

# STATE'S ROLE IN UTTARAKHAND'S GROWTH STORY:(A STUDY OF 10 YEAR PERIOD 2000 - 2010)

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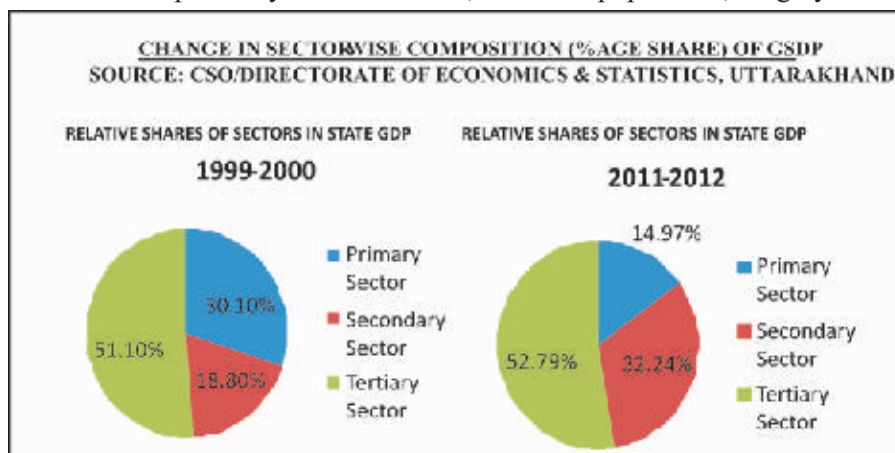
## ABSTRACT

Uttarakhand became the 27<sup>th</sup> state of the Union of India on the 9<sup>th</sup> of November 2000 after a long standing demand for a separate 'hill state'. The completion of fourteen years of statehood is an appropriate time to make an appraisal of what 'hill' and 'people' have attained so far. The demand for the state of Uttarakhand was rooted in a developmental agenda. It was driven by the belief that the needs of the people would be best served by the government closer to the people and more responsive to them.

At the time of state formation the shift in development paradigm from state centric development model to market driven developmental model, initiated in 1991 Liberalization Policy, had firmly entrenched itself and the Indian economy was beginning to post impressive growth rates. With the resources at its disposal (forest, hydroelectric power potential, scenic beauty and good climate, agriculture, etc.), Uttarakhand also endorsed a market friendly regime.

Uttarakhand has reported an impressive growth rate of GSDP so far. Since its formation, the GSDP of Uttarakhand has grown by close to 9 percent annually. This is above the national average. Agriculture and allied activities account for 14.9 percent of the GSDP, mining and industry account for 32.24 percent of GSDP while services account for 52.7 percent of GSDP.

This pattern of growth has some clear implications- The major beneficiaries of the economic growth of the state are in the secondary and tertiary sectors. Given that these sectors are primarily urban in nature, the urban population, roughly about 26



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percent of the population of the state as per the 2001 census, emerges as a clear beneficiary. As the agricultural sector, which as per various estimates, is the main source of livelihood for 65-78 percent of the state's population, has not been in the forefront of the growth story of the state, those engaged in this sector emerge as the "lesser beneficiaries" of the economic growth of the state. Finally as bulk of industrialization and resulting employment creation have happened in the plains, the 50%t population of the plains emerges as one of the main beneficiaries of the economic growth.

Agricultural-non-agricultural disparities, industry-led growth and growing hills- plains disparity are interrelated.. The fact that recent growth is industry-driven should not in itself be a matter of concern, as it may be more sustainable than the services-led growth.

## **OBJECTIVES OF THE STUDY**

The chief objective of the paper is to assess the measures adopted by the state government to remedy the problem of 'lop sided' growth in the state. These measures relate to industrial development in the hills, hill based agricultural interventions, and service delivery.

## **METHODOLOGY**

The present study draws largely from the secondary data available through the prestigious publications of the centre and state government.

## **CHALLENGES BEFORE THE STATE IN 2000**

- Utharakhand was the 11th state to be granted the Special Category Status in May 2001. Uttarakhand was also inherited a total liability of Rs.3,185.91 corers (CAG 2001) from its parent state.
- The per capita G.S.D.P of Uttarakhand for 1999-2000 (current prices) was Rs. 15448/- below the national average of Rs 17,847/- Between 1993-94 and 1999-2000, the national economy registered a growth rate of 6.6%, while the G.D.P growth of Uttarakhand hills during the same period was 2.9% In Uttarakhand in 2001 almost 40% of the villages had no access to roads and access to water sources was also difficult in the villages. 60% of the villages were electrified in the state in 2001.
- At the time of state formation, the nation had made a considerable shift to market driven growth. Like other states of India Uttrakhand had to acknowledge the role for market. Hence market acquired a vital role in the making of the new economic policies.
- While agriculture in the plains is already geared towards market ,being an important producer of cash crops such as sugar care, agriculture in the hills is characterized by huge untapped potential.

- Forests cover 57.7 percent of the states's geographical area. Most of this forest is under the control of the forest department, the revenue department and van panchay- ats. This sector reports a declining contribution to G.S.D.P.
- Uttarakhand has a large identified potential of hydro electric power generation. However, many HEP have been delayed due to the differences of opinions amongst stakeholders on the long-term impact of such projects.
- Tourism in Uttarakhand holds enormous promise. But the lack of proper management of this sector has lead to negative externalities.

## **THE GROWTH STORY OF UTTARAKHAND**

Even though the state started form a low base, the consistency and rate of growth suggest a momentum in the economy. In this state it has been the Government's intervention that has stimulated this growth process, that helps to sustain it and correct the lop-sidedness of the same.

## **GOVERNMENT'S ROLE / STATE ACTION IN THE DEVELOPMENT OF THE HILL STATE (2000 - 2010)**

The state government and other affiliated stakeholders have instituted a number of measures to correct the existing imbalance between sectors and regions- This paper focuses on the ongoing initiatives of the state and how they can be built upon.

### **Industrial Development in the Hills**

The Industrial Polity 2003 led to an unbalanced growth in industries. In order to rectify the lop-sided nature of industrial development in the state, the state government promulgated the Integrated Industrial Development Policy 2008 for the hilly and remote areas of Uttarakhand.

**Table1: Growth of industries in Uttarakhand (2001-2011)**

<b>CULUMTIVE PROGRESS UPTO</b>		
<b>Item</b>	<b>2000</b>	<b>2011</b>
No. of small and medium industries	14,163	39,160
Investment in small and medium industries (Rs. in Crore)	700	6,776
No. of large scale Industries	41	215
Investment in large scale Industries (Rs. in Crore)	5,753	26,955
Total Employment Created	67,600	2,54,000

Source: Uttarakhand 12<sup>th</sup> Five Year Plan & Annual Plan 2012-13

## **KEY FEATURES OF INTEGRATED INDUSTRIAL POLICY OF UTTARAKHAND.**

- A. Industrial activities were specially identified and categorized into manufacturing and service sectors under a Special Industrial Promotion Package.
- B. Development of industrial Infrastructure in the State, particularly in the hither to neglected areas.
- C. Encouragement to entrepreneurial development through market encouragement.
  - Financial support to entrepreneurs.
  - To promote industrial development in the State, State Infrastructure and Industrial Development Corporation of Uttarakhand SIDCUL was incorporated. SIDCUL provides financial assistance in the form of debt, equity and venture capital to facilitate industrial growth and infrastructure. It also provides assistance to private initiative in industry and infrastructure. SIDCUL facilitates implementation and management of projects.

Major financial incentives provided by the State Government are as follows:

- 100% income tax exemption for first five years and 30% for next five years for the companies and 25% for others.
- 100% central excise exemption for ten years on items other than those mentioned in the negative list in the concessional industrial package announced by the Central Govt.
- Exemption from entry tax on Plant and Machinery for setting up industry or undertaking substantial expansion and modernization.
- Capital investment subsidy at the rate of 15% subject to a maximum of Rs. 30 Lakhs.

### **Hill based Agricultural Interventions**

The near stagnation of the agricultural sector should be a cause for concern. Agriculture continues to be the single most important employer in the state.

Small size of land holdings and lack of access to irrigation and other inputs are the two major constraints on increasing productivity. The yield of paddy and wheat are about 1950 kg per hectare, way below the national average. Seed replacement rate in the plains (High Yield Varieties) is 15 to 20 percent as against 2 to 3 percent in the hilly areas.

The state government has instituted a number of measures to accelerate the rate of growth of the agricultural sector.

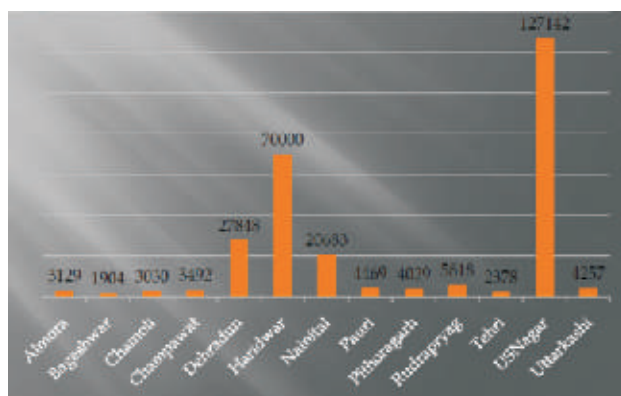
- Organic farming is one such initiative. More than 1200 villages have been declared as 'bio-villages' in which several organic producer groups ('OPG'). The bio-villages are under the supervision of 'master trainers' at that block level. Emphasis is being given to bringing all the agricultural land of the bio-village under organic farming to increase the volume of organic products. The

vision of the Uttarakhand Organic Commodity Board ('UOCB') was to bring 100,000 farmers into organic farming mode by 2010 and it was able to do so.

- Horticulture is being promoted in the state along with cash crops. The area of production of fruit and vegetable crops in the state during 2006-07 was 1.87 hectares and 5992 hectares respectively. The yield in the same period was 7.16 lakh metric tonnes of fruit and 4.69 lakh metric tonnes of vegetables.
- In the floriculture sector, open cultivation of cut flowers such as gladioli, marigold, tuber rose and rose has been practised in Dehradun, Udham Singh Nagar and Nainital districts since the last decade. 562 hectares is under floriculture, yielding and output 640 metric tonnes. Gladioli and marigold occupy 72 percent of the area under floriculture .
- Medicinal and aromatic crops have been identified as a key growth area in the state. The Herbal Research and Development Institute ('HRDI') at Gopeshwar, Chamoli, is the nodal agency for the development of medicinal and aromatic plants in the state.. Various research institutes such as GP Pant Institute of Himalayan Environment and Development are involved in the research and development of medicinal plants. A few private companies, such as Dabur India, are also involved in research and development activities. Forest Development Corporation of Uttarakhand has been entrusted with the work of collection and marketing of herbs from the state, in addition to Kumaon Mandal Vikas Nigam Ltd and Bhesaj Sanghs. Three herbal markets have been established at Bibiwala, Tanakpur and Ramnagar.

On the 6th of December 2010, the state government announced plans to subsidize and introduce 20,000 poly-houses. Some of the related agricultural interventions include off season vegetable cultivation, medicinal and aromatic plants, floriculture, poultry, and dairy.

The farmers are adopting new crops and strategies slowly at best. Intake of credit in also suggests that hill agriculture is unable to get out of the state of inertia.



**Fig. 1: Average agricultural Advance per cultivator (Rs.)**

Source : States focus papers Uttarakhand 2010-2011

Government and non-government initiatives in the state have tried to address the issue of scale by adopting the Self Help Group ('SHG') model, federating SHGs and by adopting cluster approach to development. In 2009 there were 33,426 SHGs in the state. There is also the state government initiated *Atat Adarsh Gram Yojana*, designed on cluster approach.

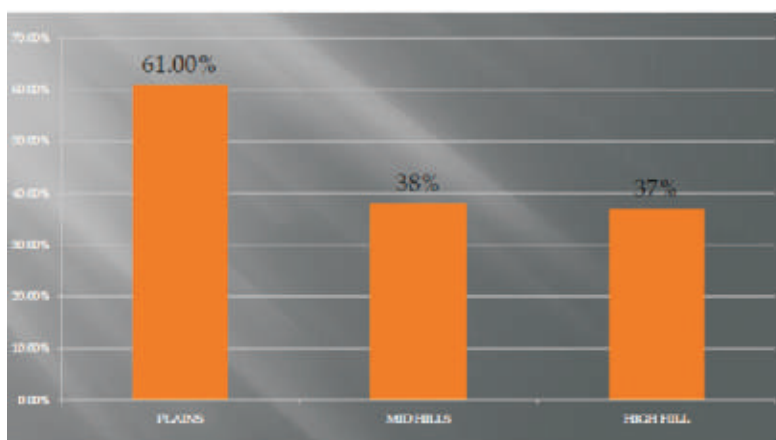
In January 2011 the Uttarakhand adopted the Uttarakhand Agriculture Produce (Development and Marketing) Bill, which seeks to promote new reforms as well as private investments in the agriculture sector.

### Focus on Improved Service Delivery

Service delivery in the hilly terrain has always been a challenge, especially when the problems of terrain are compounded by sparse and scattered population. Unfortunately, service delivery is also a key indicator of good governance and central to enabling environment. Trends in various social and economic indicators suggest that service delivery has improved considerably in the last ten years, infrastructure for service delivery has been created, and coverage has expanded.

There are also indications that a greater proportion of development funds per capita is going to the hilly districts. However, as per the Memorandum to the 13<sup>th</sup> Finance Commission submitted by the state government access to services continues to be an area of concern. Furthermore, it declines dramatically from the plains to the hills.

The state government has attempted to streamline service delivery through various initiatives. Various boards set up at the outset such as the Bamboo Board, Tourism Board, Organic Board etc. were attempts to improve innovation and service delivery through such services as capacity building, input provision, linkages, certification etc. More recently, it has adopted cluster approach in one of its flagship programmes, *Atai Adarsh Gram Yojna* to develop *Nyay Panchayat* headquarters as



**Fig. 2 : Access to services by region**

**Source:** Uttarakhand diagnostic study of building a mountain dtate (2010)

service provision centres and possible growth poles for the villages falling under the jurisdiction of the *Nyay Panchayat*. In addition PRI and NGOs have played key role in service delivery. The government often works closely with them but this cooperation could be improved and made more efficient.

The government of Uttarakhand has also attempted to promote Public Private Partnership ("PPP") in the state to improve service delivery. There is an Asian Development Bank ("ADB") supported PPP cell in the State Planning Commission. A number of PPP initiatives are on board.

E-Governance has been one of the major factors in improving governance, especially in states that have been pioneers in information technology. Uttarakhand has also taken some important initiatives in the area of e-governance. The flagship e-governance initiative of the state, Dev-bhoomi, was launched on the 9th of November 2006 with the objective of making available the entire Land Records Data of all the 13 districts in the state on Internet. Similarly, the Department of Social Welfare has a project to improve its functioning and make it more responsive to the needs of the people it serves.

## **ANALYSIS AND CONCLUSION**

By 2000, the dominant economic model in India had shifted from 'state driven' to one where market had pre-eminence. With states expected to raise funds for their growth, they felt obliged to cash their competitive advantages to attract private investment. Uttarakhand did likewise. As a result investment and growth concentrated in the more favourable parts of the state. This is understandable. But such a pattern of growth is likely to be resented.

The growth process in the hills has been slower than expected. Most of the growth has been on the back of construction, public administration expansion, and manufacturing. As public administration and construction cannot expand indefinitely and sops driven industrial growth cannot be forever supported by the central government, the state should re-examine its growth paradigm. Even after a decade of 9 percent annual growth in GSDP, 47% of the rural families of Uttarakhand continue to live below the poverty line.

The hardware components such as warehouses and soil and water conservation, and software such as credit and cooperatives are the arrangement and institutions which are important in modernization of agriculture and orienting it towards the market. Whilst it is not denied that some government programmes are directed towards such activities, together these receive only 7.8 percent of the Public Expenditure on Agriculture and Allied Activities and their share is declining.

While the need for a vibrant agricultural sector cannot be denied, it is also important to recognize that given the characteristics of the hill agriculture and the



structural limitations imposed by geography, there is a need to be realistic in expectations from this sector.

There has been some progress on social sector front over this ten year period. Physical access to initiatives in education and health has increased as evident from the increased numbers of colleges and hospitals in rural and hill districts. But this increase is not reflected in corresponding outcomes. For example, the average number of population served per doctor in Uttarakhand is 8507 compared to other hilly states such as Meghalaya (5079), and Manipur (4048).

The declining share of expenditure on education as ratio to aggregate expenditure should also be a cause for concern.

### **Uttarakhand spends the lowest fraction of GSDP on the social sector.**

The per capita social sector expenditure in Uttarakhand is Rs. 3969 as compared to Rs. 5838 in Himachal Pradesh.

Uttarakhand may have a higher than average literacy rate but is a skill deficit state. It has, however, adopted a growth model, which demands a skilled workforce. As a result, many of the jobs created by this model have been taken by people migrating to the state from other parts of the country. The bulk of local people unable to participate in the growth process, on account of lack of skills, have had to seek their fortune elsewhere. Accordingly Uttarakhand reports a higher than average rate of out migration and has become a supplier of unskilled/semi-skilled workforce to other parts of the country.

People of the state will not be able to benefit from its growth if they are not factored in the growth model. To be able to join the growth story, however, they will need skills. The state machinery will have to play a key role in building this skill base. While there is scope for private participation in building human capacity and skills, the role of the state is vital, as private investment is less likely to flow to remote and less profitable areas where investment is needed the most.

### **Effective governance is the key to addressing the aspirations and the needs of the people.**

The divergence of growth trajectory with high variation between hills and plains possibly demands that the two economies have to be approached by recognising their distinct nature, factor endowment and development aspirations. The state may have to work with two different development models - one for the hills and the other for the plains - with linkages consciously forged between the two. Certainly market does have a role but the enabling role of the state needs to be emphasized.



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# ENVIRONMENTAL SECURITY IN SOUTH ASIA: A COMPARATIVE ANALYSIS OF INDIA AND BANGLADESH

Satyendra Singh Narwaria\*

## ABSTRACT

*The fast depletion of natural resources that has resulted in the scarcity of resources and degradation of environment, and the subsequent conflict over resources within and among the states, has given rise to a growing concern for environmental security all over the world. It may be pointed out here that since the beginning of human civilization, man has been imposing his needs and demands on the environment. Therefore, the concern of human beings to the environment has been always and obvious. But now with the depletion of natural resources the concern for environmental security is being advocated. This paper will analyze environmental issues in the context of South Asia. It may also be added here that in a situation as stated above, any stress on the environment can cause conflicts involving violence within the state as well as between the nation-states. This Paper will also look in to other issues related to the environment degradation in India and Bangladesh*

**Keywords:** *Environmental Security, India, Bangladesh, Natural Hazard, Degradation, Population Displacement*

## INTRODUCTION

The rapid diminution of natural resources that has led to the paucity of resources and the degradation of environment on one hand and the resultant intra and inter-state conflict has given rise to a growing concern for environmental security all over the world. It is being widely accepted that the environmental scarcity and the environmental degradation pose a threat to the national security. Hence, there is a close linkage between the environmental degradation and the national security<sup>1</sup>. In the recent years, it has been widely accepted environmental security is a significant dimension of national and regional security frameworks of the nation-states. It has been observed that in recent years the concern for environmental security is being promoted.

Former President of the United States (US) Bill Clinton described South Asia as the most dangerous place on earth. He said that cold war era is well past and today's international environment is characterized by regional conflict and economic competition. In 1993, the US Secretary of Defense defined the four dangers that threaten international security as: regional dangers, nuclear dangers, dangers to democracy and economic dangers. Since environment is the major

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<sup>1</sup> H. Westing (ed.), *Global Resources and International Conflict: Environmental Factors in Strategic Policy and Action*, Oxford University Press, New York, 1986.

variable in all of these dangers, it is now considered to be relevant issue to those who craft international security policy.

It is true that there is a growing awareness on environmental issues in almost all the countries of South Asia in the last few years and many countries have persuaded environment friendly policies in sectors like agriculture, industries, health and others.

Bangladesh is historically and geographically close to its nuclear-armed neighbour India. India has always been an important and prime factor in the making of foreign policy of Bangladesh and for the country's security concerns. This paper will analyse environmental issues in the context of South Asian region. As a preliminary note it can be said that in a highly populated (rather overpopulated) and resource scarce region with ill coordinated development activities, threats to environment become more prominent. Therefore, there is a greater need for securing the environment in such areas. It may also be added here that in a situation as stated above, any stress on the environment can cause conflicts involving violence to allow to very high magnitude within the state boundaries as well as between the states<sup>2</sup>. This Paper will also look into the different issues related to the environment degradation in India and Bangladesh.

### **Environmental Security: A Conceptual Framework**

Environmental security represents a significant departure from traditional approaches to study. The traditional concept of security surrounded along defending territory and political integrity of a country. The state was responsible for defending its sovereignty and integrity and armed forces were assigned to this duty. The state alone had to perform this responsibility as there were no such other institutions which could share it.

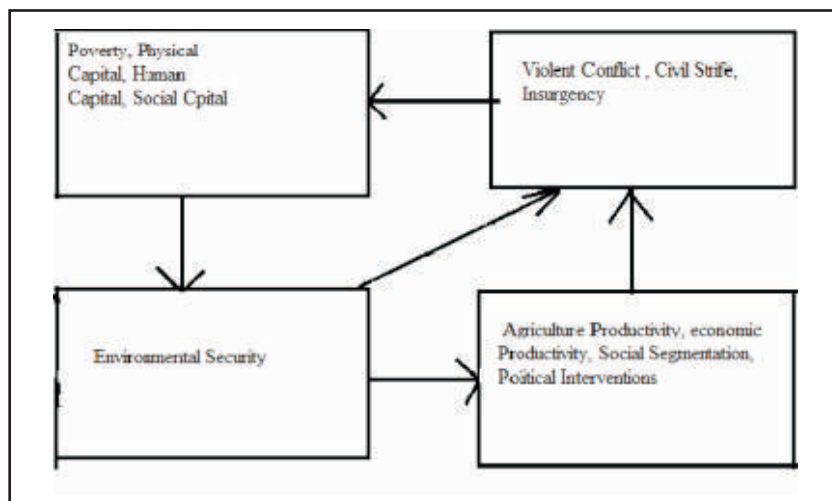
The environmental security has become an important dimension of the comprehensive national security. The environmental security as a concept was officially mentioned for the first time in the General Assembly of the UNO in 1987<sup>3</sup>. Since then, it has become a significant aspect of security studies both in theoretical and empirical contexts. It has been widely accepted that the indiscriminate attitudes of people and the governments towards the environment, the self-interest, over exploitation of resources, etc., have caused scarcity of resources and their fast depletion as well as degradation of the environment. This has caused conflicts and violence among and between the states.<sup>4</sup> The scarcity of resources may give rise to a conflict for the remaining resources. Therefore, there is a need to secure the environment. The security of the environment needs a positive attitude towards it.

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<sup>2</sup>Homar Dixon, "On the Threshold: Environmental Changes as Causes of Acute Conflict", *International Security*, vol. 16, No. 2, fall 1991.

<sup>3</sup>Our Common Future, UCED, Oxford University Press, Oxford, 1987

<sup>4</sup>F. Thomas and Homer Dixon, *Environment, Security and Violence*, Princeton, NJ, 1999:48.



**Fig. 1: Relationship between Environmental Stress and Violent Conflict**

Thus, environmental security may be defined as avoidance of negative linkages between human activities and the environment.

The relationship between environmental stress and conflict is therefore characterized by multi-causality, reclusiveness and feedback loops. Just as environmental stress can lead to conflict under unfavorable social, economic and political conditions, conflict can lead to environmental stress. Both characteristics are inherent in the two case studies in South Asia discussed in this paper and can be illustrated by figure 1.

So we can say that the environment as security means ordering and managing the resources and the biospheres activities. It is related to the establishment of a proper human nature relationship.

According to the world commission on sustainable environmental development (Brut land commission report, 1987) entitled “our common future, the whole nation of security as traditionally understood terms of political and military threats to national sovereignty must be expanded to include the growing impact of environment stress, locally, nationally, globally and regionally. There is no military solution of environmental security. The report further says we have in the past been concerned about the impacts of economic growth up on the environment. We are now forced to concern ourselves with the impact of ecological stress upon our economic prospects.

Environmental security has introduced an interdisciplinary perspective into security studies. “Environmental security encompasses the interactive dynamics of the diverse human and natural networks that constitute the modern world” (Matthew and Mcdoland 2004: 36). “The link between environment and security has a long history that is suitable to understand the relation between the two.

Furthermore, environment as a resource has strategic significance for nation-states who build power through natural resources like water, oil, gas, and various other minerals” (Biswas 2011: 1).

Hassan (1991:56) discusses “the relationship of environmental degradation of a nation and its effect on the economy. According to his argument, continuous environmental calamities decrease the economic growth of a nation, hamper its social cohesion, and destabilize its political structure. Environmental change reduces economic opportunities for a country by causing demographic displacement within states and across international borders. Environmental stress can also cause an affected sub-national group to shift its allegiance from the centre to the periphery, increasing the possibilities of political disorder, civil strife, and even insurgency.” (Hassan 1991:58).

According to Deudney (1991), “the concept of national security, as opposed to national interest or well-being, has been centred upon organized violence. He gives the example of natural calamities like earthquakes or hurricanes that had caused excessive damage; he opposes the notion that such events are threats to national security. In 2000 International Union for Conservation of Nature (IUCN) and Organization for Economic Cooperation and Development (OECD) report advocated the idea that security and insecurity are closely related to poverty, resource scarcity, and social discrimination. This approach also advocates that environment-induced conflict is one of the many factors influencing individual or societal security.”.

Lodgaard (1990: 17) relates that “there is a conceptual kinship which makes it natural to speak of security in both connections, under certain circumstances, irreparable environmental degradation or ecological system in dramatic change may increase the likelihood of violent conflict erupting.” The Oslo Workshop (1986) on the linkages between environment and security emphasized that theorists must move beyond traditional thinking about security concepts and consider a series of environmental factors underpinning the material welfare and these factors include such natural resources as soil, water, forests, grasslands and fisheries, all prime component of nation's natural resources base. They also include climate pattern and physiologic cycles that maintain the life support system of nation.” (Islam 1995: 327). Therefore there are a number of aspects by which environment security relationship can be viewed. Conflict over the resources is another dimension of environment and security relationship that share by the number of countries.

According to Buzan (1983:83), “threats to national security might also come in ecological forms, in the sense that environmental events, like military and economic ones, can damage the physical base of state, perhaps to sufficient extent to threaten its idea and institution.” Similarly, Lodgaard (1986:251) feels that “the concept of environmental security challenges established frames of mind and

political conflicts and it conveys a message that environmental problems have a legitimate claim for status as military problem have.”

The impact of environmental degradation and consequences of environmental changes are increasingly associated with non-conventional notions of security. Considering the environment as a threat to individual, national, or global security has created a new agenda in the discourse of security studies. The increasing scope of international security now readily includes environmental degradation, global warming, and climate change. These issues have extended human understanding of environmental change, conflict, and vulnerability and explored the roles of conservation and sustainable development in promoting peace, stability, and human security.

The importance of understanding environmental security is two-fold. First, one has to understand the transformations in the theoretical developments of the concept of security. 'Second, one also has to envisage the link between environmental change and livelihood strategies of human beings on the local level and the broader impact of environmental changes on a society. These two dimensions help define environmental issues as important factors of security.

