



**COMPENDIUM OF
THE PROCEEDINGS OF THE
OPEN LETTER WRITING AND DELIBERATION
CONCLAVE
TO OBSERVE 'HUMAN RIGHTS DAY'
HELD ON
10 DECEMBER 2022**

**AT D.M. HARISH SCHOOL OF LAW,
HSNC UNIVERSITY, MUMBAI**

**IN THE AUGUST PRESENCE OF
DR. PARIVELAN K.M.
ASSOCIATE PROFESSOR,
SCHOOL OF LAW AND CONSTITUTIONAL GOVERNANCE
TATA INSTITUTE OF SOCIAL SCIENCES,
MUMBAI**



FROM THE DIRECTOR'S DESK

Dear Readers,

It gives me immense pleasure to pen a few words as a prologue to the proceedings of the open letter writing and deliberation conclave convened on 10 December 2022 at D.M. Harish School of Law, HSNC University, Mumbai to observe 'Human Rights Day'. Across the world, 10th December is celebrated as "Human Rights Day" to commemorate the adoption of the 1948 Universal Declaration of Human Rights by the United Nations General Assembly.



The principles enshrined in the Declaration continue to ring true even today. With an aim of creating awareness on human rights, D.M. Harish School of Law invited students to write open letters on aspects of human rights concerning a common man in his daily life. Students submitted their open letters on a range of topics pertaining to:

- human rights and law
- climate change, global warming, environmental and sustainability concerns and human rights
- science, technology and human rights
- business and human rights
- sports and human rights
- sociological and political concerns surrounding human rights

Students whose letters were selected were invited for a deliberation session which was convened in the august presence of Dr. Parivelan K.M., Associate Professor, Tata Institute of Social Sciences, Mumbai. This work is our endeavour to acknowledge and represent the views of the student delegates who participated in the deliberation session. It is hoped that this compendium will contribute to creating more awareness on the socially relevant and contemporary issue of human rights.

Dr. Nilima Chandiramani



TEAM BEHIND THIS PUBLICATION

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GLIMPSES FROM THE SESSION





FELICITATION OF THE WINNERS



**WINNERS: RITHIKA JANMANCHI,
ASTHA ARYA & MEGHA MANU**



RITHIKA JANMANCHI

BB.A./LL.B.(HONS) SEM.I

TO WHOMSOEVER IT MAY CONCERN



Subject: Marital rape and women's rights

Dear Sir/Ma'am,

A NO means a "NO"- be it said by an unmarried or a married woman. India is one of the 36 countries where marital rape is not yet criminalised whereas 150 countries have done so. Marital rape is an act where a spouse is forced to get into a physical relationship without consent; an act which I strongly believe disempowers women. There are many legal amendments provided for the well-being and welfare of women but not criminalising marital rape provides loophole to those predators who are eagerly waiting for one small chance who don't think a consent doesn't matter. Rape has been codified in Section 375 of the Indian Penal Code, 1860 which includes all forms of sexual assault including non-consent of women. However, Exception 2 to Section 375 exempts unwilling sexual intercourse between a husband and a wife over fifteen years of age from the legal definition of "rape". When a woman gets married, it is automatically believed that her consent has been given so she may be suppressed.

There are a majority of women who are still unaware about this and don't know that what is happening with them is a wrong, they need to raise their voice and take action against this. Their human rights have been violated. Isn't it important to protect their rights? Article 14 of the Constitution grants equality to all persons, yet married women stand discriminated in this aspect. Exception 2 to Section 375 refrains married women from accessing aid and protection from harassment caused by her own spouse. Husbands ought not to be exempted out of this because both partners are legally tied or tied by holy rituals. A rape remains a rape be- it done by an unrelated person or her own husband. Rather it gets more difficult for an Indian married woman to get away from such situation as she also passes through mental trauma and fears social stigma.

They may also fear as sometimes women are financially dependent on their spouses and may refrain themselves out of fear of providing for their kids and family. Here there is inequality between wife and husband where with the wife is being victimised. This brings us to the second point where women are discriminated on the basis of their marital status.



A woman's right cannot be taken away just because she is married. She has the right to protect herself and as a duty bound, our legal system should help. What if a husband forces his wife to get into a physical relationship knowingly as he is aware that he won't be legally punished or be tried or sent behind bars. This is a loophole that needs to be addressed by the legal system. A wrong is a wrong be it done by your family member.

I would also like to enlighten you with the word "personal liberty" under Article 21 of the Constitution. In simple words, it means a person has the freedom to do as per his choice and behave according to his ideology until and unless he harms another person. I think consent of a woman equally matters, whether she be married or not.

In *The State of Karnataka v. Krishnappa*, the Supreme Court held that "sexual violence apart from being a de-humanising act, is an unlawful intrusion of the right to privacy and sanctity of a female." A woman has her private life even after marriage and kids, she has the right to take decisions for herself, and no one has the right to oppose it. She has the right to live a dignified and a healthy life. A wife, after such an inhumane act, may be severely traumatised and live in fear. Her right to life is being taken away from her.

