

# REPORT OF BASIC TRAINING ON HUMAN RIGHTS



Sponsored by

**National Human Rights Commission, GoI, New Delhi**  
on 3rd March, 2019 at Seminar Hall of the College



Organized by :

Department of Political Science,  
JMDPL Mahila College, Madhubani  
Chairman-cum-Patron: **Dr. UN Tiwari,**  
**Principal**

Convener: **Dr. Vinay K.Das,** Assistant Professor

Deptt. of Political Science



# Highlights of the Training

- Date : 3<sup>rd</sup> March, 2019.
- Place : Seminar Hall, JMDPL Mahila College, Madhubani (Bihar)
- Convener : Dr. Vinay K. Das  
Deptt. Of Political Science
- Organizing Department : Deptt. of Political Science  
JMDPL Mahila College,  
Madhubani-847211 (Bihar)
- Sponsoring Agency : National Human Rights Commission  
Gol, New Delhi.
- Sanction no : File No-23011/15/2018-19 / Trg  
Date: 31/08/2018
- Total Presence : 106
- Duration : 1 day
- Tools and Methods used : Group discussion, Flip Chart, marker  
and group leader presentation
- Resource Persons :
  - Dr. Kr. Sachhidanand : Teacher and Human Rights Educator, Jainagar
  - D.P.Karn : Human Rights Educator & Development  
Consultant
  - Dr. Dr. Alpana Shalini : Deptt. of Psychology, MRM College, Darbhanga
  - Smt. Aparna Roy : Teacher and Human Rights Activist
  - Dr. Kumar Abhishek : Teacher and Human Rights Activist
  - Sri Jay Kumar : Research Scholar, Delhi University

## Chief and other Distinguished Guests:

- Sri Rakesh Tiwari : Additional Chief Judicial Magistrate, Madhubani.
- Smt. Reena : Lawyer

## Key Hosts:

- Dr. UN Tiwari : Principal-cum-Patron
- Dr. Mithilesh Kumar Jha : Associate Prof. in Physics-cum-Bursar
- Dr. Lal Babu Sah : Head, Deptt. of Political Science
- Dr. PK Sinha : Assistant Professor in History
- Dr. Vinay K. Das : Assistant Prof. in Pol. Sc.- cum-Convener
- Dr. BB Roy : Assistant Professor in Political Science
- Dr. Lal Babu Sah : Assistant Professor in Political Science
- Dr. Shamshe Alam : Assistant Prof. in Physics

## WELCOME AND INAUGURAL SESSION

**WELCOME & INTRODUCTION** session started with the lightening of the lamp by Dr. UN Tiwari, Principal-cum-Patron and Chairperson of the training of the event along with other guests and resource persons followed by his welcome address for the guests, resource persons and participants. Further, Dr. Tiwari delivered his welcome address to the participants, Resource Persons, media persons and other distinguished participants.



Shree Rakesh Tiwari, Additional Chief Judicial Magistrate as a Chief Guest while delivering his inaugural address, drew attention on the trainees, Principals, Resource Persons, Professors. media persons and other august participants of the Training on Human Rights towards significance of the training in social life of the common people and the students particularly belonging to the adolescent age groups at educational institutions. At first he expressed his thanks to department of Political Science of the college for initiating formative effort to develop epistemology of the students towards Human Rights. Besides, he also recognized and appreciated the collaborative and supportive endeavor of National Human Rights Commission (NHRC), Gol, New Delhi.

Consistently delivering on the topic, he elaborated the genesis and development of the concept of human rights. He further added that there are four main domains of human rights - Life, Liberty, Dignity and Equality. These are the subjects of International Human Rights Law and Humanitarian Law ratified by India in different international instruments, such as, the United Nations Charter of 1945, the Universal Declaration of Human Rights (UDHR) of 1948, the International Convention on Civil and Political Rights (ICCPR) of 1966, the International Convention on Economic, Social and Cultural Rights (ICESCR) of 1966, the Convention on Elimination of Racial Discrimination (CERD) of 1964, the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) of 1979, the Convention on the Rights of Children (CRC) of 1989 etc.

We know promotion, protection and the prevention of the violation of human rights can best be achieved through its training. Keeping in view the same, the United Nations declared the decade (1995-2004) as the **United Nations Decade for Human Rights Education (1995-2004)** and the decade (2005-ongoing) as the **World Programme for Human Rights Education**.

### **Human rights education and training**

*Education is not a “cure-all” for all human rights issues.* For example, education will not, on its own, remove systemic barriers. Education works best along with a strong proactive strategy to prevent and

remove barriers to equal participation, and effective policies and procedures for addressing human rights issues.



But human rights training are core elements to build a “human rights culture” in any society which can deepen understanding and awareness of human rights issues, rights and responsibilities and build support for initiatives. It is fundamental to contributing to the long-term prevention of human rights abuses and the establishment and strengthening of the rule of law and democracy by ensuring that all stakeholders are equipped with human rights knowledge and skills to enable them to better contribute to human rights protection.

There may be many different approaches to human rights training and no one way is better than the other. An effective human rights education program should include training on:

- National policies and procedures related to human rights
- The principles and provisions of the specific *codes*
- General human rights issues such as racism, sexism, homophobia, ageism, etc.
- Complying with policies (everyone)
- Implementing policies
- Providing expert advice, ensuring compliance
- Overall human rights strategy.....

After completion of formal inaugural session Dr. Vinay K.Das, convener of the event initiated the technical session and invited Sri D.P.Karn, the Technical Resource Person, to enter into the subject and acquaint the audience with thematic inputs. The training program began with the presentation of Technical Resource Person, Mr. D. P Karn, (Human Rights Educator, a Post Graduate in Human Rights and having 18 years experience of human rights education). Opening the session he said that promotion, protection and the prevention of the violation of human rights is an international obligation and it must be adhered to by all concerned.

