

INTERNATIONAL JOURNAL OF LAW MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

Volume 5 | Issue 6

2022

© 2022 *International Journal of Law Management & Humanities*

Follow this and additional works at: <https://www.ijlmh.com/>

Under the aegis of VidhiAagaz – Inking Your Brain (<https://www.vidhiaagaz.com/>)

This article is brought to you for “free” and “open access” by the International Journal of Law Management & Humanities at VidhiAagaz. It has been accepted for inclusion in the International Journal of Law Management & Humanities after due review.

In case of **any suggestions or complaints**, kindly contact Gyan@vidhiaagaz.com.

To submit your Manuscript for Publication in the **International Journal of Law Management & Humanities**, kindly email your Manuscript to submission@ijlmh.com.

Implementation of International Covenants in Indian Legal System

MS. NISHITHA WADHAWAN¹ AND J TANISHA²

ABSTRACT

The protection of human rights is crucial for the growth of the nation's population, which ultimately leads to the growth of the country as a whole. Every Indian citizen is entitled to fundamental human rights under the country's Constitution. The Constitution's creators made every effort to include all required provisions. The scope of human rights has, nevertheless, been broadened as a result of ongoing advances. Despite the fact that the idea of human rights has been around since, it was only recently that the entire world came to an understanding of its importance. Legal scholars have properly stated that the UDHR's principles have gained the power of customary international law over time even if it lacks legal standing. Many other binding international legal instruments, such as the International Covenant on Civil and Political Rights, have adopted its principles. The UDHR's expansive mandate, which tries to encompass everything under its jurisdiction as long as it is connected to human rights, may be the rationale for this. The protection of human rights is essential for the development of the nation's population, which in turn helps the country as a whole.

Keywords: Human rights, Fundamental, Principles, Constitution.

I. INTRODUCTION

The foundation of legal rights is the consensus of the citizens that are governed by a government. The right to give consensus has been given to every individual and it has been presumed that each individual is born equal with all the rights bestowed on him. Natural law's recognition of the equality of rights premise has long been a cornerstone of many communities. However, discrimination persisted due to ignorance, prejudice, and some false ideas that attempted to defend inequality. In the past and, regrettably, even now, these theories have been used to justify enslavement and discrimination against people based on their class, race, colour, descent, national or ethnic origin, or religious beliefs. The concepts for developing and defending human rights evolved and gradually became codified rules.³

¹ Author is a Student at Amity Law School, Noida, India.

² Author is a Student at Amity Law School, Noida, India.

³ Tarun Jain, *Influence of Universal Declaration on the Judicial Interpretation of Fundamental Rights and Directive Principles in the Constitution of India*, SSRN, Dec. 1, 2004, at 1.

Numerous attempts have been made to defend human rights on a global scale. Through its charter, the United Nations has made a substantial contribution to the protection and promotion of human rights. Incorporated into the UN Charter is an International bill on human rights. The Preamble, as well as numerous Articles 1, 13(b), 55, 56, 62 (2), 68, and 76(c) of the UN Charter, contain diverse provisions for the promotion of human rights and basic freedoms.⁴ The Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), the International Covenant on Economic, Social, and Cultural Rights (1966), and the Optional Protocol to the International Covenant on Civil and Political Rights (1966) are the four international documents collectively known as the International Bill of Human Rights and developed under the auspices of the United Nations.⁵

The Indian Constitution was being drafted at the same time as the Universal Declaration of Human Rights. A closer comparison of the two documents reveals that they are strikingly similar and tend to advance the standard of the Human being as such as well as to secure his natural rights, which formed a part of his right to live in peace and harmony. Parts III and IV of the Constitution were specifically created with the intention of securing the Human Rights in the Constitution itself. The rights to life, liberty, equality, and dignity of the individual guaranteed by the Constitution or enshrined in international covenants and upheld by Indian courts are referred to as "human rights" in the Protection of Human Rights Act of 1993.

In order to assure the Indian people the same rights as those available to people overseas, this study attempts to analyse the judicial interpretation of the provisions of the International Covenants on Human Rights and their implementation in the Indian Constitution. Due to India's growing responsibility to uphold its international commitments and duties and to adhere to the standards that would result in the development of an orderly, safe society, the subject is becoming more and more important.

