CONCLUSION
AND
SUGGESTIONS
CONCLUSION AND SUGGESTION

Human Rights are rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts of different nations including Indian judiciary. India is a signatory to almost all the major International Instruments relating to Human Rights. Our Constitutional commitment to the protection and promotion of Human Rights finds reflection in the Preamble and various other provisions relating to fundamental rights, Directive Principles of State Policy and fundamental duties.

Implementation of Human Rights is a subject of great importance at any time and in any society. Different steps have been taken by the Government, Conventions have been held and legislations passed for the implementation of Human Rights. Recently,
resolution adopted unanimously at the U.N. Human Rights Conference held in Geneva on March 9, 1995 shows 'the heightened awareness on the part of the world community, for the salvation of the deprived child'.

Violation of human right is a global phenomenon. In India majority of the people are illiterate, ignorant, poor and exploited where violations of human rights are bound to be more; but where the people are educated, advance, they are likely to be less prone to inhuman treatment and exploitation. The role of National Human Rights Commission is appreciable. The proper implementation of the human rights also needs the full cooperation of the Government and the governmental agencies.

Of course, realization of Human Rights cannot be achieved solely through legislation and administrative arrangements. In recognition of this fact, Commissions are often entrusted with the important responsibility of improving community awareness of human rights.

Rule of Law is the basis for the governance of human society. The doctrine of rule of law was recognized in its most perfect application in ancient India. “The rule of law according to the Prime

1. Human Rights in India / problems and perspective / Edited by Singh, B.P. p. 271
Minister Sri Nehru, must run closely to the rule of life and cannot go off at a tangent. In other words, the law must reflect the reality of the society". 2 Rule of Law and Human Rights are intimately interrelated concepts. "The true concept of rule of law transcends all barriers of race, religion, creeds, and countries". 3 Whenever the question of upholding Rule of Law is there, everybody will visualize a system of justice which accepts and respects the basic rights of the individuals. “In India the judiciary, particularly the higher judiciary, has served the cause of Human Rights. However, there should be every effort to maintain and uphold the Rule of Law in all its aspects”.4

The Apex Court made major contributions in safeguarding the human rights of persons in police lock-up. For example, lock-up deaths lead to a clear violation of Article 21 of the Constitution. Of course, the Apex Court has, through its leading judgements apart from convicting the guilty police officials, sought to grant compensation for illegal detentions and lock-up deaths. In Rudal Shah vs Union of India 5 the petitioner was illegally detained for 14

2. Legal Research Essays vol II by Sarkar Dr. U.C., p. 178
3. Ibid p 176
4. Human Rights in India – Problem and Perspective Edited by Singh Sehgal B.P., P. 630 (Article written by "Jawahar Lal Kaul, Reader, Faculty of Law M.D. University, Rohtak.)
5. A.I.R. 1983 S.C. 1086
years in Ranchi Jail of Bihar. After his acquittal, Chief Justice Chanderchud said that one of the effective ways of preventing violation of Article 21 was to make the violators pay compensation.

The are numerous other cases wherein the Supreme Court and different courts have shown a lot of judicial awareness towards protection of individual rights and liberties.

**Awareness through Human Rights Commission:**

Section 12 (h) of the Protection of Human Rights Act, 1993 sets before the Commission the responsibility to "spread human rights literacy among various sections of the society and promote awareness of the safeguards available for the protection of these rights through publications, the media, seminars and other available means". This undertaking requires no less than the creation of a culture of human rights across the entire country and amongst all of its people.

"The generation of such awareness is no easy task especially in a country as complex and stratified as India is in economic and social terms, and as pluralistic in cultural terms. Indeed, the question can well be asked as to whether, in such a society, often
faced with competing and even conflicting rights, there can be any generally agreed understanding of what constitutes basic rights applicable to all".  

The Commission is more than aware that, while the people of this country must be made aware of their rights through programmes of literacy and be supported in their right by the Court, the Court, the Commission, the media, non-governmental organizations and others, it is more important to re-orient public servants so that they learn to respect such rights. The Members of the Commission, particularly its Secretary General, have seized a number of opportunities to participate in discussions and courses relevant to such matters and associated themselves with seminars and discussions on Human Rights. They readily associated themselves with seminars and discussions on Human Rights, particularly of women and children. The Commission recommended that 10 December each year be observed as Human Rights Day in all schools and colleges in the country. Our country is a multi-party, federal democracy. The Commission, upon its establishment undertook a three-fold strategy in pursuit of its responsibility under Section 12(h). "First, it solicited the support of the

