**ANNEXURE 1**

**LIST OF CONSTITUTIONAL AND LEGISLATIVE DEVELOPMENTS SINCE THE ADOPTION OF PREVIOUS CONCLUDING OBSERVATIONS INCLUDING LEGISLATIONS INDICATING DOMESTIC OPERATIONALISATION OF OBLIGATIONS UNDER THE ICCPR**

**PART I: CONSTITUTIONAL AMENDMENTS**

The Constitution (Eighty-Second) Amendment Act, 2000

The Constitution (Eighty-Fifth) Amendment Act, 2001

The Constitution (Eighty-Sixth) Amendment Act, 2002

The Constitution (Eighty-Seventh) Amendment Act, 2003

The Constitution (Eighty-Ninth) Amendment Act, 2003

The Constitution (Ninety Third) Amendment Act, 2005

The Constitution (Ninety-Fifth) Amendment Act, 2009

The Constitution (One Hundred and Second) Amendment Act, 2018

The Constitution (One Hundred and Third) Amendment Act, 2019

The Constitution (One Hundred and Fourth) Amendment Act, 2019

**PART II: LEGISLATIVE DEVELOPMENTS**

The Maternity Benefit (Amendment) Act, 2008

The Maternity Benefit (Amendment) Act, 2017

The Medical Termination of Pregnancy (Amendment) Act, 2021

The Muslim Women (Protection of Rights on Marriage) Act, 2019

The National Commission for Minority Educational Institutions, 2004

The National Commission for Minority Educational Institutions (Amendment) Act, 2010

The Personal Laws (Amendment) Act, 2010

The Personal Laws (Amendment) Act, 2019

The Protection of Women from Domestic Violence Act, 2005

The Rights of Persons with Disabilities Act, 2016

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

The Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015

The Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2018

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

The Transgender Persons (Protection of Rights) Act, 2019

Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015

Child Labour (Prohibition and Regulation) Amendment Act, 2016

The Criminal Law (Amendment) Act, 2013

The Criminal Law (Amendment) Act, 2018

The Civil Liability for Nuclear Damage Act, 2010

The Fugitive Economic Offenders Act, 2018

The Juvenile Justice (Care and Protection of Children) Act, 2015

The Lokpal and Lokayuktas Act, 2013

The Mental Healthcare Act, 2017

The National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental retardation and multiple Disabilities Act, 1999

The Prohibition of Child Marriage Act, 2006

The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013

Protection of Human Rights (Amendment) Act, 2019

The Protection of Children from Sexual Offences Act, 2012

Repatriation of Prisoners Act, 2003

The Right of Children to Free and Compulsory Education Act, 2009

The Right of Children to Free and Compulsory Education (Amendment) Act, 2019

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014

Whistle Blowers Protection Act, 2014

**ANNEXURE 2**

**JUDICIAL PRONOUNCEMENTS PERTAINING TO DOMESTIC INCORPORATION OF INTERNATIONAL NORMS EMBODIED IN ICCPR SINCE THE ADOPTION OF THE PREVIOUS CONCLUDING OBSERVATIONS**

**PART I: NON-DISCRIMINATION AND EQUALITY**

Anuj Garg v. Hotel Association of India; (2008) 3 SCC 1

Aparna Bhat and Others v. State of Madhya Pradesh and Another; 2021 SCC OnLine SC 230

Ashoka Kumar Thakur v. Union of India and Others; (2008) 6 SCC 1

Charu Khurana v. Union of India; 2014 SCC Online SC 900

E. V. Chinnaiah v. State of Andhra Pradesh and Others; (2005) 1 SCC 394

Githa Hariharan and Another v. Reserve Bank of India and Another; (1999) 2 SCC 228

Indra Sarma v. V. K. V. Sarma; (2013) 15 SCC 755 (live in guidelines. Here or second category?)

Jeeja Ghosh and Another v. Union of India and Others; (2016)7 SCC 761

Joseph Shine v. Union of India; (2019) 3 SCC 39

Karma Dorjee and Others. v. Union of India and Others; (2017) 1 SCC 799

Lt. Col. Nitisha and Others v. Union of India and Others; 2021 SCC Online SC 261

National Campaign on Dalit Human Rights and Others v. Union of India and Others; (2017) 2 SCC 432

National Legal Services Authority v. Union of India and Others; (2014) 5 SCC 438

Navtej Singh Johar and Others v. Union of India; (2018) 10 SCC 1.

