



Complaint Against Police Action on BPSC Students | Bihar | 02 Jan 2025

Why in News?

A Bihar-based advocate has filed a complaint with [the National Human Rights Commission \(NHRC\)](#) regarding the **police lathi charge on BPSC students** protesting for a re-examination of the **70th BPSC Combined (Preliminary) Competitive Examination (CCE)** after an **alleged paper leak**.

Key Points

- **Examination Controversy:**
 - The **BPSC exam, conducted on 13th December 2024**, saw 3.28 lakh candidates across 912 centres.
 - **Allegations of a paper leak** at one of the exam centers led to the announcement of a **re-examination on 4th January 2025** for affected candidates.
 - The **commission denied the paper leak**, asserting that the exam was peaceful at other centres.
- **Protests and Police Action:**
 - For 15 days, BPSC aspirants protested at **Gardanibagh, Patna, demanding justice**.
 - On 28th December 2024, **police used canes and water cannons to disperse the crowd**.
 - Following the lathi charge, a delegation of students met the Chief Secretary to present their demands.
- **Allegations of Excessive Force:**
 - It is **alleged that police fractured students' bones and used force indiscriminately**, even against peaceful protesters with folded hands.
 - Police used water cannons on protesters during chilling winter nights, describing the actions as aggravated **human rights violations**.
 - The complaint also claimed that **male police officers brutally beat female protesters** in the presence of senior officials.
- **Constitutional and Ethical Violations:**
 - The excessive force violated **Article 19(1)(b) of the Constitution**, which guarantees the right to peaceful assembly.
 - Code of Conduct was breached as **Principle 4 of India's Police Code of Conduct**, emphasized that force should be minimal and used only as a last resort after persuasion, advice, and warnings

NATIONAL HUMAN *Rights* COMMISSION (NHRC)

According to NHRC, Human Rights are the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India

- Watchdog of Human Rights in India
- **Estd:** 1993 (in conformity with Universal Declaration of Human Rights)
- **Act:** Protection of Human Rights Act (PHRA), 1993

State Human Rights Commissions

- Also constituted under the PHR Act, 1993
- **Appointment of Members:** by Governor
- **Removal of Members:** by President

Human Rights Day: 10 December

Functions

- ⌚ Investigates Complain of human rights violations
- ⌚ *Suo Moto* cognizance of cases
- ⌚ Reviews and recommends human rights implementation
- ⌚ Spreading human rights awareness
- ⌚ Conduct studies, publish reports on human rights issues

Powers

- ⌚ Summon individuals, examine witnesses, and receive evidences
- ⌚ Inspect prisons and other institutions to ensure conditions are humane
- ⌚ Intervene in court proceedings relating to human rights

Members of NHRC

Composition

- ⌚ 5 full-time members and 7 deemed members
- ⌚ **Chairperson:** Retired CJI/Judges of the SC
- ⌚ **Administrative Head:** Secretary-General

Appointment

- ⌚ All members appointed by **President** on recommendations of a **6-member** committee (PM, Speaker of LS, Deputy Chairman of RS, Union Home Minister and Leaders of Opposition of both Houses of Parliament)

Global Alliance of National Human Rights Institutions (GANHRI) Status

- NHRC has been accredited 'A' Status since 1999
- **Retained 'A' Status:** 2006, 2011 and 2017
- **Suspension of 'A' Status:** 2023 and 2024

Tenure

- ⌚ 3 years / till age 70 (whichever is earlier)

Removal

- ⌚ President can remove the chairman or any member
- ⌚ **Ground:** Charges of proved misbehaviour or incapacity



Drishti IAS