

**Address by Hon'ble Mr. Justice Arun Mishra**  
**Chairperson**  
**On**  
**Foundation Day Celebration of the National Human**  
**Rights Commission at New Delhi**

**12<sup>th</sup> October 2023**

Hon'ble Former President of India, Shri Ram Nath Kovind, esteemed Members of the Commission, present and former Judges of the Supreme Court, Judges of the High Court of Delhi, Chairpersons and Members of Tribunals, National Commissions and State Commissions, Officers of the Central & State Governments, Office bearer and Representatives of the UN Organizations, Diplomats, Ld. Members of the Bar, Media persons, Civil Society members, Distinguished Invitees, students, Ladies and Gentlemen.

On behalf of the NHRC, I warmly welcome you all to the Commission's 30<sup>th</sup> Foundation Day celebrations. The celebration of Foundation Day is an occasion of national importance and pride for all of us as it reflects India's

**commitment to human rights. The Commission's motto is also.**

**सर्वे भवन्तु सुखिनः**

**"Let everybody be happy."**

**The Human Rights Commission is to provide support to those who have none. To create awareness among people about their rights, particularly to the deprived and marginalized, and to make them feel empowered so that they can contribute to the nation's progress to the best of their ability.**

**Civil and political rights, which are included in fundamental rights, reflect human rights. The aim and objective of the Commission is to protect these rights to create a prosperous and just society where the rights and dignity of all individuals are protected.**

**Our Vedas, Puran and Shastra contain references and teachings that resonate with human rights principles fully embedded in the inherent dignity and equality of all human**

beings. Ancient Indian ethos vouches for compassion and ethical conduct in society—principles of justice, including punishment proportionate to the crime.

We believe in "Vasudhaiva Kutumbakam" that the entire world is one family. In Ramayana, Tulsidas ji has said "Parhit Sarisa Dharam Nahi Bhahi, Parpira Sam Nahi Adhmahi". There is no religion like the good of others; there is no sin like inflicting pain on others. According to Rig Veda, every human is equal. There is no difference in high and low "Ajeshthaso – Aknishthaso". Atharvaveda mentions "Samani Prapa Sah Vonnabhagah," i.e., everybody has equal rights to food and water. Atharvaveda also vouches for sustainable development goals. It provides for the protection of mineral flora and fauna.

Violence is the biggest impediment to enjoying Human Rights. Ahimsa, or non-violence, is a foundational principle in Indian philosophy. Sanskrit shloka resonates with modern human rights concepts, including non-violence, equality, justice and compassion.

**अहिंसापरमोधर्मःधर्महिंसातथैवच।**

**Non-violence is the highest virtue; violence is the worst sin.**

**(Mahabharata, Anusasana Parva)**

**Our Constitution guarantees a range of fundamental rights, which reflect the principle of right to life with equality, justice, freedom, and dignity that are at the core of human rights.**

**There were concerns about human rights issues to be effectively dealt with. United Nations advocated the Paris Principles. India pioneered the establishment of NHRC in 1993 to coincide with the same. The establishment of NHRC reflects India's ancient spirit to upholding human rights principles.**

**The objective of the celebration of Foundation Day is to remind us of our duty and to ponder upon the new challenges humanity faces. We have to transcend today's deliberation and guidance to be given by the fourteenth President of India into action.**

**Justice, liberty and equality are indivisible and interdependent. Human rights, like fundamental rights, can not be enjoyed in isolation. The mutual aid of interpretation has made them vibrant. We must promote these rights at the grassroots level.**

**Equality is fundamental to rights. Equal rights of men and women are necessary for socio-economic progress. Everyone has the 'right to recognition' for their contribution. It brings a sense of belonging and ensures dignity and productivity.**

**Our Constitution aims for justice for all. Equality cannot be achieved without an independent and impartial judiciary. The separation of power under Article 50 of the Constitution of India ensures the same.**

**Governance committed to effective, accountable and transparent institutions may strengthen the rule of law framework.**

**The right to life includes a healthy environment and the right to all other factors on which life is dependent, including flora, fauna and water bodies. The citizen has the right to freedom of movement and residence within the country. The right to nationality includes the right not to be denied the right to change it.**

