the purpose of repeated rape, the person shall be punished with rigorous imprisonment for twenty years, but which may extend to life, or in case of second or subsequent conviction may be with death, and with fine which may extend up to thirty lakh rupees.”

Chapter X: Miscellaneous

14. Section 45(5) [Recording of evidence of trafficked person]: “Notwithstanding anything contained in this Act, the inquiry into and trial of offences under this Act may be conducted in camera if an application is made in this regard by or on behalf of the victim.”

Suggestion: This section stipulates that all trials may be ‘in camera’ if an application is made on behalf of the victim. There is need for a specific statement that concerning children all trials will be ‘in camera’, irrespective of an application being made on their behalf.

Chapter XI: Amendment of Certain Enactments

15. Section 58— Regarding inclusion of Section 370 and 370 A of IPC in the Prevention of Money Laundering Act, 2002.

Suggestion: Section 58 of the Bill should be deleted.

16. Section 59— Regarding deletion of Section 370 and 370 A from IPC.

Suggestion: Section 59 of the Bill should be deleted.

K. Rights of elderly persons

7.112 Population ageing is an inevitable and irreversible demographic reality that is associated with welcome improvements in health and medical care. With longevity and declining fertility rates, the population of older persons (60 years and above) is globally growing faster than the general population. When populations age rapidly, governments are often caught unprepared to face and mitigate the consequences. Three key demographic changes—declining fertility, reduction in mortality and increasing survival at older ages—contribute to population ageing that are reflected in a shift in the age structure from young to old.



7.113 As per the Population Census of 2011, there are nearly 10.38 crore elderly persons (aged 60 years or above) in India, including 5.27 crore females and 5.11 crore males. Evidence shows that the share and size of elderly population was on the rise and this trend was attributed to factors, such as increasing longevity, improved health care facilities, economic well-being etc. With this increase, the old age dependency ratio, i.e., the number of persons in the age group 60+ years per 100 persons in the age group of 15-59 years, has also increased. As per the report of the Ministry of Statistics and Programme Implementation, 'Elderly in India (2016)', the old age dependency ratio as of 2011 was 14.2 per cent in India. As per the recent studies, the share of population over the age of 60 is projected to increase from eightpercent in 2015 to 19 percent in 2050 by the end of the century; the elderly will constitute nearly 34 percent of the total population in the country.

7.114 Population ageing and increasing old age dependency ratio has profound social, economic, and political implications that make the lives of elderly vulnerable. While some elderly people continue living their lives as regular, many of them are victims of multiple forms of discrimination, prominent among these being — poverty, violence, abuse, insecurity, poor health and well-being, lower earning capacity, limited availability of old-age pensions, threats and limited control over assets and property, and unequal participation in private and public decision-making. The challenge is to ensure their well-being and that they are able to lead secure, healthy and comfortable lives.

7.115 The well-being of elderly persons is mandated in the Constitution of India under Article 41, which states that, "The State shall, within the limits of its economic capacity and development, make effective provisions for securing the right to public assistance in cases of old age." Pursuant to this, the Government of India started the Integrated Programme for Older Persons (IPOP) in 1992 [later renamed as Integrated Programme for Senior Citizens (IPSc) and revised in 2018] and enacted the Maintenance and Welfare of Parents and Senior Citizens Act in 2007 for the protection of human rights of the elderly.

7.116 Acknowledging the issues faced by the elderly, the National Human Rights Commission (NHRC) is committed to protect the rights of elderly persons. It regularly investigates cases of violation of the rights of elderly, reviews existing legislative framework and implementation of schemes, undertakes meetings with various stakeholders on issues concerning them and entrusts research projects to make recommendations towards protection of rights of the elderly. Further, the Commission regularly publishes booklets, manuals and journals, etc. to create awareness about the rights of the elderly.

7.117 Illustrative cases

1 Non-payment of terminal payment to the retired employees of the East Delhi Municipal Corporation for paucity of funds

(Case No. 3451/30/2/2017)

- i. This case related to a complaint received from Shri Vinod Kumar Khurana, a retired employee of Health Department, East Delhi Municipal Corporation (EDMC), alleging that his pension, gratuity and commutation money was not released.



- ii. In response to the Commission's directions, the Chief Medical Officer, (Med.) Health Department, East Delhi Municipal Corporation reported that the commutation of pension of Rs.13,37,261/- and the payment of Death-cum-Retirement Gratuity (DCRG) of Rs.11,44,440/- had been passed, but the payment could not be released as East Delhi Municipal Corporation is facing financial crisis.
- iii. On perusal of the record of the case, the Commission observed that admittedly, complainant's bills pertaining to commutation of pension and the DCRG were not paid by East Delhi Municipal Corporation, even after lapse of one year from the date of approval of the bill, due to non-availability of funds. Prima facie, there was violation of human rights by the officials of East Delhi Municipal Corporation by not paying the legitimate dues of the complainant after his retirement. Taking a serious note of such human right violations, the Commission issued notice to the Chief Secretary, Government of NCT of Delhi, to show cause as to why interim relief of monetary compensation of Rs. 25,000/- (Rupees twenty-five thousand only) shall not be granted to the complainant as per Section 18a(i) of the Protection of Human Rights Act, 1993.
- iv. Further, the Chief Secretary, Government of NCT of Delhi, the Director, Local Bodies, Government of NCT of Delhi and the Commissioner, East Delhi Municipal Corporation were also directed to make the payment of all legitimate dues of the complainant within two weeks along with due interest to submit Action Taken Report along with proof of payment to the Commission.
- v. The Commission further considered the matter and perused that the reports received from the State Authorities revealed that not only the petitioner, but large numbers of employees (about 1885) were not paid their terminal benefits. The employees had also not been paid their salaries after March 2018 and the terminal benefits were also not paid to the retired officials due to the deep financial crisis. The Commission had directed the State Authorities to submit the complete report in the matter.
- vi. Pursuant to the directions of the Commission, the Deputy Controller of Accounts, HQ, East Delhi Municipal Corporation reported that due to paucity of funds, there is a delay in payment of salary, arrears and terminal benefits. An amount of approximately Rs. 1700 crore liability of employees was lying with EDMC for which the Government of NCT Delhi has been repeatedly requested for release of funds.
- vii. Further, the Government of NCT of Delhi reported that the financial release of Government of NCT of Delhi to the Urban Local Bodies is subject to a legal mechanism of the decisions on the recommendations of Delhi Finance Commission. The Government is not obligated to pay beyond the decisions of the Delhi Finance Commission. The Government is not obligated to resolve the individual staff grievances and the Commissioner, EDMC has executive powers to resolve the grievances of the complainant. Sufficient funds are being provided by the Government to EDMC and it is the responsibility of EDMC to sort out the salary and pension issues of the employees working in the EDMC.



- viii. On perusal of the records, the Commission observed that both the aforesaid reports are contradictory to each other. The municipal authorities have stated that the funds have not been released by the Government, while on the other hand, the Government mentioned that sufficient funds have been provided to the Municipal Authorities. Apparently, the grievances of the complainant could not be redressed by the State Authorities in the present matter. The complainant had been facing hardships and harassment due to the delay in releasing his legitimate due amounts and despite the lapse of considerable time period, his payments have not been made. Due to acts of commission and omission on the part of the public servants, the human rights of the complainant were violated. The Commission took a serious note of such human rights violations caused by the State agencies in the present matter and directed the Chief Secretary, Government of NCT of Delhi, to make payment of interim relief of monetary compensation of Rs. 25,000/- (Rupees twenty-five thousand only) to the complainant as per Section 18 of the Protection of Human Rights Act, 1993. The compliance report along with proof of payment had to be furnished to the Commission. Also, the Commissioner, East Delhi Municipal Corporation, was directed to make the payment of all the legitimate due amount of the complainant along with the applicable interest amounts, till date. The report along with proof of payment had to be furnished to the Commission.

L. Rights of persons with disabilities

- 7.118** Globally, more than a billion people, i.e. 15 per cent of the world population are estimated to be living with one form of disability or the other. In India, as per the Census of 2011, there are 2.68 crore persons with disabilities, who constitute 2.21 per cent of the country's total population. This data, however, was in correspondence with the Persons with Disabilities Act (PwD), 1995, when only seven categories of disabilities were recognised under the Act. Since then, India has shifted its understanding of disability from a medical model to a rights-based model by enacting the Rights of Persons with Disabilities Act (RPwD), 2016. The new Act now recognises 21 categories of disabilities.
- 7.119** It is well known that persons with disabilities, across the world, tend to experience poorer health outcomes, lower education achievements, less economic participation and higher rates of poverty than people without disabilities. This is partly due to the inaccessible physical environment, health, education, employment, transport, and information. Furthermore, the intersectionality between disability and other factors such as gender, age, sexuality, class, caste often exacerbates the disadvantage and marginalisation.
- 7.120** It must also be noted that the society's perception of persons with disabilities also impacts the extent of their marginalisation. While earlier, persons with disabilities were subjected to charity and pity, it is now well recognised that given equality of opportunity and appropriate education and training, persons with disabilities have the potential of being productive individuals in the society. Disability is now internationally accepted as a 'development and human rights issue' rather than a medical issue begetting charity.



- 7.121** There have been several positive developments through change in the understanding of disability, both at the international and national levels, to uphold the human rights of persons with disabilities. One of them is the adoption of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) in December 2006, which has led to a very robust, progressive, and forward-looking human rights regime in the context of persons with disabilities. Subsequently, with India ratifying the said Convention in October 2007, the Rights of Persons with Disabilities (RPwD) Act (2016) was enacted, replacing the erstwhile Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, for better protection and promotion of the rights of persons with disabilities.
- 7.122** The Commission also believes in the fact that persons with disabilities should enjoy all human rights on an equal basis with others. Towards this end, it has adopted a multi-pronged approach wherein it regularly investigates cases of violation of human rights, reviews existing legislative framework and implementation of schemes, undertakes meetings with various stakeholders on issues concerning them and entrusts research projects, to make recommendations towards the protection of their rights. Further, the Commission regularly publishes booklets, manuals, journals, etc. to create awareness about disability rights. During the year 2020-21, the Commission undertook the following activities with regard to rights of persons with disabilities.

Reconstitution of the Core Group on Disabilities

- 7.123** The National Human Rights Commission has reconstituted this Core Group on Disabilities on 27.10.2021. Earlier, this core group was working for two themes, i.e., Rights of Persons with Disabilities and Rights of Older Persons. Now, considering the need of the hour and to put more focus on each of the human rights concerns, the said core group has been bifurcated.

M. Environment, climate change and human rights

- 7.124** The Commission is entrusted with the responsibility of promoting and overseeing efficient implementation of the promotion and protection of human rights, raising public awareness of human rights and encouraging the efforts of all stakeholders in the field of human rights literacy. Climate change is one of the greatest threats to the human rights of our generation, posing a severe risk to the fundamental rights to life, health, food and an adequate standard of living of individuals and communities worldwide.
- 7.125** As greenhouse gas (GHG) concentrations have increased, so has the global surface temperature. According to the United Nations (UN), the last decade (2011-2020) has been the warmest on record. Higher temperatures have increased heat-related illnesses, making outdoor work more difficult. In addition, the likelihood of cyclones, hurricanes, and typhoons has increased as they feed on warm ocean surface waters. Global warming exacerbates water scarcity and increases the risk of agricultural droughts.
- 7.126** Further, it endangers the survival of species on land and in the sea. The ocean absorbs most of the heat from global warming, causing it to become acidic and threatening marine life and coral reefs. Extreme rainfall and flooding directly impact homes and communities, leading to fatalities and



significant financial damages. The most threatening immediate effect of climate change is on the food supply chain, as climate change reduces the productivity of fisheries, crops, and livestock. Reduced water availability and grazing areas will produce lower agricultural yields due to heat stress.

7.127 Climate change has emerged as the single greatest health threat confronting humanity, causing harm to health through air pollution, diseases, mental health strains, and increased hunger and poor nutrition. Climate change significantly influences poverty, displacement, and forced migration.

7.128 *“Underscoring that climate change will have the greatest impact on the most vulnerable, it could push more than 120 million more people into poverty by 2030 and will have the most severe impact in poor countries, regions, and the places poor people live and work,”* said the UN Special Rapporteur on extreme poverty and human rights, Philip Alston. In this context, climate change will make it extremely difficult to maintain a balanced approach to civil and political rights in the milieu of growing inequality. India ranks tenth in the Climate Change Performance Index 2022 (CCPI) list, which reflects the country’s strong performance due to its ambitious renewable energy policies. Significantly, India has pledged to achieve net zero emissions by 2070 and meet 50 per cent of its energy requirements with renewable energy by 2030.

7.129 In consonance with the mantra of LiFE (Lifestyle for Environment), the Commission ensures the protection of the interests of the country and safeguarding India’s future development needs on the principles and provisions of the United Nations Framework on Climate Change (UNFCCC) while boosting mindful and deliberate utilisation, instead of mindless and destructive consumption.

Re-constitution of Core Advisory Group on Environment, Climate Change and Human Rights

7.130 The constitution of the Core Advisory Group on Environment, Climate Change and Human Rights was formalised on 08 March 2022. A separate Core Advisory Group has been established to highlight the impact of climate change on all aspects of life and prevent, mitigate and minimise violations of human rights. In addition, the Commission aims to proactively examine the best practices relating to the environment and climate change, facilitating better protection and promotion of human rights in India and abroad.

Meeting of the Core Group on Environment, Climate Change and Human Rights

7.131 The meeting of the NHRC Core Advisory Group on Environment, Climate Change and Human Rights on ‘Right to Clean Air and Water’ was held on 23 March 2022 under the chairmanship of Justice Shri Arun Mishra, Hon’ble Chairperson, NHRC. The meeting was also addressed by Shri Bimbardhar Pradhan, Hon’ble Secretary General, NHRC, and Shri H.C. Chaudhary, Hon’ble Joint Secretary, NHRC. The discussions were held in four Technical Sessions, namely, ‘Gaps in Implementation and Monitoring of Laws, Judgements and Schemes/Initiatives Concerning Environment, Climate Change and Human Rights’, ‘Best practices in Environment Management in India and Abroad and Replication thereof’, ‘Empowering the Local Governments and Authorities to Tackle Environmental Issues’ and ‘Protecting the Population, especially Vulnerable Sections thereof from the Impacts of Climate Change’. The Sessions held discussions where contributions



were made by Shri Neelesh Kumar Sah, Joint Secretary, Ministry of Environment, Forest and Climate Change, Dr. Prashant Gargava, Member Secretary, Central Pollution Control Board (CPCB), Dr. M. C. Mehta, Founder of the M.C. Mehta Environmental Foundation, Dr. Ruchi, Scientist G, Wildlife Institute of India and Shri R.R. Rashmi, Distinguished Fellow and Programme Director, Earth Science and Climate Change, TERI *inter alia*.

Post-detailed deliberations, the recommendations that emerged are as follows:

- a. The Union and state governments should work together to ensure that polluters and environmental law offenders are punished effectively and expeditiously. Pollution Control Boards (PCBs) and other regulatory institutions should be strengthened as part of these efforts.
- b. Establishing separate investigation and prosecution wings in Pollution Control Boards, as well as frequent employee training.
- c. Making it compulsory for Pollution Control Boards to include a chapter providing details of case investigations in their annual reports.
- d. Independent, expert auditors shall conduct an annual performance audit of the State Pollution Control Boards on behalf of State governments;
- e. In collaboration with the Pollution Control Boards, the State Judicial Academies, State Legal Services Authorities, and District Legal Services Authorities should organise workshops, seminars, and training programmes on various environmental law provisions and the detrimental effects of pollution and environmental degradation for all stakeholders;
- f. High Courts should establish Special Environmental Courts and ensure that cases involving environmental law violations are tried expeditiously;
- g. Establishment of Separate investigation and prosecution wings in Pollution Control Boards, as well as regular staff training;
- h. The Centre and State Governments should monitor the performance of agencies entrusted with issuing pollution under control (PUC) certificates and take appropriate punitive measures if certificates are false, fabricated, or fraudulent.
- i. The Centre should make every effort to complete the ongoing project to establish a geographical information system (GIS)-based Decision Support System (DSS) with updated layers on each parameter considered for the grant of Consent to Establish/Operate and Environmental/Forest/Wildlife/Coastal Regulation Zone Clearances as soon as possible.
- j. There should be a component on environmental management expertise in the DSS for processing applications requiring prior approval or authorisation, containing information on all available best practices on prevention, minimisation, and mitigation of environmental pollution and degradation;
- k. The Union and State governments should promote public awareness about the best practices for preventing, minimising, and mitigating environmental pollution and degradation through print, electronic, and social media;

1. Every Local Body should set up an environmental cell to organise, direct, and keep track of various waste management, pollution prevention, and environmental degradation-related operations;
- m. The State Finance Commissions may assess the financial needs of local governments.

N. Human rights education and awareness

7.132 The National Human Rights Commission (NHRC) is mandated to protect and promote human rights. Section 12(h) also envisages that NHRC shall 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. NHRC has been involved in spreading human rights awareness among functionaries of government, especially police besides students, NGOs and the general public.

Gender Sensitisation Programme

7.133 Gender Sensitisation Programme: Apart from above, in terms of Annual Action Plan 2021-22, online Gender Sensitisation programme for in-house officers and staff was organised thrice in the Commission on 24 June 2021, 23 December 2021 and 30 March 2022, which was attended by 30, 85 and 65 participants, respectively.



Image 7.10 Smt. Jyotika Kalra, Hon'ble Member, NHRC, addressing in one of the Gender Sensitisation Programmes

Sensitisation Programme on Human Rights

7.134 A one-day sensitisation programme was organised on the Webex platform for CISF Officers on 17.12.2021. Fifty participants were present in the programme. The objective was to sensitise the officers towards protection of human rights.

Half Day/One Day Visit at NHRC

7.135 Due to severity of Covid-19, the Commission organised only three such Half Day/One Day visits for students and officers of different schools, universities and institutions in the year 2021-22.

Other Activities

7.136 Massive Open Online Course on Swayam Portal: NHRC initiated a Massive Open Online Course in collaboration with National Law School of India University, Bangalore. It is a 20 hour video



and 20-hour teaching/learning course available in four quadrants for undergraduate students from law background for a period of 12 weeks having four credits. It is being offered through an online learning platform named as SWAYAM by NCERT, which started on 15 January 2021 with 1546 students enrolled in the course.

7.137 With a mandate to spread human rights awareness among school children, content in the form of booklets prepared by NHRC in collaboration with MARG (Multiple Action Research Group) has been forwarded to e-learning platform of NCERT which are:

7.138 NROER: where the booklets have been already uploaded.

7.139 E- Pathshala: Eight booklets have been uploaded on the e-learning platform of DIKSHA.

O. Human rights defenders

7.140 Nelson Mandela has said, “Do not look the other way; do not hesitate. Recognise that the world is hungry for action, not words. Act with Courage and vision.” These words sum up the ethos of Human Rights Defenders (HRD) and justify the relevance of the work being done by them. They are people who, individually or with others, act to promote or protect human rights. The United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (commonly known as the Declaration on Human Rights Defenders) is the main international instrument on human rights defenders. It was adopted by the United Nations General Assembly in December 1998 after 14 years of negotiation.

7.141 Past experiences show that Human Rights Defenders have actively contributed in addressing human rights concerns, such as arbitrary arrest and detention, discrimination, forced evictions, access to health care, etc. They also aim to protect basic human rights, such as the rights to life, to food and water, to health, to adequate housing, to education, to freedom of movement and against discrimination. They also ensure that the rights of vulnerable categories, such as women, children, refugees, internally displaced persons as well as minorities, national, linguistic or sexual, may be secured.

7.142 Fighting for the rights of others is not only arduous but also risky. A person jumps into a quagmire of crime and conflict, setting aside personal interests, just for the sake of promoting and protecting human rights. This initiative makes them vulnerable to atrocities, both by the State and Non-State Actors. On one hand, they are subjected to police atrocities and harassment and, on the other hand, they are targeted by Non-State actors whose personal and economic interests are threatened by the activities of the Human Rights Defenders. There are umpteen examples of such intimidation, physical violence, harassment to the Human Rights Defenders.

7.143 The National Human Rights Commission of India is mandated under Section 12(i) of the Protection of Human Rights Act, 1993, to encourage the efforts of non-governmental organisations and institutions working in the field of human rights. Therefore, ever since the Commission was instituted, it has worked closely with a number of organisations and individuals, both governmental and non-governmental, to improve the human rights situation in the country, along with rendering



support and protection to human rights defenders. It has observed and complied with the United Nations Declaration on Human Rights Defenders and consequently made efforts to promote the development of protective mechanisms for human rights defenders across the country. As part of its strategy, it works with non-governmental and civil society organisations; National and State Commissions including State Human Rights Commissions and other key actors to raise awareness about human rights defenders and challenges being faced by them.

