

Chapter 5

NEW

SHRCs: Struggling with Capacity Deficits

Governments across the country, whether at the Centre or in the states, are bound to promote and protect human rights. The compulsion for this is written into the basic structure of our Constitution. It aligns with India's commitment to realising the rights and freedoms enshrined in the United Nations Declaration of Human Rights and accords with the obligations in the international treaty agreements that the country has undertaken as a member of the comity of nations. At home, all agencies of state are required to function within these boundaries.

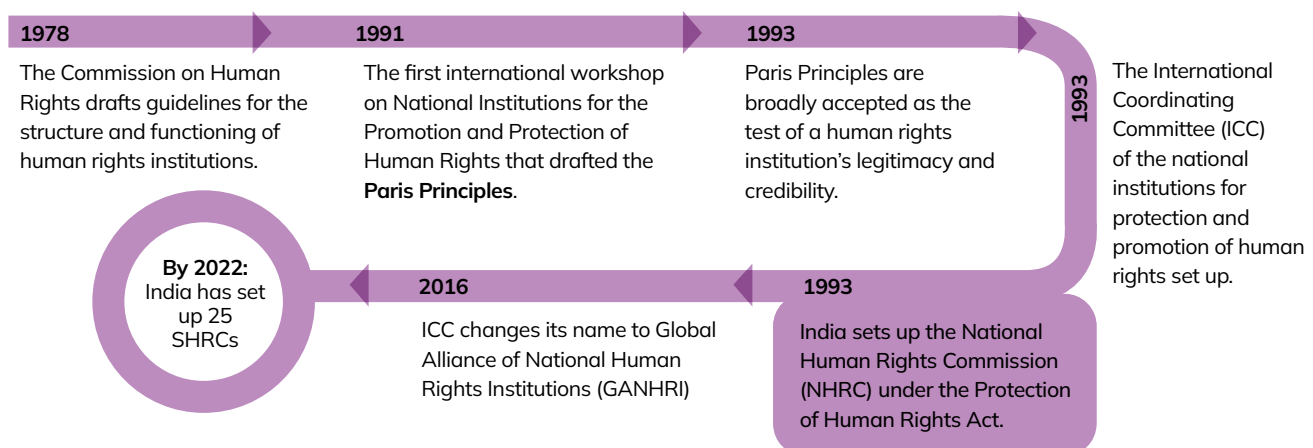
To ensure the effective realisation of human rights, in 1993 India set up its first dedicated human rights institution, the National Human Rights Commission (NHRC) under the Protection of Human Rights Act (PHRA), 1993. Since then, 25 State Human Rights Commissions (SHRCs) have been established along the lines of the NHRC.

As quasi-judicial bodies, human rights commissions are tasked with scrutinising complaints they receive from

individuals, their representatives, third parties, non-governmental organisations or any other representative body. They also have the power to initiate inquiries into suspected human rights violations on their own volition and are mandated to visit any jail, hospital, juvenile or welfare home run by the government and make recommendations for improvement in living conditions; review safeguards provided under the Constitution for the protection of human rights and recommend measures for their implementation. As part of their function to promote a culture and understanding of human rights, they are required to undertake research and awareness activities. As they are provided with all the powers of a civil court, they can summon and examine witnesses under oath, receive evidence on affidavits, order discovery and production of any document and requisition any public record from any court or office.

On receipt of a complaint, the SHRC must evaluate whether it falls under its terms of reference and makes a reasonable case of rights violation and after consideration,

Timeline of development of international standards



GANHRI and the Paris Principles

Representing more than 110 National Human Rights Institutions (NHRIs), their members and staff across all regions, the Global Alliance of National Human Rights Institutions (GANHRI)¹ is one of the largest human rights networks worldwide—of which India is also a member.² In 1991, the first International Workshop on National Institutions

for the Promotion and Protection of Human Rights drafted and adopted the Paris Principles that set out the minimum standards for NHRIs to function effectively.³ Endorsed by the Vienna World Conference on Human Rights in 1993, these principles are accepted as the test of an institution's legitimacy and credibility.⁴ India has committed to upholding the Paris Principles.⁵

either dismiss the complaint or make recommendations on the action to be taken under Section 18 of the PHRA. However, despite being set up as a quasi-judicial body, commission recommendations are predominantly not binding on parties and this remains, arguably, one of the primary flaws in the design of these bodies.

