Chairperson,
Justice N.K. Jain
(Former Chief Justice
High Court of Madras & Karnataka)

Under the guidance of

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With best Compliments
RSHRC
RAJASTHAN STATE HUMAN RIGHTS COMMISSION

Under the guidance of Hon’ble Mr. Justice N.K. Jain.
(Former Chief justice of Madras and Karnataka High Court)
Chairperson, RSHRC

Prepared by:-
Internship students of various law university and colleges.
Human Rights Commission is an autonomous body to protect and promote basic rights of citizens. Its primary aim is to help every deprived person to acquire equal status in society.

By the Parliamentary act there is National Human Rights Commission at New Delhi and each state has State Human Rights Commission. This commission has power equivalent to a civil court. It has equivalent power to hear the plea of sufferer and give recommendation to concerned department to work on it. Its recommendation has a high stake and non performance on its recommendation can lead to questioning in the Legislative Assembly. Otherwise the government has to give reason for not compliance. The commission or the other party can file writ petition in the High Court.
The State Government of Rajasthan issued a Notification on January 18, 1999 for the constitution of the State Commission having one full time Chairperson and 4 Members in accordance with the provisions of The Protection of Human Rights Act, 1993. The Commission was fully constituted by appointment of the Chairperson along with the Members and became functional from March 2000. The main mandate of the State Commission is to function as a watch dog for human rights in the State. Under the 1993 Act, human rights are defined in Section 2 (d) and are those justiciable rights which can be enforced in a court of law in India.

The Rajasthan State Human Rights Commission is reconstituted on 6th July 2005. One of the leading State Commissions in the country. In a short span of about four years it has achieved many milestones in its mission for the protection and promotion of Human Rights.
PRIMARY CATEGORIES OF HUMAN RIGHTS

- Civil Rights
- Political Rights
- Economic Rights
- Social Rights
- Cultural Rights
ISSUES IN HUMAN RIGHTS

- RIGHTS PERSPECTIVE FOR GOOD GOVERNANCE
- CORRUPTION AS VIOLATOR OF HUMAN RIGHTS
- RIGHTS PERSPECTIVE AS CENTER STAGE TO DEVELOPMENT AGENDA
The Commission shall perform all or any of the following functions, namely:

(a) inquire, suo motto or on a petition presented to it by a victim or any person on his behalf (or on a direction or order of any Court), into complaint of

- (i) violation of human rights or abetment thereof; or
- (ii) negligence in the prevention of such violation, by a public servant;

(b) intervene in any proceeding involving any allegation of violation of human rights pending before a court with the approval of such court.
functions contd...

- (c) to visit, notwithstanding anything contained in any other law for the time being in force, any jail or other institution under the control of the State Government, where persons are detained or lodged for purposes of treatment, reformation or protection, for the study of the living conditions of the inmates thereof and make recommendations thereon to the Government;

- (d) review the safeguards provided by or under the Constitution or any law for the time being in force for the protection of human rights and recommend measures for their effective implementation;

- (e) review the factors, including acts of terrorism that inhibit the enjoyment of human rights and recommend appropriate remedial
NEED FOR HUMAN RIGHT COMMISSION

- To develop fully the human personality and the sense of its dignity.
- To develop attitudes and behaviour to promote respect for the rights of others.
- To ensure genuine gender equality and equal opportunities for women in all spheres.
- To promote understanding and tolerance among diverse national, ethnic, religious, linguistic and other groups.
- To strengthen respect for rights of a human being and fundamental freedom.
- To empower people to participate actively in the life of a free society.
- To promote democracy, development, social justice and communal harmony among citizens.
About Justice N.K. Jain

- Born on 20.10.1942 at Alwar S/o Late Justice J.P. Jain. He pursued his LLB from Jodhpur University, Rajasthan.

- An accomplished sportsman during school and college days and recipient of best sportsman award from Rajasthan University.

- Justice Jain has been the State Badminton Champion and has represented the State at Nationals and International levels for 14 years 1955-1968, and in 1977.
• He has been the former Chief Justice of Madras and Karnataka High Court for 5 years. Before taking charge as Hon’ble Chairperson of Rajasthan State Human Rights Commission on 16th July 2005, he had been discharged his duties as Lokayukta & Chairperson of Himachal Pradesh Human Rights Commission in Shimla.

• He has been the member of bar council of Rajasthan for 19 years, till elevated.

• He has also been the member of Bar Council India and Bar Council Trust, NLS Bangalore.

• Justice Jain has created a lot of awareness about Human Rights with great proficiency and tireless efforts.

• Regarding awareness of human rights and many other legal issues, Justice Jain has written many booklets in Hindi as well as English. Some of these booklets are also available on Commission’s Website-www.rshrc.nic.in, a German Website herenow4u.de. Some books are also available on his own website: justicenagendrakjain.com

• Simultaneously, Justice Jain is also creating awareness of the duties mentioned in Article 51-A and made a Performa of these duties in simple language. About 100 educational institutions are taking pledge of these duties at the time of morning prayer. Many N.G.Os are also trying their best for the same awareness, with the inspiration from Justice Jain.

• He had also been Member with two Chief Justice in the Committee constituted by Chief Justice of India to examine the recommendations of Arrears Committee Report 1989-1990 (Justice Malimath Committee Report) and First National Judicial Pay Commission (Justice K. Jagannath Shetty Commission) Report.

• He was Chairman of Advisory Board and then Presiding Officer of the Tribunal Under the Criminal Law Amendment Act from 03-03-1998 to 08-01-1999.