Focal Point for Human Rights Defenders in the Commission

7.144 Acting on one of the recommendations of the Workshop on Human Rights Defenders that was organised by the Commission on 12 October 2009 in New Delhi, a Focal Point for Human Rights Defenders has been set-up in the Commission to deal with complaints alleging harassment of Human Rights Defenders by or at the instance of public authorities. The designated contact person at the Focal Point is Shri Indrajeet Kumar, Deputy Registrar (Law). The Focal Point is accessible to human rights defenders round the clock through: (i) Mobile No. 9999393570, (ii) Fax No. 24651334, and (iii) E-mail: hrd-nhrc@nic.in. The Focal Point ensures that the directions of the Commission in every case of alleged harassment of Human Rights Defenders are complied with on a priority basis and are also conveyed to the concerned human rights defender. The update of the complaints of alleged harassment of Human Rights Defenders is also posted on the website of the Commission. The Focal Point for Human Rights has engaged in dialogues/discussions with NGOs/villagers/HRDs/State Government officers to understand the status of promotion and protection of Human Rights at the grassroots level.

The Commission's course of action for the protection of Human Rights Defenders

7.145 The Commission has always extended its support for the cause of promotion and protection of Human Rights and has denounced acts of reprisal, harassment, etc. against persons, who fight for this cause. In fact, one of the most important aspects of civilian safeguards that has been taken up by the Commission is the promotion and protection of the rights of the Human Rights Defenders. Important steps taken by the Commission for the protection of HRDs are:

- The Commission sends a strong message to the State not to victimise HRDs. In furtherance of the same, the Secretary General of the Commission wrote a letter to the Chief Secretaries of all States to create a favourable environment for the functioning of the Human Rights Defenders.
- The Commission interacts with representatives of NGOs, CSOs and the HRDs during the Camp sittings and Open hearings. Their feedback regarding the bottlenecks and the problems being faced by them was taken up by the Commission. The cases of HRDs were assigned top priority and necessary relief, on merits, was given.
- The Commission releases a message on 9th December every year, which is the day when the UN Declaration on HRDs was adopted by the UN General Assembly. The Commission released a message on 9th December 2021 regarding continued support to Human Rights Defenders.



International Developments regarding Human Rights Defenders

- 7.146** There have been great initiatives by the international community when it comes to promotion and protection of the human rights of the Human Rights Defenders. Since the Declaration on the HRDs in 1998, many more resolutions have been passed in this regard. All are not being mentioned in this chapter for the sake of brevity and the fact that they have been mentioned in the earlier Annual reports. However, resolutions passed recently are important in this regard.
- 7.147** The Human Rights Council on 21.03.2019 adopted a resolution on recognising the contribution of environmental HRDs to the enjoyment of human rights, environmental protection and sustainable development. The resolution states that States shall take all appropriate measures to ensure the rights, protection, and safety of all persons, including environmental HRDs, who exercise, among other things, their freedoms of expression, association, and peaceful assembly, which are necessary for the advancement and defense of human rights as well as the preservation and protection of the environment.
- 7.148** The Human Rights Council on 22.06.2020 urged all States to cooperate with and assist the Special Rapporteur on the situation of HRDs in the performance of his or her tasks to provide all information and to respond to the communications transmitted to them by the Special Rapporteur without undue delay.
- 7.149** The General Assembly on 16.12.2021 also adopted a resolution stating that states should take appropriate measures to ensure the rights, protection, and safety of all persons, including environmental HRDs, who exercise, among other things, their freedoms of expression, association, and peaceful assembly, which are necessary for the advancement and defense of human rights as well as the preservation and protection of the environment.
- 7.150** The Human Rights Council on 01.04.2022 recognising the contribution of HRDs, including women HRDs, in conflict and post-conflict situations, to the enjoyment and realisation of human rights called upon all States to combat impunity by conducting prompt, impartial and independent investigations and pursuing accountability for all forms of attacks and threats by State and non-State actors against any HRD, or against their legal representatives, family members and associates, and by condemning publicly all forms of violence, discrimination, intimidation and reprisal, underlining that such practices can never be justified.
- 7.151** During the period under review, the Commission received 68 complaints concerning alleged harassment of Human Rights Defenders. Seven cases pertaining to HRDs were finally closed with direction by the Commission during the year 2021-22. Eleven cases pertaining to the Human Rights Defenders were disposed with direction. In one case, RTI activist, Sunil Kumar was awarded compensation of two lakh rupees. In this case, an RTI activist was falsely implicated and chargesheeted in a criminal case. The Commission took cognizance of the matter and provided monetary relief to the victim HRD. The details of pending cases along with action taken by the Commission are available on the website of the Commission, which is updated regularly.

CHAPTER - 8

INTERNATIONAL COOPERATION

8.1 National Human Rights Institutions (NHRIs) that are fully complied with the principles relating to the status of national institutions, commonly known as the Paris Principles, play a crucial role in promoting and monitoring the effective implementation of international human rights standards at the national level. Through the Universal Periodic Review (UPR), treaty monitoring bodies, and other international human rights mechanisms, every State is encouraged to establish effective, independent NHRIs that comply with the Paris Principles as well as strengthen it where it already exists. NHRIs encourage cooperation with a range of actors, among which the United Nations, and in particular, the Office of the United Nations High Commissioner for Human Rights (OHCHR) besides the Global Alliance of National Human Rights Institutions (GANHRI) and the Asia Pacific Forum of National Human Rights Institutions (APF) are of significance.

A. International events

8.2 NHRIs play a crucial role in promoting and monitoring of international human rights standards and making recommendations for their effective implementation at the national level. This also includes study of treaties and other international instruments on human rights. NHRIs also encourage cooperation with a range of actors, among which the United Nations and in particular, the OHCHR besides the GANHRI and the APF are of significance. These are achieved through the mechanisms of Universal Periodic Review, treaty monitoring bodies and Human Rights Council, etc.

8.3 NHRC India fully complies with Paris Principles and has a prominent position at international forums including both regional as well as global forums. It has been an instrumental member of the GANHRI, which is one of the largest Human Rights Network in the world, representing more than 110 NHRIs. NHRC India has been accredited with “A” status by Sub Committee on Accreditation (SCA) of GANHRI for its full compliance with Paris Principles and it continues to retain this from 1998 onwards. The Secretary General, NHRC India, currently holds the position of Chair of GANHRI Finance Committee.

8.4 NHRC is also one of the founding members of Asia Pacific Forum (APF), which is a regional coalition of NHRIs of Asia Pacific Region and contributes an amount of 1,50,000 USD per annum to APF. Chairperson, NHRC is the member of the APF Governance Committee, which is the decision-making body of the Asia Pacific Forum.



8.5 NHRC has been playing an active role in its engagements and interactions with GANHRI, APF and other international forums like Human Rights Council (HRC), UN Working Groups, OHCHR, treaty bodies, etc. The Commission has been proactively participating in various international Conferences, Workshops, training programmes as well as providing inputs to the draft resolutions, questionnaires of Special Rapporteurs of the UN and other reports, documents throughout the year. Despite Covid-19 and its constraints, the Commission has strengthened its international engagements and made its presence felt at various platforms on the issues of Human Rights.

B. Cooperation with the asia pacific forum of national human rights institutions

8.6 The Asia Pacific Forum of National Human Rights Institutions (APF) is the leading regional human rights organisation in the Asia Pacific region established in 1996. It is a member-based organisation that supports the establishment and strengthening of independent National Human Rights Institutions in the region. Its goal is to protect and promote human rights of people of the Asia Pacific region through a network of member institutions. At the time of writing of the Annual Report, APF had 17 full members and eight associate members. These members represent diverse countries across the region. The National Human Rights Commission of India is one of its founding members.

C. Cooperation with the global alliances of national human rights institutions (GANHRI)

8.7 The Global Alliance of National Human Rights Institutions (GANHRI) is a representative body of National Human Rights Institutions established for the purpose of creating and strengthening National Human Rights Institutions, which are in conformity with the Paris Principles. It performs this role through encouraging international co-ordination of joint activities and co-operation among these National Human Rights Institutions, organising international conferences, liaison with the United Nations and other international organisations and, where requested, assisting governments to establish a National Institution. It works to create and strengthen National Institutions and ensures that they conform to the Paris Principles. NHRC, India, is a GANHRI member with 'A' status accreditation for the fourth consecutive term of five years that are 1999, 2006, 2011 and 2017.

D. NHRC participation in other international meetings and seminars

8.8 This year, due to the Covid-19 pandemic, the international meetings, seminars, conferences and training programmes were held in virtual mode. The Commission has strongly made its presence felt at various international events that are as follows:

8.9 Hon'ble Member, Ms. Jyotika Kalra attended the virtual meeting of APF Women Leaders Forum 2021 on 15 April 2021.

8.10 Mr. Bimbardhar Pradhan, Secretary General and Ms. Anita Sinha, Joint Secretary (P&T) attended the virtual APF Governance Committee Meeting on 27 April 2021.



- 8.11** Dr. D.M. Mulay, Hon'ble Member attended the 30th Special Session of HRC on the grave human rights situation in the Occupied Palestinian Territory, including East Jerusalem, virtually on 27 May 2021.
- 8.12** Mr. Justice Arun Kumar Mishra, Hon'ble Chairperson, Mr. Bimbadhar Pradhan, Secretary General and Ms. Anita Sinha, Joint Secretary (P&T) attended the online GANHRI 2021 Annual Meeting from 29 June to 01 July 2021.
- 8.13** Justice Mr. Arun Kumar Mishra, Hon'ble Chairperson, NHRC delivered the oral statement to the 47th Session of HRC, focusing on the human rights conditions during the Covid Pandemic on 16 June 2021 (Virtual).
- 8.14** Hon'ble Member Ms. Jyotika Kalra attended the virtual meeting on 18 June 2021, as a speaker for a session on Child, Early and Forced Marriage (CEFM) organised by the Office of the United Nations High Commissioner for Human Rights (OHCHR).
- 8.15** Ms. Jyotika Kalra, Hon'ble Member and Ms. Anita Sinha, Joint Secretary (P&T) delivered the oral statement on the “general discussion on indigenous women and girls of the 79th Session of CEDAW” (Convention on the Elimination of All Forms of Discrimination against Women) (Virtual mode) on 18 June 2021.
- 8.16** Mr. Bimbadhar Pradhan, Secretary General, and Mr. Surajit Dey, Registrar (Law), NHRC attended the virtual meeting of APF Senior Executive Officers (SEO) Network on 23 June 2021.
- 8.17** Participation by NHRC in the 48th Session of Human Rights Council (13 Sept– 8 Oct., 2021). NHRC, India submitted eight pre-recorded video statements to get delivered during the 48th Session of HRC.
- 8.18** Justice Arun Kumar Mishra, Hon'ble Chairperson, NHRC, Mr. Bimbadhar Pradhan, Secretary General and Ms. Anita Sinha, Joint Secretary, participated in the 26th Annual General Meeting (AGM) of the Asia Pacific Forum of NHRIs held virtually on 15 September 2021 on the theme “Business Items and Election. Ms. Jyotika Kalra, Hon'ble Member, Ms. Anita Sinha, Joint Secretary and Ms. Manzil Saini, DIG, participated in the 26th Annual General Meeting (AGM) of the Asia Pacific Forum of NHRIs held virtually on 26 September 2021 on the theme “APF and the UN Working Group on Discrimination against Women and Girls in Asia Pacific and Launch of the Report on “Women and girls” sexual and reproductive health rights in crisis and an interactive dialogue”.
- 8.19** Ms. Jyotika Kalra, Hon'ble Member attended the online interview with Ms. Sonali Regmi, Consultant APF in October 2021 for Integrating Reproductive Rights into the work of NHRIs of the Asia Pacific Region: A preliminary study of current views and practices, challenges and opportunities.
- 8.20** Mr. Mukesh, Assistant Registrar (Law) and Ms. Usha Nair, PPS, attended the NHRIs and advancing human rights in Humanitarian Action in the Asia-Pacific Online course from 11 to 31 October 2021.



- 8.21** Mr. Surajit Dey, Registrar (Law), attended the Online Asia-Pacific regional consultations on National Mechanisms for Implementation, Reporting and Follow-up (NMIRF), organised by UN Human Rights Office, on 1 December 2021.
- 8.22** Justice Mr. Arun Kumar Mishra, Hon'ble Chairperson, Mr. Bimbadhar Pradhan, Secretary General, Ms. Anita Sinha, Joint Secretary and Ms. Manzil Saini, DIG, attended the APF Forum Council virtual meeting held on Tuesday, 14 December 2021.
- 8.23** Mr. Inderjeet Kumar, Deputy Registrar, attended the Online learning programme on complaints handling and human rights investigations held on 31 January to 25 February 2022 (for level 1) and 25 February to 13 March 2022 (level 2-4).
- 8.24** During the 4th HRC inter-sessional meeting for dialogue and cooperation on Human Rights and 2030 Agenda for Sustainable Development, organised by National Institutions and Regional Mechanisms Section (NIRMS), OHCHR, held virtually on 18 January 2022, Ms. Jyotika Kalra, Hon'ble Member, delivered the pre-recorded video statements.
- 8.25** Justice Mr. Arun Kumar Mishra, Hon'ble Chairperson delivered a pre-recorded video statement to 49th Session of the Human Rights Council that took place from 28 February to 1 April 2022, virtually, under the agenda item of "Technical cooperation in protecting human rights of vulnerable persons in and after Covid -19 pandemic".
- 8.26** Dr. D.M. Mulay, Hon'ble Member, delivered a pre-recorded video statement to 49th Session of the Human Rights Council that took place from 28 February to 1 April 2022, virtually, under the agenda item of "Interactive dialogue with Special Rapporteur cultural rights".
- 8.27** Mr. Rajiv Jain, Hon'ble Member, delivered a pre-recorded video statement to 49th Session of the Human Rights Council that took place from 28 February to 01 April 2022, virtually, under the agenda item of "Interactive dialogue with Special Rapporteur on food".
- 8.28** Mr. Mahesh Mittal Kumar, Hon'ble Member, delivered a pre-recorded video statement to 49th Session of the Human Rights Council that took place from 28 February to 01 April 2022, virtually, under the agenda item of "Interactive dialogue with Special Rapporteur on disabilities".
- 8.29** Ms. Jyotika Kalra, Hon'ble Member, delivered a pre-recorded video statement to 49th Session of the Human Rights Council that took place from 28 February to 01 April 2022, virtually, under the agenda item of "Interactive dialogue with SRSG on violence against children".
- 8.30** Secretary General, NHRC, (Chairperson of GANHRI Finance Committee) attended the GANHRI Finance Committee Meeting virtually on 22 February 2022.
- 8.31** Hon'ble Justice, Mr. Arun Kumar Mishra, Hon'ble Chairperson, Dr. D.M. Mulay, Member, Mr. Bimbadhar Pradhan, Secretary General and Joint Secretary attended the Annual meeting of CFNHRI (Commonwealth Forum of National Human Rights Institutions) virtually on 7 March 2022.
- 8.32** Justice Mr. Arun Kumar Mishra, Hon'ble Chairperson, Mr. Bimbadhar Pradhan, Secretary General



and Ms. Anita Sinha, Joint Secretary, attended the GANHRI 2022 Annual Meeting online from 08 to 10 March 2022. The Annual Meeting included the Bureau Meeting and the General Assembly along with Knowledge Exchange on NHRIs in the Digital Age.

- 8.33** Hon'ble Member, Dr. D.M. Mulay attended the “Event on Sports and Human Rights”, organised by Centre for Sports and Human Rights, together with the Equality and Human Rights Commission, the Northern Ireland Human Rights Commission and UNICEFUK, virtually on 11.03.2022.
- 8.34** Ms. Anita Sinha, Joint Secretary, NHRC, attended in-person the 21st Informal ASEM Seminar on Human Rights (ASEMHRS21) “Human Rights & Climate Change” at Luxembourg 16-18 March 2022.
- 8.35** NHRC, India Delegation consisting of Mr. Rajiv Jain, Member and Mr. Surajit Dey, Registrar (Law) and Mr. H.C. Chaudhary, Joint Secretary, attended in-person the 3rd UN South Asia Forum on Business and Human Rights in Dhaka, Bangladesh, from 28 to 30 March 2022.

E. Interaction with foreign delegates in the commission

- 8.36** The Commission held interactions with the delegation of Swiss Embassy comprising Dr. Ralf Heckner, Ambassador of Switzerland and Mr. Simon Shaefer, Head of Human Security, Legal Affairs and Culture at the Embassy, on 27 January 2022 to discuss the functioning of the Commission and other human rights issues. Another interaction was held with H.E. Mr. Ugo Astuto, Ambassador of the European Union to NHRC, India, accompanied by Ms. Lene Volkersen, First Secretary (Political Affairs), on 22.02.2022 to discuss the broader work of the Commission in the promotion and protection of human rights in India — in the light of (i) India's UPR and (ii) Upcoming visit by the European Union's Special Representative for Human Rights, Mr. Eamon Gilmore.

CHAPTER - 9

NON-ACCEPTANCE OF NHRC RECOMMENDATIONS BY STATE GOVERNMENTS

- 9.1** The National Human Rights Commission in exercise of its power under Section 18(a) (i)(ii) of the Protection of Human Rights Act, 1993, makes recommendations for payment of compensation or damages to the complainant or the victim or the members of the family and /or to initiate proceedings for prosecution and such other suitable action as the Commission may deem suitable against the concerned public servant.
- 9.2** During the year 2020-2021, recommendations made by the Commission for grant of monetary relief were challenged in a few cases before the Courts. Details of such cases have been tabulated below:
- 9.3** *Table 9.1: Recommendations made by the National Human Rights Commission challenged before Courts in the year 2020-21*

Sl. No.	Case No.	Date of Recommendation	Nature of complaint	Commission Recommendation	Writ petition by the authorities concerned the recommendation
1.	1359/30/1/2017-WC	07.06.2021	This case relates to sexual harassment of the victim at her workplace by a contractual employee working with Income Tax Office, ITO New Delhi.	The Commission recommended to the Chief Commissioner of Income Tax, Central Revenue Building, I.P. Estate, New Delhi to pay monetary relief of Rs.25,000/- (Twenty Five Thousand) to the victim Smt. Madhuri for violation of her human rights.	Writ Petition (C) No. 4745/2021 and CM Appl. No. 14621/2021 have been filed in the High Court of Delhi against the directions of the Commission.



Sl. No.	Case No.	Date of Recommendation	Nature of complaint	Commission Recommendation	Writ petition by the authorities concerned the recommendation
2.	35109/24/52/2016	11.02.2021	This case relates to negligence of Mahoba Gas Agency and Indian Oil Corporation, the Indane Gas, due to which a cylinder caught fire and engulfed whole house on 05.07.2016.	The Commission recommended to Government of Uttar Pradesh to pay monetary relief of Rs. 2,00,000/- (Two Lakhs) to be paid to the complainant/NOK of the deceased mother for violation of her human rights.	Writ petition (civil) 88878 dated 29.10.2018 has been filed in the High Court of Allahabad, Uttar Pradesh, against the directions of the Commission.
3.	757/30/7/2018-PCD	19.12.2022	This case relates to custodial death of victim, namely, Dalbir Singh, on 21.02.2018 in the custody of Police Station Naraina, District South West, Delhi.	The Commission recommended to Government of NCT of Delhi to pay monetary relief of Rs.4,00,000/- (Four Lakhs) to be paid to the NoK of the deceased, Dalbir Singh S/o Jagdev Kumar.	The recommendations challenged vide Writ petition No. (C) No. 1824/2023 has been filed in the Delhi High Court against the directions of the Commission.
4.	3194/4/35/2017-JCD	01.07.2022	This case relates to death of an under-trial prisoner Ram Nath who was in the custody of Mandal Jail, Sheohar.	The Commission recommended to Government of Bihar to pay monetary relief of Rs 10,00,000/- (Ten Lakhs) to the next of the kin of the deceased.	Writ petition Patna High Court EC-BRHC01-68946-2022 has been filed in the Patna High Court, against the directions of the Commission.
5.	1434/34/9/2018-JCD	28.09.2021	This case relates to death of a prisoner, Mahendra, on 12.10.2018. The deceased was taken to Sadar Hospital Godda, where he was declared brought dead at 11:02 AM.	The Commission recommended to Government of Jharkhand to pay monetary relief of Rs. 2,00,000/- (Two Lakhs) to the next of the kin of the deceased.	The Joint Secretary to the Government of Jharkhand conveyed the disagreement of the State Government to comply with the Commission's recommendation for payment of monetary relief.

