

Volume 31 | Number 05 | May, 2024

HUMAN RIGHTS

Newsletter



A Monthly publication of the National Human Rights Commission, India



Inside:

Criminal Justice system reforms
Health and mental health
Access to legal aid victims



Contents

1. Monthly recap: From the desk of the Secretary General & Chief Executive.....	3
2. Cover story.....	4
Statutory Full Commission meeting	4
3. Consultations	7
Core group meetings	7
• Open house discussion on Criminal justice system reforms	8
• Open house discussion on Health and Mental Health	9
• Open house discussion on 'Access to Legal Aid to Victims'	13
4. Article.....	15
Dr. B. R. Ambedkar's vision and legacy for shaping Viksit Bharat @ 2047.....	15
5. NHRC Interventions.....	17
• NHRC spot enquiry report flags several human rights concerns in violence hit Sandeshkhali in West Bengal	17
• Suo motu cognizance	18
• Recommendations for relief	19
• Payment of relief to the victims	21
• Case studies	22
• Spot enquiries	23
5. Field visits	23
• Visits by Special Rapporteurs and Special Monitors	23
7. Capacity building programmes.....	25
• Online short term internship programme....	25
• Student & faculty visits to NHRC, India	26
8. Farewell to Dr. D.M. Mulay, Member, NHRC.....	26
9. NHRC in international arena	28
10. News in brief.....	29
11. Forthcoming events.....	31
12. Complaints in April, 2024.....	32

National Human Rights Commission, India

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Members: **Dr Dnyaneshwar M Mulay,**
Shri Rajiv Jain
Smt Vijaya Bharathi Sayani

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Monthly Recap

From the desk of the Secretary General & Chief Executive

Following its commitment to reach out and hold dialogues and discussions with different stakeholders on various aspects of human rights, the National Human Rights Commission (NHRC), India organized three open house discussions in April, 2024. This spirit of building partnerships and working together to promote and protect the rights of all human beings as part of a unique institutional framework in India was also reflected when the Commission convened a meeting of Statutory Full Commission with the Chairpersons of seven National Commissions as its ex-officio members in the month of April. The objective as highlighted in the cover story of this edition of the Newsletter was to enhance synergy for the protection and promotion of the rights of the vulnerable and various marginalized sections of society.

India, with its 1.43 billion people, 22 major languages, and a federal structure, has a robust institutional framework to protect and promote human rights, which is always a work in progress with related challenges on a case-to-case basis. This needs to be emphasized that at the national level, there are seven Constitutional/ statutory bodies, and the NHRC, dedicated to this cause, viz. National Commissions for Scheduled Castes, Scheduled Tribes, Minorities, Women, Backward Classes, Children and Commissioner for Persons with Disabilities. They also have their counterparts in the

states in addition to 27 State Human Rights Commissions.

NHRC has more than 30 Special Rapporteurs and Special Monitors as well as 12 Core Groups with representatives from NGOs, Civil Society, and human rights defenders who work in tandem to promote human rights and ensure the dignity of people.

Courts in India are completely independent. They are the custodians of the Constitution and fiercely protect the Fundamental Rights of the citizens. Thus, India has exemplary institutions to protect and promote the human rights of the people.

In this context, reforms in the criminal justice system and rights of patients and doctors have been some of the priority areas for the Commission and so is the matter of access to legal aid to victims. The three discussions in the month were focused on these aspects. In the core group discussions on reforms in the criminal justice system, the focus was on finding ways to address the delay in forensic reports, areas of improvement in the prosecution system, burking of offences and simplification of language used in organs of the criminal justice system.

In the core group meeting on health and mental health issues, the aim was to deliberate upon the rights of patients and doctors. The issue of

bonds in medical colleges for doctors and the disbursement of their stipend with an overall perspective of how best to protect the rights of the patients and the doctors remained in focus. Speakers in the open house discussion focused on how to enhance legal aid to the litigants at various stages, beginning from registration of an FIR at the police station. Many victims lack education and legal awareness, necessitating effective outreach strategies to overcome language barriers and ensure they understand the availability of legal assistance.

In another significant development, the Commission released its spot enquiry report on Sandeshkhali violence in West Bengal, indicating serious issues of rights violations amidst lack of effective measures to control the violence by the concerned authorities. The Commission has also decided to seek approval of the Calcutta High Court to intervene in the ongoing proceedings in the matter. A comprehensive report in this edition based on related proceedings in the matter gives a look into the findings and recommendations of the Commission. Besides, this edition of the Newsletter also carries reports on the regular activities of the Commission to promote and protect human rights, which I am sure will provide for an engaging reading.

Bharat Lal

Secretary General, and
Chief Executive Officer

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“A nation’s culture resides in the hearts and in the soul of its people”

— Mahatma Gandhi

Cover story

Statutory Full Commission meeting

The human rights protection mechanism in India is supported by very sound statutory provisions promoting dialogue and cooperation among the National Commissions for ameliorating the cause of human rights. For this purpose, the Statutory Full Commission meetings under the aegis of the National Human Rights Commission (NHRC), India are organized from time to time with all the seven National Commissions, whose Chairpersons are its ex-officio members. On 19th April, 2024 also a Statutory Full Commission meeting was organized. The objective was to enhance synergy for the protection and promotion of the rights of the vulnerable and marginalized sections of society, share concerns and best practices as well as the annual action plans in this regard.

In his opening remarks Shri Bharat Lal, Secretary General, NHRC gave the background and agenda of the meeting and highlighted the unique institutional human rights protection framework of the country. He said that such interactions among these institutions are



NHRC, India Chairperson, Justice Shri Arun Mishra chairing the meeting



NHRC, India Secretary General, Shri Bharat Lal addressing the participants

useful in forming a common platform on some key issues of human rights and collectively ensure quick relief to the victims. They can collaborate on preparing advisories on various rights issues and ensure their implementation as well as the preventive steps for the protection of human rights. Mere research and not taking it to the ground level with practical application may not serve the purpose. He also said that the 7 National Commissions may onboard the HRC-NET portal of the NHRC to increase synergy, stop duplication of cases and enhance efforts in resolving them.

Smt. Anita Sinha, Joint Secretary, NHRC, presented a report on the NHRC's activities during 2023-24. She highlighted how the Commission has been proactively engaging with the different stakeholders at the national and international levels to build bonds and bridges for the protection of human rights and victims of human rights violations.

Chairing the meeting Justice Shri Arun Mishra, Chairperson, NHRC, India said that the country has various sound legislations to ensure



The meeting in progress

the protection of human rights of different sections of the society, and all the Commissions, which are looking into the rights issues of different segments of society along with the NHRC having overarching jurisdiction, may enhance the mutual cooperation, frame joint strategies and seek ways for more effective implementation of these legislations/ schemes.

In his opening remarks, Justice Mishra said that the necessities of the people and the protection of their human rights go hand in hand. All the National Commissions being part of the Statutory Full Commis-

sion must learn from each other's experiences and take measures to ensure equality and dignity for SC-ST communities, women, and marginalized sections of society. Citing a few specific areas for enhanced cooperation, he said that the implementation of the Central Government schemes on mechanical cleaning of the septic tanks and hazardous wastes as well as the NHRC advisory in this regard should be followed up for implementation by the concerned authorities. He also said that joint efforts will ensure the better implementation of other NHRC advisories by the concerned authorities.



A section of participants in the meeting



NHRC, India Chairperson, Justice Shri Arun Mishra, Members, Dr D.M. Mulay, Shri Rajiv Jain and Smt Vijaya Bharathi Sayani participating in the discussions

Shri Kishor Makwana, Chairperson, National Commission for Scheduled Caste (NCSC) said that the challenge is how to ensure the benefits of the new education policy and emerging technology reach the people. He said that the mindset of the people can be changed by sensitizing them with compassion and by the laws alone.

