

CITIZENS HUMAN RIGHTS MANIFESTO FOR INDIA 2024



CITIZENS FOR JUSTICE AND
PEACE

PUCL

PEOPLE'S UNION FOR CIVIL
LIBERTIES MAHARASHTRA

INTRODUCTION

The Citizen's Human Rights Manifesto (CHRM) for India 2024 is a people's election' dialogue tool, compiled by the Citizens for Justice & Peace (cjp.org.in) and People's Union for Civil Liberties (PUCL), Maharashtra, addressed to all political parties committed to the democratic, secular republic of India as envisaged under the Indian Constitution. The Manifesto, which is informed by our experience of working on human rights issues and engagement with people's organisations, movements and human rights groups, is designed to open a conversation between Indian voters and prospective political leaders about definitive human rights commitments, should they secure the vote in the 2024 elections and other successive elections. Precisely, the Manifesto captures 14 Key Human Rights asks and 1 Major Demand to the prospective leaders, asking them to sign up to a pact to uphold or work towards the listed human rights asks. The Manifesto offers an opportunity to communities to have a dialogue on the forthcoming elections that is people-centric and ensures their rights and dignities. Under this manifesto, political parties will be required to commit in a clear and documented way to rectifying the democratic deficit, de-criminalising laws, and de-toxifying the social stratosphere. The Manifesto uses the universal language of human rights to express what the Indian citizenry expects from those who aspire to lead.

As human rights groups and individuals committed to a free and just India, we also demand that Governments abide by the implementation of the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Protect Universally Recognised Human Rights and Fundamental Freedoms (Declaration on Human Rights Defenders).

- Explicitly recognise the right of everyone to protect and promote human rights and publicly support the important action of defenders, acknowledging their contribution to the advancement of peace, justice, equality, dignity, good governance and sustainable development.
- Ensure a safe and enabling environment in which human rights defenders are effectively protected and where it is possible to defend and promote human rights without fear of punishment, reprisal or intimidation.

The list is not exhaustive, but indicative of the need for political will, commitment and effort to bring in much needed reforms with a view to promote and protect human rights in our country. In the lead up to the general elections of 2024 and all state elections after that, we hope this document will serve as a democratic tool that can also be used by other organisations across the social spectrum with a single aim - to hold political parties accountable to human rights. To engender and infuse a human rights culture, with commitments, in all aspects of national and social life: within families, communities, society, in corporations, schools, institutions of governance and most crucially, between state structures and the people of India. The endeavour will be to seek endorsements from civil society groups and organisations across the country.

MANIFESTO

ASK ONE

Right to Peaceful Assembly and Freedom of Expression and Association

UPHOLD

[Article 19 (1) (a) (b) (c) (d) and (g) of the Chapter III of the Fundamental Rights under the Indian Constitution]

- Uphold the constitutionally guaranteed right to protest of citizens, which includes the freedom of speech and expression, association and assembly.
- Ensure access to public spaces for democratic protests by the people, to ensure active public participation in public affairs.
- Stop the perennial misuse of Section 144 of the Code of Criminal Procedure (CrPC)[i] and provisions prohibiting and restricting right to assembly under local / state police laws.
- Stop the misuse of the Prevention of Seditious Meetings Act, 1911 and repeal the said Act.[ii]
- Ensure that restrictions under Essential Services Maintenance Act, 1968 are not made applicable to strikes/agitations by workers and government employees.
- All workers/employees/officers central/state government employees should have a right to form unions/associations and recognition should be based on secret ballot.
- Students in universities, public and private should have the right to form associations and contest elections.
- Ensure that freedom of expression is safeguarded in all forms, including the arts.
- Stop the use of force on protestors and civilians including but not limited to firing, use of pellet guns, tear gas, water cannons, lathi charge etc. Ensure that security forces, including the police, abide by the United Nations basic principles on the use of force and firearms by law enforcement officials.
- Stop the criminalisation, detentions and arrests of protestors, and curb the misuse of law to stifle free speech. Stop filing criminal cases against journalists, academicians, students, environment, climate and indigenous activists and all human rights defenders who raise their voice in protest and dissent.
- Stop the practice of imposing travel bans on human rights activists who intend to leave the country to engage with the human rights community, government and institutions abroad.
- Allow human rights defenders (HRDs) full and free access to police stations, prisoners etc.[iii]

Right to Information

UPHOLD

[Article 19 (1) (a) of the Chapter III of the Fundamental Rights under the Indian Constitution]

- Stop any attempts at dilution of the Right to Information Act, 2005 (RTI).
- Repeal the amendments made to RTI through the Digital Personal Data Protection Act, 2023[iv].
- Ensure the Information Commissions are fully staffed to avoid the pile-up of RTI requests/appeals and ensure speedy disposal of requests.
- Implement process for quick, time-bound appraisal of the more than 19,000 complaints and appeals currently pending with the CIC.
- Ensure that the appointment of the Central and state Information Commissions meet Constitutional standards of independence, autonomy, accountability and transparency, compliance and responsible behaviour by the private sector and facilitate access to remedy for the public in matters concerning violation of environment and human rights by businesses.
- Refrain from censoring social and conventional media and stop regulative censorship on information.

[Article 19 (1) (a) of the Chapter III of the Fundamental Rights under the Indian Constitution]

- Stop all attempts to censor and police the media- print, electronic, social.
- Promote free and independent media and ensure protection of media houses from vindictive action and vexatious litigations.
- Ensure unfettered access to online information resources by removing restrictions on access to national and international news websites and social media outlets and the websites of civil society organisations.
- Enact a law to protect and preserve Freedom of the Internet and impose clear Guidelines in consonance with international standards, restricting the arbitrary shutdown of the Internet.
- Stop the imposition of internet shutdowns and network blackouts aimed at restricting people's expression, communication and information flow, with a view to curb dissent.
- Ensure that ownership of Media houses (direct and indirect holdings), irrespective of size is in the public domain on their websites.
- Ensure journalistic exemptions in data protection laws to ensure free and independent reporting. The Digital Personal Data Protection Act, 2023 lacks exemptions for journalists which can pose a significant barrier to press freedoms.
- Stop the attempts to censor the free voice of media.
- Enact laws to protect multi-media journalists from coercive actions by the State. This includes restricting the powers of the government for surveillance of journalists, seizure of their devices and exposure of their sources.
- Ensure through law that monopoly ownership in media is restricted.
- Ensure a level playing field between multi-media independent journalists and mega corporate social media platforms that are today heavily balanced in favour of a Government-Corporate nexus.

