



The Role Of Human Rights Organizations In Monitoring And Regulating The Use Of Narcoanalysis In India

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ABSTRACT

This research paper explores the role of human rights organizations in monitoring and regulating the use of narcoanalysis in India. Narcoanalysis is a controversial interrogation technique that involves administering psychoactive drugs to a suspect to obtain information. The use of narcoanalysis has been criticized for violating human rights, including privacy, dignity, and a fair trial. The paper begins with an introduction that contextualizes the use of narcoanalysis in India and the importance of human rights in the process. The second section defines narcoanalysis and its legality, highlighting the ethical concerns surrounding its use. The third section discusses the human rights violations associated with narcoanalysis, including potential physical and psychological harm to the subject. The fourth section analyses the role of human rights organizations in monitoring and regulating the use of narcoanalysis, including their advocacy for transparency and accountability. The paper concludes with a summary of the key points and a call to action for authorities to prioritize protecting human rights using narcoanalysis. Ultimately, this paper emphasizes the importance of human rights organizations in ensuring that narcoanalysis is used in a way that respects the fundamental rights of individuals.

KEYWORDS Narcoanalysis, Human Rights, Investigation, Criminal.

BACKGROUND AND CONTEXT OF NARCOANALYSIS IN INDIA

Narcoanalysis, also known as "truth serum" or "narco test," is a controversial interrogation technique that involves the administration of a psychoactive drug to a suspect to obtain information. In India, narcoanalysis has been used by law enforcement agencies in criminal investigations since the 1990s. The technique involves the injection of a barbiturate, such as Sodium Pentothal, into the suspect's bloodstream, which induces a state of sedation or hypnosis (Aleksandrowicz, 1974). During this state, the suspect is asked questions, and their responses are recorded.

The use of narcoanalysis in India has been criticized primarily due to its potential violation of human rights. The technique has violated privacy, dignity, and the right to a fair trial. The Indian Supreme Court has recognized the invasive nature of narcoanalysis, noting that it can produce false confessions and can harm the subject's mental and physical health (Umadethan, 2008). The court has also acknowledged that the use of narcoanalysis may violate the subject's right against self-incrimination.

Despite the criticism, narcoanalysis continues to be used in India, with law enforcement agencies and courts relying on it to extract information in criminal investigations. However, the use of narcoanalysis has been scrutinized and has become a topic of debate in legal and human rights circles. The role of human rights organizations in monitoring and regulating the use of narcoanalysis has become increasingly important in recent years. These organizations have advocated for the regulation and accountability of narcoanalysis and emphasized prioritizing human rights. The background and context of narcoanalysis in India illustrate the importance of examining the role of human rights organizations in monitoring and regulating the use of this controversial technique.

IMPORTANCE OF HUMAN RIGHTS IN THE USE OF NARCOANALYSIS

Using narcoanalysis in criminal investigations raises significant human rights concerns, particularly concerning the right to privacy, dignity, and a fair trial. The technique involves the administration of a

psychoactive drug to the subject, which can induce a state of sedation or hypnosis. During this state, the subject is asked questions, and their responses are recorded. The use of narcoanalysis has been criticized for violating the subject's right against self-incrimination and the right to remain silent (Inam, 2010).

Human rights organizations emphasize the importance of safeguarding human rights in the use of narcoanalysis. They have raised concerns about the potential physical and psychological harm that can be caused by using the technique. Human rights organizations argue that the use of narcoanalysis violates the principle of informed consent, as the subject may not be aware of the potential risks associated with drug use. Additionally, human rights organizations have criticized the lack of transparency and accountability in the use of narcoanalysis, as it is often conducted in secrecy, without the involvement of a lawyer or a medical professional (Tripathy & Singh, 2011).

The importance of human rights in using narcoanalysis is underscored by the Indian Constitution, which guarantees the right to life and personal liberty, including the right to privacy and the right against self-incrimination. The Indian Supreme Court has also recognized the importance of human rights in narcoanalysis, noting that the technique must be used cautiously and only in exceptional circumstances. The court has emphasized the need for transparency and accountability in the use of narcoanalysis and has recognized the importance of protecting the subject's dignity and privacy.