### **Approaches to Environmental Security**

It is clear from the definition of environment security that the central thrust of environmental security is to secure the environment. But the question is how to determine the phenomenon of environment? In this regard there can be two major approaches to define the environment concern.

- The first approach confines environment to the nature and the problems and constraints related to it. It can be termed as ecological approach. This approach is too narrow in its scope, as nature alone is not responsible for many types of hazards. How it is being exploited and protected is equally important.
- The other approach has been termed as the maximize approach and it includes both the ecology and its human domains. This approach takes into consideration the interaction between the two. It believes that the excessive dependence of human beings affects the environment. Also the depletion and degradation of the environment affects human beings. The environmental security has to include both the domains and understand their inter-linkages. In fact, the uses of environment and its proper maintenance are related to the human domains.

It may also be added here that the question of environmental security has to be addressed in a broader perspective. Both the living non-human domains and the human domains have to be included within the purview of environmental security. It is also important that a futuristic attitude has to be adopted in securing the environment. Today's environmental hazards can be environmental challenges for tomorrow. Therefore, it is not sufficient that today's needs and demands are kept in view. It is equally important that the possible human-environment inter-linkages are taken into consideration in securing the environment.

In the next section, I will try to focus on the environmental, social and demographic issues that are very relevant for the environment security in South Asia as well as in India and Bangladesh.

### **Major Environmental issues in South Asia: India and Bangladesh Nexus**

The focus on environmental problems in South Asia as in the case of other developing countries is more on local and regional systems such as cropland, forests, water and marine resources on which the bulk of the population depends for its livelihood.

#### **The major environmental issues in South Asia are as follow as:**

There are five major environmental issues in South Asia. These include population explosion, poverty, threat to bio-diversity, cross-border migration and conflicts, natural and other hazards. The fifth category is further divided into eight threats that include river erosion, desertification, deforestation, problem of flood and drought, water availability and water quality, land degradation, air pollution and climate change. It is important to discuss each of these to understand the issues holistically.

#### **1. Population Explosion**

Population has a direct bearing upon resources and the environment at large. There has to be a balance between population and resources. Otherwise, it is bound to create environmental hazards. South Asia is one of the most densely populated regions of the world. The total population of South Asia is 1728.5 million (2011, HDR, UNDP)<sup>5</sup>. The region holds more than 24 per cent of the world's total population. It has only 3.5 percent of the total land area of the world. It shows that the region has much population in comparison to its total land area.

India is the second largest populated country in the world as it holds the largest share of the population of the region with 1241.5 million populations. Similarly, Bangladesh shares 150 million population in the region. Bangladesh is overpopulated compared to its total land area.

It is clear that all these countries are over populated. The excessive pressure of population on resources causes numerous environmental problems and constraints. The problem of environmental depletion and environmental scarcity are closely associated with the problem of uncontrolled population growth.

#### **2. Poverty**

There is a direct correlation between population, poverty and environmental degradation. The poor countries are more vulnerable to environmental changes.

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<sup>5</sup>HDR- Human Development Report UNDP- United Nation Development Programme  
Note- all the value on the basis on the Human development report published by the UNDP, 2011



Hence, they are more prone to environmentally induced conflicts. Poverty and underdevelopment affect the environment by causing environmental depletion and scarcity thereby contributing to environment related conflicts. The poverty conditions in South Asia can be understood by the fact that the region generates only 1.2 per cent of world's total income. The Human Development Report South Asia states that 32.3 per cent of the total population is below poverty line in the region. Bangladesh having 40 per cent and India is much lower than it, India's 27 per cent population under the poverty line.

Nearly 22 per cent of the total population is without access to health services, 63 per cent population without access to sanitation facilities and 11 per cent without access to safe drinking water. These data clearly show that the South Asian countries are faced with the challenges of poverty and underdevelopment.

### **3. Threat to biodiversity**

The South Asian region is rich in biodiversity. The different ecological regions like mountains, hills, plains, deserts and the seacoasts have specific varieties of flora and fauna. Climate change, with the concomitant increase in temperature and sea level rise, is a real threat to the whole ecosystem and biodiversity of the country, especially the Sunderbans. The Sunderbans might be completely inundated by a one-meter rise in sea level. The area may shrink and many flora and fauna species may face extinction. The development of roads, construction of dams, fast depletion of forests, pollution of rivers, excessive exploitation of plants, species and floral varieties for individual and commercial uses have posed threats to biodiversity. The issues involved here are biodiversity conservation and growth, protection of intellectual property rights, patents, security from bio-imperialism, etc.<sup>6</sup>

Due to reduced water flow and salinization, the mangrove forest in the coastal area face the problem of regeneration, along with the possible extinction of wild life, aquatic habitats and various species of plants and trees.

Serious degradation has accrued in the Sunder bans, which is recognized as a world heritage site by UNESCO, due to lack of sweet water. Apart from this, the western part in India has great interferences in its rich biodiversity due to construction of rail, road, cutting the forest, and high degree of urbanization process.

### **4. Cross Border Migration**

Migration from Bangladesh is largely a result of a high population density, poor natural resource base, vulnerability to natural disasters and an undiversified economy that depends primarily on rice and jute. Environmental degradation as well as population pressures on the scarce natural resources in Bangladesh has

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<sup>6</sup> Surender Singh Chauhan, *Biodiversity, Biopiracy and Biopolitics: The Global Perspectives*, Kalinga Publications, Delhi, 2001.

contributed to a large scale migration of Bangladeshis to the north-eastern states as well as to some of the large urban centers in India. Though the exact number of migrants from Bangladesh to India is difficult to assess, about 20-23 million Bangladeshis were estimated to have migrated to India by the year 2008. The north-eastern states in India have attracted large scale migration largely due to the low population densities, and fertile agricultural land, even though the economic conditions may not be ideal in these states. These factors have contributed to providing cheap unskilled labour and agricultural land as a means of livelihood for the immigrants. In many instances the immigrants have benefited at the cost of the development of the original inhabitants thereby leading to adverse social, economic, environmental and political impacts.

As is evident from the above discussion, environmental degradation and resource depletion are the two main factors that contribute to population movement and subsequent conflict. Other key factors include rapidly growing populations and inequitable distribution of income and resources. The poor have been the worst affected as a result of environmental problems. This implies that policy recommendations focus on sustainable resource utilization, consider the factors that underlie the population growth rates, and address the inequitable distribution of income and access to resources within and between countries. Greater effort is also required for improving environmental awareness at all levels, involving local communities in environmental programs and increasing support for NGOs to assist the government agencies in environmental protection.

## 5. Natural and Other Hazards

The region is prone to numerous kinds of natural hazards having direct curse on the environment of the region. In South Asia, forests play an important role in the developmental process as well as catering to the needs of the people. People have depended on forests for food firewood, fodder, manure, medicinal herbs, timber, etc. Forests play a significant role in soil and water conservation, reduction in air pollution and improvement of the environment, preservation and conservation of wild life, storage of water and controlling the greenhouse effect.

**Table: 1 Environmental Sustainability**

Region/State	Ecological Footprint (hectare per capita) 2007	Greenhouse gas emissions per capita (tons of carbon dioxide equivalent) 2005	Natural resources depletion ( % of GNI-gross national income) 2009	Forest area ( % of land area) 2008	Change in forest area ( %) 1990-2008
South Asia	1.0	0.8	6.2	5.5	-1.3
India	0.9	0.7	4.2	22.9	6.6
Bangladesh	0.6	0.7	2.6	11.1	-3.1

**Source: HDR, 2011 published by UNDP**

The South Asian region is vulnerable to a range of natural disasters with varying severity. This coupled with the lack of infrastructure and technological preparedness to predict and cope with natural disasters has led to a large-scale devastation on a periodic basis.

According to above mentioned data it is clear that the environmental sustainability in this region is not well. South Asia has only 5.5 per cent of land area under forests. India has 22.9 per cent and Bangladesh share 6.6 per cent of total forest cover of the region. The depletion of forests has serious ecological impact such as soil erosion, change in rainfall, temperature variation and shrinking of water resources.

In India and Bangladesh, for instance, floods and cyclones have caused widespread devastation on an annual basis, while the north-eastern Himalayan region represents the greatest seismic hazard in the Indian subcontinent.

Bangladesh alone has experienced some of the most devastating flood. In Bangladesh 18 to 19 million people are affected by floods every year. The whole country is seriously affected by flood during the monsoon season.

Due to natural disasters Bangladesh has a higher number of dead persons, which amounts to 6 million people annually.

**Table: 2 Impact of natural disasters**

<b>Region/State</b>	<b>Number of deaths (average annual per million people)</b>	<b>Population Affected (average annual per million people)</b>	<b>Water pollution (per million people)</b>	<b>Population living on degraded land (%)</b>
South Asia	2	36336	443	9.9
India	2	41245	405	9.6
Bangladesh	6	47203	469	11.3

**Source: HDR, 2011 published by UNDP**

This is followed by India where 2 million people die annually. Joint River Commission has identified the two cases for floods in Bangladesh such as:

- a) Releasing of water from the reservoirs in India
- b) Upstream water enters Bangladesh crossing over the border.

In India during the monsoon period many states face flood problems for instance Bihar, U.P., West Bengal that suffer from severe conditions of flood. We know that there is a direct co-relationship between environmental change and flood.

According to IPCC 4<sup>th</sup> assessment report, in the case of Bangladesh it is written that one third of the country may be submerged by 2050 due to sea level rise. It has been estimated that one metre rise in sea level would cover 14 per cent land area of the country and thereby displacing 10per cent of its total population. In India

both the coastal regions (Western and Eastern) are facing serious problems due to increase in sea level.

Erosion in Bangladesh is a regular and recurring phenomenon. Erosion of land surfaces, riverbanks, and coastal areas is already causing serious problems for the country. An increase in rainfall in summer is apprehended due to climate change, and this would in turn increase the surface erosion. Land erosion will intensify through current deforestation and other land use practices (such as *Jhum* cultivation). Riverbank erosion is a serious problem in Bangladesh. It is a process largely controlled by river dynamics. The disruption in the life of many local communities is almost a continuous process, due to riverbank erosion, and the changing course of rivers. During floods; riverbank erosion becomes very acute, and leads to loss of valuable land.

Soil salinity and acidification also affect large areas under cultivation in Bangladesh and the northern region of India. Over thirty per cent of the net available cultivable land of Bangladesh is located in the coastal areas. But it has been observed that all the coastal cultivable lands are not being utilized for crop production, mostly due to soil salinity. Increased soil salinity limits growth of standing crops and affects overall crop production, and also makes the soil unsuitable for many potential crops. Soil salinity has been considered a major constraint to food grain production in coastal areas of the country (Huq, *et al.*, 1999).

Groundwater depletion emerged as a major concern in India and Bangladesh. It is estimated that as much 70 to 80 per cent of the agriculture production in India depends on groundwater irrigation (*CGWB, report*)<sup>7</sup>. States like Haryana, Rajasthan, Delhi, Punjab, Gujarat, and Maharashtra the extent of over exploitation of groundwater ranges from 100 per cent to 260 per cent as compared to the critical level of 85 per cent. Similarly in Bangladesh, a fall in water table in the northern and central parts of Bangladesh has resulted in severe water shortage. In Bangladesh arsenic concentration of groundwater has been linked to the intensive use of fertilizers and is a potential hazard for about 1 million people.

India and Bangladesh have severe flood conditions every year that cause problem for agriculture production, causing food scarcity, scarcity of fodder, scarcity of drinking water, hunger and unemployment.

Decline in water quality as a result of untreated sewage and industrial effluents is a growing concern in the South Asian region. In India an estimated 10,286 million liters of sewage is discharged into the Damodar River every day. Similarly, the total pollution load in the Yamuna River has been assessed at 1,286 million liters per day. In Delhi alone, 17 big drains are discharging about 1,068 liters of sewage daily into the Yamuna River. A survey of the major Indian rivers which form a part of the regional river systems shows that while most can support aquatic

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<sup>7</sup>CGWB- Central Ground water board.

life, the water is completely unfit for drinking or even bathing. Similarly in Bangladesh, water pollution from raw sewage, industrial wastes and agricultural run-off has assumed great significance.

The anthropogenic sources of sulfur dioxide (SO<sub>2</sub>) emissions that result in acid rain include coal based power generation, vehicular emissions and household energy used for cooking. The effects of coal burning tend to be spread over large areas, resulting in acid rain and fly ash deposits in areas near the coal burning plants as well as further away. In addition to SO<sub>2</sub> emissions, in India alone, coal burning is estimated to generate 35-40 million tons of fly ash each year, of which only 2-3 per cent is utilized. Fly ash results in an increase in the suspended particulate matter content and hence a deterioration in the air quality. TERI has been involved in the Asian implementation of the model that considers emissions of sulfur dioxide (SO<sub>2</sub>) as the major pollutant contributing to acidification of natural ecosystems. The level of sulfur deposition that an ecosystem can bear without long-term damage from acid rain is known as the critical load of that ecosystem. These critical loads differ from one region to another, based on the sensitivity of each ecosystem to sulfur deposition.

Rise in sea level and increase in sea-surface temperature are the most probable major climate change related stresses on coastal ecosystems. Coral reefs are particularly sensitive to prolonged increases in seawater temperature and increased irradiance as this has been observed to cause coral bleaching. In the South Asian region, large populations live in low-lying coastal areas or adjacent to river deltas. Coastal dwellers and inhabitants of regions near deltas are especially vulnerable to sea-level rise and associated with back water flooding which is among the most immediate consequences of an increase in average global temperatures.

South Asian countries are predominantly agriculture societies. With the rise of population, there is an increased demand for agricultural productivity. Heavy conflicts have arisen due to this. The demand for higher productivity has necessitated the use of fertilizers and chemicals, which has generated many problems. In fact the quality of soil productivity has gone down along with many other environmental complications.

## CONCLUSION

The environmental related problems and their implications are more similar in both countries. It is true that there is a growing awareness on environmental issues in almost all the countries in the last few years and the individual country's have persuaded environment friendly policies in certain sectors. Apart from this regional level, a common approach to securing the environment may involve the following aspects:

- (i) Sharing of knowledge and expertise regarding population control measures, policies and programs

- (ii) Cooperation for development and poverty eradication.
- (iii) Regularization of inter-state migrations, evolving a regional framework for controlling, repatriation and rehabilitation of refugees.
- (iv) Establishment of a system of disaster management and disaster preparedness at the regional level.
- (v) Exchange of knowledge and researches on seismic tremors, earthquakes, and landslides, their causes and possibilities.
- (vi) Evolving common flood control measures and development of a regional flood warning system.
- (vii) Common measures can be taken up for increased agriculture productivity, treatment of salinity, development of cyclone warning system, reforestation, development of water resources, air pollution control system, etc.

All these measures can be covered within the framework of a Regional Environmental Security Treaty. Such a treaty will provide an institutional basis for the growth of a common approach to environmental protection and management in South Asia. The South Asian Association for Regional Cooperation (SAARC) can take a lead in this regard and prepare the necessary background for a regional environmental security treaty. The SAARC can further consolidate its environmental protection measures. Because it is through regional cooperation alone that many of the environment related issues can be settled.

The environmental security constitutes a significant dimension of the comprehensive national security. In South Asia environmental issues have become significant in the overall framework of security due to high population growth, excessive dependence on nature, uneven infra-structural development, poverty, under-development and fragile ecology. Therefore, along with the strengthening of SAARC, a Regional Environment Security Treaty can be suggestive. It has to be realized that the environmental security in South Asia is possible through a regional approach only. Therefore, the efforts made by the individual countries need to be coordinated in a regional framework.

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# GLOBALISATION AND ITS IMPACT ON THE INDIAN INDUSTRY

Sonia Kaur\*

## INTRODUCTION

Globalisation integrates not only economies but also the societies. The globalisation process includes globalisation of markets, globalisation of production, globalisation of technology and globalisation of investment.

The IMF defines globalisation as "the growing economic interdependence of countries world-wide through increasing volume and a variety of cross-border transactions in goods and services and of international capital flows and also through the more rapid and widespread diffusion of technology."

*[Source: shaikhsaleem page no. 588]*

Globalisation describes a process by which national and regional economies, societies and cultures have become integrated through the global network of trade, communication, immigration and transportation. In the more recent past, globalisation was often primarily focused on the economic side of the world, such as trade, foreign direct investment and international capital flows, more recently the term has been expanded to include a broader range of areas and activities such as culture, media, technology, socio-cultural, political, and even biological factors, e.g. climate change. International trade in manufactured goods alone has grown an estimated 100 times from \$95 billion to \$12 trillion in the 50 years since 1955. However, globalisation is much more than just trade.

In the last twenty years the breadth and depth of links between nations and between regions has grown enormously. Communications costs have declined dramatically allowing easy daily contact via the web and telephone, enabling the outsourcing of IT and other services, to India for example, and the rise in global work team. Other critical links are immigration and transportation, particularly airlines. The International Organisation for Migration estimates that there are two hundred million migrants around the world today; they have largely immigrated from the emerging to the developed countries, particularly to the U.S., Canada, Australia, the U.K. and Continental Europe. Though there are tensions at times in Europe and elsewhere this immigration has changed the face of these regions and increased the personal links across borders very considerably.

Finally the transportation of people and goods has increased very substantially in the last few decades with great growth on the number of flights across borders. During the 80s and 90s growth rates in the number of airlines seats offered of 5% a year were not uncommon; in 2010 there are over 2.3 million flights

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per month. With this great growth in flights, this has allowed stronger business and personal links.

*[Source:ft.com/lexicon]*

## EFFECTS OF GLOBALISATION

Effects of Globalisation on Indian Industry started when the government opened the country's markets to foreign investments in the early 1990s. Globalisation of the Indian Industry took place in its various sectors such as steel, pharmaceutical, petroleum, chemical, textile, cement, retail, and BPO.

Globalisation has increased across the world in recent years due to the fast progress that has been made in the field of technology especially in communications and transport. The government of India made changes in its economic policy in 1991 by which it allowed direct foreign investments in the country. As a result of this, globalisation of the Indian Industry took place on a major scale.

The various beneficial effects of globalisation in Indian Industry are clearly be shown in fig no.1 as how globalisation brought in India a huge amounts of foreign investments into the industry especially in the BPO, pharmaceutical, petroleum, transport parts, gems and jewellery, fabric and textile, plastic, metal product and manufacturing industries and how India has become a top exporter in the world's economy in the 2013-14. It makes better quality of products, export earnings, economic stability and promotes cheapest suppliers in open global competition and also improves high productivity. [Fig. No. 1]

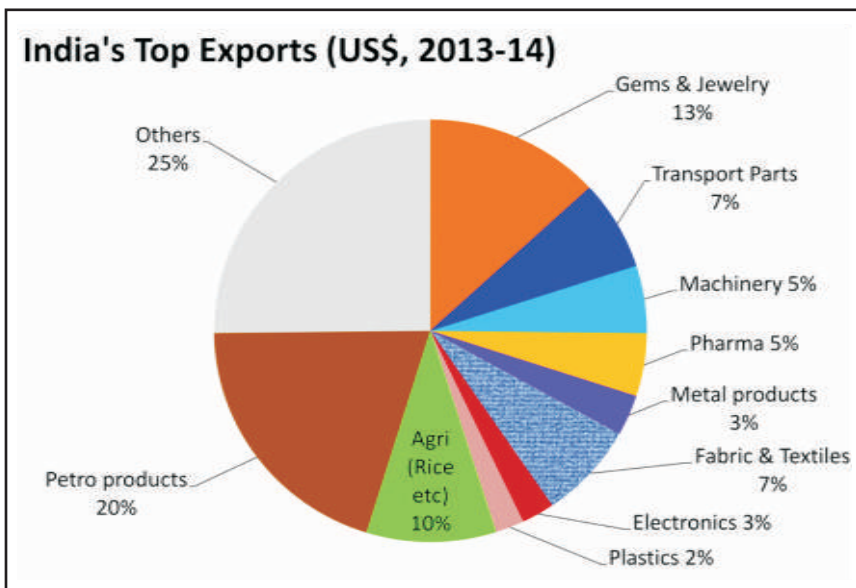


Fig. No. 1

As huge amounts of foreign direct investments were coming to the Indian Industry, they boosted the Indian economy quite significantly and this helped to provide employment to many people in the country. This also reduces the level of unemployment and poverty in the country. Also the benefit of the Effects of Globalisation on Indian Industry are that the foreign companies brought in highly advanced technology with them and this helped to make the Indian Industry more technologically advanced.

The various negative Effects of Globalisation on Indian Industry are that it increased competition in the Indian market between the foreign companies and domestic companies. With the foreign goods being better than the Indian goods, the consumer preferred to buy the foreign goods. This reduced the amount of profit of the Indian Industry companies. This happened mainly in the pharmaceutical, manufacturing, chemical, and steel industries. The negative Effects of Globalisation on Indian Industry are that with the coming of technology the number of labour required decreased and this resulted in many people being removed from their jobs. This happened mainly in the pharmaceutical, chemical, manufacturing, and cement industries.

***[Source: Business mapsofindia]***

Indian economy had experienced major policy changes in early 1990s. The new economic reform, popularly known as, *Liberalization, Privatization and Globalisation* (LPG model) aimed at making the Indian economy as fastest growing economy and globally competitive. The series of reforms undertaken with respect to industrial sector, trade as well as financial sector aimed at making the economy more efficient.

With the onset of reforms to liberalize the Indian economy in July of 1991, a new chapter has dawned for India and her billion plus population. This period of economic transition has had a tremendous impact on the overall economic development of almost all major sectors of the economy, and its effects over the last decade can hardly be overlooked. Besides, it also marks the advent of the real integration of the Indian economy into the global economy.

This era of reforms has also ushered in a remarkable change in the Indian mind-set, as it deviates from the traditional values held since Independence in 1947, such as self-reliance and socialistic policies of economic development, which mainly due to the inward looking restrictive form of governance, resulted in the isolation, overall backwardness and inefficiency of the economy, amongst a host of other problems. This, despite the fact that India has always had the potential to be on the fast track to prosperity.

***[Source [www.economies.com/](http://www.economies.com/)]***

In India rapid strikes through industrialisation has been seen, even during the global slowdown in economy that impacted the countries world over a few years ago

, India was among those few countries which despite a decline in some economic indices , did not show any sign of collapse in any financial or industrial sectors .

Now with positive signal emanating from the global economy and improved export performance, the slowdown trends have started showing signs of reversal. These signs of an economic recovery have followed with several measures to boost industrial development.

Industry report says that information technology, pharmaceuticals, agriculture based industries and banking will remain the largest employment generation sector in 2014.This optimism to a large extent is based on the changing industrial and overall development scenario.

*[Business world magazine page no. 58, 28 July 2014 edition]*

Industry Vertical	Average IT spending as a %age of revenue in FY2012-13	% age increase in Absolute IT Budgets in 2013-14
BFSI	2.60%	4%
Manufacturing	0.69%	29%
Telecom	4.09%	26%
Retail	0.86%	18%
Healthcare/ Pharmaceuticals	1.50%	19%
Energy and Utility	0.04%	11%
Hospitality, Travel and Logistics	1.26%	10%
Marketing and Media	2.23%	17%
<b>Industry Weighted Average</b>	<b>0.83%</b>	<b>20%</b>

**Fig. No. 2**

[Source internet]

From fig no.2, it has been seen that in recent past how our industry has taken a huge growth in the different segments and allowing foreign direct investment across a wide spectrum of industries and encouraging non-debt flows. In respect of market capitalisation India is in the fourth position after the US, Japan and China. India is expected to soon cross the trillion dollar mark.

Global trade endorsement has become a necessity and for making an enduring impact on the global arena, it is imparting to make untiring efforts to strengthen business relations across borders.

It has been central to Indian policy makers' evolving plans to unveil next level of engagements with some of the most dynamic and emerging global economies. CIS economies due to their geo-strategic and economic importance continue to attract increased attention from the government and Indian industry alike.

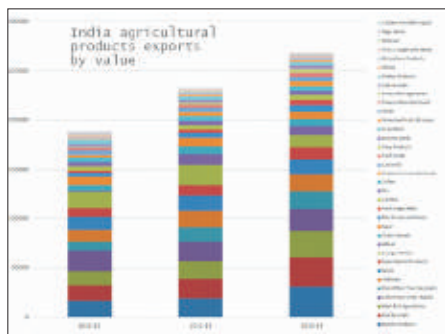
On a larger landscape, the understanding is crisp and concise that India needs assistance to boost up its commence and establish strong foothold in the CIS.

*[Business world magazine page no. 38, 25 Aug. 2014]*

India's liberalised FDI policy as of 2005 allowed up to a 100% FDI stake in ventures. Industrial policy reforms have substantially reduced industrial licensing requirements, removed restrictions on expansion and facilitated easy access to foreign technology and foreign direct investment FDI. The upward moving growth curve of the real-estate sector owes some credit to a booming economy and liberalised FDI regime. In March 2005, the government amended the rules to allow 100 per cent FDI in the construction business. This automatic route has been permitted in townships, housing, built-up infrastructure and construction development projects including housing, commercial premises, hotels, resorts, hospitals, educational institutions, recreational facilities, and city- and regional-level infrastructure.

A number of changes were approved on the FDI policy to remove the caps in most sectors. Fields which require relaxation in FDI restrictions include civil aviation, construction development, industrial parks, petroleum and natural gas, commodity exchanges, credit-information services and mining. But this still leaves an unfinished agenda of permitting greater foreign investment in politically sensitive areas such as insurance and retailing. FDI inflows into India reached a record US\$19.5bn in fiscal year 2006/07 (April-March), according to the government's Secretariat for Industrial Assistance. This was more than double the total of US\$7.8bn in the previous fiscal year. The FDI inflow for 2007-08 has been reported as \$24bn and for 2008-09; it is expected to be above \$35 billion. A critical factor in determining India's continued economic growth and realising the potential to be an economic superpower is going to depend on how the government can create incentives for FDI flow across a large number of sectors in India. In September 2012 the government approved 51% FDI in multi-brand retails despite a lot of pressure from coalition parties .

Today several international brands are available in the Indian market at reasonable prices only because of globalisation. But for globalisation, Indian markets would have sold only Indian brands and manufacturers would hardly be motivated to improve technologies to match the international levels. There may be many negative effects of globalisation, like loss of jobs due to outsourcing, illegal activities, terrorism, etc. we can reduce or eliminate these problems by making laws which are agreed and implemented at international level.



**Fig. no. 3**

In today era Globalisation is a necessity for each and every country in order to progress.

*[Source Wikipedia.org]*

As from the figure no. 3 it is clear that how through the globalisation the agriculture sector has taken a huge growth in the recent past years. Agriculture has been and still remains the backbone of the Indian economy earlier years this sector has been ignored by the Indian industry but in last few years market economy seems to be more concerned with the growth of rural and agriculture sector.

As a result of globalisation physical boundaries and political boundaries remained no barriers for business enterprise. Whole world becomes a global village. It involves greater interaction and interdependence among the various nations of global economy.

[Source Business studies book by Poonam Gandhi page no. 82]

It is through international trade that our country is integrated with world economy. After globalisation, the whole world has turned into one market. Emergence of MNCs as a powerful agent of social and economic change has been a significant development and removal of bureaucratic controls is expected to attract foreign capital and technology and also facilitate easy movement of goods through substantial reduction in tariffs and thus pave the way for further integrating the Indian economy with the global economy.

