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HUMAN RIGHTS

Newsletter

A Monthly publication of the National Human Rights Commission, India



Reports

Core group meetings on bonded labour, business & human rights and HRDs

Articles

India and the multilateral framework on human rights

Correctional custody a way forward to prison reforms

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National Human Rights Commission

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The Newsletter is also available on the Commission's website www.nhrc.nic.in. NGOs and other organizations are welcome to reproduce material of the Newsletter and disseminate it widely acknowledging the NHRC.

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Monthly Recap

From the desk of the Secretary General & Chief Executive

Every month, the National Human Rights Commission (NHRC), India sets clear objectives for promoting and protecting human rights and actively strives to achieve them by addressing different issues through various initiatives. The Commission organizes discussions with the subject experts on various thematic areas, where their critical appraisal and concrete suggestions help to address the challenges.

In addition to raising awareness nationally, the NHRC, India's participation in international forums has been instrumental in highlighting the various human rights protection mechanisms in the country. The month of July, 2024 provided yet another opportunity in this direction at two acclaimed international dialogue forums i.e. the Council on Foreign Relations (CFR) New York Roundtable on 'India's Approach to Human Rights' and the Aspen Security Forum in Aspen, Colorado, USA, on 'India: Challenges & Opportunities'.

While sharing my thoughts at CFR, New York, I highlighted India's historical as well as recent efforts to improve the quality of life and dignity of every individual. Since the beginning of civilizations, India has always offered refuge to persecuted people. At Aspen Security Forum (ASF), I observed that people are increasingly curious about India. This curiosity stems from India's status as one of the most dynamic countries in the world. In recent years, the country has made a global impact by driving economic and overall growth and establishing its stature as a self-reliant nation across various sectors, such as, defence, information technology, solar energy, space, science, road and rail infrastructure, and booming stock markets. The high demographic dividends driven by a young population, a progressive and vibrant democracy with a multi-party system, an independent judiciary, a highly vocal civil society and media are also contributing factors to the country's progress.

Therefore, it was very well received when I highlighted how modern-day India continues to be influenced by the ethos of non-violence, which is deeply rooted in our diverse religious, social, and cultural fabric, alongside various social and political reforms over the centuries. It includes supporting other nations in assisting their democratic frameworks and enhancing their capacity for effective public service delivery. Guided by the principle of treating the world as one family, India stands ready to assist any country, particularly in times of crisis, without intervening in their internal affairs. India serves as a model for development and democratic governance, which strives to take all sections of society together.

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In recent years, the country has made a global impact by driving economic and overall growth and establishing its stature as a self-reliant nation across various sectors.

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The Commission places special focus on improving the quality of life and ensuring dignity for the most vulnerable groups.

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It was received with rapt attention when I highlighted how the NHRC, India has been protecting and promoting the human rights of every citizen by increasing its outreach through technology to capture instances of human rights violations across the country. The Commission places special focus on improving the quality of life and ensuring dignity for the most vulnerable groups including transgender, beggars, widows, persons suffering from mental health issues and leprosy, trafficked girls, aged people, children, truck drivers, etc. A brief report about these two events has also been incorporated in the Newsletter.

In July, the Commission organized three core group meetings on bonded labour, business and human rights, and human rights defenders and NGOs. The Commission has been at the forefront in leading discussions on these areas, since it believes that sustained dialogues can address the ever-emerging challenges to human rights. The outcome of these discussions will further be deliberated upon in the Commission, and used in firming up its recommendations. The lead reports space of this edition focuses on these meetings.

As part of our efforts to make the Newsletter more informative, this edition also carries two articles on ‘India and the Multilateral Framework on Human Rights’ and ‘Correctional custody: A way forward to prison reforms’ based on the field visits. This edition also carries columns on the activities of the State Human Rights Commissions as well as on the victims’ voices who have received relief because of the NHRC, India’s interventions and recommendations.

The month also saw the conclusion of the Commission’s coveted summer internship programme, with 67 students from different parts of the country completing it. The Commission sincerely feels that the young generation needs to be encouraged to utilize their skills and knowledge to improve people’s lives by embracing constitutional values of liberty, equality, justice, and fraternity. Throughout the programme, these students participated in a structured learning experience that involved interactive sessions by various eminent experts, besides visiting a prison, police station and shelter home to understand their functioning. The passion of the students seen during the NHRC internships is a testament to the rising awareness and commitment for the protection and promotion of human rights of all.

This edition of the Newsletter carries reports on all the other regular activities of the Commission including, among others, interventions, case studies, visits, etc. Hope, it will make for an interesting reading.



[Bharat Lal]
Secretary General &
Chief Executive Officer

Core group meetings

The National Human Rights Commission (NHRC), India has constituted several core groups on various thematic issues related to human rights to hold discussions with the domain experts and the concerned senior government functionaries representing different ministries. Based on these discussions, the Commission, from time to time, holds national seminars to address the obstacles in existing laws and suggest amendments. In July 2024, three core group meetings were organized in a hybrid format to discuss the issues related to bonded labour, business and human rights, and human rights defenders and NGOs. The insights gathered in these meetings help the Commission to further deliberate upon various suggestions in the matter, enabling it to provide more insightful inputs to the government for improvement.

Rights of bonded labour

Over the years, bonded labour has manifested itself into newer forms. The National Human Rights Commission (NHRC), India has been keeping a tab on the issues surrounding bonded labour and taking steps to spread awareness to end it. The Commission has organized several sensitization programmes, besides seeking regular updates on the situation from those working on the ground, and following up on the matter with experts. In this context, on 5th July, 2024, a core group meeting was organized to discuss impediments in the abolition of bonded labour, and discuss the gaps in the rescue, relief and rehabilitation of the victims in the country. NHRC Acting Chairperson, Smt. Vijaya Bharathi Sayani chaired the meeting, where Secretary General, Shri Bharat Lal and other senior officers, experts and human rights defenders were present.

Smt. Vijaya Bharathi Sayani said that despite efforts and legal provisions, several people still get trapped in forced labour and debt bondage. Noticing this, the NHRC has taken significant steps, including issuing advisories to identify, release, and rehabilitate bonded labourers. However, the persistence of bonded labour across various industries indicates that much more remains to be done.

Shri Bharat Lal emphasized the need for concrete suggestions to abolish the menace of bonded labour. He said that India still has value systems that provide ethical impetus towards dealing with this issue. Therefore, while

enforcing the implementation of the legal provisions, social awareness must be spread about the value systems protecting the rights and dignity of fellow human beings to reduce bonded labour in India.

He also pointed out that almost 2 crore people are joining India's workforce every year, implying that there is a mismatch of demand and supply as far as labour is concerned. This, in turn, has led to anti-labour practices. He cited a recent example where the Commission took *suo motu* cognizance of an MNC engaging their workers in 10 hours of continuous labour. He added that delivery service-providing companies also often put the lives of their executives at risk while promising '15-minute deliveries' and similar services to the customers. Domestic workers also come under the same purview.

The Commission's Joint Secretary, Shri Devendra Kumar Nim gave an overview of the core group meeting, stating that many children from distressed migrant families end up as bonded labourers in sectors like textiles, firecracker manufacturing, brick kilns, and granite extraction units. Women

Almost 2 crore people are joining India's workforce every year, implying that there is a mismatch of demand and supply as far as labour is concerned.



► NHRC, India Acting Chairperson, Smt. Vijaya Bharathi Sayani flanked by Secretary General, Shri Bharat Lal and DG (I), Shri Ajay Bhatnagar chairing the meeting

and children from marginalized communities, especially Scheduled Castes and Scheduled Tribes (SCs & STs), are frequently targeted for bonded labour in agriculture and textiles. A study showed that 83% of rehabilitated bonded labourers belong to SCs or STs. Rescued bonded labourers face threats and delays in registering First Information Reports (FIRs), which complicate their right to justice.

The agenda of the meeting was focused on three technical themes which were as follows:

- Existing Constitutional and Statutory Provisions on bonded labour and their implementation;
- Presence of bonded labour in industries with specific mention of agriculture, textiles, industry and brick kiln establishments; and
- The situation of women and children as frequent targets of bonded labour.

The representatives from the Ministry of Labour & Employment briefed the gathering about the constitutional and legal provisions available in India for the abolishment of the bonded labour system in India. Shri Onkar Sharma, Chief Labour Commissioner, elaborated upon the concept of '3-D Jobs' that highlights the 'dangerous, difficult and dirty' nature of the jobs done by bonded labourers. The issue of conception and the gaps

“...despite efforts and legal provisions, several people still get trapped in forced labour and debt bondage.” - NHRC, Acting Chairperson

between the powers of the beneficiary and his understanding of the law were also stressed.