II. DEVELOPMENT OF HUMAN RIGHTS IN INDIA

Long ago, human rights were first established in India. The Buddhist and Jain ideas make it simple to identify. Human rights were also enshrined in Hindu holy books and manuscripts as the Gita, Vedas, Arthasatra, and Dharmashstra. Muslim kings like Akbar and Jahangir were likewise highly regarded for their respect for justice and rights. People's rights were severely violated in the early years of the British occupation, which gave rise to modern human rights law in India.

⁴ 17 S. K. Kapoor, *International Law & Human Rights* 800 (Central Law Agency, Allahabad) (2009).

⁵ *Id.* at 817.

The Constituent Assembly decided to establish an advisory group on fundamental rights with Sardar Patel as its chairman on January 24, 1947. Dr. B. R. Ambedkar, B. N. Rau, K. T. Shah, Harman Singh, K. M. Musnshi, and the Congress expert group created a proposed list of rights. Although few revisions were suggested, there was almost universal agreement on the included concepts. Either in the Fundamental Rights or the Directive Principles of State Policy sections of the Indian Constitution, the rights outlined in the Universal Declaration of Human Rights were almost entirely protected.⁶

The safeguarding of an individual's dignity is one of the principles and goals of the Indian Constitution, which are written in the preamble. The right to equality, the right to freedom, the right against exploitation, the right to freedom of religion, the right to cultural and educational rights, and the right to constitutional remedies are among the fundamental rights that are guaranteed to individuals under Part III of the constitution in order to achieve this goal. The central and state governments have a responsibility to ensure that each person has the necessary circumstances to exercise their human rights. The Directive Principles of State Policy, which are incorporated in Part IV of the Constitution, establish the obligations on the government to strive for the welfare of the people and the defence of their human rights. These serve as the state's guiding principles when developing policies pertaining to distributive justice, the right to work, the right to an education, social security, just and humane working conditions, the promotion of interests of the weaker sections of society, raising the standard of nutrition and living, enhancing public health, protecting and improving the environment, enhancing ecology, etc., so that each person can fully exercise their rights.⁷

III. ROLE OF JUDICIARY

The judiciary is ultimately obligated to protect citizens' human rights. In addition to defending the constitutionally guaranteed rights, it has also expanded the definition of the fundamental rights to include some unrecognised rights. People consequently have access to both enumerated and unenumerated rights. In *Maneka Gandhi v. Union of India*⁸, the Supreme Court interpreted the right to life, expanded its application, and inferred non-enumerated rights like the "right to live with human dignity." The Supreme Court developed the "emanation" hypothesis to give the existence of the basic right a purpose and an active component. In subsequent judgments, the courts have ruled that the right to life also includes the right to live

⁶ Prasoan Shekhar, *Human Rights and Constitution of India* (Nov. 10, 2022, 11:00 AM), <https://blog.ipleaders.in/human-rights-constitution-india/>.

⁷ Amartish Kaur, *Protection of Human Rights in India – A Review*, 2 JAMIA LAW JOURNAL, 3 (2017).

⁸ *Maneka Gandhi v. Union of India*, AIR 1978 SC 597.

with dignity, as in *People's Union for Civil Liberties and another v. State of Maharashtra and others*⁹ and *Francis Coralie Mullin v. The Administrator, Union Territory of Delhi*.¹⁰ As a result, even though certain rights are not expressly stated in Part III of the Constitution, they have still been acknowledged through judicial interpretation. The judiciary has modified the locus standi norm, which refers to the right to move to court and states that only those who have been wronged may do so to have their complaints heard. Public-spirited individuals can now file a writ petition for the enforcement of the rights of any other person or class through public interest litigation if they are unable to exercise the Court's jurisdiction owing to poverty or any other social or economic impairment. The Supreme Court ruled in *S.P. Gupta v. Union of India and Others*¹¹ that any member of the public may approach the court to enforce the legal or constitutional rights of people who are unable to travel to court due to poverty or any other infirmities. A person may even complain in writing to the court about a rights infringement. The chance to give fundamental human rights to the underprivileged and vulnerable members of the community is provided through public interest litigation. Any public-spirited person can file a lawsuit in the name of injured parties who are unable to do so themselves because of their precarious circumstances in order to safeguard their rights and provide social, economic, and political justice for disadvantaged groups. In other rulings, including *Bandhua Mukti Morcha v. Union of India*¹², *Ramsharan Autyanuprasi and another v. Union of India and Others*¹³, and *Narmada Bachao Andolan v. Union of India*¹⁴, the Supreme Court has made similar remarks. As a result, public interest litigation has evolved into a mechanism for safeguarding Indian citizens' human rights.

