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Dr. Raju Narayana Swamy popularly known as Kerala's Anti Corruption Crusader is the All India Topper of the 1991 batch of the IAS and is currently posted as Principal Secretary to the Government of Kerala. He has earned many accolades as he hit against the political-bureaucrat corruption nexus in India. Dr Swamy holds a B.Tech in Computer Science and Engineering from the IIT Madras and a Ph. D. in Cyber Law from Gujarat National Law University . He also has an LLM (Pro) (with specialization in IPR) as well as three PG Diplomas from the National Law University, Delhi- one in Urban Environmental Management and Law, another in Environmental Law and Policy and a third one in Tourism and Environmental Law. He also holds a post-graduate diploma in IPR from the National Law School, Bengaluru and diploma in Public

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Dr. Navtika Singh Nautiyal

Dr. Navtika Singh Nautiyal presently working as an Assistant Professor in School of law, Forensic Justice and Policy studies at National Forensic Sciences University, Gandhinagar, Gujarat. She has 9 years of Teaching and Research Experience. She has completed her Philosophy of Doctorate in 'Intercountry adoption laws from Uttranchal University, Dehradun' and LLM from Indian Law Institute, New Delhi.

Dr. Rinu Saraswat



Associate Professor at School of Law, Apex University, Jaipur,
M.A, LL.M, Ph.D,

Dr. Rinu have 5 yrs of teaching experience in renowned institutions like Jagannath University and Apex University. Participated in more than 20 national and international seminars and conferences and 5 workshops and training programmes.

Dr. Nitesh Saraswat

E.MBA, LL.M, Ph.D, PGDSAPM

Currently working as Assistant Professor at Law Centre II, Faculty of Law, University of Delhi. Dr. Nitesh have 14 years of Teaching, Administrative and research experience in Renowned Institutions like Amity University, Tata Institute of Social Sciences, Jai Narain Vyas University Jodhpur, Jagannath University and Nirma University.

More than 25 Publications in renowned National and International Journals and has authored a Text book on Cr.P.C and Juvenile Delinquency law.



Subhrajit Chanda



BBA. LL.B. (Hons.) (Amity University, Rajasthan); LL. M. (UPES, Dehradun) (Nottingham Trent University, UK); Ph.D. Candidate (G.D. Goenka University)

Subhrajit did his LL.M. in Sports Law, from Nottingham Trent University of United Kingdoms, with international scholarship provided by university; he has also completed another LL.M. in Energy Law from University of Petroleum and Energy Studies, India. He did his B.B.A.LL.B. (Hons.) focussing on International Trade Law.

ABOUT US

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

EMPOWERING EQUITY: THE ROLE OF NGOS IN PROMOTING HUMAN RIGHTS JUSTICE IN INDIA

AUTHORED BY - NIRBHAY SINGH & ANUJ BIJARNIYA

BALLB hons.

3rd year

School Of Law

Lovely Professional University

Abstract:

In a country with an ethnic mix as complicated as India, where human rights issues often concur with poverty, racial discrimination, and structural hurdles, non-governmental organizations (NGOs) are endowed with a voice for marginalized as well as vulnerable groups, while also being the drivers of justice with considerable equity. In this research paper, we have considered the problem of justice of human rights in India, which has a very high potential for shaping the present world. NGOs have become essential actors supporting the human rights regime and, therefore, this study attempts to examine their part deeply¹. The study will investigate NGOs' different programs to make justice possible for human rights defenders. They'll shed light on the strategies they have, their implementation of programs, as well as the effect they have on their beneficiary communities. NGOs that embrace the mission to fight for human rights and justice face challenges during their execution, and using this research, we will deeply dive into these challenges on one hand. One of the problems is that NGOs face many resource limitations and policy constraints, which adversely affect the effectiveness of human rights and restrict them from achieving fairness in society. Finally, this paper gives several recommendations to help human rights justice progress better.

¹ "The Role of Indian NGOs in Protecting Human Rights." <https://myabhinandan.com/the-role-of-indian-ngos-in-protecting-human-rights/>.

Keywords: NGOs (Non-Governmental Organizations), Human rights, social justice, Empowerment, Marginalized communities, Advocacy, Legal reform, public awareness.

1. Introduction:

India with its number of cultures, languages, and traditions is extremely rich and diverse, as well as with deep-rooted socio-economic disparities and human rights issues. From caste discrimination to gender-based violence, members of some marginalized communities are repeatedly being denied their basic rights and facing unequal justice and equality. In this context, NGOs assume significance by presenting justice for human rights and bringing vulnerable victims into practice. Human rights abuse is a powerful foundation of democracy decay and, consequently, restricts socio-economic advancement. The central idea in the understanding of the roles of NGOs in the implementation of human rights justice remains very important in achieving social justice, equity, and inclusive development in India.