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# **CAPITAL PUNISHMENT AS AN EFFECTIVE DETTERRANT FOR CRIME**

**Geetika Garg\***

## **ABSTRACT**

History of human civilization reveals that during no period of time death penalty has been discarded as a mode of punishment. Capital punishment is an ancient sanction. There is practically no country in the world where the death penalty has never existed. Sir Henry Maine stated that "Roman Republic did not abolish death sentence though its non use was primarily directed by the practice of punishment or exile and the procedure of questions".<sup>1</sup>

As a rule by and large punishability depends on the degree of culpability of criminal act and the danger posed by it to society as also the depravity of the offender. The risk of penalty is the cost of crime which the offender has to pay and when this cost i.e. suffering is high enough as compared with the benefit which the crime is expected to yield, it will deter a considerable number of people. This is true with crimes punishable with death sentence as well.<sup>2</sup>

The old methods of public execution which like flogging, cutting of limbs, etc. are in present scenario wholly discarded were directed to make the sentence as frightening as possible. However, the present trend is to keep the number of offences punishable by death to a minimum and avoid death penalty as far as possible but its retention in the statute is favoured even today.

The advocates of the death penalty or capital punishment argue that it deters crime and is a good tool for police and prosecutors and it is a just penalty for atrocious crimes like child murders, serial killers or heinous murderers.

But on the other hand, the opponents of capital punishment argue that not all people affected by murder desire a death penalty, that execution discriminates against minorities and the poor and that it encourage 'culture of violence' and violates human rights.

Now, before proceedings further we must know what is capital punishment. The term originates from the Latin 'Capitalis' literally means "regarding the head". The capital punishment, death penalty or death sentence or execution is a legal process whereby a person is put to death by the state as a punishment for a crime.<sup>3</sup> Execution of criminals and political opponents has been used by nearly all societies both to punish crime and to suppress political dissent. And its latest examples is seen in North Korea where Leader Kim Jong Un was sentenced to death in Dec. 2013.<sup>4</sup>

In Egypt (Minya) Court passed the sentence of death to Muslim Brotherhood leader Mohd. Baadi and his 682 supporters on 28 April 2014 on the charge of killing several police officers and on 30 Aug. 2014 the Egyptian Court down graded the

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sentence to life imprisonment but upheld the death sentences of his 6 other defendants<sup>5</sup>.

According to Dr. Johnson<sup>6</sup>, deterrence means discouraging the offender by terror or naked fear from repeating his crime and at the same time preventing others from following his path, and undoubtedly, of all the punishments death penalty appears to be the strongest deterrent for there can be nothing for which a man would be willing to stake his life.

The history of crime and punishment in England during the medieval period reveals that death penalty was commonly practised for the elimination of criminals. The Greek and Ancient Romans also provided death sentence for many offences. According to Kant: "it is better if one man dies for the sake of life of society as a whole". However, with the advance of nineteenth century, the public opinion disfavoured the use of capital punishment for offences other than heinous crimes.

There are several theories of punishments, right from deterrent and retributive to reformative. After formation of society, civil life and concept of the kingdom or the State; laws are being made and natural phenomenon necessitated man to think about crimes, ways to check them and to inflict adequate punishments to keep peace and tranquility in the civilized society in place of 'Rule of Jungle'. And amongst all the punishments, the death sentence is most deterrent and horrible. It can be said to be a murder under sanction of the law or according to the procedure established by the law.

In the Indian Penal Code, murder, (S,302,120-B, 121, 132, 194, 305, 364-A, 396, 376-A, rape /sexual assault by Amendment in 2013, waging war against government, dacoity with murder, etc. are punishable with death sentence. And since, Indian Jurisprudence is a blend of reformative and deterrent theories bearing these very fundamental tenets in mind legislature drafted S. 354 (3) of Cr. P.C. 1973 which basically lays down that special reasons are to be recorded by the court for imposing capital punishment.

In *Jagmohan v/s State of U.P.*<sup>7</sup>, full bench of Supreme Court firmly decided that since it is given after following the procedure established by law, capital punishment is a reasonable sentence in public interest. In *Bachhan Singh v/s State of Punjab*,<sup>8</sup> the Supreme Court again upheld the death penalty under section 302 IPC as constitutional but could be awarded in rarest of rare cases.

The approach of Supreme Court is cautious as well as restrictive which is in consonance with the modern and liberal trends in criminal jurisprudence. The doctrine of 'Rarest of the rare' evolved by the Apex court reflects the humanist jurisprudence. To give a few examples, in *Teja Singh v/s Mukhtiar Singh*<sup>9</sup>, where the accused had intentionally run down his father's rival by his tractor but was not given death sentence as was not one of the rarest of the rare cases. Same theory of 'rarest of rare' was applied in *State of Maharashtra v/s Damu Gopinath Shinde*<sup>10</sup>. Recently, in *Gurvail Singh v/s State of Punjab*<sup>11</sup>, Supreme Court held that to award death sentence, the aggravating circumstances have to be fully satisfied and there should be no mitigating circumstance favouring the accused. Even if both the tests are

satisfied against the accused, even then Court has to finally apply the Rarest of Rare Cases test.

In *Devinder Pal Singh Bhullar v/s State (NCT) of Delhi*<sup>12</sup> Supreme Court commutes death penalty to life imprisonment on 31 March 2014 on the ground of inordinate delay. In *Shatrughan Chauhan and Anr. v/s UOI & Others*<sup>13</sup>, the three judges bench of Supreme Court including the then CJI Satishvram has given five points for commuting death sentence into life imprisonment based on: 1. Delay 2. Insanity 3. Wrong Judgment 4. Solitary confinement 5. Procedural Error. But delay must be unreasonable and unjust. In *Sushil Sharma v/s State (NCT) of Delhi*,<sup>14</sup> the Supreme Court held that appellant has already spent more than 10 years in death cell. Undoubtedly the offence is brutal but it alone can not justify death penalty.

However, Supreme Court recommended death for honour killings which fall within rarest of rare and also police brutality in the form of encounter killings. In recent years, death penalty has been imposed, under new anti-terrorism legislation for people convicted of terrorist activities. On 3rd February 2013, in response to public outcry over the brutal gang rape in Delhi, the Indian Government passed ordinance for applying death penalty to rape cases, when leads to death or leaves victim in persistent vegetative state. The death penalty can also be handed down to repeat rape offenders under the Criminal Law (Amendment) Act 2013.

Capital punishment is a matter of active controversy in various countries and states, and positions can vary within a single political ideology or cultural region. Currently 58 nations actively practice capital punishment, 98 countries have abolished it *de jure* for all crimes, 7 have abolished it for ordinary crimes only maintain it for special circumstances such as war crimes, and 35 have abolished it *de facto*, have not used it for at least ten years and/or are under moratorium.<sup>15</sup> Amnesty International considers most countries abolitionist; overall, the organisation considers 140 countries to be abolitionist in law or practice. About 90% of all executions in the world take place in Asia.<sup>16</sup>

The United Nations General Assembly has adopted, in 2007, 2008 and 2010, non-binding resolutions calling for a global moratorium on executions, with a view to eventual abolition.<sup>17</sup> Although many nations have abolished capital punishment, over 60% of the world's population live in countries where executions take place, such as the People's Republic of China, India, the United States of America and Indonesia, the four most-populous countries in the world, which continue to apply the death penalty although in India, Indonesia and in many US states it is rarely employed. Each of these four nations voted against the General Assembly resolutions.<sup>18</sup>

Aristotle<sup>19</sup> says, 'each extreme is a vice, virtue lies in the middle'. The death penalty is a part of Indian law and unless it is altered by legal or constitutional Amendment, it must be given whenever relevant legal test are fulfilled. Even Rousseau felt that the subject ought not to complain if sovereign demanded the subjects life. He considered death sentence as a proper punishment if criminal was beyond redemption.

The law commission in its 35th report also opined that at present India should not take the risk to abolish death sentence penalty. Apart from that our constitution also empowers the President of India and Governors of the states under Articles 72 and 161 to grant pardon in cases pertaining to death- sentence. Thus until some other way for preventing crimes in the society are discovered capital punishment should be continued in rarest of the rare cases.

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# **A COMPARATIVE STUDY OF DIPLOMA IN EDUCATION AND MASTER OF EDUCATION STUDENTS IN RELATION TO EMOTIONAL MATURITY AND ANXIETY IN UTTAR PRADESH**

**Sagheer Ahmad\***

## **ABSTRACT**

*The present study is an endeavor to ascertain the reasons behind unnatural behavior of Diploma in Education (D.Ed) and Master of Education (M.Ed) students in relation to emotional maturity and anxiety. The sample of 100(50 male and 50 female) of D.Ed, and 100(50 male and 50 female) have been taken. Emotional maturity scale by Yashvir Singh and Bhargava and Comprehensive Anxiety scale by Sinha were used. The study divulged that there is significant difference in term of their emotional maturity and anxiety on the basis of sex, academic level and age of D.Ed and M.Ed students. The students of D.Ed course are emotionally less mature than students of M.Ed course. Male students are emotionally more mature and less anxious than female students of both levels.*

## **INTRODUCTION**

Problems are not emerged at once. In our daily life we come in contact of different persons, circumstances, situations raising a number of unsolved questions in our mind and force us to find out their solution. Today's world is a lot different from what existed earlier. At every stage of development from infancy to adulthood one witnesses a drastic change in values, morality, ethics, culture and traditional. Modern Indian education system is not capable in multi- dimensional growth of the personality. The kind of education makes a man over ambitious, jealous, selfish and materialistic. Various students who are studying at D.Ed and M.Ed levels when analysed for their behavior were found to have disturbed behavior, emotional immaturity and anxious. Lack of makes emotional maturity an individual can lead to various problems and anxiety causes both positive and negative impact on the educational and all around development of an individual. Patel (1987) found that less anxious students have better mental health and vice-versa. As the college students D.Ed and M.Ed boys and girls will be teachers in future and will shape the destiny of the nation. So teacher should be able, capable and emotional mature and free from all type of anxieties. In the present study an attempt has been made to find out the levels of emotional maturity and anxiety of the students D.Ed and M.Ed course.

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## **DEFINITIONS OF TERMS USED:**

- a. **Emotional Maturity:** Emotional maturity is that characteristics of Emotional behavior that is generally attained by an adult after the completion of adolescence period.
- b. **Anxiety:** anxiety is a state of tension arising from the experience of disapproval in interpersonal relation.
- c. **D.Ed. means** Diploma in Education which is two years primary teacher training course for primary schools and M.Ed means Master of Education which is one year teacher training course for education colleges.

## **OBJECTIVES**

1. To compare the Emotional maturity and anxiety levels of Boys and Girls students of D.Ed and M.Ed course.
2. To compare the Emotional maturity and anxiety levels of Boys and Girls students of D.Ed course.
3. To compare the Emotional maturity and anxiety levels of Boys and Girls students of M.Ed course.

## **Hypothesis**

- a. There is no significant difference in the Emotional maturity and anxiety levels of Boys and Girls students of D.Ed and M.Ed course.
- b. There is no significant difference in the Emotional maturity and anxiety levels of Boys and Girls students of D.Ed course.
- c. There is no significant difference in the Emotional maturity and anxiety levels of Boys and Girls students of M.Ed course.

## **METHOD**

### **Sample:**

100 students of D.Ed (50 male and 50 female) of D.Ed, and 100 students of M.Ed (50 male and 50 female) selected through incidental sampling from 10 Colleges Falls in Uttar Pradesh like Rampur, Bareilly, Moradabad, Amroha and Allahabad.

### **Tools:**

1. Emotional Maturity scale by Dr. Yashvir Singh (Agra) and Dr. Mahesh Bhargava (Agra).
2. Comprehensive Anxiety Scale by Dr. A.K.P. Sinha(Patna) and Dr. L.N.K. Sharma (Patna).

To analyze the data calculation of mean, Standard Deviation, Standard Error of Difference between mean and the critical ratio have been used.

## **FINDING/ CONCLUSIONS AND DICUSSION OF RESULTS**

The study indicates that there is significant difference in the Emotional maturity of D.Ed and M.Ed students the mean score of D.Ed and M.Ed student are found unequal. These results lead to the rejection of null hypotheses that there is no significant difference in level of Emotional maturity of D.Ed and M.Ed students. The difference in their means is significant and is not by chance or sampling error. These means indicates that M.Ed students are emotionally more mature. The result of the study is in accordance with finding. George (1980) in his research related to Emotional Maturity, he found that emotional maturity of Under Graduate and Post Graduate students difference significantly.

There is also a significant difference in the levels of emotional maturity of boys and girls at both D.Ed and M.Ed. The emotional maturity level of Boys is more than the Girls at both levels. The mean scores of boys and girls indicates that there is significant difference in emotional maturity of Boys and Girls so the null hypotheses that there is no significant difference in f Emotional maturity levels of boys and girls at D.Ed and M.Ed is rejected. It indicates that boys are emotionally more mature than girls. The result of the present study is in accordance with findings of Boyd (1981) who concluded that girls are emotionally less mature than boys. Result of Sudha and Nirmala (1984) are opposite to these, according to which girls are emotionally more mature than boys; these are opposed to the result of the present study. This show that the difference in the levels of emotional maturity of boys and girls at two academic levels is due to sex difference.

There is also a significant difference in the levels of emotional maturity of boys and girls at D.Ed, levels. The significant difference in their mean score indicates that boys are emotional more mature than girls. These results are in accordance with the finding of Coleman (1965) who found that males are emotionally a little weaker than boys. From the beginning, the girl child is brought up by the parents as a delicate and emotional doll while the boy is brought up as a strong man.

The study also reveals that there is no significant difference in the levels of emotional maturity of Boys and Girls at M.Ed, levels. The little difference in their mean score may be due to some sampling error and is not significant. So the null hypotheses that there is no significant difference in level of emotional maturity of boys and girls at M.Ed, level are accepted. These results verify that boys and girls do not differ emotionally. These results are in opposition to the result obtained at D.Ed level.

The result indicates that there is a significant difference in the levels of emotional maturity of students on the basis of age group i.e. up to 22 years and above

25 years. The difference in their mean score indicates a significant difference. There is no significant difference in emotional maturity of students of age group is rejected. Based on these finding we can say that students above the age of 25 years are emotionally more mature than the students of age up to 22 years. This difference is due to age. These results of the study are in accordance with the finding of D. George (1930). He found that students in the age group of 17 to 20 years are less mature than the students of age 23 years and above. The results of table 4.6 reveal that the levels of anxiety of D.Ed, and M.Ed, students differ significantly. Their mean scores differ significantly which indicates that M.Ed students are less anxious than D.Ed students. The difference is due to age difference and emotional maturity.

There is no significantly difference in the anxiety levels of students at academic level on the basis of their sex difference. Their mean scores do not differ significantly. The little difference may be due to sampling error. These results are in accordance with the result of Sudha and Nirmala (1984) that both boys and girls are equally anxious at the two academic levels. The difference in levels of Anxiety which is nonexistent here seems natural- Anxiety is manifested in every individual in form or the other. This anxiety can be necessities- physical or mental, etc. the students at D.Ed and M.Ed, are anxious about their future, success, failure and career, uncertainly of future, etc. this situation is faced equally by both girls and boys. Hence both of them can be anxious at the same level.

There is no significantly difference in the anxiety levels of students at D.Ed, level on the basis of their sex. Their mean scores differ significantly indicating that girls of D.Ed, level are more anxious than boys. These results are in accordance with the finding of research conducted by Muralidharan and Sharma (1971) concluding that Indian girls are more anxious than boys.

There is no significantly difference in the anxiety levels of students at M.Ed, level on the basis of their sex. These results verify that anxiety level of M.Ed students is independent of sex. This result is opposed to the result obtained at D.Ed level. The reason is simply obvious that with the increase in age, emotional maturity increase and thus both sexes have equal anxiety levels.

The result indicates that there is significantly difference in the anxiety levels of students on the basis of age group. The mean scores of the two age groups differ significantly from each other. This indicates that the students above the age of 25 years are less anxious than the students of age up to 22 years. The difference is due to age difference and emotional maturity of the two groups of students.

There is a significant difference in the anxiety levels of students on the basis of age group the students above the age of 25 years are less anxious than the students of age up to 22 years. This implies that with the increase in age, the level of anxiety decreased leading to stable personality.



On the basis of all the above conclusions it can be said that as the level of emotional maturity rises, anxiety decreases irrespective of level of education. This lead that academic level, sex and age play important role in the level of emotional maturity. It can also be concluded that D.Ed students are emotionally less mature than M. Ed students. Girls at both level less mature and more anxious than boys at the same level. Age also play an important role in this case. It concluded that students above the age of 25 years are less anxious than the students of age up to 22 years. Also, their anxiety levels are lower. The result shows that emotional level and age of students are the independent variable which affects the emotional maturity and anxiety of students. On the basis of above discussion we can say that there is no relationship between level of anxiety and emotional maturity. But some studies also indicate that anxiety has its effects on emotional maturity where emotional maturity and anxiety may affect each other. Male students are emotionally more mature than female students but female students are more anxious than male students at both level.

## **EDUCATIONAL IMPLICATIONS**

1. In teacher training institution on full time base qualified and trained teacher must be appointed who has good knowledge of the application and uses of the principals of psychology especially guidance and counseling and who can provide positive reinforcement to students.
2. Flexible and motivating curriculum with a number of optional subjects should be provided to the students so that the students can choose his subject according to his/her interest and capability.
3. Congenial environment with all facilities like well stocked and ICT based library. Psychological laboratory and facilities of co-curricular activities should be provided to the students.
4. Proper guidance and counseling must be provided to the Parents how to control the anxiety of their children and how to make them emotionally mature.
5. Parents or guardians should pay special attention to provide healthy environment to their children at home and should not discriminate between the education of the boys and girls and encourage them for positive and widen thinking which will make them emotional mature with moderate anxiety.

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# **JOB SATISFACTION AMONG COLLEGE AND UNIVERSITY TEACHERS : A NATIONAL LEVEL STUDY**

**K.K. Muhamedbasheer\*, Rekha Ojha\*\* & Lotika Singh\*\*\***

## **ABSTRACT**

Job Satisfaction is the extent to which one feels good about the job. It is in regard to one's feeling or state of mind regarding the nature of their work. In other words, job satisfaction implies doing a job one enjoys, doing it well, enthusiastic and attains happiness with ones work. Everyone defines job satisfaction as fulfillment of one's expectation. It differs from person to person and institution to institution and even in the context of male and female. In simple terms when someone is satisfied with his job, that is job satisfaction. It is a pleasurable positive emotion state, resulting from the appraisal of one's job or job experiences. According to the great philosopher John Locke, "Job satisfaction results from the perception that one's job fulfills or allows the fulfillment of one's important job values, providing and to the degree that these values are congruent one's needs." Therefore, job satisfaction is such phenomenon which comes not only from the job, but also from one's personal, social, academic, administrative and economic condition.

Students are one of the important assets of any society. Well being of society depends upon its students because these are the people who will take the responsibility of the success of the society in future and in achieving this goal, teachers role is extremely important. Teachers are the source of guidance in all the crucial steps in academic life of the student. People are interested to work in the institutions as well as in the services where they feel satisfied. Job dissatisfaction leads to reduce level of performance, it increases turnover and turnover intentions and also leads to absenteeism. But in reality how far such job satisfaction is ensured in college or university teachers job is an important issue in recent time. When teachers are satisfied with their job, they can perform the responsibilities with more concentration and devotion. A major change has been brought about in field of higher education in the past couple of years.

## **Scope and Relevance**

There has been an introduction in the semester system in the present education scenario. Earlier, we had an annual system. The syllabi and the curriculum was designed to meet the needs of the yearly system. In the annual education system, the courses were taught and the syllabus was completed throughout the year and then

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there was an exam towards the end of the year for evaluation. After bringing about a change in the education system from annual to semester system, it has become extremely essential to bring in a structural change in the syllabus, in the teaching system, and also in the evaluation system.

On dividing the annual system into semester system (say for example 2 semesters in a year), we need to logically divide the syllabus. The syllabus should be divided such that it is equally divided into two parts which can be evaluated in each semester. Also, there has to be a provision such that the student is evaluated on the entire syllabus towards the end of the year (terminal evaluation). Along with the semester exam the students are continuously evaluated (it includes projects, assignments, seminars, quizzes etc). This kind of a system will help the students to prepare better and by a continuous evaluation system, the students will have a better understanding of the subject and also helps in self learning.

Due to this paradigm shift, the work load on teachers and students have increased tremendously. In some sense it is good for the students as they get prepared with the first half of the syllabus in the first semester itself, which results in more achievement. The teachers on the other hand are pressurized to complete the designated portion of the syllabus within the time frame of the first semester. In addition to this they are over burdened with the midterm evaluation of the students apart from the usual work load. Increasing number of exams and continuous evaluation system adversely affect the vacations of teachers.

With the changing trend in the society, computer and internet has become an inevitable part of the daily life and the education system at large. The traditional teaching methods are gradually changing. The chalk and board teaching is now being replaced or supplemented with the PowerPoint and IT based teaching methods. The trend of smart classrooms has emerged in the preset scenario. Due to these changing circumstances, we have taken up this study to know the impact of these changes towards the job satisfaction among college and university teachers.

## **OBJECTIVES**

1. To know about the level of job satisfaction among the university and college teachers.
2. To identify the factor related to dissatisfaction with the job.
3. To find out the merits of the job which leads to satisfaction.
4. To suggest some measures to reduce dissatisfaction, if any. The tool used for this study was a Questionnaire contains 30 statements related to seven domains such as Work Environment, Social Life, Self Empowerment, Financial Status, Teaching Learning Process, UGC regulations and evaluation.

The survey was carried out by this Questionnaire directly to the

university/college teachers from 21 different states. The participants in this survey were of different age groups and having different years of experience.

## **Findings**

1. Among college and university teachers, 58% are highly job satisfied, 34% moderately and 8% are having a low level of job satisfaction.
2. Urban teachers are less job satisfied than rural teachers. There is a distinct variation in the level of job satisfaction, it being, 78.94 and 45.16 among rural and urban teachers respectively.
3. The prominent reasons for growing dissatisfaction among females is due to social life. Only 38.09% of females are highly while, 61.90% are moderately satisfied.
4. According to financial status, male and female satisfaction are almost equal (males 41.38%, females 42.85%).
5. It was found that 23.81% females are dissatisfied with the present career advancement scheme of UGC.
6. More than 50% of males and females are least satisfied in social life, financial status and present evaluation system.
7. Women are more satisfied in their present work environment than men, the level of satisfaction being 80.95 in females and 72.41% in males.
8. In the domain of social life men are more satisfied (48.28%) than women (38.09%).
9. It was also found that women get less time for other leisure activities leading to their decreased self empowerment than men. The percentages being, 66.67 and 72.41 for females and males respectively.
10. UGC- CAS scheme is the domain in which the females have expressed a relatively high level of dissatisfaction, the actual figure being 23.81.
11. Most of the male population express their dissatisfaction in the domain of evaluation and financial status (17.24 and 13.79% respectively).
12. Work environment, teaching learning process and self empowerment are the high satisfaction domains according to males (75.86%, 72.41% and 72.41% respectively).
13. Work environment, self empowerment are the high job satisfaction domains of females (80.95%, 66.67% respectively).
14. According to experience, the level of job satisfaction decreases. The actual percentage being 64.36% up to 10 years of service, while above 10 years it is 41.66%.
15. The age group between 36 and 45 have low level of job satisfaction.
16. The age group 25 to 35 have a high level of job satisfaction, 76%.
17. Married teachers are has a relatively high level of job satisfaction as compared to the unmarried teachers.

18. The teachers from the rural areas has a high level of job satisfaction as compared to the urban areas. There is a significant difference between the level of job satisfaction, the percentages of satisfaction being, 78.94% and 45.16% in rural and urban areas respectively.
19. Approximately 76% of the teachers in India enjoy a good working environment.

### **Suggestions**

1. Present under graduate curriculum should be revised according to the semester system.
2. To get more time in academic activities, teachers should be relieved from clerical tasks, such as admission of the students and other examination duties including invigilation etc.
3. Number of office staff should be increased to meet the needs of semester system effectively.
4. Examination, evaluation and declaration of results should be time-bounded.
5. Overcrowding in the classrooms should be avoided to make teaching more effective.
6. The maximum ratio of teacher and student at undergraduate and post graduate level 1:30 and 1:15 respectively.
7. Resources like books, references, smart class rooms and other teaching learning equipments should be provided or arranged such that it is convenient for access to both teachers and students.
8. Current Career Advancement Scheme should be revised and more logical and scientific. Also the duration of promotion should be reduced for about 5 to 8 years.
9. More emphasis for career advancement should be made based on the teaching feedback received from the students in the class and the other academic activities, as at present a major focus regarding this is only on research and projects etc.
10. To make the work environment more effective, compulsory training in the area of administration and management should be given to principals and Head of Departments.
11. The starting scale of teachers should be more attractive. It therefore needs a revision.
12. To make teaching learning process more effective, all teachers need training in modern educational practices, learning theories and approaches.
13. A service entry training should be given to all the teachers after being appointed and before joining the institution. In this regard, all ASC's should have a common curriculum and training module which focuses on teaching

and adult psychology. It should also include practical experience based training by attaching the freshly appointed teachers to some college/university in the premises of the concerned ASC for a certain period of time during the training program.

14. To make evaluation more effective, internal and external evaluation system should be modified. It should be made more comprehensive, scientific and practical.
15. Teachers organization should also consider faculty improvement programs such as academic activities, research publications etc. along with the financial and other welfare activities.
16. Since the females, have to devote much time looking after the family and children which leaves them with very little time for reading and doing other research activities. It is therefore required to bring about a change in the traditional patriarchic system, which will help divide equal responsibilities to everyone in the family thereby giving more time to everyone for performing better in self empowerment activities. More awareness programs should be conducted regarding this.

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## **CONCLUSIONS**

Teachers are the pillars of a society, who help students to grow to shoulder the responsibility of taking their nation ahead of others. They desire security, recognition, new experience and independence. When these needs are not fulfilled, they become stressed. Dissatisfaction among people is undesirable and dangerous in any profession. It is suicidal if it occurs in teaching profession. If factors responsible for dissatisfaction can be differentiated, attempts can be made either to change these conditions to reduce their intensity, so as to increase the holding power of the profession. This study attempts to find out which facet or dimension affects the job



satisfaction of college and university teachers the most. The present study takes into account the intrinsic and extrinsic factors to find out the level of job satisfaction and to see the effect of age, gender, experience, social life, self empowerment, working environment, teaching learning process, and financial status on the academicians. This study thus aims at identifying the facts adversely affecting job satisfaction among teachers. The findings of this study points out some startling reasons for the increasing dissatisfaction level among teachers. The study also provides some suggestions which may help in maintaining a high level of job satisfaction and thereby create a conducive environment for both teachers, students and society.

# LIVE-in-RELATIONSHIP: AN URBAN NECESSITY

Dr. Ravi Saran Dixit \*

## ABSTRACT

*Society formulates norms to regulate life of its inhabitants and change being ubiquitous affects every aspects of society and life of man. Everything living or non-living borns, matures and finally decays. Changing circumstances define the course of life. Social institutions are no exception to this universal norm. Change is seen in the institution of marriage too.*

*A living arrangement wherein unmarried couple lives together under the same roof in a long term relationship which resembles a marriage is known as live-in-relationship. Under such arrangement a man a woman live together without getting married. It is a non-marital relationship, a de-facto union in which marriage is not solemnized and couple share a common bedroom devoid of commitment. This is an alternate to marriage in metros wherein individual freedom is given the highest premium especially by the youths who prefer to run away from the responsibilities of a married life.*

*The definition of live-in-relationship is not clear and so is the status of the couple in such a relationship. It is not recognized by the Hindu Marriage Act, 1955 or any other statutory law. There is no specific law on the subject. However, live-in-relationship is neither a crime nor a sin and the Parliament should enact law to regulate live-in-relationship and amend Domestic Violence Act too, the Supreme Court of India upheld in a landmark judgement. A bench headed by Justice K.S. Radhakrishnan framed guidelines for bringing live-in-relationship within the expression 'relationship in the nature of marriage' for protection of women from Domestic Violence Act.*

*This paper endeavours to study the socio-legal rationale, causes and concerns behind this western practice in Indian metropolitan cities.*

**Keywords:** Marriage, Live-in-relationship, Domestic Violence Act.

## THE PROLOGUE

Change is the order of nature and is omni-present. Everything is in a flux in the nature and mutation takes place every moment in the universe. Human beings are also part of nature and experience change in all aspects of life. Every society in all ages discovered norms to regulate lives of people. India since archaic times has been discovering ways and means to regulate lives of people through different institutions. Marriage and Family being of paramount importance in society whereby instinctual behaviour has been given social sanctity.

