CHAPTER - 8

CONCLUSION AND SUGGESTIONS
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8.1 Introduction

"It is the obligation of the state to ensure every one’s has the right to Ade quate food, education and enjoyment of highest attainable standards of physical and mental health. These rights have to be respected and made available to the citizens by the state."  --- Dr. Justice A. S. Anand, Ex. Chairperson

Man is social as well as religious animal. The rationality reflects upon him to realize his rights and duties in the society. The concept of Human Rights is as old as origin of human race and as broad as social life. Human beings are entitled to certain basic and internal rights that define a meaningful existence; equal dignity of all people is the central tenet of human rights. These rights have been designated to be universal in application in all enable in exercise and inherent. Human Right is to-days buzz phrase. Nevertheless this concept is as old as the origin of civilized existence of man. Historically the term became very popular after the second world war to-day, the world has become a global society and no man is island and each should live for the other in order to regard the principal of "Live and let live" Human Rights are indispensable item both in the national and international agenda, the concept has been interpreted in the various forms to convey that human rights are essential for Human development, without which entire society would suffer.

The concept of Human Rights is not entirely western in origin; it is also not so modern. It is a crystallization of values that are the common heritage of mankind. As ideals human rights define the community within which people want to live but have their roots in the community in much they are in fact live. Based on our common Humanity. Human Rights differ from right to grounded in the domestic law but in other respects, they operate much like rights, grounded in domestic law. Violation of one of the enumerated human rights would serve as predicate or justification within the legal system for exercises of the state’s excessive power. Human Rights might be better viewed more a social ideals than as Legal claims.

7 From cradle to grave disputably the laws of the state concern almost every human activity there is hardly any sphere of human life which is not touched
affected or regulated by the law. The maintenance of the rule of law is entrusted to the state and its instrumentalities including the statutorily recognized and defined public servants. The state in the process of preserving the 'Rule of Law' is obliged to protect, preserve, educate and prevent the violation of innate as well as constitutionally guaranteed human rights of life, liberty equally and dignity of individual by its public servants for better protection of Human Rights and matters connected there with or incidental thereto.

8 Primarily the protection, preservation, education and dignity are the obligation of the state for more effective discharge of this obligation the union legislature enacted the protection of Human Rights Act 1993. According to the Act, 'Human Rights', means the right relating to life, liberty, equality and dignity of the individual guaranteed by the constitution or embodied in the international covenants and enforceable in India. The Act for assisting the state in discharge of its obligation towards the Human Rights of the individual ordains constitution of the National Human Rights Commission. The State Human Rights Commission in each state of the country and the Human Rights courts in the states.

9 Having been constituted on July 12, 2006 The Gujarat Human Rights has been completed few years of its meaningful existence apparently; it is still a fledgling with inadequate infrastructure and financial astronomy licking nonetheless. It has strived hard to deliver goods to the people of the state to the best of its capacity and to accomplish the mega goals of protection, preservation education and prevention of violation of the human rights in relation to life, liberty, equality and dignity of individual through effective co-operation and purposive assistance to the state of Gujarat in discharge of its constitutional and statutory duty of upholding the HR of its citizenry by enforcing the well-defined and established laws. Condition, precedent for Human freedom and social betterment.

10 It is to be noted that the Human Rights subject is very vast and encompasses entire gamut of state activities affecting individuals by commission or omission of the public servants. No single agency alone can reach the entire vast subject like this at the most it can serve as a watch dog. With the recommendatory role. The solution is responsibility of all the limbs of entire system which have to work harmoniously the state commission has to carefully restrain itself from becoming a root of those who intend to misuse it, there is wide gap between expectation and
fulfillment. Here this gap is seen more in case of deprived groups and to empower them to be inclusive is major objective of good governance as well as of the role of the state commission. The state commission basically focuses on the quality control of social issues touching human rights. This certainly needs a positive human touch in favor of the victim to understand their problems deeply in this context more attention, to the historically deprived groups is warranted. The commission attempts to play a level field in their favors so that their disadvantage does not come in their way of seeking due justice.

8.2 DEMOCRATIC WORKING AND GOOD GOVERNANCE:

"Good governance is perhaps the single most important factor in eradication of poverty and promoting development" - Kofi Annan

1. Governance is the exercise of economic political and administrative authority to manage a country's affairs at all levels. It consists of the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences. Without good governance no amount of developmental schemes can bring in improvements in the quality of life of the citizens. On the contrary, if the power of the state is abused or exercised in weak or improper ways, those with the least power in the society – the poor are most likely to suffer. In that sense, poor governance generates and reinforces poverty and subverts efforts to reduce it. Strengthening governance is an essential precondition to improving the lives of the poor.