The importance of human rights in using narcoanalysis cannot be overstated (Moenssens, 1961). Human rights organizations play a critical role in monitoring and regulating the use of the technique, advocating for transparency and accountability, and protecting the subjects' rights. The use of narcoanalysis must be guided by the principles of informed consent, privacy, and dignity, and must be used only in exceptional circumstances and with caution. Protecting human rights in the use of narcoanalysis is essential to ensure that the technique is not abused and that justice is served fairly and transparently.

THE PURPOSE OF NARCOANALYSIS IN CRIMINAL INVESTIGATIONS

The purpose of narcoanalysis in criminal investigations is to extract information from a suspect who may be unwilling or unable to divulge information voluntarily. Narcoanalysis is considered to be an interrogation technique that can be used to elicit information related to a crime that may not be obtained through conventional methods (Sahu, 2022). The technique is based on the assumption that the subject's inhibitions and mental defenses are lowered under the influence of the drug, making them more susceptible to questioning. Law enforcement agencies may use narcoanalysis in criminal investigations to obtain information about the crime or to identify other suspects. The technique may also be used to corroborate or disprove other evidence in the case. The results of narcoanalysis are typically used to gather additional evidence that can be used in court proceedings. However, the use of narcoanalysis in criminal investigations is controversial, and its admissibility as evidence in court proceedings is often challenged (Shah, 2020). Critics argue that narcoanalysis is an unreliable and invasive technique that can lead to false confessions and violates the subject's human rights.

The purpose of narcoanalysis in criminal investigations is to obtain information that may not be obtained through conventional methods. However, the use of narcoanalysis raises significant ethical concerns, particularly with respect to the subject's right against self-incrimination, privacy, and dignity (Heirin, 1957). Principles of transparency and accountability must guide the use of narcoanalysis, and the protection of the subject's human rights must be a top priority.

LEGALITY AND ETHICS OF NARCOANALYSIS IN INDIA

The legality and ethics of narcoanalysis in India have been the subject of much debate and controversy. While the use of narcoanalysis is not explicitly prohibited by law, it has been challenged on the grounds of violating several constitutional and human rights. The Indian Constitution guarantees the right to life and personal liberty, including the right to privacy and the right against self-incrimination. The use of narcoanalysis can be seen as a violation of these rights, as it involves the use of drugs to extract information from a suspect without their informed consent.

The Indian Supreme Court has recognized the importance of protecting human rights in the use of narcoanalysis. In 2010, the court ruled that using narcoanalysis violates the right against self-incrimination and cannot be used as evidence in court proceedings (Agarwal & Gangopadhyay, 2009). The court also emphasized the importance of transparency and accountability in using the technique, calling for strict guidelines and regulations to be put in place. Despite the court's ruling, the use of narcoanalysis continues to be used in some criminal investigations in India.

Human rights organizations have criticized the lack of transparency and accountability in the use of the technique and have called for stricter regulations to be put in place. From an ethical standpoint, the use of narcoanalysis raises several concerns. Using drugs to extract information from a suspect can be seen as violating their autonomy and dignity. The technique also raises concerns about the potential for abuse and the reliability of the information obtained under the influence of drugs. In conclusion, the legality and ethics of narcoanalysis in India are complex issues.

While the use of narcoanalysis is not explicitly prohibited by law, it has been challenged on the grounds of violating human rights. The Indian Supreme Court has emphasized the importance of protecting human rights in using the technique and has called for strict regulations to be put in place (Jaiswal, 2012). Principles of

transparency and accountability must guide the use of narcoanalysis, and protecting the subject's human rights must be a top priority.

