

National Human Rights Commission (NHRC)

The National Human Rights Commission or NHRC is a standalone entity of the Government of India with the mission of promoting and protecting human rights. The NHRC India received its 'A' status of accreditation from [GANHRI \(Global Alliance of National Human Rights Institutions\)](#) and has maintained this till date since its first accreditation in 1991.

The National Human Rights Commission (NHRC) is a statutory body which makes it a part of the Indian Polity section of the General-Studies Paper-II part in the [UPSC Syllabus](#). Students preparing for the IAS Exam or any other Government Exam should know about the topic since it can feature in the UPSC Prelims as well as UPSC Mains exams. One can relate this topic to [UPSC Current Affairs](#) too.

Table of Contents

What is the National Human Rights Commission (NHRC)? <ul style="list-style-type: none">HistoryCompositionAppointment
Functions & Powers of NHRC
Limitations of NHRC
Major Issues related to NHRC
UPSC Questions related to NHRC

What is the National Human Rights Commission (NHRC)?

The National Human Rights Commission (NHRC) established in 1993, is an independent statutory body as per the provisions of the **Protection of Human Rights Act of 1993** which was amended in 2006.

- Human Rights are an indispensable part of society.
- NHRC acts as a watchdog of human rights in the country.
- NHRC looks over the rights that are related to life, dignity, liberty and equality of the individual that is defined in Section 2(1) of the PHR Act.
- They are guaranteed by the Constitution of India, embodied in the international covenants and are enforceable by the courts of India as well.
- NHRC was established in compliance with the Paris Principles of Human Rights, 1991 which were adopted for the promotion and protection of Human Rights and were endorsed by United Nations at its General Assembly of 1993.

NHRC History

- In 1948, the UN adopted the UDHR ([Universal Declaration of Human Rights](#)).
- In 1991, the Paris Principles were established by the National Human Rights Institutions (NHRIs).
- In 1993, the UN adopted these Paris Principles at its General Assembly.
- In 1993, India enacted the Protection of Human Rights Act.
- This led to the formation of the National Human Rights Commission (NHRC).
- The Protection of Human Rights Act also allowed state governments to establish State Human Rights Commission.

NHRC Composition

- The National Human Rights Commission (NHRC) is composed of a Chairperson and eight other members.
- Those eight members are:

- Four full-time members.
- Four deemed members.

- **Members of NHRC**

Chairman	Retired Chief Justice of India
Member 1	One who is/has been a Judge of Supreme Court of India
Member 2	One who is/has been a Chief Justice of a High Court
Two Members	Candidates with knowledge or practical experience in the matters of Human Rights
Deemed Members (Ex-officio Members)	Deemed members are chairpersons of the below national commissions: <ol style="list-style-type: none"> 1. National Commission for Minorities 2. National Commission for Scheduled Castes 3. National Commission for Scheduled Tribes 4. National Commission for Women

To read about the **National Commission for Scheduled Castes (NCSC)**, [click here](#).

Appointment of Members

- A Selection Committee will recommend the candidates to the President.
- The Selection Committee includes:
 - Prime Minister (Chairman)
 - Speaker of Lok Sabha
 - Union Home Minister
 - Deputy Chairman of Rajya Sabha
 - Leaders of the Opposition in both Houses of the Parliament

Functions & Powers of NHRC

The functions of the National Human Rights Commission (NHRC) as stated in Section 12 of the Protection of Human Rights Act, 1993 includes enquiry into complaints of violation of human rights or negligence in the prevention of such violation by a public servant. The Commission also studies treaties and international instruments on human rights and makes recommendations for their effective implementation to the Government.

- NHRC can investigate any complaints related to violation of Human Rights either suo moto or after receiving a petition.
- NHRC can interfere in any judicial process that involves any allegation of violation of Human Rights.
- It can visit any prison/institute under the control of the state governments to observe the living conditions of inmates. It can further make recommendations based on its observations to the authorities.
- NHRC can review the provisions of the Constitution that safeguard Human Rights and can suggest necessary restorative measures.
- Research in the field of Human Rights is also promoted by the NHRC.
- Human Rights awareness and literacy through different media is promoted by NHRC in various sectors of the society.
- NHRC has the power to recommend suitable steps that can prevent violation of Human Rights to both Central as well as State Governments.
- The [President of India](#) gets an annual report from NHRC which is laid before both the Houses of the Parliament.

Limitations of NHRC

- The Recommendations made by the NHRC are **not binding**.
- Violation of Human rights by private parties cannot be considered under NHRC Jurisdiction.
- NHRC doesn't have the power to penalise the authorities that don't implement its recommended orders.
- 3 of the NHRC members are judges which gives the functioning of the Commission a judicial touch.
- The other members that are recommended by the Selection Committee may not necessarily be Human Rights experts.
- The NHRC does not consider the following cases:
 - Cases that are older than one year.
 - Cases that are anonymous, pseudonymous or vague.
 - Frivolous cases.
 - Cases pertaining to service matters.
- The NHRC has limited jurisdiction over cases related to armed forces.
- The NHRC faces other issues like excess cases/complaints, insufficient funds, bureaucratic functioning style, etc.

Click the link to read about [National Child Labour Project Scheme](#) .

Major Issues related to NHRC

India faces Human Rights violations on a large scale due to various reasons. The National Human Rights Commission (NHRC) takes up most of the issues around the country. Some of them are mentioned below:

- Arbitrary arrest and detention
- Custodial torture
- Child labour
- Violence and discrimination against women and children
- Extrajudicial killings
- Excessive powers
- Sexual violence and abuse
- LGBTQ community rights
- SC/ST, disabled people and other religious minority issues
- Labour rights and right to work
- Conflict induced internal displacement
- Manual scavenging

Also read about the [Protection Of Children from Sexual Offences Act \(POCSO\)](#) .

UPSC Questions related to NHRC

Who is the chairman of the National Human Rights Commission of India currently?

- The National Human Rights Commission (NHRC) is composed of a Chairperson and eight other members. **Justice H. L. Dattu** is the current chairman of the NHRC.

What is the role of NHRC?

- The National Human Rights Commission or NHRC is a standalone entity of the Government of India with the mission of promoting and protecting human rights.
- The functions of the National Human Rights Commission (NHRC) as stated in Section 12 of the Protection of Human Rights Act, 1993 includes enquiry into complaints of violation of human rights or negligence in the prevention of such violation by a public servant.

Where is the NHRC headquartered?

- NHRC has its headquarters in New Delhi.