2. The Preamble of the Indian constitution reflects broadly the goals and ideals the Indian State should pursue for the well-being of its people. The most important goal is to secure to all its citizens justice social, economic and political. This, in fact summarizes the very purpose of any good State. The principles of good governance are not new to our nation. Though the term 'Good Governance' is not used in our constitution, the spirit of good governance is basic incorporated in the preamble followed in framing of the Constitution of India. The Directive Principles of State Policy enshrined in Part IV of our Constitution very much epitomize the characteristics of good
governance. The terms "governance" and good governance" are being used increasingly in relation to the process of decision-making and the processes by which decisions are implemented or not implemented. Government is one of the key actors in governance as formal government structures in developing economies such as India are the major means by which decisions are arrived at and implemented. Good Governance may be said to have the following major characteristics:

- Participatory by way of fair play of all stakeholders
- Consensus oriented to keep in view the sensitivity of issues for each other’s needs
- Accountability to the people
- Transparency of procedure followed in the system to inspire confidence of all
- Responsiveness to the public changing needs
- Effective and efficient handling of the issues brought before them
- Equitable and inclusive to all sections
- It follows the rule of law which are equally shared by all.

3. The Second Administrative Reforms Commission seriously addressed the issue of Good Governance. To achieve Good Governance the Government shall be on a mission to follow clarity conviction, compassion and consistency in governance which are prerequisites to achieve the principles and vision of good governance.

(i) Clarity promotes transparency, participatory and efficient governance
(ii) Conviction promotes accountable and effective governance
(iii) Compassion promotes consensus oriented, equitable and inclusive governance
(iv) Consistency promoters’ responsive governance follows the rule of the law and modernizes itself according to the needs and changes of the society upholding the guiding principles of the Constitution.
(v) The Government shall act as a facilitator for the people, market and civil society and remain a prudent regulator to ensure social equity and fair competition in the society. The changes in the role of the Government
will be carefully defined and communicated so that the people will understand that changes are in their interest.

(vi) Decentralization is an essential part of the Government to make it more efficient and responsive the government shall strengthen local govt. and management developing administrative and economic powers and responsibilities. The Government will directly involve people in the management of the services they use. The Government is committed to minimize citizen interface with the Government Departments by introducing the 'Electronic Government'. The internet, Web and groupware technologies will be used to create national electronic highways and networks at all points of contact between the people and the Government. The primary task of the government shall be to ensure efficient and responsive services, making it easy for the people to gain essential information from the government and ensure that they have recourse to mechanisms that punish wrongdoings. Citizen's Charters shall be introduced to improve the quality and effectiveness of public services.

4. Administrative Reforms are the continuous process in the system as per needs of time, situation and other requirements of a dynamic society. But being slow in HRD, it needs stable rules to be followed by all concerned. The administrative reforms draw immediate attention of all, hence needed to be time tested and convenient to all. The recommendations of the Commission on review of administrative laws include, inter-alia promoting the use of information and communications technology for bringing about efficiency in governance. Each state should immediately set up an Administrative Reforms Commission/Committee to streamline and review systems or procedures making Government processes and re-engineering of these processes in a systematic manner.

5. For bringing transparency in administration and reduce chances of wrong choices for selection of Legislatures, the most important provision is added by the observations in 2004 Supreme Court decision, which ruled that the candidates to Electrons have to declare details of their criminal record, wealth and educational qualifications. This has laid the basis for empowerment of
voters to select the right candidates which is fundamentally essential to ensure close personal scrutiny of perspective policy makers and their capacity to provide Good Governance and transparency in democratic working system. Various levels of executives and civil servants get covered through their conduct rules for proper public accountability, but to enforce it in practical system is a big challenge and management of vast official system is key for Good Governance. The transparencies in public dealings of judiciary are also in debate which will provide great deal of faith of public accountability and confidence of a common man in all public services.

6. Through this Endeavour we envisage that all the institutions involved in governance adopt, achieve, identify and measure various parameters enlisted in the Code of Good Governance. The States being the prime movers for change at the cutting-edge levels, the ownership and accountability of a model Code of Good Governance by the States is a critical issue. Such a code could bring in its ambit the following issues of good governance.

