

HUMAN RIGHTS IN INDIA: CONTEMPORARY CHALLENGES AND SOLUTIONS

- Vanshika Dhiman*

Abstract

Human rights have evolved as a cornerstone of modern legal and political frameworks, reflecting the global commitment to safeguarding individual dignity and freedoms. In legal terms, Rights are referred to as entitlements or justified claims recognised and protected by law. The Constitution of India guarantees basic human rights to every citizen of the country. This paper delves into the development of human rights, tracing their evolution and intersection with fundamental rights within constitutional law. A particular focus is placed on the Protection of Human Rights Act (PHRA), 1993, a legislation that protects human rights from violation, analysing its role and impact on strengthening human rights jurisprudence in India. The paper highlights key legal precedents that have shaped contemporary human rights discourse. A significant dimension of this study is the evolution of Article 21, which guarantees the right to life and personal liberty. However, the judiciary plays an important role in interpreting these rights. By examining the constitutional provisions that uphold human rights and their judicial enforcement, this study explores the intricate relationship between fundamental rights and human rights. Through a critical analysis of legislative frameworks and case laws, the research seeks to provide a comprehensive understanding of human rights protection mechanisms.

Keywords: Human Rights, Fundamental Rights, UDHR, DPSP, NHRC.

* B.B.A.LL.B. Student @ Amity Law School, Amity University Haryana, Manesar

“Human rights are not a privilege conferred by the government. They are every human being’s entitlement by virtue of his humanity.”

- Mother Teresa

INTRODUCTION

Human rights are inherent and inalienable entitlements that uphold human dignity. They are not granted by the State but exist by virtue of being human. These rights regulate interactions within society, the relationship between individuals and the State, and the State’s obligations to its people. Human rights are fundamental principles that protect human dignity, freedom, and equality. These rights define the duties of the State towards individuals and regulate how individuals interact within society. The foundation of international human rights law is the idea that human rights are “universal.” Numerous international human rights conventions, declarations, and resolutions have since reaffirmed this principle, which was first highlighted in the 1948 Universal Declaration on Human Rights¹.

Objectives

- To examine the role of the Protection of Human Rights Act (PHRA), 1993, in strengthening human rights jurisprudence in India,
- To explore the Judicial Interpretation of Article 21 and its expanding scope in safeguarding human rights,
- To assess the effectiveness of Constitutional provisions in ensuring the protection and enforcement of human rights and
- To identify key challenges and opportunities in the constitutional protection of human rights in India.

Research Questions

- What is the relationship between fundamental rights and human rights in the Indian constitutional framework?
- How has the judiciary expanded the interpretation of Article 21 to include new dimensions of human rights?

¹ National Human Rights Commission, *A Handbook on International Human Rights Convention*, (NHRC, New Delhi, 2003)

- What role does the Protection of Human Rights Act (PHRA) 1993 play in safeguarding human rights?
- How can the constitutional framework be strengthened to ensure better enforcement of human rights?

HUMAN RIGHTS IN INDIAN CONSTITUTION

India's commitment to human rights is deeply embedded in its Constitution, particularly in Part III, which guarantees Fundamental Rights. These rights form the foundation of India's human rights jurisprudence and are enforceable by the judiciary. Part III of the Constitution enshrines the judicially enforced fundamental rights, which include all fundamental civil and political rights as well as some minority rights². The DPSP, outlined in Part IV, provides guidelines for the state to create laws and policies that promote justice, equity, and welfare.³

In *Kesavananda Bharati v. State of Kerala*⁴, the Supreme Court observed, "The Universal Declaration of Human Rights may not be a legally binding instrument but it shows how India understood the nature of human rights at the time the Constitution was adopted".

The Supreme Court of India recognizes these fundamental rights as 'Natural Rights' or 'Human Rights'. Individual liberties rely on fundamental rights like equality⁵, freedom⁶, and protection from exploitation⁷. Although the DPSP are not legally binding, they serve as a framework for the state to create policies and programs that promote justice and equity. They play an essential role in influencing laws and policies designed to enhance the quality of life for all individuals, especially those who are less privileged. These principles highlight social equity, economic fairness, and the entitlements to education, employment, and public support, with the goal of fostering a society where opportunities are accessible to everyone and the government gives precedence to welfare over profit. Initiatives such as the Pradhan Mantri Awas Yojana, Jal Jeevan Mission, Swachh Bharat Mission, Ayushman Bharat, the Mid-Day Meal Scheme, and the National Rural Livelihood Mission (NRLM) demonstrate the state's dedication to human rights by tackling essential socio-economic needs and ensuring that every citizen can access basic services and opportunities to live with dignity.

