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## **National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21\***

### **India**

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\* The present document is being issued without formal editing.



## **Introduction**

1. As a seventy-five-year-old Constitutional democracy, India is firmly committed to the promotion and protection of human rights. The Constitution of India guarantees civil and political rights, and provides for progressive realization of economic, social and cultural rights. The sanctity, vibrancy and resilience of the ideals envisaged by the Constitution, including justice, liberty, equality, fraternity and individual dignity within a secular democracy, have stood the test of time. Being a vast country with diverse population, limited resources and developmental challenges, but with a vision informed by the ethos of human rights, India continues to strive for a better society for its people. Internationally, India has been committed to providing developmental assistance and capacity building to other countries, including by way of grant-in-aid projects across sectors, humanitarian assistance to people in need, medical aid to countries during the pandemic, etc.

### **I. Process for the preparation of the report**

#### **A. Approach**

2. This national report has been prepared in accordance with the United Nations Human Rights Council Decision 17/119. Considering the 152 recommendations accepted by India since the previous round of review, this report focuses on the measures adopted, progress made and the challenges encountered in the country's move towards realisation of human rights, taking into account the latest available data.

3. This report has been drafted in line with the informal Guidance Note of the Office of the High Commissioner for Human Rights (OHCHR) on the 4<sup>th</sup> Cycle Universal Periodic Review National Report. While it is a challenge to categorise human rights into watertight compartments, efforts have been made to classify the report in accordance with the internationally accepted thematic categories. However, the report should be considered as an indivisible whole in order to assess the progress made, understand the challenges faced, and appreciate the measures undertaken, both domestically as-well-as internationally, towards the cause of human rights. Annexures to this report contain the thematic coverage of recommendations accepted by India (Annexure I), Glossary of Government initiatives (Annexure II) and List of Abbreviations (Annexure III).

#### **B. Methodology**

4. India views the Universal Periodic Review as an important opportunity to consider and assess country's progress and to discuss, reflect and engage in a constructive dialogue with the international community on the realisation of human rights domestically. Periodic inter-ministerial consultations were held, as a follow-up mechanism, to assess the progress of implementation of the accepted recommendations. Nodal Ministries of the Government provided timely responses and requisite data to prepare the report. Accordingly, a draft of the report was prepared in collaboration with the National Law University, Delhi, after a series of consultations with diverse stakeholders, drawing representatives from the judiciary, national human rights institutions, academia, civil society organisations and the general public. The attendees drew from their experiences at the ground level to highlight the status of human rights in India, to identify challenges and to share their vision to move forward.

## II. Implementation of accepted recommendations, voluntary pledges, and other developments

### A. Overarching framework

#### Equality and non-discrimination

5. Equality across varied social identities, economic conditions, political affiliations and cultural and other contexts is a hallmark of Indian democracy. Principles of equality and non-discrimination enshrined in the Constitution of India have been strengthened by various legislative, executive and judicial measures. The laws are fully and consistently enforced to provide adequate protections for members of religious minorities, Scheduled Castes (SCs), Scheduled Tribes (STs) and other vulnerable populations.

6. Notable constitutional measures include grant of constitutional status to the National Commission for Backward Classes, affirmative action in favour of economically weaker sections (EWSs), and extension of reservation of seats for the SCs/STs in the House of the People and State Assemblies for a period of another 10 years.

7. For more stringent and speedy redress in case of atrocities against SCs/STs, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act was amended in 2018 clarifying that neither a preliminary enquiry for registration of an FIR against any person nor an approval for arrest under the Act is required. The legal framework to combat discrimination against transgender and intersex persons has been established by enacting the Transgender Persons (Protection of Rights) Act, 2019.

8. Substantive rather than formal equality pervades the constitutional morality in India. In *Joseph Shine v. Union of India*, the Supreme Court of India has observed that “substantive equality is directed at eliminating individual, institutional and systemic discrimination against disadvantaged groups...the primary enquiry to be undertaken by the court towards realisation of substantive equality is to determine whether the provision contributes to the subordination of a disadvantaged group of individuals.” Further, in *B. K. Pavitra v. Union of India*, the court reiterated that “the constitution is a transformative document. The realization of its transformative potential rests ultimately in its ability to breathe life and meaning into its abstract concepts i.e., the evolution of equality away from its formal underpinnings to its substantive potential.”

9. Both indirect and intersectional forms of discrimination are prohibited under Article 15 of the Constitution. In its landmark judgment in *Navtej Singh Johar v. Union of India* the Supreme Court of India rejected the formalistic narrow interpretation of Article 15 and held that “a narrow view of Article 15 strips the prohibition on discrimination of its essential content. This fails to take into account the intersectional nature of sex discrimination, which cannot be said to operate in isolation of other identities, especially from the social-political and economic context.” The decision has been referred by courts in several foreign jurisdictions.

10. The National Human Rights Commission (NHRC) continues to play a significant role in the promotion and protection of human rights in an inclusive manner. NHRC has established a Task Force for preparation of India’s National Plan of Action on Human Rights.

11. Number of initiatives have been undertaken to ensure a *de facto* equality. Budget allocation for welfare of SCs was stepped up by 30% in 2019-20 as compared to 2018-19. In December 2020, the Government has approved INR 590 billion post matric scholarship scheme to benefit more than 40 million SC students in 5 years, which has increased the enrolment of SC students in post-matric education. *Pradhan Mantri Adarash Gram Yojana* launched on a pilot basis in 2009 aiming at integrated development of SC majority villages, has been extended as a continuous scheme in 2018-2019. 27,000 villages are proposed to be covered under the scheme by 2024-25. *Going Online as Leaders* initiative was launched in June 2020 to empower tribal youth through mentorship, leadership training, and digital literacy skills.

12. To create an enabling ecosystem for the elderly persons in India, an umbrella scheme called *Atal Vayo Abhyuday Yojana* was launched in April 2021. It includes Integrated Programme for Senior Citizens, State Action Plan for Senior Citizens, *Rashtriya Vayoshri Yojana*, Livelihood and Skilling Initiative, Promoting Silver Economy, Channelizing Corporate Social Responsibility (CSR) funds for Elderly care, and Scheme for Awareness Generation and Capacity Building for welfare of Senior Citizens. Also, a toll-free helpline was started for the elderly in October 2021. Senior Able Citizens for Re-Employment in Dignity (SACRED) portal was launched in 2021 to keep senior citizens economically independent after retirement.

## **B. Cross cutting issues**

### **Good governance**

13. India is committed to ‘Zero Tolerance against Corruption’ and has taken several measures to combat corruption and improve probity and accountability of Government institutions. The steps taken, inter alia, include: (i) systemic improvements and reforms to provide transparent citizen-friendly services, including through e-governance; and (ii) the institution of Lokpal to directly receive and process complaints against public servants under the Prevention of Corruption Act, 1988 (POCA).

14. POCA was amended in 2018 to effectively prevent bribery and corruption and to ensure that the extant legislative framework is in line with the United Nations Convention against Corruption. In addition, the Central Vigilance Commission also works on combating corruption.

15. E-governance in India has steadily evolved from computerization of Government Departments to initiatives that encapsulate the finer points of Governance, such as citizen centricity, service orientation and transparency. The National e-Governance Plan is evolving to create a massive countrywide infrastructure, with large-scale digitization of records and the access to public services through the internet, for the remotest of villages.