So, I Rithika Janmanchi think that Exception 2 of Section 375 should be abolished, and women should not be segregated based on their marital status. Isn't it their basic human right that is being violated here? I feel that a woman should not be neglected from being victimised nor a man be discharged of a crime. I urge that this matter be looked into as it is of great grievance. This would save many innocent lives and, I think that it is the duty of our legal system to protect the innocent.

Yours truly

RITHIKA JANMANCHI



ASTHA ARYA

B.A./LL.B. SEM.I

TO WHOMSOEVER IT MAY CONCERN



Subject: Human trafficking and human rights

The literal meaning of human trafficking is often seen as trading in humans for various purposes- forced labor, sexual slavery or commercial sexual exploitation. Humans may be trafficked for forced marriages or extraction of organs or tissues or surrogacy and ova removal. Human trafficking violate the human right to live freely as the victims are coerced to get smuggled. Human trafficking is prohibited under Article 23 of the Constitution of India and Section 370 of the Indian Penal Code,1860.

Traffickers mainly target women and children and have turned this into an illegal business worldwide which takes away rights of millions of people. Top countries having a high presence of human trafficking include Pakistan, China, India, Indonesia and Bangladesh. This mostly violates the fundamental rights of affected people. I am sympathetic and empathetic towards the victims as they are forced to do illegal activities and get into sexual interactions with strangers or often get married without their consent. Many a times, we have also seen in movies where women have fled from their homes and arrived in larger cities for work but end up getting trafficked or sold to traffickers who exploit them either sexually or for labor. This is a major issue in relation to human rights as the right of a person to freely move or live has been violated to an extreme extent. Main concerns are lack of education, sanitation, health concerns and monetary issues and many more such problems are associated with human trafficking. It is a global wrong ruining millions of lives. Traffickers deceive men, women and children from all corners of the world and trick them into exploitation of many kinds. Major concerns of human trafficking are the condition of the victims by subjecting them to rape, starvation, torturing physically and mentally, beaten drugged and more, etc. It is heinous crime done against humans, traffickers mainly target youth under the age of 18 and lure them into such dangerous situations. The major psychological issue that creeps into victims are mainly depression and anxiety.



Major reason as to why human trafficking takes place is because :

- Very high demand for cheap labour due to high rates of labour in growing economy. This leads to high demand for cheap labor and services.
- Poverty is a worldwide issue where people are monetarily dealing with it almost in their everyday lives. This is a major reason for humans to become more vulnerable to being trafficked or may find themselves becoming traffickers.
- Lack of education is a problem where uneducated people may get tricked to earn money and also get duped by others who deceive them. Because people have less knowledge about their rights, many others take advantage of this vulnerability.
- Trafficking generates stupendous profits as people are smuggled and sold for lower rates of prices for labor or servitude. Human trafficking includes sex trafficking which also gains whacking profits for commercial sex.

In such consequential situations, victims are confined or constrained in such manners that it becomes strenuous to break free from such circumstances. Even if they try to, they are seized back and are abused heinously. However, if some are lucky enough there are rescuers and responders to get victims out of the trafficking chain. To end this chain or if possible, reduce it, we can create multiple awareness programs to let the uneducated know the seriousness and misery of such a crime. It is important also create programs to rescue the victims and fundraise so that we can help the victims to lead a better life with their rights and dignity. Improving legal procedures and have stricter law enforcement on such crimes is needed to reduce it to an extent. Providing better education system so that people do not become vulnerable to such activities and also produce more employment opportunities so that traffickers also do not get into such processes. These are some solutions that could be applied to either end or at least reduce human trafficking.

In today's day and era - Human trafficking has become inevitable and traffickers are producing large profits from such chains, it has become a global stumbling block as it is between the victims and their rights. We as citizens could support them by fundraising so that they could come out of such strenuous conditions. The Immortal Traffic in Persons Act 1956 prohibits such trade of humans. Human trafficking has been intensifying progressively, Stand inimical to Human Trafficking before it's too late!

Yours truly

ASTHA ARYA



MEGHA MANU

BB.A./LL.B.(HONS) SEM.I

TO WHOMSOEVER IT MAY CONCERN

Subject: Human rights violation



In India, human rights have forever been a widespread issue. Indeed, even before India got its freedom, the Britishers caused a lot of gross lead toward Indians bringing about various human rights violations. After obtaining independence, the drafters of the Constitution of India attempted to ensure that adequate protection in the form of fundamental rights, freedom to speech, expression, and religion are available to the citizens alongside a vigorous regulative and free legal system to limit and eradicate human rights violation in the country.

For instance, in religious violence: The 1984 Anti-Sikh riots, which started because of the assassination of the then State leader of India Indira Gandhi, was a coordinated fomentation against the Sikh community, which brought about killings of 3,000 Sikhs in New Delhi and roughly 8,000 in India. The Sikh community was slaughtered fiercely, alongside the Khalistan development, which demanded independence from India.