Right to Privacy.**[Article 21 of the Chapter III of the Fundamental Rights under the Indian Constitution]****Privacy and Surveillance**

- Stop the attack on the right to privacy and the digital rights of an individual. Scrap the Ministry of Home Affairs (MHA) order that empowers ten security agencies to monitor and decrypt communication on social media.
- Stop the compelling and arm-twisting of social media companies and app developers to disclose identities and other private data of users under the guise of national security
- Maintain net neutrality.
- Implement stringent privacy measures to protect Aadhaar data.
- End state surveillance of human rights defenders as an attempts to intimidate them and impede their work.
- Ensure strict directives are followed for phone tapping and other incursive software's on computers and phones that are being used by law enforcement agencies and governments.
- Bring India's privacy laws on par with international principles and the European Union (EU) legislation. Ensure that individuals are empowered under law to retain full control of their personal data.
- In consonance with the Supreme Court Judgement on the Aadhaar Act, 2016 (Justice K. S. Puttaswamy and Anr v. Union of India and Anr), Streamline and Withdraw GRs not in consonance with the repealed sections of the Aadhaar Act (Section 33(2), 47 and 57 of the Act); ensure a Redressal Mechanism under the Aadhaar Act.

ASK TWO

Protect Rights to Life, Equality before the Law and Dignity including Freedom from Torture and degrading treatment

UPHOLD

[Articles 14 and 21 of the Chapter III of the Fundamental Rights and 51(c) of the Directive Principles of State Policy in Chapter IV of the Indian Constitution]

- Abolition of capital punishment and all forms of torture.
- Ratification of the United Nations Convention Against Torture (UNCAT), effecting of changes in domestic legislation to ensure compliance with the provisions of UNCAT and introduction of domestic law against torture and ill-treatment in line with the provisions of UNCAT.
- Ensure the strictest adherence to the rule of law and immediately put a stop to all forms of torture by the police, custodial killings, extra judicial/encounter killings etc.
- Remove requirement for sanction to prosecute police officers, military personnel and public officials from all laws and take strictest action against erring officers.

Protect Rights to Life & Liberty of all, including Human Rights Defenders (HRDs) and Movement

UPHOLD

[Articles 14, 19 (1) (a) and 21 of the Chapter III of the Fundamental Rights under the Indian Constitution]

- Stop the crackdown on human rights defenders, including, but not limited to protestors, activists, civil society organisations, student leaders, trade unionists, journalists, advocates, Right to Information Act (RTI) activists, Dalits, Indigenous Peoples (Adivasis and Forest Dwellers), Minorities, Farmers, Workers, Whistle blowers, Academicians, Public Servants etc. exercising their right to dissent and withdraw all actions, cases and proceedings filed against them across the country.
- Release all political prisoners and human rights defenders who have been wrongly implicated and incarcerated in false cases for their human rights engagements.
- Stop misuse of bulldozers to demolish properties of human rights defenders, lawyers, journalists, protesters and minority communities.
- Stop misuse of state agencies, such as the Enforcement Directorate, Central Bureau of Investigation, Income Tax Department and National Investigation Agency to stifle political dissent.
- Ensure effective legal remedies against Strategic Litigation Against Public Participation (SLAPP) suits filed to intimidate and silence critics of big businesses and anti-people measures.
- Strengthen and implement the law already enacted for the protection of whistle-blowers
- Enact a special law, that meets international standards to protect human rights defenders against persecution[v].
- Remove restrictions for access to funding and resources for HRDs, people's movements and marginalised communities, including the clampdown through the Foreign Contribution (Regulation) Act, 2010.

ASK THREE

Right to Vote and the Right to a Free and Fair Election

UPHOLD

[Articles 325 and 326 of the Indian Constitution of Chapter XV of the Indian Constitution]

- Uphold right of all Indians, including from the most invisibilised sections of our population, hitherto excluded from electoral rolls to be guaranteed the right to vote (this must include –and a special focus and outreach even legal provisions made for –migrant labour, transgender community, all minorities, gender, caste, ethnic and religious).
- Stop all attempts to dilute the independence of Election Commission.
- Stop non-transparent processes launched selectively in states like Assam, to declare voters as “D” Voters (doubtful voters) without any due process being followed.

- Ensure that there is accountability and transparency in Election Funding to ensure a level playing field.
- Strengthen the anti-defection law and impose stricter penalties to weed out corrupt practices like political defections.

ASK FOUR

Rights of Scheduled Castes (SC) and Scheduled Tribes (ST) & Religious/linguistic/ethnic Minorities

UPHOLD

[Articles 14, 15, 16, 17, 18 and 21 of the Chapter III of the Fundamental Rights and Schedule XI under the Indian Constitution]

Statutory Measures for Non-Discriminatory Governance

Take steps to ensure non-discriminatory governance, including by - a. Introducing a Policy on Diversity Index, b. Establishing an Equal Opportunity Commission c. Setting up a National Data Bank that addresses discrimination as outlined under Article 15 (1), (2), (3), (4) and (5) of the Fundamental Rights Chapter III of the Indian Constitution.

Scheduled Castes/ Dalits

- Recognise Dalits as specific 'vulnerable groups' (groups at risk), given that their Right to Peaceful Assembly and Association is regularly denied, and is also weaponised by dominant caste groups.
- Call for the institution of a specialised, sensitive monitoring infrastructure to factor in the issue of Dalits' Right to Assembly and Association.
- Ensure that Scheduled Caste or Scheduled Tribe (Prevention of Atrocities) Act is applied in all cases of crimes committed against SCs and STs.
- Ensure that Section 3(1) (f) and 3 (1) (g) of the Atrocities Act is strictly implemented with regular advisories from the union home ministry and ministries of social welfare to District Magistrates and Superintendents of Districts (SPs) to ensure that encroachers on land granted to SCs under this law are removed and other preventive measures under the law implemented.
- Ensure special security measures and protection to witnesses, survivors of targeted violence and their families, if they hail from the SC community.
- Ensure the distribution of Gairan/wasteland grazing land for SC/ST landless labourers.
- Ensure enactment and implementation of special Government resolutions like the ones passed in Maharashtra in 1978 and 1991; said provisos to be extended to the case of housing in urban areas.
- Stop the wrongful closing of atrocities complaints / cases by the police as "false", and ensure unbiased and uninfluenced investigation in atrocities complaints.

Rights of Religious/Linguistic/Ethnic Minorities

UPHOLD

[Articles 14, 15, 16, 17, 21, 25-30 of the Chapter III of the Fundamental]

Rights of Religious/Linguistic/Ethnic Minorities

- Enact a law (on the lines of the Prevention of Communal and Targeted Violence (Access to Justice and Reparations) Bill, 2011) to protect religious and linguistic minorities, as well as people from historically oppressed communities like Dalits and Adivasis in all states, after public consultation and reference to a Joint Parliamentary Committee.
- Ensure that the law provides for preventive, remedial and punitive measures, and has necessary provisions to make authority figures accountable for dereliction of duty in the event of targeted violence. Ensure that the law provides for adequate compensation and reparation. Ensure that provisions to monitor, penalise and prosecute hate crimes and hate speech are also well-outlined.
- Ensure victims/survivors of cow vigilante attacks and mob lynchings are not booked under the anti-cow slaughter laws.

