

# MAPPING TERRORISM IN MAHASWETA'S 'MOTHER OF 1084'

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'Mother of 1084' is a seminal novel dealing with terrorism - a problem rampant in India. Her main focus is on the Naxalites - an outlawed terror organization in West Bengal. The novel closely studies the various factors in our society that foster terrorism - a gross abuse of human rights. It denies people peaceful living, security, causes immense human casualties and weakens the moral, political, economic and national fabric of the country. In this research paper, an attempt has been made to highlight how the violation of human rights fosters terrorism which itself breeds on abuse of the former like freedom of speech, right to employment, law and order, moral laxity in families, anarchy of patriarchy and so on. Hence, encroachment of human rights is counter-productive.

The paper aims to probe into the urban phase of the Naxalite movement of late 1960's and early 1970's and expose the illegitimacy and hypocrisy that is spread throughout the society-both at individual and collective level. The author also spotlights other human rights that are under siege. This article in no way sympathises with the activities of terror groups. However, it attempts to unravel certain issues which cut off our youth from the mainstream and drive them to take up arms against their own countrymen. Interestingly, the malady is also borne out of injustice done to women at home and outside.

Besides, Mahasweta's belief in taking stand in defence of the exploited and legitimising their violent resistance has been delineated. Literature ought to prepare man constantly to resist what is wrong, hence all good literature is activist. It helps to mobilize public opinion on important issues and so bring about any desirable change. Different writers have vehemently used their pen for the welfare of society at large and with the aim of bringing about the desired change. When it comes to Indian literature in English and English translation, this tradition of socio-politically active creative literature has been forwarded by writers like the acclaimed and incredible social-activist of West Bengal, Mahasweta Devi and the 1997 Booker Prize winner Arundhati Roy. The book is an English translation of Mahasweta's Bengali novella 'Hazaar Chaurashir Maa', inspired by Maxim Gorky's famous novel 'Mother' (1907). It was written by Mahasweta Devi in 1973-74 and translated by Samik Bandyopadhyay in English language in 1997. It is a very sensitive and thought-provoking novel highlighting the Naxalite movement—the first major event that Mahasweta felt an urge to document from a feminist and a humanist point of view.

It deals with the psychological and emotional trauma of an upper middle-class mother Sujata Chatterjee who awakens one morning to the shocking news that her favourite son, Brati Chatterjee is lying dead in the police morgue at Kantapukur,

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reduced to a mere numerical: corpse no. 1084. This awakening propels her on a journey of discovery, in the course of which, she struggles to understand her Naxalite son's revolutionary commitment and a moral rationale for her son's rebellion. She, besides finding the entire social system cadaverous and no legitimacy for his death, begins to recognize her own alienation as a woman and wife from the complacent, hypocritical and immoral bourgeois society her son had rebelled against.

The novel touches on almost all the features of the urban phase of the 1971-74 Naxalite movement: the tortures inflicted by the police on the Naxalites, the ideological deviations of the movement, the beauty and honesty of the dreams of the Naxal youth like Brati and his comrade, Nandini, the brutality and ugliness of their cold-blooded genocide by the state, the weaknesses of the movement at that time and its capacity to learn from mistakes and so on. Moreover, it was a rare request from the urban youth who had suffered tremendously during that bloody period of West Bengal and found no one writing about them and their cause that compelled our activist author to write this very insightful and stimulating novel.

Mahasweta recalls, "Mother of 1084 was written in the background of 70's Calcutta. That time at Calcutta so many Naxalites were killed all over. I remember I was going to villages all the time. So one day I still remember the young boys came, they didn't enter my house; they stood outside the veranda and told me, 'You are writing about the villages in the rural context ..... Who will write about us? We are being killed on the streets all the time'" (Agarwal N. pag.). Thus in writing this novel, Mahasweta has fulfilled her self-declared aim of recording history and giving voice to the voiceless. While evoking and re-creating the killings of the Naxalites, she "concentrates on the later reactions-and lack of reactions-of a cross section of the survivors....." (Devi, xiv). In its backdrop, she raises certain fundamental, humanitarian, feministic queries, which, besides stirring and awakening our dead and numb conscience, serve Mahasweta's activist purposes as well.

One of the major questions raised by our writer is why Brati secretly chose the path of terrorism. It is through the socio-political awakening of Brati's mother Sujata that Mahasweta gives us the reasons for Brati's rebellion. In her day-long quest, Sujata realizes that Brati's revolt may have been caused in part by the disenchantment with the hypocrisy, immorality, repression and narrow-mindedness in the domestic and social worlds to which his family belonged. She also recognises her own failure as a mother as one of the causes. She discovers that for "Brati and those like him disgust begins at home" (82).

