

**Jatindra Kumar Das, *Human Rights Law and Practice* (PHI Learning Private Limited, New Delhi, 2022), Pp. 808+xlvii, Price Rs. 1350.**

The principles of human rights are as old as the ancient doctrine of “natural rights” founded on natural law. The expression “human rights” is of recent origin emerging from post Second World War (1939-1945) in the International Instruments, the Charter of the United Nations, 1945 (UN) etc.<sup>1</sup> The Preamble of the Charter of the United Nations, 1945 declares that the United Nations shall have for its object, *inter alia*, “to reaffirm faith in fundamental human rights,” and Article 1 thereafter states that the “purposes” of the United Nations shall be, *inter-alia*, “to achieve international co-operation...in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion...” The Charter of the United Nations, 1945 had been ahead of its time by linking peace and security, and socio-economic development and respect for human rights, for example, by Articles 55 and 56.<sup>2</sup> In this context, the issues are: What exactly human rights are? When and how human rights law has originated and been developed? Whether ancient Indian tradition has any relevance in explaining the contemporary understanding of human rights law? What are the important theories that explain the foundation of human rights law? In light of the above objectives, the author of the book: “Human Rights Law and Practice” has critically analysed the development of contemporary human rights law and practice, paying particular attention to human rights approach in India. There are nine Chapters in the book. This book allows readers to get an in-depth view into human rights law practice in India.

The Chapter 1 of the book, titled: “Theoretical Foundations of Human Rights Law” begins with the conceptual and theoretical foundations of human rights law.<sup>3</sup> The author in this Chapter has examined a large number definition of human rights. Certain definitions of human rights only imposing the duty to respect human rights by the State or other public authority and thus protection of human rights against non-state actions are denied by them. In contrast, at the national level inability persists to come to any consensus that has led to definitions of convenience as States carve out meanings and conceptions that serve their best interests. In India,

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1 See, Jatindra Kumar Das, “Three Generations of Human Rights: Present and Future Role of NHRC”, *Journal of National Human Rights Commission India*, vol. 17 (2018), pp. 203-228.

2 For analysis of Articles 55 and 56, see, Karin Arts and Atabongawung Tamo, “The Right to Development in International Law: New Momentum Thirty Years Down the Line?”, *Netherlands International Law Review*, vol. 63 (2016), pp. 221-249 and 294.

3 *Ibid.*, Chapter 1, pp. 1-60.

Section 2(d) of the Protection of Human Rights Act, 1993 defines human rights.<sup>4</sup> Definition under Section 2(d), however, limits the scope of the functioning of the National and States Human Rights Commission. Nevertheless, the author concludes that although “human rights” is a developing concept, the definition of “human rights” which has been adopted in the Protection of Human Rights Act, 1993 has been designed widely to encompass within it all the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants which are enforceable by Courts in India. Whenever a person has been guaranteed certain rights either under the Constitution or under an International Covenant or legislation and he is denied access to such a right, then it amounts to a clear violation of his human rights.<sup>5</sup> Therefore, quite clearly, a citizen of India is entitled to live his life with dignity. Deprivation of dignity would involve violation of human rights and the right to access to justice is a constitutional right.<sup>6</sup> Where there is an improper investigation by the investigating officer this amount to a violation of human rights.<sup>7</sup> It is a matter of fact that human rights have achieved great and important values. Not only constitutional protection is extended in case of violation of human rights, but also statutory protection is available in such a violation under the relevant legislation.<sup>8</sup>

The Chapter 2 of the book, titled: “International Bill of Human Rights” discusses various aspects of civil and political rights, as well as economic, social, and cultural rights. Civil and political rights as well as economic, social, and cultural rights, *inter alia*, are the subject matter of International Bill of Human Rights. The formulation of the Bill and its content was debated during the adoption of the Universal Declaration of Human Rights, 1948 (UDHR) and two binding International Human Rights Covenants of 1966. The legal force of the UDHR was questioned time and again and thus two human rights Covenants have also been debated on the preferential ground. Over time it has been debated that the contents of the rights and the States’ treatments on enforcement of rights are also not satisfactory, while in the changing circumstances new generation of rights is not falling within the original scheme of the International Bill of Human Rights.

Efforts to relate human rights and rule of law can be found in the book. The “equal protection of the laws” and “equality before the law” is important corollary

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4 Section 2(d) of the Protection of Human Rights Act, 1993 defines, “Human rights mean the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India.