- Stop all attempts of crackdown on meat sellers.
- Drop all false cases against cattle traders and other sections of religious minorities and immediately release all those who are incarcerated under the anti-cow slaughter laws.
- Ensure members of marginalized communities, historically oppressed castes, economically disadvantaged classes, and religious minorities are not falsely implicated and jailed in cases of targeted violence and rioting.
- Ensure investigative authorities do not target people based on their caste, class, religious community while conducting their probes.
- Block any attempts to undermine the Places of Worship Act, 1991 and changing the nature of any places of worship.
- Ensure that the union government has a minority sub plan in the budget document similar to SC/ST Sub plan to ensure specific allocations for these marginalised sections.
- Implement the Ranganath Misra Commission tabled in Parliament in 2009, that among other recommendations, specifically addressed the issue of backward and oppressed castes among religious minorities and suggested statutory provisions of affirmative action.
- Restore autonomy and statehood of Jammu & Kashmir and de-militarise the region and resolve the issue democratically by taking into account the wishes of the Kashmiri people. Release political prisoners and protestors arrested for opposing the abrogation of Article 370 and all other Kashmiri prisoners of conscience languishing in jail.
- Promptly rehabilitate Kashmiri Pandits, particularly the 800 families still residing in the Kashmir Valley.
- Decriminalise triple talaq, as it can be used as a tool to target and harass Muslim men, and make available to affected complainants the existing remedies under the Protection of Women from Domestic Violence Act, 2005.
- Dismantle the temporary and permanent detention centres being used in the state of Assam.
- Stop the misuse of the Foreigners Act, 1946 and indiscriminate use of the Foreigners Order 1964 & 2019 an extra-Constitutional tool being used to harass legitimate citizens in Assam.
- Rehabilitate and adequately compensate all survivors of the recent ethnic clashes in the state of Manipur and ensure that perpetrators are investigated, prosecuted and punished in accordance with law.

Rights of Indigenous Peoples: Adivasis/Forest Dwellers

UPHOLD

[Articles 14, 15, 16, 17, and 21 of the Chapter III of the Fundamental Rights & Article 48A of the Directive Principles of State Policy in Chapter IV of the Indian Constitution and Schedule V and VI of the Indian Constitution]

- Hold a special session of Parliament to discuss the adequate implementation of the Forest Rights Act, 2006 (FRA) in all declared forests in India.
- Review the Forest (Conservation) Act, 1980 to ensure protection of forests, wildlife and biodiversity from diversion for destructive developmental activities, and to recognise and safeguard the rights of indigenous communities.
- Appoint a Judicial Commission in all the states to examine the false and arbitrary cases against Adivasis and other forest dwelling communities, as a first step towards quashing these malicious prosecutions.
- Stop the oppression, harassment, torture of, and police brutality against Adivasis, Dalits Muslim and all other ethnicities among forest dwellers and workers, especially women. The targeting often takes the form of being evicted from their traditional padas with no legal or commensurate rehabilitation for their cultivated lands.
- Ensure that no tribal or forest dweller is evicted from forest land, protected areas and wildlife habitats without following the procedures established under Forest Rights Act, 2006. Initiate strict action against officials responsible for these acts.
- Expedite the process of approving community land claims by forest dwellers and forest workers. Make the process of approval and rejection of individual and community land claims under FRA completely transparent, so that rejections can be appealed.

- Institute strict accountability measures for authorities, including those reviewing these claims and ensure that the statutorily required representative bodies and committees are in place.
- Ensure fair prices for Minor Forest Produce (MFP).
- Effectively implement PESA [Panchayats Extension to Scheduled Areas (PESA) Act, 1996] and ensure that the recommendations by the Gram Sabha are scrupulously followed.
- Prevent dilution or distortion of PESA, for example like in Maharashtra that allows the Collector to overrule the decision of the Gram Sabha, should be done away with.
- Strengthen and implement the Forest Rights Act, 2006, The Panchayat (Extension of the Scheduled Areas) Act, 1996 and other provisions of land and environmental laws and the Indian Constitution, in letter and spirit, to ensure free prior informed consent, participation in decision making and recognition of rights of the local and indigenous communities over their lands, traditional livelihoods, culture and way of life, and to stop forced displacement.

ASK FIVE

Curb and Prosecute Hate Speech and Hate Writing[vi]

UPHOLD

[Articles 14, 15, 17, 21 and 25 of the Fundamental Rights Chapter III of the Indian Constitution]

- Take strict action against those engaging in hate speech, hate writing, trolling or bullying of ethnic, religious, gender, caste and sexual minorities and scheduled tribes.
- Ensure suo moto registration of FIRs by the police, prompt and fair investigation and prosecution in cases of hate speech.
- Amend sections of the Criminal Law in line with the recommendations of the Law Commission Report No 267 on Hate Speech and ensure that due diligence is paid on developing a jurisprudential understanding of the stigmatising and discriminatory intent of hate speech and writing within the judiciary and structures of law enforcement.
- Ensure implementation of guidelines issued by the Supreme Court in Tehseen Poonawalla case (2018) in cases of hate crimes and hate speeches.
- Police and law enforcement personnel should be trained to protect targeted communities from violence caused by hate speech and to prevent hate speech and hate crimes.
- Develop and circulate Model Hate Crimes Manual with advisories about regular trainings to administrators and law enforcement officials to ensure sensitive and prompt redressal.
- Monitor instances of violence-inciting hate speech in public by influential figures, television news channels and the like, and take prompt action against them; presently the monitoring is either under the jurisdiction of the NBDSA (National Broadcasting & Digital Standards Authority) that needs to be given more binding powers and the Ministry of Electronics & Information Technology (MEITY).

ASK SIX

Right of Workers/Right to Work

UPHOLD

[Articles 14, 16, 21 and 25 of the Fundamental Rights in Chapter III & Articles 39, 41, 42, 43, 43A, of the Directive Principles of State Policy in Chapter IV of the Indian Constitution]

- Ensure withdrawal of the four labour codes, stop proposed pro-employer amendments
- Revise minimum wages for the entire working population in consultation with workers groups and unions, keeping in mind inflation, price rise and present-day realities and to ensure decent living standards.
- Ensure livelihood opportunities to those from juvenile homes even beyond 18 years.
- Strict implementation of MGNREGA and similar law for Urban unemployed.
- Increase the number of guaranteed employment days under MGNREGA to 200 days per family.

