

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 2260**

TO BE ANSWERED ON THE 14TH MARCH, 2023/ PHALGUNA 23, 1944 (SAKA)

FUNCTIONING OF SHRC IN J&K

2260. SHRI HASNAIN MASOODI:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the State Human Rights Commission has not been functional in Jammu & Kashmir since October 2019; if so, the details thereof, along with the reasons;

(b) the status and the number of the pending cases transferred to the National Human Rights Commission from October 2019;

(c) whether any step being taken by the Government to ensure early disposal of cases transferred from J&K Human Rights Commission to National Human Rights Commission after the bifurcation of the erstwhile State into Union Territory; and

(d) if so, the details thereof, if not, reasons therefor along with total number of fresh cases registered from Jammu & Kashmir with the National Human Rights Commission from October 2019 to December 2022?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI NITYANAND RAI)**

(a)&(b): By virtue of the Jammu and Kashmir Reorganization Act, 2019, the Jammu and Kashmir Protection of Human Rights Act, 1997 has been repealed, and the application of corresponding Central Act i.e. The Protection of Human Rights Act, 1993 has come into force. Accordingly, the erstwhile State Human Rights Commission in Jammu and Kashmir was

wound up on 23.10.2019. As per the Jammu and Kashmir Reorganisation (Adaptation of Central Laws) Order, 2020, notified on 18.03.2020, the functions relating to human rights in case of Union Territory of Jammu and Kashmir shall be dealt with by the National Human Rights Commission (NHRC). By virtue of the aforesaid notification, the jurisdiction regarding Human Rights cases of Union Territory of Jammu and Kashmir vests in the NHRC. The total complaints that were pending before the Commission at the time of its winding up were 765.

(c)&(d): National Human Rights Commission is a Statutory Body and Commission has autonomy in its functioning. Total 1164 cases pertaining to the State of Jammu and Kashmir have been registered with the NHRC from 1st October, 2019 to December, 2022, as per the information provided by NHRC. Out of those, 111 have been considered and closed by the Commission, 368 have been disposed of with direction, 484 have been dismissed in limini, compensation has been recommended in one case and 200 cases are pending for consideration of the Commission.
