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Principal

48	Panchayat Raj Institution in India	Dr. Jayram S. Dhawale	160
49	Women And Panchyat Raj Institution	Dr. Suhas R. Morale Mr. Pakkapon Jantaraoj	164
50	Political Development and Modernization	Dr. Vinod V. Bairagi	167
51	Indian's foreign policy and diplomacy with Different Countries for National Interest	Shaikh Gafoor Ahmed	180
52	Women Empowerment	Rance Jagannathrao Jadhav	185
53	Human Right and Type	Shivaji Gorakshanath Dhokane	188
54	Human Rights in Indian Constitution	Dr. R. K. Kale	192
55	Marginal Status Of Women And Need Of Empowerment - A Review	Prof AnujaA.Kastikar Dr. SangeetaS.Sasane198	196
56	Womens Human Rights & Women Empowerment	Dr. S.N. Satale	199
57	भारतीय राज्यघटना आणि मानवी हक्क	प्रा.डां गालफाडे ए.बी.	202
58	मानवी हक्क आणि जागतिक शांतता	प्रा. डॉ. दोंबळे डी. बी.	205
59	पंडित नेहरूंचे अण्वस्त्र धोरण	प्रा.डां.माधव कदम	208
60	महिला सबलीकरणामध्ये प्रशासनाची भूमिका	डां. नामानंद गोतम साठे	214
61	जी एस टी (वस्तु व सेवा कर) आणि राज्या समोरील अड्डाने	डां.साहेब साठेड गणेश मारोती कचरे	217
62	मानवी हक्क व नैतिकता	प्रा. डॉ. अनिल दत्तू देशमुख	219
63	पंचायतराज व्यवस्था आणि ग्रामपंचायतीतील महिला आरक्षण	काळे आर.के.	222
64	विविध क्षेत्रांतर्गत महिलांचे सबलीकरण	प्रा. सतिश मैलारी कटके	226
65	मानवी हक्कांची समीक्षा	डां. खडके ज्ञानेश्वर सुखदेव	231
66	मानवी हक्क : स्वरूप व स्वयंसेवी संस्था	प्रा. डॉ. महेश मोटे	233
67	महिला सबलीकरण	प्रा. डॉ. शिवाजी गोविंदराव दिवाण	238
68	मानव अधिकार आणि भारताची भूमिका	प्रा.डां.मुंडे एम.आर.	241
69	भारतातील पंचायतराज पद्धत	प्रा.डां. पोळके के.जी.	244
70	शतयुद्धांतर काळात भारताचे परराष्ट्र धोरण	प्रा.डां. रामकिशन लोमटे	248
71	मानवी हक्क आणि भारतीय राज्यघटना	प्रा.ज्ञानेश्वर बनसोडे डॉ. महादेव गव्हाणे	251
72	मानवी हक्क व मानवी हक्काची पायमल्ली करणारे घटक	प्रा.डां.रजनी अ. बोरोळे	254

Human Rights in Indian Constitution

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Introduction:

The constitution of India is known as one of the most right-based constitutions in the world. It was drafted around the same time when the Universal Declaration of Human Rights by the United Nations came into force (1948). Indian constitution provides the spirit of human rights in its preamble and the sections on Fundamental rights and Directive Principle of State Policy. Individual partly and wholly expects that he/she should be provided the good environment for his/her overall development. Rights provide that environment. Rights have been defined as those claims of an individual that are necessary for the development of his/her own self and recognized by state or society. Some of the rights provided by the state and enshrined in the constitution are known as fundamental rights. Fundamental rights are those rights that are enforceable through the court of law.

The Indian constitution is based on the theory that guided India's struggle against British colonialism, which was marked by the violation of civil, political, social, economic and cultural rights of the people. Therefore, after independence the framers of the constitution provided some fundamental rights to the citizens which are enshrined in the part III of the constitution. These fundamental rights are defined as basic human freedom for a proper and harmonious development of personality of every Indian citizen. These fundamental rights apply to all Indian citizens, irrespective of caste, creed, color, sex, race or place of birth. They are also enforceable by the courts, subject to certain restrictions. The rights have their origins in many sources including England's Bill of Rights, the United States Bill of Rights and France's declaration of the Rights of Man.

In this article particularly focus on what is similarity between Universal Declaration of Human rights and Fundamental Rights in Indian Constitution.

Human Rights in Indian Constitution:

Human rights refer to "the basic rights and freedoms to which all humans are entitled. Examples of rights and freedoms which are often thought of as human rights include civil and political rights, such as the right to life and liberty, freedom of expression, and equality before the law; and social, cultural and economic rights, including the right to participate in culture, the right to work, and the right to education. India after independence also provides fundamental rights to its citizens including some Directive Principles of State Policy for their development and to lead a civilized life. The preamble of the Constitution clearly describes the values of justice, equality, secularism and cultural pluralism to make a stable democratic society and polity.

The Constitution of the Republic of India which came into force on 26th January 1950 with 395 Articles and 8 Schedules is one of the most elaborate fundamental laws ever adopted. The Preamble to the Constitution declares India to be a Sovereign, Socialist, Secular and Democratic Republic. The term 'democratic' denotes that the Government gets its authority