Subject:

Production of Courseware

- Content for Post Graduate Courses

Paper:

Module:
# ROLE OF NGOS IN PROTECTING HUMAN RIGHTS – NATIONAL & STATE LEVEL HUMAN RIGHTS ORGANIZATIONS

## Component I(A) - Personal Details:

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## Component I(B) - Description of Module:

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<td>Paper</td>
<td>Criminal Justice and Human Rights Unit IV: Role of NGOs / Civil Society in Protecting Human Rights</td>
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<td>Module title</td>
<td>Role of NGOs in Protecting Human Rights – National and State Level Human Rights Organizations</td>
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<td>Pre-requisites</td>
<td>An overview of the work of human rights NGOs, and familiarity with the work of some leading international and regional human rights NGOs</td>
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| Learning Objectives | • To familiarize with various types of NGOs at the national and state levels  
                         • To understand varied facets of the human rights work of national and state level NGOs  
                         • To comprehend their strengths and the challenges faced by them |
| Key words        | human rights, campaign, advocacy, development                         |
Structure

1. HISTORY OF HUMAN RIGHTS NGOs IN INDIA

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3. ROLE AND FUNCTIONS PERFORMED BY INDIAN HUMAN RIGHTS NGOs

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Role of NGOs in Protecting Human Rights – National and State Level Human Rights Organizations

1. HISTORY OF HUMAN RIGHTS NGOs IN INDIA

The concept of human rights in India is derived from the Universal Declaration of Human Rights (UDHR), 1948. The UDHR and the two Covenants – International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights – share a mutually reinforcing relationship with the Constitution of India. The definition of ‘human rights’ in the Indian context, which has provided guidance to the work of human rights NGOs in India, was first spelt out in The Protection of Human Rights Act (PHRA) 1993 as follows:

‘Human rights mean the rights relating to life, liberty, equality and non-disparity of the individual, guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India.’ (S. 2(d) of the Protection of Human Rights Act 1993)

India has a long history of human rights NGOs which were active in cultural promotion, education, health and humanitarian relief in times of natural disaster, during medieval times. During the colonial rule of the British, NGOs in India increased, with a focus on providing literacy, education and various aspects of social welfare. Friend-in-Need Society (1858), Arya Samaj (1875) and the National Council for Women in India (1875) were some examples. In the early decades of 1900s, as the nationalist movement started, the focus shifted from developmental activities to economic self-sufficiency. After independence of India in 1947, the civil society groups became invigorated as the government, in the first Five Year Plan, recognized their potential to complement governmental efforts in creating social and economic development.

The contemporary history of human rights NGOs in India has almost always been contextualized in the post-emergency era. Many human rights NGOs in India were established due to atrocities committed by the Indian government on its people during the time when a national emergency was declared, in a 21 month period between 1975 and 1977. The emergency was a period when human rights were grossly violated, and fundamental rights that were guaranteed by the Indian Constitution were curtailed through constitutional amendments and promulgation of ordinances. Right to life with liberty and dignity, right against torture and illegal detention, freedom of speech and expression, freedom of association and freedom of movement were some of the human rights that were curtailed / violated. Under the garb of ‘preventive detention’, thousands of people were illegally detained, arrested and jailed, and often tortured. Those who voiced a political opinion different from that of the government came under a targeted attack. Political opponents were imprisoned and the press was severely censored.

The severe repression of civil liberties during the emergency motivated many individuals and organizations to take up the cause of human rights. Loosely organized groups of people working on human rights transformed into human rights NGOs once emergency was lifted. People’s Union for Civil Liberties
2. CLASSIFICATION OF HUMAN RIGHTS NGOs IN INDIA

Human rights NGOs in India may be categorized based on different criteria. These include:

2A. Based on Size of the Organization
Large NGOs employ many full time paid staff, receive a large grant each year that runs into crores, have multiple donors, a huge corpus amount, have branches in several countries and are multi-national bodies. Some examples are Aga Khan Development Network, Child Relief and You, Oxfam and Action Aid.