- Declare Anganwadi teachers, Accredited Social Health Activist (ASHA) workers and auxiliary nurse midwives as regular workers/karmacharis as defined and demanded by the 45th and 46th Indian Labour Conferences, with a minimum salary of Rs 18,000 per month; they are currently given honorariums under the Integrated Child Development Services (ICDS) programme that vary across states.
- Declare all scheme appointees as regular workers, halt contractual labour in regular jobs, extend benefits and wages to all as regular workers.
- Ensure equal pay for equal work.
- All informal sector workers not covered under the existing labour laws should be covered under the Employees State Insurance and Provident Funds Acts irrespective of number of employees engaged in an establishment.
- Stop the privatisation of state-run PSUs, and immediately halt Foreign Direct Investment (FDI) in Railways, insurance and defence.
- Formulate national level laws on inclusion of gig workers as formal labourers and extend all rights available under labour laws to them in line with the recently enacted Rajasthan State Law.
- Formulate a national level legislation on minimum guaranteed income, work and social security as a right, based on Rajasthan Minimum Guaranteed Income Bill, 2023.
- The Boards formulated under various laws like construction workers/domestic workers/ Hamal and mathadi workers/ security guards should be transparent and should include workers representatives.
- Ensure implementation of policy on maternity benefits as well as provision for providing creches.
- Encourage Mahila Bachat Gats which are formal organisations providing informal loans to many members and non- members on mutual benefits.
- Protect the right of Indian fisherfolk who are losing their fishing rights due to large trawlers and also development projects that limit their access to ocean waters and ensure that their traditional rights of fishing are not impaired, diminished, and seriously jeopardised and livelihoods impaired.

ASK SEVEN

Rights of Farmers

UPHOLD

[Articles 14 and 21 of the Fundamental Rights in Chapter III & Articles 38 and 48 of the Directive Principles of State Policy in Chapter IV of the Indian Constitution]

- Guarantee Minimum Support Prices (MSP) for farmers across the country that is at least one and a half times the full cost of production.
- Implement the recommendations of MS Swaminathan Commission.
- Stop FDI in agriculture and food processing.
- Implement a universal Public Distribution System (PDS) without linking it to Aadhaar, or moving to direct cash transfers.
- Provide a minimum pension of Rs. 10,000 per month to farmers.
- Ensure that there is no raise in electricity tariff and that at least 300 free units are provided to farmers for farming and domestic purpose as per the farmers' demands.
- Hold a special session of Parliament to specifically address the agrarian crisis.
- Pass the Farmers' Freedom from Indebtedness Bill, 2018 and the Farmers Right to Guaranteed Remunerative Minimum Support Prices for Agricultural Commodities Bill, 2018.
- Quash false cases against all activists working to alleviate the agrarian crisis.
- Implement and follow through the policy of waiver of farmer loans.
- Provide immediate relief in drought situations.
- Implement adequate solutions for irrigation issues.

ASK EIGHT

Women, Gender-based and Sexual Minorities

UPHOLD

[Articles 14, 15, 21 of the Fundamental Rights in Chapter III & Articles 44 of the Directive Principles of State Policy in Chapter IV of the Indian Constitution]

- Ensure strict implementation of the Prevention of Sexual Harassment at the Workplace Act, 2013. Expand provisions from said Act to cover the harassment of people from all gender-based and sexual minorities.
- Immediately implement the Women's Reservation Act, 2023.
- Follow up on #MeToo cases involving public officials and ensure they are held accountable.
- Amend the Transgender Persons Act, 2018 to respect determination of gender and accurately acknowledge the distinction between transgender and intersex people.
- Decriminalise begging, as it still remains one of the few ways for transgender and other people to earn a living.
- Enact legislation providing separate reservation for transgender community.
- Increase the punishment provided in the Act for rape of a transgender person, to ensure it is equivalent to the punishment specified for the rape of a cis-gendered woman in the penal laws.
- Encourage a culture that does not tolerate harassment based on gender expression via appearance, attire or body language.
- Encourage gender sensitivity training at public and private workplaces.
- Remove all legal and other provisions that prevent transgender people from serving in the armed forces.
- Take strong action against human traffickers, but destigmatise sex work so that sex workers can be treated with dignity and access basic facilities like healthcare and legal aid more easily.
- Block any attempts at diluting the Protection of Women from Domestic Violence Act, 2005
- Include marital rape as criminal offence under rape laws.
- Ensure that strict action is taken against state authorities involved in the rape and torture of Dalit and Adivasi women and other women.
- Gender just codes/laws for women and all sexual and gender minorities.
- Extend civil rights of marriage and other incidental rights to people belonging to the LGBTQIA+ community.

Rights of the Child

UPHOLD

Articles 14, 15, 21 of the Fundamental Rights in Chapter III & Articles 39E, 39F and 45 of the Directive Principles of State Policy in Chapter IV of the Indian Constitution]

- Stop all attempts to dilute and weaken the Protection of Children from Sexual Offences Act, 2012 (POCSO).
- Tackle the high pendency of cases filed under the POCSO by guaranteeing time-bound trials in fast-track courts.
- Overhaul the juvenile justice system to ensure better regulation of detention facilities to prevent inmates' abuse, and to align with international laws and conventions.
- Provide creche facilities staffed by trained childcare professionals to working parents from low-income and marginalised groups.
- Include mandatory sex education for all students from an early age.
- Enforce Article 39E that provides for protection of children of a young age from forced child labour and abuse due to economic necessity.

Rights to Persons of Disability

UPHOLD

[Articles 14, 15, and 21 of the Chapter III of the Fundamental Rights of the Indian Constitution]

- Enforce all manner of Rights of Disabled Persons and call for national and state policies to ensure protection of rights.
- Ensure that Disabled persons are not discriminated upon and enjoy the same fundamental rights as fellow citizens, irrespective of the origin, nature and seriousness of their handicaps and disabilities.

- Ensure that appropriate measures are taken to enable them to become as self-reliant as possible.
- Ensure delivery of the rights of Disabled persons to medical, psychological and functional treatment, including prostheses and orthoses, to medical and social rehabilitation, education, vocational training and rehabilitation, aid, counselling, placement services and other services which will enable them to develop their capabilities and skills to the maximum and will hasten the processes of their social integration or reintegration.
- Ensure economic and social security of Disabled persons and take measures to provide them employment opportunities and ensure decent standard of living.
- Ensure that special needs of Disabled persons are taken into consideration at all stages of economic and social planning.
- Protect the right of Disabled persons to live with their families or with foster parents and to participate in all social, creative or recreational activities.
- Ensure the protection of Disabled persons from all forms of abuse and exploitation, regulations and treatment of discriminatory, abusive or degrading nature.
- Make provisions for legal aid for Disabled Persons when such aid proves indispensable for the protection of their persons and property. If judicial proceedings are instituted against them, the legal procedure applied should take their physical and mental condition fully into account.
- Consult organisations and groups of disabled persons in all matters regarding the rights of disabled persons.