HUMAN RIGHTS VIOLATIONS IN NARCOANALYSIS

The use of narcoanalysis in criminal investigations has been criticized for potentially violating human rights. Human rights violations may occur at several stages of the narcoanalysis process, from obtaining consent to drug use to collect and use the information obtained. One of the primary human rights violations in narcoanalysis is the violation of the right to privacy. Narcoanalysis involves the use of drugs to extract information from a suspect, which can be seen as an invasion of their mental privacy (Kamath, 2012). Additionally, the information obtained during the procedure may be sensitive and personal, and its collection and use may violate the suspect's right to privacy. The use of narcoanalysis may also violate the right against self-incrimination. The information obtained during the procedure may be used against the suspect in court, which can be seen as a violation of their right to remain silent and to not incriminate themselves. The use of narcoanalysis can also lead to false confessions and self-incrimination, which can have serious consequences for the suspect.

The use of narcoanalysis can also violate the right to dignity and autonomy. Using drugs to extract information from a suspect can be seen as an affront to their dignity and autonomy. The suspect may feel helpless and vulnerable during the procedure, which can be traumatic and have lasting effects. Furthermore, using narcoanalysis can lead to a lack of transparency and accountability. The procedure is often conducted secretly, and the information obtained may not be subject to proper scrutiny (Saha, 2020). This lack of transparency can contribute to the violation of the suspect's human rights and can lead to abuses of power.

The use of narcoanalysis in criminal investigations has been criticized for potentially violating human rights. The procedure can violate the right to privacy, the right against self-incrimination, and the right to dignity and autonomy. The lack of transparency and accountability in using narcoanalysis can also contribute to human rights violations. It is essential to regulate the use of narcoanalysis and ensure that it is conducted following human rights principles.

• *Violation of Right to Privacy and Dignity*

The use of narcoanalysis in criminal investigations has been criticized for violating the suspect's. Narcoanalysis involves the administration of drugs to the suspect, which leads to a state of altered consciousness. During this state, the suspect may reveal information that is not accessible in their normal conscious state (Arun, Rao, & Menezes, 2010). However, this process can also lead to several violations of the suspect's privacy and dignity. *Firstly*, drug administration without the suspect's informed consent can be seen as violating their right to privacy. The use of drugs without consent can be considered an intrusion into the suspect's body and mind, which can have lasting effects. The suspect may feel that their autonomy has been violated, and they may feel that their integrity has been compromised.

Secondly, the information obtained during narcoanalysis can be highly sensitive and personal, violating the suspect's privacy. The information obtained during the procedure can be used to incriminate the suspect, and it can be used against them in court. The collection and use of this information can be seen as an invasion of the suspect's mental privacy, which can have lasting effects.

The use of narcoanalysis can also violate the suspect's right to dignity. The process can be traumatic and humiliating for the suspect, leading to a sense of helplessness and vulnerability. Using drugs to extract information from the suspect can be seen as an affront to their dignity and autonomy (Coghlan & Waycot, 2021). Using narcoanalysis in criminal investigations can violate the suspect's right to privacy and dignity. The administration of drugs without consent, the collection and use of sensitive information, and the violation of the suspect's mental privacy can all contribute to violating their right to privacy. The traumatic and humiliating nature of the procedure can also lead to a violation of their right to dignity. It is essential to regulate the use of narcoanalysis and ensure that it is conducted to respect the suspect's human rights.

• *Violation of Right to a Fair Trial*

The use of narcoanalysis in criminal investigations has also been criticized for its potential to violate the suspect's right to a fair trial. The information obtained during narcoanalysis can be highly sensitive and personal and may be used to incriminate the suspect in court. This use of information obtained through narcoanalysis can lead to several violations of the suspect's right to a fair trial. One of the primary concerns is the violation of the right against self-incrimination (Leidner & Tona, 2021). The information obtained through narcoanalysis may be used against the suspect in court, which can be seen as a violation of their right to remain silent and not incriminate themselves. This can lead to a situation where the suspect is forced to testify against themselves, undermining the trial.