He was assigned three components, namely, as under:

- i) The Constitutional mechanisms of Human Rights Protection in India**
- ii) The Universal Declaration of Human Rights, and**
- iii) The International Covenants.**

Components of his delivery are as under:

**Entry into the subject:**

#### **Part I**

**Mr. Karn explained the international mechanisms of human rights protection, as under:**

##### **I. The United Nations Initiatives:**

- The Human Rights Commission

- The Commission on the Rights of Women
- The Sub-commission on prevention of Discrimination and Protection of Minorities
- The Human Rights Committee
- The Committee on Economic, Social and Cultural Rights
- The High Commissioner for Human Rights

## II. Initiatives taken by the I/NGOs / Bilaterals / Multilaterals / Corporate / Regional Organizations and the Nations:

Bill & Millinda Gates Foundation, CARE International, the World Bank, the IMF, the Asian Development Bank, GE, GM, SAARC, OPEC etc.

## III. National Mechanisms: Constitutional Mechanisms in India

### Governmental:

- The National Human Rights Commission Act, 1993: Establishment, structure, function and initiatives taken for human rights protection in India
- The provision of State Human Rights Commissions at state level
- The provision of Human Rights Committees at district level



### Non-Governmental: NGOs, Trusts and Companies:

- PUCL, PUDR, ADR, Koshish, Samarpan, Bharat Trust, Geeta - Kailash Foundation, Samadhan, Centre for Development Studies etc.

### Human Rights in India: Status review

Most of the civil and political rights have been included in the Fundamental Rights chapter of the Indian Constitution or in other laws but economic and social rights are yet to be given as a legal right. The following human rights have been included as fundamental or legal rights:

SI No.	Subject	Article of UDHR	Article of Indian Constitution
1	Equality before the law	7	14
2	Prohibition against discrimination based on religion, sex, race etc.	2 (1)	15
3	Equality or opportunity in appointment in public service	21 (1)	16 (1)
4	Freedom of expression, holding meetings, assemble peacefully, form associations, move and settle down at a place of choice etc.	19,20 (1,2)	19 (1)
5	Presumption that one is innocent till proved guilty, and protection against punishment for an act which was not an offence at the time of its commission	11 (1), 2	20 (1)
6	Right to life and personal liberty	3, 9	21
7	Prohibition against slavery, slave trade and servitude in any form	4	23 (1)
8	Freedom of thought, conscience and religion and to manifest them in private or public	18	29 (1)
9	Protection of the minorities	22	29 (1)
10	Constitutional guarantee against violation of rights	8	32, 226
11	Provision against torture	9	Section 330 & 331 of IPC
12	Right to a fair and public hearing by an independent and impartial judiciary	10	Constitutional guarantee
14	Right to participate in the Govt. directly or through representatives and right to elect a Govt. in free and fair election	21	Under the scheme of the constitution
15	Right to education	26	RTE Act, 2009
16	The following articles protect the rights of the minorities: i) Right to freedom of conscience, practice and free profession practice and promulgation of religion ii) Freedom to manage religious affairs iii) Freedom from being compelled to pay taxes for promotion of any particular religion iv) Freedom from compulsory attendance at religious workshop in educational institutions v) Protection of interest of minorities vi) Right of minorities to establish and administer educational institutions		Article 29  Article 26 Article 27  Article 28  Article 29  Article 30

**The following human rights have not been made legal rights:**

1	Right to social security and economic and social rights necessary for development of a person	22	XXXX
2	Right to work and right to just and favorable remuneration	23	XXXX
3	Right to a standard of living adequate for health, food, clothing, housing, medical care and security in the event of unemployment, sickness, disability, widowhood, old age and lack of livelihood etc.	25	XXXX

## Part II

### **The Universal Declaration of Human Rights: 10 December, 1948**

The United Nations Organization prepared a draft of the human rights and adopted on 10 December, 1948 and which was promulgated as the Universal Declaration of Human Rights. It consists of a preamble and 30 articles formulating various rights. All members of the UN have accepted the declaration and pledged themselves to make the rights available to their citizens. The articles are as under – attached herewith as it was made understood to the participants in Hindi language.

### **मानव अधिकारों की सार्वभौम घोषणा**

१० दिसम्बर १९४८ को यूनाइटेड नेशन्स की जनरल असेम्बली ने मानव अधिकारों की सार्वभौम घोषणा को स्वीकृत और घोषित किया। इस ऐतिहासिक कार्य के बाद ही असेम्बली ने सभी सदस्य देशों से अपील की कि वे इस घोषणा का प्रचार करें और देशों अथवा प्रदेशों की राजनैतिक स्थिति पर आधारित भेदभाव का विचार किए बिना, विशेषतः स्कूलों और अन्य शिक्षा संस्थाओं में इसके प्रचार, प्रदर्शन, पठन और व्याख्या का प्रबन्ध करें। यह विश्व का सर्वाधिक अनुवादित दस्तावेज है।

### **प्रस्तावना**

चूंकि मानव परिवार के सभी सदस्यों के जन्मजात गौरव और समान तथा अविच्छिन्न अधिकार की स्वीकृति ही विश्व-शान्ति, न्याय और स्वतन्त्रता की बुनियाद है,

चूंकि मानव अधिकारों के प्रति उपेक्षा और घृणा के फलस्वरूप ही ऐसे बर्बर कार्य हुए जिनसे मनुष्य की आत्मा पर अत्याचार किया गया, चूंकि एक ऐसी विश्व-व्यवस्था की उस स्थापना को ( जिसमें लोगों को भाषण और धर्म की आज़ादी तथा भय और अभाव से मुक्ति मिलेगी ) सर्वसाधारण के लिए सर्वोच्च आकांक्षा घोषित किया गया है,