Medium sized NGOs have a smaller number of paid staff, receive tens of lakhs of grant each year, have a limited number of donors, a modest corpus amount, and operate in various states of India either through their branch units or in collaboration with other NGOs. Indo-Global Social Service Society and Human Rights Law Network are examples of this category.

Small NGOs have skeletal full time paid staff, depend more on part time staff and volunteers, receive a small grant for the basic administration of the NGO and modest programmatic expenses, one or few donors, little corpus funds, and limited number of offices / branches. Given the smaller grant amounts that they operate with, they may function at the local or state level.

2B. Based on the Geographic Scope of their Work
Some address only local level human rights issues; others engage with state level issues. Naga People’s Movement for Human Rights (NPMHR), Human Rights Organization of Manipur, Association of Parents of Disappeared People (APDP) of Kashmir and Andhra Pradesh Civil Liberties Committee (APCLC) are examples of state-specific human rights NGOs. NGOs that are involved in advocacy work, such as Lawyers Collective and Human Rights Law Network often engage with national laws and policies that have a ramification on human rights for people all over the country. Fewer NGOs use international human rights standards in relation to India, or engage with international human rights issues. Partners for Law in Development is an example of an NGO that uses standards related to the UN Convention on Elimination of Discrimination Against Women (CEDAW), while the Working Group on Human Rights in India and the UN (WGHR) applies all international standards while analyzing the status of human rights in India and preparing its annual reports on the same.

2C. Based on Thematic Scope of Work
Many human rights NGOs work on developmental issues such as health, education, housing, livelihood and sanitation. For example, Pride India works on urban and rural development, through health, education and livelihood programmes.

Other NGOs work on civil liberties issues. People’s Union for Civil Liberties (PUCL), Andhra Pradesh Civil Liberties Committee (APCLC) and Civil Liberties Monitoring Committee (based in Hyderabad) and Human Rights Alert (based in Manipur) are examples of human rights NGOs in India which have a clear focus on civil liberties issues. They address gross human rights violations such as custodial torture, custodial killings and rapes, extra judicial killings, enforced disappearances, illegal arrest and detention, condition of undertrial prisoners, prisoners’ rights, and abolition of death penalty.

Other human rights NGOs work on democratic rights, such as right to health services, medical negligence, consumer protection, right to education, livelihood rights, effective implementation of the National Rural Employment Guarantee Act, abolition of corruption, encouraging women’s political participation, election monitoring, rights of women, children and disabled, and environmental protection. Gandhi Peace Foundation is an example of such an NGO. Although the thematic scope of NGOs...
working on democratic rights overlaps with those working on developmental issues, in case of the former, a rights-based approach is adopted on a whole gamut of rights which is largely seen as socio-economic and cultural rights.

The thematic scope of work for some human rights NGOs is humanitarian in nature – responding to natural and human made emergencies and disasters, and complementing the work of the government in rescue operations, providing relief and rehabilitation, and helping such victims in distress to re-build their lives. This would include provision of food, clothing, shelter, healthcare and livelihood. Care India, Plan India, Sristi and Human Welfare Foundation are some examples of human rights NGOs in India whose mandate is mainly disaster management, relief and rehabilitation.

2D. Based on Structure of NGOs

Human rights NGOs are structured differently. For example, pressure groups, campaigns and activist networks often have a specific issue that they work on, and are neither registered, nor receive funds. They are non profit and volunteer organizations. Members of pressure groups are usually dissatisfied with the present situation and aim to influence laws and policies in order to reform the same. Their office-bearers are full time professionals in other sectors, and hold honorary posts. The members meet after office hours, and come together due to a similar set of values and beliefs based on religion, ethnicity, political ideology, livelihood or a common goal. Pressure groups on human rights are widely recognized as contributing to and strengthening democratic processes. Trade unions that advocate labour rights, agrarian groups advocating for farmer rights, tribal and linguistic groups, environmental protection groups, people’s movements such as Narmada Bachao Andolan and Chipko movements, women’s groups such as Forum Against Oppression of Women (based in Mumbai) and Voices Against 377 are some examples.