• *Risks and Harm to the Subject of Narcoanalysis*

Using narcoanalysis in criminal investigations can pose several risks and harms to the subject of the procedure. The administration of drugs to the suspect can lead to a state of altered consciousness, which can have lasting

effects on their physical and mental health. Some of the risks and harms associated with narcoanalysis are as follows:

1. **Physical Harm:** The administration of drugs during narcoanalysis can have physical side effects that can harm the subject. These side effects can include nausea, vomiting, headaches, and dizziness. In some cases, the administration of drugs can lead to more serious physical harm, such as respiratory distress, seizures, or allergic reactions.
2. **Mental Harm:** The use of narcoanalysis can also have mental health implications for the subject. The procedure can be traumatic and humiliating, leading to lasting psychological harm. Using drugs to extract information from the subject can also contribute to a sense of helplessness and vulnerability, which can exacerbate any pre-existing mental health conditions.
3. **False Confessions:** Using narcoanalysis can also lead to false confessions, where the subject may provide inaccurate or false information under the influence of the drugs. This can seriously affect the subject, as false confessions can lead to wrongful accusations and convictions.
4. **Stigmatization:** The use of narcoanalysis can also lead to social stigmatization of the subject. The information obtained during the procedure may be used to incriminate the subject, which can lead to their stigmatization in society. This can have lasting effects on their personal and professional life.

In criminal investigations, the use of narcoanalysis can pose several risks and harms to the subject of the procedure. These risks and harms can include physical harm, mental harm, false confessions, and social stigmatization. It is essential to regulate the use of narcoanalysis and ensure that it is conducted to minimize these risks and harms (Sunstein, 2015). The subject's physical and mental well-being should be a priority in any use of narcoanalysis. Proper safeguards should be implemented to ensure their rights and dignity are respected.

THE ROLE OF HRO IN MONITORING NARCOANALYSIS

Human rights organizations play a vital role in monitoring and regulating the use of narcoanalysis in criminal investigations. These organizations work to ensure that the use of narcoanalysis is conducted in a manner that respects the suspect's rights and dignity. Human rights organizations engage in advocacy and awareness-raising to inform the public about the risks and harms associated with narcoanalysis (Gallagher, Borschmann, & Chambers, 2014). They advocate for the rights of the suspect and work to ensure that the procedure is conducted in a manner that respects their rights and dignity.

Human rights organizations monitor the use of narcoanalysis in criminal investigations to ensure that it is conducted in compliance with international human rights law. They monitor the procedures to ensure that they do not violate the suspect's right to a fair trial, right to privacy, and right against self-incrimination. In addition, these organizations document cases of narcoanalysis and report any abuses of power or violations of the suspect's rights to the appropriate authorities (Joffe, Manocchia, Weeks, & Cleary, 2003). They work to hold those responsible for human rights abuses accountable and ensure that the suspect receives appropriate legal remedies.

Human rights organizations work to build the capacity of legal professionals, law enforcement agencies, and the judiciary to ensure that they know the risks and harms associated with narcoanalysis. They provide training on human rights standards and best practices for conducting narcoanalysis in a manner that respects the suspect's rights and dignity. In conclusion, human rights organizations play a crucial role in monitoring and regulating the use of narcoanalysis in criminal investigations, ensuring that the procedure is conducted in a manner that respects the suspect's rights and dignity while also maintaining the integrity of the criminal justice system.

THE ROLE OF HRO'S IN PROMOTING HUMAN RIGHTS AND PREVENTING ABUSE OF NARCOANALYSIS

Human rights organizations play a significant role in promoting and protecting human rights in the context of narcoanalysis. Narcoanalysis is a controversial and invasive procedure that can seriously affect the suspect's rights and dignity. Human rights organizations promote human rights and prevent abuse of narcoanalysis by advocating for the rights of the suspect, monitoring the use of narcoanalysis, providing legal assistance, and building the capacity of legal professionals and law enforcement agencies. Advocacy is a crucial element of the work of human rights organizations. These organizations raise awareness about the importance of human rights and the risks and harms associated with narcoanalysis. They advocate for the rights of the suspect and work to ensure that the procedure is conducted to respect their rights and dignity (Wahl, 2014). Human rights organizations engage in advocacy campaigns to inform the public and policymakers about narcoanalysis's dangers and promote alternatives that respect human rights.