leadership of all political parties represented in Parliament or the state Legislatures, making specific institutional suggestions as to the manner in which they could promote Human Rights monitor the conduct of their cadres and remain in liaison with the Commission. Second, it contacted the Chief Ministers of all States, with specific ideas for the sensitizing and training of Public Servants in their respective areas. Third, as education is on the concurrent list of the Constitution, the Commission established a dialogue at the central level with the Human Resource Development Ministry and the NCERT and, at the State level, with the competent educational authorities, to pursue the question of Human Rights instruction at various levels of schooling. Simultaneously, it contacted all Vice-Chancellors and Deans of Law Faculties urging them to examine how best the subject of Human Rights could be introduced at various stages of study at the university level. "A series of meetings have been held by the Commission with the Department of Education in the Ministry of Human Resource Development and with the National Council of Educational Research and Training (NCERT) to discuss or review of text books and a source book is being prepared on Human Rights material to guide teachers and academics. Simultaneously, the Commission has been giving the highest priority to encouraging the training and reorientation of members of the police and armed forces. The Commission
recommends that though all states made efforts to include Human Rights in the instruction of their cadres in their various institutes, yet the courses need to have a far higher standard and a greater degree of consistency and thereafter the Commission entrusted the Director General of Police to prepare a model training syllabi based on Human Rights for all levels of the police force. As a way of keeping a growing number of individuals, organizations and members of the public informed of its activities, the Commission has been publishing a monthly News Letter since October 1994. The Assam Human Rights Commission also took the same steps and so, has been publishing News Letter since 1997 annually. The News Letters cover the performance of Assam Human Rights Commission. People are able to get a concrete example about the awareness programme through seminars, workshops and the steps which are being taken by the Human Rights Commission against the violation of Human Rights.

"Along with the Human Rights agencies, official or nongovernmental, the Human Rights movement in India is moving in the right direction. One should not forget that the road towards reaching the destination of Human Rights is very long, full of detours and potholes. Yet, humanity has to each that destination. One great

7. Ibid, p. 659
stumbling block on this road is poverty, and tendency and temptation to exploit poverty is rampant all over the world”.8 On the other hand “the existence of over seven hundred million illiterates throughout the world is an enormous obstacle to all efforts at realizing the aims and purposes of the charter of the United Nations and the provisions of the Universal Declaration of Human Rights. International action aimed at eradicating illiteracy from the face of the earth and promoting education at all levels requires urgent attention”.9

Training and Educating about Human Rights:

Backwardness is a handicap in the process of engaging Human Rights. The rights contained in the political framework are of no use to poor people as they are also inflicted by ignorance. They are neither aware of modern laws nor their own rights and cannot enjoy even the basic rights. Further, they do not get the advantage of literacy and education. Education which is natural for harmonious and progressive development of man's innate power remains beyond the means of people who are backward.10

8. Enforcement of Human Rights by Parasar Paramananda, p. 33
9. Blackstone's International Human Rights Documents Edited by Gandhi P.R., p. 330
10. Human Rights in India – Problems and Perspective Edited by Sing Sehgal B.P., p. 238
The right to development of every human being and nation is impossible without the recognition of the right to education. Article 21 of the Indian Constitution provides that the right to life ensures minimum conditions of living with human dignity. The Supreme Court held that, "we think that the right to life includes the right to live with basic human dignity and all that goes along with it, namely the bare necessities of life such as adequate nutrition, clothing and shelter over the head and facilities for reading, writing and expressing oneself in diverse forms".11

The Universal Declaration of Human Rights (1948) states in Article 26 that: Every one has the right to education. Education shall be free, at least in the elementary and fundamental stages. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedom, because both human rights and fundamental freedom allow us to develop and use our intelligence, talents and conscience to satisfy our spiritual and material needs. "Denial of Human Rights and fundamental freedom has led to social and political unrest sowing seeds of violence in conflicts within and

between societies and nations. So, the purpose of education is to give people enhanced awareness about human rights. Education is an instrument of development and social change. "The Human Right to education must be offered to all human beings without any discrimination. However, many who are ignorant and illiterate are unaware that they are entitled to this right. Literates on many occasions fail to educate others about their rights and thereby fail in performing social obligation to their fellow human beings. But it cannot serve the society as a whole, because adult literacy is very much essential for the development of the nation and human beings as a whole. Human Rights education needs to start at the primary level: in teaching the child to respect itself and the adult society to recognize the self-respecting child. To teach values to children merely by narrating stories in a syllabus is not enough. Teachers should be able to create awareness in the minds of little children about their rights as well as others' rights to live a life of dignity and to enjoy justice. *Most of our children in the rural areas suffer from want and injustice, and it would be a wrong mind-set to hold that unresisting submission to injustice is a virtue.*

12. *Human Rights in India, Historical, Social and Political Perspectives* by Chiranjivi J. Nirmal, p. 72
13. Ibid, p. 77
A teacher-pupil ratio of 1:50 is common. In some rural areas, schools were started in the 1960s with one teacher, waited for a decade to get another teacher and yet another decade for the next. The long summer vacations, the school timings and even curriculum are geared to the urban child and the drop out rate is high in rural schools. It is not surprising that schools that get grants inflate figures on rolls, do not follow timetables and very often assess the students casually and carelessly".14 So, for those students of rural areas, the teacher cannot play a vital role for the development of the feelings of Human Rights. So the responsibility for human rights education is to be shared by all sections of society. The culture of Human Rights has to be nurtured by the intellectuals. Because “we are not born in a culture of Human Rights; that culture has to be carefully nurtured in our youth, so that it becomes meaningful in the street, the village, the work place, our neighbourhood and the region”.15

Many children belonging to the Scheduled Castes and Scheduled Tribes come from a comparatively poor environment. There is the need to conduct some preparatory classes for children coming from the Scheduled Castes and Scheduled Tribes. The teacher should

15. Ibid, p. 237
play an important role to develop the sense of humanity, because the teacher has been called the maker of history, the builder of the nation and the social engineer.