चूंकि अगर अन्याययुक्त शासन और जुल्म के विरुद्ध लोगों को विद्रोह करने के लिए—उसे ही अन्तिम उपाय समझ कर—मजबूर नहीं हो जाना है, तो कानून द्वारा नियम बनाकर मानव अधिकारों की रक्षा करना अनिवार्य है,

चूंकि राष्ट्रों के बीच मैत्रीपूर्ण सम्बन्धों को बढ़ाना ज़रूरी है,  
चूंकि संयुक्त राष्ट्रों के सदस्य देशों की जनताओं ने बुनियादी मानव अधिकारों में, मानव व्यक्तित्व के गौरव और योग्यता में और नरनारियों के समान अधिकारों में अपने विश्वास को अधिकार-पत्र में दुहराया है और यह निश्चय किया है कि अधिक व्यापक स्वतन्त्रता के अन्तर्गत सामाजिक प्रगति एवं जीवन के बेहतर स्तर को उंचा किया जाया,

चूंकि सदस्य देशों ने यह प्रतिज्ञा की है कि वे संयुक्त राष्ट्रों के सहयोग से मानव अधिकारों और बुनियादी आज़ादियों के प्रति सार्वभौम सम्मान की वृद्धि करेंगे,

चूंकि इस प्रतिज्ञा को पूरी तरह से निभाने के लिए इन अधिकारों और आज़ादियों का स्वरूप ठीक-ठीक समझना सबसे अधिक ज़रूरी है। इसलिए, अब,

सामान्य सभा घोषित करती है कि

मानव अधिकारों की यह सार्वभौम घोषणा सभी देशों और सभी लोगों की समान सफलता है। इसका उद्देश्य यह है कि प्रत्येक व्यक्ति और समाज का प्रत्येक भाग इस घोषणा को लगातार दृष्टि में रखते हुए अध्यापन और शिक्षा के द्वारा यह प्रयत्न करेगा कि इन अधिकारों और आज़ादियों के प्रति सम्मान की भावना जाग्रत हो, और उत्तरोत्तर ऐसे राष्ट्रीय तथा अन्तर्राष्ट्रीय उपाय किये जाएं जिनसे सदस्य देशों की जनता तथा उनके द्वारा अधिकृत प्रदेशों की जनता इन अधिकारों की सार्वभौम और प्रभावोत्पादक स्वीकृति दे और उनका पालन करावे।

**अनुच्छेद १.**

सभी मनुष्यों को गौरव और अधिकारों के मामले में जन्मजात स्वतन्त्रता और समानता प्राप्त है। उन्हें बुद्धि और अन्तरात्मा की देन प्राप्त है और परस्पर उन्हें भाईचारे के भाव से बर्ताव करना चाहिए।

**अनुच्छेद २.**

सभी को इस घोषणा में सन्निहित सभी अधिकारों और आज़ादियों को प्राप्त करने का हक है और इस मामले में जाति, वर्ण, लिंग, भाषा, धर्म, राजनीति या अन्य विचार-प्रणाली, किसी देश या समाज विशेष में जन्म, सम्पत्ति या किसी प्रकार की अन्य मर्यादा आदि के कारण भेदभाव का विचार न किया जाएगा।

इसके अतिरिक्त, चाहे कोई देश या प्रदेश स्वतन्त्र हो, संरक्षित हो, या स्वशासन रहित हो या परिमित प्रभुसत्ता वाला हो, उस देश या प्रदेश की राजनैतिक, क्षेत्रीय या अन्तर्राष्ट्रीय स्थिति के आधार पर वहां के निवासियों के प्रति कोई फ़रक न रखा जाएगा।

**अनुच्छेद ३.**

प्रत्येक व्यक्ति को जीवन, स्वाधीनता और वैयक्तिक सुरक्षा का अधिकार है।

**अनुच्छेद ४.**

कोई भी गुलामी या दासता की हालत में न रखा जाएगा, गुलामी-प्रथा और गुलामों का व्यापार अपने सभी रूपों में निषिद्ध होगा।

**अनुच्छेद ५.**

किसी को भी शारीरिक यातना न दी जाएगी और न किसी के भी प्रति निर्दय, अमानुषिक या अपमानजनक व्यवहार होगा।

**अनुच्छेद ६.**

हर किसी को हर जगह क़ानून की निगाह में व्यक्ति के रूप में स्वीकृति-प्राप्ति का अधिकार है।

**अनुच्छेद ७.**

क़ानून की निगाह में सभी समान हैं और सभी बिना भेदभाव के समान क़ानूनी सुरक्षा के अधिकारी हैं। यदि इस घोषणा का अतिक्रमण करके कोई भी भेद-भाव किया जाया उस प्रकार के भेद-भाव को किसी प्रकार से उकसाया जाया, तो उसके विरुद्ध समान संरक्षण का अधिकार सभी को प्राप्त है।

**अनुच्छेद ८.**

सभी को संविधान या क़ानून द्वारा प्राप्त बुनियादी अधिकारों का अतिक्रमण करने वाले कार्यों के विरुद्ध समुचित राष्ट्रीय अदालतों की कारगर सहायता पाने का हक है।



### अनुच्छेद ९.

किसी को भी मनमाने ढंग से गिरफ्तार, नज़रबन्द या देश-निष्कासित न किया जाएगा।

### अनुच्छेद १०.

सभी को पूर्णतः समान रूप से हक है कि उनके अधिकारों और कर्तव्यों के निश्चय करने के मामले में और उन पर आरोपित फौज़दारी के किसी मामले में उनकी सुनवाई न्यायोचित और सार्वजनिक रूप से निरपेक्ष एवं निष्पक्ष अदालत द्वारा हो।

