

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3594

ANSWERED ON:11.08.2015

Human Rights Commission

Bohara Shri Ramcharan;Kumar Shri P.

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether State Human Rights Commission (SHRC) have been set up in all the States in the country;

(b) if so, the names of States which have not set up SHRC and the action taken against such States along with the steps taken to set up SHRC in all the States;

(c) the total number of complaints received by the SHRC and National Human Rights Commission (NHRC) separately, regarding police atrocities and violation of human rights in the prisons along with the action taken against the guilty during each of the last three years and the current year, State-wise; and

(d) the corrective steps taken by the Government to curb police atrocities and violation of human rights in the country?

Answer

Minister of State in the Ministry of Home Affairs
(SHRI KIREN RIJU)

(a) & (b) : As per the information received from the State Governments, 24 States have set up State Human Rights Commissions (SHRCs). The Telengana State will be covered under the Andhra Pradesh Reorganization Act, 2014 (10th Schedule). The State Governments of Arunachal Pradesh, Mizoram, Tripura and Nagaland have not set up State Human Rights Commission as yet. As per Section 21 of the Protection of Human Rights Act, 1993, it is for the State Government to take action for setting up of State Human Rights Commission. However, the National Human Rights Commission has from time to time requested the State Governments to establish SHRCs at an early date and the Central Government has also regularly written to the States concerned to expedite the setting up of SHRCs.

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(c) : The National Human Rights Commission does not maintain data on number of complaints received by State Human Rights Commission. The number of complaints of alleged violations of human rights registered, disposed off and pending in the National Human Rights Commission (NHRC) during the last three years and the current year upto 15.07.2015, State-wise, is at Annexure I. The State-wise number of cases registered in respect of alleged violation of human rights by police and alleged violation in prisons are given in Annexure II and III respectively. A statement indicating the state-wise details of number of cases where disciplinary action and prosecution was recommended against public servants is enclosed at Annexure IV.

(d) : 'Public Order' and 'Police' are State subjects under the Seventh Schedule to the Constitution of India and therefore, it is the primary duty of the State Governments to prevent, detect, register and investigate crime and prosecute the criminals. In view of this, the Central Government does not intervene directly in the matters of police atrocities. However, the National Human Rights Commission (NHRC) registers complaints of alleged violation of human rights and issues guidelines from time to time. The component of human rights has been included in the training syllabus of constables, Sub-Inspectors and Assistant Commanders in the Central Armed Police Force (CAPF) and inputs on human rights are being given to IPS officer trainees as part of indoor training curriculum for Basic Course.
