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## PROTECTION OF HUMAN RIGHTS IN INDIA



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### ABSTRACT

The concept of Human Rights has arisen from that of natural rights of all human. The belief that every person by virtue of his humanity is entitled to certain natural rights is a recurring theme throughout the history of mankind. India experienced continued incidents of violence against women failed to provide protection for freedom of speech and continued to not hold public officials accountable for wrongdoing. Abuses by the police and security forces including extrajudicial killings, torture and rape, as well as corruption at all levels of government, are the most significant human rights problems in India. The world's largest democracy is also dogged by separatist violence, life-threatening prison conditions, sex trafficking of children and an atmosphere of impunity resulting from the overburdened judicial system. Media has been entrusted with the responsibility of guarding the rights of the people in a democratic political system. Since Media are eyes and ears of any democratic society, their existence becomes detrimental to the sustenance of all democratic societies. Free media is considered the pillar of a modern democratic state. Press freedom is prerequisite to make the state mechanisms responsible and accountable towards people. The media plays a leading role in creating fair public opinion, and is one of the most powerful means to put across people's problems, desires and aspirations to the government is the media. If their freedom is not guaranteed, the process of creating fresh public opinion falters. This paper tries to focus on the role of media in protecting and promoting human rights.

**KEY WORDS:** Human Rights, Media, Violation, public opinion, press.

### INTRODUCTION

Human rights are rights birth to live, to live a healthy life in the society, to earn his living, to have social cohesion with their fellows, to have respect in the society. According to the constitution, there is no discrimination on the basis of their color, caste and creed, place of residence, sex, religion, nationality, language and national origin. Human beings cannot be debarred from their basic right of living and life. United Nations organization and many international organizations ensure human rights to the human beings in all countries.

Human rights are basic and fundamental rights for the social, economic, political and personal development of the human beings.

### FEATURES OF HUMAN RIGHTS

1. Human Rights are applicable only in the social and human society. They are not applicable in the human-less society.
2. Human Rights cannot be separated from the human beings unless and until any human being commits any crime and found guilty by the court.
3. Human rights cannot be divisible. Human rights are provided to each and every individual equally.
4. Human Rights are universal. A person living in anywhere, in any country can have human rights.
5. A person can be discriminated against on the basis of his social status, caste, colours to have human rights

### HUMAN RIGHTS: VIOLATIONS BY THE GOVERNMENT, POWERFUL PEOPLE IN THE SOCIETY

There are many examples of human rights violations in our society. Due to ignorance and non-awareness among people about their human rights, the many powerful people in the society violate the human rights of the people of weaker sections. For example:

1. Unequal salary: the women and men working in the same field, doing same work and labour are not given equal payment by the employers.
2. Unequal treatment: people are respected in the society on the basis of their wealth and property. Poor, illiterate, weak and innocent people have to face harsh behaviour of the powerful people in the society.
3. Debarred from basic needs: the old age people in many families are not given even basic needs like food, water, shelter, clothes and medicines by their own children.
4. The absence of basic facilities at the workplace: workers should be given basic and healthy facilities at the workplace by the employers for the healthy development of their workers.
5. Discrimination on the basis of residence: Rural people are discouraged to get better facilities in urban areas.
6. Discrimination on the basis of disabilities of a person at the workplace and in the educational institutions.
7. Force a person to work in the fields without pay.
8. Debarred a person from maternal care and cruel behaviour with the sick and helpless person.

### HUMAN RIGHTS VIOLATION IN HARYANA

Human rights are a guarantee to the human beings to enjoy their life, ensure political, social, economic, personal, psychological, and physical development. They are expressed in treaties, customary international law, bodies of principles and other sources of law. Human rights law places an

obligation on States to act in a particular way and prohibits States from engaging in specified activities. However, the law does not establish human rights. Human rights are inherent entitlements which come to every person as a consequence of being human.

Haryana, which has time and again dominated the headlines for atrocities on Dalits and rising crime against women, stands second in the country in the list of complaints relating to human rights violations. Already with an abysmal record of rights violations and atrocities on Dalits, Haryana now has the second highest number of human rights violation cases reported to National Human Rights Commission in the past three years.

Haryana trails only Uttar Pradesh in the cases of human rights violations. And, the matter of concern here is that the cases of rights violations are on rising in the State. According to the National Human Rights Commission data, the Commission registered 12262 complaints of human rights violations either sue Moto or on complaints or on intimation by the prison and police authorities from Haryana during the time period of April 2014- January 2015.

In 2011-2012, the complaints registered were 4175 which jumped significantly to 9440 in 2012-13. The number of rights violations cases went up to 10297 in 2013-14. Till January this year, the figure has already touched 12262, signifying high incidence of human rights violations in Haryana. The human rights violations are segregated into various categories including those related to children, health, jail, judiciary, the mafia, labour, minorities, police, pollution and environment, women, paramilitary, defence forces, terrorism, foreigners, and riots.