Sl. No.	Case No.	Date of Recommendation	Nature of complaint	Commission Recommendation	Writ petition by the authorities concerned the recommendation
6.	3073/18/26/2019	22.06.2021	This case relates to electrocution death of Liku Pradhan and Rajan Pradhan on 30.08.2019. They were electrocuted while taking bath in the river, where electric pole fell upon them.	The Commission recommended to the Government of Odisha to pay monetary relief of Rs. 2,00,000/- (Two Lakhs) each to the next of the kin of the deceased victim and Rs. 50,000/- (Fifty Thousand) each to the non-fatal victims who shall be treated subject to the orders of the High Court.	The Department of Energy, Government of Odisha, have objected to the recommendations for payment of monetary relief to the next of the kin of the deceased victims, however the father of a victim has filed a writ petition W.P. (C) No. 685/2020 in the High Court of Odisha for the payment of compensation and hence the matter is sub-judice. The Commission closed the case with directions to the State Government that action for payment of monetary relief be taken as per the order of the High Court of the said writ petition.

**CHAPTER - 10****SUMMARY OF PRINCIPAL RECOMMENDATIONS AND OBSERVATIONS****A. NHRC-SHRCs interface meeting held on 13 October 2021****10.1 Areas of collaboration between NHRC-SHRC and monitoring the implementation of advisories issued by NHRC**

- i. SHRCs may replicate NHRC's On-line Complaint Management System, which is quite effective in monitoring on-line workflow of the complaints.
- ii. All SHRCs to be pro-active on the HRCNet portal to resolve the issues of duplicity of registration of complaints, etc.
- iii. NHRC to conduct a workshop involving all SHRCs for familiarisation with HRCNet portal and conduct a periodic review regarding the same.
- iv. In order to deal with the issue of duplication of complaints received under NHRC and SHRCs, it was decided that to avoid duplication and maintain uniformity in the process of legal complaints, the date of taking cognizance of the complaint/admission/issuance of Notice by the Commission shall be considered as the date of initiation of proceeding on the complaint.
- v. A Common Programme Committee consisting of the representatives from NHRC (CP and Members) as well as SHRCs from various zones of the country (Tamil Nadu, Kerala, Andhra Pradesh, Gujarat, Assam, Meghalaya, Madhya Pradesh, Himachal Pradesh and West Bengal) to be formed for addressing the pressing human rights issues as well as better collaboration and cooperation between NHRC and SHRCs. This Committee may meet in different parts of the country from time to time to address such issues.
- vi. NHRC-SHRCs may also collaborate in the area of research on various contemporary human rights issues.
- vii. SHRCs may consider collaborating with the State Educational Boards for inclusion of the content on human rights in the curriculum.
- viii. Advisories to be sent to all SHRCs within two working days.

10.2 National Food Security Act, 2013 and One Nation One Ration Card Scheme (ONORC)

- i. All SHRCs need to monitor the implementation of the National Food Security (NFS) Act,



2013, Targeted Public Distribution System (TDPS), Mid-Day Meal (MDM) scheme and Integrated Child Development Services (ICDS).

- ii. The best practices of States may be shared with other States for better implementation of the schemes for promotion of food security.
- iii. Initiatives may be taken to spread awareness among people about their right to food and availability of Government schemes like ONORC under PDS and Mid-Day Meal schemes by conducting workshops and other programmes.
- iv. SHRCs may recommend to State Governments to simplify the procedures of the ONORC so that those, who are not digitally literate or are living in remote areas, can also avail the benefits of the scheme.
- v. SHRCs to ensure that the maternity benefits reach all eligible pregnant women and lactating mothers as provided by the Maternity Benefits Act, 1961 and its Amendment in 2017.

10.3 Integrating a Gender Perspective

- i. SHRCs to make efforts to ensure proper implementation of the POSH Act, establishment of Internal Committee (IC) and Local Committee (LC) in every institution and workplace, and a survey may be conducted for the same.
- ii. Ensuring representation of women in all the HRCs need to be taken care of in order to have balance in their functioning.
- iii. SHRCs to conduct workshops for awareness on gender equality, discrimination, and sexual harassment.
- iv. SHRCs may focus upon the issues in the implementation of Child Care Leave (CCL) for both the parents (including paternity leave), ensuring maternity benefits, increased sensitisation on menstrual health and hygiene, and prevention of sexual harassment at the workplace.
- v. Suitable provisions need to be made for pregnant women and women going through their menstrual cycles to rest during their menstruation cycles including arrangements for sanitary napkin-vending machines, sanitary napkin incineration machines, etc. in the workplace.

10.4 Status of Implementation of Schemes and Policies Related to Informal Workers

- i. Registration of the informal workers along with the recruitment agency, contractors or other establishments at the dedicated e-shram portal. It should be facilitated to ensure the availability of direct benefits of the schemes of the Central and State Governments to the informal workers.
- ii. A Committee including SHRCs along with a representative from the Ministry of Labour and Employment may be formed to come out with a Standard Operating Procedure (SOP) that includes both advisories and the Apex Court Directives in the case of *Bandhua Mukti Morcha vs Union of India* (June 29, 2021).



- iii. Para-legal volunteers of the legal service authority may be involved with the State High Courts to ease the registration process on the e-Shram portal.

10.5 Open Discussion with SHRCs and SFCs

- i. SHRCs to actively share their achievements and accomplishments with the NHRC so that these can be further shared with other State Commissions for knowledge sharing and replication.
- ii. Coordination with the stakeholders including the respective Governments, Civil Society Organisations, Public Sector undertakings, NGOs to be strategically regularised.
- iii. Human rights must not be restricted to some selected areas. Human rights can be seen connected to all fields like culture, business, sports, etc. Hence, the horizon/scope of human rights related work should be expanded.
- iv. NHRC may issue a direction that Magisterial enquiry in cases of Custodial Death should be conducted by a Judicial Magistrate of the district in which the concerned jail is situated.
- v. The Commission's decision/order related to payment of compensation often gets delayed in matters of custodial deaths, due to non-receipt of Magisterial Enquiry Report. A mechanism can be evolved wherein SHRCs can take up a role in dealing with cases of such delays.

B. NHRC-SHRCs 'Common programme committee' meeting held on 17.02.2022 (Virtual)

- i. There is a dire need to decongest jail inmates as the number of inmates is many times higher than the capacity of jail to house them. In that regard, the bail system has to be liberalised by accepting the personal bond instead of insisting on the furnishing of sureties (*Hussainara Khatoon v. State of Bihar, S.C.*). To ensure the presence of the accused before the trial court or in respect of a convict serving sentence, the concept of electronic tagging prevalent in England since 1993, can also be introduced. The electronic tag is used as a condition for granting bail. Such a tag is compulsorily borne all the time by the accused when getting benefit of bail. The electronic tag restricts the area of movement of an accused as determined by the Court. It may be a tag allowing the movement in area of 100 yards of his abode, depending on the seriousness of the crime. In any case, in far less serious offences, electronic tagging must be considered. The aforesaid steps would reduce the financial burden of the public exchequer, unnecessary movement of the accused and accused would be united with the family, earning his bread and butter on a day-to-day basis.
- ii. A website of jail authorities should be mandated to maintain the records of sentence of prisoners, which will also be helpful for the decongestion of jails.
- iii. NHRC has adopted the Haryana Policy in cases of death in custody or suicidal death in custody. Rs. 7,50,000/- has been fixed for those who were victims of torture in custodial deaths, and/or even fight amongst inmates; and Rs. 5,00,000/- for custodial death cases.



- iv. Better coordination and cooperation with the local self-governments by involving Zila Parishad, Panchayati Raj institutions and Municipalities.
- v. The delay in payment of compensation must be taken care of by the respective State Government.
- vi. SHRCs should be on board of HRCNet so that dual registrations may be avoided.
- vii. Each SHRC may prepare SOPs on human rights issues so that the SOP can be prepared.
- viii. A blueprint for better coordination between NHRC and SHRC may be prepared.
- ix. Establishment of Human Rights Courts at State and District levels.
- x. The issue of inadequate staff in SHRCs may be addressed by having staff on deputation from High Court.
- xi. Separate Mental Health Wing in the prisons.
- xii. Effective measure to be taken for proper rehabilitation of rescued labourers.
- xiii. Stern Steps to be taken for addressing the issue of Human Trafficking in the country.
- xiv. Concerns such as using pesticides and chemicals in the soil and safe and clean drinking water must be taken up at state as well as national levels.
- xv. Compulsory implementation of Section 18 and 27 of PHR Act, 1993, NHRC may send a written communication to the Chief Ministers of all the states to make available these facilities in their respective states.
- xvi. All the states are advised to adopt the Haryana Policy with regard to suicide cases in custody, as adopted by the NHRC.

ANNEXURES

Annexure 1: State-wise number of cases registered

Name Of The State/Ut	Com-plaints	Suo motu Cogni-zance	Intimation Received about Cus-todial Deaths and Rapes			Intima-tions Received about En-counter Deaths	Total
			Police Custodial Deaths/ Rapes	Judicial Custodial Deaths/ Rapes	Defence/ Para-Mil-itary Custodial Deaths/ Rapes		
All India	5,513	0	0	0	0	0	5,513
Andhra Pradesh	2,814	0	1	47	0	3	2,865
Arunachal Pradesh	45	0	0	2	0	2	49
Assam	476	0	9	13	0	18	516
Bihar	5,563	2	18	219	0	4	5,806
Goa	85	0	1	5	0	0	91
Gujarat	1,724	0	24	102	0	0	1,850
Haryana	3,681	1	4	105	0	1	3,792
Himachal Pradesh	268	0	0	7	0	0	275
Jammu & Kashmir	400	1	2	15	0	47	465
Karnataka	1,620	0	8	2	0	0	1,630
Kerala	1,366	0	6	42	0	0	1,414
Madhya Pradesh	4,270	0	8	192	0	2	4,472
Maharashtra	3,401	2	30	167	1	1	3,602
Manipur	47	0	1	0	0	1	49
Meghalaya	40	0	4	9	0	2	55
Mizoram	23	0	1	7	0	0	31
Nagaland	12	1	2	7	0	2	24
Orissa	5,397	0	2	66	0	8	5,473
Punjab	1,518	0	8	146	0	2	1,674
Rajasthan	4,378	0	13	80	0	3	4,474
Sikkim	16	0	1	1	0	0	18
Tamil Nadu	3,311	0	4	104	0	4	3,423
Tripura	72	0	1	5	0	0	78
Uttar Pradesh	40,164	1	8	492	0	11	40,676
West Bengal	5,512	2	5	252	0	3	5,774
Andaman & Nicobar	28	0	0	1	0	0	29
Chandigarh	262	0	0	1	0	0	263



Name Of The State/Ut	Com-plaints	Suo motu Cogni-zance	Intimation Received about Cus-todial Deaths and Rapes			Intima-tions Received about En-counter Deaths	Total
			Police Custodial Deaths/Rapes	Judicial Custodial Deaths/Rapes	Defence/Para-Mil-itary Custodial Deaths/Rapes		
Dadra & Nagar Haveli	22	0	0	0	0	0	22
Daman & Diu	24	0	0	0	0	0	24
Delhi	8,539	5	1	64	0	3	8,612
Lakshadweep	15	0	0	0	0	0	15
Puducherry	118	0	0	1	0	0	119
Chhattisgarh	761	0	2	91	0	31	885
Jharkhand	2,015	1	5	76	0	9	2,106
Uttarakhand	1,577	0	2	25	0	0	1,604
Telangana	2,757	0	4	21	0	2	2,784
Ladakh	9	0	0	0	0	0	9
Foreign Countries	5,21	0	0	0	0	0	521
Total	1,08,364	16	175	2,367	1	159	1,11,082

Annexure 2: State-wise disposal of cases

Name Of The State/Ut	Dismissed in Limini	Disposed with Directions	Transferred to SHRCs	Concluded after receipts of Reports			Total
				Com-plaints Suo-Motu Cases	Custodial Deaths/ Rapes	Intimation Received about Encounter cases	
All India	5,065	178	0	22	0	0	5,265
Andhra Pradesh	1,336	859	360	124	23	1	2,703
Arunachal Pradesh	12	20	0	11	1	6	50
Assam	234	98	82	34	21	14	483
Bihar	2,725	1,554	783	293	134	4	5,493
Goa	52	22	7	2	3	0	86
Gujarat	891	376	288	74	87	1	1,717
Haryana	1,579	1,233	440	193	52	3	3,500
Himachal Pradesh	142	67	29	17	10	0	265
Jammu & Kashmir	194	131	0	33	2	1	361
Karnataka	1,045	256	183	52	3	1	1,540
Kerala	871	183	249	35	21	1	1,360
Madhya Pradesh	2,128	1,112	699	167	120	8	4,234
Maharashtra	2081	616	426	105	68	6	3,302
Manipur	14	12	2	8	1	4	41
Meghalaya	15	12	7	5	6	4	49
Mizoram	6	10	0	1	1	0	18
Nagaland	3	3	0	6	2	0	14
Orissa	1,409	591	383	294	41	6	2,724
Punjab	793	376	196	46	77	1	1,489
Rajasthan	2,152	1,185	541	210	55	1	4,144
Sikkim	8	6	1	1	3	0	19
Tamil Nadu	1,821	711	551	169	31	1	3,284
Tripura	34	20	4	8	2	0	68
Uttar Pradesh	16,102	14,957	5354	2320	350	23	39,106
West Bengal	2,289	2,214	472	120	68	3	5,166
Andaman & Nicobar	9	14	0	1	1	0	25
Chandigarh	172	74	0	8	3	0	257



Name Of The State/Ut	Dismissed in Limini	Disposed with Directions	Transferred to SHRCs	Concluded after receipts of Reports			Total
				Com-plaints Suo-Motu Cases	Custodial Deaths/ Rapes	Intimation Received about Encounter cases	
Dadra & Nagar Haveli	16	3	0	0	0	0	19
Daman & Diu	10	10	0	0	0	0	20
Delhi	4,605	3,172	0	408	27	2	8,214
Lakshadweep	6	5	0	1	0	0	12
Puducherry	54	52	0	8	1	0	115
Chhattisgarh	340	225	115	46	41	76	843
Jharkhand	828	651	282	115	30	20	1,926
Uttarakhand	769	493	218	82	15	0	1,577
Telangana	1,489	678	373	67	16	1	2,624
Ladakh	5	3	0	0	0	0	8
Foreign Countries	423	54	0	10	0	0	487
Total	51,727	32,236	12,045	5,096	1,316	188	1,02,608

Annexure 3: Statement showing number of cases pending

Name Of The State/Ut	Cases Awaiting Preliminary Consideration				Pendency of Cases where Reports have either been received or awaited from the Authorities				Grand Total
	Complaints/ Suo-Motu Cases	Custodial Deaths/ Rapes Cases	Encounter Deaths	Total	Complaints/ Suo-Motu Cases	Custodial Deaths/ Rapes Cases	Encounter deaths	Total	
All India	238	0	0	238	42	0	0	42	280
Andhra Pradesh	122	5	0	127	166	96	6	268	395
Arunachal Pradesh	4	1	1	6	20	5	8	33	39
Assam	19	2	4	25	61	40	28	129	154
Bihar	247	22	1	270	481	256	16	753	1023
Goa	2	1	0	3	2	6	0	8	11
Gujarat	84	18	0	102	145	103	0	248	350
Haryana	185	9	1	195	307	178	6	491	686
Himachal Pradesh	12	1	0	13	20	14	0	34	47
Jammu & Kashmir	26	4	10	40	72	24	42	138	178
Karnataka	65	1	0	66	90	12	0	102	168
Kerala	26	4	0	30	59	47	2	108	138
Madhya Pradesh	169	13	0	182	302	104	2	408	590
Maharashtra	170	12	0	182	233	309	8	550	732
Manipur	1	0	0	1	29	8	6	43	44
Meghalaya	2	0	0	2	3	13	3	19	21
Mizoram	1	0	0	1	7	12	0	19	20
Nagaland	0	1	0	1	7	13	3	23	24
Odisha	154	7	0	161	432	172	18	622	783
Punjab	80	10	0	90	144	132	5	281	371
Rajasthan	250	13	1	264	307	163	4	474	738
Sikkim	0	0	0	0	2	3	0	5	5
Tamil Nadu	123	10	0	133	210	172	9	391	524
Tripura	0	0	0	0	20	11	0	31	31
Uttar Pradesh	1495	58	3	1,556	2,800	1,047	44	3,891	5,447
West Bengal	381	36	1	418	272	370	7	649	1,067
Andaman & Nicobar	1	0	0	1	6	1	1	8	9
Chandigarh	11	0	0	11	6	5	0	11	22
Dadra & Nagar Haveli	2	0	0	2	1	0	0	1	3



Name Of The State/Ut	Cases Awaiting Preliminary Consideration				Pendency of Cases where Reports have either been received or awaited from the Authorities				Grand Total
	Complaints/ Suo-Motu Cases	Custodial Deaths/ Rapes Cases	Encounter Deaths	Total	Complaints/ Suo-Motu Cases	Custodial Deaths/ Rapes Cases	Encounter deaths	Total	
Daman & Diu	1	0	0	1	2	0	0	2	3
Delhi	364	7	0	371	650	157	7	814	1185
Lakshadweep	1	0	0	1	3	0	0	3	4
Puducherry	8	0	0	8	7	1	0	8	16
Chhattisgarh	42	2	5	49	102	103	94	299	348
Jharkhand	98	8	0	106	244	144	30	418	524
Uttarakhand	53	3	0	56	88	39	0	127	183
Telangana	115	2	0	117	137	44	10	191	308
Ladakh	0	0	0	0	1	0	0	1	1
Foreign Countries	35	0	0	35	8	0	0	8	43
Total	4,587	250	27	4,864	7,488	3,804	359	11,651	16,515

Annexure 4: Details of cases where Commission recommended monetary relief

Name of State/UT	No. of Cases In Which Recommendation Made	Amount Recommended For Victims/ Next of Kins	No. Of Cases In Which Recommendations Have Been Complied With	Amount Paid	No. Of Cases Pending For Compliance	Amount Recommended In The Cases Pending Compliance
All India	0	0	0	0	0	0
Andhra Pradesh	9	28,00,000	1	4,00,000	8	24,00,000
Arunachal Pradesh	5	13,75,000	0	0	5	13,75,000
Assam	8	40,00,000	0	0	8	40,00,000
Bihar	37	1,41,50,000	10	52,25,000	27	89,25,000
Goa	0	0	0	0	0	0
Gujarat	5	20,50,000	1	3,00,000	4	17,50,000
Haryana	16	54,75,000	8	21,50,000	8	33,25,000
Himachal Pradesh	2	8,00,000	2	8,00,000	0	0
Jammu & Kashmir	1	3,00,000	0	0	1	3,00,000
Karnataka	2	2,00,000	0	0	2	2,00,000
Kerala	4	17,50,000	0	0	4	17,50,000
Madhya Pradesh	9	24,05,000	3	4,75,000	6	19,30,000
Maharashtra	9	24,25,000	3	7,00,000	6	17,25,000
Manipur	2	10,00,000	1	5,00,000	1	5,00,000
Meghalaya	1	3,00,000	0	0	1	3,00,000
Mizoram	1	3,00,000	0	0	1	3,00,000
Nagaland	2	8,25,000	0	0	2	8,25,000
Orissa	49	1,45,45,000	24	72,50,000	25	72,95,000
Punjab	4	19,00,000	1	3,00,000	3	16,00,000
Rajasthan	14	47,00,000	7	18,00,000	7	29,00,000
Sikkim	1	3,75,000	1	3,75,000	0	0
Tamil Nadu	4	9,00,000	0	0	4	9,00,000
Tripura	2	12,00,000	0	0	2	12,00,000
Uttar Pradesh	97	2,94,85,000	22	51,00,000	75	2,43,85,000
West Bengal	16	46,00,000	5	10,75,000	11	35,25,000
Andaman & Nicobar	1	1,00,000	0	0	1	1,00,000



Name of State/UT	No. of Cases In Which Recommendation Made	Amount Recommended For Victims/ Next of Kins	No. Of Cases In Which Recommendations Have Been Complied With	Amount Paid	No. Of Cases Pending For Compliance	Amount Recommended In The Cases Pending Compliance
Chandigarh	0	0	0	0	0	0
Dadra & Nagar Haveli	0	0	0	0	0	0
Daman & Diu	0	0	0	0	0	0
Delhi	24	77,75,000	1	3,75,000	23	74,00,000
Lakshadweep	0	0	0	0	0	0
Puducherry	0	0	0	0	0	0
Chhattisgarh	7	28,00,000	3	9,00,000	4	19,00,000
Jharkhand	17	49,50,000	3	7,00,000	14	42,50,000
Uttarakhand	4	11,50,000	2	7,50,000	2	4,00,000
Telangana	6	25,90,840	2	13,90,840	4	12,00,000
Ladakh	0	0	0	0	0	0
Foreign Countries	0	0	0	0	0	0
Total	359	11,72,25,840	100	3,05,65,840	259	8,66,60,000