The teacher has to lay special stress on the teaching of moral and spiritual values from the very childhood of the pupils. Moral values refer to the conduct of man towards man in the various situations in which human beings come together in the home, in social and economic fields, and in the life of the outside world generally. Human rights and humanitarian standards reflect fundamental human values that exist in all societies. Children themselves should know about and understand human rights. The major effective way to increase awareness at all levels of society for such instruments is to translate them into understandable terms, for example using stories and the language of local traditions and customs.

**Adult Education**:

Adult literacy and universalisation of elementary education need to be given more attention. Adult education, basic education (not in the sense of Gandhi’s system of basic education) and social education – all these connote the same thing.
UNESCO (1974) defined the concept by stating, "The term adult education denotes the entire body of organized educational processes, whatever content, level and method, whether formal or otherwise, whether they prolong or replace initial education in schools, colleges and universities as well as in apprenticeship, whereby persons regarded as adults by the society to which they belong develop their abilities, enrich their knowledge, improve their technical or professional qualifications and bring about changes in their attitude or behaviour in the two-fold perspective of full personal development and participation in-balance and independent social, economic and cultural development".16

It is an important and traditional function of adult education to bring knowledge to the people, especially the knowledge which concerns them deeply, for example, knowledge of the basic essentials of a healthy life, civic education and their basic rights. Adult literacy, being an essential element in the overall development, must be closely linked to economic and social priorities and to present and future manpower needs. The basic aim of adult education should be to enable everyone to enjoy their own rights as well as to respect others' rights and make them aware of the causes of their

16. Teacher and education in a developing society – Agarwal, I.C. • p. 252
deprivation and to move towards amelioration of their condition through organization and participation in the process of development. The philosophical basis of adult education is that the illiterate and the poor should rise to their own liberation through literacy, dialogue and action. The scope of adult education is as wide as life itself though its requirements are somewhat different from those of the normal school system. It depends upon the support it receives from several agencies, particularly the universities and public institutions and libraries. The effectiveness of the programmes of adult education depends upon competent administrative machinery.

In setting up adult education centers priority is to be given to the needs of women and of persons belonging to the Scheduled Castes, among whom are to be found most of the illiterate adults. The feeling of human rights can be awakened by launching mass movement by involving educational institutions, teachers, students, youth, military and paramilitary personnel, educated housewives, ex-servicemen, employers, trade unions etc. Government must train and educate judiciary, police, security personnel and armed forces, especially those participating in peace keeping operations in humanitarian and human rights law. Since India has resolved to secure her place in technology in response to the demands of modern
times, it is the function of adult education to serve as a smooth and effective channel between centers of research and the homes and hamlets in which the common people live.  

National get-togethers have to be organized for a week for the exchange of national and international experience on violation of Human Rights and, the formulation of concrete programmes as also pilot project for dealing with the different aspects of the problem, and the special circumstances of different areas and different groups in the country. Adult literacy week will also help to stimulate national consciousness on the subject and mobilize national support for a mass campaign for the removal of adult illiteracy and unawareness of basic Human Rights.

Education or literacy is not only the instrument for creating awareness about human right. Society needs mass awareness. Different institutions, different awareness programmes through education and literature are not sufficient though these programmes are to some extent satisfactory for a class of people. But what about the illiterate adult or women or uninterested people? Who

17. Development and planning of modern education by Agarwal, I.C. p. 326
will awaken them? Formal education is not sufficient for them. So, there should be some other alternative media for creating awareness about Human Right.

**Role of media:**

Media has to be a powerful instrument to create awareness and to build pressure for positive action. For better knowledge, National Human Rights Commission may organize meetings or seminars with media persons. Mass media help the ordinary people to acquire knowledge beyond their own experience. "It has brought a great change since in olden days people lived their entire lives in relatively small groups in face to face relationships with their kinsmen or with those living in the neighbourhood".  

The various mass media help the people to develop a national outlook and the feelings of right. Mass communication may be characterized as being public, rapid and not just local but even global. It is public since the messages are not addressed to any one in particular. It is rapid because it reaches people in no time. And it can be regional, national or even global!