(a) Stability of tenure of key decision-makers
(b) Upkeep of moral of public servants also that legitimate service entitlements are provided in time.
(c) Rewards in recognition of good work and meeting out deterrent punishment for recalcitrance or malfeasance.
(d) Timely completion of Annual Confidential Reports
(e) Objective and effective redress of public grievances
(f) Provision of available services through an easily accessible interface, devoid of harassment or corruption.
(g) Transparency in administration through Citizen's Charters, Right to information, use of e-Governance wherever feasible and social audit.
(h) Bringing the citizen into the focus of development Programmes.

7. The non-negotiable role of the state in following four broad areas needs to be clearly recognized and reemphasized.

(i) The first is in the area of public order, justice and rule of law.
Deficiencies on this front have led to decline in trust in the state’s capacity to protect life and liberty and enforce rights. This in turn has aggravated the tendency to resort to violation and crime to obtain rough and ready justice, promote sectarian interests or achieve ideological goals. Ensuring access to speedy and efficient justice, protecting rights of citizens, enforcing rule of law and maintaining public order are all inseparable and they form the bedrock of a civilized society and sound liberal democracy. The deficiencies in this vital area need to be plugged through judicial and police reforms, better citizen participation in the governance, transparency and more effective and integrated approach to public order maintenance. The alacrity with which we constitute various committees and commission of enquiry is matched only by the inaction on the voluminous reports laboriously produced. Public trust and confidence is shaken by such ritualism and tokenism. We need to institutionalized mechanisms for independent enquiry and mandatory implementation so that public confidence and social cohesion are strengthened. Governance at all levels must ensure orderly justice and peaceful resolution of conflicts in a complex and dynamic society.

(II) The second area is human development through access to good quality education and healthcare to make every citizen productive and fulfilled.

Despite our long-standing commitment to these goals, the result are uneven and far from satisfactory. Allocation of resources is undoubtedly inadequate leading to huge unmet demand. Even what is spent not very productive in outcomes. Yet even private sector is not delivering effectively because of systemic inadequacies. We need to reorient public finances in order to direct resource to human development. But even more vital, we need to redesign our delivery mechanisms in an innovative manner based on past experience and best practices and deploy the nation’s finest talent in these sectors. Most of the nation’s gene pool is wasted because of inadequate and poor quality of school education. Higher education too is not very successful in promoting excellence of producing service providers, leaders, managers and wealth creators for the future. There are other clear danger signals, which need to be acknowledged and addressed immediately. For instance as public health system has been
unsatisfactory and inadequate, private health expenditure, which already account for about 80% of total expenditure, is growing (14% per annum) much faster than GDP. The resultant high cost and poor access would seriously undermine our human development and perpetuate misery and poverty. The governance system should be geared to address these fundamental challenges through sensible and innovative policy, effective and competent delivery and meaningful incentives and accountability mechanisms.

(III) The third broad area is infrastructure and sustainable natural resources development.

While the economic aspects of these are well-recognized, the governance challenges are not adequately addressed. For instance, effective land administration is crucial to capital formation in agriculture and sol convention. Energy plantation and bio-fuel production would require grate administrative innovation and grassroots coordination. Urban management involves much more than resource allocation management through local people’s involvement and ownership in a consumer-friendly way is more a governance issue than an economic or tariff problem. We need to create innovative modes of governance in dealing with many such growing changes.

(IV) Fourth is the social security, a relatively new and growing area of state activity to which the administrative system must respond with alacrity, sensitivity and efficacy.

The recent enactment of the employment guarantee law, the efforts in the pipeline to provide a measure of social security to the unorganized sector workers and many healthcare risk pooling mechanisms contemplated require effective delivery system, which can address the special challenges posed in this emerging sector of state activity.

One emerging area which needs special attention is the changing nature of the federalism. The last decade has witnessed significant maturing of our federalism. The state are increasingly empower to determine their own policies and Programmes, and the union is ever more sensitive to local needs. However, the role of the union is expanding in a substantial measure in recent years in new way education, healthcare, ruler urban development and social
security are either state subject or largely under state jurisdiction. And yet, the services are increasingly driven by union polices and funds. Paucity of resources at state level, need for standardization of services, compulsions of reducing regional disparities and the imperatives of meeting the challenges of a growing economy in the modern world have necessarily enlarged the union’s role in these sectors.