ASK NINE

Right to Free and Diverse Education

UPHOLD

Articles 14 and 21 of the Fundamental Rights in Chapter III & Articles 45 of the Directive Principles of State Policy in Chapter IV of the Indian Constitution]

- Implement with diligence the amendments to Right to Education (Article 21A) and expand its scope to cover children below six years and above 14.
- Ensure that admissions are not denied due to lack of Aadhaar card, in contravention of law.
- Formulate a timeline, allocate adequate resources and work with state governments to ensure that all schools comply with the Right to Education Act (RTE).
- Work towards the goal of a countrywide, common school system and public university system.
- Increase budgetary allocation in education sector. Fulfil the long standing and yet unrealised promise of allocating at least 6% GDP to education from public funds. Take steps to ensure that the Constitutional Values of Equality, non-Discrimination, Fraternity are promoted in the invocations and symbolisms with institutes of learning especially schools
- Strengthen municipal, zilla parishad, and government schools.
- Ensure regular, full-time, and secure employment for teachers and other staff in schools and pre-school nurseries/anganwadis.
- Right to Recreation & Play intrinsic to the Right to Education especially for girls.
- Ensure that all state curricula and textbooks are in conformity with the principles of inclusion, pluralism, equality and non-discrimination that are enshrined in the Indian Constitution;
- Revisit and seriously re-examine the NEP at the national level and with all concerned State Governments and State Holders
- Stop all attempts at historical distortion and communalisation of textbooks. Ensure history and historical contributions of Dalits, adivasis, religious and ethnic minorities and women finds representation in the curriculum of schools, colleges and universities. Reverse the changes brought in to the curriculum of the schools by removal of selective chapters on the history of India.
- Ensure monitoring of textbooks and educational materials used by religious, socio-political and private institutions to ensure that they adhere to the principles of the Indian Constitution.
- Restore all University Grant Commission (UGC) scholarships for diversity-driven affirmative action.

- Restore funding for pre- and post-matriculation scholarships for marginalised groups (e.g. SCs, STs and OBCs).
- Restore Maulana Azad National Fellowship (MANF) and the Minorities Scholarships Schemes, Pre-Metric and Post Metric.
- Increase the budgetary allocation for providing funds for expenses/infrastructure of public schools, with separate budget for municipal schools and Ashram schools.
- Introduce Human Rights Education in schools as part of the National Policy on Human Rights Education.
- Modernise the curriculum in all community-run, religion driven schools to ensure that the schooling and curriculum is both rational, modern and scientific.

ASK TEN

Right to Food

UPHOLD

Articles 21 of the Fundamental Rights in Chapter III & Articles 47 of the Directive Principles of State Policy in Chapter IV of the Indian Constitution]

- Strengthen and implement the National Food Security Act 2013, also known as Right to Food Act, being an Indian Act of Parliament which aims to provide food to two-thirds of the Indian population.
- Ensure procurement, storage and fair distribution of grains procurement by the Food Corporation of India (FCI) in the spirit of federalism as ingrained in Articles 1 and 246 of the Indian Constitution.
- Remove the fixed Below Poverty Line (BPL) criteria which is based on outdated, understated and flawed baseline, so that welfare schemes can be extended to those who do not fall below the BPL line.
- Double the Antodaya coverage, giving priority to vulnerable groups.
- Promote the procurement of local produce and remove contractors from being awarded food contracts.
- Ensure nutritious midday meals in state-run schools.
- Include pulses and edible cooking oil in the Public Distribution System (PDS) and universalise PDS benefits, so that nobody is denied food due to exclusion errors.
- Form community kitchens in urban areas to provide hot and healthy meals at subsidised rates to people from low-income and marginalised groups.
- Provide free, hot, and healthy meals for pregnant and lactating people and houseless persons at government-run facilities and facilities like Anganwadis.
- Encourage an inclusive environment in public and private workplaces and public spaces to curb caste-based and religion-based discrimination over food choices.
- Ensure the removal of boycott on selling and consumption of non-vegetarian food at public places and common areas, eliminate all forms of food discrimination.
- Remove mandatory requirement of Aadhaar for accessing subsidised food grains, and at the least introduce redressal facility in case of inability of individuals to get Aadhaar card or systemic failure of Aadhaar recognition technology.

ASK ELEVEN

Right to Health

UPHOLD

Articles 21 of the Fundamental Rights in Chapter III & Articles 39E and 47 of the Directive Principles of State Policy in Chapter IV of the Indian Constitution]

- Right to Health is recognised as a Fundamental Right under Article 21 and as already outlined under the Directive Principles of State Policy (DPSP). In September 2019, the 15th Finance Commission had recommended that the Right to Health be declared a fundamental right and to shift the subject of health from the State List to the Concurrent List putting an obligation also on the central government to provide accessible health care for all. In a slew of Supreme Court Judgements the Right to Health has been identified as an intrinsic part of the Right to Life under Article 21 of the Indian Constitution[vii][viii]

- Increase budgetary allocation in health sector to meet the needs of the people and invest in the public health system.
- Ensure strengthening of public health system, delivery of free and affordable and quality healthcare services to socially and economically vulnerable groups.
- Ensure price regulation of medicines, medical devices and diagnostics.
- Formulate a national level legislation on access to affordable healthcare, on the line of Rajasthan Right to Healthcare Act, 2023.
- Qualified doctors and staff should be made available in public health hospitals and Primary Health Centres in rural and tribal areas.
- Improve and invest in state run ESI hospitals.

ASK TWELVE

Right to Land and Housing

UPHOLD

[Articles 19 (e) and 21 of the Fundamental Rights in Chapter III of the Indian Constitution]

- Recognise the Right to Housing as a Fundamental Right and consider re-inserting Article 31 of the Indian Constitution; Right to Housing should be recognised as a fundamental right by government and public authorities.
- Ensure affordable/ free housing to be provided to all sections that need it.
- Ensure protection against arbitrary eviction of slum dwellers without first providing alternative accommodation; the accommodation should be of good quality and provide for healthy housing conditions, essential amenities and facilities.
- Ensure that people are not forcibly and arbitrarily displaced in the name of development
- Put an end to all forms of forced and punitive demolitions.
- Ensure price regulation with a view to increase affordability of housing.
- Tenants residing in dilapidated buildings should be provided temporary accommodation by the landlord if required to be evicted till rehoused in the newly constructed building/s
- Reclaim vast plots of vacant land handed over to Special Economic Zones (SEZs) in rural areas from developers and return ; government should be returned to farmers or used for worker housing.
- Withdraw government resolutions (GRs) and circulars handing over surplus land obtained by paying premium by developers so that in the true spirit of a people-centric housing policy affordable housing can be made available to larger numbers of working people.
- Ensure adequate, market and hardship compensation in event of forced or mandatory displacement of people.
- Ensure safety and climate resilience of housing and protect and secure housing rights of communities affected by natural disasters.

