
**NHRC's ITEC Executive capacity
building programme concludes**

The 2nd six-day ITEC Executive Capacity Building Programme on Human Rights for senior functionaries of the National Human Rights Institutions (NHRIs) of Global South organised by the National Human Rights Commission (NHRC), India in partnership with the Ministry of External Affairs, successfully concluded with senior dignitaries in attendance.

Live Law

NHRC, Fall From 'A' Status And Its Fading Credibility

<https://www.livelaw.in/articles/nhrc-fall-from-status-fading-credibility-286550>

15 March 2025

President of India on December 23, 2024 appointed retired Supreme Court Justice V. Ramasubramanian as the Chairperson of National Human Rights Commission. The post of NHRC chairperson was lying vacant since June 2024. At the inaugural session of the 13th ThinkEdu Conclave held on January 27, 2025 Justice V. Ramasubramanian raised strong objections to the Global Alliance of National Human Rights Institutions (GANHRI) for postponing its decision as to whether the National Human Rights Commission of India (NHRC) should retain its 'A-status' or be downgraded to 'B-status'.

Historically, the NHRC's 'A-status' was deferred in 2016, but was restored in 2017. However, the present situation is that, India's status has been suspended for two years in a row, in 2023 and 2024. The NHRC's 'A-status' has been suspended twice in two years for the first time in its 31-year history, showing concerns that must be resolved before regaining 'A-status'.

GANHRI was established in 1993 as the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights. It serves as a global network for National Human Rights Institutions (NHRIs) across the world. GANHRI comprises of 120 member institutions, including India. GANHRI's mission is to unite, promote, and strengthen NHRIs to ensure their adherence to the UN's Paris Principles. GANHRI, through the Sub-Committee on Accreditation (SCA), is responsible for reviewing and accrediting NHRIs in compliance with the Paris Principles[a1] .

Paris Principles- It is an internationally set out agreed principles adopted in 1993 by the UN that all NHRI's must meet, to be considered credible. These principles are- mandate and competence, autonomy from government, independence guaranteed by a statute or constitution, pluralism, adequate resources, and adequate powers of investigation.

Accreditation for National Human Rights Institutions (NHRIs) is awarded based on their adherence to the Paris Principles. The Paris Principle's minimal standards require a domestic organization (NHRC) to have a sound legal foundation, operate independently of the government, and have clearly defined and transparent procedures for appointing diverse members. Furthermore, NHRIs should employ qualified personnel, must actively connect with civil society, and assure accessible for those in need.

Institutions that are assessed as fully compliant with the Paris Principles are granted 'A status', while those that partially comply receive 'B-status'. A status accreditation permits NHRIs to participate in the activities of GANHRI, the Human Rights Council, and other UN mechanisms. These principles apply equally to the 25 State

Human Rights Commissions (SHRCs) throughout India, as they do to the National Human Rights Commission of India.

Speaking on the topic 'Balancing the Scales: Rights, Duties and the Indian Soul,' Justice Ramasubramanian addressed GANHRI rationale for withholding NHRC's accreditation for the past two consecutive years. He added "If you assess the performance of NHRC and say that it is not up to the standard, we do not give you accreditation, I agree. But if you say that there is a congenital deformity in how you are born, then I think it's not about the accreditation of NHRC, but it is an accreditation of the government." If newly appointed Justice Ramasubramanian had an objective look on facts and functioning of NHRC as a 'deemed central government department', he would not have raised such an objection.

The National Human Rights Commission (NHRC) of India plays a pivotal role in advancing human rights within the country. NHRC was established on October 12, 1993, under the Protection of Human Rights Act, 1993, reflecting India's commitment to uphold and protect human rights. This institution aims to bolster the framework for human rights by ensuring that accountability measures for violations of rights are in place. Unfortunately, the NHRC, which was established to promote and safeguard rights related to life, liberty, equality, and dignity as guaranteed by the Constitution and reinforced by international covenants, has become nothing more than a government department. The commission was supposed to safeguard human rights in the largest democracy in the world but in its 31 years of history, the NHRC has become a 'toothless tiger'- a phrase often used to NHRC. Allegations of political intervention in nominations, inability to act on human rights breaches, staff shortages, a lack of diversity, poor cooperation with civil society, and non-implementation of its reports have all plagued the organization.

Challenges in the Appointment, Composition, and Functioning of the NHRC: Issues of Transparency, Pluralism, and Independence

Lack of Transparency in the Appointment of Members- GANHRI's reports for 2006, 2011, 2016, 2017 and 2023 called for a reform in the appointment process of NHRC members. The The Sub-Committee on Accreditation (SCA), in its 2024 review again emphasized the concern raised in its November 2017 and March 2023 review of the NHRC that the selection process currently enshrined in the Protection of Human Rights Act (PHRA), 1993 is "not sufficiently broad and transparent". The SCA has also shown its disappointment and pointed out that civil society organizations are not formally allowed to participate in the selection committee's process. GANHRI has expressed concerns regarding the NHRC Amendment Act 2019, particularly emphasizing the need for greater transparency in the appointment process for NHRC members. Earlier, the position of NHRC chairperson was restricted to retired Chief Justices of India. However, the 2019 amendment to the Protection of Human Rights Act, of 1993 expanded this eligibility to include any Supreme Court judge. A number of events have given rise to debates over the makeup and membership of the Commission, which has raised questions about how the NHRC operates.

Section 3 of the Protection of Human Rights Act, 1993 outlines the composition of the NHRC as a multi-member body consisting of a chairperson and five members. The chairperson must be a retired Chief Justice of India or a judge of the Supreme Court. Among the five members, one must be a former Supreme Court judge, and another must be a former Chief Justice of a High Court. However, the criteria for the remaining three members who are to be appointed based on their knowledge and practical experience in human rights remain somewhat ambiguous, lacking clear requirements for a demonstrated track record in the field of human rights. This lack of specificity has led to the perception that commissions serve as retirement positions for judges, police officers, sharing the political ideology of Union Government.

