

HUMAN RIGHTS Newsletter



A Monthly publication of the National Human Rights Commission, India



Cover story

Core group meeting on LGBTI community problems and challenges



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National Human Rights Commission, India

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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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Freedom is not worth having if it does not include the freedom to make mistakes.

— Mahatma Gandhi

Monthly Recap

From the desk of the Secretary General & Chief Executive

Reflecting in retrospect on the journey of an Institution provides an opportunity for introspection and confidence to move forward. The activities of the National Human Rights Commission (NHRC), India and the developments during February, 2024 provided an opportunity to peep through the contours of its more than 30-year journey. The Commission, as mandated under the Protection of Human Rights Act (PHRA), 1993, has been proactively engaged in the promotion and protection of human rights in the country. It has dedicated divisions of law, investigation, research, and training having specialist officers to handle complaints, and enquiries, conduct research and organize related consultations and spread awareness on human rights through training, moot court competitions, conferences, seminars, etc. to various stakeholders.

The NHRC, India has also put in place various other special mechanisms to keep a tab on the human rights situation in the country and address the concerns of various segments of society. For this purpose, it has set up various core groups of experts, representatives of civil society and non-government

organizations, and several government functionaries on different thematic areas to understand the existing legal provision or the lack thereof and the implementation status of various welfare schemes and give suggestions to the Commission for consideration of making necessary recommendations to the government for improvement.

Besides this, the Commission has domain experts and eminent people as Special Rapporteurs and Special Monitors for conducting an on-the-spot assessment of the human rights situation particularly in public institutions like hospitals, schools, observation homes, shelter homes, reform homes, elderly care centres, childcare centres, prisons, etc. The Special Rapporteurs are deputed in different parts of the country for this purpose, whereas, the Special Monitors have been given the responsibility to focus on the thematic issues of human rights like bonded labour, human trafficking, prisons, child labour, etc. They also visit the related facilities and see on the ground the implementation status of the government policies, laws and welfare measures to report any shortcomings and sensitize the concerned officials.

In addition to the National Human Rights Commission, the PHRA also has the provision for setting up State Human Rights Commissions (SHRCs) as autonomous statutory institutions for addressing the human rights concerns within the geographical and administrative jurisdiction of the respective state just as the NHRC, India has an overall jurisdiction at the national level. The Act also has a provision for setting up dedicated human rights courts in various districts of different states besides making NHRC, India a pluralistic body as an umbrella organization having the Chairperson of the seven National Institutions as ex-officio members of the Commission. They include National Commissions for Women, Scheduled Castes, Scheduled Tribes, Minorities, Backward Classes, Protection of Child Rights and the Chief Commissioner for Persons with Disabilities.

All these measures indicate a very robust mechanism for the protection and promotion of human rights in the country handling thousands of complaints of human rights violations and recommending relief to the victims, sensitizing government functionaries, engaging with civil society and the NGOs as well as the media for

building awareness on various aspects of human rights concerns.

In this context, it will be pertinent to point out that the NHRC, India has also been organizing camp sittings in different states to hear the complaints of human rights violations in the presence of the concerned government officers and provide relief to the victims on the spot. Next month, the NHRC will be conducting its camp sitting in Vijayawada, Andhra Pradesh. This policy of reaching the doorsteps of the complainants has resulted in expeditious disposal of cases and justice to the victims, sensitization of official machinery, and engagements with the civil society and media to understand the local human rights concerns and find a solution to them.

It has a unique mechanism of bringing people and communities together in advancing human rights sensibilities and culture through its internship programmes, moot court competitions, debate, competition and awarding photographs and films on human rights, quiz and painting competitions, etc.

Over the past three decades the Commission's work has generated expectations from various sections of society. However, at times there are cases beyond its jurisdiction, like cases already under the judicial scrutiny in a court of law or already in consideration before another national or state Commission or beyond the scope of the existing legal provisions. The Commission continues to work in the best interest of human rights. There has been a concerted effort to address all issues of human rights as much as it may be possible within its mandate under the PHR Act.

The Centre, the State governments and the courts value the role and recommendations of the NHRC, India. The Apex Court, as well as the High Courts of the country, have remitted and referred cases concerning human rights to the NHRC. The remittance of monitoring mental health institutions of Gwalior, Agra, and Ranchi to the Commission by the Supreme Court and the enquiry of post-poll violence in the state of West Bengal by the Calcutta High Court are a few such examples.

The Commission has continued to address the ever-expanding scope of human rights and recommended corrective measures through its advisories. The rights and welfare of the LGBTI community, truck drivers, environment and climate change, victims of ocular trauma, rights of older persons, right to dignity to the dead, persons with mental health issues, and Child Sexual Abuse Material are some of such notable trend-setting advisories in the recent past.

The NHRC, India is a founder member of the Asia Pacific Forum of National Human Rights Institutions and has been making meaningful contributions to international discourse at different forum. NHRC, India has been constructively playing an important and impactful role at international forum in the promotion and protection of human rights.

The evolving landscape of human rights reflects a growing awareness among businesses of their responsibility to respect and uphold human rights. This is done by fostering partnerships with governments, NGOs and human rights defenders, ensuring that no one is left behind in the pursuit of justice and equality. Sensitization of business ensures greater focus, transparency and outcomes in CSR efforts. Let us all work together to empower local communities and build their capacities to advance human rights on a broader scale. This edition of the newsletter carries reports on Core group meetings on LGBTI community problems and challenges besides the other regular features of its activities which hopefully will provide an interesting reading.

Bharat Lal

Secretary General &
Chief Executive, NHRC India



Consultation

Core group meeting on LGBTI community problems and challenges

The National Human Rights Commission (NHRC), India has been making concerted efforts to address the problems and challenges faced by the LGBTI community in realizing their human rights like any other citizen of the country. For this, it has constituted a core group on LGBTI issues and has been holding discussions to identify the problems and suggest solutions. The Commission's 15th August, 2023 advisory ensuring the welfare of transgender persons has been one of the important outcomes of such deliberations.

On 28th February, 2024 another such meeting of the core group was organized on the broad theme of ensuring education to transgender persons. Inaugurating it, the NHRC, India Chairperson, Justice Shri Arun Mishra said that a follow-up should be done on the Commission's 2023 advisory to ensure the overall welfare of transgender persons. He asserted that the transgender population should not have any barriers in getting any services and that an inclusive education system is necessary.