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India is a fine example of tradition and modernity. Indians sway between the dichotomy of what is permissible and what is not, between taboos and deemed relations so far as institutions are concerned. The world still looks at India as a land where marriage is a sacrament and also a society in transition. The phrase “common law wife” once applied to appreciate legal rights of a woman as that of a wife living with a man without marriage needs to be applied in Indian society rapidly adopting western life styles especially in the wake of liberalization and globalization.

A living arrangement wherein an unmarried couple lives together under the same roof in a long term relationship which resembles a marriage is called a live-in-relationship. Here a man and a woman live together without marriage. Such relationship has become a reality in metros as an alternative to marriage wherein individual freedom is given the highest premium. It is a non-marital relationship, a de-facto union in which marriage is not solemnized and couple share a common bedroom devoid of commitment.

### **The Legacy**

The concept of live-in-relationship is not unknown to Indian mind. In archaic times it was known as “maitri-karar” or friendship contract in which people of two opposite sex enter into a written agreement that they would live together as friends and look after each other. As time passed by and our society witnessed colossal changes in terms of structure and functions of different institutions especially in the family system by way of live-in-relationships. In the institution of marriage change is visible from arranged marriage to love marriage to most contemporary “live-in-relationships”. This is prevailing in the West in the name of common law marriages, informal marriages or deemed marriage. It is legal in some countries and has no legal status in others.

### **The Features**

These marriages are not solemnized. Co-habitation alone does not constitute such marriages and the consenting couple must hold themselves out in public as spouses for a significant period of time. Both the parties must be of legal age and otherwise qualified to enter into a marital relationship. However, the position of such a relationship is not obvious and there is no proper definition exist. As the definition is not clear so is the status of couples in live-in-relations. There is no specific law on the subject and no legislation to define the rights and obligations of the parties involved and children born out of such relationship. The amit is not clear. In the absence of any law in the matter under discussion the Courts have come forward to clarify the concept of live-in-relationships. The Courts have taken the view that where a man and a woman live together as husband and wife for a long time, the law will presume them as married unless proved contrary.

## **The Legal Position vis-a-vis Morality**

As the ambit of live-in-relationship is not clear, the laws are in the form of court verdicts pronounced by Judges of the Supreme Court of India and different High Courts. The legislation does not give clear ruling regarding the rights of women. However, economic rights of women in live-in-relationship have been recognised under Protection of Women from Domestic Violence Act, 2005 subject to conditions laid down by the Honourable Supreme Court of India in the case of *D. Velusamy v D. Patchaiammal*. (2010) 10 SCC 46:

- a. The couple must hold themselves out to society as akin to spouses.
- b. They must be of legal age to marry.
- c. They must be otherwise qualified to enter into a legal marriage and they must be unmarried.
- d. They must also being voluntarily cohabited and held themselves out to the world as being akin to spouses for a significant period of time.

The purpose is to safeguard the interests of the parties involved especially the women under Benthamian philosophy that law is an instrument to secure the “greatest good for greatest number” and changes in society be supplemented by necessary legal provisions to have the greatest impact of such changes in the society. Cohabitation with consent is not a crime in criminal law. Justice Mallimath Committee and the Law Commission of India states that if a woman has been in a live-in-relationship for a reasonable period, she should enjoy the legal rights of a wife. The committee also recommended the amendment in Section 125 of CrPC in the definition of wife so that a woman in live-in-relationship can get the status of a wife. The Maharashtra Government adopted the recommendations of the committee under criticism that the government is adopting a double standards with respect to its decision on the issue of bar dancers who also need legal protection.

In a petition between Payal Katara and Superintendent of Nari Niketa and others, the Allahabad High Court on 4<sup>th</sup> March, 2002, bench consisting of Justice Markandeya Katju and Justice R.B. Mishra held that man or woman can live together even without marriage if they so wish. This may be regarded as immoral by society but is not illegal and there is a difference between law and morality. The Supreme Court of India a bench consisting of then Chief Justice K.G. Balakrishnan, Deepak Verma and B.S. Chauhan in actress Khushboo case asked what is the offence if two adult people want to live together. Living together is not an offence and it cannot be an offence. The bench also cited the mythical figures of Lord Krishna and Radha as living together. The Apex Court also cited Article 21 of the Part III of the Constitution of India which expressly guarantees the right of life with dignity, liberty and respect and the Court stressed that the perceived immorality by a few protagonists of morality cannot be branded as offence. The live-in-relationship between two consenting adults does not amount any offence which is heterosexual in nature.

In a land mark judgement with wide ramifications on marriage laws in India, the Apex Court of India said that the live-in-relationship is neither a crime nor a sin and the Parliament should enact law to regulate live-in-relationship and amend Domestic Violence Act also. In the judgement a bench headed by Justice K.S. Radhakrishnan framed guidelines for bringing live-in-relationship within the expression “relationship in the nature of marriage” for protection of women from Domestic Violence Act. The Apex Court formulated guidelines relating to live-in-relationship on the grounds of Duration of Relationship, Shared Household, Poling of Resources and Financial Arrangements, Domestic Arrangements, Sexual Relationship, Children, Socialization in Public and Intention and Conduct of the parties. The orthodox moralist opined that the judgement will damage the age old family values and encourage pre-marital sex and extra-marital relationships whereas the liberals welcomed the judgement as progressive pronouncement by the Apex Court whereby the Court has accepted the concept of dating which is a feature of city life and most dating couples are entering into live-in-relationship to test their compatibility before they decide to tie the knot.

## CONCLUSION

As time passes by society adapts to new demands of its members. Youths of today want to experiment with new things in life instead of just lingering onto tabooed traditions imposed by forefathers. Live-in-relations provide for a remedy for a carefree life from the hassles of responsibilities and commitment the very foundations and pre-requisite of the institution of marriage. Marriage favours commitment and devotion whereas live-in-relations promote individual freedom. However, there is a escape route available in such relations which provide for escapism.

Legalising may provide for a new set of laws to be framed to govern such relations and protect the interests of the parties involved especially women. Special attention need to be given to children born out of such relations as psychological impact may be tremendous leading to mental distress and criminal tendencies among such children.

In a nut-shell the new trends keep surfacing in all times and in all societies yet the wisdom plays important role in selecting what is right and what is wrong for the sustenance of a better society and maintaining those traditions and institutions which have stood the test of time and still governing the lives of its individuals amicably.

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# WITHERING HUMAN RIGHTS: THE DISPLACED HUMANITY

Navendu Kumar Thakur\*

## ABSTRACT

**“Each person possesses an inviolability founded on justice that even the welfare of the society as a whole cannot override”.**

*John Rawls.*

*Having witnessed the march of civilization through scale of time over millenia and standing at the outset of 21st century, we observe the process of development displays the dilemma of choice- a selection between desired development and defined destruction. Unfortunately the model of development followed worldwide is highly myopic in nature which out rightly ignores the needs, dreams and aspirations of local masses. Today the development of any nation is defined in terms of mega projects such as colossal dams, power plants, highway ultimately displace huge number of people.*

*Such mass scale displacement result in great impoverishments. Dehumanizing, disempowering and painful process of displacement cause widespread traumatic psychological and socio-cultural consequences.*

*This paper endeavours to map this trauma and its ramifications faced by displaced humanity in Indian context especially in the post-Independence era.*

**Keywords:** Human Rights, Mega Projects, Displacement, Development.

**“The millions of displaced people do not exist anymore. When history is written they would not be in it, not even as statistics. Some of them have subsequently been displaced three and four times... True, they are not being annihilated or taken to gas chambers, but I can warrant that the quality of their accomodation is worse than in any concentration camp of the Third Reich. They are not captive, but they re-define the meaning of liberty and still the nightmare does not end. They continue to be uprooted even from their hellish hovels by government bulldozers.... The millions of displaced people in India are nothing but refugees of an unacknowledged war”.**

*Arundhati Roy.*

## PROLOGUE

Millions of destitute masses around the world are relocated and resettled by force away from their homes, lands and livelihood in order to make way for large-

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scale development projects such as colossal dams, reservoirs, power plants, multi lane highways, plantations, urban renewal and oil, gas, mining projects. Such forced relocation is called development-induced displacement and resettlement (DIDR).

According to United Nations guiding principles on Internal Displacement, 'Internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflicts, situations of generalized violence, violation of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border. (Uns, 2004).

E. F. Sumecher in his celebrated work "Small is Beautiful" in early 1980s castigated the development policies of the governments throughout the globe and advocated the local projects best suited to the needs and aspirations of the local masses without uprooting them. He emphasized the need for a shift of paradigm in policy thereby making the development policy pro-people. He even displayed that such local projects are economically viable and environment friendly. (E.F. Sumecher, 1982).

## **THE INDIAN POSITION**

In India DIDR has a historical background. During the days of the British regime huge developmental projects had been undertaken by the colonial government to extract local resources and facilitate the military needs. They undertook developmental works in forest areas, river systems and mineral reservoirs and due to such massive projects displaced large population and such projects are located in most under-developed or backward areas inhabited by tribals who have been since ages lived in such areas and hence are considered as primitive people. The Indian Constitution describe them as Scheduled Tribes and they constitute roughly 8.2 percent of total population are largely a neglected segment of Indian society. Though they are only 8 percent of Indian population more than 40 percent of displaced masses are tribals due to developmental projects. Since Independence India has adopted the path of development through industrial projects, dams, highways, mines, nuclear and hydro power plants, developments of new cities and such numerous projects to achieve rapid economic growth. This entails large acquisition of land and resultant displacement of people. Among internally displace people the largest segment is of those who are displaced due to developmental works. Around 50 million people have been displaced in India due to development projects since Independence. Around 21.3 millions internally displaced masses include those displaced by dams (16.4 millions), mines (2.55 millions), industrial development (1.25 millions) and wild life sanctuaries and national parks (0.6 millions). (IDMC, 2007).



Over the years the displacement due to development remained a non-issue for the government on various counts such as non-availability of actual data of displaced people with the government and non-availability of policy for their rehabilitation and resettlement. Actual number of displaced persons by developmental projects such as big dams are controversial as official figures are mostly underestimates. By official estimates on Hirakund dam in Orissa only one lakh were displaced but researchers have put the figure at one lakh eighty thousands. In Farakka Super Thermal Power plant in West Bengal affected no one but the World Bank has estimated the affected to be more than sixty thousands. Apparently the project authorities don't take into consideration the problems of displacement and rehabilitation rather the importance is attached with engineering specifications and electricity and irrigation benefits. Detailed and systematic studies are seldom done on the issue of population being displaced which renders it most difficult to estimate the actual number of displaced persons and wherever any such data is given, they are drastically underestimates to portray favourable cost-benefit ratio before the funding agencies for clearance of the project. It is because most of the displaced persons are powerless and voiceless such as tribals and rural poor. The tribals who comprise 8.08% of India's population are believed to be more than 40% of the displaced population and Dalits constitute 20% of the displaced persons. Such destitute persons are paying the price of national progress. The story does not end here. These destitute masses are subject to multiple displacement such as in the case of Singrauli wherein over two lakh people are displaced first by the Rihand dam in 1964 who were subsequently displaced by thermal power plants, coal mines, railways, industries and urbanization. Many of them have been displaced four times by 1990s. (Parshuram Ray, 2000).

### **The After Effect**

Displacement arising out of development in the post-independence era resulted in colossal impoverishment. Dehumanizing, disempowering and painful process of displacement culminated in traumatic psychological and socio-cultural consequences. Displacement breaks down production systems, desecration of ancestral sacred zones or graves and temples, scattering kinship groups and family system, disorganization of informal social networks that provide mutual support, weakening social control and disruption of trade and market connections. It also destroys complex social relationship which used to provide avenues of representation, mediation and conflict resolution. In the process the cultural identity is totally lost. It results in serious psychological trauma and physiological stress. This process is also disempowering as it breaks up socio-political organization opposing the project or the development process itself.

The Government of India has not yet formulated a comprehensive national policy of rehabilitation of displaced humanity. Lack of rehabilitation results into

impoverishment and marginalization of displaced masses. Rehabilitation is not a part of major projects. Even if it is included in the scheme it is done long after the work begins on the project. For example the people displaced by the Tungbhadra dam in Andhra Pradesh were resettled after five years of their displacement. Such victims of development cannot ask for compensation or resettlement as India does not have a national rehabilitation policy or law. (Parshuram Ray, 2000).

## **The Epilogue**

Development as a primary cause of forced migration the world over is a reality per se. Millions of people are forced to relocate each year around the globe to make way for the development projects such as dams, highways and commercial centres. In most of the cases it has been seriously noted that less effort has been made to understand the effects of risk perception of such destitute masses. What is needed a well thought out institutional mechanism for such ill fated persons in terms of restoration of their life styles, transfer of economic and political power to them through creation of natural habitat for them and legal instruments to their safeguards.

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# **WHETHER THE PROPOSED LABOUR LAW AMENDMENTS WILL BE ABLE TO STRIKE A BALANCE BETWEEN THE WORKERS AND THE INDUSTRY?**

**Dr. Aditya Tomer\*, Ms. Bushra Noor\*\***

## **ABSTRACT**

It was in the 18<sup>th</sup> century that Karl Marx, the great philosopher, economist & socialist for the first time explained how all the problems in the society owe their origin in the division of society into 2 class: the capitalist(the employer) and the bourgeoisie(the labour). Every authority across the globe has since then, according to its wits and capacity, tried to solve 'The Big Issue'. But even after passage of almost 200 years, when everything from generation to their goal & approach towards life has undergone Herculean change, what still remains the same is the 'class division' and the discrimination that it causes which has, truth be told, over the year only increased its magnanimity. Therefore as another major step towards settlement of clash of interest between the industrialist and the labour, the newly born cabinet has approved of certain amendments to the Factories' Act, 1948, the Apprenticeship Act, 1961 and the Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Act, 1988. However the pertinent question is whether the proposed amendments will be able to lessen the differences existing between the industrialist and the labour, if not completely uproot it.

## **PROPOSAL REGARDING FACTORIES' ACT 1948**

The first Factories' Act was enacted in the year 1881. Since then the Act has been amended on many occasions. The Factories Act 1934 was passed replacing all previous legislations in regard to factories. Finally the Factories' Act, 1948 was passed to overcome a number of defects and weaknesses which were revealed and which hampered the effective administration of the predecessor Act. It is a social enactment whose purpose is to achieve social reform and in order to achieve the said objective, it must be construed liberally<sup>1</sup>. After more than 60 years of its working, the Cabinet suddenly felt the urge to amend the said Act to fill in the lacunas present and this-so-called urge is so potent that it proposes to amend not 1 or 2 but 54 amendments in one stroke. The question is why? And for whom? The proposed amendment intends to empower Centre to make rules on key aspects of occupational safety and health. Right now this power vests in the State. Once the above proposition is implemented there shall be shifting of focus from the State to the Centre which would now be empowered to make rules on

<sup>1</sup> (AIR 1970 SC 488)

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some of the provisions of the Act. It would be a welcome change when the basic safety measures and health standard would be uniform, just and above local political influence.

Another proposal is related to redefining “a week” to meet power shortage. According to the present provisions the workers observe a day other than Sunday as the weekly holiday. "We are proposing a new definition of a week to cope with the power shortages across the country," said a senior government official, explaining that the change would enable individual factories within an area to determine their own weekly holidays. "If factories located in one area observe different days as a holiday, we hope to moderate power demand across the week," added the official, who did not wish to be identified<sup>2</sup>. It is a very assertive step towards striking a balance between the employer and the employee which would also keep the society moving at a smooth pace.

However the intent of the legislature is strongly called into question when focus is shifted to proposals which are preposterous enough to allow women and children to do any work "near or on machinery in motion" or any work involving hazardous processes under the garb of gender equality and non-discrimination on the basis of sex and decreasing participation of women in the labour force over the past decade. "We are suggesting this in order to promote gender equality at the workplace and have got a recommendation to this effect from a special task force on women and child development to make these employment restrictions applicable only for pregnant women, persons with disability and youngsters below 18 years of age." the official said<sup>2</sup>. The cabinet further proposes to allow women to work overnight which is quite astounding to comprehend. Though it very well brings women at par with men but somewhere it exposes them to eminent danger lurking around the society. It should be also understood that women have domestic duties to perform and that they find long working hours as a greater strain<sup>3</sup>. Somewhere it raises an apprehension as to the intent of legislature to kill two birds from one stone. On one hand it is portraying itself as a patron of equality and on the other it is trying to satisfy its yearning for increased manpower. Moreover it is difficult to say if the industrialist would be eager to pay the extra money spent in providing for additional safety measures for women working overnight or if it would bring more benefit or would become more of a liability for both employer and the employee.

## **PROPOSAL REGARDING APPRENTICESHIP ACT, 1961**

Being the *parens patriae*, it is the obligation of the state to provide to every individual an adequate means of livelihood<sup>4</sup>. It is therefore the obligation of state to regulate the training of apprentices in industries, in order to meet the increasing

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<sup>2</sup>The Economics Times, 14th June, 2014.

<sup>3</sup>The Economics Times, 14th June, 2014.

<sup>4</sup>Royal Commission on Labour' Report.

demand for skilled craftsmen required in the development of the country. In the light of above stated facts the Central Government in the year 1961, passed the Apprenticeship Act to provide for the regulation and control of training of apprentices in trades and for matters connected therewith. It is an undisputable fact that the said Act has succeeded in its objective to substantive extent but at the same time, the reality of the situation is that it has been 53 years since its enactment and 'trade' in our country has undergone humungous change. The provisions regarding apprentices have therefore become obsolete and there is an urgent need to amend them. Hence the present cabinet is correct in its approach when it portrays the intention to enable establishments to set up apprenticeship programmes faster and those which are more effective for the industry. With this view the Apprentices (Amendment) Bill, 2014 was introduced in Lok Sabha on August 7, 2014.

It proposes to amend the Apprentices Act, 1961 on the advice of an Inter Ministerial Group (IMG) which had recommended various changes to the Act to make apprenticeship more responsive to youth and industry. The proposed amendment aims at attracting more youth to join apprenticeship training and helping more unemployed youth in getting benefits of such training. Finance Minister Arun Jaitley said in the Union Budget proposed to amend the Apprenticeship Act pointing out that "Comparing the size of the Indian economy, the performance of the Apprenticeship Training Scheme is not satisfactory and a large number of training facilities in the industry are unutilised."<sup>5</sup> In fact, of the 4.9 lakh seats available for apprenticeship, just about 2.8 lakh apprentices are trained. Therefore by relaxing and widening the ambit of the provisions so as to include contractual workers, daily workers, agency workers and casual worker under Act, the legislature is trying to act as a negotiator between the industry and the labour. On one hand it is trying to consume the training potential of industries to the maximum extent and on the other hand it is making available to the industry raw manpower.

It is further proposed that the definition of 'Designated Trade' would be modified such that it include 500 new trades, including IT-enabled services and the like, allowing more employers to participate in training and employment of such workers<sup>7</sup>. Companies might also be allowed to start new trades without waiting for the Centre to notify them.

"The salary segment too has been liberalized," the labour ministry official said. In the first year, an apprentice will get 70% of what a semi-skilled worker gets, in the second year 80% and in the third year 90%. For those employed in small-scale industries, the government will pay 50% of their salary and the factory management the remainder. "This will increase the...skilled manpower in the country and help industries get job-ready employees," the official said.<sup>8</sup>

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<sup>5</sup> Art 39(a), The Constitution of India.

<sup>6</sup> The Indian Express, 31 July, 2014.

<sup>7</sup> The Prime Minister, Narendra Modi fulfilling his vision of implementing "Skill India".

<sup>8</sup> The Livemint, 31st July, 2014.

However the Bill removes the provision for imprisonment for non-implementation of the provisions of the Act and just specifies the amount/maximum amount of the fine (i.e. Rs 500 fine per shortfall of apprenticeship month to be imposed). The Bill, further, removes the requirement for Adviser's approval by the companies for the purpose of making suitable arrangements in accordance with the programme approved by the adviser. Such freedom would encourage negligence and laxity on the part of the employer which might be detrimental to the apprentices. Moreover the curriculum is outdated and it suffers with lack of infrastructure. M B Rajesh of the Communist Party of India asked for sending the Bill to the standing committee for "detailed scrutiny". He said since the Act is rigid, proper training is not being imparted to people. He called for linking the incentives provided in the Bill with employment. "In the name of growth, you are giving lakhs and crores of rupees as incentives. Let it be linked with employment," said Rajesh.<sup>9</sup>

## CONCLUSION

The unavoidable question therefore still remains that whether these amendments strike a balance or not? It is quite easy to draw whatsoever inferences and judge these amendments as progressive or regressive. However when the present attitude of global and national authorities is taken into consideration, a hope is kindled that maybe the proposed amendment would be able to strike the right cord between the employer and the employee. For instance, the World Bank in its World Development Report, 2014 has suggested simplification and modernization of labour laws to encourage higher productivity and employment generation in India, the Union Labour Minister told Parliament on Monday.<sup>10</sup> The present administration has also vowed to revive the economy and the manufacturing sector to create jobs. In the words of Mr. A.N. Chandramouli, President, BCIC, "such amendments proposed are most welcome and it would create a conducive atmosphere for business and labour."<sup>11</sup> This sends a very positive signal about the government's intention to attract investment. It is the first step and is perhaps the biggest reforms in nearly 44 years. It is a huge step," said Rituparna Chakraborty, senior vice president and co-founder of staffing firm TeamLeas.<sup>12</sup> However any law or amendment is considered good only when it is able to achieve its objectives expediently and efficiently, execution being another part of it, these amendments still need to prove themselves on this point. No doubt it looks quite promising regarding the balance on paper but to know the results one will have to wait and in the meantime, keep one's fingers crossed because "patience might be a bitter plant but does bear sweet fruits".

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<sup>9</sup>The Business Standard, 15th August, 2014.

<sup>10</sup>The Times Of India, 5th August, 2014.

<sup>11</sup>The Times Of India, 31st July, 2014.

<sup>12</sup>The Times Of India, 31st July, 2014.

# **BLACK MONEY IN INDIA - IMPACTS AND MEASURES**

**Mr. Alpana Nigam\***

## **BLACK MONEY**

Black money refers to any income or money generated through ill-legal means that has been kept secret to be eluded from Taxation. In other words, it can be referred as pecuniary holdings of the owner, which has been possessed illegitimately. It includes various activities and transactions such as gambling, black marketing, hoarding, trafficked dealing, under estimation of assets, duplicate income statement, crime, drug trade, terrorism, corruption etc. The economy in which black money flows is called Parallel economy.

## **BLACK MONEY IN INDIA**

According to a report released by Global Financial Integrity (GFI) in December 2012, India is among the top 10 developing countries in the world with a black money outflow \$1.6 billion (Rs. 8.720 crore) in 2010. Total outflow of black money from India since independence until 2010 was \$232 billion, generally in the form of corruption, bribery and kickbacks. The cumulative value of illicit assets held by Indians during the same period is estimated to be \$487 billion. The BJP, in 2011 report, had estimated India's black economy being worth around \$500 billion and \$1.4 trillion or about between Rs. 27.5 lakh crore and Rs. 74 lakh crore, while US think-tank global Financial Integrity had estimated India had lost \$123 billion (Rs. 6.76 lakh crore) in 'black money' in 2001-10. This is money that is earned and transferred illegally abroad in tax havens, such as the Cayman Islands, typically to avoid taxes. In the post-reform period of 1991-2008, de-regulation and liberalization accelerated the outflow of illicit money from the Indian economy. About a third of India's black money transactions are believed to be in real estate, followed by manufacturing and shopping for gold and consumer goods. If hidden income of Rs. 25 lakh crore were to be disclosed and taxed at 30%. It would generate Rs. 8.5 lakh crore, enough to build a 2,000- bed super specialty hospital in each of India's 626 districts.

## **INDIAN BLACK MONEY IN THE SWISS BANK**

As confirmed by the Swiss bank, India has been the topper of the list in stashing black money into the accounts of Swiss bank with nearly \$1500 billion, the highest amount invested outside of any country amidst 180 countries of the world

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followed by Russia \$470 billion, UK \$390 billion, Ukraine \$100 billion and China with \$96 billion. In an official note to the Indian government, the Swiss country has consented to reveal the particulars of the accounts holders in the Swiss bank for about 70 lakh crores provided with the Indian Government's official inquiry for information about black money during 1947 and 2008, but Indian officials have not been fascinated upon this issue since most of the investments have been garnered by politicians and big shots supporting the political leaders. It has been believed that the nation's foreign debts would be cleared off 13 times, interest from these investments would be enough for India's annual budget and India would no longer be a poor country. No need for taxation forever.

Alarming of the fact that Switzerland has been the safest tax-haven country, a revised Double Tax Avoidance Agreement (DTAA) signed between India and Switzerland in August 2010 would enable to exchange details on the tax evaders and this agreement would be crucial to unveil the details on unaccounted income laid away in the Swiss banks from January 2012. The Swiss government intends to have secrecy of the bank clients but not to protect them from paying taxes and no room for tax evasion in Switzerland according to the report by the Switzerland authorities. It further adds that Indian authorities would be informed of the details about tax fraud and tax evasion provided they have been able to furnish evidence for tax evasion by the Indians who hold accounts in the Swiss bank. With the reports coming forth about Indian account holders in tax havens such as Leichtenstein and the US government's success in accessing the accounts in The Swiss bank by the Americans during the 2008 recession, Indian government has been initiating to have better terms in this context with the Swiss.

## **IMPACTS OF BLACK MONEY ON INDIAN ECONOMY**

The flow of black money seriously affected the entire economic system of India. Some important impacts are discussed here.

- 1. Widening the gap between rich and poor** - The most significant impact is that the unfortunate disparity between the haves and the have-nots has been widened day-by-day resulting in economic instability. The Indian economy has been gravely shattered due to the huge corrupted wealth lying in the hands of the rich. With the overflowing one-sided income, the prices will be rising despite various attempts by the RBI to get them under control. As a result, the poor unable to afford for their daily living with the price hikes has become poorer whereas the rich has been richer.
- 2. Unequal distribution of income** - Hidden money as black has a huge impact on worsening the income distribution system thereby sabotaging the fixed income class placing them in the lower rung of their income ladder who genuinely pay taxes though a few of them indulge in corrupt activities such as getting bribes, commissions, compensation, gifts, etc.

