



Chhatrapati Shahu Ji Maharaj  
University, Kanpur

**Answer Script Details**  
**Barcode** 11366540

**Roll No.** 23086004441  
**Total Mark** 63/100.00

**Exam** Bachelor of Law(LAW)  
**Subject** LLB507 - HUMAN RIGHT LAW AND PRACTICE

**Question wise Mark Summary**

**Q.No Mark Q.No Mark Q.No Mark Q.No Mark**

1A 3/4 9 10/15

1B 3/4

1C 2/4

1D 3/4

1E 3/4

1F 3/4

1G 2/4

1H 2/4

1I 2/4

1J 2/4

2 0/15

3 9/15

4 0/15

5 8/15

6 0/15

7 11/15

8 0/15

# Chhatrapati Shahu Ji Maharaj University Kanpur, Uttar Pradesh

Date of Exam: 10-01-2026  
 Roll No.: 23086004441  
 Paper Code: 507  
 Subject: Human Rights Law  
 Name of Candidate: JAYA PARIHAR

Signature of Candidate: *Jaya Parihar*  
 Signature of Invigilator: *JK*  
 COE Facsimile: *JK*

### PART-II

MARKS OBTAINED										
Q.	1	2	3	4	5	6	7	8	9	10
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 Paper Code  
  
  
 Signature of Evaluator

Course: LLB  
 Session: 2025-26 Year/Semester V  
 Subject: Human Rights Law  
 Paper Code: L L B 5 0 7  
 Exam Date: 1 0 0 1 2 0 2 6  
 Name of Candidate: JAYA PARIHAR  
 Father's Name: JAY SINGH PARIHAR

संस्थान का कोड  
College Code

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परीक्षा केन्द्र का कोड  
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परीक्षा का प्रकार  
Type of Exam

सामान्य  
Regular   
 अतिरिक्त  
Extra

ऑनलाइन  
Online

ANSWER BOOKLET NO.  
11366540

Paper Code: L L B 5 0 7



Enrollment Number: C S J M A 2 3 0 0 0 1 4 9 9 7 0

परीक्षार्थी संख्यांक  
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पेपर कोड  
Paper Code

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C	8	8	8	8	
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*Jaya Parihar*  
 Signature of Candidate  
  
  
 Signature of Invigilator  
  
 केन्द्राध्यक्ष  
 ब्रह्मानन्द कालिन्दा  
 कानपुर  
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 COE Facsimile

नोट: 1. परीक्षार्थी को निर्दिष्ट किया जाता है कि आवेदन पत्रों में पुराने भाग पर अधिक सही निर्देशों को सहायकी पुस्तक पर।  
 2. कोला में भी जाने वाली प्रतिलिपियाँ सही तरह से भुक्त की जाएँ। 3. मोबाई को काले या नीले बॉलपेन से भरें।

### INSTRUCTIONS TO THE CANDIDATE FOR FILLING PART-I

1. Read the instructions carefully given on the answer script and admit card.
2. Write Date of Exam, Shift, Paper Code & Name of Subject Correctly.
3. Write Name & Roll No. Correctly.
4. Write Semester & Branch Correctly.

### INSTRUCTIONS TO THE CANDIDATE FOR FILLING PART-III

1. Use blue or black ball point pen for writing alphabets & numerals in  Boxes.
2. Carefully study the example before you start marking.
3. As shown in the example below blacken the circles completely.



4. Make no Stray marks on this sheet.
5. DO NOT WRITE OR MARK ON THE BAR CODE.

### IN ORDER TO AVOID UFM (UNFAIR MEANS) :

1. The Roll No. and Answer Book no. found elsewhere or any other symbol found in the answer book will be treated as unfair means.
2. Any tempering of Bar Code and Booklet no shall be treated as Unfair Means.
3. Do Not bring the materials like slip of paper/mobile/digital diaries/ study material/ revision notes in examination hall. Possession of the mobiles/ digital diaries/ electronic watch and any other electronic gadget except memory less scientific calculator shall be considered as UFM case.
4. Do not keep or paste currency note in answer script it shall be consider as UFM.