The rights of transgender persons have gained recognition and legal validity through the enactment of the transgender persons (Protection of Rights) Act, 2019, which aims to safeguard and uphold their rights. The Commission recognizes their primary concern that despite the legal advancements, they



continue to grapple with discrimination at various places like employment disparities, limited access to healthcare, and exclusion from social circles.

The NHRC advisory focused on six key areas for action by the Centre, States, and UT Administrations to ensure transgender persons get access to education, healthcare, employment, inclusivity, welfare, and grievance redressal and expected Action Taken Report on the implementation of its recommendations in letter and spirit.

NHRC, India Member, Dr. Dnyaneshwar M. Mulay said that there is a need to address the parental resistance to disclosing the transgender identity of their child. For this, a separate commission/committee can be set up to create awareness following a combination of national and international good practices. The concepts of role

models should also come out, which can help people become more confident in identifying themselves.

NHRC, India Member, Shri Rajiv Jain, proposed the integration of a trans-inclusive curriculum for B.Ed. students and suggested that accreditation bodies like NAAC incorporate gender-inclusive criteria in their assessments.

NHRC, India Secretary General, Shri Bharat Lal giving an overview said that concerted efforts are required to address human rights violations against transgender persons to help them lead dignified life. He said that the Commission has received responses based on its advisory to states outlining actions taken, including launching commendable schemes for transgender welfare, which is a welcome step. It is expected that all states will share the action taken soon.

Shri Lal said that the launch of the national portal for transgender persons by the Ministry of Social Justice and Empowerment underscores a holistic approach to addressing their issues and extending welfare measures. However, it is concerning to know that out of the 4.88 lakh transgender population, as per the 2011 census, only 18,000 have obtained transgender certificates. Even this number may be underestimated as many may have not disclosed their identity at that time as the legal recognition of transgender as a third gender, came later on 15th April, 2014 with the Supreme Court judgment in the NALSA case. This implies that a significant number of eligible transgender persons remain excluded from government schemes.

Therefore, Shri Lal said that there is a need to identify the number of people belonging to the community in a campaign mode and reach out to them instead of waiting for them to approach. Documentation of their numbers and issuance of identification certificates to them is important to ensure that they get the benefits of welfare schemes. Education of the LGBTI community is important and so is the publicity of all the welfare schemes for them by highlighting these on one page to build awareness about the same in



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

a campaign mode. The policies on paper need to be pushed to the ground.

The discussions were divided into three sessions

- Identifying and addressing the institutional barrier to ensuring transgender education rights;
- Building transgender inclusive education policies; and
- Addressing the issues of transgender persons in obtaining the transgender certificate.

Some of the issues raised by the speakers in the discussion included:

- Check the increase in Transgender students dropping out of schools due to abuse or

bullying from fellow students, faculties, and family;

- Make education accessible to transgender people till 10th/12th class;
- Increase awareness about the transgender community to help them to disclose their gender identity;
- Sensitization of all gatekeepers including the school staff, teachers, and fellow students at school-level needs to be done to bring down the harassment of non-binary children for which the Tamil Nadu Government's policy may be treated as a reference point; and
- Gender reassignment surgery should not be allowed until the



The participants with NHRC, India Chairperson, Justice Shri Arun Mishra, Members, Dr D.M. Mulay, Shri Rajiv Jain, Smt Vijaya Bharathi Sayani, Secretary General, Shri Bharat Lal, senior officers of the Commission and experts



child attains the age of 18 years as ruled by the Madras High Court.

The other participants in the meeting included NHRC, India Registrar (Law), Shri Surajit Dey, Joint Secretary, Smt Anita Sinha,

senior officers representing the Department of School Education & Literacy, Department of Social Justice and Empowerment, National Institute of Social Defence, core group members such as Ms. Laxmi Narayan Tripathi and Ms. Anjali

Gopalan and experts. The Commission will further deliberate on these inputs and more before making any further recommendations to the government for implementation.

Important intervention

Complaint seeking intervention in the Supreme Court order dismissed

The National Human Rights Commission (NHRC), India dismissed an online complaint alleging that the Supreme Court's 20th February, 2024 judgment in the Civil Appeal No. 2874 of 2024 concerning Kuldeep Kumar vs. UT of Chandigarh and others, has resulted in the violation of human rights of Shri Anil Masih, Presiding Officer, Chandigarh Mayor Election.

The complaint was filed on behalf of the Supreme Court/ High Courts Litigation Society (SCHCLA). It was alleged that the order of the Apex Court violated the fundamental/ constitutional rights under Articles 20 and 21 of the Constitution of

India. After going through the contents of the complaint and the Supreme Court judgment under reference, the Commission has observed that Shri Masih has been given an opportunity by the court to file his response to its notice and contest the initiation of proceedings against him under Section 340 of CrPC. Therefore, there is an alternate remedy available to the complainant to approach the appropriate forum to ventilate the grievances, if so desired. As such admittedly, the matter is pending before the Supreme Court for further consideration and thus, it is sub-judice. Therefore, in view of Regulation 9 (XI) of the NHRC

(Procedure) Regulations, 1994, the petition is not maintainable.

The Commission is of further opinion that even otherwise it is trite law that for correction of errors, if any, in a judicial proceeding, the aggrieved party or anybody representing the aggrieved party, has to avail the well-established gamut of corrective machinery in the form of appeal, revision, review, curative petition before the court where the matter is pending for further consideration. Therefore, the complaint in the matter cannot be entertained by the NHRC.

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 February, 2024, the Commission took *suo motu* cognizance in ten 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:



Students falling ill after consuming mid-day-meal

(Case No. 300/4/9/2024)

On 6th February, 2024, the media reported that 184 students of a government-run middle school at Bansaon Parsauni in West Champaran District of Bihar fell ill after consuming a mid-day meal on 5th February, 2024. The Commission has issued a notice to the Chief Secretary, Government of Bihar calling for a detailed report. It should include the steps taken/ proposed to be taken to ensure that such incidents do not recur. The report should also include whether the Government guidelines about food safety and hygiene in school kitchens for preparing and serving mid-day meal are being followed by the particular school, if not, then what action has been taken against the officers/ officials responsible for the negligence.