5 *Bihar State Electricity Board v. Bihar State Human Rights Commission*, AIR 2013 Pat 11.

6 *Delhi High Court Bar Association v. Govt. of NCT of Delhi*, 203 (2013) DLT 129.

7 *Shilpa Lohia Modi v. West Bengal Human Rights Commission*, (2012) 4 CALLT 675 (HC).

8 *KolliYerukulamma v. Chairman, Visakhapatnam Port Trust*, 1996 (4) ALT 554.

of rule of law<sup>9</sup> which have duly been reflected in the UDHR. Interesting reference to first corollary of rule of law (equal protection of the laws), in *Pioneer Urban Land v. Union of India*,<sup>10</sup> the Supreme Court of India mentioned:

The equal protection of the laws is a pledge of the protection of equal laws. But laws may classify. And the very idea of classification is that of inequality. In tackling this paradox the Court has neither abandoned the demand for equality nor denied the legislative right to classify. It has taken a middle course. It has resolved the contradictory demands of legislative specialization and constitutional generality by a doctrine of reasonable classification.

The author has explained the quantum and magnitude of the right to life with the help of Indian judicial decisions. Article 6(1) of the International Covenant on Civil and Political Rights, 1966 (ICCPR) provides, ‘Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.’ Thus, this provision only prohibits the arbitrary deprivation of life without defining which type of killing would be non-arbitrary. However, this right is rooted in the rights of liberty and security of the person, as well as the prohibition on arbitrary detention, and applies regardless of legal status. In India, the right to life has been guaranteed under Article 21 of the Constitution of India. Over time the right to “life” under Article 21 of the Constitution has given a wider connotation by the India Supreme Court and High Courts. Thus, the right to information or the right to know is an intrinsic facet of the right to life.<sup>11</sup> In *Anita Kushwaha v. Pushap Sudan*,<sup>12</sup> the Supreme Court held that the word “life” implies not only live in the physical sense but a bundle of rights that makes life worth living, there is no juristic or other bases for holding that denial of “access to justice” will not affect the quality of human life to take access to justice out of the purview of right to life guaranteed under Article 21. Thus, access to justice is indeed a facet of right to life guaranteed under Article 21 of the Constitution. The right to life does not mean mere animal existence alone but includes every aspect that makes life meaningful and liveable<sup>13</sup> such as the right against solitary confinement and prison

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9 Article 14 of the Constitution of India provides that the State shall not deny to any person equality before law or equal protection of laws within territory of India.

10 AIR 2019 SC 4055.

11 *Indibity Creative Pvt. Ltd. v. Govt. of West Bengal*, AIR 2019 SC 1918.

12 AIR 2016 SC 3506.

13 *Maneka Gandhi v. Union of India*, AIR 1978 SC 597.

torture and custodial death,<sup>14</sup> right against bar fetters,<sup>15</sup> right to marriage,<sup>16</sup> right to make reproductive choices,<sup>17</sup> right to reputation,<sup>18</sup> right to free legal aid,<sup>19</sup> right against handcuffing,<sup>20</sup> right to compensation for illegal and unlawful detention,<sup>21</sup> right to a speedy trial,<sup>22</sup> right to emergency medical aid,<sup>23</sup> right to shelter, clothing, decent accommodation,<sup>24</sup> right to clean environment.<sup>25</sup>

The author has pointed out that the rights including the right to social security, the right to a minimum standard of living, and the right to take part in cultural life are guaranteed in the International Covenant on Economic, Social, and Cultural Rights, 1966 (ICESCR). Following the provisions of ICESCR, cultural rights are enumerated together with the economic and social rights which constitute three inter-related components of a more comprehensive package. The author links the core of social rights with the right to an adequate standard of living.<sup>26</sup> The enjoyment of these rights requires, at a minimum, that everyone shall enjoy the necessary subsistence rights such as adequate food and nutrition, clothing, housing, and the necessary conditions of care. Closely related to this right is the right of families to assist.<sup>27</sup> To enjoy these social rights, there is also a need to enjoy certain economic rights. These rights are the right to property,<sup>28</sup> the right to work,<sup>29</sup> and the right to

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14 *Sunil Batra v. Delhi Administration*, AIR 1980 SC 1579.

15 *Charles Sobhraj v. Suptd. Central Jail*, AIR 1978 SC 1514.

