



The Indian Journal for Research in Law and Management

Open Access Law Journal – Copyright © 2026

Editor-in-Chief – Dr. Muktai Deb Chavan; Publisher – Alden Vas; ISSN: 2583-9896

This is an Open Access article distributed under the terms of the Creative Commons Attribution-Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium provided the original work is properly cited.

The Role Of The National Human Rights Commission In India: A Watchdog With Limited Teeth

Srabanti Biswas

ABSTRACT

The National Human Rights Commission (NHRC) plays an important role in protecting the rights and dignity of people in India. Established under the Protection of Human Rights Act, 1993, the Commission provides a platform for people to seek help when their human rights are violated. This paper explores how the NHRC addresses issues such as custodial violence, discrimination, labour exploitation, and the mistreatment of vulnerable communities. It also highlights the Commission's efforts to investigate complaints, recommend compensation for victims, and spread awareness about human rights. Despite its important work, the NHRC faces several challenges, including limited powers, a shortage of resources, delays in handling cases, and difficulties in ensuring that its recommendations are followed. As a result, many victims may still struggle to receive timely justice. This paper argues that strengthening the Commission's powers, independence, and resources is essential to making it more effective. A stronger NHRC can help protect people from injustice and ensure that every individual is treated with dignity, fairness, and respect.

Keywords: *National Human Rights Commission, Human Rights, Justice, Accountability, Human Dignity*

Human Rights represent a set of universally accepted rights inherent to every human being regardless of nationality, ethnicity, religion, gender, or socio-economic conditions. They encompass a variety of both civil and political rights as well as social and economic rights, including the right to life, freedom of expression, and the right to education. The Constitution in India protects Human Rights through the fundamental rights and directive principles of state

policy. However, incidents of custodial torture, discrimination, suffering of women, bonded workers, child labour, and violence against vulnerable communities continue in the country¹.

The Protection of Human Rights Act, 1993 permitted the establishment of the NHRC, which continues to be the primary agency for the safeguarding of human rights. In India, the preservation of human rights is not limited to the guarantee provided by the Constitution but is also dependent on the institutions that are in a position to react when such guarantees are violated. The NHRC, which was set up on 12th October, 1993 under the Protection of Human Rights Act, was established with the purpose of promoting and protecting the rights related to life and liberty and equality and human dignity. Its significance lies in acting as the institutional watch-dog between the citizens and the State when conventional executive machinery fails to attend to human rights issues. The most important function of the NHRC is its ability to investigate the matter of human-rights abuses. It may take cognizance of matters on a complaint made either by a victim or by a person acting on behalf of the victim. This gives the commission the authority to deal with not only visible violations but also omissions by public officials in preventing any such violation. In this regard, the NHRC gives the victims an extra means of seeking justice in cases where the state authorities are also accused of negligence².

Although the NHRC lacks powers of prosecution, it can recommend to the government that prosecution be started against the officials or request the Supreme Court or High Court to give necessary orders or directions. The commission has powers to review the working of human rights safeguards and recommend measures to ensure their effective implementation. It can also recommend that the government provide monetary relief to victims without any delay³.

“Its functions include inquiring into complaints of human rights violations, conducting investigations, and making recommendations to the government for corrective actions. Despite its significant role, the NHRC faces numerous challenges in fulfilling its mandate. These challenges include limited powers of enforcement, insufficient resources, and bureaucratic hurdles. The Commission's recommendations are often non-binding, which can affect their implementation. Additionally, there are concerns about its effectiveness in dealing with

¹ Nisha Dalal, *Effectiveness of the National Human Rights Commission in Addressing Human Rights Violations in India: Achievements, Challenges and Reforms*, 3 IJRLM, Retrieved from <https://ijrlm.com/journal/effectiveness-of-the-national-human-rights-commission-in-addressing-human-rights-violations-in-india-achievements-challenges-and-reforms/> (last visited on Sept. 10, 2026).

² Kashish Khanna, *The Role of National Human Rights Commission (NHRC) in India's Human Rights Landscape* 3 IJHRLR 71, 71-72 (2024).

