

Human Rights Protection Mechanism in India under the Protection of Human Rights Act 1993

¹Dr. Ravi Tyagi (Guide) and ²P Prabhaker Rao (Research Scholar)

^{1, 2}Department of Law, OPJ University, Rajasthan, India.

Abstract

India is a Signatory to Multilateral treaties like universal declaration of human rights the international covenant on civil political rights (ICCPR) So also international covenant and economic and social cultural rights (ICESCR) And convention on the elimination of all forms of discrimination against human are all significant for the purpose of present article.

Keywords: Human rights, NHRC, SHRC

Introduction

Universal Declaration of Human Rights a mile stone document in the history of human rights drafted by signatories of all 195 member countries the declaration was proclaimed by the united nation general assembly in Paris on 10th December 1948 General Assembly researchers 217a is a common standard of achievement for all the people and all nations it set out for the first time Fundamental Human rights to be universally protected Accordingly on this UDHR was in cooperated in Indian constitution through specific adoption theory the central government enacted the protection of human rights act 1993 for the constitution the national human rights commission state human rights commission in states and state human rights courts for the better protection of human rights Human rights are moral principles or norm for the common standards of human behaviour and are regularly protected in municipal law and international law they are commonly understood as ineligibile fundamental rights which are inheritance in all human being while there is a consensus human rights encompasses a wide variety of human rights for trial protection against enslavement prohibition genocide free speech right to education

Function of Human Rights Commission Section 12 to 29

National NHRC and SHRC Commission have been constituted by assigning the following function.

- To enquire SUO MOTO or an petition presented by a victim or any person behalf in to complaint
- Violation of human rights abetment there of
- Negligence of such violation by a public servant
- To visit under the intimidation of state government any jailer any other institution where the person as detained or lodged to study the long guardians and make recommendations there on
- To review the safe guard provisions by or under the contribution for the protection of human rights

- To review the factors including acts of terrisom and recommends appreciate remedial measures
- To study signatures and other intender instruments for There effective implementation
- To under Take and promote research in the field of human rights
- To spread human rights literature among various sections of the society
- To encourage the efforts of man Governmental organisations and fully working in the field of human rights
- Human rights courts section 30 for the purpose of providing speedy justice trial of attorney arising out of violation of human rights the state government may with the governance of at the chief justice of high court by notification speech each justice court of secession of human rights
- Right court to try the land hence for every Thing human rights court the state government shall be modified specify a public prosecutor or appoint an advocate not less than 7 years as a learned public prosecutor for the purpose of conditional cases in the court

Miscellaneous Provisions

The commission shall not enquire in to the matters which is pending before a state commission constituted under any law The commission or state commission shall not enquire into any matters after the expiry of the Year in which that the constituency of Human rights

Conclusion

Human rights are the basic rights which form the essential part of development of human rights Constitution Acts as a protector for those basic rights as fundamental rights and Directive principles and Judiciary also playing a vital role for the protection of human rights as a guardian of human rights more emphases has been given to the fundamental rights and

they are directly enforceable in the law The SHRC NHRC judgments are not being implemented against the affected parties approach the local courts under executive petitions for implementation and this is one of the loopholes of the commissions

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