



**ACCESS TO  
NATIONAL HUMAN  
RIGHTS COMMISSION**



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## **ACCESS TO NATIONAL HUMAN RIGHTS COMMISSION**

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**Mahendra Bora**

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**HRLN**

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**576, Masjid Road, Jangpura, New Delhi – 110014, India**

**Ph: +91-11-24379855/56**

**Email: [hrc@hrln.org](mailto:hrc@hrln.org), Website: [www.hrln.org](http://www.hrln.org)**

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## **WHAT IS NATIONAL HUMAN RIGHTS COMMISSION?**

For the protection and promotion of human rights, the Government of India enacted the Protection of Human Rights Act (PHRA) in the year 1993. National Human Rights Commission (NHRC) was established on October 12, 1993, under the provisions of the PHRA, 1993. NHRC is an autonomous public body constituted to look into matters of human rights violations.

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## **WHY APPROACH NHRC?**

It was constituted as a guardian of human rights, and thus has the authority to look into incidences of human rights violations. It has the authority to independently investigate complaint of human rights violations and accordingly recommend measures to redress it.

## **WHO CAN MAKE COMPLAINTS?**

Anybody can make a complaint regarding any

## HOW TO FILE A COMPLAINT?

### The complaint

1. Can be submitted to the commission written on a simple paper, either in English, Hindi or in any other language included in the Eighth Schedule of the Constitution of India;
2. May be sent either by post, by fax on +911123382911/ 23382734 or through e-mail on [covdnhrc@nic.in](mailto:covdnhrc@nic.in). For general queries and complaint status etc., the complainants can also call on +91-11-23385368, +919810298900 (mobile). The online complaint registration form is available on the following link:

<http://164.100.51.57/HRComplaint/pub/NewHRComplaint.aspx>

(The format of the online complaint registration form is shown in demonstrated in Annexure II.)

3. Should include information like name of the victim(s), age, sex, religion/caste; details like incident date, nature of violation, jurisdictional police station, village/*mohalla*, district etc., and contact details of the complainant;

complaint on the following link <http://nhrc.nic.in/advSrcCases.asp>

(The format of online status of complaint file is shown demonstrated in Annexure IV.)

## **WHERE NHRC IS LOCATED?**

It is located at New Delhi. The address is: Faridkot House, Copernicus Marg, New Delhi-110001.

## **WHAT ARE THE POWERS OF NHRC?**

### **The NHRC**

- Has the power of a civil court trying a suit under Code of Civil Procedure, 1908. It can summon and enforce attendance of witnesses and production of any public records/documents;
- Has the power to inquire *suo motu* into violation of human rights or abetment thereof, or negligence in prevention of such violation by a public servant;
- Has the power to intervene in any matter of human rights violations, even if it is pending before the court. It can do so with the approval of such court:

for purposes of treatment, reformation or protection, examine its condition and accordingly make recommendations to the government for its effective functioning;

- Shall review laws and safeguards provided by the Constitution for the protection of human rights and recommend measures for their effective implementation;
- Shall promote and undertake research in the field of human rights;
- Shall spread human rights literacy through campaign, seminars, workshops, publications and other means to promote awareness on safeguards available for protection and promotion of these rights;
- Shall study treaties, covenants and other international instruments on human rights and accordingly suggest measures for their effective implementation;
- Shall encourage the work of non-governmental organisations working in the field of human rights;
- Shall perform any other functions as it may deem necessary for the protection and promotion of human rights.