As a child, Brati was deprived of parental care and love: his mother took a government job when he was only three and was directed to sleep alone at the age of eight. It was actually their family cook Hem who took care of him as a mother and was closer to him. Naturally, he grew a stranger and alien to his family day-by-day. As he grew up, he found his family (which is the representative of the society against which Brati and his comrades rebelled) the hub of immorality and hypocrisy where his mother is reduced to a mere puppet, a sex object and accorded a marginalised

status. His father, Dibyanath Chatterjee was a great womanizer, an avid promiscuous, who never showed any respect and regard for his wife and never tried to make secret of his affairs outside wedlock.

Indeed “he felt it was within his rights” (45). For him “a wife had to love, respect and obey her husband. A husband was not required to do anything to win his wife's respect, love and loyalty” (45). Even his children “considered all his actions part of his virility” (46). In fact, Dibyanath's 'favourite' daughter Tuli used to help her father in his extra marital affairs. This shows the extent to which Dibyanath had imposed his immoral social codes on his children who grew up to accept an artificial atmosphere, “a shiftless, rootless, lifeless society where naked body caused no embarrassment, but natural emotions did” (68).

Hypocrisy dominated his behaviour in both spheres: his family was expected to turn a blind eye to his marital infidelity and his commercial success was based on systematic corruption. This we realize when Nandini tells Sujata of Brati's allegation that “his father bribed clients away from other firms” (81). All this was literally nauseating for Brati who used to say that they are not human. For him, his elder sister Neepa was a nympho, the other sister Tuli, a bundle of complexes and his brother Jyoti, a pimp. Gradually, differences started brimming between him and his family who began to treat him as belonging to the 'other camp' because he never followed their so-called modern life-style or agreed to their point of view. Brati resented and revolted against their immoral life-style. He opposed the values and customs they stood for and desired to fight the social malaise that permeated his private and public domains. This led him to join the Naxalite movement. Thus, for Mahasweta, the youth who joined urban guerrillas were reacting in part against the immoral and hypocritical life-style of the society of which their families were a part. This may not be acceptable to the objective analysts of the Naxalite movement, but, as for Mahasweta, that is the one reason that could rationalize the movement to a fairly affluent, sensitive, enlightened mother. Besides rationalizing Brati's rebellion, Mahasweta here tries to make us realise that any act on the part of a child is the responsibility of the family she or he belongs to.

In fact, a family is the first school of a child. Its influence can either make or mar the future of their wards. This is what she tries to highlight throughout this novel. Another Naxalism related question raised by Mahasweta is, “was there anything in the way she (Sujata) had brought up Brati that had made him into no. 1084 in the decade that headed towards terrorism sponsored 'liberation'? Or was there anything that she could have done, or not done, to make him no. 1084? Where did she fail?” (14-15). In the course of her encounters with Somu's mother and Nandini-Brati's comrade and beloved, Sujata realises that motherhood demands not only love and care but also understanding and the possibility of communication between mother and child. She deliberates over her rhetorical question: “Why did it never strike her that when a son became a stranger to his mother, and they lost touch with each other even while they lived under the same roof, there could be a threat growing from it?” (16). She aptly realises that filial love must be earned and not expected as the child's automatic duty.

Nandini also tries to make her understand the essence of relationships by asking a very stimulating question: “Does one have to love and trust others only because they happen to be one's father or sister or brother, even if there is no gesture of love from them?”(80). She confronts Sujata: “You ask for everything-love, loyalty, obedience. But why do you demand it ? How can you ?..... You shouldn't. Many of you have forfeited the right to expect it!” (80). These deliberations make Sujata realise that Brati's transformation into a Naxalite may have been caused in part by her own failure as a mother.

Thus, for Mahasweta, a mother has a socio-political duty of moulding future citizens, capable of creating a better world. She wants that only those women with a moral and social conscience ought to enjoy the right to bear off-springs. This belief of the novelist becomes more apparent at Tuli's engagement party, where, watching the socialites who bring up their children without any social responsibility, Sujata mourns for Nandini whose exposure to physical torture has destroyed her chances of motherhood, although she would have been far more worthy of maternal responsibility. This ideal construction of maternal ideal by the writer has been beautifully summed up by Radha Chakravarty in these words, “instead of unthinkingly valorising motherhood perse, it demands that the women prove themselves worthy of the role. The proof resides as much in the lifestyle and values of the women themselves as in the way they bring up their children” (113).