Rana Nahid and Another v. Sahidul Haq Chisti; 2020 SCC OnLine SC 522

Secretary, Ministry of Defence v. Babita Puniya and Others; (2020) 7 SCC 469

Voluntary Health Association of Punjab v. Union of India and Others; (2015) 9 SCC 740

**PART II: DOMESTIC INCORPORATION OF ICCPR NORMS THROUGH EXPLICIT INVOCATION OF THE COVENANT**

Anita Kushwaha and Others. v. Pushap Sudan and Others; (2016) 8 SCC 509

Anuradha Bhasin v. Union of India; (2020) 3 SCC 637

Cellular Operators Association of India and Others. vs. Telecom Regulatory Authority of India and Others; (2016) 7 SCC 703

Common Cause (A Registered. Society) v. Union of India and Others; (2018) 5 SCC 1

Devender Pal Singh Bhullar v. State (NCT of Delhi); (2013) 6 SCC 195

Director General, Directorate General of Doordarshan and Others v. Anand Patwardhan and Another; (2006) 8 SCC 433

Extra-Judicial Execution Victim Families Association and Another v. Union of India and Another; (2016) 14 SCC 536

Hasan Ali Raihany v. Union of India and Others; (2006) 3 SCC 705

Imtiyaz Ahmad v. State of Uttar Pradesh and Others; (2012) 2 SCC 688

K. S. Puttaswamy and Another v. Union of India; (2017) 10 SCC 1

Kapila Hingorani v. State of Bihar; (2003) 6 SCC 1

Kisan Shankar Kathore v. Arun Dattatray Sawant and Others; (2014) 14 SCC 162

Kuldip Nayar and Others v. Union of India and Others; (2006) 7 SCC 1

Mohammad Salimullah and Another v. Union of India and Others; 2021 SCC Online SC 296

National Human Rights Commission v. State of Gujarat and Others; (2008) 16 SCC 497

Noor Aga v. State of Punjab and Another; (2008) 16 SCC 417

Om Prakash Chautala v. Kanwar Bhan and Others; (2014) 5 SCC 417

People’s Union for Civil Liberties and Another v. Union of India and Another; (2009) 3 SCC 200

Peoples Union for Civil Liberties v. Union of India and Another; (2005) 2 SCC 436

People’s Union for Civil Liberties and Another v. Union of India and Others; (2004) 2 SCC 476

People’s Union for Civil Liberties v. Union of India and Another; (1997) 3 SCC 433

People’s Union for Civil Liberties and Another v. Union of India and Another; (2013) 10 SCC 1

Pravasi Bhalai Sangathan vs. Union of India and Others; (2014) 11 SCC 477

R. D. Upadhyay v. State of Andhra Pradesh and Others; (2007) 15 SCC 337

Re: Inhuman Conditions in 1382 Prisons; (2016) 3 SCC 700

Sarbananda Sonowal vs Union of India and Another (I); (2005) 5 SCC 665

Selvi and Others v. State of Karnataka; (2010) 7 SCC 263

Shatrughan Chauhan & Another v. Union of India & Other; (2014) 3 SCC 1

Sher Singh @ Partapa v. State of Haryana; (2015) 3 SCC 724

Siddharam Satlingappa Mhetre v. State of Maharashtra and Others; (2011) 1 SCC 694

Society for Un - aided Private Schools of Rajasthan v. Union of India and Others; (2012) 6 SCC 1

Subramanian Swamy v. Union of India, Ministry of Law and Others; (2016) 7 SCC 221

T. M. A. Pai Foundation and Others v. State of Karnataka and Others; (2002) 8 SCC 481

Thalappalam Service Cooperative Bank Limited and Others. v. State of Kerala and Others; 2013 (16) SCC 82

Umesh Kumar v. State of Andhra Pradesh; (2013) 10 SCC 591

Union of India v. Association for Democratic Reforms and Another; (2002) 5 SCC 294

Vikas v. State of Rajasthan; (2014) 3 SCC 321

Vinod Solanki v. Union of India and Another; (2008) 16 SCC 537

**PART III: JUDICIAL PRONOUNCEMENTS PROMOTING HUMAN RIGHTS EMBODIED IN ICCPR THOUGH, WITHOUT EXPLICIT RELIANCE ON ICCPR**

Abdul Kuddus v. Union of India and Others; (2019) 6 SCC 604

Anil Rai v. State of Bihar; (2001) 7 SCC 318

Bhim Singh v. Union of India and Others; (2015) 13 SCC 605

Brij Mohan Lal v. Union of India and Others; (2010) 15 SCC 505

Central Public Information Officer, Supreme Court of India v. Subhash Chandra Agarwal; (2020) 5 SCC 481