Such a shift in the union’s role in a federal democracy is quite in keeping with the evolution of other large federal states like the US. But large union funding with state control could easily erode accountability. We need to carefully design mechanisms to monitor these Programmes and enforce accountability. Even as the desired outcomes are achieved and the constitutional scheme of division of powers is fully respected. Poor implementations will only lead or waste, corruption, lack of accountability and growing regional disparities. At the same time, if non performing states are punished by withdrawal of the programs. The poor and disadvantaged, who need preferential support, suffer even more and regional inequalities are further accentuated. Therefore innovative, viable and effective mechanisms need to be put in place to protect public money, guarantee intended outcomes and enforce accountability.

In any system, the quality of public servants is critical in determining outcomes. We have well-established procedures for initial recruitment of civil servant in India. However, there is growing concern that our civil services and administration in general have become wooden, inflexible, self perpetuating and inward-looking. While the bureaucracy responds to crisis situations with efficacy, colossal tardiness and failure to deal with normal situation is evident in most cases. Effective horizontal delegation and a clear system of accountability at every level should be at the heart of our administrative reform.

All the financial devolution and personnel transfer should match function domain determined on this basis. Only then will the citizen see the link between his vote and public good and many can be traced to services delivered. The structure of local governments envisaged in the 73rd and
74th constitutional amendments is now in place, but the soul of self-governance and empowerment is largely missing. As result of the economic reform process, the states have come into their own and yet the union has in recent years discovered a more meaningful and strategic role for itself. Similarly, local government empowerment need not mean weakening of states. States must be enabled to discover most of the basic services.

A comprehensive approach involving political, electoral, and judicial and police reforms coupled with decentralization and accountability must be the essence of an all out assault on corruption. In the wake of economic liberalization, changing forms of corruption and technological sophistication in economic offences, there is need for pan-Indian institutional framework for effective enforcement of criminal justice with focus on speed and dexterity.

One weakness in our governance is the incapacity to institutionalize the best practices from our own country and elsewhere. A conscious effort not only to identify and document best practices but also build policy and create new structures institution to allow mass replication need to be made. The communications revolution sweeping across India offers us a great opportunity to innovate and replicate. Many models of improved use of technology for better governance are now available to us. But again convergence of many services at the citizen’s doorstep, with greater citizen power and local control are critical for the future.

Our scientists and technologists have the proven ability to meet the challenges of a modern economy. We need to harness their skills to make real improvement in governance possible in real time.

Unemployment and discrimination are two malignant factors afflicting our society and militating against the principle of equality of opportunity enshrined in our constitution our governance process must be redesigned to combat these two scourges. So that the productive potential our people is liberated.

8 Police Response to crime prevention

(a) Clear
Clear is a practice recognized as one of the most innovative applications of technology by the police in USA? It has won the 2007 the innovations in American Government awards and has subsequently emerged as one of the most informative, responsive and enforcement oriented police practice in Chicago. Chicago police department (CPD) is now an international leader in applying technology for the use of citizens’ safety and well being: CLEAR is located in the technology wing of CPD Headquarters in Chicago. The room from where the police department was monitoring the city, thefts, mugging, shooting, vehicles monitoring etc was not too big but had huge LCD sets connected to the cameras around the city which continuously sent visual information being monitored in this room by a minimum of eight police officers at a time. While one can see a known car being towed away from the road across the CPD which was wrongly parked. The formulators’ of this Programme show the immense professional interdisciplinary coordination between the police, technology engineers and civilian departments. While universities are participating in its planning along with engineers and technology companies some donors like Mcarthur foundation has also played a role in funding for technology. It has developed the Programme through a series of exchanges on global policy issues and local challenges. It is primarily a law enforcement practice and has enormously helped in making crime detection a scientific and data base exercise. The concept used is that of data-driven crime mapping and builds on it to gather, store, cross-reference and retriever a massive amount of information about crime. Criminals and criminal justice activity it is a fantastic data base for Lawyers, crime prevention citizen groups and the police all over the country. CPD was quite open about demonstrating their technique and methodology in pursuing their law enforcement activities through CLEAR and it brought out some insightful arrangements in crime prevention.

(B) Crime prevention and information center:

Crime prevention and information center: this has enormous personnel and disciplinary arrangements to achieve trained, committed and responsive police personnel.

