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From the Editor

Dear Authors /Readers/ Reviewers of Research Reinforcement Journal (RRJ),

I am privileged to handing over this prestigious new volume of the RRJ (Vol. 6; Issue -2; Nov. 2018- April 2019).

This Research Reinforcement journal, an initiative, was started to share research works, commenced in the disciplines of social science and humanities. Our focus is to provide platform to young and mature scholars who have been keenly exploring the possibilities to get their research published on one hand, and also to ensure reach up to the pioneer researchers and learners in their respective fields. This journal, which is UGC approved and is moving in its 6th year of its circulation, is attracting academicians from all corners of the country, and even from abroad like Nepal, Sri Lanka and Bangladesh. It is a peer reviewed journal which is academically cooperated by legendary experts from various disciplines as advisor and referees. Research papers and articles from social science and humanities backgrounds are published in this journal. We more prefer the first hand based research and analytical articles in this journal. Besides, we are equally providing space to the research papers based on survey, discussions and reviews.

This volume includes 35 research papers & articles across country and also from abroad. We expect more scholarly research papers and articles on issues of concurrent importance and socio-politico-economic analysis based. Besides, we welcome the research papers and articles related to other allied fields including humanities, social sciences, science and commerce interpreting socio-economic relevance.

Best Wishes

Dr. Pankaj Gupta

The Editor in chief



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Creating Awareness towards Environment Sustainability in Sri Lanka: Initiative through Academic Institution



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Abstract

Since the sustainability debate in 1980s, 'Environmental Sustainability' (ES) was popularized as development thought and practice attracting intense interest of academics, researchers and policy makers in almost all disciplines; both natural sciences and social sciences. It embraces almost every aspect of human living and wellbeing encompassing novel ideas and praxis. Eco-homes, green products, organic food, eco-friendly transportation, green jobs and renewable energy are some of the key areas that harness the possibilities for sustainable lifestyle. The concept of 'sustainable development' was put forward in 1987 with the publication of 'Our common future' and subsequently stipulated at the Earth Summit in 1992 inducing international community to nurture a culture of sustainable development in respective countries. This paper explores the approaches and processes that reached to nurture a culture of academic institutions devoted to an ES through diverse programs in the university system in Sri Lanka. In essence, the 'Green university' concept and energy saving practices and minimum waste strategies are at the core of their practices. The paper highlights the impacts of ES practices launched, in creating knowledge, practices and attitudes among the academics, students and the non-academic staff members as well. Finally, it would be able to achieve SE through the awareness among the academia in Sri Lanka. Further the paper suggests possible areas of action to be strengthen in order to create ES mentors in academic institutions.

Keywords: Environmental Sustainability, Sustainable Development, Infrastructural Development

Introduction

The concept of 'sustainable development' was put forward in 1987 with the publication of 'Our common future' by the World Commission on Environment and Development (WCED) and subsequently stipulated at the Earth Summit in 1992, inducing international community to nurture a culture of sustainable development in respective to countries. As defined by WCED "the development which meets the needs of the present without compromising the ability of future generations to meet their own needs" (Brundtland, 1987) accentuate, the goals of sustainable development. It refers to the three mutual reinforcing pillars of Economical, Social

and Environmental development. In a broader sense, Environmental Sustainability (ES) comes under the preview of 'Sustainable Development'. Sustainability, thus has become a dominant framework for understanding modern world challenges emerging due to significant human impacts on earth's bio-physical system in this Anthropogenic Epoch. It allows us to meet our current needs without jeopardizing the rights and need of future generations. It implies that sustainability Studies invite critical exploration of a multitude of complex issues from the local to the global levels. In practice, Environmental sustainability (ES) is a process of observing and reconstructing the human interactions with

the environment, perused with the ideals and behavior of preserving the environment pristine as much as possible. It is important to ensure that the earth's life support systems, including the atmosphere, the oceans and the land surfaces, are maintained properly and get repaired after any damage (Moffatt, 2001).

Sustainability is now one of the core values universities where the initiatives have been taken to embed research and education into a "living laboratory" for sustainable development that includes the whole campus and its students, faculty and staff. By applying classroom concepts to real-world scenarios, sustainability studies would find solutions to pressing environmental, economic and social challenges we are face with today. It is also a global trend that most universities are revising their mission and restructuring their courses, research programs and different activities within the universities and outside the universities with respect to sustainability in their perspectives.

Since the sustainability debate in 1980s, ES was popularized as development thought and practice attracting intense interest of academics, researchers and policy makers in almost all disciplines; both natural sciences and social sciences. It embraces almost every aspect of human life and wellbeing encompassing novel ideas and praxis. Eco-homes, green products, organic food, eco-friendly transportation, green jobs and renewable energy are some of the key areas that harness the possibilities for sustainable lifestyle.

The concept of ES is not a new phenomenon for the South Asian countries like India and Sri Lanka, where we had an established tradition of simple living, less harmful to nature. Inevitably we have been practicing some principles of ES in our day to day practices by the optimum utilization of resources for maximum benefits with a lesser cost. Hence, the objectives of ES could be achieved sustaining agrarian societies in Asian lands for centuries. Sri Lanka is not an exception where we continued a hydraulic civilization for over two thousand years, in the Dry Zone

areas without significant disastrous events of course. Recent economic changes as well as the growing needs of increasing population, lead to excessive utilization and destruction of valuable environmental resources. Therefore, the government gave high priority for sustainable development in the country, integrating every aspect of the economy and society. The educating and awareness creating programs at different level of the national education system, was considered as one major intervention to bring up a sustainable society in the country.

The National Environmental Policy (NEP) of Sri Lanka emphasizes that caring for the environment is the bounden duty of any institution, government or non-government, and of any individual that uses, or otherwise carries out an activity that has an impact on, the resources of the environment (See; Ministry of Environment and Natural Resources, 2003). The Constitution of Sri Lanka says that "it is a duty of every person in Sri Lanka to protect nature and conserve its riches". This paper highlights some of the aspects covered and activities carried out in the recent past, as well as on going in the education sector in Sri Lanka with special reference to the university sector.

Objectives of the study

In this study, it is aimed to explore the approaches and processes that have reached to nurture a culture of academic institutions devoted to an ES through diverse programs in the university system in Sri Lanka. In essence, the 'Green university' concept and energy saving practices and minimum waste strategies are at the core of their practices. Further the study highlights the impacts of ES practices launched, in creating knowledge, practices and attitudes among the academics, students and the non-academic staff members as well.

Environmental Sustainability at School level

Education of ES has been becoming an essential part of school education and more attention paid on protection and enhancement of environment of their living. Barkatsas and Bertram (2016)

have discussed the need for education for sustainability in a global context, and then describe a history of the implementation of environmental sustainability education in schools, with a particular emphasis on Australian and English schools. Further, it was agreed that environmental education “should become an essential part of the education of all citizens, not only because of the importance of their understanding something of their environment but because of its immense educational potential in assisting the emergence of a scientifically literate nation” (Wheeler, 1975), and the United States Congress passed an Environmental Education Act in 1970 (McCrea, 2006) to support the policy.

In Sri Lanka, environment education starts at schools. Basic concepts of environment are included in the school curriculum as core of the studies in various disciplines in natural sciences and social sciences. In particular, special program on ‘School Pioneering Program (SPP)’ has been implementing from primary education up to the secondary education. Major objective of the SPP is to make student’s awareness and concern about the environment and its associated problems along with knowledge, skills, attitudes, motivation, and commitment to work individually and collectively towards solution of current problems and issues related to environment.

Environmental Sustainability at Higher educational level

There are both public sector and private sector higher education institutions in Sri Lanka. The public sector consists of universities, research and postgraduate institutes and advanced technical institutes. The Universities deliver both undergraduate and postgraduate degree programs. The postgraduate degree range from diplomas to master degree to PhDs. The undergraduates’ degrees are normally three or four year degree programs. There are at least 45,700 students attending private sector and more than 50 private institutions engaged in the

provision of higher education (The World Bank, 2009).

With regard to environmental sustainability at an institutional level/ higher educational level, Sterling (2004) argues a whole systems approach to recognizing a systemic coherence and healthy emergence within and between the dimensions of its operation. Within any particular university we can identify at least 7 operational dimensions:

1. Ethos/ Attitudes

Attitudes or ethos on ES are commonly perceived as preconditions for achieving environmental behavior or actions. The important role of acquisition of environmental behavior is often explained by the assumption that changes in environmental behavior on a personal level can lead to changes in sustainability on societal level (Efrat Eilam and Tamar Trop). In general, if someone behaves responsibly with ES in his/ her mind, the whole society also will perform sustainably.

Attitude changes are to translating into altered behavior, education must extend beyond attitudes to assist people to act in ways consistent with their values. To protect the physical environment and change the attitudes of the students different programs are being launched. As the outcome, protecting bio-diversity, valuing ecosystem services and encouraging renewable energy usage are at the fore front. Ongoing programs incorporating school children as well as university community and as Environmental Conservation Groups such as tree planting, cleaning at beaches and selected public places are in high spirit nowadays. In additions, proper waste management systems are also being practiced in most of universities in terms of collection, transporting and disposing them in proper manner. It is a latest trend for cleaning up the public areas by the group of people where some events happened such as cricket matches, protest march and so on.

2. Curriculum

A study has been done on ‘Best Green University practice’ by Maryam Faghihimani in 2010 point-

ed out several suggestion to enhance ES through curriculum revisions of universities. Launching shadow learning by asking academic staff to put ES in reading material of all study fields and disciplines, Compulsory lecture on ES every semester in all departments, Service learning and E-learning service for ES courses are some of them for enhancing ES (Faghihimani, 2010).

It is one of the major functions of universities that are changing or upgrading curriculum and enhance the learning opportunities to maintain ES. New degree programs (B.A. (Hons.) in Environment and resource conservation, B.Sc. in Environmental Engineering, PG Diploma in Environmental assessment and evaluation, M.Sc. in Forestry and Environmental Management and so on), new course units (E.g. Environment and resource management, Environment and development, Environmental Education and so on), at different levels and interdisciplinary fields such as Economics, Geography, Health, Education and Management etc. have been reviewed under the curriculum revisions. The revisions were also being done with addressing issues related with ES with reference to waste management, climate change, disaster management and environmental awareness etc.

Within the national university system, consultants who are experts in multidisciplinary fields of studies have contributed to the curriculum development process and financially it was supported by the World Bank. It is another important fact that the Government Institutions such as Central Environmental Authority (CEA), Ministry of Environment (MoE), Ministry of Education (MoE), Ministry of Higher Education (MoHE) and Local Governmental Authorities as well as Environmental Conservation Groups have taken hand in hand in these efforts.

3. Research & inquiry

Education for Sustainable Development aims to incorporate the various sets of values, principles, and goals for the purpose of learning and continuous growth. University research is pivotal for sustainable development, exploring

new ways of conducting research. Nevertheless, universities play a leading role in creating and dissemination of knowledge. It is thus, the key component of any sustainability study programme as the process of generating new knowledge. Hence, the higher education sector has been recognized as the foremost contributor to society's efforts to achieve environmental sustainability.

Acquiring sustainable development needs, cooperation among sectors and institutions, and the involvement of all the concerned partners and individuals are considered as back born for the concerted efforts in sustainable development practices. In this wide spectrum, the universities in Sri Lanka, are actively involved in researches in specialized areas of environmental sustainability such as air pollution prevention, waste management, water pollution related impacts, conservation of wetlands etc. in Sri Lanka. The faculties of medicine, natural sciences, engineering, architecture and social sciences have their own research components, collaborated with state agencies and international organizations. The funding for research have been allocated in the universities and government organizations. The annual conferences, seminars and workshops organized by the universities as well as the scientific organizations provide ample opportunity to present their findings in sustainability research. The multidisciplinary teams cooperate in many research projects. In fact the themes of many recent research colloquiums in the higher education sector in Sri Lanka highlighted the sustainable development, their keynote speeches were focused on environmental issues related with sustainable development. In the recent past, in increasing number of research papers and articles in reputed journals have been published. Therefore it is not an exaggeration that the academia in Sri Lankan university system is actively involved in sustainability related research.

Faghihimani (2010) has also commended several suggestions to improve the ES situation at the Universities as follows;

- a. Increasing the level of collaboration with industry/corporations,
- b. More interaction and collaboration between research centers and other institutions,
- c. Providing a PhD position to study the progress of greening universities
- d. Providing more ES related books and journal at the library.

Most of Sri Lankan universities have been already implementing the strategies to certain extents. For example the Faculty of Social Sciences of the University of Kelaniya has established a Research Centre for Social Sciences (RCSS) for increasing of collaboration with industry and institutions. The Centre was able to conduct several applied research during the last couple of years. Further, the Faculty has been strengthening the interaction and collaboration between other institutions in Sri Lanka.

4. Organization/ management style

Policy decisions of the MoE is to establishing ES within higher education institutions in both public and private sectors are being encouraged by the Government. Several new strategies that have been applied to achieve the objectives of ES. Towards a paperless society through the e-based or web based activities which start from registration of undergraduates to all other possible activities are being done by higher education institutions. In particularly action plans, programs, events, latest updates, news and all other possible information distribute through their own web sites, social Medias and SMS. It is encouraging to utilized E-based Learning Management System (LMS) for distant education, additional readings and practical, assessments and meeting point of the students and lectures. Some students also developed web based blogs for improving their different skills.

Concept of 'Green Universities' (GU) is also come under the organizational level of ES. Some of universities have already being identified as GU such as University of Peradeniya, National Institute of Business Management (NIBM) and University of Kelaniya (UoK). Other universities

have been taking necessary initiation to apply the principles of GU, towards achieving ES.

5. Resource management & Use

"3R" principle i.e. reduce, recycle and recycle of sustainability have been applying in most of higher education institutes of the country. Reducing or minimizing the use of all resources that for all activities of the institution was the first aspect of the 3R principle. Reusing is also a very important practice which can use materials more than once in their original form instead of throwing them away after each use. The third aspect of recycle which converting waste materials into new products, changing them from their original form by physical and chemical processes.

All higher education institutes require adequate and suitable physical and human resources for their function, proper management and quality enhancement. Up to the Degree level of all the education is free for all in public universities. Required funds are being allocated by the Government and it is a responsibility to utilize its resources efficiently and effectively. Some universities have already being taken several steps such as extensively use of LED lights, generation of solar energy, discourage to use of elevators after 4.30pm and used water for reusing for gardening so on which helps to ES.

6. Physical structures / architectures

Concept of 'Green Buildings' (GB) that have been applied to all new constructions in all sectors including higher education sector in Sri Lanka. A 'green' building is a building that, in its design, construction or operation, reduces or eliminates negative impacts, and can create positive impacts, on our climate and natural environment. Green buildings preserve precious natural resources and improve our quality of life (Green Building Council, 2019). Accordingly, building plans and ecofriendly raw materials should have utilized to achieve ES. Maximum and efficient use of renewable energy, proper ventilation for minimize heating, use of sensitivity lights, planting tree nearby buildings are some components of the GB concept.

Apart from buildings, it is encouraged to utilize all equipment which are environmental friendly. Proper system that have been applied to stop water leaking and waste. Proper waste management system also should have been adopt to reduce waste, reuse and recycle waste within and outside of buildings. Not only resources but also attitude of the users also have been changed by displaying some sign boards such as 'save energy', 'save water', 'burn calories not electricity' and so on.

7. Community links & outreach

Creating awareness among the not only academia but also community also will help to adopt and maintain ES. Integrated approach is essential to merge activities which protect the environment for sustainability by both sectors. Providing facilities or activities which are beneficial to the community, community outreach or training program would be useful for further strengthen ES. For example, organizing some events such as cleaning program, celebrating special days i.e. World Environmental Day, Earth Day etc., and tree planting would be helpful for strengthening community confidence, awareness and participation. Special program that have been organized to educate school children for ES by the University of Kelaniya is one good example for the linkages between both sectors.

Practical issues related to ES

Changing attitude is one of the major issue to achieve ES. The matter is very important because it can positively influence people's behavior towards economy, society, environment and it can change human relationships. It is difficult to achieve due to the complexity of the construct and rigidity of "attitude". At the school level most of students practice sustainable principles and values but some of the undergraduates do not follow at the higher educational level. Therefore it is necessary to find an alternative approach to change their attitudes towards ES practices.

Sri Lanka is very rich in indigenous knowledge. According to traditional practice, most of the

activities in Sri Lanka was based as community activities. Therefore, all the decisions related to sustainability were collective decisions taken by the community. Although some practices related to the indigenous knowledge have been using by the higher education institutions, it can be further developed.

Already most of the intuitions have been using 3R principle in Sri Lanka. Now it is time to apply 're-think' policy before doing all activities. As a member of the higher educational institution I must say that every member has an individual responsibility to be a part of its functions in different ways. As a policy maker, planner, officer or a member of the particular society each person has a responsibility of 're-thinking' before doing their activities which may help to create ES.

It is necessary to apply the principles of sustainability not only for the selected subjects and course units, but also should have applied for all subjects. It will help to enhance the awareness of all stakeholders and finally whole community will practice the principles.

It was expected to get knowledge and experiences from overseas as postgraduate studies, short term training or programs, by exposure and so on. But this necessity is not achieved as expected. However, some academicians fulfill their tasks with their own experiences. For example, the University of Colombo has an Eco club run by academics and undergraduates. However it is necessary to have an integrated approach for achieving objectives of the ES within the university and with inter-universities.

Some of the buildings of the universities of Sri Lanka are very old and difficult to convert into green buildings. Structural changes of the buildings are required to modify. Therefore new methods should have applied for enhancing green practice.

Conclusion

In conclusion, it would be said, that we were able to achieve SE through creating awareness

among the academia in Sri Lanka, encouraging and facilitating them to conduct sustainable development practices within their scope. Besides, the education sector in the country as a whole, is strongly devoted to extend cooperation for promoting environmental conservation and green concepts in life. It is obvious that a culture of research and teaching in the higher education sector specially, has been developed in cooperating green University Concept. The impact of those interventions, programs and other activities in the education sector towards achieving sustainable development objectives. In additions, it would be useful to examine the methods and applications applied by other countries, specially India. Finally the paper suggests possible areas of action to be strengthen in order to create ES mentors in academia. For instances, encouraging research in environment friendly products and practices, inventing energy saving devices, green buildings and changing consumer behavior for zero waste life styles etc. are found to be among the priorities of present day.

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Federalism in Nepal: Pre & Post Constitution Democracy scenario



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Abstract

Nepal has adopted federalist democratic model in 2015. Claims were that it was decision by a majority, satisfying most of the political parties and groups therein. But, agitations in terai and some other parts indicated that their interests and consents were not duly considered. Constituting 7 federal units, more on power politics ground, is not the ultimate model of federal structure in Nepal and it may further lead to long agitations therein, leading to socio- economic conflict in the country, especially in the terai. Though, Nepal had been serious about establishing Federal model of constitution since there last movement for democracy, and especially after 2006 when the monarchy was completely thrown over, leaving zero scope for monarchical restoration therein. It was a common agenda of all political parties there in Nepal, and to greater extent it might be the willingness of external actors. The marathon for constitutional drafting and delineating federal territories was complicated by the political parties themselves, and whatever has been formulated again seems to be tentative. It is essential to mention that the adopted federal territories are more or less the same as of the earlier Development Regions with some changes in their territories. The implemented constitution is a sort of political compromise to fulfill their personal greed and not able to address the public needs.

Keywords: Federalism, Constitution Of Nepal, Terai, Development Region, Federalist Democracy

Introduction

Nepal is a country, which is landlocked, and surrounded by Tibet (an autonomous region) of China to its north, and India to its rest three sides- east, south and west. Despite Nepal's location in between China and India, there is only a set of upper and lower riparian i.e. Nepal as upper riparian and India as lower riparian. It happens due to the presence of the great water divide between China and Nepal i.e. the greater Himalayas, which has diverted all northern rivers away from Nepal. The rivers originating from the southern slopes of various Himalayan range flow towards south i.e. the way of Bengal, through India, all as tributaries of the river Ganges or its prior tributaries. Nepal lies between 26°22' and 30°27' N latitudes; 80°04' and 88°12' E

longitudes. It expands over the land area 147,181 sq. km. with an elevation of ranging between 70 m and 8,848 m. the length and breadth of the country are 558 km and 193 km respectively¹. It is the 93rd largest country by area in the world and 4th largest in the South Asia (following India, Pakistan and Afghanistan respectively).²

Administratively Nepal is divided in to 5 Development regions, 14 Zones and 75 Districts. There are 191 municipalities that are considered as urban and 3276 Village Development Committees (VDCs) which are predominantly rural areas there in Nepal. Among the Development Regions, Mid Western Development Region (MWDR) is largest whereas the Far Western Development Region (FWDR) is smallest. Out of the 14 zones in Nepal, Karnali is

the largest zone in Nepal in terms of area whereas Mahakali is the smallest³.

**Table 1: Administrative setup in Nepal, 2015⁴
(Before Federal Legislation)**

S. No.	Development Region (Area)	Zones		Districts	
		No.	Names	No.	Names
1.	EDR (28,456 Sq. Km.)	3	Sagarmatha, Kosi, Mechi	16	Taplejung, Panchthar, Ilam, Jhapa, Morang, Sunsari, Dhankuta, Terhathum, Sankhuwasabha, Bhojpur, Solukhumbu, Okhaldhunga, Khotang, Udayapur, Saptari, Siraha
2.	CDR (27,410 Sq. Km.)	3	Bagmati, Narayani, Janakpur	19	Dhanusha, Mahottari, Sarlahi, Sindhuli, Ramechhap, Dolakha, Sindhupalchok, Kavrepalanchok, Lalitpur, Bhaktapur, Kathmandu, Nuwakot, Rasuwa, Dhading, Makwanpur, Rautahat, Bara, Parsa, Chitwan
3.	WDR (29,398 Sq. Km.)	3	Dhaulagiri, Gandaki, Lumbini	16	Gorkha, Lamjung, Tanahu, Syangja, Kaski, Manang, Mustang, Myagdi, Parbat, Dhading, Gulmi, Palpa, Nawalparasi, Rupandehi, Kapilbastu, Arghakhanchi
4.	MWDR (42,378 Sq. Km.)	3	Karnali, Bheri, Rapti	15	Pyuthan, Rolpa, Rukhum, Salyan, Dang, Banke, Bardiya, Surkhet, Dailekh, Jajarkot, Dolpa, Jumla, Kalikot, Mugu, Humla
5.	FWDR (19,539 Sq. Km.)	2	Mahakali, Seti	9	Bajura, Bajhang, Achham, Doti, Kailali, Kanchanpur, Dadeldhura, Baitadi, Darchula
	TOTAL	14		75	

Its 35.2 % area is under mountains, 41.7 % is under hills and the rest 23.1 % is under the terai regions, having 6.73 %, 43.01 % and 50.27 % of population (as per the census 2011) respectively⁵. There were a total 1,84,91,097 people living in Nepal in the year 1991, with more than half (50.13 %) female population. The population in the year 2011 has been registered as 2,64,94,504 and the female proportion is higher than the earlier ratio. There are 51.5 % female and 48.5 % male in Nepalese population, which is due to more

male emigration from Nepal. The sex ratio (94.16 female per hundred male) further establishes the fact about males' emigration. There is gradual growth in population density (i.e. 126 in the year 1991 and 180 in the year 2011), and good improvement in literacy status (39.34 in the year 1991 and 65.9 in 2011) in Nepal. Nepal has ably been controlling its population growth which it has cut up to 1.35 % annually. The demography at a glance is as follows –

Table 2: Nepal- Demographic characteristics; 1991-2011

S. No.	Census Year	Population in % (Actual No.) ⁶			Growth Rate % ⁷	Sex Ratio (per 100 male) ⁷	Pop. Density ⁷	Literacy % ^{8 & 9}
		M	F	Total				
1.	1991	49.87	50.13	100.0 (1,84,91,097)	2.08	99.5	126	39.34
2.	2001	49.96	50.04	100.0 (2,27,36,934)	2.25	99.8	157	54.1
3.	2011	48.50	51.50	100.0 (2,64,94,504)	1.35	94.16	180	65.9

Source: CBS, Nepal; 2008

According to the last census (2011) a total 123 languages (Mother tongues) are spoken in Nepal; and about 125 Caste and ethnic groups are residing therein¹⁰. Cast, language and religion wise composition of population in Nepal is shown in following table-3 to 5. Out of almost 125 Cast/ Ethnic groups, there are 18 Cast/ Ethnic groups having their proportion 1 and above in the population, with majority of Kshetri (16.6 %), Brahmins- Hilly (12.9%), Magar (7.1%), Tharu (6.6 %), Tamang (5.8 %) and Newars (5.0%). Out of these 6 dominating groups, 5 (except Tharu)

belong to hills. The ranking of the cast/ ethnic communities has been same except a minor change in the proportion of Yadav and Muslims, which is almost altered 2011 as compared with 1991. There are 18 cast/ ethnic communities having more than 1 % of their proportion in the population of Nepal out of these 7 have their presence with more than 5 %, and even 2 cast/ ethnic communities, Kshetri & Brahmins-Hilly, have their proportion 16.6 % and 12.2 % respectively, which altogether make more than one fourth of the population.

**Table 3: Nepal- Castewise Demographic Composition; 1991-2011
(Caste above 1% proportion in population)**

S. No.	Name of Cast	Caste proportion (%)			Change in %		Caste Ranking in population 2011
		1991	2001	2011	1991-01	2001-11	
1.	Kshetri ¹¹	16.1	15.8	16.6	(-) 0.3	0.8	1
2.	Brahmin ¹¹	12.9	12.7	12.2	(-) 0.2	(-) 0.5	2
3.	Magar ¹¹	7.2	7.1	7.1	(-) 0.1	0	3
4.	Tharu ¹¹	6.5	6.8	6.6	0.3	(-) 0.2	4
5.	Tamang ¹¹	5.8	5.6	5.8	(-) 0.2	0.2	5
6.	Newar ¹¹	5.6	5.5	5.0	(-) 0.1	(-) 0.5	6
7.	Kami ¹¹	5.2	3.9	4.8	(-) 1.3	0.9	7
8.	Yadav ¹¹	4.1	3.9	4.0	(-) 0.2	0.1	9
9.	Muslims ¹¹	3.5	4.3	4.4	0.8	0.1	8
10.	Rai ¹¹	2.8	2.8	2.3	0	(-) 0.5	10
11.	Gurung	2.4 ¹²	2.4	2.0 ¹³	0	(-) 0.4	11
12.	Damai/ Dholi	2.0 ¹²	1.7	1.8 ¹³	(-) 0.3	0.1	12
13.	Limbu	1.6 ¹²	1.6	1.5 ¹³	0	(-) 0.1	14
14.	Thakuri	1.6 ¹²	1.5	1.6 ¹³	(-) 0.1	0.1	13
15.	Sarki	1.5 ¹²	1.4	1.4 ¹³	(-) 0.1	0	15
16.	Teli	1.4 ¹²	1.3	1.4 ¹³	(-) 0.1	0.1	15
17.	Chamar, Harijan, Ram	1.1 ¹²	1.2	1.3 ¹³	0.1	0.1	16
18.	Koiri	-	1.1	1.2 ¹³	-	0.1	17
19.	Others	19.9	19.3	19.0	(-) 0.6	(-) 0.3	

Table 4: Nepal- Language (Mother Tongue) wise Demographic Composition; 1991-2011

S. No.	Name of Language	Language proportion (%)			Change in %		Language Ranking in population 2011
		1991 ¹⁴	2001 ¹⁵	2011 ¹⁶	1991-01	2001-11	
1.	Nepali	50.31	48.61	44.64	(-) 1.7	(-) 3.97	1
2.	Maithali	11.85	12.30	11.67	0.45	(-) 0.63	2
3.	Bhojpuri	7.46	7.53	5.98	0.07	(-) 1.55	3
4.	Tharu	5.37	5.86	5.77	0.49	(-) 0.09	4
5.	Tamang	4.89	5.19	5.11	0.30	(-) 0.08	5
6.	Newar	3.73	3.63	3.20	(-) 0.1	(-) 0.43	6
7.	Magar	2.30	3.39	2.98	1.09	(-) 0.41	7

S. No.	Name of Language	Language proportion (%)			Change in %		Language Ranking in population 2011
		1991 ¹⁴	2001 ¹⁵	2011 ¹⁶	1991-01	2001-11	
8.	Awadhi	2.03	2.47	1.89	0.44	(-) 0.58	9
9.	Bantwa	NA	1.63	0.50	-	(-) 1.13	12
10.	Gurung	1.23	1.49	1.23	0.26	(-) 0.26	11
11.	Limbu	1.37	1.47	1.30	0.1	(-) 0.17	10
12.	Bajjika	NA	1.05	2.99	-	1.94	8
13.	Others		5.38	12.74			

Source: **Language based Census 1991** is taken from Language Use in Nepal; by Yogendra P. Yadava in Population Monograph of Nepal, 2003, Vol. I, Chapter-04, language;; pg. 141; mother tongue (1952/54-2001).

Language based Census 2001 is taken from *Nepal ko Tathayank Jhalak-2065* (Statistics of Nepal at a glance- 2008); Govt. of Nepal, National Planning Commission Secretariat, CBS, Nepal; pg.4.

Language based Census 2011 is taken from Language Use in Nepal; by Yogendra P. Yadava in Population Monograph of Nepal, 2014, Vol. II, Social Demography; pg. 57.

Table 5: Nepal- Religion wise Demographic Composition; 1991-2011¹⁷

S. No.	Name of Religion	Religion proportion (%)					Change in %			Religion Ranking in population 2011
		1971	1981	1991	2001	2011	1981-91	1991-01	2001-11	
1.	Hindu	89.39	89.50	86.51	80.62	81.34	(-) 2.99	(-) 5.89	0.72	1
2.	Buddhists	7.50	5.32	7.78	10.74	9.04	2.46	2.96	(-) 1.7	2
3.	Islam	3.04	2.66	3.53	4.20	4.38	0.87	0.67	0.18	3
4.	Kirat	-	-	1.72	3.60	3.04	1.72	1.88	-0.56	4
5.	Jain	0.05	0.06	0.04	0.02	0.01	(-) 0.02	(-) 0.02	(-) 0.01	6
6.	Christians	0.02	0.03	0.17	0.45	1.41	0.14	0.28	0.96	5
7.	Others	-	2.43	0.25	0.39	0.78	(-) 2.18	0.14	0.39	

Source: Ethnic group/ Caste Census 1991-2011 is taken from Social Composition of the Population: Caste/ Ethnicity and Religion in Nepal; by Prof. Dr. Dilli Ram Dahal in Population Monograph of Nepal, 2014, Vol. II, Social Demography; pg. 18.

Language (Mother tongue) wise although there are more than 123 languages spoken as mother tongue in Nepal, but this number has grown eventually. Sociologists in Nepal believe that the variation in the number of languages is more due to internal sociological reasons than the external factors. As per observations there in Nepal (Yadava-2014) "There have been several attempts to enumerate the languages spoken in the country as mother tongues, including the decennial censuses. The following table suggests two distinct trends. Of the seven censuses, five censuses were numerically larger (1952/54, 1961, 1991, 2001 and 2011) than two (1971 and 1981) in terms of the number of languages enumerated, with the 1971 and 1981 censuses having a lower number. In

addition, there has been a steady increase in language enumeration from the 1991 to 2011 census. The existing rise in languages since the 1991 census may be attributed to a number of factors. Since the restoration of democracy in 1990, there has been a drastic increase in ethno-linguistic awareness among linguistic minorities (including indigenous peoples) about their mother tongues. Subsequently, linguists and other social scientists have been consulted for a precise identification of Nepal's languages enumerated in different censuses (Yadava 2003, 2013). Uncertainty about the number of Nepal's languages has been prevailing due to the lack of a detailed and comprehensive linguistic survey (LinSuN 2008; Sharma 2014). The reason why there was a decrease in the number of languages

in the 1971 and 1981 censuses was mainly due to the assimilation policy ('one language, one nation') and the social exclusion prevailing in Nepal, especially during the Panchayat regime as well as earlier, apart from a lack of ethno-linguistic awareness in ethnic and other minority communities (Yadava 2003). In addition to the seven consecutive decennial censuses, there have also been individual attempts to rationalize the number of Nepal's languages. Malla (1989) and Toba (1992) mentioned 70 while Noonan

(2005) has estimated that at least 140 languages are spoken in Nepal. Recently, the *Ethnologue: Languages of Nepal* (Eppel et al. 2012) has listed 124 languages.¹⁸ Languages have great role to play in federal structure, as practiced in India and yet the demand of some aspirant states is on way. In case of Nepal it is more important as the young democracy has its commitments in past during the movements before 2006 to various groups, having their linguistic identity.

Table 6: Census enumerations of languages (Mother Tongues) in Nepal; 1952/54 - 2011

Census	1952/54	1961	1971	1981	1991	2001	2011
Number of languages	44	36	17	18	31	92	123

Source: Yogendra P. Yadava (2014) Language Use in Nepal; Population Monograph of Nepal, 2014, Vol. II, Social Demography; pg. 53.

Furthermore, while the religious aspect of demographic structure, which affects political scenario, is considered, there is majority of Hindus with more than 81 % proportion. This majority itself is divided into aforesaid cast/ethnic groups and so despite being in majority the path of delineation of federal territories is not so easy. The Buddhists, being second in majority (9.04 %) have their dominance mostly in hills and mountains which effects the political decisions about the area. 'Why Terai people want a separate state?' there is a counter argument 'Why hilly and mountainous people not get comfort with terai people?' This dilemma is more due to variations in religious, linguistic and cast/ethnic identities between hills and terai. Nepal was earlier known as 'The Hindu State', but since 1991 the number of Hindu religion followers has declined (89.59 % in 1991 and 81.34 % in 2001); contrarily, the number of the followers of Buddhism, Islam and Christianity is on rise successively.

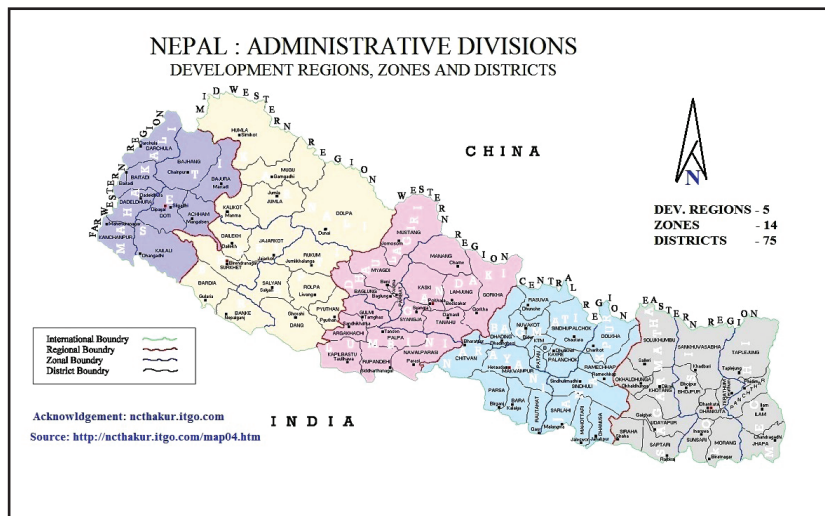
Federalism in Nepal: Overview

Nepal is a country in South Asia where debates on federalism were going on. Debates were not to answer 'Whether federalism is to be adopted?', rather it was for to decide 'How federalism is to be implemented?'. There was unanimity about adoption of federalism in Nepal, but the proposed ways were contrastingly parallel,

resulting into hung political situation therein for a long, say about 9 years. The *Maowadies* (communists) annexed power in 2006 by putting the public in to dreams of heaven; which got faint later and the public detached from this political approach. Besides, conflicts within the party for power riding has also pushed the party back in such manner that is unable to decide alone, but efficient not to let the others to decide; resulting in to 'No Result' of 8 years' exercise of constitutional assembly. On more reason for not to reaching any 'well accepted' draft of constitution is that most of the time there is dead-lock among political parties and they are independently singing their own desires without considering the social, economic and physiographic constraints. The terai people who remained neglected earlier, representing the majority in population, have enough scope to project their demand for fare political representation in the assembly. Vis-a-vis they also encouraged other marginal groups to avail the opportunity of political empowerment. This overall situation after Maoists' political defeat and back of Nepali Congress in to power, did not let Nepal on ease. Political Marathon by parties, think tanks, academicians, social and ethnic groups, resistances by minority groups were all evidenced by the 'Peaceful land of the Lord Buddha'. India's role to restore political peace there in Nepal, and also the activities

of India's counter forces there in Nepal made the situation worst, not allowing to reach the

'brilliant Nepalese' to conclude anything in the stipulated times.



Map 1



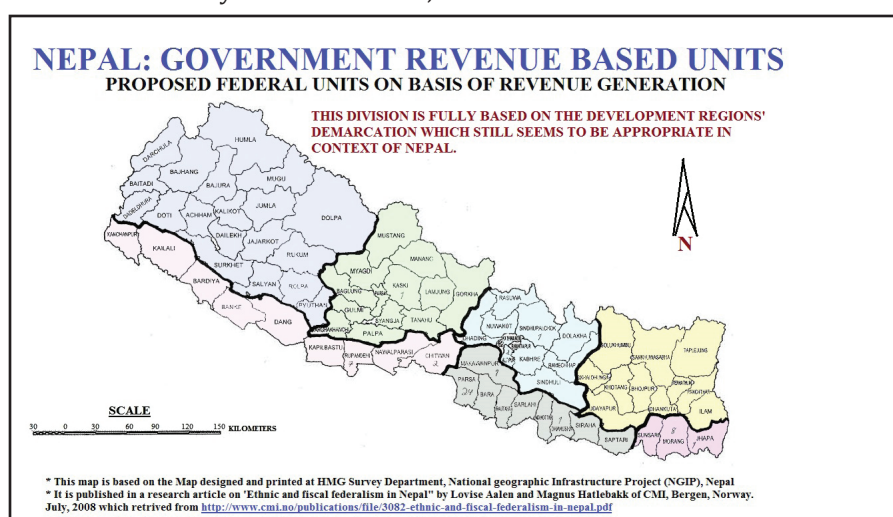
Map 2

Observing the political divisions of Nepal in to 5 Development Regions and 14 Zones, it seems to be more wised method of delineation of political territories, following geographical identities, and also assimilating various ecological units altogether in a Development Region (Map- 1 & 2) in order to let each Ecological regions to sustain and the each Development Regions to

grow. This was the administrative set up which was sustainable from revenue point of view, justified from national integration point of view and administratively viable to control over all three ecological zones, running down from north to south. Besides, the zones were demarcated as much as to strengthen geographic entity and also to keep tighten cultural harmony.

The movement for democracy in 2005/06 was basically a movement to dream united Nepal 'Hamro Nepal' and of course the movement got through support, irrespective of geographic, ecological, cultural, cast/ ethnic, linguistic or any other discrimination. There was a mass support to this movement in Nepal from all its corners, and also by the Nepalese living abroad in India or elsewhere. Contrarily, while the movement got success and the monarchy was thrown out,

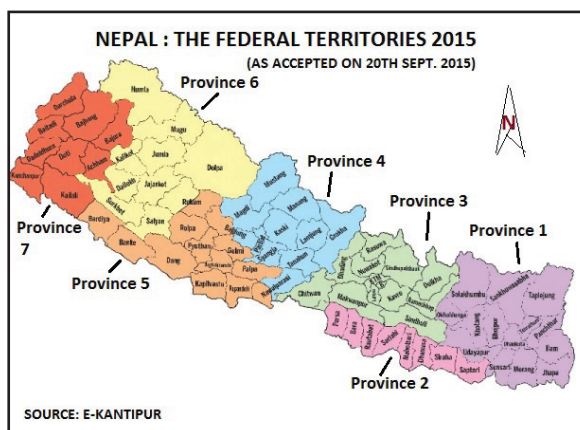
the non- terai political parties discriminated the interests of people on terai and non terai bases. Political vested interests of politicians, even those from terai, kept the public (Madhesies) in dark and continued their Marathon for the new Constitution and Federalism. Following was the revenue based proposed new federal model for Nepal, based on Revenue generation system during the monarchy (refer Map- 3).



Map 3

This was again a model which was proposed to get adopt their in Nepal on basis of revenue generation capacity. This model was ignored and recently a new federal division has been enforced

on 20th Sept 2015 as the new Constitution of Nepal is implemented on the same day therein. Following is the figure (Map- 4) of the Federal Nepal having 7 federal territories.



Map 4

Still there is lot resentment among people, not only in the terrain, but also in hills which have discarded the new delineation of federal territories and also have been demoing to reformulate the declination committee, having fare representation from terai. After enforced the new constitution, violent public agitations, and 'Nepal Band" movements are going on, which may not have any worth currently, but are signals for future unrest there in. The experts of Nepali politics outsides Nepal have also not supported the recently implemented model of federalism.

There were demands of at least 3-5 separate states in terai alone, ad a total 12 units were under discourse. Some activists in Nepal proposed for 20 federal units, giving more weightage to hills, whereas a few were in favour to continue with the existing administrative division model in order to peacefully relish the democracy on one hand and to avoid all possible nuisense/ resentments on the other hand.

Federalism in Nepal: Opinion and observations

A survey at 14 locations in and around Nepal was made, discussing with a total 389 respondents, belonging to different ecological regions of Nepal. Out of these respondents, 264 were male, and 125 female; 23 illiterate, 43 just literate, 50 educated up to 5th standard, 55 graduate and 218 Post graduate and above level educated. 31 of the respondents belong to mountainous region, 164 from hills and the rest 194 were belonging to the terai region of Nepal.

While it was discussed whether Nepal should adopt Federal Model, the majority of respondents favoured federalism, even many of them were not aware about its meaning. Besides, it remained under discourse whether the Indian model of federalism was appropriate. Most of non-political respondents were in against to adopt Indian model without understanding the pro & cons of it; contrarily the political groups were seriously studying Indian federal model. Rather, the Nepalese were in hurry to adopt a very mature model of federalism, which perhaps they might have theoretically perceived, without having any real existence of such model anywhere. This hurry-ness of political parties, their personal

grievances with other parties and also within parties, vested interests of politicians, external interventions there in Nepal were some reasons which kept it hanging for 9 years and even what has settled does not seem variable.

Even the former Ambassador of India to Nepal Mr. Jayant Prasad has commented upon this constitutional outcome of the long awaited exercise, saying that it is an injustice with Madhesies. It has lead difference among the people of Nepal¹⁹.

Post federalist constitution scene

This federalist constitution in Nepal is its seventh written constitutional document in the Constitutional history of Nepal²⁰. It is divided into 35 parts, 308 Articles and 9 Schedules. Besides, various socio-economic loopholes in the constitution which deprived off some components of society, there are issues related with discriminating teria inhabitants on basis of their socio-economic- political affiliation with India. In the eastern terai of Nepal, the Madhesi communities, ethnically and socially are closer to India, complained that they have always faced discrimination and lack of acceptance by the Nepalese state²¹. They say the above citizenship measures in the constitution will disproportionately affect them because many of them have married to the other side of the border due to close social linkages. Besides, the various Hindu groups, demanding for restoration of the country's officially Hindu status (abolished nine years ago) are also not happy with the new constitution. "A former national election commissioner, Bhoj Raj Pokhrel, also commented that the "rushed" constitution was leading to conflict, and the state must immediately address the grievances of those opposing it... " ²²; Above all, the federal division is neither fairly based upon the population ground, nor physical basis. Contrarily, the earlier model of Development Divisions was more logical and systematic. In resent situation there is need to divide Nepal at least in to 9 federal units, dividing the terai in to 2 separate units- east and west. The part east to Rupandehi as Eastern state and the entire

wester terai region (western, mid western and far western) as Western state. The terai, being economically productive and socio-politically advance, deserve to get separate statehood identity.

Conclusion

Nepal has attained democracy after a long struggle, supported thoroughly from all corners and people of Nepal. The part success it has attained by uprooting monarchy permanently from the Nepalese political system, but another struggle to adopted a commonly accepted federal system is awaited yet. What has been implemented recently on 20th September 2015 is not well received and a wise decision, and for the sake of peace, prosperity and restoration of 'Hamro Nepal' it is to be reviewed and re-exercised.

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Youtube Technology Intervention and its Effect: Evidence Drawn from Inclusive Education



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Abstract

The study aimed to investigate the effect of YouTube Technology intervention on the academic achievement of II Year B.Ed teacher trainees in Inclusive Education subject. The study also examined whether education background and pedagogical background of II Year B.Ed teacher trainees influence on academic achievement in Inclusive Education. To achieve this aim one group pre and posttest design applied. By using purposive sampling, the study was carried out among II Year B.Ed teacher trainees studying in one of the B.Ed college of Bengaluru city. 58 II Year B.Ed teacher trainees took part in the research. Carefully identified YouTube video sources are used to teach selected units of Inclusive Education. The effectiveness of intervention assessed by administering pre and post achievement test. Collected data was treated with t-test and one way ANOVA using SPSS. The study found that achievement of II Year B.Ed teacher trainees performed high in Post Achievement compare to Pre Achievement in Inclusive Education subject intervention through YouTube Technology. And there was no significant influence of educational background and pedagogical background on post achievement of II Year B.Ed teacher trainees in Inclusive education intervention through YouTube Technology.

Keywords: Teacher Trainees, Achievement, YouTube, Intervention

Introduction

In the technology era, various technologies witnessed as a potential tool for educating the younger generation. Technology is used for the teaching, learning, evaluation and creating an outstanding platform for engaging a creative way of learning and teaching environment. Computer Assisted Instruction, ICT, and social networking etc are widely used. Now a day networking technology taking prominent space in education and they are used for various drives in the education field. Among, YouTube is widely used technology. YouTube is a free video sharing website that lets people upload, view, and share videos (Youtube, n.d.). In fact, YouTube has succeeded in providing social networking and enabling discussion among viewers (Azer, ALEshaiwi, ALGrain, & Alkhelaif, 2012). Since,

its use is dynamic, from pre-nursery to research level students and teachers are using this tool for learning and teaching. Concern to the significance of this technology, Shea and Sherer (2011) rightly points out that "YouTube is available for students and teachers to use effectively in and out of the classroom to help students learn to stimulate class discussions and achieve learning goals (as cited by Al Zboun, Al Ghammaz, & Al Zboun, 2018). Whereas Pugalendhi (2017) expressed that "Exposure to YouTube has any inspiration at all and if so its route and strength". Leung, Scott, and Tyler, (2014) found that YouTube is useful Just-in-time Faculty development tool. Thus, in this way YouTube sources are highly useful in education. The present study intended to investigate the effect of YouTube technology intervention on the achievement of II Year B.Ed

teacher trainees in Inclusive Education subject and whether any influence of educational level and pedagogical background on achievement of students.

Summary of Review of Related Literature

Since from last decade, YouTube attracted as a research area for many researchers and studies testified differently. Kurniawati (2013) investigated the effect of using YouTube video in teaching Grammar and found that YouTube video as media is more effective than textbooks to teach grammar. DeWitt, et al., (2013) carried out a study on the potential of YouTube for teaching and learning in performing arts. The study resulted that YouTube potential to be used as an instructional tool in the performing arts in line with current trends of collaboration and social networking in education. Alwehaibi (2015) undertook a study on the impact of using YouTube in EFL classroom on enhancing EFL students' content learning. The study found that YouTube technology is effective than the Lecture-Based Method on enhancing the students content learning and there was a positive impact of YouTube technology on learning. Styati (2016) researched the Effect of YouTube videos and pictures on EFL students writing performance. An experimental investigation found that there is an effect of the use of YouTube videos and pictures on EFL students writing performance. Hayikaleng, Nair and Krishnasamy, (2016) Undertook quasi-experimental design to study Using YouTube to improve EFL reading comprehension among vocational students. The study showed that the students of the experimental group showed higher performance in comprehension in post-test compared to control group. Almurashi (2016) conducted a study on the effective use of YouTube videos for teaching English language in classrooms as supplementary materials at Taibah University in Alula. The study revealed that YouTube could be good material and helps in understanding the lesson; improve students performance and advances students understanding English language. Moreover, the

multimodal text in YouTube plays a leading role in helping learners understand english lesson. Yadav, Dubey and Prasad, (2017) conducted a comparative study of effectiveness of teaching by YouTube on girls and boys students at secondary level. The student participation was much more in experimental group compared to control group. No Difference observed in participation level of boys of experimental and controlled group, and the difference was reported with respect the level of participation of girls of experimental group and control group. Balbay and Kilis (2017) carried out a study on Student's perceptions of use of a YouTube channel specifically designed for an academic speaking skills course. The study indicated majority of the students benefited to a large extent from the videos on the playlists of specifically-designed supplementary material YouTube channel. A study by Kaboocha and Elyas, (2018) investigated the effects of YouTube in Multimedia instruction for vocabulary learning: Perception of EFL students and teachers. The study pointed out that YouTube in Multimedia Instruction significantly affected acquisition of students' vocabulary and participants positively viewed the use of YouTube in their lessons.

From the review of related literature, it is observed that YouTube technology is an effective component for engaging and facilitating a good learning environment in education. From these studies, it is evident that YouTube technology influence on Teaching grammar; teaching and learning in performing arts; enhancing EFL students' content learning; EFL students writing performance; reading comprehension; teaching English language; students participation in YouTube teaching; academic speaking skills course; vocabulary learning. Also, studies are carried out in English and EFL area. In the present study, the researcher made an attempt to investigate the effect of YouTube Technology intervention on the achievement of II Year B.Ed teachers' trainees in Inclusive Education subject. The study also investigated the effect of YouTube technology intervention in the context of levels of education and pedagogical background.

Statement of Problem

To study the effect of YouTube Technology intervention on academic achievement in context to level of education and pedagogical background of II Year B.Ed teacher trainees in Inclusive Education subject.

Key Terms

YouTube Technology

In the present study, YouTube technology refers to the use of online videos available on YouTube. Videos are carefully selected for the Inclusive Education course and screened to teach the students and to initiate discussion in the classroom.

Achievement

Academic performance of II year B.Ed teacher trainees in selected units Inclusive Education course.

Variables of the Study

In this study Educational level, Pedagogical background and YouTube technology are independent variable and achievement in Inclusive Education subject is a dependent variable.

Objectives

1. To select suitable YouTube technology material for Inclusive Education subject.
2. To study the effect of YouTube technology intervention on the achievement of II Year B.Ed Teacher Trainees in Inclusive Education subject.
3. To find out the difference in Post Achievement of II year B.Ed Teacher Trainees in Inclusive Education subject intervention through YouTube technology in context to their educational background and Pedagogy.

Hypothesis

1. There will be no significant difference in pre and post achievement scores of II Year B.Ed Teacher Trainees in Inclusive Education Subject intervention through YouTube Technology.

2. There will be no significant difference in post achievement scores of UG and PG background II Year B.Ed Teacher Trainees in Inclusive Education Subject intervention through YouTube Technology.
3. There will be no significant difference in post achievement scores among different pedagogy II Year B.Ed Teacher Trainees in Inclusive Education subject intervention through YouTube Technology.

Research Design

One group pre and posttest design used to research the problem. It is highly useful for classroom innovative practice. A book titled Research methodology and educational statistic (2005) clearly pointed out that "One group design is simple plan and operates and is adapted to classroom use and provides stimulus for better classroom teaching". By keeping classroom practice in mind the design is selected for the study, in which YouTube sources are carefully identified for Unit Learning, Autism Spectrum Disorders and taught to II Year B.Ed teacher trainees. The lessons taught systematically by following Introduction, Intervention of YouTube Technology followed by Classroom Discussion and evaluation. The intervention took for a period of 12 hours. The effect of the intervention was assessed by administering pre and post achievement.

Sample of the Study

The study used a purposive sampling. Total of 58 II Year B.Ed teacher trainees participated in the research.

Tools Used in the study

In this study researcher prepared pre and post achievement tests were used. Both tests consist of 20 objective tests.

Statistical Technique Applied

T-test and One Way ANOVA were applied to analyses collected data. The t-test was used to compare the pre and post and UG and PG educational background teacher trainees'.

achievement scores and one way ANOVA for post achievement scores Pedagogy Group-1 (Physics & Math's), Pedagogy Group-2 (Social Science & English) and Pedagogy Group-3 (Science/Maths & English) teacher trainees.

Data Analysis and Interpretation

Hypothesis 1: There will be no significant difference in pre and post achievement scores of II Year B.Ed. teacher trainees in Inclusive Education Subject intervention through YouTube Technology.

Table 1: Comparison of Pre and Post Achievement Scores

Achievement	N	Mean	SD	t-value	p-value
Pre Achievement	58	8.02	.85	-40.878	.000
Post Achievement	58	14.93	1.25		

It is observed from Table 1 that the mean and standard deviation scores of Pre Achievement is 8.02 and .85 respectively. The mean and standard deviation scores of Post Achievement is 14.93 and 1.25 respectively. The t value is -40.878 with 57 degree of freedom and probability of .000. Here, $p < .01$, level of significance, it indicates that there will be a significant difference in pre and post achievement scores of II year B.Ed teacher trainees in Inclusive Education Subject intervention through YouTube Technology at .05 level of significance, $t(57) = -40.878$, $p = 0.000$. Mean difference favors post achievement and indicate that there is a significant effect of YouTube Technology intervention on the achievement of students in Inclusive Education subject.

Hypothesis 2: There will be no significant difference in post achievement scores of UG and PG background II Year B.Ed. teacher trainees in Inclusive Education Subject intervention through YouTube Technology.

Table 2: Comparison of Post Achievement Scores of UG and PG background Teacher Trainees

Achievement	N	Mean	SD	t-value	p-value
UG	46	14.89	1.27	-.469	.641
PG	12	15.08	1.24		

It is observed from Table 2 that the mean and standard deviation of Post Achievement of UG background teacher trainees are 14.89 and 1.27 respectively. The mean and standard deviation of Post Achievement of PG background teacher trainees is 15.08 and 1.24 respectively. The t value is -.469 with 56 degree of freedom and probability of .641. Here, $p > .05$, level of significance, it indicates that there will be no significant difference in post achievement scores of UG and PG background II Year B.Ed teacher trainees in Inclusive Education Subject intervention through YouTube Technology at .05 level of significance, $t(56) = -.469$, $p = .641$. It suggests that there is no significant effect of educational background on post achievement of II Year B.Ed teacher trainees in Inclusive Education subject. It means YouTube technology equally effect on academic achievement of UG and PG background students in Inclusive Education subject.

Hypothesis 3: There will be no significant difference in post achievement scores among different pedagogy II Year B.Ed Teacher Trainees in Inclusive Education subject intervention through YouTube Technology.

Table 3: Summary of Analysis of Variance (ANOVA)- Comparison of Post Achievement scores of different Pedagogical background teacher trainees

	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	7.007	2	3.503	2.329	.107
Within Groups	82.717	55	1.504		
Total	89.724	57			

Table 3 reports that the between groups Sum of Squares is 7.007 and Within Groups Sum of

Squares is 82.717. The corresponding mean square are 3.503 and 1.504 respectively. The F value is 2.329 with 2 and 55 degrees of freedom and probability of .107. Here $p > .05$ level of significance, it indicates that there will be no significant difference in post achievement scores among different pedagogy II Year B.Ed teacher trainees in Inclusive Education subject intervention through YouTube Technology at, $F(2, 55) = 2.239$; $p > .05$. It shows that, there is no significant effect of Pedagogical background on the post achievement of II Year B.Ed teacher trainees in Inclusive Education intervention through YouTube Technology.

Findings of the Study

The main findings of the study are II Year B.Ed teacher trainees achieved high in Post Achievement compare to Pre Achievement in Inclusive Education intervention through YouTube Technology [$t(57) = -40.878$, $p = 0.000$]. Difference is not exist in the Post Achievement of UG and PG background II Year B.Ed teacher trainees in Inclusive Education Subject intervention through YouTube Technology [$t(56) = -.469$, $p = .641$]. No difference in post achievement scores among different pedagogy II Year B.Ed teacher trainees in Inclusive Education subject intervention through YouTube Technology [$F(2, 55) = 2.239$; $p > .05$].

Discussion and Conclusion

The major finding of the study is difference exists in the pre and post achievement scores of II Year B.Ed teacher trainees in Inclusive Education Subject intervention through YouTube Technology. It men YouTube Technology intervention created a meaning full classroom environment and helped to engage teacher trainees effectively in classroom discussion, as result conducive YouTube Classroom environment influenced on the achievement of teacher trainees in Inclusive Education subject. The study also found that difference does not exist in the post achievement scores of UG and PG background and different pedagogy

teacher trainees' intervention through YouTube Technology. Thus, it shows that there was no influence of level of educational background and pedagogical background on post achievement scores of II Year B.Ed teacher trainees.

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Human Migration: A Conceptual and Dimensional Analysis



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Abstract

Human migration is a complex phenomenon taking place across the world making it difficult to arrive at a universally acceptable and workable definition. However, while defining the concept of migration, a broader perspective has to be employed in order to capture its different aspects. Also, given its complexity and dynamicism different dimensions of migration have evolved over a period of time though there have been debates among scholars regarding the criteria for its classification and the terminologies used for such dimensions. In this paper an attempt has been made to provide a more comprehensive understanding of the concept of migration and to capture its different dimensions. In this paper mainly secondary data have been used for qualitative analysis in order to achieve the desired objectives.

Keywords: Human, Migration, Definitions, Dimensions

Introduction

Migration in a layman's language is described as movement of people from one residence to another either permanent or temporary though its meaning is not as simple as it seems to be. Rather migration is a broad and tenuous concept that defies any easy and universally acceptable definition. H. Dingle argues that there is no other activity that is as much confusing as migration as it is debatable what really constitutes migration thereby making it difficult to arrive at a generally agreed definition not only across disciplines (Dingle 1996: 20) but even within the domain of any particular discipline. Varied and sometimes even wrangling definitions of migration have been advanced by different scholars using distance, duration and nature of migration as the bases of such definitions. Lack of universal application and acceptability is not only associated with only the meaning of migration but it also extends to its dimensions as well. In this paper an attempt is made to arrive at a more encompassing definition by critically examining

the definitions that have been advanced by other scholars. Also, an attempt is made to provide an overview of the different facets of the human migration phenomenon.

Definitions of migration

Migration is not simply a movement of people. It is a movement of people to involving change of residence notwithstanding permanent or temporary. J.B. Donald defines migration as a "rationally planned action which is the result of conscious decision taken after a consideration or calculation of the advantages and disadvantages of moving and staying" (as quoted in Lobo 2004: 2). This definition of migration, however, is quite limited in so far as it includes within its ambit only voluntary and planned migration leaving aside involuntary or forced migration such as the movements of refugees, internally displaced peoples, forced labourers and slaves. In fact, different parts of the world at different periods of history witnessed different streams of forced migration. Therefore, it is incorrect

to exclude forced migration from the ambit of definition of migration. There has been a tendency among scholars to limit the concept of migration to a long term or permanent or at least semi-permanent movement of people over a fairly substantial distance. William Petersen in the *International Encyclopaedia of Social Science* observes that 'migration in "its general sense is ordinarily defined as the relatively permanent movement of persons over a significant distance" (Petersen 1968: 286). However, it is argued by Petersen that it is debatable whether to exclude short term movement of people from the ambit of the concept of migration and according to him the matter should be left to the individual researchers to consider on pending on the purpose of their respective studies (Ibid: 286-287). The definition of migration given by Sister Violita A.C. tries to clear the confusion surrounding short term-long term migration debate where she defines that migration is a 'movement of people and their groups from one country or region to another, both temporary or permanently with a view to reside there.' (Violita 1981: 333). The problem with Sister Violita's definition lies in the fact that migration seems to be narrowed down to only international migration leaving aside its internal aspect. It is essential for a broader understanding of the process of migration that its internal aspect is taken into account while defining the concept. In fact, many migration streams have taken place internally within the same country and even within the same district and, therefore, such a definition lacks comprehensiveness.

Everett S. Lee tries to provide a more encompassing definition by taking into consideration both voluntary as well as involuntary, international as well as internal movement of people within migration though he prescribes that such movement should involve change of residence which is more or less permanent (Lee 1966: 49). Though the definition of migration by Lee is more inclusive, yet it consciously avoids recognizing the temporary change of residence within its ambit. Similarly, scholars such as V.C. Sinha and E. Zacharia and P.K. Debbarma and Sudhir J. George

exclude temporary change of residence from the definition of migration. Sinha and Zakharia's definition of the term migrant can be taken as an inference of their understanding of the concept of migration. They define a migrant as the one who changes residence from "geographically well defined area to another area with the intention of permanently or semi-permanently settling at a new place." (Sinha & Zakharia 1984: 182). According to them temporary movement of people is different from migration and they prefer use the concept of circulation instead for such movement (Ibid). Debbarma and George define migration as "leaving one's original place of residence and going to a new one for permanent settlement or residence for a long duration of time" (Debbarma & George 1993: 2). However, scholars such as Najma Khan and R.B. Mandal do not exclude temporary migration in their definitions. Najma Khan states that migration means human movement involving change of residence irrespective of the distance between changed residences and it can be of duration as short as one month (Khan 1983: 1-2). Similarly, R.B. Mandal opines that migration takes place when people move from the place of their permanent residence to a new place of residence which may be permanent or temporary (Mandal 1981: 1). Though Mandal includes temporary change of residence in the meaning of migration yet he maintains that it should involve 'substantial period of time' and that it has to involve in it the loss of cultural and social contact by the migrating people from those in the original place of residence (Ibid) but how long that 'substantial period' is not properly defined.

A broad definition of migration is put forth by the International Organization for Migration (IOM) which defines it as:

The movement of a person or a group of persons, either across an international border, or within a State. It is a population movement, encompassing any kind of movement of people, whatever its length, composition and causes; it includes migration of refugees, displaced persons, economic

migrants, and persons moving for other purposes, including family reunification. (Key Migration Terms, IOM)

After considering the definitions given by the above scholars and IOM, migration can be defined as any movement of people from one place to another involving change of residence. The change of residence may be temporary, semi-permanent or permanent and it may take place across national boundaries or within a particular country or within its province or other smaller administrative units. However, movement of people considered as migration is distinguishable from other movements meant for other purposes such as recreation, family visitation, pilgrimage, business meetings and short term academic activities such as attending seminars, conferences and data collection for research.

Dimensions of Migration

Migration is a complex process having different dimensions. Different scholars have tried to look into its different aspects using different criteria such as direction, space, duration, cause and legality. On the basis of direction, migration is generally classified as emigration and immigration. Emigration is a movement of persons from a country or region or in other words it is called an out migration. Immigration on the other hand refers to the movement of persons into a new residence or it is called as in-migration (Mandal 1981: 6-7). This binary classification, however, does not satisfactorily explain the phenomenon whereby an emigrant returns to his original place. Therefore, an important aspect of migration that has now started receiving attention among scholars is return migration. Return migration refers to the movement of the migrants or emigrants back to their homeland. In the words of T.V. Sekher, "Return migration is ultimate phase when the reverse movement sets in and the cycle of migration is completed. Although the possibilities of the process restarting cannot be ruled out, it generally takes place after sometimes (Sekher 1997: 97).

Analysing migration using space as a tool of classification, migration has been divided into international and internal migration. International migration refers to that type of migration which involves crossing of international borders. International migration is the present day global phenomenon that is growing in scope, complexity and impact. According to the United Nations General Assembly, today, virtually all countries around the world are simultaneously countries of destination, origin and transit for international migrants (International Migration and Development, 2006). As per the estimates of the UN Department of Economic and Social Affairs' *The International Migration Report 2017 Highlights* there were 258 million who migrated outside the country of their birth which recorded a growth of 49 percent from 2000 and that around 3.4 percent of the world's total population were migrants indicating the increasing importance of international migration. Migration of people within the same country is described as internal migration. Internal migration has further been sub-divided into inter-state migration and local migration. Inter-state migration refers to the movement of people between two or more state of the same country. Migration taking place within the same state is described as local migration. Local migration can take place from rural to rural or rural to urban though the latter is a common phenomenon in the present times (Mandal 1981:7-8).

On the basis of duration, migration has been categorized by Gonzalez into five types: 'seasonal', 'temporary non-seasonal', 'recurrent', 'continuous' and 'permanent migration' (As cited in Brettel 2000: 99). On the basis of the same criteria, R. B. Mandal on the other hand divides migration into two types: long range migration and periodic or seasonal migration (Mandal 1981: 8).). From the above observations, it can be argued that long range migration is that form of migration which takes place over a long distance across continents and which is more likely to be a permanent migration while a periodic or

seasonal migration refers to such migration that takes place over a relatively short distance and occurring time and again.

Generally in terms of duration migration has been broadly classified into short term and long term migration. Though taken only in the context of international migration, the UN classification of migration into short term and long term can be taken as the basis of consideration for other types of migration, i.e., internal and local migration as well. Short term migration is defined as a movement of a person to "a country other than that of his or her usual residence for a period of at least 3 months but less than a year (12 months)" (Recommendations on Statistics of International Migration Revision 1 1998: 18). On the other hand, long term migration is defined as a movement of a person to "a country other than that of his or her usual residence for a period of at least a year (12 months), so that the country of destination effectively becomes his or her new country of usual residence" (Ibid). Instead of using the term like long term and short term migration, migration may also be classified as periodic or seasonal, semi-permanent and permanent migration. Periodic or seasonal migration refers to that type of migration which re-occurs time and again and where individuals migrate for certain seasons of the year. Semi-permanent migration refers to that type of migration where the migrant though essentially lives and get employment at the place of destination of migration yet still has connection with his original place and having a possibility of returning once he completes his term of employment. Permanent migration refers to that type of migration where the migrant stays permanently in the receiving areas (R.B. Mandal 1981: 15).

Migration can be also divided into legal and illegal migration. Migration that takes place in accordance with law and staying in the country in accordance with his or her admission criteria is called a documented (Miller 1995: 537) or legitimate or legal migration. Illegal migration on the other hand has been used by scholars

like Khakchangg Debbarma as interchangeably with the term undocumented migration which is used to define the movements of persons from ones' residence to another without documents or without permission of law (Debbarma 1995: 19).

The IOM, however, does not make use of the term illegal migration to refer to the movement of people without proper documents. Such migration is instead defined by the IOM as irregular migration which "takes place outside the regulatory norms of the sending, transit and receiving countries" (Key migration terms, IOM). Further, the IOM states that there is a "tendency to restrict illegal migration to cases of smuggling of migrants and trafficking in persons" (Ibid). In spite of these observations, irregular migration can be taken as synonymous with illegal and undocumented migration. Illegal migration is not uncommon throughout the world. Rather, different countries have either been the source or destination of illegal migration. For example, it has been argued that the migration of people from Bangladesh to the states of Assam, Tripura, Meghalaya and West Bengal of India is an illegal migration (Kumar 2006: 1). Similarly, Graeme Hugo observes that illegal migration is taking place from Asian countries to countries such as the USA, Canada, Australia, and other European countries (Hugo 1995: 397-398). But, knowledge about the nature and extent of such migration as stated by Hugo is difficult in view of the absence of proper records because of its being illegal and taking place in a surreptitious manner and proper study about such migration is not always possible (Ibid). However, it is quite possible that legal migration can suddenly become illegal due to the change of laws or policies of an area and history has shown numerous such cases (Miller 1995: 538).

The above consideration of illegal migration is taken mainly within the context of international migration. But even at the inter-provincial level which is considered as an internal migration, there can be illegal migration. For example, migration of people from other parts of India into those territories of North East India, in

which the Bengal Eastern Frontier Regulation, 1873 is implemented, without permit obtained from appropriate authorities is considered illegal migration. Such territories include Nagaland, Mizoram and Arunachal Pradesh.

Migration is also classified using cause as a criterion into voluntary or forced migration. Voluntary migration refers to that type of migration in which the migrant on his or her own will migrate from one residence to another. In case of voluntary or free and planned migration, it is the people or community who decides or selects to migrate to some other or better place for certain specific reasons. Such migration is usually undertaken by those who prefer to secure better lives in the new place of residence. The mass migration from Europe across the Atlantic during the nineteenth century can be cited as an example (Thomas 1968: 293). Similarly, in the present times the world is witnessing many cases of voluntary migration and such migrants are the economic migrants. For example, migration of the Indian professionals to the western industrialized countries of United Kingdom, United States of America, Canada, Australia, and Western Europe and the Indian migration towards the oil producing countries of the Gulf region (Sekher 1997: 33-35) in search for better economic opportunities. On the other hand, there is also forced migration. Throughout human history, people are usually forced to migrate out of their countries for fear of persecution. Forced migrants if they cross an international border they become refugees but if they remain within their homeland they are displaced persons (Hein 1993: 44). The 1951 Refugee Convention defines a refugee as someone who leaves one's own country due to genuine fear of imminent persecution by the state machinery (Who is a Refugee).

According to Earl E. Huyck and Leon F. Bouvier, refugees have four characteristics which include crossing one's national boundary, desiring to come back once congenial atmosphere prevails in the country of origin, responding more predominantly to push factors rather than the

pull factors and that the failure to respond to such push factors would be disastrous for one's life and liberty. Such push factors can be the political, environment and economic factors (Huyck & Bouvier 1983: 40-41).

Refugee migration has now become as the most dominant and sensitive form of human migration (Cohen 1995: 431). Some of the examples of refugee migration include the Bangladeshi refugees during the Bangladesh War of Liberation 1971 (Chakraborty 2001: 154-158) the Tibetans migration after the annexation of Tibet by China in the 1950s (Ibid) the Tamils refugees from Srilanka, following the Tamil uprising (Ibid) the Chakma refugees in North East India, the most recent are the case of the Syrian refugees and the Rohingya refugees fleeing from Burma. The volume of refugee migration is startling. According to the estimate of the United Nations High Commissioner for Refugees (UNHCR) there were 20.8 million refugees worldwide at the end of 2017. The burden of refugees however is mostly felt in developing countries where they host over four-fifths (80%) of the world's refugees (New UNHCR reports says global forced displacement at an 18 year high: 2013).

There has been an attempt to differentiate between refugees and migrants. It is contended that refugees and migrants, even if they often travel in the same way, are fundamentally different, and for that reason are treated differently under modern international law. Migrants, especially economic migrants, choose to move in order to improve the future prospects of themselves and their families. Refugees have to move if they are to save their lives or preserve their freedom. They have no protection from their own state; rather it is often their own government that is threatening to persecute them (UNHCR viewpoint: 'Refugee' or 'migrant' – Which is right? 2016). However, such a distinction is only superficial at least at the conceptual level since a differentiation of migration into forced and voluntary migration has been considered.

Forced migration besides taking the form of refugees is described as internal displacement.

Internally displaced persons (IDPs) are those people who are forced to migrate out of their original place of inhabitants due to conflicts, civil war, climatic adversity but who remain within the territorial limit of their country (Internally Displaced People 2007: 4-5). According to the findings of the UN Higher Commissioner for Refugees nearly 60 percent of the total forced migration globally takes the form of internal displacement as at the end of 2017. Further, in absolute terms the number of internally displaced persons in 2017 was 40 million (Global Trends 2017: 33). Therefore, internal displacement assumes great significance in migration studies.

The above classifications of migration are not absolute and no water tight compartmentalization is possible as one type of migration often overlaps with another and therefore, they "are more akin to Weber ideal types which can be briefly defined as archetypes used for analytical, evaluative and comparative purposes" (Cohen 1995: 6). It is rather difficult to make a clear and distinct differentiation between the different types of migration that have been spelt out.

Conclusion

From the foregoing discussions it is evident that though migration is a universal phenomenon yet it is rather a difficult task to offer a precise conceptual understanding of it in view of its inherent complexity. Different scholars have rather given wide ranging definitions which may be either narrow or broad depending on how one looks at it and which dimension of it a particular scholar tries to look at. Scholars have exercised their own respective discretions and discriminations in either including or excluding what types of movement of people within or from an ambit of the definition of migration depending on the contexts of their studies. However, in order to understand the concept of migration in its entirety, it is important to minutely capture the phenomenon both in its contextual as well as in its universal application and offer a definition that is as inclusive as possible. In relation to its dimensions different scholars have used different criteria for identification and categorization

which in many cases such categorization tends to be vague and confusing. However, the different dimensions of migration are not in all situations water tightly compartmentalized as one dimension at times overlaps with the other. Also, migrations being a dynamic process, new dimensions are emerging with the passage of time bringing new complexities to the already complex phenomenon thereby throwing more challenges to the researchers and policy makers. It is in this context that the study of migration needs to be studied and appreciated with more precision and clarity as this would be more useful to the policy makers.