As recently as 2021, the Madras High Court⁶ observed that the perception that “the recommendations of the Commissions lack legal sanctity, and hence can be trifled with, does not augur well towards addressing the complaints of human rights violation in the country where the written Constitution reigns supreme” and adjudged that the SHRC's recommendations under Section 18 of the PHRA are binding and legally enforceable on government authorities.

Composition of a SHRC

State commissions may be chaired by a former Chief Justice or a judge of a high court. Two members—a former high court or district court judge and the other an expert “with knowledge and practical experience in matters related to human rights”—along with a secretary make up the executive staff.⁷ The chair and members form the adjudicating body able to issue directions/recommendations for compliance. The secretary, who

is also the chief executive officer (CEO), not below the rank of a secretary to the state government, exercises all administrative and financial functions.

Human resources

SHRC, total staff vacancy (% , 2020-21)

SHRC executive staff vacancy (% , 2022)

In 2020-21,⁸ 13 states worked with more than 25 per cent vacancies in their overall staff.⁹ Only Assam and Sikkim SHRCs had more staff than sanctioned.¹⁰ Nationally, vacancies across 25 commissions stood at 44.3 per cent.

An SHRC is required to have two members—judicial and non-judicial—in addition to the chairperson. As of 2022, all SHRCs except Punjab had chairpersons in place; Chhattisgarh, Jharkhand and Manipur were carrying on under acting chairs and in 6 states one out of two members was missing.¹¹ Uttar Pradesh, Manipur and Jharkhand functioned without any members. Set up in 2010 Jharkhand's Commission has, since 2018, functioned with only an acting chairperson and secretary, and the Chhattisgarh Commission, set up in

1 The Global Alliance of National Human Rights Institutions (GANHRI) is the member-based global alliance that represents the largest human rights network worldwide. It works in accordance with the Paris Principles to support NHRIs and conducts a peer-review based accreditation process to ensure NHRIs' compliance with the Paris Principles. See: <https://ganhri.org/>

2 GANHRI brings together and supports national human rights institutions to promote and protect human rights. See: <https://ganhri.org/>

3 Paris Principles, Global Alliance of National Human Rights Institutions (GANHRI). Available at: <https://ganhri.org/paris-principles/>

4 Office of the United Nations High Commissioner for Human Rights, National Human Rights Institutions—History, Principles, Roles and Responsibilities, 2010. Available at https://www.ohchr.org/sites/default/files/Documents/Publications/PTS-4Rev1-NHRI_en.pdf

5 GANHRI's accreditation process is a peer review to accredit NHRIs in relation to their compliance to the Paris Principles. India has been granted 'A' status for being fully compliant with the Paris Principles. See: <https://ganhri.org/membership/>

6 Order dated 5 February 2021 in the case *Abdul Sathar vs The Principal Secretary to Government and 5 others*, W.P. No. 41791 of 2006. Available at: <https://www.mhc.tn.gov.in/judis/index.php/casestatus/viewpdf/590370>

7 Section 21 of the Protection of the Human Rights Act. Available at: https://nhrc.nic.in/sites/default/files/PHRAAct_2021_0.pdf

8 Data is based on RTI responses received from the state commissions.

9 Bihar, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Maharashtra, Manipur, Odisha, Punjab, Rajasthan, Tripura, Uttar Pradesh and Uttarakhand.

10 Data for Bihar, Haryana, Kerala, Odisha and Uttar Pradesh is as of 2022. Chhattisgarh and Gujarat SHRCs provided partial information with regard to staff strengths. Consequently, they have been scored 0.

11 Chhattisgarh, Odisha, Punjab, Rajasthan, Sikkim and West Bengal.

2001, has been functioning with an acting chairperson and one member since 2020. Chhattisgarh, Maharashtra, Telangana and West Bengal commissions worked without secretaries/CEOs.