In addition to the Core group members, some special invitees such as Dr. Alby John Varghese, Managing Director, Metropolitan Transport Corporation (Chennai) Ltd. suggested the creation of a portal for informal workers who may register themselves to secure jobs outside their states. Further, another special invitee suggested an inter-state Cell that could track Bonded Labourers migrating across states. State-level helplines may be introduced or improved to take up matters on bonded labour. Dr. L. Mishra, former Secretary, Union Labour Ministry, criticized the agent/ middlemen clause in the Inter-State Migrant Workmen Act. The low issuance of release certificates and the call for better monitoring and data recording were also suggested. Shri Sandeep Chachra, Executive Director & National Coordinator, Action Aid India, suggested an industry-based approach and specific regulations for brick kiln workers, including better working conditions. More involvement of NGOs and better enforcement of Standard Operating Procedures (SOPs) were suggested in the rescue of bonded labourers. The need for reporting bonded labour by the Gram Panchayats was also highlighted.

Some of the other suggestions that emerged from the meeting were as follows:

- Create a portal for the registration of such informal workers who may register themselves to secure jobs outside their states;
- Set up an Inter-state Cell to track bonded labourers migrating across states;
- Formalize the labour contracting mechanism;
- The NHRC may have a dedicated mechanism for filing complaints of bonded labour for expeditious interventions;
- Expand the interpretation of human trafficking to include bonded labour;
- Sensitization of the Police personnel and District Administration;

- Reduce the time gap between rescue, relief and rehabilitation of bonded labourers; and
- NALSA may provide legal assistance to the victims of bonded labour

The Commission will further discuss various suggestions and inputs in the matter to firm up its recommendations for the government(s). The other participants included the NHRC Director General (Investigation), Shri Ajay Bhatnagar, Registrar (Law), Shri Joginder Singh, representatives from government ministries, autonomous bodies, non-governmental organizations (NGOs), academic institutions, and research scholars, contributing to discussions on pertinent issues surrounding rights of bonded labour.

Business and human rights

World over, businesses and human rights are engaging the minds of policymakers both in industry and those working in the human rights sector. This may be mainly seen because businesses are providing sustenance and jobs to most of the people. To keep up with the fast-changing global business supply chains, competition and cutting-edge technologies, businesses may compromise on the human rights of the people working for them. As a result, discussions on how businesses can function with a human face are gaining more traction, both nationally and internationally.

The NHRC, India, has already set up a core group of experts and various stakeholders on business and human rights to suggest remedial measures in this regard. The Commission, besides regularly participating in various international forums on the subject, had also organized an international

conference on Business and Human Rights last year, which saw participation from various national and international experts to help evolve a nuanced approach to dealing with the newer challenges with wider dimensions of this subject.

The meeting on 11th July, 2024, of the Commission's Core Group on Business and Human Rights organized to discuss 'Safeguarding Dignity: Human Rights Due Diligence across Supply Chains', was yet another attempt in this direction. Chairing the meeting, NHRC, India Acting Chairperson, Smt.

► NHRC, India Acting Chairperson, Smt. Vijaya Bharathi Sayani, senior officers and core group members in the meeting on business and human rights



Vijaya Bharathi Sayani highlighted the importance of respecting human rights, including labour rights in business and their alignment with the Sustainable Development Goals (SDGs). She noted that most of the SDGs' targets correspond to human rights obligations. She emphasized the need for businesses to integrate human rights protection into their organizational culture to operate sustainably and extend these principles throughout their supply chains.

Smt. Vijaya Bharathi Sayani said that the NHRC, India is committed to taking up the issues of human rights violations at businesses with the concerned government authorities. In this context, she highlighted the recent *suo motu* cognizance taken by the Commission on the alleged anti-labour practices at Amazon's warehouse in Haryana and discriminatory practices at Foxconn, a prominent manufacturer of Apple devices in Tamil Nadu. She said that such actions reaffirm NHRC's commitment to safeguarding human rights across diverse sectors, ensuring that everyone is treated with dignity and fairness.

In his opening remarks, Shri Bharat Lal, Secretary General, NHRC emphasized that fundamental rights are at the core of the Constitution of India, with the Preamble serving as its soul. He highlighted the risks faced by gig workers who deliver food in the shortest possible time, exposing themselves to road accidents and stressful working conditions that also cause mental health issues.

Shri Lal emphasized the critical need for improved human rights conditions in both the service and manufacturing sectors, stressing that inequality and exploitation should have no place in society. He advocated for a competitive economy and business environment that anticipates and mitigates future barriers, ensuring that human rights are universally enjoyed by all.

Earlier, giving an overview of the meeting, Shri Devendra Kumar Nim, Joint Secretary, elaborated on the theme of the discussion 'Safeguarding Dignity: Human Rights Due Diligence across

Discussions on how businesses can function with a human face are gaining more traction, both nationally and internation- ally

Supply Chains'. It covered a range of aspects related to human rights and business practices, such as

- Importance and key features of human rights due diligence;
- Understanding and identifying gaps and challenges in existing systems; and
- Emerging good practices and the way forward.

Shri Nim said that in a globally interconnected economy, pursuing profit should never compromise fundamental human rights. He underscored the collective responsibility to ensure that businesses respect and uphold the inherent dignity and rights of all individuals involved by implementing human rights due diligence (HRDD) in their operations.

The other participants included Shri Ajay Bhatnagar, Director General (Investigation), Shri Joginder Singh, Registrar (Law), Smt. Anita Sinha, Joint Secretary, representatives of the Union Ministry of Corporate Affairs, Department of Public Enterprises, Securities & Exchange Board of India (SEBI), Federation of Indian Chambers of Commerce and Industry (FICCI), PHD Chamber of Commerce and Industry (PHDCCI), Dalit Indian Chamber of Commerce & Industry (DICCI), National Council for Legal Affairs and Regulatory Reforms at ASSOCHAM India, CII-ITC Centre of Excellence for Sustainable Development, United Nations Development Programme (UNDP), International Labour Organization (ILO), NGOs, academia, and eminent subject-matter experts.

Some important suggestions, among others, were as follows;

- Implement robust training and capacity-building programs for stakeholders;
- Map supply chains to enhance transparency in operations, and integrate human rights processes within these chains;
- Businesses should take accountability for human rights issues and regularly update and revise policies and regulations to ensure alignment with global human rights standards.

Human Rights Defenders and NGOs

The Commission considers the Human Rights Defenders (HRDs) and the NGOs as valuable partners in promoting and protecting human rights. Therefore, it maintains a sustained dialogue with them. There is already a focal point for HRDs to look into the issues of their human rights violations and bring the same proactively to the notice of the Commission for necessary directions.

In addition to having the meetings focused on the issues of HRDs and NGOs, the Commission also invites the HRDs and NGOs to meetings on different thematic areas of human rights to learn from their experiences in the field. With the same spirit, the Commission organized a meeting of its core group of Human Rights Defenders (HRDs) and NGOs at its premises in New Delhi on 19th July, 2024.

Chairing the meeting, Acting Chairperson Smt. Vijaya Bharathi Sayani highlighted the crucial role that human rights defenders play in raising the issues of human rights violations affecting different segments of society at the grassroots level, often at great personal risk. She said that they contribute significantly to promoting a culture of respect for human rights and educating the public about them, and reaffirmed the Commission's commitment to engaging with them.

Shri Ajay Bhatnagar, Director General (Investigation), NHRC highlighted the role played by the State agencies and the Commission in safeguarding the rights of HRDs.

Shri Devendra Kumar Nim, Joint Secretary gave an overview of the meeting and said that the discussion aims to identify the roles, responsibilities and challenges of HRDs in India. He said that the HRDs and NGOs' efforts can be very meaningful in fulfilling the Commission's mandate for protecting and

► NHRC, India Acting Chairperson, Smt. Vijaya Bharathi Sayani chairing the core group meeting on human rights defenders and NGOs



The need for an effective legal and policy framework was also suggested to support the work of HRDs in the field

promoting human rights, and such interactions help in identifying areas of cooperation for the same.

The HRDs, in the meeting, appreciated the various advisories issued by the Commission for the welfare and protection of different vulnerable segments of society. They suggested that the Commission may also consider issuing an advisory for protecting the rights of the HRDs given the multiple challenges they face at various levels while seeking justice for the victims. The need for an effective legal and policy framework was also suggested to support the work of HRDs in the field. They also emphasized the necessity to build awareness about their work in society.

