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The Constitution of the Republic of India which came into force on 26th January 1950 with 395 Articles and 8 Schedules, is one of the most elaborate fundamental laws ever adopted. The Preamble to the Constitution declare as India to be a Sovereign, Socialist, Secular and Democratic Republic. The term ‘democratic’ denotes that the Government gets its authority from the will of the people. It gives a feeling that they all are equal “irrespective of the race, religion, language, Sex and culture.” The Preamble to the Constitution pledges justice social, economic and political liberty of thought expression, belief faith and worship, equality of status and of opportunity and fraternity assuring the dignity of the individual and the unity and integrity of the nation, to ail its citizens.

India and the Universal Declaration:

“India was a signatory to the Universal Declaration of Human Rights. A number of fundamental rights guaranteed to the individuals in Part III of the Indian Constitution are similar to the provisions of the Universal Declaration of Human Rights. The following chart makes it very clear”.

Table 1: Civil and Political Rights in the Universal Declaration of Human Rights and in the Indian Constitution.

No.	Name of Rights	Universal Declaration	Indian Constitution
1.	Equality before law	Article 7	Article 14
2.	Prohibition of discrimination	Article 7	Article 15 (1)
3.	Equality of opportunity	Article 21 (2)	Article 16 (1)

4.	Freedom of speech and expression	Article 19	Article 19 (1) a
5.	Freedom of peaceful assembly	Article 20 (1)	Article 19 (1) b
6.	Rights to form association or unions	Article 23 (4)	Article 19 (1) c
7.	Freedom of movement within the border	Article 13 (1)	Article 19 (1) d
8.	Protection respect of conviction for offences	Article 11(2)	Article 20 (1)
9.	Protection of life and personal liberty	Article 3	Article 21
10.	Protection f slavery and forced labour	Article 4	Article 23
11.	Freedom of conscience and religion	Article 18	Article 25 (1)
12.	Remedy for enforcement of rights	Article 8	Article 32
13.	Rights against arbitrary arrest and detention	Article 9	Article 22
14.	Rights to social security	Article 22	Article 29 (1)

The table below show that most of the economic, social and cultural rights proclaimed in the Universal Declaration of Human Rights have been incorporated in Part IV of the Indian Constitution.

Table 2: Economic, Social and Cultural Rights in the Universal Declaration of Human Rights and in the Indian Constitution.

No.	Universal Declaration of Rights	Article in Universal Declaration	Article in the Indian Constitution
1.	Right to work, to just and favourable conditions of work	Article 23 (1)	Article 41
2.	Right to equal pay for equal work	Article 23 (2)	Article 39 (d)
3.	Right to education	Article 23 (1)	Article 21 (A), 41, 45, 51 A (K)
4.	Right to just and favourable remuneration	Article 23 (3)	Article 43
5.	Right to rest and leisure	Article 24	Article 43

6.	Right to everyone to a standard of living adequate for him and his family	Article 25 (1)	Article 39 (a) & Article 47
7.	Right to proper social order	Article 28	Article 38

Specified rights enshrined in the Covenant on Civil and Political Rights have been recognised specially in the Indian Constitution as ‘fundamental rights. They may be referred to as “Specified” fundamental rights because they are mentioned in the Constitution by name. The following table shows the different Article of the International Covenant on Civil and Political and the Indian Constitution wherein identical rights are stipulated.

Table 3: Different Articles of the International Covenant on Civil and Political Rights and the Indian Constitution.

No.	Fundamental Rights	Covenant on Civil and Political Rights	Indian Constitution
1.	Forced labour	Article 8 (3)	Article 23
2.	Equality before law	Article 14 (1)	Article 14
3.	Prohibition of discrimination	Article 26	Article 15
4.	Equality of opportunity to public service	Article 25 (C)	Article 16 (1)
5.	Freedom of speech and expression	Article 19 (1) & (2)	Article 19 (1) a
6.	Right for peaceful assembly	Article 21	Article 19 (1) b
7.	Right to freedom of association	Article 22 (1)	Article 19 (1) c
8.	Right to move freely within the territory of a state	Article 12 (1)	Article 19 (1) d & (e)
9.	Protection in respect of conviction of offences	Article 15 (1)	Article 20 (1)
10.	Protection from prosecution and punishment	Article 14 (7)	Article 20 (2)
11.	Not to be compelled to testify against himself	Article 14 (3) (g)	Article 20 (3)
12.	Right to life and liberty	Article 6 (1) & v 9 (1)	Article 21

13	Right to child education	Article 26 (1)	Article 21 (A)
14	Protection against arrest and detention	Article (2) (3) & (4)	Article 22
15.	Freedom of conscience and religion	Article 18 (1)	Article 25

Directive Principles of State Policy and Human Rights:

(Judicially non-enforceable rights)

Judicially non-enforceable rights in Part IV of the Constitution are chiefly those of economic and social character. However, Article 37 makes it clear that their judicial non-enforceability does not weaken the duty of the state to apply them in making laws, since they are nevertheless fundamental in the governance to the country. Additionally the innovative jurisprudence of the Supreme Court has now read into Article 21 (the right to life and personal liberty) many of these principles and made them enforceable. The duties of the State encompass securing a social order with justice, social, economic and political, striving to minimize and eliminate all inequalities (Article 38), securing for “the citizens, men and women equally” the right to an adequate means of livelihood (Article 39) (a), distribution of ownership and (control of community resources to sub serve the common good (Article 39 (b), prevention of concentration of wealth and means of production to the common detriment (Article 39 (c), securing equal pay for equal work for both men and women (Article 39 (d), preventing abuse of labour, including child labour (Article 39 (e), ensuring of child development (Article 39(f), ensuring of equal justice and free legal aid (Article 39 A), organisation of village democracies (Article 40), provision of the right to work, education and public assistance in case of unemployment, old age sickness and disability (Article 41), provision of human conditions of world (Article 42), living wage and a decent standard of life (Article

43), securing participation of workers in the management of industries (Article 43 A), provision of a uniform civil code for the whole country (Article 44), provision for early child care and education to children below the age of six years. The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years (Article 45), promotion of educational and economic interest of the weaker sections of the people and their protection from injustice and all forms of exploitation (Article 46), raising the standard of living improving the level of nutrition and public health and prohibition of intoxicating drinks and of drugs (Article 47), scientific reorganization of animal husbandry and agriculture (Article 48), conservation of artistic or historical importance (Article 19), separation of judiciary from the executive (Article 50) and promotion of international peace and security (Article 51).