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## Human Rights in India: Issues and Challenges

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### Introduction

The idea of human rights invokes a powerful image of dignity, freedom, and equality that transcends geographical boundaries. However, in a diverse and populous nation like India, the path to achieving these rights is filled with obstacles and complexities. This blog aims to explore the various issues and challenges surrounding human rights in India, shedding light on the current situation, historical context, and potential avenues for improvement.

### Overview

A Brief Overview of Human Rights in India - Human rights are universally recognized moral principles that advocate for the basic rights and freedoms to which all humans are entitled. In India, the Constitution serves as the core legal framework ensuring these rights for every citizen. The Fundamental Rights enshrined in Articles 12 to 35 grant rights such as:

- Right to Equality
- Right to Freedom
- Right against Exploitation
- Right to Freedom of Religion
- Cultural and Educational Rights
- Right to Constitutional Remedies

Despite these formal provisions, the reality on the ground often tells a different story, marred by social injustices, discrimination, and ongoing struggles. Let's delve deeper into these issues.

## **Caste Discrimination**

### **Historical Context**

India's complex social hierarchy based on caste has deep historical roots. The caste system, primarily determined by birth, has perpetuated systemic discrimination, particularly against marginalized communities known as Scheduled Castes (SC) and Scheduled Tribes (ST).

### **Current Challenges**

- **Discrimination in Society:** Despite legal protections, caste-based discrimination continues to influence daily interactions, access to education, and employment opportunities.
- **Violence Against Dalits:** According to data from the <sup>2</sup> National Crime Records Bureau, atrocities against Dalits account for a significant percentage of violent crimes in India. Reports indicate rampant issues such as honor killings, forced labor, and sexual harassment linked to caste.

“While laws exist to protect their rights, the societal mindset sometimes undermines these legal frameworks.”

## **Gender Inequality**

### **Status of Women**

The gender gap in India remains a significant concern, affecting women from various backgrounds. From inadequate access to education and healthcare to pervasive violence and harassment, the struggle for gender equality is ongoing.

### **Key Issues**

**Violence Against Women:** Domestic violence, sexual assault, and trafficking are pressing issues. In 2020, <sup>3</sup> the National Family Health Survey reported that over 30% of women experienced domestic violence during their lifetime.

**Economic Disparities:** Women are disproportionately affected by unemployment and lower wages compared to their male counterparts. The World Economic Forum's Global Gender Gap Report highlights India's ranking, which has been sliding over the years.

Cultural Norms: Societal expectations often restrict women's roles to motherhood and homemaking, impacting their opportunities for education and career advancement.

## **Rights of Religious Minorities**

### **Secularism vs. Religious**

#### **Intolerance**

India is home to a multitude of religions, including Hinduism, Islam, Christianity, Sikhism, Buddhism, and Jainism. However, the secular fabric of the nation sometimes faces challenges.

#### **Ongoing Issues**

- Communal Violence: Tensions between different religious groups can escalate into violence, leading to loss of life and property. <sup>4</sup> Incidents like the 2002 Gujarat riots serve as a stark reminder of this issue.
- Freedom of Expression: Members of religious minorities often face threats and violence when expressing their beliefs. Laws like the Anti-Conversion Laws in various states have raised concerns over religious freedom.

## **The Rights of the LGBTQ+ Community**

### **Historical Context**

India's legal landscape regarding LGBTQ+ rights has evolved, most notably with the decriminalization of consensual same-sex relations in 2018 through the landmark Supreme Court decision in <sup>5</sup> Navtej Singh Johar v. Union of India.

### **Current Challenges**

- Social Stigmatization: Despite legal advancements, societal acceptance remains low. Many LGBTQ+ individuals face discrimination, rejection, and violence from their families and communities.
- Legal Recognition: The lack of legal recognition for same-sex partnerships makes it difficult for individuals to access essential rights related to marriage, adoption, and inheritance.

## **The Role of Activism and Advocacy**

## **Importance of Civil Society**

Civil society plays a crucial role in advocating for human rights in India. Organizations, NGOs, and grassroots movements work tirelessly to highlight issues, provide legal aid, and support marginalized communities.

## **Activist Movements**

- **Right to Information (RTI):** Advocacy for transparency and accountability has empowered citizens to demand information from government bodies, leading to a greater awareness of rights.
- **Women's Rights Movements:** Campaigns pushing for legal reforms related to domestic violence, sexual harassment, and workplace rights have gained traction in recent years.

## **Conclusion**

In summary, while India is a beacon of democracy and secularism, significant challenges to human rights remain. Caste discrimination, gender inequality, religious intolerance, and the plight of the LGBTQ+ community continue to hinder the full realization of rights for all citizens.

Every individual can contribute to the fight for human rights by staying informed, supporting local advocacy groups, and engaging in constructive dialogues. As the nation progresses, fostering a culture of respect and equality will be vital in rewriting the narrative on human rights in India.

## **Call to Action**

What steps can you take to support human rights in your community?

Engage with local NGOs, participate in awareness campaigns, and educate yourself and others about these pressing issues. By sharing this information and your thoughts, you contribute to a larger movement towards a more just and equitable society in India. For further exploration of human rights issues, consider visiting the National Human Rights Commission of India, the State Human Rights Commission of India, or exploring milestones in human rights history through resources available on Amnesty International.

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- <sup>2</sup> *National Human Rights and Crime Control Bureau. Available at: <https://nhrcbb.org/> (Accessed: 06 July 2025).*
- <sup>3</sup> *National Family Health Survey 2020- observations, significance and Way ahead (2020) Jagranjosh.com. Available at: <https://www.jagranjosh.com/general-knowledge/national-family-health-survey-nfhs-2020-observations-significance-and-way-ahead-1608041701-1> (Accessed: 06 July 2025).*
- <sup>4</sup> *2002 Gujarat riots (2025) Wikipedia. Available at: [https://en.wikipedia.org/wiki/2002\\_Gujarat\\_riots](https://en.wikipedia.org/wiki/2002_Gujarat_riots) (Accessed: 06 July 2025).*
- <sup>5</sup> *Constitutionality of section 377 IPC (2023) Supreme Court Observer. Available at: <https://www.scoobserver.in/cases/navtej-singh-johar-v-union-of-india-constitutionality-of-section-377-ipc-background/> (Accessed: 06 July 2025).*
- <sup>6</sup> *Human rights in India (2025) Wikipedia. Available at: [https://en.wikipedia.org/wiki/Human\\_rights\\_in\\_India](https://en.wikipedia.org/wiki/Human_rights_in_India) (Accessed: 06 July 2025).*
- <sup>7</sup> *Agrawal, A. (2025). History of human rights in India, LawBhoomi. Available at: <https://lawbhoomi.com/history-of-human-rights-in-india/> (Accessed: 06 July 2025).*
- <sup>8</sup> *Profile - fundamental rights. Know India: National Portal of India. Available at: <https://knowindia.india.gov.in/profile/fundamental-rights.php> (Accessed: 06 July 2025).*
- <sup>9</sup> *I am profoundly grateful to my mentor for his unwavering guidance and support throughout the course of my Research internship. Legal Intern, Office of Advocate Chetan Rai Thaman & Bakshish Singh - Mentor & Supervisor at District & Session Court, SAS Nagar Mohali, Punjab.*