Annexure 5: Details of cases pending compliance of NHRC's recommendations

DETAILS OF CASES PENDING COMPLIANCE OF NHRC'S RECOMMENDATIONS DURING 2020-2021							
S. No.	Name of The State/UT	Case No.	Incident Code	Nature of Complaint	Amount Recommended for Victims/ Next of Kins	Date of Recommendation	Action
1	Andhra Pradesh	1004/1/20/2017-JCD	301	Custodial Death (Judicial)	3,00,000	11-03-2021	AIC
2	Assam	115/3/0/2018-PCD	807	Custodial Death (Police)	3,00,000	18-05-2020	AIC
3	Assam	134/3/22/2018	1505	Inaction By The State Government/Central Govt. officials	7,00,000	21-07-2020	AIC
4	Bihar	789/4/17/2018	1505	Inaction By The State Government/Central Govt. officials	50,000	21-09-2020	AIC
5	Delhi	3870/30/10/2017-PCD	807	Custodial Death (Police)	3,00,000	22-07-2020	AIC
6	Delhi	4461/30/6/2019	809	Custodial Torture	6,00,000	14-12-2020	AIC
7	Kerala	441/11/13/2019	1510	Death In Lock Up Of Revenue Authorities	3,00,000	28-09-2020	AIC
8	Lakshadweep	7/31/0/2016	804	Abuse Of Power	50,000	26-11-2020	AIC
9	Nagaland	5/17/1/2016-PCD	807	Custodial Death (Police)	3,50,000	18-03-2021	AIC
10	Uttar Pradesh	40366/24/48/2016	204	Irregularities In Govt. hospitals/Primary Health Centres	5,00,000	15-08-2020	AIC
11	Uttar Pradesh	35188/24/63/2017-JCD	301	Custodial Death (Judicial)	3,75,000	30-03-2021	DGI
12	West Bengal	1131/25/25/2019	604	Hazardous Employments	1,18,00,000	15-02-2021	AIC



S. No.	Name of The State/ UT	Case No.	Incident Code	Nature of Complaint	Amount Recommended for Victims/Next of Kins	Date of Recommendation
1	Andaman & Nicobar	13/26/0/2019	203	Malfunctioning Of Medical Professionals	1,00,000	11-06-2021
2	Andhra Pradesh	1038/1/5/2019-JCD	301	Custodial Death (Judicial)	3,25,000	21-03-2022
3	Andhra Pradesh	1095/1/2/2020	809	Custodial Torture	1,00,000	25-05-2021
4	Andhra Pradesh	1289/1/4/2015-JCD	301	Custodial Death (Judicial)	5,00,000	15-03-2022
5	Andhra Pradesh	1740/1/5/2020-JCD	301	Custodial Death (Judicial)	3,25,000	24-08-2021
6	Andhra Pradesh	35/1/2/2020	821	Victimisation	2,00,000	06-07-2021
7	Andhra Pradesh	365/1/21/2018	200	Health	3,00,000	19-01-2022
8	Andhra Pradesh	428/1/17/2018-JCD	301	Custodial Death (Judicial)	5,00,000	28-02-2022
9	Andhra Pradesh	935/1/22/2019	1505	Inaction By The State Government/Central Govt.officials	1,50,000	20-10-2021
10	Arunachal Pradesh	1/2/4/2020-AD	822	Alleged Custodial Deaths In Police Custody	4,50,000	08-12-2021
11	Arunachal Pradesh	29/2/17/2020	817	Unlawful Detention	25,000	08-10-2021
12	Arunachal Pradesh	31/2/4/2017-PF	1709	Death In Firing	5,00,000	16-05-2021
13	Arunachal Pradesh	35/2/15/2019	809	Custodial Torture	1,00,000	13-07-2021
14	Arunachal Pradesh	43/2/4/2017-ED	807	Custodial Death (Police)	3,00,000	16-12-2021
15	Assam	13/3/26/2019	1511	Death In Custody Of Forest Officials	2,00,000	04-06-2021
16	Assam	137/3/11/2019	1505	Inaction By The State Government/Central Govt.officials	2,00,000	27-08-2021
17	Assam	160/3/17/2017-PCD	807	Custodial Death (Police)	3,00,000	16-12-2021
18	Assam	164/3/8/2019-JCD	301	Custodial Death (Judicial)	3,00,000	06-07-2021
19	Assam	2/3/16/2015-ED	812	Death In Police Encounter	16,00,000	15-06-2021
20	Assam	219/3/3/2019	809	Custodial Torture	6,00,000	09-07-2021
21	Assam	22/3/2/2020-WC	803	Rape Outside Police Station	5,00,000	16-12-2021
22	Assam	30/3/17/2019-PCD	807	Custodial Death (Police)	3,00,000	08-12-2021
23	Bihar	1251/4/8/2019-PCD	807	Custodial Death (Police)	2,00,000	03-01-2022



S. No.	Name of The State/ UT	Case No.	Incident Code	Nature of Complaint	Amount Recommended for Victims/Next of Kins	Date of Recommendation
24	Bihar	1285/4/5/2019-JCD	301	Custodial Death (Judicial)	3,50,000	21-09-2021
25	Bihar	1381/4/19/2013-ED	812	Death In Police Encounter	3,00,000	03-06-2021
26	Bihar	1406/4/16/2019-WC	1311	Rape	2,00,000	05-11-2021
27	Bihar	1625/4/8/2018-JCD	301	Custodial Death (Judicial)	2,00,000	23-06-2021
28	Bihar	178/4/9/2018-PCD	807	Custodial Death (Police)	4,00,000	05-10-2021
29	Bihar	1781/4/4/2019-AD	309	Alleged Custodial Deaths In Judicial Custody	5,00,000	25-10-2021
30	Bihar	1793/4/8/2018-JCD	301	Custodial Death (Judicial)	5,00,000	08-07-2021
31	Bihar	1826/4/19/2019	503	Trouble By Anti-Social Elements	3,00,000	30-09-2021
32	Bihar	2050/4/10/2019-JCD	301	Custodial Death (Judicial)	2,00,000	01-11-2021
33	Bihar	2089/4/12/2019-WC	1903	Rape Of Sc	75,000	29-03-2022
34	Bihar	2096/4/26/2019-JCD	301	Custodial Death (Judicial)	4,50,000	26-07-2021
35	Bihar	2230/4/16/2019-JCD	301	Custodial Death (Judicial)	3,00,000	22-12-2021
36	Bihar	2679/4/36/2018-JCD	301	Custodial Death (Judicial)	3,75,000	26-07-2021
37	Bihar	2734/4/27/2018	814	Failure In Taking Lawful Action	1,00,000	08-06-2021
38	Bihar	2781/4/27/2017	1505	Inaction By The State Government/Central Govt.officials	1,00,000	07-04-2021
39	Bihar	2962/4/36/2016	809	Custodial Torture	50,000	11-01-2022
40	Bihar	3194/4/35/2017-JCD	301	Custodial Death (Judicial)	10,00,000	06-11-2021
41	Bihar	3209/4/39/2019-JCD	301	Custodial Death (Judicial)	5,00,000	30-12-2021
42	Bihar	3370/4/26/2018-JCD	301	Custodial Death (Judicial)	3,00,000	20-12-2021
43	Bihar	3766/4/6/2014-JCD	301	Custodial Death (Judicial)	5,00,000	20-12-2021
44	Bihar	380/4/1/2018	100	Children	2,00,000	06-04-2021
45	Bihar	513/4/23/2016	815	False Implications	5,25,000	06-07-2021
46	Bihar	878/4/24/2020	809	Custodial Torture	1,00,000	10-11-2021



S. No.	Name of The State/ UT	Case No.	Incident Code	Nature of Complaint	Amount Recommended for Victims/Next of Kins	Date of Recommendation
47	Bihar	925/4/26/2020	809	Custodial Torture	7,00,000	23-12-2021
48	Bihar	945/4/26/2017-JCD	301	Custodial Death (Judicial)	4,00,000	14-02-2022
49	Bihar	979/4/13/2020	205	Lack of Proper Medical Facilities In The State	1,00,000	04-01-2022
50	Chhattisgarh	220/33/1/2018-JCD	301	Custodial Death (Judicial)	5,00,000	14-02-2022
51	Chhattisgarh	299/33/16/2019-PCD	807	Custodial Death (Police)	3,00,000	24-11-2021
52	Chhattisgarh	563/33/17/2016-ED	812	Death In Police Encounter	7,00,000	13-04-2021
53	Chhattisgarh	685/33/1/2016-ED	812	Death In Police Encounter	4,00,000	15-09-2021
54	Delhi	1035/30/9/2017-WC	1305	Dowry Demand	3,00,000	23-03-2022
55	Delhi	1202/30/9/2016-JCD	301	Custodial Death (Judicial)	3,00,000	09-07-2021
56	Delhi	1285/30/5/2018	805	Attempted Murder	4,00,000	13-07-2021
57	Delhi	2049/30/0/2021	1202	Non-Payment of Pension/Compensation	1,00,000	25-03-2022
58	Delhi	2290/30/0/2019-JCD	301	Custodial Death (Judicial)	4,00,000	16-03-2022
59	Delhi	2649/30/5/2020	1500	Miscellaneous	3,00,000	22-02-2022
60	Delhi	2863/30/2/2019	1901	Atrocities On Sc	3,00,000	01-09-2021
61	Delhi	3273/30/9/2018	804	Abuse of Power	3,00,000	12-04-2021
62	Delhi	3533/30/0/2017	107	Death in Police Custody	2,00,000	02-02-2022
63	Delhi	3788/30/5/2019	832	Non-Registration Of Fir	1,00,000	23-11-2021
64	Delhi	3870/30/10/2017-PCD	807	Custodial Death (Police)	6,00,000	06-09-2021
65	Delhi	4084/30/0/2018	814	Failure In Taking Lawful Action	3,00,000	10-06-2021
66	Delhi	4093/30/6/2019	804	Abuse of Power	1,00,000	01-07-2021
67	Delhi	4435/30/5/2019	123	Child Rape	2,00,000	16-09-2021
68	Delhi	4461/30/6/2019	809	Custodial Torture	12,00,000	30-09-2021
69	Delhi	4614/30/2/2017-JCD	301	Custodial Death (Judicial)	3,00,000	15-11-2021
70	Delhi	4831/30/7/2019	804	Abuse of Power	1,00,000	17-11-2021



S. No.	Name of The State/ UT	Case No.	Incident Code	Nature of Complaint	Amount Recommended for Victims/Next of Kins	Date of Recommendation
71	Delhi	5132/30/9/2018	815	False Implications	3,00,000	01-04-2021
72	Delhi	5488/30/0/2017-JCD	301	Custodial Death (Judicial)	2,00,000	29-12-2021
73	Delhi	57/30/0/2020	804	Abuse Of Power	2,00,000	25-10-2021
74	Delhi	680/30/1/2015-ED	812	Death In Police Encounter	5,00,000	08-12-2021
75	Delhi	7377/30/0/2015	203	Malfunctioning Of Medical Professionals	3,00,000	23-09-2021
76	Delhi	757/30/7/2018-PCD	807	Custodial Death (Police)	4,00,000	10-02-2022
77	Gujarat	150/6/26/2020-JCD	301	Custodial Death (Judicial)	4,50,000	04-01-2022
78	Gujarat	1567/6/13/2018-JCD	301	Custodial Death (Judicial)	3,50,000	13-09-2021
79	Gujarat	279/6/15/2020-PCD	807	Custodial Death (Police)	4,50,000	31-01-2022
80	Gujarat	294/6/25/2020-WC	803	Rape Outside Police Station	5,00,000	17-02-2022
81	Haryana	1318/7/2/2020	809	Custodial Torture	3,00,000	10-11-2021
82	Haryana	1883/7/8/2019	505	Murder By Anti Social Elements	2,00,000	31-12-2021
83	Haryana	4900/7/18/2016-PCD	807	Custodial Death (Police)	3,00,000	10-02-2022
84	Haryana	661/7/2/2017-PCD	807	Custodial Death (Police)	5,00,000	24-03-2022
85	Haryana	695/7/3/2020-JCD	301	Custodial Death (Judicial)	3,50,000	10-02-2022
86	Haryana	9079/7/17/2014-ED	812	Death In Police Encounter	10,00,000	25-02-2022
87	Haryana	919/7/1/2018-JCD	301	Custodial Death (Judicial)	3,00,000	09-06-2021
88	Haryana	920/7/17/2020-JCD	301	Custodial Death (Judicial)	3,75,000	26-10-2021
89	Jammu & Kashmir	284/9/20/2021	1508	Atrocities By Custom/ Excise/Enforcement/ Forest/Income-Tax Deptt., Etc.of Central/ State Governments	3,00,000	02-03-2022
90	Jharkhand	1014/34/6/2019	212	Malnutrition Deaths	3,00,000	25-02-2022
91	Jharkhand	1110/34/16/2019-JCD	301	Custodial Death (Judicial)	4,00,000	29-07-2021
92	Jharkhand	1146/34/11/2019-CL	101	Child Labour	1,00,000	18-06-2021



S. No.	Name of The State/ UT	Case No.	Incident Code	Nature of Complaint	Amount Recommended for Victims/Next of Kins	Date of Recommendation
93	Jharkhand	155/34/18/2020	207	Medical Negligence	2,00,000	21-02-2022
94	Jharkhand	1711/34/16/2018-JCD	301	Custodial Death (Judicial)	1,50,000	01-07-2021
95	Jharkhand	301/34/8/2019-AD	822	Alleged Custodial Deaths In Police Custody	3,00,000	10-06-2021
96	Jharkhand	344/34/12/2019	100	Children	50,000	12-05-2021
97	Jharkhand	405/34/4/2020	804	Abuse of Power	1,00,000	17-05-2021
98	Jharkhand	429/34/22/2015-ED	812	Death In Police Encounter	10,00,000	29-11-2021
99	Jharkhand	763/34/5/2020	1514	Death Due To Electrocution	3,50,000	23-08-2021
100	Jharkhand	891/34/2/2019	207	Medical Negligence	2,00,000	10-06-2021
101	Jharkhand	909/34/11/2019-JCD	301	Custodial Death (Judicial)	3,00,000	14-12-2021
102	Jharkhand	95/34/3/2021-WC	1304	Dowry Death or Their Attempt	1,00,000	06-12-2021
103	Jharkhand	979/34/8/2019-DH	111	Death in Other Govt. Run Children Home	7,00,000	29-03-2022
104	Karnataka	244/10/7/2018	203	Malfunctioning of Medical Professionals	1,00,000	07-04-2021
105	Karnataka	457/10/21/2018-PCD	807	Custodial Death (Police)	1,00,000	08-07-2021
106	Kerala	322/11/6/2020	213	Breakout of Epidemics	3,00,000	25-01-2022
107	Kerala	636/11/8/2019-JCD	301	Custodial Death (Judicial)	3,00,000	24-06-2021
108	Kerala	672/11/3/2016-PCD	807	Custodial Death (Police)	6,50,000	24-11-2021
109	Kerala	77/11/12/2020-JCD	301	Custodial Death (Judicial)	5,00,000	14-02-2022
110	Madhya Pradesh	1213/12/21/2019-WC	1304	Dowry Death or Their Attempt	1,00,000	17-05-2021
111	Madhya Pradesh	1417/12/53/2020	804	Abuse of Power	2,00,000	24-05-2021
112	Madhya Pradesh	1698/12/44/2019	207	Medical Negligence	7,50,000	21-02-2022
113	Madhya Pradesh	1792/12/43/2020	207	Medical Negligence	4,00,000	02-07-2021
114	Madhya Pradesh	1891/12/21/2020	809	Custodial Torture	1,00,000	15-07-2021
115	Madhya Pradesh	913/12/23/2020	215	Mid-Day Meal For Children	3,80,000	01-09-2021



S. No.	Name of The State/ UT	Case No.	Incident Code	Nature of Complaint	Amount Recommended for Victims/Next of Kins	Date of Recommendation
116	Maharashtra	1037/13/31/2020-JCD	301	Custodial Death (Judicial)	3,75,000	31-01-2022
117	Maharashtra	1040/13/16/2018-AD	822	Alleged Custodial Deaths In Police Custody	5,00,000	04-02-2022
118	Maharashtra	1719/13/19/2017-JCD	301	Custodial Death (Judicial)	3,00,000	05-08-2021
119	Maharashtra	2818/13/15/2015	203	Malfunctioning Of Medical Professionals	1,00,000	09-07-2021
120	Maharashtra	321/13/16/2018-JCD	301	Custodial Death (Judicial)	3,50,000	06-09-2021
121	Maharashtra	544/13/0/2020-WC	1309	Indignity Of Women	1,00,000	09-02-2022
122	Manipur	25/14/14/2017-PCD	807	Custodial Death (Police)	5,00,000	16-12-2021
123	Meghalaya	46/15/1/2016-ED	812	Death In Police Encounter	3,00,000	14-12-2021
124	Mizoram	13/16/5/2018-JCD	301	Custodial Death (Judicial)	3,00,000	26-11-2021
125	Nagaland	3/17/9/2020-JCD	301	Custodial Death (Judicial)	3,75,000	21-02-2022
126	Nagaland	6/17/5/2018-AD	822	Alleged Custodial Deaths In Police Custody	4,50,000	16-12-2021
127	Odisha	1066/18/9/2020	1508	Atrocities By Custom/ Excise/Enforcement/ Forest/Income-Tax Deptt., Etc.of Central/ State Governments	2,00,000	08-11-2021
128	Odisha	1107/18/12/2019-JCD	301	Custodial Death (Judicial)	2,00,000	16-03-2022
129	Odisha	1454/18/8/2020-JCD	301	Custodial Death (Judicial)	3,75,000	02-08-2021
130	Odisha	1626/18/17/2020	1514	Death Due To Electrocution	3,00,000	29-10-2021
131	Odisha	1752/18/17/2019-JCD	301	Custodial Death (Judicial)	5,00,000	31-12-2021
132	Odisha	1784/18/17/2020	1514	Death Due To Electrocution	3,00,000	04-02-2022
133	Odisha	1816/18/9/2020	1514	Death Due To Electrocution	3,00,000	14-10-2021
134	Odisha	1969/18/6/2020	1514	Death Due To Electrocution	3,00,000	19-01-2022
135	Odisha	2029/18/24/2020	1514	Death Due To Electrocution	3,00,000	06-12-2021
136	Odisha	208/18/24/2019	1505	Inaction By The State Government/Central Govt.officials	2,00,000	05-07-2021



S. No.	Name of The State/ UT	Case No.	Incident Code	Nature of Complaint	Amount Recommended for Victims/Next of Kins	Date of Recommendation
137	Odisha	2085/18/18/2020	1514	Death Due To Electrocution	2,00,000	14-02-2022
138	Odisha	2161/18/10/2019	1514	Death Due To Electrocution	5,00,000	03-12-2021
139	Odisha	2193/18/9/2020	200	Health	2,00,000	31-12-2021
140	Odisha	2222/18/3/2019-JCD	301	Custodial Death (Judicial)	2,00,000	01-04-2021
141	Odisha	2285/18/13/2019	604	Hazardous Employments	2,50,000	08-05-2021
142	Odisha	2524/18/17/2019	1514	Death Due To Electrocution	1,00,000	08-11-2021
143	Odisha	2557/18/16/2020	218	Medical Care For Elderly Persons	1,00,000	14-03-2022
144	Odisha	2600/18/4/2020	225	Denial Of Treatment During Pandemic	2,00,000	10-02-2022
145	Odisha	2722/18/1/2019	1514	Death Due To Electrocution	5,00,000	17-02-2022
146	Odisha	2732/18/30/2019	1514	Death Due To Electrocution	5,00,000	29-03-2022
147	Odisha	3073/18/26/2019	1514	Death Due To Electrocution	5,00,000	22-06-2021
148	Odisha	3081/18/10/2019	1514	Death Due To Electrocution	1,00,000	02-12-2021
149	Odisha	3541/18/6/2019	1514	Death Due To Electrocution	2,00,000	11-06-2021
150	Odisha	4247/18/1/2014	203	Malfunctioning Of Medical Professionals	4,50,000	24-04-2021
151	Odisha	4304/18/1/2018-WC	1310	Immoral Trafficking On Women	3,20,000	10-11-2021
152	Punjab	262/19/18/2019-JCD	301	Custodial Death (Judicial)	3,00,000	17-02-2022
153	Punjab	716/19/1/2015-JCD	301	Custodial Death (Judicial)	5,00,000	29-12-2021
154	Punjab	782/19/2/2020	207	Medical Negligence	8,00,000	20-07-2021
155	Rajasthan	1068/20/29/2020-JCD	301	Custodial Death (Judicial)	4,50,000	17-01-2022
156	Rajasthan	1112/20/29/2019-AD	309	Alleged Custodial Deaths In Judicial Custody	2,00,000	17-02-2022
157	Rajasthan	1980/20/20/2019-JCD	301	Custodial Death (Judicial)	4,00,000	11-02-2022
158	Rajasthan	2141/20/14/2020	1514	Death Due To Electrocution	12,50,000	22-12-2021
159	Rajasthan	2368/20/14/2017-JCD	301	Custodial Death (Judicial)	3,00,000	26-11-2021