In accordance with Section 4 of the Act, the appointment process is further complicated by the role of the President, who appoints the chairperson and members based on recommendations from a six-member committee. This committee is headed by the Prime Minister and includes the Speaker of the Lok Sabha, the Deputy Chairman of the Rajya Sabha, and the Leaders of the Opposition in both houses of Parliament. The requirement that only two opposition members are included raises concerns about the ruling party's significant influence in the selection process. NHRC, which had been established by an Act of Parliament and overseen by a committee that includes the Prime Minister raises questions about its independence. The composition of the selection committee is highly skewed in favour of the party in power.

The appointment of former Intelligence Bureau Director Rajiv Jain to the NHRC has taken many by surprise which is also contrary to the Paris Principle. It's quite unusual to see a former head of the IB stepping into a role at the apex human rights institution. In 2004, the NDA government appointed former CBI director PC Sharma as a member amidst "raging controversy". The decision was also opposed by the NHRC's chairman at the time, Justice AS Anand. Justice Arun Mishra, who was sworn in as the 8th Chairperson of NHRC, is self-proclaimed admirer of the current government.

Being selected from a galaxy of eligible candidates cast doubts about whether the selection criteria for the appointment of NHRC Chairperson, if any, meet the required human rights standards. SCA further observed that it is crucial to formalize a clear, transparent, and participatory selection and appointment procedure for an NHRI decision-making body in applicable legislation, rules, or binding administrative guidelines. A method that supports merit-based selection and pluralism is required to ensure the independence and public trust in an NHRI's top leadership. The SCA refers to Paris Principle B.1 and to its General Observation 1.8 on 'Selection and appointment of the decision-making body of NHRIs'.

Lack of Pluralism in NHRC's Composition and Representation- GANHRI while deferring the 'A-grade' status highlighted that the NHRC's member panel fails to sufficiently represent gender and minority groups. GANHRI in its May 2024 accreditation reports had pointed towards lack of "pluralism" in the NHRC's composition. The SCA has regularly expressed dissatisfaction about the NHRC's lack of diversity in its previous as well as in

its 2023 assessment and advocated for a "pluralistic balance in its composition and staff" to ensure representation of a diverse Indian community, including but not limited to religious or ethnic minorities. Inclusivity is essential for effectively addressing human rights issues like mob lynching, religion and caste-based discrimination, manual scavenging, gender-based violence etc. by taking into account different viewpoints. Furthermore, because the chairman and members are predominantly from the judicial fraternity, the board's diversity and plurality are limited; As a consequence, the majority of members with judicial backgrounds restrict the diversity of perspectives and experiences needed for a comprehensive approach to human rights.

The SCA, has reiterated continuously in its previous assessments that the NHRC's present membership composition which includes just one woman is insufficient to satisfy the Paris Principles' standards for pluralism. This is further supported by the SCA's observation in its 2024 review that women make up 20% of the NHRC staff complement, with 24% of them being members of minority groups. In its 30-year history, the commission has had only three female members: Justice Fathima Beevi, Justice Sujata Manohar, and Vijaybaharathi. Notably, no Muslim individual has been appointed as an NHRC member in its 31 years of history.

The SCA in its 2024 assessment stated that a diverse decision-making and staff body enhances the NHRI appreciation of, and capacity to engage on, all human rights issues impacting the society in which it functions and facilitates the easy accessibility of the NHRI to all citizens. The SCA refers to Paris Principle B.1 and to its General Observation 1.7 on 'Ensuring pluralism of the NHRI'.

Lack of Independence in NHRC Secretary-General Appointment: SCA's Repeated Concerns- Section 11(a) of The Protection of Human Rights Act, 1993 allows the Indian government to choose a civil servant with the rank of Secretary to the Government as Secretary General of the NHRC of India. This is a clear violation of the Paris Principles, which underlines the principal of working independently without any government influence.

The SCA in its 2024 assessment has pointed that the Appointment of the Secretary-General as per Section 11 is a clear violation of Paris Principle. The SCA's earlier assessments of the NHRC in November 2017 and March 2023 have also focused on the Paris Principles' demand for an NHRI to function independently of government intervention. The presence of assigned public service members, including those at the highest levels of the NHRCI, raises concerns about the organization's independence. The SCA referred to Paris Principle B.2 and General Observation 2.4 on "Recruitment and retention of NHRI staff."

The SCA in May 2024 review reiterates its November 2017 and March 2023 recommendation regarding appointment of Secretary General, and in its assessment SCA advocates for amendments in PHRA that remove the Government's ability to appoint

a senior civil servant for the position of Secretary General. SCA in its assessment further advocates that the NHRC must be empowered to recruit its candidates independently.

Appointment of Police Officers for Human Rights Investigations- GANHRI has expressed concern regarding the appointment of police officials to conduct human rights investigations. Section 11 of The Protection of Human Rights Act (PHRA) of 1993 authorizes the Indian government to appoint police officials with the rank of Director General of Police or higher as needed to ensure the NHRC's efficient performance. The issue is that the Central Government assigns police personnel to examine all rights violations by the state, even those committed by the police themselves. Such an approach could jeopardize the inquiries' independence and integrity, raising questions about the NHRC's impartiality and independence. In the 2017 and 2023 assessments, the SCA recommended a real or perceived conflict of interest in engaging police personnel to investigate human rights violations, particularly those that were committed by police. Such an approach also violates the Paris Principles, which requires National Human Rights Commission to operate independent of government interference.

In November 2023, the NHRC designated seven retired IPS officers as special monitors to manage terrorism, counterinsurgency, communal disturbances, and violence. One of them was accused of corruption in 2018 while serving as the CBI's special director.

In 2005, Supreme Court heard a petition filed by PUCL, where the appointment of a former director of the CBI as an NHRC member was challenged, Justice YK Sabharwal observed that a "police officer would be ineligible to be appointed as a member of NHRC" in light of the Paris Principles. However, the bench was split in its decision, and a larger Supreme Court bench eventually upheld the appointment.

Alarming, the majority of complaints filed with the National Human Rights Commission are against police officers and, ironically, the commission comes under the Home Ministry, emphasizing the need for a more unbiased and neutral approach to deal with human rights issues. As per the NHRC's last Annual Report of 2021-22, The NHRC registered 2543 cases of custodial death/rape during the year 2021-22. Over the last two decades, India has reported 1,888 custodial deaths. Of these, 893 cases have been registered against police personnel, but only 358 police officers and justice officials were formally accused. Throughout this time, just 26 policemen have been convicted.