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A Study of Performance of Special Economic Zones (SEZs) in India



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Abstract

This research study mainly explores that the total number of Special Economic Zones (SEZs) by formal approvals wise, in-principle approvals wise, notified SEZs wise and exporting SEZs wise in India as on 22.01.2019. It also analysis that state and sector wise distribution of approved Special Economic Zones, India total exports as on 31.01.2019 and Special Economic Zones exports as on 22.01.2019 in India. This study also examine that the investments and incremental investments, employments and incremental employments generations in SEZs in India. This study used descriptive statistical tools tables, charts, graphs, averages and percentages inferential statistical tools used paired t test used to test hypothesis. This study results of state wise distribution of approved special economic zones indicated that the maximum number of are in the state of Telangana, followed by Karnataka and Maharashtra. In the sector-wise distribution of approved SEZs found that the maximum in IT, Electronic Hardware and Telecom, followed by Biotechnology and Multi-Product Sectors. This study finally concluded that special economic zones (SEZs) had contributed significantly in the past by way of investments, incremental investments, employment and incremental employments. This study finally suggested that the rest of the union and state governments should takes necessary step to give various monetary and non monetary start ups, subsidies, direct and indirect tax holiday for setting new SEZs in other than top five state and sectors in India.

Keywords: Special Economic Zones (SEZs), Export processing zones (EPZs), SEZ policy, SEZ Act 2005

Introduction

Special economic zones (SEZs) first emerged in the 12th century Europe in the form of free ports, free cities and free zones¹. The concept of areas with special privileges has been around at least since the 16th century but the first modern SEZ was founded in Ireland in 1959². The idea of EPZs was carried by the UNIDO from a peripheral area of Europe, Ireland³. EPZs had been internationally well accepted right from⁴, and have emerged as dynamic engines of growth⁵. A designated industrial area (primarily as export promoting zone) to facilitate trade and investment was first introduced in Spain in 1929.

China established its first EPZ in 1979, almost half a century later⁶ introduces concept⁷. In 1975, there were still only 79 SEZs in the world⁸. In mid-1984 there were 79 Export Processing Zones in 35 Third World countries⁹. After China's economic reforms in the 1980s, SEZs gained international popularity and by 1995, there were around 500 SEZs worldwide. Only a decade later, this number was estimated to between 3,000 and 5,000 zones. The majority of SEZs are located in developing countries^{10&11}. The appearance of export oriented manufacturing¹² export processing zones (EPZs)¹³ driving force of its remarkable¹⁴ economic growth¹⁵.

Special Economic Zone in India

As per the Ministry of Commerce and Industry, "Special Economic Zone (SEZ) is a specifically delineated duty free enclave and is a deemed foreign territory for the purpose of trade operations, duties and tariffs"^{16&17} India was first to recognize the effectiveness of the EPZ model in development of the nation and promoting exports¹⁸ and country's economic strategy¹⁹. SEZs are noted for their ability to create new employment opportunity and creating direct and indirect employment²⁰. FDI by providing facilities to foreign companies²¹ setting up operations in India²². India launched its first export processing zone (EPZ) in 1965 in Kandla²³. In India, the first EPZ was established at Kandla, Gujarat in 1965 with the provision of better infrastructure and tax holidays. The second one was established in Santa Cruz in Maharastra in 1973. In the decade of 80s, five more EPZs were established in different parts of the country²⁴.

It was the first EPZ in Asia²⁵ in the promotion of exports²⁶ and Policy implemented in 1965²⁷. The EXIM Policy has introduced a new scheme since April 1, 2000 and SEZs are permitted to be set up in public, private, joint sector or by the State Governments with a minimum size of land areas prescribed for different categories of SEZs²⁸.

India did not pass an SEZ Act until 2005; it has been experimenting with the concept since the 1960s²⁹. SEZ policy was announced in 2000, there has been a continuous effort made for the improvement in the export performance. The Special Economic Zone scheme was also upgraded through a revision in the Export-Import Policy of 1997-2002 and the Special Economic Zones Act was passed in 2005^{30&31}. The establishment of the India's first SEZ unit and its consequent success had served as an inspiring model for Indian policy-makers to construct and implement a dedicated regulatory framework on SEZs³². It is declared as quasi foreign territory in which private enterprises can benefit from a lucrative package of tax and regulatory exemptions^{33, 34}, special investment policy³⁵, liberal economic laws³⁶, considered the engines of growth in the trade sector³⁷.

In this era of globalization every country is adopting the policy of import substitution of generating employment³⁸ and economic opportunity³⁹ to increase India's share in global exports⁴⁰. India was the first Asian country to recognize the importance⁴¹ of international trade⁴² and instruments of trade⁴³ for export Promotion⁴⁴, industrial growth⁴⁵, attract investment⁴⁶ and FDI⁴⁷. Special Economic Zones (SEZs) as vehicle to create environment for investments, exports⁴⁸, global competition, technology transfers⁴⁹, industrial development⁵⁰, in developing local and regional infrastructure facilities⁵¹ to attract investment into their jurisdictions⁵² domestic market⁵³ of the developing countries⁵⁴.

Importance of the study

Special Economic Zones (SEZs) have been recognized as an important mechanism for trade and investment promotion, creation of infrastructure, employment generation, promotion of regional development, increase in foreign exchange earnings, improving export competitiveness and transfer of skills and technology. These are considered as growth drivers in the developing countries. The SEZs have been in existence for decades, but have attracted renewed attention world-wide in recent years due to globalization of trade and financial markets. Historically, SEZs were the result of the spurt in economic growth. It is well recognized that the SEZs are instrumental in developing local and regional infrastructure facilities, which in turn are necessary for overall economic development of a country⁵⁵ and enhance industry competitiveness⁵⁶. Low wages and flexible labour laws are offered as incentives to investors by the host countries⁵⁷ in promoting exports of local producers^{58&59}.

SEZs emerged out of the attempt to improve the EPZ policy, in the year 2000, a separate policy was announced for SEZs⁶⁰ enjoys special privileges⁶¹ give special facilities to the entrepreneur⁶² now however government seems to be realizing the need for formulating a new Indian model of SEZ⁶³. India a fast developing

country needs to survive and compete with rest of the world in international trade⁶⁴, must provide a business friendly ecosystem including ease of doing business, especially, ease of exporting and importing, swift decisions on applications for environmental clearances and speedy water and electricity connections⁶⁵ for promoting the exports⁶⁶. In these surroundings this study mainly focused on study on total number wise, investment wise and employment creation of SEZs. It's also examining the state and sector wise distribution of approved SEZs. This also assesses the India total exports as on 31.01.2019 and SEZ exports as on 22.01.2019.

Significance of the study

Special Economic Zone is an economic concept having goals of economic growth in a country by enhancing exports, creating favorable environment for foreign direct investment, and by generating large scale employment⁶⁷. It creates on significant effects on local socio-economic development⁶⁸, effective instrument to promote industrialization and structural transformation⁶⁹, increasing the country's participation in the global economy⁷⁰ and increasingly seen as an important policy tool⁷¹ for both developed and developing economies to boost growth in specific geographic areas and economic sectors⁷². Special Economic Zones (SEZs) are used to describe geographically limited and specially administered areas within a country that are established to attract local and foreign trade, employment and industrial development⁷³.

The SEZ policy was first introduced in April 2000, as a part of the Export-Import ("EXIM") policy of India⁷⁴. SEZs were designed to help major exporters of manufactured goods enjoy the benefits of doing business on the global market⁷⁵, technological transfers⁷⁶ creating to promote⁷⁷ infrastructure and amenities⁷⁸. Export processing zones (EPZs) are an increasingly common type of special economic zone⁷⁹. They are designed to facilitate international trade by lowering trade costs, such as import duties and/or export taxes. EPZs should thus be particularly

attractive locations for multinational enterprises engaging in productions, manufacturing, services and trade⁸⁰. In these environments this study primarily focused on study on total number wise, investment wise, employment creation, state, sector wise distribution of approved SEZs. This also evaluates the India total exports as on 31.01.2019 and SEZ exports as on 22.01.2019.

Review of literature

Chandan Das (2017⁸¹), found that the significance relationship in both direct and indirect employment and export can be realized from the SEZ's in India.

Khurud, B. S. (2013⁸²), revealed that the existing SEZs have not proved to be cost-effective due to many obstacles and suggested that the government create a more conducive atmosphere.

Jin Wang (2010⁸³), suggested that creating Special Economic Zones not only brings capital, but also more advanced technology, and provide important policy implications for many countries.

Aradhna Aggarwal (2010⁸⁴), found that while SEZs are stimulating direct investment and employment transformation from a resource-led economy to a skill and technology-led economy.

Sharma.S.P et al, (2014⁸⁵), found that operating in Domestic Tariff Area (DTA) has become more beneficial as compared to operating within SEZs. Suggested that the robust policy design and efficient implementation.

Sazzad Parwez(2014⁸⁶), suggested that there is a definite case and requirement to reform the laws and welfare measures in a manner that both workers and employer interests are adequately protected through balanced laws that enable producers to be more flexible without compromising on general labor standard.

Sanjiv Singh Bhadauria(2017⁸⁷), found that the role of Special Economic Zone is very important for economic growth in general, industrial development in particular and tremendous improvement in the investment, employment and export, which in turn pace up the process of economic growth.

Research Gap

This study has examined many national and international research articles, research studies, research journals, working papers, books, policy documents, local and international news papers and seminars edited publications relating to Special Economic Zones in India all over the world and in India. In these backgrounds the current research differs from the early researches in many ways and donates the existing literature.

Data collection and Research methodology

The present research study methodologies are data collections relating to Special Economic Zones in India. The primary focuses with the data collected and compiled from already published international and national sources. This study has been carried out descriptive and exploratory nature with the help of the secondary data. In order explain the outcome of the study results

Results, Discussion and major findings of the study

Total Special Economic Zones (SEZs) as on 22.01.2019 in India

Table 1: Total Special Economic Zones (SEZs) as on 22.01.2019 in India

Number of Formal approvals (As on 22.01.2019)	421
Number of notified SEZs (As on 22.01.2019)	355 + (7 + 11)
Number of In-Principle Approvals (22.01.2019)	32
Operational SEZs (As on 30.09.2018)	231
Units approved in SEZs (As on 30.09.2018)	5,024

Source: <http://sezindia.nic.in>, *(7 Central Govt. + 11 State/Pvt. SEZs)

Table 1 exhibits that the total Special Economic Zones (SEZs) as on 22.01.2019 in India. It shows number of formal approvals 421, notified SEZs 355 + (7 Central Govt. + 11 State/Pvt. SEZs), in-principle approvals 32, operational SEZs 231 and total units approved in SEZs as on 30.09.2018 are in 5, 024.

Total Investment and Employment in SEZs as on 22.01.2019 in India (Rs in Crores)

Table 2 shows that the Investment (Rs in Crores) in Special Economic Zones (SEZs) as

and interpretations of data by descriptive statistical tools tables, charts, graphs, averages and percentages inferential statistical tools used paired t test used to test hypothesis. This present's research study period covers Special Economic Zones in India to as on 22.01.2019 in India.

The objectives of the study

The following are the main objectives of the study as follows;

1. To study on total number wise, investment wise and employment creation of Special Economic Zones (SEZs) as on 22.01.2019 in India.
2. To examine the state and sector wise distribution of approved Special Economic Zones (SEZs) as on 22.01.2019.
3. To assesses the India total exports as on 31.01.2019 and Special Economic Zones exports as on 22.01.2019

on 22.01.2019 in India. Total investments in SEZs and employment as on February, 2006 are 4,035.51 (Rs in Crores) and 1,34,704 Persons. Incremental investment and employment are 4,88,276.49 (Rs in Crores) and 18,61,906 Persons. Total investments and employments are 4,92,312 (Rs in Crores) and 19,96,610 Persons.

Table 2: Investment and Employment in Special Economic Zones (SEZs) as on 22.01.2019 in India (Rs in Crores)

Investment	Investment (As on Feb, 2006) (Rs in Crores)	Incremental Investment (Rs in Crores)	Total Investment (As on 30.09.2018) (Rs in Crores)
Central Government SEZs	2,279.20	17,101.80	19,381
State/Pvt. SEZs set up bef 2006	1,756.31	11,195.69	12,952
SEZs Notified under the Act	-	4,59,979	4,59,979
Total	4,035.51	4,88,276.49	4,92,312
Employment	Employment (As on Feb, 2006) (No of Persons)	Incremental Employment (No of Persons)	Total Employment (As on 30.09.2018) (No of Persons)
Central Government SEZs	1,22,236	1,17,634	2,39,870
State/Pvt. SEZs set up bef 2006	12,468	88,201	1,00,669
SEZs Notified under the Act	-	16,56,071	16,56,071
Total	1,34,704	18,61,906	19,96,610

Source: <http://sezindia.nic.in>

State-Wise Distribution of Approved Special Economic Zones (SEZs) as on 22.01.2019

Table 3 clearly exhibits that state-wise distribution of approved SEZs as on 22.01.2019. It indicates that formal approvals are 421, in-principle approvals are 32, notified SEZs are 355 and exporting SEZs are 231. In the first place secured by Telangana in formal approvals are 63(15%), notified SEZs are 57(16%) and exporting SEZs are 29(13%). Second place secured by Karnataka formal approvals are

62(15%), notified SEZs are 51(14%) and exporting SEZs are 31(13%). Third rank secured by Maharashtra formal approvals are 56 (13%), in-principle approvals are 12 (38%), notified SEZs are 50 (14%) and exporting SEZs are 30 (13%). Totally top five states Secured formal approvals are 264 (63%), in-principle approvals are 19 (60%), notified SEZs are 232 (65%) and exporting SEZs are 149 (64%). Remaining SEZs are fallen in the rest of the states of India.

Table 3: State-Wise Distribution of Approved Special Economic Zones (SEZs) as on 22.01.2019

S No	States/UTs	Formal Approvals		In-principle approvals		Notified SEZs		*Exporting SEZs	
		Numbers	%	Numbers	%	Numbers	%	Numbers	%
1	Telangana	63	15	0	0	57	16	29	13
2	Karnataka	62	15	0	0	51	14	31	13
3	Maharashtra	56	13	12	38	50	14	30	13
4	Tamil Nadu	51	12	3	9	47	13	40	17
5	Andhra Pradesh	32	8	4	13	27	8	19	8
6	Kerala	29	7	0	0	25	7	19	8
7	Gujarat	28	7	4	13	24	7	20	9

S No	States/UTs	Formal Approvals		In-principle approvals		Notified SEZs		*Exporting SEZs	
		Numbers	%	Numbers	%	Numbers	%	Numbers	%
8	Haryana	24	6	3	9	21	6	6	3
9	Uttar Pradesh	24	6	1	3	21	6	12	5
10	Madhya Pradesh	10	2	0	0	5	1	5	2
11	Goa	7	2	0	0	3	1	0	0
12	Odisha	7	2	0	0	5	1	5	2
13	West Bengal	7	2	2	6	5	1	7	3
14	Punjab	5	1	0	0	3	1	3	1
15	Rajasthan	5	1	1	3	4	1	2	1
16	Chandigarh	2	0	0	0	2	1	2	1
17	Chhattisgarh	2	0	1	3	1	0	1	0
18	Delhi	2	0	0	0	0	0	0	0
19	Nagaland	2	0	0	0	2	1	0	0
20	Jharkhand	1	0	0	0	1	0	0	0
21	Manipur	1	0	0	0	1	0	0	0
22	Puducherry	1	0	1	3	0	0	0	0
Grand Total		421	100	32	100	355	100	231	100

Source: <http://sezindia.nic.in>

*Exporting SEZs (Central Govt. + State Govt./ Pvt. SEZs + notified SEZs, under the SEZ Act, 2005)

Sector-Wise Distribution of Approved Special Economic Zones (SEZs) as on 22.01.2019

Table 4 enlightens that the sector-wise distribution of approved SEZs as on 22.01.2019 in India. It shows that formal approvals are 421, in-principle approvals are 32, notified SEZs are 355 and exporting SEZs are 231. IT/ITES/Electronic Hardware/ Telecom equipments sectors secured

by first rank in formal approvals are 275 (65%), notified SEZs are 236 (66%) and exporting SEZs are 136 (59%). Totally top five states Secured formal approvals are 347(82%), in-principle approvals are 13 (40%), notified SEZs are 298 (84%) and exporting SEZs are 189 (82%). Others SEZs are fallen in the rest of the sectors.

Table 4: Sector-Wise Distribution of Approved Special Economic Zones (SEZs) as on 22.01.2019

S No	Sectors	Formal approvals		In-principle approvals		Notified SEZs		*Exporting SEZs	
		Num- bers	%	Num- bers	%	Num- bers	%	Num- bers	%
1	IT/ITES/Ele Hardware/	275	65	0	0	236	66	136	59
2	Biotechnology	23	5	1	3	16	5	4	2
3	Multi-Product	21	5	9	28	18	5	25	11
4	Pharmaceuticals/chemicals	16	4	2	6	16	5	12	5

S No	Sectors	Formal approvals		In-principle approvals		Notified SEZs		*Exporting SEZs	
		Num-bers	%	Num-bers	%	Num-bers	%	Num-bers	%
5	Engineering	12	3	1	3	12	3	12	5
6	FTWZ	9	2	5	16	5	1	4	2
7	Textiles/Apparel/Wool	7	2	1	3	7	2	7	3
8	Aviation/Aerospace/	6	1	1	3	5	1	4	2
9	Multi-Services	6	1	1	3	6	2	2	1
10	Footwear/Leather	5	1	0	0	5	1	4	2
11	Gems and Jewellery	5	1	3	9	2	1	3	1
12	Agro-processing	4	1	2	6	4	1	1	0
13	Port-based multi-product	4	1	1	3	3	1	2	1
14	Food Processing	3	1	0	0	2	1	2	1
15	Power/ energy/solar	3	1	1	3	3	1	3	1
16	Airport multiproduct	2	0	0	0	0	0	0	0
17	Alumina/Aluminium	2	0	0	0	2	1	1	0
18	Auto/Automobile	2	0	1	3	2	1	1	0
19	Beach & mineral/ metals	2	0	0	0	2	1	1	0
20	Building prod./mal./	2	0	2	6	2	1	2	1
21	Electronic product	2	0	0	0	2	1	2	1
22	Handicrafts & Carpets	2	0	0	0	1	0	1	0
23	Non-Conventional Energy	2	0	0	0	2	1	2	1
24	Petrochemicals	2	0	1	3	0	0	0	0
25	Granite Industries	2	0	0	0	1	0	0	0
26	Light Engineering	1	0	0	0	0	0	0	0
27	Writing and paper mills	1	0	0	0	1	0	0	0
Grand Total		421	100	32	100	355	100	231	100

Source: <http://sezindia.nic.in>

*Exporting SEZs (7 Central Govt. + 11 State Govt./Pvt. SEZs + notified SEZs under the SEZ Act, 2005)

India Total Exports As on 31.01.2019 and SEZ Exports As on 22.01.2019

Table 5 shows that the India total exports as on 31.01.2019 and special economic zones exports as on 22.01.2019. Totally 13 completed financial year results of total exports of India (Rs in Crores) indicated that 11 years shows as positive growth and remaining two years shows negative growth. In case of total exports of India (Rs in Millions)

indicated that nine years shows as positive growth and remaining four years shows negative growth. The results of special economic zones exports shows that 11 years shows as positive growth and remaining one year shows negative growth. It also exhibits that percentage of share of SEZs share in Total Exports (Rs in Crores) SEZs shows at positive growth during the study period.

Table 5: India Total Exports As on 31.01.2019 and Special Economic Zones Exports As on 22.01.2019

Year	Total Exports of India As on 31.01.2019				SEZs Exports of India As on 22.01.2019		
	Rs in Crores	%	Rs in Millions	%	Rs in Crores	%	% (Rs in Crores) SEZs share in Total Exports
2005-2006	456418	21.6	103091	23.41	22840	-	5.00
2006-2007	571779	25.28	126414	22.62	34615	52	6.05
2007-2008	655864	14.71	163132	29.05	66638	93	10.16
2008-2009	840755	28.19	185295	13.59	99689	50	11.86
2009-2010	845534	0.57	178751	-3.53	220711	121	26.10
2010-2011	1136964	34.47	249816	39.76	315868	43	27.78
2011-2012	1465959	28.94	305964	22.48	364478	15	24.86
2012-2013	1634318	11.48	300401	-1.82	476159	31	29.14
2013-2014	1905011	16.56	314405	4.66	494077	4	25.94
2014-2015	1896348	-0.45	310338	-1.29	463770	-6	24.46
2015-2016	1716378	-9.49	262290	-15.48	467337	1	27.23
2016-2017	1849429	7.75	275852	5.17	523637	12	28.31
2017-2018	1956515	5.47	303526	9.11	581033	11	29.70
2018-2019*	1887366	-	270248	-	333661	-	17.68

Source: <http://commerce-app.gov.in/eidb/iecnttopn.asp>, Annual Report 2017-2018, Government of India, Ministry of Commerce & Industry, *% Growth compare with last Year

Result of Hypothesis -Paired Samples t -Test

Table 6 clearly shows that inferential statistical results of hypotheses testing used by paired samples t -test. Totally 15 variable used and 17

hypothesis tested. Out of them eight hypothesis shows that there is no difference between variable and remaining nine variable shows that there is difference between variable.

Table 6: Result of Hypotheses -Paired Samples t -Test

Pairs & Variables Mean		Paired Differences				t	df	Sig. (2-tailed)	Result of hypotheses
		Std. Deviation	95% Confidence Interval of the Difference						
			Lower	Upper					
Pair 1	VAR1 – VAR2	17.682	20.266	8.696	26.667	4.092	22	0.0005	Difference
Pair 2	VAR1 – VAR3	3.00	2.637	1.831	4.169	5.337	22	0.00	Difference
Pair 3	VAR1 – VAR4	8.636	10.182	4.122	13.151	3.978	22	0.0007	Difference
Pair 4	VAR2 – VAR3	-14.682	18.078	-22.697	-6.667	3.809	22	0.001	Difference
Pair 5	VAR3 – VAR4	5.636	8.104	2.043	9.229	3.262	22	0.0037	Difference

Pairs & Variables Mean		Paired Differences				t	df	Sig. (2-tailed)	Result of hypotheses
		Std. Deviation	95% Confidence Interval of the Difference						
			Lower	Upper					
Pair 6	VAR5 – VAR6	14.407	52.314	-6.287	35.102	1.431	27	0.1643	No Difference
Pair 7	VAR5 – VAR7	2.444	7.485	-0.517	5.405	1.697	27	0.1016	No Difference
Pair 8	VAR5 – VAR8	7.037	26.645	-3.503	17.577	1.372	27	0.1817	No Difference
Pair 9	VAR6 – VAR7	-11.963	44.976	-29.755	5.829	1.382	27	0.1787	No Difference
Pair 10	VAR7 – VAR8	4.593	19.29	-3.038	12.223	1.237	27	0.2271	No Difference
Pair 11	VAR9 – VAR10	1104936.786	499474.909	816548.559	1393325.012	8.277	14	0.00	Difference
Pair 12	VAR9 – VAR11	1025294.643	386471.319	802152.747	1248436.539	9.926	14	0.00	Difference
Pair 13	VAR10 – VAR11	-79642.143	131102.211	-155338.306	-3945.98	2.273	14	0.0406	Difference
Pair 14	VAR12 – VAR13	2.668	7.8	-1.838	7.172	1.28	14	0.223	No Difference
Pair 15	VAR12 – VAR14	-17.28	38.334	-39.414	4.854	1.687	14	0.1155	No Difference
Pair 16	VAR12–VAR15	-7.799	18.575	-18.524	2.926	1.571	14	0.1402	No Difference
Pair 17	VAR14–VAR15	9.481	40.723	-14.032	32.994	0.871	14	0.3995	Difference
Variable used for Paired T Test					VAR9-Total Exports of India Rs in Crores as on 31.01.2019				
VAR1-State-Wise Distribution of Formal Approvals of SEZs as on 22.01.2019					VAR10-Total Exports of India Rs in Millions as on 31.01.2019				
VAR2-State-Wise Distribution of In-principle approvals of SEZs as on 22.01.2019					VAR11-SEZs Exports of India Rs in Crores as on 22.01.2019				
VAR3-State-Wise Distribution of Notified SEZs as on 22.01.2019					VAR12-% Growth of Total Exports as on 31.01.2019				
VAR4-State-Wise Distribution of Exporting SEZs as on 22.01.2019					VAR13-% Growth of Total Exports of India Rs in Millions as on 31.01.2019				
VAR5-Sector-Wise Distribution of Formal Approvals of SEZs as on 22.01.2019					VAR14-% Growth of SEZs Exports of India as on 22.01.2019				
VAR6-Sector-Wise Distribution of In-principle approvals of SEZs as on 22.01.2019					VAR15-% of share of SEZs Exports of India as on 22.01.2019				
VAR7-Sector-Wise Distribution of Notified SEZs as on 22.01.2019									
VAR8-Sector-Wise Distribution of Exporting SEZs as on 22.01.2019									

Majors findings of the study

1. Total Special Economic Zones (SEZs) shows that formal approvals 421, notified SEZs 355 + (7 Central Govt. + 11 State/Pvt. SEZs), in-principle approvals 32, operational SEZs 231 and total units are in 5, 024 approved in SEZs as on 30.09.2018.
2. Total investments in SEZs and employment as on February, 2006 are 4, 035.51 (Rs in Crores) and 1, 34, 704 Persons.
3. Incremental investments and employment are 4, 88, 276.49 (Rs in Crores) and 18, 61, 906 Persons.
4. Total investments and employments are 4, 92, 312 (Rs in Crores) and 19, 96, 610 Persons.
5. State & Sectors-wise distribution of approved SEZs indicates that formal approvals are 421, in-principle approvals are 32, notified SEZs are 355 and exporting SEZs are 231.

6. It indicates that maximum of Special Economic Zones in Telangana, followed by Karnataka and Maharashtra.
7. Sector-wise distribution of approved SEZs IT/ITES/Electronic Hardware/ Telecom, followed by Biotechnology and Multi-Product Sectors.
8. Totally 13 completed financial year results of total exports of India (Rs in Crores) indicated that 11 years shows as positive growth and remaining two years shows negative growth.
9. The results of special economic zones exports shows that 11 years shows as positive growth and remaining one year shows negative growth.
10. It also exhibits that percentage of share of SEZs share in Total Exports (Rs in Crores) SEZs shows at positive growth during the study period.
11. Totally 15 variable used and 17 hypothesis tested. Out of them eight hypotheses shows that there is no difference between variable and remaining nine variable shows that there is difference between variable.

Conclusion

This study finally concluded that special economic zones (SEZs) had contributed significantly in the past by way of investments, incremental investments, employment and incremental employments. It also positive growth in exports in more than twenty five percentage of countries total Indian exports contributed by special economic zones of India. This will bring into India positive position in International Trade. Top five states had more than sixty percentage of total SEZs in India. Sectors wise information technology, Hardware and Telecom equipments sectors had secured by majority of SEZs in India during the study period. This study finally suggested that the rest of the union and state governments should takes necessary step to give various monetary and non monetary start ups, subsidies, direct and indirect tax holiday for setting new SEZs in other than top five state and sectors in India.

It also suggested that the Ministry of Commerce And Industry, Department of commerce and various states and UT governments should be introduced various corporate legal reforms and create that new and revised policy for board approval, minimum land requirement for multi sector SEZ, Sectors specific SEZ, FTWZ and other sectors. Minimum land availability at reasonable cost, availability of domestic and foreign investments, Labour cost and infrastructure facilities like road, port, airport, water, power, transport facility and other facilities are deciding factors for starting SEZ in India. The small amount of the policy modifies and corporate reforms may unfavorably impact the development of these zones. The government should make the various innovative policies to introduce for more consistent to facilitate a friendly investment environment. It would also be in great interest to promote the exports, creating employments and improving balance of payments of positions by way of ease doing business in India. It also facilitates to attract for various existing and new Indian and foreign entrepreneurs to invest in Indian Special Economic Zones.

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Effect of Parenting Style on Children's Educational Adjustments and Scholastic Achievements



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Abstract

Parenting is a difficult task most of the parents are unaware to know the parenting style and cope up with their child and this is what our kids did not flourish their personalities and scholastic achievement in educational as well as social atmosphere. The present research paper is an attempt to identify the impact of parenting style on children's educational development and personal adjustment in social life for upbringing the children's on the right path where we tried to find the parenting style related to high power assertion of the parent involvement and low power assertion of the parents involvement because parents are responsible for caring, wearing and tearing for children's internal and external experiences of life. It focuses on the children feeling, needs and security from parental home environment to the society, where children's are preparing to join as a responsible member of the future. In this regard children's need a close look of their parents positively with love, sympathy, motivation, guidance, counseling, positive instructions and experiences towards the extent to which they predict children's adjustment and academic achievement in educational development. In predicting child outcomes, the study took a social ecological approach and included characteristics of the children themselves, their families (High power and low power assertion parents), as well as their children history in seeking to explain differences in children social adjustment.

Keywords: Parenting style, Overprotective, Neglectful, Permissive, Authoritarian

Introduction

Most of the Indian parents willing to inculcate values to upbringing their children's and they are dedicated towards the teachings of values of truth love and freedom are commenced to obey, honour and respect towards our parents, guardians, societies and our motherhood for lifetime except when it comes to disobedience when there is a contradiction of different values. Indian social context emphasizes to raise the status of parents. Parenting is a very difficult task as most of the parents did not receive formal training to upbringing of young guns, yet it is not an easy and simple, most of the parents thinks that they can perform this duty with little or

no effort. parenting is a complex task requires attention, care, love, faith, freedom, inspiration, creation of values and destruction anxiety, stress and egos in the children to enhance their academic achievements and adjustment towards outer world, this is a foremost responsibility of a parent and it is almost depending on parenting style, if we understand our parenting style in terms of our responsibility, temperament and need of the hour. Parenting job is very delicate to handle and need to relate parents their selves with the spirit of the child. Parents cannot perform this task without knowing the physical, social, mental, spiritual, psychological, educational and practical aspects of the children.

Review of related studies

Most of the researches are considered and suggested that parent's behavior with their children influenced on stimulation, James Coleman's large scale study of the factors that influence academic achievements showed a stronger correlation between achievement and family background and environment than between achievement and quality of school (Coleman et.al 1966). Engaging families in the education of their children at home and at school is increasingly viewed as an important means to support better learning out-comes for children. When schools and families work together, children have higher achievement in school and stay in school longer (Henderson & Mapp, 2002; Jeynes, 2005; Pomerantz, Moorman, & Litwack, 2007; Reynolds & Clements, 2005). Positive impacts of parental involvement on student academic outcomes have not only been recognized by school administrators and teachers, but also by policy-makers who have interwoven different aspects of parental involvement in new educational initiatives and reforms (Graves and Wright 2011; Larocque, Kleiman, and Darling 2011; Mattingly et al. 2002; Topor et al. 2010).

Parents are the most significant agent of building values and attitude among their children. Parenting means upbringing the children with mothering and fathering, these two figures prepare a person's personality through love, affection, care, concern, rearing, teachings etc. Many of the social, emotional and psychological problems among children are caused by poor parenting. Thus, a child personality gets directly affected by the type of parenting he/she receives.

Parenting Need to Understand

Parenting is an important aspect to know and understand as every growing child face many problems and they always look some support from their own parents, for example, a personality deficit, a learning difficulty, problems with friends, personally conflict with a teacher or social environment and so on. Parents and children themselves set their high expectations;

this can backfire, faced with the risk of trying and failing. Listen, guide, and motivate your children being a mentor and set a realistic goal and let them know the reality. You may always encourage their interests but make sure it is okay to progress at their own speed. Low motivation can be caused by boredom. Some children lose interest in school because it is too easy. If you suspect that this might be the reason for your child's lack of motivation, talk to yourself and identify your own parenting style and find the solution and ways you can work together to make life path more clear

Types of Parents

Psychologists have actually put a lot of thought and efforts to identify parents and parenting style, as every parenting style affect children in different way. **Diana Baumrind** is one of those psychologists and one of the most well-known researcher on parenting style. She has identified 10 types of parents and their parenting style.

1. Authoritative: This is Baumrind's healthy category of parenting. Authoritative parents are firm but not harsh or aggressive; they are open and adjustable with negotiations. They teach and upbringing their children with constructive relationships and adaptation skills. They love their children. Their children grow up to be well-adjusted, independent, and skillful free of stress anxiety and failure.

2. Authoritarian: this type of parenting is imposing and directing the children. Authoritarian parents are dictators and dictators primarily use physical and mental punishment to raise their children. Children of authoritarian parents grow up scared, insecure, angry, jealous and maladjusted. Often, as adults, they themselves become authoritarian parents and repeat the same pattern.

3. Permissive: Permissive parents do not set boundaries for their children, provide them every facility and everything they want. They are trying their best to approve themselves as parents, thus unwittingly allow their children power over them. Their children often become spoiled, self oriented and entitled to get their

way in life, and when they don't get it, they have temper and tantrums.

4. Neglectful: Some parents deprive their children of any real parenting. These parents are busy in personal matters and their own worlds. they don't have time for parenting, they are blaming and fighting each other all the time and hardly aware of their children. Their children grow up without any sense of who they are or how to navigate the complexities of life. They lack self-esteem and confidence, and are quite needy.

5. Overprotective: some parents are over protected their children, they are trying to overcome their own unconscious insecurities. They are afraid of life's ups and down and do not allow their children to learn from their own mistakes. Their children grow up full of fears and anxieties with unknown fears, just like their parents, and do not have the healthy coping skills to take care of themselves.

6. Narcissistic: Narcissistic parents are selfish train their children to serve their needs. Instead of being there for their children, their children must be there for them. Their children must tell them what they want to hear, their children must fulfill their own blighted ambitions. Their children grow up needy and lost.

7. Polarized: polarized parents are odds with one another on how to raise their children. Hence there is a perpetual battle. One parent may be authoritarian and the other permissive. In such cases, the children learn to be manipulative, and generally side with the permissive parent and turn against the authoritarian parent. They do not learn constructive communication skills and grow up having no idea how to have a healthy relationship.

8. Dependent: Dependent parents are always trying their children to be dependent on them. They trying their best their children stay at home. Sometimes they discouraged them and feel that they can't make it on their own. These unfortunate children, of course, end up having dependent personalities, can't assert themselves, and have low self-esteem.

9. Isolated: Some parents are isolated from their neighborhood or community as well as from friends and relatives claiming nuclear status. They don't know how to relate to people, including each other. Therefore, many isolated parents are single parents. Their children do not learn to relate and feel isolated from their parent and from others. Hence they pick up the "loner" relationship skills or non-relationship skills of their own parents.

10. Toxic: These are the worst kind of parents and parenting style. They can be any of the above types, but in addition they present themselves as loving and normal and hide their toxic intention, first they motivate their children to join illegal, wrong and verse situations but does so by subtly putting them down; hence these children stays weak and shy. Children of toxic parents often don't know what's happening to them until much later.

Purpose of the study

The purpose of the study "*Effect of Parenting Style on Children's Educational Adjustments and Scholastic Achievements.*" was to synthesize the results of parental style that examined the impact of parental involvement on student academic achievement and adjustment, and identifying the vice-versa relationships accordingly.

Category Name	Category Description
Parental involvement in academic achievement	Parental involvement has a positive impact on academic achievement.
Home supervision	Parents establishing and enforcing rules regarding school and home/leisure activities has positive impact on academic achievement.
Parental participation	Parents attending and participating in school activities has positive impact on academic achievement.
Parental pressure	Parents are comparing and creating pressure on school activities and achievements.

Category Name	Category Description
Parental expectations	Parental expectations for their children academic achievements have positive impact on academic achievement.
Homework assistance	Parents providing their children with homework assistance has positive impact on academic achievement.
Standardized assessment	The relationship between parental involvement and academic achievement is strongest if achievement is measured by standardized testing.
Measures of achievement	Relationship between parental involvement and academic achievement is generalizable across various measures of achievement.
Subject area	Relationship between parental involvement and academic achievement is generalizable across different ethnic groups.

Objectives of the study

- To find out the multiple definitions of parental involvement, various assessments of academic achievement and adjustment.
- To identify the parental involvements in the complex concept of child development and its various components, such as participation in school activities, homework assistance, and academic expectations, stress and anxiety.
- Find out the relationship between parental involvement in children academic achievements and adjustment.
- To study the various measures of academic achievement contribute to the inconsistencies with regard to the impact of parental involvement on children academic achievement and adjustment.

Hypotheses of the study

- There will be no significant difference between parent involvement in the school activities on child development and academic achievements.
- There will be no significant difference on children anxiety and stress due to parental style.

- There will be no significant difference between children on educational development and adjustment due to parental style.
- There will be no significance difference between children academic achievement and adjustment with parental involvement.

Sampling and methodology

The present study was conducted on 200 respondents belonging to secondary school students of Bidar district Karnataka. The respondents selected using incidental cum-purposive sampling techniques to study and examine the effectiveness of parenting style and involvement in educational achievements and adjustment of the respondents. for data collection we used Bell's Adjustment Inventory, Sinha's anxiety scale and Shoid parental Scale to measure the Adjustment, Anxiety and academic achievement of the respondents and then we used t-ratio to measure the hypotheses.

Tools

- A personal data sheet
- Parental disciplinary scale of Soid-1972
- Bell's Adjustment Inventory by Mohsin and Shamshad-1985. Patna.

Data of parents of 200 respondents

Parents	Education	Occupation	Income (Monthly)
Father	15 % less than 10 th 23% 12 Pass 37% UG Pass 25% PG Pass	29% Govt. Service 45% Private Service 26% Business	46% (10, 000-20, 000) 33% (20, 000-30, 000) 9% (40, 000-50, 000) 12% (50, 000 and above)

Mother	19% less than 10 th 17% 10 Pass 39% 12 Pass 15% UG Pass 10% PG Pass	79% House Wife 12% Service 9% Business	79% (No Income) 13% (10, 000-20, 000) 08% (20, 000 and above)
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For the purpose of the study above table describes the percentage of socio-economic condition of parents including father and mother's education level, occupation and income.

Mostly mothers are housewives, means mothers are not economically independent they are dependent on their husbands. Majority of fathers are from lower middle class family status.

Results

For the research purpose we have divided parenting style into two types, High power

assertion parents and low power assertion parents, in order to examine the effect of parental style especially power assertion on educational development and academic achievements, the children were divided into those of the parents having high power assertion on the one hand and on the other hand those of the parents having low power assertion then statistical analysis done to examine the significant difference between the two groups on child development and academic achievements.

Table I: Children of High/low power assertion Parents on child development and Academic Achievements

Subject	N	Mean	SD	t-ratio	df	p
Children of High power assertion Parents	100	65.76	11.88	3.71	198	.01
Children of low power assertion Parents	100	72.14	12.45			

The result displayed in table-I. Clearly shows that the effect of power assertion on educational development and academic achievements on the children of high power assertion with a mean 65.76 have been found significantly

less educational development and academic achievement than those of low assertion parents having mean values of 72.14 and t-value is 3.71 at .01 level of significance.

Table II: Children of High/low power assertion Parents on Anxiety and Stress.

Subject	N	Mean	SD	t-ratio	Df	p
Children of High power assertion Parents	100	69.92	12.75	5.25	198	.01
Children of low power assertion Parents	100	60.67	12.09			

The result contained in table-II showed significant effect on children **Anxiety and Stress** in educational development, children of high power assertion parents with a mean score of 69.92 were found at front of low power assertion

parents having mean value 60.67, on **Anxiety and Stress**. The difference between the two means is highly significant at 0.01 level. Hence the second hypothesis is rejected.

Table III: Children of High/low power assertion Parents in terms of educational development and Adjustment

Subject	N	Mean	SD	t-ratio	Df	p
Children of High power assertion Parents	100	94.12	19.17	5.33	198	.01
Children of low power assertion Parents	100	83.83	12.95			

The result recorded in table-III indicates the significant effect of parental power assertion on children adjustment in educational development.

The children of low power assertion parents showed better educational development skills and adjustment as compared to those of high power assertion parents.

Table IV: Children of High/low power assertion Parents in terms of academic achievements and Adjustment

Subject	N	Mean	SD	t-ratio	df	p
Children of High power assertion Parents	100	89.36	11.21	5.48	198	.01
Children of low power assertion Parents	100	80.76	10.97			

From table-IV it is evident that child of low power assertion on **academic achievements and Adjustment** has shown a significant effect at front of children of high power assertion parents. The children of low power assertion showed better **academic achievements and Adjustment** than the children of high power assertion parents. The difference between the two is highly significant.

Main findings of the study

- High power assertion parents is creating barrier in the educational development and adjustment, as they create negative reinforcement while low power assertion parents are facilitator to better adjustment in educational adjustment.
- High power assertion parents are creating pressure on children child development and Academic Achievements, as they create negative reinforcement while low power assertion parents are facilitator they listen to the children and stand beside them.
- Parents of high power assertion of parents is conducive to high anxiety and stress and low power assertion parents conducive to low anxiety and stress.
- The children of low power assertion showed better academic achievements and Adjustment than the children of high power assertion parents.

Findings related to the student's activities

- Majority of children of high power assertion parents are taking tuitions from tutor. Lack of parental involvement is responsible.
- Majority of low power assertion parents children participating in extracurricular activities in schools along with their studies. It shows creativity in adjustment and academic achievement.

- The maximum percentage of low power assertion parents are engaged with helping the child in completion of their homework.
- Low power assertion parents are looking a close watch on the both hands study time and playing time for children.
- Maximum percentage of High power assertion parents is not interested to play with their child.
- Low power assertion parents of children watching television. While mostly high power assertion parents dislikes to watching children television programme.
- Low power assertion parents is satisfied with the school environment of their child but high power assertion parents are complaining and criticizing.
- High power assertion parents are scolding their child, when child get less marks while low power assertion parents are motivation and showing the cause.
- Only low power assertion parents listening carefully the children problem and answering the questions asked by their children.
- High parental involvement is positively co-related with children adjustment and academic achievement while low parental involvement related with poor child adjustment.

Suggestion for High power assertion parents and low power assertion parents

- Child too is a human being and every human being instinctively loves oneself.
- Wishes of the children that parents recognize his worth and respect.
- When others show respect to him he feels proud and thinks that he has been praised.
- The parents who love their children should show them due consideration and respect.

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- In the training of a child, showing respect to him is considered as a very important element.
 - The child who receives respect and estimation will grow into a sober and respectable person.
 - children always try to maintain their reputation and refrains from doing anything wrong, they tries to keep doing good things to rise in the estimation of others.
 - The child who is not treated by his parents with due respect, they tries to emulate them while dealing with others.
 - Parents, who treat children badly without giving any thought to their hurt feelings, create rancor in their young minds. Sooner or later such children turn hostile and become stubbornly difficult.
 - Ignorant parents, whose number unfortunately is not small, consider that treating the children with respect spoils them. They take cool, condescending, and vain attitude towards the children. This way they crush the personality of the children and give birth to the inferiority complex in their impressionable minds.
 - Children will try to do good things to maintain the respectable treatment they have been receiving from the parents. It is a matter of concern that in our societies the children are not treated with respect. They are not treated as members of the family till they are grown up. In parties and celebrations, they are generally not invited and go with the parents as appendages.
 - Parents must know and understand that a child's world is a world of his own with the rise of his imaginations and fantasies that will be unique to him. These cannot be compared to the thought process of the adults. The child's spirit is delicate and impressionable in nature, child is a human being in miniature that has not as yet assumed a permanent identity but it has the capability to attain changes.
 - Parents also include:
 - i. Time management and punctuality, doing things at the right time.
 - ii. Physical exercise for physical, social and mental fitness.
 - iii. Mental exercise for imagination and developing an appetite for knowledge, understanding and skills.
 - iv. Learning to read and recite the moral values from an early age when the child's memory finds it easy.
 - v. Development of regular performance of social contacts in the ages of 7 and 10.
 - vi. Taking on responsibilities for family members.
 - vii. Taking on responsibilities in the wider community as children grow up.

Conclusion

We have studied 200 students and their parents in relation to their attitude towards parenting of their kids, where some are aggressive (show high power assertion) and demanding and some are adjustable (show low power assertion) to meet their expectations with their children. Children are too a human and they always look to their parents for help, motivation, suggestion, care and love and they always try to follow the rules and regulations of their social and family life. It is we, the people who are responsible to destroy the life of children with extra love or negligence, we think they can't follow us but they follows and copy our act and behaviors accordingly and apply it in their own behavior. Effective parenting style plays a vital role in upbringing the children whether a child becomes a productive member of society or not. When children receive the proper love and support, it helps the child development properly and helps them to have the right mindset about life and its challenges. Proper parenting lets the child know what to expect out of life and how to deal with them as well. Parenting styles does not always to be strict. As long as the parent is consistent with the rules given, I believe children will follow them. Giving the child some type of trust and freedom helps

them in making more responsible and to be more mature, so this type of parenting should always be a part of a parent's agenda.

To sum up, it is suggested that the parents must practice low power assertion and should treat their children as unique personality, so that they can minimize their stress, burden and anxiety to make healthy and sound adjustment with their environment, which are two major indices of an effective personality.

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Webinar : A New Way of Learning

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Abstract

Modern era is the era of science and technology. We are surrounded by several scientific inventions in our daily life like TV, computer, fan, mobile, washing machine etc. Human being has always been curious by nature. We started using scientific knowledge in the field of education to make educational process more effective. For our instance using the science and technology in this field brought education proximal to education. Technology is the practical form of scientific arrangements and techniques. Systematic application of enriched and powerful technology has made traditional teaching learning process much more interesting and effective. In this paper an attempt has been made to explore the new dimensions of Webinar in teaching learning process.

Keywords: Webinar, Teaching Devices, Immersion

Introduction

As we all know education is a process of enlightenment an empowerment for the achievement of better and higher quality of life. Education is the most cogent instrument in the progress of any nation. Hence the quality of education has to be improved for faster all around development. It is universally acknowledged that any attempt at the improvement in the quality of education is ultimately depends on the quality of instruction imparted in the class rooms. Thus teaching & learning becomes two important aspects of process which we call education and the component of curriculum or school subject is implicit in this transaction.

Dewey says "Education is the development of all those capacities in the individual which will enable him to control his environment and fulfil his responsibilities. Gandhiji opined that education is the all-around drawing out of the best in the child and man-body, mind and spirit. The all-around development includes the child's individual growth and social development

What is Teaching

Just like learning, teaching also is a life long process directed at overall development of a man and impact of personality. It is basically a man-making process and an instrument of social change, cultural advancement and economic self-sufficiency. It deals with the analysis, assessment and description of the teaching-learning process, their effectiveness and efficiency.

Teaching as a concept is quite ambiguous and complex. There are several meanings attached to this concept traditionally. Researchers on teaching have recently advanced their own definitions of term while philosophers of education and educational psychologists have emphasized quite different theoretical orientations from time to time. A layman interprets teaching to be a kind of coaching done systematically at a particular place, at a particular time and through the agency of an appointed. While in the real a sense, teaching is a system of activities planned and implemented

with reference to a social situation. It consists of a number of strategies and is primarily goal linked. Teaching represents an 'intentional act' taking a cue from Gilbert Ryle, teaching may be called a task word which signifies some sort of activity or extended proceedings.

The process of teaching is interactive which implies a simultaneous mutual interchange between teacher (x), student (y) and subject – matter (z). In this interactive situation a teacher shows different behaviours which affect the class-room interaction and students behaviour. The behaviour performed by the teacher during teaching is known as teaching behaviour which is a complex of skills representing the cognitive, emotive and manipulative or psychomotor domains. It is a distinctive set of human behaviour and employs the intellectual processes in the highly organized form.

Devices of Teaching

In modern world, knowledge increases at a terrific pace & social changes become very rapid. Tremendous advances take place in Science, technologies & also impacting all human activities. So the teacher should adopt dynamic methods to create the needs & interest in children. The teacher should create appropriate environment for development of learner's potential. The teacher must learn to control five processes of teaching.

- Making & using knowledge,
- Shaping the School,
- Teaching with Strategy
- Creating interpersonal climates &
- Controlling a teaching personality

Bruner also emphasized four major features of theory of instruction in effective teaching.

- Predisposition toward learning
- Structured body of knowledge
- Sequences of material to be learnt, &
- The nature & pacing of reward & punishment.

For the purpose of preservation, transmission and advancement of knowledge we use several devices of teaching. These devices help us in the

systematic teaching. It refers to the development of a set of systematic methods for effective learning. It can be broadly divided into two categories.

- Lower devices of teaching
- Higher devices of teaching

Lower devices of teaching

Basically, the teacher controls the instructional process in it and the content is delivered to the entire class and the teacher tends to emphasize factual knowledge. For eg. *Traditional Teaching Method, Lecture with Discussion, Brainstorming, Class Discussion, Small Group Discussion, Case Studies, Role Playing, story telling, illustration, example, narration, description, explanation and Worksheets/Surveys*

Higher Devices of teaching

The purpose through higher device teaching is to develop the ability of criticism, appreciation, to respect the ideas and feelings of others, to present own view and seek clarification. The learner should be able to present his own view on a theme.

I hear and I forget.

I see and I believe.

I do and I understand. – Confucius

- **Workshop:** Workshop is defined as assembled group of ten to twenty five persons who share a common interest or problem. They meet together to improve their individual and skill of a subject through intensive study, research, practice and discussion.
- **Conference:** A conference is a meeting of individuals called together to engage in discussion with the aim of accomplishing a limited task with restricted time. The conference technique has the focus to develop analysis, synthesis and evaluation or creative abilities of the participant and to develop reasoning and critical abilities. It is a meeting of large group, organized to discuss current problems and its specifics to provide a workable situation

- **Symposium:** It is interpersonal discussion device generally used for higher classes in which all participants express their own views on any certain topic raised by the organizers. Symposium provides one –to – one opportunity to all the participants to express themselves.
- **Seminar:** Its also a very important higher device inn which learner express their own view following open discussion by the expert panel. In seminar person has to be gathered at some definite place and time to discuss.
- **Webinars:** In the category of higher devices a new term has been added by the educationist i.e webinar .A webinar is nothing new term but an online “Virtual” seminar or event that usually involves a small number of presenters delivering a presentation such as a Power Point deck or series of documents to a large dispersed audience worldwide over the web. Attendees view the contents on their computer screens and listen to the audio on their computer speakers. In some cases, participants can opt to listen to the audio portion via telephone although listening via computer tends to be the most popular option.

Definition of Webinar

According to Margone, Fernandes, (1996)

“A Webinar is a virtual seminar, given through the Internet, allowing participants throughout the world to see and hear the presenter, ask question and some times answer polls.”

In a Webinar, we can meet virtually in a conference room (from any location in the world that has Internet access) and make a presentation while we

- Share our Web Site pages with all attendees.
- Share Power Point Presentations(TM) with all attendees.
- Chat live in our own voice or by keyboard with all attendees.
- Share our desktop (show applications like Word Processor/Spreadsheet/etc.)

- Collaborate and share concepts/ ideas with white board capability.
- Save time and money on travel for Seminars.

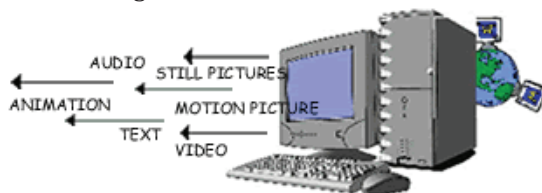
Most webinars offer interactive capabilities which allow for a two way communication between presenters and the audience allowing attendees to ask questions and interact with the presenter by using their computers and the Internet.

Concept of Webinar

The term “webinar” is a the combination of two words “web” and “seminar”, meaning a presentation, lecture, or workshop that is transmitted over the Web. Some argue that webinars might be one-way, from the speaker to the audience with limited audience interaction, so one-way broadcasts are perhaps more accurately called webcasts. Webinars themselves may be more collaborative and include polling and question & answer sessions to allow full participation between the audience and the presenter. In some cases, the presenter may speak over a standard telephone line, while pointing out information being presented onscreen, and the audience can respond over their own telephones or microphones connected to their computers, speaker phones allowing the greatest comfort and convenience. There are web conferencing technologies on the market that have incorporated the use of VoIP (voice over Internet protocol) audio technology, to allow for a completely web-based communication. Depending upon the provider, webinars may provide hidden or anonymous participant functionality, making participants unaware of other participants in the same meeting.

Interactive conferencing; For interactive “online workshops” web conferences are complemented by electronic meeting systems (EMS) which provide a range of online facilitation tools such as brainstorming and categorization, a range of voting methods or structured discussions, typically with optional anonymity. Typically, EMS does not provide core web conferencing functionality such as screen sharing or voice

conferencing though some EMS can control web conferencing sessions.



Basics of Webinar

A webinar is an online “Virtual” seminar or event that usually involves a small number of presenters delivering a presentation such as a Power Point deck or series of documents to a large dispersed audience worldwide over the web. Attendees view the contents on their computer screens and listen to the audio on their computer speakers. In some cases, participants can opt to listen to the audio portion via telephone although listening via computer tends to be the most popular option. **Bruce Newman (Dec 2011)** reported that it is much easier for people to attend a webinars when all they need to do is make a few clicks on a computer versus the high cost of travel and lost time.

History of Webinar

Real-time text chat facilities such as IRC appeared in the late 1980s. Web-based chat and instant messaging software appeared in the mid-1990s. In the late 1990s, the first true web conferencing capability became available from Starlight Networks Star Live product and dozens of other web conferencing services such as WebEx followed.

A trademark for the term “webinar” was registered in 1998 by Eric R. Korb. Web conferencing started with Plato, a small stand alone system that supports a single class of terminals connected to a central computer.

Features of Webinars

Typical features of a web conference include,

- **Slideshow presentations** - Where images are presented to the audience and mark up tools and a remote mouse pointer are used to engage the audience while the presenter discusses slide content.

- **Live video** - Where full motion webcam, digital video camera or multi-media files are pushed to the audience.
- **VoIP** - Real time audio communication through the computer via use of headphones and speakers.
- **Web tours** - Where URL s, data from forms, cookies, scripts and session data can be pushed to other participants enabling them to be pushed though web based logons, clicks, etc. This type of feature works well when demonstrating websites where users themselves can also participate.
- **Meeting Recording** - Where presentation activity is recorded on the client side or server side for later viewing and/or distribution.
- **Whiteboard with Annotation** - Allowing the presenter and/or attendees to highlight or mark items on the slide presentation. Or, simply make notes on a blank whiteboard.
- **Text chats** - For live question and answer sessions, limited to the people connected to the meeting. Text chat may be public (echoed to all participants) or private (between 2 participants).
- **Polls and surveys** - allows the presenter to conduct questions with multiple choice answers directed to the audience.
- **Screen sharing /desktop sharing / application sharing** - Where participants can view anything the presenter currently has shown on their screen. Some screen sharing applications allow for remote desktop control, allowing participants to manipulate the presenters screen, although this is not widely used.

Importance of Webinar

According to Dias (2006) Webinar is very effective for teachers because of following reasons-

- **Immersion:** Webinars are the most immersive content experience available. No other tactic offers attendees the experience of interacting with the content so thoroughly for 30-60 minutes. In addition to a variety

of interactivity options, attendees can ask the presenter questions live and participate in the conversation with peers – even more easily than in an in-person environment. The interactive nature of this content consumption makes it very memorable and impactful.

- **Real-time content delivery:** Additional related resources such as files or web links are easily provided to webinar attendees on the fly during the webinar or baked into the delivery in advance. This gives marketers the added benefit of delivering the planned content as well as offering further content to attendees in real-time to move them down the funnel more quickly. This content remains live during the recording as well, which gives future viewers the same access to the content that was delivered in real-time.
- **Behavior scoring:** Like no other content marketing tactic available, webinars allow for in-depth and real-time behavior lead scoring. The rich and interactive experience of a webinar gives marketers a wealth of information about attendees that can be wrapped into a behavior or engagement score.
- **Cost-effectiveness:** Webinars are cost-effective for both marketers and content consumers. They are less expensive than producing or attending a live event and offer a much wider reach due to their virtual nature. The recorded webinar content continues to exist for further consumption after the webinar, further increasing its cost-effectiveness.
- **Convenience:** Webinars offer a convenient way to consume content presented by a live speaker. There is no travel and the content can be enjoyed from the convenience of the office or any location via mobile devices. Webinar recordings also add to the convenience of re-watching a segment or catching up on what may have been missed.

Educational implication of webinars

- In webinar when we present our information live and interactive, the audience can question, clarify and drill down the parts that interest them most. This means teaching is deeper and accelerated in comparison to other forms of presenting content online. In addition, we create products in real-time. Any recordings we make can be repurposed and redelivered in the form of video, audio, slides and transcripts.
- In webinar Because our audience gets to hear us and interact with us, our credibility and connection to our audience builds faster and deeper than through text, or even the same content presented as pre-built video. It's the next best thing to meeting you in person, but with the advantage that webinars scale to allow us to present in front of hundreds and even thousands of people all at once without any travel involved.
- Webinars have significant value versus articles or other kinds of audience retention content.
- In webinar we get the opportunity to create a sense of event around our ideas, value and information. This attracts attention and builds traffic and positive awareness. There is both a direct attraction to something "live" and news worthy, but also the viral impact of people sharing their intention to attend, and a third party promotion opportunity.
- Most webinars are designed to last around 60-90 minutes in length and are usually scheduled to fit the work day of busy professionals. Because of their short length, webinars typically pack a lot of information into a very short period of time.
- Since webinars take place over the Internet directly on our computer, there is no need to leave the office or factor in travel time. Because of this, many professionals are using webinars as a time-efficient, cost-effective method of training and delivering knowledge to their staff.

- Many webinars offer the option to access the contents and materials again for some time after the event has ended. Because of this, participants can review the presentation multiple times, helping them revisit the materials for reference and apply the contents as needed.
- Registering for and attending Webinars is usually an easy process achieved over the Internet with a standard computer browser and requires no more skill than using the average email program. Most webinar applications are designed for ease-of-use and require very little additional downloading of software, if any.

Conclusion

Besides the fact that there are no travel costs involved with attending a Webinar, the price of attending a webinar is typically much lower than other training options. Additionally, multiple participants can train together by viewing the webinar at a single location and therefore pay for only one connection. An entire team can gather in one conference room to attend together and discuss the webinar contents without having to invest time and money travelling to and from a physical seminar location. Because of all this, pricing per person for educating by webinar tends to be much lower than many other alternatives.

Webinar is the most suitable teaching device for modern techno- savvy teachers.

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Interface of Dowry and Inheritance: Issues and Debate



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Abstract

The issue of women inheritance rights in India has been a complex one, given the multitude of inheritance schools operating within the length breadth of the country along with several regional, religious and caste variations. However, this complexity has been attempted to be put to rest by the Hindu Succession act of 1956 and its latest amendment in 2005. Theoretically women are given same rights as men to inherit the ancestral property in the capacity of a daughter as a coparcener, but these rights are hardly evoked. The reason for this outright denial of inheritance rights lies in the prevalence of dowry as a pre-mortem inheritance. This brings out the ultimate interface of dowry and inheritance as the dominant form of marriage transaction. This paper attempts to explore and analyze this interface in the form of major debates existing in the socio-political arena and explain how two modes of inheritance are contradictory to each other. The study is descriptive in nature and draws largely from secondary data. The analysis establishes prevalence of dowry as main the reason of denial of inheritance to Indian women.

Keywords: Coparcener, Inheritance, Pre-Mortem Inheritance

Introduction

The complex issue of women and their inheritance or property rights overlaps various social, political, legal, cultural and economic dimensions either singularly or jointly. Likewise, family, inheritance of property is a universal institution, therefore it finds resonance in the customs and concerns every society. To this end, all societies have developed their own ways, procedures and preferences of devolution of various interests in property. The sheer comprehensiveness and complexity of the existing numerous statutes of inheritance rights owing to the respective personal religious law, customary practices and colonially reformed legal enactments makes it difficult to understand what primarily may work for the interest of women. However, the promise of rights and equality with which Indian constitution identified since its inception, took

up the issue of reforming Hindu Law. For this purpose, the Rau Committee was set up in the 1940s. The Committee recommended enactment of a Hindu Code with provisions for stronger inheritance rights for women, more liberal divorce laws, etc. Encapsulated in the Hindu Code Bill of 1947, the provisions were widely debated in the Legislative Assembly. As finally passed, the original elements of the Hindu Code Bill were unpacked, and enacted in four separate Acts, including the Hindu Succession Act (HSA) of 1956 which dealt with inheritance (Aggarwal, 2013). But the succession laws discriminate against women when it comes to inheriting agricultural land while it has brought them on par with men when it comes to family property. The Hindu Succession Act, 1956 brought in reforms enabling Hindu women to succeed to intestate immovable property. But Section 4(2) kept agricultural

land out of the purview of the Act(Roy,2016). Therefore, the tenancy rights in agricultural land were specifically exempted from the Hindu Succession Act of 1956. As a result, there is today a major disjunction in several states between state land enactments affecting the devolution of certain categories of agricultural land and the personal laws affecting the devolution of all other property. For example, in the tenurial laws of Haryana, Himachal Pradesh, Jammu and Kashmir, Punjab, Delhi and Uttar Pradesh (all located in northwest India), the specified rules of devolution show a strong preference for agnatic succession, with a priority for agnatic males. In Delhi and Uttar Pradesh, daughters and sisters are recognized but come very low in the order of heirs. (Saxena).This Section was repealed by the 2005 amendments made to the Hindu Succession Act. Repealing section 4(2) of the HSA should have led to changes in laws relating to equal rights in succession to agricultural land, at least for Hindu women. The presumption is that now Hindu women at least, inherit agricultural land in the same manner in which they inherit other property, equally with their brothers.

While legally, in the matter of inheritance rights, women stand at par with men, nevertheless inheritance is not the favored mode of devolution of property in India. The custom of Dowry and its dominant prevalence negates the rights endowed by the Hindu Succession act. Dowry, the term, concept and phenomenon has been and still is, the focus of various sociological and economic studies in India. Dowry is a significant institution of Indian society, though its origin, earlier forms and practice is debatable, thereby occupying much space in sociological literature as to what it means, what it constitutes and who practices it and why. As per the Literal meaning, Dowry or Dahej is the payment in cash or/and kind by the bride's family to the bridegroom's family along with the giving away of the bride (called Kanyadaan) in Indian marriage. Under the Hindu law of the Mitakshara system, a female was not entitled to a share in parental wealth, while a male was entitled to a share of the family wealth at birth. The practice of giving a daughter

a handsome dowry appears to have compensated for this restriction. As a matter of fact, while inheritance rights have been legally accorded to women through Hindu succession act, 1956 (as amended in 2005), Dowry stands prohibited by law owing to its consumerist undertones and effect on women's wellbeing whereby in 1980s many succumbed to dowry deaths and violence associated to dowry demands by in-laws.

To this end, Indian society reflect an interesting case of two contradictory modes of devolution of property, i. e inheritance on one hand and dowry on the other. It is tussle between a cultural right and legal wrong in case of dowry and legal right and a cultural wrong in case of inheritance. Wedged between these two, Indian women often fail to benefit from either of them.

Objectives of the study

In the light of above arguments, this paper attempts to explore and analyze this interface in the form of major debates existing in the sociological literature and explain how two modes of inheritance are contradictory to each other. It also covers the reasons for Dowry prevalence, its consequences and its extent and treatment of dowry as pre mortem inheritance.

Methodology

For the purpose of present study, only secondary sources of data have been used. Books, Journal Articles, Newspaper Editorials etc. has been the main source of data collection. A thorough analysis of secondary data lead to the identifications of important issues and debates surrounding the question of women inheritance in India. Therefore, the study is descriptive and analytical in nature.

Analysis and Discussion

In India, the initiation of a marriage is accompanied by some transfer of goods or services. Marriage transactions are often explained as arrangements made between the groom and the parents of the bride; involving a transfer of funds and services(Schelgal and Eloul, 1988). Such an interaction between wife-givers

and wife-takers also ascertain the status of groups vis-a-vis each other and rights of the women who act as the vehicles of transfer. Primarily before the legal sanction of inheritance rights through various laws, Bride-price and Dowry existed as two cultural institutions of marriage transfers. Dowry is seen as the significant form of marriage payments in north India, while bride price is assumed to be characteristic of south India. Agarwal (2014) laments the dearth of in-depth studies on the subject of bride price in north India, whereby much of the research is allocated towards understanding the shift from bride price to dowry among the erstwhile bride price paying communities. Generally Bride Wealth, also known as Bride Price, is an amount of money or property or wealth paid by the groom or his family to the parents of a bride in the lieu of marriage. In comparison with dowry, which is paid to the groom, by the bride's parents at the time of marriage, Bride-price constitutes the exact opposite direction of transfer of funds. Thus both the Bride-price and dowry have the character of an exchange as these involve the receipt of presents, in cash or kind, by the bride's family to groom's family or vice versa. Bride price has often been explained in market terms, as payment made in exchange for the bride's family's loss of her labor and fertility within her kin group. The agreed bride price is generally intended to reflect the perceived value of the girl or young woman. Payments from bridegroom or his kin for the use of bride have been called 'indirect dowry' by Goody. Tambiah refers to such gifts by phrases such as 'the analogue of bride price which is transformed into dowry'.

The shift from Bride-price to Dowry

With the change in the time there has been an increasing shift from Bride-price to Dowry as a preferred form of transaction. Moreover, dowry has permeated to those societies as well, where it does not exist at all. Since Independence there has been a sharp increase in the emulation of the higher castes by the lower. Socially, such emulation was facilitated by the process of Sanskritisation whereby with increased access

to education, and jobs in the organized sector, and the decreasing dominance of higher castes, lower castes renounced Bride-price and followed Dowry. Srinivas (1984) identifies dowry as a problem to the extent of declaring it as a "suttee" of the twentieth century, which created an unconscionable burden on bride's kin group and results into induced "status asymmetry" between wife givers and wife takers. He asserts that this change from bride wealth to dowry is an attempt to improve the social status of a family or a group as it is associated with the higher social groups. He holds that modern dowry is entirely the product of the forces let loose by the British rule such as monetization, education and introduction of organized sector. He asserts that modern dowry neither conforms to the ancient respected customs of *dakshina* or *stridhana*, which are associated merely to legitimize the "compulsive" nature of present dowry system. Even Sheel (1997) situate the social custom of dowry within the larger paradigm of colonial states project of restructuring the socio-economic order of India, whereby the codification of personal laws of Hindus and Muslims lead to the reinforcement, imposition and expansion of dowry in resonance with the recognition and institutionalization of the *Brahma* form of marriage. This marriage was intricately linked to dowry was practiced by upper caste Hindus, involved *kanayadan* (gift of the virgin) accompanied by several other gifts and protestations and was gradually emulated by almost all social groups and castes.

Economically the shift is also a consequence of the withdrawal of the women from the production activities and of the loss of their production skills. To locate this change, Rajaraman (1983) contends that all over the country entire endogamous groups have switched from a bride price to a dowry system. She reasoned that this shift happened because 'dowry' emerged as an organized sector phenomenon whereby employment in organized sector and acquisition of appropriate skills made some 'males' more suitable for marriage. As they were more desirable

in marriage market than those involved in unorganized sector, the consequent competition for them, resulted in dowry where none existed before. Moreover, the spread of dowry among the poorer section of society happened due to decline in female labour force participation. The decline is attributed to recent rise in agricultural productivity and the prosperity thus followed reduced the need of female labour on farm. Pursuing a strict economic analysis, she equates dowry and bride price as equivalent to women's economic worth, where in dowry works as 'negative bride price' because dowry works to compensate 'in part or in full life time subsistence of woman. Sambrani and Sambrani (1983) rejects the wholesale massive transition of bride price to dowry as a form of marriage payment, but provide an account of possible situations where analysis of Rajaraman may apply. Practice of bride price among the tribal communities of Himalayan or Konkan region testimonies Rajaraman's contention that as long as women's contribution to income generation exceeds the cost of their upkeep bride price would be justified. Even in rural India, a direct and immediate consequence of increasing income of the household is withdrawal of its women and children from wage-paid employment. Therefore, practice of either dowry or bride price is contingent on female's participation in wage labor or in other words economic contribution of female in a household.

However, these economic explanations are flawed in the wake of women's contribution to the overall welfare of the home when she may not be gainfully employed. Horrendous manifestation of dowry in the form of bride burning is also obscured where in dowry has assumed the character of groom price i.e. virtual auction of eligible men to the highest bidders. Therefore, a simplistic capitalist cost benefit calculations of bride price and dowry as adopted by Rajaraman which fall short of explaining the social consequences of practicing dowry and bride price. Even Mies (1986) rejects Rajaraman's economic analysis for the lack of sociological consideration regarding

the different historical and cultural roots of the origin of dowry and bride price while treating these as an economic equivalent of women's worth. Mies asserts dowry to be characteristic of asymmetrical, non-reciprocal and hypergamous relationships in Indian society which Rajaraman ignores. In contrast Mies forwards a change in man to woman's relationship besides different valuation of women's contribution in order to tackle the violent character of dowry in India. Likewise, Randeria and Visaria (1984) critiqued Rajaraman's contestation of massive switch from bride price to dowry and the significant decline in female participation in the labor force and the causal relationship between the two. Citing evidence from their Gujarat, they indicate how caste specific analysis reveal that dowry and bride price coexist in situation specific circumstances. Institutional and ideological frameworks devalue women, as in both bride price and dowry are paid in patrilineal system of descent and patrilocal system of residence. Pitfalls of a strict economic analysis are often overlooked in the wake of assumed and generalized theorization between increasing dowries and decline of female economic contribution to household as conclusive of lowering the status of women. Societies where bride price is paid are not the one, where the status of women is high. Further what about those women who still must pay dowries in marriage even after high salaried jobs. These concerns underline the need to deflect understanding towards the sociological explanation to reason the dominant prevalence of dowry. To this end, where "girl child" is construed as an economic calamity in north India, Agarwal (2014) disclose that Bedia's welcome girls and not the boys, for inducting daughters into prostitution; a time honor tradition for the community. Women acquire status, high economic dividends and higher degree of financial autonomy out of this practice while community as whole earns revenue. Ironically even the marriage payments among the Bedia community from north India does not neatly fit into the prevailing assumptions regarding transitions from bride price to dowry.

Increasing prevalence of Dowry

In contrast to most dowry-oriented societies in which payments have declined with modernization, the ever-increasing phenomenon of dowry in India and its monstrous consumerist undertones have shifted the debate to locate reasons for its continuous escalation. The sociological literature offer two main explanations for the increase in rising real dowry payments, one based on demographic shifts and the second, based on social status. The demographic explanations forwarded by Rao (1993) shows the real dowry increased 15 percent annually between 1921 and 1981 in India. Basing his study on south central India, he proposes that population growth and the consequent "marriage squeeze" resulted in larger younger cohorts and hence surplus of women in marriage market, has played a significant role in the rise of dowries. In India due to population growth, there is excess of supply of potential brides in the marriage market, along with relatively short supply, a corresponding increase in the price of husbands is a part of marriage markets equilibration process. These findings were reiterated by Bhat and Halli (1999) sex ratio of the population played an important role in shaping the marriage systems of north and south India. Past declines in mortality owing to female infanticide created a huge deficit of eligible men in the marriage market and the resultant competition for mates owing to hypergamy lead to the coercive character of the dowry system. But with decline in fertility level, this marriage squeeze will turn favorable to women to the disadvantage of men who will confront shortage of brides.

But these demographic explanations had their pitfalls and turn attention towards the corresponding "social evils" in form of 'dowry deaths' or 'burning brides'. The political outcry against such an escalation of dowry and its consumerist elements, culminated in legislative and regulatory initiatives in the sense of Dowry Prohibition Act in 1961 which outlawed the practice. Marking the perils of daughterhood in India, Stein (1988) equated the present problem

of dowry death or burning brides, with sati as a mark of high caste Hindu status that has spread down and across the social system. She points out that a common ground between ancient practice of dowry and modern bride burning is the unacceptability of unmarried adult women. Thus, while sati was the way to dispose of the widow, who given the prohibition on widow remarriage, was an uncontrolled threat to society, the marriage of a daughter was prerequisite duty of parents to ward off shame and dishonor, even in the wake of danger of dowry harassment. Teays (1991) opines that dowry is a problem of caste/class structure, religion and custom, greed and disregard for human life which provide strength and legitimacy to the practice. Using published accounts of bride-burning incidents, Stone and James (1995) examined the problem in terms of recent changes in women's roles and sources of power. Dowry serves to maintain class system by promoting status through hypergamy of status seeking families, where women suffer considerable harassment owing to their role as bringer of dowry. Besides traditional lack of female control over family property and marriage arrangements, the problem may be further compounded by a new loss of female power exercised through fertility. A woman's fertility underlined 'great transition' in her status and identity, which worked as a safety valve for women in past. But with diminishing value placed on fertility in the wake of urbanization, high economic cost of children and decline in desired number of children in families, eventually lead to the erosion of privileges enjoyed by women on the pretext of reproduction.