S. No.	Name of The State/ UT	Case No.	Incident Code	Nature of Complaint	Amount Recommended for Victims/Next of Kins	Date of Recommendation
160	Rajasthan	654/20/2/2021-PCR	823	Alleged Custodial Rape In Police Custody	1,00,000	22-10-2021
161	Rajasthan	862/20/21/2018-JCD	301	Custodial Death (Judicial)	2,00,000	14-06-2021
162	Tamil Nadu	1623/22/31/2019-WC	1311	Rape	1,00,000	17-05-2021
163	Tamil Nadu	1656/22/13/2016-JCD	301	Custodial Death (Judicial)	3,00,000	24-08-2021
164	Tamil Nadu	2308/22/45/2017-PCD	807	Custodial Death (Police)	2,00,000	04-02-2022
165	Tamil Nadu	2520/22/31/2019-JCD	301	Custodial Death (Judicial)	3,00,000	07-06-2021
166	Telangana	1130/36/22/2019	2501	Malfunctioning Of Panchayat In States	1,00,000	16-02-2022
167	Telangana	1513/36/9/2020-WC	1306	Exploitation Of Women	4,00,000	14-03-2022
168	Telangana	660/36/6/2015-JCD	301	Custodial Death (Judicial)	2,00,000	19-06-2021
169	Telangana	715/36/8/2019-JCD	301	Custodial Death (Judicial)	5,00,000	22-08-2021
170	Tripura	32/23/9/2020	123	Child Rape	7,00,000	14-12-2021
171	Tripura	39/23/3/2019-WC	1315	Murder	5,00,000	14-12-2021
172	Uttar Pradesh	11148/24/24/2021	1518	Death Due To Consumption Of Illicit Liquor	2,00,000	13-12-2021
173	Uttar Pradesh	11156/24/52/2020	814	Failure In Taking Lawful Action	2,00,000	29-12-2021
174	Uttar Pradesh	11194/24/49/2020	804	Abuse Of Power	1,00,000	16-03-2022
175	Uttar Pradesh	11644/24/33/2018-JCD	301	Custodial Death (Judicial)	3,00,000	30-09-2021
176	Uttar Pradesh	11818/24/60/2017-JCD	301	Custodial Death (Judicial)	2,00,000	06-07-2021
177	Uttar Pradesh	11901/24/42/2019-JCD	301	Custodial Death (Judicial)	3,00,000	08-07-2021
178	Uttar Pradesh	12076/24/16/2019	1505	Inaction By The State Government/Central Govt.officials	64,00,000	09-06-2021
179	Uttar Pradesh	12541/24/53/2020	1505	Inaction By The State Government/Central Govt.officials	3,50,000	24-02-2022
180	Uttar Pradesh	12580/24/1/2019-JCD	301	Custodial Death (Judicial)	2,00,000	04-06-2021
181	Uttar Pradesh	13140/24/71/2021-AD	822	Alleged Custodial Deaths In Police Custody	10,00,000	31-12-2021



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182	Uttar Pradesh	136/24/77/2018	814	Failure In Taking Lawful Action	3,00,000	30-09-2021
183	Uttar Pradesh	13616/24/17/2020	1508	Atrocities By Custom/ Excise/Enforcement/ Forest/Income-Tax Deptt., Etc.of Central/ State Governments.	1,00,000	01-11-2021
184	Uttar Pradesh	15903/24/32/2019-WC	1311	Rape	2,00,000	10-06-2021
185	Uttar Pradesh	1607/24/52/2019-JCD	301	Custodial Death (Judicial)	2,00,000	04-06-2021
186	Uttar Pradesh	16376/24/48/2015-JCD	301	Custodial Death (Judicial)	8,00,000	06-11-2021
187	Uttar Pradesh	16629/24/44/2018	814	Failure In Taking Lawful Action	1,00,000	12-07-2021
188	Uttar Pradesh	17099/24/1/2019-JCD	301	Custodial Death (Judicial)	2,00,000	16-06-2021
189	Uttar Pradesh	17151/24/75/2019-WC	1315	Murder	10,000	22-08-2021
190	Uttar Pradesh	17902/24/62/2020-JCD	301	Custodial Death (Judicial)	3,00,000	15-11-2021
191	Uttar Pradesh	18265/24/8/2016-JCD	301	Custodial Death (Judicial)	3,00,000	30-07-2021
192	Uttar Pradesh	18294/24/1/2019	207	Medical Negligence	3,00,000	03-03-2022
193	Uttar Pradesh	18673/24/48/2019	1508	Atrocities By Custom/ Excise/Enforcement/ Forest/Income-Tax Deptt., Etc.of Central/ State Govts.	1,00,000	08-11-2021
194	Uttar Pradesh	19627/24/16/2018-AD	822	Alleged Custodial Deaths In Police Custody	5,00,000	01-07-2021
195	Uttar Pradesh	21721/24/53/2019-JCD	301	Custodial Death (Judicial)	2,00,000	21-10-2021
196	Uttar Pradesh	21756/24/26/2017-JCD	301	Custodial Death (Judicial)	3,00,000	30-09-2021
197	Uttar Pradesh	21795/24/3/2019-JCD	301	Custodial Death (Judicial)	2,00,000	20-08-2021
198	Uttar Pradesh	2204/24/21/2020	804	Abuse Of Power	50,000	02-08-2021
199	Uttar Pradesh	23025/24/7/2019-JCD	301	Custodial Death (Judicial)	3,25,000	11-10-2021
200	Uttar Pradesh	23068/24/22/2019	814	Failure In Taking Lawful Action	1,00,000	27-08-2021
201	Uttar Pradesh	23080/24/51/2019	809	Custodial Torture	2,00,000	22-08-2021
202	Uttar Pradesh	23217/24/31/2018	100	Children	3,00,000	13-12-2021



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203	Uttar Pradesh	23598/24/45/2019	814	Failure In Taking Lawful Action	3,50,000	29-11-2021
204	Uttar Pradesh	23626/24/17/2019	814	Failure In Taking Lawful Action	50,000	31-03-2022
205	Uttar Pradesh	25984/24/16/2018-JCD	301	Custodial Death (Judicial)	2,00,000	17-02-2022
206	Uttar Pradesh	26106/24/52/2019	814	Failure In Taking Lawful Action	2,00,000	14-10-2021
207	Uttar Pradesh	26338/24/1/2019-JCD	301	Custodial Death (Judicial)	2,00,000	21-10-2021
208	Uttar Pradesh	26627/24/23/2018-JCD	301	Custodial Death (Judicial)	3,00,000	16-03-2022
209	Uttar Pradesh	26681/24/27/2018	1505	Inaction By The State Government/Central Govt.officials	4,00,000	28-05-2021
210	Uttar Pradesh	26878/24/78/2017-JCD	301	Custodial Death (Judicial)	3,00,000	29-07-2021
211	Uttar Pradesh	26939/24/23/2019-JCD	301	Custodial Death (Judicial)	3,00,000	21-02-2022
212	Uttar Pradesh	28041/24/52/2018-JCD	301	Custodial Death (Judicial)	2,00,000	19-08-2021
213	Uttar Pradesh	28273/24/72/2019	203	Malfunctioning Of Medical Professionals	1,00,000	22-12-2021
214	Uttar Pradesh	28832/24/57/2019	207	Medical Negligence	1,00,000	21-06-2021
215	Uttar Pradesh	28910/24/36/2019	804	Abuse Of Power	2,00,000	07-07-2021
216	Uttar Pradesh	29119/24/35/2017-JCD	301	Custodial Death (Judicial)	3,00,000	05-07-2021
217	Uttar Pradesh	29471/24/18/2019	809	Custodial Torture	1,00,000	11-06-2021
218	Uttar Pradesh	29648/24/43/2018-WC	1307	Gang Rape	3,00,000	10-09-2021
219	Uttar Pradesh	29729/24/56/2018-JCD	301	Custodial Death (Judicial)	3,00,000	26-11-2021
220	Uttar Pradesh	29746/24/3/2018-JCD	301	Custodial Death (Judicial)	3,50,000	26-10-2021
221	Uttar Pradesh	29865/24/22/2016	806	Atrocities On Sc/St (By Police)	2,00,000	11-06-2021
222	Uttar Pradesh	30118/24/51/2018-WC	1301	Abduction, Rape And Murder	3,50,000	09-08-2021
223	Uttar Pradesh	30596/24/25/2016	814	Failure In Taking Lawful Action	1,00,000	17-08-2021
224	Uttar Pradesh	3088/24/6/2018-JCD	301	Custodial Death (Judicial)	3,50,000	05-07-2021
225	Uttar Pradesh	30955/24/78/2019-JCD	301	Custodial Death (Judicial)	4,00,000	24-01-2022



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226	Uttar Pradesh	31615/24/27/2019-WC	1301	Abduction, Rape and Murder	2,00,000	12-07-2021
227	Uttar Pradesh	3183/24/22/2019-JCD	301	Custodial Death (Judicial)	4,00,000	28-06-2021
228	Uttar Pradesh	3197/24/53/2019-JCD	301	Custodial Death (Judicial)	3,00,000	16-08-2021
229	Uttar Pradesh	33654/24/1/2019-JCD	301	Custodial Death (Judicial)	2,75,000	02-08-2021
230	Uttar Pradesh	35762/24/7/2018-JCD	301	Custodial Death (Judicial)	3,00,000	28-06-2021
231	Uttar Pradesh	37414/24/15/2018-JCD	301	Custodial Death (Judicial)	2,00,000	30-09-2021
232	Uttar Pradesh	4418/24/15/2020	1505	Inaction by the State Government/Central Govt. Officials	1,00,000	30-09-2021
233	Uttar Pradesh	48326/24/68/2015	814	Failure In Taking Lawful Action	1,00,000	05-04-2021
234	Uttar Pradesh	5911/24/68/2020	1514	Death Due To Electrocution	2,00,000	29-11-2021
235	Uttar Pradesh	6215/24/30/2020	100	Children	1,00,000	18-06-2021
236	Uttar Pradesh	6616/24/61/2018	203	Malfunctioning of Medical Professionals	2,00,000	12-08-2021
237	Uttar Pradesh	686/24/67/2020	804	Abuse of Power	2,00,000	31-12-2021
238	Uttar Pradesh	7439/24/7/2020	505	Murder by Anti Social Elements	1,00,000	29-10-2021
239	Uttar Pradesh	7858/24/54/2014-JCD	301	Custodial Death (Judicial)	3,00,000	04-02-2022
240	Uttar Pradesh	8017/24/64/2019-JCD	301	Custodial Death (Judicial)	4,00,000	14-06-2021
241	Uttar Pradesh	8470/24/71/2018-JCD	301	Custodial Death (Judicial)	3,00,000	13-12-2021
242	Uttar Pradesh	8583/24/52/2018	814	Failure In Taking Lawful Action	25,000	18-02-2022
243	Uttar Pradesh	8764/24/34/2021	804	Abuse Of Power	2,00,000	07-02-2022
244	Uttar Pradesh	9046/24/54/2020	1505	Inaction by the State Government/Central Govt. Officials	1,00,000	07-06-2021
245	Uttar Pradesh	9201/24/23/2018	814	Failure In Taking Lawful Action	1,00,000	05-09-2021
246	Uttar Pradesh	9839/24/52/2019-JCD	301	Custodial Death (Judicial)	3,00,000	08-11-2021
247	Uttarakhand	286/35/7/2019-JCD	301	Custodial Death (Judicial)	3,00,000	08-07-2021
248	Uttarakhand	317/35/3/2018	203	Malfunctioning Of Medical Professionals	1,00,000	20-10-2021



S. No.	Name of The State/ UT	Case No.	Incident Code	Nature of Complaint	Amount Recommended for Victims/Next of Kins	Date of Recommendation
249	West Bengal	102/25/8/2016-JCD	301	Custodial Death (Judicial)	3,00,000	21-10-2021
250	West Bengal	108/25/5/2017-JCD	301	Custodial Death (Judicial)	1,00,000	22-08-2021
251	West Bengal	1581/25/5/2018-JCD	301	Custodial Death (Judicial)	3,00,000	02-02-2022
252	West Bengal	372/25/15/2017-PF	1704	Abuse of Power	50,000	24-06-2021
253	West Bengal	439/25/11/2015-JCD	301	Custodial Death (Judicial)	4,00,000	30-09-2021
254	West Bengal	547/25/7/2015	811	Death In Police Firing	7,00,000	15-09-2021
255	West Bengal	659/25/9/2018-DH	110	Custodial Death in Juvenile Home	2,00,000	11-11-2021
256	West Bengal	677/25/13/2020	216	Maternity Health Care	3,75,000	29-11-2021
257	West Bengal	797/25/5/2018-JCD	301	Custodial Death (Judicial)	2,00,000	19-06-2021
258	West Bengal	80/25/11/2018-PF	1709	Death In Firing	3,00,000	07-04-2021
259	West Bengal	870/25/15/2019	804	Abuse of Power	6,00,000	28-05-2021
					8,66,60,000	

**Annexure 5A:**

DETAILS OF CASES PENDING COMPLIANCE OF NHRC'S RECOMMENDATIONS DURING 2014-2020						
(Data as per CMS as on 12/04/2021)						
S. No.	Name of The State/ UT	Case No.	Incident Code	Nature of Complaint	Amount Recommended for Victims/Next of Kins	Date of Recommendation
1	Assam	237/3/11/2018-jcd	301	Custodial Death (Judicial)	3,00,000	20-01-2020
2	Bihar	3269/4/4/2017	804	Abuse Of Power	1,00,000	21-01-2020
3	Chhattisgarh	172/33/5/2018	805	Attempted Murder	12,00,000	17-09-2019
4	Jharkhand	1066/34/7/2017-jcd	301	Custodial Death (Judicial)	3,00,000	19-03-2020
5	Jharkhand	1559/34/5/2018-JCD	301	Custodial Death (Judicial)	3,00,000	14-11-2019
6	Jharkhand	208/34/8/2019	207	Medical Negligence	1,00,000	16-10-2019
7	Madhya Pradesh	261/12/35/2019	106	Sexual Harassment/ Unnatural Offence	3,00,000	23-12-2019
8	Madhya Pradesh	342/12/8/2019-wc	803	Rape Outside Police Station	50,000	16-03-2020
9	Odisha	4257/18/1/2016	204	Irregularities In Govt. hospitals/ Primary Health Centres	4,00,000	17-02-2020
10	Punjab	384/19/1/2017-jcd	301	Custodial Death (Judicial)	3,00,000	23-10-2019
11	Tamil Nadu	969/22/13/2017	814	Failure In Taking Lawful Action	3,00,000	12-02-2020
12	Telangana	945/36/0/2016-JCD	301	Custodial Death (Judicial)	3,00,000	19-06-2019
13	Delhi	252/30/8/2014	2006	Victimisation (Foreigner's/Nri)	3,00,000	29-09-2014

Annexure 6: Cases where NHRC recommended disciplinary action and prosecution

Name of State/UT	Disciplinary Action	Prosecution
All India	0	0
Andaman & Nicobar	0	0
Andhra Pradesh	0	0
Arunachal Pradesh	0	0
Assam	0	0
Bihar	0	0
Chandigarh	0	0
Chhattisgarh	0	0
Dadra & Nagar Haveli	0	0
Daman & Diu	0	0
Delhi	0	0
Foreign Countries	0	0
Goa	0	0
Gujarat	0	0
Haryana	0	0
Himachal Pradesh	0	0
Jammu & Kashmir	0	0
Jharkhand	0	0
Karnataka	0	0
Kerala	0	0
Ladakh	0	0
Lakshadweep	0	0
Madhya Pradesh	0	0
Maharashtra	0	0
Manipur	0	0
Meghalaya	0	0
Mizoram	0	0
Nagaland	0	0



Name of State/UT	Disciplinary Action	Prosecution
Odisha	0	0
Puducherry	0	0
Punjab	0	0
Rajasthan	0	0
Sikkim	0	0
Tamil Nadu	1	0
Telangana	0	0
Tripura	0	0
Uttar Pradesh	0	0
Uttarakhand	0	0
West Bengal	0	0
Total	1	0

Annexure 7: Spot Enquiries carried out by the Investigation Division

Sl. No.	Case No.	Complainant Details	Gist of Complaint
1	1211/30/0/2021	Shri Mohammad Sharif, Trilokpuri, Delhi	Alleged brutality, discrimination and threats to life to complainant's son by an official of Tihar Jail No. 1, Delhi for failure to meet his illegal demand of Rs.10,000/- per month.
2	1077/25/0/2021	Suo-motu cognizance	The Commission took suo-motu cognizance of press report published in <i>Times of India</i> and <i>Hindustan Times</i> regarding post poll violence in Districts of West Bengal (West Midnapore, Kolkata, North 24 Parganas) which led to death of 11 people and injuries to several persons.
3	11416/24/30/2021	Shri Siddharth, Greater Noida, District Gautam Budh Nagar, Uttar Pradesh	District authorities of Gautam Budh Nagar, Uttar Pradesh allegedly failed to support the general public of the district with necessary information, infrastructure support, adequate medical setup etc. during Covid-19.
4	26453/24/78/2020-AD	Smt. Harvedi w/o Shri Shyam Singh, District Kasganj, Uttar Pradesh	The complainant, in the instant complaint, has alleged about death of her son due to torture by named police officials under garb of investigation. It is stated that on a complaint regarding elopement of one girl from a village under PS Gangiri, District-Aligarh, a case was registered against her another son. As whereabouts of that son as well as of the girl were not known to the family, for seeking their detail, named police officials were harassing and even beating the deceased son on regular basis. The deceased was called by named police officials and next day his body was found hanging in under construction building of a temple. It is further alleged that even her third son was tortured by the police officials of Gangiri PS and it is only after death of her son, the police had spared him. It is further alleged that despite her complaint, police had not registered FIR.
5	8500/24/75/2021-PCR	Shri Prem Singh, District Badaun (Sambhal Bhim Nagar), Uttar Pradesh	The complainant alleged that his daughter, a widow, was raped, tortured and molested in police custody by SHO. He further alleged that the SHO raped her many times and also inserted external objects in her private parts and manipulated the same with medical doctor, who submitted a false medical report.



Sl. No.	Case No.	Complainant Details	Gist of Complaint
6	911/7/15/2021-BL	Ms. Mahima Vikal, District Panipat, Haryana	The complainant alleged that 36 scheduled caste families comprising of 162 persons have been held as bonded labour by the owner of Mohit Brick Kiln at Village Ishrane, District Panipat, Haryana. They are not being paid their wages and forced to work 16 hrs a day. Their living condition is distressing, and they have no freedom of movement. The complainant requested for their rescue, release and payment of their due wages.
7	1187/13/16/2020	Dr. Vinay P. Sahasrabudhe & other two Member of Parliament (Rajya Sabha), Chairman, Parliamentary Committee on Human Resources Development, New Delhi	It has been alleged by a delegation of the Members of Parliament (Rajya Sabha) that there are several state sponsored violations of human rights in the State of Maharashtra. The delegation has mentioned various cases of violation of human rights either by the police personnel or by the members of the ruling party, even in some cases, in presence of the Ministers of the State Government. In one of the case, the victim resident of Wadala, Mumbai, was assaulted by Shiv Sainiks, people of the ruling party in the State, breaking his house as he criticised the Chief Minister of Maharashtra on social media. The victim was not only beaten up, but he was taken to the streets and shaved by the accused persons.
8	1586/30/0/2021	Shri Anil Kumar Chobe, District Basti, Uttar Pradesh	The complainant alleged that his son and others were picked up by the Uttar Pradesh police. It has been further alleged that the police brought them to district Basti and then shot bullet on the leg of one of them showing it as an encounter in the area of Parshuram Police Station. Now whereabouts of his son Suraj and others are not known.
9	1974/30/2/2021	Shri Manish Singh, Mandoli Jail, Delhi	The complainant alleged that illegal activities are going in the jail premises i.e. ransom collection, providing mobile phone and seductive drugs to the prisoner by the jail officials. He has also alleged physical assault on prisoners if they refuse to pay ransom.