### अनुचित साधन से बचने हेतु:

1. उत्तर पुस्तिका के निर्दिष्ट स्थान को छोड़कर अनुक्रमांक एवं उत्तरपुस्तिका का क्रमांक कहीं और न लिखें तथा कोई भी चिन्ह न बनायें क्योंकि यह अनुचित साधन प्रयोग की परिधि में आता है।
2. उत्तर पुस्तिका के बारकोड अथवा उत्तर पुस्तिका संख्या पर छेड़ करने पर अनुचित साधन प्रयोग माना जाएगा।
3. परीक्षा कक्ष में निम्न वस्तुएं साथ न लायें, जैसे लिखे हुए कागज के टुकड़े, मोबाइल, डिजिटल सायरी, कोपी, पुस्तक या सभी वस्तुएं जो अनुचित साधन के अन्तर्गत आती हैं। केवल संबंधित प्रश्नपत्र में ही मेमोरी लेस साइंटिफिक कैलकुलेटर ले जाने की अनुमति होगी।
4. उत्तर पुस्तिकाओं में रूपये न रखें न ही उत्तर पुस्तिका में विभक्त करें। ऐसा करना अनुचित साधन प्रयोग की परिधि में आता है।

### परीक्षार्थी के लिए निर्देश

1. प्रवेश पत्र एवं उत्तर पुस्तिका पर दिये गये निर्देशों को ध्यान से पढ़ें।
2. कवर पृष्ठ के दूसरी तरफ कुछ न लिखें।
3. उत्तर पुस्तिका के पृष्ठों पर दोनों तरफ लिखें।
4. प्रश्न पत्र पर अपने अनुक्रमांक के अतिरिक्त कुछ न लिखें।
5. प्रश्न पत्र कोड एवं प्रश्न पत्र कोड सावधानी पूर्वक लिखें।
6. अपनी स्थिति स्पष्ट लिखें।
7. उत्तर पुस्तिका के पृष्ठों की संख्या देखें। अगर उत्तर पुस्तिका में (1-24) से कम है या फटे हुए है, तो परीक्षा शुरू होने के पूर्व दूसरी उत्तर पुस्तिका ले लें।
8. प्रश्नपत्र को देख, यदि प्रश्नपत्र के विषय कोड, विषय का नाम तथा पृष्ठों में कोई त्रुटि है तो उसके परीक्षा शुरू होने के 30 मिनट के अन्दर निरीक्षक को तत्काल सूचित करें, उसके बाद विश्वविद्यालय द्वारा कार्यवाही नहीं की जायेगी।
9. प्रश्नों के उत्तर लिखने के लिये पैसिल का प्रयोग न करें।
10. B कोपी या अतिरिक्त प्राक नहीं दिया जायेगा।

### INSTRUCTIONS TO THE CANDIDATE

1. Read the instructions carefully given on the Question Paper, Admit Card & Answer Script.
2. Do not write anything on back side of the cover page.
3. Write on both sides of pages of answer book.
4. Do not write anything on question paper except Roll Number.
5. Write Paper Code & Question Paper Id carefully.
6. CHECK the number of pages (1-32) or any other kind of damage in your answer script, if found than change the answer script immediately before the commencement of examination.
7. CHECK the Question Paper for any kind of discrepancy of Subject Code, Subject Name and Question of the Question Paper during first THIRTY MINUTES of the commencement of the exam, so that it can be corrected in TIME. After that corrections shall be entertained by the university.
8. Do not use pencil for answering the question.
9. Write status correctly e.g. those appearing in carry over paper should fill in status as Carry Over. Those appearing as Examiners Students should fill in status as ex.
10. No supplementary answer book & graph paper will be provided.

### INSTRUCTIONS TO THE CANDIDATE FOR FILLING PART-IV

1. Use blue or black ball point pen for writing alphabets & numerals in  Boxes.
2. Use blue or black ball point pen for filling the circles.

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Note - If your Roll No. is of 10 digits, Please leave first three columns

Section-B

Ques:- Re-write the main provisions of the Protection of Human Rights Act 1993.

Protection of Human Rights Act was established on '28<sup>th</sup> September, 1993' in India to ensure and implement the human rights protection standards of United Nations.

Protection of Human Rights Act (PHRA) 1993 aims to :-

- (a) Protect the human rights of individual
- (b) Ensure that state does not do any excesses and violates human rights of individuals.
- (c) It also recommends compensation in violation of human rights by state or its agents.
- (d) It lead to the establishment of National Human Rights Commission.