2. Literature Review:

a) "NGOs and Human Rights: Promise and Performance"²

This paper takes into consideration the works of empirical researchers on non-governmental organizations (NGOs) and their roles in humans' right promotion globally. NGOs are depicted as highly influential and key players in the human rights landscape, who assume the role of advocate, partner, and capacity builder. This takes the form of advocacy, service delivery, and capacity development. The report talks about the issues around NGO involvement in human rights work, such as accountability, legitimacy, and impact. Additionally, it investigates how NGOs shape norms on human rights internationally, carry out the supervision of compliance with human rights standards, and make all the governments and actors involved accountable for violations of human rights.

b) "The Impact of NGOs on Human Rights: A Review of the Evidence"

This article offers a detailed survey of studies that have used empirical analysis to explore the

² "NGOs and human rights: promise and performance | Semantic Scholar." <https://www.semanticscholar.org/paper/NGOs-and-human-rights-%3A-promise-and-performance-Welch/7f2cd569c03e06be7be6afe0831158b1ff75c594>.

role of NGOs in bringing about improvements in human rights. Using a mixture of quantitative and qualitative research to conduct the review requires a comprehensive assessment of what extent the human rights NGO interventions are successful, through legal advocacy, public awareness campaigns, and service provision. It presents different conclusions from studies but all deal with a certain area or a certain program implemented by local NGOs which show differing results. In this review, an already known presence of inconsistencies is accentuated, and the call for more research is made to map out the mechanisms that NGOs apply to influence human rights in the world.

c) **“The Role of Non- Non-Governmental Organizations (NGOs) in Advancing Human Rights and Global Governance”**,³ penned down by Mrs. Jyothi, studies the NGOs’ role in advancing human rights, monitoring human rights violations, and shaping policy. They also occupy the position of service provider during emergencies and directly take part in conferences on global affairs to influence the agendas of the world. Although it is difficult, NGOs remain a global movement towards a more fair, just, and sound society.

d) **"Non-governmental Organizations' Role in International Human Rights Discourse"**⁴

This paper is devoted to the large part played by Non-Governmental Organizations (NGOs) in campaigning for human rights from the level of countries down to international spheres. It particularizes the imperative nature of NGOs in shifting the policy priorities, making the governments accountable, voicing out the unheard ones, and holding governments accountable for human rights violations. Nonetheless, despite their achievements, NGOs also face difficulties, such as limited funding, regulations, and security concerns. They exert their influence including the creation of international human rights norms, development conventions, and flow of standards. Be that as it may, watching over fairness, accountability, and representativeness with NGO structures is a very difficult task.

³ "THE ROLE OF NON-GOVERNMENTAL ORGANIZATIONS IN ADVANCING HUMAN RIGHTS"
<https://www.jetir.org/papers/JETIR2211665.pdf>.

⁴ "The Role of Non-Governmental Organizations in International Human Right."
<https://www.taylorfrancis.com/chapters/mono/10.4324/9781315086750-33/role-non-governmental-organizations-international-human-rights-standard-setting-prerequisite-democracy-david-weissbrodt>.

3. Hypothesis:

NGOs promote human rights justice in India through various ways such as advocacy, service delivery, awareness campaigns, etc.

4. Objectives:

- To understand the role of NGOs in promoting human rights justice in India.
- Examine the methods used by NGOs in solving human rights issues.
- Examine how NGOs' actions have affected the lives of marginalized communities.
- Indicate complexities faced by the NGOs and come up with new ideas that would help them to be more efficient.

5. Research Methodology:

The methodology of the research is the comprehensive examination of existing research papers' literature and extensive analysis of the case laws regarding the NGO's contributions to human rights justice promotion in India and the obstacles they face. From the start, we will have a comprehensive review of relevant research to pinpoint the major themes, approaches, and outcomes. Additionally, a qualitative content analysis method will be adopted concerning human rights-related case laws and legal precedents about the Indian legal system towards NGO interventions. This approach, however, seeks to convey a layered and thorough understanding of the NGOs' contribution towards justice for human rights, as well as the legal hurdles, and the practical setbacks they come across.

6. Human Rights Justice in India: An Overview

Indian Constitution, which was adopted in 1950, has a wide range of basic rights for its citizens, and it is a political statement that shows India's firm adoption of human dignity and equality principles. With these, the rights people have under the Indian constitution include the right to equality before the law (Article 14)⁵, freedom of speech and expression (Article 19)⁶, protection

⁵ "Article 14: Equality before law - Constitution of India." <https://www.constitutionofindia.net/articles/article-14-equality-before-law/>.