The National Human Rights Commission registered a total of 95965 cases from April 2014- January 2015 with Uttar Pradesh topping the chart with 43455 cases followed by Haryana with 12262, national capital Delhi with 7805 and Odisha 4223. During the same period, the Commission received 1566 complaints from Haryana's neighbouring state Punjab, 248 from neighbouring Himachal Pradesh and 181 complaints from Haryana's capital Chandigarh.

Notably, National Human Rights Commission had in March this year issued the notice to the Haryana Government seeking the report on desecration of an under-construction church in Hissar and over the alleged botched cataract surgery in Panipat in which 19 patients lost their vision. In the past, the Commission had issued notices to the State Government taking sue motto cognizance of reports related to increasing in the infant mortality rate in Haryana, severe malnutrition among children, attack on Dalits girls' harassment cases among others.

Haryana Human Rights Commission has received 2825 complaints from November 2012 till March 2015. Out of the total complaints, 1679 complaints have been disposed of while 1146 complaints are under consideration. An official of the Haryana Human Rights Commission informed that nearly 60 percent complaints received by Haryana Human Rights Commission so far are against police personnel of Haryana.

These complaints are of various nature including allegations of helping the criminals, harassment of innocent, negligence in duty, demanding bribe among others. The Haryana Human Rights Commission had started functioning with effect from November 22. Any person aggrieved on account of violation of his or her human rights could submit his or her complaint along with an affidavit during office hours on any working day.

## **MEDIA**

Media today is playing an important role in the political, social, economic, psychological, physical and personal development of the citizens of a nation. It makes the citizens aware of the

political development in the country. it helps in the success of the democracy and smooth running of a government in the country.

Traditionally, the vehicle of public information was the Press. Today it is called the media, which include the press, the radio, the television and the internet. In India, there are the different type of newspapers, channels, magazines are available to make the citizens aware about the current scenario of a country It is no wonder that the freedom of the Press or media became a watchword after the emergency.

The media should dispose of both good and bad faces of any situation. Nowadays media is exposing many cases of human rights violations in our society. Violations of human rights of children, women, old age people, soldiers, workers, farmers, labourers buy the powerful people, naxalis, terrorists', religious gurus and officials.

### **IMPACT OF MEDIA**

1. Society is influenced by media in so many ways. The information provided by the news channels and the news papers help in framing the opinion of the citizens about the government and about any problem.
2. It is the media which keeps the people updated and informed about what is happening around them and the world. Everyone can draw something from it.
3. The media affects people's perspective. Too much intervention of media in everything is a matter of concern.
4. Media helps in the formation of a strong democracy and the government of a country.
5. Media helps the people to get information of worldwide in few seconds at one place in the house. It saves the time, money and energy of the people.
6. It helps the people to be aware of their political, social, economic, personal, fundamental and natural rights.
7. It helps the people and the victims of violations of human rights to get justice through human rights agencies in the societies.
8. Media reduces the communication gap between the people and government, between people and other agencies in the worldwide.
9. Media helps in controlling and checking scams and violations of human rights.
10. Without media, the news of government schemes and benefits would have never reached the target audience.

### **ROLE OF MEDIA IN THE PROTECTION OF HUMAN RIGHTS**

Media has been exposing many incidents of human rights violation through video recording, audio recordings, and interviews of the victims and clear photographs of the incidents.

Media has exposed following incidents of human rights violation

1. Miserable working conditions of workers in mines.
2. Child labour
3. Old age people expelled from their houses.
4. People not getting their pensions
5. Living conditions of workers
6. Police torture
7. Conduct of officials towards common men

8. Tortures to workers

9. Tortures to domestic helpers

These exposures by the media put a great effect on policymakers, lawmakers and existing laws are amended. These exposures also help to form public opinion. Only the media can provide proper proof of human right violation and encourage people to help the victims and appeal justice providers to provide justice to the victims.

### **SUGGESTIONS TO IMPROVE THE ROLE OF MEDIA IN PROMOTION OF HUMAN RIGHTS**

1) With regard to gender rights, he made a specific reference to Sections 164A, 164B, 354A, 370, 372 and 375 of the IPC, these Sections contained detailed descriptions of how law enforcement agencies were to respond to victims of gender discrimination and violence, and also what steps could be taken against the latter if they did not follow the instructions given in these Sections to the letter as per the laws of the land.

2) The media and non-government organisations are the "antennas" of society in highlighting human rights violations, and bringing them to the notice of the National Human Rights Commission, National Human Rights Commission has been able to take "suo moto" action in most of these cases as a result.

3) Due to media National Human Rights Commission dealt with more than one lakh complaints last year, and about 99,000 so far this year and has taken 300 sue Moto actions. .The National Human Rights Commission needs more teeth and more funds to discharge its functions more effectively.

4) The media should verify facts related to a case or cases before reporting on them. This will help the National Human Rights Commission to perform its role more positively.

5) Media access has an impact on the acceptance of violence: accessing media positively influence general norms on women's status and reduce the acceptance of violence.

### **THE NEGATIVE ROLE OF MEDIA**

1. Nowadays paid media shows only the one side of the incidents.

2. Sometimes only the part of the incident is shown not the whole incident to have the clear idea of the incident.

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