Independent investigation into rights violations is central to any commission's effectiveness. The capacity for this rests on the presence of investigative staff. The statute provides for "such police and investigative staff under an officer not below the rank of an Inspector General of Police and such other officers and staff as may be necessary."¹² In the absence of a cadre of their own, commissions must rely on staff drawn from within the government and from amongst people with experience

of administration or the courts.¹³ In practice, along with a senior police officer of the rank of an Inspector General or Deputy Inspector General, two officers of the rank of Superintendent of Police (SP), Additional Superintendent (ASP) or Deputy Superintendent (Dy. SP) and one inspector on deputation to the commission make up the investigative arm of state commissions.

Sanctioned investigative staff varied from state to state, some included the number of constables in their response,¹⁴ while others like Maharashtra, Odisha, Sikkim and Tamil Nadu did not. All except Himachal Pradesh, Rajasthan and Uttarakhand, reported a shortfall. Eleven Commissions functioned with an investigative staff

Figure 37: Vacancies in the Commissions

Across India's 25 SHRCs, vacancy is a serious issue. Nationally on average, nearly 1 in 2 positions are vacant, the highest in Punjab with 94%

| | Executive staff (March 2022) | | Total staff (2020-21) | | |
|------------------|------------------------------|-----------|-----------------------|-----------------|-------------|
| | Sanctioned | Appointed | Sanctioned | Actual | Vacancy (%) |
| Andhra Pradesh | 4 | 4 | NA | NA | NA |
| Assam | 4 | 4 | 32 | 38 | Extra staff |
| Bihar | 4 | 4 | 100 | 71 | 29 |
| Chhattisgarh | 4 | 2 | 98 | NP ² | NA |
| Goa | 4 | 4 | 34 | 26 | 24 |
| Gujarat | 4 | 4 | 80 | 23 | 71 |
| Haryana | 4 | 4 | 97 | 65 | 33 |
| Himachal Pradesh | 4 | 4 | 36 | 12 | 67 |
| Jharkhand | 4 | 2 | 22 | 14 | 36 |
| Karnataka | 4 | 4 | 111 | 87 | 22 |
| Kerala | 4 | 4 | 42 | 40 | 5 |
| Madhya Pradesh | 4 | 4 | 105 | 92 | 12 |
| Maharashtra | 4 | 3 | 30 | 18 | 40 |
| Manipur | 4 | 2 | 41 | 10 | 76 |
| Meghalaya | 4 | 4 | 31 | 29 | 6 |
| Odisha | 4 | 3 | 69 | 47 | 32 |
| Punjab | 4 | 2 | 182 | 11 | 94 |
| Rajasthan | 4 | 3 | 69 | 28 | 59 |
| Sikkim | 4 | 3 | 13 | 21 | Extra staff |
| Tamil Nadu | 4 | 4 | 81 | 70 | 14 |
| Telangana | 4 | 3 | 98 | 83 | 15 |
| Tripura | 4 | 4 | 32 | 22 | 31 |
| Uttar Pradesh | 4 | 2 | 85 | 32 | 62 |
| Uttarakhand | 4 | 4 | 47 | 4 | 91 |
| West Bengal | 4 | 2 | 94 | 78 | 17 |
| All India | 100 | 83 | 1,629 | 921 | 43 |

Note: 1. States arranged in alphabetical order. 2. Data on actual staff not provided either through RTIs or on its website.

NA: Not available.

Source: RTI applications filed by the IJR team

¹² Section 27(1)(b) of the Protection of Human Rights Act, 1993. Available at: https://nhrc.nic.in/sites/default/files/PHRAAct_2021_0.pdf

¹³ Commonwealth Human Rights Initiative, *Human Rights Commissions: A Citizen's Handbook*, 2004.

¹⁴ Bihar, Madhya Pradesh, Telangana, West Bengal.

strength ranging from one to five in 2022.¹⁵ The Assam, Jharkhand, Manipur and Sikkim commissions reported no investigative staff.

Workload

Average case clearance rate
(%, 2018-19, 2019-20, 2020-21)

In the absence of a full cohort to investigate and decide on whether there have been human rights violations delays and year-on-year pile ups become inevitable. Each year, thousands of victims approach human rights commissions. In 2020-21 alone complaints across all SHRCs stood at 1,02,608. Eight SHRCs disposed of less than 60 per cent of complaints received,¹⁶ with Meghalaya (28 per cent) clearing the least, followed by Maharashtra (29 per cent), Rajasthan (30 per cent) and Odisha (48 per cent). Bihar (99 per cent) and Chhattisgarh (94 per cent) cleared almost all the cases they received. Cumulative arrears at the end of 2020-21 stood at 33,312.