• Executive Chairman of Tamilnadu State Legal Service Authority and patron-in-chief and also of Karnataka State Legal Authority.

• Attendant Chief Justice Conference of chief justice of different countries at Colombo.
Hon’ble Chairperson and Members Of Rajasthan State Human Rights Commission are:

From 06-07-2005

Justice N K Jain, Chairperson

Members

Justice Jagat Singh

Shri D.S.Meena

Shri Pukhraj Seervi

Hon’ble Chief Minister Shri Ashok Gehlot
These books are kept in the Libraries of different schools and colleges for awareness of students as well as the teaching and ministerial staff. Some books are even kept in the UN-Congress Library at New Delhi.

Teachers of various school are interacting with the students on these issues in zero hours.

About legal aid committees, NGO’s / Educational Institutions above 45, and some Newspapers have re-printed/Published these booklets as intimated and about 70,000 booklets titled on women, child rights, dalits, arrest, human rights and HIV have been published and distributed free of cost among the general public to create awareness.
Legal Awareness Programmes

- For the awareness of the human rights in public at large, Justice Jain has wrote about 31 booklets of various legal issues. Out of these booklets 18 booklets have been published by the R.S.H.R.C. Many other organizations, District Legal Aid Authorities, Departments, Schools, Colleges etc. has also published some booklets like Women, Children, Dalits, Arrest, HIV/AIDS, Human Rights etc. by the permission of the Commission. They have distributed these booklets in 70000 in numbers.

- Some of these booklets are available on Commission’s website www.rshrc.nic.in and justicenagendrakjain.com. English translation of Some booklets are also available on a German website herenow4u.de.

- The books are:
31 booklet have been written by Justice Nagendra Jain (Chairperson RSHRC, Jaipur) on different legal and important issues

1. सम्बंधाणा/सल्लेखना (हिन्दी व अंग्रेजी में) www.heremnow4u.de (Eng.)
2. भारतीय संस्कृति में अहिंसा व मानव अधिकार (हिन्दी व अंग्रेजी में)
3. अनुभव व मानवाधिकार
4. खेल, खिलाड़ी व खेल भावना
5. बालकों के अधिकार। (पुनः प्रकाशित)
6. अंतरराष्ट्रीय मानवाधिकार दिवस 10 दिसम्बर। (पुनः प्रकाशित)
7. एच.आई.वी. पहुंच एवं मानवाधिकार। (पुनः प्रकाशित)
8. मानवाधिकार और जैन धर्म। (हिन्दी व अंग्रेजी में)
9. आयोग की कार्यविधि, शक्तियाँ एवं परिवारों की निरस्तारण प्रक्रिया।
10. आयोग द्वारा जारी दिशा-निर्देश एवं अन्य गतिविधियाँ।
11. भारतीय संबिधान की अनुच्छेद-21 'प्राण और दैहिक स्वतंत्रता का संरक्षण।'
12. महिलाओं के अधिकार- संबंधित अधिनियमों की संस्थित जानकारी। (पुनः प्रकाशित, पुनः प्रकाशित 2008)
13. दलितों के अधिकार। (पुनः प्रकाशित)
14. मानव अधिकार और रजन की जनोपयोगी योजनाएँ।
15. गिरफ्तारी (ARREST) (पुनः प्रकाशित)
16. विधायक स्थानीय क्षेत्र विकास योजना।
17. जेल, काराभार से संबंधित प्राधान्य व गतिविधियाँ।
18. आयोग के महत्त्वपूर्ण कार्यक्लाप दिशा-निर्देश एवं अन्य गतिविधियाँ 2007
19. आयोग के महत्त्वपूर्ण कार्यक्लाप दिशा-निर्देश एवं अन्य गतिविधियाँ (पुनः प्रकाशित-2008)
20. Judicial Values & Ethics for Judicial Officers. www.rshrc.nic.in
22. Alternative Dispute Resolution, Conciliation & Mediation (ADR).
23. Institutional Arbitration Intellectual & Information Technology (IPR & IT).
25. Copy-right Law.
26. e-governance and Court Automation.
27. Article-14 Right to Equality.
29. Law of Precedent, Reference to Art. 141.
31. Public Interest Litigations & others.
Fundamental Duties Art 51-A

- The Commission under the guidance of the Hon’ble Chairperson is making the common people aware about the duties mentioned in Art. 51(A) of the Constitution.
- Justice N.K Jain has made the Performa of these duties and distributed. So many institutions have reprinted and distributed in public to create awareness as many people are not aware of their duties.
- He is motivating students of various schools, colleges and other institutions. Students of these institutions are reciting the oath of article 51(A) of Constitution of India under the guidance of R.S.H.R.C.
Reciting the Pledge — fundamental duties mentioned in Article 51-A, Constitution of India

"We are proud to be Indian"

It shall be the duty of every citizen of India:

(a) to abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem;
(b) to cherish and follow the noble ideals, which inspired our national struggle for freedom;
(c) to uphold and protect the sovereignty, unity and integrity of India;
(d) to defend the country and render national service when called upon to do so;
(e) to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic, and regional or sectional diversities; to renounce practices derogatory to the dignity of women;
(f) to value and preserve the rich heritage of our composite culture;
(g) to protect and improve the natural environment including forests, lakes, rivers and wild life and to have compassion for living creatures;
(h) to develop the scientific temper, humanism and the spirit of inquiry and reform;
(i) to safeguard public property and to abjure violence;
(j) to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavor and achievement.