## **HOW DOES THE NHRC FUNCTION?**

### ***Complaint Handling Mechanism of the NHRC***

#### **The NHRC**

- Shall register all the complaints coming to it and assign it a 'case' number;
- Shall place the complaint before a bench, comprising Member/s of the commission, not later than one week from the receipt of the complaint;
- Can call for reports or information from the concerned government or authority during the investigation of the complaint;
- Can make recommendations to the concerned government or authority to make payment of compensation or provide interim relief to the victim of human rights violation;
- Shall provide a copy of the inquiry report to the complainant;
- Shall publish its inquiry report together with the comments of the concerned government or authority, if any, and the action taken or proposed to be taken by the concerned government or authority on the recommendation of the commission

**justice to the victim(s);**

- **Can initiate proceedings for prosecution or such other suitable action it may deem necessary against the concerned person(s).**

## **PROCEDURE WITH RESPECT TO ARMED FORCES**

**While dealing with complaints with respect to the armed forces, the NHRC**

- **Can only ask for a report from the central government;**
- **After the receipt of the report, can either not proceed with the complaint or make its recommendations based on the report of the central government.**

# ANNEXURES



## **Annexure I**

# **FORMAT FOR FILING A COMPLAINT**

### **A. COMPLAINANT'S DETAILS**

1. Name .....
2. Sex .....
3. State .....
4. Full Address .....  
.....
5. District .....
6. Pin Code .....

### **B. INCIDENT DETAILS**

1. Incident Place(Village/Town/City) .....
2. State .....
3. District .....
4. Date of Incident .....

### **C. VICTIM'S DETAILS**

3. State .....
4. Full Address .....
5. District .....
6. Pin Code .....
7. Religion .....
8. Caste ..... (SC/ST/OBC/General)
9. Sex .....
10. Age .....
11. Whether Disabled person .....

12 D. Brief summary of facts/allegations of human rights involved .....

E. Whether complaint is against Members of Armed Forces/ Para-Military .....Yes/No

F. Whether similar complaint has been filed before any Court/ State Human Rights Commission

G. Name, designation & address of the public servant against whom Complaint is being made

H. Name, designation & address of the authority/ officials to whom the public servant is answerable

## **Guidelines on how to file complaint with the NHRC**

1. Complaint may be made to the Commission by the victim or any other person on his behalf.
2. Complaint should be in writing either in English or Hindi or in any other language included in the eighth schedule of the Constitution. Only one set of complaint needs to be submitted to the Commission.
3. Complaint may be sent either by Post or Faxed at Nos. 91-11-23382911/ 23382734 or through e-mail [covdnhrc@nic.in](mailto:covdnhrc@nic.in)
4. No fee is chargeable on such complaints.
5. The complaint shall disclose i) violation of human rights or abetment thereof or; (ii) negligence in the prevention of such violations, by a public servant.
6. The jurisdiction of the Commission is restricted to the violation of human rights alleged to have been committed within one year of the receipt of complaint by the Commission.
7. Documents, if any enclosed in support of the allegations in the complaint must be legible.
8. Name of the victim, his/ her age, sex, religion/ caste, State and District to which the incident relates, incident date etc. should invariably be mentioned in the complaint.
9. Please submit the complaint preferably in the enclosed format.

- iii. Trivial or frivolous in nature;
- iv. The matters which are pending before a State Human Rights Commission or any other Commission;
- v. 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;
- vi. Allegation is not against any public servant;
- vii. The issue raised relates to civil dispute, such property rights, contractual obligations, etc;
- viii. The issue raised relates to service matters;
- ix. The issue raised relates to labour/industrial disputes;
- x. Allegations do not make out any specific violation of human rights;
- xi. The matter is sub-judice before a Court/ Tribunal;
- xii. The matter is covered by judicial verdict/decision of the Commission.

11. As far as possible complainants are encouraged to make use of the format given above to file their complaints. The guidelines indicate the kind of information, which would facilitate in processing a complaint.



## **Annexure II**

# **ONLINE COMPLAINT REGISTRATION FORM**

Kindly enter the details of your complaint.