The 2002 Gujrat riots were communal violence among Hindus and minority Muslims in the province of Gujrat. The Godhra train consuming occurrence in which around 60 Hindu pilgrims were burnt alive when the train was set ablaze at Godhra station, became an issue in the riot which extended for numerous days, bringing about passings of 1,000 honest Muslims. A few gross human rights violations were recorded, including assault, plundering, obliteration of private property, and even burning people alive.

Freedom of speech and expression: The Indian Constitution has granted the right to freedom of speech and expression under Article 19(1)(a). However, the government has been instrumental and firm in presenting regulations like the Official Secrets Act, Unlawful Activities (Prevention) Act, and so forth. Several people are arrested consistently under sedition laws for raising their voices against the misuse of democratic powers and dissenting from the anti-democratic policies of the government. With solid dissent against the Official Secrets Act, the government at last acquainted much-needed amendments to make it fairer with the acquaintance of the Right to Information Act, 2005.



In conclusion, there is no exact number of sorts of human rights violations at this point, and they can be of different sorts. A portion of the more prominent violations are the separation of LGBTQ privileges, opportunity of affiliation, extrajudicial killings, child rights, and a lot more in spite of the fact that positive developments are being taken as is clear from the case of giving LGBT individuals a lawful right to carry on with their way of life in their regular manner by High Court's decision in Navtej Singh Johar v. Association of India. However, the government alongside the general public is perceiving the issues and worries of the people in question, and satisfactory advances are being taken as strategy changes and new regulations to annihilate these hurtful practices from our general public.

Yours truly

MEGHA MANU



ARYAN KANGA

BB.A./LL.B.(HONS) SEM.I

TO WHOMSOEVER IT MAY CONCERN



Subject: Effect of climate change and global warming on human rights

I am penning this letter to bring to your notice and highlight the unpropitious, adverse, and gory effects of climate change and global warming on human rights. Every human has the right to live in a healthy environment. In fact, the Constitution of India under Part III, guarantees fundamental rights which are essential for the development of every individual and to which every person is entitled by virtue of being human alone. Right to environment is also a right without which development of individual and realisation of his or her full potential is not possible. Articles 21, 14 and 19 of the Constitution have been used for environmental protection. Article 21, one of the most prominent articles of the Indian Constitution, guarantees the fundamental right to life. Right to environment, free of danger of disease and infection is inherent in it. Right to healthy environment is an important attribute of the right to live with dignity. However, climate change is one of the greatest threats to human rights of our generation, posing a serious risk to the fundamental rights to life, health, food, and an adequate standard of living of individuals and of communities across the world. More frequent and intense drought, storms, heat waves, rising sea levels, melting glaciers, and warming oceans can directly harm animals, raze the places they live in, and wreak havoc on people's livelihoods.

Climate change impacts are clearly visible all round the world including India. In India, child stunting is projected to increase by 35% by 2050. As per IQAir's 2021 rich and detailed air quality data, India is the 5th most polluted country with 58.1 micrograms divided by cubic meters ($\mu\text{g}/\text{m}^3$). I was stupefied by the fact that out of the top 50 most polluted cities in the world, 34 of them are in India's geographical boundary. I myself have seen inauspicious changes in myself in the recent years. Being a fitness maniac and gym junkie, I still fall victim to pollution and effects of climate change. The geriatric age group (65 years) do not keep up with their health in my area too and the only foremost reason they fall ill can be linked to horrendous climatic conditions.



The environmental consequences threaten civil and political, economic, and cultural rights too. On a national level, those people who are adversely affected also include members of minority groups- women, children etc. According to IPCC projections, climate change will significantly affect and reduce the surface water and groundwater resources in many dry subtropical regions. Climate change also increases the frequency of droughts in these dry subtropical areas. These projected droughts and water shortages may lead to reduced rainfall and snowpack, higher temperatures, which increases the evaporation of water from the surface. The IPCC report also states that climate change will reduce “the population, vigour and viability” of many species and we humans are one of them.

The effects of climate change on crop and food production are already evident in many regions. Changes in temperature and rainfall precipitation have negatively affected wheat and maize on a large scale in many regions. Climate change also adversely affects the production of fisheries. The tropical and temperate regions before long will face an adverse impact on the production of major crops like wheat and rice. Rising sea levels, coastal storms, heat stress, coastal flooding, landslides, air pollution will have a profound impact on physical infrastructure and human settlements. Urban climate change-related risks are increasing, with widespread negative impacts on human health, their assets, as well as local and national economy and ecosystems. Climate change contributes to increase in prices of food grains, large scale conflicts and individual and household-level disturbance. Right to food, right to clean and fresh water, right to adequate standard of living and right to property are adversely affected on a large scale due to environmental degradation. If climate change projections continue under various scenarios, it will affect human life expectancy rate and risk of injury, disease, and death due to more intense heat waves and fires. In some regions, combined effects of higher average temperature and higher humidity will also create significant health risks.

