



NOTES

UNIT: III (supplementary-L:5)

HUMAN RIGHTS IN INDIA

- **L. Kamakhya Kumar Singh**
Dr. M. Suresh Kumar,
Khundrakpam Samola

Introduction:

Before the Universal Declaration of Human Rights in 1948 the people in the world suffered badly, as there was no law to defend themselves from the powerful ruler. The people of India also suffered under the British rule. But after Independence the constitution of India was legally enforced on 26th January 1950. It is necessary for every Indian to have the knowledge of the constitution. The lesson presents the effort of man to attain human rights and the nature of Indian constitution, highlighting Fundamental Rights and Directive Principles of State policy.

A brief Note of the lesson:

According to the law of India, if a person is arrested by the police, he is produced before the magistrate within 24 hours of his arrest. It is the duty of the magistrate to examine the arrested person. Every citizen of India today enjoys fundamental rights guaranteed by the constitution.

History recorded sufferings of common people, putting in jails and in dungeons. Such people, once inside a prison had little chance of seeing the day light again. Instances of torture and exploitation can be seen in Charles Dickens' novel "A Tale of Two Cities" and the film "Schindler's List". In both cases the fate of helpless human being was at the hands of men in power. Indians had seen terrible violations of human rights like marginalization of women, widow burning, racial and caste bias. Indians themselves suffered and lost their dignity at the hands of the British rulers. But after independence, a new era came with a new outlook resulting to the framing of a constitution.

Three important parts of Indian constitution

1. The Preamble to the constitution
2. The Fundamental Rights
3. The Directive Principles of State policy

The Preamble is an introductory statement of the constitution. It proclaims to the solemn resolution of the people of India to constitute India into a 'Sovereign, Socialist, Secular, Democratic Republic'. It also defines the four objectives of the Indian republic. They are Justice, Liberty, Equality and Fraternity.

The Fundamental Rights, embedded in part III of the constitution guarantees civil rights to all citizens, placing upon it an obligation to protect the citizen's rights from encroachment by society. The constitution guarantees seven Fundamental Rights. They are

- I. Right to Equality
- II. Right to Freedom
- III. Right against Exploitation
- IV. Right to Freedom of Religion
- V. Cultural and Educational Rights
- VI. Right to Constitutional Remedies
- VII. Right to Elementary Education

Any citizen of India has the right to move the Supreme Court and the High Courts for the enforcement of fundamental rights in the events of challenging the rights. Under 44th Amendment Act, Right to Property was ceased to be fundamental right. It is no more a fundamental right.

The Directive Principles of State policy is an important part of the constitution. They provide set of instructions to the government in power to follow certain principles and programmes. Some of the Directive Principles are:

- i) Equal pay for equal work.
- ii) Provision of adequate means of livelihood to all citizens.
- iii) Provision of employment to all.
- iv) Living wage for workers.
- v) Protection of childhood and youth against exploitation.
- vi) Organization of village panchayat.
- vii) Organization of agriculture and animal husbandry on scientific lines.
- viii) Promotion of International peace and security.

In India the protection of Human Rights Act, 1993 led to the formation of agencies like National Human Rights Commission, State Human Rights Commission in individual states and Human Rights court. The agencies are watchdogs against human rights violations. At international level, the United Nations Human Rights Commission keep tracks of violation of human rights and functions as the international legal authority.

The concept and growth of human rights are the fruits of man's incessant fight for the cause of humanity and love of liberty and freedom. Even though human rights became a reality in the world, even in India human rights violations still exist. As a citizen of India, we should try to safeguard our rights so as to enable us to live in dignity and peace.

Word notes:

Para 1: produced – brought

Restrain – check, prevent

Undermining – damaging

Para 2: celebrated – well known

Chide – rebuke, scold

Para 3: arrogant – proud and having no respect for others

Hanged on – depended on

Para 4: dearth – lack of

Para 5: corridor – passage

Eroded- destroyed

Annals – record

Enshrined – mention or written in the constitution

Para 6: set out – give ideas

Giving purpose – the spirit or philosophy that the constitution talks about

Solemnly – with a feeling of sacredness

Secure – provide

Fraternity – feeling of brotherhood

Para 8: connote- means, suggest

Strive – to try hard

Para 12: fostered – promoted

Para 13: embedded – included

Para 19: watchdog – person or organization that works to stop people from doing illegal things in a particular area of society or business

Tracks – signs

To bring to task – to punish

Quintessential – essential, basic

appalling – frightful

rampart – widespread

adage – saying, proverb



DEPARTMENT OF EDUCATION (S)
Government of Manipur