

HUMAN RIGHTS



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***“Sarve Bhavantu Sukhinah,
Sarve Bhavantu Niramaya,
Sarve Bhadrani Pshayantu,
Maa Kashchid Dukh Bhaag Bhavet.”***

*[O Lord! Let all beings be happy and healthy.
I wish well being to all. Let none suffer from any misery]*

Human Rights & Human Development A Vision for the 21st Century

- * On 10 December 1948, the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights.
- * Human rights and human development share a common purpose and motivation: to secure freedom, well-being and dignity for every human being.
- * States bear a primary duty to safeguard and promote human rights.

HUMAN RIGHTS

“Human rights means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution of the State”

Necessary Requisites of ‘Human Rights’

- * These are made available to all human beings
- * All men should receive these rights equally.
- * There should be no difference with regard to colour, caste, religion and culture.
- * No affected by any post or status.
- * No distinction in human rights on the basis of political, universal or international status of a country.
- * Deprivation of human rights should be heard under law.

- They may be categorized in fundamental rights of the country’s Constitution.
- Any individual may have freedom of expression and opinion any where under these rights.

Salient Points of 'Human Rights'

1. Recognition everywhere
2. Freedom of movement
3. Life, liberty and security
4. Nationality
5. Freedom of thought, conscience and religion
6. Freedom of peaceful assembly and association
7. Take part in the government of his country

INDIAN CONSTITUTION

The Constitution of India, in its Preamble, resolves to secure to all its citizens:

- (i) Justice - Social, Economic and political.
- (ii) Liberty – of thought, expression, belief, faith and worship.
- (ii) Equality – of status and of opportunity and to promote among all
- (iv) Fraternity- assuring the dignity of the individual and the unity and integrity of the nation.

Our Constitution provides and guarantees the fundamental rights to all the citizens and these rights are the Human Rights

Human rights as enumerated in the Constitution as fundamental rights are as:

1- Right to Equality

- (i) Equality before Law (Article14)
- (ii) Equality of opportunity in matters of public employment (Article14)
- (iii) Prohibition of discrimination on ground of religion, race, caste, sex, or place of birth (Article15)
- (iv) Abolition of untouchables (Article17)
- (v) Abolition of titles (Article18). 2. Right to freedom

2. Right to freedom

- (i) Freedom of speech etc. (Article19)
- (ii) Protection in respect of conviction for offences. (Article20)
- (iii) Protection of life and personal liberty. (Article21)
- (iv) Protection against detention in certain cases. (Article22)

3. Right Against Exploitation

- (I) Prohibition of traffic in human beings and forced labour. (Article23)
- (ii) Prohibition of employment of children in factories etc. (Article24)

4. Right to freedom of Religion

- (i) Freedom of conscience and free pursuit of profession, practice and propagation of religion . (Article25)
- (ii) Freedom to manage religious affairs. (Article26)
- (iii) Freedom as to payment of taxes for promotion of any particular religion. (Article27)
- (iv) Freedom as to attendance at religious places or religious worship in certain educational institutions. (Article28)

5. Cultural and Educational Remedies

- (i) Protection of interest of minorities . (Article29)
- (ii) Right of minorities to establish and administer educational institutions. (Article30)

6. Right to Constitutional remedies

Guarantees every individual whose fundamental Rights have been violated or not protected by the State the right to approach the Supreme Court for their protection. It gives the Supreme Court powers to take immediate action to stop a violation of fundamental Rights and punish the offender.

Some examples of Human Rights violations are:

- ☞ Failure of the pollution control board to take all precautions to prevent release of poisonous chemicals by industries into people's homes, fields and water sources. This is a violation of the **Right to life**
- ☞ Beating, Chaining and torture of suspects by the police. This is a violation of the **Right to human dignity and physical security.**

- ☞ Failure of a magistrate to take action on a prisoner's complaint that she is being harassed by prison wardens. This is a violation of the **Right to equal protection of law**
- ☞ Refusal of the collect orate to act against upper caste people who are not allowing Dalits to worship at a temple or drink water from a well. This is a violation of the **Right against discrimination.**

- ☞ Neglect by the labour department to enforce guidelines employers to ensure both men and women are provided equal avenues for promotion at the workplace and are given equal pay for equal work. This is violation of the **Right to equality of opportunity**
- ☞ Taking over of a shop by security forces for defence purposes without giving compensation to the owner. This is a violation of the **Right to livelihood**

- ☞ Ordering the shutting down of a newspaper by the home ministry for publishing articles criticising the chief minister. This is a violation of the **Right to freedom of expression**
- ☞ Refusal of the district administration to release details of measures taken to control floods. This is a violation of the **Right to information**

- ☞ Stopping religious from being given to children at madarasas by the intelligence bureau on the grounds that they may develop antinational views. This is a violation of the **Right to religious freedom**
- ☞ Inability of the forest department to control the timber mafia from illegally felling trees and from destroying protected forests. This is a violation of the **Right to a clean and healthy environment**.