IV. UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR)

Although it did not include any mechanisms for its implementation, the United Nations' Universal Declaration of Human Rights, to which India was a party, asserted fundamental human rights.¹⁵ Thus, when considered from the perspective of India, the preambular promises and numerous constitutional sections of the Universal Declaration of Human Rights have synthesised human rights, so to speak, but not as an integrated fabric.

The Universal Declaration of Human Rights was ratified by India. On December 26, 1949, the

⁹ *People's Union for Civil Liberties and another v. State of Maharashtra and others*, 2014 (10) SCC 635.

¹⁰ *Francis Coralie Mullin v. The Administrator, Union Territory of Delhi*, (1981) 2 SCR 516.

¹¹ *S.P. Gupta v. Union of India and Others*, AIR 1982 SC 149.

¹² *Bandhua Mukti Morcha v. Union of India*, (1984) 2 SCR 67.

¹³ *Ramsharan Autyanuprasi and another v. Union of India and Others*, AIR 1989 SC 549.

¹⁴ *Narmada Bachao Andolan v. Union of India*, (2000) 4 SCJ 261.

¹⁵ H.M. SEERVAI, *THE INDIAN CONSTITUTIONAL LAW* 155 (New Delhi: Universal Book Traders, I, 4th ed., 1999).

Constituent Assembly approved the Indian Constitution, which became operative on January 26, 1950. The 1948 Universal Declaration of Human Rights had a significant impact on our country's constitution. Part III, which deals with fundamental rights, and Part IV, which deals with directive principles of state policy, both contain provisions that are very similar to the Universal Declaration of Human Rights. As a result, many of the fundamental liberties protected by Part III of the Indian Constitution are comparable to the Declaration's clause.

Name of the Rights Constitution	Universal Declaration	Indian
Equality before law	Art. 7	Art. 14
Prohibition of discrimination	Art. 7	Art. 15(1)
Equality of opportunity	Art 21(2)	Art. 16(1)
Freedom of speech and expression	Art. 19	Art.19(1)(a)
Freedom of peaceful assembly	Art. 20(1)	Art. 19(1)(b)
Right to form association or unions	Art. 23(4)	Art. 19(1)(c)
Freedom of movement within the border	Art. 13(1)	Art19(1)(d)
Protection in respect of conviction for offences	Art.11(2)	Art. 20(1)
Protection of life and personal liberty	Art. 9	Art. 21
Protection of slavery and forced labour	Art. 4	Art. 23
Freedom of conscience and religion	Art. 18	Art. 25(1)
Freedom of enforcement of rights	Art. 8	Art. 32

The graph above demonstrates that the Indian Constitution's human rights protections are generally believed to have been modelled after the Universal Declaration, which was established shortly before it. It seems that the framers of the Constitution were aware of the contents of the Declaration and thus gave its provisions the respect they deserved.

The Supreme Court noted in *Kesavananda Bharati v. State of Kerala*¹⁶ that although the Universal Declaration of Human Rights is not a binding legal document, it demonstrates how India perceived the nature of human rights at the time the Constitution was formed. Thus, despite the Supreme Court's ruling that the Declaration cannot establish a set of laws that is legally binding and that even international agreements may only serve to inform judicial

¹⁶ Kesavananda Bharati v. State of Kerala, AIR 1973 SC 1461.

systems and motivate legislative action, the Declaration has had a significant impact on how India's constitution is interpreted.

The Supreme Court noted that the Declaration has received international recognition as the "Moral code of Conduct" because it was accepted by the General Assembly of the United Nations in *Chairman, Railway Board and others v. Mrs. Chandrima Das*¹⁷, The Supreme Court and High Courts have cited the Declaration in their rulings in a number of cases.¹⁸

V. INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (ICCPR)

A multilateral treaty known as the ICCPR was ratified by the United Nations on December 16, 1966, and it became effective on March 23, 1976. The Covenant binds parties to uphold the civil and political rights of persons, including the freedoms of assembly, of expression, of religion, and of association as well as the rights to a fair trial and due process. The treaty has 117 parties as of June, 2022 and six signatories who have not yet ratified. The 1948 adoption of the Universal Declaration of Human Rights by the UN General Assembly, which together with the ICCPR and the ICESCR constitutes the International Bill of Human Rights, bolstered the global human rights movement.¹⁹

The National Human Rights Commission is the organisation in India that oversees and defends human rights. Any country may also make declarations during the ratification process, which is required for a Treaty to become enforceable in a specific State. India has also made a few statements in this regard on the ICCPR.