² Constitution of India, art. 12 - 35

³ *Ibid* articles 36-51

⁴ AIR 1973 SC 1461

⁵ *Supra* note 2 at art. 14-18

⁶ *Supra* note 2 at art. 19-22

⁷ *Supra* note 2 at art. 23-24

Alongside constitutional protections, various laws have been enacted to safeguard the rights of marginalised communities and ensure their civil and political entitlements are respected. For example, the Mental Healthcare Act of 2017, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, and the Transgender Persons (Protection of Rights) Act demonstrate the government's proactive approach to addressing the distinct challenges encountered by vulnerable and marginalised groups while ensuring their dignity and inclusion within the larger scope of human rights⁸. Collectively, these policies, provisions, and laws strengthen India's dedication to protecting human rights and promoting a just and equitable society.

The following table provides a comparative analysis of fundamental rights enshrined in the Universal Declaration of Human Rights (UDHR) and their corresponding provision in the Indian Constitution.

<i>Name of Rights</i>	<i>Universal Declaration of Human Rights (UDHR)</i>	<i>Indian Constitution</i>
Equality before law	Article 7	Article 14
Prohibition of discrimination	Article 7	Article 15(1)
Freedom of speech and expression	Article 19	Article 19(1)(a)
Freedom of peaceful assembly	Article 20(1)	Article 19(1) (b)
Equality of opportunity	Article 21 (2)	Article 16(1)
The Right to form associations or unions	Article 23(4)	Article 19(1) (c)
Protection in respect of conviction for offences	Article 11 (2)	Article 20 (1)
Protection of slavery and forced labour	Article 4	Article 23

⁸ Bharat Lal and Aiswarya S Kumar, "Institutional Framework for Protection and Promotion of Human Rights in India- a Perspective" 23 *Journal of the National Human Rights Commission*, India 4 (2024)

Freedom of conscience and religion	Article 18	Article 25(1)
Remedy for enforcement of rights	Article 8	Article 32
Right to social security	Article 22	Article 29(1)
Protection of life and personal liberty	Article 3	Article 21

LEGAL SAFEGUARDS UNDER THE PROTECTION OF HUMAN RIGHTS ACT, 1993

The Protection of Human Rights Act, 1993 was enacted to provide a legal framework for safeguarding and enforcing human rights in India. Section 2(d) of the Act defines human rights as:

“The rights relating to life, liberty, equality, and dignity of the individual guaranteed by the Constitution or embodied in International Covenants and enforceable by courts in India.”

This definition highlights the dual foundation of human rights in constitutional provisions and international human rights law, reinforcing India’s commitment to human dignity and justice.

The act aims *“to provide for the constitution of National Human Rights Commission, State Human Rights Commissions in States and Human Rights Courts for better protection of human rights and matters connected therewith or incidental thereto.”*⁹

The above definition, however, limits the scope of the functioning of the National Human Rights Commission. Though India ratified the two Covenants, these are the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights¹⁰. While India has ratified the ICCPR and ICESCR, these international covenants do not automatically become enforceable domestically unless incorporated into

⁹ The Protection of Human Rights Act 1993 (Act 19 of 1993)

¹⁰ Devath Suresh, “Human Rights in India” (Atharv Publication, New Delhi, 2019); available at: https://www.researchgate.net/publication/347809368_Human_Rights_in_India (last visited on: 01.03.2025).

Indian law. The PHRA ensures that constitutional rights align with international human rights obligations. Therefore, the rights guaranteed in the Constitution conform to these International Conventions.

NATIONAL HUMAN RIGHTS COMMISSION

At the national level, the National Human Rights Commission was established on 12 October 1993, under the Protection of Human Rights Act of 1993, to fulfil this responsibility to protect the human rights of the people from any violation.