### **Business and human rights**

16. India has been developing its business responsibility framework to provide an enabling environment for improved participation of businesses in securing basic rights of the citizens. India has revised and aligned the National Voluntary Guidelines on Social, Economic and Environmental Responsibilities of Business with the UN Guiding Principles on Business and Human Rights and Sustainable Development Goals (SDGs) in 2019. This also led to the development of the National Guidelines on Responsible Business Conduct. Simultaneously, Business Responsibility Reports (BRR) were made mandatory in 2019 enjoining the businesses to report their actions towards adoption of responsible business practices. In 2021, pursuant to the recommendations of the BRR Committee, the Securities and Exchange Board of India (SEBI) prescribed the Business Responsibility and Sustainability Reporting requirement for top 1000 listed entities (by market capitalisation) on voluntary basis for the FY 2021-22, and on mandatory basis from FY 2022-23 onwards.

17. A draft National Action Plan on Business and Human Rights was first released in 2018 for stakeholder consultations and is presently under discussion.

18. The legislative mandate of Corporate Social Responsibility, established in 2013, has enhanced the contribution of businesses towards securing human rights. During 2018-19, INR 119.61 billion was spent on CSR activities by companies listed on the National Stock Exchange. Approximately 65% of that was spent towards poverty alleviation, nutrition, health care, education and skilling.

### **Sustainable Development Goals**

19. India is strongly committed towards holistic, equitable and sustainable development. The National Development Agenda guided by *Sabka Saath, Sabka Vikas, Sabka Vishwas and Sabka Prayas* echoes the 2030 Agenda and is in congruence with the right to development approach.

20. India submitted its Voluntary National Review to the UN in 2017 and in 2020, documenting the efforts, achievements and challenges faced in the realisation of SDGs. The SDGs India Index & Dashboard has been comprehensively documenting and ranking the progress made by the States and Union Territories towards achieving the SDGs. The third edition released in June 2021 embodies wider coverage of targets and indicators as compared to the earlier versions.

21. For facilitating the monitoring of SDGs at national level, the Ministry of Statistics and Programme Implementation has developed a National Indicator Framework (NIF) for SDGs in consultation with all stakeholders. Based on the SDGs-NIF, the Ministry releases the Annual Progress Report on 29 June of every year.

22. India's overall score on the NITI Aayog SDG India Index & Dashboard improved to 66 in 2020-21 as compared to 60 in 2019-20 and 57 in 2018-19, showing progress in India's journey towards achieving the SDGs. Despite 2020-21 being a pandemic year, India performed well on eight of the 15 SDGs measured by the NITI Aayog SDG India Index.

### **Human rights and poverty**

23. India has adopted a multipronged strategy for poverty alleviation, employing both short-term and long-term initiatives and operationalizing holistic measurement of poverty by developing national multidimensional poverty index (MPI).

24. Fulfillment of basic needs is done through a variety of measures, including, distribution of food grains, employment guarantee, direct transfer of cash to the bank accounts of the beneficiaries, etc. Under the *Pradhan Mantri Garib Kalyan Yojana*, cash relief has been extended to 200 million women account holders to meet the hardship of the lockdown during the pandemic. To tide over the pandemic, cash transfers were also made to senior citizens, widows and persons with disabilities (PwDs).

25. Additional measures, including strengthening of the health care infrastructure, housing facilities for the poor as well as support systems for people dependent on agriculture are being undertaken through *Pradhan Mantri Fasal Bima Yojana* and *Pradhan Mantri Krishi Sinchayee Yojana*.

26. The Stand-Up India scheme facilitates loans of value up to INR 100 million to at least one SC or ST borrower and one-woman borrower per bank branch for setting up a green field enterprise in manufacturing, services or trading sector.

27. The third phase of *Pradhan Mantri Kaushal Vikas Yojana* was launched in January 2021 to provide industry-relevant skill training benefitting thousands of youth in the country. Similarly, Skill Acquisition and Knowledge Awareness for Livelihood Promotion (SANKALP) scheme was launched in January 2018 to strengthen the short-term skill ecosystem and to address key issues of skilling in the country. Accordingly, new institutions for skill training are being established, number of seats in the existing institutions are being increased, and synergies are being created between the institutional structure and various government programmes and schemes.

28. *Pradhan Mantri Gram Sadak Yojana* was launched to provide access to the basic services through all-weather roads to population residing in rural areas. By creating a huge network of rural roads, the scheme has provided a quicker access to work place, market and health facilities at lesser price. This has helped in improving quality of life in rural areas.

29. Amongst other long-term initiatives for the alleviation of generational poverty, free education is provided up to the age of 14 for all children. The mid-day meal scheme provides food to children in government and government-aided schools across the country. The Universal Health Insurance Scheme further offers coverage for all medical expenses to poorer sections of society, at subsidised rate.

### **Human rights and the environment**

30. India is firmly committed to continue its efforts to improve the environment and address climate change. The Supreme Court has progressively interpreted the "right to life" to include the right to live in a healthy environment.

31. India submitted its Nationally Determined Contribution under the Paris Agreement on a ‘best effort basis’ keeping its developmental imperatives in mind. India has achieved reduction of 24% in emission intensity of its GDP between 2005 and 2016, thereby achieving its pre-2020 voluntary target. During the 26<sup>th</sup> session of the Conference of the Parties (COP26) to the United Nations Framework Convention on Climate Change, held in Glasgow, India made five major announcements (*Panchamrit*) on climate action, namely: (i) Reach 500GW Non-fossil energy capacity by 2030; (ii) 50% of energy requirements from renewable energy by 2030 (iii); Reduction of total projected carbon emissions by one billion tonnes from now to 2030; (iv) Reduction of the carbon intensity of the economy by 45% by 2030, over 2005 levels; and (v) Achieving the target of net zero emissions by 2070.

32. India is committed to use of clean energy and diversification of renewable energy choices. Against the target of 500 GW of renewable energy generation capacity by 2030, 132 GW has been already installed as of March 2020, a 75% increase since 2014. In 2015, India helped establish the International Solar Alliance (ISA) jointly with France to mobilize global efforts against climate change through deployment of solar energy. The ISA is presently among the fastest growing International Organisations with 107 signatories. Under the Street Lighting National Programme that was launched in 2015, 11 million Smart LED streetlights were installed and 5.12 million tonnes of CO<sub>2</sub> emission was reduced by 2020. Through the *Pradhan Mantri Ujjwala Yojana*, usage of clean fuel in the form of Liquefied Petroleum Gas (LPG) has increased from 62% in 2016 to 99.8% in 2021.

33. India is also one of the first countries to develop a comprehensive Indian Cooling Action Plan (ICAP) to address the cooling requirement across sectors and list out actions to help reduce the cooling demand.

34. In 2019, India launched a Coalition for Disaster Resilient Infrastructure (CDRI), to promote resilient infrastructure systems to climate and disaster risks, thereby ensuring sustainable development. The CDRI Secretariat is based in New Delhi. A large share of the estimated fund requirements to cover the core costs over the first five years has been invested by India.

35. India also adopted ‘Climate Smart Cities Assessment Framework’ in 2019 for 100 smart cities with 28 climate-relevant parameters to guide cities towards climate actions and to help make them more responsive and less vulnerable to climate change.

