

Assignment (2)

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Case:- Discuss and brief Human Right protection Act Torture of a child labour : Uttar Pradesh.

Human protection Act :-

The protection of human Right Act 1993 (amended in 2006 and 2019) is the primary law in India for the protection and promotion of human rights.

It lead to of National Human Rights Commission NHRC at level and state Human Rights Commission at state level.

Key features:-

Human Rights means the rights relating to life, liberty, equality and dignity guaranteed by the Constitution or embodied in international covenants enforceable by courts.

Establishment of Commission:-

① NHRC at national level.

- ② SHRCs at states.
- ③ Human Rights Courts at district level.

Power of functions:-

- ① Inquire into human right violations.
- ② Interference in court proceeding with approval.
- ③ Recommend actions, compensation or prosecutions.
- ④ Review safeguards and suggest better law of human rights.
- ⑤ promote awareness and education regarding human rights.

Complaint Handling:-

Any person or group can approach the NHRC / SHRC in cases of violations or negligence by public servants.

Limitations:-

The NHRC / SHRC can only recommend actions - they don't have direct enforce power. Their recommendations, however, carry significant weight.

Case Discussion:-

Torture of child labourers - UP

Summary of Incident:-

In July 1998, two drunken police constables brutally assaulted a young boy employed at roadside Dhaba. When boy refuses inappropriate demands he was tortured, including being branded with a hot iron rod.

Key Actions Taken:-

① Suo-motu Cognizance:-

The NHRC took notice of the media report without waiting for a formal complaints.

② Investigation:-

NHRC own investigating team confirmed the abuse.

③ Immediate Measures.

① Two guilty recommended were suspended and criminal proceedings initiated.

② The NHRC recommended 5000 interim relief to the boys parents for his welfare and education.

③ Actions was also taken against the Dhaba owner under the Child Labour Act.

Legal and Human Rights Perspective

① Violation of Child Rights:-

① The act violated the right to dignity protection against exploitation and fundamental right against child labour (Article 24 Constitution).

② Convention on the Rights of the child (CRC):-

③ Violation of Human Rights.

The case involved torture (a grave human rights violation) and economic exploitation of minor.

④ Good Practice Example:-

NHRC demonstrated an ideal response.

- ① Swift intervention.
- ② Multilevel actions (criminal, compensation, child labour laws).
- ③ Focus on both justice and re-habilitation.

Comment and conclusion:-

This case shows the critical role of Human Rights Commission in protecting the rights of vulnerable especially children.

It also highlights the importance of strong legal frameworks, proactive media, and responsive institutions.

However such incidents underline the need for:-

- ① Stricter enforcement of laws.
- ② Sensitization of police and public servants.
- ③ Awareness drives against child labor and custodial violence.

The case is a textbook example of how national human rights

mechanisms. When active, can convert constitutional principles into real principles into the weakest sections of society.

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