16 *Lata Singh v. State of U.P.*, AIR 2006 SC 2522.

17 *Suchita Srivastava v. Chandigarh Administration*, AIR 2010 SC 235.

18 *Sukhwant Singh v. State of Punjab*, (2009) 7 SCC 559.

19 *Khatri II v. State of Bihar*, AIR 1981 SC 928.

20 *Prem Shankar Shukla v. Delhi Administration*, AIR 1980 SC 1535.

21 *Rudal Shah v. State of Bihar*, AIR 1983 SC 1086.

22 *Sheela Barse v. Union of India*, AIR 1988 SC 2211.

23 *Parmanand Katara v. Union of India*, AIR 1989 SC 2039.

24 *Shantistar Builders v. Narayan Khimalal Totame*, AIR 1990 SC 630.

25 *M.C. Mehta v. Union of India*, (1997) 1 SCC 388.

26 This right is recognised in the Article 25 of the Universal Declaration of Human Rights, 1948, Article 11 of the International Covenant on Civil and Political Rights, 1966 and Article 27 of the United Nations Convention on Rights of Child, 1989 (CRC).

27 Article 10 of the ICESCR and Article 27 of the CRC.

28 Article 17 of the Universal Declaration of Human Rights, 1948.

29 Article 23 of the Universal Declaration of Human Rights, 1948 and Article 23 of the International Covenant on Economic, Social, and Cultural Rights, 1966.

social security.<sup>30</sup> Economic rights have dual functions. On the one hand, this right serves a basis for entitlements which can ensure an adequate standard of living while on the other hand, it is a basis of independence and therefore of freedom. The right to livelihood is directly related to the right to work and thus Article 6 of the International Covenant on Civil and Political Rights, 1966 recognise the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right. The Constitution of India does not recognise this right as “Fundamental Rights”. The right to livelihood has been incorporated under Articles 39(a) and 41 as “Directive Principles”.

The Supreme Court of India in *Paradeep Phosphates Limited v. State of Orissa*,<sup>31</sup> held that: “Right to work is a vital right of every employee and, it shall not be taken away without giving reasonable opportunity of being heard otherwise it would be an act of violation of the Constitutional mandate.” The author presents relevant judicial decisions in this regard. More specifically, in *Senior Divisional Commercial Manager v. S. C. R. Caterers*,<sup>32</sup> the Supreme Court held that every Welfare State must generate employment. Presently, millions of youth in the country are unemployed. The right to livelihood is a part of the right to life under Article 21 of the Constitution of India. In *A.G. Ismail v. Union of India, Ministry of Labour*,<sup>33</sup> the Karnataka High Court held that in case the workman is denied the right to continue the work, obviously, it adversely affects his fundamental right under Article 21 of the Constitution of India and denying the right to work is to cause the economic death of a workman and his family. In connection to equal pay for equal work the Supreme Court in *Jaipal v. State of Haryana*,<sup>34</sup> held that a public employer, like the State, was to be under a constitutional obligation to ensure equal pay for equal work, where the two sets of employees-discharged similar responsibilities under similar working conditions.

The role of human rights law in protecting against inhuman wrongs is covered in detail in Chapter 3 of the book, titled “Human Rights Law and Protection Against Inhuman Wrongs.” The Charter of the United Nations, 1945, the UDHR, 1948, and two International Covenants on Human Rights, 1966 stipulate the basic principles of civil and political rights and economic, social, and cultural rights. But these

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30 Articles 22 and 25 of the Universal Declaration of Human Rights, 1948; Article 9 of the International Covenant on Economic, Social, and Cultural Rights, 1966 and Article 9 of the Convention on the Rights of the Child, 1989.

31 AIR 2018 SC 2108.

32 AIR 2016 SC 668.

33 2017 (3) LLN 442 (Kar.).

