

# Indian Constitution and Human Rights: Values and Relevance

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**Abstract:** The Indian Constitution is a remarkable document that not only frames the structure of governance in India but also lays the foundation of human rights and values for its citizens. This research paper explores the intricate relationship between the Constitution and human rights, tracing the historical context, fundamental values, and ongoing relevance of these rights in contemporary India.

**Keywords:** Indian Constitution, Human Rights, Fundamental Rights, Democratic Values, Social Justice

## 1. Introduction

India, as the world's largest democracy, is guided by its Constitution, which came into effect on January 26, 1950. It was adopted on November 26, 1949, after nearly three years of meticulous drafting. The Constitution stands as a testament to the country's commitment to justice, liberty, equality, and fraternity. Embedded within it are the fundamental rights that safeguard human dignity, marking it as a significant instrument for the protection of human rights.

## 2. Historical Background

The history of human rights in India is deeply intertwined with its struggle for independence. During British colonial rule, there was a widespread violation of civil liberties. The Indian freedom movement, led by Mahatma Gandhi and others, emphasized the importance of human dignity and self-rule. The horrors of World War II and the Universal Declaration of Human Rights (UDHR) in 1948 further influenced the Indian framers to ensure a rights-based Constitution.

## 3. Fundamental Rights in the Indian Constitution

The Fundamental Rights enshrined in Part III of the Constitution are a cornerstone of Indian democracy. These include:

**Right to Equality (Articles 14–18):** Ensures equality before the law and prohibits discrimination.

**Right to Freedom (Articles 19–22):** Includes freedom of speech, expression, assembly, association, movement, and personal liberty.

**Right against Exploitation (Articles 23–24):** Prohibits human trafficking and child labor.

**Right to Freedom of Religion (Articles 25–28):** Guarantees religious freedom and secularism.

**Cultural and Educational Rights (Articles 29–30):** Protects the rights of minorities to preserve their culture.

**Right to Constitutional Remedies (Article 32):** Allows individuals to approach the Supreme Court directly in case of rights violation.

#### 4. Directive Principles and Human Rights

Although not justiciable, the Directive Principles of State Policy (Part IV) guide the State in ensuring social and economic democracy. Provisions like equal pay for equal work, protection of children and youth, and promotion of educational and economic interests of weaker sections reflect human rights concerns.

#### 5. Constitutional Amendments and Human Rights

Over time, various amendments have enhanced the scope of human rights. For example:

86th Amendment (2002): Made education a fundamental right for children aged 6–14 years.

73rd and 74th Amendments: Strengthened local self-governance, empowering marginalized communities.

#### 6. Judiciary and the Protection of Human Rights

The Indian judiciary, especially the Supreme Court, has played a proactive role in interpreting and expanding human rights through Public Interest Litigations (PILs). Landmark judgments like:

Maneka Gandhi v. Union of India (1978): Broadened the interpretation of the Right to Life.

Kesavananda Bharati v. State of Kerala (1973): Upheld the basic structure doctrine.

Vishaka v. State of Rajasthan (1997): Laid down guidelines against sexual harassment at workplaces.

#### 7. Challenges to Human Rights in India

Despite constitutional safeguards, India faces several human rights challenges:

Caste-based discrimination

Violence against women and children

Custodial deaths and police brutality

Suppression of dissent and freedom of expression

Internet shutdowns and digital rights violations

#### 8. National Human Rights Institutions

The establishment of the National Human Rights Commission (NHRC) in 1993 marked a significant development. It investigates violations, recommends actions, and promotes awareness.

Other bodies include:

National Commission for Women (NCW)

National Commission for Minorities (NCM)

National Commission for Scheduled Castes (NCSC)

## 9. Relevance in the Contemporary Context

In the age of globalization and digitalization, new dimensions of human rights have emerged, such as:

Right to privacy (recognized in 2017)

Cyber rights

Environmental rights

Rights of the LGBTQIA+ community

The Constitution, being a living document, continues to adapt to these new challenges while preserving core democratic values.

## 10. Conclusion

The Indian Constitution not only enshrines a robust framework for human rights but also reflects India's civilizational ethos of inclusivity and respect for human dignity. As a guardian of democratic values, it empowers citizens to seek redress and ensures accountability of the State. In today's era, safeguarding human rights remains more crucial than ever.

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