Shri Priyank Kanoongo, Chairperson, National Commission for Protection of Child Rights (NCPCR), said that the Commission has been proactively working to ensure the rights of children. It is monitoring 8 portals in this connection through which the Commission has ensured that more than one lakh orphaned children were monitored. They have been rehabilitated into families. It was ensured that they were not compelled to live in orphanages. The Commission has been ensuring the installation of CCTV cameras at pharmacies and chemist's shops to ensure that children are not given scheduled drugs for substance abuse. It is also monitoring the Madrasas for ensuring the rights of children including their proper education. The Commission has issued 9

guidelines and SoPs to ensure the protection of child rights besides preparing 19 research reports over the years.

Shri Rajesh Aggarwal, Chief Commissioner for Persons with Disabilities said that over the years awareness has increased among 'divyangjans' about their rights and challenges. Accessibility to public places for divyangjans is being ensured by and large. However, the issues relating to the admissions of differently-abled students in schools and assistance to them in exams continue to be a problem. The visually impaired have been facing the problem of captcha codes while accessing online services.

Dr. Dnyaneshwar M. Mulay, Member, NHRC, India said that a structured cooperation among the Statutory Commission members will ensure more effective functioning of the human rights regime in the country and these dialogues at regular intervals will help us achieve that.

Shri Rajiv Jain, Member, NHRC said that studies suggest that due to

procedural delays, the victims don't get timely payment of compensation under the SC-ST Act which needs to be looked into. Also, he said that the victim compensation schemes in all states need to be studied to know whether these are in conformity with the Statute or not. Likewise, he said, the compensation under NALSA required enhancement. The concerned district authorities need to understand that a child victim of the SC-ST community is eligible for compensation under the SC-ST Act, POCSO Act as well as the NALSA scheme.

Shri Jain further said that the states should intervene in the matters of the rights violations of children in private schools. This may not be overlooked merely on the ground that these are owned by private entities as all the institutions operate under the due permission of the State and therefore, they owe a responsibility to ensure their lawful functioning.

Smt. Meenakshi Negi, Member-Secretary, National Commission for Women said that it would be better to have collaboration among all the

Commissions to strengthen research without duplication of efforts. There are several common subjects on which the NHRC and the NCW can collaborate for research. She said that from the perspective of women's rights, it is necessary to ensure the compatibility of several State Statutory provisions for uniformity in their inheritance of property.

Shri Gudey Shrinivasan, Secretary, National Commission of Scheduled

Castes, and Shri Konthang Touthang, Joint Secretary, National Commission for Scheduled Tribes also spoke about the work being done by their respective Commissions.

DG (Investigation), NHRC, Shri Ajay Bhatnagar said that more than the action taken after the abuse of rights, the time has come to focus on its prevention. He suggested sharing the links of all the National Commissions on each other's

websites for easy accessibility to the people. He also suggested an exchange of expertise among the National Commissions for a common goal towards ensuring the protection of the rights of the people.

NHRC, India Member, Smt Vijaya Bharathi Sayani, Joint Secretary, Shri Devendra Kumar Nim, Presenting Officers, and other senior officers were present.



NHRC, India Chairperson, Members, senior officers along with the Chairpersons and representatives of the National Commissions

Consultations

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 April 2024, two core group meetings were organized in hybrid format to discuss the issues concerning criminal justice system reforms and health and mental health. Besides this, the Commission also organized

a one-day open house discussion on 'Access to Legal Aid to Victims.' 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.

Core group meetings

Criminal justice system reforms

On 23rd April, 2024 in the core group meeting on criminal justice system reforms, the focus was on finding ways to address the delay in forensic reports, areas of improvement in the prosecution system, burking of offences, and simplification of language used in organs of the criminal justice system. The meeting in hybrid mode was chaired by the NHRC, India Chairperson, Justice Shri Arun Mishra in the presence of Member, Shri Rajiv Jain, Secretary General, Shri Bharat Lal, Director General (I), Shri Ajay Bhatnagar, core group members, experts, academicians, representative of civil society organizations and senior officers of the Commission.

Justice Mishra said that forensic examination in the criminal justice system plays a critical role. Delay in forensic examination results in delayed justice. The number of technologically advanced forensic laboratories needs to be augmented for expeditious examination. The digital forensics also needs to be strengthened in the wake of new challenges of cyber-crime to reach the culprit fast.

He said that investigation and forensics examination should be part of the process and not independent of each other. He emphasized on increased systematic coordination between public prosecutors, forensic teams, and



NHRC, India Chairperson, Justice Shri Arun Mishra chairing the meeting

the police. For this, their training in the legal provisions, the concept of trial and the importance of forensics is necessary for reforms in the criminal justice system for speedy trial ensuring that any innocent person does not suffer.

Justice Mishra also said that Public Prosecutors need to be given exposure to forensics and the concept of trial. He said that

language is a barrier for the common man in understanding legalese in judgments as most of these are delivered in English, which is difficult to understand for many people.

Before this, NHRC, India Member, Shri Rajiv Jain gave an overview of the four sessions of the meeting which he said are very significant aspects of the criminal justice system. He expressed the hope that



A scene from the meeting



Discussions in progress

the related issues and sessions will help the Commission in further shaping them for necessary recommendations.

Shri Devendra Kumar Nim, Joint Secretary, NHRC underscored the concerted efforts of the Commission seeking reforms in the criminal justice system. He said that the Commission had organized the Core Advisory Group on Criminal Justice System Reforms in 2021 and 2023 and it had also issued an advisory to mitigate Deliberate Self Harm and Suicide Attempts by Prisoners in 2023. The Commission also released a book on Forensic Science and Human Rights in 2023.

During the discussions, it was emphasized that Public Prosecutors play a very important role at the trial stage and therefore, it is necessary to create a cadre-based service of Public Prosecutors to ensure transparency and merit in their appointment. A Training Academy should also be set up for them with a research and analysis wing. They also need to be supported with proper office infrastructure. The witness examination should be the prerogative of the Public Prosecutor and not of the judges.

The speakers included among others, Shri Rajesh Kumar, Director, Odisha State Forensic Science Lab,

Bhubaneswar; Dr. G. K. Goswami, IPS, Founder, Uttar Pradesh State Institute of Forensic Science; Dr. S. K. Jain, Director-cum-Chief Scientist, DFSS, MHA; Smt. Shreya Rastogi, Founding Member & Director, P39A, NHRC Core Group Members; Prof. (Dr.) Manoj Kumar Sinha; Smt. Meeran Chadha Borwankar; Shri Rishi Kumar Shukhla; Shri B. T. Kaul, Member Secretary, Law Commission of India; Dr Reeta Vashishta; Smt. Aditi Tripathi, Advocate; Prof. (Dr.) Arvind Tiwari, Dean, School of Law, TISS Mumbai; Shri Bhim Sen Bassi, Former Commissioner of Police, Delhi; and Dr. Chanchal Singh, Professor of Law, Himachal Pradesh NLU.

Core group meetings

Health and Mental Health

On 24th April, 2024, in another core group meeting on Health and Mental Health issues, the aim was to deliberate upon the rights of patients and doctors. The four

technical sessions included the issuance of bonds in medical colleges, the issues related to the disbursement of stipend to doctors, the rights of the patients and the rights of the doctors.