The other participants included NHRC senior officers, Shri Joginder Singh, Registrar (Law), Smt Anita Sinha, Joint Secretary, Ms. Monali P. Dhakate, Joint Secretary, Department of Social Justice & Empowerment and NHRC Core group members, Dr Jitendra Singh Shunty, President, Shaheed Bhagat Singh Sewa Dal, Shri Suhas Chakma Director, Rights and Risks Analysis Group (RRAG), Shri Sandeep Chachra, Executive Director, Action Aid Association, Ms Naseema Khatoon, Founder, Parcham, Ms Enakshi Ganguly, Executive Director, Housing and Land Rights Network, Ms Pushpa Girimaji, Consumer Rights Activist and senior journalist, Dr Shamim Modi, Professor and Chairperson, Tata Institute of Social Sciences and Shri Shah Aamir, Advocate.

India and the multilateral framework on human rights

- Shri Asoke Mukerji

Distinguished Fellow, Vivekananda International Foundation
Former Ambassador and Permanent Representative of India to the United Nations in New York

India's entry into the contemporary multilateral governance framework created by the Treaty of Versailles signed on 28th June, 1919 was considered a 'legal anomaly'. It was the first time a country under colonial rule had signed an international treaty. India participated as an equal partner in establishing multilateral structures through the Treaty, such as the League of Nations, the International Labour Organization (ILO), and the Permanent Court of International Justice.

India's contributions to the first wave of multilateral discussions and outcomes on human rights issues are perhaps not widely known or appreciated. India's support of promoting peace through international cooperation was overshadowed by the failure of the League of Nations to prevent the outbreak of the Second World War. In 1928, India was one of the 15 original parties of the 1928 Kellogg-Briand treaty, initiated by the United States and France to outlaw war.

In 1922, India became a member of the League's International Committee for Intellectual Cooperation (ICIC). Eminent Indian intellectuals like Dr Sarvepalli Radhakrishnan, contributed to the ICIC's objective to achieve "international understanding between states as a means to preserve peace". Dr Radhakrishnan's contribution in bringing ideas and values from India's rich civilizational heritage to the emerging multilateral intellectual framework to sustain world peace became an integral part of the vision of



"India's contributions to the first wave of multilateral discussions and outcomes on human rights issues are perhaps not widely known or appreciated."

UNESCO, which was created in 1946 as a successor to the ICIC.

Since 1922, India has been one of the 10 permanent government members of the ILO's Governing Council. Before independence in August 1947, India ratified 13 ILO Conventions relating to decent working conditions of industrial workers (including women and children), the right to association of agricultural workers, seafarers and emigrants (including Indians taken abroad as plantation workers). These Conventions form part of the 43 ILO Conventions ratified by India so far, creating a strong regulatory framework for India's objective of achieving the goal of "decent work" and economic growth as part of Agenda 2030 on Sustainable Development, anchored in human rights.

India was one of the 51 founder-members of the UN in June 1945. India's contributions have prioritized peace and human-centric issues over armed confrontation. On 22 June 1946, India became the first country to inscribe removal of racial discrimination (in South Africa) on the agenda of the UN, in keeping with the principles of the UN Charter. India's multilateral initiative resulted in the first multi-racial multiparty elections in South Africa in 1994, and the election of President Nelson Mandela.

As members of the UN War Crimes Commission, Indian officials were aware of mass atrocity crimes committed during the Second World War,

including the genocide perpetrated against Jews in Europe by Hitlerite Germany. In 1946, India (along with Panama and Cuba) sponsored the negotiation and adoption (in December 1948) of the Genocide Convention, the first multilateral legal framework to outlaw mass atrocity crimes.

India took the initiative to integrate gender equality into the lexicon of the first multilateral framework on human rights, the Universal Declaration of Human Rights (UDHR). One of the women activists of India's freedom movement, Hansa Mehta, who later became Vice-Chancellor of M.S. University of Baroda, represented India in the UN Commission on Human Rights between 1947-48. As the UN noted in March 2018, "Hansa Mehta was a staunch fighter for women's rights in India and abroad. She is widely credited with making a significant change in the language of Article 1 of the UDHR, by replacing the phrase 'All men are born free and equal' with 'All human beings are born free and equal.'"

Following the success of the UN in democratizing international relations through decolonization between 1947-1963, issues of socio-economic development were brought into the mainstream of multilateral governance. India, acting in coordination with other newly independent former colonial countries of the Group of 77 (G-77), was behind the historic Declaration on the Right to Development (DRTD) as an "inalienable human right", adopted by the UN in December 1986. In April 2006, India actively supported the establishment of an elected and accountable 47-member UN Human Rights Council, placing multilateral interaction directly in the hands of UN member-states.

On 27 September 2014, India's Prime Minister Narendra Modi said in his first address to the UN General Assembly, when proposing the declaration of an International Day of Yoga (IDY) on 21 June every year: "India is a country that consti-

"India took the initiative to integrate gender equality into the lexicon of the first multilateral framework on human rights, the Universal Declaration of Human Rights (UDHR)."

tutes one-sixth of humanity; a nation experiencing economic and social transformation on a scale rarely seen in history. Every nation's worldview is shaped by its civilization and philosophical tradition. India's ancient wisdom sees the world as one family. It is reflected in a tradition of openness and diversity, co-existence and cooperation. This is why India speaks not just for itself, but also for the cause of justice, dignity, opportunity and prosperity around the world. It is also because of this timeless current of thought that India has an unwavering belief in multilateralism."

Within a record 75 days, as many as 177 member-states of the UN General Assembly responded by co-sponsoring India's proposal. The IDY Resolution unanimously adopted by the UN General Assembly reflected the depth of support among member-states for India's vision of peace, security, stability, and cooperation for sustainable development. By integrating the IDY with global health in ongoing UN negotiations on Agenda 2030 with 17 Sustainable Development Goals (SDGs), India played a significant role in ensuring the momentum for the eventual unanimous adoption of Agenda 2030 in September 2015.

Agenda 2030 represents an integrated universal framework anchored in human rights, with the eradication of poverty as its overarching goal. It expands the scope of international cooperation to impact on all aspects of human endeavour, prioritizing the approach of "common but differentiated responsibilities" for implementing its SDGs to overcome the handicaps of colonial rule in developing countries.

India's contributions to the evolving multilateral architecture on human rights embody a human-centric approach to multilateralism.

Correctional custody: A way forward to prison reforms

- Shri Mahesh Singla
Special Rapporteur, NHRC

Prison transformation occupies a critical part in the pursuit of a just and humane society. Various committees were constituted on prison reforms predominantly after India became a signatory to the two UN Covenants i.e. International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR) on 10th April, 1979. Some of these are Justice Mulla Committee in the year 1980, Justice Krishna Iyer Committee in the year 1987 and Amitava Roy Committee in 2018.

Understandably, reports of these committees resulted in several implementable recommendations including reducing overcrowding, improving basic amenities, bringing transparency, and expediting trials. Special Fast-track Courts for minor offences was also a remarkable recommendation to bring the most required reforms in Indian prisons.

The Government of India took multiple initiatives, including the establishment of review committees for under-trial prisoners, the appointment of law officers to provide legal assistance to inmates, adherence to time-bound strategies for better living conditions, and the formation of State Boards of Visitors to inspect prisons in line with human rights enjoyed by prisoners. Even a Model Prison Manual incorporating many of the recommendations was prepared in 2016 by the Centre with the direction that since prison was a state subject, each State Government was to formulate its own Prison Manual on the lines of the Model Prison Manual. Many states are in the process of taking steps in this direction.



“30% of jails in the country hold more than 150% of inmates than their capacity causing uneven distribution resulting in overburden on prison management.”

To evaluate the present status of jails, an analysis of the National Crime Record Bureau's (NCRB) Prison Statistics India and the latest Prison Statistics available through open source shows that India's expenditure on prison inmates has increased by 24.3% in the past five years. But congruently at the end of 2021, the inmate population in 1,319 jails grew 13%, taking the national average overcrowding to 130%, thereby neutralizing the budget increase to some extent. The average staff vacancy in Indian prisons has slightly reduced from 33.9% in 2015 to 30.6% in 2019. India Justice Report 2022 says that under-trial prisoners comprise 77% of the prison population, being highest since 2010, having nearly doubled from 2.4 lakh in 2010 to 4.3 lakh in 2021. 30% of jails in the country hold more than 150% of inmates than their capacity causing uneven distribution resulting in overburden on prison management.