Yours truly

ARYAN KANGA



GAURAV ASWANI

B.A.F., SEM.II, H.R. COLLEGE

TO WHOMSOEVER IT MAY CONCERN

Subject- Business and human rights



It is not uncommon to hear of blood-curdling working conditions at mega-corporations. It is not rare to read about the nail-biting ecological effects of industrial operations. It is not infrequent that companies are solely put on trial for these misdeeds. I reject this treatment. The customer is also culpable, in part, for the tragic state of affairs we see today. The customer might recoil in horror at this assertion. What has he done that merits such impassioned condemnation? What is so deplorable about his behaviour? Is it not the fault of behemoth corporations for the poisoning of rivers and subjugation of the downtrodden?

Let us examine, bit by bit, every question that has been posited. The Customer loves a good deal. He peers through a directory of competitors, enumerates discount codes, and employs every tactic to get the cost of his greedy purchases down to the minimum. What's more, the customer wants the object of his desire to get to him fast. Fast. Within weeks of deciding on the birthday gift. Faster. Within days of discovering the book. No, faster. Within hours of realising the phone cover was busted. Come on now, faster. Within ten minutes of realising the pantry isn't fully stocked. Still faster? You may now begin to understand the absurd expectations of The Customer.

Second, a business is beleaguered by opportunistic investors who impel management to post promising quarterly earnings every time. The costs of a hyperactive supply chain, minimal selling prices and still increasing margins have to be borne by someone. Creditors and customers are unsympathetic, which leaves two vulnerable candidates for carrying the corporate burden. Workers. The plight of wage labourers, workshop and factory workers, especially of large firms is one of the obloquies of the modern age. While the current arrangement is marginally better than feudalism, the ugly truth that workers are severely underpaid cannot be gainsaid. The Economic Policy Institute through its report, tracking CEO and wage worker pay in American companies from 1978 to 2021, paints a sorry picture. CEO pay has flourished – registering a 1,322% rise since the base, whereas worker pay has only grown 18%. The ratio of CEO and worker earnings is 351:1 today. The issue far exceeds pay, many FAANG companies' workers have reported dehumanising working conditions – no holidays, no overtime pay, no bathroom breaks allowed outside lunch hours, and many more transgressions. The impinging of human rights has been achieved through the surgical dismantling of labour unions. But large corporations aren't happy with just driving a stake through the heart of human rights, they seem to extract a perverse joy from making an example out of noble attempts. Only recently, Starbucks shut down the first joint in Seattle, USA which had attempted to unionise workers.



The other martyr is the environment. Manufacturing, packaging, and transportation produce a plethora of undesirable by-products that do critical damage to the ecology of our planet. This is no enigma. For some bizarre consideration, however, our societal conscience has allowed individuals and businesses to lay claim to natural resources, to alter as much as they like, the reserves of biology for commercial gain, with complete impunity. The fashion industry alone accounts for 10% of carbon emissions, and a staggering fifth of industrial wastewater pollution (courtesy, Environmental Sustainability in the Fashion Industry, by the Geneva Environment Network). With most of the dialogue around sustainability being about climate change, so many of the detrimental effects of micro-plastic water contamination and other life-harming poisons of corporate malfeasance are overlooked.

What is the accounting standard for the mistreatment of the worker class, of the desecration of sanctuaries and biosystems? What balance sheet can reflect the widespread harm of a corporate undertaking? Presently, there is a disappointing silence to these salient questions. This brings me to my final accusation. Is it all the folly of corporate greed?

No. Truth be told, you and I, along with the government machinery and of course the corporate brass are in a sick conspiracy. The conspiracy is based on the unending, unquenchable, and unstoppable greed to consume. The Customer cannot stop consuming. And opportune businesses, by design, cannot stop servicing this greed. Firms do not derive any inherent benefit from disposing of waste, accelerating emissions, and causing humanitarian havoc. These are only the symptoms of an underlying sickness. The crisis de jour is to freeze this exponential growth of debauchery. With a growing population, policy framers must strike the balance between controlling the foibles of corporates, while veering away from authoritarianism. But without stifling the greed of The Customer, untangling the mess is akin to a dog chasing its own tail. Perhaps Shyam Sarvan was right. In his piece, Too Little, Too Late, Sarvan speaks on the achievements of COP 27 and the energy transition. "The world may have engaged in this transition too little, too late". An economist would rationalize the behaviour of The Customer. A karmic unravelling exposes an ugly truth. Whatever the saves of The Customer, however many his clever ploys, somewhere, somebody has to pay the price.