The ICCPR establishes guidelines for behaviour to safeguard the civil and political rights of individuals or groups. It's crucial to keep in mind that welfare governments protect both political and civil rights. India, a welfare state, likewise provided these rights to safeguard the rights of each and every person. This is in accordance with Article 6, which declares that everyone has a "inherent Right to Life" and calls for the legal protection of that right. It declares that this is the highest right and that it can never be violated. Although it doesn't outright forbid it, it reserves the death penalty for the most egregious offences. Then comes Article 8, which forbids forced labour and slavery. Regarding procedural fairness and an accused person's rights, Article 14 guarantees everyone a fair trial, as well as other rights such as the presumption of innocence, the prohibition of double jeopardy, the right of the accused to appeal to a higher court, the right to remain silent during questioning by the prosecution, and a fair and prompt trial. While Article

¹⁷ *Chairman, Railway Board and others v. Mrs. Chandrima Das*, AIR 2000 SC 988.

¹⁸ Kaushik Dhar, *Domestic Implementation of Human Rights*, SSRN, Feb. 19, 2012, at 7.

¹⁹ Samarth Suri, *A Critical Analysis of Covenants of 1966* (Nov. 10, 2022, 11:30 AM), <https://blog.ipleaders.in/critical-analysis-covenants-1966/>

15 forbids ex-post facto prosecutions, prohibits retroactive criminal penalties, and calls for the imposition of a lesser penalty when criminal sentences have changed between the time of the crime's commission and the date of the judgement, and Article 16 calls for the state to treat everyone equally under the law. Regarding individual liberties, Article 12 guarantees freedom of movement, including the right of persons; Article 13 forbids the arbitrary expulsion of resident aliens; Article 17 mandates the right to privacy; the article also safeguards individuals from unlawful attacks to their honour and reputation; Articles 18 and 19 deal with freedom of religion and belief; and Article 20 states that any propaganda for war shall be prohibited. Articles 21 and 22 together guarantee everyone's right to organise associations and the freedom to assemble in peace within a democratic society. They also set forth limitations in a similar way to the prior article. Additionally, it stipulates that ILO members must not enact or possess any legislation that restricts the freedoms provided to citizens by that Convention.²⁰

The most recent ICCPR evaluation of India took place in 1997. Despite the existence of a wide array of democratic institutions and a comprehensive, albeit constrained, constitutional and legislative framework for human rights, that review had acknowledged that implementation was a serious concern, jeopardising India's ability to put the CPPR's intentions into action.²¹ It had advocated, among other things:

- ratifying the optional protocol, which would have allowed HRC to receive private communications;
- completely incorporating CCPR rules into local law.
- Eliminating the use of extraordinary powers granted by laws including the National Security Act, Public Safety Act, and Armed Forces (Special Powers Act).
- Closely observing the use of emergency authorities, such as the AFSPA, to ensure that they adhere to the CCPR
- Eliminating the death penalty for juvenile offenders and reserving it for the most serious offences
- Eliminating the need for government approval of civil procedures and allowing courts to determine whether or not the proceedings were abusive or vexatious.
- Making judicial inquiries into deaths caused by security forces a requirement

²⁰ Dr Baloy Bhattacharjee, *An analytical research on Human Rights Viz a Viz Fundamental Rights in India*, 08 Journal of Legal Studies & Research 279–302 (2022).

²¹ Human rights Committee. *Concluding observations of the Human Rights Committee on India – reviewing India*. 4th Aug. 1997. (Covenant on Civil and Political Rights).

- Permitting the NHRC to look into any claims of wrongdoing by state actors, including the armed forces
- passing laws requiring court investigations into cases of death, mistreatment, or rape while under police custody; - requiring immediate notification of family of prisoners and guaranteeing their right to legal counsel, assistance, and a medical evaluation.

Despite more than 20 years having passed since these suggestions, there hasn't been much improvement in India's CCPR compliance. The persistence of severe discrimination against vulnerable communities is one of the consequences of ongoing failures to take action on this. In fact, law enforcement has become more communalized and casteist, with disadvantaged groups and those who advocate for them being targeted with impunity, as a majoritarian regime now controls the executive branch of the federal government and the majority of the provinces.²²

VI. INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (ICESR)

A multilateral treaty known as the ICESCR was approved by the UN General Assembly on December 16, 1966, as part of a broader resolution referred to as the Universal Declaration of Human Rights. It aims to ensure labour rights, the right to health, the right to education, and the right to a decent wage for those living in non-self-governing and trust areas.

