

F.No. 15011/29/2009-HR-III
Ministry of Home Affairs
Human Rights Division

1st Floor, A Wing, Lok Nayak Bhawan
Khan Market, New Delhi, the 15th
March, 2010.

To

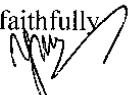
Shri Subhash Chandra Agrawal
1775, Kucha Lattushah, Dariba,
Chandni Chowk,
DELHI-110006

Subject: Appointment of NHRC Chairperson.

Sir,

Reference is invited to your e-mail dated 18th December, 2009 on the subject cited above. It is true that both Mr. Justice R.C.Lahoti and Mr. Justice Y.K.Sabharwal were eligible for appointment to the post of Chairperson, NHRC as per the provisions of the Protection of Human Rights Act, 1993. However, it was recorded in our notes, that their acceptance to the post is doubtful. In the case of Justice R.C.Lahoti the then Home Secretary had spoken to the learned Judge enquiring about his availability for the post. It appears that Mr. Justice Lahoti indicated that he was otherwise very busy and would not be in a position to accept the offer.

Because of the adverse media and other reports with regard to Mr. Justice Y.K.Sabharwal, it was felt that the highly sensitive post of Chairperson NHRC may not be offered to him. Accordingly, it was recorded on the file that Mr. Justice R.C.Lahoti and Mr. Justice Y.K. Sabharwal 'are not inclined/not available for different reasons'. As the offer of the post was made to Mr. Justice Lahoti orally there is no correspondence recorded between the Union Government and Mr. Justice Lahoti. However, the conversation between them had been reported by the then Home Secretary to the Home Minister.

Yours faithfully

(T.K.Sarkar)
Section Officer
Tel: 24616775