36. India is ranked among the top ten countries in the Climate Change Performance Index 2020 on account of concrete climate actions, and continuing efforts to decouple its emissions from economic growth.

37. India piloted a resolution on the ‘Framework for Addressing Single Use Plastic Product Pollution’, which was adopted by the Fourth United Nations Environment Assembly held in 2019. Additionally, the Plastic Waste Management Amendment Rules, 2021 was notified to curb pollution caused by littered and unmanaged plastic wastes. India banned manufacture, import, stocking, distribution, sale and use of identified single use plastic items across the country from 01 July 2022. National Clean Air Programme (NCAP) was launched in 2019 with a target to achieve 20-30% reduction in particulate matter concentration by 2024. Portal for Regulation of Air-pollution in Non-Attainment cities (PRANA) has been developed to support tracking of physical as well as financial status of city air action plan implementation and to disseminate information on air quality management efforts under NCAP to public.

38. The E-AMRIT web portal was launched for creating awareness about electric mobility in India, and to serve as a ‘one stop site’ for providing all the information related to electric vehicles. Faster Adoption and Manufacturing of (Hybrid and) Electric vehicles (FAME) is currently India’s flagship scheme for promoting electric mobility by promoting indigenous manufacturing of electric vehicles. As on April 2022, 759,182 Electric Vehicles (EVs) had been registered. 25 out of 28 states in India have notified/drafted State EVs policies and 380 EV manufacturers operate in India.

39. India has a national Strategy and Action Plan to sustainably manage the mangrove and the coastal ecosystem. These conservation measures have led to an increase of the area under mangroves from 4,750 sq. km in 2015 to 4975 sq. km. in 2019. Marine Mega Fauna

Stranding Management Guidelines and National Marine Turtle Action Plan were launched in 2021 for reducing threats to marine species and their habitats and advancing scientific research and exchange of information. Also, Guidelines for sustainable ecotourism in forest and wildlife areas and guidelines for river Dolphins were released in October 2021.

40. India is the tenth largest country in terms of forest area in the world and ranks third in the average annual net gain in forest area between 2010 and 2020. The biennial India State of Forest Report (ISFR) 2021 was published by Forest Survey of India. The ISFR 2021 reported an increase in the total forest and tree cover of the country to 24.62 %, from 24.56% in 2019.

## C. Civil and political rights

### Administration of justice and fair trial

#### *Impunity*

41. India does not tolerate any form of impunity for violence against minorities, women, children, marginalised communities and other vulnerable groups. While addressing multiplicity of disadvantages, the Supreme Court of India in *Patan Jamal Vali v. State of Andhra Pradesh* observed that “when the identity of a woman intersects with, inter alia, her caste, class, religion, disability and sexual orientation, she may face violence and discrimination due to two or more grounds. In such a situation, it becomes imperative to use an intersectional lens to evaluate how multiple sources of oppression operate cumulatively to produce a specific experience of subordination for a blind Scheduled Caste woman.” Similarly, in *Shakti Vahini v. Union of India and Others* the Court laid down preventive and remedial measures to tackle the issue of honour killing; and in *Tehseen S. Poonawalla v. Union of India* the Court laid down measures against cow vigilantism.

42. The Central Government has issued *Guidelines on Communal Harmony* to the State Governments which, inter alia, provide for several administrative measures for effective prevention of communal disturbances, control of riots, and protection and relief to the affected persons. The *Guidelines* also envisage setting up of Peace Committees in communally sensitive towns and areas, comprising prominent citizens, community leaders and representatives of political parties, respectable organizations, etc. The National Crime Records Bureau reports indicate a decline in the number of communal/religious riots in the country since 2018.

#### *Protection of transgender persons*

43. The Parliament has enacted the Transgender Persons (Protection of Rights) Act, 2019 which comprehensively prohibits discrimination against transgender persons in all spheres of life and imposes obligations on the state to secure their inclusion in society by providing social security, education and health facilities.

44. The Government has launched an umbrella scheme SMILE (Support for Marginalized Individuals for Livelihood and Enterprise) in February 2022, which includes ‘Central Sector Scheme for Comprehensive Rehabilitation for Welfare of Transgender Persons’ and ‘Central Sector Scheme for Comprehensive Rehabilitation of persons engaged in the act of begging’. The scheme consists of various components in the nature of scholarships, skill development, livelihood, composite medical health, housing, e-services, and protection cells for the transgender community. *Garima Greh*, inaugurated in 2022 were established to provide shelter to transgender persons with basic amenities like shelter, food, medical care and recreational facilities.

45. India has also strengthened its legal framework to combat discrimination against lesbian, gay, bisexual, transgender and intersex persons. The Supreme Court of India in *Navej Singh Johar v. Union of India* has read down Section 377 of the Indian Penal Code and decriminalized homosexuality among consenting adults in private, removing the unreasonable restriction on freedom of choice and expression of LGBT community.

*Conditions of detention*

46. The budget allocated for prisons has increased from INR 52.54 billion in 2017-18 to 67.41 billion in 2020-21. Almost 50% of the budget was spent on food and the remaining were spent towards medical issues, welfare activities, clothing and vocational/educational trainings. The actual strength of prison staff and medical staff stood at 61,296 and 2,232 respectively for 2020. The Ministry of Home Affairs issued an advisory in 2021 to address the mental health issues of inmates and staff in prisons and correctional facilities during the pandemic.

*Human trafficking and slavery*

47. India is committed to take decisive action to combat trafficking in persons and support and protect victims, including implementation of its obligations under the UN Convention on the Transnational Organized Crime and its Protocols. In this regard, India has an extensive legislative and policy framework to address trafficking in persons, including the Constitution of India, the Immoral Traffic Prevention Act, 1956 and the Indian Penal Code, 1860.

48. The National Investigation Agency (NIA) is authorized to investigate cases of human trafficking and is equipped to investigate offences which have inter-state and international linkages. Increased financial assistance to States and Union Territories (UTs) for setting up new and strengthening the existing Anti Human Trafficking Units and financial assistance for sensitising police and judicial officers is being provided. Crime Multi Agency Centre (Cri-MAC), a national level communication platform, was launched in 2020 to facilitate dissemination of information about significant crimes across the country on real time basis and to enable inter-state coordination.

49. Number of schemes focusing on rescue, rehabilitation and repatriation of victims of trafficking have been instituted by the Government of India. The *Shakti Sadan* component under *Mission Shakti* provides shelter, food, clothing health as well as economic and social security for women victims of difficult circumstances. It also provides for prevention of trafficking, rescue, rehabilitation, re-integration and repatriation of victims of trafficking for commercial sexual exploitation. NALSA (Victim of Trafficking and Commercial Sexual Exploitation) Scheme provides legal assistance to the victims of trafficking and sexual exploitation at the time of rescue and thereafter during trial. There are 464 projects, including 107 Protective and Rehabilitative Homes for victims of trafficking and sexual exploitation that have been established in the country. 18,116 women had benefitted from the scheme till March 2021.

50. Recognising the special vulnerability of child victims of human trafficking specific advisory for rescues and rehabilitation of trafficked child victims have been issued. The National Commission for Protection of Child Rights (NCPCR) set up a Quick Response Cell to address the instance of child trafficking. The Ministry of Railways also increased its Child Help Desks at prominent railway stations to support unaccompanied children who remain vulnerable to trafficking, in addition to 24\*7 Childline run by the Government.