The NHRC's user-friendly 'Online Complaint Management System' (www.hrcnet.nic.in) allows individuals to submit complaints in any of the 22 languages recognised in the Eighth Schedule of the Constitution. This system has made it easier for people to communicate their grievances from anywhere, at any time, and in any language while also enabling the Commission to provide swift justice. The number of complaints lodged with the Commission has shown a decline, dropping from 91,887 cases in 2016-2017 to 76,628 cases in 2019-2020.¹¹

Section 12 of the Act empowers the National Human Rights Commission to perform the following functions:

- a) Investigation Powers: cases of suo motu or upon petition,
- b) Judicial Interventions: Intervene in pending court cases with approval,
- c) Inspection & Oversight: Monitor jails and detention centers,
- d) Review & Policy Recommendations: Comment on legislation, study human rights policies, and suggest improvements,
- e) Public Awareness & Research: Conduct research, publish reports, and promote literacy,
- f) Treaty Evaluation: Examine treaties, recommend implementation and promote research in the field of human rights,
- g) Human Rights Awareness: Educate society through media and seminars.

According to section 13 of the Protection of Human Rights Act 1993, the Commission works like a civil court - summoning witnesses, administering oaths, procuring documents, and

¹¹ National Human Rights Commission of India, *Annual Report 2019-20* (NHRC, New Delhi, 2020); available at: https://nhrc.nic.in/sites/default/files/AR_2019-2020_EN.pdf (last visited on: 12.04.2025)

gathering affidavits. It may also engage central or state investigative agencies with the necessary approvals. The Commission also has the jurisdiction to enter buildings and take papers, and when violations are discovered, to refer cases to a Magistrate for trial, ensuring that its actions are treated as judicial in nature. Moreover, Section 20 states that the Commission shall submit an Annual Report to the Central government as well as to the State government concerned Central and State governments as per the situation. The Commission's annual and special reports will be presented before both houses of the Parliament either it will go to the State legislature as per the circumstances, and focus will also be made on the memorandum, which will focus on the actions that are considered or have been suggested to be considered by the Commission as a recommendation as well as reasons can be given for not accepting these recommendations when it is required.

The Commission acts independently to address situations that might otherwise go unreported by taking suo motu cognisance of human rights violations through media reports. In the Gujarat Communal Riot case, the commission took suo motu action against the media. Reports on communal riots took place in Gujarat in early 2002¹². The Commission later prepared and published the Report on the riot, where the Commission observed that the State had failed in discharging its primary duty and inescapable responsibility to protect the rights to life, liberty, equality, and dignity of all of those who constitute it. The NHRC's report on the Gujarat riots found that the state had failed in its primary duty to protect life, liberty, and dignity, leading to legal and judicial interventions to ensure accountability.

The NHRC seeks to address the concerns of victims by suggesting compensation for them or their next of kin. The commission actively recommends monetary restitution to victims or their next of kin (NoK). In January 2014, approximately ₹180.9 lakh was recommended for relief, including death in judicial custody.¹³ The Madras High Court facilitated compensation payments of almost ₹25 lakh for victims of custodial death of minors.¹⁴

¹² Christophe Jaffrelot, "Communal Riots in Gujrat: The State at Risk" (Heidelberg Papers in South Asian and Comparative Politics, Working Paper No. 17, 2003); *available at*: https://www.researchgate.net/publication/33429564_Communal_Riots_in_Gujarat_The_State_at_Risk (last visited on: 12.04.2025)

¹³ NHRC, "Recommendations for relief" *available at*: <https://nhrc.nic.in/press-release/recommendations-relief-> (last visited on: 10.03.2025)

¹⁴ Suchita Shukla, "Madras High Court orders state to pay compensation of ₹25 Lakhs for custodial death of minor", *Verdictum*, 04 Sept 2023; *available at*: <https://nhrc.nic.in/press-release/recommendations-relief-52> (last visited on: 01.03.2025)

Additionally, the National Human Rights Commission issues key guidelines and recommendations on issues such as health, education, prison reforms, police conduct, food security, and violence against women. Recently, it has advised on prison reforms, the protection of human rights defenders, and matters related to leprosy and mental health. The Commission has played a pivotal role by acting on its own and on complaints in cases of human rights violations.

Thus, the Commission undertakes various functions, including investigating violations, conducting inquiries, advising, raising awareness, fostering collaboration with national and global human rights bodies, engaging with NGOs, and publishing annual reports.

STATE HUMAN RIGHTS COMMISSIONS

State Human Rights Commissions are established under section 21 of PHRA 1993. The Commission is a multimember body consisting of a chairperson and other members. The State Commission is empowered to perform similar functions, which have been entrusted to the National Human Rights Commission. State Commission inquiries into violations of human rights only with respect to matters related to any of the entries enumerated in List II and III.¹⁵ The study of treaties and other international instruments on human rights has been excluded from the purview of the State Human Rights Commission.