\* Major organs through which it exercises its functions and its provisions:-

- (i) National Human Rights Commission. (sec 5)

National Human Rights Commission was established as a statutory body for protection & promotion of human



### Rights:

- Composition (sec 3) - NHRC comprises of :-
  - (a) One Judge from Supreme Court
  - (b) Judge from High Court
  - (c) 03 experts (where one must be woman)
  - (d) ex-officio members from (SC/ST/women minority / Backward & children commission)
- Appointment (sec 4) - members are appointed by the 'President' as recommended by 'high powered commi...' comprising of :-
  - (a) Prime Minister
  - (b) Speaker of Lok Sabha
  - (c) Dy. Chairman (Rajya Sabha)
  - (d) Leader of Opposition
  - (e) Home Minister
- Tenure (sec 5-7) - Tenure is for '3 years' or '70 years' of age.
- Powers (sec 13) - It works as a civil court and recommendations all kinds.
- Functions (sec 12) - performs various functions to ensure :-
  - (i) Constitutional rights of citizens & individuals are protected.
  - (ii) AS grievance redressal mechanism
  - (iii) visits jails & detention centres.



(ii) State Human rights commission (sec 21-27)

- State Human rights commission (SHRC) is established by state governments by 'high powered committee' chaired by 'governor' of the state. Exercises same functions as NHRC.

(iii) Human Rights Court (section 30)  
(Chapter-6)

Protection for human rights act establishes human rights court for:-

- (a) speedy justice
- (b) accessibility of justice.

Governors along with chief justice can make any 'court of sessions' as human rights court.

\* objectives of PHRA, 1993

- (a) watchdog of human rights of individuals
- (b) Recommend monetary compensation in case of violation.
- (c) Ensure social justice and their free exercise

\* Limitations

- (a) Delayed enforcement of its recommendations.
- (b) Lack enforcement mechanism
- (c) depends on state's cooperation.

Hence, PHRA is a statutory enactment to ensure human rights protection.



Ques 5:- Describe the contribution of judiciary - - - - - judicial decisions.


Indian judiciary has worked 'proactively' to protect and promote the human rights of individuals in India.

Judicial activism means when judiciary takes over the legislative's and executive's powers to ensure that human rights of individuals are protected and promoted.

Indian Judiciary exercises its judicial activism through

- liberal interpretation of human rights.
- Through entertaining Public interest litigations
- Expanding the scope of human rights.

\* Background

- Judicial activism  ed during 'Emergency' period (1975-1977) in India.
- It came up to protect the human rights of the individuals



- During emergency period, the rights of individuals were compromised, so judiciary stepped in.
- It was recognised majorly through P.I.L's.

### \* Instruments used in activism

#### (i) P.I.L's - Public Interest Litigations.

P.I.L's were entertained by the judiciary where it relaxed the locus standi & any violation of human rights were allowed to be reported by others.

#### (ii) Liberal interpretation of human rights Judiciary interpreted the human rights in a liberal manner and allowed various dynamic issues in its scope.

#### (iii) Use of international human rights law instruments

Judiciary used various international human rights instruments & as:-

(a) ICCPR, 1966

(b) ICESCR, 1966

(c) UDHR, 1948

to interpret the laws in their light.



\* Major areas where it was used

- (i) Rights of Prisoners and People in custody  
 Judiciary ensured - 'No torture' or no 'police excesses'; or 'illegal detention'  
 Case:- DK Basu v. State of Bengal case
- (ii) Poor and marginalised rights  
 Ensured that poor are not denied judicial aid and their rights are protected  
 Case:- Omega Telis v. State of Bombay.
- (iii) Rights of children  
 Ensured children's rights are not violated and they get adequate education  
 Case:- Unnikrishnan v. State of Andhra Pradesh
- (iv) Right to clean environment  
 Judiciary ensured that environmental erosion does not harm individual rights  
 Case:- SK Gupta v. Union of India case.
- (v) Right to life with dignity  
 to live life, personal liberty and human dignity is ensured  
 Case:- Puttaswamy v. Union of India
- (vi) Workers rights  
 Ensured workers are not bonded, exploited and given fair wages  
 Case:- Bandhua Mukti Morcha v. Union of India.



Hence, judicial activism is an important tool to secure and protect Human rights. Judicial overreach and No democratic right should be kept while adjudicating.