51. The Government is in the process of finalising the Trafficking of Persons (Prevention, Care and Rehabilitation) Bill 2022 for introduction in the Parliament. The Bill seeks to comprehensively prevent and counter trafficking in persons, especially women and children, to provide for care, protection, and rehabilitation to the victims, while respecting their rights, and creating a supportive legal, economic and social environment for them, and also to ensure prosecution of offenders.

52. Internationally, India has signed bilateral Memoranda of Understanding for Prevention of Human Trafficking with the Governments of Bangladesh (2015), UAE (2017), Cambodia (2018) and Myanmar (2020) respectively. Also, India signed the protocol resulting from the Nineteenth Meeting of Prosecutors General of the Shanghai Cooperation Organization Member States in 2021.

*Torture and cruel, inhuman or degrading treatment*

53. India remains committed to dealing with law and order and security situations with minimum use of force, in accordance with principles of legal certainty, necessity and



proportionality, and after due consideration of various factors including ground realities. The actions by the Security Forces are taken in good faith, however, when allegations are made against the Forces law take its course. In *Extra Judicial Execution Victim Families Association & Anr. V. Union of India*, the Supreme Court of India observed that “if an offence is committed even by Army personnel, there is no concept of absolute immunity from trial by the criminal court constituted under the Criminal Procedure Code” and “no one can act with impunity.” In appropriate instances, courts and quasi-judicial bodies in India have granted compensation.

54. To address the issue of custodial death and reporting, the National Human Rights Commission has issued guidelines to all State Governments that within 24 hours of occurrence of any custodial death, the Commission shall be informed of the incident, followed by Post-mortem Reports, Magisterial Inquest Reports, Videography Reports of the post-mortem, etc. India signed the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in October 1997 and remains committed to ratify the Convention. Since the subject falls under the Concurrent List, the Central Government shall also take into account the opinion of States in this regard. The Law Commission of India has been examining the changes required in domestic law prior to carrying out the ratification process. However, the existing legal framework, such as the provisions under the Constitution of India, Indian Penal Code, and Code of Criminal Procedure among others, guarantees adequate protection against any form of torture and cruel, inhuman or degrading treatment or punishment. In addition, Human Rights education is an integral part of the induction and in-service trainings imparted to police, security and judicial service personnel. National Human Rights Institutions also impart training to government officials on human rights in general as well as group rights.

#### *Administration of justice and fair trial*

55. National Legal Services Authority (NALSA) was established to promote an inclusive legal system, which provides free legal aid to the underprivileged, marginalised and vulnerable sections of the society. As on March 2022, 12,976 legal services clinics are operating in India and the workforce comprised of 33,835 lawyers with over 10 years of experience. NALSA also entails creating legal awareness by use of digital media, including TV, radio, webinars, social media platforms such as, YouTube, Facebook and others.

56. Centrally Sponsored Scheme for Development of Infrastructure Facilities for Judiciary, is extended till 31st March 2026. The goal is to improve the overall functioning and performance of the Judiciary and continued assistance to *Gram Nyayalayas*, which will also give impetus to providing speedy, substantial and affordable justice to the common man at his doorstep.

57. Fast Track Courts have disposed-off approximately 3.33 million pending cases between 2014 and 2020. The Tele-Law programme of Department of Justice, launched in 2017, aims to connect needy and marginalized persons, in need of legal advice, through Para Legal Volunteers (PLVs) with Panel Lawyers via video conferencing/telephonic facilities available at Common Service Centres situated at the Panchayat level. Also, NITI Ayog has formulated an Online Dispute Resolution (ODR) Policy Plan for India to provide conducive environment for alternative mechanism to reduce the pendency of cases.

#### *Name, identity, nationality*

58. In India, registration of birth is a right of every child and is the first step towards establishing his/her legal identity. It is compulsory to report births and deaths to the Registrar of Births and Deaths under the Registration of Births and Deaths Act 1969. All registration of births is done under the Civil Registration System which is a unified process of continuous, permanent, compulsory and universal recording of vital events such as births and characteristics thereof. Public awareness campaigns are undertaken regularly by Central and State Governments.

*Freedom of thought, conscience and religion*

59. India is home to almost all religions of the world and secularism is a fundamental tenet of the Indian Constitution, characterised by religious tolerance, respect for all faiths and religions and equal treatment of all religious groups. The Constitution of India protects freedom of religion and conscience, and the right of all individuals to freely profess, practice and propagate religion subject to considerations of public order, morality and health. A range of legislations have been enacted to protect freedom of religion, including the Indian Penal Code, which punishes offences such as promoting of enmity between different groups on ground of religion, committing a deliberate and malicious act designed to outrage the religious feelings of any class by insulting its religion or religious beliefs, and doing acts prejudicial to maintenance of national integration and harmony. National Human Rights Institutions such as the NHRC and the National Commission for Minorities have the authority to take *suo motu* cognisance of incidents relating to infringement of the right to religion.

**D. Economic, Social and Cultural Rights****Right to health and access to health care**

60. Over the last decade, India has made notable progress in ensuring universal access to affordable health care for all by adopting a three-pronged focus, namely universalisation, affordability and enhancing modern medical infrastructure.

61. Based on the objectives of the National Health Policy-2017, the Central and State Governments budgeted expenditure on health sector reached 2.1% of GDP in 2021-22 as against 1.3% in 2019-20 and 1.2% in 2016-17.

62. *Ayushman Bharat*, a flagship scheme of Government of India and the largest health protection programme in the world, was launched in 2018 with the aim of securing universal health coverage and meet the SDG commitment of 'leave no one behind'. In 2019, the National Health Authority, was constituted as the apex body responsible for implementing the *Ayushman Bharat Pradhan Mantri Jan Arogya Yojana*. The *Pradhan Mantri Ayushman Bharat Health Infrastructure Mission* was launched in 2021 with a budget outlay of approximately INR 641 billion to bridge critical gaps in public health infrastructure, especially in critical care facilities and primary care in both, rural and urban areas. Further, *Ayushman Bharat Digital Mission* was launched in 2021 to create a National Digital Health Eco-system.

63. India has come a long way in improving maternal and newborn health. In six years of the operation of *Pradhan Mantri Surakshit Matritva Abhiyan (PMSMA)*, 33.6 million women have availed comprehensive antenatal care services through the National Health Mission under this scheme (up to June 2022). To further improve and strengthen this programme, Extended-PMSMA was launched in January 2022 for improving tracking of High-Risk Pregnancies till their safe delivery. The Midwifery Initiatives was launched in 2018 to provide improved quality of care to pregnant women and new born babies and also to promote physiological birthing; and *Surakshit Matritva Aashwasan (SUMAN)* was launched in 2019 which focusses on assured delivery of maternal and newborn health care services with respect and dignity which includes wider access to free and quality services, zero tolerance for denial of health services and assured management of complications. *Anaemia Mukh Bharat* strategy was launched in 2018 to achieve 3% reduction in anaemia prevalence every year. *Pradhan Mantri Matru Vandana Yojana* to provide for partial compensation of wage losses and promoting health-seeking behaviour among pregnant women and lactating mothers. The scheme provides INR 5,000 in beneficiary's bank account as Direct Benefit Transfer. As on July 2022, 28.9 million beneficiaries have been enrolled in the scheme and INR 111.94 billion have been disbursed to 25.6 million beneficiaries. The National Programme for the Health Care of Elderly continues to provide access to health services for the elderly at primary, secondary and tertiary levels.

