

**PERMANENT MISSION OF INDIA
TO THE UNITED NATIONS OFFICES,
9, RUE DE VALA 18
1202, GENEVA
Tel: 022-9068686
Fax: 022-9068696**

NV. 13/2017

May 2017

The Permanent Mission of India to the Office of the United Nations and other International Organisations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and with reference to the latter's note verbale dated 13th April 2017 forwarding herewith letter dated 12th April from the High Commissioner for Human Rights, addressed to H.E.Mrs. Sushma Swaraj, Minister of External Affairs of India, has the honor to convey that the letter has been delivered to its high destination.

The Permanent Mission of India avails itself of this opportunity to renew to Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Office of the High Commissioner for Human Rights,
Geneva.

UNITED NATIONS HUMAN RIGHTS
Office of the High Commissioner for Human Rights,
Palais Des Nations, Geneva, Switzerland

12 April 2017

Excellency,

I have the honour to write to you to support the National Human Rights Commission of India (NHRC) in strengthening its ability to promote and protect human rights. Developing a strong NHRC which is able to fulfil its mandate independently in accordance with the Paris Principles is vital. National Human Rights Institutions (NHRIs) do work to strengthen good governance and the rule of law in their countries. They act as important bridges, linking governments, parliaments, the judiciary and civil society. They advocate strongly for legal and institutional reforms, monitor places of detention and security institutions and publish regular reports. NHRIs are uniquely placed to monitor and prevent human rights violations through national inquiries into these violations.

During the review of NHRC in November 2016, the Sub- Committee on Accreditation of the Global Alliance of NHRIs made recommendations to the NHRC which, if implemented, would allow it to function fully in accordance with the Paris Principles. Therefore, I would like to encourage your Government to consider the following recommendations for amending NHRC's legal basis, namely the 1993 Protection of Human Rights Act (PHRA), in order for it to fully reflect NHRC's core functions:

- Establishing an open, transparent and merit based selection process for the members of the governing body of the NHRC by giving equal representation to all sections of the society.
- Appointing an advisory council to the governing body of NHRC without voting rights comprising NGOs, civil society actors and independent experts.

- Empowering NHRC to issue independently its own rules of procedure and guidelines with provisions for citing any person for violations for these procedures and guidelines.
- Establishing three additional offices of NHRC in Eastern, Western and Southern parts of India and providing the Commission with appropriate funds to carry out its mandate.
- Establishing a toll-free-national- helpline for contacting NHRC in emergency and urgent situations of grave violations of human rights.
- Empowering NHRC to cover all relevant cases involving paramilitary forces and the army, including in the Jammu & Kashmir state.
- Empowering NHRC to inquire into alleged human rights violations and abuses by the armed forces of India. With a suggest as “If adopted, those measures would improve the international standing of the NHRC and would have a high deterrent value, since the NHRC will have jurisdiction on all cases”

If adopted, these measures would improve the international standing of the NHRC and could have a high deterrent value, since the NHRC will have jurisdiction on all cases. I would very much appreciate for this letter to be shared will both Houses of Parliament. Minister of Home Affairs and Chairperson of the NHRC. My office stands ready to provide continued technical support to the Government of India and the NHRC in these matters.

Please accept, Excellency, the assurances of may highest consideration.

Zaid Ra'ad Al Hussein
High Commissioner for Human Rights

Cc: H.E.Mr. Mohammad Hamid Ansari, Chairman, Rajya Sabha
H.E.Mrs. Sumitra Mahajan, Speaker, Lok Sabha
H.E.Mr.Rajnath Singh, Minister of Home Affairs
Mr.H.L.Dattu, Chairperson NHRC India

08.07.2017

From

Henri Tiphagne,
32, Besant Road,
Chokkikulam,
Madurai -625002
Tamil Nadu

To

The Public Information Officer (RTI)
National Human Rights Commission,
Manav Adhikar Bhawan Block-C,
GPO Complex, INA,
New Delhi – 110023.

Respected Sir,

Sub: Application under Sec 6(1) of Right to Information Act-2005 Submitted.

I am a bonafide citizen of India and I am submitting herewith an application under Sec 6(1) of Right to information Act, 2005 requesting to provide particulars of information sought for found below in the said application.

I have paid Rs.10/- towards application fee and I have undertaken to pay the requisite charges required for the information to be supplied to us on receipt of communication from your goodself to that effect.