34 AIR 1988 SC 1504.

principles are little help to prevent inhuman atrocities. Thus, several human rights instruments have been adopted to prevent the commission of certain wrongs because of their inhuman nature and their commission is against the dignity and worth of human persons. In this context, author has examined following questions are: What exactly 'Genocide' is and how the commission of genocide is to be prevented? What is the meaning of 'Apartheid' and when and how the anti-apartheid human rights law has been evolved and developed? Is torture includes any other inhuman acts and punishments and whether human rights law is capable to prevent torture? What is the role of human rights law in eliminating racial discrimination, slavery and slave trade, forced labour, human trafficking, and the death penalty? The Convention on the Prevention and Punishment of the Crime of Genocide, 1948<sup>35</sup> (1948 Genocide Convention) criminalises not only genocide itself, but also other acts including direct and public incitement to genocide. Winston Churchill called it "a crime without a name,"<sup>36</sup> while the Genocide Convention, 1948 labels it an "Odious Scourge."<sup>37</sup> Several scholars, however, recognise it as "the ultimate crime, the pinnacle of evil."<sup>38</sup>

The author gives due credit to decision of the Delhi High Court laid down in *State v. Sajjan Kumar*,<sup>39</sup> which has recognised the contribution of Professor Raphael Lemkin whose academic efforts were instrumental in bringing about the Convention on the Prevention and Punishment of the Crime of Genocide, 1948 which has been ratified by India. The Convention mandates that genocide, whether committed in time of peace or in time of war, is a crime under International Law, which they undertake to prevent and to punish held by the Madras High Court in *Saraswathi Govindaraj v. The Secretary to Government Ministry of External Affairs Government of India*.<sup>40</sup> Article 1 of the United Nations International Convention on the Suppression and Punishment of the Crime of Apartheid, 1973 declares that "Apartheid is a crime against humanity"<sup>41</sup> and that acts stemming from apartheid are "Crimes

35 India is a party to the Convention as she acceded to it on 27 August, 1959. See, 78 UNTS 277 (1951).

36 Raphael Lemkin, "Genocide", *American Scholar*, vol. 15(2)(1946), pp. 227-230.

37 The Convention on the Prevention and Punishment of the Crime of Genocide, 1948 (Genocide Convention), General Assembly resolution 260 A (III) of 9 December 1948, entry into force on January 12, 1951.

38 See, for example, David L. Nersessian, "The Contours of Genocidal Intent: Troubling Jurisprudence from the International Criminal Tribunals", *Texas International Law Journal*, vol. 37 (2002), pp. 231-276.

39 2019I AD (Delhi) 1.

40 2013 (5) ESC 2758 (Mad).

41 International Convention on the Suppression and Punishment of the Crime of Apartheid (1973 Apartheid Convention), G. A. Resolution 3068 (XXVIII) of November 30, 1973, entered into force July 18, 1976.

violating the principles of International Law”, while Article 4 of the Apartheid Convention obliges that the States Parties to take both *ex ante* and *ex post* measures, including prosecution, to suppress apartheid. The most controversial and difficult issue in the negotiations on the definition of “crimes against humanity” was whether these qualifiers should be disjunctive (i.e., widespread or systematic) or conjunctive (i.e., widespread and systematic). During the negotiations, a contingent composed predominantly of members of the “like-minded group” argued that a disjunctive test had already been established in existing authorities. In *State of Maharashtra v. Jethmal Himatmal Jain*,<sup>42</sup> the Bombay High Court held that sale of adulterated and substandard drugs and making money out of samples that are not intended for sale are virtually crimes against humanity. Article 5 of the UDHR and Article 7 of the ICCPR both provide that no one shall be subjected to torture or cruel, inhuman, or degrading treatment or punishment. But neither the term “Torture” was defined therein nor it was elaborated that how the torture or other inhuman or degrading treatment or punishment shall be prevented till 1975. Hence, the United Nations General Assembly had adopted the Declaration on Protection of of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1975;<sup>43</sup> and subsequently in 1984, to make more effective law on torture and “to promote universal respect for, and observance of, human rights and fundamental freedoms.”<sup>44</sup> The United Nations General Assembly adopted the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, 1984<sup>45</sup> (1984 Convention against Torture).

Recognising various rights derived from the “inherent dignity of the human person,”<sup>46</sup> the Convention is designed to prevent and punish torture committed by a government official or other actions in an official capacity. The Supreme Court of India has, however, held that Article 21 of the Constitution provides for prohibition of torture.<sup>47</sup> The *Nilabati Behera v. State of Orissa*<sup>48</sup> is considered to be the leading case on custodial death resulting from torture, in which the Supreme Court laid

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42 1994 (4) Bom CR 103; 1994 Cri LJ 2613.