Concerning the process for addressing human rights complaints in Union Territories, the Human Affairs Minister suggested that an effective approach could be to expand the jurisdiction of the State Commissions from neighbouring States into the neighbouring Union Territories, similar to what has been done with High Courts.¹⁶

Human Rights Courts

The State Government established these courts in agreement with the Chief Justice of the High Court through a notification designating a court of session in each district as a Human Rights Court under the Protection of Human Rights Act.¹⁷ The State Government designates a Special Public Prosecutor to handle cases in the human rights court according to Section 31 of the Act.

¹⁵ Constitution of India, Schedule VII.

¹⁶ Arun Ray, *National Human Rights Commission of India: Formation, Functioning, and Future Prospects*, Vol-1 (Khama Publishers, 2nd Ed. New Delhi, 2004)

¹⁷ The Protection of Human Rights Act, 1993, section 30

JUDICIAL TRENDS ON HUMAN RIGHTS

Evolution of Article 21: Expanding the Right to Life and Personal Liberty

Article 21 of the Indian Constitution guarantees the right to life and personal liberty to all individuals, including both citizens and non-citizens. Over the years, the judiciary has played a crucial role in expanding its scope to include various socio-economic rights essential for human dignity.”

The noted jurist Dr. Durga Das Basu has referred article 21 as the most luminary provision in the constitution and occupies a pride of place therein, has often been declared as a rather plain statement of the most important of human rights, namely the fundamental rights. It is one of the most pivotal and widely interpreted provisions in Indian jurisprudence.

In *A.K Gopalan v. State of Madras*¹⁸, the very essence of personal liberty had a restrictive interpretation; in the following case, the court embraced a limited view of personal liberty, deciding that every fundamental right should be evaluated separately and could not be interpreted alongside others. Consequently, the ruling stated that due process of law was not required to limit personal freedom. This understanding imposed a major constraint, as it allowed for the enforcement of arbitrary detention laws without necessitating procedural protections for individual rights. However, this case was overruled by *Maneka Gandhi v. Union of India*¹⁹, in which the court interpreted the meaning of the right to life and personal liberty widely. In this case, Maneka Gandhi’s passport was impounded by the government under Section 10(3)(c) of the Passport Act, 1967, citing reasons of public interest. However, she was not given an opportunity to be heard, nor were the reasons for the action disclosed. She challenged this order, arguing that it violated her fundamental rights, particularly Articles Right to Equality, Freedom of Speech & Movement, and Right to Life and Personal Liberty. The court laid down procedural safeguards by preserving the principle of natural justice. The procedure must be just, fair and reasonable. Justice Bhagwati held, “*The expression ‘personal liberty’ in Article 21 is of the widest amplitude and includes rights that have been recognised as distinct fundamental rights under Article 19.*”

¹⁸ AIR 1950 SC 27

¹⁹ AIR 1978 SC 597

In *Olga Tellis v. Bombay Municipal Corporation*²⁰, also known as the “pavement dwellers case”, the Supreme Court held that the right to livelihood is an essential part of the right to life under Article 21. The Court ruled that pavement dwellers cannot be arbitrarily evicted without a fair and just procedure, as depriving them of their livelihood would amount to a violation of their fundamental rights. In another case of *M.C. Mehta v. Union of India*²¹, the “polluters pays principle” and “precautionary principle” were recognized by the Court, emphasising the need for environmental protection as a prerequisite for life. Further, in *K.S. Puttaswamy v. Union of India*²², a nine judges constitutional bench held that “Right to Privacy is a fundamental right which can be traced to Articles 14 and 19.”

The wide variety of rights under Article 21 also includes the right to travel abroad²³, the right against solitary confinement²⁴, the right to legal aid²⁵, the right to speedy trial²⁶, the right against handcuffing²⁷, the right against custodial violence²⁸, right to shelter²⁹, right to health³⁰, right to medical assistance³¹, right to fresh water and air³² etc.

The Indian judiciary has played an instrumental role in broadening the scope of Article 21, transforming it from a narrow guarantee of personal liberty into a dynamic and evolving safeguard of human dignity. By recognising socio-economic rights as essential components of life, the courts have ensured that fundamental rights are not merely theoretical but practical entitlements that adapt to contemporary challenges.”