Techniques in operation are
- Daily attendance and assignment records.
- Deploying schedule application
- District intelligence bulletin system
- Early intervention detection system
- Enhanced name check
- Exchange migration information
- Plate recognition
- Firearms training and certification system
- Gang book.

### 8.3 Conclusion and Suggestion

In the course of research, the researcher in this Ph.D. Thesis has covered several important aspects, like how and on what methodology should the research work be based on, additional information about the knowledge of Human Rights, constitutional fundamental rights, the directive principles of state policy, etc. Information about the effective execution of the human rights by the National Human Rights Commission in India and particularly the Gujarat State Human Rights Commission has been comprehensively described in the Chapter concerned. It also elaborates on the matter dealing with the applications and complaints received by the GSHRC and its pivotal role in bringing out the solutions to the problems.

The par excellence functioning of this Commission has thus helped to establish itself as a corner stone in the State of Gujarat. Facts about the stand the Gujarat High Court has taken in the instances of violations of these rights have been mentioned. The excellent verdicts in the cases of violations of Human Rights given by the Gujarat High Court have been incorporated and analysed in the Thesis. The State-wise Commissions were established with a view to monitor and maintain overall but proper execution of Human Rights. However, discussion on every aspect mentioned above, has been superficially covered here in a following manner:

From the very usage of the words “Human Rights” an idea or a notion clicks in one’s mind that these are the rights an individual is entitled to, are summarily termed as the Human Rights. Extensive information about this notion has been given
in the thesis Chapter(s) to follow. It also includes several inquisitive questions like what are these rights, who confers them, how and from where have they originated, when were these rights globally accepted, whether there are any legal arrangements made and when did India recognize them as the ideal rights, etc., have been dealt with and discussed in an interesting manner.

Our country was in the process of formulating the constitutional laws when these human rights were internationally accepted and recognized. As a result, legislators’ task to incorporate them in the constitutional provision became easy. Our constitutional provisions have recognized the importance of Human Rights and to treat them as the fundamental rights. More importantly, certain rights are being served as a part for of the directive principles of the State’s policy and thus enjoy special status. The way and the form in which these rights are recognized and included in our constitutional provision, has been critically analysed in the present research work. It also empathetically illustrates the fundamental obligations or duties to be executed by the citizens of Independent India.

Our country in its constitutional provision has provided us the surety to protect and secure the Human Rights and hence is always eager to committed obligations. At the time when all other countries showed preparedness in protecting these rights, India also announced the acceptance in its covenant that it declared. Owing to this, the National Human Rights Commission was established under the provisions of Human Rights’ Act, 1993. Information about the NHRC, its functions, obligations and the authoritative powers have been discussed somewhere in this Thesis. It also deals with the matters concerning the establishment of the State-wise Human Rights Commissions so as to serve these rights. In 2006, the Gujarat State Human Right Commission was established in the State of Gujarat. This thesis also describes how the Commission is carrying out the task assigned to it. The discussion on the efforts to be made to give the legal and social justice to the people in the society and more information like, the section of the society that is most affected and become the victims of violations of Human Rights, how prisoners are treated in police custody, etc., is also covered in this Thesis. It further explains the problems faced by the labour class and the steps that need to be taken to uplift the standard of their living by organizing seminars and workshops, arranging regular meetings with such groups of
labourers, to discuss necessary changes or alternatives to be made for achieving this goal.

The State-wise Commissions of all the States are the Subsidiaries of the National Human Rights Commission which has given some definite task functions to be carried out. Detailed information about the regular visits of higher officials to various prisons and the Commissions of different States for further improvising the working styles of these bodies are covered in this Thesis. The officers of Commissions of other States and representatives of different organizations, who have visited the Gujarat State Human Rights Commission, speak very highly of the functioning of the Commission.

The Gujarat State Human Rights Commission has shine out as the better if not as the best in executing the obligation and in skillfully carrying out the duties assigned by the National Human Rights Commission. Its efficient working style includes a model of complaint application to help a person for registering grievances. Since its inception till today it has received a very huge number of applications showing an increasing trend. It suggests that people have complete faith and full satisfaction in its functioning methods. Because of a very large number of applications received by the Commission and for some other reasons, some of the applications remain pending but are immediately cleared in the next year. Even some of the applications are sent to the National Human Rights Commission if found necessary.