64. India's response to global pandemic has been pre-emptive, pro-active, graded and based on sound scientific facts and principles. India had already put in place a comprehensive response system at the borders much before WHO declared it as a public health emergency

of international concern. During the peak of the pandemic a multipronged approach was followed, involving restrictions/lockdowns; perimeter control; contact tracing; augmentation of health infrastructure; Covid appropriate behaviour, testing, contact tracing, treatment and adoption of the world's largest vaccination programme. India not only supported production of Covid vaccines domestically but ensured free vaccination to its population. Making it a technology driven vaccination program, *Arogya Setu* mobile app was launched to enable people to assess themselves the risk of their catching the Covid infection. Co-WIN 2.0 (along with e-VIN), a unique digital platform, supported the real time vaccination activities viz. registration for vaccine, tracking Covid vaccine status of every beneficiary, stocks of vaccine, storage, actual vaccination process, and generation of digital certificates. India actively supported global efforts by sharing Covid vaccines and pharma products to more than 150 countries on humanitarian grounds. In 2020, amidst the unprecedented surge in Covid cases, prisoners who had been granted bail or parole were immediately released pursuant to the directions of the Supreme Court of India.

## Education

### *Right to education*

65. Article 21A of the Constitution of India guarantees free and compulsory education of all children in the age group of six to fourteen years as a fundamental right. India's education policy emphasises the completion of secondary education by all children, guaranteeing equal access to quality and affordable technical and vocational education, while eliminating gender, caste, regional and income disparities and to achieve universal access to quality higher education. The expenditure on education and the consequent share in GDP have consistently increased from 2017-18 to 2020-2021 from INR 4.83 trillion to 6.75 trillion. As percentage share of GDP, expenditure on education has increased from 2.8% to 3.5% during the said period.

66. A concerted effort has been made to improve enrolment ratios in schools across India. Gross Enrolment Ratio (GER) at elementary and secondary levels was at 99.1% and 79.8% respectively in 2020-21. The dropout rates have reached 0.76% at primary level and 2.27% at upper primary level. GER in Higher education, calculated for 18-23 years of age group, is 27.1%. There has been an appreciable increase in the enrolment of children in India, from 261.63 million children in 2017-18 to 264.45 million children in 2020-21.

67. Gender parity has appreciably improved with the Gender Parity Index rising to 1.02 at elementary and 1.03 at higher secondary level in 2020-21. With various scholarships to female students and gender-sensitive physical infrastructure, retention rates among girl students have increased to 82.1 at elementary level in 2020-21. *Beti Bachao, Beti Padhao* campaign has spread awareness on the importance of gender parity in education on a pan-India scale. With *Swachh Bharat: Swachh Vidyalaya*, more than 450,000 separate toilet facilities for girls have been constructed and this has helped arrest female dropout to a considerable extent.

68. Special attention (e.g. through scholarships; improved teaching learning process; aids, appliances and assistive devices, special educators and their capacity building, etc.) has been given to improve educational access and attainment among specific social groups, such as, SC/ST communities, minority communities, children with disabilities, and children with special needs. By 2019, almost all primary and secondary schools had created the necessary conditions for inclusive education with ramps, special hygiene rooms and required teaching materials. Such efforts have led to an increase in the school attendance of children with disabilities, from 50.5% in 2001 to 61.1% in 2011.

69. The *Samagra Shiksha Abhiyan* was launched in 2018 and comprises of *Sarva Shiksha Abhiyan* and *Rastriya Madhyamik Shiksha Abhiyan*. The mission focusses on improving school effectiveness measured in terms of equal opportunities for schooling and equitable learning outcomes. The scheme reaches out to children belonging to SCs, STs, minority communities, transgender, urban deprived children, children affected by periodic migration, and children living in remote and scattered habitations.

70. The National Education Policy (NEP 2020) proposes to create a new system that is aligned with the aspirational goals of Twenty-first century education, including SDGs, while building upon India's traditions and value systems with a substantial increase in public investment in education reaching up to 6% of GDP.

71. During the Covid-19 pandemic, a comprehensive initiative called PM e-VIDYA was launched to unify all efforts related to digital/online/on-air education to enable multi-mode access to education. The initiative includes DIKSHA, nation's digital infrastructure for providing quality e-content for school education in States/UTs and QR coded Energized Textbooks for all grades. To mitigate the effect of the pandemic, INR 8.18 billion was allotted to States/UTs to promote online learning through digital initiatives, and INR 2.69 billion for online teacher training to ensure continuous professional development of teachers.

72. The initiatives 'MANODARPAN' covers a wide range of activities to provide psychosocial support to students, teachers and families for Mental Health and Emotional Wellbeing during the pandemic and beyond. Additionally, the Study Web of Active learning by Young and Aspiring Minds (SWAYAM) an indigenously developed platform of learning was operationalised to bridge the digital divide for students who have hitherto remained untouched by the digital revolution and have not been able to join the mainstream of the knowledge economy.

73. *Padhna Likhna Abhiyan*, an adult education scheme has been introduced in 2020-21 with financial outlay of INR 1.43 billion with a target to make 5.7 million learners literate. A specialized National Initiative for School Heads' and Teachers' Holistic Advancement (NISHTHA 3.0) for the foundational literacy and numeracy covering about 2.5 million teachers at the primary level across all states and UTs was launched in September 2021. The School Education *Shagun* platform provides single point access to all portals and websites of the Education Department, including information pertaining to more than 1.5 million schools, 9 million teachers and 265 million students can be accessed through this platform. Government has also approved the 'New India Literacy Programme' for the period 2022–2027 to cover all the aspects of Adult Education to align with NEP 2020.

74. The concept of climate change has been part of the curriculum/textbooks developed by the National Council of Educational Research and Training (NCERT) for Science, Social Sciences and Geography for classes VII and XII. NISHTHA learning modules for elementary stage also include Environmental Science concerns related to environmental protection. Approximately, 42 lakh teachers have already completed NISHTHA learning modules through offline and online mode.

75. Concepts of Human Rights are deeply embedded in Indian education. NEP 2020 envisages an inclusive school curriculum that will include material on human values such as, *inter alia*, human rights. Existing curriculum of the Central Board of Secondary Education (CBSE) imparts learning about human rights through the subject called 'Civics' till class 10<sup>th</sup> and through the Legal Studies course in class 11<sup>th</sup> and 12<sup>th</sup>.

### **Right to food**

76. India has taken steps to eliminate all forms of malnutrition by increasing food security. To ensure the welfare of migrant laborers and to enable seamless inter-State portability of ration, the Government has implemented the 'One Nation One Ration Card system' across 32 States and Union Territories. This system allows beneficiaries under the National Food Security Act to avail ration at any Fair Price Shop (FPS) of their choice across the country. To ensure transparency in access to subsidized food grains through the Targeted Public Distribution System, the Government is taking steps to automate and computerize all FPSs. As of January 2021, more than 92% of all FPSs across the country were distributing food grains through these devices.

