



VIOLATION OF HUMAN RIGHTS: A THREAT TO NATION

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INTRODUCTION:

Human rights are those rights which are inherited in our nature and without which we cannot live as a human. Every human being is in need of human rights to develop his personality, otherwise a man cannot prosper. Human rights are the basic to civilized existence, are conceived primarily as protection against the tyranny of the majority even in a democracy because the ultimate hope for those rights lies in the democratic process. Human rights are such type of rights which are bestowed to human being without any discrimination. Thus, there is wide scope for explaining the expression 'human right'. But for the sake of clarity and articulation we should refer to the definition of human rights in sec. 2(1) (d) of Protection of Human Rights Act 1993 which reads as follows:-

'Human Rights' means the rights related to life, liberty equality and dignity of the individual guaranteed by the constitution or embodied in the international covenants and enforceable by courts in India.

According to Human Development Report 2017, India ranks 131 in human development index out of 188 countries. The 2016 report of Human Rights Watch states 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. Muslims and Christian minorities accuse authorities of not doing enough to protect their rights."

On the background of all these circumstances the researcher has tried to identify and study the human rights which are violated in recent times and tried

to relate it as nation's threat. And also, tried to find out some solutions in the form of suggestions to overcome this problem.

IMPORTANCE OF HUMAN RIGHTS:

Dr. Proxy in his world famous book 'The Idea of Human Rights' points out about the nature of human rights as "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." We can say that human Rights are the rights inherent to all human equally entitled to all human beings, whatever our nationality, sex, color, language or any other status. We all are equally entitled to our human rights without discrimination. These rights are all inter related, inter dependent and indivisible. All human rights are indivisible, whether they are civil or political rights such as right to life, equality before law and freedom of expression. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. Everyone has right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching practice, worship and observance. These rights are based on the concept that every man and woman, irrespective of caste, creed, color, race and nationality is born with certain fundamental rights such as right to live, freedom, speech, justice, etc. The universal declaration of Human Rights which United Nations(UN) adopted on 10th December 1948 enumerates some of these basic rights of man. In India National Human Rights Commission was established on 12 October 1993. The Commission has consistently striven to ensure the protection of civil and political rights as well as economic, social, and cultural rights. The Commission has also made some contributions to mainstreaming a human rights-centered approach in the government policy and programs as well as creating human rights awareness and sensitization among public authorities and civil society.

VIOLATION OF HUMAN RIGHTS IN INDIA:

In India, the most significant human rights problems involved police and security force abuses, including extrajudicial killings, torture, and rape; corruption remained widespread and contributed to ineffective responses to crimes, including those against women, children, and members of scheduled castes or tribes; and societal violence based on gender, religious affiliation, and caste or tribe.

Other human rights problems included disappearances, hazardous prison conditions, arbitrary arrest and detention, and lengthy pretrial detention. Court backlogs delayed or denied justice, including through lengthy pretrial detention and denial of due process. There were instances of infringement of privacy rights. The law in some states restricted religious conversion, and there were reports of arrests but no reports of convictions under those laws. Some limits on the freedom of movement continued. Rape, domestic violence, dowry-related deaths, honor killings, sexual harassment, and discrimination against women remained serious societal problems. Child abuse and forced and early marriage were problems. Trafficking in persons, including widespread bonded and forced labor of children and adults, and sex trafficking of children and adults for prostitution were serious problems. Societal discrimination against persons with disabilities and indigenous persons continued, as did discrimination and violence based on gender identity, sexual orientation, and persons with HIV.

Sr. no.	Issue	2015	2013	2011
1	Total crimes against women	327394	304546	228650
2	Crimes against children	94172	58224	33098
3	Crimes against SCs by non SCs	45003	39408	33719
4	Crimes against STs by non STs	10914	6793	5756

(Source- reports of National crime records bureau)

- Report indicate that every 60 minutes 2 women are raped and every six hours a young married woman is found beaten to death, burnt or driven to suicide.

- With 40 million, India still had the world's largest number of stunted children (lesser than average height for the age) despite improvements; about 38.7% of all children.

A lack of accountability for misconduct at all levels of government persisted, contributing to widespread impunity. Investigations and prosecutions of individual cases took place, but lax enforcement, a shortage of trained police officers, and an overburdened and under resourced court system contributed to infrequent convictions.

Separatist insurgents and terrorists in Jammu and Kashmir, the northeastern states, and the Maoist belt committed serious abuses, including killings of armed forces personnel, police, government officials, and civilians. Insurgents were responsible for numerous cases of kidnapping, torture, rape, extortion, and the use of child soldiers.