Questions

- 1.) A letter dated 12.04.2017 has been sent by the United Nations High Commissioner for Human Rights addressed to the H.E.Mrs. Sushma Swaraj, Minister of External Affairs of India by marking copy to H.E.Mr.Mohammad Hamid Ansari, Chairman, Rajya Sabha, H.E.Mrs. Sumitra Mahajan, Speaker, Lok Sabha, H.E.Mr.Rajnath Singh, Minister of Home Affairs, Mr. H.L.Dattu, Chairperson NHRC India furnishing the recommendations for attending NHRC's core functions in the following measures.

Establishing an open, transparent and merit based selection process for the members of the governing body of the NHRC by giving equal representation to all sections of the society.

Appointing an advisory council to the governing body of NHRC without voting rights comprising NGOs, civil society actors and independent experts.

Empowering NHRC to issue independently its own rules of procedure and guidelines with provisions for citing any person for violations for these procedures and guidelines.

Establishing three additional offices of NHRC in Eastern, Western and Southern parts of India and providing the Commission with appropriate funds to carry out its mandate.

Establishing a toll-free-national- helpline for contacting NHRC in emergency and urgent situations of grave violations of human rights.

Empowering NHRC to cover all relevant cases involving paramilitary forces and the army, including in the Jammu & Kashmir state.

Empowering NHRC to inquire into alleged human rights violations and abuses by the armed forces of India. With a suggest as "If adopted, those measures would improve the international standing of the NHRC and would have a high deterrent value, since the NHRC will have jurisdiction on all cases"

- 2.) Kindly provide the date of receipt of the above letter by the Hon'ble Chairperson.
- 3.) Kindly provide the follow up action/steps have been initiated by Hon'ble Chairperson on this letter.
- 4.) Kindly provide the proof of the said follow up action

Yours sincerely,



(Henri Tiphagne)

By Speed Post

File No.10(36)2017-Coord
National Human Rights Commission
Manav Adhikar Bhavan
C-Block, GPO Complex,
INA, New Delhi-110023

Dated 18th July 2017

To

Shri Henri Tiphagne
32, Besant Road
Chokkiulam
Madurai-625002
Tamil Nadu


Sir,

Kindly refer to your Online RTI application dated 08.07.2017 seeking information under RTI Act 2005 about the receipt of United Nations High Commissioner for Human Rights letter dated 12.04.2017 received in the Commission.

2. In this regard, it is informed that the above mentioned letter does not seem to have been received in the Coordination division of the Commission.
3. The details of the Appellate Authority in the matter of RTI are as under:-

Sh. J.S.Kochher,
Joint Secretary (T&R)
National Human Rights Commission
Manav Adhikar Bhawan, GPO Complex, INA
New Delhi-110023.

Yours faithfully,


(B.S.Nagar)

Under Secretary (Coord)/ PIO

Copy to:-Nodal Officer(Dak & By Hand),RTI,NHRC w.r.t his letter
No.16(1)/PIO/2005/50211 dated 10.07.2017-for information



राष्ट्रीय मानव अधिकार आयोग
National Human Rights Commission
मानव अधिकार भवन- ब्लॉक C, आई एन ए, नई दिल्ली - ११००२३ भारत
Manav Adhikar Bhawan, Block - C, INA, New Delhi - 110023 INDIA
Fax : 91-011-24651329, Tele No. 2466 3280
E-mail : nhrnga@nic.in
Website : www.nhrc.nic.in

Dated : 20th July, 2017

To,

Sh. Henri Tiphagne,
32, Besant Road,
Chokkikulam,
Madurai-625002
Tamil Nadu.

Sub: Request for information (under RTI Act, 2005).

Sir,

I am to refer to your RTI application dated 08/07/2017 received in Central Registry on 10.7.2017 seeking information under RTI Act 2005. The required information pertaining to Central Registry in respect of point no.2 is as under:-

Pt. No.	Information called for	Reply to the information called for
2	Kindly provide the date of receipt of the above letter (letter dated 12.4.2017 sent by the United Nations High Commissioner for Human Rights to Hon'ble Chairperson/NHRC) by Hon'ble Chairperson.	The letter dated 12.4.2017 sent by the United Nations High Commissioner for Human Rights to Hon'ble Chairperson/NHRC has not been received in Central Registry according to the RTMIS.

The reply to the remaining points will be given by the concerned PIO.

Dr. Ranjeet Singh, Joint Secretary, (P&A), NHRC, is the first appellate authority.


(D.M. Tripathy)

PIO cum Under Secretary (G.A.)

Copy to :

1. The Under Secretary (Coord) with reference to R.C. 16 (1)/PIO/2005/RTI/2017/50211 dated 10.7.2017.
2. The Nodal Officer/RTI Unit -Online Application with reference to R.C. 16 (1)/PIO/2005/RTI/2017/50211 dated 10.7.2017