77. During Covid-19 pandemic, a special package of 5kg of additional food grains per person per month are being distributed free of cost, since April 2020, through the *Pradhan Mantri Garib Kalyan Anna Yojana*. As of January 2022, the Department of Food and Public Distribution had allocated 759 Metric Tonnes of food grains to 800 million beneficiaries under the National Food Security Act 2013. The Supreme Court of India in *In Re: Problems*

and *Miseries of Migrant Labourers*, reaffirmed that the fundamental right to life enshrined in Article 21 includes right to food and other basic necessities.

78. India continues its efforts towards effective implementation of the Integrated Child Development Scheme (ICDS or *Anganwadi Services*) and the Mid-Day-Meal scheme in schools. Despite the shutdown of schools due to Covid-19 pandemic, the Government strived to provide either hot cooked meals or food security allowances to eligible children to meet their nutritional requirements during the outbreak. Throughout the pandemic, Take Home Ration was distributed by *Anganwadi workers* for 0-3 years old children, 3-6 years old malnourished children, and pregnant and nursing mothers.

79. The *POSHAN Abhiyaan*, launched in 2018, focusses on improving nutrition in children (0-6 years' age), pregnant women and lactating mothers and, in particular, to reduce the levels of stunting, under-nutrition, anaemia and low birth weight babies. The mission consolidates more than 1.3 million registered *Anganwadi Centres*. As of July 2022, a total of 113.95 million beneficiaries were availing benefits under the *POSHAN Abhiyaan*. Further, to improve the nutritional status of women and children in the country various initiatives like *Anemia Mukh Bharat*, Home Based Newborn Care, Home Based care for Young Children, Infant and Young Child Feeding and Mothers' Absolute Affection, Nutrition Rehabilitation Centre, Intensified Diarrhoea Control Fortnight, Universal Immunization Programme, etc. are also being implemented.

### **Right to adequate housing**

80. India committed to continue its efforts to implement various schemes and measures to ensure inclusive access to adequate housing and basic amenities. The *Deendayal Antyodaya Yojana: National Urban Livelihoods Mission (NULM)* aims to provide shelters equipped with essential services to the urban poor. As on November 2021, 2,367 NULM Shelters for Urban Homeless were functioning under the scheme with a total capacity of 76,433. Similarly, under the *Rajiv Awas Yojna*, which envisages a 'Slum Free India', a total of 91,283 Dwelling Units had been completed as of June 2020 and an additional 24,474 were in progress. The Smart Cities Mission also includes affordable housing and inclusiveness as its core features.

81. The Government continues to implement the *Pradhan Mantri Awaas Yojana-Gramin (PMAY-G)* to provide housing for the rural poor in India. As of November 2021, a total of 17.5 million houses had been completed under the scheme. Similarly, the *Pradhan Mantri Awas Yojana-Urban (PMAY-U)* continues to be implemented to provide housing for urban poor. As of June 2021, about 11.2 million houses have been sanctioned under PMAY-U, of which 4.8 million have been completed. Through these efforts, PMAY-G aims to achieve 'Housing for All' by the year 2024.

82. To address the Covid 19 pandemic induced reverse migration of the urban poor, the Government launched the Affordable Rental Housing Complex (AHRC) sub-scheme under PMAY-U to provide affordable rental housing to urban migrants and poor, close to their workplace. The AHRC shall give preference to persons belonging to SCs, STs, Other Backward Classes, widows and working women, PwDs and minorities.

### **Right to social security and just and favourable conditions of work**

83. Fulfilling its commitment to accelerate the process of consolidating existing labour laws, India enacted four labour codes, such as the Wage Code, Social Security Code, Industrial Relations Code, and Occupational Safety, Health and Working Conditions Code in 2019 and 2020. These codes consolidate 29 different Central labour legislations, thereby unifying and simplifying labour laws across the country. The codes have introduced landmark reforms like introduction of a uniform wage for all workers employed in all sectors, extension of benefits under the Employees' State Insurance Corporation to all workers, and 'One Nation, One Ration Card' system to migrant workers.

84. *Pradhan Mantri Shram Yogi Maan Dhan* and National Pension Scheme (NPS) for traders, shopkeepers and self-employed persons was launched in 2019, with the objective to provide social security and assure the monthly pension of INR 3000/- per month to the workers of unorganised sector as well as traders who are not covered under the existing

framework. SAMADHAN (Software Application for Monitoring and Disposal, Handling of Apprehended/Existing Industrial Disputes) an online portal was established on a pan India basis in September 2020 to ease the process of dispute settlement.

85. In light of the Covid-19 pandemic, timely advances were also extended to workers from the Employees Provident Fund (EPF). EPF offices across the country had settled 12.1 million Covid-19 advance claims till November 2021, disbursing a total amount of INR 282.88 billion to claimants. Of these, a total of 1.92 million claims were settled online, in a streamlined manner, using the UMANG app. Various High Courts observed that during these extraordinary circumstances of Covid-19 pandemic, the principle of "no work-no wages" cannot be made applicable by the employers.

86. Mahatma Gandhi National Rural Employment Guarantee Act (NREGA) is a demand driven wage employment programme. Fund allocation under Mahatma Gandhi NREGA at Revised estimate (RE) stage for FY 2021-22 was Rs.980 billion and more than 122 million persons were offered work in FY 2021-22 under the program. The Average wage rate per day per person was INR 208.85 in FY 2021-22 which was INR 200.71 in FY 2020-21. The person days generated under Mahatma Gandhi NREGA in FY 2021-22 was 3.63 billion which was 2.65 billion in FY 2019-20.

87. National Social Assistance Programme continues to provide assistance to eligible persons/families in the form of old age pension, widow pension, disability pension, etc.

88. In 2021, e-SHRAM portal was launched for creating national database of unorganised workers furthering optimum realisation of their employability and extend the benefits of the social security scheme to them. It is the first ever database of unorganised workers including migrant workers, construction workers, gig and platform workers, domestic workers, etc. As of June 2022, more than 268 million unorganised workers have already registered on the e-SHRAM portal.

### **Human rights and drinking water and sanitation**

89. India remains committed to increasing access to safe and sustainable drinking water in rural areas and to improving sanitation coverage, especially for women and girls. In 2019, India launched the *Jal Jeevan Mission* to achieve universal access to safe and adequate drinking water by 2024 through fixed household tap connections. Villages with majority of population consisting of SC/STs and drought-prone villages are given priority under the Mission. As of June 2022, more than 50% households had access to tap water connections; and according to the National Family Health Survey 2019-21, more than 94% households have access to improved drinking water sources.

90. The *Swachh Bharat Mission*, launched in 2014, achieved its goal of 'Open Defecation Free' (ODF) India as all States and Union Territories declared themselves ODF in October 2019. Since the launch of the Mission in 2014, more than 110 million toilets have been constructed. Consistent with the Sustainable Development Goal of adequate and equitable sanitation and hygiene for all, the Government has approved Phase-II of the *Swachh Bharat Mission-Grameen* in 2020 with the focus on ODF sustainability and to cover all villages with Solid and Liquid Waste Management arrangements to make all the villages ODF Plus by 2024-25.

## **E. Group rights**

### **Persons with Disabilities (PwDs)**

91. India is committed to ensuring better protection for PwDs to build an inclusive society. As of 2020, PwDs constitute 2.21% of the population in India, 69.5% of which resides in rural areas with wide variation in type and incidence of disability. India is a party to the Convention on the Rights of Persons with Disabilities and submitted its first Report in 2015 which was considered by the Committee on Rights of Persons with Disabilities in 2019.