**Human rights include the right to vote and participate in elections in exercising the right to elect the Government. Violence adversely impacts free and fair elections. The State must ensure violence-free elections so that citizens enjoy fundamental democratic rights.**

**To seek, receive, and impart information and ideas through media is part of freedom of opinion and expression. Facebook, Twitter and TV Debates often result in violation of human rights. The dignity and reputation of individuals suffer. The falling standard of media debates is the cause of concern. The responsibility of all concerned is to ensure that their imprint on the younger generation is not uncivil debate and dialogue.**

**There is a right to development. Right to the standard of living includes food, potable water, clothing, shelter, health care, education and other services. We do have freedom in the field of trade and investment. However, illegal financial flows need to be checked.**

**Digital Technology and innovation have gained tremendous momentum. Newer forms of violations are coming to the fore in cyberspace, privacy, e-commerce, banking fraud, business and international crime syndicates. However, the legal framework has not kept pace. The issues of data privacy and digital security need special attention so that people's rights are not violated. The Commission held a conference on Child Sexual Abuse Material (CSAM) and is going to issue an advisory soon. The intermediary should remove offensive content and stop the live streaming of offences.**

**In the era of the growing use of science and technology, we must derive strength from our cultural heritage and philosophy to protect human rights. Human**

**rights institutions, civil society organizations, HRDs and other stakeholders must join.**

**Climate change impacts human rights in a big way—increased drought, high-density rainfalls, cyclones, floods, landslides, forest fires. The poorest of the poor suffer the most. We have to work to protect our environment. The Commission has issued an Advisory to prevent, minimize and mitigate the impacts of environmental pollution.**

**Besides the war, climate change is one of the leading causes of migration. Transition to climate-resilient infrastructure and mitigation measures are essential for the survival of humanity.**

**As per the UN Report, energy needs a careful transition. Otherwise, the loss of money from the energy industry could cause destabilization "internally, regionally and even internationally". In order to securing intergenerational equity, we have an international solar alliance, a global biofuel alliance and many other schemes**



**relating to the energy sector in India. We have to provide alternative employment for workers impacted due to transition. The Commission is focusing on business and human rights so that efficiencies, productivity and human rights all go hand in hand. I commend the principle that “no one is left behind”.**

**Business is now across the border like environmental issues. The country's economy, the welfare of the workforce, agriculturists, and consumers must be safeguarded. We have to stand firm while addressing the issues of human rights.**

**Our spiritual tradition teaches us to protect Mother Nature. This dharma of preserving mother nature has resulted in sustaining and ensuring the well-being of all.**

**The Commission is mandated to step in to protect and propagate human rights relating to childhood, health, mental health, education, proper condition of the Government homes, hospitals, correctional homes, displacement and welfare of migrant workers, bonded labour, excesses by any authority and in every other violation of human rights.**

**The Commission has been working tirelessly to devise ways to address business issues. One of these is the human rights of truck drivers, comprising a critical component of the country's labour force, who face a lack of social security benefits, adequate rest and sleep, low salary and constant exploitation, amongst others. Advisory issued by the Commission takes care of their plight.**

**In the Advisory issued by the Commission on hazardous cleaning of sewer and septic tanks, the Commission has recommended using suitable and worker-friendly technology and robotic machines for the mechanization of cleaning of septic tanks, etc.**

**Every death in custody and encounter is inquired into to determine the cause. In case of violation of any human rights, the corrective and compensatory initiative is taken by the Commission to provide relief; the Commission also issues directions against erring officers.**

**The Commission, to secure prisoners' mental health and prevent suicide, has issued an advisory recently.**

**Prisoners have to receive appropriate medical care, including mental health care. Most suicides result from underlying mental health issues or distress, which needs attention.**

**The right to health is not confined to physical well-being but also includes mental, emotional and spiritual aspects, which is a right of every human being.**

**The NHRC organized a National Conference on `Moving Mental Health Beyond Institutions' in July, 2023. In national conference, we deliberated with stakeholders on the status and the issues and challenges in implementation of the Mental Healthcare Act, 2017.**