The meeting held in hybrid mode was chaired by Justice Shri Arun Mishra, Hon'ble Chairperson, NHRC, in the presence of Shri Rajiv Jain, Member, NHRC; Shri Bharat Lal, Secretary General; Shri Ajay



NHRC, India Chairperson, Justice Shri Arun Mishra chairing the meeting

Bhatnagar, Director General (Investigation); Shri Devendra Kumar Nim, Joint Secretary and other officers of the NHRC. The participants included the members of the Core Group, representatives from the Government, including the Ministry of Health and Family Welfare, and DGHS; National Medical Commission; Indian Medical Association; eminent doctors and domain experts from the field; academicians; and Resident Doctors' Associations.

Justice Arun Mishra said that there is a lot of pressure on the country's healthcare system impacting the rights of doctors and patients.

Doctors have to work for long hours amidst the lack of proper facilities in hospitals, rising patient expectations and cases of alleged medical negligence. At times, the patients face poor sanitary and hygiene conditions, and inadequate medical care and attention they may require. In this context, he cited his experience from his visit to the mental health care institutions in Gwalior, Agra and Ranchi where the inmates were living in very undignified and unhygienic conditions. Even the cured patients were not rehabilitated.

Justice Mishra said that the Ayushman Bharat scheme has the

potential to be a great success if implemented properly and fully. He mentioned the unfortunate phenomenon, where top Indian doctors were willing to practice in foreign countries, serving at the rural level, but in India, they don't want to serve in remote areas for even 2-3 years. Therefore, there was a necessity of bonds, upheld by the Supreme Court. To this, Justice Mishra added that the bond system should not be exploitative and should be reformed reasonably to enforce the purpose behind it.

He said that while health is a state subject, there should be some standard guidelines that may be prescribed for the bond system in all states. He also said that there are multiple social welfare schemes and provisions facilitated by the government, but it is to be ensured that the benefits of these schemes directly reach the needy.

Shri Rajiv Jain, Member, NHRC while quoting the landmark judgment of *Jacob Mathew v. State of Punjab*, emphasized that there is a need for the National Medical Commission (NMC) and the government to form guidelines



A scene from the meeting

with regard to cases of medical negligence. Furthermore, a large number of states still lack Medical Boards that are tasked with reviewing complaints of alleged medical negligence, which must be addressed on priority. He also raised the issues of bonds in medical colleges and the disbursement of stipends to doctors.

Shri Jain gave the example of the categorization of medical establishments to highlight that most of the provisions of the Clinical Establishment Act (CEA) have not been implemented. Similarly, there are other significant provisions in the CEA protecting the rights to health of patients, which need to be formally notified by the Ministry of Health & Family Welfare to enable its implementation. Shri Jain pointed out that the NMC in this issue says that the implementation of its regulations is for the 'appropriate authority' in the state, but it doesn't define who the appropriate authority is.

The Member also stressed on the working conditions of the doctors, calling attention to their long



NHRC, India Member, Shri Rajiv Jain addressing the meeting

working hours and continuous shifts, lack of proper restrooms, hygiene, lack of rest, etc. He reiterated that doctors have fundamental rights that are necessary for them to carry out their tasks in an efficient manner, just as patients have rights within the healthcare system. The Commission has received a number of cases in connection with non-payment of stipend.

He underlined that violence against doctors has an adverse impact on medical professionals. It can result in poor patient care in addition to stress, worry, or psychological

damage. It is, therefore, crucial to address this issue by strengthening the legal framework, enhancing security measures, promoting communication and proper support system for doctors and all medical health professionals.

Shri Bharat Lal, Secretary General focused on the virtues of compassion and empathy towards all human beings, especially to the most vulnerable sections of the society. He mentioned that the cases of deaths by suicide amongst medical students are quite disturbing and require immediate attention. He said that we can't afford half-measures and dithering as all inaction has consequences. Similarly, the suffering of patients due to negligence is unacceptable.

Appreciating the government for having various schemes and making provisions for the welfare of the people, he highlighted that it is the duty of officers to implement them in letter and spirit. If not implemented in true letter and spirit, it can lead to many challenges that we are discussing today.



NHRC, India Secretary General, Shri Bharat Lal interacting with the participants

Talking about the Mental Healthcare Act, 2017, the Secretary General said that despite the best intentions of the government and the Parliament, the Act has not been implemented in its true spirit throughout the country, which accentuates the existing challenges. He expressed the hope that the deliberations in the meeting would result in specific and actionable recommendations, and also pave the way towards implementation in letter and true spirit, leading to the real change on the ground.

Shri Ajay Bhatnagar mentioned that as a laudable practice, senior doctors are looking after their juniors, being their mentors and guiding their work, so that the young doctors have a sense of confidence, and have someone to approach. 'A happy doctor is a good and efficient doctor', Shri Bhatnagar said. If a doctor gets adequate rest, facilities and time to look after himself, his performance will definitely improve. He emphasized that the strength of any organization comes from the organizational culture.

Before this, Shri Devendra Kumar Nim, Joint Secretary, gave an overview of the four sessions of the meeting. He highlighted the significance of each topic that needed extensive deliberations to come out with concrete suggestions for improvements in the country's health care system.

Dr. B. N. Gangadhar, Chairman, NMC said that the NMC has constituted a committee under the chairmanship of the Director, NIMHANS, Bangalore, to look into the matter of deaths by suicide and drop-outs of medical students. They are now promoting yoga to deal with stress in doctors and medical students.

Other issues, such as female PG students not receiving benefits during their maternity leave; poor living and working circumstances; physical and biological risks in the workplace; psycho-social pressures; heavy workload; erratic work schedules, lone women doctor postings in distant buildings/departments; unreliable pay schedules; lack of necessary facilities like proper washrooms,

especially for women; and other professional stressors were also discussed during the meeting.

The participants included, among others, Shri Elangbam Robert Singh, Joint Secretary, Union Ministry of Health & Family Welfare; Dr. Jitendra Prasad, Addl. DGHS, Directorate General of Health Services; Dr. M C Misra, former Director, AIIMS; Prof. R K Dhamija, Director, IHBAS, Delhi; NHRC core group members Dr. Nimesh Desai, Senior Consultant Psychiatrist, Dr. Abhay Shukla, Public Health Specialist, Dr. Sunil Khatri, Advocate; Dr. Shivkumar Utture, National Vice President, IMA; Dr. Rajesh Sagar, Prof. of Psychiatry, AIIMS; Dr. Aviral Mathur, President, Federation of Resident Doctors Association (FORDA); Dr. Rohan Krishnan, National President, Federation of All India Medical Association (FAIMA); Dr Shankul Dwivedi, IMA Junior Doctors Network; Dr. Rajeev Ranjan, co-founder, Aid for Mankind; and Dr. Vivek Pandey, RTI activist.



Discussions in progress

Consultations

Open house discussion on 'Access to Legal Aid to Victims'

On 25th April, 2024, the Commission organized an open house discussion on 'Enhancing Access to Legal Aid for Victims'. The meeting was chaired by NHRC, India Chairperson, Justice Shri Arun Mishra in the presence of Members, Shri Rajiv Jain and Smt Vijaya Bharathi Sayani; Secretary General, Shri Bharat Lal; Director General (Investigation), Shri Ajay Bhatnagar; Registrar (Law) Shri Surajit Dey and Joint Secretary, Shri Devendra Kumar Nim, representatives from various Ministries, autonomous bodies, legal practitioners, non-governmental organizations (NGOs), academic institutions, and research scholars, contributing to discussions on pertinent issues surrounding legal aid accessibility for victims.