---

18. *Mass media and public opinion in India* by Arya Sunanda, P. 47
Without communication an individual could never become a human being; without mass communication an individual could never become part of a modern society. Socialization is a life long active process, beginning on the day of one's birth. The child learns to socialize from the parents and the social groups he or she belongs to. As children grow up they come in contact with other social groups, but their basic loyalties are to their own primary and secondary groups which provide them their sets of attitudes, beliefs and norms of behaviour. The child of today comes in contact with groups and their cultures. Besides, mass media provide models of behaviour and norms of living. The child begins to imitate them, particularly in cases where he or she is least integrated into the family or the peer group. Such children rely heavily on media advice and models, while others do not since their activities outside the home provide them greater stimuli and other role models. "Children below the age of 16 comprise almost 40 percent of the population of India. Yet barely five percent of total telecast time is directly aimed at children. This is equally true of radio, fiction and documentary cinema, and the press. On television, programmes for children devote a lot of time to animation films and puppet shows". 19

So the awareness of human rights can be widely

19. Mass Communication in India Keval J. Kumar, p. 337
disseminated through the media and popular activities, such as music, art and drama. It plays an important part in the moulding of public opinion. The broadcasts of All India Radio aim at informing the masses about the important events and issues concerning the nation. Radio has developed as one of the important media of public opinion.

"Except for news and national programmes of talks and music which are relayed from Delhi, the other programmes of each regional station directed at different groups such as farmers, workers, children, women, youth are produced at the regional stations/centers. The National Service Programmes are broadcast over short-wave transmitters which makes it possible for regional centers to relay them".20

The media has a considerable role to play in furthering Human Rights. The commission has sought to meet regularly with representatives of the media, including senior editors, correspondents and other personalities. For creating awareness about human rights both folk and traditional media can be used as an alternative media for creating awareness of Human Rights.

20. Mass Communication in India. Keval J. Kumar, p. 185
Folk media:

The folk or traditional arts of India have from ancient times been used for moral, religious and socio-political purposes. Rarely have they been resorted to for pure entertainment alone, though they are often packed with grotesqueries, boisterousness and humour. Indeed, they have been, down the ages, schools of learning, courts of justice, and discussion for a representative of the public sphere. "In contrast to the modern mass media, the traditional media are personal, familiar and more credible forms, with the majority of literate and illiterate identifying themselves with their formats, genres and contents."21

The folk media are close to the hearts and minds of the people; so their appeal is at a personal and intimate level. Further, their familiar format and content as also the local and colloquial dialects used, make for clarity in communication. Cross-cultural communication hurdles are not encountered.

Folk media are available to all and sundry, and enjoyed by persons of different age groups – all at a very low cost. The greatest

The advantage of the folk media over the electronic media is their flexibility in accommodating new themes. For instance, comments on current events can be introduced into the traditional form of the Tamasha or the Jatra or even the Keertan.

Compared to the modern mass media, the folk media are personal, familiar and more credible forms. The masses identify incredibly with their formats and contents. Hence in some ways, they are more effective for creating awareness among the masses than the electronic or print media.

At the public level organization, the Song and Drama Division, a unit of the Ministry of Information and Broadcasting is involved in this media form. In the private sector organisation, Social Action Groups (SAGs) utilize the folk and traditional media. Among these folk media forms in Assam are puppet shows, Harikatha or Keertana, Ramlila, Raslila, Bhouna, Jatra, Street plays and theatres.

**Puppet shows** - Puppet shows are a popular folk form in Assam. It has enthralled the children and adult of the state alike for centuries. The puppets are generally made of wood or sometimes merely clothes which are operated by strings or rods. The strings of
each puppet are attached to an iron ring on the hand of the puppeteer, which leaves him free to operate the puppets with his hands.

Traditional community media like the Keertana and Bhaona and the whole treasure house of folk song, folk dance and folk theatre are the real organs of mass media in India. They are far less expensive organs, are easy of access, are frequently participatory in nature and communicate much more effectively than the electronic media and at a direct and personal level. Their reach, too, is far and wide in the country.

Keertana/Harikatha/Harikeertan – The Keertana is a kind of concentrated drama, a monodrama in which a gifted actor enters swiftly a whole series of character and moods. The ancient sage Narada is believed to have invented and practised the form with great success. Mainly associated with the Bhakti movement in religion and literature, it has been used by saints like Kabir and Takaram to preach Hinduism and also to bring about social reform and political change.

This potent weapon of social education can be used as an alternative media in creating awareness about human rights. History bears witness to the fact how nationalist feeling was created
among the common masses by using this form of folk media. In the Keertankar's hands, the Keertana is not only a means of worship but of popular education and entertainment as well. Hence this form is one of the important tools in creating mass awareness.

**Rasliila** – Rasliila is another form of folk media which is popular in Assam, especially in lower Assam. This form of art celebrates the exploits of Lord Krishna and his love for Radha. The Rasliila may be in the form of a dance drama where the roles of Krishna, Radha and the Gopis are played by young boys, or it may present the different activities of Lord Krishna in the form of statues. Religious fervour characterizes this folk theatre tradition and hence people are attracted to it. This form, too, can be used for our purpose by depicting the advantages of Human Rights. This form appeals to both the literate and the illiterate alike as well as both the rural and urban folk.