92. The access audit under the Accessible India Campaign stands completed in 49 cities, 21 States have completed retrofitting work and others are near completion. All international

airports in India and 55 out of 69 domestic airports are provided with accessibility features, approximately 29% of the buses are partially accessible and approximately 6% of the buses are fully accessible. Further, 71% of schools have been made barrier-free for children with special needs.

93. Important Government initiatives to promote accessibility include: Hackathon for inviting ideas/ innovations for the betterment of PwDs; E-comic cum activity book to instil the importance of accessibility among children and to introduce them to the concepts of barrier free surroundings; Early Intervention Centres to provide specialized support and services for children with disability; *Deendayal Rehabilitation Scheme* to provide for financial assistance to voluntary organizations working for rehabilitation of PwDs; and *Sugamya Bharat App* to sensitise and enhance accessibility campaign.

94. The National Trust, an autonomous body of the Government, works for the welfare of persons with Autism, Intellectual Disability, Cerebral Palsy and Multiple Disabilities. It implements various Schemes such as *DISHA* to provide for early intervention and school readiness scheme for children in the age group 0 – 10 years; *VIKAAS* to provide for children above 10 years to expand the range of opportunities by enhancing interpersonal and vocational skills; *Niramaya* Health Insurance Scheme to provide affordable health insurance; and *Gharaunda* to provide lifelong group home facility for these four categories of PwDs. The Trust also implements *SAHYOGI* scheme to provide training and create a skilled workforce of care associates to provide adequate and nurturing care for PwDs.

95. NEP 2020 envisions inclusive education and provides for adequate availability of qualified special educators for children with disabilities. In order to enable children with hearing impairment to pursue education, the school text books from Class I-V have been converted into Indian Sign Language in digital format and conversion of school text books from Class VI-XII is under progress.

96. The Centre for Disability Sports was established in 2019 to provide PwDs the training to enable them to effectively participate in Paralympics, Deaflympics, Special Olympics, etc. The Government also provides 4% reservation in Government jobs for persons with benchmark disabilities.

## Women

97. India attaches highest priority to ensuring safety and security of women and is committed to eliminate all forms of discrimination against women and to ensure their holistic empowerment.

98. Women constitute a substantial section among those benefitting from various policy initiatives. For instance, women accounted for almost half the total number (49.6%) of enrolments under the *Pradhan Mantri Jan Arogya Yojana* in 2019-2021. Women constituted 42% of the total number of beneficiaries who have availed treatment under the scheme till March 2022. Over 90 million LPG cylinders have been released till July 2022 under the *Pradhan Mantri Ujjwala Yojana*, a scheme that envisaged distribution of LPG connections only in the name of women below poverty line. Out of 25 million houses that have been built under the *Pradhan Mantri Awas Yojana*, women will have co-ownership rights in 20 million houses. 68% of the beneficiaries of the 320 million loans given under *Pradhan Mantri Mudra Scheme* are women. As of March 2022, 450 million accounts have been opened under the *Pradhan Mantri Jan Dhan Yojana*, of which more than half (56%) or 250 million belong to women, mostly in rural areas. During Covid-19 pandemic, the Government has dispensed INR 310 billion to women in their *Jan-Dhan Accounts*. Under the NREGA Scheme, in the FY 2021-22, out of total person-days generated, 54.72% were women.

99. The Government of India is running the *Deendayal Antyodaya Yojana: National Rural Livelihoods Mission (NRLM)* which reaches out to the most vulnerable sections of women and promotes community based institutions, Self Help Groups (SHG), etc. and ensures capacity building, financing, skilling and promotion of livelihoods through supporting various self-employment & enterprises based opportunities. In doing so, the programme has benefited the SHG members with capitalization support of INR 173 billion. Cumulatively, more than INR 4,800 billion have been accessed by SHGs since 2013-14.

*Women in the workforce*

100. Various steps have been taken to incentivize women's participation in the workforce. The Maternity Benefits Act, 1961 was amended in 2017 to increase the duration of maternity benefits from 12 to 26 weeks and to provide 12 weeks of maternity leave to adopting mothers and commissioning mothers. To overcome information asymmetry in the women entrepreneurial ecosystem, a unified access portal called Women Entrepreneurship Platform has been established to seamlessly provide information.

101. The involvement of women in paid economic activity continues to increase. The labour force participation of women has increased from 17.5% in 2017-18 to 22.5% in 2019-20. Worker population ratio among women has also risen from 16.5% in 2017-18 to 22.8% in 2019-20. Correspondingly unemployment ratio has declined from 5.7% in 2017-18 to 4.2% in 2019-20. Political representation of women in Parliament also witnessed a rise from 11.86% in 2014-19 to 15.03% in 2019-24. In Panchayati Raj Institutions, representation of women is approximately 46% (1.45 million) as against the constitutional provision of 33% reservation.

102. The Government has made enabling provisions for allowing women's participation in non-conventional sectors such as fighter pilots in Indian Air Force, Commandos, Central Police Forces, admissions in Sainik Schools, etc. In *Lt. Col. Nitisha v. Union of India* the Supreme Court of India applied the test of indirect discrimination to recognize women's exclusion from permanent commission in armed forces as discriminatory and took the historic step of inclusion of women in a hitherto male bastion. The Government also advised the States to increase representation of women in non-gazetted posts in police to 33% and twenty states have so far adopted varying targets ranging up to 38%.

*Legislative and judicial measures on gender justice*

103. Based on the recommendations of the Justice Verma Committee, Government has made various amendments in Criminal Laws relating to sexual harassment including in the Indian Penal Code, Code of Criminal Procedure, Indian Evidence Act and POCSO Act. In addition, The Criminal Law Amendment Act, 2018 introduced the measures like enhanced punishment for rape of a girl below the age of 12 years, expeditious investigation, payment of fine by the perpetrator to be given to the victim to meet her medical expenses and secure rehabilitation. The Muslim Women (Protection of Rights on Marriage) Act, 2019 made the pronouncement of triple *talaq* by Muslim husbands a cognizable offence compoundable at the instance of the married Muslim woman upon whom *talaq* is pronounced.

104. The question of constitutionality of legal provisions on marital rape has recently been challenged before the Supreme Court of India. However, in *Independent Thought v. Union of India*, the Supreme Court has already read down the provision by holding that marital rape does not stand as an exception where the wife is below 18 years of age.

105. Regarding the issue of honour killing, the Supreme Court of India in *Shakti Vahini v. Union of India* held that the "right needs to be protected and it cannot succumb to the conception of class honour or group thinking." Also the Court has laid down preventive, punitive and remedial measures to address the issue of honour killing. Accordingly, the Government issued an advisory to setting up of Special Cells in sensitive districts with 24\*7 helpline to receive and register complaints and to provide necessary assistance.

*Sexual and reproductive health*

106. The restriction on access to legal abortion after twenty weeks of pregnancy has been revised to twenty-four weeks, through the Medical Termination of Pregnancy (Amendment) Act 2021, for vulnerable groups of women, such as minors, PwDs, victims of violence, etc.