⁶ "Right to Freedom (Articles 19 - 22) - Freedom of Speech, Right to Life" <https://byjus.com/free-ias-prep/right-to-freedom-articles-19-22/>.

against discrimination (Article 15), and the right to life and personal liberty (Article 21)⁷. On an international level, India is also a signatory to a multitude of such human rights conventions and treaties which confirms its resolve to advance and protect human rights not only in the country but also globally.

Despite these legal defenses, the Indian human rights violations remain always owing to various socio-economic, cultural, and institutional issues. The basis of social inequalities is born out of the perpetuation of historical injustices and systemic discrimination and thus the victimization of vulnerable populations and the deepening of human rights abuses. Moreover, cultural rituals like caste discrimination and patriarchy take inequalities from one generation to the next and restrict the participation of certain communities.

7. Intersectionality of Human Rights Issues⁸

Human rights issues in India commonly intersect gender, caste, religion, ethnicity, and socio-economic class and have common roots. One example is that there are the Dalits and Adivasis that, over time, due to their caste and the tribe they belong to, were discriminated against and victimized by society. The women, however, from marginalized backgrounds experience discrimination and violence that are interrelated, to the extent that they are subjected to gender-based violence, limited access to education and healthcare services, and restricted economic opportunities. Such socio-economic divisions aggravate these vulnerabilities, as the particularly disadvantaged groups face a disproportionately large hurdle in pursuing basic services, inclusive of education, healthcare, and sanitation.

8. Challenges to Human Rights Justice:⁹

- a) **Institutional Corruption:** Corruption in government agencies namely the judiciary, law enforcement agencies, and administrative institutions limits access to justice thereby, raising a big hurdle in defending human rights in India. Corruption in the form of bribery,

7 "Article 21: Protection of life and personal liberty - Constitution of India." <https://www.constitutionofindia.net/articles/article-21-protection-of-life-and-personal-liberty/>.

⁸ "Power, privilege and justice: intersectionality as human rights?." 31 Oct. 2017, <https://www.tandfonline.com/doi/full/10.1080/13642987.2017.1390333>.

⁹ "Analyzing the Challenges to Human Rights in India: A Socio-legal" <https://www.iosrjournals.org/iosr-jhss/papers/Vol.27-Issue10/Ser-5/C2710051923.pdf>.

favoritism, and nepotism makes these institutions biased and unproductive, which are, in consequence, manipulated in a way that justice is often miscarried, and perpetrators of crimes are beyond reach. It therefore becomes hard for marginalized communities because they do not have sufficient money to go through the corrupt systems besides, they usually lack social capital. Hence, they face lots of challenges to access justice.

- b) **Legal Loopholes:** Although the advanced legal systems have rich jurisprudence, it is the gaps and vagueness in these regulations that facilitate the harassment and abuse of persons, especially those belonging to vulnerable groups. Institutionalized discrimination through laws, including those relating to land issues, inheritance, and personal status, works against the betterment of rights and justice for minorities and oppressed populations. Moreover, the era of old laws or laws that have not been enforced is not updated to provide any solutions to the rising human rights challenges hence marginalizing the weak and vulnerable.
- c) **Societal Biases:** Unfortunately, this entrenched system with biases from factors like caste, gender, religion, and ethnicity are the agents of prejudicial activities that hamper the attempts for better society standards namely the aspirations of human rights and justice. Prejudiced behaviors by law enforcement agents, prosecutors, and the general public are largely responsible for institutional discriminations that result in coddled justice and unequal treatment under the law. Discrimination such as stigma, bullying, and physical violence can be a danger to marginalized individuals or communities because they exist in preserved social hierarchies and will be forcibly discriminated against by society.
- d) **Lack of Awareness:** However, quite a lot of people, especially people from the lower-level groups, do not have this knowledge of what those rights entitle them to base the law. Lack of information, illiteracy, and word barriers do stop people from knowing their rights and making it known to the relevant stakeholders. This makes them accept harmful practices) and discrimination without (legal assistance) or (suitable redress). Further, since marginalized groups are often undereducated about legal proceedings and also have concerns about retaliation, they avoid formal justice systems.
- e) **Inadequate Legal Representation:** Highly qualified legal representation is undoubtedly a critical component in creating room for fairness in the justice system. Contrary to this, in many cases, the poor who don't have the means for quality and attainable legal assistance are just being left without proper representation. The overwhelmingness and lack of

resources may render the public defenders unable to ensure a good quality of representation for all the defendants they are serving. The associated factor here is the high charge demands of hiring private lawyers thus, it is in most cases hard for low-income people to have no legal assistance to fight for their rights which are already compromised.