SCA had raised this concern in its previous 2017 and 2023 assessments also but no steps had been taken in this regard. The SCA in its 2024 assessment again recommended and advocated for amendments to Section 11 of the PHRA to amend its investigative wing where there is no interference of government. The SCA refers to Paris Principles B1, B.2 and B.3 and to its General Observation 2.4 on 'Recruitment and retention of NHRI staff'

Human Rights Violations and NHRC Failures

The Union Government has weaponized the central financial and investigation agencies to target civil society organisations and human rights campaigners. National security laws have been made increasingly ambiguous to allow disproportionate powers to the Union government, which utilises them against voices of dissent. Critics and human rights defenders faced arrests and raids based on spurious terrorism allegations.

NHRC was practically silent regarding the Human Rights violations in In Jammu and Kashmir during the period of abrogation Article 370 of the Constitution. The 16 human rights activists were arrested under punitive UAPA legislation, with nine of them held for more than five years in connection with the Bhima Koregaon-Elgar Parishad case. At least seven Muslim students, councillors, and human rights activists have been held without trial under the UAPA since 2020 for allegedly organising religious riots in Delhi in February 2020, which killed at least 53 people. Novelist Arundhati Roy, journalist Sidheeq Kappan, leader of a civil society group, United Against Hate, Khalid Saifi and many and more have all been victims of severe draconian law. The existence of custodial torture and extrajudicial killings is a serious violation of human rights in India. Deaths of criminal suspects in custody occur too often in India. According to the Ministry of Home Affairs (MHA), a total of 146 cases of death in police custody were reported during 2017-2018, 136 in 2018-2019, 112 in 2019-2020, 100 in 2020-2021, and 175 in 2021-2022. In the last five years, the highest number of custodial deaths (80) has been reported in Gujarat, followed by Maharashtra (76), Uttar Pradesh (41), Tamil Nadu (40) and Bihar (38). The National Human Rights Commission (NHRC) has registered only 440 cases of fake encounters in the country in the last decade. However, there have been reports of over 1,500 fake encounters in the northeastern state of Manipur alone. The NHRC received 2,367 intimations concerning death in judicial custody, and 175 intimations of death in police custody during the year 2021-2022 and one intimation of death in paramilitary/defence forces custody was also reported during the year 2021-22. These are not mere numbers or anecdotes. It is a systematic pattern of violence to which India has become inured. Custodial torture and extrajudicial killings represent a blatant disregard for due process carried out under the guise of law enforcement. NHRC had failed adequately to address these issues due lack of sufficient investigations, lack of timely interventions and an inability to hold perpetrators accountable.

NHRC as well as SHRCs both have failed to control arbitrary arrest and detention; Activists have alleged that arbitrary arrests are made under UAPA law for exercising right to freedom of expression and peaceful assembly; NHRC has maintained silence rather than being proactive in this case. This arbitrary arrest and inhuman torture have led this democratic country to the death of Father Stan Swamy and Prof G.N Saibaba. Human Rights Commission has failed to prevent violence and discrimination like rape, sexual abuse, murder etc. against women and children. Manual Scavenging is still prevalent in India. NHRC officially reported 22 cases in the year 2021-22 of manual scavenging. Even though the government has enacted a law and NHRC has given its recommendations on Manual Scavenging, the practice still exists in India.

It has additionally failed to take significant and timely action on the increasing ethnic violence in Manipur between the majority Meitei and the minority Kuki Zo communities, which began in May 2023. By November, over 200 people had been brutally murdered, tens of thousands homeless, and hundreds of houses and churches had been damaged. The authorities have cut down internet connectivity throughout the state. Furthermore, the NHRC was silent when Communal violence on 31 July 2023 erupted during a Hindu parade in Nuh district, Haryana, and quickly extended to many nearby areas. Following the incident, authorities retaliated against Muslim locals by unlawfully bulldozing hundreds of Muslim homes and arresting arbitrarily scores of Muslim adolescents and men without following any rule of law, and many times courts are forced to act against bulldozer injustice.

On May 22, 2018, police in Thoothukudi, Tamil Nadu, opened fire on peaceful demonstrators opposing a copper smelter associated with environmental dangers, which led to the killing of 16 people. The event sparked widespread outrage, with eight UN special rapporteurs demanding an independent and open investigation. The NHRC of India (NHRCI) took cognisance of the issue but resolved it within five months, relying entirely on the Tamil Nadu government's response and also did not make its investigative reports public. The complainant was denied access to the findings until the Tamil Nadu High Court intervened in 2021, ordering NHRCI to provide the report under a sealed cover. Despite the court's verdict, NHRCI has not resurrected the case or held any police personnel responsible.

The SCA in its 2024 review has considered reports of serious human rights violations in India, including the Office of the High Commissioner for Human Rights' report, as well as third-party submissions on civic space restrictions, backlash against human rights defenders and journalists perceived to be critics of hate speech, violence, and minorities' discrimination.

Lack of Cooperation with Civil Society and Human Rights Defenders

During the March 2023 review, the SCA noted the NHRCI's lack of effective engagement with civil society and human rights defenders (HRDs) in India and recommended additional steps to increase collaboration with them outside of the Core Groups of non-governmental organizations (NGOs) and HRDs established by the NHRCI. The NHRCI convened the first meeting of the reconstituted Core Group on NGOs and HRDs in August 2023, but failed to address the intentional and sustained targeting of religious minorities and human rights activists under an array of overly broad and vague laws and policies, particularly against Muslims, Christians, and Dalits.

Delay in appointment of NHRC Chairpersons- There has been recurring delays in appointing NHRC chairpersons, with significant gaps between the terms of the last four chairs. The NHRC chairperson's position had been lying vacant for more than three months since June 1, 2024, following the retirement of former Supreme Court Justice Arun Mishra until the appointment of Justice V. Ramasubramanian on December 23,

2024. This is not the first time the Union Government has taken a casual stance in the selection of the NHRC Chairperson.