Explosion at a fireworks factory

(Case No. 166/12/19/2024)

On 7th February, 2024, the media reported that about 11 people died and nearly 200 were injured in a series of explosions at a fireworks factory on the outskirts of Harda district in Madhya Pradesh. Over 200 people worked in the factory with 70 odds in the morning shift when the series of blasts occurred. Accordingly, the Commission has issued notices to the Chief Secretary and the Director General of Police, Madhya Pradesh calling for a detailed report. It is expected to include the status of the FIR and updated information on health and medical treatment provided to the victims of the blast and their

aggrieved families. The Commission would also like to know about the action against the erring and negligent officers and the steps taken to prevent the recurrence of such incidents.

Selling of drugs with identical brand names for entirely different ailments

(Case No. 90/90/0/2024)

On 25th January, 2024, the media reported that a large number of drugs are being sold in India with identical brand names for treating entirely different conditions. Reportedly, the consequences of confusion between these medications at the pharmacy can be serious for patients as these drugs are being prescribed by the doctors for treatment of different diseases. There is no such database of all pharmaceutical brand names from the 36 different Drug Controllers in each State and Union Territory by the Central Drugs Standard Control Organization (CDSCO). Also, no data on prescription errors is being maintained by the authorities. Accordingly, it has issued notices to the Secretary, Union Ministry of Health & Family Welfare, and the Drugs Controller General of India calling for a detailed report. It should include steps taken/ proposed to be taken to address the issue.

Woman earning lakhs by forcing her children to beg

(Case No. 199/12/21/2024)

On 13th February, 2024, the media reported that a woman bought a plot of land, a two-storied house, a motorcycle, smartphone by forcing her five children, aged between 2 to

10 years, to beg in Indore, Madhya Pradesh. Reportedly, she is a habitual offender and was again arrested. The Commission has issued notices to the Chief Secretary, Government of Madhya Pradesh calling for a detailed report. It should include steps taken/ proposed to be taken to ensure that such incidents do not recur. The State authorities are also directed to inform about the action taken about the young children as per the provisions of the Juvenile Justice Act including providing counseling in safe custody if required. The Commission would like to know whether any survey has been recently conducted by the State government to find out the number of beggars, action taken against them as well as steps taken for their rehabilitation.

80-year-old dies due to non-availability of a wheelchair at airport

(Case No. 243/13/16/2024)

On 16th February, 2024, the media reported that an 80-year-old man died at the Mumbai airport as he had to walk when not provided with a wheelchair despite prior request to the airline. Reportedly, the Indian-origin man having a US Passport had to walk alongside his wife in another wheelchair but collapsed after about 1.5 kilometers on the way to the immigration area. The Commission has issued notice to the Directorate General of Civil Aviation calling for a detailed report. It should include the status of compensation if any, provided to the next of kin of the deceased. The Commission would also like to know the steps taken/ proposed to be taken to ensure that such incidents do not recur.



Human rights violations due to continued violence in Sandeshkhali

(Case No. 304/25/15/2024)

The print and electronic media reported that in Sandeshkhali, North 24th Paragana, West Bengal, innocent and impoverished women were harassed and sexually assaulted by a group of local gang of political persons. The local administration failed to take appropriate legal action against the perpetrators of the crime, and as a result, in the last few days, local villagers started protesting. Reportedly, the safety and security of the women folk as well as children and aged persons were jeopardized, resulting in women leaving their places.

On 21st February, 2024, the Commission observed that the recent incidents in Sandeshkhali, as reported in various print and electronic media indicate prima facie violation of human rights shocking the conscience and making it imperative to take *suo motu* cognizance of the reported violence and issue notices to the Chief Secretary and Director General of Police, Government of West Bengal seeking reports. The report is expected to include action taken or proposed against the perpetrators of crime, safety, and other ameliorative measures to inspire confidence amongst the local people, including women, and compensation, if any, paid or proposed to the victims.

Considering the gravity of the overall situation in Sandeshkhali, the Commission has also deemed it fit and proper to depute its team led by the woman Member to ascertain

facts by a spot-enquiry in Sandeshkhali. A day before, the Commission had issued a notice to the DG, West Bengal calling for reports after taking cognizance of a complaint from the wife of a TV news journalist that he was illegally detained by the police in Sandeshkhali while carrying out his duties as a media person, and that having no access to him, she was worried about his whereabouts.

Deaths in a massive fire inside a paint factory

(Case No. 519/30/4/2024)

The print and electronic media reported that seven workers were charred to death in a massive fire that broke out inside a paint factory in Alipur, Delhi on 15th February, 2024. Reportedly, more workers may have died as no one was able to escape because the factory had only one entry and exit gate without any emergency exit. The Commission has issued notices to the Chief Secretary and the Commissioner of Police, Delhi calling for a detailed report in the matter. It should include the status of the FIR and the disbursement of compensation to the aggrieved families.

The Commission would also like to know about the action taken against the delinquent officers, responsible for the tragedy and the steps taken or proposed to ensure that such incidents do not recur. The Government of NCT of Delhi has been directed to conduct a survey of all industrial units manufacturing hazardous chemicals and other inflammable substances, running illegally without following the safety guidelines as per the Factories Act in the national capital, and submit a report.

Stray dog mauling to death a 2-year-old girl

(Case No. 586/30/3/2024)

On 26th February, 2024, the media reported that a two-year-old girl was allegedly mauled to death by a pack of stray dogs in the Tughlak Lane area of New Delhi on 24th February, 2024. The residents of the area have reportedly said that another child of the family had fallen victim to a similar attack a few months ago. They made several complaints to the authorities about the increasing number of stray dogs and incidents of attack on children, but no action was taken.

The Commission has issued notices to the Chief Secretary, Government of NCT of Delhi, the Commissioner, New Delhi Municipal Corporation, and the Commissioner of Police, Delhi, calling for a detailed report. The Government of NCT of Delhi is expected to inform whether any relief has been given to the deceased's next of kin. The Commissioner of Police, Delhi, has been asked to submit the status of the investigation in the matter.