Yours truly

GAURAV ASWANI



JOSEPH SELDOW

B.A./LL.B. SEM.I

TO WHOMSOEVER IT MAY CONCERN



Subject:- Technology and human rights

Technology has advanced a lot since the past 3 decades. Due to this many things in society have changed in every possible way. People are more connected because due to the internet the world seems smaller, the world is also growing faster because information can be sent within a matter of seconds and finally there is an abundance of information out there because with one quick search you will be provided with thousands of results from different sources. Smartphones are also a necessity nowadays. Before mobile phones were only used for calling now it is used for various purposes such as sending mails, for entertainment, clicking pictures and much more. Since smartphones are now a necessity, everyone has them in their pockets one can access the internet anytime one wants. Another advancement in technology is the advancement in Forensic science and technology, before it was really difficult to track down culprits, it would take years to find the culprit, but times have changed. With the help of better surveillance cameras, improvement in isotope analysis has made it easier to solve difficult crimes.

When it comes to fighting for human rights with the advance of technology it has become much easier. People find information on the internet through search engines like google, yahoo etc. The growth of the internet has led to birth of social media, YouTube, Facebook, Twitter and Twitter to name a few. These apps are used by almost everyone on the planet from both the young and older generation. So, these are the ways how social media fights for human rights.

1) Awareness: As described earlier the internet has an abundance of information on various things. The internet is like a big library which anyone can access. No matter the issue whether it is within the country or international most people now have a basic idea of the issue. For example, the Russian and Ukraine war, people from all across the world became aware about the issue. People expressed concerns over social media and TV. Unlike before when getting crucial information was difficult due to the absence of the internet, in our digital age we can receive this information within a few hours.



2) Zero Tolerance: Due to awareness there is zero tolerance for any sort of crime. Tracking down culprits or causes of such crimes has become easier. If a person is being racist, sexist, homophobic etc. They are ostracized by the people in society. For example, when the culprits of the Nirbhaya case were found guilty they were sentenced to death, they were not sent to jail. Due to years of injustice faced by victims of such crimes the people in the society have taken strict action.

3) Influence of Social media on government: Nowadays political parties and governments are very careful about social media. If a person or group of persons are found to be frauds or perpetrators of a certain crime or violation of human rights their credibility will be affected and this will affect their career. To an extent this is a good thing because removing individuals who only desire to intent to cause more suffering will benefit the people in the long run.

4) Freedom of speech: Freedom of speech is one the reasons why are able to discuss about certain social issues. Social issues such as caste discrimination, women's rights, men rights, farmers rights are all brought into the limelight by the people in a society. So, with the help of social media these topics get covered. The best examples are podcasts, a podcast serves a place in which guests with certain views are invited by the host to speak or debate on certain topics. Bloggers write express their views on certain websites about current affairs, you-tubers who have a great knowledge about human rights and other social events create content pertaining to these topics due to which the march for protecting human rights continues to grow.

This is the relationship between technology and the fight to protect human rights. As technology evolves justice can be brought to the victims of such heinous crimes. Although arguments such as, violation of human rights still being prevalent or spread of misinformation can be made the collective support of people all over the globe is a good start. I believe so since such large-scale awareness is already present even in the younger generation, the future of fighting for human rights will become easier because we will not only have the deep understanding, we will also get wiser through experience.

And also, in order to combat the spread of misinformation we have go through trial and error only then we will understand the difference between fake news and real news.

Yours truly

JOSEPH SELDOW



MEGHANA MENON

BB.A./LL.B.(HONS) SEM.I

TO WHOMSOEVER IT MAY CONCERN

Subject: Domestic violence and human rights



The pressing issue in today's era, is domestic violence. Domestic violence is an issue that has been raised since so many years, but still remains rampant in many parts of the world. It is a menace to the society. Hence, I would like to address this grave issue by first describing what domestic violence is. Domestic violence can be defined as a pattern of behaviour in any relationship that is used to gain or maintain power and control over an intimate partner. This includes any behaviour that frightens, hurts, manipulates, blames, or injures someone. Often women and children are soft targets of domestic violence. The partner in the marriage tends to go through severe trauma and critical injuries that can even risk their life. In spite of the domestic violence act, there are people out there who are not vocal about this serious issue and they rather choose to be ignorant about it. Moreover, mentally it affects the children from this inhuman behaviour. The children experiencing this go through trauma that can affect their mental health.

This article is to inform both men and women that they are not alone and by being vocal will not only help them but also will send out a serious warning signal to the society to oppose such atrocities with more effective legal laws which will deter the oppressor in domestic violence to stop.

Domestic violence can cause several mental health issues like PTSD (post-traumatic stress disorder), depression, insomnia and so on. The physical abuse a victim goes through in a marriage can be fatal. Children are mostly the one who bears the brunt of their parents' fight. This in turn affects their mental well-being such as concentration in school and it also makes them vulnerable. This can affect their behaviour in a negative way. For example, as per the statistics, over 70% cases in which children are involved in domestic violence tend to behave the same way when they are adults and treat their partner the same way. I would like to provide a case study on this issue. A landmark case of domestic violence is *Inder Raj Malik v. Sunita Malik*, (1986).