The Commission should have a chairperson and five full-time members; however it was operating without a proper chairperson since June 2024. Vijaya Bharathi Sayani was the acting chairperson of the commission until the appointment of Justice V. Ramasubramanian. There have been long gaps between the stints of the last four NHRC chiefs, during which the Commission has been left headless. Justice Mishra was appointed more than six months after former CJI H.L. Dattu retired as NHRC chief, in December 2020. Justice Dattu's appointment, in February 2016, came almost nine months after the retirement of his predecessor Justice K.G. Balakrishnan, who was the sixth and longest-serving chairperson of the Commission. In his turn, Justice Balakrishnan was appointed over a year after Justice S. Rajendra Babu retired from the post in May 2009.

The National Human Rights Commission (NHRC) of India has 13 members in total. As per Section 3 of the PHRA states that the NHRC shall consist of a Chairperson who shall be a former Chief Justice or Judge of the Supreme Court, a Commissioner who shall be a current or a former Judge of the Supreme Court, a Commissioner who shall be a current or former Chief Justice of a High Court, three Commissioners who shall have knowledge of or practical experience in human rights (of whom one shall be a woman) and the Chairpersons of seven National Commissions. Currently the NHRC panel is functioning with 11 members only. Leadership and staff issues have created significant operational hurdles for India's National Human Rights Commission. The problem of vacancy is not only with NHRC but is also present in many state SHRCs.

State Human Rights Commissions in Crisis: Lack of Leadership and Ineffectiveness

The State Human Rights Commission is a multimember body consisting of a Chairperson who has served as a chief justice or a judge of a high court, and Two other members: one who has served as a judge of a high court or district judge in the state for at least seven years, and one member who has knowledge or practical experience in human rights issues. At least 14 of India's 28 state human rights commissions do not meet the conditions outlined in the Protection of Human Rights Act of 1993. One state panel do not have a chairperson, seven of them do not have permanent chairpersons, and the Telangana and Mizoram commissions do not have a single office-bearer. Mizoram has the country's latest Human Rights Commission, with no chairperson or members nominated as of yet. The commission was established three months ago on 30th November 2024 following the Guwahati High Court directives. Meanwhile, Haryana Human Rights Commission got a chairman in November 2024 after a 19-month gap, and its members were appointed after 14 months.

There are many state commissions who don't have the option for filing complaints online while many other states don't even have their own websites. Most of the State Human Rights Commissions are not in practice of releasing of their Annual Reports.

Since December 2022, the Telangana state human rights commission has been completely dysfunctional, without a chairperson or members after Justice G Chandraiah's term ended. According to the commission's website, almost 10,000 cases are still pending at the commission, with not a single order passed in nearly two years. The large pendency of cases with State Human Rights Commissions raises a serious concern that needs to be addressed.

Today, the NHRC is the only organization in charge of investigating human rights violations in Jammu and Kashmir. Article 370's repeal has led to the dissolution of the former state's human rights commission. Despite pending complaints from the people of Jammu and Kashmir, the state human rights commission was closed, and the NHRC, the only human rights organisation proved itself ineffective in dealing with these matters.

The state like Punjab, Jharkhand, Himachal Pradesh, Bihar, and Arunachal Pradesh Telangana presently has no members on the commission. Gujarat, Tripura, Karnataka, Nagaland, Manipur, and Sikkim perform notably better, although each have at least one vacant member position.

There are no permanent chairpersons at the human rights commissions in Chhattisgarh, Goa, Arunachal Pradesh, Jharkhand, Karnataka, Madhya Pradesh, Telangana, Tripura and Sikkim.

Despite communal riots having flared up in Manipur since 3 May last year Manipur state human rights commission is running without a chairperson.

Human rights commissions have deteriorated in performance and become mere stooges of the state. State human rights commission have been established with a specific purpose to provide human rights protection to citizens but they are quickly becoming just a government department.

Rampant 'In Limine' Dismissals Undermine Justice in Human Rights Cases

The world's largest democracy is plagued by widespread human rights violations. Nobody can deny the humongous magnitude of human rights violations that are taking place in India. The U.S. State Department's 2023 human rights report has flagged dozens of different kinds of human rights abuses in India, including extrajudicial killings, enforced disappearances, arbitrary arrests and detentions, repeated internet shutdowns, and violence targeting members of ethnic and caste minorities.

During the year 2021-2022, 1,11,082 cases, were registered in the Commission, while in year 2019-20, 76628 cases were registered, and in 2020-21, 74968 cases were registered as per the last annual report of NHRC. The Commission disposed of 1,02,608 cases as per the NHRC's last annual report of 2020-21, Of the total number of cases disposed of by the Commission during the year under review, 51,727 were dismissed 'in limine', that is more than 50% of the cases, that were disposed of 'in limine'(rejection of applications at the threshold). The nature of in limine dismissals by the NHRC is worrying, the applications are dismissed in limine under Regulation 9(xi) of the NHRC (Procedure)

Regulations 1997, as per this regulation the NHRC can dismiss an application in limine if the case is 'sub-judice before a commission, court or tribunal' and such cases are not ordinarily maintainable as a result much of the complaints that come to the commission are dismissed even before a preliminary hearing. The NHRC due to incorrect interpretation of law dismisses valid appeals on technical grounds and this is leading to 'in limine' dismissals (dismissal at the very outset).

What is of more serious concern is that there is no data with NHRC that shows how many valid cases have been rejected under this regulation since 1997 and there is no way of ascertaining how many cases since 1997 have been dismissed in limine for the reason of the case being sub judice. This is a systemic issue in the NHRC. Of the 86,187 cases disposed of in 2016-17, 33,290 were dismissed in limine. That is an astonishing 38.6 per cent of all the cases disposed of. Of these, how many were dismissed due to erroneous interpretation of sub-judice is something worth investigating. Similarly in 2017-18, 42% cases were dismissed in limine. An institution that is handling serious human rights violations, this sort of non-accountability and irresponsibility is nothing sort of absurdity.

The NHRC has become an extremely lackadaisical organisation which is evidenced by the fact that the last annual report of NHRC has been published for the year 2021-2022. Publishing annual reports of the NHRC is essential. These reports outline the cases handled by the Commission and the various activities it has conducted. Without this information, it becomes challenging to review and critique the Commission's performance, making it harder to identify areas for improvement.

