

# Human Rights Courts

May 8, 2020

## About the Human Rights Courts

- One of the objectives of the **Protection of Human Rights Act, 1993** as stated in the preamble of the Act, is the **establishment of human rights courts at district level**. The creation of Human Rights Courts at the district level has a great potential to protect and realize human rights at the grassroots.
- The Protection of Human Rights Act, 1993 (section 30) provides for establishment of Human Rights Courts for the purpose of providing speedy trial of offences arising out of violation of human rights. It provides that the **state Government may, with the concurrence of the Chief Justice of the High Court**, by notification, specify for each district a Court of Sessions to be a Human Rights Court to try the said offences. The object of establishment of such Courts at district level is to ensure speedy disposal of cases relating to offences arising out of violation of human rights. **Section 31 of the Act provides the State government to specify and appoint a special public prosecutor in that court.**
- The Act however does not define or explain the meaning of “offences arising out of violations of human rights”. It is vague. The Act also is silent about taking cognizance of the offence.
- Violations of human rights which constitute penal offences are already being tried and punished in the Criminal Courts. Only such violations which are not covered as offences in any criminal law need to be taken cognizance of, inquired into and redressed by human rights court.