### अनुच्छेद ११.

(१) प्रत्येक व्यक्ति, जिस पर दण्डनीय अपराध का आरोप किया गया हो, तब तक निरपराध माना जाएगा, जब तक उसे ऐसी खुली अदालत में, जहां उसे अपनी सफ़ाई की सभी आवश्यक सुविधाएं प्राप्त हों, कानून के अनुसार अपराधी न सिद्ध कर दिया जाय।

(२) कोई भी व्यक्ति किसी भी ऐसे कृत या अकृत (अपराध) के कारण उस दण्डनीय अपराध का अपराधी न माना जाएगा, जिसे तत्कालीन प्रचलित राष्ट्रीय या अन्तर्राष्ट्रीय कानून के अनुसार दण्डनीय अपराध न माना जाए और न उससे अधिक भारी दण्ड दिया जा सकेगा, जो उस समय दिया जाता जिस समय वह दण्डनीय अपराध किया गया था।

### अनुच्छेद १२.

किसी व्यक्ति की एकान्तता, परिवार, घर या पत्रव्यवहार के प्रति कोई मनमाना हस्तक्षेप न किया जाएगा, न किसी के सम्मान और ख्याति पर कोई आक्षेप हो सकेगा। ऐसे हस्तक्षेप या आक्षेपों के विरुद्ध प्रत्येक को कानूनी रक्षा का अधिकार प्राप्त है।

### अनुच्छेद १३.

(१) प्रत्येक व्यक्ति को प्रत्येक देश की सीमाओं के अन्दर स्वतन्त्रतापूर्वक आने, जाने और बसने का अधिकार है।

(२) प्रत्येक व्यक्ति को अपने या पराये किसी भी देश को छोड़ने और अपने देश को वापस आने का अधिकार है।

### अनुच्छेद १४.

(१) प्रत्येक व्यक्ति को सताये जाने पर दूसरे देशों में शरण लेने और रहने का अधिकार है।

(२) इस अधिकार का लाभ ऐसे मामलों में नहीं मिलेगा जो वास्तव में गैर-राजनीतिक अपराधों से सम्बन्धित हैं, या जो संयुक्त राष्ट्रों के उद्देश्यों और सिद्धान्तों के विरुद्ध कार्य हैं।

### अनुच्छेद १५.

(१) प्रत्येक व्यक्ति को किसी भी राष्ट्र-विशेष को नागरिकता का अधिकार है।

(२) किसी को भी मनमाने ढंग से अपने राष्ट्र की नागरिकता से वंचित न किया जाएगा या नागरिकता का परिवर्तन करने से मना न किया जाएगा।

### अनुच्छेद १६.

(१) बालिग स्त्री-पुरुषों को बिना किसी जाति, राष्ट्रीयता या धर्म की रुकावटों के आपस में विवाह करने और परिवार को स्थापन करने का अधिकार है। उन्हें विवाह के विषय में वैवाहिक जीवन में, तथा विवाह विच्छेद के बारे में समान अधिकार है।

(२) विवाह का इरादा रखने वाले स्त्री-पुरुषों की पूर्ण और स्वतन्त्र सहमति पर ही विवाह हो सकेगा।

(३) परिवार समाज की स्वाभाविक और बुनियादी सामूहिक इकाई है और उसे समाज तथा राज्य द्वारा संरक्षण पाने का अधिकार है।

### अनुच्छेद १७.

(१) प्रत्येक व्यक्ति को अकेले और दूसरों के साथ मिलकर सम्मति रखने का अधिकार है।

(२) किसी को भी मनमाने ढंग से अपनी सम्मति से वंचित न किया जाएगा।

### अनुच्छेद १८.

प्रत्येक व्यक्ति को विचार, अन्तरात्मा और धर्म की आज्ञादी का अधिकार है। इस अधिकार के अन्तर्गत अपना धर्म या विश्वास बदलने और अकेले या दूसरों के साथ मिलकर तथा सार्वजनिक रूप में अथवा निजी तोर पर अपने धर्म या विश्वास को शिक्षा, क्रिया, उपासना, तथा व्यवहार के द्वारा प्रकट करने की स्वतन्त्रता है।

#### अनुच्छेद १९.

प्रत्येक व्यक्ति को विचार और उसकी अभिव्यक्ति की स्वतन्त्रता का अधिकार है। इसके अन्तर्गत बिना हस्तक्षेप के कोई राय रखना और किसी भी माध्यम के ज़रिए से तथा सीमाओं की परवाह न कर के किसी की मूचना और धारणा का अन्वेषण, प्रहण तथा प्रदान सम्मिलित है।

#### अनुच्छेद २०.

(१) प्रत्येक व्यक्ति को शान्ति पूर्ण सभा करने या समिति बनाने की स्वतन्त्रता का अधिकार है।

(२) किसी को भी किसी संस्था का सदस्य बनने के लिए मजबूर नहीं किया जा सकता।

#### अनुच्छेद २१.

(१) प्रत्येक व्यक्ति को अपने देश के शासन में प्रत्यक्ष रूप से या स्वतन्त्र रूप से चुने गए प्रतिनिधियों के ज़रिए हिस्सा लेने का अधिकार है।

(२) प्रत्येक व्यक्ति को अपने देश की सरकारी नौकरियों को प्राप्त करने का समान अधिकार है।

(३) सरकार की सत्ता का आधार जनता की दृच्छा होगी। इस इच्छा का प्रकटन समय-समय पर और असली चुनावों द्वारा होगा। ये चुनाव सार्वभौम और समान मताधिकार द्वारा होंगे और गुप्त मतदान द्वारा या किसी अन्य समान स्वतन्त्र मतदान पद्धति से कराये जाएंगे।