43 United Nations General Assembly Resolution 3452 (XXX) of 9 December 1975.

44 Article 55 of the Charter of the United Nations.

45 Adopted and opened for signature, ratification and accession by General Assembly Resolution 39/46 of 10 December, 1984 and entry into force on 26 June, 1987 with 20 States Parties, in accordance with Article 27(1). As of May 2015, the Convention has 158 States Parties. India has signed the Convention against Torture on 14 October, 1997 but not yet ratified it.

46 The Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, 1984, Preamble (para.3).

47 *Sunil Batra v. Delhi Administration*, AIR 1978 SC 1675.

48 AIR 1993 SC 1960.



down the constitutional basis and nature of compensation for the infringement of fundamental rights. The Court referred to its duty to enforce fundamental rights under Articles 14, 21, and 32 of the Constitution, the need to make the guaranteed remedies effective and to provide complete justice. Since the *Nilabati* decision the Supreme Court and the High Courts have awarded compensation under Article 21 of the Constitution in cases of rape, or other forms of torture,<sup>49</sup> of death in custody,<sup>50</sup> of “disappearances”,<sup>51</sup> of a case of death resulting from army action<sup>52</sup> as well as other cases concerning infringements of Fundamental Rights. *D.K. Basu v. State of West Bengal*,<sup>53</sup> is another important case regarding a death in custody resulting from torture, where the Supreme Court strongly denounced torture and, in addition to awarding compensation, directed the respondent State to take a wide range of specific measures aimed at preventing torture.

The author presents numerous bases for environmental protection, highlighting human rights to development, in Chapter 4 of the book, titled “Human Right to Development and Protection of Environment.” In 1981 the concept right to development was first given legal recognition under the African Charter on Human and Peoples’ Rights, 1981<sup>54</sup> and was later incorporated into the United Nations Human Rights framework through the adoption of the Declaration on the Right to Development, 1986 by the United Nations General Assembly.<sup>55</sup> The Vienna Declaration and Programme of Action, 1993<sup>56</sup> the Millennium Declaration, 2000<sup>57</sup> and subsequently, the Durban Declaration and Programme of Action, 2001<sup>58</sup> reaffirmed it as a “Universal and inalienable human right.” Article 48A of the Constitution of India is for protection of environment forests and animals. Article 48A deals with protection and improvement of environment and safeguarding of forests and wild life. It provides, “The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.” Article 48A was added to the Constitution in recognition of the fact that the ideas of “sustainable development,” “public trust,” and “intergenerational equality” are much more than just catchphrases in environmental law.<sup>59</sup>

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49 *Arvinder Singh Bagga v. State of U.P.* (1994) 6 SCC 565.

50 *Amitadyuti Kumar v. State of West Bengal* (2000) 9 SCC 404.

51 *State of Punjab v. Vinod Kumar* (2000) 9 SCC 742.

52 *R.S. Sodhi v. State of U.P.*, 1994 Supp (1) SCC 142.

53 (1997) 1 SCC 416.

54 Adopted in Nairobi June 27, 1981 and entered into Force on October 21, 1986.

55 UN Doc. A/41/53 (1986), p. 186.

56 World Conference on Human Rights, 11993 Part I, 10, UN Doc. A/CONF. 157/23 (1993).

57 UN Doc. A/RES/55/2 (2000).

58 UN Doc. A/2890 (2001).

59 *Ibid.*, p. 245.



Human rights under the Constitution of India are discussed in detail in Chapter 5 of the book, titled “Human Rights in Indian Constitutional Law.” The author compared various rights recognized in the International Covenants with rights recognised in the Constitution of India and examined whether these rights are judicially enforceable or judicially cognizable? The author also examined the issue to what extent the Indian judiciary has enforced international human rights in India. The Supreme Court time and again held that the right to life enshrined in Article 21 of the Constitution of India means something more than the survival of mere animal existence.<sup>60</sup> In *Minerva Mills v. Union of India*,<sup>61</sup> the Constitution Bench of the Supreme Court held that the Fundamental Rights and the Directive Principles of State Policy are two wheels of the chariot in establishing the egalitarian social order. In this context the Supreme Court further in *Dalmia Cement (Bharat) Ltd. v. Union of India*,<sup>62</sup> observed that none of these two is less important than the other. Together, they constitute the conscience of the Constitution to bring about social revolution under rule of law. The Fundamental Rights and the Directives Principles of State Policy are, therefore, harmoniously interpreted to make the law a social engineer to provide flesh and blood to the dry bones of law. This Chapter is a comparative study of Indian Constitutional practice of human rights law and international human rights law.