Farmer stopped from boarding the metro train

(Case No. 198/10/31/2024)

The media reported on 27th February, 2024 that a farmer was stopped from boarding a metro train by an official at the Rajajinagar station, Bengaluru in Karnataka due to his attire. The Commission has issued notices to the Chief Secretary, Government of Karnataka, and the Managing Director, Bengaluru Metro Rail Corporation Limited (BMRCL), calling for a detailed report. It should also include the steps taken/proposed to be taken to ensure that such incidents do not recur.



Prisoner dies in the Jail after a fight with the cops

(Case No. 228/20/1/2024-JCD)

The media reported that a 45-year-old HIV positive prisoner died inside the Ajmer Central Jail under

suspicious circumstances on 19th February, 2024. Reportedly, the prisoner died after hitting himself with an iron rod during a fight with the prison staff. The Commission has issued notice to the Director General of Prisons, Rajasthan calling for a detailed report. It

should include his complete medical record right since entry to the prison, inquest report, post-mortem report, video recording of the same, and magisterial enquiry report besides the steps taken/proposed to be taken to ensure that such incidents do not recur.

Recommendations for relief

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 con-

cerned authorities for relief to the victims. In February, 2024, besides the number of cases taken up daily by the Member Benches, 58 cases were heard by the full commission, 37 cases by the double member bench-II and 46 cases by double bench-III. Monetary relief of more than ₹ 49 lakh was recommended for the victims or their next of kin

(NoK) in the 17 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 No.	Incident	Amounts (₹ in lakh)	Authority
1.	1753/1/5/2021-JCD	Death in judicial custody	05.00	Andhra Pradesh
2.	3100/4/30/2020-JCD	Death in judicial custody	05.00	Bihar
3.	1715/6/5/2022-JCD	Death in judicial custody	04.00	Gujarat
4.	1469/7/3/2022-JCD	Death in judicial custody	05.00	Haryana
5.	1643/7/18/2022-JCD	Death in judicial custody	05.00	Haryana
6.	1405/25/19/2022-JCD	Death in judicial custody	05.00	West Bengal
7.	169/20/34/2023	Illegal arrest	00.50	Rajasthan
8.	593/34/12/2020	Abuse of power	00.50	Jharkhand
9.	332/10/11/2023-WC	Rape	02.00	Karnataka
10.	9732/24/4/2023	Child rape	01.00	Uttar Pradesh
11.	2317/1/10/2022	Non-payment of pension/ compensation	00.50	Andhra Pradesh
12.	30444/24/12/2022	Non-payment of pension/ compensation	01.00	Uttar Pradesh
13.	2543/1/21/2021	Inaction by the state government	00.25	Andhra Pradesh



S. No.	Case No.	Incident	Amounts (₹ in lakh)	Authority
14.	19424/24/18/2021	Death due to electrocution	05.00	Uttar Pradesh
15.	1655/34/6/2022	Medical negligence	04.00	Jharkhand
16.	87/25/23/2022	Accidents in industry/ factory	05.00	West Bengal
17.	1954/12/8/2022	Miscellaneous	00.25	Madhya Pradesh

Payment of relief to the victims

The Commission closed 31 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 ₹ 119.1 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 No.	Incident	Amount (₹ in lakh)	Authorities
1.	317/3/3/2022	Children	02.00	Assam
2.	3100/4/30/2020-JCD	Death in judicial custody	05.00	Bihar
3.	150/6/26/2020-JCD	Death in judicial custody	04.50	Gujarat
4.	328/6/14/2017-JCD	Death in judicial custody	05.50	Gujarat
5.	547/6/21/2021-JCD	Death in judicial custody	05.00	Gujarat
6.	1469/7/3/2022-JCD	Death in judicial custody	05.00	Haryana
7.	1980/7/1/2022-JCD	Death in judicial custody	05.00	Haryana
8.	1016/20/14/2019-JCD	Death in judicial custody	05.00	Rajasthan
9.	606/22/31/2021-JCD	Death in judicial custody	05.00	Tamil Nadu
10.	13196/24/3/2019-JCD	Death in judicial custody	05.00	Uttar Pradesh
11.	30100/24/44/2017-JCD	Death in judicial custody	05.00	Uttar Pradesh
12.	33437/24/21/2019-JCD	Death in judicial custody	10.00	Uttar Pradesh
13.	35188/24/63/2017-JCD	Death in judicial custody	03.75	Uttar Pradesh
14.	7491/24/43/2021-JCD	Death in judicial custody	05.00	Uttar Pradesh
15.	164/25/24/2020-JCD	Death in judicial custody	05.00	West Bengal
16.	479/25/13/2021-JCD	Death in judicial custody	05.00	West Bengal



S. No.	Case No.	Incident	Amount (₹ in lakh)	Authorities
17.	30064/24/52/2022	Torture/harassment in juvenile/other home	00.40	Uttar Pradesh
18.	340/20/18/2022	Child rape	05.00	Rajasthan
19.	20775/24/59/2022	Children	02.00	Uttar Pradesh
20.	29522/24/8/2021-WC	Women	00.50	Uttar Pradesh
21.	3280/4/12/2020	Death due to electrocution	04.00	Bihar
22.	1196/18/6/2022	Death due to electrocution	04.00	Odisha
23.	3999/18/27/2022	Death due to electrocution	05.00	Odisha
24.	1236/30/6/2022	Abuse of power	01.25	Delhi
25.	2584/12/22/2022	Abuse of power	01.00	Madhya Pradesh
26.	3311/30/0/2021	Failure in taking lawful action	00.50	Delhi
27.	1817/24/61/2021	Abuse of power	02.00	Uttar Pradesh
28.	3530/18/32/2022	Educational/technical institutions (govt./pvt.)	05.00	Odisha
29.	5725/30/2/2022	Intimidation/ threatening/extortion by anti-social elements	00.10	Delhi
30.	1721/24/39/2023	Corporal punishment in schools/other education institutions	00.60	Uttar Pradesh
31.	19376/24/20/2022	Medical negligence	07.00	Uttar Pradesh

Case studies

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

Death of 13-year-old girl

(Case No. 317/3/3/2022)

The matter pertained to the death of a 13-year-old tribal domestic help under mysterious circum-

stances at her employer's house in Dhula area, Darrang district, Assam in June, 2022. Her family alleged police inaction in the matter to unearth the truth. Based on the material on record, the Commission found that the allegations were true. It was noted that the CID investigation was called after two months of the registration of the FIR to figure out whether there was a cover-up to turn a case of rape and

murder of the minor girl to suicide. Three doctors who conducted the autopsy, the magistrate who conducted the inquest, and several other senior police officers were suspended and arrested. Accordingly, the Commission recommended that the Government of Assam pay a relief of ₹ 2 lakh to the next of kin of the deceased, which was complied with.



