



TRINITY COLLEGE FOR WOMEN NAMAKKAL

Department of Physics

FUNDAMENTALS OF HUMAN RIGHTS

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HUMAN RIGHTS IN INDIA

Human rights in India is an issue complicated by the country's large size and population as well as its diverse culture, despite its status as the world's largest sovereign, secular, socialist democratic republic.

The Constitution of India provides for fundamental rights, which include freedom of religion, freedom of speech, as well as separation of executive and judiciary and freedom of movement within the country and abroad.

The country also has an independent judiciary as well as bodies to look into issues of human rights

The 2016 report of Human Rights Watch accepts the above-mentioned facilities but goes to state that India has "serious human rights concerns. Civil society groups face harassment and government critics face intimidation and lawsuits. Free speech has come under attack both from the state and by interest groups. Muslim and Christian minorities accuse authorities of not doing enough to protect their rights. The government is yet to repeal laws that grant public officials and security forces impunity from prosecution for abuses.

Chronology of events

1950: The Constitution of India establishes a sovereign democratic republic with universal adult franchise. Part 3 of the Constitution contains a Bill of Fundamental Rights enforceable by the Supreme Court and the High Courts. It also provides for reservations for previously disadvantaged sections in education, employment and political representation.

1952:Criminal Tribes Acts repealed by government, former "criminal tribes" categorized as "denotified" and Habitual Offenders Act (1952) enacted.

1955:The Untouchability (Offences) Act,
1955 Reform of family law concerning Hindus gives more rights to Hindu women.

1958 :Armed Forces (Special Powers) Act, 1958

1973:Supreme Court of India rules in *Kesavananda Bharati case* that the basic structure of the Constitution (including many fundamental rights) is unalterable by a constitutional amendment.

1975–1977: State of Emergency in India. Extensive rights violations take place.

1978: SC rules in *Menaka Gandhi v. Union of India* that the right to life under Article 21 of the Constitution cannot be suspended even in an emergency.

1978: Jammu and Kashmir Public Safety Act, 1978

1984: Operation Blue Star and the subsequent 1984 Anti-Sikh riots

1984: 2006 Extrajudicial disappearances in Punjab by the police

1985–1986: The Shah Bano case, where the Supreme Court recognised the Muslim woman's right to maintenance upon divorce, sparks protests from Muslim clergy. To nullify the decision of the Supreme Court, the Rajiv Gandhi government enacted The Muslim Women (Protection of Rights on Divorce) Act 1986

1987: Hashimpura massacre during communal riots in Meerut.

1989: *Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989* is passed.

2005:*National Rural Employment Guarantee Act (NREGA)* guarantees universal right to employment.

2006:Supreme Court orders police reforms in response to the poor human rights record of Indian police.

2009:Delhi High Court declares that Section 377 of the Indian Penal Code, which outlaws a range of unspecified "unnatural" sex acts, is unconstitutional when applied to homosexual acts between private consenting individuals, effectively decriminalising homosexual relationships in India.

2013: Criminal Law (Amendment) Act was passed by the Lok Sabha on 19 March 2013, and by the Rajya Sabha on 21 March 2013, which provides for amendment of Indian Penal Code, Indian Evidence Act, and Code of Criminal Procedure, 1973 on laws related to sexual offences.

2015:Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act was passed by both the Houses of the Parliament. This act aims to curb black money, or undisclosed foreign assets and income and imposes tax and penalty on such income.

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