## CONTENTS

<table>
<thead>
<tr>
<th>CHAPTER</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certificate of the Supervisor</td>
<td></td>
</tr>
<tr>
<td>Declaration</td>
<td></td>
</tr>
<tr>
<td>Acknowledgements</td>
<td>iv</td>
</tr>
<tr>
<td>Table of Cases</td>
<td>xii</td>
</tr>
<tr>
<td>Table of Abbreviations</td>
<td>xix</td>
</tr>
</tbody>
</table>

### I INTRODUCTION

- Human Rights in General
- Scope of the Research
- Research Problem
- Methodology
- Sources of the Research
- Scheme of the work

### II THE CONCEPT AND DEFINITION OF HUMAN RIGHTS

- The concept of Human Rights
- Definition of Human Rights

### III THE ROLE OF UNITED NATIONS IN THE PROTECTION AND PROMOTION OF HUMAN RIGHTS

- Universal Declaration of Human Rights
- Two Covenants on the Universal Declaration of Human Rights
- Impact of the Covenants
- Measures of Implementation
- Commission on Human Rights
- Human Rights Committee
IV  HUMAN RIGHTS AND ITS DEVELOPMENT IN INDIA

The Salient Features of the Protection of the Human Rights Act.1993  64
National Human Rights Commission  65
Functions of the NHRC  67
Powers of the NHRC  68
Some Important Cases Dealt by NHRC  70
State Human Rights Commission  90
Human Rights Court  92
Approach of the NHRC  94

V  HUMAN RIGHTS VIOLATIONS BY POLICE

The Police and Rule of law  101
Process of Investigation  107
Manipulation in FIR and Case Diaries  111
Case Diary  112
Legal and Illegal Custody  113
Remand  115
Confession to Police Officers  118
Police Atrocities  119
Fake Encounters  122
Disturbing the Family Members  122
Custodial Rape  126
Police Torture  128
Lack of Accountability  131
Anal!  
ysis of the Reasons and the Factors Behind the Police Indulging In Violation of Human Rights

Causes of Violations of Human Rights by Police Percentage of the Complaints Received by the NHRC During 2000-2001

Law of Arrest

(i) Provisions of Arrest in Criminal Procedure Code, 1973

(ii) Aspects of Section 41 of Cr.P.C.

(iii) Section 151 of Cr.P.C. and Powers of Arrest

(iv) Sections 107 to 110 of Cr.P.C.

(v) Constitutional Protection

(vi) Under Trails

(vii) Right to Bail

(viii) Supreme Court in the Process of Arrest

(ix) Data Collected on the Relevant Aspects of Law of Arrest

(x) Broad Features Arrived Through the Data

VI THE ROLE OF INDIAN JUDICIARY IN THE PROTECTION OF HUMAN RIGHTS, CONSTITUTIONAL SAFE GUARDS AND REMEDIES

Role of Indian Judiciary and Human Rights

Constitutional Safeguards and The Human Rights

(a) Right to be Informed of the Grounds of Arrest

(b) Right to be Produce Before the Magistrate within 24 Hrs of the Arrest

(c) Right to be Consulted by a Lawyer of his own Choice

Preventive Detention

Right to Life and Compensatory Justice
Right to Compensation for Wrongful Arrest, Detention And Torture 213
Custodial Death and Human Rights, Tortious Liability of the State 218
Public Interest Litigation (PIL) 237

VII CONCLUSION

Reasons for the Police Reforms 243

(i) Reforms to be made in the Police Department 253
(ii) Reforms to be made in the Legislation 268
(iii) Reforms to be made with the Citizens 275

SELECT BIBLIOGRAPHY 278

APPENDIX-

A EXCERPTS OF UNITED NATIONS ARTICLES 282
B UNITED NATIONS CONVENTIONS AND RESOLUTIONS IN THE FIELD OF HUMAN RIGHTS 284
C EXCERPTS FROM THE UNIVERSAL DECLARATION OF HUMAN RIGHTS-1948 309
D EXCERPTS FROM THE ANNUAL REPORT OF NHRC. 1998-99 312