Based on social status, Anderson (2003, 2007) employs the hypergamy model, where modernization and caste inheritance rules interact to generate an increase in the relative value of high caste grooms and dowry inflation in India. Thus increased wealth dispersion leads to an increase in the dispersion of grooms market values (i.e. wealth) which results in increasing the spread of dowry and their concomitant rates as well. Therefore, the caste based societies like

India, exhibiting substantial socio-economic differentiation and class stratification, behave differently to the forces of modernization by increasing the spread and inflation of dowries as corollary of increase of income heterogeneity by caste. By the same token, Dalmia and Lawrence (2005) opine that marriages in India are largely an alliance between two families, adjoined by dowry payments from bride's household to the groom's household, the value of which depends upon the traits of bride, the groom and their respective households. In this sense, dowry functions to 'equalize' the value of marriage services exchanged by the households of the bride and groom by simply being the price of a 'good match' in the marriage market.

Srinivasan and Lee (2004) establish that the attitude of women towards Dowry has made it the important phenomenon of the Indian mate selection system despite of its horrendous consequences: bride burning, economic devastation of girl's family and constant harassment. They opined that Indian dowry system should not be viewed as a traditional practice which will wane away with social change rather as an important component of marriage system which is changing as per rising consumerism and tangible benefits of materialistic culture. To this end dowry becomes the part of market economy and is seen as a vehicle to obtain wealth quickly.

The link between Dowry and Inheritance

Dowry, in India, acts as a social mode of transferring the rights of inheritance to a daughter, and largely consists of movable property. Land rarely formed the part of Dowry because it is viewed as a pre-mortem inheritance of a female progeny (after which the daughters generally have no rights to the parental estate), that helps prevent break-up of the family property and at the same time provides her with some kind of social and economic security.

On account of dowry taken as a substitute for inheritance, several studies attempt to establish the link between dowry and inheritance. In this endeavor Botticini and Siow (2003) summarize

a strong linkage between women's rights to inherit property and the receipt of dowry. They argue that dowry represents inter-generational transfer of wealth from parents to daughters who receive inheritance in the form of a dowry at the time of marriage while sons receive bequest. To them, this arrangement solves a free-riding problem in patrilocal societies where daughters leave parents' house and joins the husbands household while married sons remain with parents. By giving married daughter a share in parent's bequest would restrict the son's ability to use bequest to its full potential. Therefore, in the larger scheme of things, daughters received inheritance in form of dowry as evident in ancient Greece, Israel, thirteenth century Byzantine law and some parts of medieval Western Europe, whereby daughters could lay no claim on future bequest after receiving dowries. Though Sharma (1984) accepts that in India dowry is treated as a pre-mortem inheritance, however dowry and inheritance are not synonymous to each other as institution as well as the benefits or costs they accrue. Dowry has been taken as women's property given to her at time of marriage, but she argues how the inflation of dowry in modern times, has led to a situation in which brides are more controlled by dowry rather than being controllers of dowry. To this end, changes in the women's life cycle determines her access to property. While a bride has little control over their dowry, whereas older women are important players in the negotiations of dowry; either as givers of dowry (mother of the bride) or as receivers of dowry (mother-in-law). Carrol (1991) argues that given the exclusion of daughters from inheritance, dowry represent the daughter's major right in the property of her own family, therefore the attempts to abolish dowry is to negate women their share. She critiques the Hindu Succession Act which provides that daughters can be disinherited by will, therefore, the act in reality did not give vast majority of Indian women anything. In similar vein, Basu(2005) highlights the women's marginality in inheritance laws and draws attention towards the boycott of dowry and ask

for delving deeper into the issue of relationship of dowry with subordination of women. Therefore, contemporary phenomenon of dowry marks a profound space of gender-based dependence, meaning thereby multiple forms of violence and vulnerabilities for women. However, Agarwal (2002) rejects dowry as a right as is the case with inheritance as it does not increase the bargaining power of women. She asserts that dowry should not be treated or accepted as a substitute for women's effective right in inheritance, even in the interim. To her, dowry is rooted in the unequal relationship between men and women and command over property through inheritance is the most important factor in subjugation of women. Agarwal highlights how in North-Western India, the custom of patrilocality and village exogamy render women property less in comparison to brothers who have automatic access to ancestral land.

Debate: choosing between Dowry or Inheritance

A 1989 debate in Economics and Political Weekly over the issue of dowry and inheritance, is worth mentioning where the split between Madhu Kishwar and J.P. Jain on one side while C.S. Lakshmi, Rajni Parliwala, Veena R. Poonacha and Usha R. Lalwani on the other, brought to the fore the problems vexed in these two parallel existing systems of devolution in Indian society. Kishwar opined dowry is no equal to inheritance, as neither women have any control over it, nor it is equivalent to the share given to son in property. Largely movable goods constituting dowry are perishable in nature and do not generate income, therefore can't be termed as permanent assets to women. Dowry is practiced despite legislation and so are its heinous consequences, owing to women's lack of inheritance rights, dowry is mistakenly viewed as some sort of inadequate compensation for women. This translates into women's accreditation to the custom and legitimizes its practice through participation in it. But for dowry to be justified as an inheritance, it must be the general form of marriage payment, and it must represent wealth that stays under

the control of the bride. Neither of these prerequisites is completely met across India. First, other forms of marriage transactions and marriages involving no monetary transfers are statistically prevalent in India. Second, in many cases, a large portion of a woman's dowry does not remain directly under her control. Moreover, dowry does not represent a fixed share of a particular divisible estate; it differs in value and timing from male inheritance. Dowry for women is linked to their marriage. Without a marriage there is no dowry and hence no inheritance for women, while inheritance for men is guaranteed. Kishwar asserts that it is actually women's lack of inheritance rights which forces them mistakenly to continue viewing dowry as some sort of inadequate compensation for the denial to them of an equal share in parental property. Women's inferior status stems from this disinherited and dependent position in our society. She is in the favour of ensuring effective inheritance rights for women as well as to ensure that women are not made mere vehicles for transfer of property. She is of the view that once inheritance rights become a reality, dowry in its present form is almost certain to disappear. She stressed the need to delink property ownership from marriage and provide women with effective rightful entitlement to property through inheritance; till this happens dowry should not be denied. This boycott of dowry ban was construed by Lakshmi as the approval of dowry as share of women in parental property and highlighted the economic devastation families have to face in arranging dowries to the extent of selling kidneys by fathers. She accuses Kishwar of confusing the separate issues like marriage, status, property and dowry as being the single issues. She contends that modern dowry is entirely different from stridhan and does not qualify to be called 'property' of women because it has nothing to do with girls right to inherit. Poonacha and Lalwani also attack Kishwar for justifying dowry as an existing alternative in the absence of property rights of women. Dowry underlines the ideological devaluation

of women explicit in culture of violence against women in the form of dowry deaths and female foeticide through amniocentesis. Jain critique Lakshmi for misquoting and misunderstanding Kishwar's position on dowry along with her contradictory statements and over fetching economic devastation dowry brings to families. He contended that the Dowry is used as a ploy to deny the daughters a right in the property of parents and it can only be eradicated by ensuring inalienable equal property rights to the daughters.

Dowries are responsive to the value of grooms and might not be always coercive and extravagant. Likewise, Sheel, Parliwala charged Kishwar of absolving dowry as the reason for harassment and murder of young women. To them such a homicidal violence against wives is a consequence of changes in dowry practices due to social and economic changes resulting from colonial and post-colonial capitalist development. In this sense dowry in reality did not accrue much to women in material terms rather construct her as a burden on family, devalues her worth and succumb to violence. Kishwar clarifies and brave the criticism by contending that dowry in present form works against the overall interest of women, as in present social and familial structure, it is used to degrade and harass women. Boycott campaign of dowry should focus on providing equal inheritance rights to women, as dowry on societal level does not transform the economic status rather reflects it. This debate wedged between dowry and inheritance will remain entrenched in our socio-political consciousness because it juxtaposes a "cultural right" and a "legal wrong" in case of dowry to a "legal right" and a "cultural wrong" in case of inheritance rights for women in India.

Conclusion

The interface of dowry and inheritance indeed renders the issue of women inheritance complex and inter-twined with several other aspects of economics and polity. The continued escalation of demand and practice of dowry has negated the importance of inheritance rights in India. The

most pertinent question remains to be answered within the socio-political domain as to what benefits women more: dowry or inheritance and what are costs involved in such a step. It is undeniable that the co-existence of both, dowry and inheritance have poised women at the crossroads of choosing either one of them or bear the brunt conjoined with these. A cultural wrong may fail to corrected even with proper laws facilitating it (in case of inheritance), while a cultural right may still be valid and practiced despite the legislation prohibiting it (in case of dowry). The struggle for Indian women lies in this dichotomy and only time can reveal the dividends of this struggle.

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Alternative Conceptions: Issues and Concerns

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Abstract

Humans routinely construct mental models in order to make sense of the world around them (constructivism). If these constructions conflict with accepted scientific ideas they are alternative conceptions, and act as a barrier, preventing successful learning in science. A good deal of educational research has been geared towards the identification and correction of science alternative conceptions by means of conceptual change, aligned with the learning theories of Piaget, Vygotsky, and others. Attempts to replace learners' alternative conceptions with scientific ideas have met with mixed success. Science alternative conceptions are addressed using a constructivist approach by means of elicitation, teacher recognition, and then correction. Whenever possible, learners should construct science concepts using hands-on activities that allow some freedom in planning, execution and interpretation. The input of peers is of vital importance during these processes. Activities need to clearly refute alternative conceptions so triggering cognitive conflict in order that the student successfully assimilates acceptable science.

Keywords: Science, Alternative, Conception, Corrections

Introduction

Children will know some areas of science before ever having been taught them at school, and an individual's constructions are not drawn on a blank slate, but instead build on previously created structures. Since the prior ideas of students gained from both previous educational experiences and informal events are of vital consideration, in order to facilitate meaningful learning it is preferable that at the start of a topic or lesson teachers try to discover their students' current ideas that are relevant to the science concepts that are about to be introduced. Existing constructions that are at odds with accepted science can provide a shaky foundation for new concepts, and there are vast quantities of constructivist research within the science education literature, much of which deals with such incorrectly constructed scientific concepts, or alternative conceptions. Two different science alternative conceptions pertaining to the nature of

Earth's association with the sun are that the sun is a sentient god, and that during summer the Earth is nearest to the sun.

In many cases, once learners construct models that make perfect sense to them and have successfully explained a variety of phenomena, they are difficult to change or shed, particularly if constructed in early childhood, which is clearly a problem if these models reflect alternative conceptions. Many mental models are the result of everyday trial and error experimentation; for instance, deep-seated knowledge of how forces behave in the real world is thought to be constructed during informal play in the early years, and can be a source of alternative conceptions that become revealed later on when the child studies physics at school. Alternatively, students may not have met certain concepts in their everyday lives before exposure to them during a science lesson, for instance the rules governing the depiction

of food chains, and so may construct alternative conceptions during the lesson itself. Constructions can be quite sophisticated where several alternative conceptions link together in the mind of students in a sensible way which has the tendency to strengthen them because each supports the other, becoming a meaningful erroneous conceptual network. An example would be the interrelated ideas that the lungs' job is to pump air to the heart, and during exercise the heart beats faster to supply the muscles with more pumped air

It is well established that science alternative conceptions represent a barrier to learning at all levels of education. Some alternative conceptions contained within this article have been reported in published research articles over the last 25 years; some are commonly seen 'classic' alternative conceptions, others are less well known. A main aim of this article is to provide teachers with the awareness that their students are capable of creating their own ideas that are different from those that were intended, exactly what form those ideas might take, and suggested ways to change these ideas into acceptable scientific variants.

It is worth noting that literature also refers to alternative conceptions as children's science, naive conceptions, private concepts, alternative conceptions, alternative frameworks, intuitive theories, pre-conceptions, and limited or inappropriate propositional hierarchies.

Can an alternative conception be corrected?

Identification of a student's alternative conception is often the easy part for teachers, with correction being more complex and less attainable. The literature carries a multitude of constructivist-inspired attempts to transform alternative conceptions into scientifically acceptable ideas (conceptual change), which can be traced to Piaget's idea of accommodation, where new ideas conflict with existing models resulting in a change in the latter, or equilibration. More recent explanations have focused less on Piagetian stage theory and more on the nature of learners' ideas with respect to scientific phenomena. Over the last three decades research has centered largely on how students construct ideas from observations of natural phenomena, though some studies have focused on

social constructivism and constructing knowledge in a social setting.

The origins of the modern conceptual change model stem from the frequently cited 2002 paper of Cornell University's Posner, Strike, Hewson and Gertzog, who claim that learners tend only to accept new concepts if *dissatisfaction* with the current constructs exists (it does not solve a current problem). The replacement theory needs to be *intelligible* (it can be understood), *plausible* (it actually works, and is able to solve present discrepancies) and *fruitful* (it can solve future problems presented in a different context that are not resolvable using current conceptions). An important quality of conceptual change interventions is the building of new concepts giving due regard to students' prior ideas, and learning should be embedded in classroom conditions that support the process. However, many studies have found alternative conceptions to be resistant to modification, which may be due in part to them serving a useful function in explaining everyday life phenomena.

A conceptual change approach signifies that if dissatisfaction is encountered with respect to an idea that is already held, learners will restructure the idea until it fits the latest evidence. Constructivist pedagogies have provided such opportunities for *cognitive conflict* in pupils' thinking by introducing a problem situation such as experimental evidence that disagrees with pupils' conceptions to create cognitive disequilibrium. Exposure to alternative concepts helps students think more deeply about their own ideas, and they either reject, modify or hold on to those views. Also, awareness of one's own existing concept is necessary for any conceptual change.

Research shows that even if students successfully construct scientific ideas during exposure to a classroom event, they may revert back to their initial alternative conceptions either at a later time, or when a problem is presented to them differently from the way they learned it, with the alternative conception frequently persisting into adulthood. It appears that a student's alternative conception might never be truly extinguished, instead existing side-by-side with the correct scientific concept, with either of the two being recalled depending on the circumstances.

In this situation, ideas compete with each other for dominance within a learner's mind, and this has been termed *conceptual competition*.

How can we elicit, recognize and correct science alternative conceptions?

Science alternative conceptions have been and remain a significant problem at all levels of education, along with a recognition of the importance of 'catching them young' by starting to address alternative conceptions at the primary stage. The article aims to make teachers aware of the myriad of alternative ideas that their pupils may construct either before the formal introduction of science concepts in the classroom, or as a consequence of teaching. Once teachers have an awareness of the alternative conceptions that they might encounter during the delivery of a particular topic, they will be more equipped to recognize them when pupils say or write something that suggests they may hold a alternative conception. That said, instead of passively waiting for alternative conceptions to arise during the course of normal teaching it is preferable that teachers actively search by introducing specialized activities that are designed to highlight them; this is *elicitation*.

Elicitation

This section gives ways in which teachers can elicit the ideas of their pupils, so exposing misconceivers and correct conceivers alike. As well as informing teachers, elicitation will make each learner explicitly aware of what they really believe about scientific phenomena, which is fundamental to any future reconstruction.

Ask students directly about their ideas

The most straightforward way in which to find out what someone is thinking is to ask them in a direct manner face-to-face. This can sometimes reap benefits; often, however, asking students directly tends to end up in them giving you the answer they think you want to hear, and not what they really believe. More indirect methods, detailed below, may be necessary in order to provide a more valid form of assessment. Direct questions can be asked to the whole class and used in conjunction with pupils' dry pen mini-whiteboards in order to survey understanding, e.g. by means of a true/ false plenary

session. Some alternative conception entries in this book offer specific teacher questions that have been found to be useful when eliciting learners' ideas.

Self-completion exercises

These can take the form of worksheets that ask probing questions related to a science concept, written tests, computer-based quizzes etc. There is also an element with these exercises of not revealing children's true beliefs, although perhaps less so than with face-to-face encounters. If you want to elicit the ideas of all students it is best that the class complete these activities as individuals instead of as a group effort, which usually ends up eliciting just the concepts held by the dominant member(s) of each group.

Card sorts

An example of a common card sort activity in primary science is to have a collection of cards with pictures of materials, with the aim being to place them into sets of solids, liquids and gases. These non-verbal approaches have the advantage of being more accessible to learners with lower literacy skills. A traditional method is to have pupils first sort their cards into the groups that they think are correct, then swap seats with other pupils so that different arrangements can be examined. The teacher can walk around the room and readily see any alternative conceptions held by individuals or the class as a whole.

Students' drawings

Asking children to draw a picture, for instance, of 'different animals' can give the teacher an indication of any restrictive sets or incorrect categorization. In this particular case if a child has drawn only furry four-legged animals you could ask them why they have not drawn animals such as a fish or an earthworm. Reading a story can be used as an orientation towards a science concept that the teacher would like to elicit, with learners being asked to draw pictures afterwards that offer personal visualizations of certain events in the story. Researchers have used students' own diagrams as a basis for asking questions in order to explore their ideas in intricate detail.

Concept maps

These are usually a helpful way in which to elicit alternative conceptions as well as acting as a revision

exercise to assess understanding after the delivery of a topic. There are several concept mapping techniques, with perhaps the most basic being the variant where the teacher provides all the words that will be used on a printed sheet. Working in pairs, students are given a list of key words that relate to a topic to cut out. Students then arrange the words onto a sheet of sugar paper and associated words are glued down and linked with a drawn pencil line. Each line must be accompanied by a written comment explaining why the words are connected.

Concept cartoons

Scientific ideas are presented in pictorial scenes where cartoon characters express different views about an illustrated situation. Students then decide which character is correct, or offer their own explanation, so eliciting any alternative conceptions.

Using toys

It is often the case that a more valid indicator of what a person is thinking/feeling is reflected in how they behave and not what they tell you, this premise forming the basis of the study of body language. When children play with toys they become relaxed and absorbed in the moment, entering into a different world and dropping their guard, allowing an informed observer the chance to glean valuable information about their scientific beliefs.

Using scientific apparatus

Observing the behaviour of pupils can be extended from playing with toys to more formal exercises involving scientific apparatus that require them to perform a systematic experiment. An example would be a boy who believes all metals are magnetic trying to attract an aluminium drinks can (which is non-magnetic). When the can fails to stick to his magnet, he frantically searches for other magnets to try because he believes his must be broken

Role play

It is sometimes easier for children to express their true thoughts and feelings when they are pretending to be someone/something else. Research into self-expression by students through hand puppets has suggested that this could be a useful way forward, with the teacher asking the puppet (and not the

student) direct questions relating to scientific concepts, within an appropriate imaginary setting.

Word association games

Researchers have revealed learners' alternative conceptions by describing a context and then asking the child to say out loud the first situation which immediately comes to mind. An example would be 'the Earth in space at summer time', followed by a child's response 'the Earth is very near to the sun'. Spontaneous responses are thought to be linked with what a person strongly believes, as with Freudian slips of the tongue, being governed by unconscious processes the person is unaware of and so has no control over.

Listening to pupils talking

Eaves dropping on what children say to one another during group work or when engaged with their talking partners on the carpet can be used as a valuable gauge of their ideas.

Recognition

It is intended that knowledge of alternative conception act as prompts for teachers during elicitation exercises so that they are able to recognize any alternative conceptions displayed by students if they arise. The rationale is that reading about them beforehand primes the teacher to be ready for them should they appear in class. If teachers are unaware of the variety of alternative conceptions that are associated with a particular topic or concept, they might overlook them, especially if the alternative conception is closely aligned with the scientific concept, i.e. is nearly right, but not quite.

Correction

Once alternative conceptions have been elicited and recognized, the next step is correction. A vital starting point for alternative conception correction is the linking of any intervention with the prior knowledge of the learners.

Another fundamental assumption is that people often learn best when they are performing a hands-on task; in the case of science learning this would be taking part in an experiment. Students in primary (and secondary) schools are taught to act like 'little scientists', planning experiments, observing phenomena, recording and

interpreting results, drawing conclusions and finally evaluating the whole process by reflecting on what they did. Students are allowed a certain amount of freedom to plan and perform practical activities. Students may predict that a heavy object will fall faster than a light object, though when two different sized glass marbles are dropped they are both seen to land at the same time. Thus, their prediction has been shown to be false, which triggers cognitive conflict and ideally ends up with the pupil rejecting their original view and assimilating the scientific concept (**mass** has no effect on the speed of freefall) in its place; we say that the alternative conception has been *refuted*. A more involved approach is to give pupils a number of different outcomes or hypothesis and ask them to carry out tests in order to ascertain which one is correct.

In a constructivist classroom, predictions and results are openly expressed and interpretations debated; this is closer to how scientists actually work, since theories are suppositions that have been collectively agreed upon by a community of experts as being a 'best guess'. School science in general should be viewed as a shared activity where the assistance and input of peers is of vital importance. Some effective pedagogies regarding correction are as follows:

Some common alternative conceptions in science

1. What is a material?

Scientific conception: The pupil is using the word *material* in its everyday sense, e.g. bricks are building material, fabrics are clothing material, and stationery is writing material. Other familiar non-scientific meanings include information (research material), and something solid, worldly and corporeal. This pupil might classify anything outside these categories as being a non-material.

In science a material is something that is made from matter, i.e. from atoms, molecules or **ions**. Gases are included within this category, though pupils often do not consider them to be materials due to overlap with the everyday 'solid' meaning considered above. Non-material entities are those not consisting of matter, e.g. energy.

The term *raw materials*, meaning the starting substances for an industrial process, may also act as a

source of confusion, even though all raw materials are *materials* in the scientific sense.

Correction: This alternative conception may crop up when the term 'material' is first introduced to pupils in primary science. During this and other primary science topics that pupils experience, the word 'material' would be used extensively by the teacher in many classroom contexts, including activities that involve liquids and gases. It would be hoped therefore that pupils implicitly construct a scientifically all-encompassing understanding of the word and understand that this is different from any everyday meaning that they know. This process can be facilitated during classification exercises, such as the placing of objects into exclusive solid, liquid and gas sets, by repeatedly referring to all of the objects as materials.

2. When something burns why does it disappear?

Scientific conception: When a piece of wood burns, flames appear to eat away at the wood which turns into something different that is much smaller, i.e. ash. Some pupils are unable to explain why this size reduction takes place, and are at a loss when asked what has happened to the original wood. They may think that through the action of burning the flames convert some of the wood into ash, with the rest of the wood being completely destroyed, no longer existing in any form. Others might conclude that the missing wood becomes smoke, which is nearer to the truth, although when pressed they insist the smoke then 'disappears into the air', likewise ceasing to exist.

As with any chemical change, during combustion the mass of materials is always conserved. That is to say, if you weigh what you start with and what you end up with, these values will be identical because matter can be neither lost nor created. The particles that make up wood and oxygen have been rearranged during combustion to make new materials, carbon dioxide and water.

carbon dioxide + water

Simple word equation for the complete combustion of wood

If a piece of wood is observed whilst burning it might appear that there is a quite obvious disappearance

of mass as the wood shrinks and turns to ash. But since combustion produces carbon dioxide gas and water (as **steam**), these gaseous products invisibly rise up in **heat** currents and spread out into the surrounding air they have not ceased to exist, they are merely difficult to detect. To complicate matters slightly, often not all of the wood burns completely and so other products are usually made such as gaseous carbon monoxide and solid carbon. Some of this carbon is lost as smoke (soot) and the rest becomes part of ash, which also includes minerals in the wood that are incombustible. If burning takes place within a sealed container then all of these products of combustion cannot escape; if the container and its contents are weighed before and after combustion, there will be no reduction in mass.

A related alternative conception is that during combustion the wood disappears because it turns into heat energy.

What happens when A Candle Burns?

Correction: While burning a candle on a tabletop, ask students *why does the candle become smaller? What has happened to all of the wax?* This will help elicit some of the alternative conceptions discussed above. Then, place a candle into a sealable transparent container such as a large gas jar. Weigh the candle plus container. Light the candle, being sure to quickly seal the top and leave it to burn until it extinguishes itself this will take less than half a minute with a large jar. Keeping the jar sealed, reweigh the contents, explaining that although it might be surprising that the weight has not changed, this conservation of mass occurs because the gases produced by burning have been trapped within the jar. These products normally drift away from the flame and escape into the surrounding air. Conclude by saying that burning does not destroy the wax which then ceases to exist, it merely changes it into something else, mostly carbon dioxide and water.

Although some students may predict a loss of mass within the closed container, others might believe the burning will result in an increase in mass, possibly because the smoke being produced is thought to add its mass to the final value. Like the main alternative conception, this type of thinking belies the error of failing to conserve mass during a chemical change.

3. Are some acids 'safe'?

Scientific conception: The word *acid* frequently conjures up associations with danger, burning, and science laboratories. Although lab acids such as hydrochloric, sulphuric or nitric are rarely utilized during science teaching at the primary level, and so the term *acid* may never be formally referred to by teachers, older pupils would still be familiar with the word and its associated descriptors. Acids are not only found in the science lab, many have a use around the home; in fact quite a few acids are common foodstuffs so are not corrosive or otherwise harmful.

Correction: Pupils need to be aware that many familiar, everyday substances are acids. Some are capable of causing harm (e.g. car **battery** acid, drain cleaner) while others are safe (citric acid in lemon juice, tannic acid in tea). These examples serve to show that acids are not restricted to the science laboratory and are not all dangerous. Having physical examples on show in the classroom would help during these discussions.

A familiar pedagogical demonstration tool in the primary classroom is the mixing of vinegar with bicarbonate of soda, which produces profuse fizzing. This chemical reaction is used to illustrate different phenomena, from the behaviour of gases to making a model volcano as part of a geography project. In contexts such as these, teachers can take the opportunity to introduce the fact that scientists call vinegar *ethanoic acid*, and that this is an example of an everyday, safe acid.

4. What is rust made of?

Scientific conception: Students may be aware that iron or steel objects left outdoors during periods of wet weather can develop rust. A familiar example would be the rusty chain on a little-used bicycle that has been left uncovered. This association of rusting with wet conditions is sometimes merged with the understanding that organic materials can decay when left in damp areas; examples include the underside of a log, the mouldy contents of a bin, and a rotten wooden fence that has not been sufficiently damp-proofed. In these instances the materials decay due to the action of living organisms such as fungi (mould), bacteria and insects, and pupils sometimes incorrectly

attribute these same living causes to the seemingly similar case of rusting metal.

When iron or steel is exposed to prolonged moist conditions it takes part in a chemical change. The iron combines with oxygen from the air and/or in the water to become brown/orange iron oxide, what we commonly call 'rust'. This is wholly a chemical change and does not require the action of any living organisms such as fungi or bacteria.

A related alternative conception is that rust is simply an impurity from within the metal that works its way to the surface over time. Another common misunderstanding is the idea that when iron becomes rusty it also becomes lower in mass because it is flakier, weaker and more insubstantial. In fact, rusted iron has a greater mass than thenon-rusted iron because rusting involves capture of the oxygen atoms from the air, which add their own mass to the system

Correction: The physical appearances of rusty iron and decayed organic matter can be very similar, acting as source of the alternative conception. Also, young children realize that both rusting and decay are 'bad' or unwanted outcomes, for instance through exposure to curricula focusing on healthy lifestyles that deal with ways to avoid food becoming rotten. This association may further enhance the possibility that children attribute both rusting and organic decay to the same living causative agents, e.g. fungi.

Conclusion

It is difficult at the primary level to adequately explain the difference between decay and rusting without using concepts rooted in secondary science, such as the nature of oxidation reactions. It would be necessary to correct the alternative conception on a simple level by stating that rusting is a purely chemical change unlike organic decay, which requires the presence of living organisms such as bacteria or fungi. One way to underline this difference is to demonstrate that rusting will still take place at low temperatures inside a fridge, while the decay of many foodstuffs is slowed to a large extent because the growth of microbes is inhibited. This can be done by placing an iron nail in a jar of tap water with the lid screwed on in the fridge for a couple of weeks. The discussion of rusting alongside other chemical changes such as combustion will also facilitate its correct categorization.

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Personalization of Indian politics: Impact of Political Identity, Social Media and Participation



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Abstract

The idea of personalization of politics in India has been researched well, where the person as an individual turns out to be more significant to the electorate than the ideology of the party or the associated standards or policies of party. Since long the perception of Personalization has dependably existed in legislative issues and politics. However, what is more important in today's politics is the intervention of social media and how the media is becoming responsible for this personalized politics. Instead of the regular polices from election commission, the applicant directly connects interface with the electorate through the social medial and networking channels. Previously the electorate was not satisfied with unidirectional contact of candidature through conventional media (television, paper) that did not enable them to make inquiries or to share their own outlook. But now the online internet based life permitted this cooperation, and along these lines the political candidates utilized this accessible mainstream space for self-promotion. The current research article takes a look at the way by which online internet based life has influenced the trend of personalization by examining the 2014 general elections in India. The information was gathered through, semi-organized individual meetings with political leaders and their online networking system group, and elections in 2014. The outcomes demonstrate with the advancement of social media in Indian general elections, political leaders utilized online medium such as, Twitter, face book, and instagram effectively towards 'Personalization' in the political campaign. Of rural and urban population in India who use social media was moderately little. However, this gathering of voters had critical impact over the beliefs of the individuals who were not on the web, just by the intensity of communication and network. The after effects of this investigation will expand the comprehension of the impact of online networking in politics, and furthermore help new researches in understanding social media as channel and the systems that can be utilized particularly by people and associations to achieve their intended interest group.

Keywords: Personalization, Politics, Social Media, Conventional Media, Elections

Introduction

In recent decades personalization is a growing trend in countries with democratic politics. In contrast with the political party, individual leaders are developing huge following rather than the party they are allied with. Increased social media focus around political candidates and pioneers is viewed as a key sign of this political personalization. The word personalization has

diverse usage as per some specific situations. for example in marketing, personalization is focused advertising where items are advertised through altered promotion based on the demography and is customized based on the data accessible for example the preferences of the consumer group like male, female, children, and youth etc.

Similarly, in Indian political context, personalization implies symbolizing or speaking

to a quality or thought or, a political party, as an individual. On the contrary, the leader becomes the crowd puller, with whom people can relate themselves at an individual level. Like advertising, personalization in legislative issues is linked with pulling the voters by displaying a political candidate, which suits their taste, with the point of expanding number of votes. Usually voters support government officials who coordinate their very own identity qualities, which implies, the voters need to have the capacity to connect themselves with their leaders. As per Bennett (2012) voters choose candidates who fit into their set of thoughts and needs and lifestyle. It is critical for a person to discover a candidature who fits his/her qualities. This is synonymous with the fundamental thought, set out in late 1930s, that casting a vote was like customer choices and was immediate impression of voter's life conditions. The voter's requirement for relationship with their leader is reflected in casting vote behavior, which gives personalization an imperative vital space in election campaign. Personalization takes a critical position in elections, a few methodologies and mediums are taken for its application in political campaign. Personalization can be influenced by many distinct features like, celebritytization Privatization and individualization.

Role and influence of political leaders in Indian politics

The Indian political system is based on the Westminster model of parliament with the essential features of democratic majority rule. Criticizing the adoption of Westminster model the then prime minister Nehru (1986) identified Indian constitution, an "amended version of the 1935 Government of India Act" and a result of the conditioned minds of the then leaders who believed that "whatever British was best". However, more recent researchers have questioned whether Indian political system is essentially based on the Westminster model. Lijphart (1996), deciphers it as even more a "consociation or control sharing system of legislative issues" (a political framework shaped

by the collaboration of various, particularly hostile, social groups based on shared power), which privileges the likelihood of democratic survival in heterogeneous society like India. Some argue that Indian political system deciphers neither "confounding logical inconsistency" or the Westminster majoritarian democracy model or Lijphart's Consociational framework. Rather, they contend that what appears as consensual model of legislation is actually the "political conduct of individual political leaders who through interactions and compromises accomplish expansive accord and furthermore; it is their ability to adjust ceaselessly to evolving circumstances" that has kept democracy in India working since freedom.

Other factors include the "trust and faith" among the members towards the leader and his ability to build "conflicts free and team work" as basic to work on consensual democracy. The leadership qualities referred above as fundamental to consensual democratic system were plainly clear in the initiative style of the PM Jawaharlal Nehru, in the initial two decades of democratic India and, along these lines, the authority and key political people had extraordinary significance amid that time. The principal leader of India Jawaharlal Nehru of the Congress party served for about two decades from 1947 to 1964. Amid these years, he built up a solid hold for the Congress party and his authority through formative populism, which was a crucial time to build India economically as it was left financially and socially frail after independence. Trademarks that guaranteed a more promising India included dams, science, atomic power, steel plants, equality, privilege and so forth made an enormous voter base full of hopes who couldn't locate any preferable option other than to have confidence in those promises. Through a strategy of uniting all classes in the general public and showing concern for their sorrows Congress under Nehru's initiative could build up itself as the solo prevailing party of independent democratic India. Another critical factor in furnishing Congress with a solid hold over governmental issues in India was the trust

base it had officially framed through the vital job it played in the development for freedom.

Social media and personalization in politics

Social networks like, Twitter, Facebook, YouTube and so forth are “profoundly intuitive, versatile and online platforms” where people “share, create, talk about and alter client produced content, for example, sound, video, pictures and messages. Through social networks, one individual can straightforwardly and actually associate/speak with “a huge number of other individuals” at any time. The very idea of online life correspondence is close to home and a person’s personality is at its center. Social media gives an individualized stage for casual discussions in politics.

For example during Obama campaign in 2008, social media has attained complete focal point in political messages, it went about as a benchmark in election campaign by utilizing web based life as an instrument to connect with greatest number of individuals conceivable in the politics. Personalization in politics goes further more essentially passing on political messages. Leaders, through the social communication, convey messages that give individuals knowledge into their own and private lives, in the desire for making a more grounded individual security with people more than the profession, conveying people mentally closer to them. As a result of its easy accessible and availability on different gadgets, straightforward and productive approach to associate, it is viewed as an effective device for political marketing.

Because of the consistent stream of data from different sources via social media, it can extend political information even to a moderately interested people in politics. For example, an individual utilizing Facebook or Twitter will be exposed to political information through posts and retweets of his companions or following via social media, despite the fact that he himself does not pursue any political group. However, social media can possibly increase political cooperation among its users as it permits “coincidental”, or incidental, news exposure without effectively looking for it and that it

can possibly improve governmental issues knowledge among residents. Accepting political data by means of online sources and exposure to political movements via social networking like Facebook has “constructive effect” on individuals and it improves their probability of casting vote. It is a mix of political information and picture of a competitor that induces individuals to cast a vote.

Bennett (2012) demonstrates social disintegration or decrease in the faith to formal group politics for example, social class, religion and belief systems and the improvements in communication technologies together have offered ascend to individuation and autonomy to voters to pick as per individual inclinations and qualities. The present-day platforms like Twitter give government officials “customized profiles like those of other celebrity individuals which have helped legislators transform into famous people instead of local officials”. It may be expected that because of the individual driven nature of social network platforms, personalization has turned out to be increasingly clear today because of the person-centric nature of social media platforms. The post modern campaigning styles permit more personalization of governmental issues when contrasted with traditional campaigning styles since modern style uses personally managed web stages, for example, long range informal communication destinations which increases competitor or identity focused legislative issues. The personalization of politics via web-based networking media isn’t just the move of center from party to applicants, which is the situation with conventional media. Rather, internet based life and explicitly Twitter, “is customized per definition” since its very format is individual driven as the user of a Twitter account is normally the candidature himself and the content on this accounts spins around the candidates individual, passionate and private life.

In 2014 general elections, the campaigning system of the triumphant party (Bhartiya Janta Party or BJP) spun for the most part around increasing the fame of the prime minister candidature among

the more extensive electorate. The BJP applicant's identity, mystique, insights concerning his non-political family and adolescence and his simple availability for the electorate via social media was advertised seriously all through the campaign time frame by means of tweets, Facebook posts, YouTube videos, Google hangouts etc. They even utilized 3D multi dimensional images to make the BJP Prime Minister candidate to give off an impression of being available at different political mobilizes in remote areas all over India. The BJP won by a flat out dominant part without precedent in 2014 general decision. A few intellectuals ascribed this significant credit to the role played by media in making this memorable triumph particularly, in establishing a huge fan base and a prevalent identity for Modi.

Significance of social media in political campaigning

Social media has turned out to be an outrageous trend in Indian politics. New and less expensive mobile services have made them more accessible especially the youthful demography of India, bringing about their consistent and dynamic nearness via social networking media platforms. Social media act as a quicker mode for correspondence and data sharing and permits a two-way collaboration, which suits the relatively busier life styles of age groups 35. This more youthful age groups, which is the dominant part in statistic is commonly withdrawn or unengaged in all governmental issues, news or data from some other sources. Henceforth seeing its developing prominence, political leaders and parties also have embraced social media to speak with the electorate and spread data around them. Amid the 2014 General election, media was used profoundly for political campaigning extensively. The internet based life was seen as having certain preferences over mainstream media for campaigning. Online networking was used as another technique for election campaign, which appeared to concentrate around embracing the candidate/leader and conveying them to all important focal point. In spite of the fact that a parliamentary framework in principle,

leader driven, customized governmental issues is verifiably normal in Indian political framework. Taking social media into politics has increased personalized politics because of the easy reachability, balanced and two-way communicative policy. Likewise, the likelihood to transfer individualized, leader driven messages, making an image and fan following and giving scope into the individual/private existences of government officials has made internet based life the campaigning platform of decision for lawmakers in India.

Political groups in India perceive that the idea of content (news and perspectives) creation and utilization has changed significantly over the recent couple of years. Political experts and the leaders are in the opinion that over the last couple of decades social media has a huge impact on elections, their campaigns and there was a leap growth in this phenomenon.

Amid prior elections, when media and communication were bad, the lawmakers used to have different approaches to speak with their voters at election times. By door visits, general public meetings, little social occasions and so on. However, over last decade, with the online networking use, even in the remote places in India it has been fruitful. Government officials have utilized this specific approach and think that it's simpler to achieve the voters and particularly youthful populaces are the majority percentage in nation like India.

Being available and dynamic, media is presently observed as an indispensable piece of political correspondence and election campaign. It is a basic piece of current society and goes about as a typical platform shared by the two government officials just as the electorate.

Political identity

In India, political character alludes not exclusively to an energetic obligation of people with a particular head for his personality, lifestyle or appeal also factors like the leaders religion, region, caste and creed, and sex play an essential role. India is a heterogeneous country

where administrative issues of tendency are commonly subject to religion, caste and region. In this way, in such a huge decent variety among individuals, one political leader can't fulfill the enormous requests or wants of populace. Indian governmental issues endeavor to exploit this kind of lead of individuals. For example, in a minority region or masses gathering would make a representative from minority competitor.

Political groups in India significantly center around the leader who has incorporated specialist to go about as a definite expert. Most parties in India have been rotated around one strong pioneer who increased unbelievable distinction in regional or national level governmental issues. The clarification behind it can be credited to hereditary nature of most of the political groups where the organization position remains held for people from explicit families. Their conspicuousness has been so outrageous to the points that even the criminal allegations or the defilement accusations in the courts and serving jail terms, had not decrease it.

Another primary factor in Indian legislative issues is individual's reliance on government as solo financial specialist, maker and provider for the country which made a sort of psychological reliance in the minds of people. Now and again the charm of the leader for provoking individuals for tactics such as food for less price, home appliances distribution, loan waivers etc also added to their individual popularity. To put this essentially, being in government in India is synonymous to holding authority over the state and its foundations. In addition, where so much power lies in the hands of the legislature, that control consequently gets gathered in its leader who at that point accept command over the party members decreasing any difficulties to their position. This mode of solo personalization in party leads to fragmentation and uncertainty within members especially among the members who desire to reach heights in politics. Therefore, they step forward and establish their own separate parties. Subsequently, such fundamental elements, personalization is profoundly established in Indian legislative issues.

However to support this phenomena from the very beginning in Indian politics leaders like Jawaharlal lal Nehru during the 1950s, Indira Gandhi during the 70s, Rajiv Gandhi during the 1980s, Atal Bihari Vajpayee during the 1990s and as of now, Narendra Modi have been playing the identity and personal charisma and their party success can be attributed to them. These affiliations are not just intended in national politics but also to regional level politics. For instance, Tamil Nadu had five leaders who were well known personalities in film industry before turning into politicians and transformed their film fan following into votes to support them. Film stars and famous people have been utilizing their prior popularity, support and fame as a stage to enter politics. The late chief minister of Tamil Nadu Jayalalitha Jayaram was a film actor and similarly well known as a government official.

The fame and impact of these political leaders additionally dominate the significance of the party or organization they are associated with and in all the previously mentioned cases the leaders name signifies such a massive significance that the importance of their presence without their specific name appears to be unimaginable for the party members or the electorate. The dynastic patterns in Indian politics mirror that single leaders remain the centre point of politics either because of their own appeal, identity, past ubiquity, (for example, film stars) or in view of dynastic inheritance. This trend demonstrates the presence of personalization in Indian politics as individualization, for example more attention is put on single political leader rather than his or her party.

Trends in Indian Politics

The Current generation citizens include from different spheres like educationalist, legislators, leaders from civic bodies and different specialists to pursue the news, join network associations, and, most importantly, vote. On the other hand, the more youthful ages splitting far from these standards in the present period of customized governmental issues have few clear rules to

follow in forming an open life. Some relentless opinion of youth on politics can be attributed to the way that urban experts work from older generation rather believing on new crop who practice obedient city and who naturally think they work fine and great. However, currently institutions are stressing endeavors to press devoted practices and beliefs on more youthful ages, they are not able to gain the confidence of youth citizens into politics. While more seasoned natives may mourn the issue with youth today, youngsters are moving forward in numerous regions of governmental issues and influencing it up as they come (frequently with blended outcomes). There are open inquiries regarding where and how new standards managing support will rise up either from personalization politics or legislative issues. Will standards rise up out of transforming existing establishments, from changing school civics educational module, or from grassroots achievement models? Research is expected to graph these pathways. Can these customized types of aggregate activity accomplish the dimensions of center and supportability that have commonly been required for social developments to press their requests effectively? This inquiry might be excessively wide in degree to yield simple or conclusive answers.

In India, parliamentary mode of legislative issues, hypothetically, the party ought to be the feature of the campaign. But from previous studies on elections, even in parliamentary frameworks like India, singular competitors have procured important focal point. In reality, individual political identities have progressed toward becoming piece of the party's center campaign procedure so as to pick up prevalence among the electorate. Such personalization in legislative issues is affected and quickened by outside variables, for example, media inclusion of a political leader, leader's appearances in TV discussions and all the more perceivability of the leader via web-based networking media, for example, Twitter.

Social media is a relatively new phenomenon in India. New and cheaper mobile technology

has penetrated mostly younger demography of India, resulting in their constant and active presence on social media platforms. Social media acts as a faster medium for communication and information sharing and allows a two-way interaction, which suits the comparatively busier lifestyle of the under 35 populations. This younger age group, which is the majority demographic is typically disengaged or disinterested in general politics, news or information from any other sources.

Web-based social networking is viewed as a well known medium and has expanded the scope of lawmakers, particularly among the adolescent, which was impractical prior.

Giving fascinating certainties about and from government officials claim is viewed as imperative as there is an intrinsic interest among the electorate for such data from their political leaders. There are millions whose essential source data is Facebook or Twitter. Thus, you need to provide content for all these diverse individuals utilizing the content' they need to take a look. Thus, that is the reason, diverse medium will have distinctive sort of content.

An expansion of personalized participation in liberal democracies with the more youthful ages, specifically, having reacted to current changes in novel ways portrayed by reflexivity and differing methods of getting included. They liked to express their political attitudes through the two rising personalities of 'proficient citizen' and 'regular producer'. Proficient citizens had the essential aptitude (learning, abilities, and correspondence/compromising capacity) to practice impact in world class systems rather than the activists of the past. The proficient citizens did not contradict the framework; however they investigated chances to create organizations and access to dealing forms with public authorities, legislators, premium gatherings, media and specialists from both private and intentional segment (Blast, 2005). Regular creators were propelled by their interests as opposed to obligation. While they kept themselves educated about governmental

issues, they would not like to get engaged with legislative issues or to shape/change others' characters. Their character stems generally from having the capacity to build organizations in their neighborhood networks as opposed to being worried about 'huge' governmental issues.

Conclusion

The trend of news and media content creation and utilization has clearly changed in the recent years with the advancement in social media and this has great impact on political campaigns. Obviously through social media, both the voters and the leaders have received a channel through which they can get and convey media content, see and take part in political exchanges and legitimately speak with one another. With the advancement of modern technology, availability of mobile phones with cheaper prices, easy accessibility of internet in India has increased the scope of delivering political messages. Even though, a small percentage of people are dynamic on mediums like Twitter (around 10%), this portion of the individuals is regarded pivotal as they conceivably influence more extensive area of the populace, even those disconnected. Therefore, currently social media has a huge influence on Indian democratic politics.

It was discovered that campaigning patterns via social media are not simply constrained to the online world since content from media reach to even non-internet people through informal communication (word of mouth). The people living in remote areas or rural areas, who might not have access to social media get the data through other online networking people around them. This trend can be connected with the patterns during the 1980s in India, the period when TV was introduced in the nation and numerous families did not have a Television. Amid this time, individuals went to those individuals who had a TV, and along these lines the data was passed onto the non-TV people. It may be inferred that exchanges or patterns via web-based networking media are not simply restricted to the online world. Actually, it has had the capacity to infiltrate the disconnected

domain of India fundamentally, affecting masses from all age groups and foundations. As a general rule, social media have been working as a compelling enhancing instrument for assembling mass feeling.

The customized idea of social media platforms has enabled numerous political pioneers in India to go past or potentially over their political affiliations and publication oversights. They utilize the stage to expose their own convictions, attributes and temperance's to make a greater effort than their party. Online networking has distinguished itself, all things considered, as an "empowering influence" that has given both the voice and a stage to activists and dissenters to communicate their suppositions without drawing in with or being influenced by the prevailing press. Customarily, individual government leaders have been more conspicuous than their particular party, political personalization is profoundly established here. India is an excellent case study for intriguing contextual analysis since social media entry is ceaselessly getting further and furthermore in light of the fact that the majority percentage of youthful educated populace is huge.

Theoretically, this article adds to the scholastic comprehension on all-encompassing issue of personalization in legislative issues and social media utilization in political campaign. It adds to the current information of various features of personalization, for example, individualization and privatization and how they happen in a nation with more youthful democratic populace and expanding online networking proximity. Furthermore, it indicates how political leaders utilize the social media for 'two-advance stream of data', intensification and invulnerability from prevailing press investigation towards advancing themselves.

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Drainage Analysis and Hydro-logical Implication of Kalu Watershed, Maharashtra, India



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Abstract

A morphometric evaluation of Kalu sub basin of Ahmednagar district, Maharashtra, India, was carried out to determine the drainage characteristics using GIS model technique. ASTER DEM along with toposheet of the study area was used to understand the various geomorphometrical parameters. This technique is found relevant for the extraction of river basin and its drainage networks. The extracted drainage network was classified according to Strahler's system of classification and it reveals that the terrain exhibits dendritic to sub-dendritic drainage pattern. The Kalu sub basin covers an area of 282.37 km² and was designated as fifth-order basin. The slope of basin varied from 0° to 43° and the variation is chiefly controlled by the local geology. The areas of high slope found in the study area have high run off with low infiltration and recharge capacity. Morphometrical parameters indicate the elongated shape of the basin with moderate relief. The study helped the authors identify and analyze the hydro-geological characteristics of the study area which is fast moving towards water scarce zone, for future watershed management and development programs. Hence it can be concluded that remote sensing data coupled with geoprocessing techniques prove to be a competent tool in morphometric analysis which can be used for basin management and other hydrological studies in future.

Keywords: Morphometric Analysis, Kalu Sub Basin, GIS, Geomorphometrical

Introduction

With the water exiguity augmenting worldwide, watershed developmental programs particularly in arid and semi-arid regions is the need of the hour. This requires a thorough comprehension of the hydro-topographical parameters of the region, which assists in the assessment of detailed morphometric characteristics. Morphometric study of a river basin is an important step towards understanding the characteristic of the same (Strahler, 1964). It is essential in any hydrological examination like appraisal of groundwater, watershed/basin management and ecological evaluation. GIS hydrology tools are used to obtain and analyze various geo-hydrological assessments of flow direction, accumulation, upstream and downstream, stream network,

digital elevation models etc. (Fernandez et al. 2003; Van Rompaey et al. 2001; Korkalainen et al. 2007; Yu et al. 2008; Hiaing et al. 2008; Javed et al. 2009). Geomorphological mapping exercises a crucial part in understanding the varied river processes. Precipitation, nature of land form and gradient are effective regulating factors for surface water of a basin (Mesa 2006; Machiwal et al. 2014; Blaszczyński 1997; Bishop et al. 2004 etc.).

Digital Elevation models is generally used for river morphological mapping (Walsh et al. 1997, Farr et al. 2000; Smith et al. 2003; Schwendeler et al. 2012). Morphometric analysis is extensively used to decide the drainage attributes and is thus necessary for watershed management (Pareta et al. 2011; Sreedevi et al. 2005; Sangle et al. 2014).

Of the various watershed management and development programs and surface water harvesting programs, hydrological planning and management of hard rock terrain is of absolute priority (Umrikar, 2016). Thus morpho-metrical analysis of watershed is the primary need for watershed management programs.

Study Area

Location and Extent: Kalu watershed of Mulariver basin is selected for the present study (Fig 1). It occupies north-eastern place of ParnerTahsil of Ahmednagar district, Maharashtra. It extends from 19°04' N to 19°20' N latitude and 74°21' E to 74°32' E longitudes, comprising an area of 282.37sq. km. The selected area can be located in SOI Topographic Index Numbers 47I/6, 47I/7, 47I/10, 47I/11 on 1: 50,000. Kalu watershed encompasses 17 villages of Parner Tahsil. The length of the basin (Lb) and perimeter of the selected basin is 30.01 km and 82.62 km respectively.

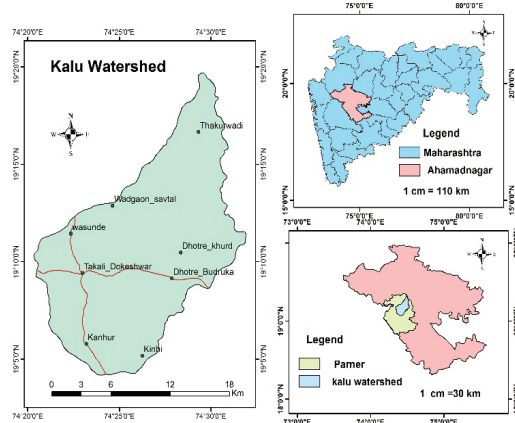


Fig. 1: Location map of Kalu Watershed

Basaltic lava flows of Deccan Trap of late Cretaceous to Palaeogene age is spread throughout the study area. Most of the study area is enveloped by the upper *Ratangirh* formation (Fig 2). The pahoehoe type of flows are dominant in this area while some areas are having Aa type flows with maximum 200 meter thickness. The rocks are massive, hard, compact fine to average grained, moderately porphyritic and dark grey in

colour. It is a plateau region with the Central part being mountainous with denudational hills (918 m msl) while the northern part forms the older flood plain of Mula basin.

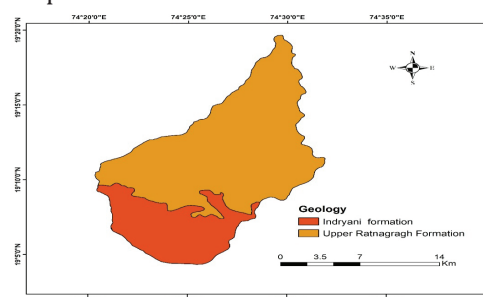


Fig. 2: Geological map of the study area

Climatically it is semi-dry, being situated in the acute drought prone and rain-shadow zone of ParnerTahsil. Precipitation is erratic and sparse ranging between 450 mm to 650 mm with temperature ranging between 12°C and 44°C. Most of the rain is received during the monsoonal months of June –September.

Decreasing levels of ground water owing to various factors leading to water scarcity is the general problem now worldwide. The problem is more severe in the area of interest of the present study which is underlain by basaltic rocks known for their lack of primary porosity. The problem is more aggravated owing to the rain shadow locale of the study area. Further, 90% of its drinking water is quenched by ground water resource. All these factors have automatically placed a huge onus on the quality and quantity of ground water and surface water management of the study area. Keeping these in view the present study evaluates the various geo-morphometrical parameters of Kalu river watershed in Maharashtra state of India. The study will provide a platform for future hydro-geological planning for Kalu river basin.

Drainage Network: Kalu stream which is a branch of Mula river forms the primary drainage system of the selected basin. It is a fifth order stream, flowing almost through the middle of the basin in a north-east direction from south-west direction.

Drainage is mainly dendritic as is evident from Fig. 3. Dendritic drainage testifies to the prevalence of streams that are more erosive in nature. This drainage pattern is obtained in the streams of greater order indicating similarity in texture homogeneity and dearth of structural regulation.

Methodology

The delineation of Kalu river watershed boundary has been carried out from Survey of India Topographical maps and ASTER DEM. ERDAS IMAGINE 14 was used for geometrical correction and georeferencing of the soft copies of the topographical sheets and digitized data to world space coordinate system. The entire geomorphometrical thematic layers were prepared and analyzed through ARC GIS 10.2 software. Certain parameters were further processed in MS Excel 2007. The regional projection of WGS 1984 UTM Zone 43 N was used to project the obtained thematic layers. The morphometric features were analysed using established mathematical equations Horton (1945) and Strahler (1964) and were divided into three categories: linear, areal and relief features of the basin. The non-spatial database was created from the resultant attributes of the various analyzed parameters of the study area.

Analysis of the Morphometric features has been done in three categories - *Linear aspect*, *Areal aspect* and *Relief aspect*. The results of morphometric study of Kalu river watershed are analyzed below.

Linear aspect

Stream Order (U): The Stream ordering methodology as advocated by Strahler (1952) is a comparatively modified version of Horton's (1945) system and is more simple, hence has been adopted in the study, where unbraided streams with the least length are termed as first order, when two first order channels converge they form a segment of second order, two second order channels converge to form a segment of third order and so on. When two streams of varying orders meet each other, then the greater

order of the two is assigned. Variation in the stream order is due to the physiographic disunity of the region under review. The study area has more 1st order streams (Fig 3), particularly in the areas with high slope and terrain indicating hard bed rock and maximum run off. These streams lack tributary and being a semi-arid region, streams flow only during the monsoon (wet) season.

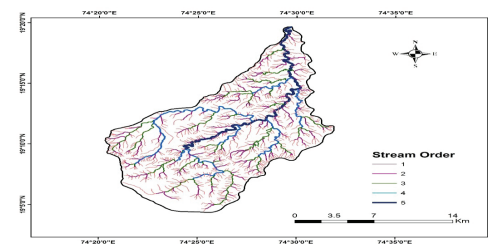


Fig. 3: Stream Order of the study area

Stream Number (Nu): Stream number is the total number of streams for a respective order of a drainage basin. High number of streams indicate lesser porosity and infiltration. It is directly related to size of the respective watershed along with channel size. According to the law of stream number as enumerated by Horton in 1932, there is an inverse relationship of stream numbers of a basin with stream orders of the given basin.

Nu in the study area (Table 1) supports the same i.e. the number of stream decreases as stream order increases in this study area (Fig. 4). Out of 1651 stream segments, 51.24% fall in 1st order, 22.04% in 2nd order, 15.62% in 3rd order, 7.45% in 4th order and 3.63% in 5th order.

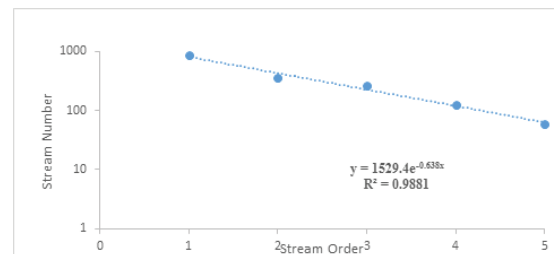


Fig. 4: Relationship of Stream Order and Number

Stream Length (Lu): One of the best hydrological parameter of a basin/watershed is Stream length,

as it helps in understanding the surface run off attribute/features. Generally steeper slopes and finer textures are characterized by comparatively shorter length streams, whereas lower slopes are characterized by longer streams. "Wherever the formation is permeable, there is a decrease in the number of streams whereas the opposite is seen in low permeability areas where relatively larger number of smaller length streams are abundant (Sethupathi *et al.* 2011). In most cases, the aggregate of stream segments is greatest in 1st order streams and abates as stream ordering increases.

Mean Stream Length (Lsm): According to Strahler (1964), this parameter is associated with the extent of drainage system along with its contributing basin surfaces. The Lsm value of Kalu river watershed area increases with increasing stream order. The Lsm value of the study area varies between 0.36 and 0.41.

Stream Length Ratio (RL): RL is the ratio of average streams length of 'n' order to the average aggregate stream length of the next order (Horton, 1932). RL of Kalu river watershed varies between 1.62 and 2.28. This variation may be ascribed to difference in slope and topography of the study area. The increasing trend also indicates late youth to early mature stage.

Bifurcation Ratio (Rb): According to Horton, 1945 this is an indicator of height of the land surface and dissection. If the value of Rb varies from one order to its consequent order, then the variation can be attributed to lithological and topographical characteristics of the drainage basin. Lower structural disturbance coupled with lower distortion of drainage pattern is signified when bifurcation ratio is low (Strahler 1964). On the other hand, complexity in landform, low permeability (Ket-Ord *et al.* 2013) and mature topography is indicated by high value of bifurcation ratio.

In Kalu river watershed minimum and maximum value of Rb is 1.41 and 2.32 respectively and mean Rb is 1.94 (Table 1).

Areal aspects

Drainage Density (D): This parameter is calculated as the total stream length per unit

area. It denotes the spacing between channels. The D has been interpreted to reflect the interaction between climate and geology (Langbein, 1947). There are a cluster of factors on which density depends which are climate, lithology, relief, infiltration capacity, flora cover and run-off index. Positive correlation exists between drainage density with surface lithology and slope. Resistant impermeable bed rock and areas with steep slope will have more drainage density. Low D indicates coarse drainage texture whereas high D indicates fine drainage texture. D is a significant factor deciding the pace of water. Drainage density values falling within the range of 0.55 to 2.09 km/km² indicates humid regions (Langbein, 1947). The D value of present study area is 2.40. Fig 5 shows the disparity of D value over the study region. D of over 3 has been mainly obtained in the western side of the study area with small pockets in the northern side. These areas have higher slopes of around >21°.

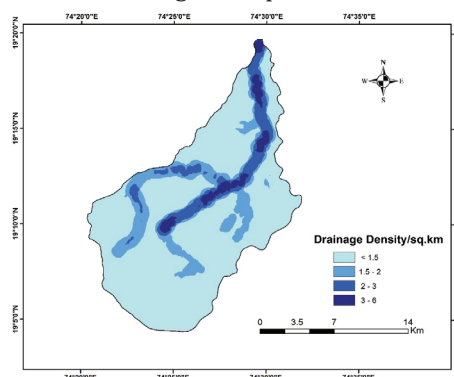


Fig 5: Drainage density of Kalu Watershed

Stream Frequency (Fs): Fs is the proportion of aggregate number of stream fragments of all orders to the watershed area (Horton, 1932). Lower Fs values implies porous surface and less relief, whereas greater values implies resistant surface, scanty vegetation and greater relief (Reddy *et al.* 2004). The Fs value is 5.84 (Table 1). Fs depends on drainage density and there is a strong positive correlation between these two parameters in the study area.

Drainage Texture (Rt): Drainage texture of a region is influenced by Infiltration capacity and

is depended on the drainage density of the region along with the basin's stream frequency (Horton, 1932). R_t is directly related to D_d and F_s of that region and is expressed as the product of them. It is generally reliant upon vegetation, geology and climate, with finer textures more prevalent in regions with scanty vegetation and arid regions (Dornkamp et al, 1971). Drainage texture has been broadly categorized into five types (Smith, 1939): very coarse (<2), coarse (2–4), moderate (4–6), fine (6–8) and very fine (>8). The R_t value of Kalu river watershed is 14.

Form Factor (Ff): Basins which are long, narrow and elongated will be lengthier and effectively their F_f will be lower. Basins having moderate value of F_f around 1 denotes circular shape (Magesh et al, 2013) while short wide basins will have lower lengths and hence largest form factors. High value of form factor denotes heavy discharge of peak flows in lesser time span, whereas elongated (extended) watershed will have flow for longer duration. The present study area has F_f value 0.314.

Circulatory Ratio (Rc): R_c is an important ratio that implies the dendritic pattern of a river basin or watershed (Miller, 1953). It is affected by the length and number of streams, geological structures, LULC, weather characteristics, relief and gradient of the basin (Chopra et al 2005). The low, moderate and greater value of R_c indicates youthful, mature and old stage respectively for the basin tributaries.

Kalu watershed has circulatory ratio of 0.041.

Elongation ratio (Re): Elongation ratio (R_e) is defined as the ratio of diameter of a circle having the same area as of the basin and maximum basin length (Schumm 1956). According to Strahler (1957), elongation ratio varies within 0.6 and 1.0 due to climatic variation and geological disparity. When elongation ratio is close to 1.0 it indicates river basins with lower elevation, however basins with higher elevation and gradient, is represented by values between 0.6 and 0.8 (Strahler 1964). Apart from being an indicator of the relief/slope of the region, the varying shapes of watershed can also be classified with

the help of the index of R_e , i.e. circular (0.9–0.10), oval (0.8–0.9), less elongated (0.7–0.8), elongated (0.5–0.7), and more elongated (< 0.5). Low R_e is also characteristic of low infiltration and high run off which is common in regions of high relief and slopes. The R_e of the study area is 0.316.

Length of Overland Flow (Lg): It is the distance covered by running water upon the surface before settling into definite stream channels. The total segment of overland flow is almost equivalent to half of reciprocal of drainage density (Horton, 1945). This factor is affected by the average gradient of the land. Low L_g values indicate high relief while higher values indicate low relief. High L_g value demonstrates comparatively longer distance of travel of rainwater before settling into stream channels (Chitra et al. 2011). On the contrary, lower L_g values indicate that the rainwater will enter the stream quickly. It also indicates late youthful to early mature stage of basin development. The L_g of Kalu watershed is 0.208 (Table 1).

Infiltration number (In): This is obtained from the drainage density and the stream frequency of the basin. There is an inverse correlation between infiltration number and infiltration characteristics of the surface. Lower infiltration results in higher run off (Umrikar, 2016). The I_n of Kalu watershed is 14.07.

Constant of Channel Maintenance (C): It measures the number of ft^2 of watershed surface area required to sustain one linear foot of channel. The importance of this constant is that it provides a quantitative expression of the minimum, limiting area required for the development of a length of channel. The C value is 0.41.

Relief aspects

Slope: The slope elements in any terrain are controlled by climate and morphogenic processes operating in the underlying rocks (Strahler 1950, 1952; Yeheet *et al.* 2009). Proper knowledge of slope of the land is indispensable for regional, land and water use planning and management etc.

Slope map of Kalu watershed was prepared from DEM data. The degree of slope in the sampled watershed varies from 0° to 43° (Fig. 6). There is a higher slope gradient in the south central part

of the study area. Higher slope enhances quick runoff and enhanced erosion rates with low recharge potential due to low infiltration.

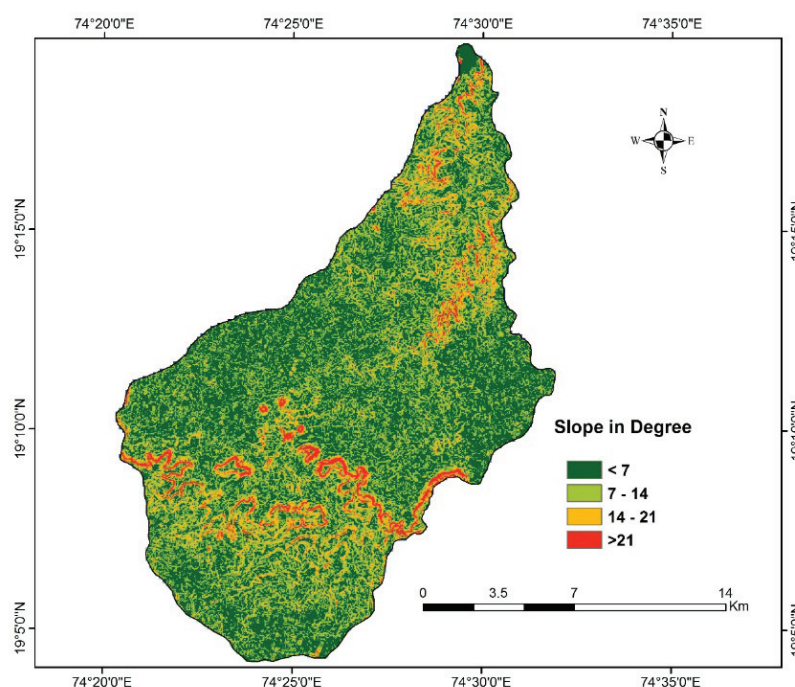


Fig. 6: Slope map of the study area

Basin Relief (Bh): Basin relief is the vertical range between the least and the maximum points of basin. The Bh of the study area is 383 m. The maximum relief is found in the southern part of the study region while the northern part has minimum relief.

Relief Ratio (Rh): The proportion of absolute relief to planar distance along the lengthiest

dimension of the basin parallel to the dominant drainage line is Relief ratio (Rh) (Schumn, 1956). This parameter is helpful in understanding the general elevation of the basin/watershed along with identifying the magnitude of erosion processes. High Rh value indicates very high relief, while lower value indicates plateaus, valleys and plains. The Rh of the present study area is 0.0127

Table 1: Description of morphometric parameters and their mathematical formulae

Stream Parameter	Formulae	References	Values
Stream Order(U)	Hierarchical rank	Strahler(1952)	5th order
Stream Number (Nu)		Horton (1932)	1651
Stream Length (Lu)	Length of the stream	Horton(1945)	
Mean Stream Length (Lsm)	$Lsm = Lu / Nu$	Strahler(1964)	0.36 to 0.41
Stream length ratio(RL)	$RL = Lu / Lu - 1$	Horton(1945)	1.62 to 2.28
Bifurcation Ratio(Rb)	$Rb = Nu / Nu + 1$	Schumn(1956)	

Stream Parameter	Formulae	References	Values
Maximum Bifurcation Ratio	Rbm= Average of bifurcation ratios of all order	Strahler(1957)	2.32
Minimum Bifurcation Ratio			1.41
Mean Bifurcation ratio (Rbm)			1.94
Drainage density (D)	$D=Lu/A$	Horton(1932)	2.4
Stream Frequency (Fs)	$Fs=Nu/A$	Horton(1932)	5.84
Drainage Texture (Rt)	$Rt=D \times Fs$	Smith (1950)	19.98
Form Factor (Ff)	$Ff = AU / Lb^2$	Horton (1945)	0.314
Circularity ratio (Rc)	$Rc = 4\pi A/P^2$	Strahler(1964)	0.041
Elongation Ratio(Re)	$Re = 2A/\pi L$	Strahler(1964)	0.316
Length of overland flow (Lg)	$Lg=1/D \times 2$	Horton(1945)	0.208
Infiltration Number (In)	$In= D \times Fs$	Schumn (1956)	14.07
Constant of Channel Maintenance(Cs)	$Cs= 1 / D$	Schumn (1966)	0.41
Relief (R)	$R=H-h$	Hedley and Schumn(1961)	383
Relief ratio (Rh)	$Rh=R/L$	Schumn(1956)	0.0127
Ruggedness Number (Rn)	$Rn=Bh \times D$	Strahler (1958)	0.91
Basin area (AU)			282.37 Km ²

Ruggedness number (Rn): When this parameter is very high, it indicates steeper and longer slopes (Strahler, 1956). Rn of Kalu watershed is 0.91.

Upstream and downstream: The term **upstream** indicates the headwater/catchment area of the river, i.e. against the movement of water. **Downstream** describes the course towards **river** mouth, i.e. along the direction of the river current. It gives us an understanding of the slope of the land, recharge/catchment zones, direction of the flow and probable flood zones which is helpful in hydro-geological planning. If the catchment area is properly planned and managed in terms of sustainable water resource, it can contribute towards the development of downstream communities by providing hosts of amenities and land and water sustainability. Channel water in the upstream part can be stored through small check dams made with locally available materials for multiple uses like flood control, irrigation and domestic water supply. Sustainable water resource planning in the upstream part will in turn influence the downstream water planning and management through various ways.

Generally upstream is dominated by erosion and downstream by deposition. The southern, south

central and western part having high upstream value (Fig 7) has greater run off, low infiltration and comparatively high erosivity. The downstream region (northern and eastern part of Kalu watershed(Fig 8) has more infiltration having lower slope angle.

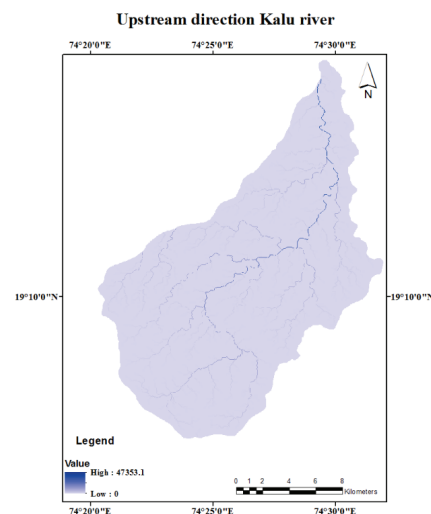


Fig. 7: Upstream Direction of Kaluriver

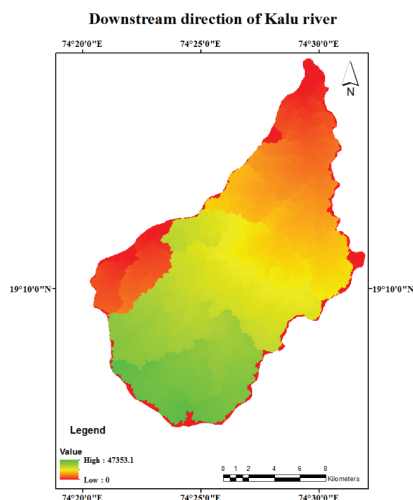


Fig. 8: Downstream Direction of Kaluriver

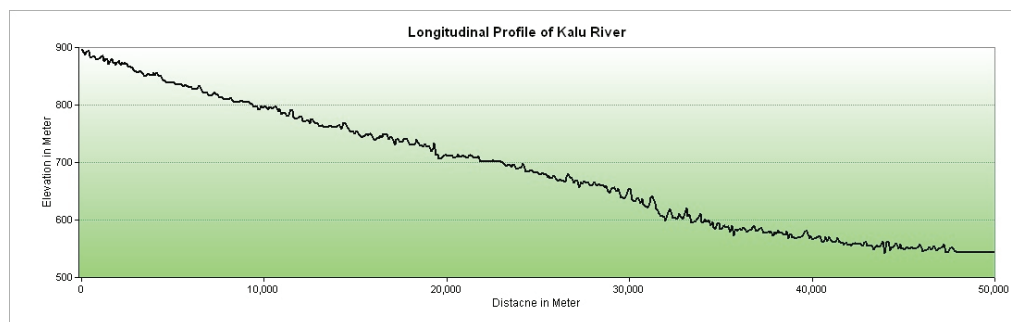


Fig. 9: Longitudinal profile of Kaluriver

Cross Profile: In order to visualize the nature of landscape, cross sectional profile across the river at various points are drawn. Due to change in the river bed/valley landforms owing to mechanical forces the cross sectional profiles vary (depicted in Fig 10). Four cross sectional profiles have been drawn along the course of Kalu. In the upper course 'V' shaped valley is prominent due to rapid vertical erosion. Relative relief of the basin is maximum during this stage as is evident from Fig 10 (a). In the middle course lateral erosion is observed to be more prominent which renders the valley broader. In the lower course both relief and relative relief is found to be least owing to cease in vertical erosion and increase in lateral erosion which gives the valley a broader look and flatter valley.