Sl. No.	Case No.	Complainant Details	Gist of Complaint
10	1271/20/4/2021-AFE	Smt. Jashoda Devi, District Barmer, Rajasthan	The complainant has alleged that the Supdt. of Polie, District Barmer, Rajasthan alongwith Dy.SP & other police official surrounded their house with weapons without any warrant. Being scared, he attempted to escape from the police by his car, but he was stopped by the police. In between, the Police fired three bullets on the tyre of his vehicle and also targeting her husband due to which he was injured. The police officials also assaulted him due to which he died, and then took him in their vehicle. Later, threatening the complainant, the police entered in her house and planted opium and seized money and the CCTV camera from their house. The police also took an amount of Rs. 59,69,050/- from their almirah and the complainant and her minor children were detained in the police station till night.
11	4385/30/2/2021-WC	Ms. Urvashi Gupta, Mayur Vihar, Delhi	The complainant alleged about her sexual abuse by her biological father and failure on the part of police to take appropriate legal action against him despite being approached through DCW Counsellor.
12	5042/30/10/2021-WC	Shri Mobeen Khan, Advocate, District Poonch, J & K.	The complainant has alleged that the victim, a member of the civil defence associated with the office of Lajpat Nagar District Magistrate, Delhi was gang raped and brutally murdered. In this regard, a FIR was registered at PS, Surajkund, Faridabad, Haryana. The complainant has requested to transfer the case to CBI for investigation as allegedly higher officers are harbouring the accused.
13	559/4/25/2020-WC	Ms. Mandvi Bai (Sadhi) Mahila Sant Ashram, Govindpur, District Nawadah, Bihar	The complainant alleged that named persons had forcibly entered their religious place and raped her and other nuns (sanyasini). A criminal case was got registered in the matter. The offenders intimidated and threatened them of life to withdraw the case. On their refusal, the victims have been falsely got implicated in criminal cases in District Basti, Uttar Pradesh. A prayer had been made for intervention by the Commission in the matter.



Sl. No.	Case No.	Complainant Details	Gist of Complaint
14	946/7/7/2021-WC	Shri Radhakant Tripathy, Advocate, Delhi	The complainant alleged about the gang rape of a women activist, hailing from West Bengal, who came to participant in Farmer protests at Delhi- Haryana border. Later, the victim died at Jhajjar Hospital with Covid symptoms. The complainant further alleged that incident took place due to inaction, negligence and failure on the part of officials of Police and Health departments, Govt. of Haryana to provide adequate protection, healthcare and justice.
15	3089/24/31/2019-JCD	Intimation of custody death of Ms. Seema received from Superintendent, District Jail, Ghaziabad, Uttar Pradesh	The Commission directed to find out whether the Initial Health Screening Test (IHST) is being conducted properly in Ghaziabad Jail, Uttar Pradesh (Distt. Jail Ghaziabad) at the time of admission in the jail of UTPs or Convicts– especially HIV.
16	830/20/1/2021	Shri Malik Mohd., Ramganj, District Ajmer, Rajasthan	The complainant alleged that the victim was murdered by the accused, as the victim and daughter of the accused loved each other. The police have not taken crucial pieces of evidence such as CCTV footage, blood strains on the shirt, etc. into consideration, because of which the accused is still roaming freely and also threatening the victim family.
17	26830/24/22/2021	Dr. Charu Walikhanna, Advocate, Delhi	The complainant, referring a Newspaper cutting, alleged that a minor 15 year old boy was arrested by the Etah police in a drug possession case and sent to jail instead of producing him before Juvenile Board. Father of the deceased boy has alleged about illegal detention and torture of boy by the police to extort money.
18	25705/24/23/2021	Shri Shivmani s/o Shiv Shankar, District Jail Etawah, Uttar Pradesh	The complainant alleged torture, inhuman treatment and rampant corruption by the Etawah Prison personnel.
19	15539/24/1/2021	Suo-motu cognizance	The Commission took suo-motu cognizance of a news report about the death of a fiveyear old girl due to starvation. The parents of the victim were unable to find work for a couple of months due to lock-down.



Sl. No.	Case No.	Complainant Details	Gist of Complaint
20	33657/24/34/2021-afe	Shri Shiv Prashad, District Gorakhpur, Uttar Pradesh	The complainant alleged that the victim was illegally killed in a fake encounter by Police on the basis of some false FIR. It has also been alleged that after killing the victim, the police have sent his father, mother and wife to jail on false charges.
21	6945/30/9/2021	Shri Shambhu Nath, Ramesh Nagar, Delhi	The complainant alleged that his brother was taken by the accused in presence of Traffic Police and later his dead body was recovered on the same day. The police personnel of concerned police station were already informed by the complainant about the victim's location, but life of the deceased could not be saved.
22	2843/13/16/2021	Shri Raj Kundra, Mumbai, Maharashtra	The complainant alleged about the pathetic conditions in the Arthur Jail, Mumbai, Maharashtra. He stated that inmates have been smoking in the barracks of the jail, constraining the non-smokers inmates to inhale poisonous smoke, overcrowding in the jail and frequent fights among the inmates to occupy the space, quantity and quality of food is not upto the mark, lack of cleanliness of toilets, etc..
23	10097/24/30/2020	Shri Raj Hans Bansal, District Gautam Budh Nagar, Uttar Pradesh	The complainant alleged that a newborn baby died at District Hospital, Gautam Budh Nagar, Uttar Pradesh due to medical negligence. The women delivered baby at the gate of the hospital as she was denied admission.
24	1052/19/10/2021	Dr. Rajinder Arora, District Ludhiana, Punjab	The complainant alleged that a Senior citizen 90 years old is facing atrocities including forced confinement, in human treatment and grabbing of his movable property by his own sons.
25	1768/18/28/2021	Smt, Sukanti Lata Satpathy, Bhubaneswar, Odisha	The complainant alleged about demolition of her house in violation of law by the agencies of State General Admn. Deptt. making her homeless.
26	718/12/44/2020	Shri Abhishek Joshi, District Shivpuri, Madhya Pradesh	The Complainants alleged that one migrant worker died during construction of a tank due to non-provision of safety equipments/measures by the contractor and inaction by the state authorities.



Sl. No.	Case No.	Complainant Details	Gist of Complaint
27	33940/24/4/2019-AD	Shri Dhana Kumar, Janakpuri, Delhi	The complainant alleged death of a person due to police torture in the custody of P.S Nawabganj Prayagraj, Uttar Pradesh.
28	11428/24/71/2018	Ms. Uma Mishra, District Unnao, Uttar Pradesh	The complainant alleged that a Nepali woman has been kept as bonded labour for last 15 years by her employer. She is being ill-treated and not allowed to meet her family members.

Annexure 8: Core Group Meetings

S.No	Title	Date	Participant List
1	Meeting of the Core Group on Environment, Climate Change and Human Rights	23.03.22	Ministry of Environment, Forest and Climate Change, Central Pollution Control Board (CPCB), M.C. Mehta Environmental Foundation, Wildlife Institute of India, Earth Science and Climate Change, TERI
2	Meeting of the Core Group on Health and Mental Health	22.12.21	The meeting was attended by the Core Groups Members, Special Monitor, Health and Mental Health, NHRC, Representatives from the Ministry of Health and Family Welfare, Civil Society Organisations, Academicians and Clinicians from various esteemed health establishments.
3	Meeting of the Core Advisory Group on Bonded Labour	21.10.21	
4	Meeting of the Core Group on Children	25.02.22	NHRC officials, Core Group members, representatives of Ministry of Education, UNICEF, India, National Council of Educational Research and Training (NCERT), Central Board of Secondary Education (CBSE) and NGOs.
5	A meeting of the Core Group on Women	14.09.21	Core Group members, representatives from various ministries including the Ministry of External Affairs; Ministry of Personnel, Public Grievances and Pensions and Ministry of Women and Child Development, special invitees.

**Annexure 9: National Conferences, Seminars and Open House Discussions**

S.No.	Title	Date	Venue	Participant List
1	Vulnerability, Legal Protection and Human Rights of Domestic Workers	16.04.2021	Virtual	• National Commission for Scheduled Castes - 1 • National Commission for Scheduled Tribes - 1 • Advocates - 3 • International Labour Organization for South Asia - 1 • Civil Society Organizations - 13 • Independent experts and Research Institutes - 5
2	Cooperation Between NHRC and The CSOs & NGOS for assessing the ground situation due to the 2nd wave of the Pandemic Covid-19	11.05.2021	Webinar	
3	Issues and Challenged of Manual Scavenging and Hazardous Cleaning	05.07.2021	Virtual	• Central Ministries - 2 • Academicians – 1 • NGOs and Private companies - 6 • Municipal Commissioners - 5
4	Human Trafficking and Child Care Institutions	12.07.2021	Hybrid - Room No 508, NHRC and Virtual attendance	• NHRC's Special Monitor on Rights of Children - 1 • NHRC's Special Monitor on Human Trafficking - 1 • Advocate - 1
5	Leprosy and Leprosy Colonies/ Homes	20.07.2021	Hybrid - Room No 508, NHRC and Virtual attendance	• Civil Society – 2
6	HRDs on Human Rights Issues during Covid-19 and future response	29.07.2021	Webinar	• Civil society – 3 • LGBTQI Members – 2 • UN and UNDP Representative – 3 • Doctors – 1 • Independent activists – 1 • Advocate - 1



S.No.	Title	Date	Venue	Participant List
7	Digital Education for Children: Issues and Challenges	21.12.2021	Webinar	• Government Ministries/ Autonomous Bodies – 5 • UNICEF – 1 • Academicians and Domain experts – 9 • Civil Societies – 4 • Advocate - 1
8	Meeting with Everywomen Treaty regarding their proposal for an International Treaty to End Violence against Women	11.01.2022	Virtual	• Advocates – 2 • Representatives from Everywomen treaty - 3
9	Open-House Discussion on Protection of the Basic Human Rights of Refugees and Asylum Seekers	20.01.2022		• Government Representatives – 3 • Academicians and Representatives from CSOs/ NGOs - 6

**Annexure 10: Advisories released by the Commission**

S. No.	Name of the Advisory	Date of Issuing
1. 1	Human Rights Advisory on Right to Health in view of the second wave of Covid-19 pandemic (Advisory 2.0).	04/05/2021
2. 2	NHRC Advisory for Upholding Dignity & Protecting the Rights of the Dead.	14/05/2021
3. 3	Human Rights Advisory on Right to Mental Health in view of the second wave of Covid-19 pandemic (Advisory 2.0).	31/05/2021
4. 4	Human Rights Advisory on safeguarding the rights of informal workers during the second wave of the Covid-19 pandemic (Advisory 2.0).	31/05/2021
5. 5	Advisory to identify, release and rehabilitate bonded labourers during Covid-19 pandemic.	31/05/2021
6. 6	Advisory for Protection of the Rights of Children in the context of Covid-19 (2.0).	02/06/2021
7. 7	Advisory on protection of Human Rights of the Particularly Vulnerable Tribal Groups (PVTGs) amid Covid-19.	03/06/2021
8. 8	Advisory on Protection of Human Rights of the Person Engaged in Manual Scavenging or Hazardous Cleaning.	24/09/2021
9. 9	Advisory on Right to Food Security and Nutrition.	06/10/2021
10	Advisory 2.0 to Identify, Release and Rehabilitate Bonded Labourers.	08/12/2021
11	Advisory on Identification, Treatment, Rehabilitation and Elimination of Discrimination of Persons Affected by Leprosy.	14/01/2022
12	Supplementary recommendations on the Advisory on Right to Health in the context of Covid-19.	31/01/2022

Annexure 11: Special Rapporteurs and Special Monitors issued by the Commission

S. No.	Name of Special Rapporteur
1	Shri Mahesh Singla (Retd. IPS) F-301, Falcon View, Sector 66A Airport Road (Mohali-140308) SAS Nagar, Punjab
2	Dr. Ashok Kumar Verma (Retd. IPS) Flat No. 09061, ATS Pristine Sector-150, Noida Gautam Buddha Nagar-201301, UP
3	Shri Ranjan Dwivedi (Retd. IPS) A-901, Park View, Sector 61 Noida, GB Nagar- 201301
4	Shri P.N. Dixit (Retd. IPS) E-91, Forest County, Near Eon IT Park Kharadi, Pune – 411014
5	Shri Madan Lal Meena (Retd. IAS) B-5/28, Safdarjung Enclave New Delhi – 110029
6	Dr. K.C. Sharma (Retd. Vice Chancellor – Kurukshetra Univ.) 167 Shanti Nagar, Gopalpura Bye Pas Near C.K. Birla Hospital, Jaipur-302018
7	Shri Umesh Kumar Sharma (Retd. Judge) C-601, Mewar Apartments Haladi Ghati Marg, Pratap Nagar, Jaipur-30233
8	Dr. Rajinder Kumar Malik (Retd. IRPFS) P11-12, 1st Floor, South Ext. Part-II New Delhi- 110049
9	Ms. Nirmal Kaur (Retd. IPS) 1st Floor, H. No. 18, Road No. 17, Jawahar Nagar Mango, Jamshedpur- 831012, Jharkhand
10	Ms. Suchitra Sinha (Retd. IAS) House No. 71D, Road No. 1 Ashok Nagar, Ranchi- 834002, Jharkhand
11	Shri Hari Sena Verma (Retd. IPS) Ashirvad Palace No. 41A, Fort Tripunit Hura Ernakulam- 682301, Kerala



S. No.	Name of Special Rapporteur
12	Shri M. Madan Gopal (Retd. IAS) Mathru Kutir, C-6, 1st B Main IAS Colony, HSR Layout, Sector-6 Bengaluru- 560102, Karnataka
13	Shri Ashit Mohan Prasad (Retd. IPS) 468, 4th Main Road, Dollars Colony R.M.V. 2ndStage, Bengaluru- 560094, Karnataka
14	Shri Umesh Kumar (Retd. IPS) House No. 60, 2nd Floor, M.G. Road River front, Uzan Bazar, Guwahati- 781001
15	Shri Akhil Kumar Shukla (Retd. IPS) Flat No. 1505, Tower- KI2, Jaypee Greens Wish Tower, Sector-134, Noida- 201304, Uttar Pradesh

S. No	Name of Special Monitor	Thematic area & Subjects covered
1	Shri Veerendra Singh Rawat Alias Swami Yoganand, Maharaja Sagar Ashram, Village-Sagar Gangol-Gaon(Gopeshwar), P.O.-Gwar Dewaldhar, Chamoli, Uttarakhand- 246401	Human Rights Advocacy (HR Education and Gender Equality)
2	Shri Jayanto Narayan Choudhury Retired IPS (Assam:1978) Flat No.401, Tower-2, 2052 Upohar—the Condoville Chakgaria, Kolkata-700094	Criminal Justice System (Subject covered — Jails, Juvenile Justice & Correctional Homes) and Police & Police Reforms (All matters re- lates to Police & Police Reforms)
3	Shri Kumar Rajesh Chandra Retired IPS (BH:85) A-12, Anjali Apartment, Boring Road Mitra Compound, Patna-800001, Bihar	Terrorism {Subject covered—Urban Terror- ism, Counter Insurgency, Cross Border Ter- rorism & Left Wing Extremism (Anti Nax- alite Operation)} and Communal Riots (All matters relates to Communal Riots)
4	Shri Himanshu Sekhar Das Retired IAS-1982 (Assam) H. No.26, Jyoti Path, 11th Byelane Lakhimi- nagar Hatigaon, Guwahati- 781038 Assam	SC, ST, OBC and Minorities (Subject cov- ered—All matters relates to atrocities on SC, ST, OBC and Minorities)
5	Shri Ahmed Javed, Retired IPS-1980 (Maharashtra) 902, Saikrupa Hill view, Gold Course Road Sector-12 (Behind Prime Mall) Kharghar, Navi Mumbai-410210	Bonded Labour and Child Labour (Subject covered—All matters relates to Bonded La- bour and Child Labour)
6	Shri Rajni Kant Mishra Retired IPS (UP:1984) PARIJAT, Near Hotel, The Niharika Palace Thapaliya Mehraon, Naukuchiya Tal Bhimtal, Nanital, Uttarakhand-263136	Health and Hospitals except Medical Col- leges (Subject covered—Mental Health, HIV/ AIDS, Spurious Drugs, Sanitation, Silicosis, Diagnosis and Diagnostics Labs and Hospi- tals)
7	Shri Surendra Kumar Retired IFS KH-702, Amrapali Village Apartment Indira- puram, Ghaziabad- 201014	Tribal Welfare (Subject covered—All matters relating to welfare of Tribals & Forest dwell- ings)
8	Shri Fauzan Alavi G-43, Jungpura Extension New Delhi- 110014	Environment (Subject covered—All matters relating to Environment and Water)
9	Dr. Yogesh Dube #1 Ghanshyam Tower M.G. Road, Borivali (East) Mumbai- 400066 (Maharashtra)	Women and Disability (Subject covered— Sexual Violence & Rape, Domestic Violence and Sexual Harassment at work place)



S. No	Name of Special Monitor	Thematic area & Subjects covered
10	Shri Balkrishan Goel H.No.1123, Sector-6, Bahadurgarh Jhajjar, Haryana- 124507	Child Rights and Elderly Citizens (Subject covered—All matters relating to Child Rights and Elderly Citizens)
11	Ms. Laxmi Narayan Tripathi laxmirakasha@yahoo.co.in	Transgender (Subject covered—All matters relating to Transgender, LGBT Rights)
12	Ms. Vrinda Swarup Retired IAS-1981 (U.P.) I-102, Som Vihar Apartment R.K. Puram, New Delhi- 110022	Education (Subject covered—R.T.E. Act, Curriculum for primary, middle and secondary education, Hostels, other facilities and matters, teaching and other staff)
13	Shri Hemanta Narzary Retired IAS(Assam :1990) House No.188, Kalaguru Bishnu Rabha Path Beltola, Guwahati, Assam-781028	Panchayati Raj and local self-government (Subject covered—All matters relating to Panchayati Raj and local self-government)
14	Shri Sudhir Chowdhary Retired IPS Flat No.203, Adarsh CGHS Ltd. Plot No.67, Sector-55 Gurugram, Haryana	Human Trafficking (Subject covered—All matters relating to Human Trafficking)
15	Shri Prem Singh Bisht Retired IPS 1157, Sector-21, Pocket- C Gurugram- 122016, Haryana	Business & Human Rights (Subject covered—All matters relating to Business & Human Rights)

Annexure 12: Research Studies

List of Ongoing Research Projects

S No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
1	A Study on Right to Food: Prevaling situation among BPL Families in Bihar and Uttar Pradesh	Mr. Mohammad Yusuf, Executive Director, HARYALI-Centre for Rural Development	Right to Food and Nutrition	- To find out the availability, accessibility and adequacy of food in families belonging to below poverty line(BPL) through direct and indirect sources. - To study and analyse the cases of adults and children who lost their lives in the BPL families due to starvation/malnutrition after verifying the cause of death by looking at the medical report/death certificate.



S No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
2	Develop Booklets on Different Human Rights Themes	Shri Noor Alam, Executive Director, Multiple Action Research Group (MARG), 205-206, ShahpurJat, New Delhi-110049		To create human right literacy
3	The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013: A Study to assess its impact, implementation issues and concerns in Government Departments/ Semi-Government/ PSUs/Private Sectors in Delhi	Dr. Ritu Gupta, Professor, National Law University Delhi, Sector-14, Dwarka, New Delhi	Rights of Women, Children and LGBTQI+/ Human Trafficking	- To understand the perception of sexual harassment at workplace across various sectors as mentioned in the scope of the project. - To know the measures adopted and the preventive steps taken by employers to address grievances of their female employees in such cases. - To assess the constitution and working of Internal Complaints Committees (ICCs, now ICs) in various institutions across different sectors and if not, whether any action is taken against them.