INDIAN CONSTITUTION AND UNIVERSAL DECLARATION OF HUMAN RIGHTS

ARTICLES IN THE INDIAN CONSTITUTION	ARTICLES IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
14. THE STATE SHALL NOT DENY TO ANY PERSON EQUALITY BEFORE THE LAW OR THE EQUAL PROTECTION OF THE LAW WITHIN THE TERRITORY OF INDIA.	7. ALL ARE EQUAL BEFORE THE LAW AND ARE ENTITLED WITHOUT ANY DISCRIMINATION TO EQUAL PROTECTION OF LAW.
15(1). THE STATE SHALL NOT DISCRIMINATION AGAINST ANY CITIZEN ON GROUND ONLY RELIGION, RACE, CASTE, SEX, PLACE OF BIRTH OR ANY OF THEM.	2. EVERY ONE IS ENTITLED TO ALL RIGHTS AND FREEDOMS SET IN THIS DECLARATION OF ANY KIND, SUCH AS RACE, COLOUR, SEX, LANGUAGE, RELIGION, BIRTH OR OTHER STATUS.

ARTICLES IN THE INDIAN CONSTITUTION	ARTICLES IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
17. UNTOUCHABILITY IS ABOLISHED AND ITS PRACTICE IN ANY FORM IS FORBIDDEN.	5. NO ONE SHALL BE SUBJECT TO TORTURE OR TO CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT.
19. ALL CITIZENS SHALL HAVE THE RIGHT TO : (a) FREEDOM OF SPEECH AND EXPRESSION, (b) FORM ASSOCIATIONS OR UNIONS (c) MOVE FREELY THROUGHOUT THE TERRITORY OF INDIA.	19. EVERY ONE HAS THE RIGHT TO FREEDOM OF OPINION AND EXPRESSION. 24. EVERY ONE HAS THE RIGHTS TO FORM AND TO JOIN TRADE UNIONS FOR THE PROTECTION OF THIS INTEREST.

ARTICLES IN THE INDIAN CONSTITUTION	ARTICLES IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
21. NO PERSON SHALL BE DEPRIVED OF HIS LIFE OR PERSONAL LIBERTY EXCEPT ACCORDING TO THE PROCEDURE ESTABLISHED BY LAW.	13(1). EVERY ONE HAS THE RIGHT TO FREEDOM OF MOVEMENT AND RESIDENCE WITHIN THE BORDERS OF EACH STATE. 9. NO ONE SHALL BE SUBJECT TO ARBITRARY ARREST, DETENTION OR EXILE.
32(1). THE RIGHT TO MOVE SUPREME COURT BY APPROPRIATE PROCEEDINGS FOR THE ENFORCEMENT OF THE RIGHTS CONFERRED BY THIS PART OF GUARANTEED.	8. EVERY ONE HAS THE RIGHT TO AN EFFECTIVE REMEDY BY THE COMPETENT NATIONAL TRIBUNALS FOR ACTS VIOLATING FUNDAMENTAL RIGHTS GUARANTEED BY THE CONSTITUTION OR BY LAW.

Fundamental Duties

- To abide by the Constitution and respect its ideals and institutions, the National Flag & Anthem;
- To cherish and follow the noble ideals which inspired our national struggle for freedom;

Fundamental Duties

- c) To uphold and protect the sovereignty, unity and integrity of India;
- d) To defend the country and render national service when called upon to do so;

Fundamental Duties

- e) To promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women;
- f) To value and preserve the rich heritage of our composite culture;

Fundamental Duties

- g) To protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures;
- h) To develop the scientific temper, humanism and the spirit of inquiry and reform;

Fundamental Duties

- i) To safeguard public property and to abjure violence;
- j) To strive towards excellence in all spheres of individual and collective activity so that the nation constantly rise to higher levels of Endeavour and achievement.