### **Complainant details**

Name Sex [Select Sex]

Address

State (Select State) PIN

District (Select District)

Email Mobile

☐ Self

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### **Victim's details**

Name

Address

State (Select State) Sex (Select Sex) Religion

District (Select District) Disability Caste

PIN Age

### **Incident's details**

**Incident Category**

**Is it filed before any Court/**

**Sub Category**

**State Human Rights  
Commission?**

**Relief details**

**Pray /Relief sought**

**Name**

**Designation and**

**Address of the public servant**

**Update**

**Close**

## Annexure III

# GUIDELINES FOR FILLING UP ONLINE COMPLAINT REGISTRATION FORM

### COMPLAINANT DETAILS

1. Name .....

*(Mention Complete Name)*

2. Sex .....

*(Select Gender from list)*

3. Address .....

*(Mention Complete address for Correspondence)*

4. State .....

*(Select name of your State from the list)*

5. District .....

*(Select name of your District from the list)*

6. PIN .....

*(PIN CODE of your locality, if available)*

### VICTIMS DETAILS

7. Name .....

8. Address .....

**10. District .....**

*(Select name of District from the list, from where the victim belongs to)*

**11. Sex .....**

*(Select Gender of the victim from the list, If the number of victims are more than one then Select 'Group' option)*

**12. No. of victims .....**

*(Mention number of victims. Select the disability status of the victim from the list)*

**13. Disability .....**

**14. Age .....**

*(Mention age of the victim in years)*

**15. Religion .....**

*(Select Religion of the victim the list)*

**16. Caste .....**

*(Select Caste of the victim from list)*

## **INCIDENT DETAILS**

**17. Place**

*(Mention exact place of incident i.e. locality, Village, Town, City)*

**18. State**

*(Select Name of State from the list, where incident occurred)*

**20. Incident Date**

*Mention incident date (Date/Month/Year)*

**21. Incident Category**

*(Select incident category from the list with whom the incident relates to)*

**22. Incident Sub-Category**

*(Select incident sub-category from the list which specifically shows the nature of incident)*

**23. Write complaint**

*(Brief summary of facts/allegations of the incident/complaint)*

**24. Is it filed before any Court/State Human Rights Commission**

*(Select the option whether the complaint of same incident is filed before any Court or State Human Rights Commission)*

**RELIEF DETAILS**

**25. Name, designation & address of the Public Servant**

*(Mention full details of Public Servant/ Authority against whom the complaint is being made)*

**26. Relief sought for**

*(Mention full details of relief, which is sought against the human rights violation)*

**NOTE: COOPERATIVE GALLERY CONTACT 228**

**National Human Rights Commission**  
New Delhi, India

## Search

**Diary Number**

## Victims' Names

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## Notes

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## Assistance?

Details kindly contact National Human Rights Commission, Parliament House, Cape Prince of Wales, New Delhi, PIN

10001

Tel./fax: 25360012 Fax No. 45000000 E-Mail: [zoo@nrcg.mpi-berlin.de](mailto:zoo@nrcg.mpi-berlin.de), [kontakt@nrcg.mpi-berlin.de](mailto:kontakt@nrcg.mpi-berlin.de)

THESE RESULTS ARE NOT TO BE USED IN THE INFORMATION BEING SUBMITTED ON THIS FORM.

## HRLN OFFICES

### CHANDIGARH

2439 Sector; 37-C,  
Chandigarh, Punjab  
Tel: 0172-4603177  
Email: chandigarh@hrln.org

### SHIMLA

Vimal Sadan  
Near Cooperative Bank,  
Shimla -171002  
Tel: +91-0177-2624629  
Email: shimla@hrln.org

### DHARAMSLA

Nitika sharma  
C/o Ashwani Agarwal  
H No.227, Near G.H.S. Chander  
Marg K.B., Dharamsala,  
Himachal Pradesh  
Tel: +91-01892-223417  
Email: shimla@hrln.org

### UTTAR PRADESH

Plot No.183, Opp 156,  
M-II-A, ADA Colony,  
Naini, Allahabad-211008  
Tel: +91 7800560243

### ALMORA

Ishwari Bhawan  
Ranidhara Road  
West Dehra Dun

### KASHMIR

B.D.House, Kursoo  
Rajbagh Srinagar,  
Jammu & Kashmir  
Tel: +91 9906667957  
Email: srinagar@hrln.org