"BE AWARE OF YOUR RIGHTS AND DISCHARGE DUTY WITH DEVOTION ."
Chairperson : Justice N.K. Jain (Former Chief Justice - Madras and Karnataka High Court)

For Legal awareness and in Public Interest published by:
Rajasthan State Human Rights Commission, Jaipur
website : rshrc.nic.in, herenow4u.de http://justicenagendrajkjain.com

Courtesy : Rajasthan State Co-operative Press Ltd., Jaipur
Phone : 0141-2751417, 2751352
2. HEDCON.
6. Bhartiya Chritra Nirman Sansthan, (NGO in tihar jail.)
7. Vidhya Trust, jaipur.
8. J.P.J. financial services, raja park, jaipur.
9. Prayas, Center for special education and vocation training.
10. Shree Digamder Jain Nasia Udayalal Ji Trust, Jaipur.
11. PAHAL Peoples Trust, Jaipur
12. Director, Tagore group of Education, Jaipur.
13. Principal, D.A.V. Centenary School, Jaipur.
16. Principal, Central Academy, Jaipur.
17. Rajasthan Chamber of Commerce and Industries, Jaipur.
18. District & Sessions Court, Rajsamand.
20. President, Lions Club, Jaipur (District 323 E-1 Club no.026309)
21. Bhagwan Mahaveer Cancer Hospital and Research Center, jaipur.
22. Modi Institute of Technology and Science, Laxmangurh.
24. Director, Biyani Girls College, Jaipur.
26. Principal, Subodh Public School, Jaipur.
29. District Chairman, Rajasthan Pensioner Society, Jaipur.
30. Lokshikshak Patrika Prakshan, Jaipur
32. Koshish Sansthan, Jaipur
33. ZUNETECH CONSULTING PVT.LTD, DELHI/BANGLORE
34. Vimukti sansthan/vimukti girls school, Jaipur
35. Jaipur theosophical lodge.
President Lions Club (District 323 E-1 Club No. 026309) & Jaina Printers, Jaipur
Rajasthan Rajya Shakari Mudranalaya Limited, Jaipur
Bharatvirshya Digamber Jain Tirthshatra committee Mumbai, Rajasthan Anchal.
Vidyasthali Group of Institutions Jaipur
Cosmic Yoga Combine, Kanti Nagar, Station Road, Jaipur
Jaipur Diabetes & Research Centre, Near Ridhi-Sidhi, Gopalpura Bypass, Jaipur
Vinayak Farma, D-74, Ghiya Marg, Banipark, Jaipur
Smt. Lalita Devi, Ramchandra Kasliwal Trust, Jaipur
District Jaipur Badminton Association, Jaipur
Helpage (India), Jaipur
Rajasthan polytechnic college, Ratangarh (churu) & Sambal Seva Sansthan, Jaipur
Dr. B. Lal Clinical Laboratory, Jaipur
Vashali Hitkari Sangthan, Jaipur
Secretary, Himachal Human Rights Commission, Shimla
Rajdhani Hospital and Rajdhani Hotel, Jaipur

And Many More…
Students reciting the oath of section 51(A) of Constitution of India under the guidelines of RSHRC.

In addition to that in legal literacy and awareness program, chairman motivated students and even general public to recite the pledge as mentioned in article 51(A) of Constitution of India. It is a good sign that so many schools have started taking prayer as per instructions of different concerned authorities as per the request of the commission. Some of them are as follows:
बियानी गर्ल्स कॉलेज विद्याधर नगर, जयपुर में राजस्थान राज्य मानवाधिकार आयोग के निर्देश पर छात्राओं को भारत के संविधान के अनुच्छेद 51ए का संकल्प दिलाते कॉलेज के वाइज प्रिंसीपल पी.सी. जांगिड।
Students of some institutions reciting the Oath as per Article 51(A) of Constitution of India under the guidelines of RSHRC.
Students reciting the pledge.
छात्रों को पिलाई जाएगी मूल कर्त्यों की घुट्टी

मानवाधिकार आयोग की पहल पर शिक्षा विभाग से आदेश जारी
जयपुर, 19 जुलाई (कास.)

छात्र जीवन से ही नागरिकों को मूल अधिकारों के साथ मूल कर्त्यों को पालन की घुट्टी पिलाई जाएगी। शिक्षा विभाग ने सभी शिक्षा संस्थाओं में छात्रों की सर्वनामीक रूप से पालन का काम का संकल्प दिलाया।

राजस्थान पत्रिका
जयपुर, सवार, 20 जुलाई 2008
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बंदियों ने लिया मानव अधिकार रक्षा का व्रत

भरतपुर: भारतीय चरित्र निर्माण संस्थान नई दिल्ली द्वारा निकाली जा रही गीता संदेश यात्रा सोमवार को भरतपुर स्थित वेस्टरन कारागार पहुंची। संस्थान द्वारा कारागार में बंदियों को मानव अधिकार रक्षा का संकल्प दिलाया।

कारागार में पहुंची गीता संदेश यात्रा के उपरांत एक कार्यक्रम का आयोजन किया गया। उसमें संस्थान के संस्थापक रामकृष्ण गोस्वामी, सन्तिव श्रीराम साह, भरतपुर के अधिवक्ता रहन्दुर महेंद्र सिंह मंगो, उमेश शर्मा, जेर श्रीराम शर्मा द्वारा कैदियों को चरित्र निर्माण सहित गीता के उपदेशों के बारे में विस्तार से जानकारी दी गयी।