Expansion of Rights through Public Interest Litigation

Public Interest Litigation is a broadened version of class action within the Common law is a procedural advancement that the Indian judiciary has adopted. The guideline of Locus Standi typically suggests that the individual who is approaching the court must establish his legal

²⁰ AIR 1986 SC 180

²¹ AIR 1987 SC 1086

²² AIR 2017 SC 4161

²³ *Satwant Singh Sawhney v. D. Ramarathnam, Assistant Passport*, AIR 1967 SC 1836.

²⁴ *Sunil Batra v. Delhi Administration*, AIR 1978 SC 1675.

²⁵ *Ramkant v. State of M.P.*, AIR 2012 SC 3034.

²⁶ *Hussainara Khatoon v. Home Secretary, State of Bihar*, AIR 1979 SC 1377.

²⁷ *Prem Shankar v. Delhi Administration*, AIR 1980 SC 1535.

²⁸ *Jogindar Kumar v. State of U.P.*, (1994) 4 SCC 260.

²⁹ *Chameli Singh v. State of U.P.*, (1996) 2 SCC 549.

³⁰ *Consumer Education and Research Centre v. Union of India*, AIR 1995 SC 922.

³¹ *Pt. Parmanand Katara v. Union of India*, AIR 1989 SC 2039.

³² *M.C. Mehta v. Union of India*, AIR 1988 SC 1037.

standing concerning the claim he aims to justify, often regarding a legal right or a legal duty breached by the defendant or respondent resulting in some form of harm or harm to him for which the law offers a solution.

*Hussainara Khatoon (I) v. State of Bihar*³³ was one of the first cases of public interest litigation in India. This case started as a result of several articles that exposed the appalling conditions of Bihar's undertrial inmates that appeared in *The Indian Express*. In order to draw the Supreme Court's attention to the injustice experienced by these inmates—many of whom had been imprisoned for longer than the maximum sentences allowed for their purported offenses—an advocate filed a writ petition. The Court acknowledged the advocate's locus standi to pursue the petition, leading to a series of rulings that emphasized the fundamental right to a speedy trial as an essential aspect of life and personal liberty.

In *Mumbai Kamgar Sabha v. Abdulbhai Faizullabhai*³⁴, Justice Krishna lyer freely extended the locus standi litigation and observed that in our socio-economic environment, the public interest can be promoted through a wide-ranging legislative litigation system, representative litigation, free public litigation and the like...conform to the current justice and consent of ordinary people³⁵.

A major shift that facilitated the growth of PIL is the relaxation of traditional locus standi rules, allowing any individual with a genuine interest in a matter to seek judicial intervention. In several instances, courts have even taken suo motu cognizance of issues based on media reports or public grievances. Furthermore, the judiciary has played a significant role in making Directive Principles more enforceable by integrating them into the scope of Fundamental Rights. The right to life under Article 21, for example, has been expanded to include rights such as free legal aid, dignified living, education, employment, and protection from inhumane treatment, including torture and wrongful confinement.

CHALLENGES IN THE PROTECTION AND IMPLEMENTATION OF HUMAN RIGHTS IN INDIA

³³ (1980) 1 SCC 81.

³⁴ AIR 1976 SC 1455.

³⁵ Dr. Ausaf Ahmad Malik, "Human Rights and Judicial Activism in India" 11 (8) *International Journal of Research in Humanities and Social Sciences* 11 (2021); available at: https://www.ijmra.us/project%20doc/2021/IJRSS_AUGUST2021/IJRSS2Aug21.pdf (last visited on: 12.04.2025)

Judicial Constraints

Denial of 'timely justice' amounts to denial of 'justice' itself. Timely disposal of cases is essential for maintaining the rule of law and providing access to justice which is a guaranteed fundamental right. However, as the present report indicates, the judicial system is unable to deliver timely justice because of huge backlog of cases for which the current judge strength is completely inadequate³⁶.

