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Q5(e)

How far has been the National Human Rights Commission successful in achieving its objectives? Comment

UPSC Civil Services Mains 2025 · PSIR GS 1 · 10 marks · Statutory Institutions/Commissions

Statutory Institutions/Commissions: Election Commission, CAG, Finance Commission, UPSC, NCSC, NCST, NCBC, National Human Rights Commission, National Commission for Women and National Commission for Minorities, NITI Aayog.

Core demand of the question

- State NHRC's mandate under the **Protection of Human Rights Act**
- **Comment on successes:** visibilising rights, guidelines, and some interventions
- **Comment on limits:** recommendatory power, vacancies, police, and conflict areas
- Reach a critical balance

Revision summary

The NHRC is a statutory body under the 1993 Act, meant to watch public violations of human rights in the spirit of the Paris Principles.

It has succeeded in recording custodial abuse, bonded labour, and other violations, and in issuing guidelines that travel with court doctrine.

Its power is mainly recommendatory, and it often depends on the police it investigates.

Vacancies, the 2019 composition changes, and weak reach over armed-forces and conflict-area cases are serious limits.

It is a necessary lamp in Indian rights politics, not a substitute for courts, elections, or a reformed criminal state.

Introduction

The **National Human Rights Commission** was set up under the **Protection of Human Rights Act, 1993**, as a statutory body after the Paris Principles. It was meant to give the rights in Part III an institutional watchdog outside the day-to-day executive. How far it has succeeded is a question about power, not about the quality of its prose in annual reports.

Body

Mandate and modest successes

The Commission inquires into violations by public servants, visits jails, reviews laws, spreads literacy in rights, and recommends compensation or prosecution. **Justice Ranganath Misra** was the first chair. Over three decades the NHRC has made custodial death, bonded labour, mental-hospital conditions, and, at times, communal violence harder to keep entirely off the national file. Its guidelines on arrest, following D. K. Basu, and its intern work on bonded labour with the Supreme Court's Bandhua Mukti Morcha line, show a useful auxiliary role beside the judiciary.

It has named silences - starvation, manual scavenging, disability - and sometimes unlocked compensation. An official archive of violation has civic value.

Structural limits

The NHRC is largely **recommendatory**. It cannot punish and often depends on the police it scrutinises. Vacancies and the 2019 widening of eligibility raised fears of a pliant bench. AFSPA and armed-forces procedure limit reach in conflict areas. **Upendra Baxi** warned that rights talk can substitute for accountability. Compared with a court's mandamus, the NHRC is a lamp, not a sword: necessary for agenda-setting, weak where the state is the accused.

Flow diagram

NHRC 1993 -> Inquire visit recommend
Inquire visit recommend -> Agenda and some relief
Inquire visit recommend -> No binding sword
No binding sword -> Police vacancies AFSPA

Conclusion

The NHRC has achieved visibilisation, some relief, and a rights vocabulary in administration. It has not achieved enforceable supremacy over a reluctant executive. Success is real at the margin and limited at the core, which is what a recommendatory human-rights body in a hard state will typically be.

Facts & figures

Protection of Human Rights Act, 1993

Created the NHRC as a statutory commission to inquire into violations by public servants and to recommend action.

Recommendatory status

The Commission cannot by itself prosecute or compel a government in the manner of a court decree.

2019 amendments

Changes to eligibility for chairperson and members were criticised as diluting the requirement of a former Chief Justice of India at the head.