#### अनुच्छेद २२.

समाज के एक सदस्य के रूप में प्रत्येक व्यक्ति को सामाजिक सुरक्षा का अधिकार है और प्रत्येक व्यक्ति को अपने व्यक्तित्व के उस स्वतन्त्र विकास तथा गौरव के लिए—जो राष्ट्रीय प्रयत्न या अन्तर्राष्ट्रीय सहयोग तथा प्रत्येक राज्य के संगठन एवं साधनों के अनुकूल हो—अनिकार्यतः आवश्यक आर्थिक, सामाजिक, और सांस्कृतिक अधिकारों की प्राप्ति का हक है।

#### अनुच्छेद २३.

(१) प्रत्येक व्यक्ति को काम करने, इच्छानुसार रोज़गार के चुनाव, काम की उचित और सुविधाजनक परिस्थितियों को प्राप्त करने और बेकारी से संरक्षण पाने का हक है।

(२) प्रत्येक व्यक्ति को समान कार्य के लिए बिना किसी भेदभाव के समान मज़दूरी पाने का अधिकार है।

(३) प्रत्येक व्यक्ति को जो काम करता है, अधिकार है कि वह इतनी उचित और अनुकूल मज़दूरी पाए, जिससे वह अपने लिए और अपने परिवार के लिए ऐसी आजीविका का प्रबन्ध कर सके, जो मानवीय गौरव के योग्य हो तथा आवश्यकता होने पर उसकी पूर्ति अन्य प्रकार के सामाजिक संरक्षणों द्वारा हो सके।

(४) प्रत्येक व्यक्ति को अपने हितों की रक्षा के लिए श्रमजीवी संघ बनाने और उनमें भाग लेने का अधिकार है।

#### अनुच्छेद २४.

प्रत्येक व्यक्ति को विश्राम और अवकाश का अधिकार है। इसके अन्तर्गत काम के घंटों की उचित हदबन्दी और समय-समय पर मज़दूरी सहित छुट्टियां सम्मिलित है।

#### अनुच्छेद २५.

(१) प्रत्येक व्यक्ति को ऐसे जीवनस्तर को प्राप्त करने का अधिकार है जो उसे और उसके परिवार के स्वास्थ्य एवं कल्याण के लिए पर्याप्त हो। इसके अन्तर्गत खाना, कपड़ा, मकान, चिकित्सा-सम्बन्धी सुविधाएं और आवश्यक सामाजिक सेवाएं सम्मिलित है। सभी को बेकारी, बीमारी, असमर्थता, वैधव्य, बुढ़ापे या अन्य किसी ऐसी परिस्थिति में आजीविका का साधन न होने पर जो उसके क़ाबू के बाहर हो, सुरक्षा का अधिकार प्राप्त है।

(२) जच्चा और बच्चा को खास सहायता और सुविधा का हक है। प्रत्येक बच्चे को चाहे वह विवाहिता माता से जन्मा हो या अविवाहिता से, समान सामाजिक संरक्षण प्राप्त होगा।

#### अनुच्छेद २६.

(१) प्रत्येक व्यक्ति को शिक्षा का अधिकार है। शिक्षा कम से कम प्रारम्भिक और बुनियादी अवस्थाओं में निःशुल्क होगी। प्रारम्भिक शिक्षा अनिवार्य होगी। टेक्निकल, यांत्रिक और पेशों-सम्बन्धी शिक्षा साधारण रूप से प्राप्त होगी और उच्चतर शिक्षा सभी को योग्यता के आधार पर समान रूप से उपलब्ध होगी।

(२) शिक्षा का उद्देश्य होगा मानव व्यक्तित्व का पूर्ण विकास और मानाव अधिकारों तथा बुनियादी स्वतन्त्रताओं के प्रति सम्मान को पुष्टि। शिक्षा द्वारा राष्ट्रों, जातियों अथवा धार्मिक समूहों के बीच आपसी सद्भावना, सहिष्णुता और मंत्री का विकास होगा और शांति बनाए रखने के लिए संयुक्त राष्ट्रों के प्रयत्नों के आगे बढ़ाया जाएगा।

(३) माता-पिता को सबसे पहले इस बात का अधिकार है कि वे चुनाव कर सकें कि किस किस की शिक्षा उनके बच्चों को दी जाएगी।

#### अनुच्छेद २७.

(१) प्रत्येक व्यक्ति को स्वतन्त्रतापूर्वक समाज के सांस्कृतिक जीवन में हिस्सा लेने, कलाओं का आनन्द लेने, तथा वैज्ञानिक उन्नति और उसकी सुविधाओं में भाग लेने का हक है।

(२) प्रत्येक व्यक्ति को किसी भी ऐसी वैज्ञानिक, साहित्यिक या कलात्मक कृति में उत्पन्न नैतिक और आर्थिक हितों की रक्षा का अधिकार है जिसका रचयिता वह स्वयं हो।

#### अनुच्छेद २८.

प्रत्येक व्यक्ति को ऐसी सामाजिक और अन्तर्राष्ट्रीय व्यवस्था की प्राप्ति का अधिकार है जिसमें इस घोषणा में उल्लिखित अधिकारों और स्वतन्त्रताओं को पूर्णतः प्राप्त किया जा सके।

#### अनुच्छेद २९.

(१) प्रत्येक व्यक्ति का उसी समाज के प्रति कर्तव्य है जिसमें रहकर उसके व्यक्तित्व का स्वतन्त्र और पूर्ण विकास संभव हो।

(२) अपने अधिकारों और स्वतन्त्रताओं का उपयोग करते हुए प्रत्येक व्यक्ति केवल ऐसी ही सीमाओं द्वारा बद्ध होगा, जो कानून द्वारा निश्चित की जाएंगी और जिनका एकमात्र उद्देश्य दूसरों के अधिकारों और स्वतन्त्रताओं के लिये आदर और समुचित स्वीकृति की प्राप्ति होगा तथा जिनकी आवश्यकता एक प्रजातन्त्रात्मक समाज में नैतिकता, सार्वजनिक व्यवस्था और सामान्य कल्याण की उचित आवश्यकताओं को पूरा करना होगा।