Monitoring is another key function of human rights organizations in the context of narcoanalysis. These organizations monitor the use of narcoanalysis in criminal investigations to ensure that it is conducted in compliance with international human rights law. They document cases of narcoanalysis and report any abuses of power or violations of the suspect's rights to the appropriate authorities (Jaiswal, 2012). By monitoring the use of narcoanalysis, human rights organizations help to hold those responsible for human rights abuses

accountable and ensure that the suspect receives appropriate legal remedies. Human rights organizations also provide legal assistance to suspects who have been subjected to narcoanalysis. They ensure that the suspect's rights are protected throughout the legal process and work to prevent abuses of power by law enforcement agencies. By providing legal assistance, human rights organizations help ensure suspects receive fair and just treatment under the law.

Human rights organizations work to build the capacity of legal professionals, law enforcement agencies, and the judiciary to ensure that they know the risks and harms associated with narcoanalysis (Sunstein, 2015). They provide training on human rights standards and best practices for conducting narcoanalysis in a manner that respects the suspect's rights and dignity. By building the capacity of legal professionals and law enforcement agencies, human rights organizations help prevent power abuses and ensure that the criminal justice system operates fairly and justly. Human rights organizations play a crucial role in promoting and protecting human rights in the context of narcoanalysis. By advocating for the rights of the suspect, monitoring the use of narcoanalysis, providing legal assistance, and building the capacity of legal professionals and law enforcement agencies, human rights organizations help to prevent abuses of power and ensure that the criminal justice system operates fairly and justly.

STRATEGIES AND ACTIVITIES OF HRO'S IN MONITORING NARCOANALYSIS

Human rights organizations employ several strategies and activities to monitor the use of narcoanalysis in criminal investigations. One key strategy is the documentation of cases involving narcoanalysis (Agarwal & Gangopadhyay, 2009). This involves gathering information on the procedure, including the circumstances surrounding its use, the methods employed, and the consequences for the suspect. By documenting cases of narcoanalysis, human rights organizations can identify patterns of abuse, highlight areas where the procedure is being misused, and provide evidence for legal challenges. Another strategy employed by human rights organizations is the use of fact-finding missions. These missions involve sending human rights monitors to investigate narcoanalysis cases and interview suspects, law enforcement officials, and other stakeholders. The information gathered during these missions can be used to identify abuses of power, to assess the effectiveness of legal remedies, and to recommend changes to the law or practice.

Human rights organizations also engage in advocacy campaigns to raise awareness about the risks and harms associated with narcoanalysis. These campaigns often target policymakers, law enforcement officials, and the media. Human rights organizations can help shape public opinion and involve the publication of reports, the dissemination of information through social media and other channels, and the organization of public events (Gordan, 2008). By advocating for the suspect's rights, human rights organizations can help shape public opinion and influence policy decisions. Legal assistance is another activity undertaken by human rights organizations in monitoring narcoanalysis. This may involve providing legal representation to suspects who have been subjected to narcoanalysis or supporting legal challenges to the procedure. By providing legal assistance, human rights organizations can help to ensure that suspects receive fair and just treatment under the law and that their rights are protected throughout the legal process.

Finally, capacity-building is an essential activity of human rights organizations in the context of narcoanalysis. This involves providing training and support to legal professionals, law enforcement agencies, and the judiciary to ensure that they are aware of the risks and harms associated with narcoanalysis and that they operate in compliance with international human rights law (Bradshaw & Howard, 2017). By building the capacity of these stakeholders, human rights organizations can help to prevent abuses of power, to promote best practices in the use of narcoanalysis, and to ensure that the criminal justice system operates fairly and justly. Human rights organizations employ several strategies and activities to monitor the use of narcoanalysis in criminal investigations. These include documentation of cases, fact-finding missions, advocacy campaigns, legal assistance, and capacity-building. By undertaking these activities, human rights organizations help to promote and protect human rights and to prevent abuses of power in the use of narcoanalysis.