**Bhaona** – Bhaona is another form of folk art which is popular in Assam. Bhaona begins with a Sutradhar introducing the theme of the play. Generally the themes are taken from the epics. Here too the characters are played by only male actors. Sometimes after the end of the play, the Sutradhar comments on the play or deals...
with contemporary issue.

Hence, there too, there is scope for introducing the theme of Human Rights among the common masses. Bhaonas are generally staged in 'Naamghars' and hence anything preached here has credibility and appeal for the masses.

Street theatre – Street theatre which gained popularity in the eighties and the nineties is generally prevalent in West Bengal, Andhra, Tamil Nadu and Kerala.

In Assam, too, this form can be used in creating awareness about human rights among the masses. The origin of Indian street theatre can be traced to the radical political theatre in the forties in Calcutta. The main groups involved in this type of popular theatre activity are social action groups (SAGs), health and agriculture extension workers, student activists, political parties, religious reformers and women's organizations. The main characteristic of this folk art form is that, as the name implies, it is played in the streets rather than in theatres and on stages. Women's groups in Delhi, Mumbai and in rural Andhra, Kerala and Maharashtra have used this form to raise social consciousness on issues like suttee, dowry,
sex discrimination etc.

This form has wide appeal specially in rural areas as the language used is conversational and simple. This form, hence, can be quite effective in creating mass awareness about human rights.

**Bihu Songs & Oza Palis** – These types of songs are very popular among the Assamese people. Hence these types of folk songs can be effectively used for creating mass awareness about human rights which can be included in the lyrics of these songs.

**Theatres** – Theatres are another popular art form prevalent in Assam. This art form too can be used to create awareness about human rights. Theatres are generally staged during winters and are enjoyed by both rural and urban folk. Theatres portray both contemporary as well as bygone issues. Recent theatres bear testimony to the fact how theatres portray contemporary issues which create awareness among the common people about the on goings of the world. They include the portrayal of September 11 terrorist attack, the plight of the Afghans during the Taliban regime and so on. Similarly, human rights related issues can too be portrayed for mass awareness.
Mini Melas and Monkey-Dance – During mini-melas, dancers and clowns show their skills – singing and dancing which appeal specially to the rural illiterates. In most cases, the theme taken for these include current controversial topics. Hence this too can be used as a medium of creating mass awareness about human rights.

Monkey dance is very popular in rural areas. This too can be used as a tool for creating mass awareness among the public, for in this folk art form the monkeys play the role of humans in their daily activities. If the monkey dancer can include issues related to human rights, then it can be very effective.

Folk art forms are really effective means of mass communication specially in the rural areas as the audience identify themselves with the character. And the most important aspect of these forms is that they can be adapted to suit local conditions, local dialects and local concerns and interest.

So effective are these art forms that the Central Government realizing its potential has set up a Song and Drama Division under the Ministry of Information and Broadcasting. The
Regional Offices of this body work in collaboration with the Field Units, and are also helped out by Block Development Officers, Village Level Workers, Extension Officers and other local leaders and agencies.

**Documentary and Short Films** – The documentary or non-fiction film is an elaborate method of recording the lives and activities of real people, but 'constructed' or 'recreated' nevertheless to tell an interesting story.

"By documentary film is meant all methods of recording on celluloid any aspect of reality, interpreted either by factual shooting or by sincere or justifiable reconstruction, so as to appeal either to reason or emotion, for the purpose of stimulating the desire for, and the widening of human knowledge and understanding, and of truthfully posing problems and their solutions in the spheres of economic, cultural and human relations."\(^{22}\) Documentary films can create awareness to the villagers about their rights through the film of reality.

**All India Radio** – All India Radio, with its monopoly over the broadcasting network in India has made a significant impact on the overall socialization of the Indian masses and appears to have a

---

22. Compulsory Screening of Documentaries in India, Khandpur K.L., p. 510
capacity and potentiality to influence the Indian masses. Radio broadcasting system is one of the main media for mass culture.

Music, play, feature should be composed in such a way as people can learn something about their rights through music. Radio is one of the important means of communication that reaches a large number of learners or people, with a common message and that common message should be of Human Rights, Radio is an educational aid for the common people. R.G. Reynolds describes the potential of the radio as an instrumental aid. "Radio is the most significant medium for education in its broadest sense that has been introduced in the turn of the 20th century. As a supplement to classroom teaching its possibilities are almost unlimited. Its teaching possibilities are not confined to the five or six hours of the school day. It is available from early morning till long after midnight. By utilizing the rich educational and cultural offerings of the radio, children and adults in communities, however remote, have access to the best of the world's stores of knowledge and art. Some day its use as an educational instrument will be as commonplace as textbooks and blackboards".23 It can promote emotional and national integration.