Between 2018-19 and 2020-21, 3 commissions— Manipur (28 per cent), Rajasthan (52 per cent) and Uttar Pradesh (45 per cent)—recorded an average case clearance rate lower than 60 per cent. Assam (122 per cent), Karnataka (118 per cent) and Madhya Pradesh (105 per cent) cleared more than they received during this period, while Bihar recorded a 100 per cent case clearance rate.

It is unclear how many complaints were rejected outright because they were not within a commission's mandate or went on to being finally investigated, adjudicated and recommended for corrective measures.

Diversity

Share of women in total staff
(%, 2020-21)

Share of women in executive staff (%, 2022)

The Paris Principles provide for the composition of NHRIs and appointment of its members in accordance

with procedure “that guarantees to ensure the pluralist representation of civil society.”¹⁷ Consequently, to align with the Principles, the Protection of Human Rights Act, 1993 was amended in 2019 to statutorily include one woman among five members of the National Human Rights Commission. However, in the two and a half decades of its existence, the NHRC has never had a female chairperson, has only ever had three women members, and never two women members serving at the same time.

Despite the emphasis on pluralism, the PHRA amendment, however, does not extend to the state commissions. Nationally, the share of women in overall staff across commissions, as of 2020-21, stood at 17.1 per cent. Neither available annual reports nor websites of SHRCs document diversity nor make mention of caste, religion, or gender compositions. As of 2022, only 6 commissions had women as members or as secretaries.¹⁸ There were no women chairpersons and only Kerala, Meghalaya and Punjab had one woman member each. Only Assam, Goa and Uttar Pradesh had women at the secretary level.

Budgets and Expenditure

Budget utilised (%, 2020-21)

Budget utilised
(pp, FY 2016-17 - 2020-21)

Budget Utilised between 2016-17 and 2020-21: Human rights commissions depend on funding from the state governments, which in turn depend on the states' own priorities and resources available to them. A five-year (2016-2020) assessment of sanctioned and utilised funds signals the low priority afforded to these institutions. Between 2016 and 2020, nine commissions¹⁹ recorded an increase in utilisation, with Himachal Pradesh (14.42 percentage points) recording the highest increase in utilisation followed by Sikkim (4.73 percentage points) and Jharkhand (4.37 percentage points). But nine²⁰ recorded a decrease: Rajasthan (-10.21 percentage points) recorded the biggest fall, followed by West Bengal (-10.20 percentage points) and Maharashtra (-5.70 percentage points). Four states—Assam, Madhya

15 Data on sanctioned and working strength of investigative staff is based on RTI replies received from state commissions. This has not been ranked as an indicator for this report.

16 Goa, Maharashtra, Manipur, Meghalaya, Odisha, Punjab, Rajasthan and Uttar Pradesh.

17 Paris Principles, 'Composition and guarantees of independence and pluralism'. Available at: <https://ganhri.org/paris-principles/>

18 Assam, Goa, Kerala, Meghalaya, Punjab and Uttar Pradesh.

19 Bihar, Chhattisgarh, Goa, Gujarat, Himachal Pradesh, Jharkhand, Kerala, Sikkim and Tripura.

20 Haryana, Karnataka, Maharashtra, Meghalaya, Odisha, Punjab, Rajasthan, Tamil Nadu and West Bengal.

Pradesh, Uttar Pradesh and Uttarakhand—utilised their entire sanctioned budgets between 2016-17 and 2020-21.

Budget Utilised in 2020-21: In 2020-21, sanctioned budgets ranged from Rs. 64 lakh to 8 crore. Haryana's Commission, which received 2,500 complaints in 2020-

21, was sanctioned the most (Rs. 8 crore), followed by Telangana which received 4,319 complaints and was sanctioned Rs. 7.6 crore. Himachal Pradesh with 1,381 complaints, was sanctioned the least—Rs. 64 lakh.

