

7. NHRC asks Centre to Issue an Advisory on Public's Rights to states

Prelims Syllabus: Polity and Governance – Institutions.

Mains Syllabus: GS-II Statutory, Regulatory and Various Quasi-Judicial Bodies.

Why in News?

- The National Human Rights Commission (NHRC) has advised the Centre to issue an advisory to all States and Union Territories to implement the ongoing lockdown without violating the human rights of the public.

Key Points:

- The NHRC through an advisory wants to ensure that the public servants behave in a sensible manner with the people, particularly belonging to vulnerable sections, respecting human rights relating to their life, liberty and dignity.
- In order to effectively implement the lock down guidelines, the public servants, sometimes under tremendous pressure, tend to deal with the people, especially the ill-informed poor labourers, in a very harsh manner undermining their rights.
- It has said that In the meantime necessary directions may be issued by the Ministry to all the States and Union Territories, to ensure that
 - ✓ Persons suffering from any kind of mental ailments under their jurisdiction are provided with proper counselling towards
 - ✓ Necessary precautions for their personal care and protection from the virus
 - ✓ People not deprived of basic amenities like food, shelter and medical care etc.

About National Human Rights Commission:

- NHRC was established on 12th October, 1993. The statute under which it is established is the Protection of Human Rights Act (PHRA), 1993 as amended by the Protection of Human Rights (Amendment) Act, 2006.
- **Composition:** The commission is a multi-member body consisting of a chairman and four members. The chairman is a retired Chief Justice of India.
- **Appointment:** The chairman and members are appointed by the President on the recommendations of a six-member committee consisting of the Prime Minister as its head, the Speaker of the Lok Sabha, the Deputy Chairman of the Rajya Sabha, leaders of the Opposition in both the Houses of Parliament and the Union Home Minister.

- **Tenure:** The chairman and members hold office for a term of five years or until they attain the age of 70 years, whichever is earlier. After their tenure, the chairman and members are not eligible for further employment under the Central or a state government.
- **Watchdog of Human Rights in the country:** The NHRC is an embodiment of India's concern for the promotion and protection of human rights.

Role and Function of NHRC:

- It has all the powers of a civil court and its proceedings have a judicial character.
- It can look into a matter within one year of its occurrence, i.e the Commission is not empowered to inquire into any matter after the expiry of one year from the date on which the act constituting violation of human rights is alleged to have been committed.
- It is empowered to utilise the services of any officer or investigation agency of the Central government or any state government for the purpose of investigating complaints of human rights violation.
- The functions of the commission are mainly recommendatory in nature. It has no power to punish the violators of human rights, nor to award any relief including monetary relief to the victim.
- Its recommendations are not binding on the concerned government or authority. But, it should be informed about the action taken on its recommendations within one month.