Death due to electrocution

(Case No. 3280/4/12/2020)

The matter pertained to the death of a truck driver after the vehicle came into contact with a live electricity wire in Gopalganj District, Bihar. Reportedly, the wire running from one pole to another was loose and sagging causing electrocution. Based on the material on record, the Commission held that the incident happened due to the negligence of the Electricity Department and recommended that the Government of Bihar pay relief of ₹ 7 lakh to the next of kin of the victim. The State paid only ₹ 4 lakh as relief citing the provision of Electrical Accident Regulation-2018, which the Commission accepted.

Rape of a minor girl by the headmaster

(Case No. 340/20/18/2022)

The matter pertained to the rape of a minor girl by the headmaster of a government school in Bhaishawata, Jhunjhunu, Rajasthan in 2021 and the destruction of evidence by other two female teachers. In response to the Commission's notices to the concerned authorities, it was informed that the three were arrested and a chargesheet was filed against them in the court. Accordingly, the Commission recommended that the Government of Rajasthan pay a relief of ₹ 5 lakh to the victim, which was paid.

Custodial torture

(Case No. 1817/24/61/2021)

The matter pertained to the custodial torture of the two persons after they were arbitrarily picked up by the police officials of Bhojpur Chowki, Moradabad, Uttar Pradesh in 2021. Based on the material on record, the Commission found the allegations true and concluded that the rights of the victims were violated by the erring police personnel. Accordingly, it recommended that the Government of Uttar Pradesh pay a relief of ₹ 1 lakh each to the victims, which was paid after recovering the same from the erring police officers.

Death of a pregnant lady at a government hospital

(Case No. 19376/24/20/2022)

The matter pertained to the death of a pregnant lady after giving birth to a child in the absence of a doctor at the District Government Hospital, Chitrakoot, Uttar Pradesh in 2022. Reportedly, the staff nurse used the instrument negligently causing the death of the lady. Based on the material on record, the Commission found that the doctors failed to attend to the patient despite being informed through several modes by the family members of the victim and the hospital staff, resulting in her death. The criminal proceedings were initiated against the Chief Medical Surgeon and Gynecologist of the hospital in a court of law. The Commission recommended that the Government of Uttar Pradesh pay a relief of ₹ 7 lakh to

the next of kin of the deceased victim, which was paid.

Misuse of power

(Case No. 1236/30/6/2022)

The matter pertained to the misuse of power, threats of false implication, and brutality by a police constable of Mukherjee Nagar police station, Delhi in 2022. Based on the material on record, the Commission found that the police constable was seen thrashing the complainant. The SHO sent the misconduct report to his senior officer much after the initiation of the vigilance enquiry more than two months after the incident. He was found guilty of poor supervision and the lack of any command of his subordinates. Accordingly, the Commission recommended that the Government of Delhi-NCR pay ₹ 1.25 lakh as relief to the victim, which was paid.

Custodial death

(Case No. 5685/30/9/2019-JCD)

The matter pertained to the suicide of an under-trial prisoner at Tihar Jail, New Delhi in 2019. Based on the material on record, the Commission observed that when a person is under the custody of prison authorities, the onus of his/her safety and security lies with the State. In case of any negligence or failure to provide the same on account of acts of omission or commission on the part of jail authorities, the State is liable to pay relief to the victim or his/her next of kin (NoK). Accordingly, the Commission recommended that the Government of Delhi-NCR pay a relief of ₹ 4.25 lakh to the next of kin of the victim, which was paid.

Spot enquires

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

S. No.	Case number	Complaint	Date of enquiry
1.	18898/24/1/2022-WC	Rape, torture and harassment by a policeman in Agra, Uttar Pradesh.	12 th - 16 th February, 2024
2.	7422/30/6/2022	Abuse of power by police personnel by asking bribes and harassment at Ashok Vihar Ph-1, New Delhi.	5 th - 7 th February, 2024
3.	539/90/0/2023	Poor children, women and differently-able people being forced into begging in Delhi.	12 th - 24 th February, 2024
4.	304/25/15/2024	Harassment and sexual abuse of women by a group of the local gang of a political person in Sandeshkhali, West Bengal and police inaction.	22 nd - 26 th February, 2024
5.	34544/24/43/2022	Man tortured and forced into begging by miscreants in Kanpur, Uttar Pradesh.	27 th - 29 th February, 2024



NHRC, India Member, Smt Vijaya Bharathi Sayani accompanied by the investigation team of the Commission conducting a spot enquiry in Sandeshkhali, West Bengal

Field visits

Visits of Special Rapporteurs and Special Monitors

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 February, 2024, several places were visited by the Special Rapporteurs and Special Monitors.

Special Rapporteurs

From 7th - 10th February, 2024 and 12th - 13th February, 2024, Smt Suchitra Sinha visited various institutions including Sadar Hospital, Ranchi, Community Health Centres in Chandil, Golmuri & Nimdih in Saraikelal Kharsawan, Jamshedpur and Ranchi in the state of Jharkhand.



From 11th - 17th and 25th - 29th February, 2024, Shri Umesh Kumar Sharma visited various places, including among others, Central/ District Jail, Children's Homes in the states of Chhattisgarh and Madhya Pradesh to make an assessment of the condition of the inmates and the facilities available to them.

From 19th - 24th February, 2024 Shri Mahesh Kumar Singla enquired about the matter pertaining to the dilapidated building of a blind school endangering the lives of students and teaching staff in the Panchkuyian area, New Delhi. He assessed their living conditions and human rights situation.

From 23rd - 29th February, 2024, Shri Umesh Kumar visited Shillong jail in the state of Meghalaya to assess the condition of the inmates and the facilities made available to them.