Danial Latifi v. Union of India; (2001) 7 SCC 740

Government of Andhra Pradesh and Others v. P. Venku Reddy; (2002) 7 SCC 631

Hussain & Anr. v. Union of India; (2017) 5 SCC 702

Independent Thought v. Union of India and Another; (2017) 10 SCC 800

Indian Social Action Forum v. Union of India; 2020 SCC OnLine SC 310

Jaffar Ullah and Another v. Union of India and Another; 2018 SCC Online SC 3674

Javed v. State of Haryana; (2003) 8 SCC 369

Modern Dental College and Research Centre and Others v. State of Madhya Pradesh and Others; (2016) 7 SCC 353

Naga Peoples’ Movement of Human Rights v. Union of India; (1998) 2 SCC 109

Nipun Saxena v. Union of India; (2019) 13 SCC 715

Orissa Mining Corporation Limited v. Ministry of Environment and Forest and Others; (2013) 6 SCC 476

P. Chidambaram v. Directorate of Enforcement; (2019) 9 SCC 24

Paramvir Singh Saini v. Baljit Singh and Others; (2021) 1 SCC 184

Patan Jamal Vali v. State of Andhra Pradesh; 2021 SCC Online SC 343

People’s Union for Civil Liberties and Another v. Union of India; (2004) 9 SCC 580

Prakash Singh and Others v. Union of India and Others; (2006) 8 SCC 1

Public Union for Civil Liberties v. State of Tamil Nadu and Others; (2013) 1 SCC 585

Rajat Sharma and Another. v. Union of India and Others.; 2021 SCC Online SC 162

Rajesh Sharma and Others v. State of Uttar Pradesh and Another; (2018) 10 SCC 472

Ramakant Rai (I) v. Union of India; (2009) 16 SCC 565

Sabu Mathew George v. Union of India; (2017) 7 SCC 657

Safai Karamchari Andolan and Others v. Union of India and Others; (2014) 11 SCC 224

Salem Advocate Bar Association v. Union of India; (2005) 6 SCC 344

Sampurna Behura v. Union of India and Others; (2018) 4 SCC 433

Sanjay Chandra v. Central Bureau of Investigation; (2012) 1 SCC 40

Shakti Vahini v. Union of India and Others; (2018) 7 SCC 192

Shayara Bano v. Union of India and Others; (2017) 9 SCC 1

Shreya Singhal v. Union of India; (2013) 12 SCC 73

State of Andhra Pradesh v. Challa Ramkrishna Reddy and Others; (2000) 5 SCC 712

State of Punjab v. Baldev Singh; (1999) 6 SCC 172

State of Punjab v. Dalbir Singh; (2012) 3 SCC 346

Sube Singh v. State of Haryana & Others; (2006) 3 SCC 178

Swapnil Tripathi v. Supreme Court of India; (2018) 10 SCC 639

Vidyadharan v. State of Kerala; (2004) 1 SCC 215

Vishaka and Others v. State of Rajasthan and Others; (1997) 6 SCC 241

**ANNEXURE 3**

**DEVELOPMENTS IN INSTITUTIONAL FRAMEWORK FOR PROTECTION AND PROMOTION OF HUMAN RIGHTS SINCE THE ADOPTION OF PREVIOUS CONCLUDING OBSERVATIONS**

**The Central Information Commission (CIC)**

The CIC plays an important role in maintaining transparency in the democratic governance of the country. The CIC is headed by the Chief Information Commissioner (Commissioner) and not more than ten Information Commissioners for the assistance of the Commissioner. The Commissioner is appointed by a committee headed by the Prime Minister of India, the Leader of Opposition in the Lok Sabha, and a Union Cabinet Minister nominated by the Prime Minister. It is the duty of the commission to receive and inquire into a complaint from any person who has not received a response to his request for information within the specified time limit, or who thinks information given is incomplete, misleading, or false and any other matter relating to obtaining information or who has not been able to submit a request for information because of non-appointment of a Public Information Officer. The CIC can also look into the matter of a person who thinks the fees charged are unreasonable and who was refused information that was requested. It enjoys the power of a civil court and is entitled to access all the public records during inquiry for examination. It submits an annual report to the central government on the implementation of the provisions of this Act. The central government places this report before each House of Parliament. State Information Commissions have been also established under the Right to Information Act, 2005.