इस अवसर पर कैदी भगवान सिंह, कांता प्रसाद शर्मा, तेजवीर गुजराल, मुख्यालय सिंह, श्रीराम, सीताराम सहित अन्य बंदियों द्वारा संस्थान के संस्थापक रामकृष्ण गोस्वामी से परमात्मा, आत्मा, जन्म, मृत्यु, कर्म के संबंध में प्रश्न पूछे गये। इस दौरान जेल परिसर में गिरजा महाराज की जय व श्री कृष्णा गोविन्द हरे मुरारी बोल गुंजावे।
जेल में बंदियों ने लिया रक्षा का संकल्प

भरतपुर, 25 अगस्त। श्रीकृष्ण जन्माष्टमी पर 12 दिवसीय गीता संदेश यात्रा के अन्तर्गत संवर केंद्रीय कारागार भरतपुर में, बंदियों ने मानव अधिकार रक्षा हेतु अपराध मुक्त समाज निर्माण का संकल्प लिया। भारतीय चरित्र निर्माण संस्थान दिल्ली के तत्वावधान में दिल्ली मंदिर दिखी से प्रारंभ हुई। यात्रा आज तीसरे दिन भरतपुर कारागार में पहुंची जो बंदियों ने बोल गिराए महाराज की जय से जेल की दीवारों को गुंजा दिया। संस्थान के संस्थापक रामकृष्ण गोस्वामी ने भवन में श्रीकृष्ण के विशाल रूप दर्शन के तत्वावधान से बंदियों से अपील की अपराधों की रोकथाम और मानव अधिकारों की रक्षा के महायज्ञ में आहुति देकर ही आप बंधन से मुक्त होने का तीर्थभार प्राप्त कर सकते हैं। श्रीचन्द्र साहू राष्ट्रीय सचिव भारतीय चरित्र निर्माण संस्थान ने कल मधुरा की कारागार में बंदियों द्वारा पूछे गए प्रश्नों को संदर्भित करते हुए कहा था कि मानव जीवन से संबंधित सभी आपुर्कार का इतिहास है इसके बिना परिवार और समाज की सुरक्षा संरक्षण ही है। समाज सेवा एवं अधिवक्ता सरदार महेंद्र सिंह मंगो ने अपने विचार रखते हुए कहा कि ज्ञान ही भगवान है। ज्ञान ही शैतान है। इसतिये शैतान से मुक्ति हेतु गीता ज्ञान की पत्वा आवश्यकता है। सरदार तारा सिंह ने विश्वस्ता श्रीकृष्ण की तस्वीर पर दुपट्टा पहनकर और पुष्प अपूर्दक करके कहा कि भरतपुर कारागार बन्दी उठार और राष्ट्र कल्याण का अनुभवांत अभियान है। देवेंद्र मिचल ने बंदियों की गीता की पूर्वस्ते भेंट को और जेल से बाहर करायें करने की अपील भारतीय चरित्र निर्माण संस्थान से की। अधिवक्ता उमेश शर्मा ने भारतीय चरित्र निर्माण संस्था की पूर्व भूमि पर प्रकाश डालते हुए कहा कि सन् 2003 से ही संस्थान भरतपुर जेल में अपराध मुक्त समाज निर्माण अभियान में जुटा है। कारागार में जेलर श्रीराम शर्मा ने कृष्णा जन्माष्टमी पर गीता के कवर विज्ञान में संदेश में मानव कल्याण निर्देश अनुसार साधन बताते हुए कहा कि जेल यूथ और मानव अधिकार रक्षा का यह अहिंसक अभियान है। भरतपुर कारागार प्रशासन के संस्थान को पूर्ण सहयोग सदैव मिलता रहिया। बंदी भागवत सिंह गिरिलाल, कांवता प्रसाद शर्मा, तेजवीर गुरर, फानिया मुख्तियार, सीताराम एवं अन्य बंदियों ने परमाला,जम्मू- मुस्तम कर्म और फल के संबंध में अनेक प्रश्न पूछे जिनका रामसानित रामकृष्ण गोस्वामी जी द्वारा श्रीमदभगवत गीता में संदर्भित करते हुए किया गया। राजस्थान मानवाधिकार संघ के माननीय अध्यक्ष अनन्त जैन ने सुनाव दिया कि भारतीय संविधान में अनुसार 51 ए में वर्णित देश के नागरिक के मूल कर्तव्य का संकल्प कराएं। उसी के अनुसार संस्थान ने व्यतिरिक्त संकल्प पत्र प्रदान दिया और बंदियों ने संकल्प लिया।
अधिकारों के साथ-साथ कर्त्त्व भी निभाएं

अन्तर्राष्ट्रीय मानवाधिकार दिवस

जागरूकता की झलकत

बात रहे हमें ही समाजीय, संवेदनशीलों की समायोजक अधिकार के बारे में जानकारी ने का उपयोग किया जा रहा है। अधिकार की प्रदर्शन का हिस्सा बनने की पेशकश को प्रथम रूप से देखा जा रहा है। अधिकार को प्रदर्शन का हिस्सा बनने की पेशकश को रूपांतरण करना है जिसका अभ्यास अभी इस पद कार्य करती है जागरूकता की झलकत।

अधिकारी ने मानवाधिकार का पुन: पाया ने के लिए इतने कोष के लिए जीवन का नाम दिया जा रहा है। इसे जानने ने ही इस क्षेत्र का नाम निर्देश नहीं है।

एनएसएचएनएसएचएनएसएच ऑफिस में मानवाधिकार का पुन: पाया है ने के लिए इतने कोष के लिए जीवन का नाम दिया जा रहा है। इसे जानने ने ही इस क्षेत्र का नाम निर्देश नहीं है।

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Human Rights and duties

Protection of Human Rights of all is possible only when everybody has a sense of duty towards them. "We celebrate the International Human Rights Day on December 10 every year, but it is a pity that even today not many know about the day's importance," State Human Rights Commission chairman Justice NK Jain said.