**On the occasion of World Mental Health Day on 10<sup>th</sup> October, NHRC issued an Advisory on Mental Health, to promote the welfare and rights of persons with mental illnesses. NHRC also advised concerned authorities to improve the conditions of 47 government mental health establishments across the country and to ensure family / community rehabilitation of cured patients.**

**Quality health services are a right of every human being. These should be available timely. Nature-based system of medicines and yoga is the solution for healthy life. Quality health services should be equitable by providing care that does not vary due to socio-economic status. There is no room for non-consensual medical treatment and experimentation. Medical treatment must be affordable to low-income people for enjoyment of the right to life.**

**Persons with disabilities need independent living, rehabilitation, integration and reasonable accommodation as mandated by the Rights of the Persons with Disabilities Act, 2016. Commission has advocated inter-alia for rehabilitation centres by issuing an Advisory for victims of ocular trauma.**

**Education plays a pivotal role in life. Discriminatory education policies lead to inequalities in enjoying other rights and society. Thus, the focus should be on the causes and consequences of imbalances related to a single social right, i.e., the right to education.**

**Earlier, the concept was that basic elementary education should be free and compulsory, and higher education should**

**be based on merit. Considering the progress achieved in the field of education, education should be made compulsory at least till the graduation level.**

**The new education policy seeks to address several worrying features in our age-old system. At the same time, the urgent necessity is to consider how much burden should be put upon the children in the school and students opting for competitive examinations. The increasing number of incidents of suicide and the necessity of coaching is a matter of grave concern. The education system has become too mechanical and burdensome. Students are suffering from depression and mental health issues. Our emphasis should be on developing the original thinking capacity necessary for invention. India has a diversity of languages. Our education should be geared towards promoting literature in various Indian languages and enriching our culture.**

**World over, women are discriminated against, which should end. Gender equality requires the same rights in marriage, inheriting and holding property and other civil liberties. The time has come to define gender equality and implement it clearly.**

**Woman trafficking is still in vogue. Women and girls are victims of different forms of trafficking and forced prostitution. Trafficked and enslaved women and girls do not attend school, do not have access to health care and face critical malnutrition. They do not have access to anti-poverty programmes and benefits of socio-economic welfare schemes and are left to be exploited. Their children are the worst sufferer. Even an illatom child is entitled to the same protection of rights and social dignity. In India, special care is the hallmark of motherhood and childhood.**

**It is essential to highlight the rights of LGBTQIA+ communities and look at their challenges. As we are navigating through new definitions and concepts, however, we must move from a detached perspective towards a proactive mode.**

**Last month, the Commission issued an Advisory for welfare measures for transgender; such as transgender children to be treated at par with unmarried daughters to receive pension and other benefits, be allowed to inherit**

**agricultural land, to provide protection in education and employment.**

**Corruption compromises the fundamental dignity of humans. The evil of corruption destroys our souls, and the ordinary person has to end with humiliation. This is unacceptable in any civilized society. We must unite to root out this menace with iron hands, which is an impediment to development.**

**Violent extremism threatens human rights, international peace and security, and sustainable development. It is crucial to increase international collaboration in this area and raise awareness of the risks associated with violent extremism and terrorism.**

**Terrorist activities not only violate the rights of specific victims, but they also harm society and the victims' families.**

**When discussing human rights, we must remember that our Constitution provides our fundamental duties. Everyone has a duty to the community in which his personality is developed. The rights and freedom cannot be**

**exercised contrary to the purposes and principles enunciated in the Constitution. Every right to be enjoyed has a corresponding duty.**

**In the migration, there are problems of internal displacement, access to education and health. Some segments in society include beggars, transgender, sex workers, orphans and trafficked minors. Their human rights get compromised. We must address the need for their documents to avail the benefit of various welfare schemes. I appeal to authorities to provide `Aadhar Cards' to these people in mission mode.**

**Let our collective commitment be transformed into collective action to protect and promote human rights. We need to continue fostering a culture of accountability, transparency, efficient public service delivery and a public grievances redressal system. In an ever-changing world, the enduring value of human rights remains a guiding light. It reminds us of the shared responsibility to create a more just, inclusive, and humane society for all.**

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