


Human Rights



Human Rights- (Right to Liberty)


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What is meant by “Human Rights”?
Is there any difference in between
Human rights and Fundamental rights
of COI?


Right to Liberty as guaranteed by COI

Definition: Human Rights means the rights relating to life, liberty, equality and dignity as guaranteed by the Indian Constitution and embodied in the International Covenants and enforceable by courts in India.



Right to life
Right to Liberty
Right to equality
Right to dignity
Guaranteed
by
The Constitution of
India.

International
Covenants +
Orders of the
courts





→ LLED (2LED) + International
Covenants + Orders of Courts in
India

→ Natural Rights

→ By virtue of his being a member of
human society.

→ French revolution, American
revolution and etc...

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- Universal declarations of human rights – 1948 - leading to Fundamental Rights in the COI.
 - Every act of the individual, executive, Legislature or Judiciary is within the “frame work of law”. This is called “ due process of law ”.
 - Human Rights = Fundamental Rights of COI (Chapter - 54 of APPM)



Right to Equality
Right to Liberty
Right against exploitation
Right to Freedom of Religion
Cultural & Educational Rights

RIGHT TO FREEDOM (LIBERTY)

Article 19 – Now 6 Rights


a)Speech and expression.

b)Assemble.

c)Associations or unions.

d)Move freely anywhere.

e)Reside and settle anywhere.

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- g) Profession, occupation, trade (or) business.
 - Exceptions: Sovereignty, integrity, security, relations with foreign, public order, decency, morality, contempt of court, deformation, incitement to an offence.
 - ➔ Professional (or) Technical qualifications necessary for certain professions

Article 20 – Of Offences

- 1) A law in force / a penalty not greater than.
- 2) No double jeopardy.
- 3) No testimonial compulsion.

Article 21 – Life and Personal liberty.

- Dignity
- Respect
- Secrecy etc...



- Article 21 A: Right to Education
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- Article 22 – Arrest and detention
 - 1) Grounds of arrest , bail, legal practitioner.
 - 2) 24 hours
 - Exception : Enemy alien, PD Act



Summary

- The meaning of Human Rights
- Human Rights = Fundamental Rights.
- History of Human Rights.
- Right to Liberty.