Special Monitors

From 25th - 29th February, 2024, Shri Veerendra Singh Rawat visited a training institute prone to human rights violations in Delhi.



From 5th - 7th February, 2024, Dr. Yogesh Dube visited Thiruvananthapuram in Kerala for on the spot inspection and data collection in connection with women and disability related-issues.

From 18th - 24th February, 2024, Shri Balkrishan Goel visited Old Age Homes, CCI's & Observation Homes & AWCs etc. at Kamrup Metropolitan, Nalbari, Nagaon, and Kamrup in Assam.



From 19th - 24th February, 2024, Shri Sudhir Choudhary visited placement agencies, rescue homes, anti-human trafficking units, and rehabilitation centres in Delhi, Faridabad and Gurgaon in the state of Haryana. He also held

discussions with the officers of Ministries of Home Affairs, Women and Child Development and the Bureau of Police Research Development.

From 20th - 23rd February, 2024, Shri Prem Singh Bisht visited Public Sector Units prone to human rights violations in the Uttar Pradesh State Leather Development & Marketing Corporation Ltd. at Agra and Kanpur.

From 20th -22nd Shri Rakesh Asthana visited camps of terror victims at Sheikhpura, Budgam, and Vesoo (Anantnag) in Jammu & Kashmir to assess the human rights situation there.



Training -Building bonds through awareness of human rights

Online Short-Term Internship

The National Human Rights Commission (NHRC), India organized this calendar year's 1st and 4th of financial year 2023-24's online short term Internship from 5th – 16th February, 2024. Inaugurating it, the NHRC, India Chairperson, Justice Shri Arun Mishra said that all human beings are born equal. Human Rights are inalienable rights that a



NHRC, India Chairperson, Justice Shri Arun Mishra inaugurating the online short term internship programme

human being is entitled to since his/ her birth. However, as Mahatma Gandhi said, these rights can be enjoyed only by performing our duties well and no rights come without duties.

Justice Mishra said that we should help the marginalized sections come to the mainstream of society & enjoy the privileges and rights like others. Achieving Sustainable Development Goals (SDGs) is the way forward. Technological advancements have brought many advantages to human life but not without disadvantages.

Misuse of cyberspace is causing human rights violations including, among others, cyber-crimes and human trafficking. He said that the purpose of the internship is to make the young generations aware of all these challenges including climate change facing humanity with the help of subject expert speakers and to work for the promotion and protection of human rights.

Addressing the valedictory session, NHRC, India Secretary General, Shri Bharat Lal congratulated the 83 interns on the successful completion of their internship. He exhorted them to take forward the message of the need and the importance of the promotion and protection of human rights. Shri Lal said that to evolve themselves as the brand ambassadors of human rights they should first rise above self and think about the well-being of others, society, and the nation as a whole. For this, he



NHRC, India Chairperson, Justice Shri Arun Mishra addressing the interns

said, developing sensitivity and empathy towards people and their rightful cause is important

NHRC, India Joint Secretary, Shri Devendra Kumar Nim presented a report on the various sessions taken by the Members of the Commission, Dr Dnyaneshwar M. Mulay, Shri Rajiv Jain, Special Rapporteurs, among other emi-

nent persons. They covered various aspects of human rights and the functioning of the Commission, international law, and treaties, bonded labour, rights of refugees, human trafficking, child rights, women's rights etc. The interns were also taken on virtual tours to police stations, Tihar Jail, and Shelter Home Asha Kiran to understand their functioning.



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

Student & faculty visits

To promote human rights awareness among college-level students and their faculties, the National Human Rights Commission invites them to visit the Commission to understand human rights, their protection mechanism, and its functioning for this purpose in line with the Protection of Human Rights Act, (PHRA) 1993.

During February, 2024, about 415 students and 46 faculty members from 11 colleges along with the

faculties for such orientation in the premises of the Commission. Led by the Joint Secretary, Shri D. K. Nim, 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.

They included students and faculties from different colleges in Maharashtra such as - DES Navalmal Firodia Law College,

Pune, Siddharth College of Law, Mumbai, DY Patil College of Law, Mumbai, Mulund College of Commerce, Mumbai, Chembur Karnataka College of Law, Mumbai, Gokhale Educational Society's Law College, Kharghar, Navi Mumbai, and Yeshwant Mahavidyalaya, Wardha.

Two colleges from West Bengal including Durgapur Institute of Legal Studies, Asansol, School of Legal Studies Seacom Skills University, Bolpur, one from Tamil Nadu



including Satyabhama Institute of Science and Technology, Chennai and 6 girls from the northeast region of India accompanied by a coordinator from the National Commission for Women also visited the Commission. In addition to these students

and their faculties, a batch of officers from the Delhi campus of the National Forensic Sciences University's 18th course on Human Rights visited NHRC on 14th February, 2024. They included senior officers from prison administration, armed forces

and higher judiciary. They were briefed about the international engagements by Joint Secretary, Smt Anita Sinha and the functioning of the Commission by Joint Secretary, Shri D. K. Nim and other senior officers of the Commission.

Workshops

Besides the flagship online short-term internship programme and visits organized for day-long orientation in human rights during February, 2024, the Commission also supported ten collaborative human rights awareness workshops,



which were held by Arya Kanya Degree College, Prayagraj, Uttar Pradesh, Patrician College of Arts & Science, Chennai, Tamil Nadu, Srimad Andavan Arts & Science College, Tiruchirapalli, Tamil Nadu, Chaman Lal Mahavidhyala, Landhura, Roorkee, Uttarkhand, Sardar Patel Subharti Institute of Law, Meerut, Uttar Pradesh, Dharmashastra National Law University, Jabalpur, Madhya Pradesh, Aligarh Muslim University, Uttar Pradesh, G. H. Raisoni College

of Engineering, Nagpur, Maharashtra, G.T.N. Arts College Dindigul, Tamil Nadu and Saradha Gangadharan College, Puducherry, Tamil Nadu.