The total allocation across 25 SHRCs stood at Rs. 105 crore in 2020-21. Eleven commissions,²¹ recorded an

Figure 38: Cases received and disposed by SHRC over three years

Information provided by states was patchy. The average national case clearance rate over three years (2018-2021) stands at 75% while in 2020-21 it stands at 68%.

| | Cases received | | | Cases disposed | | | Case clearance rate ⁴ | | |
|-------------------------------|----------------|----------------|----------------|----------------|---------------|---------------|----------------------------------|-----------|-----------|
| | 2018-19 | 2019-20 | 2020-21 | 2018-19 | 2019-20 | 2020-21 | 2018-19 | 2019-20 | 2020-21 |
| Andhra Pradesh ¹ | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Assam | 302 | 310 | 304 | 476 | 370 | 270 | 158 | 119 | 89 |
| Bihar | 8,062 | 6,105 | 6,828 | 7,676 | 6,475 | 6,777 | 95 | 106 | 99 |
| Chhattisgarh | 1,326 | 1,120 | 1,294 | 1,425 | 1,046 | 1,219 | 107 | 93 | 94 |
| Goa | 289 | 159 | 279 | 286 | 97 | 163 | 99 | 61 | 58 |
| Gujarat | 3,210 | 3,087 | NR | 3,201 | 3,031 | NR | 100 | 98 | NA |
| Haryana | 2,405 | 2,823 | 2,501 | 1,939 | 3,707 | 2,109 | 81 | 131 | 84 |
| Himachal Pradesh ² | NA | NA | 1,381 | NA | NA | 1,300 | NA | NA | 94 |
| Jharkhand | 944 | 639 | 719 | 838 | 608 | 594 | 89 | 95 | 83 |
| Karnataka | 5,570 | 4,545 | 4,704 | 6,527 | 6,547 | 4,429 | 117 | 144 | 94 |
| Kerala | 10,847 | 9,689 | 8,803 | 10,379 | 7,536 | 5,868 | 96 | 78 | 67 |
| Madhya Pradesh | 9,422 | 9,651 | 8,677 | 10,291 | 9,842 | 9,014 | 109 | 102 | 104 |
| Maharashtra | 6,770 | 4,659 | 3,763 | 5,368 | 3,559 | 1,083 | 79 | 76 | 29 |
| Manipur | 89 | 126 | 216 | 31 | 21 | 67 | 35 | 17 | 31 |
| Meghalaya | 21 | 23 | 32 | 16 | 18 | 9 | 76 | 78 | 28 |
| Odisha | 4,246 | 3,540 | 4,442 | 2,633 | 5,191 | 2,137 | 62 | 147 | 48 |
| Punjab | 12,046 | 11,100 | 11,121 | 10,987 | 10,193 | 5,884 | 91 | 92 | 53 |
| Rajasthan | 5,647 | 5,544 | 2,154 | 3,846 | 3,199 | 652 | 68 | 58 | 30 |
| Sikkim | 11 | 7 | 6 | 11 | 6 | 5 | 100 | 86 | 83 |
| Tamil Nadu | 13,701 | 13,408 | 11,999 | 10,429 | 10,311 | 7,253 | 76 | 77 | 60 |
| Telangana ³ | NA | NA | 4,319 | NA | NA | 2,873 | NA | NA | 67 |
| Tripura | 65 | 66 | 55 | 64 | 53 | 43 | 98 | 80 | 78 |
| Uttar Pradesh | 29,375 | 22,635 | 22,989 | 13,995 | 7,672 | 12,023 | 48 | 34 | 52 |
| Uttarakhand | 2,201 | 1,921 | 1,893 | 2,068 | 1,594 | 1,290 | 94 | 83 | 68 |
| West Bengal | 4,013 | 3,896 | 4,129 | 1,877 | 2,858 | 4,234 | 47 | 73 | 103 |
| All India | 120,562 | 105,053 | 102,608 | 94,363 | 83,934 | 69,296 | 78 | 80 | 68 |

Notes: 1. AP SHRC, Kurmool constituted w.e.f. 21.03.2021. 2. SHRC constituted w.e.f. 01.07.2020. 3. T 3. SHRC was constituted and started functioning w.e.f. 19.12.2019. 4. Cases disposed for every 100 cases received.