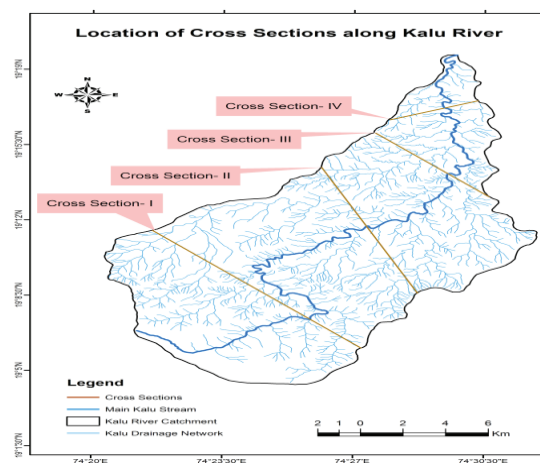


Fig 10: Location of Cross-sections along Kaluriver

Discussion and Conclusion

GIS is an effective tool in evaluating the geomorphometrical parameters of Kalu watershed of Ahmednagar district, Maharashtra. Kalu watershed, based on stream order, was graded as a 5th order watershed. The drainage network of the watershed generally follows dendritic patterns suggest the structural influences on a regional scale. The upstream part is well drained while the downstream is moderately drained. Evaluation of the slope of the area has assisted in ascertaining the spatio-drainage difference in the study area. The watershed which falls under normal basin category, is in its late youth to early mature stage having least structural disturbance and moderate infiltration capacity as indicated by analysis of Length of Overland Flow and circulatory ratio. Drainage density of Kalu watershed in general proves the semi-arid nature of Kalu watershed. The western portion of the study area having more drainage density indicates low infiltration, high run off and less vegetation. Thus the western part has good potentiality of surface water harvesting which will be highly beneficial for this semi-arid region. The elongated shape of the basin is specified by the areal aspects of elongation ratio, form factor and circulatory ratio. Low bifurcation ratio of Kalu watershed indicates normal basin category with less structural disturbance and moderate infiltration capacity. The high values of drainage density, stream frequency, drainage texture, constant of channel maintenance, stream number and infiltration number indicates low permeability/infiltration, moderately high relief, sparse vegetation, moderately impermeable rocks with high run off. The poor ground water potentiality for Kalu watershed is indicated by low infiltration value.

The result of analysis of this moderately dissected basin point to late youth to early mature stage and moderately high relief favoring the rain water run off to enter the nearby streams quickly. The elongated shape of the watershed reduces the risk of flood and thereby flood management is easier. Although there is no apparent chance

of flash flood in the downstream areas, however sudden and very heavy rainfall may cause flash flood in the downstream areas.

The relief aspects indicate that certain parts have moderately high relief with erosive slopes, while the rest of the study area is a plateau with low erosion and moderate to low steepness.

The morphological parameters helped to ascertain the heterogeneity of relief and infiltration potentiality. Lower drainage density and more infiltration in downstream part along with lower slope angle in this area makes it good ground water potential zone. However high 1st order streams, high drainage density, higher stream length and mean stream length value along with higher upstream value in the western, southern and south central part indicating low infiltration and impermeable layer makes this area suitable for water harvesting and construction of reservoirs. Ground truth verification by field visits revealed ground water depth varied between 200 and 300 ft. in the upstream region while it was 100 to 120 ft. in the downstream region. The 3rd order streams can be potential sites for construction of check dams for irrigational benefits. The study helped in ascertaining the interrelationships between the various morphometrical parameters which can provide an impetus for water resource development and sustainable watershed management which is imperative since the area comes under semi-arid climatic condition. The study area has moderate population and is drought prone falling in the rain shadow area. With ever increasing scarcity of surface and sub surface water, the study area is in dire requirement of some water management plan. The morphometrical analysis of the study area helped to identify the site suitability of potential groundwater recharge zones and surface water harvesting zones, thus aiding watershed management of the area.

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Synchronous and Asynchronous ICT Tools for Professional Development of Teachers



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Abstract

In this paper I have tried to identify the most useful synchronous and asynchronous advanced ICT tools in educational settings for professional development of both teachers as well of students. Those are beneficial for different educational purposes in classroom teaching-learning processes as well as different forms of learning i.e. formal informal and non-formal educational settings. In these days ICT tools and services are very important to fulfill the new demands of an individual as well as the whole nation beside to enhance the quality required for professional development of teachers as well as modern learners. These ICT tools are very common and user's friendly to serve and enhance the quality of education, we may know and understand the application of these most popular ICT tools accordingly.

Keywords: *ICT tools, MOOC'S, SWAYAM, Collaborative learning, OER, Blended Learning*

Introduction

The development of ICT in India is highly appreciated by educational sector of India as our telecommunication network is the second largest in the world by number of telephone users (both fixed and mobile phone) with 1.206 billion subscribers as on 30 September 2017, it has one of the lowest call tariffs in the world enabled by mega telecom operators and hyper-competition among them. India has the world's second-largest Internet user-base, as on 30 September 2017; there were 324.89 million internet subscribers in the country, according to TRAI (Telecom Regulatory Authority of India) Press Release No.97/2017, 21st November, 2017. These emerging technologies have resulted increasing Information and Communication Technology (ICT) tools explode everywhere and becomes the necessary part of our personal and professional life, many of these tools have great potential for teaching and learning

although they may not be created initially for educational purposes. The state regarding Information and Communication Technology in education appears to be in a transition mode. During the last few years, ICT uses in education especially in teacher education that has a deep concern for changes, ICT services works with great potentialities with educational settings that included research, development and innovative techniques in teaching learning process and a deeper understanding towards teacher professional capacity building on techno-pedagogic dimensions of professional development of teachers as provide training with different tools, creating professional aptitude towards teaching profession and making techno, socio, psycho pedagogical understanding of the teachers as well as children's in the school learning environment.

The National Curriculum Framework for Teacher Education 2010 (NCFTE), a landmark document

in teacher education, seeks teacher education models that included self-directed, self-paced, peer learning, mentored and continuous technological based instructional training that uses new and innovative techniques of ICT tools inside and outside classroom teaching learning process. Our aimsto use technology tools in educational settings to access, create and share curricular resources and to communication network with one another for 'sharing and seeking 'knowledge' in teacher's professional development programme based on maximum use of ICT tools.

Meaning of Professional Development of Teachers

"Teaching Professional developments are defined as activities that develop an individual's skills, knowledge, expertise and other characteristics as a teacher." This definition recognize teaching professional development that can be provided and achieved in many ways, ranging from the formal to the informal and non formal teaching and training. It can be made available through external expertise in the form of informal and non-formal courses, workshops or formal educational and training programs like MOOC'S.

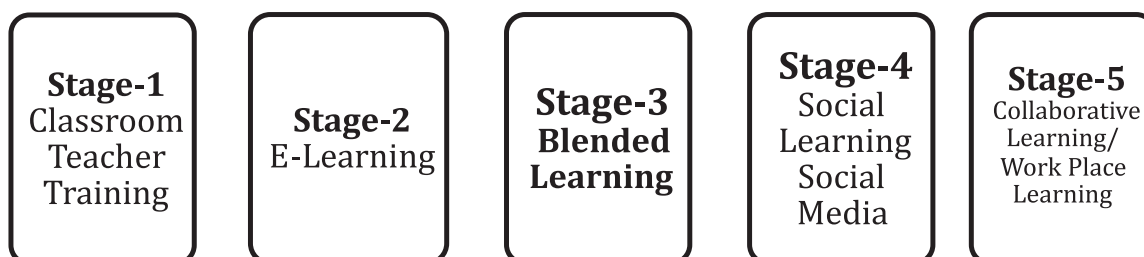
Some Categories of ICT Tools with their uses in Education

Content Creation tools: Tools for creative AVATAR (Virtual Character) Course and Lesson Authoring Tools E-book Tools Graphic and Animation Tools Image Galleries and Sound Effect Tools Assessment Tools, Pdf creation Tools, Video and Simulation Tools, Web Page Authoring Tools, Survey and Polling Tools	Hardware tools PC, Laptop, Note book, Palm top, Wearable Computer, Smart phone, smart watches, Printer, Scanner, Gaze touch, E-pen, touch pad, Speaker, Micro phone, buffers Webcam, joystick, optical mark reader
User tools Operating System, Word Processor, Browsers, Media Player, Pdf. Creator, Plug ins,	Communication tools Discussion Boards, E-mail Tools, Meeting and Teleconferencing Tools, Live Support Tools, Instant Messaging and chat Tools, Social Networking Tools, Social book-marking Tools and file sharing Tools, Wiki Tools,
E-Learning System Content Management System, Learning Management System, Course Management System MOOC'S& OER	Delivery and distribution tools Producing Tools, RSS Tools, Webcasting and streaming Tools, Presentation Tools, Mobile learning Tools

ICT Tools for Professional Developments of Teachers

Teacher education emphasizes teacher professional development that included a systematized initial and continuous process, with professional competency, standards of teaching and training with the uses of new innovative

techniques, new practices and adaptation of the evolution changes in the profession of teachers and manages the education systems, there are different models that are in practice for these purposes. One model proposed by Hart J (2017) that speaks of workplace learning looks useful to understand various avenues for teacher professional development in the context of ICT.



Source: 5 Stages of workplace learning - Hart J (2010)

First: foremost formal classroom teacher training programme refers to the professional development of teachers with face to face classroom interactions in between teacher educators and trainee teachers, where ICT tools has play a positive role in transfer of learning.

Second: "Teachers' professional development through E-learning" this e-learning context the teacher development materials are available in digital form and learning happening mostly through online synchronous and asynchronous ICT tool. Though the process of classroom interaction on the basis of e-learning is same as in the previous face to face classroom transactions, the major differences are related to student's interest, learning approaches, immediate feedback, virtual and smart learning atmosphere that is more natural and flexible with the support of different ICT tools.

- E-learning is networked, instant updating, storage and retrieval, distribution and sharing of information is therefore possible.
- E-learning is delivered to the end-user via a computer using standard internet technologies.
- E-learning focuses on the broadest view of learning: Learning solutions going beyond the traditional paradigms of training.
- E-learning involves the use of a computer or electronic device (e.g. a mobile phone) in some way to provide training, educational or learning material. (Derek Stockley-2003)

Third: Blended learning brings together strengths of both face-to-face and ICT based e-learning modules, in this mode of learning a teacher use all the teaching and techniques

of traditional education with the support of new ICT tools and instruments of learning that include e-content and e-module and different approaches of ICT.

Fourth: Social learning includes ICT tools of social communication tools and a social aspect to the blended mode. Instead of individual learning, here people learn through social interaction platforms. Tools of social media take the role of mediating among the learners.

Fifth: Collaborative learning takes places in the work place, teaching professional are learning together in the teaching learning process, peer observation, peer teaching, group discussion etc. in the said working places. This collaboration takes place as one has to collaborate with others as a part of learning. Here learning and working are assumed to take place together. Additional assumption is that in this stage learning in the flow of work needs to be enabled, supported and encouraged each other, it is merely not designed or managed. For this, learner needs to be autonomous, independent and inter-dependent, and self-directed.

Open Educational Resources (OER):

Open educational resources are the educational resources available online and freely accessible, usually openly licensed documents and media that are useful for teaching, learning, educational assessment and research purposes. "OER are teaching, learning and research a resource that resides in the public domain or have been released under an intellectual property license that permits their free use or re-purposing by others. Open educational resources include full courses, course materials, modules, textbooks,

streaming videos, tests, software, and many other tools, materials or techniques used to support access to knowledge.” By William and flora.

MOOC'S for professional development of teachers

Nowadays, MOOC'S is the most popular non-formal way used to offer online courses, globally. MOOC'S are the massive course designed to support unlimited (logically) participation and are offered through a platform. It has gained lot of popularity since the time of its development in 2008. As of December 2016, approximately 58 million students are registered for the MOOC courses, offered by more than 700 universities and approximately 6850 courses

MOOC'S in India and Abroad

There are many prestigious institutions are conducting MOOC'S on the bases of both non-profit and commercial pattern some are given below.

- **NROER: (National Repository of Open Educational Resources)** India's Department of School Education and Literacy, Ministry of Human Resource Development, Government of India, and the Central Institute of Educational Technology, National Council of Educational Research and Training have collaboratively developed the National Repository of Open Educational Resources. The repository currently includes videos, audio, interactive media, images, and documents, and aims to “bring together all digital and digitisable resources for the [Indian] school system – for all classes, for all subjects and in all languages.”

Some other OER tools those are helpful for educators to enrich their classroom practice with better learning resources. Let's learn about them.

- **EDUCAUSE:** EDUCAUSE is a nonprofit association and the foremost community of IT leaders and professionals dedicated to advancing higher education. It provides higher education professionals, students and parents with a better community platform to exchange their expertise and

create a learning atmosphere. EDUCAUSE's library aggregates over 24, 000 resources (Analytic, E-textbook & MOOC's) submitted by EDUCAUSE, EDUCAUSE Center for Analysis and Research (ECAR), EDUCAUSE Learning Initiative (ELI), Higher Education Information Security Council (HEISC), Grant programs and other members.

- **Open Class:** is an amazing learning environment that is open, easy, and completely free. It helps educators bring social learning and interactive experiences to their students. The resources and tools of open class for existing learners are
- Mobile App in Google Play
- Community Forum
- Knowledge Base
- Instructional Design Tutorial
- Mobile App in App Store

Open Class allows users to select from exceptional OER content like video and more from The Khan Academy, Ted-Ed, and YouTube EDU, along with others that use the Creative Commons license. It has many tools for educators to create, manage and share content & also for students to learn socially.

- **Google in Education:** Google provides all educators with ICT tools and solutions to improve classroom teaching and learning process. Refer to training and support resources for education which help you to make the most of technology in the classroom. Google education allows students to explore their passions and discover new ones by getting involved. It allows users to share their work through blogger, YouTube, Google docs and many more ICT tools. It also offers scholarships for students. Their main aim is to provide learners with open learning content anytime, anywhere and on any device.
- **Wiki Educator:** Wiki Educator is an evolving community intended for the following tasks: Planning & development of free content Building Open Education Resources.

- **Open of Course:** Open of Course tool provides educators and students with Multilingual and Free Online Courses and Tutorials. It also offers free MOODLE hosting for people willing to share their knowledge under an open content license.
- **The Open University:** The Open University is the United Kingdom's university dedicated to distance learning. They allow their content to be accessible to all and provides hours of content freely available via. YouTube, iTunes, and Open Learn, much of which can be reused in a way that benefits professional development of teachers as well as students. It has a huge community to spread the content online.
- **OLAT:** OLAT (Online Learning and Training) is an Open Source LMS (Learning Management System) tailored to the needs of Universities and Higher Education institutions. There are approximately 70, 000 users and nearly 50 institutions in Switzerland using OLAT (with up to 5, 000 courses and millions of resources), and the numbers keep on growing!
- **Canvas:** Canvas engages students in learning anytime, anywhere and support 1:1 and other technology initiatives both in and outside the classroom. It also defines course, curriculum and certification paths, including pre-test and post-test assessment tracks. Canvas allows users to easily access and inserts audio, video, text, images and more on every learning contact point.
- **Commonwealth of Learning:** Commonwealth of Learning involves in the creation of open educational resources. It provides schools with materials under the Creative Commons license agreement to support independent study in 17 specially selected secondary school subjects.
- **Open2Study:** The headquarters of this platform for online courses is based out of Australia.
- **Coursera:** The headquarters of this platform for online courses is based out of USA.
- **edX:** The headquarters of this platform for online courses is based out of USA.
- **udemy:** The headquarters of this platform for online courses is based out of USA.
- **NPTEL (India):** Indian Institutes of Technology (IITs) and Indian Institute of Science (IISc.) offer online courses through this platform which require no registration and are free of cost.
- **SWAYAM (Study on Webs of Active Learning for Young Aspiring Minds)** this is a programme of Ministry of Human Resource and Development, Government of India, professors and faculties of centrally funded institutions like IITs, IIMs, CBSE, NCERT, NIOS, UGC, NITTTR and other central universities will offer online courses to citizens of India.
- **WizIQ (India and USA):** IIT Delhi, India offers this course through this platform which requires registration and fees to study courses offered by them.

Journey of MOOC'S in India

With the dream of 'Digital India' Ministry of Human Resource Development, Government of India introduce the national mission on education through ICT (NMEICT) launched in 2009 as a centrally sponsored scheme to leverage the potential of ICT in teaching and learning process it is an embarked on a major initiative to enhance teaching learning process with non-formal educational settings. The present initiative introduced by the (MHRD) called SWAYAM (Study Webs of Active Learning for Young Aspiring Minds) is an indigenous (Made in India) IT Platform for hosting the Massive Open Online Courses (MOOC'S) to provide an integrated platform and portal for online courses, covering High School level, professional skill sector and all higher education courses to improve Gross Enrollment Ratio (GER), from 20% at present to 30% by 2020.

MOOC'S Courses on SWAYAM by different National Coordinators

SWAYAM stands for "Study Webs of Active Learning for Young Aspiring Minds". It is a MOOC'S

platform launched by the Ministry of Human Resource Development (MHRD), government of India, to bind online and offline education together. It is started with an expectation of launching 2,000 courses, to make it largest course catalogue, among all provided so far. For SWAYAM an independent platform is developed. Learners across the country can get credit for MOOC'S courses offered on SWAYAM, and they can get their credits transferred and recognized at the parent institution, that was not possible in conventional system of education.

MHRD has identified nine national coordinators for developing MOOC'S from School to PG level on the SWAYAM platform, namely

- NCERT, National Council of Educational Research and Training for school education from 9th to 12th Standard.
- NIOS, National Institute of Open Schooling for out of school children from 9th to 12th Standard.
- CEC, Consortium for Educational Communication for arts literature and language courses.
- UGC, University Grant Commission, for Non-technology UG and PG programmes.
- IGNOU, Indira Gandhi National Open University for Diploma and Certificate programmes;
- NPTEL, for Technical/ Engineering UG & PG degree programmes.
- NITTTR, National Institute of Technical Teachers Training and Research for Teacher Training programmes and Teacher Education Certificate Courses.
- IIMB, Indian Institutes of Management Bangalore for Management and Professional Courses.
- AICTE, All India Council of Technical Education for Self-Paced Article Courses

The MOOC'S courses on SWAYAM being run by different National Coordinators (except for NPTEL) beginning from July, 2018 are compiled below for easy access to the 21st century learners.

Free MOOC'S Courses on SWAYAM-2018 onwards

SWAYAM, NCERT for School Educational Courses—1. Accountancy 01, 2. Biology 01, 3. Biology 03, 4. Chemistry 01, 5. Chemistry 03, 6. Geography 01, 7. Geography 03, 8. Physics 01, 9. Physics 02, 10. Physics 03, 11. Physics 04, 12. Mathematics 01, 13. Mathematics 03, 14. Sociology 01, 15. Sociology 03, 16. Psychology 01, 17. Psychology 03, 18. Economics 01, 19. Economics 03, 20. Food Nutrition for Healthy Living

SWAYAM, NIOS National Institute of Open Schooling for out of School Children from 9th to 12th Class—1. Hindi, 2. English, 3. Sanskrit, 4. Mathematics, 5. Science and Technology, 6. Social Science, 7. Economics, 8. Business Studies, 9. Home Science, 10. Psychology, 11. Indian Culture and Heritage, 12. Accountancy, 13. Painting, 14. Data Entry Operations, 15. Biology, 16. Chemistry 17. English, 18. Hindi, 19. Mathematics, 20. Painting, 21. Physics, 22. SANSKRIT, 23. Geography, 24. Psychology, 25. Computer Science, 26. Home Science, 27. Sociology, 28. Library & Information Science, 29. Economics, 30. Environmental Science **Vocational Courses**—31. Yoga Teaching Training Programme, 32. Panchkarma Assistant, 33. Bee keeping, 34. Beauty Therapy **D.El.Ed Courses**—35. Elementary Education in India: A Socio- Cultural Perspective, 36. Pedagogic Processes in Elementary Schools, 37. Learning Languages at Elementary Level, 38. Learning Mathematics at Elementary Level, 39. Learning Environmental Studies at Primary Level

SWAYAM, CEC, Consortium for Educational Communication for Arts Literature and Language Courses—1. Ancient Greek and Medieval Philosophy, 2. Vision to Mission Indian Philosophy, 3. Modern and Contemporary Western Philosophy, 4. Introduction to Aesthetics, 5. Critical Survey of Sanskrit Literature, 6. Classical Sanskrit Literature (Drama), 7. Study of Prose and Poetic Forms in Urdu Literature, 8. Study of Urdu Classical Ghazal

SWAYAM, UGC, for Non-technology UG and PG Programmes—

1. Artificial Intelligence, 2. Aesthetics and Philosophy, 3. Bibliometrics and Scientometrics, 4. Communication Technologies in Education, 5. Digital Library, 6. Educational Administration, Management and Leadership in School Education, 7. Indian Philosophy: An Introduction, 8. Information Storage and Retrieval, 9. Information and Communication Technology for Libraries, 10. Information Sources System and Services, 11. Introduction to Public Administration, 12. Knowledge Society, 13. Landscape Study, 14. Management of Libraries and Information Centers & Knowledge Centers, 15. Poetics and Aesthetics, 16. Portrait Study, 17. Vedic Language and Literature, 18. Access to Justice, 19. Advanced Constitutional Law, 20. Adhunik Kavya:Khand2,21.Biostatistics,22.Biomolecules: Structure, Function in Health and Disease, 23. City and Metropolitan Planning, 24. Corporate Law, 25. Creative Paining, 26. Criminal Justice Administration, 27. Dalit Sahitya, 28. Discrete Data Analysis, 29. Distributor Free Methods, 30. Econometric Analysis, 31. Environmental Law, 32. Food Microbiology and Food Safety, 33. Hindi Sahitya Ka Itihas, 34. Indian Culture and History, 35. Information and Communication Technology, 36. Intellectual Property, 37. Integral Equation and Integral Transform, 38. International Human Rights System, 39. Introduction to R, 40. Mural Study, 41. Numerical Analysis, 42. Organizational Behaviour, 43. Partial Differential Equations, 44. Research Methodology, 45. Substantive Criminal Law, 46. Topology, 47. Tourism Planning and Sustainable Development, 48. Drug Delivery Technology

SWAYAM, IGNOU, for Diploma and Certificate Programmes—

1. Library Automation and Digitization, 2. Database and Content Organization, 3. Document Processing and Organization, 4. Information Sources and Library Services, 5. Sustainable Management of Biodiversity, 6. Food Laws and Standards, 7. Technology of Fermented, Cheese, Ice-cream and By-products, 8. Indian Agricultural Development, 9. Introduction to Poultry Farming, 10. Design and

Facilitation of E-Learning Courses, 11. Basics of Russian: Communication Skills, 12. Awareness Programme on Solar Water Pumping System, 13. Environment Sustainability

SWAYAM, NITTR, National Institute of Technical Teachers Training and Research for Teacher Training Programmes and Teacher Education Certificate Courses—

1. Student Psychology, 2. Student Assessment and Evaluation, 3. Learning Management System Through Moodle., 4. E-Content Development., 5. Transforming Instruction Through Blended Classroom., 6. Redefining Laboratory Instruction Using Virtual Laboratory., 7. Quality Assurance in Engineering Education, 8. Strategic Planning for Technical Institutions, 9. Self-Learning Material Development, 10. Accreditation for Undergraduate Engineering, 11. Fundamentals of Curriculum In Engineering Education, 12. Accreditation for Diploma Engineering, 13. Accreditation of Post Graduate Engineering, 14. Learning Management System, 15. Laboratory and Workshop Management, 16. Learning and Instruction

SWAYAM, IIMB Indian Institutes of Management Bangalore for Management and Professional Courses—

1. Management Accounting for Decision Making, 2. Financial Accounting and Analysis Course, 3. Introduction to Strategic Management, 4. Introduction to Investments, 5. Customer Relationship Management, 6. Introduction to Marketing Essentials, 7. Strategy and the Sustainable Enterprise.

SWAYAM, All India Council of Technical Education (AICTE) for Self Paced Article Courses—

1. Bridging the Dementia Divide, 2. Critical Thinking, 3. Cultural Studies, 4. Environment Natural resources and Sustainable Development, 5. Introduction to Yoga and Applications, 6. Mind Education, 7. Understanding Autism, Aspergers and ADHD, 8. Yoga Practices 1, 9. Yoga Practices 2, 10. Yoga Practices 3

Features of SWAYAM (MOOC'S)

SWAYAM is a web and mobile based interactive platform hosting courses from High School to

University level. The platform is to provide high quality learning experiences using multimedia anywhere and anytime bases without boundary of distance, age, intelligence and opportunity. The state-of-the-art management system allows easy access to the learner through web and mobile applications, course monitoring and certification, peer interaction through discussion forums, chat applications and web conferencing integrated in the course module to help learners and clarifying their doubts. Course material delivery system based on synchronous (Live) and asynchronous (Recorded) interactive modules to maintain quality of teaching and learning process.

The course material developed with UGC Credit system and uploaded to the portal follows a four quadrant approach including the following coverage of media and learning resources.

- **Quadrant: 1st** (E-Tutorial), Video and Audio Content in an organized form, Animation, Simulations, video demonstrations, Virtual Labs, etc.
- **Quadrant: 2nd** (E-Content), E-Text, E-Books, Pdf, illustration with examples with video/ animated demonstrations, Interactive simulations and different documents those can be accessed by the learner as well as they can download accordingly.
- **Quadrant: 3rd** (Web Resources), introduce Different Open Educational Resources (OER), Related Links, Wikipedia Development of Course Modules, Open Access Course Content on Internet, different Case Studies, E-books, access to E-Libraries, Research papers & journals, Anecdotal information, Historical development of the subject, Articles, etc.
- **Quadrant: IVth** (Self-Assessment), Different types of online assignments, Quizzes, Discussions and Multiple-Choice Questions, Short Answer type Questions and Long Answer Questions with problem and solutions are the form of online evaluation.

Quality Assurance of MOOC'S

Quality assurance is one of the key elements of MOOC'S courses that have monitored throughout

the design, development and delivery system of the MOOC'S.

- MOOC'S Content is checked by the competent authorities and experts of courses development section regarding plagiarism and source of information.
- Pedagogy and learning experience is the main key for general course curriculum/ standards to be followed for the fulfillment of UGC, CBSE and CBCS credit system.
- Course structures, need, aims and plan of the course are well organized for better management of the course.
- Language and grammar checks, formatting style, image and tools are used are well structured according to rule of MHRD guidelines.
- Production parameters of course content and multimedia for self pacing are merged according to need and demands of the course.
- Ensuring the presence of basic MOOC'S elements like audio, video, animation, E-content, Links, delivery materials, discussion forums, Interactive elements, assignments, assessment, quizzes and case study are the basic elements included in a course.

Future and Scope of MOOC

It is well defined truth, ICT cannot replace the formal education but it can be used as a supportive method to bridge the gap between various kind of learning. It has been observed that that MOOC'S has certain limitations like as:

- for MOOC'S courses digitalization is must, there are many institutions are unable to provide the basic necessities to enroll for MOOC'S, hence the development of MOOC'S are limited.
- It is not always certain that all MOOC'S provide degrees, certificates and/or diplomas which is necessary to get a job.
- Plagiarism or cheating is possible, as MOOC'S are web-based learning where there is no monitoring of the students, which carries

a risk of plagiarism, cheating, cyber crime, cyber bullying etc.

Conclusion

In a nutshell we can say that ICT is a system which is used to enhance teaching learning process with its different software applications and hardware instruments is used to train, teach and develop professional excellence of the teachers. When we talk about the professional development of in-service and trainee teachers, we must aware about the uses of these advanced tools of ICT, then only we can motivate the students and create interest in the learning process. This professional development of teachers helps in the creation of Indian knowledge-based society.

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Law relating to Offence against Religion: An Interface



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Abstract

Freedom of speech and expression is curtailed when it is relating holy personages, religious artifacts, customs, and beliefs. Blasphemy globally is treated as crime against humanity and personal beliefs cannot be outraged. In some countries, especially countries which have Islam as the state religion, regards blasphemy as a serious offence. Crime against religion has become the subject of passionate debate in contemporary India. from the early 20th century onwards, it has surfaced again and again in the political realm, even though we have a rich law on such offences. Religion is s system of faith and worship of supernatural force which ordains regulates and controls the destiny of human kinds.

Keywords: *Curtailed, Holy Personages, Blasphemy Political Realm, Supernatural Force*

Introduction

The Merrian Webster Dictionary defined, Religion as an organized system of faith and worship, a personal set of religious belief and practice, a cause, principle or belief held to with faith and order. The oxford Dictionary defined, Religion the belief in a super human controlling power, especially in personal God or Gods entitled to obedience and worship. Swami Vivekananda perceives religion as - it is based upon faith and belief and in most cases consist only of different sect of theories that is the reason why we find all religion quarreling with each other. According to Sage Aurobindo¹ The quest of man for God is the foundation for religion & its essential function is the search for God and the finding of the god.

Hinduism in the view of Dr. Radhakrishnan² is the main aim of the Hindu faith is to permit image worship as the means to the development of the religious spirit to the recognition of the Supreme who has his temples in all beings.

Origin of Concept

Religion may be regarded as belief and patterns of behaviors by which human try to deal with what they view as important problems that cannot

be solved through the application of known technologies and techniques of organization. To overcome these limitations people turn to the manipulation of supernatural beings and powers. Religion consist of various rituals, prayers, songs, dances, offerings and sacrifices, through which people try to manipulate supernatural beings and powers to their advantages. These being and power may consist of Gods and Goddesses, ancestral and other spirits or impersonal power either by themselves or in various combinations. In all societies there are certain individuals especially skilled at dealing with these beings and powers and who assist other members of society in their ritual activities. A body of myths rationalizes or explains the system in a manner consistent with peoples experience in the world in which they live.

Every individual has a natural entitlement of religious faith and freedom of conscience, a right to adopt or abandoned any faith of his own choice. In this sense freedom of religion and freedom of conscience is fundamental right both constitutionally and conventionally.

Principles relating to offence against religion in India

The freedom of religion and freedom of conscience has been recognized under the international law. The General Assembly of United Nations¹ adopted without dissenting vote on 10th December, 1948 the Universal Declaration on Human Rights recognizing fact that the entire humanity enjoys certain alienable rights which constitute the foundation of freedom, justice and peace in the world. In India Penal laws chapter XV of Indian Penal code deals with offences relating to religion, this chapter has been framed on the principle that every man has been framed on the principle that every man has full freedom to follow his/her own religion and that no man is in law justified to insult the religion of another. Every one must respect the religious susceptibilities of persons of different religious persuasions on creeds and desists from hurting the religious sentiments of others. In other words, every man is free to profess his own religion and no man should insult the religion or religious feeling of any class or group. Thus the deliberate acts perpetrated by persons of one religious persuasion for the insult or annoyances of persons of other persuasions have been made punishable under this chapter.

⁴There are five sections (295, 295A, 296, 297, & 298) contained in this chapter punish defilements (To make unclean or Destroy the pureness) of place of worship, or objects of veneration (Worship), outraging or wounding the religious feelings, and disturbing religious assemblies. Even more the enactment of this section in the Indian Penal Code to curb the factors that are responsible for inciting religious animosities is in accordance with the averred declarations of religious toleration of the governments, which, as such, is necessary to prevent religious riots and crusades. More over there are provisions in our constitution which mandates that India to be a Secular Republic and with articles (25 to 28) of constitution which subject to public order, morality, health and the other provisions of part III grants to all person freedom of conscience and

the right freely to profess, practice and propagate religion. the offence under this chapter is Sound to attract greater attention hereafter in view of the aggressive posture adopted by several communal parties and organizations.³

The Indian Constitution guarantees to every person the freedom of conscience and the right to profess, practise and propagate the religion as the fundamental Rights under the section 25 & 26, the protection of which are not limited to matters of doctrine of belief.² It extends also to the act done in pursuance of religion and, therefore, contain a guarantee for rituals and observance, ceremonies and modes of worship which are integral to be decided by the court with reference to a doctrine of a particular religion and include practices which are regarded by the community as a part of its religion.³

Different Activities affecting freedom of religion under Indian Penal Code, 1860

Injuring or defiling place or worship with intend to insult the Religion of any Class.

The Indian Penal code in chapter XV, which deals with offences relating to religion. Sec 295 runs as: whoever destroys, damage or defile any place of worship, or any object held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage, of defilement as an insult to their religion, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine or with both.

This section requires two essentials:

1. Destruction, damage or defilement of (a) any place of worship, or (b) any object held sacred by a class of persons.
2. Such destruction, etc., must have been done (i) with the intention of insulting the religion of a class of persons, or (ii) with the knowledge that a class of persons is likely to consider such destruction, etc., as an insult to their religion.

Meaning of words used in the section:

(a) destroys, damages or defiles

The word defile is not to be restricted in meaning to acts that would make an object of worship unclean as a material object, but extends to acts done in relation to the object of worship which would render such object ritually impure. "The word 'destroy' and 'damage' have obviously a physical or material signification and on the usual principle of construction of ejusdem generis a similar meaning is to be assigned to the word defile. Defile itself a word of hybrid origin, but the main root 'file' is English, and it may ordinarily be understood, especially in collocation with such words as 'destroy' and 'damage', in the primary physical sense".

The word 'defile' does not include animate objects according to the Allahabad and the Calcutta High Courts, but refers only to inanimate object such as churches, mosques, temples and marble or stone figures representing gods. The killing of a cow by a Mohammedan, within sight of a public road frequented by Hindus, is not punishable under this section. Where a bull dedicated and set at large at the shraddh of a Hindu accordance with religious usage was killed by certain Mohammedans secretly and at night in the presence of none but Mohammedans, it was held that no offence was committed. Similarly, the killing of a cow with the intention or knowledge of offending the religious susceptibilities of Hindus is not an offence under this section.

(b) Any place of worship, or any object held sacred

The words "any object held sacred by any class of persons" are of general import and cannot be limited to idols in temples or idols carried on festive occasions. not merely idols or sacred books, but any other object which is regarded as sacred by any class of persons, whether actually worshiped or not, fall within the description.

The word 'object' has to be interpreted ejusdem generis with a place of worship. The words 'any object held sacred by any class' even otherwise, will apply only to idols inside the temple. Though the intention of the accused may be to decry

the feelings and wound the temple. though the intention of the accused may be to decry the feelings and wound the susceptibilities of a large section of people, still the intention alone is not sufficient unless it is carried out by an act which must fall within the scope of this section. The images in a shop, though, they may resemble several of the deities in the temple, cannot be held be objects held sacred by any class of persons.

No particular period is required by law to establish as one of religious reverence. The tomb of a saint would become an object of veneration from the date it was built. The use of a hut on an agricultural land, without the permission of the landlord as a public mosque with the azan or public call to prayers is entirely un-warranted; and, if the hut is not a mosque but a particular community were only attempting to convert it into one, it is not "a place of worship" under the law.

(c) Intention to insult

In the first place, then, there must be the intention to insult, or at least the knowledge of likelihood of the act being taken as an insult. Such intention or knowledge must in the first place be judge by the act itself. It may be explained by other acts and contemporaneous or other circumstances, words uttered, or gestures assumed, threat given or the determination expressed in short, by anything by which it is permissible to infer a man's knowledge or intention.

In case the accused, a goldsmith by caste, performed a ceremony called **Abhishekam** by pouring coconut oil over the lingam of Siva. It was held that the act of the accused would amount to an offence under this section, if the idol could not be touched by anyone except the priests, and if the object of the accused in performing the ritual was to ridicule openly the established custom as elaborated in **Shivakoti Swami 18851 weir 253⁴**.

Where the Raja of Puri and the Raja Pandas in good faith held two different views regarding (1) the circumstances under which the purificatory ceremony known as "mahasnan" would be performed and (2) the offer 'bhog' to Lord Jagannath of Puri, the Raja of Puri and others

who acted with him or at his instance did not possess the guilty knowledge required under this section.

(d) Insulting the Religion

In *Sheo Shankar v. Emperor*⁵ their Lordships observed; 'It appears to us clear that if Ahirs are sudras and therefore not entitled to wear the sacred thread, it cannot be said that wearing the sacred thread is a part of their religion and therefore the damaging or destroying of a thread, worn by them in assertion of a mere claim to higher rank could not be an insult to their religion, nor could an Ahir be supposed likely to regard such an act as an insult to his religion.

In *Sheo Shankar v. Emperor*⁶ a shed was used a place of worship by people. The accused got delivery of the shed through Court. Thereafter he destroyed it and carried away the picture of the Hindu god, which were kept in that shed for the purpose of worship.

Thereafter he pulled down and removed the article from therein. It was held that after having got delivery of the property through Court, the accused must have honestly believed that he had the undoubted right to use the property as he liked. Obviously he did not want the shed to continue there as a prayer hall any longer. In pulling down the shed, he cannot be said to have intended or known that such an act will be an insult to the religion of others who had no manner of right over the property or the shed⁷.

(e) The place or object must be sacred

The intentional act must be directed to the destruction, damage or defilement of 'a place of worship or any object held sacred by any class or persons'. The common examples of such places of worship are the churches, temples, kyaungs, mosques and synagogue. Indeed, any place set apart of consecrated for the worship of deity becomes a place of worship, whatever may be the place of worship, whatever may be the place or the deity worshipped. The Hindus consecrate such places by placing a stone painted with ochre to mark the spot. The Mohammedans fly a green flag from place such as tombs, darghas and the like which they esteem as object of veneration. In all countries burial grounds, cremation grounds

and the churchyard are esteemed as object of veneration. They are, therefore, sacred object within the meaning of the section. The Hindus regard the waters of certain rivers such as the Ganga and the Narbudda as sacred. But in all such cases it is for the prosecution to prove that the object defiled was a place of worship or a sacred object. In one case the accused, having had a quarrel with a relative, threw a basket containing cooked meal, such as fish, fowl, rice and the like into a well. He was convicted under this section for desecrating the well, but there was no evidence that the well was held in esteem as a sacred object. The conviction was quashed in the case of **Woman lakshman**⁸.

A mosque becomes consecrated to public worship by dedication, but the subject-matter of a dedication under the Mohammedan law must be the lawful property of the waqif, or the waqf will not be valid⁹ **Ameer Ali's Mohammedan Law**¹⁰. The unwarranted use of a hut, standing on a belagan plot of an agricultural holdings, by the tenant as public mosque with the azan or public call to prayers, cannot convert it into a mosque or place of worship or an object held sacred, within the meaning of this section an act would be an insult to the religion of other who had no manner of right over the property or the shed.

"Article abandoned by a person, cannot be said to be article held sacred by him"¹¹.

For instance, a tomb of a Mohammedan saint is an object of veneration. But it is not a sacred object, unless there is evidence to show that it was consecrated, or that it had begun to be so treated by Mohammedans. The mere fact that they preferred to say their prayers there does not make it a sacred place or Mohammedans do, as a rule, resort to gardens and enclosures where their ancestors or holy men have been buried for the purpose of saying their prayers; but that alone does not make the place sacred. Formal consecration is, of course, not necessary to make a place sacred. The section is enacted to respect the feeling of the different communities, and it makes that the test for judging of the sacredness of an object. If it is regarded sacred by a class of men, no matter why and how, it is a sacred object for the purpose of this section.

In **Veerabhadran Chettir v. Ramaswami**

Naicker¹² On appeal by special leave to the Supreme Court from a decision of the Madras High Court, the Supreme Court held that it would be wrong to say that the words “any object held sacred by any class of person”, in Sec. 295 mean only idols in temples or idols carried in processions on festival occasion. There are no such express words of limitation in Sec. 295 of the Indian Penal Code. Idols are only illustrative of the words. A sacred book, like the Bible, or the Koran, or the Granth Sahib, is clearly within the ambit of the general words. Any object, however trivial or destitute of real value in itself, if regarded as sacred by any class of persons would come within the meaning of the penal section. It is not absolutely necessary that the object, in order to be held sacred, should have been actually worshipped. An object may be held sacred by a class of persons without being worshipped by them. The image of Lord Ganesha or any objective representation of a similar kind, is held sacred by certain classes of Hindus, even, though the image may not have been consecrated. The section has been intended to respect of religious susceptibilities of persons of different religious persuasion or creeds. Court have got to be very circumspect in such matters, and to pay due regard to the feelings and religious emotions of different classes of persons with different beliefs irrespective of the consideration whether or not they share those beliefs, or whether they are rational or otherwise, in the opinion of the Court.

Conclusion

Religion is matter of faith and belief with individual or communication and it is not necessarily theistic. A religion has its basis in “A system of beliefs or doctrine which are regarded those who profess that religion as conducive to their spiritual well being, “But it will not be correct to say the religion is nothing else but a doctrine of beliefs. A religion may only lay down a code of ethical rules² for its followers to accept, it might prescribe rituals and observance, Ceremonies, and modes of worship which are regarded as integral part of religion, and those forms an observance might extend even to matters of food and Dress, Religion is thus

essentially a matter of personal faith and belief. Every person has right not only to entertain such religious belief and ideas as may be approved by his judgment or conscience but also exhibit his belief and ideas by such overt acts which are sanctioned by his religion.

In India religion of every person placed at respectable place and has freedom to follow his/her own religion and that no man is in law justified to insult the religion of another. Every person has to respect the religious susceptibilities of persons of different religious persuasions on creeds and desists from hurting the religious sentiments of others. In other words, every man is free to profess his own religion and no man should insult the religion or religion and no man should insult the religion or religious feeling of any class or group. Thus the deliberate acts perpetrated by persons of one religious persuasion for the insult or annoyances of persons of other persuasions have been made punishable under the Indian laws.

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Human Rights Violation in Bangladesh



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Abstract

This paper is about human rights violation in Bangladesh. Bangladesh is a Parliamentary Democratic and densely populated country in the South Asia. Human rights are parts and parcel in a democratic country. In a country if human rights are violated then the country cannot be developed and the democracy of that country becomes weak. Human rights are violated in every country of the world. But extrajudicial killings like crossfire and death in custody, abduction, child labor, violence of workers' rights, violence of women rights, women and child trafficking, public lynching, death penalty and discriminations on religion minorities and indigenous people are alarming in Bangladesh. Bangladesh emerged as an independent country in the South Asia in 1971 after being separated from Pakistan. In 1971 it was a very poor country. The general people had a hope and dream that the political parties will develop the country and will eradicate poverty gradually, will provide jobs to the 50% unemployed people, will educate the 60% illiterate people; but their holy hope and dream have not been fulfilled due to frequent hostile political culture, beating, killing among the political party members, no patriotism among the political leaders, massive corruption, unnecessary frequent strike, unnecessary opposition to the government policy etc. If the government cannot establish human rights properly then the democracy of the country will not be strong. Moreover, with institutional changes respect for human rights, rule of law and good governance should also be the safeguards for human rights in the domestic regime. If it is done, the security forces can be made accountable and friendly to the common people. Once the security forces are made accountable towards the people, the rate of human rights violations in Bangladesh will be decreased.

Keywords: India, Bangladesh, Torture, Violence, Child Abuse, Religious Discrimination, Rape

Introduction

Bangladesh is a poor country in southern Asia. It locates southern side of India and above the Bay of Bengal. It is a very small country but it has large population, 150 million. It was a part of Pakistan and was separated as an independent country in 1971 through 9 months bloody liberation war. Thousands of people died in this liberation movement against the government of Pakistan. At that time, some political parties thought it would not be for the interest of Bangladeshi people to separate Bangladesh

from Pakistan as India wanted to divide Pakistan into two parts to gain its own political and imperialistic policy. Therefore, more than 6 political parties including Bangladesh Jamaat-e-Islami (BJI or better known as Jamaat), Muslim League, Nejame Islami, Pro-China Communist Party etc. opposed the separation movement of Bangladesh from Pakistan. Any how, Bangladesh became an independent country on 16 December 1971 after the Pakistani army surrendered to the Chief of Indian military forces. After independence of Bangladesh, BJI supporters

(around 100,000 at that time) accepted the independence of Bangladesh happily and worked for the development of Bangladesh and did not do anything which may go against the interest and independence of Bangladesh. It did not keep any relation with Pakistan government afterwards.

Human Right is the most important issue in the present context of the world. In every society, every state people should have human rights. It is their one kind of fundamental rights. Preserving the human rights absolutely for the people, a state become trustworthy towards the people. Without ensuring human rights purely, no state can establish its existences & internal development. The state itself is the caretaker of the civil rights of the citizen. If the state becomes failure to ensure the best care of human rights, then it lost its acceptance from the citizen. The Government is the savior & knight in shining armor of human rights of the people. So the Government should be very serious about the human rights of the citizen. In the countries of third world especially in the South East Asian countries, human rights are being drastically violated. In maximum time human rights is being violated by political elites. It is being violated in the grass-root level also.

The essence of the democracy is the "Vox populi vox dei" i.e. "the voice of the people is the voice of god". One of the fundamental elements to keep the democracy moving and to protect human rights, a universal concept is the rule of law. The beauties and success of rule of law, the very foundation of sound democratic system depends on the effective and modern law enforcing agency equipped with up-to-date technicalities and facilities of a country and how far they are inclined to show respect, patronize the rule of law and human rights at large. A culture of human rights is must for full realization of human potentials, mutual understanding, tolerance, peace and justice. And for that very reason, the law enforcing agency of a country should have respect first and foremost the domestic law of the society of which it is a part to maintain and restore the law and order and to protect human

rights. At present, in Bangladesh, a developing country from the third world which has got its origin in the world map on December 16, 1971, the role of the law enforcing agency is total different and much worse than things were about 20 years ago.

Over the couple of years, the role of law enforcing officials is criticized by civil society and public at large. In Bangladesh, as half of people live below the poverty line, they are the worst victims of human rights violations by the law enforcing agency. They do not have access to justice. In Bangladesh the police neither are friends of the people, nor custodians of human rights. Rather they are considered as patrons of criminals. Transparency International, a Germany based anti corruption watchdog, has found Bangladesh police force as the most corrupt organization in the country. In fact, with the changing situation of the present socio-economic situations of Bangladesh, the human rights violations are being increased in multifarious ways which undermine the prestige and potentials of Bangladesh law enforcing agency. This paper is an attempt to analyze the existing defects that lie with the present law enforcing agency in Bangladesh, to examine their malpractices, its effects on the socio-economic and political spheres of Bangladesh and to explore the ways to remedy such defects and upheld the rule of law.

The incidence of torture, oppression, ill treatment and arbitrary arrest by law enforcement agencies became more common in Bangladesh for the last few years. The forces that have legitimized power, they are randomly abusing of that power and operating torture over the common people for articulating there self-desire. A culture of impunity appeared to be integral to governance. Extra judicial killings & custodial deaths became a significant feature in deteriorating human rights conditions throughout the years. Mass arrests and detentions as well as brutal police assaults on streets protest is a common phenomenon in Bangladesh now. Violence between political parties intensified with the approach of national polls. The absence of due process of law may even

have inspired a populist tolerance of lawless law enforcement by state agencies.

In Bangladesh, it is very common scenario that the ruling political party exercises the power like the police. On exercising power the undulating party has no disparity from the police. The police and the ruling political party are the birds of the same feather when they are in power. So, they are backed by the Government and unleashed to exercise the grand power drastically. The state power is tilted towards the ruling political party. Thus the common people are being oppressed by the political activists very often and losing their basic human rights randomly. Clashes between political activities have contributed to a culture of violence and vengeance. Most of the agitations took place between the two mega-political parties like BNP and Awami League. They are the main political parties in Bangladesh. Apart from inter party wrangle, there was a significant number of clashes between different groups or factions within the same party. The factional politics are exercised in Bangladesh, extremely.

Torture

Torture is crime under international law. It cannot be justified under any circumstances. This prohibition forms part of customary international law and is binding on member of the international community regardless of whether a state has ratified international treaties in which torture is expressly prohibited. Now days it is also seen in Bangladesh that the prisoners are being tortured by the police frequently. The law enforcement forces are also tormenting the common people usually. Custodial torture is frequently used for law enforcement. Police and RAB have been repeatedly accused of using a wide range of torture methods not only to extract information but also for other reasons.

Massive Violence in Campus

National politics always patronage the student politics especially in the university campuses. Student politics always creates a terrific & appalling atmosphere where the natural modes of academic activities become hampered by the

political violence. All the academic programmers in public universities were intensively interrupted by campus violence. It is mentioned here with some gigantic & notable campus violence. A serial bomb blast at the Valentine's Day debate organized by Dhaka University debating society left nine injured on 14th February, 2005. The perpetrators entered the premises under a security blanket provided by law enforcement agencies, and fled after throwing several bombs in succession. Neither the police nor RAB arrested anyone involved in the attack. Sabikunnahar Sony-a promising talent of Bangladesh had to welcome a premature death by the crossfire between the clashes of two factions in BUET. This is a burning example of campus violence. More than 50 students were injured in triangular clash between Bangladesh Chatra League (BCL), Jatiotabadi Chatra Dal(JCD) and Islami Chatra Shibir in Jagannath University. On 28 May, 2005, when a speeding minibus ran over a Dhaka University student, violent demonstration by the students provoked police repression, leaving more than 100 injured. While protesting police excesses the students were again beaten by JCD activities. On 17 September, 2005, unidentified assailants, in broad daylight, gunned down the president of Jatiotabadi Chatradal (JCD) of Government Shahid Shuhrawardi College unit and wounded the General secretary in the college premises. Violence became a mode for control and domination. In some institutions, the confrontation occurred directly between students and the police. Besides these there are also diverse reasons for campus violence. But all these are making an educational campus unhealthy & unsecured for the common students. The parents are highly terrified for these incidents.

Cosmopolitan Human Rights

Politically motivated statements and multifarious propaganda are spreading misconception about the oppression and leading the crisis towards a complicated ending instead of towards a fair solution. Whatever might be the extent of the incidents, it was clear that there was oppression

on the minorities and that should be stopped immediately. All concerned should also bear in mind that a single instance of act of terrorism is enough to panic the people of a whole community, at least, psychologically. The Hindu minority has little effective leadership. Its only response to the situation has been to vote with its feet. The divisive and conservative approach of the community leaders, in fact, contributes to the growth of mutual disbelief and hatred. Bangladeshi parliamentarians are now facing a formidable human rights challenge. They must follow their own conscience and seek to safeguard the human rights of the people they represent rather than rubber-stamping the bill. The emergence of Bangladesh as an independent state was the result of a fight against violation of human rights in different ways. People's struggle for establishing fundamental rights by brushing aside anomalies is always there in this part of the world. But unfortunately, the polity is yet to overcome the barriers to human rights.

Wholesale Torture perpetrated by The Law Enforcement Forces

On 15th July, 2005, Abu Bakar Sultan who protested against RAB members beating a car driver in Uttara, was himself seriously assaulted on the spot and taken to RAB office. There he was again tortured with an iron rod and roller. Police Sub-Inspector-Sohrab Hossain of Kaliakoir, Gazipur arrested a transport worker-Anil Chandra Roy and tortured him inhumanly. He died of excessive bleeding following the brutal torture by the police sub-inspector. In 2003, the High Court Division had given clear directives for the proper of persons taken into remand or interrogation. But RAB and Police have ignored these instructions. The law enforcing forces are operating a silent torture and terrorism several over the common people. There is no protestation against the aforesaid forces because of there having extra judicial power and they are whimsically abusing that legal power. By the malpractices of arms power the civil rights are being extremely violated.

Human Rights: Extreme poverty

Urban Poverty: According to a report released by Asian Development Bank, it was showed that 55% Dhaka residents are living beneath the poverty line, with 32% beneath the hard-core poverty line. About 27% of the total poor live in the nearly 3000 slums in Dhaka, 25% of them on Government Land, where 90% live in single rooms for which they pay high rents. There are few slums outside the Dhaka corporation area. Dwelling right is anymore basic right of human life. If people don't get the prime opportunity of living, it means that their human rights are not ensured absolutely.

Data from House of Nation

The Jatiya Sangsad of Bangladesh revealed data regarding Human rights violation that the home minister had to replied to the question that 234 murders had occurred in the first month under AL rule, 113 rapes, 1143 thefts, 97 armed robberies, 233 muggings and terrorism

Child Lifter Gang

In our country, it also a newly emerging threat for the people that there are a lot of organized child lifter gangs who are working on the sly and randomly abducting the children under 10 years old who have the basic rights to move freely nearby their home. But they are terrified now by the threat of child lifter gang who are despoiling their lives.

Yasmin Case

Yasmin case was a very shocking and tragic case of inhuman activities. Innocent Yasmin was rapped and murdered by the inferior police officer in Dinajpur. What was her offense? Why she had to lay her virginity and her life toward the police?

Assassination of Ahsanullah Master

On May 7, 2005; Gunman killed Awami League Legislator Ahsanullah Master at a party meeting in Tongi.

Unlawful Torture by RAB

The Government created a new police unit, the Rapid Action Battalion (RAB), composed of

personnel from different law enforcement and security agencies, including the military to deal with the violent criminals. The civilian authorities maintained effective control of the security forces. The RAB and security forces committed human rights abuses and were rarely disciplined. Police were often reluctant to peruse investigations against person affiliated with the ruling party, and the Government frequently used the police for political purposes. Members of the security forces committed numerous serious human rights abuses. Police often employed excessive sometimes lethal force in dealing with opposition demonstrator, and police and RAB personnel routinely employed physical and psychological torture during arrest and interrogations. On July 15, 2005 a RAB team arrested opposition Awami League activist Sumoan Ahmed Mojumder. A witness to the May 7 killings of Awami league legislator Ahsanullah Master. Sumaon later died at hospital after his arrest, and independent human rights investigators determined that Sumon died from torture while in the custody of RAB. Very often RAB forces use to use electric shock over the detainee or accused.

21st August, Granade Attack

On August 21, a series of explosions at a rally in Dhaka, where AL president Sheikh Hasina was speaking, killed at least 20 persons including the AL woman's affairs secretary Ivy Rahman and injured several hundred others. On August 22, the Government formed a judicial commission to investigate the incident and on October 2 the commission submitted the report to the Government. Although the Government did not release the report, newspapers stated that the one member inquiry commission hinted at the involvement of a foreign intelligence agency in masterminding the attack and executing it with internal assistance.

Rape Case

Very often we find that policeman under the safe custody rapes some women. On December 18, 2005, in Chuadanga, Police took Dolly Khatun to a Police camp for questioning, where 14 Police

officer subsequently rapped her. In most case, law enforcement personnel accused of rape and tortures were not investigated. In some cases women were often detained in "safe custody" after reporting a rape where they endured poor conditions and were sometimes abused and raped again.

Child Rights Violation

Children of today are the future of the nation tomorrow. The children rights should be over emphasized. But child rights are frequently neglected always. People of every sphere of the country are acutely reluctant in child rights. Thus promising talent children are being deprived from their basic rights and they cannot flourish themselves. Because of widespread poverty, many children began to work at very young age. According to the Government's national child labor survey published in November 2003, The Government estimated that approximately 3.2 million children between the age of 5 and 14 years worked. Working children were found in 200 different types of activities. Sometimes children were seriously injured or killed in the work place due to hazardous works. Children often worked alongside family members in small-scale and subsistence agriculture. Hours usually were long, they pay low, and the conditions hazardous. Children under 18 years sometimes worked in hazardous circumstances in the leather industry or in the brick breaking industry. The government sometimes brought criminal charges against employers who abused domestic servants.

The government was generally responsive to children rights and welfare. Many of these effort were supplemented by local and foreign NGO's and these joint efforts allowed the country to make significant progress in improving health, nutrition, education; however slightly more than one-half of all children were chronically malnourished. Under the law, children between 6 and 10 years of age must attend school through the fifth grade. Primary education was free and compulsory. The implementation of compulsory primary education fell short in part because

parents kept children out of school, preferring instead to have them working for money or helping in household chores. Government incentives to families sending children to schools contributed significantly to the rise in the enrollments in primary schools recent years. In every year, the innocent children are falling in victim of abduction, torture by the house lord, by the patron, kidnapping, trafficking, acid attacks, rape, sexual harassment etc.that is extensively pathetic for us.

Violation of the people's most important and fundamental rights

Rights of freedom of speech: People's most fundamental right is freedom of speech. The right of expressing opinion independently should be preserved. But this right is thoroughly being infringed by the powerful or political elite or by the state power. The constitution provides for freedom of speech and press, subject to what it deemed reasonable restriction in the interest of security, friendly relations with foreign states, public order, decency and morality, or to prohibit defamation or incitements to an offense: however in practice the Government limited these rights. Individuals are not always able to criticize the Government publicly without the fear of reprisal and the Government often attempted to impede criticism by prohibiting or dispersing political gatherings.

The Government applied indirect pressure to coerce journalists into self-censorship. There is a lot of examples regarding this. The official misconduct was occurred by a lot of high Government officers. For example, an official of the prime minister's press wing (of the previous Government) called a private television reporter and threatened to limit his access to ruling party functions if he had not stop covering an opposition candidate's campaign. The reporter was withdrawn from voting day coverage by his supervisors for failing to comply.

Religious Discrimination

There is huge religious discrimination among the people of Bangladesh. Religion is a most sensitive

issue. Everybody is orthodox in case of his or her religion. Nobody wants to demolish his or her religious values. If the religious value is degraded, then a religious crisis happened and it welcomes any other social collision. The constitution establishes Islam as the state religion and also stipulates the right, subject to law, public order, and morality, to practice the religion of one's choice, and the Government generally respected this right in practice. Although the Government is secular, religion exerted a powerful influence on politics. Discrimination against members of religious minorities existed at both the governmental and societal level; however, there was no clear evidence of government persecution, although religious minorities were disadvantaged in practice in such areas as access to government jobs, political office, and access to justice.

The government allowed various religions to establish place of worship, train clergy, travel for religious purposes, and maintain links with co-religionist abroad. The law permitted citizens to proselytize; however strong social resistance to conversion from Islam meant that most missionary efforts by Christian groups were aimed at serving communities that had been Christian for several generations. Foreign missionaries were allowed to work in the country but their right to proselytize was not explicitly protected by the constitution. Some missionaries face problems in obtaining visas or renewing visas, which must be renewed annually.

Role of NGO

In Bangladesh several Non-Governmental Organizations (NGO) are working to monitor the civil and political rights situations in Bangladesh, including the human rights violations by law enforcing agency. Such NGO's are, namely Bangladesh Legal Aid and Services Trust (BIAST), Ain O Shalish Kendro (ASK), Odhikar etc. For the last four or five years, these organizations monitor the human rights situations in Bangladesh. They play an active role on this point and make many recommendations to the government. But it is the government who

is to click such recommendations for upgrading the present law and order situation.

Legal Framework for the Protection of Human Rights in Bangladesh

For an analysis of the human rights situation in Bangladesh, it is important to look at the country's commitment to human rights both in national and international levels, discussed herein below:

(a) International obligations Bangladesh has ratified all the major international human rights instruments although it has made some important reservations. Bangladesh is a party to the International Covenant on Civil and Political Rights, 1966 (ICCPR) (Article 6, 7, 9, 10), she has also ratified the Convention Against Torture (CAT), Convention on the rights of the Child (CRC), the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW)). However, there are as number of reservations has been made by Bangladesh which made it ineffective and deny the equal status of women. Bangladesh is a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which stipulates that State Party shall ensure that all acts of torture are offences under its criminal law.

International Covenant on Civil and Political Rights, 1966 ensures that no one shall be subjected to torture, or to cruel, inhuman or degrading treatment or punishment. Constitution of Bangladesh also outlaws any form of torture. The Universal Declaration on Human Rights (UDHR) (art. 3, 5, 7, 8, 9, 10, 11) is considered as the juscogens throughout the world from which no derivation is possible. Still no law has been enacted for the prohibition of torture. In other words, still 'torture' has not defined as crime in Bangladesh whereas Srilanka has enacted laws on the prohibition of torture and in violation of the said provisions, punishment for torture is imprisonment for 7 years, whereas in Bangladesh 'torture' is considered only as 'hurt. Again another point also draws our attention in respect of The Convention against Torture. Bangladesh

reserved article 14 of the said Convention. Article 14(1) state: "Each State Party shall ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible. In the event of the death of the victim as a result of an act of torture, his dependants shall be entitled to compensation."Hence by reserving Article 14 of the said Convention, Bangladesh government denies such compensation or rehabilitation and also invalids the constitutional mandate under Article 35 (5) of the People's Republic of Bangladesh. The ICCPR which was ratified by Bangladesh in 5th September, 2000 ensures that every human being has the inherent right to life. It stipulates that this right should be protected by law and no one shall be arbitrarily deprived of his life. But in 2007 and 2008, state security forces reportedly continued to be responsible for extra judicial killings and for custodial killings. During the state of emergency, extra judicial killings by joint security forces continued unabated.

(b) National Obligations The Bangladesh Constitution also provides the provisions to ensure human rights such as: • Promotion of international peace, security and solidarity (Article:25) • Right to protection of law(Article 31) • Protection of right to life and personal liberty (Article 32) • Safeguard as to arrest and detention (article 33) • Protection in respect of trail and punishment (article 35) • Freedom of movement (Article 36) • Freedom of assembly (Article 37) • Freedom of thought and conscience and of speech (Article 39) • Protection of home and correspondence (Article 43) • Power of HCD to secure the enforcement of rights (Article 102) According to Article 31, the enjoyment of protection of law, to be treated in accordance with law and in particular no action detrimental to life, liberty, body, reputation or property of any person shall be taken except in accordance with law. In Mohammad Hossain vs. General Manager, E.B.Railway77, the court held that any invasion upon the rights of citizens by anybody, no matter whether by a private individual or by a public official or body, must be justified with reference to

some law of the country, otherwise such invasion would be illegal. Accordingly, *Brahmanbaria Paurashava vs. Bangladesh* 78 the court held that no action detrimental to vested right of an individual or a corporate body can be taken except in accordance with law. Article 32 ensures freedom from arbitrary arrest indirectly. Again in *Bachan Singh vs. Punjab* 79 the Indian Supreme Court held that the sentence of death to be constitutional, recognizing the right of the State to deprive a person of his life in accordance with fair, just and reasonable procedure established by law. Therefore, where it is reasonable to believe that any person has committed a serious crime under the Penal Code, 1860 or other special laws and has continued that offence, only than the right to personal liberty can be denied upon and convincing that person through fair trial with proper evidences.

In *Muslemuddin Sikder vs. Chief Secretary* 80 the court held that the arrested person must be given a reason able opportunity to defend him. Under Article 33, the arrested person has the right to be informed of the ground of arrest. In *Rowshan Bijoya S, Ali khan vs East Pakistan* 81 it was held that, it is not necessary to inform him of the full details of the offence, but the information should be sufficient to give him an idea of the offence he is alleged to have committed. In *Habiba Mahmud vs Bangladesh* 82 the court held that grounds served need not be particulars in all details, but they must contain sufficient particulars so that an effective and meaningful representation may be made by the detainee. Article 33, also provides that the arrested person must be produced before a magistrate within 24 hours excluding the time of journey from the place of arrest to the court of the magistrate. In *U.P. vs Abdus Samad* 83 it was held that the failure to comply with this requirement of 24 hours would render further detention of the arrested person illegal. Article 33 (3), Article 33 (4), Article 33 (5), Article 33 (6) enumerate the provisions of preventive detention and Article 33 (4) does not permit preventive detention more than 6 months. On the other hand the advisory board can extend the time if sufficient cause for detention. In *Monowar Begum vs Secretary, Ministry of Home Affairs* 84

the court held that if no such affirmative opinion is given by the Advisory Board, the detainee has to be released on expiry of six months. In *Fostiana Pereira vs The State and Others* 85 the HCD of Bangladesh held that the detention of prisoners in Jail after they have served out the sentences is a violation of their fundamental rights guaranteed in the Constitution, specially the right to life. Hence, it can be said that through this judicial activism there is scope for a post-trial concession to enjoyed by a prisoner who have spend in custody a considerable time. Lastly, under the Article 102 of our Constitution, the HCD has the power to monitor the Human Rights Violation and HCD can issue directives in order to secure the enforcement of Human Rights. In recent years, the HCD is welcoming writ petitions in the form of PIL (Public Interest Litigation) from the citizens whenever their Human Rights are infringed. The Case filed by BLAST, is one of the examples of these PIL discussed earlier.

Human Rights and Compensation

The High Court may play an important role in pioneering to pay compensation for human rights violations by the law enforcing agency. In *Smt.Nilabati Behera @ Lalita Behera vs.State of Orissa & Ors.*86 the Supreme Court asserted the jurisdiction of the judiciary as ‘protector of civil liberties’ under the obligation to repair damage caused by officers of the State to fundamental rights of the citizens, holding the State responsible to pay compensation to the near and dear ones of a person who has deprived of life by their wrongful action. In *Muhammad Ali vs. Bangladesh*87the Court fined 5000 taka as ‘token compensation’ against each of the two Police Officers for searching the house of a renowned journalist without warrant and during midnight. It seems that the HCD move to provide protection against unauthorized entry, search and seizure as ensured under Article 43. Accordingly, the apex court of Bangladesh can play a pivotal role in this regard. Apex court supposed to show strong judicial activism i.e.by giving directives to the state suomoto or of on its own motion that the State must compensate the victims in case of any human rights violations.

Conclusion

In this paper, many aspects of human rights of the citizens of Bangladesh were discussed. This country is densely populated and human rights are violated in every sector of this country. Most of the peoples are illiterate and ignorant about their rights. About 80% political leaders are businessman and industrialists, so that political leaders first see their own profits. They are not serious about the human rights. If the government cannot establish human rights properly then the democracy of the country will not be strong. Moreover, with institutional changes respect for human rights, rule of law and good governance should also be the safeguards for human rights in the domestic regime. If it is done, the security forces can be made accountable and friendly to the common people. Once the security forces are made accountable towards the people, the rate of human rights violations in Bangladesh will be decreased.

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Dynamics of Truth and Non-Violence in Socio-Political Context : The Gandhian Way



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Abstract

"In recent years there has been a dramatic increase in the number of people around the world who have taken part in nonviolent political action. However, there is considerable debate about the precise meaning of nonviolence. For some, nonviolent action is a expedient technique for dealing with conflict or bringing about social change; for others, nonviolence is a moral imperative or even a way of life. Theodore Roszak has rightly stated, "People try nonviolence for a week, and when it 'doesn't they go back to violence, which hasn't worked for centuries. The word 'Non-violence is a translation of the Sanskrit term 'Ahimsa'. He stated that in its positive form, 'Ahimsa' means 'The largest love, the greatest charity'. Moreover he stated that Ahimsa binde us to one another and also to God. So it is a unifying agent. Gandhi wrote, 'Ahimsa and love are one and the same thing'. According to Gandhi the word 'Satya' comes from the word 'Sat' which means 'to exist'. So by the term 'Satya' Gandhi also means that which is not only existent but also true. Gandhi said that Truth and Non-violence are the two sides of a same coin, or rather a smooth unstamped metallic disc. Who can say, which is the obverse, and which the reverse? Ahimsa is the means; Truth is the end. I will discuss the Gandhian concept of Truth and Non-violence elaborately in this paper."

Keywords: Gandhian way, Socio-political Context, Conflict, Peace Strategy

Introduction

"There is no other God than Truth... and the only means for the realization of Truth is Ahimsa...a perfect vision of Truth can only follow a complete realization of Ahimsa." —Mahatma Gandhi

In recent years there has been a dramatic increase in the number of people around the world who have taken part in nonviolent political action. However, there is considerable debate about the precise meaning of non-violence. For some nonviolent action is an expedient technique for dealing with conflict or bringing about social change; for others non-violence's is a moral imperative or even a way of life. Theodore Roszak has rightly stated, "People try non-violence for a

week, and when it 'doesn't work' they go back to violence, which hasn't worked for centuries."

The two principles or ideals that guided Gandhi's life were truth and non-violence.¹ For him truth was God and realising this truth as God was the ultimate purpose of life. He expounded the proposition that truth could be realised through non-violence: "Truth is the end and non-violence the means." Gandhi gave his own definition and explanation of non-violence which transcended conventional understanding of the concept. For Gandhi non-violence was not negative concept meaning non-injury or non-killing but a positive one which meant love in the sense of selfless service of one's fellow being which included the entire creation.² The essence of his arguments

is that one must try to practise non-violence in through world and deed and to organise all life activities on its basis, and that would bring in unprecedented and revolutionary changes in human life. The paper attempts to codify and put in perspective the defining features of non-violence as understood, explained and practised by Mahatma Gandhi.

Objectives and Aim of this Paper

The main objectives of this research paper is to study and examine the structure of the Gandhian philosophy on Truth, Non-violent and Satyagraha. This paper is based on the following objectives:

- This paper tries to focus the relation between Truth and non-violence.
- This paper tries to focus how Gandhi influenced by Satyagraha.
- This paper tries to focus the identification of Truth and God.
- This paper focused to introduce socio-political significance of Gandhian concept of Non-violence.
- It would enable us to know how to apply these principles in solving social and political problems/conflict.
- It also signifies how man is related to God.
- It also tries to focus on global peace.

Review of Literature

For this research paper, we have studied many books and national and international related Gandhian philosophy and literature: 1. *Fundamentals of Gandhian Thoughts* (2014: New Delhi: Discovery Publishing House Pvt.Ltd.: M. Maharajan); 2. *The Politics of Non-violent Action* (1973: Porter Sargent: New York: Gene Sharpin); 3. *Role of Power in Non-Violent Struggle* (1990: Boston: The Albert Einstein Institution: Gene Sharp), 4. *Gandhi's Political Philosophy: A Critical Examination* (1989: London: Macmillan: Parekh, Bhikhu), 5. Gandhi: pioneer of non-violent social change (2012: Boston: Pearson: Sethia, T.).

Hypothesis

There exists no significant difference in the level of coping strategies employed by student teachers at secondary level prior to teaching practice; based on gender, region, type of management of the institution and qualification. The present world is going through a new era of privatization, liberalization and globalization. Human life is directly or indirectly influenced by consumerism. On the hand, human life science and economic area is touching new heights, on the other, his happiness and peace have been lost. There is going to be disorientation in it. The human is standing at this point that he has almost forgotten his moral values. In such a scenario today, the strategy of Gandhian truth, non-violence and satyagraha can save people from the conflict and inspire them towards the path of peace.

Materials and Methods

To identify studies for the review, the researches conducted descriptive study and secondary data was used for the study. Basically, the required material has been derived from various Journals, articles from newspaper, magazines, and websites which deal directly or indirectly with the topics related to Gandhian philosophy. After searching the important newspaper and websites, relevant information was down loaded and examined to address the objectives of present study.

Non-Violence: The Legacy

Nonviolence played a very important role in defining the course of India national movement, from the 1920s to the final achievement of the freedom. It formed the basis of the methods of Satyagraha that became closely associated with the Gandhi an whirlwind in Indian politics. Gandhi understood economic profit to be the guiding force of the imperialist project and attacked the British government at where it hurt most, which was financial gain. Picketing, non-cooperation and organized resistance to British modes of oppression were the main modes of the non-violent political movements in India.

It shaped the course of the Civil Disobedience Movement as well. Even at a later time, during the Quit India movement, Gandhi's theory of non-violence held strong in the face of the new and radical waves in the world of Indian politics like communism and armed revolution.³ Even at the dawn of independence, as Nehru was getting ready to eloquently unleash his 'tryst with destiny', Gandhi was busy on the troubled roads of Bengal, preaching non-violence to mad rioters. It was probably pre-ordained that he had to lay down his life for holding on to his ideals.

Gandhi was truly a martyr for the cause of non-violence, who not only preached but practiced what he preached. His life was a glorious example of his thoughts, and thousand of Indians from all walks of life, from cities and villages alike, took encouragement and force from his simple life and unshaken faith in the innate goodness of the human soul. He wielded the weapon of love and understanding, and succeeded to upturn even the strongest of the martial nations with it. Gandhi has left the world richer with a renewed faith in dictates of non-violence.