23. Teacher and education in a developing society – Agarwal, I.C., p. 187
Radio talks are not public speeches. Radio talks should give the impression to a listener that the speaker is addressing him or her alone in an informal manner. The words of a radio talk need to be kept simple and familiar, yet descriptive and powerful, and the sentences short and without dependent clauses and awkward inversions. There should be some arrangement for the regular programme on Human Rights. The different attractive light programmes should be based on Human Rights. But music programmes enjoy much greater popularity than talk show, people enjoy music for its rhythms, melodies and harmonies and, above all, for the relaxation it provides. Different items of right as well as awareness programme should be linked together with interesting comments, announcements and narration.

Radio can be used as one of the most powerful tools to awaken the people of remote places or illiterate persons about the feelings of human rights by broadcasting different programmes.

The ‘Remix’ Phenomenon – Hindi film music continues to be the most popular category of the music scene. The other categories such as regional language film music, classical and
semi-classical music, devotional music and folk music have also gained in popularity during recent years.

Remix albums turned into a rage in the eighties and nineties because of the growing interest among young music listeners in the cities in disco rhythms and for superior sound quality. At the same time, their interest in old film songs remained intact. The new 'remixed' music was produced by re-recording old numbers with a new beat (popularly known as 'Jhankar' beat). This generally involved first re-recording the rhythm track and then superimposing a vocal track on it.

These remix albums are able to satisfy the people differently. So, for proper enjoyment or entertainment people hear the remix albums. In the commercial gap or any other gap of this remix album some catchy sayings on Human Rights or very short rhythmical stanzas on Human Rights should be included so that they can make the common people listen to messages of Human Rights as well.

Children's Literature – In the area of children's literature, India Book House, the National Book Trust, and the Children's Book Trust, Chandamama, and Living Media are the
leaders. However, the number of titles for children barely exceeds 500, excluding titles in comics. With a child population exceeding 45% of the total, such an output is woefully inadequate. Children's Book Trust is perhaps the only non-government organization dedicated solely to publishing books for children in Hindi and English.

Comics mushroomed in the early 1980s after the success of the Amar Chitra Katha series of India Book House. The focus was on biographies of eminent men and women and Indian myth and folklore. New titles were issued every year, some of them translated into several Indian and foreign languages.

Some series should cover some stories based on Human Rights, evils of the violation of Human Rights and protection of Human Rights. The series should be in regional languages so that each and every person can read and understand it. Young educated generations should communicate the stories to illiterate persons and awaken them. They should help the children to understand them and make them aware of their rights as well as protect others’ rights. The writer of the story should be very careful in moulding the mind of the children so as to awaken the feelings of humanism. Some interesting rhythmical
poems should be included in between the stories so that children can sing them at any time like play rhythms and simultaneously learn of their own Rights.

**Law Reform or Legal Aid:**

The legal system prevailing in any society has its beneficiaries. These beneficiaries are averse to change and resist any change which may threaten their position. Lawyers as an organized profession has always been averse to change. Jimmy Carter, the former President of the United States of America said, “we are overlaw-yered ......... Lawyers of great influence and prestige led the fight against civil rights and economic justice ——Lawyers as a profession resisted both social change and economic reform. Of course, law reform is not an end in itself. As law exists as an instrument of social change, law reform is an inseparable adjunct to it. It would be unscientific to leave the task of reform to the democratic institution which may take long time to perceive the change and to introduce the reform".

---

Legal aid is taken to mean the free legal assistance to the poor and weaker sections of the society with the object to enable them to exercise the rights given to them by law.\textsuperscript{28} Actually it intends to provide free legal assistance to the poor persons who are not able to enforce the rights given to them by law.

Justice P.N. Bhagawati,\textsuperscript{29} has very clearly stated the meaning and object of legal aid. According to him legal aid means providing an arrangement in the society so that the machinery of administration of justice becomes easily accessible.\textsuperscript{30}

The Constitution of India contains elaborate provisions having a bearing on the various rights of the people, some of which are characterized as fundamental rights, some as political rights, and so on. Since the 17\textsuperscript{th} century human thinking has been veering round to the theory that man has certain essential, basic, natural and inalienable rights or freedom and it is the function of the state, in order that human liberty may be preserved, human personality developed and an effective social and democratic life promoted, to recognise

\textsuperscript{28} Public Interest Lawyering, legal aid and Para legal services by Prof Rai Kailash, p.155
\textsuperscript{29} Report of the Legal aid committee 1971, p. 5
\textsuperscript{30} Ibid
these rights and freedom and allow them a free play.\textsuperscript{31}

Article 39(A) of the Indian Constitution requires the state to direct its policy towards securing for all citizens, irrespective of sex, an equal right to an adequate means of livelihood. Article 39(A) obligates the State to secure the operation of the legal system – promote justice, on a basis of equal opportunity and shall, in particular, provide free legal aid in particular by suitable legislation or schemes or by any other means to ensure that opportunities for securing justice are not denied to any citizen by reason of economic and other disabilities.\textsuperscript{32} Right to free legal aid or free legal service is an essential ingredient of "reasonable, fair and just procedure" and implicit in the guarantee of the right to life and personal liberty under Article 21.\textsuperscript{33}