3. **Uncontrollable Inflation** : The upshot to this black money causing increasing rate of inflation has been evident. It has been excoriated that to greater extent black money hoarded in the coffers of tax evaders and black marketers encourages exuberant spending, which in turn creates excessive demand and price hiking. In other words, when circulation of money exceeds the supply of goods and services in the economy, it would obviously lead to increasing inflation.
4. **Lack of Technology** - Due to the existence of black money, India is facing the problem of shortage of capital. This has the direct impact on the upgradation of technology in all sectors. The major reason behind such backwardness is the parallel economy.
5. **Increased investment in Gold & Property** - People who are looking to turn black money into white money are largely investing in Gold and Property because they can buy these things easily and can covert them back to money anytime. This activity causes Indian Economy to stall on its growth.
6. **Channelizing funds into foreign countries** - Black money ensues in transferring illegal funds from India to foreign countries through underground channels. This supplanting can be carried out through violation of exchange regulations in such as manner like under-invoicing of exports and over-invoicing of imports paradoxically. Foreign exchange resources have become thus scarce with the country turning as a de facto loaner of capital to economically developed countries because of the hidden outflow of finance.
7. **Less Tax for the government** - Many times, the Indian Government has failed to collect the estimated amount of tax from the people of our country and for this, credit has to go to the black money driven underground economy.
8. **Venomous circle of corruption and bureaucracy** - The nerve root of corruption dwells in the process of elections in a democracy, like our country that necessitates the politicians to woo funds from bureaucrats (big business and industrialists). Once capturing power these political leaders/ministers are then beholden to these bureaucrats to change ordinances in favor of them. Thus, the circle of corruption and bureaucracy become complete politicians require money bureaucrats afford the money for favors politicians offer privileges changing regulations for their benefit, industrialists and business firms create money from these alterations and in return, these bureaucrats supply partial illegal funds to the political leaders to be elected once again.
9. **Emergence of corrupted professional** - Necessitating the protection and proliferation of the black money, an organization has been essential for service providing that consists of touters and an brokers to deal with the forces of law and order, income tax advisers, or chartered accountants as black money laundering operators and this requirement leads to the outgrowth of professionals in the finance sector to take up corrupt practices.

- 10. Black Money influencing Terrorism** - Black money has been fueling terrorist attack in a large scale as terrorist activities requires huge amount of funds and in India, black money is easily available to the terrorists since India is a secular country. We would not be able to combat terrorism unless we cut short the unfavourable black currency in our economy.

## **MEASURES TAKEN BY THE GOVERNMENT OF INDIA**

The Government of India is working for bringing up all the black money in our country. The following strategies have been formulated to curb the problem of black money in India.

- (i) Punishment to Corrupt officials** - The Government of India has taken and continues to take stringent actions against those involved in corruption. The actions against the Telecom Minister A. Raja, during his tenure the 2G spectrum scam took place, is an example. If Government continues to act strong against the corrupted, India will soon be a better country and may be even a world leader in economy.
- (ii) Better and Strict Law** - The laws in our country, even today, has some loop holes which tax evaders take advantage. The lawmakers in the country have to come forward with better and strict laws regarding tax payment and to control flow of black money. If Government does not take proper timely action, the trend is only going to grow up.
- (iii) Lower Tax Slabs for encouraging voluntary compliance** - In the early 70's the tax rates were high that it encouraged many people to be involved in tax evasion. Since this became an evident reason for increasing black money, Government took steps to reduce the tax rates.
- (iv) Introduction of Tax Deduction at source on high value transactions** - In the recent budget, the Finance Minister introduced TDS, Tax Deducted at Source, to all transactions involving immovable assets above Rs. 50 Lakh. He also introduced a new tax, Commodities Transaction Tax or CTT, hoping it will help in keeping a trail of bullion trade.
- (v) Special bearer bonds** - These were special bonds introduced by Indian Government in 1981 to make use of the 'unaccounted' money for constructive purposes. Black money holders could convert their money to these bonds and could enjoy the freedom from any enquiry or investigation about sources of these funds. It carried 2% interest and had a lock in period of 10 years.
- (vi) Amnesty Scheme** - The Amnesty Schemes, introduced by the Finance Ministry from time to time, allows tax defaulters to pay a tax, waiving the penalty and interest. Using these schemes, a defaulter could disclose their wealth and convert them to legal money. No more questions will be asked. These schemes help Government to rake up the taxes and bring huge amount to legal money back into the Indian market.

## CONCLUSION

Black money or the illegal money circulating in the parallel economy is a big menace for the Indian Economy. It is also an originator of big loss in the tax revenues for the government of India. Because of the existence of the black money in Indian Economy, the per capita income of the people has not been growing in the line with the other advanced countries despite the liberal measures taken by the government of India since early 1990s. Even after several decades of economic planning and push in the right direction. India still continues in the same state as an underdeveloped economy in terms of per capita income and the reason behind it is the existence of black money. The elimination of black money from Indian economy is needed and it will benefit the economy in more than one way. It will also help in creating more revenues for the government.

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# **RULE OF LAW AND GOVERNANCE IN INDIA: A CRITICAL STUDY**

**Rajesh Kumar Dube\***

## **ABSTRACT**

*Rule of Law is one of the very important conditions for the very existence of the Constitutionism. The Constitutionalism recognizes the need for government but insist upon limitations being placed upon governmental powers. It envisages checks and balances and putting the power of the legislature and executive under some restraints and not making them uncontrolled and arbitrary. The Judiciary has to ensure that the legislature and the executive are working in accordance the provisions of the law of the land while exercising the power of judicial review. In Constitutional Democracy like India, the Law and policy decision making process must be in concurrence with the Constitution of India. The policy decision making process should be based on Constitutional expediency contrary to political expediency. The will of the people of India must be manifested in the Law making process through the people's representatives. The heads of the political parties usurp the privileges of the people's representatives regarding their contribution in law making process as per the wishes of the people of India. In this paper my endeavor is to critically analyzing the scope of Rule of Law and governance in the Indian Democracy.*

## **INTRODUCTION**

We got our Independence in August 15, 1947. We fought for our freedom with a vision that we would have our own independent legal system, blended with Indian Jurisprudential values and which would be enforced through our own indigenous, self-reliant legal mechanism for achieving true independence, where the governance of India that is Bharat shall be in accordance with the Indian culture and civilization. But, do we really achieve it? Not at all. We simply got the transition of power from Britishers with exploitative legal mechanism which had its genesis through imperialism. Britishers established their colony in India with a view to carry out political, economic, social and cultural exploitation and that is why they made their legal system, suitable for achieving those ends. Nearly eighty percent of laws made by British India have been adopted by us as such. Even the same administrative, judicial and legislative system for the governance of State has been adopted by us which was applied by the Britishers for the purpose of exploitation of the people of India. But the question which we must ask to ourselves that why did not we change the British legal system of governance in order to get true independence with self-pride?

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We the people of Indian republic adopted, enacted and give to ourselves the Constitution of India which was enforced on 26<sup>th</sup> day of January, 1950. We have adopted constitutional democracy where the governance of India republic must be in accordance with the provision of the Constitution of India. We have certain constitutional goals which are Justice social, economic and political: Liberty of thought, expression, belief, faith and worship: Equality of status and opportunity and to promote among them all Fraternity assuring the dignity of the individual and the unity and integrity of the India.

Now, we have this great opportunity through this publication, where we have to examine the Rule of Law and Governance in India in contemporary perspectives. In this paper an endeavor has been made to explain that Rule of Law and Governance in Indian Democracy is not at a par with the same vision as that of our freedom fighters.

## **RULE OF LAW AND GOVERNANCE IN INDIA**

Law and Governance are the two facets of the Rule of law, where the State shall not deny any person equality before Law and equal protection of law throughout the territory of India. It prohibits discrimination on the grounds of religion, race, caste, sex or place of birth but permits reasonable classification which must be based on intelligible differentia and such intelligible differentia must have reasonable nexus with objective sought to be achieved. In other words, equality and arbitrariness are sworn enemies and the breach of rule of law would be the destruction of Constitutionalism. Constitutionalism recognizes the need for government but insist upon limitations being placed upon governmental powers. Constitutionalism envisages checks and balances and putting the powers of the legislature and the executive under same restraints and not making them uncontrolled and arbitrary.<sup>1</sup>

We have three organs of the government for the governance of the Indian Republic in accordance with the provision of the Constitution of India. Law is the expression of general will of the people which are made by elected representatives of the people in India as law makers. Legislative organ, whose function is to make law according to the will of the people which is being represented by our members of India Parliament and legislative assemblies of the Indian states. They are supposed to make good law for fulfilling the popular aspirations of the people of India. But do they really accomplish this task? Answer is No! Lokpal Bill is very good example to explain this situation. Our legislators are not willing to make strong Lokpal Law, as it would be counterproductive for them against the popular will of the people, which want tough and stronger law. Then again a question arises, why they are not making good laws? The answer would be as

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<sup>1</sup> M.P. Jain - Indian Constitutional Law - Fifth edition page no. 5

these representatives of the people do not represent the majority will of the people, we cannot expect them to make good laws for corruption free governance. The majority of our representatives are elected by a minority of votes cast thereby making their representative credentials doubtful.<sup>2</sup> The multiplicity of political parties, combined with our Westminster based first-past-the-post system results in a majority of legislators and parliamentarians getting elected on a minority vote. In other words, they usually win by obtaining less than 50% of the votes cast *i.e.* with more votes cast against them than in their favour. There are States where 85% to 90% of the legislators have won on a minority vote.<sup>3</sup> In many cases candidates have won by getting less than 20% of the total votes cast in their constituency. At the national level, the proportion of MPs who have won on a minority vote is over 67% at an average for the last three Lok Shaba elections. This means that at an average, at the very least, two-thirds of our legislators all over India win on the basis of a minority vote. In a hugely divergent society such as ours, this has created a vested interest for political parties to progressively appeal to narrower loyalties. Clearly, if a candidate can win on less than one-third share of the votes polled, he does not need to generate a wider appeal. In the long-term, this has even more serious consequences for India, as the existing cleavages will only deepen thus dividing the society further.<sup>4</sup> We have territorial constituencies from which voters elect a representative, it is strange that most people of the constituency do not vote for a particular candidate yet it is he who becomes their representative. A question can arise: whose representatives are such candidates when a majority of voters did not want them?<sup>5</sup> The seriousness of this issue has generated suggestions from many quarters. Many eminent persons have suggested that we should only have representatives who win on the basis of 50%+1 vote. If, in the first round, nobody gets over 50%, then there should be a run-off contest between the top two candidates so that one of them will win on the basis of over 50% of the votes polled. To save on the cost and trouble of a run-off, another suggestion made is that of each voter being asked to give an alternative vote so that in case of no one getting 50+votes in the first count, the alternative votes get counted. With EVMs and technology available now counting of alternative votes need cause no delay or other problem.<sup>6</sup>

Elected representatives play vital role in the legislative and executive organs of the State whose acts of commission and omission in working the Constitution and the rule of law become the basis of Judicial Review. Excesses in elections (in campaign-funding, use of illegitimate money, quantum of expenditure, imperfect electoral rolls, impersonation, booth capturing, violence, inducements and intimidation), floor crossing after elections to get into power and abuse of power in

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<sup>2</sup>National commission to review the working of the Constitution, 2001; Review of election law (Abstract)

<sup>3</sup>National commission to review the working of the Constitution, 2001; Review of election law (Para 16.1)

<sup>4</sup>National commission to review the working of the Constitution, 2001; Review of election law (Para 16.2)

<sup>5</sup>National commission to review the working of the Constitution, 2001; Review of election law (Para 16.2)

<sup>6</sup>National commission to review the working of the Constitution, 2001; Review of election law (Para 16.3)



public office became major afflictions of the political process over the years.<sup>7</sup> The corrupt governance may be remedied by carrying out electoral reforms in a view that true and legitimate representations should be established in our legislative bodies which would be in concurrence with the Constitutional Law of India. The very objective of the electoral reforms should be that true and legitimate representatives must be get elected by the people of India. True and legitimate representatives means the person who is to be elected should have certain good qualities like honesty, integrity, probity in public life, leadership quality and devoid of illegitimate electoral practices like money power, muscle power, mafia power, criminalization, corruption, communalism and casteism. In this connection the need for drastically bringing down the costs and Gandhian model of decentralization and a bottom-up instead of the present top down approach are to be considered.<sup>8</sup> Fair election contemplates disclosure by the candidate of his past including the assets held by him so as to give a proper choice to the candidate according to his thinking and opinion.<sup>9</sup>

We the people of India have so many laws and schemes aimed at protecting socio-economic and cultural rights and right to development but we have not succeeded in realizing these objectives. The average growth rate over 2007-2011 was 8.2%, poverty declined by only 0.8%.<sup>10</sup> Statistics reveals that more than 75% of the Indians have faced further marginalization during the period. According to the Arjun Sengupta Committee (2006) appointed by Prime Minister, 77% of the Indians live on consumption expenditure of less than Rs. 20 (around 0.4 U.S. Dollar) a day.<sup>11</sup> According to Tendulkar Committee Report, the National poverty rate in India is estimated at 37.2%. India still ranks 134 out of 187 countries on the UN human development index.<sup>12</sup> India has lagged in improving its Global Hunger Index (GHI) score despite strong economic growth, according to the 2012 GHI report released for the seventh year by the International Food Policy Research Institute (IFPRI), Welthungerhilfe, and Concern Worldwide. The India's economic policies, driven by the neo-liberal economic paradigm, continue to perpetuate 'exclusion' of poor and violate Fundamental Rights and Directive Principles of the Constitution.

Article 21 of the Constitution of India guarantees right to dignified life, which includes adequate housing and land for meaning full life. Besides this, Directive Principles of States Policy obligates the States to provide adequate housing and lands to the people of India. Various statistics reveals the fact that majority of Indian population, in urban as well as rural areas, however lives in extremely inadequate and insecure conditions.

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<sup>7</sup>Fourth report of Administrative Reform Commission, Jan. 2007 ( Para 2.1.1.1 )

<sup>8</sup>National commission to review the working of the Constitution,2001; Review of election law (Abstract)

<sup>9</sup>Union of India V. Association for Democratic Reforms AIR 2002 SC 2112

<sup>10</sup>Between 2007-2011 according to draft approach paper for the Twelfth Five- Year plan. Planning Commission

<sup>11</sup>Report on conditions of work and promotion of livelihoods in the unorganized sector (Arjun Sengupta Committee Report, 2006.

<sup>12</sup>Report of the Expert Group to Review the Methodology for estimation of Poverty; (Tendulkar Committee Report), 2009.

In India, 43.5 percent of children under five are underweight, which accounts for almost two-thirds of the country's alarmingly high GHI score. From 2005-2010, India ranked second to last on child underweight- below Ethiopia, Niger, Nepal, and Bangladesh. The report suggests long term availability of natural resources as crucial for food security and human well-being.<sup>13</sup> India has ratified core international human rights instruments that have strong reference to the right to food.<sup>14</sup> The Constitution of India provides protection and promotion of the right to food. Article 21 secures protection of life and personal liberty, while Article 47 states that “the State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties”. There are number of food entitlement programmes like Integrated Child Development Scheme, Mid Day Meal Scheme, Public Distribution System and Annapurna Scheme etc. Despite of such legal provisions, food entitlement programmes and required available grains, 21% of India's total population remains undernourished.<sup>15</sup>

The National Food Security Bill, 2011 (NFSB) is a very important step towards the elimination of hunger and under nutrition in India. Its positive features include the recognition of women as heads of the household for the distribution of BPL cards and the statutory recognition of Mid-Day Meals and integrated Child Development Schemes. However, the Bill also has shortcomings, as it fails to universalize the PDS and rather opts for a targeted approach.<sup>16</sup>

Since 2001 the country has witnessed an alarming number of farmer suicides with a baseline of 15000 each year primarily due to indebtedness and agrarian distress. Liberalized trade,<sup>17</sup> Patenting of Agricultural Products, and the introduction of Genetically Modified Organisms (GMOs), especially under the draft Biotechnology Regulatory Authority of India Bill, 2011,<sup>18</sup> could further aggravate India's food crisis.<sup>19</sup>

India spends only 4.4% of its budget on health, which is far below the global median of 11.5%.<sup>20</sup> As a consequence, India's health care infrastructure is sub-

<sup>13</sup> According to the 2012 GHI report released for the seventh year by the International Food Policy Research Institute (IFPRI), Welthungerhilfe, and Concern Worldwide.

<sup>14</sup> International Covenant on Economic, Social and Cultural Rights ICESCR Art.11), and the Convention on the Elimination of All Forms of Discrimination against Women CEDAW, Art.24 & 27), and the Convention on the Rights of the Child CRC, Art. 12 & 14)

<sup>15</sup> Food and Agriculture Organization of the United Nations, India, available at: <http://www.fao.org/countries/55528/en/ind/>

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<sup>18</sup> Raghuvansh Prasad Singh: BRAI Bill Bulldozing Public Opinion, Business Standard, September 17, 2011, available at: <http://www.business-standard.com/india/news/rahuvansh-prasad-singh-brai-bill-bulldozing-public-opinion/>

<sup>19</sup> See: Concluding Observation of the UN Committee on Economic Social and Cultural Rights, 2008, E/C.12/IND/CO/5, para.29, available at: <http://deaccess-dds-ny-un.org/doc/UNDOC/GEN/G08/436/08/PDF/>

<sup>20</sup> 2008 statistics quoted in WHO

standard and inadequate, lacking doctors and nine hospital beds per 10,000 people.<sup>21</sup> Only 15% of the population has health insurance, making quality healthcare in private hospitals inaccessible for a vast majority of the population. The government has announced that the health insurance scheme- 'Rashtriya Swasthya Bima Yojna'- will be expanded by the end of the Twelfth Five Year Plan in order to cover around 70 million families.<sup>22</sup>

## CONCLUSION

The constitutional goals are the mile stone, where, we have to march. We believe in the system of rule of law and accordingly the State shall not deny any person equality before law and equal protection of law throughout the territory of India.<sup>23</sup> Constitutionalism and the rule of law ensures the governance of State must be in accordance with the provisions of the Constitution and law of the land. The legislative power lies with our legislative bodies which are constituted by the elected representatives of the people of Indian democracy. These representatives of the people are expected to make good laws in the general interest of the people after thorough deliberations and well considered opinion. There must be collective approach of all the organs of the State to carry on governance in accordance with the law of the land in true letter and spirit as our freedom fighter had dreamt for.

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<sup>21</sup>WHO, World Health Statistics 2011, available at <http://www.who.int/whosis/2011/>

<sup>22</sup>The Hindu, NHRM to be National Health Mission soon. March 13,2012, available at [www.thehindu.com](http://www.thehindu.com)  
Article 14 of The Constitution of India.

# AN ANALYSIS OF THE FORM AND CONTENT OF DINGAL POETRY OF RAJASTHAN

Dr. Meeta Shukla\*

*“Barring Tamil, there is no language in the world, which is as rich as Dingal, in terms of ornate and chivalric narrative”*

*- Jaswant Singh*

## INTRODUCTION

The land of Rajasthan is replete with tales of chivalry of its people. Its history is the history of chivalry of the people of Rajasthan and its literature is the literature of tales of bravery. Rajasthan's literature has primarily been crafted in two languages- Dingal and Pingal. Dingal is another name of Marwari of middle ages, while Pingal is the name given to Braj Bhasha of Rajasthan's poets. Even though both Dingal and Pingal have lent themselves into creation of a glorious tradition of poetry creation, it is Dingal that has carved a distinct identity for itself due to its oral tradition of rendition.



Braj Bhasha mixed with Rajasthani is also referred to as Pingal. The diction and style of Maru Bhasha poetry or Dingal are adopted in Pingal but the grammatical structure is that of Braj Bhasha or akin to it.

## ORIGIN OF 'DINGAL'

A small discussion on origin of this language is in order. It is uncertain as to when Rajasthani language came to be known as Dingal. Different scholars have different opinions on the subject.

The first opinion states that the word Dingal means crude or rustic. In this sense it was different from Braj Bhasha which followed the rules of literary norms. This was the assessment of the Italian scholar Tissitori. My assessment is that it is blatantly unfair to call the language as crude or rustic. Indeed, unlike Braj Bhasha, words appear more twisted in Dingal, however, that was largely due to its propensity to be rendered in an oral tradition than in the written medium. It was the language of Charan Bhats who were very learned and well versed in poetry.

The second opinion is that initially it was known as 'Dagal', but later on, in order to make it rhyme with Pingal, it was called Dingal. However, this too appears

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unjustified and inaccurate. The word 'Dagal' itself means 'a lump of mud', or in other words an 'illiterate individual'. This demeaning naming for a language by the Charan-Bhat kin that themselves sustained their livelihood of does not appear plausible.

The third school of thought feels that the word Dingal is an amalgamation of Dim + Gal. Dim means the sound of 'damroo' and 'gal' refers to 'gala' or throat. Damroo has been regarded as the musical instrument of Lord Shiva and whatever is freely rendered through the throat to the accompaniment of Damroo is essentially Dingal. This argument too gets defeated when one considers that the god of chivalry is Indra, not Shiva and Damroo has rarely been recognized as the instrument of motivation in battle.

Yet another group is of the assessment that the classical poetic style Dingal means Divya + ingus i.e. the Divine word.

The more commonly accepted opinion is that Dingal poetry has always eulogized chivalry, and in doing so there was always a huge opportunity of exaggeration in narration. It can also not be forgotten that Dingal poets earned their livelihood from what they said of their masters and hence exaggerated sculpting of words always existed. This exaggeration is what is referred to in Devnagri as 'Deeng'. In all probability, this language was earlier called Deengal, and with passage of time, came to be referred as Dingal.

## **CONTENT OF DINGAL POETRY**

Dingal poetry has always brimmed with profuse narrative of chivalry of its people. Its repository of words is very rich, with each word having as many as thirty synonyms. It is popularly believed that perhaps there is no public figure of note, in whose praise, there doesn't exist a Dingal eulogy.

While Dingal poetry has predominance of chivalry, other forms, that of ornamentation or 'Shringaar ras' and stillness or 'Shaant ras' etc are also found, but in relatively less quantum. In effect, Dingal poetry is about three-fourths part chivalry or veer ras. Hindi is marked by a near absence of veer ras. On the other hand, if inclusion of veer ras in Sanskrit and other Indian languages is considered, there is no doubt that Dingal would be found to have an exceptionally high quantum of veer ras. It is also easy to understand why this is so.

The poets of Dingal were born in the land of Rajasthan that has always prided itself of its glorious traditions of chivalry. The prevailing atmosphere around them was hard to ignore for these Dingal poets. This is in contrast with narratives of chivalry in Sanskrit, whose poets by and large were scholar hermits and ascetics living in relative isolation in their sparse surroundings. A poet with pen in one hand and a sword in another, would invariably accompany the army in the battle field.

This poet would record the true and correct account of the battle which being impartial was given due recognition by both the sides. The proximity to the scene of action and the protagonists also enabled the Dingal poets to give a close and intimate account of the inner thoughts, trials and tribulations of their heroes as they wielded their weapons and plunged headlong into battles.

Dingal poets have also never overlooked the role of the women folk left behind as their men went into battle. It is in their depiction of the women folk that the Dingal bards managed to knit together depictions both of chivalry and 'shringaar ras' as the women prepared to become 'sati' on learning of the demise of their husbands. For example, a translation of a Dingal couplet would read thus:-

***O naayin (lady barber)! Today you should not colour my feet with mahaavar. It is time for war tomorrow. If my husband perishes in the battle, then (as I become sati), you can feel free to colour my feet all over.***

In this focus on chivalry, the bards kept in mind that there was a requirement to occasionally keep the atmosphere light too, and it is common to find anecdotes which are light- hearted and meant to evoke fun and laughter in their poetry. Sample this:-

***'King Raavan has taken birth. He has one body, but ten mouths. The mother is in a dilemma which mouth to choose for breast-feeding'.***

**Or another**

***Shaving the head has three benefits- The dandruff can be rid off, you can enjoy being called a 'baba' and after the head shaving ceremony, you can also get to eat to your heart's content.***

### **Form of Dingal Poetry**

This Dingal literature has not only variety but is amazing for its metrical richness also. There are 120 distinct types of these metres the account of which goes to form a complete work on the subject known as Ritigranth.

But indeed, it is also true that rendering of Dingal poems and songs is a difficult task for the uninitiated. Occasionally, there are long passages that need to be uttered in one tone and one breath, and this required getting used to the complex intricacies. But the masses, who got initiated at an early age, like the children of the Dingal bards, quickly took to it naturally. Many Jain priests too have done compositions in Dingal and the illiterate in Thar Desert can still be found joyfully singing Dingal songs.

For those unfamiliar with the language, it may not be possible to comprehend its meaning by listening, but still the effects of the sounds involved, never fail to make an impression on your mind. The listener passes through an experience. It is an

experience in listening of sounds that are ordinarily prohibited in use. The sounds of the consonants /t/,/d/,/n/tth/ etc. mainly produce a heroic feeling, similarly the predominance of the sound /gh/,/eh/,/g/,/d/ tend to produce delicate feelings in the heart.

### **Language of Kings versus Language of Masses**

Critics of Dingal say that it has always remained a language of the kings and palaces, one cannot really refute that that it has been a language of the masses. Its supporters, in fact, point out that Dingal poets have not only eulogised the high and mighty, but very frequently lambasted them too, including the princes and their courtiers.

An unbiased examination of these two divergent thought processes forces one to wonder where is the truth. For this, it may be apt to take a look at the end result- the current state of Dingal folk poetry. The Sanskrit and Parkrit languages have been replaced by contemporary Rajasthani. It took over ten centuries for Sanskrit and Prakrit to be abandoned through a process of elimination to acquire the contemporary form. The medium of expression, even by Jain Sadhus was Dingal, and others also followed suit. Surya Lal Missan, Kavi Raja Bankidas, Soda Bhartiyaaji, Charan Yukti Dan, Charan Jivji Ratnu, Ada Dursaji, kavi gang and Shive Das developed and enriched the Dingal Bardic tradition.

The truth is that the Rajasthani literature during this period suffered from the cramping effect of feudalism, much as Roman literature during the Empire's decadence. It was not rooted to realities and the depictions were excessively exaggerated and grotesque. Since greatness was associated with local chieftains during this Bardic period, people, culture and civilization remained out of reach. Except for Mira Bai, who avoided patronage of the court, the literature of the period lacked critique of life, and thus it was never a literature in the true sense of the word. This Bardic tradition continued for nine centuries. The poets generally confined themselves to exaggerating the merits of the reigning sovereigns.

### **CONCLUSION**

Post independence, Dingal has seen a resurgence, largely guided by a desire for resurgence of the Rajasthani language. The contemporary Rajasthani language came to them as form of different dialects, devoid of a script and alphabet. The dialect could not give a scientific base to its script and linguistics. Herein lay the strength and weakness of the Dingal poets today. It is also for this reason that today's poets and writers in Dingal are freely experimenting to create a new cultural milieu. While most continue to choose to go by the feudal romanticism, others have moved to other forms.