**The National Commission for Women (NCW)**

NCW is a statutory body established under the National Commission for Women Act, 1990. The commission has the mandate of reviewing the Constitutional and legal safeguards for women, recommending remedial legislative measures, facilitating redress of grievances, and advising the government on all policy matters affecting women. It is composed of seven members, nominated by the central government. The chairperson, five other members, (at least one Member each shall be from amongst persons belonging to the Scheduled Castes and Scheduled Tribes respectively), and a member secretary. The commission enjoys the power of a civil court. The function of NCW includes the investigation and examination of all matters relating to the safeguards provided for women under the Constitution and other laws. It conducts inquiry after receiving complaints or can also take *suo moto* notice of matters which are related to violation of women’s rights, non-implementation of laws relating to women, or non-compliance of policies and guidelines or instructions which aim at ensuring welfare of women. It undertakes special studies or investigates atrocities against women, problems that arise out of discrimination, identify the constraints and recommend strategies for their removal. The NCW also undertakes promotional and educational research to ensure due representation of women and their participation in public lives. The commission presents reports on working of constitutional and legal safeguards related to women to the Central Government and makes recommendations for the effective implementation of those safeguards for improving their conditions in the Union and the states. The central government lays such reports before each House of Parliament explaining the actions taken or proposed to be taken in regard. If the report or any part of it is related to any state government, the commission forwards a copy of such report to the concerned state government. The commission’s other functions include inspection of jails, remand homes, women's institution or other places of custody. It also funds litigation which involve issues affecting a large body of women. The state women commissions have also been constituted in different states. The jurisdiction of such commissions extends to the territory of the concerned state.

**The National Commission for Scheduled Tribes (NCST)**

The Constitution (Eighty Ninth Amendment) Act, 2003 established the NCST as a distinct body. Before 2003 there was a single Commission pertaining to both the Scheduled Castes and Scheduled Tribes. The NCST has the power to investigate and monitor all matters relating to Scheduled Tribes. It oversees the implementation of various safeguards provided to Scheduled Tribes under the Constitution or under any other law for the time being in force or under any other order of the government, and evaluates the working of such safeguards. NCST consists of a Chairperson, a Vice-Chairperson and three full time (including one woman) members. To enable Scheduled Tribes to achieve equality in all spheres of life, and fully exercise and enjoy their rights, the Commission is vested with powers of a civil court. It has also been assigned certain additional functions by the Ministry of Tribals Affairs for safeguarding the rights of tribal communities over mineral resources, water resources, forest resources etc. The Commission has been quick to take appropriate action in various specific cases related to Scheduled Tribes and any aggrieved person belonging to a scheduled tribe may approach the head-quarter or regional office of the Commission through post or email for grievance redressal. It is also empowered to take *suo moto* cognisance of the human rights violations of the Scheduled Tribes. The Union and state governments consult the Commission on all major policy matters affecting the Scheduled Tribes.

**The National Commission for Backward Classes (NCBC)**

India granted constitutional status to the NCBC in 2018 which previously was a statutory body under the Ministry of Social Justice and Empowerment. The Commission is an independent body consisting of chairperson, vice-chairperson and three other members appointed under the seal of President of India. It investigates, monitors and evaluates all safeguard measures provided under the Constitution or any other law meant for the socially and educationally backward class. The Commission also evaluates their progress, their level of development and submits the annual reports to the President of India who lays down such reports before the Parliament. The Commission also makes recommendations on the measures that should be taken by the Union or any State for the human rights protection, welfare and socio-economic development of the socially and economically backward class. The Commission enjoys all the powers that a civil court has for trying a suit.

**The National Commission for Protection of Child Rights (NCPCR)**

National Commission for Protection of Child Rights is a statutory body under the Commissions for Protection of Child Rights Act, 2005 functioning in cooperation with the Ministry of Women and Child Development. The Commission also monitors the implementation of the Juvenile Justice (Care and Protection of Children) Act, 2015, the Right of Children to Free and Compulsory Education Act, 2009 and Protection of Children from Sexual Offences Act, 2012. The Commission consists of a Chairperson and six members with experience and standing in child health, care, juvenile justice, child psychology, sociology among other required criteria. The Commission is established with the task of ensuring that all laws, policies, programmes related to child rights are in consonance with the UN Convention on the Rights of the Child, 1989 and the Constitution of India. The Commission has power to examine, review and submit the reports on situation regarding implementation of child rights in India annually to the central government. It also takes care of children in need of special care and protection. The statute also provides for the constitution of State Commission for Protection of Child Rights.