The significance of human rights law in defending women and children is covered in Chapter 6 of the book, titled: “Human Rights Law and Protection of Women and Children.” The scope and ambit of human rights law relating to the protection of women and children is an emerging issue. The principle of equality and non-discrimination is often used for the protection of the human rights of women, but this is the aspect of gender-neutral human rights law. Therefore, questions arise: whether the gender-neutral human rights law has any use for the protection of women and why people argue for gender-specific women rights at the international level? To what extent the international human rights law of women have been protected under the Constitution of India? How the law relating to sexual harassment against women has been articulated in India? What is the role of Indian law to regulate the termination of pregnancy, surrogacy, and reproductive right? Whether Indian law giving any cognizance to eliminate the violence against women? What are the contours of law in protecting the right of children in India? The author of this Chapter made it clear that the extent to which human rights law protects women and children is a contentious topic. Although this is a feature of gender neutral human rights law, the equality and non-discrimination principles are

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60 *Kharak Singh v. State of U.P.*, AIR 1963 SC 1295.

61 AIR 1980 SC 1789.

62 1996 (10) SCC 104.

frequently applied to safeguard the human rights of women. So, the issues of whether the gender neutral human rights law is useful for protecting women and why proponents of gender specific women's rights advocate at the global level arise.

The Chapter 7 of the book, titled: "Human Rights Law and Protection of Indigenous Peoples" discusses the scope and ambit of the rights of indigenous peoples which, at present, has been a focus to bring into practice. The contents of the rights of indigenous peoples have been debated over the last few decades for re-articulating them within the human rights framework. In this connection, it has been argued that indigenous peoples were discriminated against in policy-making as well as brutally socialised and economically exploited. Hence, a large number of issues are required to be examined essentially for determining the scope and ambit of the rights of indigenous peoples. These issues are: When and how the rights of indigenous peoples have been evolved and developed? What was the legal position under early international law? What are the major changes that took place under the post-second world International Human Rights Law? What role has been played by the International Labour Organization, 1919 and United Nations to protect the rights and interests of indigenous peoples? Whether the United Nations Working Group on Indigenous Populations performed satisfactorily to guarantee the rights of indigenous peoples? What are the problems in defining the concept of "indigenous peoples?" Whether the term "indigenous peoples" be attributed to the "scheduled tribes" in India? What is the scope and ambit of the right of self-determination of indigenous peoples? What is the Indian practice in protecting the rights of indigenous peoples? The aforementioned issues are the subject-matter of Chapter 7. The author does a fantastic job of presenting the problem of indigenous peoples' rights in the Chapter 7.

The Chapter 8 of the book, titled, "Human Rights Law and Minority Protection" focuses on the specific provisions of the human rights law that deal with minority protection. The Chapter also explains how minorities' human rights are safeguarded by Indian law. In this context, the author also examines the definitional controversies of term "minority" citing the Indian constitutional law's definition as well as international human rights law's definition.

The purpose and rationale of human rights law in protecting persons with disabilities under international and Indian law are discussed in Chapter 9 of the book, titled: "Human Rights Law and Protection of Persons with Disabilities." The United Nations Convention on the Rights of Persons with Disabilities, 2006 is a paradigm shift of traditional understanding of the international human rights law on persons with disabilities. The new law considers persons with disabilities as rights holders who should be integrated into society. In this situation, few important

issues has been examined by author such as: What is the magnitude of disabilities in a human rights discourse? What is the foundational basis of the rights of persons with disabilities? What are the roles played by the United Nations in protecting the rights of persons with disabilities under “soft” human rights law? How “hard” United Nations human rights law is supplementing the “soft” United Nations human rights law? How rights of the persons with disabilities are protected under the Constitution of India? To what extent the rights of mentally disabled persons are protected in India under Criminal law? Whether the Mental Healthcare Act, 2017 in India is working satisfactorily? What is the role of the Rehabilitation Council of India Act, 1992, the National Trust Act, 2018, and the Rights of Persons with Disabilities Act, 2016 in protecting the interest of persons with disabilities? The book also has a thorough index, table of cases, and bibliography.

This book is an outstanding one because it provides comprehensive understanding to human rights practice in India. The book is useful for the students, teachers, researchers, academicians, jurists, advocates as well as members of the civil society.

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