(३) इन अधिकारों और स्वतन्त्रताओं का उपयोग किसी प्रकार से भी संयुक्त राष्ट्रों के सिद्धान्तों और उद्देश्यों के विरुद्ध नहीं किया जायगा।

#### अनुच्छेद ३०.

इस घोषणा में उल्लिखित किसी भी बात का यह अर्थ नहीं लगाना चाहिए जिससे यह प्रतीत हो कि किसी भी राज्य, समूह, या व्यक्ति की किसी ऐसे प्रयत्न में संलग्न होने या ऐसा कार्य करने का अधिकार है, जिसका उद्देश्य यहां बताये गए अधिकारों और स्वतन्त्रताओं में किसी का भी विनाश करना हो।

### Part III

#### **UN Conventions related to Human Rights**

- × **CRC (1989)** - बच्चों के अधिकारों से संबंधित शिखर बैठक
- × **CEDAW (1981)** - महिलाओं के अधिकारों से सम्बंधित शिखर बैठक
- × **WSSD (1995)** - सामाजिक विकास से सम्बंधित शिखर बैठक
- × **Alma Ata, (1977)** - स्वास्थ्य की आधारभूत संरचना से सम्बंधित घोषणा
- × **WCHR (1993)** - मानव अधिकारों से सम्बंधित वैश्विक कांफ्रेंस
- × **ICPD (1994)** - जनसँख्या एवं विकास से सम्बंधित वैश्विक कांफ्रेंस
- × **World Health Summit (1993)** - विश्व स्वास्थ्य से सम्बंधित शिखर बैठक
- × **World Summit for Children (1990)** - बच्चों के अधिकारों से संबंधित शिखर बैठक
- × **World Food Summit (1996), Rome** - विश्व खाद्य सुरक्षा से सम्बंधित शिखर बैठक
- × **World Conference on Education for All (1990)**- "शिक्षा सबके लिए" से सम्बंधित वैश्विक कांफ्रेंस

- ✘ **International Conference on Nutrition (1992)**– “ पोषण से सम्बंधित अंतर्राष्ट्रीय कांफ्रेंस”
- ✘ **Assembly of World Education Forum, Dakar (2001)** – शिक्षा से सम्बंधित वैश्विक कांफ्रेंस
- ✘ **Fourth World Conference on Women (1995)**, - महिला विकास से सम्बंधित चौथी वैश्विक बैठक
- ✘ **Second United Nations Conference on Human Settlements (UNCHS) (1996), Istanbul** – मानव निवास से सम्बंधित दूसरी वैश्विक कांफ्रेंस
- ✘ **World Congress against the Commercial Sexual Exploitation of Children (CSEC-1996), Stockholm** – बच्चों का व्यवसायिक यौन शोषण से सम्बंधित वैश्विक कांग्रेस

After completion of highly knowledge imparting session, next resource person Dr. Alpna Shalini was invited to conduct his own session. He said that human rights is universal for all human beings of the world – men and women of all ages, all class, caste groups, religion, geographical locations



and differently-abled person. In order to make it effective students can perform their role as change agents. Constant efforts are needed. Her delivery of components was as under as per schedule:

**Points of presentation of Dr. Alpna Shalini:**

- Protection of Human Rights Act, 1993
- Composition and functioning of NHRC/ SHRCs

Dr. Shalini described the composition of NHRC and the process involved their in in a comprehensive manner. The gist of his presentation in this context is as under;

**Composition of NHRC:**

- Constituted by the president on the basis of recommendation of the committee constituted under the Chairmanship of Prime Minister.
- Combination of Supreme Court Judge , Chairman of the Minority / SC/ST Commission
- Other administration and support staff.

**Composition of SHRC**

- Constituted by the Governor on the basis of recommendation of the committee constituted under the chairmanship of Chief Minister of the concerned state
- Combination of High Court Judge , Chairman of the State Minority / SC/ST Commission
- Other administration and support staff.

**Question: Dr. Shalini asked a question from the participants.**

Why any act is ineffective?

**Reasons: Respondents gave the following reasons**

- Illiteracy
- lack of awareness
- Insensitivity of public servant, Panchayat institutions, community and civil society at large
- lack of enabling conditions
- inordinate delay in delivering the services
- delay in redressing grievances

**Impression: Dr. Shalini shared his impression about NHRC and viewed that the NHRC is relatively better as compared to other such bodies because of following observed facts:**

- NHRC and SHRC are more prompt and responsive
- Simple process
- Easy access

**Need of the hour: Dr. Shalini perceived the following points as regard to current need for effective implementation and functioning of NHRC / SHRC**

- Orientation, training, sensitization of public servants, Panchayat representatives, students, teachers and community people
- Awareness generation in campaign mode
- Integration in educational curriculum
- Use of Information Education and Communication (IEC) materials in national preferably in local languages and folk art
- Conduction of research on the human rights topic

**Expectations of Students:** From NHRC / SHRC : while sharing the views with the participants he underlined the following points as regard the expectations of the students from such short deliberations;

- Understand the provisions, process, problems of Human Rights
- Spread the messages
- Be empathetic
- Facilitate the victims of Human Rights sensitively in getting the justice and help get protected from NHRC / SHRC in case of violation of Human Rights

Finally, **Dr. Shalini** in his concluding remarks expressed that Human Rights is universal for all human beings of the world – men and women of all ages, all class, caste groups, religion, geographical locations and differently abled person. In order to make it effective students can perform their role as change agents. Constant efforts need to be made.

After that **Sri Jay Kumar**, Research Scholar was invited to address the participants. He stressed on the Human Rights Education. He said that The theory of Human rights has been developed from the concepts of natural rights and laws that culminate with the thoughts of philosophers like John Locke, Francis Hutcheson, and Jean-Jacques Burlamaqui and it became prominent after the outbreak of the American Revolution and the French Revolution. Most of the basic ideas and norms of human rights existing now adopted as the Universal Declaration of Human Rights by United Nations General Assembly in 1948 has its root from Second World War and the atrocities of 'The Holocaust'.