**The Office of Chief Commissioner for Persons with Disabilities**

The Office of Chief Commissioner for Persons with Disabilities was initially established under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. However, in order to bring the domestic law in consonance with the Convention on the Rights of Persons with Disability, 2006, the Rights of Persons with Disabilities Act, 2016 was enacted by the Parliament. The Office of Chief Commissioner for Persons with Disabilities, which the new legislation also provides for is mandated to safeguard the rights of persons with disabilities. The office takes steps to safeguard the rights and facilities that are guaranteed to persons with disabilities, ensuring their entitlement to facilities and rights provided by union government, state government and local bodies. India has adopted legislative and executive measures to avoid any kind of discrimination against persons with visual, hearing, speech and locomotive disability, intellectual disability, mental illness, multiple disability and any other disabilities. There is a Chief Commissioner at the centre level and a Commissioner in each State. The Chief Commissioner is vested with the power of civil court who can *suo moto* or on the application of any aggrieved persons can look into complaints relating to deprivation of rights of persons with disabilities. The Office of Chief Commissioner has been pro-active in matters of employment, promotion or service of persons with disabilities. The Rights of Persons with Disabilities Act, 2016 also provides for appointment of State Commissioner for Persons with Disabilities in different states of India.

**The Central Vigilance Commission (CVC)**

Two institutions specifically established to check corruption are the CVC and the office of Lokpal. CVC has been established under the Central Vigilance Commission Act 2003. It is an independent body which is only responsible to the Parliament of India. It consists of a Central Vigilance Commissioner, Chairperson; and not more than two Vigilance Commissioners, Members. The mission of CVC includes the creation of credible deterrence against corruption through prompt enforcement of anti-corruption laws and regulations. It also aims at undertaking preventive measures to minimize the scope of corruption and raising public awareness to inculcate ethical values and reduce society's tolerance towards corruption. The commission has the powers of a civil court trying a suit under the Code of Civil Procedure, 1908. It exercises superintendence over the functioning of the Delhi Special Police Establishment, and public servant who is an employee of the Central Government or a corporation established by or under any Central Act, Government company, society, and any local authority (hereinafter referred as government authorities) owned or controlled by that Government in the investigation of offenses related to Prevention of Corruption Act, 1988. The commission also exercises the power of superintendence over the vigilance administration of the various Ministries of the Central Government and public servants of the government authorities. It also tenders advice to government authorities in planning, executing, reviewing and reforming their vigilance work. The CVC produces an annual report which not only gives the details of the work done by it but also brings out the system failures which lead to corruption in various Departments/Organisations, system improvements, various preventive measures, and cases in which the Commission's advises were ignored, etc. However, matters pertaining to State Governments are not within the powers of the Central Vigilance Commission.

**The Lokpal of India and Lokayuktas**

India has ratified the United Nations Convention against Corruption. The government of India passed the Lokpal and Lokayukta Act, 2013, and created the body of Lokpal, to inquire into allegations of corruption. The statutory institution of Lokpal for the Union and Lokayukta for States, is established to inquire into allegations of corruption against certain public functionaries and for matters connected therewith or incidental thereto. They perform the function of an "ombudsman”. The Lokpal consists of a Chairperson and Members not exceeding eight out of whom 50% are Judicial Members. The Chairperson of Lokpal may be a sitting or former Chief Justice of India or a Judge of the Supreme Court, or an eminent person of impeccable integrity and outstanding ability having special knowledge and expertise of not less than twenty-five years in the matters relating to anti-corruption policy, public administration, vigilance, finance including insurance and banking, law and management. The Chairperson and the Members are appointed by the President of India. Lokpal enjoys the power of the civil court. The Lokpal has jurisdiction to inquire into allegations of corruption against anyone who is or has been Prime Minister, or a Minister in the Union government, or a Member of Parliament, as well as officials of the Union government under Groups A, B, C, and D. It can also exercise jurisdiction over chairpersons, members, officers and directors of any board, corporation, society, trust or autonomous body either established by an Act of Parliament or wholly or partly funded by the Centre. It also covers any society or trust or body that receives foreign contribution above prescribed amount. The Lokpal has the power of superintendence and direction over any central investigation agency including CBI for cases referred to them by the Lokpal. The Lokayukta institution established at the state level functions within the state jurisdictions. The statute provides for the institution of Lokayuktas for States, if not so established, constituted or appointed by a law made by the State Legislature to deal with complaints relating to corruption against public functionaries.

\*\*\*\*