³ Rachna Mishra and Utkarsh Mishra, *NHRC's Role in Prevention of Custodial Death or Death During the Course of Police Action* 2 IJLRA 5, 6 (2022).

systemic issues and ensuring justice for victims of human rights abuses. These limitations highlight the need for a critical examination of the NHRC's performance and the mechanisms in place to address these challenges"⁴.

The role of the NHRC during the 2002 riots is a powerful example of the appropriateness of this investigative function. Jayanth K. Krishnan's report goes on to elaborate that the Commission undertook its own investigation, criticized the police for not protecting vulnerable Muslim groups as much as they should have, and questioned the actions of the State government. Furthermore, it got involved after the Best Bakery case and contacted the Supreme Court with regard to potential retrial outside of Gujarat, as well as the perceived intimidation of witnesses. This incident points to the fact that the NHRC is still able to raise awareness about institutional failures and take responsibility even in difficult political circumstances⁵. In May 2026, the National Human Rights Commission of India (NHRC) took notice of some reported cases of human rights violations through the media and directed the relevant authorities to send them action-taken reports and Compensation in this regard.

- Deaths while cleaning the sewer in Faridabad, Haryana: Two male sanitation workers died when they were cleaning the sewer without wearing safety gears.
- Contracting of TB by nursing students in Shimla, Himachal Pradesh: Nineteen nursing students suffered from TB in overcrowded and unhygienic hostel conditions.
- Inmate's death in Remand Home Deoghar, Jharkhand: A 19-year-old inmate died in suspicious circumstances
- Death of an activist due to quarry attack in Palghar, Maharashtra: An activist was killed, and an MRO was injured in an attack reportedly carried out by quarry operators.
- Arrests of environment activists - Hyderabad, Telangana: Five activists who were protesting against the cutting of trees near the KBR National Park were arrested and detained by the police.
- Illnesses of school children – Nalanda, Bihar: Reports suggest that sixty children fell ill after eating school lunch. Explosion in the chemical factory – Rewari, Haryana: An explosion in the chemical factory resulted in casualties, including a few injuries and deaths.

⁴ Adv. Aditi Ganesh Patnuskar and Adv. Asma Athar Lokhande et.al., *Role of the National Human Rights Commission in Addressing Human Rights Violations* 3 IJETIR 161, 161-162 (2023).

⁵ Jayanth K. Krishnan, *Book Review. Journal of the National Human Rights Commission, India*, 26 Human Rights Quarterly 542, 542-543 (2004).

- Death of the patient due to the fire in the hospital – Dehradun, Uttarakhand: A fire in the private hospital resulted in the evacuation of fourteen patients, but one patient passed away in the incident.
- Death of worker due to cleaning of the sewage tank – East Delhi: One worker died, and another person was severely injured while cleaning the sewage tank without employing any safety measures⁶.

To protect human rights, it is also necessary that citizens know their rights and the bodies that they can use. Hence, NHRC carries out a very valuable education function through awareness campaigns, seminars, workshops, trainings, and cooperation with NGOs and schools. Another means of improving accessibility is the introduction of electronic online complaints that could be filed and tracked by the means of a Special Diary Number. This method is particularly important for marginalized and remote communities, which may not be able to access the formal justice system. The Commission also carries out research and publishes various documents that can be a valuable tool in discussions and policy reform⁷.

Nonetheless, its limited enforcement powers, lack of resources, and long delays affect the functioning of the NHRC. It occupies an essential position in facilitating the protection of human rights by conducting investigations into violations, providing assistance to victims, raising awareness, and bringing serious issues to the notice of the government. Interventions taken by the NHRC, which include some of the latest cases reported in May 2026, reflect the role of the NHRC in facilitating communication between citizens and the State. The effectiveness of the NHRC, therefore, depends not only on its ability to identify violations but also on the implementation of its recommendations

⁶ National Human Rights Commission, India, Human Rights Newsletter (June 2026), https://nhrc.nic.in/assets/uploads/news_letter/1782281108_5f20a37601b887e7b659.pdf (last visited on Sep. 11, 2026).

⁷ Kashish Khanna, *The Role of National Human Rights Commission (NHRC) in India's Human Rights Landscape* 3 IJHRLR 71, 76-77 (2024).