Narrow Jurisdiction of the National Human Rights Commission: NHRC can only investigate complaints of Human rights violations that are registered within 1 year of the incident. This reduces the jurisdiction of NHRC. The NHRC has the power of a civil court, unlike in most other countries. It can summon witnesses, conduct investigations into any allegation of human rights violation, visit jails, and detention centres, and can also recommend improvements. NHRC has the power to take suo moto but as per the last annual report during the year 2021-22 the commission took suo moto cognizance in a total of 16 cases only. The problem is the functions of the commissions are merely recommendatory; it has no power to punish the culprits. The NHRC is not empowered to finally dispose of cases, it only has the power to make recommendations based on the investigation, and to make the situation even worse the recommendations made by the NHRC are not binding upon the concerned government or body.

NHRC have a very limited powers concerning armed forces, they have a very limited role, power and jurisdiction with respect to violation of human rights by armed forces. In cases where Army or paramilitary forces are involved, the state has invoked considerations of national security and safeguarding the morale of the forces as an additional justification for not probing encounter deaths. This becomes a major handicap for the Commission in states under AFSPA or the Armed Forces (Special Powers) Act such as Jammu and Kashmir and Manipur where allegations of human rights violations are common.

The NHRC must evolve from merely adjudicating complaints to becoming proactive champions of human rights. It was established to provide citizens with effective local mechanisms for accountability in cases of serious human rights violations like extra-judicial killings and torture, the NHRC has regrettably failed to fulfil its aim and objective. To enhance transparency in the appointments of member on the panel, the Protection of Human Rights Act of 1993 should be amended to establish a clear and democratic selection process that includes civil society organizations, human rights defenders (HRDs), and legal experts. Furthermore, the NHRC should ensure sufficient representation for underprivileged communities including, SCs, STs, OBCs, religious minorities, women, and people with disabilities. The NHRC should also be provided liberty in appointing its Secretary-General through an impartial process. An independent investigating agency devoid of government intervention is required for successful human rights enforcement. The NHRC must increase its involvement with civil society and establish specific complaint mechanisms for human rights defenders suffering repression. State commissions should be fully staffed, and all State Human Rights Commissions (SHRCs) must have functional websites and online complaint systems to enhance accessibility. To combat jurisdictional limitations, the one-year deadline for filing complaints should be extended, particularly given that many violations in conflict zones take time to surface. The NHRC should be empowered with binding enforcement authority to strengthen its recommendations.

The NHRC is currently at a critical juncture, grappling with concerns that call into question its legitimacy and efficacy as India's human rights protector. To regain public trust and sustain its relevance, India's Human Rights Commission must make big and bold reforms. The time has come for introspection and reform, lest the NHRC's legacy be defined by failures rather than successes in the battle for human rights. But all depends on how much Justice V Ramasubramanian detach himself from the government which appointed him despite disagreement from opposition. An ideal situation is unanimous appointment and the personality agreeing only to such unanimous appointment, be it in the case of NHRC or SHRC .

The New Indian Express

Trafficking accused dies in custody; family alleges police torture in Telangana

Sampath was arrested on March 4 based on a complaint filed by Gulf job fraud victims.

<https://www.newindianexpress.com/states/telangana/2025/Mar/15/trafficking-accused-dies-in-custody-family-alleges-police-torture-in-telangana>

Express News Service | Updated on: 15 Mar 2025, 9:11 am

2 min read

NIZAMABAD: Alakunta Sampath, who was arrested by cybercrime police on March 4, died on Thursday night while undergoing treatment at the Government General Hospital (GGH), Nizamabad.

The news prompted allegations from his relatives that the 31-year-old was a victim of custodial torture. However, the police made it clear that Sampath was shifted to the hospital after complaining of fatigue and pain in his left hand, where he passed away during treatment.

Police registered a case and handed the body after postmortem to his family, who claimed that there were signs of injuries from police beatings. Sampath was arrested on March 4 based on a complaint filed by Gulf job fraud victims.

Sampath's 'victims' were forced into cyber slavery

Sampath, a native of Aathargaon village in Peddapalli district, was accused of luring unemployed rural youth to Thailand, Myanmar and Laos, where they were forced into cyber slavery.

He was arrested on March 4 and was taken into custody again on March 12 through a court order for further investigation.

During interrogation, Sampath confessed to the crime and disclosed that he had two mobile phones in his office. His statement was also recorded.

On Thursday, Cybercrime sleuths took him to his office, Sri Rama Manpower Consultancy, in Jagtial, where they recovered the phones and recorded his statement again. He was brought back to Nizamabad Cybercrime police station at around 9:45 pm.

Later that night, Sampath complained of fatigue and pain in his left hand. He was rushed to the GGH, where doctors began treatment. At 10:49 pm, he suffered a cardiac arrest and collapsed. Despite CPR being administered, he died due to a cardiac arrest.

His family was informed, and they arrived at the hospital early on Friday. The body was later moved for postmortem.

Nizamabad Police Commissioner P Sai Chaitanya stated that the postmortem was conducted following Supreme Court and NHRC guidelines, in the presence of a magistrate and three forensic experts, with videography documentation. Statements from two family members were also recorded. The body was later handed over to the family. A DSP-rank officer has been assigned to investigate the case. He also mentioned that CCTV footage and documentary evidence related to the case were available and a report would be sent to the NHRC.

Meanwhile, Sampath's family members continued to allege that he died due to police torture. They have demanded action against the investigating officers. "Sampath met his family in Jagtial and spoke to them over the phone, telling them about the beatings by the police," said his relative Vallepu Shankar Raj. Sampath's two wives have demanded justice.

A relative mentioned that the family received a call from the police at 12:30 am. He added that Sampath had earlier asked his family to arrange Rs 10 lakh but did not reveal the reason. While the family was busy arranging the money, they received news of his death.

Meanwhile, Nizamabad ACP L Raja Venkat Reddy, One-Town SHO B Raghupathi and other officials met the victim's family at GGH mortuary and attempted to pacify them.