ASK THIRTEEN

Right to Clean Environment and Action against Climate Change

UPHOLD

[Articles 21 of the Fundamental Rights in Chapter III and Article 48A of the Directive Principles of State Policy of the Indian Constitution]

- Review the existing environmental laws and initiate a fair and participatory process in consultation with the public especially the local / affected communities, experts and all concerned stakeholders, taking into account their learnings, experiences and suggestions, to put in place a robust and strong environmental regime.
- Put a stop to the dilution of environmental law, regulations and notifications by the Ministry of Environment, Forest & Climate Change (MoEFCC).

- Institute a moratorium on diversion of forests, mining activities and commercial exploitation of natural resources until legislative safeguards protecting the environment and rights of the local communities are put in place.
- Strengthen and implement policies relating to disaster management at national, state and local levels to ensure effective disaster mitigation, assistance, rehabilitation, compensation and recovery of communities affected by climate change events.
- Enforce the right to a clean and healthy environment for the people by stopping and preventing all forms of environmental pollution through strict monitoring, enforcement, and punitive action against violators, undertaking remedial measures and reparation of environmental damage and ensuring rehabilitation, medical support and compensation for affected persons, especially workers and local communities.
- Bring in changes in the urban and rural development policies and take effective and concrete measures towards conserving and protecting the environment, natural resources, forest and wildlife of our country, with an aim to build climate change resilience and ensure disaster risk reduction.
- Ensure that all the zonal benches of the National Green Tribunal are fully functional and functioning fairly and independently, and allocate more resources towards strengthening access to justice in matters concerning the environment.
- Ensure compliance by the business sector with the domestic legal framework and the international legal standards, strict penal action against violating companies and access to remedy, both judicial and non-judicial for victims of business-related human rights abuse.
- Ensure an end to threats, restrictions and violence against environmental defenders and the safety and protection of environmental defenders from reprisals and attacks.
- Re-envision the development agenda and planning model to ensure that the India's natural resources – forest, wetlands, grasslands, mangroves, mud flats, corals, etc. are not destroyed under the guise of “development” to be replaced by unsustainable man-made infrastructure.
- Impose a ban on genetically modified plants, seeds, oil, etc. that are detrimental to the biodiversity of the country.
- Natural Resource Accounting: There is an urgent need to put into place a mechanism to measure the loss to our GDP caused by the destruction of our natural assets.

ASK FOURTEEN

Criminal Justice Reform

UPHOLD

Articles 14, 21 and 22 of the Fundamental Rights in Chapter III and Article 39A of the Directive Principles of State Policy of the Indian Constitution]

- Right to Free and Quality Legal Aid: Ensure quality and meaningful access to Justice and thereby ensure Quality Legal Aid for all.
- Ensure full implementation of police reform provisions in line with not just the Supreme Court judgement in the Prakash Singh case, but also the recommendations made by the National Police Commission Reports. Introduce police reforms taking into account recommendation of human rights organisations and in line with international human rights principles.
- Ensure regular and mandatory police sensitisation and training programmes, to update the police personnel on the protective legislations, rights of victims, accused and ensure unbiased and uninfluenced functioning of police and fair investigation of cases.
- Regulate issue of licences for gun in states of India, especially in the states of Bihar and Uttar Pradesh.
- Legislate on a Witness Protection Programme- an Act in Parliament and through this ensure the proper implementation of a Witness Protection Programme, in all cases but especially in cases related to marginalised sections of the population, cases of mob lynching, cow vigilante attacks. Such a WP programme should also protect whistle-blowers and RTI activists (witness protection and rehabilitation).
- Ensure time-bound trials in cases of atrocities and communal/ethnic violence.

- Address the issue of judicial delay and pendency of cases with concrete measures.
- Ensure the establishment of Independent Directorates of Prosecutions that are monitored by the higher judiciary and are independent of the executive arm of the government.
- Ensure all cases of gender-based violence are tried by special courts and that survivors, witnesses, and the families of victims and survivors are provided proper protection.
- Ensure all cases of gender-based violence are tried by special courts and that survivors, witnesses, and the families of victims and survivors are provided proper protection.
- Formulate provisions for compensation, relief and rehabilitation of Internally Displaced people and survivors of all kinds of violence.
- Amend the provisions of the Indian Penal Code to ensure that they are in line with the best practices and international standards in the area of freedom of expression; Repeal of provision for criminal defamation under Section 499 of the IPC.

Rights of Undertrials and Prisoners

UPHOLD

Articles 14, 21 and 22 of the Fundamental Rights in Chapter III and Article 38, 39A of the Directive Principles of State Policy of the Indian Constitution]

- Bail not jail should be the rule across all criminal laws.
- Make legislative amendments to remove draconian provisions that completely restrict the right of accused to secure bail in the garb of stringency, in particular under anti-terror legislations. Bail not jail should be the rule across all criminal laws. Introduce directives to ensure that prisoners are not denied bail on account of their financial conditions and to mandate release of such prisoners on personal bond.
- Ensure the release for those undertrials who are economically disadvantaged, on personal bonds, after they have served half of their maximum sentence.
- Follow and implement relevant judgments of the Supreme Court on under trials, ensure prison reforms in accordance with the Model Manual for Prison Reform, 2016.
- Ensure efficient, regular and quality legal aid to all under trials and other prisoners.
- Ensure training and sensitisation of all Jail/Prison staff in human rights standards, national and international to ensure just and humane conditions within prisons.
- Address urgently violations of legal provisions in the case of under-trial prisoners.
- Ensure regular monitoring of prison conditions, particularly in relation to women and children through the implementation of district and other monitoring committees as per the Model Manual Prison Reform, 2016.
- Ensure adequate sanitation and health facilities, and emphasise cleanliness and adequate food and clean water; access to work, reading and writing materials in all prisons.
- Ensure the emoluments to the prison employment staff (including services of convicted prisoners utilised by the state) meet the standards of the updated standards in the Minimum Wages Act, 1948.
- Explore the shift to an Open Prison System for less stringent crimes.

Immediate Repeal Draconian Laws and Withdraw Unconstitutional Bills

DEMAND

- Repeal the newly introduced three criminal laws, namely Bharatiya Nyaya Sanhita 2023, Bharatiya Nagarik Suraksha Sanhita 2023 and Bharatiya Sakshya Adhiniyam 2023.
- Repeal Section 124A of the Indian Penal Code pertaining to sedition, and release those falsely implicated under it.
- Repeal the Telecommunications Act 2023, Registration of Births & Deaths (Amendment) Act, 2023 and the Digital Personal Data Protection Act 2023, and withdraw the Broadcasting Services (Regulation) Bill 2023.
- Repeal the amendments to the Press and Registration of Periodicals Act, 2023 and The Cinematograph Amendment Bill 2023.
- Repeal the Information Technology (IT) Rules amendments establishing a Fact Check Unit by the Government to identify, even remove, “fake news” on social media platforms.