In his opening remarks, Secretary General, Shri Bharat Lal said that sensitizing police personnel and

providing legal aid to victims, especially at the FIR registration stage is very crucial. Comprehension of the NALSA scheme 2018 and Article 357A of CrPC by Police personnel is pivotal. Notably, many victims lack education and legal awareness, necessitating effective outreach strategies to overcome language barriers and ensure they understand the availability of legal

assistance. The National Legal Services Authority (NALSA) should play an active role in raising awareness and facilitating access to justice. It is essential to address the substantial gaps in case reporting between police stations and agencies like the CBI. This involves shifting the mindset of police officials dealing with less educated individuals and sensitizing them to assist genuine victims in obtaining compensation.

Shri Devendra Kumar Nim, Joint Secretary highlighted the focus of the sessions. He also briefly shared various constitutional provisions and initiatives aimed at providing free legal aid to the poor and marginalized sections of society, ensuring equal access to justice for the victims in the country to trigger the discussions. The three technical sessions of the discussion were:



NHRC, India Chairperson, Justice Shri Arun Mishra chairing the meeting



NHRC, India Secretary General, Bharat Lal addressing the meeting

- i.) Legal Aid at Police Station Levels - To identify challenges faced by the accused, victims, and their families in seeking legal assistance at Police Stations;
- ii.) Identifying and addressing challenges faced by the victim for obtaining victim compensation in India and the way forward - To discern issues in the satisfactory grant of victim compensation schemes through understanding the definition of the term "victim" under various provisions of law; and
- iii.) Role of NGOs and Academic Institutions ensuring Access of Legal Aid to Victims - To understand the central role of NGOs and Universities in ensuring equal access to justice for all.

Justice Mishra as chair of the open house discussion mentioned Articles 39A, 21, and 22 of the Constitution of India and said that the socio-economic status of anybody should not deprive him of their right to equality and justice. The Legal Aid system is meant for

providing assistance of a competent lawyer to every litigant including the victim. Despite the existence of legal provisions for such assistance and initiatives by the National Legal Services Authority (NALSA) in this regard, the lack of awareness about legal aid persists. Therefore, it is necessary that the jail authorities organize awareness programs for prisoners about it.

The NALSA representatives spoke about the challenges faced by them in providing legal assistance to the poor sections of society. They elaborated existing system of legal aid provided by NALSA through different schemes for victims of drug abuse, acid attacks, trafficking, etc. They also highlighted the presence of trained lawyers, legal aid clinics, and an under-trial review committee in every district presided by a District Judge to ensure the reach of legal aid to victims.

During the discussions, advocates and experts raised the issues of various victim compensation schemes for juveniles, acid attack and rape survivors, silicosis victims, etc. The issue of variation in the

award of compensation in different districts was also raised. They highlighted that labourers are not aware of the provisions of compensation and also are not informed by the concerned about the availability of compensation. The help of legal aid should also be extended to hospitals and not just police stations. Private hospitals should provide free medical support to acid attack victims.

Furthermore, it was also emphasized that there is a need to develop a network of pro-bono lawyers. NGOs are also playing an important role in providing support to the victims and therefore, it is necessary to provide capacity-building training to them. The challenges faced by victims in rural areas in accessing legal aid are because of lack of infrastructure facilities, transportation etc.

The need and role of legal aid clinics in universities were also brought up in the discussions. It was suggested to categorize the cases related to women and child and develop a specific mandate in granting legal aid to specific demographics. Law students should be encouraged to work on ground as it will strengthen



Discussions in progress

manpower to provide legal aid services. It was also felt necessary that there should be a compulsory paper on legal aid in Universities.

Additionally, the Bar Council of India should take this initiative in monitoring legal aid clinics in law colleges. The NHRC, Law schools

and Bar Council of India can assess the quality of work of students, and based on that, accreditation of Law schools can be rated.



A scene from the meeting

Article

Dr. B. R. Ambedkar's vision and legacy for shaping Viksit Bharat @ 2047

- Justice Shri Arun Mishra, NHRC, India Chairperson

In addition to his contribution to the framing of the Constitution of India, Dr. B. R. Ambedkar's views on economic policy, free-markets, globalization, liberalization, and privatization are very significant. Dr. Ambedkar's legacy inspires future generations to work towards a more just and equitable society necessary for a more prosperous and developed nation by 2047. The constitutional view of development is that the gross domestic product (GDP) growth must result in a good quality of life for the people. Improvements must occur in ensuring material well-being, intellectual and spiritual freedom and progress.

As expounded by Maharishi Aurobindo, India will be the world's moral leader. "The sun of India's destiny would rise and fill all India with its light and overflow India and overflow Asia and overflow the world." India is the most successful democracy in the world due to our culture, philosophy, and mutual reverence. We are inching towards Viksit Bharat. Let us resolve to perform our duty without delay and think little for ourselves and more for humanity - "स्वस्मै स्वल्पं समाजाय सर्वस्व."

The distribution of giveaways must be pondered upon whether it furthers directive principles or thwarts their objectives. Consider-

ing the limited fund resources required for other purposes, including distributive justice for the poor, it may hamper development itself. There cannot be arbitrary distribution of benefits and State largesse and self-created bankruptcy is no defense to carry out statutory duties and civil obligations.

The Directive Principles of State Policy enumerated in Part IV of the Constitution are fundamental to governance, which override, to some extent, an individual's rights for the betterment of the collective good. Brihadaranyaka Upanishads also aim at collective good and universal human well-being. It says, "ॐ सर्वे भवन्तु सुखिनः"



Dr. Ambedkar carried forward the concept of equality of the Rigveda, which is fundamental to human rights. The Rigveda goes beyond the realm of equality defined in the Universal Declaration of Human Rights (UDHR). It instead urges oneness in all our resolutions and actions.

समानी व आकूतिः समाना हृदयानि वः।
समानमस्तु वो मनो यथा वः सुसहासति॥

"Let there be oneness in your resolutions, hearts, and minds; let the determination to live with cooperation be firm in you all."

Reservation is a very effective tool for emancipating the oppressed class. But its benefits, by and large, are yet to reach the needy and poorest of the poor. There is inequality between various castes included within the list of Scheduled Castes and Scheduled Tribes. In case of hunger, every person must be fed by providing bread. The entire basket of fruits cannot be given to the one. The reservation benefits are being usurped by those castes (classes) who have come up socially and are adequately represented in services.

We, by affirmative action, have to provide the benefit of reservation to those who are still deprived of it to achieve the vision of Viksit Bharat 2047. Although reservation for Other Backward Classes (OBCs) was implemented following the Mandal Commission in the 1990s, Babasaheb Ambedkar had paved the way for it in 1952 in the form of Kaka Kalekar's recommendations.

The nation's future depends on the next generation. There is immense human capital potential within

marginalized communities, the Dalits and the youth. They must be given opportunities and facilities to develop with freedom and dignity and a right against moral and material abandonment. The NHRC has recently recommended a hybrid form of education considering the scarcity of teachers in far-flung areas. Our philosophy is "*Sa Vidhya Ya Vimuktaye*" which means 'knowledge is one that liberates.'

Among the vulnerable, ending discrimination against women is of utmost importance. World over, women are discriminated against, and there is a necessity for a standard civil code to make men and women equal by clearly defining the parameters of gender equality. To empower women, we have to eliminate all forms of discrimination against them on the grounds of gender, particularly in respect of education, employment, inheritance and property. Women must enjoy social equality, improved status and participation in economic development with safety, security and dignity in the workplace. The constitutional mandate is to form a Uniform Civil Code, which is necessary to abolish discrimination against women.