Non-Violence : The Concept & Forms

'Nonviolence' is an umbrella terms for describing a range of methods for dealing with conflict which share the common principle that physical violence, at least against other people, is not used. There are two major dimensions of nonviolent action, namely, tactical-strategic and pragmatic-ideological. The first dimension indicates the depth of analysis, the ultimate aim and the operational time-frame which activists use. The second dimension indicates the nature of the commitment to non-violence and the approach to conflict which activists utilise: this includes the importance attached to the relationship between means and ends and the attitude towards the opponent.⁴

Tactical exponents of non-violent action use short to medium term campaigns in order to achieve a particular goal within an existing social framework; their aim is reform. Strategic exponents of non-violent action are guided by a structural analysis of social relationships and

are mainly concerned about the fundamental transformation of society; particular campaigns are thus conducted within the context of a long-term revolutionary strategy. Pragmatic exponents use non-violent action because they believe it to be the most effective method available in the circumstances. They view conflict as a relationship between antagonists with incompatible interests; their goal is to defeat the opponent. Ideological exponents choose non-violent action for ethical reasons and believe in the unity of means and ends. They view the opponent as a partner in the struggle to satisfy the needs of all. More fundamentally, they may view nonviolence as a way of life.⁵

At first glance, violence may appear to be a superior technique for resolving conflicts or achieving desired ends because it has obvious and tangible strategies and weapons. Non-violent techniques are often more difficult to visualise and there is no shortage of moral and practical dilemmas that sceptics are able to raise as impediments to taking non-violence seriously. Further, non-violent action is a technique by which people who reject passivity and submission, and who see struggle as essential, can wage their conflict without violence. Non-violent action is not an attempt to avoid or ignore conflict. It is one response to the problem of how to act effectively in politics, especially how to wield powers effectively. It consists of acts of protest and persuasion, non-cooperation and nonviolent intervention designed to undermine the sources of power of the opponent in order to bring about change. Non-violent protest and persuasion is a class of methods which are 'mainly symbolic acts of peaceful opposition or of attempted persuasion, extending beyond verbal expressions'.⁶ These methods include marches, vigils, pickets, use of posters, street theatre, painting and protest meetings. There are literally hundreds of different forms of non-violent resistance and struggle, each with their own advantages and disadvantages. Gene Sharp, one of the leading scholars on nonviolent direct action has developed a list of 198 forms of

non-violent action, which he divided into three categories: non-violent protest and persuasion (the mildest), non-cooperation, and non-violent intervention (the strongest). Non-violent protest and persuasion includes symbolic actions such as marches or parades, picketing, teach-ins, or vigils-any action which voices peaceful opposition to a policy or a law. The intent is to persuade others to change their attitude toward that policy and to join the non-violent struggle to overturn or correct the policy or law. Sharp's second category, non-cooperation, includes stronger actions which involve refusal to do things that are normally done to help a person, group, institution, or government with which one is in conflict. For example, people might refuse to pay taxes if they disagree with the government's actions spending those taxes; they might refuse to work, or stage a work slow-down to protest working conditions or business or government policies; or they might refuse to obey laws they consider to be unfair or immoral. Non-cooperation may be social, political, or economic, depending on what institution is challenged.⁷

Sharp's strongest category of non-violent action is intervention, which is designed to interrupt an ongoing activity or process of the opponent. Examples include "sit-ins" in which people will sit in a business or government office, stopping its functioning; or blockages of roads, railroad tracks, or the movement of ships at sea. Also included in this category are what Sharp called "psychological interventions,"—for example, self-inflicted fasting. All of these forms of direct action are effective, Sharp asserts, because they diminish the legitimacy, and hence the power of the opponent. He states, "Non-violent action tends to turn the opponent's violence and repression against his own power position, weakening it and at the same time strengthening the non-violent group. Because violent action and non-violent action possess quite different mechanisms, and induce differing forces of change in the society, the opponent's repression...can never really come to grips with the kind of power wielded by the nonviolent actionists." Sharp compares

this approach to the martial art of jiu-jitsu—in which the violent party loses its balance when confronted with non-violent opposition.⁸

Further, non-cooperation, the most common form of nonviolent action, involves the deliberate withdrawal of cooperation with the person, activity, institution or regime with which the activists have become engaged in conflict. These methods include the provision of sanctuary (social); strikes, boycotts and war tax resistance (economic) and boycotts of legislative bodies and elections (political). Political non-cooperation also includes acts of civil disobedience—the 'deliberate, open and peaceful violation of particular laws, decrees, regulations and the like which are believed to be illegitimate for some reason'. Again, non-violent intervention is a class of methods involving the disruption or destruction of established behaviour patterns, policies, relationships or institutions which are considered objectionable, or the creation of new behaviour patterns, policies, relationships or institutions which are preferred. The disruption class of methods includes non-violent occupations or blockades, fasting, seeking imprisonment and overloading facilities (such as courts and prisons). The creation class of methods includes establishing alternative political, economic and social institutions such as non-hierarchical cooperatives, markets, ethical investment groups, alternative schools, energy exchange cooperatives as well as parallel media, communications and transport networks.⁹ This last class of methods is what the Gandhian literature refers to as the constructive program.

Passive Resistance Non-violent tactics are employed because the means for an effective violent campaign are lacking or are not likely to succeed; e.g. most strikes, boycotts and national non-cooperation movements belong to this category. Peaceful Resistance: Peaceful resisters believe that non-violent methods are more effective; e.g. some of Gandhi's campaigns fall into this category because many of his followers did not fully internalise what he taught. Gandhian Non-violence (Satyagraha) aims to attain the

truth through love and right action. It demands the elimination of violence from the self and from the social, political and economic environment. Gandhi's Salt Satyagraha is a classic example. Non-violent Revolution: Revolutionaries believe in the need for basic individual and social change and regard the major problems of existing society as structural, e.g. the campaigns of Jaya Prakash Narayan and Vinoba Bhave in India.

Green Politics and Non-Violence

Non-violence has been a central concept in green political philosophy. It is included in the Global Greens Charter. Greens believe that society should reject the current patterns of violence and embrace non-violence. Green Philosophy draws heavily on both Gandhi and the Quaker traditions, which advocate measures by which the escalation of violence can be avoided, while not cooperating with those who commit violence. These greens believe that the current patterns of violence are incompatible with a sustainable society because it uses up limited resources and many forms of violence, especially nuclear weapons, are damaging for the environment. Violence also diminishes one and the group. Some green political parties, like the Dutch Groen Links, evolved out of the cooperation of the peace movement with the environmental movement in their resistance to nuclear weapons and nuclear energy. As Green Parties have moved from the fringes of society towards becoming more and more influential in government circles, this commitment to non-violence has had to be more clearly defined. In many cases, this has meant that the party has had to articulate a position on non-violence that differentiates itself from classic pacifism. The leader of the German Greens, for example, was instrumental in the NATO intervention in the Kosovo, arguing that being in favour of non-violence should never lead to passive acceptance of genocide. Similarly, Elizabeth May of the Green Party of Canada has stated that the Canadian intervention in Afghanistan is justified as a means of supporting women's rights. This movement by Green leadership has caused some internal

dissension, as the traditional pacifist position is that there is no justification ever for committing violence.

Reasons for Non-Violence

There are many reasons which can be offered for the employment of nonviolence. It is a 'weapon' available to all; it is least likely to alienate opponents and third parties. It breaks the cycle of violence and counter-violence. It leaves open the possibility of conversion. It ensures that the media focus on the issue at hand rather than some tangential act of violence and it is the surest way of achieving public sympathy. Further, it is more likely to produce a constructive rather than a destructive outcome, it is a method of conflict resolution that may aim to arrive at the truth of a given situation and it is the only method of struggle that is consistent with the teachings of the major religions. In addition there are reasons for the employment of non-violence that go beyond the conviction that is a useful, or even the only 'correct' method of conflict resolution. Nonviolence can also be the basis for a way of life: it is consistent with a belief in the underlying unity of human kind and it is the only method of action, interpersonal or political, that does not block that path to what has often been called 'self-realisation'

Non-Violence: The Dynamics

In fact, non-violent activists consider political oppression and economic exploitation to be the direct result of the 'acquiescence' of the oppressed and exploited. Therefore, non-violence aims to empower the disempowered by providing them with an accessible 'weapon' with which to alter the power relationship. In addition, it allows for the possibility that power relationships may be side stepped altogether. Success through non-violent action can be achieved in three main ways. Firstly, accommodation may result when the opponent has not experienced a change of heart but has conceded some or all points in order to gain peace or to cut losses. Secondly, non-violent coercion may result when the opponent wants to continue the struggle but cannot do so because they have lost the sources of power and means

of control. Thirdly, conversion may result when the opponent has changed inwardly to the degree that they want to make the changes desired by the nonviolent activist.¹⁰

Although preferable to coercion based on physical force or threat, the first two types of conflict outcome imply a contest of power between the parties. In these cases, productive outcomes (ones in which all parties are satisfied with the result) will rarely be arrived at. Conversion, on the other hand, operates outside the framework of the interplay between power and powerlessness the touching of the conscience involves a totally different dynamic.

The dynamics of ideological non-violence is based on the acceptance of suffering. By accepting rather than inflicting suffering, the opponent is confronted with a situation that requires a choice rather than a reflex action. In addition, it requires that this choice be made against someone who has occupied the moral high ground, producing a situation that Richard Gregg has aptly termed 'moral jiu-jitsu'. A moral choice, which others otherwise may not have been contemplated, is demanded of the opponent: He suddenly and unexpectedly loses the moral support which the usual violent resistance of most victims would render him. He plunges forward, as it were, into a new world of values. He feels insecure because of the novelty of the situation and his ignorance of how to handle it. He loses his poise and self-confidence. The victim not only lets the attacker come, but, as it were, pulls him forward by kindness, generosity and voluntary suffering, so that the attacker loses his moral balance.¹¹

The voluntary acceptance of suffering is designed to purify the activist by demonstrating the sincerity of the activist to themselves; it also demonstrates this sincerity to others. Further, it is an appeal to the opponent and the (as yet) uncommitted audience. In the dialectic of non-violence both the sufferer and the opponent are transformed: the opponent(s) by being compelled to confront their own views on the truth of the situation which may lead to conversion; and the sufferer who may be morally enriched by

not compromising fundamental principles. Even where non-violence does not touch the conscience of the opponent it can still generate objective benefits in conflict situations, especially those involving social conflict. The opponent may be converted indirectly (or possibly coerced) by being shamed into changing their behaviour if consistent non-violence in the face of provocation moves public opinion to the side of the activist. Gandhi, with surprising candour, has on occasion claimed that the method of reaching the heart is to awaken public opinion!

For many adherents of non-violence, the rationale for it being the preferred method of political activism rests on more than a pragmatic assessment that it works better than other methods. It is good not only because it 'works' but also because it is 'right'. These activists tend to see the aim of non-violence as persuasion and conversion of opponents, rather than coercion. For many strategic exponents of non-violent action the search for truth also entails a detailed analysis designed to uncover the violence inherent in existing structures. According to this analysis, violence is a problem at the level of individual behaviour, at the level of group process and at the level of political structure. It is for this reason that nonviolent analysis can be clearly distinguished from that of liberalism and pacifism on the one hand and from Marxism and anarchism on the other.

This analysis-like that of feminism-recognises the structural violence inherent at the personal level in exclusive language and behaviour. While it is clear that this language and behaviour reflects the nature of institutionalised values and political structures, it is only at the level of individual behaviour that meaningful change to this form of structural violence can occur. Consequently, the analysis encourages the adoption of an alternative value set which manifests itself, *inter alia*, in the use of non-exclusive language and behaviour. At the process level, this analysis emphasises the structural violence inherent, for instance, in traditional group dynamics which are usually hierarchical, dominated by men and

decided by majority vote. It is also recognised that this process reinforces and is reinforced by personal and political structures of violence as well. Consequently, the analysis encourages the adoption of empowering group processes: no hierarchy, decisions by consensus, systematic efforts to deal with gender and other power imbalances within the group, and a genuine commitment to skill-sharing.¹² However, it is clear to most non-violence theorists that violence whether direct, structural, cultural or ecological cannot be solved simply by the adoption of new norms regulating individual conduct or group behaviour. Therefore, non-violence theorists emphasise the violence inherent in such political structures as patriarchy, capitalism and the state. However, unlike Marxists who advocate the capture of state power by the proletariat through force, or the democratic socialists who argue that socialists should win political power by constitutional means before proceeding to replace capitalism with socialism, non-violence theorists usually share the anarchist aversion to state power in any form. According to Gandhi, the state is deeply rooted in force and violence; in fact this is the essential nature of the state. It represents violence in a concentrated or organised form.

Therefore, non-violence theorists are more interested in a comprehensive strategy of resistance and disruption, coupled with the creation of a vast network of cooperative organisations which will ultimately supplant capitalist control of the production process and functionally undermine patriarchy and state power. But how this is done and the attitude to the opponent is centrally important and accounts for one further element in the structural analysis of non-violence theory. The clear distinction made between political structures and their functionaries.¹³ For instance, agents of capitalism and the state may work to protect vested interests, but they are also human beings who share the wider struggle for liberation and self-realisation. It is for this reason that opponents, third parties and state functionaries (such as the

police) are treated with respect. At the ideological level, the commitment is to resolutely resist particular facets of the opponents' behavior; but to do so in a way which affirms the integrity of the opponents and their capacity for growth and in a way challenges them to examine their values and beliefs. At the strategic level, the aim is to undermine the role of state functionaries and to encourage their defection. There are obvious advantages to be gained from this approach. In the words of Gandhi: 'My non-cooperation is with methods and systems, never with men'.

In essence then, instead of interpreting the conflict of interests inherent in capitalism, for example, as one between capitalists and workers, nonviolence theorists interpret the conflict as one between the structure of capitalism and the people within it. Having identified workers as the most exploited class, non-violent strategists would endeavour to mobilise and organise workers (together with solidarity activists) in order to resist worker exploitation in a way which maximises the possibility of also liberating (rather than killing or marginalising) the oppressors. There is no doubt that this approach suggests a very different understanding of the process of revolution. Many non-violence theorists see an even deeper rationale for non-violence than the ones to which we have already referred. The essence of the practice of non-violence is that it seeks to liquidate antagonisms but not the antagonists themselves ('hate the sin but not the sinner').¹⁴ This may be based on religious injunction or on a strong sense of the unity of all life: either way, this means that it is ethically wrong and existentially or spiritually self-defeating to treat another with less dignity than is warranted by a shared humanity or divine inheritance.

According to this line of thought, not only does dehumanisation pave the way for violence, dehumanisation is violence. And those who do not believe in a social order based on violence should not be perpetuating it by dehumanising others. Non-violence, therefore, precludes the concept of an enemy, of relating to another as

a thing. To borrow Martin Buber's phrases, non-violence can be characterised as defining a relationship, even in a conflict situation, in terms of 'I - You' rather than 'I - It'. While the way of violence works as a monologue, the substance of non-violence is a dialogue: the aim is to convince the other party (while remaining open to being convinced oneself) and to bring them to discover another person like themselves, rather than a mere adversary.

In other words the struggle to overcome violence is important not only in order to achieve justice for the world but also to end violence per se. Violence does more than maintain structures of oppression it also prevents the fulfillment of human potential by blocking one important prerequisite: the honest appreciation of shared humanity.¹⁵ Some leading authorities on nonviolence (in particular Gandhi) consider existence to be a unity; they believe that suffering and conflict are the result of the introduction of duality (where the self is seen as a totally distinct entity, completely separated from others) into an essentially non-dualistic situation. For them, therefore, the eschewing of violence, even at the risk of personal loss, is a manifest declaration of the truth of non-duality. In attempting to end violence, they argue, the non-violent activist is really exposing themselves to no more violence than if they allowed violence to proceed unabated. In effect the activist, through their personal risk, is protecting themselves by ending the violence and is assisting the protagonists to achieve their human potential by helping them realise the unity of humankind.

Gandhian Philosophy of Non-Violence

In his trial speech made at Ahmadabad Sessions court in March 1922, Gandhi put forward his philosophy with great eloquence, when he stated non-violence to be the 'first article of (his) faith' and the 'last article of (his) creed'. Non-violence had always been the founding principle of Gandhian spirituality, and his bedrock of his political philosophy. Gandhi's distrust of violence as a mode to assume political power and as a tool of revolution was ingrained in his world-view

from the very early days of his political career. It is impossible to look at Gandhi's political activism in isolation. Springing deeply from his belief in truth, Gandhi's political goals were ultimately specific correlatives of higher commitments to humanity and world peace. Non-violence preaches world peace and brotherhood, whereas political movements naturally revel in polemics of difference and antagonism. Gandhi's greatness lies in bringing together these two apparently combative and incongruous ideas and putting them on a common platform, where they do not subtract, but support each other. Gandhi's significance in the world political scenario is two-fold. First, he retrieved non-violence as a powerful political tool, and secondly, he was the one of the chief promulgators of the theory that political goal is ultimately a manifestation of a higher spiritual and humanitarian goal, culminating in world peace.¹⁶ For Gandhi, the means were as important as the end, and there could be only one means - that of non-violence.

Gandhi's secularism and openness to all kinds of theological and philosophical schools is well-known. It was through an assimilation of various concepts and philosophical tenets that Gandhi arrived at his own understanding of non-violence. Jainism and Buddhism were the most important influences that lay behind the foundation of Gandhi's non-violence theory. Both Jainism and Buddhism preached non-violence as the basic principle of existence.¹⁷ All other thoughts and actions propagated by these two religious schools were based on this base of non-violence. Gandhi was deeply influenced by his readings of these scriptures. The Acaranga Sutra of the Jains stated all life to be dear and precious, and Gandhi believed in it earnestly. The Bhagavadgita was another important influence, with its stress on non-attachment and selfless action.¹⁸ Christianity, along with its message of love and compassion, extended even to one's enemies, was another important influence on Gandhi's life. Bringing together all these theological schools, Gandhi was in search for a meaningful life, a life based on truth and honesty, a life that

would boast of a moral courage to stand for the right and for justice, even at its own cost. It was this outlook that Gandhi employed as a tool to guide India's freedom struggle, which eventually succeeded to unite the length and breadth of the country like never before.¹⁹

Gandhi's championing of the cause of non-violence as the tool of India's freedom struggle was not without its share of criticism. That was, however, expected considering the fact that Gandhi entered the political scenario soon after the ascendancy of the extremists in the history of India's freedom struggle. Armed revolution was believed to be the only legitimate way to snatch political power from an oppressive regime.²⁰ Gandhi's system of Satyagraha on the basis of non-violence and non-cooperation was largely unheard of, and generally distrusted. However, Gandhi's faith was strong. It was a faith based not on arms and antagonism, but on extreme moral courage that drew its strength from innate human truth and honesty. He applied his systems with success in South Africa and was convinced of its power. However, it was an uphill task for him to convince his countrymen. Gandhi slowly started to popularise the ideas in the ranks of the Indian National Congress, under proper guidance from his political mentor Gopal Krishna Gokhale.²¹ The Congress was suffering from a lack of national leadership following the arrest and execution of the extremist leaders like Tilak and Lala Lajpat Rai, and the protest to the insulting Rowlatt Act was an immediate necessity. Gandhi soon held the mantle and introduced his non-violence modes with great success in the non-cooperation movement. It was a new era in the history of Indian Freedom struggle. Though the movement ended on an abrupt note, yet its significance was immense.²²

Most religions preached non-violence as a way to celebrate the miracle of life. Gandhi's concern was both based on theological as well as more pragmatic considerations. Gandhi in his trial speech accepted that Indian history is replete with tales and narratives of countless foreign invasions. However, he accused the British rule

of being particularly despicable because they left the Indians more helpless and emasculated than any of its predecessors. India was in no position to get into an armed conflict with the British, having been robbed of all economic and moral strength.²³ So, Gandhi had the option of reinvigorating a nation that has lost all confidence in its power and inner strength. After these practical considerations, Gandhi found that the only alternative was to fall back upon what was integral to India's cultural and historical psyche, the principle of non-violence. This non-violence was used in conjunction with the philosophy of non-attachment. Gandhi declared the two goals of his life to be ensuring India's freedom and to achieve it through non-violence. One without the other would be unacceptable and weakening.²⁴ Violence, Gandhi believed, bred violence, and can never be a solution to India's problem. To shame the opponent into submission was a unique feature of Gandhi's political ideology, as were discussions and amicable arrivals at convenient conclusions. No person, for him was integrally good or bad, and he was cautious never to stoop into a visceral rhetoric of hatred, except against what was unacceptable to his spiritual ideology.²⁵ One of the greatest criticisms against non-violence was that it was demeaning and cowardly, forwarded particularly by freedom fighters like Savarkar. However, Gandhi believed just the opposite. He emphasized that the moral courage needed to uphold non-violence as a tool of protest was much greater than the one needed to strike back in a violent way. All through his life, he pleaded the Indians to exhibit the moral strength to refrain from resorting to violence, even at the face of all provocation.²⁶ His disillusionment that followed the Chauri Chaura incident that led to his calling off the non-cooperation movement when at its zenith was an example of his lifelong and earnest commitment to the cause of nonviolence.

Satyagraha

Satyagraha, Gandhi explained, is 'literally holding onto Truth and it means, therefore, Truth-force. Truth is soul or spirit. It is therefore known as

soul force' (Young India, 23 March 1921). The technique of non-violent struggle that Gandhi evolved in South Africa to gain rights for Indians was originally described by the English phrase 'Passive Resistance'. Gandhi, however felt that the term 'was too narrowly constructed, that it was supposed to be a weapon of the weak, that it could be characterized by hatred and that it could manifest itself as violence' (Gandhi, 1966, p. 266). These attributes were not applicable to his method of direct action and so he coined the new word 'satyagraha' (sat: truth, agraha:: firmness).²⁷

Satyagraha implies working steadily towards a discovery of the truth and converting the opponent into a friend in the process. In other words, it is not used against anybody but is done with somebody. 'It is based on the idea that the moral appeal to the heart or conscience is ... more effective than an appeal based on threat or bodily pain or violence' (Gandhi, 1961, p. iii). And for Gandhi it had to be a creed, a way of life, to be truly effective. In Satyagraha the main propositions which are to be kept in mind are:²⁸

- The aim in group struggle is to act in a way conducive to long-term, universal, maximal reduction of violence.
- The character of the means used determines the character of the results.
- A constructive program-positive peace building work should be a part of every campaign.
- One should engage in positive struggle in favour of human beings and certain values; that is, fight antagonisms, not antagonists.
- All human beings have long-term interests in common.
- Violence is invited from opponents if they are humiliated or provoked.
- A violent attitude on the part of would-be satyagrahis (advocates of Satyagraha) is less likely if they have made clear to themselves the essential elements of their case and the purpose of the struggle.

- The better opponents understand the satyagrahi's position and conduct, the less likely they are to resort to violence. Secrecy should therefore be avoided.
- The essential interests which opponents have in common should be clearly formulated and cooperation established on that basis.
- Personal contact with the opponent should be sought.
- Opponents should not be judged harder than the self.
- Opponents should be trusted.
- The property of opponents should not be destroyed.
- An unwillingness to compromise on non-essentials decreases the likelihood of converting the opponent.
- The conversion of an opponent is furthered by personal sincerity.
- The best way to convince an opponent of your sincerity is to make sacrifices for the cause.
- A position of weakness in an opponent should not be exploited. Satyagraha is concerned with morality over and above 'winning'.

How one to decide which of two opposing cases is nearer the truth? According to Gandhi, the voice of conscience must be obeyed in these circumstances. Of course this may present further problems: what one person sees as truth may just as clearly be untruth for another. For this reason, Gandhi warns, 'no one has the right to coerce others to act according to his own view of truth' (Harijan, 24 November 1933); therefore, nonviolence is the only appropriate means for arriving at the truth. If the position held by the satyagrahi proves to be further from the truth than that of the opponent it will only be the satyagrahi who suffers; others will not be made to suffer for the satyagrahi's mistake.²⁹

The problem with the use of violent confrontation strategies is that they quickly escalate to the point where the parties' only concerns are victory, vengeance, and self-defense. In these

cases, the moral arguments of people who are being unjustly treated become irrelevant. What matters is that they have “used violent strategies and their opponent is, therefore, justified in a violent response. This problem is complicated by the fact that both sides are usually able to argue that the other side started the violence. Non-violent resistance strategies, such as those pioneered by Mahatma Gandhi and Martin Luther King are designed to avoid this trap by absolutely refusing to be drawn into a violent confrontation. Far from being cowardly, this is a strategy that requires tremendous courage, self-control, as well as a willingness to endure pain and sometimes even death. The strength of non-violence lies in its ability to dramatically reduce the moral legitimacy of those who persist in using violent strategies against nonviolent opposition. This loss of legitimacy can, in turn, contribute to coalition-building efforts leading to widespread condemnation of parties using violent strategies and often the imposition of sanctions by the international community. In essence, non-violent resistance is a strategy for countering the power of violent force with the power of the integrative system. Many non-violent techniques can also be effective when used against illegitimate uses of legal, political, or other types of force.³⁰

Key to the success of non-violent approaches is the willingness of the parties to base their resistance upon broadly supported moral principles and a communication strategy which publicizes for the entire world to see the immoral and violent behavior of their opponents. People can't be expected to condemn things that they do not know about. The success of these publicity efforts requires the presence of impartial and widely trusted observers, as well as a touch of theater. After all, effective communication strategies have to successfully compete for the prominent coverage on newspapers, television, and radio.

Conclusion

Concludingly, the existential benefits of nonviolence accrue to both the activist and

the opponent. Non-violence, in the way that it was conceived by Gandhi implies a lifestyle that is based on a conscious striving for 'Truth'. The choice of non-violence as a way to 'Truth' is not merely a choice for the self; it is also a universalizable choice for all. A method of activism based on non-violence can be 'what is to be chosen' but one based on violence cannot, for a world order where violence predominates or where violence is the preferred method of resolving conflict is unsustainable. And a way of getting through life that may actively block the possibility of self-realisation makes a mockery of human existence.

As a method of activism non-violence guarantees no automatic and unfailing success; no method of conflict resolution does. For those who are pessimistic about the ability of non-violence to resolve conflicts, Naess sums up Gandhi's probable response with the words: 'Have you tried? I have, and it works' (Naess, 1965, p. 78). Ultimately, exponents of ideological non-violence argue, it works because it seeks to deal with the causes, rather than the symptoms, of conflict. The rationale, then, for the use of nonviolence as the preferred method of political activism or philosophy of life rests on the twin convictions that it 'works' instrumentally and that it is 'right' ethically.

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Reflection and Relevance of Vivekananda's Vision for Education



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Abstract

Swami Vivekananda (1863-1902) was one of the most renowned theorist, educationalist and social reformer in India. Being the exponent of practical Vedanta, he asserted for man-making and character-making education which ultimately leads to liberation of masses, free from sin, sorrow and sufferings. Education doesn't mean simply accumulation of facts and information. He remarks, "Education is the manifestation of perfection already in man." Indian nationalism and spiritualism were the basic tenets for his educational vision and mission. Commenting on the contemporary educational system, he said that it simply turn man in slaves and nothing else. Character-building aspect was the foundation of his educational scheme rather present day career - oriented pattern. The studies on Vivekananda undertaken so far have been largely devoted to the spiritual and philosophical aspects of his thoughts. He strongly believed that a nation is advanced in proportion to education and intelligence spread among the masses. In fact, he was the true friend of the helpless masses of India and was the first leader who sought a solution to their problems through education. The objective of this paper is to study his ideas for building up moral values through education. In this paper, an endeavor has been made to expound and analyze Vivekananda's educational philosophy focusing on nationalistic, altruistic, man-making and mass-education.

Keywords: *Spiritual, Manifestation, Vedanta, Upliftment, Regeneration*

Introduction

Swami Vivekananda (1863-1902) was a spiritual realist, a great creator and mentor of the transcendental nationalism. As an operational devotee for the cause of social, moral and spiritual enlightenment of the nation, he has heralded Indian nationalism through his outstanding contributions both in theory and practice. The Indian society under British regime imbued with the imperial jingoism and colonialist fervor was losing faith in all walks of life. He felt regretted for the conditions worsening socio-religious and eco-political contemporary of Indian society. The moral values of Indians were decaying gradually to the extents that have forced him to ponder over them from a reformist perspective, to show

them a right path so they can feel proud of their own rich cultural heritage. Apart from other contributions, Vivekananda's insight and analysis of Education acquires a prominent place for the regeneration of India focusing on the eliminating sins, sorrow and sufferings.

Concept of Education

It is a fact today that increasing indiscipline and violence among students is resulting in deterioration of educational parameters. Few of us may blame the student community for this but however it may be justified, has to be cautiously looked into. Frustration is developing among the educated and above all most of them holding no character. The future of country is not

bright so long as we are not able to remove this worse condition. If we fail to solve this problem, ultimately our democracy will suffer.

The educational plan presented by Vivekananda plays vital role for the revival of India. For him, it is the cure for all social evils and for the enhancement of man in all walks of life. That in why, he strongly recommended the need of education at all levels of society and for all. He emphasized not only on general education but also on the formation of character. So, he was one of the earliest thinker in India, who felt that the education needed a re-appraisal.

What is Education

According to Vivekananda, "Education is the manifestation of perfection already in man. Religion is the manifestation of the Divinity already in man."¹ He asserted that the sole duty of a teacher is to remove all the obstructions from the way in both the cases. Defining education, he said, "I never define anything, still it may be described as the development of faculty, not an accumulation of words; or as a training of individuals to will rightly and efficiently." He added, "I look upon religion as the innermost core of education."² So, he aimed at all-round, man-making education, where child must form forever the centre of all educational endeavors. The teacher should help the child to develop its innate goodness according to its natural capacity and not to infuse his own personality. Thus, to Vivekananda, Education was a form of worship of the divinity in the child. He was fully aware of ethical backsliding, cultural alienation and communal conflicts in his times, but this did not restrain him from making spirituality as the basis of his educational concept because his spirituality was not sectarian or mere religious expression but something more fundamentally human. He felt that it was possible for all educationalists to co-operate on the basis of this universal spirituality.

Having strong faith in the Vedantic concept of Atman, Vivekananda holds that all knowledge either secular or spiritual is inherent in men.

Education is just the manifestation of that. Thus, to learn is to discover. "All knowledge and all power comes from the human soul."³ Thus, education helps in discovering and manifesting the "knowledge which is pre-existing in human soul through eternity."

According to Vivekananda, all learning is self-learning. He says, "No one was ever really taught by another; each of us has to teach himself. The external teacher offers only the suggestion, which rouses the internal teacher to work to understand things..... and we shall realize them in our own souls."⁴ This view of Vivekananda has been supported by the modern progressive educational thinking. He emphasized on educating a child by removing hindrances in his way and providing scope for his growth, so that the latent tendencies in him may not die due to lack of opportunity. Hence, Vivekananda says, "You cannot teach a child anymore than you can grow a plant. The plant develops in its own nature."⁵ Thus, "the function of a teacher is negative and positive. A teacher is to loosen the soil a little, so that it may come out easily. Put a hedge round it, "See that it is not killed by anything."⁶ He was of the opinion that teaching must be modified according to the needs of people. Only positive ideas are to be inculcated in the minds of children. Negative ideas would only weaken them. They need to be encouraged with kind words. "If you give them positive ideas, people will grow up to be men and learn to stand on their own legs. In language and literature, in poetry and arts, in everything, we must point out not the mistakes that people are making in their thoughts and actions, but the way in which they will be able to do the things better," is the advice of Vivekananda.

Faults in the prevailing Education System:

Vivekananda noted that the contemporary education system suffered from many weaknesses which hindered national growth. He believed that it was anti-national in character, impractical in attitude and unmindful of fundamental facts of human nature. He comments, "In these modern days, there is a great impetus towards higher

education on European lines The foreign conqueror is not there to do good to us; he wants money..... So, these educational institutions of foreigners are simply to get a lot of useful, practical slaves for a little money to turn out a host of clerks, postmasters, telegraph operators, and so on."⁷ Such education neither helps the Indians to become practical in the scientific or technological sense nor did it solve the problem of poverty. Commenting on it, he flares up, "Fie upon you! Is this Education? What good will it do you or the country at large? Open your eyes and see what a piteous cry for food is rising in the land of Bharat, proverbial for its wealth! Will your education fulfill this want? Never. With the help of Western science set yourselves to dig the earth and produce food stuffs - not by means of mean servitude of others but by discovering new avenues to production, by your own exertions aided by Western science."⁸

The weakness of the existing education system was that it was not broad-based, but fulfils only the needs of a few men at the top. The masses along with the women were totally neglected. "No amount of politics would be of any avail until the masses in India are once more well educated, well-fed and well cared for."⁹ He was well acquainted with the fact that all over the world, the upper classes have the fear in their minds that once the masses become educated, they would cease to be simply hewers of wood and drawers of water. He remarked on this by questioning, "Who constitute society? The millions, or you, I and few others of the upper classes?"¹⁰ Who feels for them? They cannot find light or education..... Let these people be your God - think of them; work of them and pray for them incessantly."¹¹ Thus, Swamiji emphasized on mass education in India.

Vivekananda further stated that the education imparted in the schools was negative; it denationalized the alumni and cut them from their cultural and spiritual mornings. Expressing this idea, he said, "A negative education or any training that is based on negation, is worse than death. The child is taken to school, and the first

thing he learns is that his father is a fool, the second thing that his grandfather is a lunatic and the third thing that all his teachers are hypocrites and the fourth that all the sacred book are lies. By the time he is sixteen, he is a mass of negation, lifeless and boneless."¹² The result of this was that such training had not produced any genius worth mentioning.

Mentioning the weakness of contemporary education, he said that its goal was not man-making but rather turning them into a working machine by cramming and polishing the outside. He asks in disgust, "What use in polishing up the outside, when there is no inside?"¹³ Cramming can't turn a child into a genius. It cannot impart to him that bold thinking, fearless enterprise, personal magnetism and leadership through which a whole society can be galvanized. To him, true education is the training by which the current and expression of the will are brought under control. He emphasized the role of free will and intelligence in education.

Aim of Education

According to Vedanta, individual is divine by nature, so the aim of education should be the manifestation of this inherent divine nature. The goal of life and true education must be the same. That is why, Vivekananda commented on the modern education system as, "Education is not the amount of information that is put into your brain and runs riot there, undigested all your life if education is identical with information, the libraries are the greatest sages in the world and encyclopedias are the Rishies."¹⁴ He says that, "the education which does not help the common mass of the people to equip themselves for the struggle for life, which does not bring out strength of character, a spirit of philanthropy and the courage of a lion - is it worth the name?"¹⁵ Hence, he advocates, "We want that education by which character is formed, strength of mind is increased, the intellect is expanded and by which one can stand on one's own feet,"¹⁶ The ideal of all education, all training should be this man-making."¹⁷ Dr. Radhakrishnan also believes that, "Education does not impose upon us something

which is alien to our nature, rather it will help us to realize what we have already in us..... The true aim of education should be the production of individuals, harmonious in character and creative in spirit.”¹⁸ Rabindra Nath Tagore holds the view that, “the highest education is that which does not merely give us information, but makes our life in harmony with all existence.”¹⁹ Vivekananda emphasized on such an education which is insisted to make a complete individual, who is fit to fulfill his socio-economic duties and to elevate him to a level of spiritual relationship with the rest of the world. For him, the real aim of education is to realize the Upanishad’s saying, “*Tat Twam Asi*”

Means of Education

Being a firm Vedantist, Vivekananda believed that Sanskrit is the language, which provided the basic frame for the expression and preservation of all fundamental truths and values of Indian heritage. All the Vedas and Upanishads are written in this language. Though, this language has attained the highest level of perfection, yet he feels that it is a difficult language. Realizing this fact, he says, “I have been studying this language all my life and yet every new book is new to me.”²⁰ But his approach was practical. So, he suggested that “the ideas must be taught in the language of the people; at the same time, Sanskrit language must go along with it, because the very sound of Sanskrit words gives a prestige and a power and a strength to the race.”²¹ In this context, he observed that Ramanuja, Chaitanya, Kabir focused on the language of the masses for their upliftment, which results well during their lifetime but failed afterwards. Clarifying the reason of this failure, he believed that they raise the lower classes, but they did not apply their energies to the spreading of the Sanskrit language among the masses. The result of negating Sanskrit was that knowledge came but without either prestige or culture. It is the culture that endures successfully shocks, and not a simple mass of knowledge. He emphasized, that, “You can put a mass of knowledge into the world, but that will not do it much good. There must come culture into the blood.”²² Hence, he

believed, that Sanskrit and prestige of India go together.

He further stressed that the various Vernacular in the country should be developed fully on the basis of Sanskrit. He was against to include too many subjects in curriculum. Referring to this mistake of his times, he says, “Our pedagogues are making parrots of our boys and ruining their brains by cramming a lot of subjects into them.”²³ He advised to include those subjects in curriculum which are essential for a successful adjustment in the world. Thus, having practical approach, he recommended the study of English language and Western sciences and realized the need for technical education, because the material prosperity of a nation depends on industrial development. He emphasized on the material progress of India along with her spiritual life.

Method of Education

Knowledge can be acquired by the only method i.e. the concentration of mind. Even from the lowest man to the highest yogi, all apply this method to achieve their desired end. It is very difficult to concentrate, so the practice of meditation, which leads to mental concentration, is the very essence of education. He says that, “If I have to do my education over again, I would not study facts at all. I would develop the power of concentration and detachment, and then with a perfect instrument, I could collect facts at will.”²⁴ The concentration power can be attained by the observance of Brahmacharya, which implies chastity in thought, word and deed. He says that, “without chastity there can be no spiritual strength.”²⁵ He also emphasized on faith in one’s own self. If one thinks oneself weak, one become weak. He says, “This Shraddha must enter into you. Whatever of material power you see manifested by the Western races in the outcome of this Shraddha, because they believe in their muscles; and if you believe in your spirit, how much more will it work!”²⁶ He stressed that our children should be taught this grand, life-saving doctrine i.e. to have faith in themselves, from their birth.

Further, Vivekananda laid stress on the personal attachment of the pupil with their Gurus in his educational programme. For true education, it is necessary that the child should live from his very boyhood with one whose character is a blazing fire and should have before him a living example of the highest teaching. The disciples were not required to pay anything to the Gurus, because knowledge was regarded as sacred that no man ought to sell it. Emphasizing on certain ideal qualities, he says that, the taught should have purity in thought, words and deed along with a real love for knowledge and spirit of perseverance.²⁷ The teacher on the other hand, should know "the spirit of the scriptures."²⁸ The teacher must not teach with any ulterior selfish motive; for money, name or fame.²⁹ He must have a pure love for the taught and for mankind at large.

Education and Society

Vivekananda strongly believed in the upliftment of the masses and women through education for the regeneration of India. To him, "Strength must come to nation through Education."³⁰ It is the education that makes difference among nations. It widens the outlook and intellectual understanding, generates sympathy, thus leading to greater national unity. He was quiet aware of this fact that in Western countries the people have risen to their present socio-economic status, only through education. So far India's fate in concerned, it is the education that is the best remedy. Thus, the masses have to be educated to develop national faith, power, co-operation and integration.

Though Vivekananda felt the necessity of the mass education but he was also aware of the fact that even free education would not attract them because of poverty in India is such that the poor boys would rather go to help their fathers in the fields or otherwise try to make a living then come to school. In this case, he presented a noble solution i.e. "if the mountain does not come to Mohammad, Mohammad must go to mountain" Thus; he devised that teachers should go to the houses of the poor and teaches the children there

without requiring them to stay away from work and thereby preventing them from making the contribution to the family exchequer. He gives the responsibility to educate the masses to his brother monks. By leading the purest of lives, they would show to others how secular life can be spiritualized and the intellectual outlook can be combined with the spirituality inside. He suggested for his monastic order all kinds of educational, moral and intellectual works that helped the masses. He wanted them to take lead in reorientating the educational system to suit modern needs because they are still the recognized leaders of Hindu society. His living concept of mass education inculcates courage, fearlessness and stamina to face the problems of life along with a synthesizing outlook and consciousness of the basic unity of man. That is the need of the day. He diagnosed deeply the problem of women's education as it was completely neglected in those days. He remarks, "Can you better the condition of your women? Then there will be hope for your well being. Otherwise, you remain as backward as you are now."³¹ It is out of such a careful thought that he brought Sister Nivedita and Christine from the West to organize women's education in India.

Conclusion

From the above analysis, we conceive that Education means a creative participation in shaping one's own character. Book learning and gathering of facts is not true education. Vivekananda was right in his assessment that education should not merely informative or fact-finding and individualistic but nationalistic and altruistic where youth of the nation blossom physically, intellectually and morally. He asserted to have life-building, man-making and character-making education with the national ideal "*sa vidya ya vimuktaye*" i.e. Education leads to Liberation.

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Multiple Implications of Television to Bharatpur

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Abstract

Bharatpur, a confluence of culture of three states namely Rajasthan, Uttar Pradesh, Haryana is richest with its traditions and history. Television as part of every corner of the country, became prominent institution of education, information, entertainment. A part from National or regional television channels, local media is also trying to enrich Bharatpur culture in terms of entertainment television channels. Some of the main local entertainment television channels are SVM group of TV channels and Brij group of TV channels. Both cable network television channels a part from telecasting hindi movies and songs are trying to spread brij culture by showing local cultural programs such as brij mahotsav, brij ki holi. To support this mission of media, local masses as viewers always eagerly wait to watch their neighbors, their birth land to be flourished via television. In Bharatpur, there are several cable networks like other major cities or states. Competition between media groups can easily be seen in terms of showing programs and raising problems of masses via their news based channels. This study deals with role of media in spreading cultural and historical factors which tie Bharatpur people as whole.

Keywords: Bharatpur, Culture, Brij, Television Channels

Introduction

In the multi-media world of today, television has emerged as an important tool of entertainment which gives knowledge and information. It has enhanced the process of changes by providing timely information, education and also through awareness among the viewers. The purpose of television is to inform, educate and entertain its viewers. Television, because of its visual movement has the capacity of bringing the world into the living room with high accuracy and effectiveness. Therefore, television has a more profound and persuasive impact on its viewers. Television's effect on viewers is a subject that has been extensively studied in the last twenty years. Among all the mass media, television attracts the largest number of viewers today. Programs shown by TV channels have a deep impact in our daily lives. They are seen by all types of

age and income group of people. Today we can communicate widely and quickly with any part of the world. Its impact in the various spheres of life has been varied and it has established itself as a powerful instrument of shaping public opinion. However, this impact may be constructive, destructive and according to the viewing habits of viewer. The television viewers now have more viewing choices than ever before.

India, as a developing nation undergoing a grand cultural shift in part due to the rapid growth of satellite television in the 1990's. Television and its social effects are prominent, and able to prompt substantial change. However, as the penetration of cable and satellite television channels increased in India, there was clamor from different corners to regulate the content of television as it posed a threat to local culture. Perhaps most affected of all areas due to

watching television are the cultural changes that have come over the years. According to Anajali Monteiro¹ TV has contributed to the culture of packaging oneself. This comes in the form of beauty contests constituting national pride, middle class girls coming in to the profession as VJ's modeling is considered respectable. Television commercials play role in consumer behavior and also their culture. This can be seen from the youth's especially college student's attraction towards cell phones, apparels and food items, such as burger and pizza.

Culture is a way of life. The food we eat, the clothes we wear, the language we speak and the god we worship, all are aspects of culture. In very simple terms, we can say that culture is the embodiment of the way, in which we think and do something. It is also the things that we have inherited as members of society. All the achievement of human beings as members of social groups can be called culture. Art, music, literature, architecture, sculpture, philosophy, religion and science can be seen as aspects of culture; however, culture also includes the customs, traditions, festivals, ways of living and one's outlook on various issues of life." A definition of culture is given by anthropologist William A. Haviland² in Cultural Anthropology as "Culture is a set of rules or standards that, when acted upon by the members of a society, produce behavior that falls within a range of variance the members consider proper and acceptable." In other words, culture does not refer to the behavior that is observed but to values and beliefs which generate behavior. Some modern definitions of culture tend to be inclusive of the "emerging culture" of society. This study deals with role and impact of television on Bharatpur culture. The scope of the study covered mainly the cultural impact of television channels on Bharatpur residents. Cultural impact covers all aspects of impact such as impact on behavior, life style, thinking pattern, socio-cultural development.

Bharatpur as cultural heritage: Bharatpur is a city of Rajasthan gained an important place on the map of not only in Rajasthan, but also on the map

of the world. Bharatpur" was founded by Maharaja Suraj Mal in 1733 AD; the place was named of Bharat, the brother of Lord Ram. Bharatpur is also known as "Lohagarh". Bharatpur is known as an Eastern Gateway of Rajasthan on the map of Rajasthan state. Bharatpur located in "Brij Region". It is also the administrative headquarter of Bharatpur districts and headquarter of the Bharatpur Division of Rajasthan.



Figure: 1 Statue of Maharaja Surajmal situated in Bharatpur

The principal communities of Bharatpur are the Jats, Vaishya, Bhramans, Rajputs and Gujjars. Sinsinwar jats ruled this region. Britishers were unable to rule on Bharatpur. That's why its fort is known as Lohagarh Fort and the city named Lohagarh. Although Bharatpur is in Rajasthan, due to its proximity to Uttar Pradesh, its culture influence bends towards UP more³.

The culture of Bharatpur is similar to that of the to the Brij region, i.e. the Mathura and Agra districts, with a few characteristics borrowed from Rajasthan. The Brij Festival, which was started during the era when Bharatpur was a Princely state under the British is celebrated with great pomp. The clothes worn during the festivals as well as the songs and dances are reminiscent of the celebrations in nearby Vrindavan. Locals dress in colourful clothes and perform the Rasleela. Bharatpur is not only providing a view of

the very different lifestyle but also offer the most sumptuous cuisine along with some dazzling attires and innumerable festivities. Societal hierarchy is evident in caste groups, amongst individuals, and in family and kinship groups. Castes are primarily associated with Hinduism, but caste-like groups also exist among Muslims, Christians, and other religious communities. Within most villages or towns, everyone knows the relative rankings of each locally represented caste, and behavior is constantly shaped by this knowledge. The proximity to Mathura has influenced the language spoken in Bharatpur and people can speak and understand Brij dialect. Bharatpur, a city of warriors, a home land of migratory birds, part of play land of Lord Shri Krishna, and a place experienced wars of Mugals, Britishers in historical period and created a big name in history of India. The culture of Bharatpur shows signs of both Brij and Rajasthani Culture. Bharatpur is known for its unique theme of Culture, which is blend of three state cultures namely, Hariyana, Uttar Pradesh and Rajasthan and this a blend of culture known by "Brij Culture" and the local language of Bharatpur is "Brij language" which have a mild touch of Rajasthan and Uttar Pradesh. Bum nraty or dance is famous folk dance form originated in Bharatpur, which gain huge popularity around the world. Bum nraty in Bharatpur usually can be seen on the special occasions like Brij Festival or Brij ki Holi. These traditional cultural indicators always play a significant role to keep alive the traditional values and culture forms.

The economy of Bharatpur district is dependent to a large extent on agriculture and its products. The main crops grown are wheat, mustard, cotton, red-chillies and potatoes. There are more than 60 oil mills in Bharatpur due to mustard grown in large quantity in the surrounding areas. Bharatpur is famous for its sweets, and has a large number of shops also.

In some areas stone quarrying is also practiced. The Red Fort of Delhi, Agra Fort, and Fatehpur Sikari were built with local stone. Economically Bharatpur is participating in national growth

income level only on the basis of nominal industries and agricultural despite of being a division and a part of NCR Bharatpur is economically backward area. The economy of Bharatpur district is largely dependent on agriculture and its product and activities. There are more than 60 oil mills in Bharatpur due to mustard grown in large quantity in the surrounding areas. A variety of crops are produced here. Among the main crops grown here are millets, maize, wheat, barley and rice, and oilseeds like mustard, sesame, and groundnut are major. The major commercial crops grown in the district are cotton, sugarcane, tobacco, red chillies and potato.

Agricultural activities are mainly dependent on natural source of water like rain. Agricultural loss is basically a main cause of to be an economically backwardness. Bharatpur district is known not only for agriculture production, but for pink stone quarrying as well. In some areas like Bandh Baretha, Pahadi, Kama and Braj Chaurasi Parikrama Marg are some places where stone quarrying is practisized. Bharatapur is from among those places where rare pink stone found. Rajasthan Vidhan sabha, Red Fort of Agra, Stone Elephants prepared by Former Chief Minister Mayavati are the only result of Bharatpur pink stone.

Legislative Assembly Bayana is basically a main place of pink stone mart from where the stone supply to worldwide. Even at some places where stone found only stone quarrying is largely a source of income for local people. A part from agriculture production and stone quarrying Bharatpur is also famous for its oil industries. Mustard seeds and other agriculture product come to the market through mandies establishes by Krashi upaj mandi samiti. These krashi upaj mandies are in Bharatpur city, Nadbai, Weir, Kaman, Bayana, Roopwas, Bhusawar.

The proliferation of Bharatpur industries has provided an impetus to the economic development of the state of Rajasthan. The city of Bharatpur in Rajasthan has several registered, small scale, medium scale and large scale industries that employ a vast educated and

uneducated population of the place.

Tourist' attractions in Bharatpur

- Keoladeo National Park
- Lohagarh Fort
- Laxman Ji mandir
- Ganga mandir
- Bankebihari temple, inside Lohagarh Fort
- Government Museum
- Vishwapriya Shastri Park
- Golbagh Palace
- Moti Mahal (Bharatpur)|Moti Mahal
- Shri Rajendra Suri Kirti Mandir
- Kishori Mehal
- Jawahar Burj
- Dev Narayan Temple(Sarsena

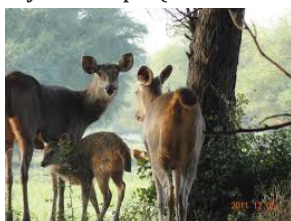


Figure 2: Glimpse of Keoladeo National Park, Bharatpur

The quintessential rural touch is the most striking feature of the people and culture of Bharatpur.

Bharatpur is a city, which still has the touch of rural Rajasthan. The city is integrally connected with the nearby villages and towns and their culture has been imbibed in the city's culture also. The Bharatpur society is mainly religious in nature and loves to preserve the traditions and customs of the place.

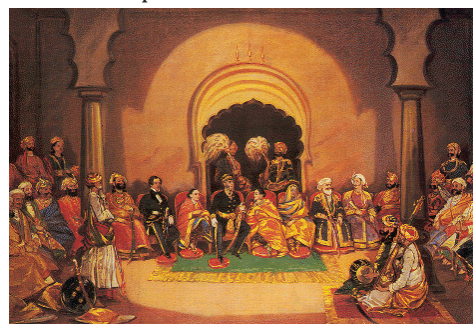


Figure 3: Royal darbar of Bharatpur depicting interaction with Britishers

The friendly residents of Bharatpur are famous for their cordial hospitality. The caste system is still present among the religiously inclined people in Bharatpur. The maximum numbers of Bharatpur residents are Hindus, but there are also people who follow Islam, Christianity and some other religions. The society is basically patriarchal. One important aspect of the Bharatpur society is the presence of joint families. The joint family system is still valued in Bharatpur villages as well in the city.

Television Channels in Bharatpur

Television channels has reach in the every corner of the world, so Bharatpur masses is also prone to entertainment media whether in the form of folk media, visual media or audio media. A part from National or regional television channels, local media is also trying to enrich Bharaatpur culture in terms of entertainment television channels.

Some of the main local entertainment television channels are SVM group of TV channels and Brij group of TV channels. Both cable network television channels a part from telecasting hindi movies and songs are trying to spread brij culture by showing local cultural programs and raising local people voice.

Just to make the people aware of every corner of globe about the rich and unique culture of Bharatpur city, there are dedicated web portal brijlive, mobile app apna city, with aim to spread Brij culture and to provide safeguard or enrichment.

To support this mission of media, local masses as viewers always eagerly wait to watch their neighbors and their birth land to be flourished via television. In Bharatpur there are several cable networks like other major cities or states. Competition between media groups can easily be seen in terms of showing programs and raising problems of masses via their news based channels. Apart from this little study there are several other cultural and historical factors which tie Bharatpur people with each other and all religion and caste together. Beautiful colors of different aspects of life gives a unique blend to Bharatpur and make it adorable.

Impact of Television on Bharatpur Residents

Television is now a part of family among Indian masses. At present scenario, television playing decisive role in our life and shaping our thought and future. Bharatpur, despite a municipal corporation and NCR region is semi-urban as per living style and thinking pattern of locals. In past twenty years, Bharatpur witnessed drastic change in its resident's way of life. Earlier, there was a huge fear among parents of girls about their security and because of this fear child marriage, illiteracy, women mortality rate was high whereas most of male were indulge in criminal activities or businesses. Quality of life here was about zero. But when television becomes part of society and family, it brought significant changes in lives. Media representatives started to raise voice of the public, television serials became the part of discussion in families and society. Messages given by televisions shows impacted life's at large. Slowly people started to know about their basic rights, send their kids out of districts for higher studies. With the advent of mass communication mediums, Bharatpur became prominent place for tourists to visit as it is a home of migratory birds. Millions of tourist visit Bharatpur every year. And on an average single one tourist in India is able to produce approx 12 jobs. Tourism industry started to flourish here and became a prominent

employment provider. The festival is dedicated to lord Krishna who is believed to have spent a considerable time of his childhood at a place called Brij. The festival is yet another occasion for the villagers to be proud of the rich Indian culture and mythology. The festival is celebrated with lots of enthusiasm and zest in the Brij region which is located in the Bharatpur district.

Conclusion

Several documentaries and films screened Bharatpur heritage and culture. Penetration of development schemes and awareness programs became possible due to reach of television at every corner. Bharatpur, being situated at eastern border of Rajasthan, felt always escaped in terms of government development schemes. Caste politics and UP, Haryana border politics somewhere is reason behind lack of development in the region. Media in this reference particularly. Played a significant role and presented Bharatpur as most important potential area of the state. As a result, Bharatpur have three state ministers representing state ministry of education, tourism, and home in state legislature. Bharatpur is flourishing in terms of destination hub. Huge decline is seen in child marriages, criminal activities and other social evils. As per 2011 census, Bharatpur has an average literacy rate of 82.13 %, higher than the national average of 72.80%⁴. Brij university, engineering college and medical college recently established in Bharatpur for higher education. RIICO industrial area is developed at large scale. Whole district is now under ODF (Open defecation free) category. Digitalization is part of daily life. Bharatpur is one of the prominent district of Rajasthan, producing meritorious students, civil servants, engineers.

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Conducive Work Environment: Need & Legality

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Abstract

The workplace environment in any organization effect both positively and negatively on employee morale, productivity and engagement. Majority of organization has unsafe and unhealthy work environment. These includes poor designed workstations, lack of personal protective equipment, unsuitable furniture, excessive noise, lack of suitable temperature & ventilation, inappropriate lighting, and insufficient safety measures in fire emergencies. People working in such type of working environment create occupational disease and impacts on employee's performance. Thus productivity is decreased due to the poor workplace environment. It is the quality of the employee's workplace environment that most impacts on their level of motivation and subsequent performance in an organization. How well employees and coworkers engage with the organization, especially with their immediate environment, influences to a great extent their error rate, level of innovation and collaboration with other employees, absenteeism and ultimately, how long they stay in the job. Creating a work environment in which employees are productive is essential to increased profits of an organization. The relationship between work, the workplace and the tools of work, workplace becomes an integral part of work itself. The management that dictate how, exactly, to maximize employee productivity center around two major areas of focus: personal motivation and the infrastructure of the work environment.

Keywords: Conducive, Workplace, Environment, Organization, Productivity

Introduction

Your employees are the lifeblood of your company. What they collectively do eight to nine hours a day while at work will predominantly dictate your business' future trajectory as well as how fast it gets there.

By Dennis Hung¹

Employees generally have optimistic expectations when they enter the workplace. Regardless of levels of experience, employees want to be treated with respect and dignity. Employees also want to feel valued and productive while at work. Work is, for many people, an expression of identity and a measure of one's worth to society. Self-esteem is often linked to job satisfaction and career growth.²

A conducive environment in an enterprise and growth of enterprises on a sustainable platform encourages the quest for profit. The conducive environment alters every form of nature's perfection in mankind, and since humans are all created the same, their level of variation is dependent on the environment type. Behavioural patterns in human development is created by environment; either negative or positive depending on the factors we are exposed to. The organizational work environment has psychological and physical effects on any employee, worker or staff.

An accommodating, healthy and conducive work environment is a key factor for growth of any organization. This is because results are

achieved by the input of humans; a work force. A comforting environment in an organisation increases productivity and job satisfaction, which has a direct impact on the financial status of any organization. For higher productivity, a conducive environment must be maintained at all times.

Workplace Environment

An ideal healthy workplace environment is when it comes to maintaining a positive outcome in a stressful atmosphere. The most important thing for ideal workplace that influences employee motivation and happiness, and how productive and efficient they can be, all goes down to their working environment. A healthy workplace environment is best for every organization as it could lead to bringing goodwill and profit for business. An ideal healthy environment improves productivity and reduces costs related to absenteeism, turnover, workers' compensation, and medical claims. Healthy does not only mean as needing medical attention, but it could also be the outlook of the workplace and surroundings. People who enjoy their jobs are more likely to engage thoroughly with their work and give their best. As an employer, it is always in your best interest to keep your staff happy; otherwise, resentment could start to impact on the quality of their work and output or they may even consider to leave the organization.

Attributes for Conducive Work Environment

Healthy and Positive workplaces of an organization tend to exhibit a common set of traits that foster excellence, productivity and camaraderie. Here are some characteristics and ways to create healthy workplace environment in an organization:

Workplace Corporate Culture: Creating a Happier Corporate Culture in any organization is a part of healthy workplace, every organization has their own corporate culture which determines its value and it usually creates a standards that employees generally follows in workplace. When you have created a positive environment in workplace that is being followed

by you as well as by employees tends to be healthier as everyone would have nothing to be upset or unhappy about. A great organization culture can keep employees productive and even help in retain the best employees and happy workers.

Physical Environment and Occupational Health & Safety: A healthy workplace environment also involves the physical environment of the office or workplace and the occupational health & safety of your employees. If the employer looks after the health and safety of workplaces it reduces the worries of employees.

Supportive Workplace Environment: Supportive workplace culture is the foundation of a healthy workplace environment because every worker in workplace has personal problems and it's a human nature that some personal emotions get brought into the workplace. Employer try not to ignore them but instead, find the reason behind the problem and become a supportive employer by showing concern with their employee.

Team building activities: Creating Positive working environment through team building activities in create not only bond between employees but also motivate them. These activities help in improving internal communication and productivity, boosting morale and helps employees to know each other better in workplace.

Positive values: A positive attitude towards the goals and demonstrative behaviour that represent the highest commitment to quality and service to each other between the organization, customers and shareholders. The organization sets out to achieve its goals in ethical, honestly with a positive direction.

Relaxed and productive atmosphere: Workplace environment should be relaxed and productive because people enjoy coming to workplace and feel appreciated, acknowledged and rewarded. Signs of fear, domination, bullying, sexual harassment, and intimidation are creating lower productivity of an organization.

Compassion, respect, and understanding: In any organization kindness and understanding

prevail when employees face challenges such as accidents, illnesses, personal tragedies, and natural disasters. People will usually go the extra mile for others when they're treated well and with understanding, compassion, and respect.

Remove the Bad Vibes: Employees who prevents others workers from carrying out their job perfectly or proficiently are always getting in trouble with their coworkers create unnecessary stress and tension within the workplace. Employer make sure to handle these employees, giving them enough warning to adjust their attitude, and, if necessary, penalize them, so they can no longer incite conflict. To prevent this from happening again in future, refine hiring process of organization so that it keeps out people who are not a good cultural fit. Technical proficiency should not be the sole factor that determines whether a candidate is qualified or not; rather, it should be a mix of technical skills and personality.

Give Them Space: Lack of personal space in any organization can create conflict between coworkers and stress them, so try to give your employees space to do their work for the development of an organization.

Need and Legality of Conducive Work Environment

The Constitutional Mandate to the state to protect the citizen's right to live with human dignity under fundamental right and directive principles of state policy.³ According to Article 21 Constitution of India – *"No person shall be deprived of his life or person liberty except according to procedure establishment by law."*⁴

It is fundamental right to everyone in country to live with human dignity and free from exploitation following principle of state policy to keep monitoring of its persons.

- Protection of the health
- Strength of workers, men & women
- Human condition of work

In Landmark case *Maneka Gandhi v. Union of India*⁵, Hon'ble Supreme Court gave a new dimension to Article 21 of the constitution

of India and held that the Right to Life is not merely a physical right but includes within its ambit the right to life with human dignity. Right to Reputation is protected by constitution that reputation is an element part of one's life.⁶ In *Vishakha Case*, Hon'ble Supreme Court laid down certain guidelines for protection of women employees from sexual harassment.⁷ But it is not the women alone who are subjected to harassment at work places. All the employees irrespective of their gender are subjected to one or the other kind of harassment at work place. Unfortunately, although the problem of sexual harassment attracted enough and needed attention, non-gender based harassment and bullying, continued for most part, to be ignored. The humiliation caused to be employees at work place which is also informally called as "bullying at workplace" has a serious ramification on the mental and physical health of the employees and affects their work performance.⁸

In the judgment of the High Court of Uttarakhand in *Praveen Pradhan v. State of Uttaranchal* and others, dealing with the case of suicide committed by an employee due to harassment, humiliation and bullying by his superior and colleagues.⁹ All the employees irrespective of their gender are subjected to one or the other kind of harassment at work place. Most of the harassment of employees at work place is perpetrated by the superior officers or senior colleagues against their subordinates or juniors.

When the actions of the superior (whether male or female) officer because of his/her prejudices, favoritism are targeted against a particular section of employees, it causes more stress and great emotional disturbance to the sufferers. Bullying, humiliation and harassment at work place can have a devastating effect on the health, confidence, morale and performance of those employees subjected.

It cannot be forgotten that harassment and bullying of the employees at workplace intrinsically connected with their right to live with human dignity enshrined in our constitution. Our constitution imposes an obligation on the part of

the state to protect the dignity of the individual at all places including at the work places.

Conclusion

Conducive work environment leads to happy and cheerful employees. If atmosphere is conducive employees will always to work more often, arrive on time, stay late for completing their task and perform better. Creating a work friendly environment takes long time, but in the end it pays off, because productivity is an aftermath of comfort. A positive mission statement outlines the goals and demonstrative behaviour that exemplify the highest commitment to quality and service to each other, the company, customers and shareholders. The company sets out to achieve its goals in ethical, honest ways with an elevated sense of purpose to improving the planet and humanity. People enjoy coming to work and feel appreciated, acknowledged and rewarded. Signs of fear, domination, bullying, sexual harassment, and intimidation are absent. Creativity, productivity, and thinking outside the box flourish the organization. Creating a healthy workplace environment does not have to be difficult or costly. A healthy workplace environment improves productivity and reduces costs related to absenteeism, turnover, workers' compensation, and medical claims. It is ideal when it comes to maintaining a positive outcome in a stressful atmosphere.

Employees generally have optimistic expectations when they enter into the workplace. Employees want to be treated with respect and dignity and they want to feel valued and productive at workplace regardless of levels of experience they gain. This legitimate expectation of the employees is not cared for by the employer and the state did not take any steps for protection of the honour and dignity of the employees at the workplace but the Apex court reminded that it is obligation on employer to protect such rights in several judgements. The dignity of the employees as individuals is not being properly taken care of either in government sectors or in private and

corporate sectors. Most of the harassment of employees at workplace is perpetrated by the superior officers or senior colleagues against their subordinates or juniors. Bullying and harassment at workplace can have a devastating effect on the health, confidence, morale and performance of those employees. It cannot be forgotten that harassment and bullying of the employees at workplace intrinsically connected with their right to live with human dignity enshrined in our constitution.

An accommodating, healthy and conducive work environment is a key factor for growth of any organization. This is because results are achieved by the input of humans; a work force. A comforting environment in an enterprise increases productivity and job satisfaction, which has a direct impact on the financial status of any organization. For higher productivity, an energizing environment must be maintained at all times.

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Status of Muslim Women in India: Rights and Realities

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Abstract

In the completion of five decades of independence, women in Muslim communities face considerable challenges as citizens of India and as members of India's largest minority. Their poor socio-economic status reflects a lack of social opportunity which, though not a feature exclusive to Muslim women, is exacerbated by their marginal status within an overall context of social disadvantage for most Indian women. The status of Muslim women in Indian society is a much-debated subject nowadays. There are points of view put forth defending or condemning the position occupied by or imposed upon women in the India. The position of women under Islam has been the subject of repeated controversies among educated Muslims ever since they came under the impact of Western liberalization. The controversial subject of women's rights has assumed great importance in the Islamic world and is a burning issue today. Equality of men and women and non-discrimination on the basis of gender constitutes one of the vital human rights concerns, finding expression in all international instruments as well as in the Indian Constitution. In reality, however, Muslim women in India constitute one of the most deprived groups who are unable to fully enjoy their equal rights. Their deprivation and vulnerability derives from various aspects like cultural, religious, legal, socio-economic, educational, and violence. The present study is an attempt to focus various aspects governing the life of Muslim women in India even disparities exist between the rights guaranteed to women by the Constitution and the place assigned to them by society. The objective of this paper is to analyze the conflict between the human rights of Muslim women and their personal laws. This paper will approach to show how and why the social evil, the personal laws need to be rewritten for the sake of social reforms.

Keywords: Muslim Women, Human Rights, Constitution, Personal law, Status

Introduction

Although the status of women is nowhere high but the position of a Muslim woman is worse. The problems of Muslim women are many-sided and closely related to the problems of the Muslim society as a whole. Hence the approach to bettering the lot of Muslim women depends mainly on the approach towards solving the problems of the Muslim society. Muslims today should not be limited by those constraints, but reinterpret the teachings of Islam in accordance

with the needs and circumstances of our own age. The sex ratio among Muslims now stands at 951 females for every 1,000 males, substantially better than 936 in 2001, while among Hindus, it is 939 females for every 1,000 males, a slight improvement over the 2001 value of 931. J&K remains the State with the largest Muslim population as a proportion (68.31 per cent) and saw the largest increase in the Muslim proportion between 2001 and 2011, followed by Uttarakhand and Kerala.

Sachar Committee report also highlights the role of community identity for the status of Muslim women. Women in general are the torch bearers of community identity when community identity is seen to be under siege. It naturally affects women in dramatic ways, women sometimes of their own volition sometimes because of community pressure, adopt visible marker of community identity on their person and in their behaviour. The community and its women withdraw into the safety of familiar orthodoxies, reluctant to participate in the project of modernity which threatens to blur community boundaries. It was said that for a large number of Muslim women in India today the only safe place (both in term of physical protection and in term of protection of identity) is within the boundaries of home and community" (Social, Economic and Educational Status of the Muslim Community of India; A Report, November, 2006:13). One manifestation of this is, as pointed out in one study, that majority i.e. 69.75 percent Muslim women do not want to educate their daughters beyond the primary level of education. Further many middle class women who have requisite qualifications are not allowed to seek employment because 'community respectability' is likely to get smeared. This has resulted in general backwardness of Muslims and particularly Muslim women in India (Asghar Ali Engineer, 2005).

Education has always played a very important role in every society (Safaeq-u-Zama, 2001). It makes an individual to internalize the value and norm of the society and simultaneously offers the specific skilled persons to serve different functions in society (Shaz, 1986). According to the 2011 Census of India on educational level by religious community and gender has shown that 42.7% of Muslims in India are illiterate (male literacy rate is 37.59 percent and female literacy rate is 48.1 percent). This is the highest illiteracy rate for any single religious community in the country, while the illiteracy rate for the entire population taken together is 36.9%. Muslims are the only community to have an illiteracy rate higher than the national rate among all communities.

Now Muslim women are receiving education and are working alongside men. Since independence the gap between Muslim and other socio-religious communities is quite widened steadily to a significantly high level. In case of Muslim women in rural area the overall progress in graduate attainment is very low which indicates that the females in rural areas are more deprived from higher education, specially Muslim female are educationally more backward as compared to males (Social, Economic and Educational Status of the Muslim Community of India; A Report November, 2006:67). Zarina Bhatti (1976) in her article "Status of Muslim Women and Social Change" examined the status of Indian Muslim women in the context of modern ideals of equality and social justice. She observes that Muslim society is slowly moving towards equality of opportunity between men and women. According to her, education is the main source to improve the status of Muslim women to make them aware of the modern values and to enable them to realize their potentialities for nation-building activities and for ushering in a just and peaceful social order. Indu Menon (1981) study focusses attention on the role of education in raising the social status of Muslim women in Kerala. The actual reason for the low level of education among the respondents seems to be lack of meaningful role for educated women in the Muslim community. The practice of seclusion (Purdah) is another reason for low level of education. As a result majority of Muslim girls are compelled to discontinue their education after puberty. Early marriage is another reason. Majority of Muslim women think that it is men's responsibility to work and maintain the family because women are not expected to perform any meaningful economic role outside home. Education which is necessary for this is not considered to be very essential for them. As in the field of employment Muslim women do not think that politics is a legitimate field of activity for them.

Muslim women in India are potential catalyst for development. Their emancipation may be a crucial step in the development of

community. Their present status by and large reflects the dominance of traditional attitude. An improvement in their present day status will not only contribute in the progress and modernization of the community but also the development and modernization of entire nation (Jain, 1988). Muslim women are among the poorest, educationally disenfranchised, economically vulnerable, politically marginalized group in India. It further argues that their poor socio-economic status reflects a lack of social opportunity which, though not a feature exclusive to Muslim women, is exacerbated by their marginal status within an overall context of social disadvantage for most Indian women. Consequently, the notion that Muslim women's status in India is attributable to certain intrinsic, immutable 'Islamic' features or that their social status derives solely from Muslim laws is widely prevalent.

Shibani Roy (1979) looks into the status of Muslim women of North India in historical and sociological perspective. According to her that Islam is the controlling vision of the World Muslim community and the Indian Muslims cannot be an exception. Their behavior patterns are determined by Islamic world-view and value-system. However, she feels that Indian historical and social experience has its impact on the behavioural patterns of north Indian Muslims. This influence tend to generate a conflict of loyalties and thus this inherent contradiction in the case of Indian Muslim women and this has helped the Muslim women to have a shift in their perception of their status. Education among women has led to a great degree of self-assurance because of economic independence that follows concomitantly if not invariably. In view of the fact that Muslim educated males tend to prefer educated females as their spouses, there has been a spontaneous increase in literacy among north Indian Muslim families.

Marriage under the Muslim law is a contract mainly for begetting children. The husband can, on religious grounds, demand obedience and services from the wife. Moreover, the Muslim

civil code has provided the Muslim man with a right to polygamy, though the prophet mentioned the subject only once. He was referring to the battle of Uhud where only 70 out of 700 men had survived, throwing up the problem of orphans & widows. Marriage, he said, offered one way of looking after them. But he also added that this should be resorted to only if the man could treat all his wives equally, both in love and material prospects. But since only a prophet could comply with such rigid conditions, ordinary men were supposed to have one wife. But misinterpretations of his words and a male dominated society have made polygamy prevalent. Muslim woman cannot marry a Non-Muslim whereas a man can. Contrary to the general notion of equality, a husband is also granted a partial unilateral right of divorce. He can dissolve his marriage by uttering the word 'talaq' thrice even without stating the reasons and in the absence of his wife who merely needs to be informed.

In India, for every divorced Muslim man, there are four divorced Muslim women, an *India Spend* analysis of Census 2011 datashows. Across religious communities, except Sikhs, there are more divorced women than men. Among divorced Indian women, 68 percent are Hindu, and 23.3 percent, Muslims, according to Census 2011 data on the marital status of Indians. The data were recently cited by Muslim groups protesting the national law commission's formulation of a uniform civil code, especially a ban on triple *talaq*, according to this report in *The Hindu*. The socio-economic condition of Muslim women in India continues to deteriorate with inadequate access to good education and job opportunities. Within religious communities, the highest imbalance of separated women-to-men ratio has been recorded among Muslims, with women accounting for 75 percent of the separated population. Christian women, who comprised 69 percent of the separated population within their community, follow. Another significant disparity has been recorded among Buddhists, where separated women comprised 68 percent of the demographic group within their community (Census 2011). Over the decade ending 2011, there was a 39 percent rise

in the number of single Indian women including widows, divorcees and unmarried women, and those deserted by husbands, *IndiaSpend* reported in November 2015. However, the number of bachelors (58 percent) still exceeds unmarried women, according to the Census data, indicating a higher pressure on women to get married.