### Section C

Quest:- Discuss - - - - - NHRC:

National human rights commission (NHRC) was established under:-

'Protection of human rights Act, 1993'

Human rights are mentioned in 'Article 2(1)(d)'

It is a 'statutory body', which aims to protect and promote the human rights of individuals.

It ensures that human rights are ensured by all the individuals without any discrimination on any ground.

It works to:-

- (a) Protect the human rights of individuals
- (b) Ensures social justice is achieved
- (c) provide compensation in case of violation of human rights.

### \* Composition

NHRC consists of:-

- (a) Chief Justice of Supreme court
- (b) A Judge from high court
- (c) 03 experts in human rights field (one woman)



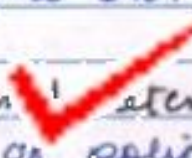
(d) ~~are~~ ex-officio members from - SC, ST, minority, backward, women & children commissions.

\* **Appointment** - Appointments are done by 'President' and 'service conditions' are determined by him, by recommendation of 'High powered committee' comprising :-

- (a) Prime minister      (d) Union Home minister  
(b) Dy. Chairman (RS)    (e) Leader of opposition  
(c) Speaker (LS)          both LS & RS.

\* **Tenure** - 3 years or 70 years of age of its members.

\* **Functions**

- (i) Investigate in human rights violations  
It investigates any matter of violation of human rights ex. Torture, illegal detention.
- (ii) Visit jails and  attention centres - To ensure no torture or police excesses.
- (iii) Protect minority rights - It ensures that minority are well protected and developed.
- (iv) Recommend compensation in case of any violation - It recommends monetary compensation to individuals, when rights are violated.



- (v) Ensure participation of NGO's in human rights protection.
- (vi) Evaluate the progress and development of individual's human rights.
- (vii) Promote Awareness of human rights among individuals.
- (viii) Conduct research and development in human rights matters.
- (ix) It acts as a bridge between state & individuals <sup>-also</sup>

#### \* Powers

- (a) It acts like a civil court and exercises powers of same :-
- Summon the individual
  - Call for evidence
  - enter & seize premises

\* Its recommendations are 'NOT BINDING' in nature.

#### \* Limitations

- (a) limited enforcement mechanism
- (b) 'Recommendatory' in nature & delayed implementation
- (c) Depends on 'State Cooperation'

\* Jurisdiction - (a) one can go and complaint 'self'

(b) on 'someone's behalf'

(c) It can take up 'sus note'



Paper Code

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Hence, NHRC acts like a 'watchdog' to protect, promote the human rights.

Que 9:- Evaluate Role - - - - women rights in India.

National Commission for women is a 'statutory body'.

It was established to protect, advocate and promote women's rights in India.

National Commission for women was established by 'Commission for women Act, 1990' and was enforced in year 1992.

Commission is working towards the women rights and trying to protect their rights and ensure 'equality'.

It is constituted by 'Central government' with (a) chairman  
(b) vice-chairman  
(c) 05 members.

Its tenure is for 03 years or . . . 70 years of age.


\* Constitutional provisions

Do Not Write anything in this Portion



- Article 14, Article 15(3), Article 16 & Article 21 ensure protection of women's rights.

\* Functions

- (i) 'Evaluate the progress' of women rights development.
- (ii) 'Monitor any violation' of women's rights
- (iii) 'Investigate' in the matter of violation.
- (iv) Promote the welfare of women.
- (v) Run awareness  programs for their rights.
- (vi) Conduct research for women rights to reach international standards.

\* Role

- (i) Ensuring 'equality' for women rights -
- (ii) 'Promote social justice' - in the case of any inequality in education or employment
- (iii) Promote legal education for women rights among individuals.
- (iv) 'Protect women' from any sexual harassment or domestic violence. For the same - 'Mishakha guidelines' passed.
- (v) Ensure women rights are protected



### \* Objective

- (i) Promote women rights and protect them from any violation
- (ii) Commission to act for grievance redressal in case of violation.
- (iii) Ensure women get equal rights as men.

### \* Significance

- (i) Commission ensured women's constitutional rights are fulfilled.
- (ii) Ensure social justice and equity for women.
- (iii) Provides a platform to women and gives them platform for grievance redressal.

### \* Limitations

- (i) Its recommendations are delayed in implementation
- (ii) No Binding recommendations.
- (iii) Depends on state cooperation.