The thematic issues, among others, included, the acts and issues relating to child rights, their right to health, welfare schemes & policing, human rights advocacy, women's economic empowerment, violence against women, the Women's Safety Act, health & well-being,

media representation & stereotypes, Human Rights Institutions in India, rights of women & children, and rights of other vulnerable groups, Menstruation & Human Rights, media freedom, human rights and technology, women empowerment with gender equality, globalization (AI and automation)- Impact on Human rights. Each workshop had about 100 participants.

Moot Courts

To promote awareness about the legal acumen and aspects of human rights among law students, the Commission sponsors Moot Court competitions. During February, 2024, two such collaborative events were organized as follows:

1. Moot Court on the theme 'Issues of minors in conflict with law and validity of certain provisions of J.J. Act, 2015, as amended in 2021' was orga-

nized at Maharashtra National Law University, Sambhaji Nagar. About 51 students participated in the competition. On 11th February, 2024, Shri Devendra Kumar Nim, Joint Secretary, NHRC, addressing the valedictory of the competition as the guest of honour, emphasized that human rights are the cornerstone of any just society. These are the compass that guides us towards a world where dignity, fairness, and

equality are not just ideals but living realities.

Shri Nim further said that collaborating to conduct moot court competitions by the NHRC, India at National Law Universities is very significant from the point of promoting awareness and sensitization about human rights, talent development, legal advocacy skills, education and learning, public engagement, discussion



NHRC, India Joint Secretary, Shri Devendra Kumar Nim addressing the valedictory session of the moot court competition and with the participants & faculty at Maharashtra National Law University, Sambhaji Nagar

and debate among youth, community involvement and global perspective. Moot court competitions provide a platform for immersive learning, constructive debate, and engagement with human rights issues. By promoting understanding and awareness of human rights safeguards,

these competitions contribute to a more informed and conscientious society that is better equipped to protect and uphold the rights and dignity of all individuals.

2. The Commission organised another Moot court at Symbiosis Law School, Nagpur on the

theme of prisoners. On 23rd February, 2024, NHRC, India Member, Dr Dnyaneshwar M. Mulay presided as the guest of honour and the Registrar (Law), Shri Surajit Dey presided as judge in the final round of the competition. About 20 teams from various law universities in India attended.



NHRC, India Member, Dr D.M. Mulay addressing the participants of the moot court competition at Symbiosis Law School, Nagpur



Participants of the moot court competition with NHRC, India Registrar (Law), Shri Surajit Dey at Symbiosis Law School, Nagpur

NHRC in the international arena

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 and Members 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.



The visiting Norwegian delegation meeting with the NHRC India Chairperson Justice Shri Arun Mishra, Members Dr D. M. Mulay, Shri Rajiv Jain, Smt Vijaya Bharathi Sayani and Secretary General Shri Bharat Lal

On 22nd February, 2024, a five-member Norwegian delegation led by Deputy Foreign Minister, Mr

Andreas Motzfeldt Kravik visited NHRC, India and met Chairperson, Justice Shri Arun Mishra, Members,

Dr D.M. Mulay, Shri Rajiv Jain, Smt Vijaya Bharathi Sayani and Secretary General, Shri Bharat Lal. Ambassador, Mrs May-Elin Stener, Senior Advisors to DFM, Ms Carina Ekornes and Ms Homma Latif, Second Secretary, Mr Johan Thomas Bjerkem and NHRC, India Joint Secretary, Smt Anita Sinha were present in the discussions.

From 27th - 29th February, 2024, the Commission deputed two officers Lt Col Virender Singh, Director and

Shri Sanjay Kumar, Deputy Secretary to attend the second part of an annual training programme on the accreditation process for the NHRIs with the Global Alliance of NHRIs (GANHRI).

It was co-hosted by the Asia Pacific Forum of the NHRIs in collaboration with the Philippine National Human Rights Commission in Manila, Philippines. Prior to this, the participants of this composite programme were exposed to an

online learning course organized from 22nd January to 9th February, 2024. The programme aimed to enhance participants' understanding and knowledge of the accreditation process under the Global Alliance's Subcommittee. It also sought to foster a forum for institutional representatives to share experiences, gain insights from past and similar endeavours, and discuss accreditation-related challenges and solutions.



NHRC, India Director, Lt Col. Virender Singh and Deputy Secretary, Shri Sanjay Kumar with the participants of the GANHRI accreditation training programme

News in brief

On 2nd February, 2024, NHRC, India Joint Secretary, Smt Anita Sinha inaugurated the one-day conference on dimensions of female labour force participation. The conference was held in collaboration with TISS Hyderabad.



On 2nd February, 2024, NHRC, India Member, Shri Rajiv Jain received the 'PSAI Legends of India Award 2023-24' from the Professional Speakers Association of India at the Professional Speakers Summit in Delhi.



On 6th February, 2024, NHRC, India Secretary General, Shri Bharat Lal inaugurated the 'Aahvaan: NGO - CSR Conclave 2024' organized by Vishwa Yuvak Kendra. In his address, he underscored NHRC's efforts to ensure basic amenities to citizens and the needs of vulnerable groups.



On 11th February, 2024, NHRC, India Member, Smt Vijaya Bharathi Sayani addressed about 1,150 women including lecturers, teachers, advocates, educationalists, and social workers at Mahila Shakti Sammelan at Nirmal, Telangana. She highlighted the role that women had in the development of the nation and said that empowerment is inherent in Indian women, which only needs to be ignited and brought to the forefront.



On 13th February, 2024, NHRC, India Member, Smt Vijaya Bharathi Sayani visited Tripuraram, Nalgonda Dist, Telangana to assess the facilities and human rights situation at Balasadanam, Children Care Institution, Shishugruha, specialized Adoption Agency, Kasturba Gandhi Balika Vidhyalaya in Nalgonda, Telangana.