In light of these statistics, one wonders if the steps taken by the Centre and States in the last 2-3 decades are adequate. Comprehensive reforms on the ground remain a challenge. My recent visits to many jails in Punjab, Haryana, and Delhi tell the other side of the story. Overcrowding, a high percentage of under trials held for more than one year, impossibility of mandatory segregation of prisoners due to space constraints, and lack of correctional efforts coupled with traditional vocational courses having no employability continue to be pressing issues. In the jails I inspected, counselling for the inmates was hardly a priority.

The moot point that comes to mind is whether it is necessary to put first-time petty offenders and

consumers of drugs, who constitute a high percentage of under-trials, in already over-stretched jails. The system is exposing these prisoners to stigma and the opportunity to socialize with hardened criminals. Jails are facing the danger of becoming the recruiting nurseries for more heinous crimes.

There are security issues too. Due to the expansion of cities and the mushrooming of buildings next to the outer peripheral security wall of many jails which earlier existed in the outskirts of the city, these areas are now thickly inhabited. Throwing mobiles, drug packets and other banned items inside the jail premises from outside is now recurrent. The shortage of hi-tech equipment and engaging multiple security agencies is also resulting in loopholes in the chain of command, which poses another security risk.

Jails are sometimes known as 'Sudhar Ghar' (Reform Homes). However, my ground exposure reveals that continuous counselling and cognitive behaviour therapies required for reforming the

"Jails are facing the danger of becoming the recruiting nurseries for more heinous crimes."

prisoners are hardly in practice due to the lack of experts in the field. Nationally, on an average, 1 correctional staff member serves 625 inmates, whereas the benchmark set by the Model Prison Manual is 1 correctional officer for every 200 prisoners. It goes without saying that prisoners' rehabilitation and reintegration into society are pivotal to holistic prison reforms.

Therefore, it is an apt time to think about opening correctional custody centres for first-time petty offenders on the line of de-addiction centres for drug users. Including society at large, including family members and NGOs working in this field, is important for this purpose. The transformation of correctional facilities from breeding grounds for criminal behaviour into the centres of redemption is a collective responsibility that society must embrace to foster positive changes. The subject of prisons being a State subject under the Seventh Schedule to the Constitution of India, States must take much-awaited initiative and apropos steps in this direction.

Suo motu cognizance

The media reports have been a very useful instrument for the National Human Rights Commission to know about the incidents of human rights violations. Over the years, it has taken *suo motu* cognizance of many such issues and brought succour to the victims of human rights violations. During July, 2024, the Commission took *suo motu* cognizance in 34 cases of alleged human rights violations reported by the media and issued notices to the concerned authorities for reports. Summaries of some cases are as follows:

A couple's beating in public

(Case No.1790/25/16/2024)

On 30th June, 2024, the media reported that a man and woman were mercilessly beaten in public on the allegations of a love affair between them in Lakshmipur village of Chopra division in Uttar Dinajpur district, West Bengal. The media report also quoted a video of the incident on social media. Reportedly, their tormentor enjoys political patronage.

The Commission has issued notices to the Chief Secretary and Director General of Police, West Bengal calling for a detailed report in the matter. It

should include the status of the police investigation in the matter, the health status of the victims and medical treatment if any, provided to them. The Commission would also like to know about the steps taken/ proposed to be taken by the State government to ensure that such incidents of violation of the human rights of the citizens, by politically protected goons, do not recur.

The Commission, looking into the gravity of the issue, has also asked its Director General (Investigation) to immediately constitute and send a team, headed by an officer, not below the rank of Senior Superintendent of Police, to visit the place of the incident to conduct an on-the-spot fact-finding enquiry in the matter and to submit a report to the Commission, at the earliest.

The Commission has noted that this is not an isolated incident. Similar cases have frequently occurred in the State of West Bengal wherein, the law has been taken into hands by unruly elements, who victimize innocent people, especially women. As mentioned in the instant news report, in a similar incident, a woman was allegedly made naked and beaten up in Cooch Behar. Apart from this, the Commission has also taken cognizance of the shameful incidents of indignity to women that occurred in the Sandeshkhali area of district North 24 Parganas in West Bengal wherein a man allegedly associated with a political party had subjected the women to sexual abuse and torture. In this matter, a team headed by an Hon'ble Member of the Commission had also visited to conduct an on-the-spot enquiry in the matter.

Women forced into sex trade

(Case No.681/34/16/2024-WC)

The media reported on 1st July, 2024 that many women, allegedly involved in sex racket, were arrested during a raid at a hotel in Ranchi, Jharkhand. Most of them were the natives of different places, trapped in the name of a job and their handlers reportedly

operated from distant locations. Many of them were pushed into this web by their relatives and some due to their compulsions to fulfil the needs of their families and could not come out of the vicious network of anti-social elements once got into their grip.

The Commission has issued notices to the Chief Secretary and the Director General of Police of all the States and UTs calling for a detailed report on the steps taken and proposed to deal with the anti-social elements pushing women into the sex trade.

Poor infrastructural and medical facilities in a hospital

(Case No.1158/7/8/2024)

The media reported on 5th July, 2024 that the infrastructure of the Civil Hospital, Jind, Haryana is in poor condition. There were 55 sanctioned posts of doctors in the hospital out of which only 19 posts have been filled. Reportedly, about 2000 patients visit the hospital daily, however, most of them are referred to other hospitals as it has neither proper medical equipment nor medicines. The monkey menace in the hospital has further added to their woes.

The Commission has issued notice to the Chief Secretary, Government of Haryana, calling for a detailed report. It is expected to include the steps taken/proposed to improve the overall condition of the Jind Civil Hospital to help patients get medical care without being referred to the other hospitals due to the non-availability of doctors and other necessary life-saving facilities.

Rescue of 23 child labourers in Delhi

(Case No.2523/30/6/2024-CL)

On 5th July, 2024, the media reported that 23 child labourers, including 9 girls and 14 boys, were rescued in the Saraswati Vihar area of North-West District, Delhi. Reportedly, they were brought to Delhi from nearby states and were working in various factories. The Commission has issued notices to the Chief Secretary, Government of NCT of Delhi and the Commissioner of Police, Delhi to submit a detailed report in the matter.

The District Magistrate (DM), North-west Delhi has been directed to submit a report indicating the action taken as per provisions of the Child Labour (Prohibition and Regulation) Act, steps taken for their rehabilitation and reunion with their respective families as well as to continue their education. The DM, Northwest Delhi is also expected to inform regarding legal action taken if any child labourer was being kept under bondage.

A patient shot dead inside a government hospital

(Case No.2669/30/0/2024)

On 15th July, 2024, the media reported that a patient was shot dead by assailants inside a ward of the government-run GTB hospital in Dilshad Garden, Delhi on 14th July, 2024. Reportedly, the security guards do not pay any attention towards the safety and security of patients. Anyone can enter the hospital wards without any restrictions, and there is no provision of equipment like metal detectors, bag scanners, etc. in the government hospitals in Delhi.

Expressing serious concern over the reported incident, the Commission has issued notices to the Secretary, Union Ministry of Health & Family Welfare, the Chief Secretary, Government of NCT of Delhi as well as the Commissioner of Police, Delhi to submit a detailed report.

Death in judicial custody

(Case No.13869/24/38/2024-AD)

On 15th July, 2024, the media reported that a person died in police custody due to torture in the Jalaun district of Uttar Pradesh. Reportedly, the police personnel left the body of the victim uninformed outside the emergency ward of the district hospital and fled. To hide the incident, they also illegally detained the family members of the deceased at the Police Station. The Commission has issued notices to the Chief Secretary and the Director General of Police, Uttar Pradesh to submit a detailed report in the matter.

Death of a young man due to electrocution in a water-logged street

(Case No.2823/30/1/2024)

On 24th July, 2024, the media reported that a young man died due to electrocution while trying to cross over a

water-logged street with the support of an iron gate leading to his paying guest accommodation in the Patel Nagar area of Delhi on 22nd July, 2024. Reportedly, the iron gate stands right next to an electric pole with a cluster of open wires going to various homes in the society.

The Commission noticing the apparent negligence of the authorities, based on the media reports, has issued notices to the Chief Secretary, Government of NCT of Delhi, the Commissioner of Police, Delhi and the Chairman, Tata Power-Delhi Distribution Limited (DDL) to submit a detailed report in the matter. The Commission would also like to know about the action taken against the responsible persons/ authorities, compensation to the Next of Kin of the deceased as well as steps taken/ proposed to ensure that such heart-rending incidents do not recur.