THE NEED FOR REGULATION AND ACCOUNTABILITY

Using narcoanalysis in criminal investigations raises important questions about the need for regulation and accountability. Human rights organizations have long argued that the procedure is inherently coercive and violates several fundamental human rights (Walsh & Piazza, 2010). Therefore, there must be clear legal frameworks in place that regulate the use of narcoanalysis and ensure that suspects are protected from abuse and exploitation. One of the main challenges in regulating narcoanalysis is the lack of consensus around its legality and ethics. In India, for example, the use of narcoanalysis has been challenged in the courts, with some arguing that it violates the right to privacy and dignity, while others argue that it is an effective tool for obtaining evidence in criminal investigations. Therefore, it is crucial that legal frameworks be based on clear and agreed-upon principles, such as those set out in international human rights law, and that they are applied consistently and fairly.

Another key element of regulation is accountability. Those who carry out narcoanalysis, such as law enforcement officials and medical professionals, must be held accountable for power abuse or human rights violations. This requires effective monitoring and oversight mechanisms and a robust complaints mechanism that enables victims to seek redress for any harm they have suffered. In addition, there must be effective sanctions for those who abuse power or violate human rights (Lind & Howell, 2010). The role of human rights

organizations in promoting regulation and accountability cannot be overstated. These organizations are critical in raising awareness of the risks and harms associated with narcoanalysis and advocating for the suspect's rights. They also play an important role in monitoring the use of the procedure, documenting cases of abuse, and providing legal assistance to victims. By working in partnership with other stakeholders, including legal professionals, law enforcement agencies, and the judiciary, human rights organizations can help develop effective and fair legal frameworks that protect human rights, promote justice, and prevent abuse of power (Welch, 2007).

THE NEED FOR REGULATION OF NARCOANALYSIS IN INDIA

The use of narcoanalysis in India has been controversial, with human rights organizations expressing concern about its legality and ethics. While the Indian government has defended the use of narcoanalysis as a legitimate investigative tool, there is growing recognition of the need for clear legal frameworks that regulate its use and ensure that suspects are protected from abuse and exploitation (Greer, 2015). One of the main reasons for the need for regulation is the potential for abuse of power. Narcoanalysis involves using drugs to induce a state of altered consciousness in the suspect. There is a risk that this could be used to extract false confessions or coerce the suspect into providing information. This could lead to serious human rights violations, including the right to a fair trial, the right to privacy and dignity, and the right to be free from torture and other forms of cruel, inhuman or degrading treatment (Cohen & Ezer, 2013).

Another reason for the need for regulation is the lack of scientific evidence supporting the effectiveness of narcoanalysis as an investigative tool. While some have argued that it is a useful technique for obtaining evidence, others have questioned its reliability and validity, and there is a risk that it could lead to wrongful convictions. To address these concerns, there is a need for clear legal frameworks that regulate the use of narcoanalysis, and ensure that it is only used in appropriate circumstances and by established procedures. This requires involving various stakeholders, including legal professionals, medical professionals, law enforcement agencies, and human rights organizations.

One key element of regulation is the development of clear guidelines for the use of narcoanalysis, including the circumstances in which it can be used, the procedures that must be followed, and the safeguards that must be put in place to protect the rights of the suspect. This could include requirements for informed consent, independent medical evaluation, and the presence of legal counsel during the procedure. Another important element of regulation is the establishment of effective oversight mechanisms to monitor the use of narcoanalysis and to ensure that it is only used in appropriate circumstances (Mavronicola, 2017). This could include the development of an independent body to oversee the use of the procedure, and the establishment of a complaints mechanism to enable victims to seek redress for any harm they have suffered.

The need for regulation of narcoanalysis in India is clear. By developing clear legal frameworks, establishing effective oversight mechanisms, and involving a range of stakeholders in the process, it is possible to ensure that narcoanalysis is only used in appropriate circumstances, and that suspects are protected from abuse and exploitation.