The triple *talaq* debate

On October 7, 2016, the National Law Commission published a list of 16 questions seeking public opinion on the need for a uniform civil code for India. Apart from probing citizens' perception of gender equality in prevalent personal laws across religions, a question asked if the practice of triple *talaq* should be abolished, continued or amended. The Muslim Personal Law Board has criticized the legal panel's exercise, claiming the law commission is not acting independent of the central government that opposed the triple *talaq* law in Supreme Court the same day. Responding to a batch of public interest litigations filed by NGOs and women's rights groups on the issue, the Centre said the practice cannot be regarded as an essential part of religion, according to this *Times of India* report. In today's world Muslim women can still be seen searching for the light in this dark patriarchal society of India. A number of legislations have been enacting time and again, pertaining to make reforms in the concrete status of women. The concrete status that has been erected by the society itself which refers the women not only as subordinate to men but also a dependent on them for their very survival. This situation still persists.

The thinking that a woman is a commodity and she has to bear the critical nuances of religion needs to change. For this change to come, a good religion or law in its truest sense is one which is viable enough to adjust to the demands of our progressing society. To begin with, Islam abolished the practice of killing female children and raised the stature of women in society to one of dignity, esteem, and privilege; but does this dignity, esteem and privilege still exist within the four corners of their personal laws? Behind the mask of religious sentiments, the basic human rights of a woman cannot be strangled. Indeed, a view can be made that primarily the persons

of this community only, are being suffered due to the very conservative perceptions that have been framed by them only. In spite of having all legal rights with regard to marriage, property, etc., the Muslim women have been deprived of all such enjoyments. We are also having some examples like Ismat Chughtai is a prominent name in the world of Urdu literature. Ismat laid the foundation for all future female writers in the subcontinent. A lot of her work was considered controversial and thus, was banned in South Asia. She wrote about male privilege, injustices, sexuality and struggles that women have to face in a patriarchal society. Her works were criticized and banned due to their feminist and bold nature. Rashid Jahan's works and writings contributed a lot in educating the masses on patriarchy. Though she faced a lot of criticism from orthodox Islamic segments of the Indian society, it did not deter her from her mission to raise her voice against patriarchal structures. In modern society Sanya Mirza, Mehbooba Mufti Sayeed etc., examples are very less and on the basis of these few, consisting a very least number of empowered women in Muslim community, we can't ignore the plight of those who are troubling and struggling behind the four walls of their homes; they've been even compelled by their circumstances to embrace these anguishes, believing it to be their fate. But, being a part of this developing nation, we cannot put these issues aside by considering it to be an interference with Islamic law & tagging and confining them as a private matter of Muslim community.

It's the need of the emerging time to scatter the rays of happiness in the life of these suffering women. Moreover, it is presumed that Muslim women are also been given the equal right to divorce as a Muslim man has; Yes, they obviously are having such rights. But to procure those rights or to enforce those rights, one ought to need the free circumstances in which they can easily exercise such right without having any suppression or fear with regard to any future happening against them. The concept of triple *talaq*, it can be said that, has been misused by the people; falling prey to such age-old practices of ritualistic traditions cannot be considered as

their (women) own folly. But as of now, triple Talaq, which is being blown out of proportion as an issue, can actually be a boon to many an abused woman. To go on harping on triple Talaq as though it is the monster that breaks marriages and oppresses women, is ridiculous. Men and women who simply do not agree to live together break marriages. Good riddance to wife-beaters, abusers and sick-minded losers who value their women so little, that they pick up the phone in a cowardly manner and walk away with a 'Talaq, Talaq, Talaq'. Muslim women are considered to be the part of this country who is befitted to be entitled for all such rights which are enjoying by other women in this country. Certainly, any religion cannot be presumed taking away the means of living from any individual, especially women. The ideology behind the concept of triple talaq which has been disfigured by the people now-a-days is not something in tune with what Quran has provided for; the justifiability of triple talaq has been faded away by the people in present times. The cases Lily Thomas v. Union of India and Sarla Mudgal v. Union of India are the actual authority behind justifying this instance. The time has come to have a glance over the issue of conflict between the personal law of Muslims and the human rights of the Muslim women as a concern for respecting the dignity of the Muslim women alike other women belong to some other religion. A religion can't be brought forth to supersede the nobles and ideals of the Indian Constitution.

The ideals of our constitution insist to wipe out each and every kind of germs that are responsible for hurting the very basic notion of equality. Shayara Bano is among the countless Muslim women in India who have been abandoned by their husbands, often without any notice, through Talaq-ul-Bidat, or "triple talaq." Permitted under Muslim family law, the practice allows a married man to instantaneously divorce his wife. However, Bano set herself apart from many victims by suing her husband in India's Supreme Court. After declaring the divorce, Bano's husband gave her roughly \$225 to refund her bride price. He hasn't allowed her to see their two children. "Men have all the power to play with women's lives, even though the Quran doesn't endorse it,"

she said. At least 22 Muslim-majority countries, including Pakistan and Bangladesh, have stopped recognizing triple talaq. But it continues in India, where Hinduism dominates, and Muslim family law exists to safeguard the minority community's religious freedom. The court acted on a plea filed by six petitioners which included Shayara Bano, Ishrat Jahan, Bharatiya Muslim Mahila Andolan, Gulshan Parween, Aafreen Rehman, and Atiya Sabri. After multiple hearings, the practice was declared void by the top court last year. The Supreme Court's decision on 22 August, 2017 to declare the practice of triple talaq as unconstitutional is a milestone in the Muslim women's rights movement in India. The decision is a milestone in the life of the poorer sections of Muslim women who are the worst sufferers and don't have the economic means to go to court (The Guardian, 2017).

Many religious books point to the fact that women are not treated badly by Islam. Unfortunately, in actual practice, the tendency seems to be to overlook or misinterpret the principles and orders of the Quran and consequently to accord to the woman an inferior status. On the other hand, Asghar Ali Engineer (1999) in one of the leading Muslim journals said that the "Minorities are often stereotyped as 'fanatical' and 'fundamentalists' and the acts of few individuals would be seen as of the entire community." Even if a religious leader issued any appeal to the Muslims, it will be described by a loaded word like *fatwa* binding on all Muslims. The way the Shah Bano movement was projected in the media, including the secular media, gave an impression as if only Muslims mistreat their women and deny them their basic rights. Suddenly the national press became the champion of Muslim women's rights! That Islam treats women better than many other religious traditions or legal systems was never brought out in any media analysis. The only thing projected in the media was that Islam metes out worse treatment to women.

The need of the hour is to come together to find a new approach which will overcome the shortcomings and limitations of the above approaches. It is now necessary for the Muslim women to realise and enjoy their full human

rights and start a process of reform within the community and empowerment through affirmative action programmes for their greater access to educational, economic and political institutions and opportunities. Denial of human rights, especially to women, means tampering with the developmental potentials of half the human resource available in the world.

Conclusion

Human consciousness in modern society is conditioned by the concept of human rights and human dignity. The laws regarding women, drawn up during the medieval period by the jurists, though based on interpretations of the scriptures, are unlikely to be accepted by women today. They no longer accept their subordinate position. They demand equal status with men. The rights of women have assumed an enhanced significance in the modern times in general, and in the Islamic world in particular. But it is the need of the hour to take an effective step to reconcile this issue involving human rights of Muslim women, besides personal law of Muslim; because they are being the part of our country and we can't put these emerging issues aside by giving it the nomenclature of religious sentiments.

The voices against uniform civil code urge that it is an absolute interference with the personal laws of Muslims community which they consider it to be not tolerable by them. For the sake of maintaining the dignity of all irrespective of their religion and sex, a revolutionary step ought to be taken in spite of the fact that it would, after a while, be considered as an interference with the personal laws. A good law is one that is viable enough to be changed according to the circumstances that prevail. The 21st century will be the century of democracy and human rights. India can be justly proud of being democratic. A new approach, based on faith and customary religious laws that uphold basic human values

will lead to the end of exploitation of Muslim women.

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Gandhian Ideology : Its Need and Relevance to the World Community



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Abstract

Gandhiji's economic thought presents a very intuitive and practical approach. Human welfare was not seen only by them physically, enhancing the requirements in an endless way, there is no criterion of civilization. According to Gandhi, "The form of God can be accepted for hungry and unemployed people, it is the assurance of food in form of work and salaries." His priorities were included roti, kapda, makan, health and education, rather than the means of luxury. Gandhiji was an ardent advocate for the upliftment of Indian villages. He initiated Gram Swaraj, which will ensure that each village becomes self-sufficient for its important needs, its own institutions and its own local officials, who work under the supervision of local elected Panchayat. Giving the legalization of this initiative of Gram Swaraj.

Keywords: Human welfare, Harmonious society, Rural development

Introduction

Mohandas Karamchand Gandhi, known mostly as Mahatma Gandhi is a collection of ideas from the ideals, beliefs and philosophies, which were among the largest political and spiritual leaders of the freedom struggle. It is a consolidated form of all such thoughts that Gandhiji did and lived for life. When a person or an institution is addressed as Gandhian, then it implies that he is following the values and ideals established by Gandhiji. However, Gandhi did not approve of the term 'Gandhism'. As he explained that, "There is no such thing as "Gandhism" and I do not want to leave any sect after me. I do not claim to have originated any new principle or doctrine. I have simply tried in my own way to apply the eternal truths to our daily life and problems... The opinions I have formed and the conclusions I have arrived at are not final. I may change them tomorrow. I have nothing new to teach the world. Truth and non-violence are as old as the hills."

Mahatma Gandhi was such a great human who inspired entire humanity to follow the path of

truth and non-violence. He was rich in versatility and believed in karma. Gandhiji was not only a social reformer and a leader, but an active political and thoughtful scholar who gave new insights to political thought. Gandhiji has been the Chief Captain of Satyagraha, Civil disobedience and Bharat Leaving Movement. A clear impression can be seen on the whole universe of their thoughts.¹ He presented the subject of purity, ethics and spirituality by their thinking. Gandhi's contemplation was related to the entire human race and above all the communities and the electorate. Gandhi's contemplation is called Gandhian. Gandhian is presently in existence in the present world community.

Gandhiji's philosophy and ideas based on truth and non-violence, very much needed in this time and with the passage of time, Gandhiji is becoming important to us.² Violence, chaos, differences and stressful environment found on the global level. So there are repeatedly questions that the necessity of Gandhiji's philosophy and ideas based on truth and non-violence is so much needed today. The

powers that differed from Gandhiji's thoughts began to feel the need for his message. As the world community is getting involved in various situations like violence, economic slowdown, hunger, unemployment and hatred, the world is not only missing the philosophy of Gandhiji but also the need to assimilate Gandhi's philosophy is being started. The terrorist attack on September 11, 2001 on America, changed the view of politics of the whole world. After the terrorist attack the American President George W. Bush II had said that the attack was not the on United States of America but also on the entire human civilization. Considering the terrorist attack on American self-respect, President Bush had declared war on terrorism. George Bush said at the same time that there are only two options in front of the countries of the world - all the nations are with us and the nation is not with us, they are in unison with terrorism. The terrorist attack on America was condemned by all the nations and all the nations were standing with the United State of America. All the world's are battling with terrorist incidents. In all these circumstances, the need for Gandhian ideology is being felt more by the entire world community.

Gandhiji gave this message to the entire world that violence can be defeated by non-violence. Today communalism is flourishing in entire India. Many other countries of the world are also suffering from the death of communalism and racism at this time. Communal riots are being organized to gain power and the lines of language, caste and class distinctions are being drawn. At this time peace marches are brought out in many countries of the world, atrocities and violence are opposed and on various occasions like the issue of nonviolence, the entire world community remembers Gandhiji's thoughts. According to historian and writer Ramchandra Guha, four principles of Gandhiji are relevant not only in India but in whole world: Non-violent demonstrations against anti-people government or law should be performed. Understanding each other's religion and respecting it should be respected. Such economic policies should be created, thereby ensuring the development

of everyone and minimizing harm to nature. Transparency should be brought in the practice of manners and public related work in practice.

Mahatma Gandhi had dreamed of village Swaraj and he believed that India's soul resides in the villages, and prosperous India can not be imagined without the prosperity of the villages.³ Economic thoughts of Gandhiji is relevant in today's scenario. Due to liberalization policies Nations of third world have not received much benefits. In countries like India the gap between poverty and wealth has become much deeper. Gandhiji, who came back from South Africa after seeing the misery of the Indian villages, said, "Our villages have become insignificant because we do not know true economics and true sociology."⁴ Unemployment has increased due to the growing influence consumerism and western culture, there is a continuous decline of social values. Demands for the implementation of economic policies in the country like India are being raised today, which are clearly linked to Gandhian economic think-tank. The importance in the Gandhian economic think-tank has been given to the manufacturers, farmers, artisans and workers engaged in self-employment. This is the class that works the production processes in order to fulfill its basic needs. Gandhiji considered important role of millions of small growers and workers, who had a great part of population, considered them important pillars in the production process. Gandhiji believed that there is a need for a new approach and research for the splendor in the economic development of this vast force, which should be separate from western or Soviet indices. Gandhiji realized that India's poverty is basically the result of neglect of the rural economy and the problem can be solved only by the new structure of the village economy. During his visit to India in 1918, Curtis, who played his role in the Montagu Chelmsford Reforms Act, said, "When compared to the villages of India to other countries, I knew that the villages has settled on a pile of waste."⁵ Gandhiji suggested that "industries should be expanded to the villages and the creation of a pragmatic rural economy should be made and the cities should

be made as a brick center for the production of villages”.

Gandhiji's economic thought presents a very intuitive and practical approach. Human welfare was not seen only by them physically, enhancing the requirements in an endless way, there is no criterion of civilization. According to Gandhi, “The form of God can be accepted for hungry and unemployed people, it is the assurance of food in form of work and salaries.” His priorities were included roti, kapda, makan, health and education, rather than the means of luxury. Gandhiji was an ardent advocate for the upliftment of Indian villages. He initiated Gram Swaraj, which will ensure that each village becomes self-sufficient for its important needs, its own institutions and its own local officials, who work under the supervision of local elected Panchayat. Giving the legalization of this initiative of Gram Swaraj, started the community development program in 1952. Panchayati Raj was inaugurated in Nagaur District of Rajasthan on October 2, 1959, to fulfill Gandhi's dream through the first Prime Minister of the country **Pandit Jawaharlal Nehru**. On this occasion, he said, “If Gandhiji was present among us today, it would be auspicious, it is a historical work.”⁶ In 1992, Panchayati Raj institutions were given constitutional status through the 73rd Constitutional amendment. Continuing the process of strengthening the rural development, the Congress-led UPA government passed the National Employment Program Act 2005 in order to give a vision of Gandhiji's dream of village Swarajya and Sarvodaya and initiated a revolutionary scheme like MNREGA, which the World Bank August 2014 is considered as the largest employment program in the world.⁷

Gandhiji always gave importance to labor, in his words, “I can not insult them by giving clothes to the bare people, because they do not have the clothing requirements. Instead, they should be given work. “work should be given for unemployed and skilled people. Gandhiji had an idea in his mind it was that every person should adopt the synthesis acquired from his physical activity. His idea was inspired by the

Gita, It is written in the Gita that, “The person who accepts the food without labor, he literally receives the food of sin.” According to Gandhiji, labor is meant work for roti was from labor. Gandhiji wanted that every person should work for his own farming and no other person could escape his inevitable obligation. In relation to this principle, he believed that, “It will give rise to the basic revolution in the social structure and will end the gape between the class or category, labor and capital and the gap between the poor and the rich in society. The struggle for survival will change in the struggle for mutual services.” Because majority of the population lives in the villages. Holistic and real development can be achieved by only combining the rural areas into the mainstream of development, because rural development is a symbol of holistic development. According to Mahatma Gandhi, the soul of India resides in the villages, keeping this mantra visible, it becomes necessary that the villages of the country should be brought on the path of development and the villages should be included in the main process of development. The basic objective of development is to ensure an egalitarian society system in which all people are equal, equal opportunities are available to all and there is no presence of inequality in different areas, sections and society. The consciousness of rural development in India was initiated by Mahatma Gandhi. Gandhiji believed that majority of Indian residents reside in the villages. So the happiness of the country is not possible without the happiness of the villages. The concept of constructing a nation based on equality was presented by Gandhiji by making every village self-reliant. He stressed the beginning of every scheme for development of India from the village and expressed the opinion that the village should be treated as a unit.

Gandhi's Ideology in the global scenario

The need of Gandhian ideology is being felt not only in India but in the whole world community. Today there is a need for such ideology, which inspires entire humanity to follow the path of truth, non-violence and religion. Gandhiji

uprooted the British government with the same weapons of truth and non-violence, which was said to be that in there kingdom there was no sun set. The saint of Sabarmati constrained the despotic and dictatorial government to quit India. Recalling this valuable contribution of Gandhiji, in 1954, in the film Jagriti, Poet Pradeep wrote the song "Sabarabati ke sant tune kar diya kamal, Dedi hame aajadi bina khadag bina dhal, which was sung by AashaBhosale. World's great scientist Albert Einstein's Ideal Albert Schweitzer wrote in his book 'Indian Thought and Its Development' that "Gandhi's life is a world in itself." Gandhiji has started the journey from Buddha and aims to create different spiritual conditions in the feeling of Love in Buddha's context. Coming down to Gandhi, this love not only takes spiritual ones but the work of transforming all worldly situations.

The Importance of Gandhi Darshan

At this time some elements have been active in Indian society, the work of spreading poison on the basis of religion and caste in people is being done by them. Gandhiji is being abused and divisive powers are being respected. In the country, the work of distraction for younger generation is being done and they are being divided into the name of caste and religion. Indians now have the need of employment, good education, clean environment, good health facilities and good roads. The debate should be on how the youth can be motivated to walk on the path of truth and religion. How to provide them employment. Educated and trained youths were given the education of frying pakodas in India. it's a big tragedy. Speaking on the basis of temple-mosque, religion and caste, roti, kapda, makan and excellent health facilities are no longer the subject of discussion. They should keep in mind that the India had suffered a fracture of division on the basis of religion, its wounds are not yet filled. Politics in the name of caste and religion can prove to be very fatal for the country and society. According to Gandhi, "religion should have the basis of ethics, without a moral ground life becomes meaningless and stagnant."⁸ He clearly believed that "There can be no place for

violence in a harmonious society and religion-based politics can be welfare, without religion politics is like death."⁹ The youth of the country should be introduced to Gandhian ideology. It should be given from time to time through schools, colleges and seminars that Gandhian Darshan is an important for the creation of a harmonious society and for the establishment of a continuous peace. According to Professor B. M. Sharma, "It is great interest to Gandhi Darshan that he has succeeded in formulating and executing such a speech without any blood, which has revolutionized the social sector."¹⁰ Only living in harmonious society with peace all development can be assured.

Gandhi is rightly called the Father of the Nation because he single handedly stood up against the mighty British Empire without any arms and brought her independence. However, today Gandhi is mostly forgotten and his relevance questioned even by his ardent devotees. Today Gandhi is remembered in India mostly on his birthday which is celebrated as a National holiday rather as a ritual. There are very few countries in the world where something or the other is not being done, achieved or organized in the name of Gandhi. In short there is a global non-violent awakening and awareness after Gandhi. The name of Mahatma Gandhi transcends the bounds of race, religion and nation-states, and has emerged as the prophetic voice of the twenty-first century. It may be said that after the great Buddha and Jesus, Gandhi once again demonstrated that non-violence could also be an effective instrument of social change in modern times. Gandhiji successfully demonstrated to a world, weary with wars and continuing destruction that adherence to Truth and Non-violence is not meant for individual behavior alone but can be applied in global affairs too. If we say that the twenty-first century is the century of the common man, then we see that Gandhism has even more relevance in this age and Gandhi will inspire generations of individuals fighting for goodness of the society. If today we find that Gandhism is in severe test in countries like India, it is not because there is certain inherent weakness in Gandhism, but it is

because we have not seen in India strong leaders with the required courage and conviction to fight the evils in society. We may borrow Gandhi's own words on Ahimsa and say that Gandhism is only for the courageous people. In the concern of Gandhi ji and his contributions Albert Einstein said that, "Generations to come it may well be, will scarce believe that such a man as this ever in flesh and blood walked upon this earth."

Conclusion

Ramrajya was conceived by Gandhiji in India. He had a clear view that unless without removing the tears of the last person's eyes of the society, India can not be prosperous. The dream of a strong India can be realized only when all the people are provided an environment of living peacefully. Government should be focused on the significance slogan Hindu, Muslim, Sikh and Christians are brothers. Gandhiji believed that there should be equal distribution of all the resources available in nature and this should be ensured that no person sleeps with hunger. In front of the whole world, the problems of terrorism, warfare, corruption, rape, violence. These problems are spreading like Sursa's mouth. Gandhian ideology can prove Brahmasstra to solve all these problems. Now the time has come for the entire world community to move forward

on the path of truth, nonviolence and love and leaving the policy of bombardment.

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Decriminalization of Adultery in India: Judiciary Once again Proves to be the Saviour



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Abstract

The law of adultery under Section 497 of Indian Penal Code punishes only man and assumes that only man can be the seducer and the woman who is equally willing and consenting party is considered as a victim only. This Section 497 has been a controversial provision and has been criticized ever since its commencement. It invites numerous debates being discriminatory in its nature. The validity of the section on both the constitutional grounds as well as philosophical grounds has been challenged time and again. Adultery is an invasion on the right of the husband over his wife. It is an offence against the sanctity of the matrimonial home and is an anti-social and illegal act. The Supreme Court previously held that Section 497 did not violate the fundamental rights given to us by the Constitution of India and did not infringe any of the provisions of the Constitution of India. The earlier stand of the Apex court was that Section 497 of IPC is not violative of Articles 14, 15 and 21 of the Constitution of India. Recently, the Supreme Court has declared 150 years old law on adultery as unconstitutional, which treats a husband as the master. The adultery law is discriminatory and arbitrary and it violates the dignity of a woman. It further declares that when the consent of the husband is there with wife to develop relationship outside the wedlock then there is no offence. The Court declares that husband is not the master of wife. Section 497 of IPC is absolutely and manifestly arbitrary and irrational because it confers a license on the husband to deal with the wife, as he likes which is extremely excessive and disproportionate.

Keywords: Adultery, Arbitrary, Unconstitutional, Discriminatory, Fundamental Rights

Introduction

"It seems most unfair for a man to require from a wife the chastity he doesn't himself practice."

A mere perusal of Section 497 of the Indian Penal Code, 1860 shows that it provides punishment for the offence of adultery committed by a man with a married woman without the consent of her husband. The prime element of this Section is that the male offender alone has been made liable for the offence of adultery. This offence is basically committed by a third person against a husband in respect of his wife. According to this section if the act of sexual intercourse is taking place between a married man and an unmarried woman or with a widow or with a married woman

whose husband consents to it, this offence shall not be deemed to have been committed.

Adultery as an offence under Section 497 of Indian Penal Code: An assessment

The bare text of Section 497 of IPC provides as follows:

"Whoever has sexual intercourse with a person who is and whom he knows or has reason to believe to be the wife of another man, without the consent or connivance of that man, such sexual intercourse not amounting to the offence of rape, is guilty of the offence of adultery, and shall be punished with imprisonment of either description for a term which may extend to five years, or with

fine, or with both. In such case the wife shall not be punishable as an abettor”.

This section makes adultery as an offence and provides punishment to the person having sexual intercourse with the wife of any other person without his consent and connivance. Adultery is a crime against the sanctity of the matrimonial home and it is an anti-social and illegal act. The extent of the crime under this section is restricted to adultery committed with a married woman, and the male offender alone has been made liable for punishment with imprisonment, which may extend upto five years, or fine or with both. The willingness or the consent of the woman is no defence to the offence of adultery. Therefore, adultery is a crime committed by a man against a husband concerning his wife. The section does not provide any punishment to the wife for being an adulteress, or even as an abettor of the offence, regardless of being a consenting party to the offence. The wife as an “abettor” will easily get away with it.

It is notable that the aggrieved party in the crime of adultery is the husband whose wife has had sexual intercourse with some person other than her husband. Section 198(1) of the Code of Criminal Procedure, 1908 exclusively provides that no person other than the husband of the woman shall be deemed to be aggrieved by an offence of adultery under Section 497 or the Section 498 of IPC, provided that in the absence of the husband some other persons who had taken care of the wife on behalf of the aggrieved husband can make a complaint against the accused with the leave of the court. However, the consenting wife of the aggrieved husband cannot be held responsible and prosecuted in the case. The crime under Section 497 of IPC contemplates discrimination. It is based on the discriminatory thought that a wife is the property of the husband.

The outlook of other countries on Adultery

The perspective of the countries on the offence of adultery varies from each other. It depends on various factors like mind set of the people, their attitude, religious thoughts and culture and many other factors play important roles. In USA,

adultery is still considered as a crime in many of its states. However, adultery is not a crime in the United Kingdom. Asian countries like Pakistan, Philippines and Taiwan have criminalized adultery but the countries like South Korea, Bhutan, Sri Lanka and China have struck it down. In countries like Malaysia, Singapore and Hong Kong adultery is no crime under their Penal Code. In Pakistan adultery is considered as a heinous offence and both the man and woman involved in sexual intercourse are liable for punishment. In a European country like France, if a wife is guilty for the offence of adultery she is liable for punishment of imprisonment but the husband however, may put an end to her sentence by forgiving her and by agreeing to be with her again. In Germany also adultery has been made an offence. In Philippines the married woman only is liable for the adultery and not the husband.

Previous cases dealt by the Supreme Court on Adultery

There were three instances before the Supreme Court in which arguments against the adultery were being advanced but never once, the petition asked to render the Sections 497 of IPC and 198 of CrPC as unconstitutional which was done in *Joseph Shine v Union of India*. These instances were *Yusuf Abdul Aziz v State of Bombay*, *Sowmithri Vishnu v Union of India* and *V Revathi v Union of India*.

In the case of *Yusuf Abdul Aziz v State of Bombay*, the Supreme Court held that the Section 497 of IPC is not violative of Articles 14, 15 and 21 of the Constitution of India merely on the ground that only the man is held liable for the offence of adultery and not the consenting wife who has equally participated in the commission of an offence. The wife is kept out of the scope of the section and is not liable for punishment even as an abettor. The Court further held that reasonable classification can be done on the basis of sex and Article 15 Clause 3 itself empowers State to make special provisions for the benefit and protection of women and children.

In another case of *Sowmithri Vishnu v Union of India*, the Supreme Court once more held that

the consent of the women for the offence of adultery is of no importance and relevance. The Court reiterated that the Section 497 does not violate and contradict any of the fundamental rights. The reasonable classification on the basis of sex between man and woman made by law is not bad. It is generally believed that the man is the one who is the seducer and not the woman. The situation and mind set might have gone through certain changes over the years, but for this the legislature has to take a final call whether Section 497 of IPC needs to be amended looking to the changes in the society that has taken place during these years.

Then comes the third case of *V Revathi v Union of India*, wherein the petitioner presented the same argument as advanced in the above mentioned cases and the Supreme Court once again confirmed the validity of Section 497 of IPC.

An analytical study of Section 497 of IPC with the various judgments pronounced by the Supreme Court and High Courts time and time again induce us to the consequence that it is the man who can commit adultery and not the woman. She cannot be punished even as an abettor because she is considered as a victim and not the accused for the simple fact that she has no identity of her own and she is owned by her husband. The Section completely nullifies the free will of the woman and her involvement in such adulterous conduct. The law regarding adultery is manifestly prejudice against the woman. This Section puts the husband in the position of owner and his wife is owned by him.

Decriminalization of Adultery and overruling of previous judgments by the Supreme Court

The Apex Court struck down the Adultery law in *Joseph Shine v Union of India*. Five-judge bench of the Supreme Court invalidates Section 497 of IPC in this case and decriminalized adultery in India, nevertheless adultery will remain a civil wrong. It can be made a ground for divorce. The judgment in a straight line hits against the obsolescent and patriarchal law of the country. This judgement will play an important role as it will have far

reaching impact on the society and matrimonial homes in future. In this case the Supreme Court clearly held that "A husband is not the master and equality is the governing parameter" and "There is need to adopt progressive Jurisprudential Parameter's for determining the women's rights".

The Supreme Court further lays down that the women cannot be considered as a property of men in the modern progressive jurisprudential parameters and expansive constitutional vision.

The Supreme Court clearly laid down that "Section 497 of Indian Penal Code is a reflection of the Social/Patriarchal Dominance".

The judgment accepts the arguments the arguments advanced that the women being accorded the position of a "chattel" in adultery laws because of her position as of a victim and not as an independent person. The judgment further provides that "Section 497 is a denial of substantial equality in the sense that it reinforces the notion that women are unequal participants in a marriage; incapable of freely consenting to a sexual act in a legal order which regards them as the sexual property of their spouse."

Section 497 of IPC is completely and strikingly arbitrary and unreasonable because it provides a license to the husband to control the wife according to his wish which is uncalled for. Under Section 497 IPC wife herself is not entitled to file any criminal case against her husband, however, she can claim divorce on the basis of adultery committed by her husband. Thus Section 497 of IPC is violative of Article 14 of the Constitution of India as it arbitrarily discriminates between man and woman.

The Supreme Court also observed that freedom, choice and identity are the important aspects of the dignity of a woman. In this reference, the Supreme Court quoted the recent judgement of *K.S. Puttaswamy and another v Union of India* and others, in which the court held that right to privacy is a fundamental right as enshrined under Article 21 of the Constitution of India. The said judgement confers much importance to the dignity of every individual. After assessing

the whole notion of right to privacy and gender equality the Apex Court declared the Section 497 as violative of Article 21 of the Constitution of India.

The Supreme Court clearly held that the adultery can be a ground for civil matters like dissolution of marriage but cannot be a crime anymore. The Supreme Court in this behalf clarifies that:

"There can be no shadow of doubt that adultery can be a ground for any kind of civil wrong including dissolution of marriage. However, the pivotal question is whether it should be treated as a criminal offence. When we say so, it is not to be understood that there can be any kind of social license that destroys the matrimonial home. It is an ideal condition when the wife and husband maintain their loyalty. We are not commenting on any kind of ideal situation but, in fact, focusing on whether the act of adultery should be treated as a criminal offence."

Therefore, from the above observation it has been made clear that adultery is no more a crime in the country but can be made a ground for divorce and if the aggrieved spouse commits suicide due to the adultery committed by other spouse it can be considered as an offence of abetment to suicide.

The Apex Court further clarifies that the power to make laws are conferred on the Parliament and the Court is aware about its limitations. The Court clarifies that they are not encroaching the field of Parliament by making law but only assessing a particular law which reasonably and logically does not fit into the very concept of a crime. If we consider Adultery as an offence, then it will be an interference in the extreme privacy of the matrimonial domain. Thus adultery should not be considered as a crime in today's modern time but can be made a ground of divorce. The Court further observed that this is a matter of absolute privacy and let the parties concerned be handled this by their own.

Section 198 of Code of Criminal Procedure is also held Unconstitutional

Since the Section 497 of IPC has been held to be unconstitutional, therefore, the procedure

for filing a complaint relating to the crime of adultery prescribed under Section 198 of CrPC has also become unconstitutional because when the substantive law goes, the procedural law has to pave the same path.

Conclusion

150 years old law on adultery has finally been declared as unconstitutional and violative of Fundamental rights of the Constitution by the Apex Court of the country which treats a husband as the master of his wife. The contention made by the government was that decriminalizing adultery would adversely affect the sanctity of the marriage could be a reflection of the mindset of society. What needs to be understood here that the contention of the government in this case was that sanctity of marriage would adversely be affected if decriminalization of adultery is done but the important question to be focused upon is that at what cost are we preserving this sanctity? Is sanctity of marriage more important that we can allow our most important fundamental rights to be violated? Thankfully, the Apex Court has decided these questions in negative.

The then Chief Justice of India Dipak Misra J. declares, "The adultery law is arbitrary and it offends the dignity of a woman". According to Section 497 of IPC women are considered as subordinate to men. The Court clearly mention that husband is not the master of wife. The Court has acknowledged the concept of equality and dignity of woman, which cannot be taken away in any manner. Male dominance cannot be accepted in present scenario. However, the Supreme Court held that adultery can be made ground of civil matters such as ground for dissolution of marriage but it cannot be a crime anymore. In the matter of adultery, law expects people to be loyal but this expectation cannot lead to the commission of an offence. Along with Section 497 of IPC Section 198 of CrPC as well has also been declared unconstitutional and thereby completely decriminalizing the offence of adultery. Though the judgement will have a far reaching positive and negative influence on the institution of marriage in India. Decriminalization of adultery can also have bad

impact on the institution of marriage in India and it will give license to the married parties to set up an extra marital affair. The divorce cases might have increased due to such extramarital affairs, which will have very bad impact on the future and upbringing of their children and the matrimonial homes. Despite all this is the most sought judgment pronounced by the Supreme Court in which it decriminalizes adultery as this is an era of transformative Constitutionalism and any law which treats woman with inequality cannot be held valid and constitutional.

This judgment renders a big hope to question Marital Rape in future where the same arguments of sanctity of marriage and consent of woman are always advanced, both of which have been dealt in depth by the Apex Court in this judgment. The declaration of adultery law as unconstitutional has finally put an end on the arbitrary, unreasonable and discriminatory law prevailing in the country from last 150 years and we hope that this judgment in future will pave the path for questioning and challenging more discriminatory and arbitrary laws.

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Readdressing Financial Services & Current Crime Areas of Operation



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Abstract

Money laundering is the process of concealing the illicit origin of proceeds of crimes. Terrorist financing is the collection or the provision of funds for terrorist purposes. In the case of money laundering, the funds can stem from both legal and illicit sources. The primary goal of individuals or entities involved in the financing of terrorism is therefore not necessarily to conceal the sources of the money but to conceal both the funding activity and the nature of the funded activity. Money laundering has evolved as a serious concern in India considering the fact that the country is one of the largest growing economies in the world. Illegal activities committed within and outside the country, like drug trafficking; fraud, counterfeiting of India currency; transnational organized crime; human trafficking; and corruption are the source of money laundering in India. In case of domestic crimes, the most common money laundering methods are opening multiple bank accounts, intermingling criminal proceeds with assets of a legal origin, purchasing bank cheques against cash, and routing through complex legal structures.

Keywords: Terrorist, Financing, Money, Laundering

Introduction

The insurance sector is a relatively less haunted sector compared to banks and other avenues of financial services. However, there has been a gradual increase in laundering activity in insurance as well. The laundering in insurance is either internal or external in nature.

Money launderers have traditionally targeted banks, which accept cash and facilitate domestic and international funds transfers. However, the securities markets, which are known for their liquidity, may also be targeted by criminals seeking to hide and obscure illicit funds. Money launderers can target any of the various types of business that participate in securities industry.

Cyber-crime, or computer related crime, is crime that involves a computer and network. The computer may have been used in the commission of a crime, or it may be the target. Cyber crimes

can be defined as: "Offences that are committed against individuals or groups of individuals with a criminal motive to intentionally harm the reputation of the victim or cause physical or mental harm, or loss, to the victim directly or indirectly, using modern telecommunication networks such as Internet.

Money Laundering & Economic Nexus

Method of placement whereby cash is broken into smaller deposits of money, used to defeat suspicion of money laundering and avoid anti-money laundering reporting requirements.

These are fake companies that exist for no other reason than to launder money. They take in dirty money as "payment" for supposed goods or services but actually provide no goods or services; they simply create the appearance of legitimate transactions through fake invoices and balance sheets.

Counter cheques or banker's drafts drawn on different institutions are utilized and cleared via various third-party accounts. Third party cheques and traveler's cheques are often purchased using proceeds of crime. Since these are negotiable in many countries, the nexus with the source money is difficult to establish.

Money laundering is the process of concealing the illicit origin of proceeds of crimes. Terrorist financing is the collection or the provision of funds for terrorist purposes. In the Case of money laundering, the funds can stem from both legal and illicit sources. The primary goal of individuals or entities involved in the financing of terrorism is therefore not necessarily to conceal the sources of the money but to conceal both the funding activity and the nature of the funded activity.

Government officials and information technology security specialists have documented a significant increase in Internet problems and server scans since early 2001. But there is a growing concern among federal officials that such intrusions are part of an organized effort by cyber terrorists, foreign intelligence services, or other groups to map potential security holes in critical systems.

Many of the methods applied by criminals to launder money or finance terrorism involve the use of the financial system to transfer funds. Financial institutions, in particular banks, are most vulnerable to abuse for that purpose. In order to protect themselves, it is essential that financial institutions have adequate control and procedures in place that enable them to know the person with whom they are dealing. Adequate due diligence on new and existing customers is a key part of these controls.

This involves physically smuggling cash to another jurisdiction and depositing it in a financial institution, such as an offshore bank, with greater bank secrecy or less rigorous money laundering enforcement.

Terrorism and Money Laundering

The term "Terrorism" comes from the French word *Terrorism*, which is based on the Latin verb

"terror" (to cause to tremble). The Jacobins cited this precedent when imposing a Reign of Terror during the French Revolution. After the Jacobins lost power, the word "terrorist" became a term of abuse. In modern times "Terrorism" usually refers to the killing of innocent people by a private group in such a way as to create a media spectacle.

Terrorist financing involves the solicitation, collection or provision of funds with the intention that they may be used to support terrorist acts or organizations. Funds may stem from both legal and illicit sources.

Terrorists use techniques like those of money launderers to evade authorities attention and to protect the identity of their sponsors and of the ultimate beneficiaries of the funds.

Terrorism in India has grown to a great extent in the last two decades. The bomb blasts and terrorist attack in many cities like Jaipur, Ahamadabad, Bangalore and attack on Mumbai on 26/11 and recent attack on Pune. The terrorist attacks have outraged very patriotic India. No civilized nation can allow this kind of barbaric inhumanity to be partly or fully supported or sponsored by any neighbor or domestic insurgents. The only way we can combat it is to minimize, if not eliminate, such occurrences. Prevention is crucial; and laws like POTA can prevent such occurrences. After the 26/11 attacks on the Mumbai the Indian outlook towards the terrorist and terrorist organization has changed the laws have become much more stringent to curb such activities.

Money laundering has evolved as a serious concern in India considering the fact that the country is one of the largest growing economies in the world. Illegal activities committed within and outside the country, like drug trafficking; fraud, counterfeiting of India currency; transnational organized crime; human trafficking; and corruption are the source of money laundering in India. In case of domestic crimes, the most common money laundering in methods are opening multiple bank accounts, intermingling criminal proceeds with assets of a legal origin,

purchasing bank cheques against cash, and routing through complex legal structures.

Presently, there is no provision for an individual, suspected of having terror links making it to the list of terrorist entities banned.

Adjudication and Justification

In this case, the Supreme Court has determined the constitutionality of the Adjudicating Authorities and the Appellate Tribunal under the PMLA, 2002. A Public Interest Litigation was filed under Article 32 of the Constitution seeking to declare various sections of the Act such as Section 6 which deals with adjudicating authorities, composition, powers etc., Section 25 which deals with the establishment of Appellate Tribunal, Section 27 which deals with composition etc. of the Appellate Tribunal, Section 28 which deals with qualifications for appointment of Chairperson and Members of the Appellate Tribunal, Section 32 which deals with resignation and removal, Section 40 which deals with members etc. as ultra vires of Articles 14, 19(1)(g), 21, 50, 323B of the Constitution of India.¹

The allegation against the accused was that they have committed an offence punishable under Section 4 of the Prevention of Money Laundering Act, 2002. The said case has been registered on the basis of a complaint filed by the Deputy Director, Directorate of Enforcement on the basis of the Report based on certain information and documents received from the Income Tax Department. An investigation was also conducted under the Foreign Exchange Management Act, 1999, ('FEMA'). Show- cause notices were issued to the accused for alleged violation of Sections 3A and 4 of FEMA for dealing in and acquiring and holding foreign exchange to the extent of Rs.36, 000crores approximately in Indian currency, in his account with, the Union Bank of Switzerland.²

In this case, after the accused became M.L.A. and then the Minister, he acquired enormous moveable and immovable assets in his own name and in the name of his family members within a short period of three years. By his influence he

got the works allotted in the name of his fictitious construction Company. Apart from that he also indulged in Money Laundering. Absolutely evasive replies were given by him and his wife about the assets. The CBI is collecting materials from different parts of the country and from outside the country also. Bail of the accused was earlier rejected twice upto the Supreme Court.³

In the case an appeal against convictions in view of attacks made on Parliament. The master was relating to admissibility and evidentiary value of evidence that retracted confessions cannot be acted upon by Court unless it is voluntary and can be used against co-accused only if there is sufficient evidence pointing to his guilt confession made under POTA cannot be used against co-accused as POTA operates independently of India Evidence Act and Indian Penal Code. Section 10 of Evidence Act has no applicability as confessionary statement has not been relied on for rendering conviction.

The offence committed is punishable under Section 3 and 4 of the Prevention of Money laundering Act, 2002. The High Court held that it was clear that the offence under the said Act would continue till the accused continues to hold proceeds of crime and got himself involved in the process and activity connected with the proceeds of crime projecting the same as untainted property and in the present case, the accused had been attempting to convert and project the proceeds of crime in the aforesaid manner. Further, sufficient material has been collected during investigation to prove the guilt of petitioner. Section 45 of the Act provides that bail was to be granted by the Appellate Court only on the satisfaction that there were reasonable grounds for believing that the Petitioner was not guilty of such offence and that he was not likely to commit any offence while on bail.⁴

A full-blown investigation into suspected terror funding and hawala (illegal money transaction) operations of the infamous 'D' company has been launched with the Enforcement Directorate (ED) bringing under its scanner a Rs. 3, 000 crore global money laundering ring allegedly

involving family members and associated of late IqbalMirchi-who was a right-hand man of fugitive Pakistan-based don Dawood Ibrahim. Mirth, who died in 2013 in the UK, is suspected to have laundered and moved funds through the hawala route to purchase a host of properties in at least 10 or more countries with the help of his associates. The agency with has registered a case under the Foreign Exchange Management Act (FEMA) recently to probe the entire range of complex real estate transactions found the at lest for buildings located in Mumbai were sold off by Mirchi's family in 2010 by creating "fictitious identities" and front companies in "contravention of RBI guidelines and FEMA rules." The agency has also issued notices to Mirchi's widow, two sons, relatives, lawyers and business associates in connection with its investigation conducted under the Foreign Exchange Management Act (Fema). The agency has also contacted the Reserve Bank of India (RBI) to obtain records on Mirchi and his associates' business and banking operations in India.⁵

Conclusion

Analyzing the current scenario it can be well submitted that a review from time to time to check the effectiveness of systems and their functioning would also be desirable. Measures should not only be undertaken at the national level, but they can be complemented by strengthening cooperation at the local level to

create constrictions for terrorist financing and money laundering. Better information sharing between states and the centre on national risk assessment and threats is desirable. There is also need for financial data by which rogue companies and individuals indulging in money laundering can be identified. Implementation of a monitoring system and a system of proper checks and balances can help ensure that money laundering is prevented in the real estate; sector. Adherence to KYC norms needs strict compliance.

In order to bring transparency in receipt and use of foreign donations, random checks can be undertaken to verify the last five years transactions of select non-governmental organization having dubious records.

Besides, financial intelligence needs cadre-based support which means direct recruitment and training of select cadres having a security background.

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The Multifaceted Personality of Sita

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Abstract

Today there has been great deal of interest in the specificity of concepts in Social Sciences, as it is being realized that the social principles of developed countries are not of much relevance of developing and under developed countries. There is a need for the indianization of social concepts to understand the social realities of the given society. and to understand the social reality of the Indian society classical text provided a mojar source for conceptual theories. In this paper the Epic 'Ramayana' has been used for content analysis to understand the social/ historically position of woman in India through Valmiki Ramayana. The focus of the article is Sita "The heroin". To this day Sita continues to be a model for Indian women. Yet this ideal image of Sita is far from social reality, is much closer to social myth, which is permeated with sprituality and divinity. Thus effort has been made to emphasive those aspects of Sita's personitly that are closest to human behaviour.

Keywords: Indiginization, Kavya, Subjugated, Meek, Docile, Sahadharmini

Introduction

In recent time there has been a great deal of interest in the universality and specifictiy of concepts in social science. As a part of colonial heritage the social sciences in developing countries have been modelled on western intellectual tradition. It is now being realized that the social principles developed and used in western societies are not relevant to the social conditions of developing nations.

It is being suggested that there is a need for indigenization of basic social concept as well as theoretical perspectives in developing nations. This contention is based on the following propositions ;

- (a) Specificity of social realities are more domient than the universalities of social realities.
- (b) Social realities are significantly determined by histoical processes and their cumulataive effect on that society.

- (c) Classical texts provide a major source for conceptual social theories in historical / traditional societies.

Sociologists in India have generally focused their attention on contemporary situations and have neglected the study of Indian classical texts. The neglect of the historicity an uniqueness of India Society has led to several consequences including imiation of western theoretical and conceptual models as well as neglect of the possibility of the development of indigengenous sociology .Because Indian sociologists have not undertaken studies of classical texts, the vast and comprehensive framework of Indian social reality revealed in these texts has not been adequately understood and analyzed.

Classical texts such as the Mahabharata, Ramayana and Manu smriti, reveal the diversities of content and themes in the Indian tradition. A well Informed social scientist should evolve concepts utilizing both contextual and

instrumentalities. Although the contextual dimension has been recognized, the textual dimension remains neglected.

An epic utilizes poetic composition involving detailed narration of heroic achievement or events in elevated style. An Epic, which makes great demands on a poet's knowledge and skill, has been deemed the most ambitious of poetic forms. It is neither limited to a few characteristics, nor to an individual character. Rather it describes a number of events spanning an era. In the process, an epic fully reveals the social system in which it takes place. What is important in an epic is its subject matter and objective. The two great Indian epics are the Ramayana and Mahabharat.

The Ramayana deeply influences the literary production as well as the moral and religious thoughts of the Indian population. The Ramayana is an epic of the romantic type which offers several contrasts. The Ramayana belongs to the Kavya class of writing in which form is regarded more highly than story, and in which Alankara is applied. It is an original narrative, homogeneous in plan and execution. It is the work of a single author named Valmiki and is almost free from interpolation and secondary episodes.

Thus far, no major contradictions have been raised regarding the position of women in the Ramayana. The women depicted display human weaknesses. The female characters in Ramayana are very conscious of their ideals and return to them at once, when advised by others or the forces of goodness are too powerful for their evil tendencies. The female characters of the Ramayana generally follow the ideal and are respected. The passages decrying women are few and can be justified with reference to the immediate context.

The interpretation of the status of women in this epic provides us with the opportunity to correct many erroneous ideas about the status of women in the past. It is history which provides information about past social evolution and enables us to better understand the present. History reveals a great number of different societies, acquaints us with the process of

changing social forms, thereby helping us become more accepting of social change.

As stated above, the Epic usually denotes heroic event of a hero. The focus of this article is the heroine. "Sita" whose heroine actions are an important component of the Ramayana. Sita has become immortalized through Valmiki's Ramayana. There is not a Hindu woman in the length and breadth of India to whom the story of the suffering of Sita is not known and to whom her character is not a model to strive after and to imitate.

Among the galaxy of epic heroines, she shines with her own peculiar qualities. As is often the case with epic heroes, some aspects of their personality are commonly known to everyone, other aspects are less widely recognized.

Sita is considered an ideal woman docile, meek, uncomplaining and silent sufferer. She would die rather than question her husband's conduct or waver in loyalty to him. If sorrow is an index to greatness, then Sita is the greatest of all women, for her life was nothing but a succession of sorrowful experiences.

She is remembered as a kind hearted, affectionate, generous, self sacrificing spirit who gives up many pleasures luxuries and happiness to follow her husband and make him happy. Sita is depicted as pious, religious minded woman who pray for herself and her husband's success. No where she is shown as an independent woman, rather she is always portrayed as being dependent for physical and social security on her husband, Ram. She has also been portrayed as subordinate and submissive.

Her bravery and courage are apparent when Ravana abducts her. She has also been projected as a woman of very high character, self respect and self pride. Among the most significant qualities of Sita are her faithfulness, dedication, love and faith in her husband, because of which she is regarded as an ideal for a Hindu woman.

To this day, because of the preceding characteristics of her personality, Sita continues to be a model for Indian women. Yet this ideal

image of Sita is far from a social reality and is closer to a myth or in ideal which is permeated with spirituality and divinity. Thus, efforts should be made to emphasize those aspects of Sita's personality that are closest to human behaviour. In today's changing society, these aspects are more relevant for Indian women. The purpose of the remainder of this article is to present a new and relevant depiction of Sita by focusing those dimensions of her personality which have not been emphasized by scholars.

In a number of Ramayans, Sita is shown as modest, meek, submissive, docile, soft spoken, subjugated and obedient to her husband. But on the other hand, she has also been pictured as aggressive, obstinate, abusive and straight forward, for example. Sita is shown as aggressive at the time of her *agnipariksha*, when Ram requests Sita to return to Ayodhya with Lav and Kush and also when she enters the earth and revolts against the unfair deeds of Ram. She is not gentle to Ravana when he abducts and tortures her. She is quite bold, strong and courageous and faces the unpleasant situations bravely. This aggressive behaviour would be typical of most women in that particular situation. Similarly, Sita is not always obedient, but is quite capable of defending an alternative position. For example, she wants to follow Ram to the *Dandak* and seeks to possess the golden deer. She shows that she has the power of expressing and fulfilling her desires, as well as being docile and mute.

Self-respect and Self-pride are also clearly evident in Sita's personality. For instance, when a Brahmin criticizes Ram and Sita, she asks Ram to leave that place at once. Another example is when Sita is ready to prove her chastity. Furthermore, in all versions of the Ramayana, Sita is shown crying, or feeling depressed, dejected and engulfed with pain. She even thinks of committing suicide. In these tortuous and humiliating situation, Sita behaves like any other human being.

Sita possesses familial feelings and her behaviour is just like any human being. She is very pleased when she meets Bharat after a long separation, and is concerned for Bharat, sending Ram and

Lakshmana to protect him from the enemy. She is also depicted superstitious, impulsive, child-like and innocent. Similarly, there is ample evidence of Sita's intellectual attainments and political knowledge which are partly imparted through religious education. She is not only literate, but was also acquainted with Sanskrit language spoken by the Brahmin –the elite class. She is also well versed in kingly duties and statecraft.

Her character shows a fine mingling of the concepts of *sahadharmini* and *pativarata*. Although the author had an idealistic tone and wanted to show her as a docile wife, she is not a *pativarata* of the slave type. She decides her duty without consulting her husband and her mother-in-law. Nothing not even the great dangers and difficulties of forest life described by Ram can shake her from her decision. All these incidents illustrate her independent judgement and action.

She is an intelligent partner. When ever she judges Ram's conduct to be improper, she emphasizes the truth by quoting an old story. Thus, she adopts a perfect teacher's way of illustrating through examples. Her equal status to Ram is also evident when her advice is sought at several points in the epic. She is called upon to solve a dispute between Ram and Ravana.

Despite her idealism, Sita has human frailties. At one point in the Ramayana, her words to Lakshmana are very harsh, but they are uttered because she thinks that Rama's life is in danger. When she is tormented by the intense agonies at Lanka and being treated cruelly by the Rakshasas, Sita thinks of committing suicide and is only kept away from such a resolve by Trijata and by her hope and faith in Ram's chivalry. In such a plight, it is natural for her to wish for the destruction of Lanka and the Rakshasas.

Sita is so innocent that it is difficult to understand how a Brahmana (Ravana's disguise at one point) may have such evil intentions. This experience has a maturing effect on her so that when Hanuman presents himself as a messenger of Rama, she asks for a token from Rama and

Lakshmana as proof. She is so simple natured that she cannot understand the conspiracy connived against her by her sister –in-law in one Ramayana and Rakshasas in other Ramayana. She is asked by both them to draw the picture of Ravana which later results in her exile.

In times of distress, however she has presence of mind. For example, in one situation she ties her ornaments in a cloth and throws them the hill top where the vanaras are sitting. In another situation, she is diplomatic and conceals the presence of Hanuman. Further, it is, when Sita is about to put on the valkal (clothes made of animal skin and bark) that she is frightened and her eyes fill with tears. This is quite natural for a princess reared in luxury, but once the shock of being in the forest is over, she does not feel out of place or uncomfortable in the forest.

After the victory over Lanka, Ram is more worried about his honor and prestige. Although Sita obeys his commands, she is disappointed by his behavior and feels frustrated because her cherished hopes and desires with Ram are not fulfilled. Although insulted and injured, she does not lose her composure, and faces the challenge with great dignity. Her reply to Ram's words is spirited when she says that Ram has addressed her like a common man addressing a common woman when he commanded her total sincerity and blamed her for facts beyond her control.

When Ram again exiles Sita to save his honor, he does not even inform her of his intentions. Although if he considered her as *sahadharmini*, he should not have done so. This shows that the rights of even the most loyal wife were not respected even by husbands of royal lineage. Sita's plight is worse, for she has no hopes of reunion. Despite this, she is ready to perform her duties as a wife and a queen. It seems that as a docile wife. She submits to his cruel command, but here also, she stoops to conquer. Her message is indicative of great maturity in love: Love that does not seek reciprocation. Even though he did not give her the right of a hearing which is routinely given to hardened criminals in ordinary courts, she performs her duty of a *sahadharmini*.

Sita was superior to Ram in every sense, because she is ready to give up everything in order to save her husband from ill, whereas Ram gives more importance to his honor and society than to his wife. After the exile, she had no desire to live. She had no mind to be queen of the same people who were responsible for her disgrace. She had given proof of her imminence more than once, and she believed that her life's mission had been fulfilled. Sita did not go back to Ram. In her own way, she gave him a terrible punishment, which he so rightly deserves. Which no one else could pronounce on him.

Conclusion

Sita's personality has been depicted in various ways by different writers, according to the times in which they lived. It is essential that commonly held notions of her personality be expanded. The fact is that Sita was also a strong intelligent adaptable person, quite capable of independently standing up to anyone for what she believed. Viewed from this broader perspective, the ancient heroine, Sita can provide an extremely relevant role model for modern woman.

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Analyzing the Strengths and Weaknesses of the Fourth Pillar of Democracy in India: Media



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Abstract

"The media's the most powerful entity on earth. They have the power to make the innocent guilty and to make the guilty innocent, and that's power. Because they control the minds of masses." The fourth pillar of democracy, i.e. Media, portrays a very strong and eminent role in a democratic set up. Along with Legislature, Executive and Judiciary, media ensures strong and proper functioning of sound democracy. Media, if provides for full media ethics then it can prove to be of sound strength for democracy but if the media starts suffering from various weaknesses which will not only weaken the democracy but also the media itself. Media is a wide term which includes print media, mass media and social media. Democratic set up ensures freedom of media but media should also ensure proper functioning of democracy. It is media which is the strongest link between the politicians and the masses. It educates the masses on political issues and the democratic ideals. The transparent and impartial media becomes a strong sword of democracy. This sword sometimes starts getting rust when it is in clutches of paid media, sensationalisation of news, non coverage of media itself, importance to irrelevant news, race for TRPs, etc. In today's world people generally get political education through media and therefore the responsibility of media in return increases to prove itself as the strong pillar of the democracy. The local, national and international media assumes a place of immense cruciality in the system. The fraternity of media as well as all the stakeholders should ensure the strongness of the fourth pillar and try to do away with all the present flaws. Media is a medium which reaches the minds and heart of the people directly. The research paper thus investigates on the strengths and weaknesses of the media and sees how it influences the democratic processes and to what limit. Media, no doubt can surely strengthen or weaken the democracy with its own strengths and weaknesses.

Keywords: Media, Democracy, Strength, Weakness

Introduction

In political Science we study the organs of government which lay the foundation of the sound political system. We live in India, a democratic country which like any other country has the full fledged governmental organs or pillars for the functioning of the political system. These organs are Legislature, Executive and Judiciary which form the sound foundation and prove to be strong pillars of democracy. Along with these, another important pillar or organ is also present

which is though non-governmental but is no manner less important and that is 'Media'. Media has a long history of evolution to the present times and how it has helped in strengthening political and democratic processes. Media which started its journey in a very humble way, has now established as the elite entity of the democracy. When we say the word 'Democracy', we automatically assume and feel the ideals of equality, liberty, transparency and accountability and these are the backbones of a healthy 'Media'

too. In today's world, democracy and media go hand in hand. They are not only good friends but at the same time good critics and checkers of each other.

The relationship of democracy and media is ages old and has seen ups and down in various aspects. With the changing pattern and role of one, the other one's pattern and role changes automatically. Media and Democracy has evolved in a huge way from their traditional forms to present ones. Both the pillars portray their strengths as well as the weaknesses which impacts the other pillar on a substantial way. Media exhibits the strong traits of transparency, coverage of every aspect of administration and society, informing and educating the citizens, analyzing the governmental policies, etc. But at the same time, the media also has some weaknesses which not only puts a question on media and in return affects democratic processes on equal manner. The negative aspects of media which have crept in are fake news, paid news, scandalism, sensationalisation of news, wasting valuable time, money and energy on irrelevant news coverage, etc. Democratic processes try to put a check on the media through various instruments but sometimes this extent from the role of checker and enter into the zone of dictatorship of the government. There is a need to analyze the role and functioning of media in present times so that it proves to be a strong fourth pillar of the democracy. The research paper is an effort in this direction and tries to contribute for a sound debate and discussions in a constructive manner. Now, we shall discuss the topic in an elaborated way so that every detail can be taken into consideration.

Evolution of Media

Media as it is present in today's world was not always in the same manner but has a long and historical story of its evolution. The history of media is very long therefore we will concentrate only in the Indian context. The evolution of Indian Media is no way less interesting and historical. The Indian Media has seen many challenges and obstacles in its path to the growth and

development as it is today. The history of Indian Media traces back in the 18th Century. Though there were some initial traces in the 16th and 17th century also but the major landmark is seen in the 18th century with the publication of the first newspaper called as 'Bengal Gazette' by James Augustus Hicky. It was a weekly exclusive for British residents. Another important biweekly newspaper was Calcutta Journal. This was quite different from the 'Bengal Gazette' because it concentrated more on relevant and truthful news instead of gossips and scandal news published by 'Bengal Gazette'. Calcutta Journal was a fearless publication which even criticized the government and due to which the editor of the journal, James Silk Buckingham was deported to England. In regard to the vernacular newspaper, the name of Serampore Missionaries is of real importance. The publications like Dig Darshan (Samachar Darshan) and The Friend of India were landmarks in Indian journalism.

When we talk about the names of Indian journalists, then Raja Ram Mohan Roy is always at the zenith as he is considered as the 'Father of Indian Journalism'. His publications viz., 'Samvad Kaumudi' and 'Mirat-ul-Akhbar' are pioneers of Indian Journalism. The era of Hindi Journalism started with the 'Uddanta Martanda' in 1826. Many English newspapers which are still having strong foothold in journalism like The Times of India, The Hindu still are significant. Indian Media has contributed a lot in the Indian Freedom Movement. The strength and zeal of the Indian press/ media never faded away by the draconian laws and suppressions like Vernacular Press Act, Gagging Act, etc. Indian National Congress had many prominent journalists as members. Prime Minister Nehru said that newspapers are tools for national reconstruction and social reformation. Gandhi also used the print media as a source for nation building through his publications like Young India, Harijan, Indian Opinion, etc. The media especially print media contributed a lot in awakening the Indian masses during the Indian Freedom Movement. They infused people with the feelings of nationalism and self

confidence. Media played the role of a connecting chain among people of India. Newspapers were published in many regional languages like Hindi, Urdu, Marathi, Gujarati, Telugu, etc. which proved to be a good binding and spread medium.

After the independence of India, the role of media did not diminish but it evolved in a brighter valour and has standing firmly as the fourth pillar of democracy. Though before independence there was no democracy and therefore media was many times subjugated but after independence, the role of media as checker and supporter of democracy had evolved a long way. The Indian press includes 48 centenarians. Gujarati newspaper (1822), 'Mumbai Samachar' being the oldest surviving one. By March 2014, there were 13, 350 registered dailies on Registrar of Indian newspapers. Hindi newspapers take the lead with 942 newspapers followed by English ones. Prominent newspapers in post independence era are The Hindu, The Times of India, Anand Bazar Patrika, Dainik Bhaskar, etc. Apart from newspapers, with the development of technology many other media sources came into being like radios, televisions, movies and now internet(social media). These mediums also play an important role in democratic processes and upholding the democratic ideals.

Media Entities: There is few entities which regulate the functioning of the Media as well as they take care of the interests of Media. Some of the entities are Press Council of India, Indian Newspaper Society and Audit Bureau of Circulation. These entities help in proper democratic functioning of the media and do not let it loose its importance in the democratic set up of the political system. Media in post independence era exhibits a strong relationship with the democracy. This relationship is full of pros and cons which we shall be discussing in the upcoming headings.

Relationship between Media and Democracy

In a democratic government the three pillars of the government viz., legislature, executive and judiciary perform the task of making laws,

implementing laws and protecting and reviewing the laws respectively. But the democratic process does not end here as one important aspect is left of getting the feedbacks and opinions of the people who are the base of democracy. This is done by the fourth pillar of the democracy, 'Media'. Media and Democracy go hand in hand and prove to be checkers and supporters of each other. Many media person consider themselves as the 'watchdogs' for democracy and similarly the political representatives assume that they have the responsibility to govern the anarchic attitudes of media entities and to control them in the ambit of the constitution. Politicians and media generally enjoy a love hate relationship with each other. The media is blamed by the political class for endangering the national security by broadcasting or publishing any such news, emphasizing more on the negative aspects of the government and not praising the achievements of the government and also on over simplifying the important public policy issues. Media on the other hand blames the government for putting irrelevant restrictions, holding on the freedom of speech and expression and interfering in the free functioning of the media through various instruments and laws.

Both media and politics (democracy) cannot function aloof as they are interdependent for various reasons. Media needs democratic set up for its proper functioning and similarly democracy needs media for upholding its ideals. Now, as the research paper is based on the analysis of the strengths and weaknesses of the media, let's go in detail on this discussion and try to put forward some relevant issues and perspectives.

Strengths of Media

Media is no doubt a very strong pillar of democracy from the very beginning and has always stood by the democratic ideals. In the largest democracy like India, it becomes quite imperative for media to portray a very strong image and truly hold on it. Media provides for a basic platform in politics to represent ideals of democracy. The various strengths of media can

be discussed as under:-

1. Source of Information: Media is no doubt the biggest source of information for the masses in a political set up and it is the source through which citizens of a country get to know about the various policies, laws, decisions, issues and other significant news. The media, whether it is newspaper, television, radio or internet it provides for an important and immediate source of information. The media with the use of latest and advanced technologies provide for first hand and live coverage of the important news. This enables the citizens of a country to get quick news. TV channels like BBC, Al Jazeera, CNN, AajTak, Zee News and of course national news channel DD News provide news through live TV coverage. Internet and in that specially social media like Tweeter, facebook, whatsapp provide for a quick spread of information and that too on a very large scale.

2. Political education to the masses: An important role which is played by media is educating the masses on various subjects but majorly on the political issues. Media proves to be an important source for educating people on such issues which otherwise remain uninformed and unanalyzed. People living in a democracy have the basic rights to get political education about their system which is done in large manner by the media. The various sources of media hold discussions, debates and analysis which make people think about many issues which affect their lives. If there would had been no media in a democratic set up then the people would not had been able to enjoy their fundamental rights in the fullest sense as many political rights and their execution takes place when people are educated and made vigilant about them through media.

3. Politicians' reliance on media: It is not only the lay man or the masses which needs media in the political or democratic set up but it is equally required by the mass leaders or the politicians for their various purposes. Political leaders are hugely dependent on the use of media for their campaigning, propagandas, propagating their manifestos, reaching out to the people,

debates, discussions, etc. With the coming in of the social media, politicians have got increased opportunities to interact with the masses through tweeter, facebook, blogs, websites, etc, and also to have digital skirmishes with their opponents. Recently, the Ministry of Information and Broadcasting, Government of India declared 'social media' as a part of it. This signifies the increasing role of social media in the political parties and their struggle for power process in the democracy.

4. Government recognition to Media: Realizing the importance of media, government in democracy recognizes it by including as a major part in the form of the Ministry of Information and Broadcasting. This ministry gives out the information about the policies and programmes of the government. It is done with the purpose that the masses have a true experience of democracy through the ideals of transparency and information. Media and government presents a true picture of democracy. Our present Prime Minister can perhaps be called as the first Indian Digital Prime Minister who uses media through various channels to convey his messages to the people in a very effective manner. Like, he is very active on his Tweeter account and also uses radio and TV for broadcasting his programme of 'Mann Ki Baat'.

5. Media can bring huge changes: Media is a very strong and effective medium for addressing an issue and thus bringing desired changes. This can be very well understood by the example of 'Swachh Bharat' Mission. In this through the use of media, the government has tried to make people aware on sanitation issues. This has shown promising results with a fall in open defecation percent and people getting hesitant in now urinating and defecating in open. Media using all the sources like print, Television, radio, internet, etc. has contributed a lot. Thus, once again proving media to be the strength of democratic system. Media uses the influence of famous celebrities whom people recognize and associate with themselves as medium of transmitting the messages. These celebrities

have huge impacts on the thought process of people and this in return encashed by the media and government.

6. Media as live example of Right to speech, expression and information: In a democratic system, it is mandatory that the media has free will and free expression for delivering quality news and analysis. Similarly, the right to information is realized in its highest form by the media. To make appropriate political choices, it is necessary for the masses to have ample freedom of speech, expression and information. Failing in this would never accomplish the true ideal of democracy. Media is a rich source of this ideal realization.

It is a universal truth, that any concept or aspect is always accompanied by its strengths and weaknesses or pros and cons. Therefore, it is very much necessary to look into the weaknesses of the media after the discussion of its strengths in a democracy.

Weaknesses of Media

There is no doubt that the media portrays a very strong image in today's democratic set up but at the same time, it is also universally acceptable that with power comes corruption and flaws and this is happening to the fourth pillar of democracy i.e. media. To discuss and analyze those weaknesses following points have been summed up to give a brief idea of the situation.

1. Paid News Syndrome: One of the major weaknesses with which the media is suffering is paid news syndrome. Paid news means when a newspaper is being paid to publish certain news and which is obviously in favour of the entity which has paid for it. It can be called an advertisement without actual tag of an advertisement. This violates the true nature of media which of unbiasedness and truthfulness. In this case, the particular media is showing just one side of the coin and which is also actually quite gloomy in nature. This is a crucial problem with which media is suffering. A committee has been set up by the Press Council of India to look into the matter across the country and in depth

study the malady of the problem and thus bring some substantial conclusions and solutions.

2. Sensalization of news: Media has all the way earned respect because it is considered as an entity which delivers the true ideals of democracy through transparency, accountability, responsibility, liberty, equality and accuracy. But in today's competitive and TRP concentrated media, the above mentioned ideals have faded away. Now, every news channel or newspaper or any other media house wants to sell its news at more profits in comparison to others and therefore goes for sensalization of news. This has depleted the credibility of the news authorities.

3. Privatization of Media: With the coming in of the Liberalization, Privatization and Globalization (LPG), in the 1990s, a new era of media came. In this environment, along with the state owned media, many private owners came in and which led to competition and a race for more audiences and profits. This surely depleted the very nature of media and the purpose it came into existence.

4. Misuse of freedom of expression and speech: No doubt that when we live in a democratic country, we have all the basic fundamental rights including freedom of speech and expression. But when any of such rights violates the very structure of democracy and it posing a threat to the security and law and order of the state, then a limited restriction is necessary. In today's parlance, many times, media is seen broadcasting such news, videos, literature and movies which on the name of freedom of speech and expression, actually violates the democratic set up.

5. Malpractices and corruption: Media is no where aloof from the malpractices prevailing in the society. The evils of corruption and malpractices are very much present in the media houses which largely pose a question on the credibility and accuracy of the media. Yellow Journalism and Blackmailing personalities on some crucial issues are very common corrupt practices in media. The media person openly asks for ransoms in exchange of sensitive news and

some secret aspects of the political personalities or other celebrities. Democracy always stand for corruption free and equal environment but these downgrade the democracy.

6. Devaluation of the office of editor: With the more commercialization of media, the role and importance of the editor has decreased. Now, he has a little say in what news are to be published and what not. He has a diminished role in the authority of allotting space to the particular news. Now, it is the manager of Director in Charge of the advertisements who allot spaces and ofcourse priority is given to the advertisements and not news.

7. Irrelevant News: Just for the sake of showing some news and stuff, the media houses broadcast and publish sometimes irrelevant news and stuff which have less or actually no relevance in our lives. This sometimes led to skipping of important news as media houses are unable to scrutiny the news on importance basis. They instead do it on the basis of profit and TRPs.

8. Misuse of social media: We live in a technologically advanced era where boundaries of time and space have faded. The credit majorly goes to the internet. One such gift is social media in the form of tweeter and facebook. These social media is good when used for socializing and interacting in a positive manner but many times they portray a role of anti social media. They become a platform from where non democratic ideals are propagated and they actually become a threat for the country.

9. Media-Politics Nexus: Media and politics are closely related to each other and they many times work as a nexus in the political system. If it is not in the interest of the democratic principles of the country, then they are surely a negative aspect of the political system. Media and politicians use the platform for their personal gains and in the process the naïve citizens of the country are negatively affected and ofcourse there is breach of trust on the part of both politicians and media. They both are considered as the representatives of the people but when they are not working actually in that direction then the citizens and the whole political system is at stake.

Analysis of Strengths and Weaknesses of Media

No doubts that all have some positives and some negatives but the traits which supersede the other will make the dominance and the true character of the particular individual and entity. The same goes with media, the fourth pillar of democracy. Media is today the most important source of information and expression in the democratic set up and therefore getting more stronger but getting stronger without accuracy and accountability cannot be considered a positive growth towards strength. Media is a reflection of people and their aspirations in the democracy and it is thus the responsibility of the media to stand by those principles. The race which is often shown on news channels which claim every news channel broadcasting as number one through some "so called" research is of no use and has no relevance if the media is not contributing in a constructive way for the democratic process. The strength of media in democracy is largely seen during elections when media release exit poll results and they have quite relevance too. The political parties and ofcourse lay man gets a chance to deliver his expressions in the democracy and talk about their aspirations. Media is a very strong instrument of democracy which provides a link between people and political system.

Conclusion

The research paper can be concluded with the words of Dr.A.P.J.Abdul Kalam, "It is very important for the media to be partner in national mission. They should highlight the positive aspects and provide solutions to difficult aspects through nationwide consultations". Media had always been a crucial and important part of the political system and especially of any Democratic system. The media and democracy are inseparable and the building of democracy is strong with the pillar of media. But should also realize its responsibility and should work in the constructive way and free unbiased manner. The reputation and trust, with which the evolution of media took place, should continue today as well. Media should try to do away with the flaws which

have crept in due to various reasons and once again prove the rich legacy of media true.

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Factors Influencing Apparel Buying Behaviour of Working Women



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Abstract

Apparel plays an important role in building the identity of an individual. There are number of factors which influence the apparel buying behaviour of working women like consumer characteristics, product attributes, promotion, store attributes and reference groups. The study was conducted on 480 working women belonging to the age group of 26-55 years of upper middle class income group. The study was conducted in Jaipur city. Convenient sampling technique was used for selection of sample. The data was analysed on the basis of mean and standard deviations. The results from the analysis revealed that store attributes and product attributes are the most important factors influencing apparel buying behaviour. The study will contribute to academics to understand the apparel buying behaviour. Also findings of this study will provide an insight to the buying behaviour in apparel retailing for marketers.

Keywords: Buying Behaviour, Product Attributes, Reference Groups, Working Women

Introduction

Apparel is one of the necessities of human civilization along with food, water and shelter. It also reflects individual's lifestyles and reflects the social and economic status. It is seen as an intimate part of an individual-an expression or extension of bodily self. The value of clothing in meeting certain human needs physical protection, modesty and decoration is well recognized. Today its role in satisfying other needs is being more clearly perceived such as need for conformity, self-expression, social participation etc. Many researchers have confirmed the importance placed upon clothing individuals, although importance of clothing varies from person to person (Erwin, Kinchen & Peters, 1979).

The apparel and clothing industry being positioned at first place in economy in India and across the world and the spending on apparel

and clothing among the customers is increasing hence, it is very important to study the changing behaviour of the consumers.

According to Gurunathan, and Krishnakumar (2013) factors influencing apparel buying behaviour a measurement model various factors influencing apparel buying behaviour such as consumer characteristics, reference groups, store attributes, product attributes, promotion factors,

Consumer characteristics: It proceeds towards appear to be strong and descriptive as consumer characteristics concentrated on mental attitude of consumers in making decisions. The consumer characteristics are under the indicators of brand consciousness, fashion consciousness, store image, apparel as gift, comparison shopping, and prefer wear and try before purchase.