S No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
4	An Empirical Study on Social Issues and legal Challenges of Transgender: With Special Reference to South Indian States (Andhra Pradesh, Karnataka, Kerala, Tamil Nadu and Telangana)	Dr. M.L. Kalicharan, Director, School of Legal Studies, REVA University, Rukmini Knowledge Park, Kattigenahall, Yelahanka, Bengaluru-560064	Rights of Women, Children and LGBTQI+/ Human Trafficking	- To analyse the socio-Economic condition of the transgender - To understand the various state government policies for the upliftment of the population - To analyse the health issues confronted by the transgender
5	The Intersections of Migration Bonded Labour and Trafficking in the State of Odisha	Dr. Shashmi Nayak, Professor, Dr. Ambedkar Chair, National Institute of Social Work and Social Sciences (NISWASS), 3 Chandrasekharapur, Bhubaneswar-751023	Rights of Bonded, Migrant and Child Labour and other Labour related issues	- To determine the pattern and prevalence of migration (both inter and intra state migration) and the percentage of those who migrate that have been bonded and/or trafficked within the last three years, including characteristics and causal factors for those most vulnerable to trafficking and bonded labour. - To understand the nature of migration and trafficking from Odisha, particularly factors/ circumstances affecting safety and security of migrant workers, in migrant patterns, routes, and modes of those migrating. - To understand the effectiveness of Odisha Government's current mechanisms, including laws, policies, procedures and welfare schemes, particularly how these are experienced by those most vulnerable to trafficking and bonded labour.



S No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
6	Status of Manual Scavenging and Sewerage Water Workers in the Hyderabad- Karnataka Region – Policy and Practice.	Dr. Mohan Das K. Associate Professor, Dept. of Studies in Political Sciences, Vijayanagara, Sri Krishnadevaraya University, Ballari, Karnataka	Rights of Scheduled Castes / Scheduled Tribes/ Other Backward Classes/ Other Minorities and Issues of Manual Scavenging	- To understand the various laws and policy legislations to eradicate the inhuman practice. - To assess the nature and magnitude of the problem of manual scavengers in the study area. - To assess the family livelihood condition including financial and non-financial part of manual scavengers.
7	An Empirical Study on the Status of Under-trial Prisoners in Gujarat Central Jails	Prof. (Dr.) Purvi Pokhariyal, Director, Institute of Law, Nirma University, Sarkhej-Gandhinagar Highway, Chharodi, Ahmedabad– 382481	Criminal justice system	To conduct an empirical research study on the status of under-trial prisoners in the prisons with focus on their health, growing number of suicide and overstay/lingering on in the prisons for longer duration even after expiry of sentence terms.
8	Role of Child Care Institutions and Rehabilitation of Children in CCIs	Dr. S. Barik, Joint Director, National Institute of Public Cooperation & Child Development (NIPCCD), 5, Siri Institutional Area, Hauz Khas, New Delhi	Rights of Women, Children and LGBTQI+/ Human Trafficking	- To assess the status of the role performed by the CCIs in rehabilitation of children. - To evaluate the status of services available in compliance with the Juvenile Justice Act in CCIs. - To examine the services provided to children in CCIs and also to file suggestions for improvement.



S No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
9	A Study on Socially Responsible Supply Chains for Protection of Human Rights	Dr. Anand Akundy, Assistant Professor, Institute of Public Enterprise, Osmania University Campus, Hyderabad 500007	Business and Human Rights	- To develop social responsibility among various supply chain partners in order to protect human rights across the supply chain functions. - To examine how the social supply chain's performance can be progressively implemented by the companies. - To identify the challenges that can be faced in achieving social responsibility along the supply chain functions
10	Domestic Workers in south India and North-East: A situational analysis from Dignity & Rights Perspective	Dr. Lekha D Bhat, Assistant Professor, Department of Epidemiology & Public Health, Central University of Tamil Nadu	Rights of Bonded, Migrant and Child Labour and other Labour related issues	- To study the demographic profile, migration pattern and the reason(s) for migration of young women/girl domestic workers. - To understand the articulation of the concept of dignity of work/ rights by young women/girl domestic workers in their occupational roles and locate it in the broader social context of caste, gender and class. - To understand how women strive for dignity and human rights through their engagement/ involvement with co-operative movements like SEWA.



S No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
11	Trafficking of Women and Children— Challenges and Remedies	Dr. Awadesh Kumar Singh, Principal Consultant, Bhartiya Institute of Research and Development OC-16/1002 Orange County, Ahinsa Khand-I, Indirapuram, (Delhi NCR) Ghaziabad 201014	Rights of Women, Children and LGBTQI+/ Human Trafficking	- To identify the root causes and modus operandi of trafficking of women and children in India. - To study the magnitude, causes, nature and dimensions of trafficking of women and children in India. - To understand the relationship between the government interventions and the issues of trafficking of women and children in India and understand the trends and patterns of trafficking, and the structural and functional mechanism that reproduces and reinforces the processes that perpetuate the phenomenon.
12	Analysis of Trends and patterns of Death in Prison & in Police Custody: An analytical study of such deaths in Maharashtra, Uttar Pradesh & Delhi	Dr. Mohammad Aslam, Assistant Professor, Aligarh Muslim University, Aligarh-202002	Criminal Justice System	- To examine the trend and patterns of deaths in Prison and police custody and its impact on the society. - To study the cause and consequences of deaths in Prison and police custody in the light of human rights jurisprudence. - To examine the effectiveness of existing laws at the National and International level to curb and control such incidents.

S No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
13	Mainstreaming Child Labour Issues in Schools: Challenges and Alternatives	Dr. Ajay Kumar Singh, Professor, Tata Institute of Social Sciences, V.N. Purav Marg, Deonar, Mumbai-400 088	Rights of Bonded, Migrant and Child Labour and other Labour related issues	- To investigate the issues and challenges of pathways of mainstreaming child labours in education. - To explore field level alternative solutions for improving the mainstreaming process. - Locale: Three States namely, Bihar, Maharashtra and Telangana. One district from each state, namely, Gaya, Thane and Hyderabad.
14	Prevalence of Girl Child Labour in The Indian Textile & Garment Industry	Dr. M. Karthik, Assistant Professor, Institute of Public Enterprises, Shamirpet Campus, Sy. No. 1266, Shamirpet (V&M), R.R. District, Hyderabad- 501101	Rights of Bonded, Migrant and Child Labour and other Labour related issues	- To find out the employment practices of labour in the Textile & Garment sector in Tamil Nadu and Gujarat. - To identify employment and work conditions of girl child labour in the Textile & Garment industry and Gujarat and Tamil Nadu. - To find out whether employees are being influenced by any third party like sub-brokers, company's representatives in employing girl child labour under exploitative employment schemes.

S No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
15	Custodial Death: Trends and Patterns in Jharkhand, Bihar & West Bengal	Dr. Anwar Alam, Distinguished Fellow, Policy Perspective Foundation, K-51, Green Park main New Delhi-110016.	Criminal Justice System	- To understand and highlights the magnitude of custodial deaths (prison deaths and deaths under police custody) in India; - To comprehend and analyse the various reasons behind custodial deaths in various forms– the causative and contributory factor; - To examine the pattern and trends in custodial deaths, e.g., economic, sociological and psychological aspects of custodial deaths.
16	Unheard Voice of silent growing majority: An assessment of social security and health risks among women migrant workers of Rajasthan	Dr. Shaizy Ahmed, Assistant Professor, Central University of Rajasthan, Bandarsindri, Kishangarh, Ajmer – 305 817	Rights of Bonded, Migrant and Child Labour and other Labour related issues	- To highlight the various trends of inward migration in the selected districts of Rajasthan and to examine the social security benefits and risks of migrant women engaged in the unorganised sector. - To assess the occupational provisions and health related hazards of migrant women engaged in the unorganised sector. - To facilitate evidence based policy making by applying statistical factor analysis, mining and other techniques to data related to the rights of women migrant workers

S No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
17	Identifying Human Rights Issues and Problems & Developing Policy Framework for Providing Social Security & Healthcare to Migrant Workers	Dr. R. Kasilingam, School of Management, Pondicherry University, RV Nagar, Kalapet, Puducherry-605014	Rights of Bonded, Migrant and Child Labour and other Labour related issues	- To study the socio-economic background of the migrant labourers. - To study the responsible factors for inter-state migration of labourers and to examine the information transmission process in migration and job search. - To study the employment pattern, wage rates, working conditions and living conditions of the migrant labourers.
18	Reintegration and Rehabilitation of acid attack victims	Prof. Sarasu Esther Thomas, Professor NLSIU, Bangalore	Rights of Women, Children and LGBTQI+/ Human Trafficking	- To study the legal and policy framework relating to acid attack victims in India. - To examine how this works on the ground. - To look at personal experiences and stories of the victims.
19	Study on the extent of cyber exploitation and safety of children in Kerala	Dr. Elsa Mary Jacob, Assistant Professor, Bharata Mata School of Social Work, Bharata Mata College, Seaport-Airport Road, Thrikkakara, Kochi- 682021	Rights of Women, Children and LGBTQI+/ Human Trafficking	- To find out the type and extent of online use, abuse and exploitation faced by children and adolescents in Kerala. - To identify the existing Internet safety measures and its application for the safety of children. - To examine the perception of parents and significant others about online abuse and online safety of children and adolescents in Kerala.



S No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
20	Women's Falling Participation in Labour Force in India: A Ground Level Investigation into Factors and Obstacles	Dr. Rishi Kumar, Assistant Professor, Department of Economics and Finance, BITS, Pilani Hyderabad Campus	Rights of Women, Children and LGBTQI+/ Human Trafficking	- To understand the factors which are responsible for holding them back from joining the labour force in the country. - To understand the factors which lead to women dropping from the work force by including the assessment of women who worked previously, but dropped out of the force later. - To compare and contrast the employment related aspects for women in urban and rural areas.
21	Substance Abuse and Mental Health Issues among the LGBT Community in India: A Study of Inter-Relationship between Mental Health disorders and Stress, Coping, Perceived Social Support, Occupation and Religiosity	Dr. Susanta Kumar Padhy, Additional Professor & Head, Department of Psychiatry, AIIMS, Bhubaneswar	Rights of Women, Children and LGBTQI+/ Human Trafficking	- To understand the mental health issues of LGBT of India. - To assess the suicidal risk in the LGBT community of India - To screen for substance abuse and mental health disorders in the LGBT community.
22	Inclusive Education for Persons with Disabilities in Punjab: Prospects and Challenges	Dr. Kiran Kumari, Asstt. Professor, Punjabi University, Patiala, Punjab	Rights of Persons with Disabilities	- To assess the status of implementation of provisions under the RPwD Act, 2016 relating to inclusive education. - To explore the academic challenges faced by the students with disabilities. - To identify the infrastructural and attitudinal barriers faced by the students with disabilities.



S No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
23	Food and Nutritional Security among Scheduled Castes and Scheduled Tribes: Evidences from three Indian States	Dr. Amit Kumar Basantaray, Assistant Professor, Dept. of Economics, Central University of Himachal Pradesh, Himachal Pradesh	Right to Food and Nutrition	- To measure the extent of food and nutritional insecurity - To document the differences in food and nutritional insecurity status of SC & ST households and general category households - To find out the determinants of food insecurity
24	Impact of Covid-19 Pandemic on the Rights of Education of Children of Migrant Workers	Prof. Zubair Meenai, Professor, Jamia Milia Islamia University, New Delhi - 110025	Right to Education	- To study the impact of the pandemic and school closure on the education of migrant children. - To examine the mechanisms used by the school to address the educational needs of migrant children during Covid-19 in the light of RTE. - To understand the measures taken by the migrant children to continue their education.



S No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
25	Forest Rights Act, 2006 – Assessment of Ground Reality	Dr. Gadadhara Mohapatra, Indian Institute of Public Administration	Rights of Scheduled Castes / Scheduled Tribes/ Other Backward Classes/ Other Minorities and Issues of Manual Scavenging	• To assess the impact of the Recognition of Forest Rights (RoFR) Act, 2006 on the Scheduled Tribes and other traditional forest dwellers in the study area. • To assess the gender perspectives of social and economic empowerment in the context of Forest Right Act, 2006. • To ascertain the measurable outcomes of the Act (livelihood/economic impacts of the FRA on the community w.r.t. tribal women)

List of Newly Sanctioned Research Projects

S. No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
1	Study of quality of life of the elderly persons living in old age homes with special reference to the North region	Dr. Neelu Mehra, Assistant Professor, School of Law and Legal Studies, Guru Gobind Singh Indraprastha University, Delhi	Rights of Elderly Persons	- To address the gaps in structural, institutional and operational framework on wellbeing and quality of life of elderly persons by highlighting the gray areas negatively impacting the quality of life of elderly persons in old age homes. - To gather first-hand information concerning the quality of life of the residents of old age homes. - To identify the gaps in the desired and existing level of stress indicators that define the quality of life of the residents of old age homes.
2	Prevalence of malnutrition and associated factors among children aged 3-5 years attending ICDS Anganwadis: A study of Northern India	Dr. Zubair Meenai, Professor, Centre for Early Childhood Development and Research, Jamia Millia Islamia, New Delhi	Right to Food and Nutrition	- To assess prevalence of malnutrition among children aged 3-5 years attending ICDS anganwadi centres. - To explore the factors associated with malnutrition among children. - To study the challenges and noteworthy nutrition practices (both at home and at Anganwadi centres) among young children.
3	Refugees' Access to Education, Healthcare and Livelihood	Mr. Sandeep Chachra, Executive Director, ActionAid Association, New Delhi	Rights of Refugees and Asylum Seekers	- To analyse the law, policies and programmes and institutional mechanisms available to refugee communities for their stay, protection and welfare measures in India. - To document the socio-economics conditions of the identified refugee communities in India and their relationship with the neighbouring host communities. - To understand the challenges faced by the different refugee groups in accessing basic needs and welfare provisions including nutrition, education, housing, healthcare and livelihoods, etc.



S. No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
4	Education for Refugee Learners in India: Visualising Policy Oriented Innovation and Technological Approach for Increasing Access	Dr. Shuvro Prosun Sarker, Assistant Professor, Rajiv Gandhi School of Intellectual Property Law, IIT, Kharagpur	Rights of Refugees and Asylum Seekers	- Examining the existing legal and institutional framework conceiving the condition of education of refugee learners in India, - Finding and analysing the issues and challenges regarding access to education for refugee learners in India from data gathered through interviews, - To improve unhindered access to admission for refugee children in government and private schools, and higher education institutions.
5	Abandoned Widows: Voice yet Voiceless, Visible yet Invisible	Ms. Meera Khanna, Vice Executive and Trustee of Guild of Services, New Delhi	Rights of Women, Children and LGBTQI+/ Human Trafficking	- To understand the sense of being abandoned that widows face. - To understand the impact of violations that contributed to the status of widows and their quality of life. - To document how the violations are a barrier to widows using their full potential to earn a livelihood for themselves and their families.
6	An Empirical Study on working of Ashram Schools (Boys and Girls Residential) with special reference to Tribal areas located on Interstate Border areas of Central India (Maharashtra, Chhattisgarh and Madhya Pradesh)	Prof. (Dr.) Rashmi Salpekar, Professor and Dean, VSLLS, VIPS-TC, New Delhi	Rights of Scheduled Castes / Scheduled Tribes/ Other Backward Classes/ Other Minorities and Issues of Manual Scavenging	- To understand the status and issues of management and governance of Ashram schools/Residential schools for tribal children in Maharashtra. - To know about the innovations and the best practices of Ashram schools in tribal areas. - To augment for a comprehensive national policy on Ashram schools/ Residential schools for Tribal community in India.

S. No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
7	Achievement Gap or Opportunity Gap (O-Gap)? A socio-legal study of Access to Equal Educational Opportunities (EEO), Accessibility to Equal Learning Opportunities (ELO) and Learning Poverty (LP) in the Educational spaces of Kasturba Gandhi Balika Vidyalaya Schools for Tribal Girls of Gadchiroli, Warangal, Adilabad, Srikakulam, Bastar and Kondegaon Districts	Dr. Uma Maheshwari Chimirala, Assistant Professor, NALSAR University of LAW, Justice City, Shamierpet Hyderabad, Telangana	Rights of Scheduled Castes / Scheduled Tribes/ Other Backward Classes/ Other Minorities and Issues of Manual Scavenging	- To contribute to the discussion on educational and linguistic rights within the framework of Right to Education (RTE) and Equal Educational Opportunities and Learning Opportunities by engaging with teachers on cognitive absenteeism and cognitive dropout-ism. - To understand critically the manifestations of EEO for a tribal child and from there assess the nature and manifestations of O-gap in the context of the five districts. - To understand the various opportunities and constraints within which the EEO of a tribal child are realised and from there, to underscore aspects that are neglected/ peripheralised/ valued by the community, but not included in policy.
8	Disparity in Access to Education in the Aspirational Districts in Odisha, Jharkhand and Chhattisgarh.	Dr. Thomas Varghese, Research Director, Indian Social Institute, New Delhi	Right to Education	- To identify the socio-economic factors responsible for the variations in educational outcomes in the select aspirational districts. - To identify the gaps in the current policies/programmes/schemes based on the study and put forth suggestions/recommendations to address them to realise the objectives of better access to quality education in the Aspirational Districts. - To identify best practices in the intervention areas and in locations where the interventions are successfully implemented and encourage learning from action and reflection to initiate new action and its replication to enhance access to education.



S. No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
9	Prevalence and causes of malnutrition among under-five children in selected geographies in India	Dr. Rupa Prasad, Executive Director, Public Health Resource Society, Hauz Khas, New Delhi	Right to Food and Nutrition	- To determine the prevalence of stunting, wasting and underweight among children under five years in selected geographies. - To study the household, community and system level factors associated with malnutrition in this community. - To assess the service delivery of ICDS in the Aanganwadi Centres (AWCs) in selected areas.
10	Optimal design of questionnaire survey on awareness of clinical trials among different stakeholders	Dr. Anamika, Assistant Professor, JNU, Delhi		The main objective of the study is to design a comprehensive questionnaire survey to understand the gap in KAP (knowledge, attitude, and practice) of medical ethics among various stakeholders involved in conducting clinical trials in India.
11	Impact of Ekalavya Model Residential Schools on ST Children in fifth and sixth schedule areas of India with reference to Madhya Pradesh, Rajasthan, Tripura and Mizoram	Dr. Ramanand Pandey, Director, Center of Policy Research and Governance, Janpath, New Delhi	Rights of Scheduled Castes / Scheduled Tribes/ Other Backward Classes/ Other Minorities and Issues of Manual Scavenging	- To assess the quality of existing EMRS as per the guidelines of MOTA (section 6, Facilities in school). - To assess the governance and management structure of EMRS. - To assess the academic curriculum and extracurricular activities of EMRS as well as capacity and potential of teachers of EMRS in delivering tribal centric education to identify the in-service and pre-service training gaps and needs.

S. No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
12	How effective are Gram Panchayats' Participatory Local Governance in Safeguarding Human Rights of Forest and Tribal Communities (FTCs) during Covid-19?: A Study of Select Gram Panchayats in Remote and Extremist Affected Areas of Maharashtra and Chhattisgarh	Dr. Dhanraj A. Patil, Professor and Head, Gondwana University, Maharashtra	Panchayati Raj Institutions and Local Governing Bodies	- To investigate multiple effects and impacts of Covid-19 on fundamental human rights of FTCs and explore locally relevant and socio-culturally appropriate Covid-governance model adopted by Gram Panchayats to safeguard human rights concerns of FTC in the challenging times of pandemic. - To study the outcome and benefits of Gram Panchayats Covidgovernance strategies for promotion and protection of natural human rights of FTCs concerning to traditional livelihood/employment, customary businesses and health and food particularly during lockdown and post lockdown period. - To study the pattern and significance of new transformative alternative democratic local governance structures emerging at grassroots level to protect and promote inherent human rights of FTCs.
13	Local Self Governance and Promotion of Tribal Rights: A Comparative Study of Malkangiri District in Odisha and Gumla District in Jharkhand	Dr. Umesh Chandra Sahoo, Professor (Retd), Gurukul Foundation, Odisha	Panchayati Raj Institutions and Local Governing Bodies	- To analyse the ideological base of Local Self- Government process and effectiveness of participatory approach in ensuring social justice. - To find out the potential of local self governance system in terms of transparency, accountability and inclusiveness of weaker sections, especially tribals in Gram Sabha and other development programme while guaranteeing their stability, equality, dignity and over all constitutional rights. - To examine the level of performance of people's representatives in meeting their expected roles and responsibilities.



S. No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
14	Promotion of Human Rights in the Rural Local Self Governance: Evidence from Punjab, Haryana and Himachal Pradesh	Dr. Puneet Pathak, Assistant Professor, Department of Law, School of Legal Studies, Central University of Punjab	Panchayati Raj Institutions and Local Governing Bodies	- To understand the scope of human rights implementation in LSG. - To evaluate the status of rural LSG in regard to respecting, protecting, fulfilling and promoting human rights. - To identify challenges faced by rural local authorities in implementing Human Rights.
15	Promotion of Human Rights in Local Self Governance –A study of Select Village Panchayats, Cuddalore District, India	Dr. V. Rathikarani, Assistant Professor, Annamalai University	Panchayati Raj Institutions and Local Governing Bodies	- To understand functioning of village panchayats in general and human rights aspects in particular in the selected village panchayats in Tamil Nadu and Puducherry. - To observe how citizens (minorities, disadvantaged, Women, etc.) engage with the local government to defend their human rights. - To understand promotion of human rights in everyday governance of village panchayats.