Facts of the case:

This case involves Sunita Malik (complainant) and her husband, Inder Raj Malik (respondent). In order to extract lump sum amount and articles such as gold jewellery, the complainant Sunita was treated cruelly, beaten, starved, and abused by her husband and in-laws after marriage especially at the time of festivals and auspicious occasions.

One day, she was tortured physically and mentally to the point that she fainted in her matrimonial home and no doctor was called for her medical checkup. Sunita was under death and kidnapping threats given by her mother-in-law and brother-in-law. They made sure she compelled her parents to sell their property in Hauz Qazi. As a result, the complainant, Sunita was treated cruelly and physically tortured by her husband and in-laws. Sunita was harassed in order to force her, or anyone associated with her to meet an illegal requirement for immovable or movable property.

Judgment given by the court:

In this particular instance, the Delhi high court had to decide whether a person could be convicted under both sections 4 of the dowry prohibition act and section 498A of the Indian penal code. The court held that an individual can be convicted under both the acts without facing double jeopardy. The court held that section 498A IPC, and section 4 of the dowry prohibition act are distinct, since, under section 4 of the dowry prohibition act b, mere demand of dowry is subject to punishment. Whereas, in section 498A, an act of cruelty committed against a newlywed woman is punishable. As a result, it is possible to conclude that a person is subject to prosecution under both section 4 of the dowry prohibition act and section 498A of the Indian penal code.

Laws made to punish the accused should be more stringent so that it will create an impact about the severity of domestic violence and will deter people from practicing domestic violence. In order to create awareness, there should be seminars held to educate people about the various strict laws enforced by the government which will definitely curb the menace.

Yours truly

MEGHANA MENON



PRAKRUTI PARMAR

BB.A./LL.B.(HONS) SEM.I

TO WHOMSOEVER IT MAY CONCERN

Subject: Women's rights as human rights

Respected Ma'am,



We are all entitled to human rights. These include the right to live free from violence and discrimination; to enjoy the highest attainable standard of physical and mental health; to be educated; to own property; to vote; and to earn an equal wage. But across the globe many women and girls still face discrimination on the basis of sex and gender. Gender inequality underpins many problems which disproportionately affect women and girls, such as domestic and sexual violence, lower pay, lack of access to education, and inadequate healthcare.

For many years women's rights movements have fought hard to address this inequality, campaigning to change laws or taking to the streets to demand their rights are respected. And new movements have flourished in the digital age, such as the #MeToo campaign which highlights the prevalence of gender-based violence and sexual harassment. What do we mean when we talk about women's rights? What are we fighting for? Here are just some examples of the rights which activists throughout the centuries and today have been fighting for:

During the 19th and early 20th centuries people began to agitate for the right of women to vote. In 1893 New Zealand became the first country to give women the right to vote on a national level. This movement grew to spread all around the world, and thanks to the efforts of everyone involved in this struggle, today women's suffrage is a right under the Convention on the Elimination of All Forms of Discrimination Against Women (1979). However, despite these developments there are still many places around the world where it is very difficult for women to exercise this right. Take Syria for example, where women have been effectively cut off from political engagement, including the ongoing peace process.

In Pakistan, although voting is a constitutional right, in some areas women have been effectively prohibited from voting due to powerful figures in their communities using patriarchal local customs to bar them from going to the polls. And in Afghanistan, authorities recently decided to introduce mandatory photo screening at polling stations, making voting problematic for women in conservative areas, where most women cover their faces in public.



Sexual and Reproductive Rights: Everyone should be able to make decisions about their own body. Every woman and girl has sexual and reproductive rights. This means they are entitled to equal access to health services like contraception and safe abortions, to choose if, when, and who they marry, and to decide if they want to have children and if so how many, when and with who. Women should be able to live without fear of gender-based violence, including rape and other sexual violence, female genital mutilation (FGM), forced marriage, forced pregnancy, forced abortion, or forced sterilization. But there's a long way to go until all women can enjoy these rights. For example, many women and girls around the world are still unable to access safe and legal abortions. In several countries, people who want or need to end pregnancies are often forced to make an impossible choice: put their lives at risk or go to jail. In Argentina, Amnesty International has campaigned alongside grassroots human rights defenders to change the country's strict abortion laws. There have been some major steps forward, but women and girls are still being harmed by laws which mean they cannot make choices about their own bodies. South Korea has recently seen major advances in sexual and reproductive rights after many years of campaigning by Amnesty and other groups, culminating in a ruling by South Korea's Constitutional Court that orders the government to decriminalize abortion in the country and reform the country's highly restrictive abortion laws by the end of 2020. Gender-based violence is when violent acts are committed against women and LGBTI people on the basis of their orientation, gender identity, or sex characteristics. Gender based violence happens to women and girls in disproportionate numbers. Women and girls in conflict are especially at risk from violence, and throughout history sexual violence has been used as a weapon of war. For example, we have documented how many women who fled attacks from Boko Haram in Nigeria have been subjected to sexual violence and rape by the Nigerian military. Globally, on average 30% of all women who have been in a relationship have experienced physical and/or sexual violence committed against them by their partner. Women are more likely to be victims of sexual assault including rape, and are more likely to be the victims of so-called "honour crimes". Violence against women is a major human rights violation. It is the responsibility of a state to protect women from gender-based violence – even domestic abuse behind closed doors.