Deaths due to flooded basement library of a coaching centre

(Case No.2944/30/1/2024)

On 27th July, 2024, the media reported that three students drowned to death in the flooded basement library of a prominent civil services coaching

centre in Delhi. The news report indicated that many complaints regarding water logging in the library of the coaching centre were made to the authorities but no action was taken. The Commission has issued notices to the Chief Secretary, Government of NCT of Delhi, the Commissioner of Police and the Commissioner, Municipal Corporation to submit a detailed report in the matter.

The Delhi Chief Secretary has also been asked to get a thorough survey done to know the exact number of such institutes and coaching centres running in violation of the prescribed norms across Delhi. Every detail of such institutes, including complaints pending against them and action taken by the department concerned is to be mentioned in the report.

The Commission would like to know about the action taken against the responsible public servants who failed to do their lawful duty to check these irregularities. Apart from this, the Commission has asked the Government of NCT of Delhi to inform about the compensation paid to the next of kin of the deceased as well as steps taken/ proposed to ensure that such incidents do not recur.

Recommendations for relief to the victims

One of the primary responsibilities of the National Human Rights Commission is to address cases of human rights violations, listen to the grievances of victims, and recommend appropriate relief in such instances. It regularly

takes up various such cases and gives directions and recommendations to the concerned authorities for relief to the victims. In July, 2024, monetary relief of more than Rs. 39.5 lakh was recommended for the victims or their next of kin (NoK) in the 13 cases,

wherein it was found that public servants had either violated human rights or been negligent in protecting them. The specific details of these cases can be downloaded from the NHRC website by logging the case number given in the table below:

S. No.	Case Number	Nature of complaint	Amount (Rs. in lakh)	Authority
1.	1753/30/9/2021-JCD	Death in judicial custody	05.00	Delhi
2.	852/19/19/2023-JCD	Death in judicial custody	05.00	Punjab
3.	2173/20/10/2023-JCD	Death in judicial custody	05.00	Rajasthan
4.	310/20/7/2024-JCD	Death in judicial custody	05.00	Rajasthan
5.	7186/22/13/2020-JCD	Death in judicial custody	05.00	Tamil Nadu
6.	1212/10/1/2022-AD	Death in police custody	05.00	Karnataka
7.	18621/24/20/2023	Malfunctioning of medical professionals	00.50	Uttar Pradesh
8.	18621/24/20/2023	Malfunctioning of medical professionals	00.50	Uttar Pradesh
9.	709/20/22/2022	Victimization	07.50	Rajasthan
10.	2205/20/21/2022	Irregularities in Govt. hospitals/ primary health centres	00.25	Rajasthan
11.	514/30/4/2024	Miscellaneous	00.25	Delhi
12.	500/6/21/2023	Miscellaneous	00.25	Gujarat
13.	500/6/21/2023	Miscellaneous	00.25	Gujarat

Relief received by the victims

The Commission closed 19 cases, either on receipt of the compliance reports and proof of payment from the public authorities

or by giving other observations/ directions. An amount of Rs. 121 lakh was paid to the victims or their next of kin (NoK) on the recommendations of

the Commission. The specific details of these cases can be downloaded from the NHRC website by logging the case number given in the table below:

S. No.	Case Number	Nature of complaint	Amount (Rs. in lakh)	Authority
1.	570/33/5/2023-JCD	Death in judicial custody	5.00	Chhattisgarh
2.	1237/6/21/2023-JCD	Death in judicial custody	5.00	Gujarat
3.	1607/7/7/2022-JCD	Death in judicial custody	5.00	Haryana
4.	1837/7/6/2023-JCD	Death in judicial custody	5.00	Haryana
5.	1056/13/20/2020-JCD	Death in judicial custody	5.00	Maharashtra
6.	781/13/21/2021-JCD	Death in judicial custody	5.00	Maharashtra
7.	160/3/17/2017-PCD	Death in police custody	3.00	Assam
8.	445/34/16/2016-PCD	Death in police custody	10.00	Jharkhand

S. No.	Case Number	Nature of complaint	Amount (Rs. in lakh)	Authority
9.	42/6/6/2020-AD	Death in police custody	7.50	Gujarat
10.	2754/7/1/2022-AD	Death in police custody	5.00	Haryana
11.	556/13/16/2020-AD	Death in police custody	5.00	Maharashtra
12.	1185/20/27/2021-AD	Death in police custody	7.50	Rajasthan
13.	2317/1/10/2022	Non-payment of pension/ compensation	0.50	Andhra Pradesh
14.	30444/24/12/2022	Non-payment of pension/ compensation	1.00	Uttar Pradesh
15.	144/4/24/2022	Death due to consumption of illicit liquor	30.00	Bihar
16.	2634/7/6/2022	Trouble by anti-social elements	0.50	Haryana
17.	1441/18/23/2023	Death due to electrocution	5.00	Odisha
18.	4422/20/19/2022	Ragging in colleges	14.00	Rajasthan
19.	608/25/8/2022	Illegal arrest	2.00	West Bengal

Case studies

In many cases, the Commission, contrary to the claims of the concerned State authorities found that the human rights of the victims were violated due to their unlawful action, inaction or omission. Therefore, the Commission, under the Protection of Human Rights Act, not only recommended punitive action against erring officials on a case-to-case basis but also recommended monetary relief to the victims of human rights violations or their next of kin. The Commission also received reports of compliance with its recommendations by the respective state authorities. Summaries of some of these cases are as under:

Death of two men in police custody

(Case No.233/6/14/2021-PCD)

The matter pertained to the death of two men in police custody at Police Station Mundra, West Kachchh, Gujarat in 2019. Based on the material on record received from the concerned State authorities in response to its notices, the Commission found that the police personnel from Mundra Police Station illegally detained and brutally tortured three men. The two of them died due to torture, while one survived. The Commission recommended that the Government of Gujarat pay Rs. 7.5 lakh each as relief to the next of kin of

the deceased and Rs. 1 lakh to the injured. However, the Commission, when subsequently informed, accepted the State Government's submission that it had already made the payment of Rs. 5 lakh each as a relief to the next of kin of both the deceased and Rs. 2 lakh to the injured on the recommendations of the State Human Rights Commission in the matter.

Custodial death

(Case No. 27022/24/53/2019-AD)

The matter pertained to the death of a man in police custody at Ghosi Police Station, Mau District, Uttar Pradesh in 2019. Based on the material on record

received from the concerned State authorities in response to its notices, the Commission found that some people reportedly apprehended a man for stealing the battery of a tractor. The police reached the spot; brought him to the police station and registered a case against him. However, his health deteriorated and he died. The Magisterial Enquiry Report stated that the victim was illegally detained for two days, and despite knowing that he was injured, no proper medical care was provided to him. The Inquiry Magistrate also recommended legal action against the erring police official under the relevant sections of law including departmental action in the matter.

On the merits of the findings in the matter, the Commission recommended that the Government of Uttar Pradesh pay Rs. 5 lakh as a relief to the next of kin and inform about the criminal proceedings as well as departmental action against the erring police official(s). The Commission was informed that the amount of relief was paid and departmental action was taken against the concerned Circle Officer besides registering case No. 187/2022 in PS Ghosi, u/s 342/304 IPC on 30.04.2022 on the complaint of the wife of the deceased for further investigation.

Torture by police

(Case No. 4422/20/19/2022)

The matter pertained to the reported harassment and torture of the complainant and her family members including children and women, who were illegally arrested and brought to a police station in Jodhpur, Rajasthan in 2022. Based on the material on record received from the concerned State authorities in response to its notices, the Commission found that the victims were illegally arrested and also denied basic rights like attending to natural calls and breastfeeding the small children. The Police act was unequivocally arbitrary and oppressive and against the law.

Therefore, the Commission recommended that the Government of Rajasthan pay a relief of Rs. 2 lakh each to the 02 minor children and Rs. 1 lakh each to the other 6 females arrested in the instant case. The Commission also recommended punitive action against the guilty police personnel besides a refresher course regarding human rights of arrested accused/procedure of arrest.

It was informed that the recommended relief of Rs. 14 lakh was paid to the

victims and the stoppage of increments for one year was imposed on the Police officer. Besides, he was also given an orientation on human rights including the procedure for arrest.

Suicide in police custody

(Case No. 445/34/16/2016-PCD)

The matter pertained to the death of a young man and woman under mysterious circumstances in the custody of Police at the Police Station Aargonda in District Ranchi, Jharkhand in 2016. While the police claimed that they died after consuming some poisonous substance, the post-mortem report indicated that both the victims had contusion on the head and other parts of the body caused by blunt force/object.