The issue of judicial backlogs in India is exacerbated by several challenges that hinder the efficient delivery of justice. One of the primary concerns is the inadequate judge strength, as the number of judges remains insufficient compared to the rising volume of cases, leading to an overwhelming burden on the judiciary. Additionally, data collection inconsistencies across various High Courts make it difficult to track pending cases accurately, as different courts follow varied methods of recording case institutions, disposals, and pendency. Another significant factor contributing to delays is the high volume of petty cases, such as traffic violations and cheque-bouncing cases under the Negotiable Instruments Act, which consume substantial judicial resources despite requiring minimal judicial intervention. Moreover, lack of infrastructure and procedural inefficiencies further slowdown case resolution, with courts often struggling with outdated case management systems and frequent adjournments. The absence of strict case-specific timeframes results in prolonged trials, as proceedings are frequently delayed due to procedural complexities and advocate tactics. Lastly, limited adoption of technology in the judiciary has prevented effective case monitoring and faster resolution, despite the potential of digital case management systems and e-courts to streamline judicial processes.

Addressing these challenges requires a multi-pronged approach, including judicial manpower planning, infrastructure development, and procedural reforms to ensure timely justice delivery.

Legislative Limitation - Stronger Enforcement of Mechanism for PHRA, 1993

The Human Rights Commission is expected to be completely independent in its functioning but there is no provision for the independence of the Commission.

³⁶ Law Commission of India, Govt of India, "245th Report on Arrears and Backlogs" (July 2014); *available at*: <https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022081643.pdf> (last visited on: 12.04.2025)

A major statutory loophole is the absence of a prescribed time limit for SHRCs to submit their annual reports. Additionally, these reports are only provided to the central and state governments, with no legal mandate requiring SHRCs to make them publicly accessible, raising significant transparency concerns. It is observed that only 16% of the total 25 SHRCs (28 states) had uploaded their annual reports for the year 2020-21.³⁷

Many human rights courts at district level but their impact is low due to procedural challenges. Hence, these limitations hinder the enforcement of Human Rights.

RECOMMENDATIONS

To effectively address judicial backlogs and ensure timely justice delivery, several crucial recommendations must be implemented. Doubling the strength of judges is essential to manage the increasing volume of cases and prevent further accumulation of pending matters.

Alongside this, the integration of technology and online case management systems should be prioritised to streamline judicial processes, enable digital tracking of cases, and minimise unnecessary delays.

Courts should also adopt case-specific timeframes, ensuring that trials progress without unnecessary adjournments and that cases are disposed of within a reasonable period.

Additionally, the enforcement of District Human Rights Courts must be made mandatory, as they play a critical role in protecting fundamental rights at the grassroots level.

- To strengthen the human rights framework, the National Human Rights Commission (NHRC) must be equipped with its own enforcement and investigative agency, allowing it to take direct action in cases of rights violations.
- The NHRC must provide mandatory and free legal aid to ensure that victims of human rights violations, particularly marginalised groups, receive proper legal representation. In the long term, education policy must incorporate human rights education, fostering awareness and empowering citizens with knowledge of their rights from an early stage.

³⁷ Nehru and Hitesh Manglani, "Human Rights Protection at State Level: A Critique of the Functioning of SHRCs in India" 5 *Shimla Law Review* 253 (2022); available at: <https://doi.org/10.70556/hpnlslr-v5-I1-2022-12>

- The State Human Rights Commissions (SHRCs) must be periodically reviewed and updated, ensuring their structural efficiency and operational effectiveness. A statutory provision must also mandate the submission of annual reports by SHRCs within the specific time frame, ensuring accountability and transparency in their functioning.

CONCLUSION

The constitutional protection of human rights in India has evolved through a combination of legal provisions, judicial activism, and international commitments. The Indian Constitution, particularly through Fundamental Rights and Directive Principles of State Policy, provides a robust framework for safeguarding human dignity, equality, and freedom. The judiciary has played a critical role in expanding the interpretation of Article 21, ensuring that the right to life and personal liberty encompasses a broad spectrum of socio-economic rights, including privacy, education, health, and environmental protection.

The Protection of Human Rights Act of 1993 has further institutionalised human rights protection by establishing National and State Human Rights Commissions. However, challenges such as judicial backlogs, weak enforcement mechanisms, and procedural inefficiencies continue to hinder the effective realisation of human rights. Addressing these issues requires strengthening judicial infrastructure, implementing case-specific timeframes, expanding legal aid, and enhancing transparency in human rights commissions.

Moving forward, a more proactive approach is needed to ensure the full realisation of human rights in India. This includes legislative reforms, technological advancements in the judiciary, and greater public awareness. By reinforcing these mechanisms, India can further strengthen its commitment to human rights and uphold the principles of justice, equality, and human dignity enshrined in its Constitution.