Women's Rights are Human Rights

It might seem like an obvious point, but we cannot have a free and equal society until everyone is free and equal. Until women enjoy the same rights as men, this inequality is everyone's problem. According to the UN, "gender equality and the empowerment of women and girls is not just a goal in itself, but a key to sustainable development, economic growth, and peace and security". Research has shown this to be the case – society gets better for everyone when women's rights are upheld and taken seriously. We're stronger when we work together. Although grassroots movements have done so much to effect change, when everyone comes together to support women's rights, we can be so much stronger. By working alongside individual activists and campaigners on the ground as well as running our own targeted campaigns, movements.

Yours truly

PRAKRUTI PARMAR



ROHAN AHER

LL.B. SEM.III

TO WHOMSOEVER IT MAY CONCERN

Subject: Sociological and political concerns surrounding human rights



Sociology as a study though widely known to be initiated in ancient Greek by eminent philosophers like Socrates, Plato and Aristotle, it, as a subject itself can be safely considered to be in existence since humans developed themselves of being conscious. The early traces can be found on the walls of the caves, through paintings depicting the social structure of the society, then. Hence the nexus of the sociological order and the humans, is there since the existence of the humans themselves. Sociology which studies the human behaviour pertaining to religion, gender, health, economy, human relations and co-existence among other subjects, Politics on the other hand is part of social science which deals with the governance of the society through collective representation and power allocation for such control. Polity itself means an organised society and Politics is the process of civil governance according to the principles laid down by the constitution. Hence, for a co-existence of people in a society, politics becomes an integral part to bring in order for such co-existence.

Sociology and Politics within themselves are harmonised, inseparable, positive and favourable concepts for societal development. However, the human greed for power, control, superiority and domination over the fellows has eclipsed the absolute existence of such harmony. India as a country has Socialist flavour to its constitution, added in the 42nd amendment act of the constitution in the year 1976. Now, it is interesting to delve into such amendment, since it was done during the period of infamous emergency declared by the then government in ruling at the centre. Earlier to such amendment, though the term 'Socialist' wasn't part of the preamble, it was an unnecessitated action, since the constitution was inwrought with the flavours of socialism through social and economic equality mentioned in the preamble and under the provisions of article 14. However, the then political regime, under the umbrella or rather masquerade of Socialism, arm-twisted its own civilians for complete political control displaying naked anarchism through State policies. The process of such hunger of power to control the polity began well before the Emergency period of 1975.

Drawing reference from R.C. Cooper case, the banks were nationalised; under the camouflage of land reforms, the properties of individuals and trusts were grabbed without being rationally compensated; while, during the emergency the intensity of such authoritarian atrocities increased multiple folds, to name few – implementation of forced



sterilization to control population, control on media by alleged detention of the editors and journalists of the press and the arrest of Maharani Gayatri Devi of Jaipur under the draconian COFEPOSA (Conservation of Foreign Exchange and Prevention of Smuggling Act), for alleged undeclared gold and wealth. Such abomination though carried out under the State policy of social reforms, were completely in contrast with Socialist theory thought by our law makers while framing the constitution. It won't be an exaggeration to culminate that the chronicles of the Emergency blatantly portray a gross violation of Human Rights to its fullest.

In the more contemporary scenario, the situation isn't improved either. In recent years, the society has been polarized through radicalization in the communities, completely demolishing the concept of Fraternity mentioned in our constitution, which forms the part of socialistic behaviour. To give fuel to such divide, there is a desire of continuously being into power centre, to rule the polity under disguise of democracy. Drawing source from 'The Silent Coup – A history of India's Deep State', authored by renowned writer-journalist and political reporter Mr. Josy Joseph, the book defogs the opaque business of incivility carried on by the State authorities. The book deals with terrorist activities being induced in past two decades in India. The executive machinery who has the principal responsibility to maintain the law and order, is used as a tool to commit atrocities on innocent civilians on the basis of fake information received by the so-called informants aiding the authorities for such illegal arrests. Innocent people out of no reason and without single evidence are accused as terrorists, arrested, tried and imprisoned just to demonstrate that the authorities were able to crack the cases in least possible time. The fact is, such illegal arrests and imprisonments are done under public pressure as a face-saver for their own non-performance of not being able to arrest the real culprits. In few cases, it was observed that the informants of such authorities themselves had personal feud with the accused, against whom they give information of being the prime suspect. Such disgraceful acts by individuals to frame their own people for the acts that they haven't committed, tear apart the concept of socialism and fraternity.