NA: Not available. NR: No response.

Source: RTI applications filed by the IJR team

increase in budget allocation between 2019-20 and 2020-21 while 10 recorded a decrease.²² Manipur's budget grew by 66 per cent, increasing from Rs. 83 lakh in 2019-20 to 1.3 crore in 2020-21; while Uttarakhand plummeted 67 per cent from Rs. 3 crore to 1 crore.

A majority of SHRCs utilised more than 60 per cent in 2020-21.²³ West Bengal (32.2 per cent), Manipur (45.1 per cent) and Rajasthan (48.3 per cent) recorded the least utilisation. Only 5 commissions—Assam, Madhya Pradesh, Tamil Nadu, Uttar Pradesh and Uttarakhand—utilised their entire budget. The commissions of Bihar (119 per cent), Kerala (109 per cent) Chhattisgarh (106 per cent) and Telangana (101 per cent) record utilising more than their allocated budgets.

Between 2019-20 and 2020-21, 10 commissions showed an increase in budget utilisation.²⁴ Nationally, on average, states utilised 86 per cent—an increase from 80 per cent in 2019-20.

Status of Websites of State Human Rights Commissions

Considering the NHRC's website as a representation of the services provided and how accessible these services should be, the India Justice Report assessed (but did not rank) the user-friendliness of the websites of the commissions in ensuring the availability of guidelines for filing complaints, the status of complaints and judgments, as well as the availability of information in local languages. The websites were checked thrice between April and November 2022.

Only 4 of the 25 currently functioning commissions—namely Andhra Pradesh, Manipur, Meghalaya and Telangana—did not have a functioning website. With the exception of Uttarakhand, no state offered a complete bouquet of services to its citizens. Only 11 commissions provided guidelines to citizens on filing complaints, while only 6 commissions uploaded judgments of complaints regularly on their websites.

Most websites were available only in English and not necessarily in state languages. For instance, Madhya Pradesh's website was available only in English while

Uttar Pradesh, with a projected population of 23.48 crore in 2021, had the highest number of cases—22,989 in 2020-21—and received ₹5.7 crore during the same year.

in Karnataka, Maharashtra, Bihar and Uttar Pradesh, information was available in Kannada, Marathi and Hindi respectively. For Kerala, there was an option to view the website in Malayalam, however, this feature was not active.

Methodology

This study captures the capacity of 25 human rights commissions on seven indicators across four themes—human resources, diversity, workload and budgets. Each theme represents a precondition necessary for the commissions to function effectively and the seven indicators represent information available evenly across all states. This allows for a fair comparison against the benchmarks the states have set for themselves. The performance of an SHRC on each indicator is added up to derive the total score which allows comparative ranking.

Excluded states: The IJR omits Assam and Manipur where the long-term presence of the Armed Forces (Special Powers) Act (AFSPA) has significantly affected the administration of justice and hence does not allow for comparisons with states that do not have these laws. After the enactment of the Jammu and Kashmir Reorganisation Act, 2019 the SHRC in the state was closed.

Benchmarks: The Protection of Human Rights Act, 1993 outlines the establishment, powers and functions of the state human rights commissions, and has been used as the benchmark to assess their performance. International standards set up under the Global Alliance of National Human Rights Institutions (GANHRI) and the Paris Principles have also been referred to.

Scoring and ranking: For states whose values were missing for certain indicators, we did the following. If

21 Haryana, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Punjab, Rajasthan, Sikkim and Tamil Nadu.

22 Assam, Chhattisgarh, Gujarat, Karnataka, Kerala, Odisha, Tripura, Uttar Pradesh, Uttarakhand and West Bengal.

23 Data on utilisation of budgets does not include utilisation by Andhra Pradesh as the commission was constituted in 2021.

