Polity & Governance · GS - II

Though the Human Rights Commissions have contributed immensely to the protection of human rights in India, yet they have failed to assert themselves against the mighty and powerful. Analyzing their structural and practical limitations, suggest remedial measures.

EXAM YEAR	PAPER	SUBJECT
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MARKS	WORD LIMIT
15	~250 words

Answer Hint

National Human Rights Commission, State Human Rights Commissions, Protection of Human Rights Act 1993, recommendatory powers, institutional independence, vacancies, limited investigations, custodial violence, armed forces, enforcement gaps, accountability, human rights protection.

Model Answer

Introduction

The National Human Rights Commission (NHRC) and State Human Rights Commissions protect rights through inquiries, recommendations and awareness initiatives. However, structural and practical limitations restrict their effectiveness against powerful actors.

Structural Limitations

- **Recommendatory powers:** Their recommendations are generally not binding, limiting enforcement.
- **Appointment and vacancies:** Delays in appointments and inadequate staffing weaken institutional capacity.

- **Investigative constraints:** Dependence on government investigative machinery may raise concerns about independence.
- **Jurisdictional restrictions:** The Protection of Human Rights Act, 1993 places limitations on inquiries involving armed forces and certain older complaints.

Practical Limitations

- **Weak compliance:** Governments may delay or reject recommendations without adequate follow-up.
- **Limited resources:** Financial and personnel constraints restrict field investigations and case disposal.
- **Access barriers:** Vulnerable communities may lack awareness, legal support or easy access to complaint mechanisms.
- **Implementation gaps:** Custodial violence, discrimination and delayed remedies indicate persistent enforcement problems.

Remedial Measures

- Strengthen functional and financial independence.
- Fill vacancies promptly and improve professional investigative capacity.
- Establish transparent appointment procedures and stronger compliance monitoring.
- Improve coordination with courts, legal services authorities and civil society.
- Expand regional access, digital complaints and public awareness.
- Require reasoned responses from authorities to recommendations and publish compliance reports.

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Conclusion

Human Rights Commissions remain important safeguards, but their credibility depends on independence, capacity and effective follow-up. Stronger accountability mechanisms can help protect vulnerable citizens against powerful institutions.