Community-based organizations (CBOs) form another type of NGOs, which may have no or low funding, and whose work is primarily with large communities of women, men, youth, children, migrant workers, domestic workers and other vulnerable and marginalized groups. Though they are registered legal entities, they may function in a more informal manner. CBOs are often owned or managed by their members who are people living in the communities, with key decisions taken by the stakeholders / beneficiaries themselves. CBOs are often based in or close to communities that they work with, and use local languages extensively. The aim of many CBOs is to create awareness and empowerment among the communities through information dissemination, training and awareness programmes, skill building programmes for improving livelihood, health, food, nutrition and sanitation. Many CBOs work on rural development issues such as rural health, proper functioning of Primary Health Centres, watershed management, rural livelihood, proper functioning of panchayati raj institutions and promoting elected women’s participation in gram panchayats. CBOs in urban areas often work with underprivileged and poor communities towards creating empowerment and awareness of their human rights. CBOs are more sustainable organizations working to promote human rights of the poor and the needy. Apnalaya is an example of a CBO, which works on integrated community development in Mumbai slums and intervenes with programmes on health and disability, gender, livelihood, education and citizenship. Its stakeholders are poor and marginalized groups of people living in the slums.

A majority of human rights NGOs in India fall within the category of funded state / national level NGOs. Alternative Law Forum (based in Bengaluru) and Association for Advocacy and Legal Initiatives (AALI) based in Lucknow are examples of human rights NGOs with a focus on making legal interventions. Butterflies and TULIR are examples of NGOs working on child rights. Environmental Action Group, Centre for Science and Environment and Bombay Environment Action Group are examples of NGOs working on environmental issues. National Campaign on Dalit Human Rights (NCDHR) and Navsarjan work on dalit rights issues.
Some larger NGOs have branches or units or offices in many parts of the country. People’s Union for Civil Liberties, Lawyers Collective and Human Rights Law Network are some examples.

NGOs together may form networks for increasing the impact of their work. Such networks would then function as large NGOs with work in several states, but with a secretariat and a coordinating body. For example, National Alliance of Women’s Organizations (NAWO) (with its headquarters in Delhi) works on issues pertaining to women’s rights, and prepares an alternative report to UN treaty bodies. Public Health Resource Network (PHRS) is a network of individuals and NGOs working on health rights in the country. ‘Family for Every Child’ and ‘South Asian Alliance of Grassroot NGOs for Child Rights’ are international networks of NGOs working on children’s rights, of which some Indian child rights NGOs are members.

2E. Based on Registration

Based on registration, an NGO may be classified as a public trust, society or a company under S. 25 of the Companies Act. A human rights NGO may be registered as a public charitable trust. There is no national law related to public trusts; state laws in the states of Maharashtra, Gujarat, Rajasthan and Madhya Pradesh have Public Trusts Act. Public trusts cannot usually be dissolved.

A human rights NGO may also be registered as a society under the Societies Registration Act 1860. Societies are membership-based organizations, registered for charitable purposes. Management plays a vital role in societies as they may have a large number of members. A governing council or managing committee plays this role. Unlike in the case of public trusts, societies can be dissolved.

An NGO may also be registered under S. 8 (old S. 25) of the Companies Act, which would give it the status of a company with limited liability, provided that no profits or other income are distributed in any form among its members.

The diagram below illustrates various categories of human rights NGOs in India.