- Repeal of provision for criminal defamation under Section 499 of the IPC.
- Repeal draconian sections of the Unlawful Activities Prevention Act (UAPA)[ix][x], the Armed Forces Special Powers Act (AFSPA)[xi], the National Security Act (NSA), the Public Safety Act (PSA) and other such “security” laws used to target dissenting voices and political opposition and release of all those falsely implicated under them.
- Repeal all State laws (criminal) Public Security Acts, Organised Crimes Acts and Goondas act as offences under these laws are covered adequately dealt with under IPC. These include Public Security Legislations such as the Maharashtra Control of Organised Crime Act (MCOCA), the Karnataka Control of Organised Crime Act (KCOCA), the Chhattisgarh Public Safety Act[xii], the Tamil Nadu Public Security Act, Gujarat Goonda & Anti-Social Activities Prevention Act as they are being used as tools to terrorise dissenters and ordinary citizens.
- Repeal the Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023 as it undermines the judgement of the constitution bench of the Supreme Court.
- Repeal the Citizenship Amendment Act, 2019 , which amends the Citizenship Act, 1955 to insert Proviso to Section 2(1)(b), Section 6-B, Section 18(2)(eei) and Proviso to Clause (d) of the Third Schedule, that provide for unequal access to citizenship rights to the exclusion of Muslims.
- Repeal the Notifications / Orders being G.S.R. 685(E) and G.S.R. 686(E) dated 07.09.2015 of the Passport (Entry into India) Amendment Rules, 2015 and Foreigners (Amendment) Order, 2015 respectively, and G.S.R. 702(E) and 703(E) dated 18.07.2016 of the Passport (Entry into India) Amendment Rules, 2016 and Foreigners (Amendment) Order, 2016 that amend the respective laws to discriminate upon Muslims.
- Repeal all State “Anti-Conversion” Laws which are being weaponised against Dalits, Women, Minorities and couples who exercise Free Choice. Ensure that no such laws are brought in under the guise of protecting freedom of religion which in fact impede upon the right to choice and privacy of individuals, trample upon their freedom of practicing and propagating religion of their choice and which criminalise people’s lawful exercise of rights guaranteed under the Indian Constitution.
- Repeal state laws on Cow Slaughter especially the provisions used to criminalise businesses and livelihood and target SCs and Minorities.
- Repeal state laws on Uniform Civil Code, especially attempts to bring in live-in relationships under the scanner of the state.
- Repeal the dilutions made to the Land Acquisition Act, 2013 through state amendments, affecting the rights of local communities to participate in the decision making process and exempting social impact assessment of certain categories of projects.
- Repeal the Forest (Conservation) Amendment Act, 2023.
- Repeal the 2015 amendments made to the Mines and Minerals (Development and Regulation Act), 1957 and repeal the amendments made to other mining laws that allow for indiscriminate extractive activity and private sector investment in exploration of minerals, which will adversely impact the environment, rights of indigenous and forest dwelling communities and overall goals to ensure sustainability.
- Repeal the Compensatory Afforestation Fund Act, 2016 that promotes funds collection to replace forest land with agricultural land without the concurrence of the local people.
- Repeal the National Waterways Act ,2016 through which 111 waterways are included under this act. Infrastructure projects will be developed on these water bodies and complete commercialisation will take place leading to obstruction of life and livelihoods of people living along the banks.
- Withdraw the Draft EIA Notification (2020 Amendment to the Environmental Impact Assessment Act, 2006) - which sought to significantly dilute the existing provisions of law which itself were far from ideal; roll back the dilutions to the EIA Notification 2006 brought in by way of amendment notifications/office memorandums and circulars and put in place a strong law/Act mandating environment impact assessment for all impacting projects, without exemption.

- Repeal the 2023 amendments to the Biodiversity Act, 2002 and the Coastal Aquaculture Authority Act, 2005, which dilute the existing laws to protect the environment and adversely impact the rights of indigenous and fishing communities.
- Repeal the Green Credit Rules, 2023 and the methodology introduced through the February 2024 notification passed under it, which allows for unscientific tree plantation in wastelands to earn green credits for trading against actual forest diversion activities.
- Reconsider market-powered and incentive-based schemes through carbon markets such as the Carbon Credit Trading Scheme and other such programmes proposed by the government, which only serve as voluntary mechanisms enabling green washing over mandatory environmental safeguards necessary for addressing climate change.
- Repeal the CRZ (Coastal Regulation Zone) Notification 2019 which relaxes the protections granted to preserve the threatened coastal areas, traditional livelihoods of coastal communities and coastal ecology; roll back the dilutions to the CRZ Notification 2011 and bring in appropriate policy changes in consultation with the coastal communities and other stakeholders to ensure proper mapping of coastal zones and protection of the integrity of the coasts, with a view to also abate climate change impacts.
- Repeal or comprehensively amend the Foreign Contribution Regulation Act (FCRA), in line with the legal analysis of the former UN Special Rapporteur on Freedom of Association and Assembly, particularly sections that restrict the ability of civil society organisations to receive funds from foreign sources and the cumbersome reporting and administrative requirements for civil society organisations.

Seventy-six years after Independence and 74 years after India became a Republic, our State and Societal Structures have still to adhere in letter and spirit to the Indian Constitution. A solemn adherence to evolving human rights standards is the only way Indian Politics and Democracy can recover the lost Democratic Deficit and set itself back on the path of becoming an Evolved, Democracy befitting the 21st Century.

Citizens for Justice & Peace (CJP)

People's Union for Civil Liberties (PUCL), Maharashtra

References

[i] Over the past five years in particular, but prior to that as well, tools used for repression of the Right to Peaceful Assembly (Article 19, Indian Constitution) are often in the form of i) Section 144 of the CrPC that is often force for decades in states facing 'conflict' like Manipur and Jammu and Kashmir, and is also used indiscriminately to quell peaceful assembly in the rest of India.

[ii] Section 5 of this Act empowers the administrative head—District Magistrate—or Commissioner/Superintendent of Police –police head-of a division/district/city to prohibit a public meeting in a proclaimed area if in his/her opinion such meeting is likely to promote sedition and/or disaffection or cause disturbance in public tranquillity. This section of this problematic law has been flagged for repealment by the Law Commission of India as recently as September 2014.

[iii] An acute and important way that the Right to Free Assembly and Association is impeded or restricted, is the way that HRDs or human rights groups are not allowed free access to scenes of crimes/human rights violations (police lockups, scenes/sites of extra judicial killings, prisons etc.)