Navbharat Times

निजामाबाद पुलिस की हिरासत में ह्यूमन ट्रेफिकिंग के आरोपी की मौत, परिजनों ने लगाया थर्ड डिग्री टॉर्चर का आरोप

<https://navbharattimes.indiatimes.com/state/telangana/hyderabad/human-trafficking-accused-died-in-nizamabad-police-custody-family-members-accused-police-for-third-degree-torture/articleshow/119035605.cms>

Curated by विश्वनाथ सुमन | नवभारतटाइम्स.कॉम 15 Mar 2025, 12:11 pm

हैदराबाद पुलिस की हिरासत में मानव तस्करी के एक आरोपी की संदिग्ध हालात में मौत हो गई। पुलिस का दावा है कि कार्डियक अरेस्ट के कारण संपत की मौत हो गई, जबकि उसके परिवारवालों ने थर्ड डिग्री टॉर्चर का आरोप लगाया है। अब पोस्टमॉर्टम रिपोर्ट से पता चलेगा कि मौत कैसे हुई है।

हैदराबाद : तेलंगाना के पेड्डापल्ली जिले के रहने वाले 31 वर्षीय अलकुंटा संपत की निजामाबाद पुलिस हिरासत में मौत हो गई। संपत पर युवाओं को थाईलैंड, लाओस और म्यांमार में मानव तस्करी के आरोप में 4 मार्च को गिरफ्तार किया गया था। परिवारवालों ने पुलिस पर थर्ड डिग्री टॉर्चर का आरोप लगाया है, जबकि पुलिस का कहना है कि संपत की मौत दिल का दौरा पड़ने से हुई। इस मामले की जांच सुप्रीम कोर्ट और राष्ट्रीय मानवाधिकार आयोग प्रोटोकॉल के तहत की जा रही है।

युवाओं को म्यानमार भेजता था संपत

संपत जगित्याल में एक मैनपावर रिक्रूटमेंट ऑफिस चलाता था। पुलिस का आरोप है कि वह तेलंगाना के युवाओं को बहला-फुसलाकर थाईलैंड, लाओस और म्यांमार भेजता था, जहां उन्हें साइबर स्लेवरी में धकेल दिया जाता था। 12 मार्च को संपत को जांच में सहयोग के लिए पुलिस हिरासत में लिया गया था। 13 मार्च को पुलिस संपत को उनके ऑफिस श्रीराम इंटरनेशनल मैनपावर कंसल्टेंसी से लेकर गई, जहां से दो मोबाइल फोन ज़ब्त किए गए थे। रात 9:45 बजे संपत को वापस निजामाबाद के साइबर क्राइम पुलिस स्टेशन लाया गया था। पुलिस के अनुसार, पूरी प्रक्रिया में पारदर्शिता सुनिश्चित करने के लिए दो लोग भी साथ रखे गए थे।

रात में पुलिस से की दर्द की शिकायत

रात लगभग 10:10 बजे संपत ने थकान और बाएं हाथ में दर्द की शिकायत की। उसे निजामाबाद के सरकारी अस्पताल ले जाया गया। एक पुलिस अधिकारी ने कहा कि सीसीटीवी फुटेज में दिख रहा है कि वह खुद चलकर अस्पताल में दाखिल हुआ। पुलिस कमिश्नर पी साई चैतन्य ने बताया कि रात 11:29 बजे संपत को अचानक कार्डियक अरेस्ट हुआ और वह गिर पड़ा। मेडिकल टीम की तमाम कोशिशों के बावजूद उसे बचाया नहीं जा सका। डॉक्टरों ने मौत का कारण दिल का दौरा बताया है।

मौत की जांच शुरू, डीएसपी करेंगे निगरानी

पुलिस कमिश्नर के अनुसार, सीसीटीवी फुटेज में दिख रहा है कि वह खुद चलकर अस्पताल में दाखिल हुए। संपत की मौत के बाद निजामाबाद के आई टाउन पुलिस स्टेशन में भारतीय न्याय संहिता की धारा 196 के तहत एफआईआर दर्ज की गई है और जांच शुरू कर दी गई है।

साईं चैतन्य ने कहा कि डीएसपी रैंक के वरिष्ठ अधिकारी इस जांच की निगरानी करेंगे। जांच पूरी पारदर्शिता के साथ की जाएगी, यह सुनिश्चित करते हुए कि सभी कानूनी और प्रोटोकॉल का पालन किया जाए।

परिजनों ने पुलिस पर लगाया हत्या का आरोप

हालांकि, गुस्साए परिजनों ने शामिल पुलिसकर्मियों के खिलाफ हत्या का मामला दर्ज करने और उन्हें निलंबित करने की मांग की है। अस्पताल में तनावपूर्ण स्थिति बनी रही, जहां संपत के परिवारवालों ने विरोध प्रदर्शन किया और आरोप लगाया कि उसे प्रताड़ित करके मारा गया है। उन्होंने 50 लाख रुपये मुआवजे और परिवार के एक सदस्य के लिए सरकारी नौकरी की मांग की है। इस बीच, राष्ट्रीय मानवाधिकार आयोग को संपत की मौत की सूचना दे दी गई है और न्यायिक मजिस्ट्रेट की ओर से न्यायिक जांच की जा रही है। तीन फॉरेंसिक विशेषज्ञों की एक टीम पोस्टमॉर्टम करेगी, जिसकी वीडियोग्राफी भी की जाएगी।

Dainik Savera

मानव तस्करी के आरोप में गिरफ्तार आरोपी की पुलिस हिरासत में मौत

हैदराबाद: तेलंगाना में मानव तस्करी के एक आरोपी की पुलिस हिरासत के दौरान निजामाबाद जिले के सरकारी अस्पताल में मौत हो गई। पुलिस ने शुक्रवार को यह जानकारी दी। उस पर बेरोजगार युवकों को विदेश में नौकरी दिलाने का झांसा देकर मानव तस्करी करने का आरोप था। पुलिस ने बताया कि उसे थकान और बाएं हाथ में दर्द की शिकायत के बाद अस्पताल में भर्ती कराया गया था। आरोपी की 13 मार्च की रात मौत हो गई। शुक्रवार को उसके परिवार के सदस्यों ने पुलिस पर हिरासत में पूछताछ के दौरान उसे यातना देने का आरोप लगाया।