**Figure 1: Classification of Human Rights NGOs in India**
3. ROLE AND FUNCTIONS PERFORMED BY INDIAN HUMAN RIGHTS NGOs

Major functions performed by Indian human rights NGOs include:

a) **Awareness raising:** Many human rights NGOs undertake information dissemination and public education at a mass level, by conducting training, sensitization and skill building programmes. Awareness raising may be undertaken through workshops, training programmes, seminars and conferences. Production of resource material such as pamphlets, brochures and posters and their widespread dissemination also contributes to the process of awareness raising.

b) **Research, documentation and publication:** Many human rights NGOs undertake quantitative and qualitative research. Such research forms the backbone of campaigns and advocacy initiatives. Research undertaken may also include fact-finding initiatives, an analysis of judgments and laws related to human rights as well as a research on existing practices. Documentation forms an important part of human rights NGOs’ work in India. South Asian Human Rights Documentation Centre and Asian Centre for Human Rights, both based in Delhi, engage extensively in research and documentation on human rights issues. Many human rights NGOs produce several publications, including those that simplify laws to help laypersons become aware of their human rights in law.

c) **Campaign and advocacy initiatives:** Many human rights NGOs are involved in campaigns on human rights. These may include law reform campaigns, campaigns for justice and accountability for heinous human rights violations, as well as campaigns against laws, policies and practices of the government that may have adverse consequences for human rights. The Right to Information campaign, the Right to Food campaign, the Right to Education campaign, campaign to repeal the Armed Forces (Special Powers) Act and the campaign to repeal S. 377 of the Indian Penal Code that criminalizes homosexual relationships are examples of campaigns where a large number of human rights NGOs have actively participated.

d) **Mobilizing public opinion:** Mobilizing, shaping and influencing public opinion is a very important aspect of human rights NGOs’ work in India. Such work is found necessary as a large section of the population may be ignorant of human rights ramifications of existing policies and practices, and may be swayed by emotions and irrationality into adopting anti-human rights positions. A classic example is the campaign to abolish death penalty, in which many human rights NGOs as well as civil society members have had to take a concerted effort to dispel myths around the necessity for death penalty. Representatives of human rights NGOs work closely with the print and electronic media for this purpose, and hold press conferences, issue press releases and reports, write articles for newspapers and participate in talk shows in the television.

e) **Providing legal aid and counselling to individual victims and groups of victims:** Providing social, legal, financial, psychological, medical and other forms of assistance to victims in distress is an important component of many human rights NGOs’ work in India. Even as NGOs engage in advocacy on human rights, direct intervention with people from vulnerable communities is
undertaken, as working with victims often provides insights to the NGO about ground realities. This shapes, feeds into and strengthens the NGO’s campaign and advocacy initiatives. For example, Majlis legal centre for women, based in Mumbai, represents women in distress in courts, particularly on issues of domestic violence, other forms of violence and matrimonial issues. It also works on campaign and advocacy at the Maharashtra and national levels. The positions it takes and the demands it makes through its campaigns are often grounded in its own experiences of handling women in distress and providing socio-legal support to them.

f) **Providing humanitarian aid and relief:** Many NGOs have a specific mandate to respond to disaster management, and to provide relief, rehabilitation in contexts of natural and human made disasters. Other human rights NGOs may not have a specific mandate to make humanitarian interventions. However, their mandate maybe broad enough to allow them to help victims in distress in such contexts. The Latur earthquake of 1993, Gujarat earthquake of 2001, tsunami in southern states of India in 2004, Kosi floods of 2008, Uttarakhand floods of 2013, and farmer suicides of Maharashtra in 2015-16 are all events in which many human rights NGOs intervened to help victims in distress. NGOs provide relief supplies, help with providing temporary shelter, clothing, food and medicines to victims of such disaster, and work hand in hand with the government for their rehabilitation and rebuilding of their lives. Some NGOs with legal expertise have also provided legal assistance to victims, in helping them lodge police complaints, make affidavits and complete other government requirements for claiming compensation.