107. Maternal Mortality Rate (MMR) has declined from 122 per 100,000 live births in 2015-2017 to 103 in 2017-2019 (Sample Registration System, ORGI). Neo-natal Mortality Rate (NMR) has declined from 25 per 1000 live births in 2015 to 22 per 1000 live births in 2019. Infant Mortality Rate (IMR) has declined from 37 per 1000 live births in 2015 to 28 per 1000 live births in SRS 2020. The latest National Family Health Survey 5 (NFHS-5) has shown significant improvement in institutional births from 78.9% in NFHS-4 (2015-16) to



88.6% in NFHS-5 (2019-21). The coverage of mothers in terms of antenatal check-up, consumption of dietary supplements and postnatal care has improved substantially.

108. Under National Family Planning Programme, a wide array of contraceptives are provided free of cost to beneficiaries in all public health facilities. Contraceptives are also delivered to eligible couples by ASHAs (Accredited Social Health Activists). Comprehensive abortion care services are being strengthened through trainings of health care providers, supply of drugs, equipment, information education and communication, etc. Over 25,000 'Delivery Points' across the country have been strengthened in terms of infrastructure, equipment, and trained human power for provision of comprehensive reproductive, maternal, new born, child and adolescent health (RMNCH+A) services. Also, more than 7,000 Adolescent Friendly Health Clinics are functional all over the country to address the key health issues of adolescent under *Rashtriya Kishor Swasthya Karyakram* including contraceptive use and reproductive health. Use of hygienic methods of protection during menstrual period among women age of 15-24 years has increased from 57.6% in NFHS-4 (2015-16) to 77.3% in NFHS-5 (2019-21).

109. The National Health Policy, 2017 duly recognizes the imperative to move away from camp based sterilization services. Assurance Committees have been established across all the states and districts in India to monitor working of the sterilization camps.

#### *Efforts to address violence against women*

110. Various steps have been taken at the operational level to effectively tackle the problem of violence against women. Pan-India Emergency Response Support System provides for dispatch of field resources to the location of distress. One Stop Centres provide integrated services to women affected by violence. As of March 2022, there are 708 operational centres that have assisted over 540,000 women.

111. The issue of domestic violence has been addressed through the effective implementation of the Protection of Women from Domestic Violence Act, 2005. The National Commission for Women has a special NRI Cell to deal with complaints arising out of cross-country marriages involving deprivation of women's rights.

112. A 24x7 toll free Women Helpline has been established throughout India to facilitate crisis and non-crisis intervention to women seeking support, which assisted over 7 million beneficiaries. National level Investigation Tracking System for Sexual Offences has been established to monitor and track time-bound investigation in sexual assault cases. National level database on sexual offenders was launched in 2018 to facilitate investigation and tracking of sexual offenders across the country by law enforcement agencies. A cyber-crime portal has also been launched for citizens to report obscene content. In order to make public transportation safe for women, Indian Railways has approved a plan to install Internet Protocol (IP) based Video Surveillance System at stations. Compensation Scheme for Women Victims/Survivors of Sexual Assault/Other Crimes, 2018 provides for compensation to women victims of identified gender-based crimes and victims of child sexual abuse. She-Box, an online complaint management system has been established, to provide a single window access to every woman for registration of complaints related to sexual harassment at workplace.

113. NEP 2020 aims at removing biases and stereotypes in school curriculum; and books published by National Council of Education Research and Training promote gender sensitivity at schools. Academies for training administrative, police and judicial officers embody gender sensitisation in their induction and in service training programmes. The Supreme Court of India has also emphasised the need for gender sensitization in the law school undergraduate courses, and in the syllabus for Bar-exam and judicial services exam.

#### **Children**

114. India is committed to continue its efforts to protect children from sexual exploitation, corporal punishment, child marriage, and child labour and to support child victims of sexual offences.

115. The Protection of Children from Sexual Offences (POCSO) Act, 2012 was amended in 2019 to further protect children from offences such as sexual assault, sexual harassment, cybercrime and pornography. The Protection of Children from Sexual Offences Rules, 2020 (POCSO Rules) were also notified to effectively implement the amended provisions.

116. The Government introduced a scheme in 2019 to set up 1023 Fast Track Special Courts (FTSCs) including 389 exclusive POCSO Courts across the nation for time bound completion of trials relating to sexual offences. As of May 2022, 726 Fast Special Track Courts and 408 e-POCSO Courts have become functional. The Central Bureau of Investigation has joined the international child sexual exploitation database of INTERPOL to bolster its fight against sex abuse of minors and help in identification of victims and abusers.

117. India continues to implement the Prohibition of Child Marriage Act, 2006, which makes child marriage a cognizable and non-bailable offence. Additionally, the Government organizes regular media campaigns and outreach programmes on the detrimental effects of child marriages. The NCPCR has also taken active steps to prevent child marriages, by way of directing grassroots-level agencies and officers to take preventive measures, organizing camps on child rights across the country, etc.

118. India has ratified the ILO Minimum Age Convention, 1973 (No. 138); and the Worst Forms of Child Labour Convention, 1999 (No.182). Accordingly, the Government introduced the Child Labour (Prohibition and Regulation) Amendment Act 2016 and the Child Labour (Prohibition and Regulation) Amendment Rules 2017, which completely prohibit employment of children below 14 years; and for those between 14-18 years employment in hazardous occupations is prohibited.

119. In 2018, the Platform for Effective Enforcement for No Child Labour (PENCiL) Portal was launched for enabling smooth implementation of the Child Labour Act and the National Child Labour Policy. Also, a Standard Operating Procedure has been developed for trainers, practitioners, and enforcement and monitoring agencies.

120. Juvenile Justice (Care and Protection) Amendment Act, 2021 was introduced expanding the powers of District Magistrates in providing care and protection to vulnerable children and removing gaps in implementation arising out of difficulties in interpretation. A centrally sponsored Integrated Child Protection Scheme has been introduced under the Act which is implemented by State Child Protection Societies and District Child Protection Units, which cover children in need of care and protection, and children in conflict with law.

121. NCPCR has formulated the Guidelines for Eliminating Corporal Punishment in Schools, and constituted a Corporal Punishment Monitoring Cell to look into cases of corporal punishment.

### **International cooperation and capacity building**

122. India remains committed to cooperating with International Organisations in promotion and protection of human rights. A standing invitation has been extended to UN Special Procedures and their requests for visits are considered objectively. In fulfilment of its reporting obligations to human rights treaty bodies, India has submitted its fourth periodic Report on International Covenant on Civil and Political Rights in September 2021, and the Common Core Document in March 2022, providing a full account of India's constitutional, legal and policy framework relating to human rights.

123. The Government regularly monitors the available vacancies in the treaty bodies. Selection of candidates is done on a case-to-case basis, after careful assessment of their professional qualifications, domain expertise and relevant experience, vis-à-vis the requirements of the position.

124. Capacity building and technical assistance are important strands of India's development partnership programme and an important pillar of India's foreign policy. India's Technical and Economic Cooperation Programme covers over 160 partner countries from Asia, Africa, East Europe, Latin America, the Caribbean as well as Pacific and Small Island countries. Recently, India has made the annual voluntary contribution of USD 400,000 to OHCHR's Voluntary Funds, including for technical cooperation and assistance. During the

Covid-19 pandemic, India provided more than 235 million doses of vaccines to 99 countries around the world and two UN entities, since January 2021.

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