Hence, women <sup>commission</sup> rights ensures protection of women's rights.

Section AQues 1

(A) Relation between Human rights and fundamental rights.

Human rights are inalienable, basic + fundamental rights which are granted to all human beings irrespective of their race, religion, language, caste, sex etc.

Fundamental rights are rights provided by constitution for living life with dignity, they are enforceable by courts.

	<u>Fundamental Right</u>	<u>Human Rights</u>
<u>Meaning</u>	Rights provided by constitution of India	Inherent rights, individuals born with it, state only recognises.
<u>scope</u>	Granted only to citizens (some to non citizens)	Every human possess it without discrimination.
<u>Authority</u>	Indian Constitution	International human rights instruments.



example	Right to life, liberty, equality	Right to fair trial, life & personal liberty
enforceability	They are enforceable by courts against 'WRITS'	They carry strong moral obligations
Exceptions	They are not taken away during emergency	only the non-derogatory provisions are secured.

Hence, Human rights and fundamental rights both work for human dignity and protect human rights.

Fundamental rights ensure human rights as they are "deeply embedded in its spirit"; though not expressly mentioned in constitution.

### (B) Human law & Natural law inter-relation

Natural law is law which has been discovered by 'Reason, Morality Justice'. It is a law which states that 'individual's rights are inherent to them by their "birth" state only protects and recognises these rights.'



Natural law is also called law of Reason, Moral law, eternal law, divine law.

It says that human rights are not granted by states, humans are born with some rights -

- (a) Right to life with dignity
- (b) Right to liberty
- (c) Right to thought & religion.

major propounders of this theory are:-

- (a) 'Aristotle'
- (b) 'Saint Thomas Aquinas'

\* Natural law's impact on human rights :-

(i) Moral and ethical foundation

Natural law set moral foundation for human rights and they are beyond state existence. ✓

(ii) Universality

Natural law ensured that human rights are universal in nature and their standard implementation.

(iii) Influenced judicial interpretation

Judiciary while interpreting the laws now to considers morality, justice and reason before adjudicating.



Hence natural rights had great influence in development and recognition of Human Rights.

### \* Criticism

- (i) often considered vague & abstract
- (ii) In contrast to the positivist law
- (iii) Subjective interpretation causes no uniformity in law.

### (c) Universal Declaration of Human Rights 1948

Universal declaration of Human rights (UDHR) was adopted in 1948. by United Nations.

It forms the part of "International Bill of Rights" along with ICCPR 1966 and ICESCR, 1966.

### \* Background

It was adopted after the "World War-II" where states reorganised & forced horrors of war like:-

- (a) genocide
- (b) discrimination
- (c) violence



Thereafter it was realised to adopt it and to ensure :-

- (a) life with dignity
- (b) Non-discrimination.

- \* UDHR, 1948 has been divided into
  - ↳ Preamble
  - ↳ 30 rights
- 30 rights are divided into
  - (a) Civil and political rights (Art 1-21)
  - (b) Economic, social & cultural rights (22-27)
  - (c) Limitations (28-30)

\* Preamble deals with right to life with dignity, it ensures that this right is inalienable and works on justice & morality.

### \* Limitations

- (i) It is only advisory and its recommendations are not binding in nature.
- (ii) It was not sufficient to protect human rights, hence enactment of binding treaties like ICCPR & ICESCR.
- (iii) It was only 'declaration' not any treaty.
- (iv) Lacked enforceability mechanisms.



## (D) Rights of minority

minority is any group of people who are 'notified by' 'central government' under 'section 2(c)' of 'national commission for minority, 1992'.

There are '06 minority in India?' namely - Sikhs, Jains, Buddhists, Muslims, Parsis and Christians.

These rights are protected by 'National minority commission' - a 'statutory body'.

### \* Minority rights

(i) Right to 'Non-discrimination'

(ii) Right to 'practice, profess and propagate their religion' - protected by constitution.

(iii) They have <sup>right</sup> ~~write~~ to 'establish, run and administer educational institutions'.

(iv) Right to protect their 'unique tradition, script and language'.

\* Constitutional guarantee

- Article (14)
- Article (15)
- Article (25-28)
- Article (29-30)



National minority commission is established to protect, promote their rights and serve as grievance redressal institute.