g) **Developing human rights norms and contributing to setting of human rights standards:** Human rights NGOs in India have been responsible for expanding the rights discourse to include certain rights, such as the right to development, right to housing, forest rights and environmental rights, which were not previously an integral part of human rights discourse in India. Some specialized NGOs have also analyzed the actions of successive governments in India using the yardstick of international human rights standards that are binding on India. Indian human rights NGOs participate in visits by UN Special Rapporteurs on a variety of human rights issues, and also prepare alternative reports for the consideration of UN Treaty bodies on specific human rights. For example, National Alliance of Women’s Organizations (NGO) prepares an alternative report to CEDAW committee in coordination with many women’s rights NGOs in India. Working Group on Human Rights in India and the UN prepares a report of the status of human rights in India, for consideration during the Universal Periodic Review by the Human Rights Council which takes place every four years. By highlighting to the Indian government its obligations and responsibilities under the international human rights conventions and treaties that it has ratified, Indian human rights NGOs ensure that such international standards are brought home to the domestic / national sphere and benefit the people of India. Some Indian human rights NGOs also take part in the activities of the UN, particularly those who have a consultative status with ECOSOC. This is another manner in which Indian human rights NGOs contribute to standard setting on human rights.
4. NATIONAL HUMAN RIGHTS COMMISSION & HUMAN RIGHTS NGOs IN INDIA

The National Human Rights Commission (NHRC) is conceived as an autonomous body which was established through the Protection of Human Rights Act (PHRA) 1993. One of the mandates of the NHRC, set out in the PHRA, is to “promote and support the non-governmental organizations and institutions working in the field of human rights.” Accordingly, in order to utilize the knowledge, experience and expertise of human rights NGOs in India, NHRC constituted a Core Group with NGO representatives in 2001. It holds periodic consultations with them on various human rights issues. The Core Group of NGOs serves as a monitoring mechanism for the NHRC, and acts as a bridge between ground level realities faced by communities and the NHRC. The Core Group is re-constituted periodically to induct newer and credible NGOs within its fold, from whose work NHRC can benefit. The terms of reference for the Core Group include the following:

i. To identify the broad area of cooperation between NHRC and NGOs and suggest its mechanism;

ii. To identify important human rights issue which could be jointly taken up with the NGOs after considering the suggestions/proposals received from them.

iii. To advise the commission on International Human Rights Convention.

iv. To discuss and suggest mechanism for continuous and meaningful interaction of the commission with the civil society.

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1\textsuperscript{1} Section 12 (i), Protection of Human Rights Act 1993
v. To consult and interact on a regular basis on the issue concerning human rights and build up a data base of NGOs.
vi. To consider any other issues relevant to the consultation with the NGOs.

The first Core Group of NGOs, constituted under the chairpersonship of the Special Rapporteur of NHRC, consisted of representatives from Mazdoor Kisan Shakti Sangathan, People’s Watch, Action Aid India, National Centre for Promotion of Employment for Disabled People, South Asian Human Rights Documentation Centre, People’s Union for Civil Liberties, Voluntary Association of India, Helpage India and UNICEF.² In taking the cooperation between NHRC and human rights NGOs further, in recent years, in addition, Core Advisory Groups have been constituted on specific human rights issues, such as

- Bonded Labour
- Health
- Disability
- Mental Health
- Protection and Welfare of Elderly Persons
- Right to Food
- Lawyers

The meetings of the Core Group provide a platform for the NGOs and NHRC to have a frank discussion, and undertake collaborative planning and action for protecting and promoting human rights in India.

5. CASE STUDY: USE OF PUBLIC INTEREST LITIGATION BY INDIAN HUMAN RIGHTS NGOs

Many human rights NGOs in India have initiated public interest litigation (PIL) effectively, and sought recourse to judicial remedies to protect and promote the human rights of a large number of people, particularly the poor and the needy. PIL is a litigation that is initiated for a public / social cause. There is tremendous thought, passion, sound ground level research, documentation and analysis, media outreach, solidarity between NGOs, and efforts at shaping public opinion that is undertaken for the PIL to be successful. This is because the judiciary has to be presented with sound facts and figures, and the ground level reality in relation to the social cause that is the subject matter of the PIL. Likewise, public support through information dissemination, campaign and advocacy is of crucial importance. As an illustration of the concerted efforts of NGOs, a few PILs that resulted in landmark judgments that contributed to human rights discourse in India are highlighted below:

5A. People’s Union for Democratic Rights (PUDR) vs. Union of India:³

In this landmark judgment of 1982, the Supreme Court laid down that a third party could directly petition the Supreme Court, either through a letter or through other means, and seek the court’s intervention when another party’s fundamental rights were being violated. In this case, PUDR alleged that in building the large sports complex at the Asian Game Village in Delhi, many labour legislations such as the Minimum

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² http://www.nhrc.nic.in/disparchive.asp?fno=182
³ 1982 (2) SCC 253
Wages Act 1948, Equal Remuneration Act 1976 and the Contract Labour (Regulation and Abolition) Act 1970, The Interstate Migrant Workmen (Regulation of Employment and Conditions of Service) Act 1979 were being grossly violated, leading to exploitation of vulnerable persons by contractors and employers. The petition was allowed, and the Supreme Court issued appropriate directions to prevent exploitation of labour and violation of labour laws that protected their rights.

5B. D.K. Basu vs. State of West Bengal:

D.K. Basu, as the Executive Chairman of Legal Aid Services, West Bengal, addressed a letter to the Chief Justice of India, regarding deaths in police lock ups and custody. He requested that victims’ families be awarded compensation, and the concerned officers be made accountable, apart from developing a jurisprudence on custody. The Supreme Court treated the letter as a PIL, and responded favourably, and issued elaborate guidelines that are to be followed by the police at the time of arrest. These guidelines, issued in 1997, and referred to as the D.K. Basu guidelines, continue to be relevant and referred to in a number of subsequent judgments related to deaths and torture in custody, illegal arrests and detention.

5C. Vishaka and Others vs. State of Rajasthan:

Vishaka, a women’s rights NGO based in Rajasthan as well as other women’s rights organizations, petitioned the Supreme Court for laying down guidelines to protect women from sexual harassment at the workplace. The NGO filed the PIL against the backdrop of gang rape of Bhanwari Devi, a worker appointed by the Rajasthan government, to stop child marriages in the villages of the state. The NGO alleged that the state government had failed in its responsibility to provide Bhanwari Devi and other workers like her with adequate protection while they were discharging their official responsibilities. Vishaka said that since there was no law in India to prevent sexual harassment at workplace and to provide redress for the same, it sought the intervention of the Supreme Court to issue guidelines in this regard. The Supreme Court drew upon international human rights standards, including the UN Convention on Elimination of Discrimination Against Women (CEDAW) which India had ratified by then, and issued guidelines to address the legal lacuna that existed on the issue till such time as a law on the issue was enacted. Vishaka guidelines, as they are known, were issued in 1997 and continued to remain applicable to prevent, protect women from and redress sexual harassment at the workplace. This was so till 2013 when the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 was enacted.

5D. Indian Council for Enviro-Legal Action and Others vs. Union of India and Others

In this case, a PIL was filed by the NGO in order to prohibit and remedy the pollution caused by several chemical industrial plants in Bichhri village, Udaipur District, Rajasthan. The NGO alleged that the respondents operated heavy industry plants that caused serious pollution of the environment, including release of toxic waste into the soil surrounding the industrial plants. The Supreme Court issued appropriate orders and directions to protect the ecology and prevent environmental degradation.