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# INDIAN WOMEN: THE KEY TO DEVELOPMENT

Dr. (Mrs.) Usha Pathak\*

## ABSTRACT

*There is a concept of 'Lord Shiva' in the form of 'Ardhnareshwar' which means even the God's body himself comprises of half man and half woman. So therefore unless the other half portion of woman is involved in any developmental program, the balance picture would never emerge, as the woman is a significant half in creating a balance in the society. The role and importance of the woman in shaping the society was recognized in the ages of Vedas and Upanishad, where woman played an important role in writing the holy book of Hindu Society and such involvement of woman has proved in developing the roots of Hinduism. The strength of the firm roots can be easily understood from the fact that despite India being ruled by so many Arabians and centurion rule of British, they could not eradicate the values of Hinduism of this country. Whereas on the contrary wherever British ruled the local culture, values, language etc were completely eradicated during the British rule. The burning examples are a number of African countries, Australia, Canada and America etc.*

*There is a famous saying that behind every successful man there is a woman. But in today's perspective, behind all successful society and the nations there had been the women of these countries which led to the success story. Unfortunately during the Mughal regime in India the women were confined to the four walls of the house and as such could not contribute to the society. But in today's modern world, where information technology has created a boom in the economy the women are proving themselves in playing an unavoidable role in generating best results. This is visible in the sudden change in the Indian economy during last two decades. In the past decades with industrial revolution our society also witnessed a significant environmental imbalance which may lead to serious repercussions in the society and the future generation. Though there have been a number of efforts made by the govt., NGOs, private sectors and even international organizations, yet the results are not visible. It is therefore necessary that there should be a change in the strategy and approaches that eradicate the problem through the involvement of each and every members of the society. As woman plays significant role in shaping her family in particular and society in general, her involvement is very important. Woman has natural instinct of love and compassion towards fellow being and above all a tendency to keep a balance in all spheres of life and this gift of God to her should be fruitfully utilized while planning any developmental programs and creating policies for the nation. For example in solving the ongoing environmental issues, women can certainly use the house hold garbage to convert the same into bio-compost which will not only reduce the size of waste dump but also conserve resources (fertilizer)*

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*and shall help in the creation of clean & green environment. Similarly she can contribute in different developmental programs related to various areas like health, education, political and social etc.*

## **ANCIENT INDIAN MYTHOLOGIES**

As per ancient Indian Hindu Mythology 'Lord Shiva' at many instances have been projected in the form of 'Ardh-nareeshwar' which means even the God's body himself comprises of half man and half woman. Such statues of lord Shiva are often visible in the temples in Southern India. This is indicative of the fact that thousands of years ago, Hindu society well recognized the importance of a balance society where in man and women contribute equally in evolving values and norms for the society. This is further visible from the fact that even nature has created an average equal ratio (50 : 50 ) in the male and female population. In the recent days it has been observed that the country has seen a large number of female embryo killings which has contributed in the rising male children population not only in the Northern parts of the country but also in the Southern states where female population used to be slightly higher than the male population. Such fiddling with the nature shall have its own consequences in the years to come. This is further proven in the natural laws of Physics that only balanced systems last longer and imbalanced systems generally collapse. Therefore, unless the other half population of woman is actively involved in the developmental programs, the balance picture would never emerge, as the role of woman is inevitable in creating a balanced society.

## **The Role in Developing Holy Books**

The role and importance of the woman in shaping the society was recognized in the ages of Vedas and Upnishad, where women (Rishi-Kanya) played an important role in drafting the holy books of Hindu Society. The Hindu way of living as depicted in these holy books is now understood not only by general mass of the country but also the developed countries such as Europe and America. The involvement of woman has proved in rendering firm roots of Hinduism. The strength of the Hinduism roots can be easily understood from the fact that despite India being ruled by so many Arabians and centurion rule of British, none of them could eradicate the cultural roots of Hinduism from India. On the contrary where ever British raj was established, the language and other cultural roots were completely over shadowed by the British influence. The burning examples are African countries, Australia, America, Canada and other common wealth countries.

## **Contribution of Women in Nation Building**

There is a famous saying that behind every successful man there is a woman. This fact has been well tested not only at household level but also at the national level and also in developed societies where women played an equally important role in contributing to the economies of their nations. The examples can be quoted from countries like Japan and Germany. During the Second World War these countries

were completely ruined, but mainly due to the involvement of women the progress was made at such a rapid pace that today these countries are recognized as powerful nations who control the global economy and are termed as developed nations.

Therefore, it can be conveniently concluded that in today's perspective, behind all successful societies and nations there have been the women of these countries which led to their success story. Unfortunately during the Mughal regimes in India the women were confined to the four walls of the house and as such could not contribute to the society. This had a significant impact on the progress of the country and India was economically struggling for decades. It is only through the Governmental programs where women were uplifted and brought into the main line of developmental programs through education and empowerment. This when exhibited in explicit terms that women contributed significantly in changing the economic scenario of the country. The best example is the Information Technology sector where women's contribution brought India to the world map and got rated as no.1 globally. So much so that even it created threats to the jobs for Americans in their own country. Even President George Bush had to advise his country men that they must improve their maths, else the jobs shall go to India and China.

### **Role in Population Control**

Needless to reiterate that it is women who are directly responsible for deciding the size of the family. In an over populated country like India, imparting education to poor women proved quite fruitful and helped to a significant extent in curbing the ever increasing population growth. The earlier generation which saw almost 9 to 10 children per family has now been changing to just 2 children per family and even a single child family is being popularized day by day. Positive control in population shall certainly impact the growth rate and help in elevating poverty in this country. Controlled population means better quality of life with improved education, health and prosperity. The credit for the development in the western world to a large extent goes to the family planning programs in those countries, education to women and the social reforms that lead to a concrete contribution from the women population.

Since the journey has just started and it is a long way to bring the population growth curves under control, it is high time that women in India must take charge to effectively devise policies that shall result in expediting family planning programs in the rural India.

### **Role in Policy Making**

The political system in India provides equal opportunities to men and women to be involved in the planning and program formulation for the development of the country. The democratic set up demands that any average citizen can participate in the political system and contribute at the parliament, assemblies, Panchayat and other several levels. Unfortunately as of now the percent representation of women is not up to the mark and the situation demands major representation from women so that balanced policies and programs could be evolved for the long lasting and

sustainable growth patterns for the nation. Unless women from all walks of life and equal in number are represented, a balanced society will be difficult to develop.

### **Role in shaping character of the society**

It is a universal truth that God imparted quite an important role to women to give birth to its offsprings and nourish them for a healthy life. It is also true that children spend maximum time with their mothers and become the replica as far as values, morals and overall character is concerned. Therefore, women can only decide the character of her children which ultimately imparts the shape to the society. The children can be educated for:

1. Conserving water at home for judicious use.
2. Conserving energy at home by switching off lights and fan etc whenever not in use.
3. Using the vegetables waste and peeling of fruits and vegetables to use these in preparing compost and home grown vegetables.
4. To inculcate the philosophy of want not and waste not.
5. To be true and honest to their parents, grand parents, friends, and other members in the society.
6. Developing a feeling of love and helping nature for plants and wild (animal) life.
7. Developing a sense of spiritual and peaceful living.
8. Helping Governments through NGO programs.
9. Stand firm against injustice and promote honesty and justice in the society.
10. In conserving art, literature and cultural values of the society.
11. In developing schemes that are useful to common mass.

### **OTHER ROLES**

Women exhibited an important role in Chipko movement which lead to conservation of trees and forests. This movement though started from Rajasthan, yet took a major shape in the state of Uttaranchal in the leader ship of Mr. Sundar lal Bahuguna.

The women in the state of Uttaranchal lead to the formation of the state after a long term struggle for the over all development of the region.

The women of Uttaranchal exhibited their capabilities in waging war against alcohol and its deleterious impacts on man. The men addicted to alcohol were taken to task and the sale was controlled.

There are leading women that have glittered in the corporate world of ICICI bank (Chanda Kochar), Pepsi cola, HSBC bank, Miss World, and a number of other corporate women.

A good number of women now are pilots and have been flying air crafts. The name of Kalpana Chawala at NASA is unforgettable.

Women have even been serving in police and defense services, apart from medicine, financial institutions, share markets, and hotel industries etc.

A large number have been working as members of parliament, MLAs, MLCs, President, leaders of Congress party and other political positions.

### **Role in Development and Environmental Conservation**

In the past decades with industrial revolution our society also witnessed a significant environmental imbalance which may lead to serious repercussions in the society and the future generation. Though there have been a number of efforts made by the govt., NGOs, private sectors and even international organizations, yet the results are not visible. It is therefore necessary that there should be a change in the strategies and approaches that eradicate the problem through the involvement of each and every members of the society. As a woman plays significant role in shaping her family in particular and society in general, the need of the hour is to hand over control in the hands of women of India to experience the results. Women as balancer shall certainly provide a system that is prosperous, peaceful, foolproof, sustainable and create a society where majority of the countrymen live in peace and harmony.

### **Woman as balancer and a symbol of love and affection**

Woman has natural instinct of love and compassion towards fellow being and above all a tendency to keep a balance in all spheres of life and this gift of God to her should be fruitfully utilized while planning any developmental programs and creating policies for the nation. For example in solving the ongoing environmental issues, women can certainly use the house hold garbage to convert the same into bio-compost which will not only reduce the size of waste dump but also conserve resources (fertilizer) and shall help in the creation of clean & green environment. Similarly she can contribute in different developmental programs related to various areas like health, education, political and social etc.

### **SUMMARY**

To summarize, today the scenario dictates that making women folk a part of the main stream is inevitable and in the interest of the country and society, there is every reason that women in India are empowered and roped in to decide the future of this country. A country well nourished by the women who have made great sacrifices in the past will make the future brighter and more glorious.

In today's perspective though, the wealth is gone, yet women are to be brought back so as to bring back the prosperity that country lost during last two centuries. This would certainly bring back the Golden Bird that had flown away from the mother land.

# FINITE DIFFERENCE SOLUTION OF FLUID FLOW PROBLEM WITHIN A HEATED CLOSED CAVITY

Dr. Rajesh Kumar\*

## ABSTRACT

*The problem of fluid flow within an enclosed rectangular cavity where one wall is maintained at a constant temperature  $T_0$  (cold wall) and at the remaining walls, Neumann boundary conditions are assumed.*

*The technique applied makes use of a second- order finite difference approximations to all derivatives in the governing equations. Furthermore, second order approximations are also used to determine vorticities and boundary temperatures as well. The system of equations is solved by a fast direct solver based on an elimination technique which gives accurate results. The stability of method is shown in the convergence for a wide range of Rayleigh numbers, Prandtl numbers and mesh sizes.*

*Jones[1] proposed that this problem is suitable for testing methods that may be applied to a wide range of practical problems such as reactor insulation, cooling of radioactive waste containers, solar energy collection etc.[2]. Doma et al. investigated in [3] the motion of time independent flow of a viscous incompressible fluid passing a rectangular plate. A Numerical study on the uniform shear flow past a cylinder of square cross section placed parallel to a plane wall has been made in [4].*

*Values of Nusselt number have also been calculated through the use of Simpson's rule and a second order approximation to the normal derivative of the temperature along the cold wall. Comparisons are made with other current works to aid in the verification of this method's accuracy.*

## INTRODUCTION

Numerical results for this problem have been previously obtained by others. However, most of the results were obtained for limited values of Ra or Pr or with first order numerical approximations. For example Poots [5] used a numerical method based on the use of orthogonal polynomials. Some other numerical results have also been obtained for this problem, but however most of the results obtained were for limited values of Ra or Pr or with first order numerical approximations. Rosen [6] employed linear programming techniques and Newell and Schmidt [7] used central difference approximations to first derivative terms. All used a value of  $Pr=0.73$ . Others have also used central difference approximations. However, central differences tend to be unstable for small values of Pr. For example, Rubel and Landis

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[8] and Shembharker and Gururaja[9] used values of  $Pr=1$ . Devis [10] and Wilkes and Churchill [11] were successful with  $Pr=0.1$ . Elder [12] was able to obtain convergence with  $Pr=0.01$ , but at the expense of severely limited values of  $Ra$  (at  $Pr=0.01$ ); stable solutions were obtained only for  $Ra < 60$ .

Part of the problem with central differences is that the resulting coefficient matrix contains off-diagonal values that are large relative to the diagonal values. Thus diagonaldominance property of the matrix does not hold and therefore iterative methods to solve the system of equations become difficult to apply.

## THE PROBLEM

The equations considered are:

$$\nabla^2 \psi = \omega \dots\dots\dots(1)$$

$$\nabla^2 T + \psi_x T_y - \psi_y T_x = 0 \dots\dots\dots(2)$$

and

$$\nabla^2 \omega + (1/Pr) (\psi_x \omega_y - \psi_y \omega_x) + Ra T_y = 0 \dots\dots\dots(3)$$

The stream function, vorticity and normalized temperature functions are represented by  $\psi$ ,  $\omega$  and  $T$  respectively. The Rayleigh and Prandtl numbers are denoted by  $Ra$  and  $Pr$  respectively.

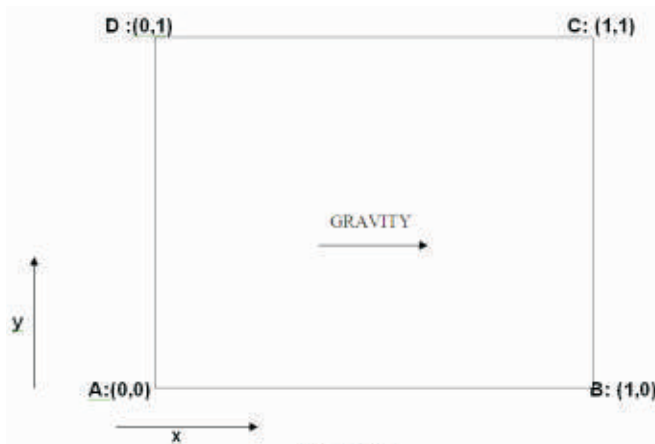


Figure : 1

$$\psi = 0 \text{ on } ABCDA \dots\dots\dots(4)$$

$$\partial \psi / \partial y = 0, \quad T=0 \text{ on } AB \dots\dots\dots(5a)$$

$$\partial \psi / \partial x = 0, \quad \partial T / \partial x = 0 \text{ on } AD \text{ and } BC \dots\dots\dots(5b)$$

$$\partial \psi / \partial y = 0, \quad T=1 \text{ on } CD \dots\dots\dots(5c)$$

## DIFFERENCE EQUATIONS

In equations (1) - (3), first and second derivatives are approximated by central difference formulae and following difference equations are obtained respectively.

$$\psi_{i,j+1} + \psi_{i,j-1} - 4\psi_{i,j} + \psi_{i+1,j} + \psi_{i-1,j} = -h^2 \omega_i \dots \dots \dots (6)$$

$$A_1 T_{i,j-1} + A_2 T_{i,j} + A_3 T_{i,j+1} + A_4 T_{i+1,j} + A_5 T_{i-1,j} = A_6 \dots \dots \dots (7)$$

Where

$$A_1 = \frac{1}{h^2} - \left( \frac{\psi'_{i+1,j} - \psi'_{i-1,j}}{4h^2} \right)$$

$$A_2 = \frac{1}{h^2} + \left( \frac{\psi_{i,j+1} - \psi_{i,j-1}}{4h^2} \right)$$

$$A_3 = -4$$

$$A_4 = \frac{1}{h^2} - \left( \frac{\psi_{i,j+1} - \psi_{i,j-1}}{4h^2} \right)$$

$$A_5 = \frac{1}{h^2} + \left( \frac{\psi'_{i+1,j} - \psi'_{i-1,j}}{4h^2} \right)$$

$$A_6 = 0$$

Where

$$B_1 \omega_{i,j-1} + B_2 \omega_{i-1,j} + B_3 \omega_{i,j} + B_4 \omega_{i-1,j} + B_5 \omega_{i,j+1} = B_6 \dots \dots \dots (8)$$

$$B_1 = \frac{1}{h^2} - \frac{1}{Pr} \left( \frac{\psi'_{i+1,j} - \psi'_{i-1,j}}{4h^2} \right)$$

$$B_2 = \frac{1}{h^2} + \frac{1}{P_r} \left( \frac{\psi_{i,j+1} - \psi_{i,j-1}}{4h^2} \right)$$

$$B_3 = -4$$

$$B_4 = \frac{1}{h^2} - \frac{1}{P_r} \left( \frac{\psi_{i,j+1} - \psi_{i,j-1}}{4h^2} \right)$$

$$B_5 = \frac{1}{h^2} - \frac{1}{Pr} \left( \frac{\psi_{i+1,j} - \psi_{i-1,j}}{4h^2} \right)$$

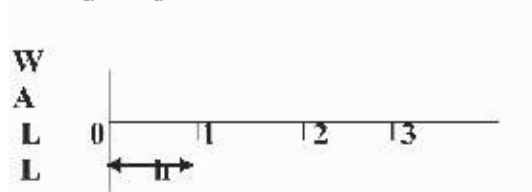
$$B_6 = -R_o \left( \frac{T_{i,j+1} - T_{i,j-1}}{2h} \right)$$

Neumann boundary conditions for are approximated at 2nd order boundary conditions.

$$\omega'_0 = \frac{-3\omega_1}{h^2} - \frac{\omega_1}{2} + O(h^2) \dots \dots \dots (9)$$

Similarly boundary temperatures are approximated by

$$T_0 = \frac{4T_1}{3} - \frac{T_2}{3} \dots \dots \dots (10)$$



## METHOD OF SOLUTION

Given the complete descritization of equation (1) - (3), following computational process is employed.

- Assign initial values of  $\omega$  as zero.
- Substitute current values of  $\omega$  in (6) and solve it to obtain values of  $\psi$ .
- Substitute these values of  $\psi$  in (7) and solve it to get values of  $T$ .
- Use latest values of  $\psi$  and  $T$  in (8) and solve it to obtain values of  $\omega$ .

Repeat steps (b) - (d) interactively until a desired convergence criterion is satisfied. This convergence criterion is taken up as follows:

$$\text{Max } |\omega_k - \omega_{k-1}| < 10^{-4}$$

Where  $\omega_{k-1}$  and  $\omega_k$  are consecutive values of  $\omega$ .

At each iteration, system of linear equations is solved by a specially designed algorithm which is based on a direct elimination technique and is economical in computer storage and computer time both. It also provides accurate solutions.

## NUMERICAL RESULTS AND DISCUSSION

Converged solutions have been obtained for Raleigh numbers upto 10,000 and prandtl number as small as .0001. Mesh-size used in computation is .05. Results are also computed for some selected values of Ra and Pr taking mesh-size as .025. Due to increase in computer time and not much change in solutions, all the results are obtained by taking the previous mesh-size. Nusselt number is calculated by applying Simpson's rule. In table-1, results for different values of Ra and Pr are presented. In the table, values of nusselt number,  $\psi_{\max}$  and the point where  $\psi_{\max}$  occurs are given. Results obtained by previous researchers [13] are also shown in table 2 for a comparative study of present results with these. Table-2 shows a good agreement of all these results. Stream functions, vorticity curves and temperature curves are drawn corresponding to the results obtained to have clear idea of the results.

**Table -1**

<b>Ra</b>	<b>Pr</b>	<b>Nu</b>	<b><math>\Psi_{\text{Mid}}</math></b>	<b><math>\Psi_{\text{Max}}</math></b>	<b>(x,y)</b>
100	0.0001	0.996138	0.1351	0.1351	(0.5,0.5)
100	0.01	1.006595	0.351	0.351	(0.5,0.5)
100	0.71	1.015857	0.371	0.371	(0.5,0.5)
1000	0.01	1.574	2.679	2.679	(0.5,0.5)
1000	0.71	1.579	2.698	2.698	(0.5,0.5)
10,000	0.01	2.115	2.743	2.743	(0.5,0.5)
10,000	0.71	2.258	5.102	5.102	(0.5,0.5)
10,000	0.73	2.917	6.332	6.332	(0.5,0.5)

**Table -2**  
**COMPARATIVE STUDY OF SOME OF PRESENT RESULTS**  
**WITH PREVIOUS AVAILABLE RESULTS**

<b>Ra</b>	<b>Pr</b>	<b>Ref.</b> <b>(17)</b>	<b>Present</b> <b>Results</b>	<b>Ref.</b> <b>(17)</b>	<b>Present</b> <b>Results</b>	<b>Ref.</b> <b>(17)</b>	<b>Present</b> <b>Results</b>	<b>(x,y)</b>
100	0.0001	1.00045	0.996138	0.1054	0.1351	0.1054	0.1351	(0.5,0.5)
10000	0.71	2.257	2.258	5.070	5.102	5.070	5.102	(0.5,0.5)
10000	0.73	Not	2.917	6.357	6.332	6.357	6.332	(0.5,0.5)
Available								

## CONCLUSION

From the results discussed above, following concussions may be drawn:

- (i) Computed results show good convergence even for high Reynolds numbers and small Prandtl numbers.
- (ii) The basic nature of results is same for both meshsizes i.e for mesh-width .05 and 0.025. However for mesh width .025, computer time increases.
- (iii) Temperature-lines show more and more bending with increase in Rayleigh numbers. Same nature is reported by previous authors [13].
- (iv) Present scheme and algorithm works well up to moderately large Rayleigh numbers and sufficiently small Prandtl numbers.

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# **NEED & IMPORTANCE OF GIS AND ITS USE AND APPLICATION IN UTTARAKHAND**

**Dr. Siraj Ahmad\***

## **INTRODUCTION**

A GIS (Geographic Information System) is a computer system for capturing, storing, checking, and displaying data related to positions on Earth's surface. GIS can show many different kinds of data on one map. This enables people to more easily see, analyze, and understand patterns and relationships.

In a nutshell, we can define a geographic information system as a computerized system that facilitates the phases of data entry, data analysis and data presentation especially in cases when we are dealing with georeferenced data.

G.I. Science is a decision support system which gives quick information with map regarding the reality of the earth's geographic features. In Agriculture, it is not only being used to define cropping pattern but also being used in identification of diseases in different crops.

GIS technology makes updating maps much easier. Updated data can simply be added to the existing GIS program. A new map can then be printed or displayed on screen. This skips the traditional process of drawing a map, which can be time consuming and expensive.

With GIS technology, researchers can also look at change over time. They can use satellite data to study topics such as how much of the Polar Regions are covered in ice. A police department can study changes in crime data to help determine where to assign officers.

GIS often contains a large variety of data that do not appear in an onscreen or printed map. GIS technology sometimes allows users to access this information. A person can point to a spot on a computerized map to find other information stored in the GIS about that location. For examples, a user might click on a school to find how many students are enrolled, how many students are there per teacher, or what sports facilities the school has.

## **APPLICATION OF GIS**

GIS system is often used to produce three dimensional images. This is useful, for example, to geologists studying faults.

Using GIS for urban planning purposes involves a study of man-made things mostly: the parcels, roads, sidewalks, and at larger scale, suburbs and transportation

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routes are all man-made. These entities often have or are assumed to have clear cut boundaries. We know, for instance, where one parcel ends and another begins. On the other hand, geomorphologists, ecologists and soil scientists often have natural phenomena as their study objects. They may be looking at rock formation, plate tectonics, distribution of natural vegetation or soil units. Often, these entities do not have clear-cut boundaries, and there exist transition zones where one vegetation type, for instance, is gradually replaced by another.

People working in many different fields, use GIS technology. Many businesses use GIS, to help them determine where to locate a new store. Biologists use GIS to track animal migration patterns. City officials use GIS to help plan their response in the case of a natural disaster such as an earthquake or hurricane. GIS maps can show these officials what neighborhoods are most in danger, where to locate shelters, and what routes people should take to reach safety. Scientists use GIS to compare population growth to resources such as drinking water, or to try determine a region's future needs for public services like parking, roads, and electricity. There are no limits to the kind of information that can be analyzed using GIS technology.

With GIS technology, people can compare the locations of different things in order to discover how they relate to each other. For example, using GIS, the same map could include sites that produce pollution, such as gas station, and sites that are sensitive to pollution, such as wetlands. Such a map would help people determine which wetlands are most at risk.

A forest manager might want to optimize timber production using data on soil and current tree stand distributions, in the presence of a number of operational constraints, such as the requirement to preserve free diversity.

GIS can use any information that includes location. The location can be expressed in many different ways, such as latitude and longitude, address, or ZIP code. Many different types of information can be compared and contrasted using GIS. The system can include data about people, such as population, income, or education level. It can include information about the land, such as the location of streams, different kinds of vegetation, and different kinds of soil. It can include information about the sites of factories, farms, and schools, or storm drains, roads and electric power lines.

GIS is an exciting development in Geography education because it brings an expanding area of new technologies into the classroom and fieldwork. GIS is already part of everyday life in satellite navigation systems. It powers market research linked to super market card schemes, delivers government information online and aids the emergency services.

Commercial GIS applications are complex and require specialists to implement them but there are educational GIS software packages that are much

easier to use and which help to deliver the Geography curriculum in a new and interesting way. GIS is a relatively new area of teaching and learning so it is useful to consider some basic questions.

## **DATA AND GIS**

Data in many different forms can be entered into GIS. Data that are already in map form can be included in GIS. This includes such information as the location of rivers and roads, hills and valleys. Digital or computerized data can also be entered into GIS. An example of this kind of information is data collected by satellites that show land use, the location of farms, towns or forests. GIS can also include data in table form, such as population information. GIS technology allows all these different types of information, no matter their source or original format, to be overlaid on top of one another on a single map.

GIS combines the information from different sources in such a way that it all has the same scale. GIS takes data from maps that were made using different projections and combines them so all the information can be displayed using one common projection.

## **GIS MAP**

Once all of the desired data have been entered into a GIS system that can be combined to produce a wide variety of individual maps, depending on which data layers are included. For instance, using GIS technology, many kinds of information can be shown about a single city. Maps can be produced that relate such information as average income, book sales, and voting patterns. Any GIS data layer can be added or subtracted to the same map.

GIS maps can be used to show information about number and density. For example, GIS can be used to show how many doctors there are in different areas compared with the population. They can also show what is near what, such as which homes and business are in areas prone to flooding.

## **EDUCATION AND APPLICATION OF GIS IN UTTARAKHAND**

Using Remote Sensing data as input USAC, Dehradun has developed Geographic Information System of different sectors of resources of the Uttarakhand State but due to the lack of educated/trained human resources in G.I. Science technologies in different government departments, application of these useful information is not being done properly.

G.I. Science is very useful for Planners, Administrators, Teachers, Researchers, and Decision makers. Therefore, there is a need to give training on Applications of G.I. Science to all of these.

## **EDUCATION AND COURSES OF GIS IN UTTARAKHAND**

Kumaun University has Started two year Master's Degree Program in G.I. Science, students have to complete 12 papers, viz; Fundamental of G.I. Science, Principles of Remote Sensing, Elements of Photogrammetry, Earth's Positioning System, Geographic Information System, Computer Cartography, Advanced G.I. Science, Application of G.I. Science, Business Administration for G.I., Geographic Information Science: A Global Overview, Application of G.I. Science in urban and rural Planning and Web-GIS in three semesters, and in fourth semester students have to complete a project oriented dissertation in any GIS company or institution. There is specialization paper of GIS in M.A. Geography in Garhwal University also.

Uttarakhand Open university is running certificate course GRS-10 (Certificate in GIS and Remote Sensing Applications) duration of 6 months in English and Hindi both medium. UOU has view, to run this course to have understanding on the basic principles of Remote Sensing and GIS to make familiarize students with the importance of GIS and Remote Sensing applications in Forestry, Agriculture, land and water. To enhance the employability of the students of Geography, Forestry, and science. For this course eligibility is Graduation in Geography, Earth Sciences, Natural Sciences, Engineering Graduate and Agriculture, Forestry, subjects. Preference will be given to candidates having basic knowledge of computers.

NRDMS Centre of Excellence, Almora is using Software as ERDAS (Earth Resource Data Analysis System), Arc-view GIS Software, Gram++(a very low cost GIS Software, developed by the department of Science and technology Govt. of India through CSRE, IIT Mumbai), Geomatica.

GPS technology is being used by this center in different fields, i.e. Surveying, Mapping, Monitoring and Navigation etc. Applications of G.I. Science in Town Planning, Agriculture Planning, Marketing, Agriculture products, Road Planning, and in Identifying Urban Heat Islands.