Instead of being servants of the citizens of India and protectors of their rights, the executive machinery who is responsible for law and order of the society, have become tools of the State to overpower the fundamental rights enshrined by the Constitution of India to its own people. To achieve political gains, the rogue elements in politics can implement inhumane practices to ensure staying in power, even if it comes to killing of human rights of their own citizens. It doesn't matter whether you are staying in a cosmopolitan urban city or some remote rural village, whether you are a resident of valleys in Kashmir or staying in tribal areas in the northeast of India, the Sociological and Political concerns wear different attires but the soul underneath it is the same!

Yours truly

ROHAN AHER



RIMA AJMERWALA

LL.B., SEM. III

TO WHOMSOEVER IT MAY CONCERN

Subject:- Science and human rights



The first time a link between science and human rights was established, dates back to the enlightenment of the eighteenth century, when the French Declaration of the Rights of Man and of the Citizen was adopted. It then took another 150 years for the precise connections between science and human rights to be formed.

There are several connections between science, technology and human rights which can be discerned. Scientists have human rights which include the freedom to form associations with others in their profession and, to conduct research in a responsible manner. Right to access and communicate scientific information and to cooperate internationally are also part of their rights. Open democracies and repressive regimes have often demonstrated their capacity to violate these rights, such as the prohibition of publication of information about HIV virus, when climate scientists were silenced and even the persecution of medical doctors who provided care to anti-government protesters. They do this in the name of national security and to protect the elites and silence politically embarrassing truths.

Science and technology is applied for human rights purposes in many ways. Scientists have been developing tools and methods that have helped strengthen human rights work and that unearth new truths. For example, the analysis of geospatial images which document mass human rights violations in remote parts of the world, the impact of mining on local communities which has resulted in soil and water contamination.

Article 27 of the Universal Declaration of Human Rights affirms everyone's right to participate and benefit from scientific advances and also be protected from scientific misuse. Science and its applications are indispensable for the development of States and it is vital that developing countries have enhanced support for building up an adequate scientific and technological capacity by providing appropriate education and research programmes. Article 15 of the Universal Declaration on Bioethics and Human Rights on sharing of benefits affirms that scientists have the right to receive special assistance and acknowledgment of the work and research they have done. People have the right to quality health care and access to new diagnostic and therapeutic modalities or products stemming from research. People have the right to have access to scientific and technological knowledge.



Science and technology can negatively impact human rights as well. While scientific discoveries and technological advances open vast prospects for economic, social and cultural progress, they can endanger the rights and freedoms of individuals and require continuing attention. After the atrocities witnessed in the Second World War, collaborated efforts have been made to ensure unethical practices of human rights violations perpetrated by scientists are ceased. It is crucial to protect physical and intellectual integrity in light of technological advances as well as biology , medicine and biochemistry. There must be a limit on the use of electronics to protect the rights of individuals. Appropriate measures to prevent the use of scientific and technological advancements that interfere or limit the enjoyment of human rights and fundamental freedoms of individuals must be taken.

The advances in scientific fields raise complex challenges for human rights today which can only be solved in a concerted effort made by the scientific community and human rights experts. Technologies that pollute and contribute to climate change violate the human rights of health and water of individuals. Scientists and engineers need to become more aware of the important social implications of their work and find way in which a rights based approach can increase the impact of their research.

Yours truly

RIMA AJMERWALLA



CONCLUDING REMARKS

Dear Readers,

I take this opportunity to offer a brief epilogue to the proceedings of the Human Rights Day Open Letter Writing and Deliberation conclave held on 10 December 2022. I would like to thank our student delegates for enthusiastically participating by submitting their open letters on diverse themes pertaining to human rights and in participating in the enlightening and enriching deliberation conclave.



I would also like to express my sincere gratitude to Prof. Parivelan K.M., for accepting out invitation and chairing the deliberation session. Given his dynamic experience in the field of human rights, I am sure all have benefitted from the same.

Words will never be enough in emphasising the need to respect and defend human rights. It has been an aspiration to have a society built on equality, non-discrimination and access to opportunities for all. As we enter the 75th year of commemorating human rights day, let us commit ourselves in working towards building such a society. I hope that our efforts in engaging the much needed discussion on everyday topics of human rights will have a meaningful impact and I am also hopeful that you have enjoyed reading this compendium as much as we have in planning and hosting this event.

The organising committee looks forward to a stellar participation this year as well.

Until next time.

PROF. SHAHIZA IRANI



PAST EVENTS

DEBATE COMPETITION - SHOULD THE LEGAL AGE OF MARRIAGE OF WOMEN BE INCREASED FROM 18 TO 21?



ELOCUTION COMPETITION - FREEDOM OF SPEECH AND EXPRESSION- BOON OR BANE?





PAST EVENTS

MOOT COURT SIMULATION



MOOT COURT COMPETITION





PAST EVENTS

POLICE STATION VISIT



MAHARASHTRA STATE COMMISSION FOR WOMEN VISIT





PAST EVENTS

LEGAL AWARENESS CAMPAIGN STREET PLAY ON THE TRANSPLANTATION OF HUMAN ORGANS AND TISSUES ACT, 1994



COURT VISITS





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