4 (1997) 1 SCC 216
5 AIR 1997 SC 3011
6 (1996) 5 SCC 281
5E. Citizens for Democracy vs. State of Assam and Others

Kuldip Nayar – a well-known journalist and president of the NGO ‘Citizens for Democracy’ - wrote a letter to the Supreme Court after he saw seven detenus under the Terrorist and Disruptive Activities (Prevention) Act lodged in a hospital in Assam, with handcuffs and tied with a long rope to prevent their movement. The letter was treated as a PIL, and the Supreme Court stated that handcuffing and restraining the movement of the detenus who are lodged in the hospital is inhuman and in violation of Indian law as well as international human rights standards. It clarified that handcuffing should be resorted to only if there was a ‘clear and present danger of escape’ from police control, based on clear material and not mere assumption. This judgment has contributed greatly to the Supreme Court jurisprudence on prisoners’ rights.

5F. Sakshi vs. Union of India and Others

Sakshi – a women’s rights NGO that provides legal, medical, psychological and other forms of support to women victims of sexual violence, harassment and abuse, petitioned the Supreme Court for guidelines and directions in cases of sexual violence. The NGO sought a widening of the definition of rape under S. 375 of the Indian Penal Code, S. 354 and S. 377 of the Indian Penal Code as well as changes in procedural law related to rape. While the Supreme Court declined to amend the definitions, it passed a set of guidelines for trial of sexual violence of children, aimed at protecting the victims during trial. Physically shield to prevent the victims and witnesses from directly seeing the accused, and forwarding questions to the victim through the judge during cross examination were some of the directions given by the Supreme Court in this case. The landmark guidelines, came to be known as Sakshi guidelines, were incorporated in the Protection of Children from Sexual Offences Act 2012.

5G. Naz Foundation vs. Government of National Capital Territory of Delhi

Naz Foundation (India) Trust is a human rights NGO based in Delhi, which works on rights of lesbians, gays, bisexuals and transgenders (LGBT). In this case, Naz Foundation challenged the Constitutional validity of S. 377 of the Indian Penal Code – an archaic provision formulated by the British colonialists - which criminalizes homosexual activity. The Delhi High Court, through a Division Bench, delivered a landmark judgment which stated that criminalizing sexual activity between consenting adults within private spaces was violative of right to life, freedom, dignity, equality and privacy that were guaranteed by the Indian Constitution. S. 377 was thus declared to be unconstitutional in so far as it criminalizes consensual sexual acts of adults in private. Although the Supreme Court subsequently overturned the ruling and upheld the validity of S. 377, and in effect, re-criminalized homosexual activity in Suresh Kumar Koushal and Another vs. Naz Foundation and Others, Naz Foundation’s initiative in filing the PIL gave a boost to increased visibility and strengthening of the campaign for repeal of S. 377. In February 2016, the Supreme Court referred a batch of curative petitions, in which Naz Foundation played an active role, to a 5 judge Bench for determining the Constitutional validity of S. 377. Litigation in the Delhi High Court and the Supreme Court were also boosted by the work of Voices Against S. 377 – a pressure group and loose network of human rights NGOs and activists who supported the repeal. They were responsible for research and documentation of various forms of abuse faced by the LGBT community, which was presented before the courts.

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7 (1995) 3 SCR 943
8 AIR 2004 SC 3566
9 (2014) 1 SCC 1
6. CONCLUSION

There are varied types of NGOs working with different focus areas, geographical and thematic scope. Human rights NGOs are also structured differently in accordance with their aims and objectives. The roles and responsibilities undertaken by human rights NGOs in India are diverse and expansive, and are essential for the protection and promotion of human rights in the country. The National Human Rights Commission (NHRC) works in collaboration with well-established and credible human rights NGOs, to serve the common cause of human rights. While the contribution of human rights NGOs in India is tremendous and in varied fields, their use of Public Interest Litigation (PIL) as a tool for socio-economic and legal empowerment of vulnerable communities is noteworthy.
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CASE LAW

4. People’s Union for Democratic Rights (PUDR) vs. Union of India 1982 (2) SCC 253
5. Sakshi vs. Union of India and Others AIR 2004 SC 3566
6. Suresh Kumar Koushal and Another vs. Naz Foundation and Others (2014) 1 SCC 1
7. Vishaka and Others vs. State of Rajasthan AIR 1997 SC 3011