The NHRC is committed to achieving the constitutional vision and furtherance of it so that the rights and welfare of every section of society are protected and promoted. It has been issuing specific advisories seeking affirmative action by the concerned authorities towards addressing the concerns related to the rights and welfare of various segments of society. Some of these are elucidated here for a ready reference.

- i.) Regarding truck drivers - to provide them insurance coverage, halting places, health check-up facilities, adequate remuneration and reasonable working hours.
- ii.) The workers involved in the hazardous cleaning of septic tanks must be provided with safety equipment, and mechanized cleaning equipment should be arranged.
- iii.) For prevention of ocular trauma, rehabilitation centres for victims, hazardous industries to provide personal insurance coverage for workers, restriction on Chinese crackers, pointed toys and chemicals, and alkaloids having the potential to damage the eye has been recommended.
- iv.) Amendment of 97 laws, which are discriminatory to the person with Hansen's disease.
- v.) To prevent self-harm by prisoners, there must be no ligature objects in bathrooms and their mental health must be given priority.
- vi.) To protect children from online sexual abuse, the liability of intermediaries to remove offensive content and other guidelines have been issued.
- vii.) Monitoring of all mental hospitals in the country and ensure mental issues are addressed.

The development of humans and the protection of their rights cannot be ensured without protecting the environment. The time has come to perform the Constitutional duty under Article 48 and 51A (g) to



protect the trees, rivers, water bodies, flora and fauna and to prevent global warming. A circular economy and recycling by the automobile industry are necessary to reduce greenhouse gases and achieve sustainable development goals. Building awareness about these challenges is very crucial for

governance. In this context, the freedom of expression provided in the Constitution has been a very effective tool. Media in India has played a central role in sensitizing people and providing information for governance. The media's contribution to highlighting human

rights causes and issues of governance has been most impressive.

Based on the lecture by Justice Shri Arun Mishra, Chairperson, NHRC, India on "Dr. B. R. Ambedkar's Vision and Legacy for Shaping Viksit Bharat @ 2047" at Indian Institute of Public Administration, New Delhi on 16th April, 2024.

Important intervention

NHRC spot enquiry report flags several human rights concerns in violence-hit Sandeshkhali in West Bengal

The National Human Rights Commission (NHRC), India in its spot enquiry report has flagged several human rights concerns in violence-hit Sandeshkhali in West Bengal. This is uploaded on its website for wider dissemination. The Commission's spot enquiry has revealed many instances of atrocities inflicted upon the victims, which clearly demonstrate, prima facie, that there was a violation of human rights due to negligence in the prevention of such violation or abatement thereof by the public servant. The report has been sent to the Chief Secretary and DGP, West Bengal for submitting an action taken report on each of the recommendations made therein.

It may be recalled that on 21st February, 2024, the NHRC, India had taken *suo motu* cognizance of print and electronic media reports that in Sandeshkhali, North 24th Paragana, West Bengal, innocent and impoverished women were being harassed and sexually assaulted by a local gang under the

influence of a political person, and the local administration failed to take appropriate legal action against the perpetrators of crime. This prompted the villagers' protest demanding appropriate legal action against the perpetrators of horrific crimes by various goons and anti-social elements. Considering the gravity of the situation, the Commission also deputed an investigation team headed by one of its Members for a spot enquiry, in addition to calling for reports from the state government.

In response, the communication dated 29.02.2024 from the DG & IGP, West Bengal revealed that a total of 25 cases were registered, among which 07 cases were on the alleged complaints of sexual offences and 24 accused persons were arrested. While describing the overall situation under control in the entire area under Sandeshkhali and Nazat Police Stations, it was said that efforts were being made to arrest the absconding perpetrators of the crime.

The NHRC investigation team found that there is a need to uproot the fear of these persons from the hearts of the victims to enable them to live their normal lives with their families and gain the confidence to live in society with dignity and pride. It is the duty of the district authorities, being arms of a welfare state, to take consistent measures to instill confidence in the residents of the area in general and victims in particular so that others, who have been victims of crimes, may come forward and file their complaints.

The report made the following observations:

- I.) The atrocities committed by the alleged accused persons rendered the victims silent and intimidated, and terror created reluctance to seek justice. The villagers/ victims faced assault, threat, sexual exploitation, land grabbing, and forced unpaid labour, and under the given circumstances, they were compelled to seek livelihood outside the Sandeshkhali region/ State.



ii.) The allegations of discrimination/denial of benefits of State/Central Government schemes such as old age pension, MGNREGA, Public distribution system, financial help to build their houses and toilets etc., by the concerned officials in connivance with the alleged group of persons is of deep concern. Further, allegations of deprivation of the right to vote are serious in nature and undermine the democratic values of the nation.

iii.) The pervasive fear of reprisal, coupled with the power dynamics at play, acted as a formidable barrier, preventing these individuals from voicing their grievances.

iv.) This climate of terror not only perpetuates the cycle of abuse but also underscores the urgent need to create a safe and supportive environment for victims to break free from the shackles of silence.

v.) The atmosphere of fear not only affects the victims but also has a negative impact on the growth and health of the children who constantly witness the ordeals of their parents in the hands of these alleged accused.

The NHRC team also interacted with the Police and Administration at Sandeshkhali and requested for further information but despite reminders, no reply was given. The following recommendations were given by the NHRC team:

i.) Reinstating trust in the rule of law and confidence in authorities

ii.) Ensuring witness protection and redressal of grievances

iii.) Counseling and rehabilitation of victims of sexual offences.

iv.) Return of the land to the legitimate owners

v.) Impartial investigation of complaints by central agencies

vi.) Initiating awareness programmes

vii.) Operationalization of Nationwide Emergency Response System (NERS)

viii.) Vocational training and creating employment opportunities;

ix.) Reviving the land to make it suitable for agriculture-

x.) Improving socio-economic indicators and preparing area-specific plans

xi.) Appointing Special Rapporteurs to periodically report on the situation in Sandeshkhali;

xii.) Investigation of cases of missing women/ girls from the area of PS Sandeshkhali.

The Commission has noted that this incident was seized by the High Court of Judicature at Calcutta in WPA No.4011 of 2024. It has also decided to seek leave from the High Court to intervene in the matter.

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 succor to the

victims of human rights violations. During April, 2024, the Commission took *suo motu* cognizance in 09 cases of alleged human rights violations reported by the media and issued notices to the concerned authorities for reports. Summaries of the cases are as follows:

Student suicide due to sexual harassment by a faculty member

(Case No. 522/1/21/2024)

On 2nd April 2024, the media reported that a first-year diploma student committed suicide by



jumping down from the 4th floor of Chaitanya Engineering College in the Kommadi area, Visakhapatnam District, Andhra Pradesh. Reportedly, the victim was subjected to sexual harassment by one of the faculty members of the college, who had clicked her compromising pictures and was blackmailing her that he would upload these on social media. The Commission has issued notices to the Chief Secretary and the Director General of Police, Government of Andhra Pradesh calling for a detailed report.

Boy died after falling into an uncovered manhole

(Case No. 596/7/5/2024)

On 5th April, 2024, the media reported that a 2-year-old boy died after falling into a 12-feet deep uncovered manhole in Sector 37 of Gurugram, Haryana. Reportedly, the boy was playing near the open manhole. He was pulled out after one and a half hours and sent to the hospital but the doctors declared him brought dead. The Commission has issued notices to the Commissioner, Municipal Corporation, and

the Commissioner of Police, Gurugram, Government of Haryana calling for detailed reports.