ACCOUNTABILITY OF AUTHORITIES AND EXPERTS INVOLVED IN NARCOANALYSIS

As the use of narcoanalysis in criminal investigations is a highly sensitive issue, it is essential to ensure that the authorities and experts involved in the process are held accountable for their actions. This accountability is important to ensure that the rights of suspects are protected, and to prevent any abuse of power or corruption. One key aspect of accountability is ensuring that the authorities and experts involved in narcoanalysis are held to the highest ethical and professional standards (Grans, 2015). This includes ensuring that they are adequately trained in the use of narcoanalysis and that they follow established protocols and guidelines for its use. It also includes ensuring that they do not engage in any unethical or illegal behaviour, such as using the procedure to extract false confessions or to coerce suspects into providing information.

Another important aspect of accountability is ensuring that appropriate mechanisms are in place to investigate any allegations of abuse or misconduct. This requires the establishment of independent oversight bodies, such as human rights commissions or independent medical ethics committees, to investigate any complaints or concerns that arise. These bodies should have the power to investigate any incidents of abuse or misconduct and take appropriate disciplinary action against those who have engaged in such behaviour. In addition to these measures, it is also important to ensure that appropriate legal remedies are available to victims of abuse or misconduct. This includes the right to seek compensation for any harm suffered due to the use of narcoanalysis and the right to seek criminal or civil legal action against those responsible for the abuse. Overall, the accountability of authorities and experts involved in narcoanalysis is essential to ensure that the procedure is used responsibly and ethically, and to prevent any abuse of power or corruption. By ensuring that there are clear ethical and professional standards in place, independent oversight bodies to investigate any complaints or concerns, and appropriate legal remedies for victims of abuse or misconduct, it is possible to hold those involved in the procedure accountable for their actions, and to protect the rights of suspects and victims.

HRO IN ADVOCATING FOR REGULATION AND ACCOUNTABILITY

Human rights organizations are crucial in advocating for the regulation and accountability of narcoanalysis in India. These organizations are responsible for raising awareness about the risks and harms associated with the

use of narcoanalysis and advocating for measures that promote the protection of human rights and prevent abuse. One of the key strategies that human rights organizations use to advocate for regulation and accountability is through engaging in advocacy campaigns and lobbying efforts aimed at policymakers and lawmakers (Gostin, 2000). These efforts aim to influence the development and implementation of policies and laws that regulate the use of narcoanalysis and ensure that authorities and experts are held accountable for their actions. These organizations also engage in public education campaigns to raise awareness about the risks and harms associated with narcoanalysis and the importance of accountability.

Human rights organizations also play a critical role in monitoring the use of narcoanalysis and documenting any human rights abuses or violations. They work to identify cases where the procedure has been used inappropriately or unlawfully, and use this information to advocate for reforms and changes in policy and practice (Sveass, Gaer, & Grossman, 2020). They also work to ensure that the voices of narcoanalysis victims are heard and their rights are protected. Finally, human rights organizations work to build coalitions with other civil society organizations, legal professionals, and experts to advocate for accountability and regulation of narcoanalysis (Pulice, 2010). Collaborating with others who share their goals and objectives can build a more powerful and effective movement that can influence policy and practice.

The role of human rights organizations in advocating for the regulation and accountability of narcoanalysis in India is essential to protecting the rights of suspects and victims and preventing abuse (Pallathadka, 2020). Through advocacy, monitoring, documentation, and coalition building, human rights organizations can ensure that authorities and experts are held accountable for their actions and that the use of narcoanalysis is regulated to protect human rights and prevent abuses.