## **PLACEMENT**

After completing Master's Degree, students of G.I. Science are getting jobs in different companies such as RMSI, Noida, TOMTOM, Pune Genesis, Mumbai, RAMTECH, Noida, Riding India Pvt. Ltd. Noida, COW 1, Gurgaon, INNODATA ISOGEN, Noida, PARAS, New Delhi, INSPIRE, Chandigarh and in Research Institutions like Punjab Remote Sensing Centre, Ludhiana, Forest Survey of India, G.B. Pant Institute of Himalayan Environment And Development, Kosi-Katarmal, Almora, Indian Meteorological Department, New Delhi, Indian Agricultural Research Institute, New Delhi, NRDMS, Almora and many more.

## **NEED AND IMPORTANCE OF GIS**

Orientation Courses on Applications of GIS in planning, Administration, Resource management monitoring and decision making should be organized for district and state level Government officers.

For making use of this newly emerging discipline, M.A. /M.SC. Programs on G.I. Science and technology should be started by all the Indian Universities.

For making wise use of GIS and technology in administration, planning and development in near future this subject should be included in education right from the High School level to develop fully educated and skilled human resources in this discipline.

The state Govt. should established GIS cells at the headquarters of each district for developing and updating Geographic Information System for efficient and transparent administration, planning and monitoring of development activities.

It is very interesting subject for getting information quickly and provoked the participants to make use of this newly emerging science in the rural development of India.

GIS should also be organized for its quick applications in different subjects.

Current implementation of e-governance is expected to be replaced by g-governance which will lead to manifold increase in job opportunities for graduates in G.I. Science and positions will be in various levels such as GIS Engineer, GIS Project Manager, GIS Developer, GIS Scientists in public and private sector, etc.

In Aug 2012, To develop District Geo-Portal for Nainital for facilitating district administrators and planners through hi-tech technologies of GIS (Geographic information science), an information need Assessment workshop on GIS Development for District Planning and Administration was jointly organized by the District Administration, Nainital and the Centre of Excellence for NRDMS in Uttarakhand (COE NRDMS) at Administrative Training Institute, Nainital on 8th Aug 2012, under the sponsorship of the Uttarakhand State Council Of Science And Technology(UCOST), Govt. Of Uttarakhand, Dehradun and the NRDMS Division of the Department of Science and Technology, Govt. of India, New Delhi (DSTGOI).

NRDMS Almora with the help of the financial and technical support of the Department of Science And Technology, Govt. Of India, New Delhi, a web based Geo Portal for District Almora tagged with the India Geo Portal (NSDI, New Delhi) has been developed as per needs of the District Administrators and Planners, presenting a detailed account of GIS infrastructure developed for District Almora.

NRDMS Almora developed Applications of Police GIS, Watershed GIS, Road GIS, Village GIS, Household GIS, Election GIS, Municipal GIS, and GIS of Education, Health and Urban Centers.

Prof. J.S. Rawat, director of NRDMS center Almora suggested that to develop GIS for district Nainital as per needs of different line department for planning and Administration, A GIS cell at District Headquarter at Nainital should be established and for management and monitoring of GIS Cell, a district co-ordination Committee (DCC) should be constituted.

## CHALLENGES IN ITS APPLICATION

Some of the challenges specific to Indian context are development of spatial and temporal information, management and integration of these information in the decision making process at all the levels of Governance and generate job opportunities along with providing quality education.

To address these challenges, along with the existing initiatives such as NRDMS and NSDI, India has proposed to develop a system called National GIS.

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# **IMPORTANCE OF INTERNET BANKING**

**Dr. Sumit Chandra\***

## **INTRODUCTION**

The delivery channels include direct dialup connections, private networks, public networks, etc. with the popularity of computers, easy access to Internet and World Wide Web (www). Internet is increasingly used by banks as channel for receiving instructions and delivering their products and services to their customers. This form of banking is generally referred to as Internet Banking, although the range of products and services offered by different banks vary widely both in their content and services offered by different banks vary widely both in their content and sophistication.

Internet Banking sites can be segregated into four categories from Level I, which offer just minimum functionalities such as access to one's deposit account data, to Level IV that offer sophisticated services.

## **CLASSIFICATION OF INTERNET BANKSING**

- a. Banking Services through internet
- b. The Indian Scenario
- c. Product and Services Offered
- d. The Future Scenario

## **CLASSIFICATION OF RISK COVERED**

- a. Operational Risk
- b. Security Risk
- c. System architecture and design
- d. Reputational Risk
- e. Legal Risk
- f. Money Laundering Risk
- g. Cross-border Risk
- h. Strategic Risk
- i. Other Risk

## **REVIEW OF LITERATURE**

Internet importance of banking this study is a attempt the present status of online banking in India and the extent of online banking services offered by banks. In addition, it seeks to examine the factors affecting the extent of online banking services. The data for this study are based on a survey of bank websites explored

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during July 2008. The sample consists of 82 banks operating in India at 31 March, 2007. Multiple regression technique is employed to explore the determinants of the extent of Online banking services. The results show that the private and foreign online banks have performed well in offering a wider range and more advanced services of online banking in comparison with public sector banks. Among the determinants affecting the extent of Online banking services, size of the bank, experience of the banks in offering Online banking, financing pattern and ownership of the bank are found to be significant. The primary limitation of the study is the scope and size of its sample as well as other variables (e.g. market, environmental, regulatory etc.) which may have an effect on the decision of the banks to offer a wide range of Online Banking Services. The purpose of the study is to help fill significant gaps in knowledge about the Online Banking Landscape in India. The findings are expected to be of a great use to the government, regulators, commercial banks, and other financial institutions., e.g. co-operative banks planning to offer Online Banking, Bank customers and Researchers. The bankers as well as society at large will come to know where the bank lag in terms of adoption of online banking and in providing different products and services. An understanding of the factors affecting the extent of Online banking services is essential both for economists studying the determinants of growth and for the creators and producers of such technologies. Moreover, this paper contributes to the empirical literature on diffusion of financial innovations, particularly online banking in a developing country, i.e. India.

## **IMPORTANCE**

**Convenience :** Unlike your corner bank, online banking sites never close; they're available 24 hours a day, seven days a week, and they're only a mouse click away.

**Ubiquity :** If you're out of state or even out of the country when a money problem arises, you can log on instantly to your online bank and take care of business, 24/7.

**Transaction speed :** Online bank sites generally execute and confirm transactions at or quicker than ATM processing speeds.

**Efficiency :** You can access and manage all of your bank accounts, including IRAS, CDs, even securities, from one secure site.

**Effectiveness :** Many online banking sites now offer sophisticated tools, including account aggregation, stock quotes, rate alert and portfolio managing programs to help you manage all of your assets more effectively. Most are also compatible with money managing programs such as Quicken and Microsoft Money.

## **OBJECTIVES OF THE RESEARCH WORK**

The main purpose of the research work is to study the working of Internet Banking. To achieve the main purpose and to give direction to the research work, the following objectives are proposed to be undertaken :



1. To study the advantages and also to define the risk associated with internet banking.
2. To observe and analyze the impact of internet banking on goods and services.

## **RESEARCH METHODOLOGY**

### **Research Design**

Research Design is systematic procedure for collection and analysis of data. It is a blue print that guides the study to be done. The present research work is done with the descriptive research design method. Descriptive research has been used in this study to obtain information about the various challenges and opportunities emerging in online banking. Various information collected are analyzed and tabulated thoroughly. At last the findings of the study are sorted out to present the result of the study in clear terms.

- How banks are used for internet banking?
- How many banks are used to facility of internet banking?
- What risks are associated with internet banking?
- What are the advantages of internet banking?
- The impacts of internet banking?
- What types of banking transaction are done online?
- How does external transfer work?
- What are the options for temporary credit limit adjustments under Internet Personal Banking?

**Primary data** are those which are collected a fresh and for the first time. In this study, has been collected through personal contact. Questionnaire was used to collect primary data from respondents. Questionnaire distributed among people having bank accounts. A sample questionnaire of 10 questions distributed to 25 people.

**Secondary data** are those which have already been collected by someone else. In this study, secondary source data has been collected from Articles, Journals and Websites, Research Papers.

## **RECOMMENDATIONS AND CONCLUSION**

After analyzing the entire study on online banking with respect to both the primary and the secondary data, the following recommendations can be put forth :

- The infrastructure for the development is not being implemented in way that could be beneficial.
- There are various obstacles in the banking scenario with regards to guidelines and issues for functioning. This has led to decline in the usage of the online banking service of the banks.

- The people having accounts can be urged to take up an internet banking facility. They should be motivated rather than just being told that there exists a service of online banking.
- There are more people who are not actually aware of all the benefits that they reap out of the transaction of online banking. They should be proper awareness.
- Most of the people do not count online banking due the problems of security concerns. Proper security software should be developed and people should be convinced that their accounts are secured in online transactions.

## **RECOMMENDATIONS AND CONCLUSION**

- Internet banking is changing the banking industry and is having the major effects on banking relationships.
- The net banking, thus, 'now is more of a norm rather than an exception in many developed countries' due to the fact that it is the economical way of providing banking services.
- Banking is now no longer confined to the traditional brick and mortar branches, where one has to be at the branch in a person, to withdraw cash or deposit a cheque or request a statement of accounts.
- Providing internet banking is increasingly becoming a 'need to have' than a 'nice to have' services.

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# CLIMATE CHANGE CONCERNS: VULNERABILITY AND ADAPTATION OF MOUNTAIN COMMUNITIES

Dr. D.K. Shahi\* and Anil Dutt\*\*

## ABSTRACT

*The global temperatures continue to warm leading to uncertain climatic variability. There will be an increase in temperature. Higher temperatures will lead to Heat Stress - the implications? Climate change - warmer temperatures - glacial melt - extreme events are likely to increase in near future. Thus, spectrum of ecology, economy and society will be impacted by increasing temperatures, erratic rainfall, and various other vagaries of climate change.*

*The fragile environmental systems of Himalayas are highly susceptible to the impacts of predicted climate change as the ecology of the region is very sensitive and environment is vulnerable to degradation. Number of glaciers, glacial lakes, mountain rivers, narrow valleys will experience the negative impacts of increasing temperatures - glacial melt - extreme events. A wide variety of habitats in the Himalayan region harboring unique biodiversity are also susceptible to the impacts of climate change. It is expected to cause irreversible damage to the delicate life support system.*

*The interaction of ecology and economy in these fragile areas has given rise to a complex and sophisticated systems with vibrant societies and cultures. Societies and communities will find it difficult to adapt to the changing situation. The sophisticated societies living in narrow valleys and river basins will also experience the negative impacts of increasing temperatures - glacial melt - extreme events. Warmer temperature as a result of climate change will likely to increase river runoff. Intensity of extreme events might increase, leading to disastrous consequences. Thus, the living condition will be affected. It will have negative impact on ecology and economy of the region.*

*Sudden collapse of environmental and economic system may occur and will aggravate the environmental crisis. A vicious cycle, where by each problem will exacerbate other problems which will feedback into each other, will start taking place. It is not surprising that the impact of this will be very fast. It might pose serious threats not only to its well-being and sustainable development but, to the continued existence of the ecology, economy and society, What is alarming, however, is that the consequences of this change are still unclear as well as the rate at which this process is advancing.*

*Today, marginal areas in mountains face the risk of being lost. It is realized that in order to save the life and livelihood of the people and sustain the mountain societies and communities, there must be balance between ecological conservation and livelihoods of communities. To minimize negative effects of climate change,*

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*sustainable approaches such as reduction in GHG release are slowly gaining recognition but, in the long-term, Locally Relevant Measures will have the most to offer. Involving local communities to explore possibilities of effective action that can help contain the threat of climate change with local-level adaptations and management will prove to be an effective means of meeting local needs in terms of subsistence with conservation goals and goals of sustainable development.*

**Key words:** Impact of Climate Change, Vulnerabilities to Climate Change, Adaptation to Climate Change.

## INTRODUCTION

Recent scientific assessments indicate that, as the global temperatures continue to warm-up leading to climate change. The average global surface temperature has increased by  $0.2^{\circ}\text{C}$  per decade in the past 40 years, and global average precipitation increased 2% in the last 100 years and it is further expected to increase in the range of  $1.6^{\circ}\text{C}$  to as much as  $6^{\circ}\text{C}$  by 2050. The climate at the end of this century will be substantially warmer than that of the past century. The joint effects of climate change will be either higher or lower precipitation, rise in temperature, and increased evapo-transpiration. Glacial lakes will reach critical threshold as Himalayan glaciers melt, it will lead to massive flashfloods in river valleys, the number and intensity of extreme events might increase. It will be accompanied by increased natural hazards, flooding, and loss of life, crops and infrastructure. The biodiversity will come in severe stress due to climate change.

Water, essentially, one of the most important elements for life, will be most heavily impacted by climate change. Longer spells of dry heat will cause water scarcity in the long run. Potential drought and various other vagaries are associated with climate change. Climate change will alter the amount of available water by magnifying the differences between the rainy and droughty periods, drastically decline the ground water recharge. It will lead to rapid drying out and loss of all sources of water. The water resources in any form and at any location will be affected. Climate change - water shortages - warmer temperatures are likely to increase. Spectrum of ecology, economy and society will be impacted by increasing temperatures, erratic rainfall, and various other vagaries of climate change. It is not surprising that the impact of this will be very fast. What is alarming, however, is that the consequences of this change are still unclear as well as the rate at which this process is advancing. Negative water balance will lead to falling water level in shallow lake. It might be induced by complex causes, but climate change is thought to be important contributor.

Due to climate change the unique biodiversity will come under tremendous pressure. As temperatures rise, it would lead to major changes for sensitive ecosystems, thus the living condition will be affected. The disturbances and threats can be broadly categorised as habitat destruction and degradation, loss of ecosystem integrity, depletion of species abundance and diversity. Even minor changes in temperature might have major impact on these sensitive ecosystems. Habitat loss may aggravate the situation which could upset the entire ecosystem as it will break

the delicate balance of these sensitive ecosystems. Species' habitats will decrease, thus the chances for various ecosystems to adapt naturally will diminish. It might pose serious threats not only to the continued maintenance and functioning of ecosystems and their biological diversity, but to its well-being.

Societies and communities will find it difficult to adapt to. This may cause a more extensive damage in future as climate change will make condition worse in some regions, particularly in the Himalayan regions. Warmer temperature as a result of climate change will lead to glacial melt; it is likely to increase river runoff. It will have negative impact on water sensitive systems (ecology and economy). Sudden collapse of environmental and economic system may occur and it will aggravate the environmental crisis. A vicious cycle where by each problem will exacerbate other problems which will feedback into each other, will start taking place.

Mountain Communities might be highly vulnerable to climate change. Decreased water availability will cause loss of crops and agricultural productivity. Food production would be adversely affected. Decreased food production will cause livelihood and food security a larger problem. Decreased rainfall and increased temperatures limits productivity of both agriculture and pastoralism. It will cause reduced food security and land degradation. Small scale rain fed farmers will feel unable to sustain current level of production. Increased frequency of seasonal and multi-year droughts will reduce productivity of pastoralist systems, decreasing food security for an already marginalized group.

Climatic conditions are changing significantly at regional and global scales. *All regions will become warmer*, but some regions such as the Himalayan regions may experience much larger changes. Climate change may manifest most in the Himalayan region through warming of temperature and variability of rainfall. There is widespread agreement on few points in particular:

- The Himalayan glaciers *will* melt and glacier melt in the Himalayas will be followed by decreased river flows as the glaciers recede. It will lead to scarcity of water at regional scales and also at a much larger scale, affecting the millions of people of Indian subcontinent.
- Glaciers melt will be accompanied by increased natural hazards. The number and intensity of extreme events might increase. It is projected to increase rock avalanches from destabilized slopes and massive flashfloods in river valleys.
- The rainfall is projected to increase during June to Sept. It will have significant impact on the flow of rivers (water resources) within the next two to three decades. This may lead to increased occurrence of floods. It will be accompanied by loss of life, crops and infrastructure.
- Moisture levels will increase in few regions but decrease in several important areas. *Soil moisture will decline* with higher temperatures and evapotranspiration, leading to sustained drought conditions.

These climatic changes will have a direct impact on the physical, biological, and socio economic condition prevailing in the Himalayan region.

## **THE OBJECTIVE OF THE STUDY**

Primary objective of this study is to assess the vulnerability of mountain communities to climate change; the main aim of the study is to suggest the method of adaptation to climate change;

- Evaluates the impact of climate change, more particularly its geo-ecological implications.
- Examine the vulnerability of societies and communities of the Himalayan region to the impacts of climate change.
- Suggest the method of adaptation to climate change and assist in formulating an integrated strategy for the adaptation to climate change.
- Prepare guidelines for 'regional adaptation programmes.'

## **APPROACH OF STUDY**

A case study approach is used to examine the vulnerability of societies and communities of the Himalayan region to the impacts of climate change.

The case study is a preferable approach when research questions are 'why' and 'how'. It is useful in examining and explaining contemporary events. In this research, the main question is how the negative impact of climate change is going to affect the mountain communities. As the ultimate objective of the study is to suggest the method of adaptation to climate change, a case study approach is appropriate in formulating 'regional adaptation programmes.'

The conservation of genetic resource is pre-requisite for the survival of human being on the earth. It has tremendous potential for meeting requirements of future. Ethno Botanical knowledge of mountain communities is very rich, therefore there is need to preserve the conventional scientific knowledge. It also require for management of Oral traditions.

This research avoided looking only at the impacts of climate change, or any single dimension of it, for that matter. Instead, it has strived to pay attention to the complexity of, and linkages between, ecology and social systems through an interdisciplinary approach combining ecological and social science methodologies, both qualitative and quantitative. If anything, that has been stressed upon is social science methodology and particularly qualitative research above other approaches.

## **STUDY AREA**

Tons Valley, Upper Yamuna Basin, Uttarakhand Himalayas is selected as a study area for a number of reasons.

- First, it has very diverse biophysical and socio-economic features. Societies and communities in this region are highly vulnerable to the impacts of climate change. Thus, the region has a high representativeness of the mountain communities that can enable generalization of impacts of climate change;

- Second, the Tons valley, upper Yamuna basin, has various types of **landforms upland and lowland**. The regional geo-environmental systems are experiencing many negative impacts of climate change; such as glacial melt - extreme events etc.
- Third, these marginal regions occupied by marginal societies have strong adaptation capabilities to the changing circumstances. The traditional pattern of human interaction with nature can be very useful in formulating future adaptation plans to climate change.

Therefore, the study area can provide mechanism for formulating 'regional adaptation programmes' to reduce vulnerability of communities to the vagaries of nature.

## **TONS VALLEY, UPPER YAMUNA BASIN**

The Tons Valley, Upper Yamuna Basin, is a mountainous territory. It has very diverse biophysical features with a number of glaciers, glacial lakes, mountain rivers and narrow valleys. The region has rich biodiversity and contains the least exploited and least damaged ecosystems. The fragile environmental system is highly susceptible to the impacts of predicted climate change as the ecology of the region is very sensitive and environment is vulnerable to degradation. The upland areas of the region are marginalized with a relatively low population density. It has high incidence of poverty and little socio-economic infrastructure.

The resource use pattern is closely linked with forests, cultivated land and livestock. All the people are relying on natural resources (especially forest, water, arable land and pasture) for their livelihoods. The agriculture is mainstay of the people which is interlinked with other subsidiary activities such as animal husbandry, horticulture etc. The farmers adopt subsistence farming systems which is characterized by substantial diversity. Three types of land use patterns are; intensive lowland agriculture in the plains areas; mixed farming, animal husbandry, horticulture and agro forestry in midland areas and transhumance or seasonal herding of animals in highland areas.

People across various agro-ecological regions have come up with the indigenous technologies, unique in mode, to match the potential of specific region. The 'mountain agriculture' developed by the people of the region for the conservation and management of natural resources has potentiality to adapt to the climate change.

Adaptations of communities to the changing circumstances in diverse agro-ecological and socio-economic conditions are urgently needed. These could facilitate rapid and sustainable agricultural development, food security, and environment protection. *Natural resource management is required* for maintaining sustainability of natural resources and to enhance environment quality and human welfare.



## Key Characteristics of the Tons Valley, Upper Yamuna Basin, Uttarakhand Himalayas

1. **Diversity of eco-environmental systems** The Tons Valley, Upper Yamuna Basin, has various types of *landforms upland and lowland*. There are many different *eco-environmental systems*, each with diverse biophysical and socio-economic features. Each will respond differently under the influence of climate change.
2. **Complexity of geo environmental impacts** The region has rich biodiversity and contains the least exploited and least damaged ecosystems. The regional eco-environmental systems are experiencing many negative impacts of climate change or warmer temperatures.
3. **Environmental risk Societies and communities** are vulnerable to climate change and are at very high levels of risk (high even in comparison to other mountain areas). Environmental hazards like landslide are very common.
4. **Adaptation capabilities** These marginal regions occupied by marginal societies have strong adaptation capabilities to the changing circumstances. Indigenous system of resource management can provide mechanism for formulating future adaptation plans to climate change.

### Overview of the Rupin and Supin Valley, Upper Tons Valley,

Geographically the Rupin and Supin Valley, Upper Tons Valley is characterised by high upland area, representing the most sensitive ecological area in the basin. Landscape consists of steep topographies, sharp peaks, narrow valleys and rugged terrain. Most of the land area falls within the upland zone. The monsoon influences the climatic condition, resulting in high rainfall, the weather is quite uniform. Mountain forest, grassland and dense scrubs represent natural vegetation. The highland zone has fairly dense mix jungle.

It has the unique landscapes where people are dependent on local resources, the crop husbandry, animal husbandry and forests constitute interlinked systems. Majority of the population is involved in agriculture. The farmers adopt subsistence farming systems which is characterized by substantial diversity.

Mountainous areas are fragile and highly prone to erosion. Natural and human-induced processes such as landslides, soil erosion, biodiversity loss, and unsustainable farming practices operate in these areas. The main processes that lead to the degradation of the area are deforestation. These lead to the loss of agricultural land and the drying up of springs. If they are not managed properly, their natural resource base will be rapidly destroyed. Nevertheless, Communities are as much or more concerned with reducing vulnerability to risk and the region has great adaptation capabilities to the climate change.

### Overview of Tons Valley

Tons Valley has a complex physiography with weak structure, tectonically unstable and fragile. Most of the area is characterized by rugged mountainous



landscape, steep slopes, and large variations in elevation. Biophysical landscape has shallow soils; vegetation is fairly dense mix jungle. Most cropland is carved out of hillsides by building terraces. Although all environmental resources, including land, water, forests, pasture are interwoven within the larger agro-ecosystems. A rural livelihood in the Tons Valley area depends on diversified agriculture, horticulture, and animal husbandry.

Environmentally this is a high risky zone. Climate change is a threat to the biodiversity on one hand and sustainability of traditional farming on the other. The major issues are interlinked with environmental degradation, food insecurity and poverty. Conservation and management of mountain natural resources is important for the people living in these areas as it plays an important role in determining the sustained livelihood of people and economy of the region. Diversified agriculture, horticulture, animal husbandry and sustainable productions of food, fodder and fuel is result of indigenous techniques of mountain agriculture. The traditional pattern of human interaction with nature can be very useful in formulating future adaptation plans to climate change.

## **INDIGENOUS PATTERN OF RESOURCE MANAGEMENT**

All human societies have exploited their environment for their existence and survival. At the same time, ecology and economy has been held in fine equilibrium. The livelihood of the Himalayan people is totally dependent on their ecological surroundings. Diverse livelihood options stems from the use of forests, pastures, and crop lands such as, crop production and animal husbandry. It contributes towards enhancing the livelihood options of the people. Conservation and management of mountain natural resources is important for the people living in these areas as it plays an important role in determining the sustained livelihood of people and economy of the region.

A diversity of cultures and production systems has evolved across the Himalayan region to deal with its extraordinary ecological diversity. These systems were in ecological balance to a great extent and were in position to meet local and regional demands. The indigenous system of natural resource management in 'mountain agriculture' unique in mode, to match the potential of specific region for the conservation and management of natural resources, continues with prevailing farming systems. A few noteworthy examples include the following; terracing and bunding, rain water harvesting, use of local plant species, cultivation of rain fed rice and rice transplantation, rotational grazing and seasonal herding of highland animals. Communities have traditionally had a keen interest in the use and protection of natural resources. Communal management, risk mitigation and coping strategies were a common feature of these traditional agricultural systems.

Use of tradition crops and local plant species has evolved and lived for generations in sustaining the livelihoods of mountain communities. This is particularly important to maintain the biodiversity in the region. Indigenous communities have also been practicing/using organic farming through the centuries. Traditional agricultural systems are important in sustaining the natural resource

management through the built-in community cohesion. The traditional pattern of human interaction with nature can be very useful in formulating future adaptation plans to climate change.

Conservation is basically part of 'Mountain culture'. It is therefore not unexpected that in the historic past Uttarakhand had a tradition of giving highest attention to the conservation of biodiversity. Community participation in natural resource management for agriculture, seed conservation and seed exchange is common to the socio-cultural practice of management of traditional agro-ecosystems and traditional agro-biodiversity. Many of the traditional crops are grown under marginal conditions and often provide strong adaptation to the conditions of climate change. The traditional practice of mixed cropping, cultivation of many crops in same agricultural field at the same time has potentiality to reduce vulnerability of farming communities to the vagaries of nature. Thus, these marginal regions occupied by marginal societies still have lower vulnerability to the changing circumstances.

## **CLIMATE CHANGE RISK MANAGEMENT**

Not all possible consequences of climate change are yet fully understood, but the main 'categories' of impacts are; rise in global temperature glacial melt, leading to increased frequency of extreme events. Increase in natural disaster- flood, drought, and water scarcity. It poses serious threats to the environment with socio-economic impact - on agriculture and impact on human health.

There is no single solution to these threats. The solutions involve much more than addressing individual actions and reactions. To save the Earth for future generations and life, there is need to focus on bringing conservation and management requirements more in line with development activities and vice versa, so that the two can focus on mutually obtainable goals.

## **PREVENTIVE MEASURES**

Of course, the nature and extent of climate change and its impacts are uncertain. That, however, should not be grounds for inaction. Despite the uncertainties surrounding climate change, the risks of potentially adverse impacts on the communities and economies should be avoided by early action. Adaptive responses to climate change; conservation and development will add to risk management. Creation of an enabling environment for Climate Risk Management repose at government and non government stages should be mainstreaming of adaptation concerns into conservation and development plans.

Emphasis on energy conservation will prevent the risk of climate change. Technological change has resulted in substantial energy savings and reduction in emissions through greater use efficiency and fuel substitution. Directly or indirectly these are made by government as well as by people to reduce energy consumption. These include; control of GHG emissions through normal policy developments such as those aiming to improve energy and economic efficiency of the energy and industrial production capacity, promotion of renewable energy sources as well as

energy development, both conventional and renewable, which target improved environmental quality and limit human health hazards from air pollution. Apart from energy conservation and efficiency improvements, there is need to find, develop and exploit nonconventional energy sources, clean and renewable. It has long been recognized to prevent the risk of climate change. Promotion of renewable energy through various renewable energy sources, namely, wind farms, micro-hydroelectric plants, biomass & cogeneration power plants, biomass based gasifiers systems and solar photovoltaic systems will help in creation of an enabling environment for climate risk management repose. In addition, there are a number of measures taken by people themselves, some because of resource minimizing cultural traditions as well as good practices that exist in India. Encouragement to conservation and good practices would result in lower emissions.