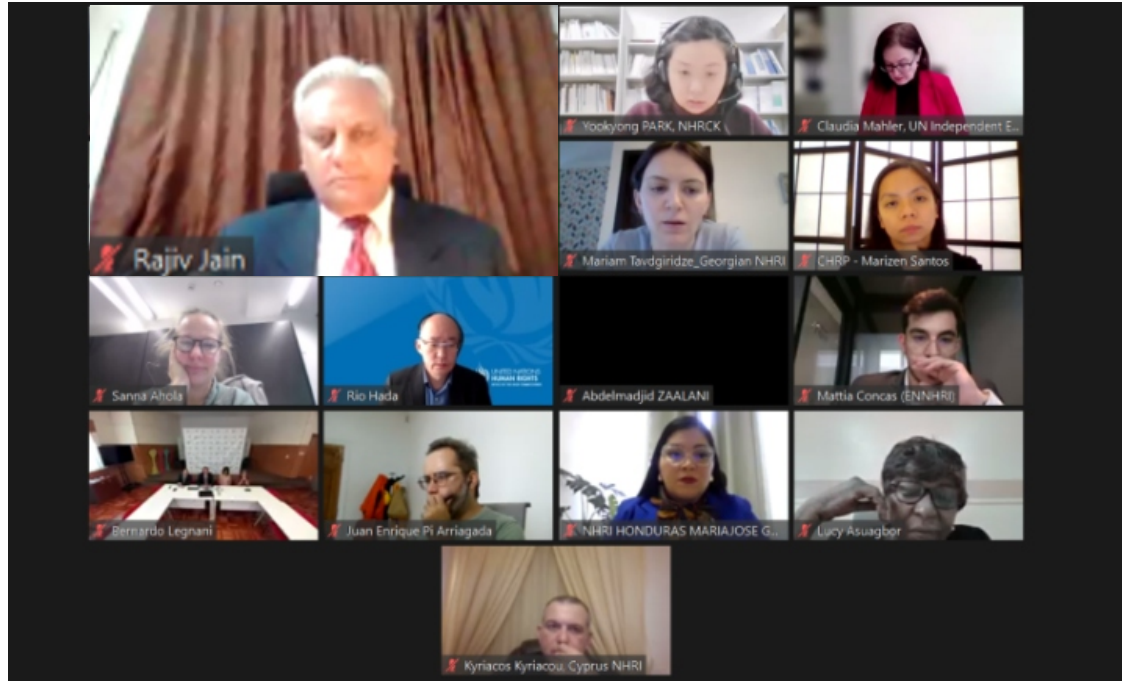
On 14th February, 2024, NHRC, India Member, Smt Vijaya Bharathi Sayani visited SC Telangana State Model School & Jr. College, Gurrampode, Telangana Social Welfare Residential School/Jr. College (Girls), Kodamallepally, Kamla Nehru Area Hospital, Nagarjuna Sagar in Nalgonda, Telangana to assess the living conditions, facilities and implementation of Indian Public Health Standards (IPHS) guidelines.



On 15th February, 2024, NHRC, India Member, Smt Vijaya Bharathi Sayani visited Mahatma Jyothiba Phule Telangana Backward Classes Welfare Residential Educational Institutions Society School (Boys) Rajapet, Alair, Bhuvnagiri, Telangana.



On 22nd February, 2024, NHRC, India Member, Shri Rajiv Jain virtually participated in a preparatory meeting for the NHRIs before the 14th session on Open-ended Working Group on Ageing (OWEGA), GANHRI.



On 23rd February, 2024, NHRC, India Member, Dr D. M. Mulay had an interactive meeting with Members and Students of ICAI, Dhantoli, Nagpur, Maharashtra.





Forthcoming events

- On 1st March, 2024, a batch of 35 students & 2 faculty members from Jindal Global Law School, Sonapat, Haryana and 50 students & 3 faculty members from Sonopanth Dandekar Law College, Palghar, Maharashtra will visit NHRC.
- On 4th March, 2024, a batch of 11 students and four faculty members from Parul Institute of Law, Vadodara, Gujarat, will visit NHRC.
- On 5th March, 2024 an 11-member Danish delegation led by the Parliament Speaker, Mr Soren Gade Jesen will visit NHRC, India.
- On 5th March, 2024, the Commission will organize a two-day human rights awareness workshop in collaboration with the National Law University, Jodhpur, Rajasthan. Joint Secretary, Smt Anita Sinha will preside as Chief Guest and address the inaugural session.
- On 6th March, 2024, NHRC will organize a one-day Camp Sitting at Vijayawada, Andhra Pradesh to hear pending cases of human rights violations concerning the state in the presence of the complainants and the concerned officers. The Commission also hold meetings with the Chief Secretary, DGP and other senior officers to sensitize them on human rights and the Commission's functioning, civil society and NGO representatives followed by a media briefing on the outcome of the camp sitting.
- On 6th March, 2024, NHRC will hold a day-long workshop on the Human Rights of Minorities and the Tribals of Jharkhand in collaboration with the Department of Political Science, Karim City College, Jamshedpur, Jharkhand.
- On 7th March, 2024, NHRC, India Joint Secretary, Smt Anita Sinha will preside as the Chief Guest and address the gathering at the International Women's Days event organized by B L Amlani College of Commerce and Economics, Mumbai, Maharashtra.
- On 7th April, 2024, NHRC, India will organize a day-long workshop on Human Rights in collaboration with Shri S. S. Shasun Jain College for Women, Chennai, Tamil Nadu. The themes include Law and women in human rights, contemporary challenges, rights of disadvantaged women, judiciary, and women.
- On 8th March, 2024, Ambassador of the Netherlands with three officers will visit NHRC to meet the Chairperson, Members and senior officers of the Commission to have an understanding of its functioning.
- On 12th March, 2024, NHRC will organize the core group meeting on 'Analyzing institutional Support Mechanism in the Socio-legal Context of Rights of the older persons in India.'
- On 14th March, 2024, NHRC, India will organize a core group meeting on women in hybrid mode under the chairmanship of NHRC, India Member, Smt Vijaya Bharathi Sayani.
- On 18th March, 2024, the Commission will organize a day-long meeting on Criminal Justice System Reforms. The meeting will be chaired by Chairperson, Justice Shri Arun Mishra.
- On 20th March, 2024, a core group meeting on 'Mapping Inclusivity from the lens of Skill Development and Employability Avenues of Persons with Disabilities in India.' The meeting will be chaired by NHRC, India Member, Dr. Dnyaneshwar M. Mulay.
- On 21st March, 2024, NHRC India will hold the award ceremony of 2023 short film competition.

Human rights and NHRC in news



Complaint management in February, 2024

Complaints received	5,080
Disposed off	5,995
Under consideration of the Commission	6,249

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: irlawnhrc@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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