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## The Indian constitution: A source of human rights

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### Abstract

India considered as world's largest democratic nation and we know women are a key part of the Indian Society. In a democracy, the participation of people i.e. men and women require to work effectively. Women consist nearly fifty percent of the Country's population but their participation in the electoral process is still less than men's political participation. 73<sup>rd</sup> and 74<sup>th</sup> constitution amendment gives women reservation in local bodies election while in Centre legislature and state legislature, there is no reservation system for women instead there are some seat reserved for only women candidates.

**Keywords:** Indian constitution, human rights

### Introduction

The development of human society has been exercising through the natural rights. And we also known the misused of political power for self-interest, which is an obstacle of individual freedom. Each citizen naturally accomplished the human rights. Its practical use and protection is fundamental responsibility of the citizen. These factors are necessary for a stable and suitable life of citizens. Human rights have been started to implement since last 12<sup>th</sup> century, the signature was most important which signed by that time British King in memorandum of the human rights on 15<sup>th</sup> June 1215. The describing the human rights memorandum was lately known as "Magna Carta" it was also known as the supplication letter in 1628. This was the great success of the British parliament concerning about the human rights in 1689 after taking suggestion of British king it was distributed in public life thereafter.

### The human rights

The grant for human rights by the British parliament concerning to welfare of entire human society accomplished successively step by step in forth coming times. In mid-18 century the form of human rights theorized in constitution in US council firstly introduced in state of Virginia of America after (1776) the freedom memorandum French revolution (1789), Russian revolution (1917) constitution of Ireland (1912), Vimmar constitution of German (1933) and constitution of India (1949) etc. Various place in these are known and described as a human rights in freedom memorandum and democratic rights. The greed political power conflicts of the two World Wars that affected the human rights. This is an important perspective regarding to human rights. The world's human society works briefly to bring change. The fundamental rights of large number of people were affected during the period of the influencing attitudinal imperialism. The international organization UN Council was established on 24<sup>th</sup> October 1945 to introspect the process of policy based implementation of the world population regarding with the security and financial crisis during the world wars through the present UN Council a constitution is established to introspect human rights of world community in a peaceful way. For practicing and implementing the human rights the UN council Charters make very crucial roles to accomplish human development, individual freedom, equality, and life necessary rights were discussed in the 1929 world's meetings. But the actual form of the human rights realized in 1945. The established UN council monitoring body which interprets that the individual should not be justify on the basis of race, caste, gender, religion and color etc. in peaceful manner the human rights accomplished through the constitutional announcement of UN council on 10<sup>th</sup> December 1948, for securing the natural human rights of individual, the necessary punishments for deterioration of these rights the nation should be boycotted from the world family.

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### Social problems of India

Considering various power chains on Indian regions the multi social community, caste system, religious problems these are various problems seen in Indian society. The pre-independence India was covered by British Rule to establish of greed power imperial goal of British power in whole country. British made so many policies for accomplishing their goal, they started to educate Indians that creates new lights in Indian life through the policies Indians are understood the life value elements like democracy, freedom, equality, the condition becomes applicable for Indian to understand the problems which hold back their development of social life from long ago. The equality base values are included in the constitution in divert backgrounds of ancient social system of India. Inequality base society causes for multi-problems still in Indian society since long ancient time. Generally, through the religious supremacy the caste systems, Varna system and language problems such problems are the forms of Indian social life, all problems make obstacle to accomplish natural rights of the individual. The religious important in Indian society is not measurable and different religious life styles create imbalance in social harmony through the imitation of religious faith differently creates the strong hate for each other. That's why the natural giving rights violated by the people. The rights for the life and imitating these religious faith creates superior and inferior, senior and junior, such kind of the religious structures and method caused harm to social health. Due to its political power base conflicts among the small and big state creates an obstacle in the human rights, also the domination of culture affected the social life of India. These all social emotional faiths create big problems to accomplish the natural rights in Indian society.

### Human rights: constitutional perspectives of India

The India constitution adopted human rights such as liberty, equality, fraternity and social justice, such values and principles have the social rights for individual from 1895 Indian demand to include the rights of citizen in the constitution. The executive council should not work as it wanted the social and economic justice should be defined and the rights of minority should be secure this purposeful demand which is there in the root of constitutional perspectives. The constituent assembly focus onto secure the rights of individual and make the polices for their welfare. This is the responsibility of every government. At time of founding democratic government souring people and democratic republic is established.

### Preamble

The important rights and duties which are included in human rights declaration, necessary to create equality and justice based on society are taken into the preamble of Indian constitution. It is a directive principle of the state which are based on human rights. According to Dr. B. R. Ambedkar, the fundamental rights are the soul of Indian constitution for the protection of our fundamental rights. We have the right to appeal to the court. There are five types of rights as provided under the articles 32 of the constitution of India, as constitutional remedies such as quo warranto, Habeas corpus, mandamus, certiorari, writ of prohibition.

### Fundamental rights

1. Equality before the law (Article 14 to 18): Under this

article the constitution ensure equality can't be denied on the basis of caste, race, social status, etc.

2. Protection of certain rights regarding freedom of speech, (Article 19 to 22): Under this article certain freedom be defined by constitution as fundamental rights such as speech freedom to organize public speech and travel through the country etc.
3. Protection from exploitation (23 to 24): The article is formed to stop exploitation of underprivileged.
4. Right to religious freedom (25 to 28): The article focuses on the right to freedom. It enhances the liberty to propagate religious teachings & not to hinder others religious rights.
5. Right to cultural and education (29to 30): It gives liberty to inculcate ones cultural values with the help of education.
6. Right to constitutional Remedies (32 to 35): If the rights are being suppressed, the individual can ask for the Individual Rights & can appeal for his Rights in the court.

To maintain the political & cultural health with the responsible citizens we also need the responsible government. Dr. B. R. Ambedkar rightly stated that 'Cultivation of mind should be the ultimate aim of human existence.'

### Conclusion

1. To preserve overall human values of the individual but to help to achieve its universal development.
2. Natural rights implementation makes the protection of human rights.
3. The welfare of the individual under the social equality that the constitution has defined.
4. The constitution remedies about the human rights create the equality based social systems forever.
5. Man-made self-development is being affected by other human being, by looking for self- interest.

Each individual needs rights to develop his personality while sustaining in a social life. To live & to take free breath, it is necessary to have Human Rights which are headed by the constitution of India.

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