The provisions in the ICESCR, in contrast to those in the ICCPR, are typically seen as objectives that the parties commit to strive for. According to Article 2, the States parties to the ICESCR should take action to gradually realise all of the rights recognised by the treaty, using all available resources.

In Article 23(1), we are informed about the right to work and to just and favourable working conditions; in Article 23(2), we are informed about the right to equal pay for equal work; in Article 26(1), we are informed about the right to education; in Article 23(3), we are informed about the right to just and favourable remuneration; in Article 24 we are informed about the right to rest and leisure; in Article 25(1) we are informed about the right of everyone to a standard of living sufficient for him and his family.²³

The Economic, Social, and Cultural Rights include the Economic, Social, and Cultural Rights of Human Beings. The Covenant differs from the Covenant on Civil and Political Rights in a

²² India's compliance with ICCPR, Suggested list of issues prior to reporting 126th session of HRC, 13th May, 2019, (Nov. 10, 2022, 11:30 AM) https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/Ind/INT_CCPR_I_CS_Ind_34909_E.pdf

²³ Dr Baloy Bhattacharjee, *An analytical research on Human Rights Viz a Viz Fundamental Rights in India*, 08 Journal of Legal Studies & Research 279–302 (2022).

number of important ways. The states are required to observe and uphold the rights outlined in the Covenant on Civil and Political Rights, but they are not required to do so under the Covenant on Economic, Social, and Cultural Rights. The Directive Principles of State Policy section of Part IV of the Constitution contains the rights outlined in the Covenant on Economic, Social, and Cultural Rights, which do not appear in Part III of the Constitution. This Part offers a collection of guidelines and directions that all governments, regardless of their political leanings, must adhere to. The country's governance is fundamentally based on the directive principles. As a result, Part IV imposed on the states the obligations they must uphold. Human rights include both the directive principles and, to a large extent, the economic and social rights. The directive principles include many of the rights enshrined in the Covenant on Economic, Social, and Cultural Rights. Thus, it is clear that both the Covenant and the Indian Constitution recognise all rights, including the right to equal pay for equal labour for men and women, the right to preserve childhood and maternal rights, the right to work, the right to an appropriate quality of life, etc. However, while appearing in Part IV of the Constitution, these rights are not recognised by the courts. However, the Supreme Court has lately expanded the definition of the "fundamental rights" outlined in Part III of the constitution to include some of these rights as fundamental.

The Supreme Court ruled in *Randhir Singh v. Union of India*²⁴ that, despite not being a fundamental right, the idea of equal pay for equal work is unquestionably a constitutional goal that can be enforced by constitutional remedies permitted by article 32 of the Constitution.

According to the Supreme Court's ruling in *Regional Director, ESI Corporation and another v. Francis De Costa and another*²⁵, the right to medical care and disability benefits for workers is one of their fundamental rights under Art. 21 when read with Art. 38 and 39. In accordance with Article 6 of the Covenant of Economic, Social, and Cultural Rights, everyone has the legal right to the ability to earn a living through work that they voluntarily select or accept, and states that they will take all necessary measures to protect this right. The Indian Constitution's Article 39(a) and Article 41 both include references to the right to subsistence.

In *Olga Tellis v. Bombay Municipal Corporation*²⁶, often known as the pavement dwellers case, the Supreme Court ruled that the right to a means of support is an essential component of the right to life protected by Art. 21 of the Constitution. According to Article 7 Paragraph (a)(ii) of

²⁴ *Randhir Singh v. Union of India*, 1982 AIR 879.

²⁵ *Regional Director, ESI Corporation and another v. Francis De Costa and another*, 1996(6) SCC 1.

²⁶ *Olga Tellis v. Bombay Municipal Corporation*, (1985) 3 SCC 545.

the Covenant on Economic, Social, and Cultural Rights, the States Parties recognise that everyone has the right to a decent standard of living for themselves and their families, and under Article 11 they recognise that everyone has the right to an adequate standard of living, including housing. It demonstrates that although the Covenant includes the right to shelter, the Indian Constitution does not list it directly.

The Supreme Court, however, ruled in *Chameli Sing v. State of U.P.*²⁷ that the right to life encompasses the right to food, water, a suitable environment, education, medical care, and shelter. According to the court, a right to shelter involves having an adequate living space, a safe and decent building, clean and decent surroundings, enough light, clean air and water, power, and other civil utilities like roads.