The Commission noted that even after more than five years of the incident, the Investigating Officer of the case and the supervisory officer failed to collect the viscera report and final cause of death to support their claims. Though three police personnel were placed under suspension and a departmental enquiry was initiated against them, no update was provided about the outcome of this enquiry, the other requisite reports, the status of FIR No.16/2016 P.S. Mehgama and UD case No.02/2016 P.S. Argoda, Ranchi. Therefore, based on the available material on record received, the Commission recommended that the Government of Jharkhand pay Rs. 5 lakh as relief to each of the next of kin of the deceased, which was paid.

Death of an under-trial prisoner

(Case No. 1607/7/7/2022-JCD)

The matter pertained to the suicide of an under-trial prisoner by hanging

himself in the bathroom in District Jail, Jhajjar, Haryana in 2022. Based on the material on record received from the concerned State authorities in response to its notices, the Commission found that the Jail authority failed in their primary responsibility to ensure the safety of the person in their custody, for which the State was vicariously liable. The Commission recommended that the Government of Haryana pay Rs. 1.25 lakh as relief to the next of kin of the deceased, which was paid.

Illegal detention

(Case No. 608/25/8/2022)

The matter pertained to the alleged illegal arrest and detention of two men at the behest of a local leader in West Bengal. Based on the material on record received from the concerned State authorities in response to its notices, the Commission found that admittedly both the victims were arrested by the Police for a bailable offence, and strangely even a chargesheet was also submitted in the court in bailable sections as the duo refused surety to police.

The Commission observed that in bailable offences, bail is a right and not a favour. There is no reason to believe that the victims refused to produce the surety demanded by the Police. It is an established case of violation of the fundamental rights of the victims and infringement of their fundamental rights to life and personal liberty as guaranteed under Article 21 of the Constitution of India for which the State Government is vicariously liable. Therefore, it recommended that the Government of West Bengal pay Rs.1 lakh each to both the victims for their illegal detention, which was paid.

Delay in the payment of pension

(Case No. 2317/1/10/2022)

The matter pertained to the delay in getting the pension dues of the complainants' father from the Employees Provident Fund Organisation (EPFO) as well as the family pension after his demise. The complainant's father worked in Machilipatnam Transport Depot as a driver and died in 2017. Based on the material on record received from the

concerned State authorities in response to its notices, the Commission found that there was considerable delay in the processing of the papers from one office to another, resulting in undue harassment to the complainant and his family.

In response to the Commission's notices and sustained follow-up with the EPFO authorities, it was informed that the employee's pension dues were eventually paid to his family on 20.6.2023. The Commission observed that the purchase value of the amount,

which was to be released in 2017, has reduced considerably in 2023. Hence, the beneficiary needs to be compensated for the same as also for the harassment causing the violation of his human rights. Accordingly, it recommended that the EPFO pay a relief of Rs. 50,000/- to the next of kin of the deceased with the interest on the delayed payment under Para-17-A of Employees' Pension Scheme, 1995. The Commission's directions were complied with the payment of the Rs. 84,000/- including interest of Rs. 34,000/- to the victims.

Visits of Special Rapporteurs and Special Monitors

The National Human Rights Commission (NHRC), India has designated 15 Special Rapporteurs to monitor human rights conditions across various regions of the country. They conduct visits to shelter homes, prisons, observation homes, and similar institutions, compiling reports for the Commission that detail their observations and suggestions for future action. Additionally, the Commission has appointed 17 Special Monitors tasked with overseeing specific thematic human rights issues and reporting their findings to the Commission. Throughout July 2024, both

► NHRC Special Rapporteur, Shri Mahesh Kumar Singla on an inspection of a prison in Punjab



Special Rapporteurs and Monitors conducted visits to numerous locations.

Special Rapporteurs

- From 12th -15th July, 2024, Shri Umesh Kumar Sharma conducted a spot enquiry into the reported death of five children at an Ashram in Indore, Madhya Pradesh.
- From 13th -17th and 29th - 31st July, 2024, Shri Mahesh Kumar Singla visited Amritsar Central Jail and District Jail Ropar, Rupnagar District in Punjab to assess the condition of the inmates and the facilities made available to them.
- From 22nd - 27th July, 2024, Shri Umesh Kumar visited the Government De-addiction Cum Rehabilitation Centre (State Anti-drug Prohibition Council), Pamohi in Gorchuk, Kamrup, Assam to assess the human rights situation and the condition of the inmates at the facility.
- From 22nd - 30th July, 2024 Smt. Suchitra Sinha visited various educational institutions situated at Jamshedpur in Jharkhand to assess the human rights situation and facilities available for the students.

Special Monitor

From 8th -10th July, 2024, Shri Rakesh Asthana visited Chandigarh and other places in Punjab in connection with a NHRC case related to allegations of drug abuse in Punjab Prisons.

NHRC visits Garima Grehs for transgender persons

The National Human Rights Commission (NHRC) has been concerned with the issue of discrimination faced by transgender persons and has been making recommendations from time to time to the government to ameliorate the cause of their human rights. The Union Government has established 12 Community-Based Organizations (CBOs) called Garima Greh shelters for them in nine states under the Support for Marginalized Individuals for Livelihood & Enterprise (SMILE) scheme. These aim to provide basic amenities, including shelter, food, medical care, and recreational facilities to destitute and abandoned transgender persons.

Acknowledging its importance, the Commission undertook visits to four Garima Greh shelters in different parts of the country to gain firsthand information about the challenges faced by these shelters and understand the ground realities of the initiative.

On 15th July, 2024, Smt. Anita Sinha, Joint Secretary along with the four-member research team of the Commission visited Mitra Trust Garima Greh in Delhi. Subsequently, on 23rd July, 2024, Smt. Vijaya Bharathi Sayani, Acting

Chairperson of the Commission accompanied by Smt. Anita Sinha and other officers visited three Garima Greh shelters in the State of Maharashtra. These included Aarju Foundation in Panvel, Kinnar Asmita in Thane, and Tweet Foundation in Goregaon.

The NHRC team interacted with project directors, staff, and residents to understand their concerns and also briefed them about the functioning of the Commission and how they could approach it in the matters of their rights violations. The NHRC team observed that not all shelters have adequate resources to support the effective rehabilitation of transgender persons. There have been delays in releasing the funds to the Garima Greh shelters and these are not even sufficient for the shelters in large metro cities. In the absence of timely funding, the CBOs are often left to manage finances independently, which can be challenging, especially

► NHRC, India Acting Chairperson, Smt Vijaya Bharati Sayani and Joint Secretary, Smt Anita Sinha interacting with the inmates of a Garima Greh in Maharashtra



for those organizations which do not receive funds under Corporate Social Responsibility.

Apart from this, the prescribed maximum one-year stay period for transgender persons in the shelters seems inadequate and may need to be extended in exceptional situations. Some transgender persons have faced prolonged discrimination, some are with a disability,

hence, the NHRC team felt that this may need to be reviewed in this context. The team also noted the lack of support from government agencies for providing skill development courses to the residents. Despite the minimum age limit of 18 years for admission, project directors often receive accommodation requests from both private and state agencies for younger transgender persons.

Capacity Building

NHRC Summer Internship Concludes

The month-long summer internship for post graduate level students organized by the National Human Rights Commission (NHRC), India concluded at its premises in New Delhi on 5th July, 2024. 67 post graduate level students from diverse academic streams coming from various universities and colleges in the country participated. Addressing the valedictory session, Smt. Vijaya Bharathi Sayani, Acting Chairperson, NHRC congratulated the interns on the successful completion of their internship. She urged them to remain vigilant towards the instances of violation of the human rights of the vulnerable sections of society and raise their voices to protect them.

Shri Bharat Lal, Secretary General, NHRC asked the interns to strive for perfection in their chosen careers in pursuit of excellence. This can be achieved by remaining open to learning throughout their lives. He also motivated the students to contemplate the positive changes they could bring to society.

► NHRC, India interns on visit to Asha Kiran
Shelter Home for people with mental disabilities



Shri Devendra Kumar Nim, Joint Secretary, NHRC, presented the internship report during the session, announcing the winners of the book review, group research project presentation and declamation competition.

During the internship, the students were exposed to various aspects of human rights in different interactive sessions by NHRC, India Acting Chairperson, Secretary General, senior officers and experts. Former and serving Secretary and Additional Secretary level officers to the Government, officers of the Armed and Police forces, Statutory Commissions, representatives of civil society organizations and other eminent institutions also interacted with the interns. Besides the interactive sessions, the interns were also taken out for field visits to different institutions such as Tihar Jail, Police Stations, Asha Kiran Shelter Home, and National Commission for Women to understand their functioning, ground realities and requirements for protecting human rights.