Speaking to HT Jaipur Live, he said that not only the elite section, but people from urban and rural areas including youth, need to be involved in the awareness drive, so that a larger section of the society could be benefited, he said.

Awareness does not come merely by understanding human rights. For this, "we need to understand the meaning of dignity of life. We have to be alert for protecting all sections of the society, the poor, Dalits, women, children and the deprived. Along with awareness we need to be sensitive. The Human Rights Commission is concerned on all such issues. Apart from grievances addressed to the office, the Commission takes cognizance on the matters being reported in newspapers. It is not confined to any police, court or an individual."
Out of 22 law students of different Univ./Law college, 13 students have made Power Point Project and other have submitted reports on Internship with commission on different respective subjects including Human Rights Commission and Activities.

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<thead>
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<td>About Commission and activities</td>
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<td>2.</td>
<td>Women Rights</td>
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<td>Dalit</td>
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### Various Projects done by internship Students during April 09 to June 09:

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<td>8.</td>
<td>Arrest</td>
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<td>Compiled by</td>
<td>399-400</td>
<td>Anand, Pradeep</td>
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<td>Thanks to one and all</td>
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<td>Secretary RSHRC</td>
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</table>

**Compiled by**

Trishal Jeet Singh
Anand, Pradeep
Secretary RSHRC

**Under the guidance of Hon’ble Mr. Justice N.K. Jain.**
(Former Chief justice of Madras and Karnataka High Court)
Chairperson of RSHRC, SSO building Secretariat, Jaipur
RAJASTHAN STATE HUMAN RIGHTS COMMISSION
JAIPUR

Project on

JUVENILE JUSTICE

Under the guidance of Hon’ble Mr. Justice N.K. Jain.
(Former Chief justice of Madras and Karnataka High Court)
And
Chairperson of RSHRC, Jaipur

TARPIT PATNI
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Nirma University of Science and Technology
Ahmedabad
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CHILD PROTECTION & CHILD RIGHTS

JUVENILE JUSTICE

'EVEN A JOURNEY OF 10,000 MILES, STARTS WITH A STEP'
- LAO TZU
WHAT DO YOU MEAN BY “JUVENILE”?

- The word juvenile is derived from the Latin word ‘Javanese’ meaning CHILD.

- A “JUVENILE” or “CHILD” means a person who has not completed eighteenth year of age. A boy or girl under 18 years of age is a juvenile under section 2(k) of the Juvenile Justice Act, 2000.
DEVELOPMENT OF THE DEFINITION

- The age of juvenility of a boy under juvenile justice act, 1986 was below 16 years and that of a girl child was below 18 years of age under the section 2(h) of the juvenile justice act, 1986.

- Those working in the field of children had campaigned to increase the age of boy juveniles to bring it on par with girl juveniles.
The problem of juvenile delinquency is rearing in its ugly head in the wake of industrialization and urbanization in the country. The growth in cities and heterogeneous population, great mobility and fluidity, occupational structure and over crowded cities have given rise to new way of living which is very challenging for the juveniles. Social deviance preceded by abandonment, destitution, neglect, truancy, vagrancy, abuse or exploitation leads to delinquency in juveniles. It does establish only poor commit crimes and those of rich are law-abiding. But he fact remains that poverty does deprive a lot of juveniles from development and growth.
The differentiated treatment of juveniles is not a phenomenon of recent times.

- The differentiated treatment of juveniles was there in Hammurabi's code of punishment in 2270 B.C.
- The first law commission appointed in 1835 drafted the Indian Penal Code provided a special consideration for children of immature understanding.
- The Code of Criminal procedure restricted the jurisdiction of ordinary courts in trial of juvenile delinquents.
The first law directly dealing with Juvenile justice was the Reformatory Schools Act of 1876. It had measures to deal with all juvenile delinquents below 15 years of age.

Chapter IV of The Constitution of India, Directive principles of state policy, Article 39(f) provides:

“That Childhood and youth are protected against moral and material abandonment”

The Government of India Enacted a Children Act, 1960 for enforcement in the Union Territories as states already passed the similar acts much before.

Then the Juvenile Justice Act, 1986 came into existence which provided uniform legal framework for juvenile justice in the country.
An Act to consolidate and amend the law relating to juveniles in conflict with law and children in need of care and protection, by providing for proper care, protection and treatment by catering to their development needs, and by adopting a child-friendly approach in the adjudication and disposition of matters in the best interest of children and for their ultimate rehabilitation through various institutions established under this enactment.
Juvenile Justice Act, 2000

JUVENILE IN CONFLICT WITH LAW

JUVENILE IN NEED OF CARE AND PROTECTION
"juvenile in conflict with law" means a juvenile who is alleged to have committed an offence

-Section 2(l) of Juvenile Justice (Amendment) Act, 2006

We can Define it as –

“A Person who is alleged to have committed an offence and has not completed eighteenth year of age as on date of commission of such offence.”
1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), the State Government may, by notification in the Official Gazette, constitute for a district or a group of districts specified in the notification, one or more Juvenile Justice Boards for exercising the powers and discharging the duties conferred or imposed on such Board in relation to juveniles in conflict with law under this act.