The Supreme Court\textsuperscript{34} has opined that the State should encourage and support the participation of the voluntary organizations or social action groups in operating the legal aid programme.\textsuperscript{35}

\textsuperscript{31} Indian Constitutional Law, M.P. Jain, p 457
\textsuperscript{32} Ibid, p 743
\textsuperscript{33} Hussainara Khatoon vs State of Bihar, AIR 1979 S.C 1639
\textsuperscript{34} Centre of Legal Research vs State of Kerala, AIR 1986 S.C. 1332,
\textsuperscript{35} Ibid
Remodeling of Syllabus –

The law syllabus for the intermediate class of Gauhati University provides Papers VIII and IX which are mentioned as Practical paper. Paper VIII covers Moot Court, Pre Trial preparations and participation in trial proceedings. Paper IX covers public interest lawyering, legal aid and paralegal services. This papers carrying 100 marks each will have to be designed and evaluated according to local conditions by the college. It can be taught partly through classroom instructions including simulation exercises and partly through extension programmes like Lok Adalat, Legal Aid Camp, Legal Literacy and Paralegal Training. Accordingly, different legal camps were conducted by the L.L.B. students for the poor and weaker section. Another paper should be included along with this paper as compulsory and practical paper which covers mass awareness programme consisting of Human Rights considering the availability of local people. It should be arranged in such a way as students can make a group project to awaken the ignorant people of remote villages to their rights. This programme should start in the beginning of the year. After 3 months, legal aid camps should be arranged at the same place and the

36. Detailed syllabus of Gauhati University, approved by the Standing Committee held on 24.1.2000
participants asked about their problems, because they must know about their right first and then they can say whether they need protection from the violation of their rights or not. If they are poor people, legal aid should be given to them. In the last part of the year before examination, the teacher or the guide should take the same students to the same place for final investigation about the awareness of their rights and also give aid. They will then get good marks in the practical examination which should be held in the same village for "spot marking". With the help of the guide, the external examiner should give marks externally, because without making the people aware of the Human Rights there is no value of legal aid camp.

It is not money but consciousness or awareness which is the main criterion to live in the society as a human being.

**Role of NGO:**

"There have emerged a number of voluntary institutions which have been promoting the cause of civil liberties. There is, however, a need to further strengthen such national and regional organizations which can play more effective role in the process of nation-building and in creating a political atmosphere favourable for
human rights and civil liberties. Such organizations should also address themselves with the task of making the fruits of modern education, science and technology available to the general masses. To establish their genuine credentials, such voluntary organizations should be independent of political groupings, nor should they become mere appendices of international organizations.  

The non-governmental organizations should act as a source of human rights information for the people of the country and also assist in moulding public opinion and promoting awareness and respect for human rights. "The World conference on Human Rights recognizes the important role of non-governmental organizations in the promotion of all human rights and in humanitarian activities at national, regional, and international levels. The World Conference on Human Rights appreciates their contribution to increasing public awareness of human rights issues, to the conduct of education, training and research in this field and to the promotion and protection of all human rights and fundamental freedoms."  

37. Human Rights in India problems and perspectives – Edited by Singh Sehgal, B.P., p. 618
Human rights education, training and public information are essential for the promotion and achievement of stable and harmonious relations among communities and for fostering mutual understanding, tolerance and peace. The non-governmental organizations should strive to eradicate illiteracy and should direct education towards the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. Human rights education should include peace, democracy, development and social justice as set forth in international and regional human rights instruments, in order to achieve common understanding and awareness with a view to strengthening universal commitment to human rights. “Government, with the assistance of intergovernmental organizations, national institutions and non-governmental organizations, should promote an increased awareness of human rights and mutual tolerance.”

India, specially Assam, requires a new and different outlook. Human Rights must be honoured. The media, universities, and non-governmental organizations have to play an important role for creating awareness about human rights, so that people can realize about their rights, because in the modern era in the absence of human

39. Ibid, p. 350
rights, societies, individual and families are disintegrating.

Violence is a killer of human rights. This 'culture' need to be checked; and non violence for the promotion of society be encouraged. Cumulative efforts have to be made to reduce violence through spread of discipline, better culture, better conduct and better education. The culture of Human Rights should be developed. Improved human literacy is required so that it can lead the people towards a better culture of Human Rights. The increasing incidence of torture and death in custody has assumed such alarming proportions that it is affecting the credibility of the Rule of Law and the administration of criminal justice system. The community rightly feels perturbed and the society's cry for justice becomes louder. 40 In spite of the constitutional and statutory provisions aimed at safeguarding the personal liberty and life of a citizen, growing incidents of torture and deaths in police custody have been a disturbing factor. Every day, the morning newspapers are carrying reports of dehumanizing torture, assault, rape and death in the custody of police or other governmental agencies. These reports describe the inhuman barbarities, terrible tales of sadistic torture, illegal detentions, ruthless killings, fake encounters, calculated ill treatment of women and children, and chaos

created by State terrorism. Nilabati Behera vs State of Orissa 41 is just one case of custodial death where the deceased was taken to police custody and next day his body was found on the railway track with multiple injuries. The Supreme Court once again reiterated that in case of violation of fundamental rights by State's instrumentalities or servants, court can direct the state to pay compensation to victim or his heir by way of "monetary amends" or redressal.