**Human Rights Education (HRE)**

Education has a very important role to play for promotion and protection of human rights. Education makes us aware about our civil and political right often called as the first generation rights and the social, economic and cultural rights as the second generation rights. Without proper education one cannot be introduced with these essential philosophic and their basic rights and obligations. The concept of expanding human rights through education is now popularly present and traveled to encompass as the third generation rights itself. So it is very important that we know what is the role of education in the promotion and protection of human rights.



Human Rights Education (HRE) is an integral part of the right to education and is increasingly gaining recognition as a human right in itself. Research indicates, for example, that one additional year of schooling for 1,000 women help prevent two maternal deaths.

#### **Why We Need Human Rights Education (HRE)?**

**1. It promotes social cohesion, integration and stability.**

Basing education on human rights education, which emphasizes quality, can encourage the development of school environments in which children know their views are valued. It includes a focus on respect for families and the values of the society in which they are living. It can also promote understanding of other cultures and peoples, contributing to intercultural dialogue and respect for the richness of cultural and linguistic diversity, and the right to participate in cultural life. In this way, it can serve to strengthen social cohesion.

**2. It builds respect for peace and non-violent conflict resolution.**

Human Rights Education is founded on principles of peace and non-violent conflict resolution. In achieving this goal, schools and communities must create learning environments that eliminate all forms of physical, sexual or humiliating punishment by teachers and challenge all forms of bullying and aggression among students. In other words, they must promote and build a culture of non-violent conflict resolution.

**3. It contributes to positive social transformation.** Human rights education empowers children and other stakeholders and represents a major building block in efforts to achieve social transformation towards rights-respecting societies and social justice.

**4. It produces better outcomes for economic development.**

Human rights education can be entirely consistent with the broader agenda of governments to produce an economically viable workforce. Measures to promote universal access to education and overcome discrimination against girls, children with disabilities, working

children, children in rural communities, and minority and indigenous children will serve to widen the economic base of society, thus strengthening a country's economic capability.

UNESCO's work in human rights education is guided by the **World Programme for Human Rights Education. The Vienna Declaration** adopted by General Assembly in 1993 incorporates a separate section on the role of education, protection and promotion of human rights. For example, gender is a social construction, not a biological one, and discrimination on this basis consequently difficult to assess and address. The human rights protection and promotion of gender equality requires more than numerical equilibrium, it also requires conceptual equilibrium, and a conscientious effort to redress inequality, as it exists. An educated civilization can only know its rights and hence have the knowledge to protect it. According to **Kofi Annan**, the former Secretary General of United Nations, "without education, we cannot see beyond ourselves and our narrow surroundings to the reality of global interdependence. Without education, we cannot realize how people of other races and religions share the same dreams, the same hopes. Without education, we cannot recognize the universality of human aims and aspirations. UN mandates that education shall be directed to the strengthening of respect for human rights & fundamental freedom. These entities have been chosen because one is an expert body responsible for monitoring States implementation of the 'Human Rights Education' (HRE) obligation in **Article 13(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR)**, and the other is an inter-governmental body with an explicit mandate regarding HRE". It is important to make each and every people literate just not in order to make them educated and capable of earning but also recognize their rights towards themselves and each other. Only an educated person can stand for its right. It is now a global responsibility of every person and the government to promote education and hence promote human rights.

**Article 51A (1) of Indian Constitution 1950**, imposes a duty on all citizens to develop scientific temper, humanism and the spirit of inquiry & reform. The Constitution mandates the state to direct its policy towards securing that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom & dignity and that childhood and youth are protected against exploitation and against moral & material abandonment. Human Rights Education of the children as well as the other people is indispensable to the full realization of the responsibility under this constitutional directive. Indian state has an obligation to foster respect for international law and treaty obligations as laid down in Article 51 of the Constitution. In India is a signatory to **Universal Declaration of Human Rights** & has ratified **Civil and Political Rights Convention, Economic, Social and Cultural Rights Convention** etc. Human Rights Education is inescapable and a legal obligation.

Though 'Human Rights' is not treated as a separate subject in Indian school curricula, NCERT has incorporated certain emerging concerns including human rights in the course content. University Grants Commission had appointed **Sikri Committee** in 1980 to consider and report on the different ways and means for promoting HRE in India. The committee suggested inculcating values without marks weightage in schools. At college levels it was felt that all disciplines should be including human rights topics at least which are directly relevant to their disciplines. But it is unfortunate that we are still lagging behind in implementing this report's recommendations.

**Next Resource Person, Smt. Aparna** kept key points on the following aspects:

- UN Convention on the Elimination of All Forms of Discrimination against Women, 1979 and its optional protocols
- UN Convention on the Rights of the Child, 1989 and its optional protocols

Her presentation began with the basic understanding of gender construction and difference between sex and gender as biological and social construct respectively. A case simulation was then carried out using a fictionalized case study of an accident of a son and his father and role of

mother as a famous surgeon of the city to defy gender stereotypes. The key points of her presentation was as below:

#### **A. Why women and children: understanding gender**



1. What is gender?
2. Construction of gender and socialization
3. Why gender is a development issue?
4. What is the difference between gender equality and gender equity?
5. What are gender needs?
6. What are the approaches to women empowerment in India?