2) A Board shall consist of a Metropolitan Magistrate or a Judicial Magistrate of the first class, as the case may be, and two social workers of whom at least one shall be a woman, forming a Bench and every such bench shall have the powers conferred by the Code of Criminal Procedure, 1973 (2 of 1974), on a Metropolitan Magistrate or, as the case may be, a Judicial Magistrate of the first class and the Magistrate on the Board shall be designated as the principal Magistrate.
Section 21-

1) No report in any newspaper, magazine, news-sheet or visual media of any inquiry regarding a juvenile in conflict with law under this Act shall disclose the name, address or school or any other particulars calculated to lead to the identification of the juvenile nor shall any picture of any such juvenile be published.

2) Any person contravening the provisions of sub- section (1) shall be punishable with fine, which may extend to one thousand rupees.
PUNISHMENT FOR CRUELTY TO JUVENILE

- Section-23

Whoever, having the actual charge of, or control over, a juvenile or the child, assaults, abandons, exposes or willfully neglects the juvenile or causes or procures him to be assaulted, abandoned, exposed or neglected in a manner likely to cause such juvenile or the child unnecessary mental or physical suffering shall be punishable with imprisonment for a term which may extend to six months, or fine, or with both.
EMPLOYMENT OF JUVENILE FOR BEGGING

- Section 24-

1) Whoever, employs or uses any juvenile or the child for the purpose or causes any juvenile to beg shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

2) Whoever, having the actual charge of, or control over, a juvenile or the child abets the commission of the offence punishable under sub-section (1), shall be punishable with imprisonment for a term which may extend to one year and shall also be liable to fine.
Section 25

Whoever gives, or causes to be given, to any juvenile or the child any intoxicating liquor in a public place or any narcotic drug or psychotropic substance except upon the order of duly qualified medical practitioner or in case of sickness shall be punishable with imprisonment for a term which may extend to three years and shall be liable to fine.
EXPLOITATION OF JUVENILE EMPLOYEE

- Section 26

- Whoever ostensibly procures a juvenile or the child for the purpose of any hazardous employment keeps him in bondage and withholds his earnings or uses such earning for his own purposes shall be punishable with imprisonment for a term which may extend to three years and shall be liable to Fine.
JUVENILE IN NEED OF CARE AND PROTECTION
The State Government may, by notification in Official Gazette, constitute for every district or group of districts, specified in the notification, one or more Child Welfare Committees for exercising the powers and discharge the duties conferred on such Committees in relation to child in need of care and protection under this Act.

The Committee shall consist of a Chairperson and four other members as the State Government may think fit to appoint, of whom at least one shall be a woman and another, an expert on matters concerning children.
PROCEDURES OF THE
CHILD WELFARE COMMITTEE (CWC)

1. Child is brought before the CWC for suitable decision / action / rehabilitation by the Police, CHILDLINE, NGO or any concerned citizen.

2. Child is taken in safe custody (NOT remand) at a government recognized “Children’s Home” in the Reception Unit (NOT Observation Home).

3. Child can be given in safe custody to any of the following as recognized under the JJ Act:
   - Children’s Home
   - Children’s Institutions, which are Licensed / Recognised Adoption Agency (0-6 yrs)
   - Orphan Home / Children’s Home for Street and Runaway children
   - Foster Family / Fit Person
   - Refuges for specially abled children
   - Foster Care, Sponsorship, Community Services

4. CWC to assess the case / study the report of the police / child welfare officer / interview and counsel the child.

5. During this period the Probation Officer prepares the final report with the necessary recommendations.
   - Interviewing the child
   - Meeting the family / relatives / neighbours
   - Corresponding with the family if they are willing
   - Counselling the child

6. Final order within 4 months (extendable to 6 months only when necessary).
   - Possible Decisions:
     - Restoration to Parents
     - Restoration of the child to his family or to the nearest Children’s Home in his home state
     - Declare the child destitute and legally free for adoption if there are no legal claimants
     - Long term foster care (for children who are legally free for adoption)
     - Admission to an Institution (to be reviewed every year)

Note: THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2000 as amended by Juvenile Justice (Care and Protection of Children) Amendment Act, 2016. The Committee shall consist of a Chairperson and four other members as the State Government may think fit to appoint, of whom at least one shall be a woman, another, an expert on matters concerning children. The Committee shall function as a Bench of Magistrates and shall have the powers conferred by the Code of Criminal Procedure, 1973 (2 of 1973) on a Metropolitan Magistrate or, as the case may be, a Judicial Magistrate of the first class. The Committee shall have the power to direct any investigation that it considers necessary in relation to children in need of care and protection under this Act.

The Committee shall have the power to deal exclusively with all proceedings under this Act relating to children in need of care and protection. Any child in need of care and protection may be produced before the Committee by one of the following persons:
(i) any public servant;
(ii) a special juvenile police officer or a designated police officer;
(iii) a registered voluntary organisation or by any other voluntary organisation or any agency as may be recognised by the State Government;
(iv) any social worker or a public spirited citizen authorised by the State Government, or
(v) by the child himself.
Section-34

The State Government may establish and maintain either by itself or in association with voluntary organizations, children's homes, in every district or group of districts, as the case may be, for the reception of child in need of care and protection during the pendency of any inquiry and subsequently for their care, treatment, education, training, development and rehabilitation.

The State Government may, by rules made under this Act, provide for the management of children's homes including the standards and the nature of services to be provided by them, and the circumstances under which, and the manner in which, the certification of a children's home or recognition to a voluntary organization may be granted or withdrawn.
SHELTER HOMES

- Section-37

- The State Government may recognize, reputed and capable voluntary organisations and provide them assistance to set up and administer as many shelter homes for juveniles as may be required.