The researcher further informs about actions taken by the Gujarat State Human Rights Commission for the development and protection of human rights. In the present research work, all possible efforts made to cover various aspects are in accordance with the subject chosen. The Researcher hopes that the intention with which our legislators formulated the constitution for building a prosperous nation, their hypothetical anticipation materializes in real. They anticipated a very strong and prospering society wherein no member would be ill-treated in any form by anybody and everyone would enjoy basic rights. The citizens would receive and enjoy their economic, social, cultural and political rights living peacefully but dignified lives.
The society can be ideal only if its members are enjoying equality in its true sense. Every person is equal in enjoying independence. Therefore, it is necessary that people honour one another. In an idealistic society the proportion of vicious incidences of cruelty, immorality and crimes should decrease successively. Those who formulated our constitutional laws dreamt such a society. Annual increase in application, seeking justice, received by the GSHRC is not a good sign for economic, social, cultural and political development of the human society.

Within the society, it is expected that no one would inhumanly behave with anybody as all individuals are the responsible members of the human society. Each one is entitled for receiving the services of the basic rights offered by the constitution. All the sections of the society enjoy these rights uniformly. Incidences of human rights violations can only be reduced if we respect each other and show the readiness to protect each other’s rights. It is necessary to stop the practice of differentiating between casts and creeds in the society for it to be the prospering one. If this is done, then the phenomenon called “Vasudhaiva kutumbakam”, i.e., the notion that the whole earth is just like a family, can become real in its true sense.

“The real Swarg will come not by the acquisition of authority by a few, but by the acquisition of capacity by all to resist authority when - Mahatma Gandhi

8.4 The Findings

The inferences drawn at the end of present research work are as given below:

1. Mostly, the rights and duties are associated with each other. Violation of one’s rights can only happen when another one has not fulfilled its duties
2. The sinful acts are against the justice and ethics. Naturally and morally sinful acts, the two types, are against the law of natural justice and violating the legal laws. Legally speaking, the later is punishable and a sinful crime against which the compensation is to be settled
3. Suffering a loss cannot be the only reason for a claim to be made, except it has breached the legal rights
4. It can be ascertained that for the justice to be given when a person’s rights are breeched, a compensation must be given to the sufferer as a part of relief or help
A view or a notion is also prevailing which believes that along with the rights, there are cures present. No any tort or an act of omission can possibly exist whose remedy is to be found out yet.

It appears from this research work that certain naturally conferred rights of a person cannot be snatched away by any other ways or means except it has followed proper legal procedures.

The implementation process of effective legislation regarding National Human Rights Commission and also after the establishment of State Human Right Commission, the instances of violation of Human Rights have shown an absolute reduction.

Because of State-wise establishment of Human Right Commission, the responsibilities of National Human Rights Commission have considerably divided. Active efforts for achieving sufficient and proper justice in cases dealing with Human Rights, have been more intensified.

It is true that the existence of Human Rights' protecting laws at global level have now secured innocents’ rights. Nevertheless, with the flow of time, more efforts needed to add new provision that would effectively protect the Human Rights under all sorts of conditions.

Many a time, Human Rights Commission itself acts on its own and becomes a plaintiff in order to protect people’s interests. Such an act of the commission has enabled people of the weaker sections of the society to get compensatory rewards.

If we trace back the past and look at the ancient civilizing culture of India, we realize that during that period also emphasis on priorities like Human Rights and people’s interest were given.

Having shown its commitment towards the Human Rights even before the independence, India also incorporated the protecting provision under the Section-III and IV of its constitution.

The provisions of Articles – 32 and 226 which provide us the protection under the conditions of violations of Human Rights, serve as the corner stone for seeking justice.

In the instances of violation of Human Rights, the responsibility of settling the compensation is now on the head of the worker or the employee who has
violated the rights, instead of the concerned department. The person has to pay or settle the compensation from the salary drawn by that person. As a result of that the cases of Human Rights’ violations have reduced

15 No person is allowed to violate other persons’ rights or to cheat or deceive them by any means without the fear of the person or the society

16 The pervasion in education has generated awareness amongst the people. They are now more concerned about possession of Human Rights as they have learned more about it. In case of their rights are breeched, they go to the court or to the Human Rights Commission and register their complaints for the want of justice

17 As the awareness amongst the people grows increasingly, they are now showing the courage to stand and protest against any cruelty or sinful act which is harmful to the society

18 A noticeable improvement in the ways the prisoners are treated is the result of growing awareness about Human Rights amongst people in the society. Efforts are now being made for the betterment or development of these prisoners.