Busting of an organ transplant racket

(Case No. 562/20/14/2024)

The media reported that the health department of the Government of Haryana allegedly busted an organ transplant racket, running across the States of Haryana and Rajasthan. Reportedly, the health department conducted a raid at a hotel in Sector-39 of Gurugram and found that a Bangladeshi national was resting there after the removal of his kidney at a hospital in Jaipur, Rajasthan under a financial deal. The team of the health department also caught four others who had a kidney transplant procedure.

Reportedly, the Bangladeshi national was running a mobile shop in Bangladesh. He was sent to India under a fake passport by an agent based at Ranchi in Jharkhand. The deal was finalized for a consideration of Rs 4 lakh, in Bangladeshi currency for his kidney. He also

disclosed that he had no blood relation with the patient and the kidney was given by him only for financial gain. The Commission has issued notices to the Chief Secretaries and the Director Generals of Police, Haryana and Rajasthan calling for detailed reports.

Death of four persons while cleaning sewage treatment plant

(Case No. 706/13/16/2024)

On April 10, 2024, the community was shaken by the news that four young workers, all in their twenties, tragically passed away due to suffocation. The incident occurred at a private sewage treatment facility within a residential township in Virar, where the individuals were exposed to lethal gases. Investigations indicate a stark absence of safety measures, as the workers reportedly entered the hazardous environment without any protective gear. The Commission has issued the notices to the Chief Secretary and the Director General of Police, Maharashtra calling for a detailed report.

Recommendations for relief

The National Human Rights Commission (NHRC) is dedicated to addressing human rights violations, hearing victims' grievances, and advocating for their rightful relief. The Commission consistently handles such matters, providing guidance and recommendations to relevant

authorities to aid the victims. In the month of April 2024, in addition to the daily caseload managed by the Member Benches, the Full Commission reviewed 33 cases, while Double Member Bench-I heard 80 cases. The NHRC recommended monetary compensation exceeding ₹ 197.25 lakh for the victims or their

next of kin in 52 instances where it was determined that public servants had either infringed upon human rights or failed to protect them. For detailed information on these cases, one can access the NHRC website and retrieve the particulars using the case numbers listed in the accompanying table.



Sr. No.	Case No.	Nature of complaint	Amount (₹ in lakh)	Authority
1.	2652/4/8/2017-JCD	Death in judicial custody	07.00	Bihar
2.	28/33/14/2020-JCD	Death in judicial custody	05.00	Chhattisgarh
3.	587/33/22/2022-JCD	Death in judicial custody	04.00	Chhattisgarh
4.	29/30/0/2019-JCD	Death in judicial custody	05.00	Delhi
5.	4512/30/0/2022-JCD	Death in judicial custody	05.00	Delhi
6.	1237/6/21/2023-JCD	Death in judicial custody	05.00	Gujarat
7.	1854/7/18/2019-JCD	Death in judicial custody	05.00	Haryana
8.	2451/7/1/2022-JCD	Death in judicial custody	05.00	Haryana
9.	77/7/18/2022-JCD	Death in judicial custody	05.00	Haryana
10.	1163/34/3/2019-JCD	Death in judicial custody	05.00	Jharkhand
11.	870/34/16/2019-JCD	Death in judicial custody	05.00	Jharkhand
12.	741/11/2/2023-JCD	Death in judicial custody	05.00	Kerala
13.	1482/12/40/2020-JCD	Death in judicial custody	05.00	Madhya Pradesh
14.	1056/13/20/2020-JCD	Death in judicial custody	05.00	Maharashtra
15.	1306/13/4/2022-JCD	Death in judicial custody	05.00	Maharashtra
16.	490/13/24/2021-JCD	Death in judicial custody	05.00	Maharashtra
17.	816/13/30/2021-JCD	Death in judicial custody	05.00	Maharashtra
18.	1277/18/17/2022-JCD	Death in judicial custody	05.00	Odisha
19.	1550/18/29/2023-JCD	Death in judicial custody	05.00	Odisha
20.	1244/19/15/2021-JCD	Death in judicial custody	07.00	Punjab
21.	140/19/15/2021-JCD	Death in judicial custody	05.00	Punjab
22.	1120/20/1/2023-JCD	Death in judicial custody	05.00	Rajasthan
23.	1285/36/11/2021-JCD	Death in judicial custody	05.00	Telangana
24.	510/36/2/2019-JCD	Death in judicial custody	05.00	Telangana
25.	60/2/7/2023-PCD	Death in police custody	05.00	Arunachal Pradesh
26.	515/34/20/2022	Custodial torture	01.50	Jharkhand
27.	754/33/26/2022-AD	Alleged custodial death	03.00	Chhattisgarh
28.	214/13/4/2021-AD	Alleged custodial deaths in police custody	05.00	Maharashtra
29.	1441/18/23/2023	Death due to electrocution	05.00	Odisha
30.	5112/20/22/2022	Death due to electrocution	05.00	Rajasthan
31.	3201/24/6/2023	Death due to electrocution	05.00	Uttar Pradesh



Sr. No.	Case No.	Nature of complaint	Amount (₹ in lakh)	Authority
32.	34998/24/17/2022	Death due to electrocution	05.00	Uttar Pradesh
33.	6030/24/19/2023	Death due to electrocution	06.00	Uttar Pradesh
34.	6231/4/24/2022	Abuse of power	00.25	Bihar
35.	37032/24/30/2018	Abuse of power	05.00	Uttar Pradesh
36.	5186/24/42/2022	Abuse of power	05.00	Uttar Pradesh
37.	1329/24/36/2022-WC	Sexual harassment (general)	00.25	Uttar Pradesh
38.	27421/24/19/2022	Failure in taking lawful action	05.00	Uttar Pradesh
39.	425/33/20/2023	Child rape	01.00	Uttar Pradesh
40.	23575/24/63/2021-WC	Rape	04.00	Uttar Pradesh
41.	3209/12/47/2022	Inaction by the state government officials	03.00	Madhya Pradesh
42.	4676/22/13/2022	Educational / technical institutions (Govt./ pvt.)	03.00	Tamil Nadu
43.	1111/35/7/2022	Corporal punishment	00.50	Uttarakhand
44.	478/4/6/2023	Health	00.50	Bihar
45.	1590/30/2/2023	Harassment of students and parents	25000	Delhi
46.	1544/34/11/2022-WC	Murder	00.50	Jharkhand
47.	227/34/16/2023	Disability pension	00.25	Jharkhand
48.	921/12/13/2022	Victimisation	05.00	Madhya Pradesh
49.	3047/18/30/2022	Atrocities on ST	02.50	Odisha
50.	17926/24/49/2021	Child kidnapping	00.25	Uttar Pradesh
51.	3045/24/71/2022	Child kidnapping	01.00	Uttar Pradesh
52.	3921/24/44/2023	Hazardous employments	05.00	Uttar Pradesh

Payment of relief to the victims

The Commission closed 16 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 ₹ 352 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:



Sr. No.	Case No.	Nature of complaint	Amount (₹ in lakh)	Authority
1.	660/33/4/2022-JCD	Death in judicial custody	05.00	Chhattisgarh
2.	1715/6/5/2022-JCD	Death in judicial custody	04.00	Gujarat
3.	2073/7/1/2019-JCD	Death in judicial custody	05.00	Haryana
4.	2451/7/1/2022-JCD	Death in judicial custody	05.00	Haryana
5.	436/7/5/2021-JCD	Death in judicial custody	05.00	Haryana
6.	77/7/18/2022-JCD	Death in judicial custody	05.00	Haryana
7.	870/34/16/2019-JCD	Death in judicial custody	05.00	Jharkhand
8.	1482/12/40/2020-JCD	Death in judicial custody	05.00	Madhya Pradesh
9.	1550/18/29/2023-JCD	Death in judicial custody	05.00	Odisha
10.	510/36/2/2019-JCD	Death in judicial custody	05.00	Telangana
11.	1598/24/30/2019-JCD	Death in judicial custody	07.00	Uttar Pradesh
12.	38102/24/40/2021	Custodial torture	04.50	Uttar Pradesh
13.	746/34/12/2021	Abuse of power	03.00	Jharkhand
14.	795/22/97-98	Abuse of power	280.00	Tamil Nadu
15.	5112/20/22/2022	Death due to electrocution	05.50	Rajasthan
16.	4676/22/13/2022	Educational / technical institutions (Govt./pvt.)	03.00	Tamil Nadu