- The shelter homes referred in subsection (1) shall function as drop-in centers for the children in the need of urgent support who have been brought to such homes through such persons as are referred to in subsection (1) of section 32.

- As far as possible, the shelter homes shall have such facilities as may be prescribed by the rules.
SHELTER HOME OF CHILDLINE
INDIA(1098)
The accuse was declared a juvenile by the sessions court but the jailor did not transferred he juvenile to observation home giving the excuse that the order of sessions court transmitted by the registrar of sessions court and received by jail, was misplaced.

SALIM WAS AWARDED COMPENSATION OF Rs.1,00,000.
CONCLUSION

The Juvenile Justice (care and protection) Act, 2000 is a statutory legislation passed by the central government and is applicable in all parts of the country, thus bringing uniformity in law relating to juveniles. The new act pertaining to juveniles has removed all the major flaws of the old act and has brought uniformity in the age limit of both boys and the girls. I visited the shelter home of Childline India foundation, a registered organization mentioned in Section 32, of the Juvenile Justice Act, 2000. It has a 24-hour outreach phone service for the children in need of care and protection. It was a happy sight to see the children growing with dignity and getting enabled to earn their livelihood.
Comments

- The visited NGO are working very well in the regard and are able to provide a bright future to a lot of children’s but the number of Children which can be accommodated in different shelter homes of NGO are very less in accordance with the population.

- The regulations under the above said act provide a strict and stringent legislation for accomplishing justice to the juveniles. But lack of awareness by the government officials and lack of implementation by the state governments remains the major concern in this regard.
Rajasthan State Human Rights Commission Urges Every Citizen of The Country To Take Pledge of The “Fundamental Duties” Under The Article 51 of The Constitution of India
Reciting the Pledge — fundamental duties mentioned in Article 51-A, Constitution of India
"We are proud to be Indian"

It shall be the duty of every citizen of India:
(a) to abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem;
(b) to cherish and follow the noble ideals, which inspired our national struggle for freedom;
(c) to uphold and protect the sovereignty, unity and integrity of India;
(d) to defend the country and render national service when called upon to do so;
(e) to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic, and regional or sectional diversities; to renounce practices derogatory to the dignity of women;
(f) to value and preserve the rich heritage of our composite culture;
(g) to protect and improve the natural environment including forests, lakes, rivers and wild life and to have compassion for living creatures;
(h) to develop the scientific temper, humanism and the spirit of inquiry and reform;
(i) to safeguard public property and to abjure violence;
(j) to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavor and achievement.

"BE AWARE OF YOUR RIGHTS AND DISCHARGE DUTY WITH DEVOTION ."
Chairperson : Justice N.K. Jain  (Former Chief Justice - Madras and Karnataka High Court)

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RAJASTHAN STATE HUMAN RIGHTS COMMISSION

Project on

CHILD RIGHTS

Under the guidance of Hon’ble Mr. Justice N.K. Jain.
(Former Chief justice of Madras and Karnataka High Court)
And
Chairperson of RSHRC, Jaipur

SHEETAL MISHRA,
AMITY LAW SCHOOL
NOIDA.
To empower people to participate actively in the life of a free society

To promote democracy, development, social justice and communal harmony among citizens
CHILD RIGHTS

Survival, Living Standards, Environment
Name, Identity, Care
Protection from Harm
Education, Culture, Development
Information, Freedom of Thought and speech, Participation

Know Child Rights

unicef

SHEETAL MISHRA, AMITY LAW SCHOOL NOIDA.
“A child means every human being below the age of 18 years.” The Convention on the Rights of the Child is the most endorsed human rights treaty in the world, ratified by all but two countries. Adopted by the United Nations General Assembly on 20 November 1989, it celebrates childhood and codifies in international law the rights due every child.
WHAT ARE CHILD RIGHTS?

- Human rights apply to all age groups; children have the same general human rights as adults. But children are particularly vulnerable and so they also have particular rights that recognize their special need for protection.
- The Convention on the Rights of the Child sets out the rights that must be realized for children to develop their full potential, free from hunger and want, neglect and abuse. It reflects a new vision of the child. Children are neither the property of their parents nor are they helpless objects of charity. They are human beings and are the subject of their own rights. The Convention offers a vision of the child as an individual and as a member of a family and community, with rights and responsibilities appropriate to his or her age and stage of development. By recognizing children's rights in this way, the Convention firmly sets the focus on the whole child.
- Child rights and its accordance is the pillar for national construction, a brighter tomorrow.
50% of Indian children aged 6-18 do not go to school

Dropout rates increase alarmingly in class III to V, its 50% for boys, 58% for girls.

More than 50% of India's children are malnourished. While one in every five adolescent boys is malnourished, one in every two girls in India is undernourished.

58% of India's children below the age of 2 years are not fully vaccinated. And 24% of these children do not receive any form of vaccination. Over 60% of children in India are anemic. 95 in every 1000 children born in India, do not see their fifth birthday. 70 in every 1000 children born in India, do not see their first birthday.

17 million children in India work as per official estimates.
There are approximately 2 million child commercial sex workers between the age of 5 and 15 years and about 3.3 million between 15 and 18 years. They form 40% of the total population of commercial sex workers in India. 500,000 children are forced into this trade every year.

Of the 12 million girls born in India, 3 million do not see their fifteenth birthday, and a million of them are unable to survive even their first birthday. Every sixth girl child's death is due to gender discrimination.