19 The Human Rights Commissions of different States have shown deep concern to suppress the crimes in the society. They also keenly observe that the justice is served to the afflicted persons belonging to a weaker section of the society

8.5 Suggestions or Recommendations

1. It is very much essential that the Human Rights Commissions are made more powerful. Such powers can be utilized to control crime rates and to arrest incidences that violate the Human Rights, in a much better and efficient way

2. The Commission has the recommendatory powers. But it is required that it should have the mandatory powers and the official procedures for that must be followed. It can be very useful to compulsorily observe the rights
3. The Commission by utilizing its powers fully can play a major role in serving the justice to those who are in need

4. In the case of Human Rights’ violation, the compensatory payment received by the victimized person should be rewarded considering the nature of crime and the losses suffered

5. It is believed that the Police Department sometimes breach the Human Rights which can be reduced by making the Department more sensitive towards the protection of these rights. Extensive training Programmes are required to be organized to overcome this shortcoming

6. It is true that the people in the society have become aware now about the Human Rights, but that is not just the enough. The awareness should reach to every corner of the society and to be more specific, to all the houses of the society. This problem may be solved by organizing Programmes and conducting seminars that would generate awareness. Efforts for finding more convenient ways are required so that it hits the target and achieves the goal

7. Functioning activities of the State should be to protect the interests and rights of the people of the society. In short, it should be following the ideology that can lead to the path of prosperity

8. Under the situations of Human Rights’ violation by the employees of the State, they are to be held responsible for compensating the loser and the Departmental inquiries must be made against them

9. The employees of the State must be informed and made aware about provisions of protecting people’s interest and their rights. If found necessary, urgent workshops may be organized

10. With regards to generating awareness about the Human Rights, public media, like TVs, news-papers, etc., may be utilized for spreading the information by advertising so. This would surely help in suppressing the incidences of violation of the rights of the others
• **Suggestions for future researchers**

Any student, who intends to carry out research investigations concerning this subject, following suggestions would be useful:

1. The researcher, in future, can carry out investigations in the field of protection and promotion of the Human Rights directed by the National Human Rights Commission

2. The role of NGOs in protecting Human Rights can be worked out

3. The comparative studies on functional aspects of two or more States with context to Human Rights’ protection may be investigated

4. Shortcomings of State’s Human Rights Commission to protect the Human Rights would be an interesting topic of research

5. The constructive approach for conserving and protecting Human Rights by the Commissions of different States and the NGOs can also be evaluated

6. State Government’s policy and its effective implementation in making the performance of the State’s Commission more constructive and speedy, can also be studied

7. The gloominess on the part of the State Government over monitoring of performance of the Commission would equally serve as an interesting topic of research

8. The working performance of the National Human Rights Commission at an international level with the reference to UNO’s tendency can be attempted

9. The performance or torments faced by the Human Rights Commission in effectively implementing the observance of Human Rights owing to the recommendatory powers given, can be investigated
8.6 Scope and Limitations

1. All the cases related to the Human Rights and the Fundamental Rights have not been incorporated here, only those which are important and necessary, are discussed.

2. The present work includes limited applications out of the total number of application for registering complaints received by the Gujarat State Human Rights Commission.

3. Extensive information about the National Human Rights Commission is not given here, only few necessary information has been included in the present work.

4. The present research work carried out is limited to the State level, hence it doesn’t cover all the concerning aspects pertaining to the National level.

5. The present research work is limited to only GSHRC and hence, it doesn’t include more wider and broader aspects at the National as well as International level.

6. Some necessary information about the NHRC has been covered in this work but the Programmes, working system and policy matters are excluded as the scope of the work extends only up to the State level.

7. The information pertaining to the Human Rights Commission of different States has not been covered as it is not essential here to be mentioned. The comparison of performance exhibited by these States is also not dealt with.

8. The other organizations as well as NGOs actively working for the Human Rights are not attempted and hence not covered in this work.

9. The present research work refers to the State Commission and its progress in protecting the Human Rights its working performance and progress made in protecting the Human Rights. So it intentionally lack the manners of criticism.

10. The researcher wanted to include information and the idea of the Human Rights in its extensive form, so all possible information obtained was incorporated but in its lesser proportion.