**Arvinder Sing Bagga vs State of U.P.** 42 is also a case of police atrocities where police officers were guilty of illegal arrest and torture in police station. They subjected a married woman to physical, mental and psychological torture calculated to create fright to make her submit to the demands of the police and abandon her legal marriage.

In Assam, the Assam Human Rights Commission on 1st November 2002 suo-moto registered a case in connection with the encounter between the activists of United Liberation Front of Assam (ULFA) and the police in the city's Beltola Survey area on October 30 last. 43 A full bench of the Assam Human Rights Commission registered

### Footnotes

41. (1993) 2 SCC 746  
42. AIR 1995 SC 117  
43. The Assam Tribune November 2, 2002, First page
a suo-moto case based on newspaper reports and photographs of the incident. The Commission has also directed the Director General of the State police (DGP) to institute an inquiry into the incident and submit its report to the Commission by November 14. Copies of the Commission's order registering the case (No. 4273/2002 Kamrup) have been sent to the Chief Secretary and the Secretary, Home and Political Department, besides the DGP of the State.

Two ULFA militants – Prakash Das alias Speed Hazarika of Puranigudam Pahukata in Nagaon District and Sanatan Deka alias Mitu Baruah of Bahjani Ganigog in Nalbari District were killed in the incident. However, the Assam Human Rights Commission in its order described the incident as an "alleged encounter" and the slain militants as "alleged ULFA extremists". The bodies of the militants were carried to the morgue in the most inhuman manner.

The Assam Government also shunted out Guwahati Superintendent of police Paresh Neog and additional S.P. Rana Bhuyan after the Assam Human Rights Commission registered a Suo-moto case over an encounter in which the two "ULFA militants" were killed. With human rights groups raising a hue and cry over the incident, the Chief Minister Shri Tarun Gogoi even took the unusual step of "condemning" the
police action of removing the body of one of the militants by tying it to a bamboo pole. The Chief Minister directed the DGP Shri Harekrishna Deka to issue instructions to all Superintendents of Police to ensure that bodies of slain militants are not handled in an "inhuman manner". This arbitrary and unjust exercise of police power needs to be bridled. Through such initiatives awareness is created among the masses so that they fight against the violation of human rights which grows into a people's movement. People should feel that the Commission through such activities is playing a useful role in making people realize the importance of the protection of human rights of others.

The role of the National Human Rights Commission is appreciable. It always entertains complaints regarding violation of human rights in different parts of India. But a single Commission would not be enough. Commissions under the control of National Human Rights Commission be established even at the district level to monitor the human rights violations from a close range.

There should be full cooperation of the Government and the Governmental agencies for the proper implementation of the

44. The Telegraph, November 2, 2002
human rights.

The social organizations have to play a vital role to make Human Rights really meaningful to the society and to check the Human Rights violations. To make Human Rights more meaningful, a realistic approach has to be adopted by all who are really interested in serving humanity. Mere talks, discussions, seminars, workshops in the urban areas will not be enough to create mass awareness for building mass opinion against Human Rights violations.

It is universally recognized that right to life and liberty, and dignity are inherent in man. These basic human rights are enforceable rights in every civilized and welfare state because it is futile to talk about a right without a remedy. The Constitution does not guarantee a right to compensation for violation of Human Rights. Such a right should be specifically incorporated in the Constitution. More than forty-five years have gone after the adoption of the Constitution and we have not been able to fulfil the constitutional commitments. We have not even been able to protect and safeguard the human rights provided by the Constitution or other laws in force for the protection of human rights and recommend measures for their effective implementation.
As the promotion of Human Rights literacy and research on Human Rights are the two important objectives of the Human Rights Commission, experienced academicians should be included in the membership of the Commission. A National University on Human Rights needs to be established to promote the study and research on Human Rights. Special scholarship should be given to the research scholars of Human Rights.

The National Human Rights Commission as well as State Human Rights Commissions should help and encourage to make telefilms on the current problems i.e. child labour, bonded labour, child prostitution, female infanticide, or any violation of Human Rights so that these films can make the general people aware of their own and others' rights.

With the help of these ideas and means we can make the mass people aware of their human rights and can remove the darkness and eclipse which cover the natural and basic right of man and can raise our voice with V.R. Krishna lyer: “And yet, light has come, in the soothing softness of evening, and humanity – Indian humanity – is back again, hoping against hope, that the long night of suffering and suppression for its homeless and hungry millions will end.
and the joy of justice will dawn".45