CONTENTS

ACKNOWLEDGEMENT

ABBREVIATIONS

LIST OF CASES

CHAPTER I
INTRODUCTION
1.1 Statement of the Problem
1.2 Review of Literature
1.3 Hypothesis
1.4 Aims and Objectives of Research
1.5 Methodology
1.6 Scheme of Chapterisation

CHAPTER II
CONCEPTUAL ANALYSIS OF HUMAN RIGHTS: MEANING AND DIMENSIONS
2.1 Meaning and Definitions of Human Rights
2.2 Human Rights in Historical Perspective
   2.2.1 Origin and Development
   2.2.2 Indian Perspective on Human Rights
2.3 Freedom Movement and the Human Rights
2.4 Constitutional & Conventional Contours of Human Rights
   2.4.1 Civil and Political Rights vis-a-vis Fundamental Rights
   2.4.2 Economic and Social Rights vis-a-vis Directive Principles of State Policy
2.5 Protection of Human Rights Act: An Overview
2.6 Dimensions of Human Rights Jurisprudence
   2.6.1 Judicial Activism and Human Rights
2.7 Human Rights of Accused: International Charter, Covenants and Conventions
   2.7.1 Universal Declaration of Human Rights, 1948 and Rights of Accused
2.7.2 International Covenant on Civil and Political Rights, 1966 and Rights of Accused
2.7.3 United Nations Standard Minimum Rules for the Treatment of Prisoners, 1955 and the Rights of Accused
2.7.4 European Convention on Human Rights and Fundamental Freedoms, 1950 (ECHR)
2.7.5 American Convention on Human Rights, 1969 (ACHR)
2.7.6 African Charter on Human Rights and Peoples Rights, 1981 (AFCHPR)

CHAPTER-III

CRIMINAL JUSTICE SYSTEM IN INDIA: PROBLEMS AND PROSPECTS

3.1 An Overview of the Indian Criminal Justice System
   3.1.1 Police Organisation
   3.1.2 The Prosecutors
   3.1.3 The Courts
3.2 Investigatory Methodology of Police: Plight of the Accused
   3.2.1 Police and Extent of Torture
   3.2.2 Protective Laws against Torture at International and National Level and Judicial Response
3.3 Impediments in the Effective Functioning of the Criminal Justice System: An Appraisal
   3.3.1 Time Consuming and Expensive Legal Process
   3.3.2 Abnormal delays in Litigation
   3.3.3 Faulty and slipshod Investigation
   3.3.4 Delayed Investigation
   3.3.5 Delayed Trial
   3.3.6 Lack of Coordination between Police and Prosecution
   3.3.7 Alien Model
   3.3.8 Non-Accountable Bar
   3.3.9 Unnecessary Detentions causing Overcrowding of Jails

CHAPTER-IV

HUMAN RIGHTS AND THE LAW OF AN ACCUSED

4.1 Protective Laws Against Indiscriminate Arrests
   4.1.1 Protective Constitutional Provisions relating to the Rights of the Accused
   4.1.2 Protective Procedural Provisions vis-a-vis Rights of the Accused
4.2 Pre-Arrest Rights of the Accused: Law and Human Rights

4.2.1 Who is an Accused?
4.2.2 Right against Legally Unwarranted Investigations and its Remedies
4.2.3 Right against Illegal Arrest and Detention and its Remedies
4.2.4 Right to know the Power of the Arresting Authority

4.3 Post-Arrest Rights of the Accused: Law and Human Rights

4.3.1 Right to know the Grounds of the Arrest and Effect of its Non-Communication
4.3.2 Right to Legal Assistance during Interrogation as well as during Proceedings before Magistrate
4.3.3 Right to be produced before the Magistrate within 24 hours of Arrest and Effect on Non-Production of the Accused
4.3.4 Right against Further Detention except by the Authority of Law and in accordance with Procedural Mandate
4.3.5 Right to Medical Examination
4.3.6 Right to Speedy Investigation and Trial
4.3.7 Right against Search and Seizure
4.3.8 Right against Self-Incrimination
4.3.9 Right to be Released on Bail
4.3.10 Custodial and Prisons Rights of the Accused
4.3.11 Right against Hand-Cuffing
4.3.12 Right against Ex-Post Facto Laws
4.3.13 Right against Double Jeopardy
4.3.14 Right to get Copies of all relevant Documents
4.3.15 Right as to Examination of Witness

CHAPTER-V 193-235
JUDICIAL APPROACH TOWARDS THE PROTECTION OF HUMAN RIGHTS OF AN ACCUSED

5.1 Expansion of Personal Liberty Rights of Accused through Judicial Activism
5.2 Role of Media and Press
5.3 Access to Public Justice through PIL
CHAPTER-VI

ROLE OF NGOs AND NHRC IN INDIA AS A SAVIOUR OF HUMAN RIGHTS OF AN ACCUSED

6.1 Historical Sketch of Non-Governmental Organisations
6.2 NGO and Human Rights Movement in India
6.3 NGOs Role as a Saviour of Human Rights of an Accused in India
6.4 National Human Rights Commission and Media: The Rescuers of Human Rights of an Accused
   6.4.1 Structure of the Commission
   6.4.2 Functions and Powers of the Commissions
   6.4.3 Custodial Crime and NHRC
   6.4.4 Assertive Role of NHRC

CHAPTER-VII

CONCLUSION AND SUGGESTIONS

BIBLIOGRAPHY