9. NGOs and their Role in Promoting Human Rights Justice:¹⁰

a) Definition and Scope of NGOs:

Non-governmental organizations or NGOs are institutions that are not governed by the government and are mainly driven by either social, environmental, or humanitarian incentives. They can be registered as non-profit organizations, even if they can have revenue from donors, grants, or commercial processes that help them cover the costs of operating. Nongovernmental organizations do their best to solve social problems through a variety of ways, among them fighting poverty, protecting the environment, health care, and human rights. In India, NGOs function at multiple levels, which could be the local grassroots level to national and international organizations. They function in different fields such as education, health, women's rights, environmental protection, human rights, etc.

b) Evolution of the NGO sector in India:¹¹

The NGO sector of India has witnessed the completion of cyclic revolutions and substantial development since the country's independence in 1947. In the beginning, NGOs were not profit-making and mainly were into providing support to poor families, supporting education, and delivery of health services for those in need. In due course, the domain broadened its scope and intricacy by way of the establishment of specialized entities that exclusively draw on advocacy, research, policy analysis, and social, etc. mobilization. Besides, economic reforms in the early 1990s, which opened up India to the participation of civil society organizations and donors contributed immensely to the flourishing of the NGO sector. It is indeed a matter of pride today for India in terms of the vast and multifaceted National Non-Governmental Organization sector that has hundreds of organizations functional at the grassroots, regional, national, and international levels.

c) Importance of NGOs in Advancing Human Rights Justice:

10 "Role of NGOs in human rights - iPleaders." 31 Dec. 2021, <https://blog.ipleaders.in/role-of-ngos-in-human-rights/>.

11 "NGOs and Civil Society in India - JSTOR." <https://www.jstor.org/stable/23620147>.

NGOs with multifaceted roles in the fields of Indian human rights and social justice promote steadily. Such initiatives impact all the aspects of their overall effort ranging from advocacy to service delivery, capacity building, research, and community mobilization.

- **Advocacy and Policy Influence:** NGOs have become influential advocates of human rights, as they organize pressure on lawmakers, initiate legal reforms, and shape public opinion on key problems. They engage in campaigns, petitions, rallies, and media outreach to inform the public about human rights abuses, to instigate the public to undertake these efforts, and to prompt governments to enact reforms and abide by the international standard on human rights.
- **Service Provision and Support:** A lot of NGOs are directly involved in service delivery; in that they supply fundamental support and help to the people who are from the bottom of the society and also those whose lives are on the edge. In addition to the abovementioned services, consider including legal aid, counseling, shelter, health care, education, and livelihood support services. With these services NGOs eliminate the immediate problems, make the living become much easier as well as help the people in declaring and exercising their rights and justice.
- **Research and Documentation:** NGOs carry out research and documenting activities to collect evidence, identify patterns, and record human rights violations. The reports, publications, and data analyses through which they give useful information about the causes, the effects, and the effectiveness aspects of human rights violations, policies, and practices are provided by them. This research does not only build the foundation for the advocacy efforts and the policy recommendations, but it can also be an effective tool for legal action.
- **Capacity Building and Empowerment:** NGOs help communities by training them to stand up for their rights in case of violation by other people or organizations. Through training programs, workshops, and grassroots outreach, they bring knowledge to the people on their rights, legal procedures, and services and support available to them. Through educating the groups living on the margins, NGOs provide marginalized people with knowledge, skills, and resources, and thereby these people can fight for their rights, interact with the authorities, and hold the authorities responsible.

- **Monitoring and Accountability:** The NGOs are arguably the key stakeholders in scrutinizing human rights abuses, ensuring that the offenders are brought to justice, and assisting victims to obtain remedy or reparation. Investigations, documentation of the cases, and collaboration with lawyers are parts of their work to ensure the persecution of the offenders within the legal framework. Their watchdog role where they expose perpetrators' wrongdoings and judge their actions creates an environment conducive to the spread of respect for human rights and discourages atrocities in the future.

d) Examples of NGOs and their Initiatives:

- **Amnesty International:**¹² Amnesty International, which is a worldwide NGO, is working actively in India. Here it raises issues of human rights interests by conducting research, campaigns, and lobbying efforts. In India, there has been a campaign on issues of police brutality and Freedom of expression by Amnesty International. One of their exemplary actions is that the organization has carried out investigations into extrajudicial execution and people being kidnapped and made to disappear forever, and this has led to legal reforms and accountability.
- **Human Rights Watch:**¹³ Another international NGO has been trying to let justice triumph over human rights abuse in India. Such an organization conducts not only research but advocacy on numerous problems: child labor, to give only one example, and also other related issues such as gender-based violence and freedom of religion. The Human Rights Watch (HRW) has issued reports that highlight the Indian country's situation and has called for stronger rights protection laws and monitoring mechanisms (HRW, 2021).
- **Oxfam India:**¹⁴ Oxfam India, one of the major NGOs, contributes to society by undertaking activities that are concerned with poverty eradication, social justice, and human rights. The organization accordingly makes movements that encourage the liberty of the inhabitants through advocacy, capability development, and livelihood support programs. Oxfam India, an organization, as part of its campaigns, aims to

12 "Latest - Amnesty International." <https://www.amnesty.org/en/latest/>.