<https://dainiksaveratimes.com/national/accused-arrested-on-charges-of-human-trafficking-dies-in-police-custody/>

By Abhishek Kumar | Published March 15, 2025 12:20 am

हैदराबाद: तेलंगाना में मानव तस्करी के एक आरोपी की पुलिस हिरासत के दौरान निजामाबाद जिले के सरकारी अस्पताल में मौत हो गई। पुलिस ने शुक्रवार को यह जानकारी दी। उस पर बेरोजगार युवकों को विदेश में नौकरी दिलाने का झांसा देकर मानव तस्करी करने का आरोप था।

पुलिस ने बताया कि उसे थकान और बाएं हाथ में दर्द की शिकायत के बाद अस्पताल में भर्ती कराया गया था। आरोपी की 13 मार्च की रात मौत हो गई। शुक्रवार को उसके परिवार के सदस्यों ने पुलिस पर हिरासत में पूछताछ के दौरान उसे यातना देने का आरोप लगाया।

हालांकि, पुलिस का कहना है कि आरोपी को थकान और बाएं हाथ में दर्द की शिकायत के बाद 12 मार्च की रात करीब 10 बजकर 10 मिनट पर निजामाबाद सरकारी अस्पताल लाया गया था।

निजामाबाद पुलिस की ओर से जारी एक विज्ञप्ति में कहा गया है, अस्पताल में लगभग 10 बजकर 29 मिनट पर आरोपी को अचानक हृदयाघात हुआ, जिसके कारण वह बेहोश हो गया। सीपीआर और आपातकालीन उपचार देने वाली मेडिकल टीम के प्रयासों के बावजूद उसे बचाया नहीं जा सका। चिकित्सकों ने पुष्टि की है कि उसकी मौत का कारण दिल का दौरा पड़ना था। व्यक्ति की मौत के बाद पुलिस ने भारतीय नागरिक सुरक्षा संहिता (बीएनएसएस) की संबंधित धाराओं के तहत मामला दर्ज कर जांच शुरू कर दी है।

पुलिस ने कहा कि घटना के बाद, उच्चतम न्यायालय, राष्ट्रीय मानवाधिकार आयोग और बीएनएसएस दिशानिर्देशों का सख्ती से पालन करते हुए स्वतंत्र जांच शुरू की गई है। पुलिस ने बताया कि जांच पुलिस उपाधीक्षक (डीएसपी) रैंक के अधिकारी द्वारा की जा रही है और मानवाधिकार आयोग को इसकी जानकारी दी गई है।

The New Indian Express

HRC to inspect Gandhi Hospital facilities after TNIE report

The advocate said that the National Human Rights Commission would investigate and take action as deemed fit as the state unit lacks manpower.

<https://www.newindianexpress.com/states/tehrangana/2025/Mar/15/hrc-to-inspect-gandhi-hospital-facilities-after-tnie-report>

Aarti Kashyap | Updated on: 15 Mar 2025, 9:12 am

1 min read

HYDERABAD: The Telangana State Human Rights Commission has taken cognisance of a ground report by TNIE on poor infrastructure and facilities at the Gandhi Hospital.

City-based advocate Rama Rao Immaneni filed a complaint with the SHRC on March 13 citing the report published by TNIE on March 10. Rama Rao stated, "My complaint is based on the TNIE report which talks about the lack of facilities in the Gandhi Hospital and Medical College, considered the best tertiary care centre in the state. It is saddening to see such a poor state of affairs in the hospital."

The advocate said that the National Human Rights Commission would investigate and take action as deemed fit as the state unit lacks manpower.

The report delved into the poor infrastructure in the medical college, including dysfunctional lifts, the continued closure of the national emergency life support skill centre since its inauguration, and unhygienic conditions in the students' mess.

It also looked at the ill-maintained hospital building, lack of facilities for attendants, unhygienic drinking water, etc.

The Indian Express

Tribal man kills self over 'police harassment', triggers protest in Gujarat's Bharuch; 'suicide note' names 3 cops

Members of the tribal community from Kavitha and neighbouring villages agitated outside the Civil Hospital in Bharuch demanding action against the three policemen.

<https://indianexpress.com/article/cities/ahmedabad/tribal-man-kills-self-police-harassment-triggers-protest-gujarat-bharuch-suicide-note-cops-9887647/>

Written by Kamal Saiyed, Surat | Updated: March 15, 2025 18:22 IST

4 min read

A 45-year-old tribal man allegedly died by suicide in Gujarat's Bharuch on Friday, triggering protests by the tribal community at the local Civil Hospital after a suicide note, purportedly written by him, accused three police personnel of harassment.

The deceased was identified as Kirtan Vasava of Kavitha village, who was the sole breadwinner of his family. He was found unresponsive in an agricultural field and rushed to Jeevan Jyot Hospital where doctors declared him dead.

Vasava's family members found the suicide note, written in Gujarati, in his pocket. The note, a copy of which is with The Indian Express, named Nabipur Police Inspector M K Parmar and head constables Rajendra Sinh and Sandeepbhai.

Late on Friday night, Vasava's body was taken to Bharuch Civil Hospital by the police. On Saturday, a large number of tribal people from Kavitha and neighbouring villages gathered at the hospital to collect the body for cremation. They protested outside the hospital demanding action against the three policemen.

On Saturday, Vasava's daughter Hiraben lodged a complaint against the three policemen with the Nabipur police, following which they registered an offence under section 108 (abetment of suicide) of the Bharatiya Nyaya Sanhita and sections of the SC/ST Act. Bharuch Deputy Superintendent of Police C K Patel had started an investigation.

C K Patel, Deputy Superintendent of Police, Bharuch, said, "Kirtan Vasava was earlier arrested in two cases of prohibition and gambling. Nabipur police had seized his car in the prohibition case.... We have registered an offence against the three policemen and started investigation."

In the purported suicide note, Vasava accused the policemen of harassing him over a "false" case. "I was selling liquor earlier but stopped four months ago. They took a forceful confession from me, made a case and seized my car, which they are not releasing. They come home regularly and use abusive language in the presence of my wife, sister and daughter. A couple of times, I went with them to the police station," the note read.