- The SECC data reveals that about 670 million Indians in rural areas alone live on Rs. 33 per day.
- Almost 80% of the agricultural population owns only about 17% of the total agriculture land, making them near- landless workers.
- The unorganized sector constitutes around 90 to 95 % of the total workforce in India.
- India is home to 282 million illiterate people. The 2015-16 budget reduced spending on education by 16%. The allocation for the Ministry of Human Resource Development was 4.6% of the total expenditure in 2014-15; it was reduced to 3.9% in the 2015-16 union budget.
- Between 2011 and 2015, in a comparison of megacities with a population above 14 million, Delhi's ambient air-pollution levels were worse than Beijing and Shanghai, according to an *IndiaSpend* analysis of 2016 WHO data. Indian cities make up half of the world's 20 most toxic cities, according to data from the WHO.

Here we can understand that most of violation of human rights are related to each other. And poor economic, social and educational condition is the base of all violations regarding human rights in India.

There were also some positive developments took place in recent years. The Narendra Modi government took steps towards ensuring greater access to financial services such as banking, insurance and pensions for economically marginalized Indians and launched Champaign to make modern sanitation, LPG connections available to more households and also passed the maternity bill, etc.

In theera of science and technology the world is changing very fast. As new innovations and changes are taking place the nature and intensity of problems is also changing. Now-a-days India is going through between lot of transformations. So, there is need to solve the basic problems first. But there is lack of attention towards human rights is given by power holders. Therefore, Naxalist Movements, Separatist movements, harm to Communal Harmony, very bad condition of womenand tribal exploitation,increasing cases of child abuse and human trafficking are becoming threat to our nation as they all are harmful for our national unity and integrity and also social peace.

CONCLUSIONS:

Limits on free speech and attacks on religion minorities often lead by vigilant groups that claim to be supporters of the ruling Bharatiya Janata Party, are an increasing concern in India. In 2016, students were accused of sedition for expressing their views, people who raised concerns over challenges to civil liberties were deemed anti-Indian; Dalits and Muslims were attacked on suspicion they had killed, stolen, or sold cows for beef and nongovernmental organizations(NGOs) came under pressure due to India's restrictive foreign funding regulations. In short, the violation of following human rights are the major threats to India-

1. Right to freedom of opinion and expression
2. Right to life, liberty and security of person
3. Right to freedom of religion
4. Right to education
5. Women and Children's Rights

70 years ago, India got freedom but till today we are unable to provide basic requirements to our citizens such as drinking water, food, shelter. 'Poverty'

is the main hindrance to the development of India. our government, various NGOs also took some steps to improve these problems but it didn't get results as expected. In our Constitution of India there are provisions of fundamental as well as constitutional rights. But lot of people are unaware of these rights. Now-a-days the violation of many human rights is increasing, thus it is a threat to our nation. Specially for the national unity and integrity. National Human Rights Commission has less power to enforce human rights in India. Our judiciary is burdened by more than 5 crores pending cases and hence it has become difficult for the common masses to get justice if their rights are violated. As there is a lot of difference between the ratio of cases pending to the number of judges. **'Justice delayed is justice denied'**

SUGGESTIONS:

- Raising of public opinion is the most important task to implement the Human Rights program. It can be done by making known to everybody at best those minimum standards of treatment which he or she is entitled and in making known to every person about the violations of Human Rights wherever they may occur. Print and Electronic media should be used to bring the message to the masses. By influencing public opinion, the governments in the United Nations will automatically be influenced. In this way, it would become a political necessity for governments to support the schemes for Human Rights protection.
- Strengthen the Human Rights committees constituted under various conventions. These committees may be given the power to conduct independent investigations and to take necessary action against the violations of Human Rights violations.
- Training, education and sensitization programs in Human Rights and duties should be regularly imparted to law enforcing agencies, particularly to the police, paramilitary personnel and prison authorities.
- Creation of public awareness about Human Rights specially towards deprived and disadvantaged sections of the society. It can play a decisive

role not only in checking the violation of Human Rights but also in their effective implementation.

- Human Rights orientation has to be incorporated in the curriculum of schools and colleges in a mandatory form.
- A new Ministry of Human Rights should be created both at the central and state levels in India, for effective promotion and protection of Human Rights in India. This Ministry would help the government to discharge its various duties relating to Human Rights protection effectively.
- The right to compensation for violations of Human Rights should be recognized as fundamental right and it should be incorporated in the part-III of the Constitutions of India.

These recommendations will certainly strengthen the Human Rights enforcement machinery in India and would go a long way in realizing the cherished goal -**All Human Rights to All**.

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