Case studies

In many cases, the Commission received compliance report from the respective state authorities. Summaries of some of these cases are as under:

Girl injured after falling from stairs in school

(Case No. 4676/22/13/2022)

The matter pertained to the femur injury sustained by a six-year-old

girl at a school in Chennai, Tamil Nadu in 2022. The school management claimed that the girl fractured her femur bone after she fell from stairs climbing down the second floor for a toilet on the ground floor. The girl said that she sustained the injuries when something heavy fell on her. Reportedly, the school was undergoing repair work. Based on the material on record, the Commission observed that the small children should have been having

their classes on the ground floor and held that the school management was negligent. Accordingly, it recommended that the Government of Tamil Nadu pay a relief of ₹ 3 lakh to the father of the victim's child. The Commission was informed that the school management paid a relief of ₹ 3 lakh to the child victim and an additional amount of ₹ 2 lakh for the medical expenses.



The suicide of a 60-year-old man at a police station

(Case No. 3162/20/5/2018-AD)

The matter pertained to the suicide of a 60-year-old man at a police station in Rajasthan in 2018. Based on the material on record, the Commission found that he had hanged himself with the blanket's torn pieces. There was negligence on the part of the police authority, who failed to protect the life of the deceased leaving him unattended in

their custody, thus violating his human rights. Accordingly, the Commission recommended that the Government of Rajasthan pay a relief of ₹ 3 lakh to the next of kin of the deceased, which was paid.

Custodial death of a prisoner

(Case No. 870/34/16/2019-JCD)

The matter pertained to the death of an under-trial prisoner in Birsa Munda Central Jail, Ranchi, Jharkhand in 2019. When his health

deteriorated, the jail doctor referred him to the RIMS, Ranchi, where he was declared brought dead. Based on the material on record and the opinion of the Commission's medical experts, it was found that there was no record pertaining to routine health care services which indicated negligence on the part of prison administration. Accordingly, the Commission recommended that the Government of Jharkhand pay a relief of ₹ 5 lakh to the next of kin of the victim.

Spot enquires

The following spot enquiries were conducted during April 2024 by the Commission's officers in its Investigation Division:

Sr. No.	Case number	Complaint	Date of enquiry
1.	113/11/14/2024	Student brutally tortured by a group of students belonging to Student Federation of India (SFI), a student wing/ political organization of the ruling party CPI (M) in Wayanad, Kerala.	8 th -12 th April, 2024
2.	539/90/0/2023	Poor children, women, and differently-abled people forced into beggary.	22 nd -24 th April, 2024

Visits of Special Rapporteurs and Special Monitors

Field visits

The National Human Rights Commission, India, has appointed 15 Special Rapporteurs to keep watch on the human rights situations in different geographical zones in the country. They visit shelter homes, prisons,

observation homes, etc., and submit reports to the Commission on their observations and suggestions for further course of action. Besides this, the Commission has also appointed 17 Special Monitors who have been assigned thematic

issues of human rights to keep a watch on the related development in the country and report to the Commission accordingly. During April 2024, several places were visited by the Special Rapporteurs and Special Monitors.

Special Rapporteurs

From 4th-10th April, 2024, Shri Mahesh Kumar Singla visited Shelter Homes, IP Estate, New Delhi to enquire into the allegations of torture (Case No.7749/30/8/2022-WC). He also visited Central Jail, Patiala, Punjab from 20th – 24th April, 2024 to assess the human rights situation.

From 28th - 30th April, 2024, Dr. Ashok Kumar Verma visited District Jail and Chandrabha Memorial School for Blind Children in Kullu, Child Care Institute, Shuru and MR Home for Mentally Retarded Adult Females and Sahara Old Age Home, Kalath and Keyling in Himachal Pradesh to assess the living conditions of the inmates.

From 7th-9th April, 2024, Shri Hari Sena Verma visited Mental Health Institutions in Poothole and Guruvayoor, Thrissur, Kerala to make an assessment of the issues of homeless elderly persons. He also held meeting with the temple and municipal authorities and sensitized them on the importance of promotion and protection of human rights.

From 15th-16th April, 2024, and 18th-20th April, 2024, Smt Suchitra Sinha visited various institutions including old age homes at Ranchi, Deogarh, Dumka and Hazaribagh in Jharkhand.



From 19th-21st April, 2024, Shri Ashit Mohan Prasad visited Women/Children protection Home, Department of Women& Child, Govt. of Karnataka to assess their living conditions and human rights situation.



From 25th-30th April, 2024, Shri Umesh Kumar visited Blind School at Basistha, Guwahati in Assam to assess the condition of the inmates and the facilities available to them.

From 28th-30th April, 2024, Shri Akhil Kumar Shukla visited jails at Aizawl and Lunglei in Mizoram and sensitized the prison officials about ensuring facilities and protecting basic human rights of the inmates.

Special Monitors

From 28th-30th April, 2024, Dr. Yogesh Dube visited District Khordha, Odissa for an on the spot inspection of various institutions and related data collection.

From 24th-30th April, 2024, Shri Balkrishan Goel visited Old Age Homes, Child Care Institutions, Observation Homes and Anganwadi etc. in Madhya Pradesh.

Capacity building programmes

Online short-term internship programme

The National Human Rights Commission (NHRC), India began its online short term internship on 29th April, 2024. Inaugurating it, Chairperson, Justice Shri Arun Mishra emphasized the significance of distributive justice for upholding socio-economic rights. He said that India has a rich tradition of cultural assimilation having respect for human rights. This ethos needs to be strengthened to address issues like bonded labour, human trafficking and cybercrime. He cautioned against the digital divide and misuse of cyberspace for criminal activities.

Urging the interns to dream big and aspire for change, Justice Mishra invoked the words of Swami Vivekananda, "Arise, awake, and stop not till the goal is reached," inspiring interns to persevere in their pursuit of justice and equality.

Before this, Shri Bharat Lal, Secretary General, NHRC, India in his opening remarks emphasized the crucial role of the Commission in seeking justice for the victims of human rights violations. He stressed the transformative power of knowledge for excellence in life. He exhorted the interns to take advantage of the diverse facets of

the internship, including book review competitions and collaborative group research projects designed to foster personal growth and teamwork among participants.

Eighty university-level students from diverse academic backgrounds are attending the internship concluding on 10th May 2024. The internship promises an enriching experience for interns, featuring virtual tours to prisons, shelter homes, and NGOs and engaging competitions and sessions led by esteemed guests from various fields.



NHRC, India Chairperson, Justice Shri Arun Mishra inaugurating the internship

Student & faculty visits to NHRC, India

The National Human Rights Commission invites college-level students and their faculty members to visit the Commission to raise awareness of human rights among them and to gain an understanding of human rights, their protection mechanism, and how it functions in accordance with the Protection of Human Rights Act (PHRA) 1993.