▶ The interns with NHRC, India Acting Chairperson, Smt. Vijaya Bharathi Sayani, Secretary General, Shri Bharat Lal, DG (I), Registrar (Law), Shri Joginder Singh, DG (I), Shri Ajay Bhatnagar, Joint Secretaries, Smt Anita Sinha & Shri D.K. Nim and other senior officers

Programme for NHRC officers on new criminal laws

The National Human Rights Commission (NHRC), India organized a two-day orientation programme for 50 officers in its Investigation and Law Divisions on the new criminal laws i.e. Bharatiya Nyaya Sanhita (BNS), Bharatiya Nagrik Suraksha Sanhita (BNSS) and Bharatiya Sakshya Adhiniyam (BSA). It was organized in collaboration with the Bureau of Police Research and Development (BPR&D) at the Commission's premises from 25th-26th July, 2024.

On the 1st day, they were briefed about the reforms in complaint procedure, cognizance, committal & trial proceedings, changes introduced in plea bargaining, victim-centric reforms, proclaimed offender-related reforms, mercy petitions etc. and a comprehensive overview of changes

▶ NHRC, India DG (I), Shri Ajay Bhatnagar addressing the officers



▶ A section of NHRC officers attending the orientation programme





► Professor Vageshwari Deswal, Faculty of Law, University of Delhi interacting with the officers



► Professor Asad Malik, Faculty of Law, Jamia Milia Islamia interacting with the officers

introduced in crime reporting, arrest and investigation by Dr Neeraj Tiwari, Assistant Professor, NLU, Prof Asad Malik, Faculty of Law, Jamia Milia Islamia, and Shri Dharam C Jain, former Special Director CBI.

On the 2nd day, the officers had an orientation on the reforms in crime against women and children, reforms in crime affecting the human body, mob lynching, organized crimes, terrorist acts etc., reforms in offences against the State, offences against public tranquillity, offence by or relating to public servants, contempt of the lawful authority of public servants, offence relating to religion, offence against property, punishment related reforms and overview of changes and electronic evidence related reforms, insights into collection and admissibility of electronic evidence. This session was conducted by Professor Vageshwari Deswal, Faculty of Law, University of Delhi and Ms Aditi Tripathi, Advocate, Delhi High Court. Each session was followed by a Q&A.

Training for Judicial Magistrates

On the 26th and 27th July, 2024, NHRC, India and Indian Law Institute, New Delhi organized a two-day training programme on human rights issues and challenges for Judicial officers. Former NHRC, India Chairperson, Justice Arun Mishra presided over the session. Shri D.K Nim, Joint Secretary, NHRC highlighted the role of the Commission in protecting human rights. About 40 first-class Judicial Magistrates were in attendance.



► Former NHRC, India Chairperson, Justice Arun Mishra addressing the participants



► NHRC, India Joint Secretary, Shri D.K Nim addressing the judicial officers

NHRC in the international arena

The National Human Rights Commission (NHRC), India continues to engage with various international programmes to foster an exchange of ideas on various aspects of human rights. Several foreign institutional delegates visit the Commission and meet the Chairperson, Members and senior officers to understand the functioning of the Commission for the promotion and protection of human rights. The Commission's Chairperson, Members and other senior officers also visit various international forums to share their thoughts on the achievements of the Commission, interact with other NHRIs, and discuss the challenges to human rights in the fast-evolving world.

Roundtable at the Council on Foreign Relations (CFR), New York, USA

On 15th July, 2024, Shri Bharat Lal, Secretary General, National Human Rights Commission (NHRC), India delivered a talk at the Council on Foreign Relations (CFR) New York Roundtable on 'India's Approach to Human Rights.' He spoke about the deep-rooted ethos of empathy and compassion ingrained in Indian society since ancient times, which remained embedded alongside various social and political reforms over the centuries.

The Roundtable was moderated by Ambassador Ken Juster, former US Ambassador to India and Distinguished Fellow at CFR. The event was attended by distinguished individuals from academia, NGOs, civil society, business, industry, think tanks, and the diplomatic community. The talk was followed by a Q&A session.

Shri Lal emphasized the Indian culture of providing refuge to persecuted people from various parts of the world, the making of the Indian Constitution, the Preamble and its primacy to Fundamental Rights, and the vision outlined in the Directive Principles of State Policy.

He said that in India, civic and political rights are guaranteed under the Constitution, and the Supreme Court as well as the High Courts have vast

► NHRC, India Secretary General, Shri Bharat Lal presenting his views in the roundtable on 'India's Approach to Human Rights.'





► NHRC, India Secretary General, Shri Bharat Lal interacting with the participants on the sidelines of the roundtable

jurisdiction. The fiercely independent judiciary is the custodian of Fundamental Rights. Of late, concerted efforts are being made to improve the quality of life and dignity of every individual. Digital governance, developmental schemes, and legislative actions are transforming people's lives.

The NHRC, India Secretary General said that the Indian ethos is also about assisting other countries in strengthening their democratic institutions and building capacity to ensure efficient public service delivery. As a matter of principle, India treats the whole world as one family and is always ready to help any country, especially in times of need, without interfering in their internal matters. India has never waged war against any country, as the concept of non-violence is ingrained in our society and various religions.

Shri Lal said that India has established a robust institutional framework to protect and promote human rights. The NHRC, India works at the apex level

with other Commissions and at the State level with the State Human Rights Commissions. The NHRC has over 30 Special Rapporteurs and Special Monitors, and 12 Core Groups, which include members from academia, NGOs, civil society, and human rights defenders.

He said that in recent times, NHRC, India has been very proactive, reaching out to different parts of the country and engaging with civil society. As a result, the number of *suo motu* cases taken up by the NHRC has increased manifold. The Commission has increased its outreach, and the use of technology is helping in capturing instances of human rights violations in different parts of the country. A special focus is on improving the quality of life and ensuring dignity to the most vulnerable groups of people like transgender, beggars, widows, persons suffering from mental health issues and leprosy, trafficked girls, aged people, children, truck drivers, etc.

He said that we believe in building partnerships and working together to ensure that every person has assured basic amenities, and ample opportunities to excel and contribute meaningfully. India's motto is to ensure that no one is left out.

Aspen Security Forum, Aspen USA- 'India: Challenges & Opportunities'

On 17th July, 2024, NHRC, India Secretary General, Shri Bharat Lal spoke on 'India: Challenges & Opportunities' at the Aspen Security Forum, Colorado, USA. Ambassador Robert Blackwill, Henry A. Kissinger Senior Fellow for US Foreign Policy at CFR & Daniel Twining, President, International Republican Institute.

In the session moderated by Ravi Agrawal, Editor-in-Chief of Foreign Policy, Shri Lal highlighted India's progress in ensuring an improved quality of life and dignity for its citizens, contributing to international peace, prosperity and providing soft power for the good of the world.

Shri Lal said that India assists other countries, including the Global South in times of need, given its value system



► NHRC, India Secretary, Shri Bharat Lal speaking at Aspen Security Forum, Aspen, USA

of empathy and compassion. In a highly conflicted world, India stands for reason and dialogue. He said that at present, India produces 1.5 million engineers, 110 thousand doctors and many other professionals. The Indian diaspora, known for being model citizens in their adopted countries, contributes to global peace and prosperity.

He also highlighted the role of NHRC, India in protecting and promoting the human rights of every citizen. India serves as a model for development and democratic governance. The recent general elections demonstrate how Indian democracy functions and provides a model to many nations.

Underscoring the scale of work in India with facts and figures, Shri Lal said that the country has the skill and aptitude to convert crisis into opportunity. Today, India offers opportunities for development, prosperity and good governance. He said that the governance in India is non-discriminatory and focuses on ensuring basic amenities for all. The Indian governance mantra is that 'no one is left out'. The session was followed by Q&A.



► NHRC, India Secretary General, Shri Bharat Lal speaking at the Aspen Security Forum, Aspen USA

Foreign delegation visits

On 3rd July, 2024, Ms Lindy Cameron, UK High Commissioner to India accompanied by Ms Natalia Leigh, Head of Political & Bilateral Affairs of British High Commission met NHRC, India Secretary General, Shri Bharat Lal. They discussed various aspects of protection & promotion of human rights.



On 14th July, 2024, Mr Auguste Kouame, India Country Director, World Bank met NHRC, India, Secretary General, Shri Bharat Lal. They discussed various aspects of socio-economic development and public service delivery to improve the quality of life of all. India is on the path to achieve high economic growth and is working to ensure basic amenities and dignity for all. Its use of technology and digital governance is changing the lives of people and is a model for the Global South.