Reference groups: Reference groups are exterior influencers like television programmes,

celebrity, magazine, friends and family members etc. which influence apparel buying behaviour. Reference groups influence at past experience, celebrity endorsement, TV/Magazines, family and friends influence.

Store attributes: Store attributes are related to retail outlet. It is grouped in terms of facilities like parking facility, trial room, card and store atmospheric attributes like colour, lighting, music and so on form the overall context within which shoppers make decisions of store selection and patronage. However, attitude of consumers towards store brands is determined by more positive store image, price advantage, and range of products to exercise buying options, loyalty and trust related factors by (Liu and Wang, 2008). In the present study, this attributes contain variety, card facility, stock availability, parking facility and stock availability.

Product attributes: Apparel products are collection of many physical characteristics, which are recognized differently by various consumers. Product attributes involves defining the benefits that the product offers. These benefits are communicated and delivered by tangible product attributes, such as quality, features, style and

design. Decisions about these attributes are particularly important as they greatly affect consumer reactions to a product (Kotler, Wong, Saunders & Armstrong, 2005).

Promotion: Promotion is the various promotional techniques adopted by the retail stores to attract consumers. Advertising, various promotional offers and personal selling are the major schemes which attract people buy the products. Advertising is available in the form of newspaper, magazines, radio, television, poster and pamphlet etc. The indicators are marketing techniques, pricing techniques and visual display.

Methodology

The study was conducted in Jaipur on 480 working women belonging to the age group of 26-55 years of upper middle class income group. Convenient sampling technique was used for selection of sample. The data analysis was done through mean and standard deviations. A five point likert questionnaire was adopted for study and five major variables namely consumer characteristics, store attributes, product attributes, promotional factors and reference groups are considered for the study.

Results

Table 1: Demographic Descriptive

(n=480)

Demographics	Frequency	Percentage
Age (years)		
26-35	160	33.33
36-45	160	33.33
46-55	160	33.33
Education level		
Graduation	100	20.83
Post Graduation	250	52.08
Above PG	130	27.08
Professional Qualification		
Teacher	135	28.12
Doctor	50	10.41
Engineer	55	11.45
Lawyer	35	7.29
Public service	60	12.5
Corporate	70	14.58
Business	75	15.62

Table 1 shows that 33.33 percentage of the respondents were equally divided in the age group of 26-35 years, 36-45 years and 46-55 years. It can be observed that the majority 52.08 % of the working women respondents were postgraduates, 27.08 was above PG and the lowest 20.83 percentage shown by graduate

working women. From the above table reveals that professional qualification of the working women 28.12% were teacher, 15.62% were business women and lower professional qualification 7.29% were lawyers. Hence, it can be concluded from the above data majority of the respondents in professional qualification were teachers.

Factors Influencing Apparel Buying Behaviour

Table 2: Variables Considered under Consumer Characteristics of Buying Behaviour for Working Women (n=480)

Indictors	Mean	SD
Readymade garment preference	2.94	1.14
Fashion consciousness	2.96	0.75
Brand consciousness	3.03	1.05
Apparel as gift	3.71	0.61
Store image	3.36	0.85
Impulse buying	3.47	1.15
Store and brand loyalty	3.35	0.97

Table2 shows the indicators of consumer characteristics dimension and their mean and standard deviation. The mean value show that the highest mean 3.71 is for apparel as a gift on apparel buying and the lowest mean value 2.94 preference for readymade garments in apparel.

Under consumer characteristics dimensions, it is revealed that the items brand conscious, apparel as a gift, store image, impulse buying and store and brand loyalty are more relevant for consumer characteristics. It shows that most customers are brand conscious.

Table 3: Variables Considered under Reference Group of Buying Behaviour for Working Women (n=480)

Indictors	Mean	SD
Social media	3.14	0.82
Print media	3.47	0.80
Celebrity	3.54	0.76
Friends and family influence	3.59	0.68
Others perception	3.47	0.56

Table 3 reveals the indicators of reference group dimension and their mean. The mean value reveals that the highest mean 3.59 is for friends and family influence on apparel buying and the lowest mean 3.41 for social media on apparel buying. It shows that in the reference group

dimensions, the item friends and family, others perception, print media are more relevant for reference groups. The apparel stores should focus all these factors while planning their strategies and promotional programmes.

Table 4: Variables Considered under Product Attributes of Buying Behaviour for Working Women (n=480)

Indictors	Mean	SD
Brand	3.53	0.76
Quality	3.23	0.80

Indictors	Mean	SD
Price	3.08	0.91
Fit	2.68	0.71
Style	3.09	0.60

Table 4, shows that indicators of product attributes dimension and their mean and standard deviation. The mean value shows that the highest mean 3.53 is for brand and lowest mean value 2.68 is for fit. Therefore it can be inferred that product attributes dimension,

the customers prefer branded products and the apparel which have good quality. Product attributes dimensions brand, quality, price, fit and style product attributes indicators influence apparel buying behaviour.

Table 5: Variables Considered under Promotional Factors of Buying Behaviour for Working Women (n=480)

Indictors	Mean	SD
Marketing techniques	3.49	0.67
Advertisements	3.53	0.77
Pricing techniques	3.49	0.67
Visual displays	3.45	0.78

Table 5 reveals the mean and standard deviation score for promotional factors indicators. Promotional factors are highest for advertisements with a value of 3.53 and lowest mean 3.45 for visual displays. So it

can be said that all the items visual display, marketing strategies, pricing techniques and advertisements. So the apparel store should do promotions appropriately and attractively which are very much appeal to customers.

Table 6: Variables Considered under Store Attributes of Buying Behaviour for Working Women (n=480)

Indictors	Mean	SD
Parking Facilities	3.50	0.94
stock availability	3.67	1.15
trial room	3.65	1.27
card facility	2.94	1.06

The table 6 shows the indicators of store attributes dimension and their mean and standard deviation. The mean value shows that the highest mean 3.67 stock availability and the

lowest mean 2.94 for card facility. Hence it can be inferred that there is indicators like parking facilities, trial room, stock availability which impact buying behaviour of women.

Table 7: Apparel Buying Behaviour

(n=480)

Factors influencing apparel buying behaviour	Mean	SD
Consumer Characteristics	3.22	0.50
Reference Groups	2.85	0.57
Product Attributes	3.40	0.47
Promotional Factors	3.05	0.52
Store Attributes	3.77	0.64

The Descriptive procedure displays univariate summary statistics for several variables in a single table and calculates standardized values. The value of the mean is moving around 3 for 3 factors i.e. Product attributes, consumer characteristics, promotional factors and store attributes. So it can be said that for the above mentioned 4 factors the respondents are neutral on the fact that these factors affect apparel buying behaviour.

Conclusion

This study reveals that out of five apparel buying behaviour dimensions, the store attributes, product attributes and consumer characteristics dimensions are the main dimensions of apparel buying behaviour. This shows that the apparel store should give more importance to store attributes to attract and appeal the customers. The apparel stores should also come up with programmes involving various reference groups through which they could easily and precisely attract the consumers.

Apparel buying behaviour has changed the fortune of several companies across the world. In this booming apparel market in India it became inevitable for the designers and retailers to learn how to retain their market share as well as to enhance it. Apparel is used to reflect, express

or enhance one's personality either consciously or unconsciously. Apparel buying behaviour of working women is especially noticeable as they spend more time and money on the choice and selection of their apparels and are very particular about the kind of apparel they wear.

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Emergence of New Image of Woman in Kavita Daswani's Everything Happens for a Reason and For Matrimonial Purposes



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Abstract

Struggle and identity appear to be prominent issues in Kavita Daswani's novels – 'Everything Happens for a Reason' and 'For Matrimonial Purposes'. Most of Daswani's characters emerge as new women, crossing the ocean of struggle, filled with social stigmas and injustices, and achieve the mark of success. The novels taken into consideration, highlights the struggle and success of women, in the process of becoming new women through series of incidents. The new world presented by Daswani is not a fantasy that cancels the reality of the past, but on the contrary, it is a readjustment, adaptation, participation, learning, achieving and fulfillment of dreams of women in the modern world.

Keywords: Struggle, Emergence, Relationships, Feminine Values, New Women

Introduction

Social entanglements and our relationship with others play a vital role in determining our position in the society. This paper focuses on the struggle and emergence of female protagonists as new women in the novels taken into consideration. If we observe carefully, we can easily notice the differences in the writings and thought processes of male and female writers. It is through the characters and themes of the novels, the struggle and success of women are reflected in this new world. Women can more actively participate in the process of creating their own identity, if they find and correlate incidents of the novels with their own. The struggle and success of the characters can motivate and guide the readers, empowering them with optimistic approaches towards life and literature.

French social theorist and philosopher Michel Foucault's concept of 'power' helps considerably to understand the power structure and struggle in the society. Prior to Foucault, power was largely seen as a 'thing' which was held by certain dominant groups. Foucault's understanding

of power was quite different. For him, power was something exercised within interactions. It flows through relationships, or network of relationships. We can't simply say that someone is powerful, but we can say that he/she frequently finds himself/herself in a powerful position, or has many opportunities to exercise power. This doesn't mean that everybody has equal access to power. For Foucault power "is the moving substrate of force relations which, by virtue of their inequality, constantly engender states of power, but the latter are always local and unstable" (Foucault, 93). He further says that the power relations have become so entrenched that they seem entirely one-sided and unchangeable. Such situations cannot be resisted and changed easily. Power simply cannot be held by any one group; power is present everywhere and plays an important role in all relationships and interactions and results in defining and creating of the self and other.

If we compare both male and female writings, we find power structure playing a vital role in all literary discourses. Women have been forced to

occupy a secondary position as compared to the other half. This secondary position and the past experiences have forced women to project their subaltern state and struggle in their writings. We can find such examples in the novels of Kavita Daswani. She has talked much about the status of women, their struggle for identity, their effort in drafting future, and rebuilding their career while living in the mother and the other country. The characters struggle with diasporic consciousness – dwelling between two cultures and two nations; and cope up with the patriarchal norms of the society.

Kavita Daswani is the daughter of Indian immigrants. Her journalistic instinct makes her a reporter. Later she becomes the fashion editor of the *South China Morning Post*. She also becomes a fashion contributor to *CNN International*, *CNBC Asia*, and *Women's Wear Daily*. It is revealed through Daswani's characters that females voice their repressions of gender, history, race and culture, and reinvent a new identity, free from the double/triple edged marginal status and emerge as new women. If we look at the status of women some hundred years back, we find that women were never allowed to study and were locked behind the bars of social norms. Anees Jung in *Breaking the Silence: Voices of Women* points out, "Raising a voice... means disturbing the ancient norm of feminine discretion" (Jung 176-177). Reading a male dominated literature alienates female readers in the learning and becoming process. Now things have changed a lot. Women have known and discovered themselves. Now this 'half of humanity' has got voice to speak. Their works project their observations, situations, responses and struggles under diverse situations and conditions. This style of projection makes them different from the other half.

Daswani has contributed greatly to the exploration of feminine values apart from exploring diasporic issues. The works and characters of Daswani show the changing condition of women in the new world. Her novels motivate her readers to imitate her protagonists in each and every segment of life. Each character

employs a distinctive strategy for adopting power in response to the anxiety of being homeless while living in another geographical location. The geographical shift and the consequent social and cultural change enable new possibilities for emigrant women to construct their own identity beyond and within the household.

Women see themselves as dependent on others for their identity rather than considering themselves autonomous as men. The impact of cultural displacement is greater on women than men, especially after marriage. Women require more time and courage to reinvent them in a new environment, because identity for them is not just a new 'self' but a 'self' connected to new 'others'. Women are the worst victims of cultural collisions, as they fall prey not only to cultural marginalization but also to multiple patriarchies. Women break out of the patriarchal limits and cash the opportunity of crossing the borders. They know that their deterritorialization will bring new opportunities and will open new gates to emerge as new women. For them, crossing the border is a mark of liberation from all oppressions.

The modern facilities, commodities have challenged the age-old values of life and the system, hence, bringing revolution in every field, here, in all literary discourses. The things that were marginalized are now at the centre. In the literary field too, many people from the suppressed classes has begun to express themselves in several ways. Female issues have now become prominent in the writings by women novelists, whether living in India or abroad. If we look back at the state of female education in the nineteenth and first half of the twentieth century, we find their conditions just the same as it has been there in the eighteenth century. Krishna Rathore in her article "Inching Toward Freedom..." aptly points out:

In the lower classes it was hardly different from that of men but the daughters of well-to-do families had less education than their brothers. There were boarding schools for both, no doubt, but the curriculum

was not the same. In the initial stages the same education was given to both without any gender discrimination but once they attained the age of six or seven they were given different education by different sets of tutors. Boys were sent to Grammar schools and the girls either learnt at home from their mothers or were sent to boarding schools or other places to learn needle work, dancing, singing, music.... (Rathore 49)

Due to expensive fees of public schools, the educations of girls were sacrificed for their brothers. Elaine Showalter, a feminist theorist points out in her book *A Literature of Their Own* that, "for the middle class... girl, the departure of a brother for school was a painful awakening to her inferior status" (41). This gender discrimination resulted in the general failure of women to register a dignified place in the society and also deprived them with the English education system. Daswani's female characters "Priya" and "Anju" undergo such gender discriminations. Daswani's protagonist Priya Sohni is a traditional Hindu girl whose sole purpose is "to serve her father and brothers in early life, and her husband and sons later" (1). Her marriage shifts her from Delhi to Los Angeles, where it is expected that she plays the role of a traditional Hindu wife being part of a joint family. She is surprised when her mother-in-law asks her to work (to do a job). This is the change that has come with the passage of time. Earlier a woman was not allowed to go out to work, but now, in most cases, she is allowed, but to earn money for the husband and the in-laws. Though surprised at this offer, it opens the gates for her suppressed/hidden desires and provides her the opportunity to convert into reality. She finds vent to create her own identity. The female readers, due to the feminine issues raised by Daswani, correlates the incidents narrated in the novel with their own experiences and finds a role model in front of them, in the course of becoming and emerging as new women.

Daswani's novels speak the social issues that many women have to deal with. The new culture creates the first opportunity for Priya. Even

the new home, in which she enters as a bride, symbolically held the possibilities of making her enjoy enough space and also to create a new identity for her. She thinks to retrieve her old ambition of being a journalist, which she had during her graduate years. But who's she to decide? To create space for oneself is not so easy as it appears to be. One has to grapple with various forces of the society. No room is given to her desires. Even in job, her personal 'self' is not there to enjoy the freedom of earning. All she is to do the job is, for her in-laws.

Priya searches for a vacancy and finds it quite difficult to get a job for her, as she has 'no experience'. Hollywood Insider, a newcomer to the world of entertainment publishing, provides her the job of a 'receptionist' (a job which satisfies the criteria of her in-laws). Still the desire of becoming a journalist kindles in her heart. Desires cannot be killed; they stay there, even if unfulfilled. In her new location, she struggles to create her own identity, but the psychological pressures put on her by her in-laws push her to the state of mental trauma. Even she is not liberated enough to select her own dress code. She breaks the so-called decree of her in-laws. Her instinct of journalism and her humanly concerns, soon drag her feet to get the official title of 'Entertainment Correspondent'. Her new job remains a secret to her in-laws. Her talent makes her the most in demand, and one of the most dynamic reporters in Hollywood. Besides her job, she also plays the role of a good traditional daughter-in-law, doing all the cooking, brooming, cleaning, washing, etc. Priya considers her husband Sanjay to be a 'mamma's boy'. His behaviour often pushes Priya to a forlorn state.

Priya's shift of role from a receptionist to a journalist emerges as a stepping stone in the course of becoming a new woman. This opportunity gives Priya a certain rise in her fortune, giving expansion to her earnings. She moves "from earning forty thousand a year, to fifty-five thousands" (137). During her job whosoever she meets, or interviews, she finds a mirror of sadness of her own life in them, all striving for 'identities' in this new world. Priya

returns to Delhi to seek mental peace. Even before her arrival in Delhi, rumours about her – being ‘a terrible daughter-in-law’, ‘a liar’, ‘a thief’, ‘a lazy’, and ‘a self-centered lady’ reach the city. Sanjay later realizes his fault and feels sorry for his behaviour. He comes to Delhi to take Priya back with him. He is made to remember the seven vows taken around the holy fire – the vow for ‘vigour’, ‘vitality’, ‘prosperity’, ‘happiness’, ‘cattle’, ‘the seasons’, and ‘friendship’. These vows have the essence of devotion for each other. The reunion of Priya and Sanjay, builds new opportunities not only for Priya, but even for the readers who find themselves recreating and rebuilding their own life and career, together as well as individually.

Daswani’s another novel *For Matrimonial Purposes* is about Anju, an upper-middle-class woman from Bombay who is negotiating an arranged marriage. Unlike traditional girls, she is seen hunting for a husband in the novel. Anju’s identity among her relatives is of an unmarried girl, who has crossed her thirties. She is never asked about her interests, her friends, and her job in New York. Instead, she is sympathized for her poor fate. Though living abroad, she has a deep faith in her own Indian culture. She considers marriage to be a “sacrifice and compromise” (8). But these must be realized on both the sides, not just the side of a woman. For this very reason she rejects an Indian man’s proposal who only wants a glorified female servant (wife). From the age of twenty-one to the present age, many proposals have come, but unfortunately most of them invariably have some fatal defects. Every time when a proposal comes for her at home, she is made learnt the following etiquettes:

1. Wait until the boy speaks first.
2. Smile
3. Reveal as little as possible... Don’t show you have any opinions or intelligence. Boys don’t like it. You can say what you want after you’re married, but until then, be quiet. (27)

Anju’s mother tries her best to fix her daughter’s marriage with any of the proposals from across the globe. On rejections, her mother says:

...boys should be more open minded these days, more forward-thinking. If he doesn’t want to marry my daughter, that’s his loss. We’ll find someone better. (36-37)

To emerge as new women in the modern world is not so easy. They have to struggle with the patriarchal set-ups and norms. A woman with higher social status and higher qualifications faces more problems. In our patriarchal society, the lower status of women makes men feel comfortable. Anees Jung in *Breaking the Silence: Voices of Women from Around the World* rightly points out that a woman’s –

Individual striving after every higher educational qualification and after higher social status can prove to be disruptive to the established family order and lead to tensions between the woman and her main role senders. (Jung 71)

Anju faces such challenges from her father, relatives, and friends. Anju sometimes is relegated to the margin and she curses herself for being born a girl. The norms laid for girls, make her feel miserable. She struggles for her own identity while performing all mumbo and jumbos for getting a husband. Her two brothers Anand and Anil, understand her elder sister but remain deaf and dumb throughout. Anju understands that she herself has to struggle against all odds of the society.

Anju, ultimately finds Rohan, a civil rights lawyer, as her life-long compatriot. He too, like Anju, is dislocated from his culture. He says, “It’s no fun being alone at thirty-nine” (308). They respect each other’s views and sentiments and make a life-long partnership to build new opportunities for them and to create new domains.

Women have always raised their voices against injustices and have been trying to get the existing laws ‘altered’ to safeguard their interests. Still the injustice prevails. Though women have achieved new heights; they still have dependent status in many countries. Women are forced to symbolize the ethnic and national identity, so it becomes specific for women to propagate and nurture

their cultural norms. Women-folk can do any work, which the men folk do. She believes that once women grab the opportunities, the entire world will notice a tremendous change in them in the path of becoming new women.

Daswani tries to recreate for women a 'New World' in which they can carve their own niche. Looking at the increasing-global trend, the displaced women feel the need to assimilate by negating the oppositions of race, class, culture and sex. Considering the marginalized space of women in the society, Simone de Beauvoir said,

One is not born, but rather becomes a woman. No biological psychological or economic fate determines the figure that the human female presents in society; it is civilisation as a whole that produces this creature.... (Beauvoir 295)

The oppression and injustice to women, encourages the female writers to portray the aspect of female 'self' in their writings and also encourages the readers to participate in the learning and becoming process.

Conclusion

Kavita Daswani is considered as one of the leading postmodern representative novelists of the twenty-first century. She has contributed greatly to the exploration of female values. Daswani's novels speak the issues that many women have to deal with, while living anywhere, in any country. Her female characters struggle with relationships, and are honest even about

their hang-ups and preferences. Throughout her two novels – *Everything Happens for a Reason* and *For Matrimonial Purposes*, we find the glimpses of new women in this transitory world. Daswani, through her novels, project the openness towards one's surroundings. We often come across new dictions, used by the novelist, and the 'femaders' (female readers) take much interest in reading such novels as it solves both the purpose of literature and society.

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Child Trafficking: A Distress to Humanity



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Abstract

Child trafficking, including commercial sexual exploitation (CSE), is one of the fastest growing and most lucrative criminal activities in the world. The global enslavement of children affects countless numbers of victims who are trafficked within their home countries or transported away from their homes and treated as commodities to be bought, sold, and resold for labor or sexual exploitation. All over the world, girls are particularly likely to be trafficked into the sex trade: Girls and women constitute 98% of those who are trafficked for CSE. Health and safety standards in exploitative settings are generally extremely low, and the degree of experienced violence has been linked with adverse physical, psychological, and social-emotional development

Keywords: Child Trafficking, Sexual Exploitation, Forced Labour, Convention, Violence, Begging

Introduction

Trafficking in human beings, especially in women, and children has become a matter of serious national and international concern. Children and their families are often lured by the promise of better employment and a more prosperous life far from their homes. Others are kidnapped and sold. Trafficking violates a child's right to grow up in a family environment and exposes him or her to a range of dangers, including violence and sexual abuse.

In India too, over the last decade, the volume of human trafficking has increased though the exact numbers are not known, it is one of the most lucrative criminal trades, next to arms and drug smuggling undertaken by highly organized criminals

The trade of human beings for exploitative purposes including bonded and forced labour, commercial sexual exploitation and illegal organ-trade is called 'human trafficking'. Given the nature of the crime, it also involves forceful and illegal migration of the victims who are traded.

The most comprehensive definition of trafficking is the one adopted by the UN Office of Drugs and Crime in 2000, known as the "UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children," 2000 under the UN Convention against Transnational Organized Crime (UNTOC). This Convention has been signed by the government of India. Article 3 (a) Trafficking in persons shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or of receiving of payments or benefits to achieve the consent of a person having control over another person's, for the purpose of exploitation.

Convention on the elimination of all forms of discrimination against women India

Guarantees women equality in political and public life with a focus on equality in voting, participation in government, and non-govern-

mental organizations and associations concerned with the public and political life of the country.

Articles 1-16 of CEDAW outline the different things governments must do to end discrimination against girls and women. It also lists specific areas where discrimination against girls and women must end, like laws, marriage, education, health care, and employment.

Article 7: Political and public life Women have the same right to vote and be elected to government positions. Girls and women have the right to take part in the decisions a government makes and the way it carries them out. They have the right to participate in non-governmental organizations (NGOs).

Who are the victims of human trafficking?

Victims of human trafficking in India live amidst us, in our day-to-day surroundings. The most common victims are:

- Children and young women brought from rural areas or sometimes even other states, to be engaged as domestic help in households or various small-scale establishments in urban centers. Many of these people eventually get exploited economically, physically and also sexually.
- Children and adolescents begging or selling knick-knacks on the streets in towns and cities.
- Women and children sold into commercial sex trade market
- People lured to foreign countries by fraudulent recruitment agencies with lucrative job offers, to be employed in menial work involving inhuman working conditions.
- The victims of the illegal organ trade racket.

Remedies under the Indian Laws

- *Article 23 of the Constitution:* Guarantees right against exploitation; prohibits traffic in human beings and forced labour and makes their practice punishable under law.
- *Article 24 of the Constitution:* Prohibits employment of children below 14 years of age in factories, mines or other hazardous employment.

- *Indian Penal Code, 1860:* There are 25 provisions relevant to trafficking & significant among them are:
- *Section 366A* – procurement of a minor girl (below 18 years of age) from one part of the country to the another is punishable.
- *Section 366B* – importation of a girl below 21 years of age is punishable.
- *Section 374* – provides punishment for compelling any person to labour against his will.
- *Immoral Traffic (Prevention) Act, (ITPA) 1956 [renamed as such by drastic amendments to the Suppression of Immoral Traffic in Women and Girls Act, 1956 (SITA):* Deals exclusively with trafficking; objective is to inhibit / abolish traffic in women and girls for the purpose of prostitution as an organized means of living; offences specified are: Procuring, including or taking persons for prostitution; Detaining a person in premises where prostitution is carried on; Prostitution in or visibility of public places; Seducing or soliciting for prostitution; Living on the earnings of prostitution; Seduction of a person in custody; and Keeping a brothel or allowing premises to be used as a brothel.
- *Child Labour (Prohibition and Regulation) Act, 1986:* Prohibits employment of children in certain specified occupations and also lays down conditions of work of children.
- *Information Technology Act, 2000:* Penalizes publication or transmission in electronic form of any material which is lascivious or appeals to prurient interest or if its effect is such as to tend to deprive and corrupt persons to read, see or hear the matter contained or embodied therein. The law has relevance to addressing the problem of pornography.⁸ India has also adopted a code of conduct for Internet Service Providers with the objective to enunciate and maintain high standard of ethical and professional practices in the field of Internet and related services.

- *Juvenile Justice (Care and Protection of Children) Act, 2000*: Enacted in consonance with the Convention on the Rights of the Child (CRC); and Consolidates and amends the law relating to juveniles in conflict with law and to children in need of care and protection. The law is especially relevant to children who are vulnerable and are therefore likely to be inducted into trafficking.
- *Karnataka Devadasi (Prohibition of Dedication) Act, 1982*: Act of dedication of girls for the ultimate purpose of engaging them in prostitution is declared unlawful – whether the dedication is done with or without consent of the dedicated persons.
- *Andhra Pradesh Devadasi (Prohibiting Dedication) Act, 1989*: Penalty of imprisonment for three years and fine are stipulated in respect of anyone, who performs, promotes, abets or takes part in Devadasi dedication Ceremony.
- *Goa Children's Act, 2003* Trafficking is specially defined: Every type of sexual exploitation is included in the definition of sexual assault; Responsibility of ensuring safety of children⁹ in hotel premises is assigned to the owner and manager of the establishment; Photo studios are required to periodically report to the police that they have not sought obscene photographs of children; Stringent control measures established to regulate access of children to pornographic materials.
- The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. 10
- Declaration on Social and legal principles relating to the Protection and Welfare of Children, with special reference to Foster placement and adoption nationally and internationally, 3 December, 1986.
- SAARC Convention on Regional Arrangement for the Promotion of Child Welfare, 2002.

Hypothesis

In India, a large number of children are trafficked not only for the sex 'trade' but also for other forms of non-sex based exploitation that includes servitude of various kinds, as domestic labour, industrial labour, agricultural labour, begging, organ trade and false marriage. Trafficking in children is on rise, and nearly 60% of the victims of trafficking are below 18 years of age (NCRB, 2005). According to NHRC Report on Trafficking in Women and Children, in India the population of women and children in sex work in India is stated to be between 70, 000 and 1 million of these, 30% are 20 years of age. Nearly 15% began sex work when they were below 15 and 25% entered between 15 and 18 years. A rough estimate prepared by an NGO called End children's prostitution in Asian Tourism reveals that there are around 2 million prostitutes in India. 20% among them are minors. A study conducted in 1992 estimates that any one time 20, 000 girls are being transported from one part of the country to any other. National Crime Data It should be noted that there is no available information on the scope of trafficking for purposes other than prostitution / commercial sex workers in the available sources and literature. A starting point for the analysis of available data is National Crime Record Bureau of the Indian Ministry of Home Affairs that collects data on trafficking through State Crime Report Bureaus and Union Territories, Subsidiaries of the NCRB that obtain data from District Crime Report Bureaus. This presents an indication of the level or reporting of trafficking within India. Data available through NCRB is collected through

International Laws

The following are the most important International Conventions regarding trafficking of children:

- The Convention on the Rights of the Child, 1989.
- The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, 2000.
- The Convention on the Elimination of All forms of Discrimination against Women, (CEDAW) 1979.

first information reports (FIRs), lodged in police stations. FIRs can be lodged by victims, NGOs and any member of civil society. National data from the NCRB provides an analysis of trends in various Indian Penal Code (IPC) crimes, including: importation of girls, kidnapping and abduction of girls, and offences under the Immoral Trafficking Prevention Act (ITPA), which are consolidated from information provided by State and Union Territories. Given the criminal nature of the act, it is no surprise that there is very little data on the extent of trafficking. According to one estimate, 50% of the trafficked victims worldwide are children.

These girls from poor families and often in the age group of 9-14 years are brought into India and sold to brothel owners in Kolkata, Mumbai and Delhi, amongst several other cities. Not all are kidnapped or forced out of their homes in their native lands. Many are sold by their parents or close relatives to get away from abject poverty.

A lot of young boys are trafficked into India for work as bonded labour in industries like coal, brick kilns, handloom and embroidery, rice mills and agriculture. They are made to work up to 16 hours a day in return for subsistence food and very little or no money. These children are often sexually exploited by their owners and beaten or tortured in cases of non-compliance.

The trafficking network is well established with deep involvement of government officials, police at the borders and within the states and in some cases politicians, all of whom profit from this activity that has now taken the shape of an industry.

According to the National Human Rights Commission of India, over 40, 000 children are reported missing every year of which over 11, 000 remain untraced. It is in this backdrop, that the recent discovery of child trafficking into Kerala has got the government's attention. Children from various states were being brought into Kerala by train. At the station, they were stopped and the persons who were escorting them couldn't come up with an acceptable reason as to why they were being brought in to Kerala.

All escorting adults were arrested and now the Kerala High Court has ordered a CBI investigation into the matter.

Case Laws

Gaurav Jain v. Union of India and Others: The petitioner, an Advocate, filed a Public Interest Litigation (PIL) before the Supreme Court (SC) of India, based on an article "A Red Light Trap: Society gives no chance to prostitutes' offspring" published in the magazine 'India Today' dated July 11, 1988. The petitioner prayed for establishing separate educational institutions for the children of the fallen women

The judgment in this case was delivered by a bench of two judges. Dissent was expressed by one of the judges on two points; one, regarding directions passed by the other judge on the question of prostitution and its eradication (whilst agreeing with the directions relating to children of the prostitutes and establishment of the juvenile homes); and secondly on the nature and scope of Articles 142 and 145(5) of the Constitution of India.

After the judgment in this case, a Review Petition was filed by the Supreme Court Bar Association supported by Gaurav Jain, the original petitioner. The review petition was referred to a larger bench of three judges and judgment was delivered on 30/03/1998. The judgment in the review petition pertained to the following points – scope and nature of Articles 32, 142 and 145(1) of the Constitution of India; and the directions given in the earlier judgment regarding prostitution and its eradication. The second judgment set aside the directions given in the first judgment relating to prostitution and/or its amelioration or eradication; whilst permitting the Union or State Governments to formulate their own policies in this area or taking measures to implement them. Therefore, the first judgment was overruled by the second judgment. However, the directions made by the judges in the first judgment with respect to children of the prostitutes and establishment of the juvenile homes were upheld

Conclusion

Addressing human trafficking truly requires a comprehensive and multi-faceted strategy, which includes efforts aimed at the rehabilitation and social reintegration of trafficked victims. Also, the enactment of the law on paper with real training and support to the functionaries would be futile and therefore, what is needed now is “actual”, “planned” and “effective” implementation. Governments have to do more to guarantee children and young people their right to protection from trafficking. There is hope, and real and practical solutions exist and should adopt proper measures to prevent severe kind of child trafficking. Awareness in the society has to be created by educating and informing people and the victims of child trafficking about the causes and effects of the different forms

of child trafficking. Serious action needs to be taken against the trafficking chain and everyone involved in the crime must be punished by law. The exploiters have to be punished rather than the exploited. Creating awareness and educating people is important. We need to stop supporting the act by refraining from giving donation to the beggars on the street as helping them encourages the crime even more.

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Human Rights in India: A Review



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Abstract

Human Rights in India is an issue complicated by the country's large size and population. Wide spread Poverty, lack of proper Education and its diverse culture even though being the world's largest sovereign, secular, democratic republic. The constitution of India Provides for fundamental rights which include freedom of religion. Clauses also provide for freedom of speech, as well as separation of executive and Judiciary and freedom of movement within the country and abroad. The country also has an independent judiciary and well as bodies to look in to issues of human rights. The 2016 report of Human rights watch accepts the above mentioned faculties but goes to state that India has serious human rights concern. Civil Society groups face harassment and government critics face intimidation and law suits. Muslim and Christian Minorities accuse authorities of not doing enough to protect their rights. But in the recent years, more emphasis is given to minority rights and freedom of speech.

Keywords: Human Rights, Constitutional Recognized NHRC, Instruments

Introduction

The concept of Human rights is not as from the times immemorial, the rights of man derived from religious, human experiences, observations and reflections have been inspiring people against the oppressive rulers, tyranny and injustices. The human rights violation is one of the most concerning problems of the present time. Human rights are those minimal rights which every individual must have to live a dignified life as a human being throughout the world. The first documentary use of the phrase "Human Rights" had been in the charter of the United Nations which was adopted at San Francisco on 25 June 1945. The United Nations codified the Human rights by a universal declaration of Human Rights on 10 December 1948. The rights of man found expression in the concept of "National Law and Natural rights" and become the symbol of peoples movements against absolute rule of

kings and rulers and led to the emergence of the constitutional democracy everywhere.

Human Rights are basically the claims of the individuals throughout the world, for such conditions which are essential for the development personality and realization of the innate characteristics without which nobody can take to be himself at his best there rights are inherent and inalienable to human beings and are necessary to ensure survival, dignity and personality development of The individual irrespective of face, color religion, sex, language, political or other opinion, national or social origin, property, birth or other status. However, one must be clear in mind that all claims of individuals are not human rights which are recognized by the United Nations as the essential conditions for the developments of one's human personality. The United Nations has also fixed Duties along with Human Rights and the Article

29(1) of the Universal Declaration reiterates that “everyone has duties to the community in which alone the free and full development of his Personality is Possible”. These Rights and freedoms may in no case be exercised contrary to the Purposes and Principles of the United Nations Article. 29(3) of the UDHR.

Various kind of Human Rights

Right to life

Right to life is the most basic and most important Human Rights. Man can enjoy all other things only when he is alive Article 6(I) of the covenant on civil and Political Rights (1966) declare that every human being has the inherent right to life. This Right shall be protected by law in the member countries. No one shall be arbitrarily deprived his life

Right to Essentials of life

The right to life is meaningless without requisite essentials for sustaining life and also the preservation and enjoyment of one's existence as a human being. Such essential are food water shelter and health etc. The UN General Assembly and other UN bodies concern with human rights have taken broad approach in regard to the right to life. Even the right to peace and removal of the threat to peace and removal of the threat of war particularly nuclear war has been considered essential and inherent to the right to life by the General Assembly.

Freedom from torture and In-human Treatment. History is a witness of the in-human treatment and fortune to the people by people. In most of the countries inhuman treatment and torture to under trials in Jails and Police Custody is very common practice. Article 7 of the covenant on civil and political rights declare that No one shall be subjected to torture or to cruel, in human or degrading treatment or punishment. The World body had realized that the human beings are used in laboratories, against their will, for medical and scientific experiments thus articles 7 of the covenant also forbids this by declaring that “No shall be subjected without his free consent to medical or scientific experimentation.”

Freedom from slavery and forced labor

Slavery and slave trade were legal in various parts of the world until the 19th century. The slavery or personal subjugation of the human beings is against worst form of torture and detail of the dignity of human beings. At present almost all countries have abolished slavery as well as forced labor, by law. However, still in most parts of the world the practices of forced labor or bounded labor are still rampant. Thought the UN General Assembly has adopted a draft resolution to improve the condition of migrant workers. But his convention could not enter in force till 1996 as the required number of ratifications by 20 centuries was still awaited.

Right to Liberty and Security

The right was recognized by the Universal Declaration of Human Rights 1984 in its Article 3. The covenant on civil and political rights gave this right a legal force by adopting in Articles of which says that “Every one has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention.

All these rights and freedoms and vital and fundamental for economic social and cultural life of individuals. The countries parties to both the covenants undertake to submit reports to the Secretary General of UN on the measures they have adopted which give effect to the rights recognized herein and on the progress made in the enjoyment of these rights. The Constitution of India which is the supreme law of the country has provided almost all human rights to the people. The constitution came in to existence after a very long struggle for freedom from colonial. The Indian Struggle for freedom was directed against the British colonial rule, racial discrimination and to secure basic human rights for all the people irrespective of race, color, sex, place of birth, caste etc. which were denied by the colonial masters? The constitution which comes into force since 26th January 1950 guarantees the basic Human Rights for the people of India. In the Preamble, Fundamental Rights and the Directive Principles of state policy and other parts together. Granville Austin

remarked that the constitution wanted to set a "Social revolution" in the country. India having a continental size, Its society was highly complex and pluralistic. The people were having various Castes, regional, religious, linguistic and other loyalties with the problems of backwardness, poverty and illiteracy. In the wake of partition the country had witnessed worst communal riots and numerous killings of Hindus and Muslims by each other. It was a dream of Mahatma Gandhi to have a total revolution – social economic, political and spiritual. He wanted to wipe every tear from every eye. To give real meaning and content to political freedom on 15th August 1947 was thought necessary to wage peaceful war for economic freedom and to build to new social order free from exploitation of man by man.

The constitution of India has provided a detailed list of human rights and incorporated them in the form of Fundamental Rights and the Directive Principles. These are:-

Right to Equality

Articles 14-18 of the constitution of India deal with the right to equality.

- (i) Equality before law and equal protection of law to all persons.
- (ii) State cannot discriminate on grounds of religion, race, caste, sex or place of birth.
- (iii) Equality of opportunity in matters of public appointment or Public services.
- (iv) Abolition of Untouchability
- (v) Abolition of titles

Right to Freedom

Articles 19 to 22 covers the right to freedom.

- (i) Six fundamental freedoms
 - (a) Freedom of speech and expression.
 - (b) Freedom to assemble peacefully and without arms.
 - (c) Freedom to form associations and Unions.
 - (d) Freedom to move freely throughout the territory of India.
 - (e) Freedom to reside and settle in any part of India.

- (f) Freedom to practice any profession or to carry any occupation,

Trade or business.

Right Against Exploitation

- (a) Prohibition of traffic in human beings, beggar and forced labor (Article.23)
- (b) Prohibition of employment of children below the age of fourteen years in factories, mines or other hazardous jobs. (Article. 24)

Right to freedom of Religion

The Constitution of India Provides freedom of religion under Articles 25 to 28 to all persons.

- (a) Freedom of conscience and right to profits, practice and propagate any religion (Article.25)
- (b) No person shall be compelled to pay and taxes for the promotion or maintenance of any particular religion.
- (c) Freedom to manage religions affairs to own and acquire property.

Cultural and Educational Rights

- (a) Protection of the interests of minorities and to enable them to conserve their language, script or culture (Article. 29)
- (b) Right to minorities to establish and administer educational Institutions of their choice (Art. 30)

Right to constitutional Remedies

Article 32 grants the right to move the Supreme Court by appropriate proceedings for the enforcement of the rights conferred by the constitution. The Supreme Court has been vested with the authority to issue writs orders or directions. The writ in the nature of Habeas corpus, Mandamus, Prohibition, Quo-Warranto and Certiorari which ever may be appropriate for the enforcement of rights can be issued by the Supreme Court. Under Article – 226 the people can even move to High court or Supreme Court for the enforcement of fundamental rights.

Relevance of Human Rights in India

For the better Protection of human rights the Parliament of India passed the protection of

Human Right Act 1993. The National Human rights commission (NHRC) established under this act, functions from New Delhi with Jurisdiction all over India. Since its establishment the National Human Rights commission has been engaged in protecting the human rights by investigating human rights abuses, forwarding cases to courts for trials and recommending necessary measures to the Govt. in concern cases.

The NHRC consists of a Chairperson, four full time members and three ex-office members. The tenure of the Chairperson and members is five years or till the age 70 years whichever is earlier. The Chairperson of the NHRC is appointed out of those who has served as a Chief Justice of the Supreme Court Functions of the NHRC

The NHRC shall perform all or any of the following functions namely

- (i) Inquire, Sue motto or an a petition presented to it by a victim or any person on behalf of complaint.
- (ii) Intervene in any Proceeding involving any allegation of violation of human rights.
- (iii) Visit, under intimation to the state Govt. any Jail or any other institution under the control of the State Govt.
- (iv) Review the Safe guards provided by or under the constitution or any law for the time being in force for the protection of human rights.
- (v) Review factors including acts of terrorism that inhabit the enjoyment of human rights.
- (vi) Study treaties and other international instruments of human rights and make recommendation for their effective implementations.
- (vii) Undertake and promote research in the field of human rights.
- (viii) Spread human rights literacy among various sections of society and Promote awareness of the safeguards available for the protection of these rights.
- (ix) Encourage the efforts of Non-governmental organizations and institutions working in the field of human rights.

The NHRC was established in October 1993 Justice Rangnath Mishra was appointed as it first

chair person. At present Justice H.L. Duttu is the Chairperson of the NHRC.

The People's faith and truth in the NHRC is being reflected in the increasing number and variety of complaints addressed to the commission.

The NHRC has recommended on more than one occasion that it is essential to revitalize the role of civilian administration if the rule of law is to be effectively revived. In state like Jammu - Kashmir and Nagaland this means in particular the greater involvement of the magistracy, Judiciary and the police. The commission also recommends that the police must be made free from political pressure in matters of investigation. For better understanding of the NHRC functioning and role let us examine some of the cases dealt by NHRC.

(i) Gujarat Communal violence: From February 2002, the state of Gujarat witnessed worse ever communal riots for many months with stated with the burning of Hindu passengers of Sabarmati express at Godhra by some miscreants. Soon the whole state was engulfed in the communal riots. Many victims were burnt alive including congress-I Party M.P Ehsan Jaffery in Gulbarg society of Ahmadabad. There are many children's have become orphans. Unlike adults they may not be able to fully absorb or vocalize what they saw.

The NHRC, which visited the state, has indicated the Narendra Modi government. In its report for its failure on all fronts in controlling the violence. The NHRC Chairperson Justice J.S Verma Concluded on 31st May 2002 that the government had failed to gather intelligence to anticipate the likely fall out from the Godhra incident. Neither did it take action against the rioters nor were local factors and players behind the violence identified. Referring to the report of the NHRC Special representative in Gujarat, The bench said that 90 percent of suspects in heinous offences like murder and arson could manage to obtain bail soon after arrest. The NHRC said that the police misrepresented facts in FIR's relating to the cases of rapes and killings. The NHRC recommended that heinous offences be probed by the CBI. It also sought further report from the state government.

(ii) Human Rights Education and Awareness:

The NHRC has been entrusted with the responsibility to spread human rights literacy among various sections of society and promise awareness of safeguards available for the protection of these rights through publication. The media, seminars and other available means.

The NHRC asked the NCRET to undertake a review of existing books with a view to eliminate from them those passages that were inimical to human rights or that distorted them. The Chairperson of the NHRC wrote to all the vice chancellors of universities and University Grant Commission to include human rights in the curriculum at the under graduate and post graduate levels, and promote research, seminars and publications on human rights.

The NHRC has given high priority to the training and re-training of police personnel in human rights observance, so that they would reduce the violation of human rights by them and become a better protector of human rights of others. The commission has been in constant touch with the commanding officers of armed forces and their chiefs for including human rights education in their training program. With the commissions efforts the Para Military forces like BSF, CRPF, ITBP and CISF etc have already begun the training program on human rights for their personnel.

In addition to this the commission is bringing out its news letter in English and Hindi. The various reports of commission are also published and made available to the people. With these efforts the commission is serving as the real monitor and vanguard of human rights, protection and education in this country. Though stated more than 70 years after the independence of the country but it is working in right spirit.

Conclusion

The development of state institutions to Promote and Protect human rights is a critical safeguard to ensure that people can obtain recourse and redress in the face of injustice. A dynamic and autonomous human rights commission can play a role in this process. For that reason

it is important that existing human rights commission are encouraged to play an active and central role in the upholding of human rights. In some cases, greater pressure on a Government is required for it to allow formal and actual independence of its human rights commission. Human rights commission also need to be supported and pushed by the international community to push the limit of their boundaries and to with stand the inevitable resistance from other Government agencies. Despite a number of progressive legal and policy initiatives taken by the Indian government the continued prevalence of human rights violation across the country poses manifold challenges. The claim of rapid economic development does not hold any value when it fails to include the excluded. Lack of proper implementation of government. Policies due to the bureaucratic lethargy, inadequate allocation of the resources contradiction between different policies, other development priorities and the so called national and international interests continue to hinder to the full realization of human rights for India's most vulnerable. The ever growing trends of atrocities against religious minorities, women, children, SCs, STs, apathy towards the disabled and other disadvantaged people continue a scar on the face of Indian democracy. Particularly in 2011 many cases were reported of state atrocities against freedom of expression and association.

The Indian constitution is a document rich in human rights jurisprudence this is an elaborate charter on human rights ever framed by any state in the world. Part III of the Indian constitution may be characterized as the Magna Carta of the India. The judiciary in India plays a significant role in protecting the human rights. The Indian courts have now become the courts of the poor and the struggling masses and left open their portals to the poor, the ignorant the illiterates, the down trodden, they have notes the handicapped and the half hungry, half naked country man.

Finally it should be noted that a human rights commission is not a prerequisite for a government to uphold the human rights of its citizens.

Other state institutions such as an independent Judiciary or a representative legislature can equally provide oversight to ensure recourse and redress to human rights abuse. The creation of National Human Rights Commission can be an important mechanism for strengthening human rights protection, but it is not enough. It can never replace or diminish the safe guards inherent in an independent legal system and disciplined law enforcement forces.

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Critical Appraisal of Juvenile Justice Act and Minimum Age of Criminal Responsibility in India



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Abstract

This idea laid down hundreds of years ago still bears an uncanny resemblance to the present legal system concerning child offenders and juvenile delinquents in India. Primary provisions regarding the same are contained in the Indian Penal Code, 1860 as well as the Juvenile Justice (Care & Protection of Children) Act, 2015. The provision relating tender age of children further gained recognition from the Convention on Rights of Child. Also, Constitutional safeguard given under Article 15(3) provides special status to children. The primary objective of this paper is to do analysis of the concept of 'Age of Criminal Responsibility' in reference to relevant provisions of the Indian Penal Code. Along with this, the paper also aims to understand the provisions of the Juvenile Justice Act, International Jurisprudence and a thorough understanding of the tender age of children with understanding of functioning of brain during such tender age. The paper also provides various suggestions so as to make a workable act in accordance with the needs of society.

Keywords: Juvenile Welfare, Parens Patriae, Juvenile Delinquency

Introduction

In present era the functions of State had been transformed from being a police state to a welfare state. Definition of a welfare state according Merriam Webster dictionary states that, "it is a social system which is based on the notion that in a political state, the main concern and emphasis lies on discharging the duty in consonance of social welfare of its citizens." It puts an obligation on state to protect and promote the social and economic welfare of the people. The notion of welfare is justified in respect of state when it is able to fulfill the principles of equality. Principles of "Sovereign, Socialist, Secular, Democratic and Republic" ensures and defines its purpose of establishing a social and economic welfare state. Any law passed by the legislature has to tested on the grounds of civil liberties which are enlisted in the form of Fundamental Rights in part III of Indian Constitution.¹To ensure the nourishment of its

children both mental and physical development must be the primary objective of state.

India is said to be second largest country in the world in terms of population. India comprises of 19% of world's children population. According to census of 2011, 29% population comprises of children between age group of 0-5 years, which is followed by 28% between age group of 6-10 years, 27% between age group of 11-15 years and 16% between age group of 16-18 years. Around 50% of these children require care and protection.² Also, where there is an increase in crime rates is an indication that children are more prone to organized crime rackets especially in regard to cases where there is lack of parental care and disruption of schooling. Also, as shown by the NCRB data³, the rate of crime has increased from the 1.8 in 2002 to 2.5 in 2015. Moreover, the juveniles in conflict with law (IPC crimes) in 2013 have increased by 13.6% over 2012 as 27, 936

IPC crimes by juveniles were registered during 2012 which increased to 31, 725 cases in 2013.⁴ The highest increase in the incidence of crimes committed by juvenile was observed under the head '*Assault on women with intent to outrage her modesty*' (132.3%) followed by '*Insult to the modesty of women*' (70.5%) and '*Rape*' (60.3%).⁵

According to the report major crimes against children included rape, infanticide, trafficking and kidnapping.⁶ According to the report of NCRB relating to crime in India which was issued on 8th August 2016 stated, out of 24 numbers of cases per million relating to cognizable offences registered under Indian Penal Code 0.7 cases per million relates to juveniles in conflict with law.

The percentage of juveniles apprehended under different age groups was as follows:

Age group	7-12 years	12-16 years	16-18 years
Percentage	1.46%	26.70%	71.84%

It was only after the shocking incident of rape case which took place in Delhi in December in 2012, in which one of the convicts was released as he was still a juvenile. A question arose in minds of law makers and general public regarding deterrent effect of the present legislation of Juvenile Justice Act, 2000 and also to review the scope and extent of prevailing legislation relating to juvenile justice system. Also, the above stated figures reflect the increase in juvenile delinquency specifically of age group from 16-18 years. Juvenile Justice Act, 2015 was passed to deal with juveniles in conflict with law from 16-18 years age group who are responsible in committing heinous offences⁷.

Minimum Age of Criminal Responsibility in India

It is tender age of children which makes the state to adopt a special procedure in dealing with the children's in conflict with law. There are more chances of rehabilitation of such children. Also they differ in their emotional and educational needs than adults.⁸ It is thus important that states must accommodate these differences by establishing justice procedures for children that guarantee their right to a fair trial and that are

focused upon rehabilitation of the child rather than on punishment or retribution.

Just after India gained its independence certain Acts were passed to give effect to Fundamental Rights given under Chapter III and Directive Principles of State policy given under Chapter IV of Constitution of India. Children Act was passed in 1960 which was made applicable in Union Territories. To combat the problem of 'neglected' and 'delinquent' children individual states enacted local Children Acts. A necessity of uniform legislation dealing with juveniles was felt with passing years throughout the country. It was not possible for the Union to legislate on the subject as the matter fell under the State list in 7th Schedule. However, later it was possible for the Union to legislate as India became signatory to the UN Standards Minimum Rules for the Administration of Juvenile Justice in 1985. In order to fulfill its international obligation Parliament exercised its power under ambit of Article 253⁹, and thereby enacted Juvenile Justice Act, 1986. This further authorized the constitution of separate Juvenile Welfare Board dealing with neglected children all across the nation. Juvenile Justice (Care and Protection of Children) Act, 2015 was passed with an objective to replace existing Juvenile Justice (Care and Protection of Children) Act, 2000, so as to bring juvenile offenders in the age group of 16-18 under the ambit of law. This was done to try such offenders who are guilty of committing heinous offences.

Doctrine of '*Parens Patriae*'

In Latin it means "parent of a country". This doctrine confers an obligation on the state to protect the persons who are legally unable to act on their own behalf. *Parens Patriae* is a doctrine that allows the state to step in and serve as a guardian for children, the mentally ill, the incompetent and persons who are unable to care for themselves. The principle is embedded in the Constitutional scheme and refers to the role of State as custodian and guardian of persons who are under legal disability including insane and children. The principle states that it is the duty

of State to take care of those who are incapable to take care of themselves. For example in case of minors they lack care and protection from their parents. The aspect of care and protection given in the Juvenile Justice Act is based on the principle of *Parens Patriae*. Constitutional Courts which are said to be vital organ of state owes a greater responsibility for the protection of neglected children.

The Court in the case of *Gaurav Nagpal v. Sumedha Nagpal*¹⁰ stated in detail, the law relating to custody in England and America and pointed out that even in those jurisdictions, welfare of the minor child is the first and paramount consideration and in order to determine child custody, the jurisdiction exercised by the Court rests on its own inherent equality powers where the Court acts as '*Parens Patriae*'.

Critical Appraisal of provisions of Juvenile Justice Act, 2015

Before commenting on whether the said legislation is able to fulfill the desired purpose of constitutional goals and welfare of juveniles. It becomes need of hour to assess, know and understand the purpose for which such change was made, the age at which brain of adolescence develops to understand the nature and consequences of act and Minimum Age of Criminal responsibility under different legislation.

Critical Appraisal of provisions of Minimum Age of Criminal Responsibility under Juvenile Justice Act, 2015: Juvenile Justice Act, 2015 permits the trial of a juvenile as a adult in the children court, if in preliminary assessment it is found that person who is in conflict with law of a heinous offence and whose age is between 16-18 years has enough maturity to understand the consequences of his act.¹¹

Therefore, Juvenile Justice Act, 2015 has brought the juveniles who are guilty of heinous offence and whose age is between 16-18 years under the ambit of adult criminal justice system. The safeguard umbrella of "juvenile" is lifted from such juveniles.

Minimum age of Criminal Responsibility under different Legislations: In India there are basically two main laws to regulate and govern the Criminal Justice System. These are Indian Penal Code, 1860 and Code of Criminal Procedure, 1973. IPC is the substantive law which deals with rights and liabilities while Code of Criminal Procedure states the procedure which is to be followed by a Court in Criminal proceeding.

- IPC has set the age of criminal responsibility in India as 7 and 12 years¹². In cases of protection against certain offences like abduction, kidnapping and related offences, in case of boys age limit is 16 years and for girls it is 18 years. However, Section 375 gives exemption to a person from the charge of rape in case of forcible intercourse with her wife, whose age is above 15 years.
- Child is defined under Immoral Traffic (Prevention) Act, 1986, as a person who has not completed 16 years of age¹³ whereas minor is defined as a person who has attained age of 16 years but not completed 18 years.¹⁴
- Under the provisions of Child Labour Prohibition and Regulation Act, 1986, a child is defined as a person who is under fourteenth year of age.¹⁵ The major concern which lies in the legislation is that, person below the age of 14 years can work in non-hazardous industries. Also, no minimum age has been specified for child labour.

International Conventions Ratified by India: It is United Nations Convention on the Rights of the Child (CRC), 1989, which said to be a landmark international legislation in perspective of human rights. India ratified the aforesaid convention on 11th December 1992.

Article 1 of the Convention on Rights of Child defines the word child. According to it "child means every human being who is below the age of 18 years unless, under the law applicable to the child, majority is attained earlier".

Findings of Justice Verma Committee Report: After the Nirbhaya Rape Case in December

2012, there was constitution of Justice Verma Committee to make recommendations regarding amendment of criminal law. The report was submitted by the Committee on January 23, 2013 and one of the subject-matter which it dealt was lowering the maximum age of juveniles from 18 to 16.¹⁶ Committee was of the view that juvenile are the children who have been deprived of parental guidance and education, have very little chances of mainstreaming and rehabilitations, with the provisions of the Juvenile Justice Act being reduced to words on paper.¹⁷

The committee was of the view that the material before them was sufficient to reach the conclusion that the age of 'juveniles' ought not to be reduced to 16 years.¹⁸ Committee Stressed on sound principles which are recognized internationally and which are enlisted in the provisions of the Indian Constitution. Committee also took a note of the neurological state of the adolescent brain and Studies thereto.¹⁹

Judicial Pronouncements on Juvenile Welfare

In *Rosy Jacob v. Jacob A. Chakramakkal*²⁰ following were the observations that were made by the court:

"15. ...The children are not mere chattels: nor are they mere play-things for their parents. Absolute right of parents over the destinies and the lives of their children has, in the modern changed social conditions, yielded to the considerations of their welfare as human beings so that they may grow up in a normal balanced manner to be useful members of the society..."

In *Laxmikant Pandey v. State*,²¹ the Apex Court of India observed that every child has a right to love and affection and of moral and material security. The Supreme Court of India in *Gaurav Jain v. Union of India*,²² while dealing with writ petition under Article 32 of the Constitution pertaining to the plight of the prostitutes or fallen women and their progeny, spoke about the Preamble of the Constitution and stated that it is an integral part of the Constitution of India and that the children have the right to equality of opportunity, dignity, and care, protection and rehabilitation by the

society with both hands open to bring them into the mainstream of social life without pre-stigma affixed on them for no fault of his or her.

It is a laudable effort made by the State by enacting Juvenile Justice (Care and Protection of Children) Act, 2015 which is considered as a medium for the State to respect the Directive Principles of State Policy particularly under Article 39(f) of the Constitution by giving opportunities to children to grow in a healthy manner and in conditions of freedom and dignity.

Conclusion and Suggestions

Juvenile delinquency is a socio-economic problem and requires combined effort from each sect of the society. The present legislation was passed with the twin object of controlling the crime rate among juveniles between age group of 16-18 years and to rehabilitate and reintegrate the child in conflict with law into mainstream society. The object still seems to be distant reality due to certain lacunas in the Act as well the implementation machinery not functioning well. There is lot which is yet to be done in regard to Rehabilitation and Reintegration of child in conflict with law and child in need of care and protection. The involvement of child care institutions in child abuse and child trafficking shakes the roots of welfare society. A strict check on the registration of child care institutions under Section 41 of Juvenile Justice Act, 2015 is required. Also, registration should only be granted when these institutions are able to provide basic facilities including vocational training and education to child in conflict with law and also to child in need of care and protection. Personnel training must be given to Juvenile Justice Board, Juvenile Justice Committee, Special juvenile police, to the member of Child Protection Unit and to the persons handling child care institutions. Proper implementation of individual child care plan is needed. Social Audit for maintaining transparency in the institution is required to be conducted on regular basis.

Fixing minimum age of criminal responsibility to 16 years, whether it is in welfare of juveniles or not is yet to be decided. But one fact cannot

be denied is that it goes against the scientific justification which is explained by neurological scientists. Issue of Age determination of juveniles still remains a question which is yet to be answered. To make the implementation of Act in its true spirit is the need of hours. Let us all join hands together achieve the dream of restoring the childhood of the children, free them from the abuse and to rehabilitate them to place where they should be. The world is a dangerous place not because of those who do evil but because of those who look and do nothing. Let us all accomplish the goal that juvenile injustice only remains a page in history.

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Does India Really Need A Bullet Train?



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Abstract

The Republic of India is considered one of the emerging superpowers of the world. The Indian Ministry of Railway prepared the "Indian Railways vision 2020" in December 2009, and proposed seven routes that are candidates for the construction of high speed railways or bullet trains. The line between Mumbai and Ahmadabad (approximately 500 km long) has been declared as the first high speed railway section to be planned and constructed. Now, this highly ambitious dream of India's first high speed bullet train which would run between Ahmadabad-Mumbai is close to becoming a reality. According to Piyush Goyal, Union railway minister, the operations for this project will commence from 2022.1 PM Narendra Modi said, " this enterprise will launch a revolution in Indian railways and speed up India's journey into the future. It will become an engine of economic transformation in India." The Shinkansen high speed trains of Japan are colloquially called as bullet trains for their appearance and speed. It is a term generally used to describe a high speed train of speeds above 250 km/h. Though bullet train will usher a new era of growth and development but the investment capital is humongous. In this backdrop, the general reaction has been: does India really need bullet train that comes at such an exorbitant cost? This research study is an attempt to address the following key research questions: 1. To study, does India really need a Bullet Train? 2. To examine the Feasibility of Bullet Train project. 3. To evaluate the benefits of bullet trains over airways and conventional railways.

Keywords: Bullet Train, Make in India, Shinkansen Technology, High Speed Rail

Introduction

Indian Railways often described as "transport lifeline of the nation", is the fourth largest railway network in the world, has over 70, 000 passenger coaches and more than 11, 000 locomotives.² The first train in the country had run between Roorkee and Piran Kaliyar on 22nd December 1851 and not two years later as widely known. To solve the then irrigation problems of farmers large quantity of clay was required which was available in Piran Kaliyar area, 10 Km away from Roorkee. In 1845, along with Sir Jamesetjee Jejeebhoy, Hon. Jaganath Shunkerseth formed the Indian Railway Association. The first commercial train journey in India between Bombay and

Thane on 16th April, 1853 in A 14 carriage long train drawn by 3 locomotives named Sultan, Sindh and Sahib. It was around 21 Miles in Length and took approximately 45 Minutes.³

The re-organization of railways in India into regional zones began in 1951. India's first metro train ran from Esplanade to Bhowanipur (now the Netaji Bhawan Station) in Calcutta on 24th October 1984, and the Calcutta metro was the country's first rapid-transit line. In 1986, computerized ticketing and reservation were introduced in New Delhi. Indian Railway is the most ancient railway network in India. Bhartiya Rail is the native name of Indian Railways. Indian Railways, becoming one of the largest railway

networks in the world. Indian Railways operates lengthy tracks as well as residential rail tracks on the multi gauge networks. Indian Railway is functioning in the local lands. It is also having limited services to Bangladesh, Myanmar, Nepal and Pakistan. Indian Railways having fragmented into 16 zones and they were further sub-divided into sixty eight divisions. Each zone and division having their own zonal headquarter and divisional headquarter respectively. The Shatabdi Express, India's fastest train, was introduced between New Delhi and Jhansi in 1988; the line was later extended to Bhopal. At present there are around top 10 fastest trains in India named as Gatiman Express, Kolkata Rajdhani, Bhopal Shatabdi Express and Sealdah- New Delhi Durgam Express etc. Recently launched Gatimaan Express has become the fastest train in India with top speed of 160 kmph.⁴ As of March 2016, most of the express trains in India were running at top speeds of 110 km/h. The New Delhi Bhopal Shatabdi Express is also one of the fastest trains in India with the top speed of 150 km/h. Shatabdi express trains are fully air-conditioned and of a much higher standard than most Indian rail coaches. Trains like Rajdhani Express, Garib Rath Express has top speeds of 130 km/h.

The Indian railways has been considering two options for speeding up the rail route network-building of dedicated High Speed Rail-lines and upgrading the existing tracks to semi-High Speed Rail-lines. Both the options have their own advantages and disadvantages. High Speed Rail caters to speeds of up to 350 km/h while semi-High Speed Rail up to 200 km/h. Dedicated lines built for High Speed Rail cost about INR 2 billion/km while upgrading existing tracks for semi-High Speed Rail costs about INR 0.1 billion/km. Dedicated High Speed Rail would offer ease of operations while the semi-High Speed Rail would increase operational complexity with the conventional trains.

India and Japan have signed a MoU on 12th December, 2015 on cooperation and assistance in the Mumbai-Ahmadabad High speed rail (HSR) Network project. Japan has offered an assistance

of over Rs.79, 000 crores for the project. The loan is for a period of 50 years with a moratorium of 15 years, at an interest rate of 0.1 percent. The project is a 508 Km railway line costing a total of Rs. 97, 636 crores, to be implemented in a period of seven years. The cooperation of Japan will be fixed on transfer of technology and "MAKE IN INDIA". Japan will assist India in training of personnel for High Speed Rail.⁵ This segment for High Speed Rail implementation would be based on the Japanese Shinkansen Technology. The scheduled completion deadline is August 15, 2022. National High-Speed Corporation Limited (NHSRCL) is implementing the project.

The National High Speed Rail Corporation (NHSRCL) has invited bids for the 237 km out of 508 km-long Ahmadabad-Mumbai bullet train project, as per media report. The project, which is the biggest contract for civil construction in India, would cost about Rs 20, 000 crore and the successful bidder will have to complete the work in 44 months. NHSRCL is a joint venture of Government of India and participating state governments for implementing High Speed Rail projects. According to the leading daily, only few Indian infrastructure companies, such as L&T and AFCON can bid for the project. Also, they would need to have a joint venture with Japanese companies like Hitachi construction and Mitsubishi construction.⁶ The Gatimaan Express, which runs between Delhi and Jhansi in Uttar Pradesh at a speed of 160 km/h, is the fastest train in India. It covers a distance of 403 km from Hazrat Nizamuddin in Delhi to Jhansi junction in 4 hour 25 minutes. However as we ride the bullet train, there is no time to forge bonds with co-passengers as the journey lasts a mere 40 minutes. The concrete walls on both sides of the tracks and the high speed make sure that looking out of the window are a waste of time. However, despite the high speed, there will be no jerk, no luggage flying around. The ride will be smooth.

Mumbai-Ahmadabad is just the first route. India is also planning to build 10, 000+ km of high speed rail tracks connecting many major cities across the map. After a few projects, India could

also potentially build high speed trains for other countries in future, like we now do for launching satellites through ISRO.

Table 1: Per unit railway construction cost of High Speed Rail projects in selected countries:

Country/Region	Per Unit Construction Cost of HSR (\$Million/Km)
Europe	25-39
France	24.8-35.2
Spain	27-39
China	17-21
India (Mumbai-Ahmadabad)	27.44 (estimate based on backward calculations)

Source: world Bank

OBJECTIVES

The present study focuses on the following objectives:

1. To study, does India really need a Bullet Train?
2. To examine the Feasibility of Bullet Train project.
3. To evaluate the benefits of bullet trains over airways and conventional railways.
4. To examine the contribution of 'HIGH SPEED RAIL infrastructure' development in India.

Methodology

The study is based on analyzing the impact of high speed rail infrastructure development in our country. In order to emphasize on this area, the required data is collected from secondary data sources, scholarly views, debates, writing in various magazines and journals.

Analysis

'Optimism emerges when it is over stimulated by self-interest'. No country can grow if they cannot dream big. To grow one needs to expand his dreams and decide his strength to achieve that. The bullet train project is Prime Minister Narendra Modi's master stroke for curing India's infrastructure woes. Indian Prime Minister Narendra Modi and his Japanese counterpart Shinzo Abe on 14th September 2017 launched India's most ambitious infrastructure project

ever. A bullet train connecting Ahmadabad with India's financial capital Mumbai, dumped as Japan's gift to India. The Rs.1.2 lakh crore project will involve over 500 km of rail link and drastically cut down the travel hour from 7 hours to just 2 hours. Japan will fund 81 percent that is Rs. 88, 000 crore of the project as a soft loan and will also transfer its time, technology for the mega project. This project will provide pace to development, along with new technology. It will bring results faster. **If India doesn't do this now when are we going to do this?** When are we going to reach the list of the advanced countries? PM Modi says that bullet trains are not just about reducing time. The showcase project will create new jobs which will act as a boost to the economy. Unemployment is one of the biggest issues of Indian economy and this project comes as a solution to it. No wonder the government is in hurry to serve this project. The deadline has been advanced to 2022 to coincide with 75th anniversary of India's independence. The Mumbai-Ahmadabad high speed rail project, has the potential of creating 20,000 direct and indirect employment opportunities, according to a report by STATE BANK OF INDIA'S re-search team.⁷ After the commissioning of the project, direct employment of 4,000 employees will be created for the operation and maintenance. Further the project is likely to generate about 16, 000 indirect employment opportunities." According to S K Ghosh, group chief economic advisor, State Bank of India, " The introduction of high speed train in India will definitely bring the new opportunity of jobs and skill for young Indians, meeting the aspirations of Skill India."

The 508 km long bullet train corridor in India will have 12 stations, with about 350 km of it in Gujarat and 150 km in Maharashtra. The bullet trains with 10 coaches each will have one business class coach and nine standard coaches each. The lowest fare is expected to be Rs. 250 and the maximum Rs. 3,000. Land acquisition is underway for the project. The government has already started getting funds from the Japanese international cooperation Agency, which is

providing a soft loan of 88, 000 crores for the project over 50 years at an annual interest rate of 0.1 percent. Repayments will start after a moratorium of 15 years from the date the loan was released. India has proposed to Japan that it is keen to manufacture and export the bullet train coaches which could bring down the cost of operating the Shinkansen trains in the country.⁸ Initially, India is set to buy 18 such Shinkansen trains from Japan for Rs. 7, 000 crore. Japan will help India with the technology to make the bullet train coaches locally. Once we do that, we can build the coaches at a much lower cost. If the move works out, it will also open a new business opportunity for the country. BULLET TRAIN: A SYMBOL OF RISING INDIA in spite of all its positive effects such as being eco-friendly, human resource development, a big booster to job creation, etc is facing a lot of criticism. But it is quite obvious. The same criticism that are coming for this project came about Delhi Metro and today Delhi metro has been a catalyst for Metros across the country.

The bullet train project is facing questions like, "Does, India really need bullet train?" are very natural. These questions have been raised everywhere as well. In Japan, they kept discussing about the introduction of high speed train for over 15 years. Exactly the same thing happened in France, before they went in for this project. In China as well, the tremendous amount of resistance from various segments of society was faced. The present situation in India, in terms of amidst poverty, amidst shortage of basic transport, people will naturally raise these questions. If we are going in for this sort of elective projects, why should we not be able to give connectivity to remote areas? Why should we have not been able to increase capacity on conventional train services etc. But, we are missing one basic point here. We are not talking merely of speed. We are talking in terms of looking ahead. This is not a question of either, or. It has to be push. In Japan they were able to change the entire cultural background. The change of mind set. It became a catalyst agent not

only for developing mobility systems, not only for creating connectivity but the entire economic sector is under its impact and the same thing is going to happen in India. It is an inflection point. Once we bring it, it will become a catalytic agent to drive not only the mobility part but for the entire economy. We have to view it in context of climate change, the environmental challenges and overall requirement of the economy.

Critics are condemning it by saying that, 'there are no free lunches in the world.' Yes there have been no free lunches. But, if we just look at the interest rate of this loan we find that we are just paying an interest rate of 0.1 percent on the principal amount of Rs.88, 000 crores that too in a period of 50 long years. Also, there is a grace period of 15 years. Undoubtedly, Japan is doing this much favor because there are negative interest rates in Japan and his best part is to park his money somewhere where he eventually get some returns. Japan is doing the right thing looking at its own economy. But we too are not in loss at all. Certainly we borrow money from various multi-lateral agencies. When we borrow money we borrow it at a cost and even if we borrow internally we have to pay some interest. But this money is coming to us literally, without any interest which itself is a huge windfall gain for our country.

We are hearing comments coming from various people questioning the logic of this move. Critiques are questioning priorities and trying to link it with the unfortunate derailments that had happened over the last few years. Comparing those derailments with bullet train project is like comparing Apples with Oranges. These are two different technologies. Also one must not forget that this money is not coming for funding railway safety projects or something else. Japan has his own interest in financing this project. This money is available to finance a particular project. We are not having an option. We have to take it and finance it and have to find some other ways to finance our railways safety, railways maintenance, etc. If we don't take this project, we don't have this money. The opportunity cost

of not doing this project is zero. So there is no question of putting this money somewhere else. No one deny that social infrastructure needs more money; we agree that we need better education, better healthcare facilities. All this is justified. But Japan is willing to finance one particular project. This money can't be parked somewhere else. Then what is this opposition on grounds of?

Also, there are some, who are in favor of taking this technology from China. But they should not forget that Japan's technique is much better than that of China. Even China itself had bought this technology from Japan. On one hand we are criticizing the derailments happened over the last few years and on other hand we are dying to adopt Chinese technology, which itself had come across many accidents. It is because there is no freedom of Media, China is able to hide all those accidents. Does India seek for buying this kind of technology at all? It should also be noted that, with China's investment in India together comes its cheap low quality, low cost labor which won't be as beneficial as Japan's investment. The Most important part is that, JICA (Japan International Co-operation Agency) which is funding this project is also pursuing research on existing safety problems of Indian railways and also the Japanese 'SHINKANSEN TECHNOLOGY' is best option we have because it is tried and didn't ever arrested a single accidental record.

ABP News recently circulated an article headlined "In the cost of one bullet train, India can afford to have 800 Rajdhani trains". This makes for a catchy headline but the basic premise is so amateur that no mainstream media of repute should have even approved it for publishing. It is already known from the project's repayment plan agree with Japan that the "cost of the bullet train" is spread over next 50 years. Hence this comparison has no practical value because India would certainly not continue rolling out 70 km/h Rajdhani trains for next 50 years while already trains in Europe, Japan and China today are clocking 300+km/h.⁹

Let us discuss about the viability of this project. Let's do a simple calculation to estimate the cost

of one way ticket from Mumbai to Ahmadabad on proposed Bullet Train:

Let's only consider the revenue only from tickets, ignoring those from vendors, advertisements, branding etc.