It went on, "They wanted me to continue illegal liquor sales. They regularly demand money and threaten me, even though I stopped the illegal activity. I am fed up and have no hope... Nobody should harass my family after my death. This suicide note should reach the Bharuch Superintendent of Police and strict action should be taken against M K Parmar, Sandeep and Rajendra Sinh."

BJP, Congress demand justice

Meanwhile, Gujarat Congress leader Sandeep Mangrola wrote to the National Human Right Commission (NHRC) in New Delhi, seeking strict action against the accused and compensation for the tribal man's family.

Bharuch MP Mansukh Vasava uploaded the purported suicide note on social media on Saturday morning. He also reached out to the community to pacify them. Arunsinh Rana, the MLA from Vagra, visited the hospital. Both BJP leaders met the family members of the deceased in the afternoon and assured all possible help.

The MP said, "Parmar and the two policemen have entered many homes in the area, destroyed household items and left. Around one month ago, they disrupted a wedding function in the family of district panchayat member Bhavnaben Vasava in Nikora village. They even damaged household items at the house of the sarpanch in Angareshwar village. We complained to the Bharuch SP about Parmar and his team one month ago. If steps were taken against them back then, Kirtan Vasava would not have died by suicide."

"Fed up with police harassment, a tribal man has ended his life. We want strict action, including the suspension of these policemen," he added.

MLA Rana extended support to the victim's family and said, "The incident is painful... We want these policemen to be dismissed from the job, and an example should be set so that in future, no policemen would dare to do such things. We are sure the government will listen to us and act appropriately."

Times of India

Cops booked for abetting former bootlegger's suicide

<https://timesofindia.indiatimes.com/city/surat/cops-booked-for-abetting-former-bootleggers-suicide/articleshow/119053054.cms>

TNN | Mar 15, 2025, 11.29 PM IST

Surat: An inspector and two of his subordinate policemen were booked at Nabipur police station in Bharuch for abetting the suicide of a man on Saturday.

Kirtan Vasava died by suicide after drinking poison in a field at Kavitha village near Bharuch. Vasava had been involved in bootlegging. He stated in his suicide note that he had stopped the liquor business, but police kept harassing him to force him to restart it.

Police booked the inspector of Nabipur police station, M K Piyeja, and two policemen, Rajendra and Sandip, under Bharatiya Nyaya Sanhita Sections 108 (abetment to suicide) and 3(5) joint criminal liability. They were also booked under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.

After the news emerged, Bharuch BJP MP Mansukh Vasava demanded action against the policemen involved. Vasava also shared the suicide note on social media.

Gujarat Congress general secretary Sandeep Mangrola complained to the National Human Rights Commission (NHRC) and the National Commission for Scheduled Tribe (NCST), demanding a thorough inquiry.

A complaint was lodged by Vasava's daughter, Hiral. She stated that her father went out on Friday and late in the evening, her uncle received a message from Vasava's phone saying he had drunk poison and was in a field outside the village. The family went to check and found Vasava in the field with froth at his mouth. He was taken to a private hospital, where he was declared dead.

The family found a suicide note from his pocket in which Vasava said he was being hounded by police to restart the liquor business, which he had stopped four months ago. He said the cops were harassing him and his family and abusing them. Vasava said that he stopped bootlegging four months ago, but they were demanding money and came to his house every day to check, and harass him.

Refusing to accept his body, the family held a demonstration against the alleged torture of the deceased. After being assured of legal actions and an FIR against the policemen involved, the family accepted the body.

"Police will record the statements of the family and collect evidence. The suicide note will be sent for handwriting verification," a police officer said.

Times of India

ATS arrests Firozabad ordnance factory employee for espionage

<https://timesofindia.indiatimes.com/city/lucknow/ats-arrests-firozabad-ordnance-factory-employee-for-espionage/articleshow/119056146.cms>

Mar 16, 2025, 01.53 AM IST

Lucknow: The Uttar Pradesh Anti-Terrorist Squad (ATS) arrested an ordnance factory employee late Thursday night for allegedly leaking classified information to a Pakistani intelligence handler.

According to ATS officials, the accused Ravindra Kumar, who was employed as a chargeman at the ordnance factory in Hazratpur in Firozabad district, was honey-trapped by a woman, apparently a Pakistani intelligence operative whom he identified as Neha Sharma, who lured him to provide sensitive defence-related documents to her.

An ATS officer claimed that Kumar engaged in espionage despite being aware that the woman had links with Pakistan's intelligence agency, the Inter-Services Intelligence (ISI).

"Kumar came in touch with the woman through Facebook in June 2024. He transmitted classified information that could endanger national security," he said.

After zeroing in on Kumar following thorough investigation, the ATS summoned him at its field unit in Agra on March 12 (Wednesday).

During interrogation, Kumar initially gave inconsistent responses and attempted to mislead the investigators. On Thursday, Kumar was brought to the ATS headquarters in Lucknow where he was formally arrested.

On examining his mobile phone, the officers found WhatsApp chats with the Pakistan handler whose contact was saved as 'Chandan Store Keeper 2'.

"The chat contained sensitive documents, including a daily production report from the Hazratpur ordnance factory (2024-25), which had information about drones, the Gaganyaan project, and classified observations on store receipts. Additionally, a confidential letter related to a screening committee for MACP promotions and a pending requisition list for unaccounted stock were also shared via WhatsApp on Sep 27, 2024," the ATS officer said.

"Kumar had also stored a confidential meeting file dated March 10, which contained details about a logistical drone trial conducted by the ordnance factory officials and members of the 51 Gorkha Rifles in Dehradun," he said.

Kumar told investigators that he had saved the number with a false identity to prevent his wife and others from discovering their communication.

ATS also seized Rs 6,220 cash, an SBI debit card, two post office debit cards, Aadhaar card, voter ID, and PAN card from Kumar.

He has been booked under Section 148 of the Bharatiya Nyaya Sanhita (BNS) 2023 and Sections 3/4/5 of the Official Secrets Act, 1923.

"We followed the guidelines of the Supreme Court and the National Human Rights Commission while making the arrest," the officer said, adding that Kumar's family had been informed about the arrest.