EMPIRICAL STUDY OVER THE USE OF NARCOANALYSIS IN INDIA

Based on the responses of the 100 audience members to the survey questions, here's an analysis of their views on the role of human rights organizations in monitoring and regulating the use of narcoanalysis in India:

- 1. Awareness of Human Rights Organizations:** 67 out of 100 respondents had heard of human rights organizations that monitor the use of narcoanalysis in India. This suggests that there is some level of awareness among the public about the existence of these organizations and their role in protecting human rights.
- 2. Use of Narcoanalysis:** 60% of respondents did not believe that narcoanalysis should be used as a means of extracting information from suspects in India. This indicates that a majority of the audience is opposed to the use of narcoanalysis and may view it as a violation of human rights.
- 3. Role of Human Rights Organizations:** 85% of respondents believed that human rights organizations should play a role in regulating the use of narcoanalysis in India. This shows that the audience values the role of these organizations in protecting the rights of suspects and ensuring that they are not subject to unjust treatment.
- 4. Violation of Human Rights:** 72% of respondents believed that the use of narcoanalysis in India violates the human rights of suspects. This reinforces the idea that the use of narcoanalysis is viewed by many as a violation of human rights.
- 5. Need for Stricter Regulations:** 89% of respondents believed harsh regulations should be in place to monitor the use of narcoanalysis in India. This suggests that the audience views the current regulations as inadequate and believes that more needs to be done to protect the rights of suspects.
- 6. Personal Experience with Narcoanalysis:** Only 9% of respondents reported having personal experience with narcoanalysis, indicating that it is not a widespread practice in India.
- 7. False Confessions and Wrongful Convictions:** 83% of respondents believed that narcoanalysis can lead to false confessions and wrongful convictions. This highlights the potential risks associated with the use of this technique and the importance of ensuring that suspects are not subject to unjust treatment.
- 8. Complete Ban on Narcoanalysis:** 61% of respondents believed that there should be a complete ban on using narcoanalysis in India. This suggests that a significant proportion of the audience believes that the risks associated with this technique outweigh any potential benefits.
- 9. Confidence in Legal Framework:** Only 12% of respondents were very confident in the current legal framework in India to protect the rights of suspects subjected to narcoanalysis. This indicates that there is a lack of trust in the existing system and a need for stronger protections.
- 10. Usefulness in Combating Crime and Terrorism:** Only 27% of respondents believed that the use of narcoanalysis in India is necessary to combat crime and terrorism. This suggests that the audience does not view this technique as a critical tool in the fight against crime and terrorism.

The respondents' responses indicate a significant level of concern about the use of narcoanalysis in India and a strong belief that human rights organizations should play a role in regulating its use. There is also a lack of confidence in the existing legal framework to protect the rights of suspects and a belief that stricter regulations are needed. The respondents generally oppose the use of narcoanalysis and believe that it can lead to false confessions and wrongful convictions.

A better approach towards the system would be to strengthen the legal framework and regulatory mechanisms to protect the rights of suspects subjected to narcoanalysis. Human rights organizations should be given a more active role in monitoring the use of this technique and ensuring that suspects are not subject to unjust

treatment. There should also be more public awareness and education campaigns to inform people about the potential risks associated with narcoanalysis and their rights.

CONCLUSION

Narcoanalysis is a controversial and invasive investigative technique that raises serious human rights concerns in India. The use of this technique without proper regulation and accountability can result in violations of the right to privacy, the right to a fair trial, and the right to dignity, among others. Human rights organizations have an important role to play in monitoring and regulating the use of narcoanalysis in India. They advocate for the protection of human rights, raise awareness of the risks and harms associated with the technique, and document cases of human rights abuse or violations. They also work to build coalitions with other organizations and experts to advocate for accountability and regulation of narcoanalysis.

The regulation of narcoanalysis in India must prioritize the protection of human rights and prevent abuses. Regulations should ensure that the procedure is used only in exceptional circumstances and under strict conditions, with the consent of the individual concerned, and with proper safeguards in place to prevent abuses. Ultimately, the regulation and accountability of narcoanalysis in India requires a collaborative effort from all stakeholders, including policymakers, legal professionals, experts, civil society organizations, and human rights groups. Only by working together can we ensure that the use of narcoanalysis in India is ethical, legal, and respects the human rights of all individuals involved.

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