13 "Human Rights Watch | Defending Human Rights Worldwide." <https://www.hrw.org/>.

14 "Know Us Better - Oxfam India." 30 Dec. 2021, <https://www.oxfamindia.org/oxfam-annualreports>.

address inequalities in areas such as health care delivery, education, and economic opportunities, through these campaigns (Oxfam India, 2020).

- **Human Rights Law Network¹⁵** is active in 24 Indian states. This coalition it includes NGOs, social movements, academics, students, activists, researchers, judges, and lawyers. HRLN constitutes part of the movement for the rights of the marginalized through various avenues including public interest litigation, advocacy, awareness campaigns about rights, investigation of violations, and ‘know your rights’ materials’ publication.
- **Acid Survivors Saahas Foundation (ASSF)¹⁶**, a city-based anti-acid attack organization, in Mumbai. Acid Survivors Foundation Saahas run by Mrs Khan Daulat Bi was established in Mumbai in 2016. Being the victim of an acid attack in 2010, she was herself. ASSF's vision is to work for the elimination of acid attacks from the world through the collective strength of the survivors and activists in this regard. The founder of the department store implements a concept that he runs efficiently through a team of victors here.
- **Kat Katha, New Delhi¹⁷**

Kat Katha urges the government agencies to work for those who were sexually exploited and trafficked as they were too young. It is this woman and human rights-focused organization whose goal is to end forced sex and to help women make their own life decisions. For the past 8 years, they have been working with more than 1500 trafficked women and 200 children.

10. Strategies Employed by NGOs:

a) Advocacy and Lobbying Efforts:

NGOs are entrenched in advocacy and lobbying to cause change to the policies, laws, and opinions towards human rights issues. The activities of organizations consist of research, media outreach, and coalition building and they use these tools to amplify the voices of the

15 "Human Rights Law Network (HRLN) - Namati." 30 Jan. 2013, <https://grassrootsjusticenetowrk.org/connect/organization/human-rights-law-network-hrln/>.

16 "Acid survivors saahas foundation - Acid Attack Victim & Survivor In India." <https://www.assfindia.org/>.

17 "Kat-Katha and Delhi's Red Light Area: Understanding a 'No ... - Medium.'" 26 Aug. 2020, <https://medium.com/@surabhi.y/kat-katha-and-delhis-red-light-area-understanding-a-no-to-change-in-hostile-spaces-cc3311fdb60d>.

deprived groups while holding the governments and corporations accountable. Advocacy includes making persuasive statements based on facts to the representatives of policymakers, lawmaking authorities, and other significant individuals who dictate the policies, rules, and regulations that affect human rights. On their part, NGOs capitalize on different strategies like visiting elected officers, organizing public demonstrations, and harnessing media outlets to promote their agendas. The activities of NGOs are centered on the establishment of laws that must regulate the public and international sectors to promote human rights and justice on local, national, and international levels.

b) Community Empowerment and Capacity Building:

Through their training in legal knowledge, leadership skills development, and training in human rights, NGOs give communities enough power. They ensure that local communities develop the capacity to push for the realization of their rights, access justice mechanisms, and play active roles in decision-making. Capacity-building initiatives are aimed at empowering individuals and communities to independently use their legal and institutional systems appropriately and efficiently. NGOs organize workshops, seminars, and lessons on human rights laws, grievance mechanisms, as well strategies for advocacy. Besides, they help cultivate community-based projects, adopt a participatory attitude, and build a network of grassroots activists, who are tasked to carry out collective action as well as to advance social change. Communities with the guidance and support of an NGO will be more assertive and demand their rights as well as hold the authorities accountable for any injustice.

c) Legal Aid and Litigation Support:

Numerous NGOs provide pro bono legal services to people and communities who cannot afford such services elsewhere. These NGOs represent individuals and communities in court cases and administrative procedures. The equalizer, legal aid services, breaks down hurdles of justice and guarantees that the deprived social groups can obtain proper professional legal help. NGOs help the beneficiaries to understand the legal procedures and how to file complaints and get redress for violations of human rights. They put forward the demands of justice, due process, and the rule of law and call for legal modifications to enhance the protection of the weak class of society. Additionally, NGOs engage in strategic litigation to challenge the anti-discriminatory laws, policies, and practices, providing legal

examples and the further development of jurisprudence as to human rights. Legal aid and litigation support ascribed by NGOs are essential in that they help individuals exert their rights, seek justice, and secure remedies for human rights abuses.

d) Awareness Campaigns and Education Programs:

NGOs provide a wide array of educational programs including awareness campaigns to inform the general public about human rights problems and shape the environment for discussion and respect towards human rights. Using workshops, seminars, public events, and social media campaigns, they increase the public's attention to the specific rights violations, to the growth of human rights knowledge, and to the advocacy of others who would like to help correct the situation. The NGOs prepare educational materials which include brochures, fact sheets, and videos to educate people about International human rights laws, norms as well as standards. Besides, they do sensitization of learners in schools, universities, and communities to use human rights as a subject in formal and non-formal learning. The main objective of such organizations is to promote dialogue, allow society to think critically, and develop empathy for people to become active agents of change who reject discrimination and injustice and build a fair and equitable society.