- Each bullet train will carry an estimated, 750 to 1350 people one-way, let's assume 1, 000 for this calculation.
- Although trains run round the clock, for this calculation- let's say the train run only between 6AM to 10PM and leaves every 30 min from each side, i.e. 34 trains one-way, and total of 68 trips.
- So we have $68 \times 1000 = 68,000$ seats for sales every day. Yearly we would have $68000 \times 365 = 24,82,0000$ seats for sale. Assuming it runs throughout the year.
- Let's assume only 75% seats get sold every year. 75% of 24,82,0000 is 18,61,5000 actually gets sold every year.
- If there is only 10 years to get back an investment of Rs. 1, 10, 000 crore, tickets have to be priced at?

Target: Rs. 11, 000 crore every year

Target price be: $\text{Rs. } 11,000,000,000 / 18,61,5000 = \text{Rs. } 5910$ approx

The estimated ticket price would be Rs. 5910 one-way.

An average one-way flight cost now is: Rs. 3500 approx.¹⁰

This shows that the train fare will be higher than that of airways journey. In this case how this project is going to be viable?

First of all, High Speed Train has to take into account environmental cost. High speed train has proved to be consuming or emitting not more than $1/8^{\text{th}}$ of the CO_2 that is emitted by road traffic and not more than $1/5^{\text{th}}$ of the CO_2 that is emitted by air traffic. So, it will be a solution to our environmental problems. Secondly, the price of tickets of high speed train in Japan is about twice the price of conventional railways. Basic primary studies about Ahmadabad-Mumbai root is that the fare structure will be approximately

about little over AC 1st class travel and this extra price will be of time, people will save. Also, one must not forget the concept of learning by doing and of optimum scale plant. The cost is high because it has just been initiated. Many economic theories are yet to perform. Indian brain is yet to indulge in this project which may cut down the prices soon. The high speed rail allowed Japan and France to cut out their losses and it enabled the system to earn money for railways. Same thing is going to happen in India soon.

The project is being condemned by naming it 'GLARE OF GLAMOUR'. Same points were made when the cell phones first came. They priced at Rs. 18/ min. and were criticized as 'toys of riches'. The same criticism came about computers when Rajiv Gandhi was pushing it and lot of people opposed it. Same question was there when the golden quadrilateral was being double lane and for the Delhi-metro, for the Jammu - Udhampur rail lines. The point here is that sometimes 'supply create its own demand'

It's a fallacy when someone says bullet trains have to compare with the airways. In large part of Europe people prefer travelling long distances by train. Most often we find that a train travel is costlier than air travel and still people prefer train. So, there is a segment, there is an audience which prefer to travel by train even if it is little costlier. It is very important mass transportation medium. In India, there is a large market out there which will certainly take to this new transportation opportunity and there should be no questions. People will pay what it takes. Even today we find that because there is no enough supply, we end up paying almost at par with the air travel on a number of trains.

The Bullet train will have a multiplier effect on Indian Economy with creating jobs, saving our time and environment, growth for Indian economy, infrastructure development, skilling our labor, assured safety, expanding labor market, all weather operations etc. The high speed rail is an economic activity which creates transport requirements by itself. It connects areas and enables people to be able to live far away from

cities like Mumbai. For example, one can move from Surat and get into Mumbai within one hour journey. It could have a significant impact on urban mobility. It would have a significant way of arresting some amount of urban migration. It could help in decongest cities like Mumbai and will help in development of PURA model, developed by Dr. A P J Abdul Kalam and Srijanpal Singh. There are all structural benefits of this exercise. Indian Government's aim is to make this technology so affordable through maximum use that it becomes associated with the life of the poor. Earlier when our Prime Minister talked about Bullet Train, he was opposed by saying it a 'big talk' and now when it has come, they say, 'what is the need for it'?

In case India pursues a new operating model for its cities, it could add as much as 1 to 1.5 percent to annual GDP growth bringing the economy near to the double digit growth to which the government aspires.¹¹ India has a young and rapidly growing population- a potential demographic dividend. But India needs thriving cities if that dividend to pay out. New MGI research estimates that cities could generate 70 percent of net new jobs created to 2030, produce around 70 percent of Indian GDP, and drive a near fourfold increase in per capital incomes across the nation. As per McKinney report, India is undergoing rapid urbanization with rising income levels. In next 10+ years (by 2030), 600 million people would be living in cities. In next 30+ years (by 2050), 900 million people would be living in cities. A much large number of people would require better connectivity between cities. India needs to address its future travel demands by creating high passenger carrying capacity between its cities.

If we talk about the need of bullet train we must evaluate China's development story. China's rise was actually on the back of investment made by Japan, US and Taiwan. If India can manage to attract the companies from these three countries to come and invest in India, the gap between India and China can be reduced much faster than what it is in current scenario. It is something which is good for us. There is nothing wrong in India

looking at the bullet train as a symbolic measure of rising India. Ten years before, when air travel falls into account of luxurious consumption, same questions are raised about the future of air travel. But today, even middle class families prefer air-travel. Financial constraint is not such a big issue for India, because our consumption power is increasing day by day. The project will also bring manufacturing opportunities for us and give pace to 'MAKE IN INDIA'. In a way, the bullet train project will prove to be a mile-stone in the history of Indian Growth.

It makes economic and strategic sense to build bullet trains for medium range distances and invest in aviation capability for long distance travel. As per this year's business report, China with similar challenges as India (large area, large population, etc) had no high speed rail till just a decade ago. Today its high speed trains that move twice as many passengers as its airlines and the demand is continuously growing.

Benefits of investing in High speed rail (HSR) over air-travel

- Aircraft run on expensive air-grade fuel which needs to be improved. HSRs run on electrical energy which is produced locally. Thus, resulting in huge savings of foreign exchange in future.
- HSRs generate much higher passenger carrying capacity as one train can carry 800 to 1200 passengers compared to only 200 passengers per aircraft.
- HSRs also generate massive job creation opportunities because tracks, stations, electronic equipment for guidance and monitoring have to be manufactured locally.
- One train provides connectivity between 7-10 cities along the route, compared to only point-to-point connectivity by one flight.
- They also provide stimulus for the development of satellite towns along the entire HSR route. Thus, enabling further economic growth.
- For mid-range travel distance, total travel time for passengers in air travel is much

higher due to associated activities like check-in, security check and baggage claim.

Benefits of investing in high speed rail (HSR) over conventional trains

- For most businessmen and MNC executives travelling between business critical cities like Mumbai and Ahmadabad, time is equivalent to money.
- Travel time is the unproductive part of any business trip. Sitting for 7 hours for a 500 km journey is a wasteful investment when one can finish it in 2 hours, use time for productive business interactions and return the same day.
- Faster travel means more productive work, faster trade, more business activity within any given time and faster economic growth.

Conclusion

Will an average Indian be ready to shell out Rs. 3, 000 for a train ride that lasts a little over two hours? The comfort, convenience and to some extent even the luxury notwithstanding, the debate is very much on. In a country where 163 million people do not have access to clean drinking water, is a high speed train project that will cost the national exchequer \$15 billion even worth planning? But by that same token, even space exploration is debatable. And yet, India happens to be one of only four countries and the first in Asia to have successfully completed a Mars mission. The point is, for a 1.3 billion strong nation, with a railway network that ferries 23 million passengers daily across 66, 687 km, there can be nothing wrong or illogical about planning for a high speed rail corridor that goes by the name 'bullet train' in common parlance.¹²

A bullet train project should ideally have been planned much before because it could well have been a mascot of an India that aims higher in order for it to claim its rightful place in the league of nations that have successfully modernized their mass transit system and taken an exponential leap in reducing carbon

footprints and addressing passenger concerns over time, safety and comfort. So, theoretically, at-least there can be nothing wrong in rolling out a bullet train.

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Consent & Euthanasia: Legal Aspect

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Abstract

Passive Euthanasia has been legalized in India, but the state has discredited the challenges and responsibilities which come with it. This paper will be an analysis on euthanasia and its present scenario in India, and also of the judicial pronouncements in the cases of Aruna Ramchandra Shanbaug v. Union of India and Common cause v. Union of India by the Hon'ble Supreme Court of India. The paper will also figure out the discrepancies in guidelines provided by the apex court for the regulations of euthanasia. Further, it will also compare these guidelines for regulations with the laws in several nations for euthanasia. The paper aims to explore a need for a legislation with regard to euthanasia with respect to the 196th and the 241st reports of the law commission of India. The paper has commentary on the concept of mercy killing and need for the recognition of 'right to die' under the ambit of Article 21 and the need for the recognition of 'Free Medical Aid' under Article 21. The paper will further question the validity and analyze the repercussions of section 306 (Abetment of suicide) & 309 (Attempt to commit Suicide) of the Indian Penal Code on the society in the light of Mental Health Care Act and the cases of P Rathinam vs Union of India and Gian Kaur vs. State of Punjab. Under this, the author would want to question the logic of upholding section 306 as a specific crime when the substantial crime under Section 309 has been deemed decriminalized. Hence, it will question the legality of special provision in the Indian Penal Code as 'Offense of Abetment of Suicide' when abetment is already defined under Section 107 of the Indian Penal Code.

Keywords: Euthanasia, Legislation, Constitution, Life

Introduction

The word euthanasia owes its existence from Greek, which means 'Good Death.' It is a combination of two words; 'Eu' meaning good and 'Thanatos' meaning 'Death.' History in itself gives many definitions and meanings to euthanasia. In the ancient Greek, the citizens were given the right to end their lives if they were suffering from a terminal disease, the city magistrates of Athens were given a supply of poison to aid the sufferers with a clean death without suffering and was known as the 'drink of Hemlock'¹. The first time when this concept came into existence, it was 'Suetonius,' a historian

who has explained that how Emperor Augustus "dying quickly and without suffering in the arms of his wife, Livia, experienced the 'euthanasia' he had wished for"². In the Oxford dictionary, "Euthanasia" has been defined as "the painless killing of a patient suffering from an incurable and painful disease or in an irreversible coma". It should be understood that euthanasia, literally means taking someone's life, for the sake of relieving him from the pain the person is going through. House of Lords defined euthanasia as "a deliberate intervention undertaken with the express intention of ending a life, to relieve intractable suffering"³

In the recent judgement of *Common Cause v. Union of India*,⁴ the Hon'ble Supreme Court of India, has legalized passive Euthanasia and has issued directives to the state to implement it, and the apex court of our nation had acknowledged that right to die with dignity comes under the ambit of right to life with dignity. This judicial pronouncement has paved a way for the people of India to write themselves a 'living will' and then the people can terminate their life when they are terminally ill or in a vegetative state. It is to be understood that everyone has a right to life which is also guaranteed in the Constitution of India under article 21⁵ but the question which has been debated by many philosophers, jurists and intellectual men is that does an individual have a right to eliminate his own life at his own will? Euthanasia has been legally allowed with certain guidelines laid down in the case of *Common Cause v. Union of India*⁶ the guidelines were issued preceding from the case of *Vishakha and Others v. State of Rajasthan*⁷ till the time there is a legislation passed by the Parliament of India. It took years for the Parliament to bring a law in force which was the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act⁸ which came into force in 2013.

The concept of euthanasia and right to die also brings into question the constitutional validity of section 306 and 309 of the Indian Penal Code⁹ which criminalizes abetment of suicide when the suicide has happened (section 306) and the attempt of suicide (section 309) though these provisions have been Constitutionally tested first in *P Rathinam vs Union of India*¹⁰ and then in *Gian Kaur vs. State of Punjab*.¹¹ There has been a lot of advancements in Indian laws and their interpretation since then.

Right to life, which the most absolute right in all Fundamental Rights in our Constitution is a home for many implied rights which comes under its ambit be it, Right to Education or Right to Information or Right to Free Legal Aid, but the sad part is that this right which includes 'life' does not mandate free medical aid. Indeed,

it can be inferred from the interpretation of Article 21 of the Constitution of India that, right to medical care comes under article 21 as a part of life and liberty but not, *free* medical care. The conditions of the government hospitals in India is a well-known fact. An analysis published in the 'Lancet'¹² said that 1.6 million people in India die cause of poor health care every year. Therefore, there is a need to recognize right to free medical aid as a fundamental right.

Objectives

- This paper will explore the different aspects of euthanasia and the challenges which come with it.
- This paper will try to establish a need for a legislation for the execution of euthanasia and will analyze the guidelines provided by the court for euthanasia.
- This paper will comment on the Constitutional validity of section 306 and section 309 of the Indian Penal Code.¹³

Euthanasia In India & Its Present Legal Scenario

On the 9th of March, 2018, euthanasia was legalized and the guidelines on how to execute euthanasia were given by the apex court of our nation. It permitted withdrawal of life support to the sufferers who were in a PVS (permanent vegetative state) and it also allowed people to write their own living wills. The question of euthanasia was also addressed in the case of *Gian Kaur vs. State of Punjab*,¹⁴ where the court held that euthanasia can only be permitted if the legislature of our nation makes a law on euthanasia, but the Supreme Court has disagreed from its statement in the case of *Common Cause v. Union of India*.¹⁵

Classification Of Euthanasia

1. Involuntary euthanasia – this type of euthanasia is conducted against the will of a person
2. Non-voluntary euthanasia – this type of euthanasia is conducted when the consent of the patient is unavailable.

3. Voluntary euthanasia – this type of euthanasia is conducted with the consent of the patient, and has been legalized in India.
4. Active euthanasia – the acceleration in death is caused by any positive act.
5. Passive euthanasia – withdrawal of life sustaining steps.

It is to be noted that active euthanasia is forbidden in India and comes under the ambit of section 299 & 300 of the IPC.¹⁶ Only passive euthanasia has been allowed and active euthanasia is still a heinous offence.

Philosophy of Euthanasia

It is an undisputed fact that life is mortal, no human being can exist forever. Each and every living being who has taken birth on this earth has to experience the wrath of the god of death one day, and this life has a specific age. Siddharth, on seeing an old dilapidated man on the street, wondered how his old age would be, and in order to achieve nirvana he renounced life, his attempt was successful and became lord Gautam buddha and achieved his purpose of life.¹⁷

The debate on euthanasia began when a calf was ailing in Gandhi's Ashram in 1928 despite every possible medical effort, there was no decrease in the calf's pain. It was too unbearable for it that could not even change its side, and hence Gandhi decided to end its life.¹⁸

*"I am the master of my fate; I am the captain of my soul"*¹⁹

This quote, by William Ernest, clearly points out the fundamental truth that each man wishes to live with all kinds of happiness in good health, and simultaneously no one in this world wishes to live their life in pain, suffering and agony, and therefore the concept of euthanasia came into existence which allowed people to end their life if they do not wish to continue with their life rather than living it in pain and illness. Charles Lugini said that the quality of life in today's world matters the most and the 'sanctity of life ethics' no longer dominates American Philosophy.²⁰

The concept of 'ethical egoism' which was put forward in today's world by Thomas Hobbes in

Leviathan lays down that if any action results in personal good that it is right, and therefore euthanasia can be concluded as an act of 'self-benefit' and hence an 'ethical action'²¹ and hence euthanasia is also justified as a self-regarding activity for the human beings to end their pain and end their life if they do not wish to continue with it.

Euthanasia and The Constitution of India

*"Preservation of life is of most importance, because if one's life is lost, the status quo ante cannot be restored as resurrection is beyond the capacity of a man"*²²

Article 21 of the Constitution of India²³ preserves human life, it is to be understood that right to life is unalienable²⁴ even in the cases of emergency²⁵ and right to life has no meaning if the right to life with dignity is separated from it. Right to die with dignity comes under it and so comes the concept of passive euthanasia. Stefania Negri has said that euthanasia "essentially developed within the framework of the universal rights to life and to human dignity"²⁶ and this establishes the relation between the Constitution of India and the 'end-of-life' decisions.

Meaning of Dignity & Right to Die

It can be said that the Constitution guarantees human life with dignity and therefore a right to die with dignity, but the question so arises is who defines dignity? the supreme court clearly stated in the case of *Gian Kaur vs. State of Punjab*²⁷ that there is no right to die, but now in the case of *Common cause v. Union of India*²⁸ right to die with dignity has been recognized as a Fundamental Right, the first and the most simple question arises which comes in one's mind is that what is dignity? the court said that a person has a right to die with dignity, if he is in a terminal condition or in a PVS state as his life is not dignified, but what about an old woman who has been abandoned by her family and has no urge to live? or what about a human who has no place to live, has to strive for his survival daily is that life dignified? if a person who is living on the food which he finds in the garbage is that life dignified? no, it is certainly

not, these people will be forced to live like the way they are living even if they wish to die, the state shall set standards of dignity and not individual people, the right to self-determination has no place.

The Concept of Mercy Killing

The Constitution of India²⁹ has recognized the right to die with dignity. Therefore, a question that should be put forward is that, why can't mercy killings be allowed? If an individual in his opinion, is not having a dignified life, does he not have the right to end it? Why is the State refraining from awarding people the right to die? If passive euthanasia can be allowed why can't mercy killings be? If a person who is suffering from a terminal disease and is not living a dignified life, then is a manual scavenger living a dignified life? Or a person who is a beggar, who has to beg every day in order to live his life, will the state now dictate to the people what dignity is?

Hinduism has accepted the 'right to die' the people practicing Hinduism if they are going to through a terminal disease or they have no responsibilities or ambitions left in them, then they can end their lives through a 'non-violent' practice by fasting which is known as 'Prayopavesa'³⁰ Jainism also has acceptance for the right to die, by a practice known as 'Santhara' in which by the way of suicide one can attain spiritual state.

Countries such as Belgium, Switzerland, Netherlands recognize the right to die, and allow physician assisted death. A man known as David Goodall who was 104 years old flew across the ocean to end his life in Switzerland because he wanted to die, and said "I no longer want to continue life. I'm happy to have the chance tomorrow to end it." He went to Basel and on his own will, ended his life.³¹

The Indian laws do not allow mercy killings, but it is difficult to distinguish it from euthanasia when right to die with dignity has been incorporated under the right to life, and who will define dignity for an individual is still a mystery.

Analysis of The Guidelines Provided By The Apex Court For Passive Euthanasia & A Need For Legislation

In the judgment of *Common cause v. Union of India*³² the paramount court of India laid down several guidelines for the execution of euthanasia, what should be understood that these guidelines can be followed and implemented only by rich people who can afford high medical standards?

It is to be understood that the entire judgment which came was on how to withdraw life support of a person who is terminally ill, the question is what if that person without following these guidelines simply opts out of medical treatment by just not paying the medical fee there is no law to provide free medical aid, and the hospitals won't function till they are provided with money, they will anyway remove the life support systems and the patient will die, why would anyone follow such a long procedure?

The guidelines conveys a two-step procedure where a hospital board constituting of four doctors of 4 specific fields will analyze and then submit their report to the district collector and then the district collector will form another board who will re-affirm the decision, the question is the judgment does not specify any time limit for it, till when will the person lie on his death bed like that when he is already suffering so much.

The medical system in India is not that advanced that the level of qualifications which the court has asked for the board of doctors will be available everywhere and therefore not everyone can avail euthanasia. It is also to be understood that there is no sanction on the doctors if there is any mistake while denying *euthanasia*. The parliament should intervene and should make laws on this subject of passive euthanasia on the basis of this judgment and even the reports of the 196th law commission³³ and even the 241st law commission³⁴ proper sanction should be invoked and the method should be made simplified and accessible to every person in the country. Euthanasia and Crime

The legalization of euthanasia has paved a way to reconsider the Constitutional validity of section

306 & 309 of the Indian Penal Code³⁵ the question of its validity came first in the case of *PRathinam vs Union of India*³⁶ where the court struck down section 309 and held that right to life, included right not to live, but this was overruled in the case of *Gian Kaur vs. State of Punjab*³⁷ section 306 and 309 of the IPC³⁸ were held Constitutionally valid, but the question comes again that after these advancements are both these sections actually constitutionally valid. Section 306 which makes abetment of suicide as a criminal offense, the question is what is the point of making abetment of suicide as a crime, when suicide in itself is not a crime, and why does section 306 as a specific law does not incorporate in itself abetment to attempt to suicide as a crime, and while section 309 has been in a way decriminalized by the *Mental Health Care Act*³⁹ why not scrape it off the Penal Code⁴⁰ and when suicide is not a crime, attempt to suicide is not a crime, then why is abetment of such a thing a crime ? and even after the procedure laid down is that a person who has been charged with section 306 has the onus to prove that his actions did not lead to the abetment of act, rather than the conventional way. The parliament should give a thought about it. Consent

Another challenge after the legalization of euthanasia is that, in a nation like India it can easily be misused. People can misuse this provision and ask for euthanasia for their ailing parents in order to get their property. Another challenge is that one who is in a PVS state has some consciousness and what if the person has written his living and while in a vegetative state he wishes to withdraw from that living will and he wants to continue with his life? What if there might be a new medical advancement in future that might cure the person if he might have lived? Such questions need to be addressed and the society needs an answer for them.

Criticism

The Holy Bible considers suicide as an immoral act and death as a curse⁴¹ and euthanasia hence is an immoral act. Immanuel Kant also believed that 'man cannot have, the power to dispose of

his life'⁴² the criticism emerges from the fact that life has been given by the almighty god and only he has the power to take it away from a person and a person does not have the right to end it. It also hampers the respect of the society for the 'sanctity of life' and it may have been given against the 'best interests of a person'

There is no proper way of regulating euthanasia. Crime will accompany euthanasia and in course of time euthanasia will be normalized and everyone will start asking for it and it will result in bad care for the people who are terminally ill as it will be a set norm that everyone will opt for euthanasia.

Conclusion

From this paper we can conclude that euthanasia is something which is very difficult to regulate. The Supreme Court has taken a way, providing guidelines but they are not sufficient. The paper explains that there is a need for a proper legislation by the parliament, to fix liabilities and sanctions if there is any discrepancy in carrying out the process of euthanasia.

The recognition of right to die with dignity has now questioned the Constitutional validity of many laws including section 306 and 309 of the IPC⁴³ What can be inferred further is that there is a need to define dignity for an individual because dignity being an abstract concept is subjective in nature, and therefore, right to die with dignity has no meaning until dignity has been defined.

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Understanding Relationship between Socio-economic Status and the Education among Disadvantaged Students



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Abstract

The strong belief has been assigned with education as the main source for social mobility in life. But the close observation of existing literature of education concludes that education is not the neutral entity rather is based on many other aspects. And above all socio-economic status has significant role in the educational achievement of the individual especially among the disadvantaged communities. They are the one who burden it more. Therefore, the present paper by the use of secondary literature is explaining the important aspect of education which is based on one of the factor i.e., the level of income or socio-economic status in relation to education in the life of the disadvantaged. The paper concludes that socio-economic factor plays an important role in the educational achievement especially in the disadvantaged community. But strong policies at political level and affirmative practices in the form of remedial practices can overcome the burden on the disadvantaged.

Keywords: Education, Poverty, Disadvantaged Community, Socio-Economic Status

Introduction

The relationship between socio-economic status and educational achievements is one of the persistent issues in educational research. The strong relationship has been observed between socio-economic status, student achievement, well-being, and social mobility. Many challenges have been faced by students from low-income group especially when it comes to disadvantaged schools (Equity in Education, 2018). Children belong to low-income families generally lag behind in school as compared to their peers from affluent families. Among many factors, the major key areas influenced by family income is educational outcomes. The disparity of educational opportunity has drawn significant attention of the educational researchers all over the world. Keeping the above in mind, the present problem is posed to understand and explain the influence of poverty on educational attainments. Thus, the present article provides a brief review

concerning the effects of socio-economic status on educational outcomes.

Kean & Pamela (2005) by using structural equation modeling techniques found that the socioeconomic factors are related indirectly to children's academic achievement through parents' beliefs and behaviors but that the process of these relations was different by racial group. Consequently, the educational institution does not work in a vacuum. At a larger, in a society, the people generally have the belief system that after getting education an individual is fully occupied with knowledge, skills to join the workforce and hence become productive members of the society. But often some members are not able to perform better even after all educational levels. Therefore it is the utmost importance to recognize that what are the key factors which have greater influence on the educational achievements. In this regard the 'Coleman Report' in 1966 revealed that the

family background is most important factor than the type of school when it comes to determine the student's educational achievements.

Education is an important and life-long process which helps in the development of personality. From the time of independence, India has made a rapid stride in terms of indicators of educational progress at the macro level. Economists have long viewed education as a form of investment. But they failed to explain the differences in educational outcomes which come through variety of strategic investment in children, in different social classes (**Bourdieu, 1986**). Further, it is observed that the experiences of schooling are not the same for everyone as variety of experiences and ways of learning in school shape the perceptions of education. Thus, different people hold different meanings of education and its values. The meaning of education is very vast and relative but the general understanding in most of the cases is attached with enhanced potential for earnings, occupational mobility and status. Literature in sociology of education shows that in spite of getting an education the marginalized and downtrodden people are not able to extract more benefit out of it. Some studies also show that sometimes education is inversely proportion to upward mobility.

Definitions

In the words of American Psychological Association (2007), the concept of "Socio-economic" status is the social standing or class situation of an individual or group. It is often measured in the form of education, income and occupational status of the individual. The socio-economic status reveals the inequities in access to resources, privilege, power and control.

Socio-economic status and Educational achievement

In India formal education was started with the belief that it will produce a modern and developed society. **Yogendra Singh (1973)** in one of his works explained that, "education has been one of the most influential instruments of

modernization in India" (1973, p. 106). India is said to be a rigidly stratified society along caste lines from the ancient times. After independence Indian scholars started looking at the relationship between social structure and education. For them education is a source of modernity at both national and individual levels.

Education is the key that allows people to move up in the world, seek better jobs and succeed in life (**Shah, 1965; Damley, 1966**). In addition it has been also seen that for education number of factors play significant role in the educational achievements of the students especially among the disadvantaged. In contemporary society, the disadvantaged are still facing the problems of achieving educational equality with the dominant groups of the society. They often lag behind in the year of completing their studies. Even differences in the academic performance and in the school adjustment of the disadvantaged and minorities have been reported across the world for e.g., in United States (Ogbu, 1974; Woolard, 1981), Britain (Tomlinson, 1982; Ogbu, 1978), Malaysia (Wan Zahid, 1978) and Australia (Billivant, 1987). The educational problems of the disadvantaged have been reported many but among all socio-economic has found to play a vital role in the educational achievements of student's life. Bond (1981) in his research observed that minorities are generally not able to do well in education due to their low socio-economic status.

Socio-economic status put hardships on the children belonging to the underprivileged section. Several factors can however potentially limit a child's academic achievement. Contextual indicators continue to be the determining parameters for educational attainment, learning trajectories and careers. Families belong from poverty; high unemployment and low-education are known to employ fewer education-oriented practices with their children. Parental academic involvement has been shown to have a strong effect on children living in disadvantaged localities (Greenman, Bodovski, & Reed, 2011). Thus, family income is the main source of monetary resources to the children whereas

parent's education level and their occupations is the source of intelligence sources and social capital (Bradley & Corwyn, 2002; Conger & Donnellan, 2007). In addition some studies also reveal that children of higher socioeconomic status have more advantages and opportunities to do well in school. Students who come from poor families are more likely to have cognitive difficulties, difficulty reading, less social support, are more likely to have difficulties in academic settings and drop out of school before completion.

Socio-economic Status and School

Studies done by C. Arnold Anderson (1956), Philip Foster (1963), Clignet & Foster (1966) revealed that formal schooling in modern times is the source of both new patterns in social differentiation and for mobility too. A number of studies in the sociology of education have explored factors which affect performance in the schools. Mostly they include caste, race, ethnicity, socio-economic status (SES), gender, regional base, marital status, age, and parent's educational level, the occupation of the parents, language, income, and religion. Thus, 'socioeconomic status and background characteristics' are seen as the important determinants of success. Children from different socioeconomic backgrounds have different access to different type of schools; books and other related materials. Specifically, the educational, occupational and income level of the parents are found to influence the educational achievements among children (Jeynes, 2002).

Lareau (2003) studied the social class influences on parental involvement and educational experiences of the primary school children. Lareau opined that all people have cultural capital but the problem is that some aspects of culture are highly valued in dominant society while some others, especially those found predominantly among the poor do not get as much recognition. Disregarding this, Dumais (2006) said that 'lower status parents' do not possess any capital and they don't have anything to pass on (Dumais, 2006, p. 102). Kingston (2001) argued that simply having 'cultural capital' is not the answer but how people are using capital for their benefits is

the crucial thing to look at. In one of her paper Nambissan (2010) pointed out that in India the middle classes are using multiple strategies to educate their children. In India the schooling opportunities are highly unequal. On the one end of the scale, the offspring of the urban elite are likely to go to prestigious English medium, good quality schools, with a good prospect of further studies, and on the other end, girls born in a poor family in rural areas have a very slim chance of entering even primary village primary school. Disparities in quality of schooling also contribute a great deal to the persistence of massive inequalities in Indian society, and interact with more fundamental inequalities such as those of class, caste and gender. Modern parents are becoming more and more conscious about their children's education. They view education as the only way to have security, status and stability in the future. Indeed, it is evident that an overwhelming majority of parents, even among deprived sections of the population, attach great importance to the education of their children. Education is widely imputed with the capacity to transform the prospects of the poor. But the people from the poorest and marginalized sections cannot afford private and expensive schooling. In this milieu it is quite natural that local government schools simply cater to the poorest, the low-ranked and the girls. Majority of the government schools are unable to provide children cultural and cognitive resources needed for their growth in the future.

In the time of globalization and technological revolution, education is taken as the first step for every human activity. It plays a fundamental role in the development of human capital and is linked with an individual's well-being and opportunities for better living (Battle & Lewis, 2002). The achievement of students is negatively correlated with the parents having low social and economic status. It hampers the individual in gaining access to sources and resources of learning (Duke, 2000; Eamon, 2005; Lopez, 1995). Ajila and Olutola (2007) opined that the existing conditions at home affect the individual

well-being in all sense because parents are the first who socialize their children. That's why family background and its economic status have a positive correlation with students' achievements in their academics. Apart from this as a second socializing agency the 'Schools' also are equally responsible in shaping the experiences of the individuals. An atmosphere at home put enormous effects on the child and his aptitude at school. Often children from low-income families are not able to receive the stimulation and easy to understand the important skills required in schools. The major problems in these types of homes area parental inconsistency (with regard to daily routines and parenting) and lack of supervision.

Others have argued that students from low socio-economic level homes are at a disadvantage in schools because they lack an academic home environment, which influences their academic success at school. In particular, books in the home has been found over many years in many of the large-scale international studies, to be one of the most influential factors in student achievement. From the beginning, parents with higher socio-economic status are able to provide their children with the financial support and home resources for individual learning. As they are likely to have higher levels of education, they are also more likely to provide a more stimulating home environment to promote cognitive development. Parents from higher socio-economic backgrounds may also provide higher levels of psychological support for their children through environments that encourage the development of skills necessary for success at school (Evans et al., 2010).

Conclusion

Parents generally believe that children's success in life often based on their doing well in academics. But students belong to low-income family generally reported to have less chance of achievement due to their low socio-economic status at home. It is also found that low socio-economic status (SES) adversely affects children's educational achievement as it puts

constraints on access to various resources. Thus, we can say that the institution of education does not occur in a vacuum. Rather, it is immersed in a web of politics, budgets, endless reforms, and controversies. As a society, we expect the functions of schools are to educate children and transform them into knowledgeable adults who will be able to join the workforce and become productive members of society. But we are also able to see some who are either not able to finish their education or ill performed and simply we start blaming that individual. We often fail to understand the background of the student which plays utmost important in their educational life. Therefore it should be the utmost importance for the policy makers and society at large to recognize the different needs of students who come from different home environments. There should be the provision for providing them the essential resources at the time of their educational needs.

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Child Labour in India with Special Reference to Child & Adolescent Labour (Prohibition & Regulation) Amendment Act, 2016



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Abstract

The wheels of the world are spinning so fast today that we are all overpass our limitations continuously and interminably. In the general living of families with adequate incomes, parents go their profession every day and children are left to go to school. However, such is not the case for the 218 million of world 's child labours who daily engage themselves working long hours under harsh, dangerous and exploitative conditions. Child labour abuse has attracted national and international attention during the last decade. The existence and perpetuation of child labour is a blot on the conscience of the society. It is a slur on a modern welfare state which seeks to promote all round development of its citizens. Children are just like buds, instead of taking proper care, to-day they are being nipped before they bloom. They are subject to Work at a tender age when they require the utmost love, affection, care and proper education. They become victim of existing exploitative set up and due to denial of minimum basics they are forced to join the labour force, which thwarts their development from every aspect and also retards the upliftment of the society as well. This problem has become so acute that despite all planned efforts, India stands in the top position for having highest number of child labourers in the world.

Keywords: Child, Child Labour Abuse, Exploitation, Adolescent

Introduction

"We are guilty of many errors and many faults, but our worst crime is abandoning the children, neglecting the fountain of life. Many of the things we need to wait, the child cannot. Right now is the time his bones are being formed, his blood is being made and his sense being developed. To him we cannot answer "Tomorrow" "his name is today"¹

The term 'Child Labour' is, at times, used as a synonym for 'employed child' or 'working child'. In this sense it is co-extensive with any work done by a child for gain. But more commonly than not, the term 'Child Labour' is used in pejorative sense. It suggests something which is hateful and exploitative.

The ILO has provided a very comprehensive definition of child labour. According to it:- "Child

Labour includes children permanently leading adult lives working long hours for low wages under conditions damaging to their health and to their physical and mental development, sometimes separated from their families, frequently deprived of meaningful educational and training opportunities and could open up for them a better future".²

V.V. Giri has distinguished the term 'Child Labour' in two senses; —First, as an economic practice and secondly, as a social evil. The first signifies employment of children in gainful occupations with a view to adding to the income of the family and the second, a broad aspect which takes into account the dangers to which the children are exposed, which means the denial of opportunities of development.³

Thus, child labour, in a restricted sense, means

- First, employment of the child in any gainful occupation.
- Second, the work to which the child is exposed must be harmful; and
- Last the child 's opportunity of development must be development.

Causes of Child Labour

Child Labour is a socio-economic phenomenon. Millions of children are being maltreated, misused and deprived of their rights.⁴ The important factors responsible for the persistence of this unlawful social evil are anti-constitutional policies, inadequate legislative measures. The main root causes that lead to child labour are: -

- Poverty;
- Parental illiteracy and ignorance;
- Tradition of making children learn the family skills;
- Absence of universal compulsory primary education;
- Non availability and non-accessibility to schools;
- Irrelevant and non-attractive school curriculum;
- Social and cultural environment;
- Employers preference to children for their cheap labour and inability to organise against exploitation;
- Family work;
- Level of technology;
- Apathy of trade unions; and
- Ineffective enforcement of the legal provisions pertaining to child labour.

Protection of Children under Indian Constitution

Constitution of India encompasses several provisions for upliftment, development and protection of children. The relevant articles are as follows:

- Article 15(3) gives the power to the State to enact laws to protect children.

- Article 21A provides free and compulsory education to all children between the ages of 6 and 14.
- Article 24 prohibits employment of children under the age of 14 years in hazardous industries.
- Article 39 (e) provides that the State shall direct its policy to ensure that the tender age of children is not abused.
- Article 39 (f) that children are given opportunity and facilities to develop in healthy manner and in conditions of freedom and dignity. Childhood & youth are protected against exploitation & against moral & material abandonment.
- Article 45 provides that State shall endeavour to provide early childhood care and education to children below the age of six years.
- Article 47 provides that it's the duty of the State to raise the level of nutrition and standard of living and to improve public health.

International Conventions and Regulations Protecting Child Labour

United Nations deals with labour issues. UN Convention on the Rights of Child, 1989 is the most significant international instrument that deals with the rights of children in general. There is eight core ILO Conventions with respect to labour, and out of these India has ratified only four.

- The International Labour Organisation(ILO), 1919
- ILO Forced Labour Convention 1930, (No. 29)
- U.N. Convention on the Suppression of Slave Trade and Slavery, 1926
- U.N. Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956
- ILO Abolition of Forced Labour Convention, 1957(No. 105)

- ILO Convention on Minimum Age for Employment, 1973(No. 138)
- ILO Convention concerning the Prohibition and Immediate Action for the elimination of the Worst Forms of Child Labour, 1999 (NO. 182)

Legislation for Child Labour in India

There are various central and state statutes concerning children enacted with an intention to protect and help children and achieve the goal of child labour welfare enshrined in our National Charter.⁵ The Constitution makers were conscious of the need for special care for children and, therefore, provisions to the welfare of children dealing specially with the protection of child labour have been envisaged in our National Charter.⁶ Accordingly, our National Policy resolution for children, 1974, lays special stress on the responsibility of the nation for physical, mental, moral and special development of children, all these calls for great deal of legislative activity. Thus laws directly pertain to the children are mostly found under labour legislations.

Though some legislative measures in India were enacted during the pre-independence era, but they were found limited in their scope and British had a great apathy towards the welfare of the people including children. After independence the State took its responsibility in the matter of welfare of the children as the future wellbeing of the nation depends as to how they should grow and develop. This responsibility of the State is reflected in some of the Constitutional provisions, central laws and in number of enactments dealing with labour legislations passed with object of securing well-being of the children.

The Child and Adolescent Labour (Regulation & Prohibition) Amendment Act, 2016

According to UNICEF Report, In India, there are 33 million children are child labourers. Poverty, unemployment, ineffective implementation of the Right of Children to Free and Compulsory Education (RTE) Act, 2009, lack of an adequate social security tends to upsurge of child labour.

In 1986, The Child Labour (Prohibition and Regulation) Act, 1986 was constituted in order to protect tender age of children from forced labour and exploitation. In 2012, The Child Labour Amendment Bill, 2012 was introduced in the Rajya Sabha. On July 26, 2016, parliament passed the modified version of the bill that is Child Labour Amendment Bill, 2016. On August 1, 2016, the bill got the sanction from the President. The pertinent question that arises here is that whether "The Child Labour (Prohibition and Regulation) Amendment Act, 2016" will be an effective instrument in curbing the menace of child labour?

Every child has a Fundamental Right to get education under The Right of Children to Free and Compulsory Education Act, 2009, so that amendment Act, 2016 totally prohibits the employment of children below the age of 14 in all occupations and processes. The Bill also makes provision for employment of children is a cognizable offence and punishable by imprisonment for a term of not less than six months & up to two years, or by a fine of not less than Rs 20, 000 and up to 50, 000 or both. Although this Bill is a historic moment for children in India that could radically transform their lives. However, in effect, it is a half-hearted expression of the state's attitude towards its children, their childhood and dignity. To enable children to enjoy their Fundamental Right to get education upto 14 years, this Bill abolishes all forms of child labour, but it also makes a proviso allowing children of up to 14 years to work after school hours to help the family in fields, do home-based work or work in a forest. Even as it extends the Act to cover adolescent children, all it does, in effect, is benefit a small number engaged in certain specific forms of child labour.

Reason for Amending the Existing Law of 1986

The following are the reasons behind the said amendment –

- The earlier Act failed to keep child labour in check.

- To make it compatible with RTE Act, 2009 and Article 21A of the Indian Constitution, 1950.
- To recognize adolescent labour as per ILO norms.

Salient features of the Amended Act, 2016:

(a) Prohibition of employment of Children below the age of 14 years: The amended Act totally prohibit the employment of Children below the age of 14 years for effective implementation of the Right of Children to Free and Compulsory Education Act, 2009, but further this Act allow them to work from home, family enterprises, outside of school hours and during holidays, and in audio –visual entertainment industry and sports only if it does not affect their education.

(b) A new category of ‘adolescents’ formed: The amended Act adds a new category of ‘adolescents’ (the 14-18 age group). They can be employed in ‘non-hazardous’ occupations and processes.

(c) Stringent punishment: The amended Act has enhanced the punishment also. For the first time offender, the fine has been increased from 20, 000 to 50, 000 and imprisonment has been extended from 6 months to 2 years. For repeat offender, the offence is cognizable and a punishment of 1-3 year will be awarded. The Act incorporates relaxed penal provisions for a parent. In a case of a repeat offender, a parent has to pay a fine of 10, 000 rupees.

(d) Powers conferred on the Central Government: The Act empowers the Central Government to alter the list of hazardous occupation, to empower District Magistrate in order to ensure effective implementation of law, to conduct periodic inspection of places where children and adolescent cannot be employed.

(e) Child and Adolescent Labour Rehabilitation Fund: The amended Act proposes to set up Child and Adolescent Labour Rehabilitation Fund for rehabilitation of children.

(f) Child rehabilitation: The amended Act puts duty on the State Government to rehabilitate

the child and to extend monetary assistance by giving Rs 15, 000 and add the fine from the employer for child’s rehabilitation.

Critical Analysis of the Amended Act

The amended Act of 2016 seems to be progressive. However, on careful reading, various flaws in the new Act are exposed. The shortcomings of the Act are as follows:

(a) Slashed list of hazardous occupation encourages child labour: Reducing the list of hazardous occupation from 83 to just 3 (mining, explosives, and occupations) would only reduce child labourers in number, not in reality. The law is grossly unfair to adolescents as they can be employed in rest 80 hazardous occupations. Section 4 of the Act gives discretionary power to government authorities, not to Parliament, to revise the list. Therefore, it will give rise to more child labour.

(b) Legalizing Child labour in “family enterprise” will results in forced labour: Section 3 (5) of the Act permits a child to work in family or family enterprises and in an audio-visual entertainment industry. The said provision is detrimental as it does not define the hours of work. It simply provides that only after school hours and during vacation child can work. Such legal provision is likely to be misused in the Indian context and would pave the way for child labour as most children indeed work in a family-run trade. Such provision will have an adverse impact on education, innovative minds, learning outcomes as well as health and overall development of a child.

(c) The Act has completely overlooked the vital distinction between children and adults: Non-recognition of this distinction is arbitrary and a clear violation of a right to equality embodied under Article 14 of the Constitution.

(d) The Act contravene domestic legislations as well as international convention: The Act not only reverse the gains of previous laws, but also goes against the spirit of RTE Act of 2009 as it allows a child to work in a family enterprise. It also transgresses international convention such as the International Labour Organization’s (ILO),

and UNICEF's Convention on the Rights of the Child, to which India is a signatory. UNICEF has raised alarm over children employment in family enterprises and reduction in the list of hazardous occupation.

(e) The Act lacks the provisions relating to regulation, inspection and monitoring systems: Regulation is going to be a big challenge as the Act does not lay down the criteria to determine whether a particular enterprise is a family enterprise or not. The lack of such provisions leaves the life of children at the hands of the employer.

(f) Penalty provisions also suffer from certain loopholes: The Act prescribe penalty only for employment of children and not for bad working conditions. Penalizing parents are bad in law as it will only increase the burden of indigent parents.

Conclusion

In light of above proposed amendments, the question arises that whether the legislative changes in amended Act will make the Act more effective in reducing Child Labour in India or not. In my views it is positive step by legislative body to expand the scope of prohibition of employment of children in all occupations and processes, the introduction of extended penalties and the specific reference to adolescent are in the right direction. However, the expanded ban on child labour and the exceptions permitted for family enterprises and within certain time frames could also result in more illicit and unregulated forms of child labour and could be misused.

In my contention these proposed amendments may do very little to address the problem, unless accompanied by a range of other measures and conducive conditions to eradicate child labour and unless enforcement of existing legislation is improved. They may also result in certain

regressive and unintended effects such as on a child's right to education. Child labour is a complex and multifaceted problem which is hard to capture in numbers and difficult to tackle through legislation alone, especially given the institutional and regulatory lacunae in our system. The amended Act, display a lack of national commitment to abolishing all forms of child labour and do not resonate with the constitutional objective of elimination of child labour in India.

In short, the recent proposals to amend the CLPRA can be critiqued on various grounds. The underlying premises may not be justified. The reasons advanced can be questioned. Further, there may be adverse unforeseen consequences on the socio-economic front. Therefore, legislative approaches alone cannot be effective and must be backed by strong enforcement and adequate regulatory and institutional capacity. Legislation must also be supported by other measures, such as providing suitable alternatives for children, particularly with regard to inclusive educational facilities, and steps to sensitise employers, parents and society to ensure accountability in case there are violations.

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6. Article 15(3), 14, 39(e), (f) and 21(A) of the Constitution.

Approach to Ensure Gender Equality in Indian Society

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Abstract

It is a harsh reality that women are abused in each society for ages and India is not any exception. The irony lies after all that in our country wherever women are idolised as Hindu deity, the atrocities are committed against her at all told sections of life. She is being looked down as trade goods or as a slave, she isn't robbed of her dignity and pride outside her house however she additionally faces abuse and different atrocities inside the four walls of her house. They're thought-about as associate object of male sexual enjoyment and replica of youngsters. They're real dalits (downtrodden) of the society. They're discriminated at two levels, first off they suffer due to their gender and second due to grinding impoverishment. In this research paper the researcher wants to highlight the real face of the concept 'Gender Equality' specially in Indian society. The main points of research would be; the meaning of gender equality, provisions incorporated in society to ensure gender equality and their effectiveness. The research is basically the outcome of the study of Indian literature and judicial pronouncements over the subject.

Keywords: Atrocity, Dignity, Discrimination, Judicial Pronouncements and Legislation

Introduction

Women are bare of financial/economic resources and are reliant on men for her living. Women's works are typically confined to domestic sphere, she had to try and do all house hold works, that don't seem to be recognized and unpaid. In nowadays many women are initiating to figure however needs to shoulder the double responsibility; one she has to work wherever she is used and second she additionally has to do all the house hold works, moreover, she is last to be considered and initial to be pink-slipped as she is taken into account to be less productive than her counterpart. Her general standing within the family and in the society has been low and unrecognized.

From the cradle to grave, females are underneath the clutches of various evils acts as discriminations, oppressions, violence, inside the

family, at the work places and within the society. The root explanation for all the evils practices two-faced by the women are:

(1) illiteracy, (2) economic dependence, (3) caste restrictions, (4) non secular prohibition, (5) lack of leadership qualities and (6) apathetic and callous perspective of males within the society.

In our society women are liberal from their tender age to be passionate about males. Her existence is usually subject to men. In her childhood she is underneath the protection of her father, when wedding underneath the protection of her husband and in maturity at the mercy of her sons. The patriarchal system in India created women to measure at the mercy of men, who exercise unlimited power over them. So as to ameliorate the condition of women in India the Parliament and State Legislatures enacted the big volume of

enactments and lots of those legislations were enacted in colonial extent.

Which are as follows:

- (1) 1829, Abolition of Sati;
- (2) 1856 Widow Remarriage made legal;
- (3) 1870 Female infanticide banned;
- (4) 1872 inter caste, intercommunity marriages made legal;
- (5) 1891 age of consent raised to 12 years for women;
- (6) 1921 women get rights to vote in Madras province;
- (7) 1929 Child Marriage Restraint Act was passed;
- (8) 1937 women get special rights to property;
- (9) 1954 Special Marriage Act was passed;
- (10) 1955 Hindu Marriage Act was passed;
- (11) 1956 Suppression of Immoral Traffic in Women and Women Act was passed;
- (12) 1961 Dowry Prohibition Act was passed;
- (13) 1981 Criminal Law Amendment Act was Passed;
- (14) 1986 The Indecent Representation of Women (Prohibition) Act was Passed;
- (15) 1987 Commission of Sati (Prevention) Act was passed.

Apart from these on top of mentioned laws there are some Industrial enactments that contain special provisions for women employees/labours such as: The Workmen Compensation Act, 1921; Payment of Wages Act, 1936; Factories Act, 1948; Maternity Benefits Act, 1961; Minimum Wages Act, 1948; Employees State Insurance Act 1948 and Pensions Act, 1987. In addition to the present, the Constitution of India that is thought to be the supreme law of the land too offers special protection to women.

The constitutional provision that deals with women rights are as follows: -

Article 14 expresses that: The State shall not deny to a person the equality before the law and equal protection of laws within the territory of India. Article 15(1) prohibits the

State to discriminate against any citizen on the grounds solely of religion, race, caste, sex, place of birth or any of them. Article 15(3) permits the State to create special provisions for women and children. Article 16 provides that there shall be equality of opportunity for all citizen in public employment and that they shall not be discriminated on the idea of religion, race, caste and sex. Article 39(a) of the Constitution provides that the state particularly directs its policy towards securing that citizen, men and women equally, have the right to associate adequate means that of livelihood. Article 39(e) of the Constitution provides that the health and strength of employees, men and women, and also the tender age of children aren't abused which citizens are not forced by economic necessity to enter avocations ill-sorted to their age or strength. Article 51(A)(e) of the Constitution provides that it'll be the duty of each nation to renounce practices disparaging to the dignity of women.

Further, Indian Penal Code, Criminal Procedure Code and Indian Evidence Act too have some provisions which offer protection and a way of security to women. Recently the Government's piecemeal approach to shield women has taken a leap forward enacting a law providing protective women from violence. With the institution of National and State Human Right Commissions and National Commission for Women, gender problems are receiving bigger attention.

The Indian system has severally and effectively intervened on the problem of women release. As an example, in ***C.B.Muthamma v. Union of India*** the validity of the Indian Foreign Service (Conduct and discipline) Rules of 1961 was challenged that providing a feminine worker to get a written permission of the govt. in writing before her marriage is solemnized and at any time once a wedding a women member of the service is also needed to resign from service. The Supreme Court control that such provision is discriminatory against women and therefore unconstitutional. The Supreme Court created it clear that, we tend to don't mean to generalize

or dogmatise that men and women are equal altogether occupation and every one things and do not exclude the necessity to pragmatise wherever the wants of explicit employment, the sensitivities of sex or the peculiarities of social sectors or the handicaps of either sex could compel selectively. However, save wherever the differentiation is incontestable, the rule of equality should govern.

In *Air India v. Nargesh Mirza*, the Supreme Court stricken down the application of rules that stipulated termination of service of associate flight attendant on her 1st pregnancy condition because it capricious and repugnant to the notions of a civilized society. In *Pratibha Ranu v. Suraj Kumar* the Supreme Court command that the stridhan of a married woman must be placed in her custody, and she enjoys complete management over it, the mere truth she lives together with her husband and mistreatment the dowry things conjointly don't build any distinction and have an effect on her right of absolute possession over them. Another landmark judgement was given by the Apex Court within the case of *Gita Hariharan v. Reserve Bank of India*, during this case the Court taken section 6 of the Hindu Minority and Guardianship Act 1956 and command that the mother might act as the natural guardian of the minor throughout the father's lifespan if the father wasn't answerable of the affairs of the minor.

In *Vishaka and others v. State of Rajasthan*, the Supreme Court command that molestation of working women at her place of associate employment amounts to violation of rights of gender equality and right to life and liberty that is evident violation of Article 14, 15 and 21 of the Indian Constitution. The Court more ascertained that the means and content of the Fundamental Rights warranted within the Constitution of India are of spare amplitude to embrace all the facts of gender equality together with interference of molestation or abuse/ sexual harassment.

Further Supreme Court during this case said that, as there's no law regarding molestation in India, thus the provisions of International Conventions

and norms are to taken into thought, and charted sure pointers to be ascertained the least bit work places or alternative establishments, till a legislation is enacted for the aim.

In *Apparel Export Promotion Council v. A.K. Chopra*, once more Supreme Court reiterated Vishaka ruling associated same that tries of harassment of feminine leads to violation of fundamental rights to gender equality enshrined beneath Article 14 and 21 of the Constitution. The Court any declared that international instrument like the convention on the Elimination of All varieties of Discrimination against women and also the Beijing Declaration casts obligations on the state to require acceptable measures to forestall gender inequalities and shield the honour and dignity of women.

Apart from these cases there are several different cases during which the Apex Court had given the judgments, serving to relinquish a dignified standing to the women, as an example *Madhu Kishwar v. State of Bihar*, *Gaurav Jain v. Union of India*, *Delhi Domestic Working Women's Forum v. Union of India*, *Bodhisathwa Gautam v. Subhra Chakraborty*.

In spite of getting such a big amount of enactments managing women and judgments of the Supreme Court protective women the downtrodden and poor conditions of women has not been improved and he or she still faces every type of atrocities and general assembly and judiciary somewhat fails to apply dignity of women in society.

After independence the founder father of the state, wished to reform the society and were keen to determine an egalitarian society. To attain this goal, they used law as associate instrument to test the gender discrimination, variety of laws, were enacted to satisfy this goal however because of sturdy patricentric mentality and unfavourable social surroundings they did not accomplish their goal. The social engineering through law wasn't totally achieved, whereas some rights enshrined beneath the enactments were enjoyed and accepted by the society most of them remained solely in papers because of

lack of public support. Several evils are still practiced on women like bigamy, child marriages are still in observe, dowry demands are still on rise, and women are still troubled for dowry. Deficiency disease and illiteracy are growing at frightening rate, rape and molestation became daily development, and what is more still we tend to see women as trade goods collectively of the songs of the show depicts her as tu meri he chhammak chhallo or any other double meaning song.

It is aforesaid that the law while not the general public opinion is nothing however a bundle of papers. The gap between the men and women cannot be bridged by simply enacting laws with none public support and opinion as social engineering laws are completely different from penal laws that are just associated with injuries and penalisation and are deterrent in nature however social engineering laws enacted to uplift the norms of the society and are progressive in nature and so it ought to be backed by the desire of the individuals for whom it's enacted. It's additionally being clear that trends previous apply cannot be eliminated in one or two days it takes a lot of time. And once laws are enacted to bring radical amendment in society and aren't backed by the desire of the individuals or laws are sooner than opinion then it's to face nice resistance and opposition from the conservative thinking of the society and that they are like dead law, that don't have any result on society.

In Republic of India the foremost of the laws weren't effective as they were sooner than opinion and disposition of the individuals to vary the society and provides the women the standing of equality in society too lacked, therefore so as to provide women their various position within the society robust opinion ought to be created through education, seminars and by taking the assistance of varied alternative instruments of the society like media etc., in order that the individuals of the society ought to get educated concerning and alter their centuries previous thinking and voluntarily implement the laws enacted for the liberation for women.

Conclusion

To improve the standing of the women within the society the necessity of the hour is that laws should be enacted however they ought to be backed by robust public disposition and opinion as a result of goodbye as conservative social thinking stay deep non-moving in the society laws won't be ready to accomplish their ends. It should be declared that social reforms are in social thinking, behaviour and law would be effective providing they're backed by major section of the society. As it justly aforesaid, by Wendell Phillips: Law is nothing unless close behind it stands a warm living public opinion. The law making can be done but its effective enforcement should also be ensured time to time. Then only we can claim the Gender Equality in Indian Society.

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The Injustice of Marital Rape Exemption: Indian Legal Scenario



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Abstract

"Rape", the most basic yet the most severe violation of human rights of women, is punishable by law and unanimously treated as a heinous crime across the globe. Marital Rape, on the other hand is rape which takes place within the confines of the institution of marriage. It is physical violence which is committed by one's own husband. Marital rape is a significant but often overlooked aspect of sexual crimes against women in India. This evil still exists in the male dominated orthodox Indian society and is not even recognized by the lawmakers leaving Indian married woman in a helpless situation without a remedy. One of the biggest obstacles in recognizing it as an offence is the nature of Indian society. Young girls are brought up with the notion of the pati (husband) being the parameshwar (God) who has absolute right over his wife. Society does not recognise non-consensual sex in marriage to be a crime against the woman. A man forcing himself on his wife is seen as claiming his conjugal rights. From the studies it is clear that a woman raped by her own husband suffers much more psychologically effect than a woman being raped by a stranger. This article seeks to bring out the laws regarding rape in India while concentrating on the position of marital rape and its recognition as an offence by the system and the attitude of the society and the judiciary towards marital rape in India.

Keywords: Consent, Marital, Privacy, Social Problem Rape, Rights

Introduction

The institution of Marriage stands as an important part of the society, both in terms of the individual goodwill as well as social goodwill. Marriage is a pious relation that establishes the cultural and social norm for creation of a great society. The future generations of the society are nurtured and they learn to grow into an individual of high social and moral stature. This great and important institution that forms the backbone of the society, especially in India, is now relying under crisis. Marital rape or rape within marriage is a significant but often overlooked aspect of sexual crimes against women in India. Though marital rape is the most common and repugnant form of masochism in Indian society, it is hidden behind the iron curtain of marriage.

Social practices and legal codes in India mutually enforce the denial of women's sexual agency and bodily integrity, which lie at the heart of women's human rights. Rape is rape. Be it stranger rape, date rape or marital rape. The law does not treat marital rape as a crime. Even if it does, the issue of penalty remains lost in a cloud of legal uncertainty.

The Concept of Marital Rape

Rape must be understood as the gravest kind of sexual violence against women – an extreme manifestation occurring in the continuum of sexual violence which negates the human rights of the women completely. Rape stems from sexist values and beliefs and it is not simply an issue affecting individual woman. It is a social and

political issue directly connected to imbalances of power between men and women. Rape is an act of aggression and violence in which the victim is denied her self-determination. The definition of rape, as recognised by the majority of legal systems, does not go beyond the parameters of a patriarchal value system, reflects old notions of chastity, virginity, marital ties and emphasises the fear of female sexuality. The legal definition of rape in most countries is limited to non-consensual or forced vaginal penetrations and exempts a particular class of males – husbands, who cannot be charged with the rape of their own wives.

Marital rape can be defined as any unwanted sexual intercourse or penetration (vaginal, anal, or oral) obtained by force, threat of force, or when the wife does not consent. One of the very peculiar implications of the narrow and restricted definition of rape is that it cannot be committed against a particular set of women, a married woman cannot be raped by her own husband. Further, the implication of this loophole is that violent and unwanted sex does not necessarily define rape rather it is *illegal sex*, i.e., sexual assault by a man, who has no legal rights over the woman¹. In other words, in law's eyes, violence in a legal sexual intercourse is permissible, but sexual relations with a woman, who is not one's property is not.²

The initial rationale for the marital exemption clause is based on Sir Matthew Hale's statement made in 1678 that "the husband cannot be guilty of rape committed by himself upon his lawful wife, for their mutual matrimonial consent and contract the wife hath given up herself in this kind unto her husband, which she cannot retract"³. The premise of the statement was based upon the common law notion of marital unity that husband and wife were one and a married man could not be held liable for raping himself. In majority of the countries in the world; husbands enjoy 'criminal law immunity' for raping their wives. Wife rape has existed as long as the institution of marriage⁴. In words of Lord Mathew Hale, a seventeenth century English

jurist:⁵ The husband cannot be guilty of rape committed by himself upon his lawful wife, for by their mutual matrimonial consent and contract, the wife hath given up herself unto her husband, which she cannot retract.

Marital Rape as Property Crime -The Marxist Explanation

From the times of its rudimentary development as the Marxists explain, the political and legal theory has rested on the assumption of individual's right to own private property. Its second assumption – that men are superior to women and, thus, the legal, social and economic disparities between the two sexes, is justified being very natural – laid down the foundations of a sexist society.⁶ With passage of time, ownership of private property of the man became very crucial. It required control of means and products of reproduction in order to ensure the purity of male lineage and that further required controlled sexual access to a woman by a man, to ensure paternity of their off springs. Since ownership is considered to be best form of control, women were reduced to the private property of sexual nature, owned by distinct male owners. Such notions are prevalent even till date and it is for this reason that husband's absolute ownership of the wife's body and sexuality, remains unchallenged and majority of legal systems do not recognise rape within marriage.

Physical and Psychological Effects of Marital Rape

Despite the historical myth that rape by one's partner is a relatively insignificant event causing little trauma, research indicates that marital rape often has severe and long-lasting consequences for women. The physical effects of marital rape may include injuries to private organs, lacerations, soreness, bruising, torn muscles, fatigue and vomiting. Women who have been battered and raped by their husbands may suffer other physical consequences, including broken bones, black eyes, bloody noses, and knife wounds that occur during the sexual violence. Specific gynaecological consequences of marital rape include miscarriages, stillbirths,

bladder infections, infertility and the potential contraction of sexually transmitted diseases including HIV.⁷

Women who are raped by their partners are likely to suffer severe psychological consequences as well. Some of the short-term effects of marital rape include anxiety, shock, intense fear, depression, suicidal ideation, and post-traumatic stress. Long-term effects often include disordered eating, sleep problems, depression, problems in establishing trusting relationships, and increased negative feelings about themselves. Psychological effects are likely to be long-lasting. Some marital rape survivors report flashbacks, sexual dysfunction, and emotional pain for years after the violence.⁸

Types of Marital Rape

The following three kinds of marital rape are identified by legal scholars as generally prevalent in the society:⁹

Battering rape: In “*battering rapes*”, women experience both physical and sexual violence in the relationship and they experience this violence in various ways. Some are battered during the sexual violence, or the rape may follow a physically violent episode where the husband wants to *make up* and coerces his wife to have sex against her will. The majority of marital rape victims fall under this category.

Force-only rape: In what is called “*force-only*” rape, husbands use only the amount of force necessary to coerce their wives; battering may not be characteristic of these relationships. The assaults are typically after the woman has refused sexual intercourse.

Obsessive rape: Other women experience what has been labelled “*sadistic*” or “*obsessive*” rape; these assaults involve torture and/or “*perverse*” sexual acts and are often physically violent.

Indian Position

In India marital rape exists *de facto* but not *de jure*. While in other countries either the legislature has criminalized marital rape or the judiciary has played an active role in recognizing it as an offence, in India however, the judiciary

seems to be operating at cross-purposes. In *Bodhisattwa Gautam v. Subhra Chakraborty*¹⁰ the Supreme Court said that “rape is a crime against basic human rights and a violation of the victim’s” most cherished of fundamental rights, namely, the right to life enshrined in Article 21 of the Constitution. Yet it negates this very pronouncement by not recognizing marital rape.¹¹ Though there have been some advances in Indian legislation in relation to domestic violence, this has mainly been confined to physical rather than sexual abuse. Women who experience and wish to challenge sexual violence from their husbands are currently denied State protection as the Indian law in Section 375 of the Indian Penal Code, 1860 has a general marital rape exemption. This established the notion that once married, a woman does not have the right to refuse sex with her husband. This allows husbands rights of sexual access over their wives in direct contravention of the principles of human rights and provides husbands with a “*licence to rape*” their wives.

Only two groups of married women are covered by the rape legislation — those being under 15 years of age¹² and those who are separated from their husbands.¹³ While the rape of a girl below 12 years of age may be punished with rigorous imprisonment for a period of 10 years or more, the rape of a girl under 15 years of age carries a lesser sentence if the rapist is married to the victim. Some progress towards criminalizing domestic violence against the wife took place in 1983 when Section 376-A was added in the Indian Penal Code, 1860, which criminalized the rape of a judicially separated wife. It was an amendment based on the recommendations of the Joint Committee on the Indian Penal Code (Amendment) Bill, 1972 and the Law Commission of India.¹⁴ The Committee rejected the contention that marriage is a licence to rape. Thus, a husband can now be indicted and imprisoned up to 2 years, if firstly, there is a sexual intercourse with his wife, secondly, without her consent and thirdly, she is living separately from him, whether under decree or custom or any usage. When the

Law Commission in its 42nd Report advocated the inclusion of sexual intercourse by a man with his minor wife as an offence it was seen as a ray of hope.¹⁵ The Joint Committee that reviewed the proposal dismissed the recommendation. The Committee argued that a husband could not be found guilty of raping his wife whatever be her age. When a man marries a woman, sex is also a part of the *package*.

Many women's organizations and the National Commission for Women have been demanding the deletion of the exception clause in Section 375 of the Indian Penal Code which states that "*sexual intercourse by a man with his own wife, the wife not being under fifteen years of age, is not rape*". There have been not many significant developments over the period of time but in 2012, as an aftermath of the Delhi gang rape case of 2012, Justice Verma Committee was constituted to recommend amendments to the Criminal Law so as to provide for quicker trial and enhanced punishment for criminals accused of committing sexual assault against women.

The Committee submitted its report on January 23, 2013 and gave the following views regarding marital rape:- "The IPC differentiates between rape within marriage and outside marriage. Under the IPC sexual intercourse without consent is prohibited. However, an exception to the offence of rape exists in relation to un-consented sexual intercourse by a husband upon a wife. The Committee recommended that the exception to marital rape should be removed. Marriage should not be considered as an irrevocable consent to sexual acts. Therefore, with regard to an inquiry about whether the complainant consented to the sexual activity, the relationship between the victim and the accused should not be relevant."

Recommendations made by Verma Committee

- i. The exception for marital rape be removed.
- ii. The law ought to specify that:
 - a. A marital or other relationship between the perpetrator or victim is not a valid defence against the crimes of rape or sexual violation;

- b. The relationship between the accused and the complainant is not relevant to the inquiry into whether the complainant consented to the sexual activity;
- c. The fact that the accused and victim are married or in another intimate relationship may not be regarded as a mitigating factor justifying lower sentences for rape.

Though the committee had recommended the removal of the exception for marital rape but no steps has been taken by the legislation regarding it.

In 2005, the Protection of Women from Domestic Violence Act, 2005 was passed which although did not consider marital rape as a crime, did consider it as a form of domestic violence.¹⁶ Under this Act, if a woman has undergone marital rape, she can go to the court and obtain judicial separation from her husband. This is only a piecemeal legislation and much more needs to be done by the Parliament in regard to marital rape.

The Recent Debate before Judiciary

Recently, a PIL¹⁷ before the High Court of Delhi has generated a judicial debate on the constitutionality of exception 2 to section 375, IPC – the marital rape exemption clause. A division bench of acting Chief Justice Gita Mittal and C. Hari Shankar J hearing the PIL against the penal code provision noted that "marital rape is a serious issue, which has notoriously become a part of the culture."¹⁸

The RTI Foundation has filed the PIL in 2015 and other individuals and institutions¹⁹ have also approached the High Court of Delhi challenging the exemption under section 375 as well as section 376B IPC on the ground that it excludes marital rape as a criminal offence. It has been argued in the PIL that the exemption is unconstitutional and violates the right of married women under Articles 14, 15, 19 and 21 of the Constitution. One of the petitioners has challenged the provisions of Cr PC, which are to be read with section 376 IPC on the ground that differential procedure as well as differential

punishment is prescribed, which is arbitrary and unconstitutional.²⁰ Incidentally, the hearing of the case stands intervened by another NGO called Men's Welfare Trust²¹ that claims that laws have already given a special status to a married woman, wherein she is liable to get maintenance, alimony, right to residence from her husband by way of various provisions. In the light of this, men become vulnerable to victimization at the hands of women, who file false cases of sexual harassment, 498-A IPC and domestic violence etc. Men's Welfare Trust pointed out that around 62,000 married men commit suicide every year, which is more than double the suicides by women, with domestic including marital issues being the single largest reason.

The Government of India has filed an affidavit before the High Court of Delhi²² and maintained that "it has to be ensured adequately that marital rape does not become an easy tool for harassing the husbands. The affidavit further maintains that criminalizing rape could destabilize marriages and make men vulnerable to harassment by their wives."

It is a matter of fact that there is very scanty data available on domestic violence including marital rape because of conservative and patriarchal norms²³. There are several countries, including Nepal, US, UK and South Africa, where marital rape has been criminalized, but in India, the response of Central Government, on this issue, has been extremely misogynist and obnoxious. The Central Government has also expressed its wish to implead "State Governments" as there may be a cultural variation on the issue of marital rape.²⁴

It is very disappointing to note the comments of the government, which are obnoxiously anti women at the onset. The government has assumed that 'all sexual' acts by husbands would be labelled as rapes and all wives are potential liars, who would like falsely implicate their husbands. The government's notion that the stability of marriage is ensured by preventing women from filing complaints about rape reveals the true mind set of patriarchs in a conservative society.

The Supreme Court Judgment in *Independent Thought V. Union Of India* [2017]

In a writ petition filed in public interest by a society, Independent Thought, the Supreme Court has considered the scope and viability of exception 2 to Section 375 IPC. The issue before the court was to consider the recognition of marital rape when the husband has sexual intercourse with the wife when she happens to be between 15-18 years of age. This is a landmark decision of Supreme Court whereby the court has held:²⁵

Exception 2 to S-375 of the Indian Penal Code answers this in negative, but in our opinion sexual intercourse with a girl below 18 years of age is rape regardless of whether she is married or not. The exception carved out in the IPC creates an unnecessary and artificial distinction between a married girl child and an unmarried girl child and has no rational nexus with any unclear objective sought to be achieved. The artificial distinction is arbitrary and discriminatory and definitely not in the best interest of the girl child.

The court further held that the artificial distinction is contrary to the philosophy and ethos of articles 15(3) and 21 of the Constitution as well as the International conventions. It certainly violates the bodily integrity of the girl child and her reproductive choices.

The petitioner society pointed out that any person who has sexual intercourse with a girl child below 18 years will be liable for statutory rape even if it is with the consent of the minor girl and the situation is very absurd when the offender happens to be her husband because in such case the marital exemption applies and the husband goes scott free and escapes the punishment completely. It is because of her marriage, the right of such girl child to her bodily integrity and to decline sexual intercourse with her husband is snatched away. Just because of her marriage she does not become mentally or physically fit for such decisions. Pointing out the obligations of the Indian government under Convention on the Rights of the Child, 1990²⁶ to undertake all appropriate measures to prevent the sexual

exploitation and sexual abuse of any person the court observed that the Indian government has persuaded the legislature to legitimize an activity which is otherwise a heinous offence when occurs without marriage. The duality of the marital exemption clause is that it comes in sharp conflict with the provisions of POCSO and JJA. The POCSO defines "penetrative sexual assault"²⁷ which becomes aggravated when the offender is related to the victim.²⁸ Since the Act has got overriding effect²⁹, a very complex and peculiar legal position emerges whereby the husband is exempted from any offence under IPC and he becomes liable to be punished for aggravated sexual assault under POCSO. Similarly, under JJA, a married girl child below the age of 18 years requires care and protection as she is prone to exploitation.

The Supreme Court has pointed out the legislative scheme as is deducible from various legislations that a child is a person below 18 years of age who is entitled to the protection of her human rights; unfortunately if gets married while a child. Her marriage is in violation of law and voidable at her instance³⁰ and the accused husband is liable to be punished under POCSO. The only jarring note is the exemption granted to him under the IPC.³¹ The court took note of the fact that the Committee on Amendments to Criminal law, headed by Justice Verma has also pointed out that the age old notion of a wife being a subservient chattel of the husband is no longer a viable proposition. The Committee has recommended the deletion of the marital rape exemption under the IPC while making the reference that a rapist is a rapist irrespective of his relationship with the victim.³²

With a view to harmonise the provisions of the IPC, the POCSO Act, the JJA and the PCMA, the court has tried locating a resolution, which they feel, is best found in the Karnataka Amendment to the PCMA, 2006.³³ The state legislature has inserted a sub section (1-A) in section 3 of the PCMA³⁴ declaring that every marriage henceforth will be void *ab initio*, if violative of the age requirements specified. Therefore, the husband

of a girl child will be held liable for the offences under POCSO if the husband and the girl child are living together in the same household. The court has observed that "it would be wise for all state legislatures to adopt the route taken by the Karnataka legislature to void child marriage and thereby ensure that sexual intercourse between a girl child and her husband is a punishable offence under the POCSO Act and the IPC."³⁵ The court has considered various options to lessen the turmoil of the girl child and observed:³⁶ We are left with absolutely no other option but to harmonise the system of laws relating to children and require exception 2 to section 375 IPC to now be meaningfully be read as: "Sexual intercourse or sexual acts by a man with his own wife, the wife not being under eighteen years of age, is not rape." It is only through this reading that the intent of social justice to the married girl child and the constitutional vision of the framers of the Constitution can be preserved and protected and perhaps given impetus.

The *Independent thought judgment* is indeed a vivid illustration of judicial activism and craftsmanship to give a socially viable interpretation to a provision incorporating a dead concept in the legislation. But at the same time, it is a little disappointing to note that how the Supreme Court on more occasions than one, has very categorically stated that they would not like to make a comment on marital rape generally where the age of the wife is 18 or more than 18 years.

Conclusion

Healthy mind stays in healthy body and then only the society develops. Every woman has a fundamental right to stay healthy and away from any violence, being a human being and not being treated as a mere object for sexual gratification of others. The situation demands a strict law with stricter implementations to protect women from rape by their husbands and to have a deterrent effect on the husbands who can't tolerate a "NO" of their partners. There is also a need to educate the masses about this crime, as the real objective of criminalizing marital rape can only

be achieved if the society acknowledges and challenges the prevailing myth that rape by one's spouse is inconsequential.

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(1-A) Notwithstanding anything contained in sub s. (1) of sec of PCMA, every child marriage solemnised on or after the date of coming into force of the Prohibition of Child Marriage (Karnataka Amendment) Act, 2016 shall be void *ab initio*.
- Supra* note 76 at 47.
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