S. No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
16	Pandemic, Human Rights and The Future of Livelihood: An Empirical Evidence from Indian Economy	Dr. Rahul Suresh Sapkal, Assistant Professor, Indian Institute of Technology, Bombay	Business and Human Rights	- The primary objective of the study is to examine challenges of three core human rights that have emerged at the frontline in the current pandemic – The Right to life and duty to protect life, the Right to Health and access to Health Care and the Right to Freedom of movement and livelihood faced by Indian workers, entrepreneurs and small business owners. - To provide a situation analysis status of human rights institutional constraints in terms of access, adoption, adaptability and sustainability in the following areas: a) Challenges in the impact of pandemic on lives, livelihood losses and employment rehabilitation b) Challenges in mitigating inequality, discrimination and exclusion permeated by the on-going pandemic
17	Commercialisation of Non-Timber Forest Product: Determinants and Supply Chain in India	Dr. Pratap Kumar Jena, Assistant Professor, Department of Economics, Maharaja Sriram Chandra Bhanja Deo University, Odisha	Business and Human Rights	- To analyse the socio-economic conditions of forest dependent communities in the study area. - To analyse the economics of NTFPs collection and contribution to income and employment. - To examine the effects of Covid-19 pandemic on household collection of NTFPs and stakeholders of supply chain.



S. No.	Title of the Research Project	Name of the Principal Investigator and Institution	Thematic Area	Objectives
18	4A's Framework in Right to Girl Child Education in the Aspirational Districts of South India (Andhra Pradesh, Telangana, Tamil Nadu and Kerala)—A Comparative Analysis of Government and Private schools	Dr. D. Prince Annadurai, Assistant Professor, Department of Social Work, Madras Christian College, Chennai	Right to education	• To analyse the resource availability for the education of girl children in terms of availability of schools, safe infrastructure, academic resources, transport and sanitation facilities. • To identify the measures taken to increase the accessibility of girl child education by providing a discrimination free environment, inclusive education, nutritious meals and the distance to school. • To study the extent of acceptability of education among girl children through the quality and relevance of education.

Annexure 13: Universities/Colleges associated with the Commission for student training programmes

S. No	Name of Agency	Programme conducted date	No. of Participants
1.	GudeppaHallikeri Degree College, Haveri Karnataka	conducted programme date 27/11/2021 offline	100
2.	B.L. Amlani College of Commerce, Mumbai	programme conducted dt. 23/12/21 offline	100
3.	Bhopal School of Social Sciences, Bhopal	programme conducted dt. 4/12/21 online	50
4.	College of Law ILER Nandurbar, Maharashtra	programme conducted dt. 27/12/21 online	50
5.	AyyaNadarJankiAmmal College, Sivakasi Tamil Nadu	Programme conducted dt. 25/2/22 online	50
6.	Amity Business School Noida, U.P.	programme conducted dt. 16/12/21 online	100
7.	PVP Siddhartha Institute of Technology, Kanuru, Vijaywada	programme conducted dt. 14/12/21 online	100
8.	GTN Arts College, Dindigul, Tamil Nadu	programme conducted dt. 18/12/21 online	100
9.	HansrajJivandas College of Education, Khar, Mumbai	programme conducted dt. 15/1/22 online	100
10.	Ammal College of AdvancedStudies Nilambur, Kerala	programme conducted dt. 24/1/22 offline	100
11.	BhartiVidyapeeth, Pune Maharashtra	programme conducted dt 15/12/21 online	50
12.	Loyola College, Chennai Tamil Nadu	programme conducted dt. 7/1/22 offline	100
13.	SmtJawala Devi College Punjab	programme conducted dt 5/3/22 offline	100
14.	Bishop Heber College Tiruchirappalli, Tamil Nadu	programme conducted dt. 5/3/22 offline	100
15.	Amity University, Haryana	programme conducted dt. 8/2/22 online	50
16.	KSR College of Engineering, Tamil Nadu	programme conducted dt. 4/2/22 offline	100
17.	College of Horticulture & Forestry, Near Hamirpur H.P.	programme conducteddt. 3/3/22 offline	100
18.	G.H. Raison College of Arts Commerce and Science, Pune	programme conducted dt. Two days 20-21 Feb. 2022 offline	200
19.	Nehru Arts and Science College, Tamil Nadu	programme conducted dt. 2/3/22 1 Offline	100



S. No	Name of Agency	Programme conducted date	No. of Participants
20.	ManavSewa Trust NGO H.No.62/2,Near MISIM College of Sundernagar, Mandi, Himachal Pradesh	programme conducted dt. 5/3/22	100
21.	ShriGulzarilal Memorial Education Society NGO Sundernagar, Himachal Pradesh	programme conducted dt. 15/3/22.	100
22.	Chhatrapati Shivaji Maharaj NGO Bahuuddeshiya Sevbhavi Sanstha Distt Hingoli, Maharashtra	programme conducted dt. 27//3 22 online	100
23.	Navjyoti Youth Welfare Society (NGO), DisttUna, Himachal Pradesh	programme conducted dt. 28/3/22 & 29/3/22 offline	200
24.	Sangola College, Kadlas Road, DisttSolapur, Maharashtra	programme conducted dt. 25/3/22 offline	50
25.	PKR College for Women Gobichettipalayam, Erode Tamil Nadu	programme conducted dt. 23/3/22 online	50
26.	Dharmamurthi Rao Bahadur Calavana Hindi College, Chennai	programme conducted dt. 29/4/22	100
27.	TPat College of Horticulture UHF Solan HP by Dir, YSP UHF	programme conducted dt. 23/3/22	100
28.	Career Point University Hamirpur	programme conducted 29/3/22	50
		Total	2,550



NHRC, India

1. Abdul Ahad Azad Memorial Degree College Law, Affiliated to GGSIPU
2. Amity Institute of Advanced Legal Studies
3. Amity Law School, Amity University, Chhattisgarh
4. Amity Law School, Amity University, Uttar Pradesh.
5. Amity Law School, Delhi
6. Amity University, Haryana
7. Amity University, Rajasthan
8. Amity Law School, Amity University, Lucknow, Uttar Pradesh
9. Amity University, Madhya Pradesh
10. Andhra University
11. Army Institute of Law, Mohali
12. Assam Rajiv Gandhi University of Cooperative Management
13. B.K. Birla College of Arts, Science and Commerce
14. Banaras Hindu University
15. CCS Meerut
16. Central University of Karnataka, Kalaburagi
17. Central University of South Bihar
18. Central University, Pondicherry
19. Centre for Human Rights and Duties, Panjab University
20. Chanakya National Law University
21. Chandigarh University
22. Christ Nagar College, Maranalloor. University of Kerala.
23. Christ University
24. Cluster University Jammu
25. College of Agriculture, Pune
26. CPJ College of Higher Studies & School of
27. CTM-IRTE (Affiliated to MDU University, Rohtak)
28. Damodaramsanjivayya National Law University, Vishakhapatnam
29. Daulat Ram College, University of Delhi
30. Delhi Metropolitan Education, Affiliated with Guru Gobind Singh Indraprastha University, New Delhi.
31. Department of Law, Aligarh Muslim University
32. Department of Law, Veer Narmad South Gujarat University
33. Dharmamurthi Raobahadur Calavalacunnanchetty's Hindu College
34. Dr. APJ Abdul Kalam Technical University, Lucknow, Uttar Pradesh
35. Dr. Ram Manohar Lohiya National Law University
36. Dr. Harisingh Gour Central University, Sagar, M.P.
37. Ethiraj College for Women
38. Faculty of Law, Aligarh Muslim University
39. Faculty of Law, University of Hong Kong
40. Fairfield Institute of Management & Technology
41. Fergusson College, Pune
42. Gautam Buddha University
43. Government New Law College, Indore
44. Graphic Era Deemed to be University
45. Gujarat National Law University, Gandhinagar Gujarat
46. Guru Ghasidas Central University
47. Guru Ghasidas University, Bilaspur, CG



48. Guru Nanak Dev University, Amritsar
49. Himachal Pradesh National Law University, Shimla
50. Himachal Pradesh University
51. Himgiri Zee University
52. ICFAI Law School, Hyderabad
53. ICFAI University, Dehradun
54. IILS (Siliguri), Affiliated to University of North Bengal
55. Indian Institute of Legal Studies; University of North Bengal
56. Indian Institute of Technology, Madras
57. Indian Law Society [ILS] Pune
58. Institute of Law, Kurukshetra University, Kurukshetra
59. Institute of Law, Nirma University, Ahmedabad
60. Jadavpur University
61. Jamia Millia Islamia Central University
62. Jawaharlal Nehru University
63. Jindal Global Law School, OP Jindal Global University, Sonapat
64. Justice Basheer Ahmed Sayeed College for Women
65. Kamala Nehru College, University of Delhi
66. Lady Shri Ram College, University of Delhi
67. Madurai Sivakasinadars Pioneer Meenakshi Women's College
68. Maharashtra National Law University, Aurangabad
69. Mahila Mahavidyalaya, Banaras Hindu University
70. Makhanlal Chaturvedi National University of Journalism and Communication
71. Manikchand Pahade Law College, Aurangabad
72. Manipur University
73. MCKV Institute of Engineering
74. Miranda House
75. MIT World Peace University
76. MNLU Nagpur
77. Model Degree College, Ghansawangi (University Constituent College)
78. Nagaland University
79. National Forensics Science University
80. National Institute of Technology, Rourkela, Odisha
81. National Law Institute University, Bhopal
82. National Law University and Judicial Academy, Assam
83. National Law University, Delhi
84. National Law University, Odisha
85. National University of Advanced Legal Studies
86. New Law College, Bharatvidyapeeth University, Pune
87. Northcap University
88. O.P. Jindal Global University
89. Pandit Deendayal Energy University
90. Panjab University, Chandigarh
91. PG College of Law, Osmania University
92. Pondicherry Central University
93. Presidency University, Bangalore
94. Rajiv Gandhi National University of Law, Punjab
95. RBVRR Women's College
96. RCC Institute of Information Technology



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97. Sampurna Montfort College
98. Sanjeevan Engineering Technology Institute Panhala
99. Savitribai Phule University of Pune (P.E.S. Modern Law College, Pune)
100. School of Excellence in Law, TNDALU
101. Shaheed Bhagat Singh College, University of Delhi
102. Shri Ram College of Commerce
103. Shrishivaji Science College, Amravati, Maharashtra
104. Santgadge Baba Amravati University, Maharashtra.
105. Shri Vaishnav Institute of Law
106. Shri Vaishnav Vidyapeeth Vishwavidyalaya
107. Sir Parashurambhau College (Autonomous), Pune
108. SNDT Women's University, Mumbai
109. South Asian University
110. SRM Institute of Science and Technology
111. SST College of Arts and Commerce, Ulhasnagar-4, University of Mumbai
112. St. Ann's College for Women, Hyderabad
113. St. Xavier's College, Mumbai
114. St. Xavier's College, Ranchi
115. St. Joseph's College of Law, Bangalore
116. SVKMS School of Business Management NMIMS Deemed University
117. Swami Sharadhanand College, University of Delhi
118. Symbiosis Law School Hyderabad
119. Symbiosis Law School, NOIDA (Symbiosis International University)
120. Symbiosis Law School, Pune-Symbiosis International University
121. Symbiosis School of Economics
122. Symbiosis School of Law, Pune
123. Tata Institute of Social Sciences, Mumbai
124. Teerthankar Mahaveer College of Law and Legal Studies
125. The Tamil Nadu Dr. Ambedkar Law University
126. UFYLC, University of Rajasthan
127. University College of Law, Osmania University
128. University Five Year Law College, Jaipur
129. University Institute of Legal Studies, Panjab University
130. University of Calcutta
131. University of Delhi, Daulat Ram College
132. University of Delhi, Indraprastha College for Women
133. University of Hyderabad
134. University of Kashmir
135. University of Lucknow
136. University of Mumbai
137. University of Mumbai Law Academy
138. VIT School of Law
139. VIT University
140. Vitasta School of Law, University of Kashmir
141. Vivekananda Institute of Professional Studies, GGSIPU, New Delhi
142. VM Salgaocar College of Law, Panaji-Goa
143. Xavier Institute of Social Service, Ranchi



LIST OF ABBREVIATIONS

AAY	: Antyodaya Anna Yojana	CRC	: Convention on the Rights of the Child
ACJM	: Additional Chief Judicial Magistrate	CRCC	: Commission on Rehabilitation Counselor Certification
AHTU	: Anti Human Trafficking Unit	CRPF	: Central Reserve Police Force
AICTE	: All India Council for Technical Education	CSAM	: Child Sexual Abuse Material
ADM&HO	: Additional District Medical & Health Officer	CSR	: Corporate Social Responsibility
AMC	: Association of Medical Consultants	CSS	: Centrally Sponsored Scheme
ANB	: Atma Nirbhar Bharat	CUTN	: Central University of Tamil Nadu
ANM	: Auxiliary Nurse and Midwife	DBT	: Direct Benefit Transfer
APF	: Asia Pacific Forum of National Human Rights Institutions	DC	: District Collector
Art.	: Article	DCP	: Deputy Commissioner of Police
Arts.	: Articles	DCRG	: Death-cum-Retirement Gratuity
ASI	: Assistant Sub-Inspector	DD	: Daily Diary
ATI	: Administrative Training Institutes	DDRC	: District Disability Rehabilitation Centres
ATR	: Action Taken Report	DELNET	: Developing Library Networking
BLSAA	: Bonded Labour System (Abolition) Act	D.E.O	: District Education Officer
BPL	: Below Poverty Line	DGP	: Director General of Police
BPR&D	: Bureau of Police Research and Development	DM	: District Magistrate
CAA	: Citizenship Amendment Act	DPOs	: Disabled People's Peoples Organizations
CAPF	: Central Armed Police Forces	DSLISA	: Delhi State Legal Service Authority
CB-CID/CID-CB	: Crime-Branch Crime Investigation Department	DSP	: Deputy Superintendent of Police
CBI	: Central Bureau of Investigation	ED	: Enforcement Directorate
CCI	: Child Care Institution	EDMC	: East Delhi Municipal Corporation
CCTV	: Close Circuit Television Cameras	FAC	: First Amended Complaint
CEDAW	: Convention on the Elimination of All Forms of Discrimination against Women	FIR	: First Information Report
CFNHRI	: Commonwealth Forum of National Human Rights Institution	FSL	: Forensic Science Laboratory
CISF	: Central Industrial Security Force	FY	: Financial Year
CMO	: Chief Medical Officer	GANHRI	: Global Alliance of National Human Rights Institutions
CPCB	: Central Pollution Control Board	GD	: General Diary
CPI	: Consumer Price Index	GeM	: Government e-Marketplace
CO	: Circle Officer	GoI	: Government of India
Cr.P.C.	: Criminal Procedure Code	GPF	: Gratuity Provident Fund
		GRP	: Government Railway Protection
		HC	: Head Constable
		HIV	: Human Immunodeficiency Virus



NHRC, India

HQs./Hqrs. : Headquarters	MSME : Micro, Small & Medium Enterprises
HR : Human Rights	MWCD : Ministry of Women and Child Development
HRD : Human Rights Defender	NAAC : National Assessment and Accreditation Council
I&PRO : Information & Public Relations Officer	NCB : Narcotics Control Bureau
ICC : International Coordinating Committee on Promotion and Protection of Human Rights	NCC : National Cadet Corps
ICDS : Integrated Child Development Scheme	NCERT : National Council of Educational Research and Training
ICMR : Indian Council of Medical Research	NCR : National Capital Region
ICPS : Integrated Child Protection Scheme	NCRB : National Crime Records Bureau
IG : Inspector General	NCT : National Capital Territory
ITDA : Integrated Tribal Development Agency	NEP : National Education Policy
IM-PDS : Integrated Management of Public Distribution System	NFHS : National Family Health Survey
IMA : Indian Medical Association	NFSA : National Food Security Act
IO : Investigating Officer	NGO : Non- Governmental Organization
IPC : Indian Penal Code	NHRC : National Human Right Commission
IPOP : Integrated Programme for Older Persons	NHRI : National Human Rights Institution
IPSrC : Integrated Programme for Senior Citizens	NRIDA : National Rural Infrastructure Development Agency
IRDAI : Insurance Regulatory and Development Authority of India	NIA : National Investigation Agency
IVF : In Vitro Fertilization	NIOH : National Institute of Occupational Health
JCL : Juveniles in conflict with law	NIPCCD : National Institute of Public Cooperation & Child Development
JIMS : Jagannath International Management School	NLU : National Law University
JJ Act/JJA : Juvenile Justice Act	NMHS : National Mental Health Survey
LFs : Linked Files	NoK : Next of Kin
LGBTQI+ : Lesbian, gay, bisexual, transgender, queer and intersex	NSAP : National Social Assistance Programme
M/o : Ministry of	NSKFDC : National Safai Karamcharis Finance & Development Corporation. NSSO : National Sample Survey Office
MARG : Multiple Action Research Group	NYKS : Nehru Yuva Kendra Sangathan
MDGs : Millennium Development Goals	OBC : Other Backward Classes
MDMS : Mid-day Meal Scheme	OHCHR : Office of the High Commissioner for Human Rights
MER : Magisterial Enquiry Report	OPAC : Open Public Access Cataloguing
MGNREGA: Mahatma Gandhi National Rural Employment Guarantee Act, 2005 MGNREGS : Mahatma Gandhi National Rural Employment Guarantee Scheme MHA : Ministry of Home Affairs	OSC : One Stop Centre
MIS : Management Information System	P.S./PS : Police Station
MLC : Medico Legal Cases	PC & PNDT Act : Pre-conception & Pre-natal



Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994	SHG	: Self - Help Group
PCR	SIT	: Special Investigation Team
PD	SMS	: Short Message Service
PDS	SNP	: Nutrition Programme
PEMSRA	SOP	: Standard Operating Procedure
: The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013	SP	: Superintendent of Police
PESA	SS	: Shikshya Sahayak
: Provision of the Panchayats (Extension to the Scheduled Areas) Act, 1996	SSP	: Senior Superintendent of Police
PHRA/PHR Act : Protection of Human Rights Act, 1993	ST	: Scheduled Tribes
PM-CARES Fund : Prime Minister's Citizen Assistance and Relief in Emergency Situations Fund	STF	: Special Task Force
PMGKAY	TB	: Tuberculosis
: Pradhan Mantri Garib Kalyan Anna Yojana	TPDS	: Targeted Public Distribution System
PMGSY	Supplementary	
: Pradhan Mantri Gram Sadak Yojana	u/s	: under Section
PMJAY	UAP	: Unlicensed Assistive Personnel
: Pradhan Mantri Jan Arogya Yojana	UDID	: Unique Disability ID
POCSO Act : Protection of Children from Sexual Offences Act	UDISE	: Unified District Information System for Education
PPP	UGC	: University Grants Commission
: Public Private Partnership	UNCRC	: United Nations Convention on the Rights of the Child
PPH	UNCRPD	: United Nations Convention on the Rights of Persons with Disabilities
: Post partum Haemorrhage	UNGP-BHR	: Guiding Principles on Business and Human Rights
PTI	UNHRC	: United Nations Human Rights Council
: Police Training Institutes	UNWG-BHR	: UN Working Group on Business and Human Rights
PTR	UPR	: Universal Periodic Review
: Pupil Teacher Ratio	UTs	: Union Territories
PwD	UTP	: Under Trial Prisoner
: Persons with Disabilities	VC	: Video Conferencing
r/o	VCS	: Victim Compensation Scheme
: resident of	WESCO	: Western Electricity Supply Company of Odisha
r/w	w/o	: wife of
: read with	WFP	: World Food Programme
RAC	WHO	: World Health Organization
: Rapid Action Cell	ZIPNET	: Zonal Integrated Police Network
RoFR		
: Recognition of Forest Rights (RoFR) Act, 2006		
RPF		
: Railway Protection Force		
RPwD		
: Rights of Persons with Disabilities Act, 2016		
RTE		
: Right to Education		
s/o		
: son of		
SAM		
: Severe Acute Malnutrition		
SC		
: Scheduled Caste		
SDGs		
: Sustainable Development Goals		
SDM		
: Sub-Divisional Magistrate		
SEWA		
: Self-Employed Women's Association		