11. Impact Assessment of NGO Interventions:

Assessment of the Social Impact of NGO interventions is a paramount aspect that involves judging the effectiveness and results of the program on human rights issues. It entails the use of multiple evaluation techniques to gauge the outcome of their initiatives on the target population, while also identifying what is going well, what needs further improvement, and the knowledge gained.

a) Quantitative and Qualitative Evaluation Methods:

NGOs rely on two evaluation methods, which are the quantitative and the qualitative, to determine the entirety of the impact of their interventions. Quantitative methods rely on data acquisition and analysis using numerical tools, for example, means of surveys, statistics, and quantitative indicators. At the same time, qualitative methods concentrate on the way people feel, think about, and narrate their personal stories of whether they have made life easier or not through the intervention. The qualitative approach nails the interviews, the focus groups, and the fieldwork. These methods reveal the ambient circumstances, multifaceted dimensions, and features of human rights violations and intervention means concerning their correspondence.

However, NGOs determine such outcomes by combining their information from the data both quantitative and qualitative and this ensures that they have a wide understanding of the extent of their interventions, which they can then analyze to find the available options for efficiency optimization.

b) Measurement of Impact on Target Communities:

NGOs use measurable indicators of impact to evaluate the effectiveness of their interventions in promoting justice for human rights. Impact indicators may include:

- Improved access to justice: NGOs estimate the degree to which illegal aid, redress channels, and justice systems have been put in place for marginalized groups.
- Increased awareness of rights: NGOs monitor the changes in knowledge, attitudes, and awareness about human rights issues among the communities that they are working with as a result of their interventions.
- Reduced incidence of human rights violations: NGOs measure the incidence of human rights violations that have become less common and severe, e.g. cases of discrimination, violence, and exploitation, after their actions.
- Enhanced community resilience: An NGO assesses the community's resilience to violations of human rights and their ability to defend their rights, mobilize resources, and collectively address problems.
- NGOs can measure these impact indicators to assess how much the intervention has contributed to the positive changes in the lives of the target communities and further improvement of areas.

c) Success Stories and Lessons Learned:

NGOs share stories of successful interventions and draw lessons from them to demonstrate the result of their programs and highlight the cause and future programming and advocacy campaigns. The success stories comprise narratives about both the individual-level and community-level transformations from the work of NGOs that are caused by improved access to justice for the marginalized, empowerment of neglected groups and policy change for the benefit of society. Using these stories, concrete cases of the extraordinary value of human rights implementations are put forward that make all the participants prompt for progress.

Furthermore, NGOs take into account their achievements and mistakes from conducted interventions, for example, difficulties met, techniques found beneficial, and methods applied to avoid the challenges. Through transferring the knowledge gained, NGOs enhance the level of collective experience and intelligence in the sector of human rights, allowing other organizations to repeat what has worked and avoid what has failed before.

12. Challenges Faced by NGOs:¹⁸

- a) **Lack of Funding and Resources:** Many NGOs need to raise money from "third donor organizations" to maintain operational and employee functions. Nevertheless, accessing the financial resources necessary for such groups – especially those dealing with potent and debatable matters – is often a real challenge. Government funding may be inaccessible or even restricted for NGOs with challenging views, while private funding donors may think twice about their support for any matter questioned by the public.
- b) **Social Stigma and Opposition:** Despite the indispensable role played by NGOs that strive for issues such as LGBTQ+ rights, women's empowerment, or minority rights, the effort towards such sensitive topics is often met with criticism, hatred, or retaliation from conservative or traditionalistic communities within society. The adversity can be expressed as a public reproach, demonstrations, a threat, or, in its extreme form, physical assault upon NGO members and volunteers.
- c) **Security Risks:** NGOs that focus on these critical problems could encounter security risks, including threats to the safety life, or well-being of their staff, volunteers, and beneficiaries. This is particularly striking when it comes to areas that are conflict-affected, where the organization may become a target of violence by the state or non-state actors.
- d) **Lack of Access to Information:** Governments and other institutions may choose not to share crucial data for the NGO to carry out research, advocacy, or monitoring, and thus this may not only be ineffective but may also be challenging. Availability of information can determine the extent to which NGOs can record human rights violations, champion outcomes policies, or enact authority's accountability.