News from State Human Rights Commissions

The promotion and protection of human rights is always a work in progress given the ever-expanding dimensions of human life and related challenges. In India, besides the democratically elected governments constitutionally committed to ensuring the welfare of the people by protecting their basic human rights, there are institutions of legislature, judiciary, a vibrant media, the National Human Rights Commission and State Human Rights Commissions (SHRCs), as well as the other National Commissions and their state counterparts working as guardians of rights issues of various segments of society. This column intends to highlight the exceptional activities of the SHRCs undertaken to protect and promote human rights.

Karnataka State Human Rights Commission

The Karnataka State Human Rights Commission (KSHRC) came into existence on 25th July, 2007. At present it is headed by Dr T Sham Bhatt, Acting Chairperson. Under his leadership, the KSHRC recently organized a camp sitting in various districts of Karnataka to clear the pending cases in the presence of the victims as well as Deputy Commissioners, CEOs of Zilla Panchayat, and Superintendents of Police to resolve the matters. Besides this, the Commission organized an interactive session with the district-level officers to create awareness about the protection of human rights

and also to promote and safeguard human rights as a part of the State obligation.

The KSHRC also visited the district prisons, government girls and boys hostels, bus stations and other government-funded institutions in various districts and interacted with the public and other social groups to understand the problems of the people and to sensitize the Government functionaries about the same. The KSHRC disposed off more than 1,000 cases during the month of June-July 2024.



► Karnataka SHRC, Acting Chairperson, Dr T Sham Bhatt visiting District Jail

Rajasthan State Human Rights Commission

The Rajasthan State Human Rights Commission (RSHRC) became functional in March 2000. Its present Chairperson is Justice Shri Ganga Ram Moolchandani. The RSHRC organized human rights awareness programs in village Gagrol, Tehsil Chhoti Sadri of Chittorgarh district on 16th June, 2024 and in village Osian, District Jodhpur on 23rd June, 2024. The villagers were made aware about the evil practice of child marriage and ways to eliminate it, especially in rural communities.

Besides, the RSHRC visited jails, juvenile homes, and various districts to address complaints and collect firsthand information on the functioning of State organizations to promote and protect human rights. The RSHRC has decided 2,570 complaints in various sittings as well as public hearings this year till 31st May, 2024.

From 3rd to 24th July, 2024, the Commission also organized its three-week on-site Summer Internship Programme for University-level students to sensitize them about various aspects of human rights.

Punjab State Human Rights Commission

The Punjab State Human Rights Commission (PSHRC) registered 24 cases *suo motu* in July, 2024. Its focus continues on the swift resolution of the cases to give relief to the victims. PSHRC Chairperson, Justice Sant Prakash has also been visiting different jails in Punjab from time to time to assess their conditions and facilities for the inmates to make recommendations for improvements.

The interns with the Rajasthan SHRC Chairperson, Justice Shri Ganga Ram Moolchandani and other senior officers



Voices of victims getting relief

Over the years since its inception on 12th October, 1993, the National Human Rights Commission (NHRC), India has brought succour to various victims of human rights violations or their next of kin through its interventions. This column carries a brief extract on the voices of such victims who have been beneficiaries of the NHRC's recommendations implemented by the different government authorities.

NHRC intervention ensures prompt payment of pending compensation

(Case No. 4155/18/18/2022)

Shri Radhakanta Tripathy complained alleging that a senior citizen from Barikpur, Bazar, Barikpur, District-Bhadrak, Odisha, had been denied compensation after losing his land in the Reba-Kapali Sanskar Yojna. The complaint stated that he had been struggling to obtain the benefits that had been granted to others in similar situations. The Commission issued the notice to the concerned authorities in the matter calling for reports. Even as the matter was under consideration, a letter was received from the victim conveying his thanks to the Commission ensuring payment of his long-pending compensation by the authorities.

Death due to electrocution

(Case No. 2847/18/0/2022)

The complainant, Shri Siba Sankar Patro, through his complaint, brought to the notice of the Commission that a man was electrocuted while working on a roof, coming into contact with a live electric wire that was passing through the roof. The Commission recommended that the State provide a monetary relief of Rs. 5 lakh to the next of kin of the deceased. The complainant has expressed thanks to the Commission for the action taken in the matter after which the recommended amount of relief was paid to the next of kin of the deceased.

News in brief

- On 8th July, 2024, NHRC, India Secretary General, Shri Bharat Lal delivered the inaugural address at the 3rd batch of the Leadership Development Programme (LEAD) in Science & Technology, hosted by the Indian National Science Academy (INSA) in partnership with the National Centre for Good Governance (NCGG), New Delhi.
- On 9th July, 2024, Shri Bharat Lal, Secretary General, NHRC India delivered a talk at Vivekananda International Foundation (VIF), New Delhi on the human rights protection framework. In his talk, he covered the Indian ethos of empathy and compassion, various social reforms, constitutional

values, etc. Dr. Arvind Gupta, Director, VIF and former Deputy NSA chaired the session. Justice Adarsh Kumar Goel, Ambassador Satish Chandra, Former Secretary Shri Raghvendra Singh, Shri P K Malhotra and many other eminent people and young professionals were present.

Shri Lal highlighted various instruments like UDHR, UNHRC, UPR, GANHRI, etc. and NHRC's role at these international forums. He also gave an overview of NHRC's diverse work in protecting and promoting human rights. He further spoke about the role of civil society and NHRC India's outreach to human rights defenders, Special Rapporteurs and Monitors, Core Groups, and engagement with youth. He said that the Commission provides justice to the poorest of the poor at no cost and in the shortest possible time. It is also engaging with the world community, especially NHRIs of the Global South, to share its best practices for their capacity building. It helps in strengthening democratic governance and human rights institutions.

- On 13th July, 2024, NHRC, India Acting Chairperson, Smt. Vijaya Bharathi Sayani addressed as the Chief Guest, a human rights awareness program organized by various NGOs at Nagpur, Maharashtra. She gave an overview

of different aspects of human rights and the functioning of the Commission. About 350 participants from various parts of the country attended.

- On 20th July, 2024, NHRC, India Acting Chairperson, Smt. Vijaya Bharathi Sayani addressed the Members of the Bar Association of Malkajgiri, Telangana. They were briefed about the various aspects of human rights and the functioning of the Commission and encouraged to spread human rights awareness among the masses.
- On 21st July, 2024, NHRC, India Acting Chairperson, Smt. Vijaya Bharathi Sayani addressed as the Chief Guest a human rights awareness program organized by the Matru Bhumi Foundation at Parigi, Telangana. She spoke about the various aspects of human rights and the functioning of NHRC, India. The participants were encouraged to contribute to safeguarding the human rights of individuals including girls, women, elderly and persons with disabilities.
- On 25th July, 2024, a group of law interns led by Advocate Mr M Chandra Kanth Reddy and a delegation of Pastors from Andhra Pradesh led by Mr Pratap Naidu met NHRC, India Acting Chairperson, Smt Vijaya Bharathi Sayani and Registrar (Law), Shri Joginder Singh.

Forthcoming events

From 5th August, 2024, the Commission will begin its two-week online short term internship programme for university-level students.

On 6th August, 2024, the Commission will organize a meeting of the Advisory Board to select the content for the Commission's annual Hindi journal 'Human Rights: Nai Dishayein.'

On 12th August, 2024, NHRC to start a sensitization programme for Indian Police Officers undergoing training at the Sardar Patel National Police Academy, Hyderabad.

On 15th August, 2024, the Commission will organize the flag hosting ceremony on the occasion of Independence day.

On 16th August, 2024, the Commission will organize the valedictory ceremony of the online short term internship programme.

On 22nd August, 2024, NHRC, India will organize the final jury meeting to select the winning photographs of the Commission's photography competition, 2024.

On 28th August, 2024, the Commission will organize an open house discussion on preventing beggary and the rehabilitation of individuals engaged in beggary.

Complaints in July, 2024

New complaints received	6,608
Disposed off including old cases	5,937
Under consideration of the Commission	7,862

Human rights and NHRC in news



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भवन्तु सुखिनः

National Human Rights Commission

Important telephone numbers of the NHRC for filing complaints

Toll Free No.: 14433 (Facilitation Centers) • Fax No.: 011-2465 1332

For Filing online complaints: www.nhrc.nic.in, hrcnet.nic.in, Common Service Centres

Email: complaint.nhrc@nic.in (For complaints), cr.nhrc@nic.in (For general queries/ correspondence)

Focal point for Human Rights Defenders:

Indrajeet Kumar, Deputy Registrar (Law)

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