### PULWAMA

Court Road Pulwama  
Tel: 09858479300  
Email: pulwama@hrln.org

### RAJASTHAN

Centre for Dalit Rights (CDR)  
112, Surya Nagar,  
Gopalpura bypass  
Jaipur, Rajasthan  
Telefax: +91 141 2504837  
Email: cdrjaipur@gmail.com,

### CHENNAI

# 319/155, 2nd Floor  
Linghi Chetty Street  
Georgetown, Parry's,  
Chennai- 600 001  
Tel: 044 - 42061867  
Email: hrlnchennai@yahoo.  
co.in

### BANGALORE

No.20, Park Road,

**KOCHI**

58/340, Manavalan Apartments,  
Amulya Street, Kochi-18  
Tel: 0484-2390680  
Email: kochi@hrln.org,

**TRIVANDRUM**

T.C. 25 /2952  
Old GPO Building  
Ambujavilasom Road  
Thiruvananthapuram  
Kerala-695001  
Tel: 0471 - 2460652  
Email: trivandrum@hrln.org

**ANDHRA PRADESH**

H.NO. 21-7-761  
Opp: High court post office,  
Ghansi Bazar,  
Hyderabad - 500002  
Tel:+91-040-24573094  
hrlnap@yahoo.co.in

**KOLKATA**

3, Parbati Chakraborty lane  
Flat-1A, Sohini Apartment  
Kolkata-700026  
Tel:+91-33-24546828,  
32967154  
Email: hrlnkol@gmail.com

**MANIPUR**

Axis Bank Building,  
3rd Floor, Paona Bazar,  
Tel: 03602 284351

**ORISSA**

Plot No. - 1209 - "C",  
2nd Floor  
C.D.A., Sector - 6,  
Cuttack - 14  
Tel. 0671-2506189  
Email: bhubaneswar@hrln.org

**ARUNACHAL PRADESH**

Quarter No -7, Type IV  
Raj Niwas Area,  
Itanagar (AP)  
Tel: 9436040383, 9436050907  
Email: arunachal@hrln.org

**GANGTOK**

2nd floor  
Above Mahesh Saloon  
Satay Bazaar, Upper Sichey Area  
Gangtok 737101, Sikkim  
Tel: 03592-284351  
Email: sikkim@hrln.org

**NAGALAND**

House No. 107  
Kenuozou Colony  
Kohima 797001  
Tel: +91 8974933483  
Email: zhevi@gmail.com

**GUWAHATI**

House No. 13  
Lamb Road, Jorpukhuri,  
Uzan Bazar, Guwahati-781001  
Tel: 03602 284351



## **RANCHI**

Dlaupachi Apartments  
Bano Manjil Road, Galikhana  
Ranchi -834001  
Tel: 9661152827  
Email: ahmed.hrln@gmail.com

## **MUMBAI**

Engineer House  
4th Floor 86,  
Bombay Samachar Marg,  
Forte Mumbai -23  
Tel: 22676680/22677385  
Email: krantilc@gmail.com

## **GUJARAT**

A/7, Rameshwaram Tenements,  
Ramdevnagar, Near Saibaba  
Mandir, Satellite Road,  
P.O. Ambawadi Vistar,  
Ahmedabad-380 015  
Tel: 09825033457  
Email: ahmedabad@hrln.org

## **BHOPAL/JABALPUR**

Flat No. 101  
Vartika Apartments  
Near Ashish Hospital  
Home Science College Road  
Nather Town, Jabalpur  
Madhya Pradesh - 482 001

## **CHHATTISGARH**

Mangal Bhawan  
House No. 9/1125, First Floor,  
Vyapar Vihar Road,  
(Near Ashtha Petrol Pump)  
Bilaspur, Chhattisgarh - 495001  
Tel: 09977897237  
Email: chhattisgarh@hrln.org





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**576, Masjid Road, Jangpura,  
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**E-mail: [hrc@hrln.org](mailto:hrc@hrln.org) Website: [www.hrln.org](http://www.hrln.org)**

**Ph: +91-11-24379855/56**