18 "THE FIVE PRESSING CHALLENGES FACING INDIAN NGOS." 27 Sept. 2018, <https://sustainablesquare.com/five-challenges-facing-indian-ngos/>.

- e) **Distrust and Misinformation:** NGOs often experience resentment or indifference from government officers, local authorities, or the public at large with the coming to power challenges to the existing power relations or the interests of the vested for example. Lying and disinformation, especially from enemy actors, may also crack more confidence in the non-profit's cause.
- f) **Limited Capacity and Expertise:** NGOs oftentimes have limited capability, experience, or access to sophisticated means to effectively deal with complex and sensitive matters, such as legal proceedings, trauma counseling, or conflict mediation. Forming the required skill set amongst the employees within the company can be a big task and this could be met by investing in training, mentorship, and developing professional skills.
- g) **Government Interference:** NGOs are very likely to have this kind of pressure or interference from actual authorities believing that NGOs seek to undermine the authorities' interests or the implementation of political agenda. The private sphere of the NGO can be intruded on by this interference which may appear as legal restrictions, monitoring, harassment, or even legal actions aimed at limiting NGO's activities.

13. Judicial Cases Empowering Equity:

a) **D.K. Basu vs. State of West Bengal:**¹⁹

Justice D.K. Pillai, who occupied the Executive Chairman's position at the Legal Aid Service, West Bengal, wrote a letter to the Chief Justice of India about deaths reported in police lockups and during custody. He campaigned for these steps: paying families of victims, and punishing the guilty officers, while the law system develops a jurisprudence on the concept of custody. The court came up with the acknowledgment that this letter became a public interest litigation case (PIL), and with their orders, it established a guideline for the behavior of the police officers during an arrest. The guidelines reported by D.K. Basu's title, often, form a major reference for cases dealing with custodial deaths and torture, illegal arrests, and detention.

b) **Vishaka and Others vs. State of Rajasthan:**²⁰

The Vishaka, a women's rights organization located in Rajasthan lodged a PIL at the

¹⁹ (1997) 1 SCC 216

²⁰ AIR 1997 SC 3011

Supreme Court, requiring a set of rules to be established to govern sexual harassment in workplaces. In doing so, it was accompanied by other women's rights organizations. This petition was at the very top of the list because Bhanwari Devi was a government employee in Rajasthan who was raped by a gang to prevent child marriages. The Vishaka Association argued that the government had failed to provide sufficient protection for the likes of Bhanwari Devi, hence the intervention of the Supreme Court to give instructions was a must. In the wake of the Vishaka norms which came to life in 1997 and articulated the human rights standards, the Supreme Court of India prescribed the linkages between the said standards and laws on the issue. It was only when the recent amendment of the Sexual Harassment of Women at Workplace Act 2013 came into effect that these guidelines no longer would remain in force.

c) Indian Council for Enviro-Legal Action and Others and Others vs the Union of India and Others.²¹

The PIL came into force when an NGO took legal proceedings against chemical industrial plants in Bichhri village, Udaipur District, Rajasthan to stop and correct pollution. The NGO accused these respondents that these plants discharging hazardous waste into the surrounding environment. The Supreme Court had those appropriate rulings and orders to protect the ecology and prevent environmental degradation.

d) Citizens for Democracy vs. the State of Assam and Others:²²

Well-known journalist, Kuldip Nayar, who heads the NGO citizen democracy wrote to the Supreme Court after observing seven detenus under the Terrorist and Disruptive Activities (Prevention) Act locked inside a hospital in Assam. Based on this letter, the Supreme Court (SC) made it an issue of PIL (public interest litigation) and ruled that handcuffing and limiting the movement of detainees in the hospital were dehumanizing and violated Indian law and international human rights principles. The ruling also had an important influence on the development of Supreme Court jurisprudence in prisoners' rights.

e) Sakshi vs. Union of India and Others:²³

The NGO – Sakshi which is all about women's rights offered various forms of support to the female victims of sexual violence and decided to approach the Supreme Court seeking

²¹ (1996) 5 SCC 281

²² (1995) 3 SCR 943

²³ AIR 2004 SC 3566

guidelines and directions in sexual violence cases. Even though the Supreme Court failed to change legal definitions, it provided a set of guidelines for the trial of child sexual violence in which victims were considered during the proceedings. Among all notable guidelines, the Sakshi Guidelines were made an important part of the Protection of Children from Sexual Offences Act of 2012.

f) Naz Foundation vs. Government of National Capital Territory of Delhi: Government of National Capital Territory of Delhi:²⁴

Section 377 of the Indian Penal Code is one of several discriminatory Provisions that criminalize homosexual activities. The Naz Foundation India (NGO) filed a suit challenging the validity of section 377, in the court on the grounds of violation of human rights and violation of Articles 14 and 21 of the Indian Constitution. Recently, the Supreme Court of India, in a path-breaking order, annulled the criminality of Section 377 of the Indian Penal Code concerning consenting sexual acts between two adults in the confines of their homes. Although the PIL eventually lost the battle in the Supreme Court, the lawsuit started bringing forth a heated hue and ultimately made the campaign to scrap 377 Section more powerful. The legal battle of the Voices Against Section 377 Coalition, comprising Human Rights NGOs and activists fighting for repeal, in the Delhi High Court and the Supreme Court was followed by this advocacy program.