VII. CONCLUSION

All people are entitled to basic rights that must be upheld in order for the human race to advance. Human rights are the cornerstone of all human existence. The 1948 Universal Declaration of Human Rights served as the foundation for numerous human rights statutes, the most important of which were the ICCPR and the ICESCR. These Treaties established rights that everyone is required to enjoy, regardless of any and all circumstances. The judiciary has also made significant progress, such as expanding the definition of "locus standi" so that anybody can now petition the court instead of just those who are impacted. The fundamental rights that are available to citizens have been interpreted by the supreme court, and now rights like the right to privacy, the right to a clean environment, the right to unrestricted access to the legal system, the right to a fair trial, etc. are included. The CESC has advised India to enforce the current anti-discrimination laws more strictly and to think about creating comprehensive anti-discrimination legislation that clearly forbids discrimination in work, social security, housing, health care, and education, among other areas.

Social activists have also been aiding those who have experienced human rights breaches in their local communities to seek justice in a variety of forums. Students participating in the programme also engage in human rights activism in their home areas. But in addition to those programmes, the government also has a duty to guarantee the physical security guaranteed by our Constitution. A vital requirement in the process of transforming India into a developed society, fulfilling the provision for universal access to those amenities for ground level development is crucial.

²⁷ Chameli Sing v. State of U.P., AIR 1996 SC 1051.

VIII. BIBLIOGRAPHY

Articles:

1. Amartish Kaur, Protection of Human Rights in India – A Review, 2 JAMIA LAW JOURNAL, 3 (2017).
2. Dr Baloy Bhattacharjee, An analytical research on Human Rights Viz a Viz Fundamental Rights in India, 08 Journal of Legal Studies & Research 279–302 (2022).
3. Kaushik Dhar, Domestic Implementation of Human Rights, SSRN, Feb. 19, 2012, at 7.
4. Tarun Jain, Influence of Universal Declaration on the Judicial Interpretation of Fundamental Rights and Directive Principles in the Constitution of India, SSRN, Dec. 1, 2004, at 1.
5. Prasoon Shekhar, Human Rights and Constitution of India (Nov. 10, 2022, 11:00 AM), <https://blog.ipleaders.in/human-rights-constitution-india/>
6. Samarth Suri, A Critical Analysis of Covenants of 1966 (Nov. 10, 2022, 11:30 AM), <https://blog.ipleaders.in/critical-analysis-covenants-1966/>.

Books:

1. 17 S. K. KAPOOR, INTERNATIONAL LAW & HUMAN RIGHTS 800 (Central Law Agency, Allahabad) (2009).
2. H.M. SEERVAI, THE INDIAN CONSTITUTIONAL LAW 155 (New Delhi: Universal Book Traders, I, 4th ed., 1999).

Cases:

1. Bandhua Mukti Morcha v. Union of India, (1984) 2 SCR 67.
2. Chairman, Railway Board and others v. Mrs. Chandrima Das, AIR 2000 SC 988.
3. Chameli Sing v. State of U.P., AIR 1996 SC 1051.
4. Francis Coralie Mullin v. The Administrator, Union Territory of Delhi, (1981) 2 SCR 516.
5. Kesavananda Bharati v. State of Kerala, AIR 1973 SC 1461.
6. Maneka Gandhi v. Union of India, AIR 1978 SC 597.
7. Narmada Bachao Andolan v. Union of India, (2000) 4 SCJ 261.
8. Olga Tellis v. Bombay Municipal Corporation, (1985) 3 SCC 545.

9. People's Union for Civil Liberties and another v. State of Maharashtra and others, 2014 (10) SCC 635.
10. Ramsharan Autyanuprasi and another v. Union of India and Others, AIR 1989 SC 549.
11. Randhir Singh v. Union of India, 1982 AIR 879.
12. Regional Director, ESI Corporation and another v. Francis De Costa and another, 1996(6) SCC 1.
13. S.P. Gupta v. Union of India and Others, AIR 1982 SC 149.

Documents:

1. Human rights Committee. Concluding observations of the Human Rights Committee on India – reviewing India. 4th Aug. 1997. (Covenant on Civil and Political Rights).
2. India's compliance with ICCPR, Suggested list of issues prior to reporting 126th session of HRC (13th May, 2019), https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/Ind/INT_CCPR_ICS_Ind_34909_E.pdf

Statutes:

1. Constitution of India
2. International Covenant on Civil and Political Rights (ICCPR)
3. International Covenant on Economic, Social and Cultural rights (ICESR)
4. Universal Declaration of Human Rights (UDHR)