### ***Adaptation Actions***

It is estimated that land-use change in developing countries could contribute to global emissions. Biomass is widely used even today in India for a variety of purposes including fuel, timber and feedstock. Concern for the consequences - degradation of woods and forests and consequent degradation of soils - was expressed as far back as 1974 (Fuel Policy Committee, 1974). More recently, programmes for afforestation have found support from both governmental as well as non-governmental organizations. These programmes aim not only to halt deforestation but to increase green cover. Deforestation is arrested and the vast potential of afforestation on wasteland is increasingly utilized, if all the efforts at afforestation gets a success, India's net emissions of CO<sup>2</sup> would come down significantly.

There is much scope for carbon sequestration through improving the quality of forests and regreening wastelands. Waste land is defined as “degraded lands which can be brought under vegetative cover with reasonable effort ...” Such afforestation programmes are also desirable to arrest soil degradation, to improve soil fertility, to provide renewable fuel, as well as timber and non-timber forest products. Only if the country takes a careful long term decision to create green cover on a permanent basis the environment would benefit a lot. One may also note that afforestation projects involve very little technology and carbon sequestration projects do not involve any significant technology.

The water resources require risk management and adaptive responses to climate change. It underpins much of life on Earth, an integral part of almost every living creature. There is need to ensure improved water harvesting and storage and adequate recharge of rain water as fresh water is the renewable natural resource. The solution is not to be found in a single response. It requires a concerted, multifaceted approach to manage natural fresh water ecosystem and its resources. Rehabilitation of vegetation cover and grasslands, in particular, require urgent attention if condition suitable for existence and survival is to be maintained.

Risks to poor communities should be the primary focus of adaptive measures to the climate change. Drought and rainfall variability will pose risks to the

## Climate Change Concerns

### Vulnerability and Adaptation of Mountain Communities

<i>CC Vulnerabilities</i>	<i>Adaptation Actions</i>	<i>Outcomes</i>
Himalayan glaciers melt, Glacial lakes reaches critical threshold leading to massive flashfloods in river valleys	Increase disaster risk management capacity in affected valleys Artificial lowering of water level in glacial lakes, Creation of an Early Warning System for glacial flashfloods	Decreased risk of massive destruction from glacial flash floods, Limitation of human and economic loss if/when catastrophic flash floods occur
Increasing intensity of both rainfall and drought, More frequent flooding events Risk to agricultural sector and food security	Targeted adaptation including capacity building at local and national levels Locally relevant measures including: Innovative farming and water management techniques, Introduction of new crops better suited to changed climate conditions Creation of an enabling environment for Climate Risk Management Raising of awareness and capacity for climate change risks at all levels.	Increased food security and sustainable agricultural development
Decreasing rainfall and increasing temperatures, Decreased water availability limited agricultural productivity, reduced food security	Implementation of projects for local communities , Rainwater harvesting techniques, Measures to decrease soil erosion and preserve genetic diversity in rice agriculture	Increased food security and sustainable agricultural development
Increased frequency of seasonal and multi -year droughts Decreasing food security for an already marginalized group.	measures implemented locally Rehabilitation of vegetation cover and rangelands Water harvesting techniques Introduction of drought resistant varieties of local crops Facilitation of food banks Institutional support for the agricultural sector	Increased food security and sustainable agricultural development, Reduced risks of climate induced disasters Minimized negative effects of climate change on local livelihoods and economy.
Increased drought and/or flooding loss of life and livelihood from climate disaster	Changed design of reservoirs and irrigation channels to prevent risks from increased peak flows Improvement of health sector capacity measures on agriculture and food security Development of monitoring and forecasting capacity; Improvement of Early Warning System , Improving and disseminating seasonal forecasts, Generation of knowledge and awareness raising	Increased food and water security Decreased loss of life and livelihood from climate disaster events
Severe stress on unique biodiversity	Mainstreaming of adaptation concerns into conservation and development plans	Adaptation concerns integrated into all conservation and development efforts, thus increasing the CC resilience of a key global ecosystem

agricultural sector and will put pressure on agricultural economies. Increased drought and/or flooding poses risk to food security. To minimize negative effects of climate change, restoration of economic and environmental system is required. How could it be ensured that the risks to the resource poor communities are minimized? as they are more vulnerable to the impact of climate change. Involving local communities to explore possibilities of effective action that can help contain the threat of climate change will prove to be an effective means. Alleviatory measures to contain the effects of climate change will be required for meeting local needs in terms of subsistence with conservation goals and goals of sustainable development. It includes measures to decrease soil erosion, rehabilitation of vegetation cover, improved water harvesting, food storage and forage management etc.

Sustainable approaches such as landscape management are slowly gaining recognition, in the long-term; it is likely that these will have the most to offer as long as there is still enough water to go around. Implementation of projects for local communities - Locally Relevant Measures includes; innovative farming and water management and introduction of new crops better suited to changed climate conditions. The process of risk mitigation will include introduction of new heat and drought tolerant plant varieties, etc. Targeted adaptation to climate change includes crop diversification, improved cropping sequences, conservation tillage, irrigation and efficient water use.

Development of monitoring and forecasting capacity and creation of an Early Warning System for increased disaster risk management will add to capacity building measures. Generation of knowledge and awareness raising technological will be desirable for Improved Early Warning System. There is need to give priority to raising public awareness on environmental issues, to mitigating the adverse effects of loss of all forms and all sources of water on the environment (ecology, economy and society), control unsustainable use and to the conservation of water. Climate change risks require capacity building at local and national levels for raising of awareness.

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# CONSTITUTIONAL AND LEGAL PROVISIONS FOR WOMEN IN INDIA

**Mridula Sharma\* and Dr. Anamika Chhetri\*\***

## ABSTRACT

Women status has been defined in a variety of ways. Generally definition focus on access to, and control over, material resources (including food income, land and other forms of wealth) and to social resources (including knowledge, power and prestige) within the family, in the community and in the wider society.<sup>1</sup> Specific components of women status include women's status in law, autonomy including reproductive autonomy, level of education relative to men, age at first marriage, decision making power, freedom of movement, roles within the family, community and society.<sup>2</sup> Because of this diversity of definition, assessment of women status presents a challenge and needs to be context specific.

Women's status is acknowledged as a key determinant of health well being and quality of life.<sup>3</sup> Across cultures it has been shown that women's low status leads to more mental health problems,<sup>4</sup> higher maternal mortality, higher infant mortality and poorer child health outcomes.<sup>5</sup> The status of women is also associated with son preference. In parts of south Asia, low status of women is still associated with more traditional gender attitudes and preference of male offspring. Over the centuries this preference has led to female infanticide and neglect of girl child leading to high early female mortality.<sup>6</sup>

## WOMEN IN INDIA: A HISTORICAL PERSPECTIVE

Traditionally, women in India were seen as a member of family or a group and not as an individual with an identity or right of her own, she was glorified as light of the house, mother of the universe and supporter of the universe. During the vedic period women actively participated in the intellectual and social life of the country.<sup>7</sup>

However the honour and status of women began to undergo radical change after the pronouncements made by Manu, the Hindu law giver, regarding a women's changing position in her life cycle. "By a young girl, by a young woman, or even by an aged one nothing must be done independent, even in her own house".<sup>8</sup>

In this way the image of women created by the hindu lore became paradoxical and contradictory to the early vedic days. She became an essentially weak and dependent creature needing the constant guardianship and protection of man. Marriage motherhood and service to her husband became her most valuable attributes.

Thus social inhibitions and discriminatory practices against women continued to exist during the imperial rule. The leadership of independent India,

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however committed to accord an equal status to them and give them a place of honour and dignity in the society. Accordingly the constitution of India treated both men and women equally and also provided for protective discrimination in view of their peculiar position in the human society.

## **POSITION OF WOMEN**

The fundamental principle of non discrimination is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. It is within the framework of a democratic polity, our laws, development policies, plans and programmes have aimed at women advancement in different spheres. India has ratified various international conventions and human rights instruments, committing to secure equal rights of women.

### **Constitutional and Legal Provisions**

#### **Constitutional Privileges**

- (i) Equality before law for women (Article 14)
  - The State not to discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them (Article 15 (i))
- (iii) The State to make any special provision in favour of women and children (Article 15 (3))
  - Equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State (Article 16)
  - The State to direct its policy towards securing for men and women equally the right to an adequate means of livelihood (Article 39(a)); and equal pay for equal work for both men and women (Article 39(d))
  - To promote justice, on a basis of equal opportunity and to provide free legal aid by suitable legislation or scheme or in any other way to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities (Article 39 A)
- (vii) The State to make provision for securing just and humane conditions of work and for maternity relief (Article 42)
  - The State to promote with special care the educational and economic interests of the weaker sections of the people and to protect them from social injustice and all forms of exploitation (Article 46)
- (ix) The State to raise the level of nutrition and the standard of living of its people (Article 47)
- (x) To promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of women (Article 51(A)(e))
- (xi) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat to be



reserved for women and such seats to be allotted by rotation to different constituencies in a Panchayat (Article 243 D(3))

- (xii) Not less than one- third of the total number of offices of Chairpersons in the Panchayats at each level to be reserved for women (Article 243 D (4))
- Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality to be reserved for women and such seats to be allotted by rotation to different constituencies in a Municipality (Article 243 T (3))
  - Reservation of offices of Chairpersons in Municipalities for the Scheduled Castes, the Scheduled Tribes and women in such manner as the legislature of a State may by law provide (Article 243 T (4)).

## LEGAL PROVISIONS

To uphold the Constitutional mandate, the State has enacted various legislative measures intended to ensure equal rights, to counter social discrimination and various forms of violence and atrocities and to provide support services especially to working women. The law of the country identifies 'Crime against Women' under two broad categories :

- The Crimes Identified Under the Indian Penal Code (IPC)
- Rape (Sec. 376 IPC)
- Kidnapping & Abduction for different purposes ( Sec. 363-373)
- Homicide for Dowry, Dowry Deaths or their attempts (Sec. 302/304-B IPC)
- Torture, both mental and physical (Sec. 498-A IPC)
- Molestation (Sec. 354 IPC)
- Sexual Harassment (Sec. 509 IPC)
- Importation of girls (up to 21 years of age)
- The Crimes identified under the Special Laws (SLL)

Although all laws are not gender specific, the provisions of law affecting women significantly have been reviewed periodically and amendments carried out to keep pace with the emerging requirements. Some specific laws have also been enacted to safeguard women and to upgrade their status:

- The Special Marriage Act, 1954 Any girl of age 18 or boy of 21 years can take recourse to this law irrespective of caste or religious consideration.
- The Hindu Marriage Act, 1955 Marriage is deemed to be solemnized on the performance of certain rites, specially saptapadi; second marriage is forbidden; right to judicial separation and divorce is made available on certain grounds like- unsoundness of mind, conversion to different religion, communicable disease etc.
- The Hindu Succession Act, 1956 with amendment in 2005- it vested women with the right in matter of inheritance as well as alienation of property at par with men.

- The Maternity Benefit Act, 1961 (Amended in 1995)- provides for leave with wages for six weeks following child birth; non exposure to work of arduous nature for one month preceding to six weeks before delivery; provision for crech; time off for feeding etc.
- Dowry Prohibition Act, 1961- giving, abetting or taking dowry is a cognizable, non-bailable offence against the state and is punishable with not less than 5 months of imprisonment and a fine.
- The Medical Termination of Pregnancy Act, 1971- permits abortion if found justifiable from medical point of view.
- Indecent Representation of Women (Prohibition) Act, 1986. Prohibits indecent representation of women through advertisement or in publication, writings, paintings, or in any other manner.
- The Protection of Women from Domestic Violence Act, 2005 is meant to provide protection to wife or female live-in partners from domestic violence at the hands of husband or male live-in partners or his relatives. The law also extends to women living in household such as sisters, widows or mothers. The act covers actual abuse or threat to abuse whether physical, sexual, verbal, emotional or economic.
- Commission of Sati (Prevention) Act, 1987- Abolished the traditional practice of sati and made it a punishable offence.
- The Equal Remuneration Act, 1976- provided for equal pay for equal work, abolished discrimination in wage payment on the basis of sex.<sup>9</sup>

## **SPECIAL INITIATIVES FOR WOMEN**

Based on the legal and constitutional provisions the government of India has taken some special initiatives for empowering and raising the status of women in India. These are:-

### **National Commission for Women**

In January 1992, the Government set-up this statutory body with a specific mandate to study and monitor all matters relating to the constitutional and legal safeguards provided for women, review the existing legislation to suggest amendments wherever necessary, etc.

### **Reservation for Women in Local Self-Government**

The 73<sup>rd</sup> Constitutional Amendment Acts passed in 1992 by Parliament ensure one-third of the total seats for women in all elected offices in local bodies whether in rural areas or urban areas.

### **The National Plan of Action for the Girl Child (1991-2000)**

The plan of Action is to ensure survival, protection and development of the girl child with the ultimate objective of building up a better future for the girl child.

#### (iv) **National Policy for the Empowerment of Women, 2001**

The Department of Women & Child Development in the Ministry of Human Resource Development has prepared a “National Policy for the Empowerment of Women” in the year 2001. The goal of this policy is to bring about the advancement, development and empowerment of women.

### **CONCLUSION**

India has substantive components and policies to deal with the welfare of women. While the major trends of development have witnessed application of human rights and welfare policies, some of the remnants of male chauvinism continue to haunt the unfortunate victims and the process of administration of justice. Thus people's participation and civil society's initiative will have to play an important role towards sensitising the law to dispel gender biases.<sup>10</sup>

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# **A WOMAN'S QUEST FOR IDENTITY IN R.K. NARAYAN'S 'THE GUIDE'**

**Dr. Anju Bhatt\***

Feminism is defined in different ways by different people depending on the culture, society and the country they live in. It deals with the manacled existence and subjugation of women in society where they are treated as secondary or inferior beings, seeking validation/justification of their desires/actions by gaining male approval. Chaman Nahal in his article 'Feminism in Indian English Fiction' defines feminism very precisely as he says.

“I define feminism as a mode of existence in which the woman is free of the dependence syndrome. There is a dependence syndrome, whether it is husband or the father, or the community or whether it is religions group, ethnic group. When women free themselves of the dependence syndrome and lead a normal life, my idea of feminism materializes”.

However in the life of an average Indian woman this dependence syndrome is still very much there. She still depends on father, husband and the son and the obvious consequence is the loss of her own identity. In India, woman has been defined and interpreted in different ways in diverse branches of knowledge in Indian literature. She has been portrayed as a symbol of sex and domesticity and erotic image of a woman has been highlighted in literature and the folk lore.

Through this eroticism, the superiority of body has been established over the mind. She has also been considered a hindrance on the path of salvation but is also worshipped as Kali, and Laxmi. Hindu scriptures clearly states that God dwellsthere only where a woman is worshipped and respected. Thus a woman in Indian society was both worshipped and humiliated under different pretexts. She was idealized in the form of Mira ad Laxmibai but characters like Manthara, Kaikai, represented the evil aspects of feminine psyche. Whatever is the form, women characters have been portrayed in multiple hues in Indian literature and with the rise of modernity the writers have also attempted to delve deep into her psyche and justify her innate desires, which had remain hidden in the remote corners of her heart.

Feminist movement is considered to be a gift of western culture but if we look at the society around us, we find feminism as anintegral part of Indian culture even centuries ago. In form of Durga and Kali, women had fought for the protection of their own self in the traditional male dominated society. Writers in modern India too have felt that woman in no way is inferior to man. The inequity of their status comes due to patriarchal society that limits the creative power of a woman by assigning her domestic duties.

It is apparent that the problems related to women and their upliftment has been widely discussed in the Indian intellectual circles for the last few decades.

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The changing pattern of our democratic system has also raised the issue of equality of male-female sections of society as it has clearly realized that Indian culture is based totally on male superiority and the subordinate status of women. With the rise of feminist movement in India, the Indian English writers have also come up against the suppression and maltreatment of women.

R.K. Narayan, one of the most prominent Indian English novelists had also tried to redefine the traditional Indian woman, through Rosie, the main female figure of his much celebrated novel 'The Guide' (1958). Through Rosie, he had portrayed a liberated woman who refuses to live a life under conventions and struggles to emerge as a self-assured individual retaining her traditional values, in socially strangulating patriarchal set up.

We find the novel 'The Guide' a little different from R.K. Narayan's other novels as it deals with gender discrimination and feminist attitudes. It is a tale of conservative attitudes and hatred of a husband toward his talented beautiful wife who dares challenge the male superiority by entering into an extramarital relationship with a guide, who assures her of herself respect and approves of her talent and love for dancing. Rosie the main female figure in the novel belongs to a Devdasi family, who were traditionally assigned the duty of dancing before God in the temples and were 'Viewed as public woman' and not considered respectable and civilized (84).

But for Rosie, her mother had planned a 'different life' (85). She was put to school early in life and studied well. She took her masters degree in Economics and after college, the question was whether she should take up dancing as a profession or does something else and as marriage is a destiny traditionally offered to woman by society, Rosie too succumbed to this belief which later acted disastrously on her self-respect in her future life. Tempted by an advertisement in a paper by a rich bachelor who was looking for an educated, good looking girl" (85) with no caste restrictions, she was finally allured to enter into a marital relationship with a man of 'high social standing' (85) who owned a big house outside Madras and lived in it all alone. All the women in the family were impressed and excited that Rosie had got an opportunity to live a normal life in respectable society and finally was able to move out from the derogatory status of Devdasi cult. Marriage is considered as an ultimate panacea for Rosie, by her aunts and her marriage with Marco, is the beginning of a new life where she is supposed to forget dancing and live according to her husband's will and desires irrespective of her own personal preferences. The marital relationship is not based on love but on the gratitude that Rosie feels for Marco who had married her even after knowing that she belongs to a Devdasi family.

Self-effacement in women is traditionally fostered by the society and even highly accomplished and talented woman often find it hard to combat this subtle social conditioning. Throughout one's reading of "*the Guide*", the reader gets an impression that despite possessing a good education, Rosie is unable to free herself from the conventional gendered limitations in more way than one. This tradition of self-effacement creates doubts as we know through Rosie's confessions about her

duties as a wife, “As a good man he may not mind, but is it not a wife's duty to guard and help her husband whatever the way in which he deals with her!” (120).

This submissiveness and total self-surrender acts as a great inhibition in Rosie's search for her own identity throughout her life since her childhood she has seen women worshipping their husbands, catering to their needs and acting as their slaves. Her education too fails to change her attitude towards herself and her husband. She is assured of the fact that in whatever way a woman is treated by her husband, she has no right to grumble and if she grumbles it is immoral. Though Rosie some times acts contrary to these beliefs, yet there are times when the deep rooted guilt comes out to surface and she holds her self-responsible for the ruin of her married life. Marco, her husband a rich educated young man exhibits a liberated mind set by marrying Rosie, but at personal level he too could not respect her individuality. Of course he gives 'Comfort and freedom' (121) to his wife but he refuses to accept her identity as a woman having physical desires. There are subtle hints in novel to indicate that both of them lead a loveless life, the marriage was merely a contract to live life together as two friends but not as man and woman. Marco was so much engrossed in his love for painting and old things that he didn't have any time for his wife who also possessed a desire to share her intimate feelings with her husband. This indifference of her husband toward her, made her move closer to Raju who was sympathetic and with whom she can share and discuss “when we are alone and start taking we argue and quarrel over everything. We don't agree on most matters and then he leaves me alone and comes back and we are right... until it is night again.” (83).

Rosie's relationship with Raju is traditionally and socially considered illicit. How could a married woman ever think of having a relationship with a man whom she had met only few days ago? Critics have often condemned Rosie for falling in a relationship with Raju but a deeper look at her psyche would reveal, it as an unavoidable fact. Her husband had disappointed her at both physical and emotional plane and refuses to understand her intricate feelings and cravings. Education did made him broad minded but failed to changes his male psyche where a woman in every way is inferior to her husband; has no right of expressing her feelings and is expected to remain happy in doing her domestic duties. Marco's excessive devotion and dedications to his research made him forget her existence in his life. And suddenly there is entry of another man in her life, who admires her talent for dancing, respects her individuality and promises to take her to the heights of success by helping her in fulfilling her dream of becoming a famous dancer.

Raju came as rain in a draught affected land, brought with him a whiff of fresh air and gave a “new lease of life” (124) to Rosie.

The relationship was not based on love but was symbiotic, where both of them needed each other for their own personal reasons. Rosie's betrayal of her husband is not a sin, because it was not intentional. She felt weak in some crucial moments; it was inevitable as for how long could one suppress the desires which are natural and God given? Rosie's actions demonstrate that Raju in no way could take place of

Marco, her husband; and even though there is a temperamental communion between the two, her devotion for husband remains untarnished. Rosie embodies in herself the image of a traditional Indian woman, who in every situation remains an ardent devotee of her husband. Her relationship with Raju fills her with guilt and remorse and she realizes that she has committed “an enormous sin” (150). Rosie had acted in socially unacceptable manner but the values which she had learnt since her childhood made her follow her husband even though he neglected her completely. She wanted to forget what ever has happened at Malgudi and start life a fresh with her husband at their home in Madras. But Marco, a typical Indian man could not forgive her physical infidelity and deserts her at the railway station. Thus Rosie as it is destined, is left all alone with nobody to care for and is forced to take shelter at Raju's place.

Marco desertion of his wife marks a new beginning in Rosie's life who is described as a “dreamer” (130) by the author and would have greatly benefited by her husband who could care for her career. She compromised with circumstances and was brave enough to ignore the scorns and frowns of the people around her. Raju's mother who at first admired her for her higher education gradually started stiffening towards and referred to her as “serpent girl” (117) who would eventually destroy her son. But Rosie never cared about the thing said about her. She was a devoted artist and was quite happy to be doing what she was doing at the moment; was not in the least bothered about the past and looked forward tremendously to the future” (154). Her practice sessions proved quite rejuvenating for her and helped her to forget all her past, all her worries vanished and she was a happy creature enjoying eternal bliss in her passion for dancing. Raju a clever man possessed a lot of professional wisdom and could realize that Rosie in no way is a name suitable for a dancer as it lacked poetic appeal and sensibility. So after four days of hard thinking they arrived at “Nalini, a name that could have significance, poetry and universality” (176).

Rosie now became Nalini and under her new name all her sufferings of her earlier life were buried from public view. Raju was the only person who was acquainted with her past and knew her as Rosie, for rest of the world she was Nalini, a talented dancer. Under Raju's supervision she rose to new heights and her name became “public property” (182). Raju was the only man in her life whom she allowed to take control of all her financial and personal affairs. Even as a successful woman Rosie clinged to Raju for emotional and physical security. She failed to understand it was her talent, her devotion for her art that she could attain so much of popularity and success. It was Raju who lately realized the fact “she became known she had the genius in her and the public had to take notice of it... that even Marco could not have suppressed her permanently; some time she was bound to break out and make her way” (182).

Through Rosie R.K. Narayan had portrayed the emergence of modern woman in Indian society who because of her education can dare to dream and if given a chance can go to extremes to materialize them. Rosie if viewed superficially may



appear as a woman lacking moral values but on a closer look we all sympathize with her because she embodies in herself the dilemma, fear and torture experienced by a woman in Indian society. Marco deserted her for he lacked in him the manly qualities; Raju accepted her because he was stung with her physical charms and controlled all her financial affairs after she became famous.

Both the man took charge of her destiny. Marco wanted her to forget past; Raju looked upon her as a money minting machine. Both of them could not understand, her innermost desires, her needs and aspirations. Rosie, if she would have been brought up in western society, would have realized her potential in the beginning only and never she would have allowed them to play with her emotions. But she is born and brought up in India, where a woman needs a man even for the small chores. She cannot imagine herself without the support of a man, and therefore quietly accepts Raju as her mentor.

She feels obliged to him for taking her out of the boundaries of her home and showing her the world where she too had created a niche for herself. In the earlier stages of her success, she euphorically enjoyed every moment of it. Whatever she has dreamt of she finally manages to achieve it but gradually became tired of it. Raju, a selfish and money minded person, cared only about the money which they could earn by her concerts. He, who was an ardent lover in the beginning, became a tyrant now, who expected Rosie to agree to his all commands. Life for her now became a continuous stage performance where she has to don a mask and a makeup according to her role. Nalini in reality killed Rosie who was liked by the readers for her innocence and youthful gaiety. Success took her toll on Rosie also. A stage came when she was tired of all the hectic schedules and looked forward to the time when she can be her old self, living life quietly and happily.

In fact Rosie truly represents those women of the Indian society who even after making a place for themselves in the world, yearn for simple pleasures of life but the selfish men reject their yearning as melodramatic. Her life is the biography of those women who are misunderstood and tormented by the men in their lives. Even after surrendering themselves fully the men treat them cruelly giving no importance to their individuality. Even after she was renounced by her husband Rosie always had great respect and devotion for him. Raju, the second man in her life took her for granted yet she never complained about his tyrannical outlook. She agreed naively to whatever he said complaining only once, where she said, "I feel like one of those parrots in a cage taken around village fairs or a performing monkey" (203). R.K. Narayan's novel is a sensitive commentary on the feminine psyche and its expectations. Even after attaining the celebrity status Rosie could not forget Marco and talked of him as a gentleman who took care of her materialistic needs. She lives with Raju but is unable to establish a psychological communion with him. Their relationship continues to be superficial, in her heart she belongs to Marco her legally wedded husband. Raju too realized this and was afraid of any possibility of losing her to Marco. Impulsively he signed a document sent by Marco to Rosie in order to handover the custody of some jewellery belonging to her. He did it without any

greed for jewels. And was taken into custody under the charge of forgery and was sentenced for two years rigorous punishment. Rosie tried her best to help Raju to come out of this trouble and whatever money she had spent it all for fighting his case. This lead to the realization of the futility of her relationship with him and even though she promises to help him, she is bold enough to ask him forget her, “leave me to live or die, as I choose that's all (222).

Raju's trial in a way proved a hidden boon for her as she was forced to look after her affairs independently without any assistance from anybody. She could get on excellently well even without Raju's support and gradually became self-reliant. She finally dismissed the need of a male in her life and has Raju had put it, “she would manage-whether I was inside the bars or outside, whether her husband approved of it or not. Neither Marco nor I had any placed in her life, which had its own sustaining vitality and which she herself had underestimated all along” (223).

Rosie's association with Marco and Raju proved disastrous to her own integrity. She comes to know that both of them had used her for their own selfish reasons and this realization of being ruled over and measured before being spiritually slaughtered severs her relationship with them. In the end her education leads her to independent thinking for which men in her life become intolerant of her. She struggles between tradition and modernity and develops the awareness of the new women who had a voice of her own.

Rosie's journey towards this realization of self is of course quite painful but at the end she moves out to the open air of self-consciousness, determination and fulfillment. She combines in herself the traits of ancient tradition and modern education and emerges as a liberated woman who is free from the shackles of male bondage and is creator of her own destiny.

Her quest for identity finally ends and she is free from the age old manacles of servility to men. She constantly has to face trials and tribulations in her pursuit for identity and self-fulfillment and emerged victorious in the end. Despite of being born in Devdsai family she manages to earn a name for herself through her art and talent and demonstrates if a woman wills, she can create her own world without any assistance from a man.

Thus we see that “*The Guide*” can also be viewed as a powerful feminist novel in which R.K. Narayan talks about a woman who is oppressed by marriage and by society at large but who very bravely comes out of that shell.

## REFERENCES

1. Narayan R.K. *The Guide* 1975 (first published 1958).

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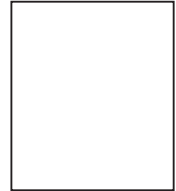
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