14. Suggestions for Enhancing NGO Effectiveness:

a) Embracing Digital Tools and Platforms:

- **Mobile Applications:** NGOs may develop mobile specs that give direct access to information, services, and support of the communities that remain earmarked. To illustrate, the app may provide legal consultations, help users find places to get help or file complaints about human rights violations that happen.
- **Social media:** FB, Twitter, and Instagram possess tremendous potential for an NGO to promote a cause raise public awareness, gather allies, and lobby for a change. Social media campaigns can make the voices of those counted by human rights louder and can create a picture that would then fuel more discussions.

²⁴ (2014) 1 SCC 1

- **Data Analytics:** NGOs can capitalize on data analytics to analyze historical trends, identify existing patterns, and track the change brought about by their initiatives. Through data collection and analysis NGOs can make informed decisions, can be specific in course of action, and can track progress towards the goal.

b) Strengthening Partnerships and Collaboration:

- **Government Agencies:** Joint work with government representatives allows NGOs to impact policy, deploy resources, and improve programs at the scale. One of the possible avenues for collaboration that can offer assistance in human rights implementation is working with local and national government agencies. Such partnerships would help in ensuring adherence to human rights frameworks and enforcing accountability in cases of human rights violations.
- **Academic Institutions:** Although organizations team up with professor-driven institutions, they can get research experts, data analysis gadgets, and student volunteers at their disposal. Synchronized research with evidence-based conclusions and creative solutions can be created through cooperative projects and thus challenge the complex violation of human rights.
- **Corporate Partners:** Corporations can fund NGO activities and contribute to conceptual and organizational solutions through such partnership engagement. Initiatives of corporate social responsibility and partnerships with imitative businesses of social responsibilities are things that can be answered by social impact and sustainable development.

c) Building Adaptive and Resilient Organizations:

- **Strategic Planning:** NGOs must implement strategic planning steps for their organizations about the definition of objectives, activities priorities, and allocating resources efficiently. Strategic plans should be practical enough and adaptive to employ in adjustment to the change of circumstances and capture the emergence of new opportunities.
- **Risk Assessment:** Evaluating risks assists non-governmental organizations in identifying the probable dangers, weaknesses, and ambiguities that can be exploited to derail their overall operations. Through the proactive anticipation of risks, NGOs can

formulate comprehensive mitigation strategies and contingency plans to identify factors that could negatively influence the smooth operation.

- **Scenario Planning:** Scenario planning requires an individual to visualize their possible future, and plan how to react to that future. NGOs can predict the risks of unpredictability and address them by assessing different possible futures. It will enable NGOs to be safer in highly uncertain situations as they will be more resilient to unexpected adversities.

15. Conclusion:

In general, this research article covers the whole spectrum of human rights justice in India, highlighting the central role played by non-governmental organizations (NGOs) in this noble course. India's beautiful cultural legacy is, however, tarnished by the socioeconomic divide and systematic human rights violations which render the task of NGOs even more necessary.

The intersectional nature of many social problems such as caste discrimination, gender-based violence, and institutional corruption has been laid bare by a critical in-depth evaluation of the challenges and complexities of underprivileged groups. These legal security guards and international commitments do not necessarily ensure justice and equality for everyone. NGOs transform into lighthouses, diligently championing reforms, supplying essential services, conducting research, and community advocacy. Their multipronged approach, which comprises advocacy, provision of services, capacity building, and legal aid, testifies to their essential role in both human rights and social justice promotion.

Nevertheless, it is a long and thorny road. Starting from the interferences of government and funding complications, NGOs go through a difficult path to promote justice. However, their tenacity and innovation have launched positive changes that are evident from some success stories and efficient interventions that have taken place.

As we see through the lens of our research findings it becomes clear that human rights justice in India can only be achieved through concerted action and firm and long-lasting dedication on the part of all the stakeholders. This policy paper suggests specific action and needs greater awareness,

resources, and collaboration as the pathway to a more equitable and inclusive society. In short, the work of NGOs acts as a light of hope and keeps humanity connected to the values and rights of every individual being. As we dream about a time when justice is upheld, we have to step up and work hand in hand with the people who are at the forefront of this noble campaign. Together, we'll bring about a world where human rights are neither just ideals nor only living realities, but real facts of life for every human being.

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