[iv] The DPDP Act made the following amendments to the RTI Act- “44(3) In section 8 of the Right to Information Act, 2005, in sub-section (1), for clause (j), the following clause shall be substituted, namely:— “(j) information which relates to personal information;”. The amendment to section 8(1)(j) of RTI Act therefore seeks to exempt all personal information and does away with the exceptions carved out within the section based on which personal information could have been disclosed.

[v] Of late, mass movements in Orissa, Manipur, Jammu & Kashmir and other parts of India have faced significant reprisals; these include actions against Dalit activists after mass protests in Maharashtra against the brutal Khairlanjee massacre of 2006, and the constitutional and minority Rights activists targeted by the state for prosecuting mass crimes like those in Gujarat in 2002.

[vi] The aggressive atmosphere of perpetrated by hate speech and writing against religious minorities, especially Muslims, is creating a situation through which they are under direct attack [e.g. Mohsin Shaikh, Afrazul, Rakhbar, the Varanasi Church Attack]. Multiple cases of physical violence are not being responded to because of the climate of fear and terror. Laws that exist should be implemented and cases such as these be treated on a high priority basis. Training of police and law enforcement personnel is pivotal to protecting the marginalised against the violent crimes caused by hate speech.

[vii] Part IV of the Constitution, there are the Directive Principles of State Policy (DPSP). The DPSP with references to public health include Article 39 (E) directs the State to secure the health of workers; Article 42 directs the State to ensure just and humane conditions of work and maternity relief; Article 47 casts a duty upon the State to raise the nutrition levels and standard of living of people and to improve public health. Article 47 expressly states: "The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and, in particular, the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health."

[viii] *Bandhua Mukti Morcha v Union of India & Ors* (1997) 10 SCC 549, *Rakesh Chandra Narayan vs State of Bihar* 1989 AIR 348, *State of Punjab and Ors vs Mohinder Singh Chawla* (1996) 113 PLR 499, *Kirloskar Brothers Ltd. vs. Employees State Insurance corporation*, 1996 (2) SCC 682 and *State of Punjab and Ors. v. Ram Lubhaya Bagga and Ors*, (1998) 4 SCC 117.

[ix] Sections of the newly amended (UAPA), namely Section 13 wherein 'unlawful activity' is punishable with imprisonment upto seven years with fine. 'Unlawful activity' is very problematically defined under Section 2(o) to include 'support for claims of secession.' Questioning territorial integrity and causing and intending to cause disaffection against India. The definition of "terrorism" under this law is also extremely wide and has been used against peaceful protests and assemblies.

[x] The amendments to UAPA (post 2008) that urgently need to be repealed, in fact, provide powers to misuse the provisions to the maximum extent possible, in the following ways:

- They expand the vague definition of terrorism under existing Indian law to encompass a wide range of non-violent political activity, including political protest by minority populations and civil society groups
- They strengthen the existing power of the government to ban an organisation on limited evidence and with limited rights to judicial review, and to make mere membership of proscribed groups a criminal offense.
- They authorise warrant-less search, seizure and arrest with wide authority and few safeguards, and the compulsion of information from third parties without a court order.
- They allow detention without charge of up to 180 days, including up to 30 days in police custody, and create a strong presumption against bail.
- They create a presumption of guilt for terrorism offenses where certain kinds of evidence are found, without a showing of criminal intent.
- They authorise the creation of special courts at the state and federal level, with wide discretion to hold in-camera (closed) hearings and use secret witnesses

[xi] Section 4(a) of AFSPA gives the Armed Forces of the Union of India the power to 'use force, including open fire, even to the extent of causing death' if prohibiting orders banning assembly of five or more persons or carrying arms and weapons are in force in disturbed areas. This draconian law has been in operation in states of the north-east and Jammu & Kashmir since 1958, and has been used to target innocent persons with impunity.

[xii] Both the UAPA and other repressive state public state security laws, for example, the Chhattisgarh Special Public Security Act define 'unlawful organisations' in an ambiguous manner that enables the authorities to misuse these and tamper with free assembly and association.

ENDORISING ORGANISATIONS:

Aam Aadmi Party
All India Catholic Union
All India Forum for the Right to Education (AIFRTE)
All India Kisan Sabha (AIKS)
All India Network of NGOs and Individuals Working with National and State Human Rights Institutions (AiNNI)
All India Union of Forest Working People (AIUFWP)
Anhad
Avaidh Khanan Vidrohi Sangharsh Samiti, Rajasthan
Bharat Bachao Andolan
BPR Enterprises
Center for Promoting Democracy
Commonwealth Human Rights Initiative
Communist Party of India (Marxist)
Dalit Adivasi evam Ghumantu Adhikar Abhiyan Rajasthan (DAGAR)
Dream plus
Ferair Marketing Corporation
Five Pillars Christian Church
Forum Against Oppression of Women
Free Speech Collective India
Friends of Tibet Foundation
Green Enviro Logistics
Halal Asia Certification Services LLP
Hasrat-e-Zindagi Mamuli
Human Rights Defenders' Alert - India (HRDA)
IDEAS, Madurai
Indian Christian Women's Movement
Indian Muslims for Secular Democracy
Joint Action Against Custodial Torture - Tamil Nadu (JAACT)
Kashtakari Sanghatana
KBC North Maharashtra University Jalgaon
Maharashtra Democratic Forum (MFD)
Maharashtra A.K. Sanghatana
Mahatma Gandhi Foundation
Majlis
Mangalasree Traders
MANS "Maha ANIS"
Maruthu Builders
Mazdoor Kisan Shakti Saangathan, Rajasthan
National Muslim Womens Welfare Society, Rajasthan
NaVa Group
NDMJ
OCI
Pani Haq Samiti
People's Union for Civil Liberties (PUCL)
People's Watch
Peralai Media
Rashtra Seva Dal
Research Center of Economics
Rural Awareness society Bhilwara
Sarvahara Jan Andolan

Shramik Morcha
Srisaisrishti, Architects, Engineers & Interior Designers
The Bombay Catholic Sabha
Triviality government make us unemployed
United Christian Forum
Women"s Collective
आगाज़ फ़ाउंडेशन
दलित आदिवासी एवं घुमंतू अधिकार अभियान राजस्थान (डगर)
रुरल अवेयरनेस सोसायटी भीलवाड़ा
शहीद भागवत जाधव स्मृती केंद्र.
திராவிடர் கழகம் திருப்பூர்

INDIVIDUALS:

A Lawrence
Amalan Xavier
Calistus fernandes
Chandrasekar Krishnasamy
Devasagayaraj
Ebenezer Masilamoney
Edmond Joseph
Goldy M. George
Isaac Rumao
Janaki
Jayasree
John Dayal
John DSouza
Kannan
Karthikeyan
Karuppiah subbiah
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