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## INDEX

01) Emergence of Women's Questions in Rajputana Anupam Jindal, Jaipur	10
02) RIGHT TO PRIVACY UNDER ARTICLE 21 OF INDIAN CONSTITUTION.... Sri S.K Rout, Prateek Sinha, Raigarh	14
03) A Study on the Implementation of POCSO Act in the State of U.P during.... Aparna Agarwal, Jhansi	25
04) Ethnobotanical study of medicinal plants in Maregaon and Zari-Jamani.... Rupali B. Tajane, Amravati	31
05) HUMAN – ENVIRONMENT RELATIONSHIP: A SOCIOLOGICAL ANALYSIS WITH.... Dr. Shashwati Nath, Changsari, Kamrup, Assam	35
06) ALBERT CAMUS'S IDEAS IN SAMUEL BECKETT'S PLAY 'WAITING FOR GODOT' Sandip S. Shirsat, Tembhye, Dist. Ratnagiri	38
07) Environmental Standards Computation and Quality Analysis Gajendra R. Wani, Bhusawal	44
08) Ambedkar : The beacon of hope Dr. Bhaswati Chakraborty, Kancharapara, Parganas, West Bengal	52
09) INNOVATION OF NEW ENGLISH LANGUAGE Mr. Dayaram Ramesh Meshram, Lohara, Dist- Gadchiroli	57
10) A Study of Mobile Banking With Special Reference to Regulations Dr. Uma Kant Pandey, Chapra (Saran), Bihar	64
11) Conceptual Study of Productivity and Profitability with respect.... SHAILESH BABUBHAI YADAV, Nikol, Ahmedabad	67
12) The role of Judiciary in protection and promotion of human rights in Indian democracy Dr.Meer Basharat Ali, Nanded	71
13) An Introductory Review of Eco-Tourism Practice on Globally Dr. Vishnu R. Patil, Kowad, Dist. Kolhapur	75

## The role of Judiciary in protection and promotion of human rights in Indian democracy

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### Introduction:-

Human rights are those basic entitlements and freedoms that make our lives satisfying and meaningful. Human rights do not mean merely the right to live with humanity but mean the right to live with dignity. These are regarded as fundamental and inalienable rights essential for life as human being. The human rights are internal part of universal human rights. The universal declaration of Human Rights and International covenant on civil and political rights lays down standards of general application of these rights at all times and in all circumstances thus setting the standards for advancement of human rights. These basic rights have been incorporated in the Indian constitution under part III and part IV dealing with fundamental rights and directive principles of state policy. This covers almost the entire field of the Universal declaration of human rights. The Human rights enshrined in part III of the constitution have been made non-derogable under Article 13.

### Objective of the study:-

This paper is studied with the following objectives

To study the concept of human rights in detail.

The study the role of Indian Judiciary for protection and promotion of Human rights. To highlight how the Indian judiciary has not only protected the human rights but also promoted

them.

### Methodology:-

The research methodology used for the present research article is traditional Doctrinal research method. As most of the information can be sought form the available literature. So the researcher has chosen doctrinal method as method of research for the present article and has used books, journals, research articles for preparation of the same.

### Meaning of Human Rights:-

Human Rights are natural rights which come from the birth of human being. Being the birth right, human rights are inherent in all the individuals irrespective of their caste, creed, religion, gender and nationality. Section 2 of the protection of the Human Rights Act, 1993 describes Human Rights as, the rights relating to the life, liberty, equality and dignity of the individuals, guaranteed by the Constitution or embodied in the International Covenants and enforceable by the courts in India. According to D.D.Basu, Human Rights are those minimum right in which every individual have against the state or other public authority by virtue the state or other public authority by virtue of his being a member of human family irrespective of any other consideration. According to dictionary meaning human rights means to deal with mankind according to truth and Justice.

### Philosophy of Human Rights:-

Human Rights constitute different constellations of diverse subject positions in and through agency-in-structure. They emerge as a moral ethical discourse furnishing standards of critical morality for the evaluation of any existing state of affairs. They are an integral part of Human life since their possession distinguishes human beings from other species. They are an essence of man and soul of justice. The concept of human rights represents an attempt to protect individuals from oppression, exploitation and injustices. Since the non enforcement of some rights will depreciate the currency of all or other rights, and of the rule of law itself, it has become indispensable to give recognition to such rights. A free society, dedicated to democracy and the rule of law cannot be either established or maintained if people are hungry,