(E) Classification of human rights

classified based on scope, nature and obligations. Human rights are inalienable, inherent and fundamental.

(i) Based on Nature of right (generations) :-

(a) 1st generation rights (civil & political)

- Right to life with dignity
- Right to participate in government formation
- Right against state intervention.
- They are negative in nature.

(b) 2nd generation rights (economics social & cultural)

- Right to work
- Right to health
- Right to adequate living standard
- They are positive in nature

(ii) Based on type :-

(a) Natural right - Follow principles of natural justice like morality and reason.

(b) Positive rights - Based on positive laws; man made law. ✓

(iii) Based on enforceability :-



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- (a) enforceable - like Fundamental laws  
(b) Not enforceable - like Directive principles of state policy

(iv) Based on scope :-

- (a) Individual rights - exercised by individuals  
(b) Group rights - exercised by groups.

(v) Based on content :-

Rights like political, economic, cultural etc.

(F) Basic Human rights in Constitution

Indian constitution recognised human rights through 'fundamental rights' and 'Directive principles of state policies' enshrined in 'Part III' and 'Part IV'

Though constitution expressly do not mention human rights but they are embedded in its spirit.

(i) Right to equality (Article 14-18)

- Right to equality before law
- Right against untouchability
- Right against discrimination
- Right to ~~public~~ employment.

~~also~~ recognised in UDHR Article 1, 2 & 7



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- (ii) Right to speech, expression (Article 19) is recognised in UDHR in Article 19, 20, 1
- (iii) Right to Constitutional remedy in Article 32
- (iv) Right against exploitation (Article 23-24)
- Exploitation of workers - bonded labour
  - Protection of children
- (v) Right cultural & educational rights (Article 29-30)
- Establish institutions of education
  - Protect minorities.

Human rights are recognised in 'DPSP (Part IV)' - these rights are economic social and cultural rights like -

- (a) Right to work      (b) Right to fair wages  
(c) Right to live in housing

#### (4) Amnesty International

Amnesty International is a 'Non profit organization' which was established in UK (London) in year '1961'

It was established by a 'Barrister' called Peter Benenson

Amnesty international works for 'Human rights' protection and 'promotion'. It 'supplements' govern



- ments efforts in reaching and ensuring Human rights.

\* major functions:-

- (i) Advocating Human rights
- (ii) Monitoring and documenting human rights violation.
- (iii) Awareness programs
- (iv) Relief during violence.
- (v) Legal justice to individuals by legal aid

\* Limitations

- (i) Political pressure
- (ii) Financial constraints.

(H) National Commission for Backward class

NCBC was established in year 1993 as a statutory body, later with '102nd CAA, 2018' it was given a constitutional status under Article 338(B)

NCBC was established to :-

- (a) Protect rights of backward classes - 'socially & educationally'
- (b) Ensure socio-economic progress of backward classes.
- (c) To ensure social justice and welfare.

Do Not Write anything in this Portion



It is constituted by ~~central government~~ <sup>President</sup> and has :-

- (a) chairperson
- (b) vice-chairperson
- (c) 03 members

It has a tenure of which is subject to the President.

functions :-

- (a) Evaluate progress of backward classes
- (b) Monitor constitution provisions are ensured
- (c) Investigate in the violation case.
- (d) Awareness program for rights of individuals
- (e) Conduct research
- (f) Protect interest of backwards

It submits its report to 'President' which takes it to 'Parliament'

(I) National Commission for Women  
National Commission for Women was established by 'Commission for Women Act 1990'

It was enforced in 1992 as a 'statutory body'

It aims to protect the rights of women and ensure social justice



and welfare for women

### \* Functions

- (i) Protect → rights of women and give them equal rights
- (ii) Investigate cases of domestic violence and sexual harassment.
- (iii) serve as a grievance redressal institute for women rights.
- (iv) provide legal aid & justice.
- (v) evaluate progress of women welfare
- (vi) monitor any violation and ensure constitutional rights guarantee.

### (J) Role of Press

Press acts as '4<sup>th</sup> pillar of democracy'. It helps as a 'watchdog' any violation of human and spread awareness for human rights.

Press helps the individuals to voice their grievances and ensure rights of individuals are protected and promoted.

Recently press has been accused for biased views and political puppetry. It ensures the 'Accountability' of the state.