During April, 2024, about 128 students and 8 faculty members from three colleges including DDM Sai Law College, Hamirpur, Himachal Pradesh, Dr MGR Educational and Research Institute, Chennai, Tamil Nadu and Mewar Law Institute, Ghaziabad, Uttar Pradesh visited the Commission for such orientation. They were briefed by the senior officers on the functioning of the Law & Investigation Divisions and the Complaint Management System of the Commission and related aspects. They were also administered the human rights pledge.



Farewell to Dr. D.M. Mulay, Member, NHRC

On April 24, 2024, the National Human Rights Commission (NHRC) of India held a valedictory event to honor Dr. Dnyaneshwar M. Mulay as he concluded his five-year term. In recognition of Dr. Mulay's

substantial efforts in advancing the commission's mission to safeguard and advocate for human rights, the NHRC collectively adopted a resolution commending his impactful service.

Later, at the farewell function, Chairperson, Justice Shri Arun Mishra said that it was a great privilege to work with the person of the eminence of Dr. Mulay who has vast experience serving both nationally and internationally and is

recognized for his contributions as a diplomat, litterateur, linguist, writer, and a humanist. He recalled his contribution to simplifying passport process, and work during Covid-19 in reaching out to victims including door-step service through counselors on TV programmes.

NHRC, India Members, Shri Rajiv Jain and Smt Vijaya Bharathi Sayani, Secretary General, Shri Bharat Lal and senior officers recalled various contributions of Dr Mulay and his dedication towards ensuring the protection of human rights of the marginalized sections of society with compassion, empathy and humility.

Addressing the gathering, Dr Mulay termed NHRC a great institution for the upliftment of the marginalized sections of the community. He expressed his sincere thanks to the NHRC, India Chairperson, Members, Secretary General, DG (I), Registrar (Law), Joint Secretaries and all his present and former colleagues of the Commission. He recalled more than 40 years of his journey in public life beginning from a humble background in a



NHRC, India Chairperson, Justice Shri Arun Mishra addressing the farewell meeting



NHRC, India Member, Dr Dnyaneshwar M. Mulay addressing the gathering

Maharashtra village to representing the country as a diplomat and later serving as a Member in the NHRC.

Referring to his contribution towards simplifying the passport process, he said that his thought behind it was that if people cannot travel freely and they don't have the facilitating ecosystem, India will never be able to progress economically, and therefore the potential of our people will remain untapped, unexplored and underutilized. He described this approach as his mantra throughout his life. Dr Mulay said that he was also guided as a career diplomat by the fact that the Embassies are called Missions but individuals too must decide his or her mission in life.



NHRC, India Chairperson, Justice Shri Arun Mishra presenting a memento to the Member, Dr Dnyaneshwar M. Mulay

NHRC in International arena



Visiting delegation of France

The National Human Rights Commission (NHRC), India continues to engage with various international programmes relating to the exchange of ideas on various aspects of human rights. There are a number of foreign institutional delegates who visit the Commission and meet the Chairperson and Members to have an understanding of the functioning of the Commission for the promotion

and protection of human rights. The NHRC, India Chairperson, Members and other senior officers also visit various international forums to share their thoughts on the achievements of the Commission and understand the functioning of various other human rights institutions.

On 3rd and 18th April, 2024, the EU Ambassador to India, Mr Herve

Delphin and Second Secretary, Mr Lorenzo Parrulli and Ambassador of France to India Dr. Thierry Mathou called on the NHRC, India Chairperson, Justice Shri Arun Mishra, Members, Dr Dnyaneshwar M. Mulay and Smt Vijaya Bharathi Sayani. Prior to this, they also had a courtesy call with the Secretary General, Shri Bharat Lal and discussed various aspects of human rights.



Visiting delegation of European Union

News in brief

On 6th April, 2024, NHRC, India Secretary General, Shri Bharat Lal spoke at the International Patients Union Conference on 'Leveraging technology for patient engagement and improving treatment outcomes'.



On 7th April, 2024 NHRC, India Secretary General, Shri Bharat Lal delivered 8 lectures (two on each theme) over 4 days on 'Technology and Digital Governance', at IIM, Nagpur, Maharashtra.



On 7th April, 2024, NHRC, India Secretary General, Shri Bharat Lal participated in the valedictory session of the 2nd 7-days Leadership Development Programme in Science & Technology (LEADS) organized by Indian National Science Academy (INSA) in partnership with National Centre for Good Governance (NCGG).

On 7th April, 2024, NHRC, India joined the global fraternity in celebrating 'World Health Day' with this year's theme 'My Health, My Right' focuses on fundamental human right, i.e. access to quality health care, education and information. NHRC, India is focussing on access to quality healthcare to all. Last year, NHRC worked extensively on mental health issues.

On 15th April, 2024, NHRC, India Members, Smt. Vijaya Bharathi Sayani and Dr Dnyaneshwar M. Mulay participated in the National Workshop "Illuminate" on "Changing Facets of Human Rights: Technology's Impact and the Path Ahead", organised by the Centre for Human Rights of the Symbiosis Law School, Hyderabad in collaboration with NHRC.





From 17th-21st April, 2024, Shri Surajit Dey, Registrar (Law) visited Kolkata to brief the Counsel of the Commission in the High Court of Calcutta for filing of I.A. in Sandeshkali matter, vide WPA No.104 of 2024 (Alakh Alok Srivastava Vs. State of West Bengal & Others).

On 22nd April, 2024 NHRC, India joined the global fraternity in celebrating 'World Earth Day' with the theme 'Planet vs. Plastics' to increase public awareness of the harmful effects that plastic pollution has on the environment and its inhabitants.

On 22nd April, 2024, Shri Brij Bhushan, Member, Uttar Pradesh State Human Rights Commission visited NHRC to understand various aspects of human rights and the functioning of the Commission.

Forthcoming events

- i.) On 3rd May, 2024, a delegation from UNHCR India led by Chief of Mission, Ms Areti Sianni and accompanied by Deputy Chief of Mission, Ms Margriet Veenma; Assoc. Protection Officer, Ms Ragini Trakroo Zutshi and Assistant Government Liaison Officer, Mr Sunod Jacob will visit the Commission.
- ii.) On 3rd May, 2024, 64 students and one faculty member from Law Centre - II Faculty of Law, University of Delhi, will visit NHRC. They will be briefed about the functioning of the Law & Investigation Divisions and the complaints management system by senior officers of the Commission.
- iii.) On 5th May, 2024, NHRC, India Chairperson, Justice Shri Arun Mishra and Secretary General Shri Bharat Lal will attend the Governance Committee meeting of Asia Pacific Forum (APF) of NHRIs, which considered its Directors Mid-term Report, Annual Operational Plan & Budget (2024-25) and APF policies.
- iv.) On 6th May, 2024, NHRC, India Chairperson, Justice Shri Arun Mishra and Secretary General, Shri Bharat Lal will attend the 'Regional Meeting' of Asia Pacific Forum (APF) of NHRIs at Geneva.
- v.) On 7th May, 2024, NHRC Secretary General, Shri Bharat Lal, as Chairperson of the Finance Committee of the GANHRI, will present its report in the General Assembly at Geneva. The Finance Committee has members from NHRIs of UK, Malawi & El Salvador.
- vi.) On 8th May, 2024, NHRC, India Chairperson, Justice Arun Mishra and Secretary General, Shri Bharat Lal will attend the GANHRI 2024 Annual Conference on 'Business and Human Rights: The role and experiences of NHRIs' at Palais des Nations, Geneva. In the conference, Justice Arun Mishra will speak on 'Business and Human Rights Regulations - Towards a Smart Mix'. He will be sharing India's experience of harmonizing Business and Human Rights.