24 Bihar, Chhattisgarh, Goa, Gujarat, Himachal Pradesh, Karnataka, Kerala, Meghalaya, Punjab and Tripura.

Figure 39: Accessing SHRCs

Using the NHRC website as a model, India Justice Report assessed (but did not rank) the user-friendliness SHRCs' websites. The websites were checked thrice between April and November 2022. Except Uttarakhand, no state offered a complete bouquet of services to its citizens.

| State | SHRC established on | Local Languages on websites | Complaint Facilities | | | | Proactive Disclosures under Section 4, Right to Information Act | |
|-----------------------------|---------------------|-----------------------------|----------------------|-----------------------------|--|--------------------------------------|---|---------------------------------------|
| | | | Link to HRCNet | Local Languages on websites | Guidelines/ FAQs on filing offline cases | Status of cases (online and offline) | | Availability of orders and judgements |
| Andhra Pradesh ¹ | 2021 | No Website | | | | | | |
| Assam | 1996 | NA | NA | NA | Yes | NA | NA | NA |
| Bihar | 2008 | Hindi | Yes | Available ² | Yes | NA | Yes ³ | NA |
| Chhattisgarh | 2001 | NA | Yes | NA | Yes | Yes | NA | NA |
| Goa | 2011 | NA | NA | NA | NA | NA | Yes ⁴ | Yes |
| Gujarat | 2006 | NA | NA | NA | Yes | Yes | NA | Yes |
| Haryana | 2012 | NA | Yes | NA | NA | NA | Available | NA |
| Himachal Pradesh | 2020 | NA | Yes | Available | NA | Available | NA | NA |
| Jharkhand | 2010 | NA | NA | NA | NA | NA | Available | NA |
| Karnataka | 2007 | Kannada | Yes | Available | NA | Available | Available | NA |
| Kerala | 1998 | NA | Yes | NA | FAQs | NA | Available | NA |
| Madhya Pradesh | 1995 | NA | Yes | NA | Guidelines | NA | NA | NA |
| Maharashtra | 2001 | Marathi | Yes | NA | Available ⁵ | Yes | NA | NA |
| Manipur | 2018 | No Website | | | | | | |
| Meghalaya | 2016 | No Website | | | | | | |
| Odisha | 2000 | NA | Yes | Available | Available | Yes | NA | NA |
| Punjab | 1997 | Yes | NA | NA | NA | NA | NA | NA |
| Rajasthan | 1999 | Hindi | NA | Available | Available | Yes | Yes ⁶ | NA |
| Sikkim | 2008 | NA | NA | NA | NA | NA | NA | NA |
| Tamil Nadu | 1997 | NA | NA | NA | NA | NA | NA | NA |
| Telangana | 2019 | No Website | | | | | | |
| Tripura | 2016 | NA | Available | NA | Available | Available | NA | NA |
| Uttar Pradesh | 1996 | Yes | Available | NA | NA | Available | Yes ⁶ | NA |
| Uttarakhand | 2013 | Yes | Available | Available | Available | Available | Available | NA |
| West Bengal | 1995 | No | NA | NA | NA | NA | Available | NA |

1. Reconstituted after bifurcation. 2. Not readily available, can be found after going through all notices published by the SHRC at the bottom of the page. 3. Important decisions available on website; arranged year-wise; orders and judgements available in Hindi. 4. 39 important decisions available. 5. FAQs listed but not accessible; guidelines available. 6. Important decisions only. Source: Websites of the SHRCs

the value was missing because there was an objective circumstance for the data to be missing, such as commissions set up less than five years ago, we reduced the number of parameters while working out its pillar score. However, if the value was missing because the state did not provide data or provided partial data, the scoring continued to take account of parameters common to all states.

Sources of data: Departmental websites and annual reports were the first choice for accessing data. However, as websites were frequently out of date, incomplete and did not proactively disclose information under Section 4, RTI Act; detailed information about human resources,

gender diversity, workload and budgets pertaining to periods between 2016 to 2022 was sought through 145 Right to Information applications. We also used data published by Transparency International India in its report.²⁵ All data sought was within the statutory definition of what is to be proactively disclosed without any request from the public under Section 4 of the RTI Act, 2005. State budget documents were relied on for data related to budgets.

Maja Daruwala, India Justice Report;
Nayanika Singhal, India Justice Report



²⁵ Transparency International India, 2019, Protection of Human Rights in India: Working of NHRC/SHRC (1993-2018). Available at: <https://transparencyindia.org/wp-content/uploads/2019/12/Protection-of-Human-R%E2%81%ACights-in-India-as-on-9th-Dec-2019.pdf>