147 million children live in kuchcha houses, 77 million do not use drinking water from a tap, 85 million are not being immunized, 27 million are severely underweight and 33 million have never been to school. It estimates that 72 million children in India between five and 14 years do not have access to basic education. A girl child is the worst victim as she is often neglected and is discriminated against because of the preference for a boy child.
RIGHTS OF CHILDREN

- Children must be treated without discrimination of any kind, irrespective of race, color, sex, language, religion or other status.

- Every child has the inherent right to life survival and development.

- The child shall be registered immediately after birth and have the right to a name a nationality [and] to preserve his or her identity.

- A child shall not be separated from his or her parents against their will [and shall be permitted to cross national borders] for family reunification.
- the child who is capable of forming his or her own views [has] the right to express those views [and] the right to freedom of thought, conscience and religion.

- No child shall be subjected to arbitrary or unlawful interference with his or her privacy nor to unlawful attacks on his or her honour and reputation.

- Children must be protected from injury or abuse including sexual abuse, while in the care of parents or any other person.

- ensure alternative care [for] a child deprived of his or her family environment [according to] the best interests of the child.
The right of the disabled child to special care” and the right to enjoy a full and decent life in conditions which ensure dignity.

The right to a standard of living adequate for [her/his] physical, mental, spiritual, moral and social development.

The right of the child to education [that develops] the child’s personality, talents and mental and physical abilities.
Children coming from ethnic, religious or linguistic minorities shall not be denied the right to enjoy his or her own culture, religion or language.

The right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child.

The right to be protected from economic exploitation from [hazardous] work [and] all other forms of exploitation.

The right to be protected from all forms of sexual exploitation and sexual abuse.

No child should be subjected to torture or degrading treatment [nor be] deprived of his or her liberty unlawfully.
अधिकार के साथ अब कर्तव्य की बात

13 हज़ार शिकायतें, 12 हज़ार का निर्दारण

वेब ने बताया कि आयोग के समग्र पिछले तीन वर्ष में 13 हज़ार से अधिक शिकायतें आईं। इनमें से 12 हज़ार का निर्दारण किया जा चुका है। आयोग की सिकारियों को मानते हुए सरकार ने 100 प्रकरण का निर्दारण किया।

आयोग वाधक नहीं

जैन ने कहा कि अधिकारवाद गारंटी में सरकार व बीकरीश सरकार अयोग को बाधा के तीर पर देखते हैं तथापि उनकी यह धारणा मलसी है। आयोग सरकारी तंग को लोगों की अपेक्षाओं के अनुरूप बेड़कर प्रशासन की ओर हो जाने में मदद करता है।

अधिकारियों को निर्देश

जैन ने किया एवं कर्म क्यायादी. डा. धर्मसिंह गोपना, सुश्रुषा ज्यातिकाल वजिस्ट्रेट मुकेश भार्गव, सामाजिक ज्याति व अधिकारिता विभाग के अधिकारियों को इस्तेमाल कर इसका प्रचार प्रसार के लिए अवश्यक दिशा-निर्देश दिए। बैरवा ने उन्हें कुछ समस्याओं की जानकारी भी दी।

कोटा, 24 जुलाई (कार्य)

आम लोग अब अपने अधिकारों के प्रति काफी सजी हो गए हैं, लेकिन उन्हें अब भी कर्तव्य का बिख नहीं है। मानवाधिकार के प्रभाव जागरूकता लाने के लिए सरकार ने कर्तव्यों का जागरूकता करने का प्रयास कर रहा है। इसकी शुरुआत विधायिक से की गई है। राज्य मानवाधिकार आयोग के अध्यक्ष न्यायालय के प्रति के. जैन ने गृहमंत्री को यह जानकारी दी।

निजी वातावरण पर कोई पड़ने नहीं, बैरवा ने कहा कि अयोग ने कर्तव्यों के संबंध में पुलिस और पेपरडर्स का प्रभाव करता है। इसके पूर्व लायकों में वितरित किया गया रहा है। विश्वासों को भी विधायिक बनाने के प्रति सचेत और जागरूक बनाने के लिए काम कर रहा है। विधायिक का यह समझाया जा रहा है कि कर्तव्य का सही तरह से पालन करने वाले कर्मचारी के हानि करने से बचते हैं।
The Commission under the guidance of the Hon’ble Chairperson is making the common people aware about the duties mentioned in 51(A) of the Constitution.

Reciting the Pledge — fundamental duties mentioned in Article 51-A, Constitution of India
"We are proud to be Indian"

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Chairperson : Justice N.K. Jain  {Former Chief Justice - Madras and Kamataka High Court}
A BIT FROM OUR SIDE CAN CONTRIBUTE A LOT TO THE LOT WHICH IS STILL TO BE CONTRIBUTED!!
Rajasthan State Human Rights Commission

"BEWARE OF YOUR RIGHTS AND DISCHARGE DUTY WITH DEVOTION"

Chairperson : Justice N.K. Jain
The students of different law university and colleges have prepared their respective projects during their internship under Rajasthan State Human Rights commission, Jaipur.

They prepared their projects as per the material from different booklet of the commission and the martial obtain from different other sources.

We have tried to compile, edited, all the projects in one consolidated project.

The same can be exhibited in School/Colleges/University and other places under legal literacy and awareness programme to the general public to know about human rights, as per direction of the chairperson of the commission.

Anand Singh Rajpurohit,
Pradeep Goyal, Jaipur
“The destiny of human rights is in the hands of all our citizens in all our communities.”

Eleanor Roosevelt
For Kind attention and Patient watching thanks on behalf of the commission

Secretary
RSHRC
Jaipur