#### **B.CEDAW**

1. Key principles of CEDAW
2. Broad structure of CEDAW
3. Optional protocol to CEDAW
4. Key requirement of state parties

#### **C.UNCRC**

1. What are children's human rights?
2. Why the CRC?
3. CRC: four guiding principles
4. Three categories of Children's rights(Survival and development rights, Protection rights and Participation rights)
5. CRC and state parties
6. Optional protocol to CRC
7. Role of Government, Families and Children

Through a process of orientation and sensitization the presentation was focused on specifically what gender means, how gender discrimination clouds our minds and understanding. Students shared their personal stories and several instances related to gender discrimination and raised questions related to women's human rights. The session was planned in such a way that it could be aim to involve all stakeholders including students, college administration, teachers, guardians and media representatives.....



**The Dr. Abhishek Kumar** addressing the session said:

Children are the apostles of God! They are the miniature form of adults in the making.....

Child is the father of man.....

In Indian civilization, children have always been regarded as the subject of special care, more so in the cases of girl child, who are worshipped as a deity in many religious rituals. They have always been extended love, affection and care as the moral duty of the guardians and peers but we seldom realize them exercising their will as a part of their legal rights till the declaration of child rights.

But every night has a morning. Indeed the rights of the children are a new phenomenon of recent origin, say in the 1930s. It was Britain that faced the Industrial revolution in 18<sup>th</sup> century and subsequently a demand in the no. of hard working and cheap labour. This manifested there the spread of child labour. India, being a colony for them, was manifested of this worst form of human exploitation and tragedy.



Article 23(1) of the Constitution prohibits "begar" and other similar forms of forced labour and it provides that any contravention of the said prohibition shall be an offence. But inspite of this provision a system of usuary under which the debtor or his decendants or dependants have to work for the creditor without reasonable wages or with no wages in order to extinguish the debt, existed in many parts of the country. It has been found that several generations work under bondage for the repayment of a small sum which had been taken by some remote ancestor. This system of bondage implies the infringement of basic human rights and destruction of the dignity of human labour. The evils of bonded labour, having been recognised by many voluntary organisations, were highlighted by them. Many voluntary organisations raised their heads against such a system. Accordingly the Bonded Labour System (Abolition) Ordinance, 1975 was promulgated by the President on 24th October, 1975. To replace the said Ordinance the Bonded Labour System (Abolition) Bill, 1976 was introduced in the Parliament.....

At last he elaborated the historical perspective of the emergence of human rights philosophy around the world. He focused on the need of human rights protection at familial, community and national level and the need of imparting human rights education among students. Beginning from the Magnacarta of 1215 to modern day human rights advancements, he cited several instances of long drawn human rights struggles around the world from history that led to the French Revolution of 1789, the American Independence of 1791, the Indian Freedom Struggle leading to the attainment of independence in 1947, atrocities by the ruling Government leading to imposition of

Emergency in 1975 etc. His delivery was embellished with probing facts and inspiring statements for human rights protection.

Next **Dr. Kumar Sachhidanand** invited to address to participants on SC/ ST (Prevention of Atrocity Act, 1998. He said that

In India, the history of violation of human rights is as old as the history of civilization itself. Religion has come into existence as a result of the human struggle to solve the basic problem of life. It is important for those of us who love freedom to realize that love of freedom alone is not enough; that freedom may well depend on our capacity to realize a multiplicity of conflicting values simultaneously, in a socio-economic and political setting that makes this possible, and that the single minded pursuit of a single value, or a single goal, is the greatest enemy of freedom. This



struggle (for freedom) requires from the single individuals who are not only willing to stand up for their own rights, but also for those of their neighbors, a great deal of courage and tenacity, but above all the intelligence in knowing how to wage the struggle for freedom without destroying it in the process.

Human rights confer rights on the human being. Human Rights are inherent to all human beings, whatever our nationality, residence, language, origin, sex, color and any other status. We are all equally entitled to human rights without discrimination. Human rights are as the 'Rights relating to life, liberty, equality, and dignity of individuals guaranteed by the constitution and enforceable by the courts in India'. Human Rights have a projection of universality but as a matter of ground reality they are not the same for all people and societies. For some, especially the well-advanced west, they are predominantly matters of civil and political liberty while for others, the developing and under-developed Asian, Africa and Latin America, predominantly they are also matters of survival. Human Rights are therefore about being citizen of the earth, being part of an earth family. Human Rights are exercised to their fullness through participating in earth democracy-the democracy of all life. Corruption threatens the rule of law, democracy and human rights; undermines good Governance, fairness and social justice; distorts competition, hinders economic development, and endangers the stability of democratic institutions and moral foundations of society.

Human rights discourse has given voice to voiceless, empowering weak and vulnerable to fight for their rights around the world. Human rights have become an effective tool to protect human

agency, have empowered millions of peoples globally in the access to justice, and made- nations rich or poor- legally and morally accountable for the violations of human rights. However, on the other hand, foundational weakness of human rights has marred its efficacy. The Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989 is an Act of the Parliament of India enacted to prevent atrocities against scheduled castes and scheduled tribes. The Act is popularly known as POA, the SC/ST Act, the Prevention of Atrocities Act, or simply the *Atrocities Act*.

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Article 17 of Indian Constitution seeks to abolish 'untouchability' and to forbid all such practices. It is basically a "statement of principle" that needs to be made operational with the ostensible objective to remove humiliation and multifaceted harassments meted to the *Dalits* and to ensure their fundamental and socio-economic, political, and cultural rights.

This is to free Indian society from blind and irrational adherence to traditional beliefs and to establish a bias free society.

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After successful completion of the technical session, **valedictory session** began at 5.15 pm. During this session Dr. Vinay K. Das concluded the session and distributed the participation certificate to the participants.



Finally at the last **Dr. Mithilesh Kumar Jha**, Associate Professor in Physics-cum-Bursar of the college delivered his sincere regards and vote of thanks to all guests, participants and the Resource Persons who attended the training to avoid their busy schedule and helped make the training a successful program.

**Dr. Vinay K. Das**  
Assistant Professor-cum-Convener

**Dr. UN Tiwari**  
Principal