Regarding the other root causes of the Naxalite movement, Mahasweta believes, as is evident from her various writings like *Chotti Munda* and *His Arrow* as well, that when the very basic needs and demands of the general masses are denied, they are left with no option except to take recourse to violent resistance. In the novel, we observe that many people like Laltu and Somu who joined the Naxals were denied their basic everyday needs and requirements. In case of Laltu, despite being a brilliant student, he “went around desperately looking for a job. He didn't get one. That's what hit him. And a rage swelled within him” (Devi 2008: 58). In case of Somu, his family's plight and financial crisis would often swell him into a rage and he would often retort, “Are we beggars? Why must we beg for things that should be ours by right, and get kicked in return?” (68-69).

Though one may not agree with Mahasweta's compassionate attitude towards the people who take recourse to violent resistance to get their day-to-day needs, one cannot ignore the need to tackle the deep rooted problems of the poor if we want to prevent Naxal like uprisings.

Rejecting Sujata's complacent attitude that “everything has quietened down” she retorts, “Nothing has quietened down, it can't! It wasn't quiet then, it isn't now..... . Thousands of young men still languish in the prisons without trial. And you can say it's quiet now?” (85-86). So, Mahasweta is categorically rejecting any complacency on the society's part that post-Naxalite Bengal was normal and happy. Instead, she believes that unless and until we take a personal loyalty pledge to everything of everyday life, to raise voice against the oppressions of the marginalized in the society, things cannot change for the better. That is why she questions the indifference of the conscience keepers of the society over the killing of

the youth during the 1960-70's Naxalite movement. She wants them to answer why they maintained the criminal silence over the brutal killings of thousands of youth. They never tried to delve deep into this sensitive issue. "Why their benevolence extended to the rest of the world, while nearer home their outlook became opaque, hazy, unclear?" (60).

Invoking the turbulent period of West Bengal, Mahasweta in a highly satiric and ironic tone writes: "The deadly risks that the youth of West Bengal faced cannot have been important enough. If they had been important, wouldn't the artists, writers and intellectuals of this legendary city of processions have picked up their pens?" (50). Since they found nothing unnatural in the spectacle, they kept mum. To make their silence more brutal and more loathsome, the same writers, artists and intellectuals "of Calcutta turned West Bengal upside down out of sympathy with and support for the cause of Bangladesh" (50). This shows their double standards and their hypocritical nature that amounts to betrayal to those who had the desire to fight a social malaise that permeates both their private and public domains.

Otherwise, how could one rationalize the fact that not a single person raised his voice when thousands of young men were rotting in the prisons. So, to Mahasweta it was not only the betrayal of persons like Anindya but also the betrayal of the whole social setup that spelled doom to those who wanted to change the society for the better: "The nation, the state, refused to acknowledge their existence, their passion, their indomitable faith in the teeth of death, all that they stood for" (Devi, 60). While exposing the so-called conscience keepers of society, she also makes her activist message clear: "A responsible writer, standing at a turning point in history has to take a stand in defence of the exploited. Otherwise history will never forgive him" (Devi, viii).

Mahasweta also raises her finger at the inhuman government policy to liquidate the youth that joined the Naxalite movement and the unwritten ruthless policy for their families. According to her, there are more dangerous anti-social elements in our society like food and drug adulterators than the Naxalites, but the administration has never cared to take any decisive action against them. Directing her ironic and satiric barrage at the society which offers them a safe haven, she writes that the killers of society, who adulterated food, drugs and baby food, had every right to live. The leaders, who led the people to face the guns of the police, found for themselves the safest shelters under police protection and had every right to live. But Brati was a worse criminal than them because he had lost faith in this society ruled by profit mongers and leaders blinded by self-interest. "He had rejected a society of spineless, opportunist time servers, masquerading as artists, writers and intellectuals" (19).

Mahasweta expects, rather, demands a little more humanity and leniency against such so-called anti-social elements. The way she projects their plight forces us to accept her contention and feel that they certainly deserve a more humane treatment, a healing touch and a chance to change. Similarly, highlighting the predicament of the Naxalites' families, Mahasweta questions the ruthless, unwritten policy of the government for them as well. In the novel, we observe that Somu's

sister is unable to get the government job on the pretext of being a Naxalite's sister and Partha's brother has gone on exile because if he “ever comes back to the locality, he will be cut into pieces.....” (Devi 56). Besides criticising this anomaly, she warns us against the possibility of violent resistance by the Naxalite families (who represent all the oppressed sections of society) if we don't stop the oppression and suppression against them. This is endorsed by the retort of Somu's sister to her mother (both these women have not been given any specific name; thus projecting them as the representative of the whole class of oppressed mothers and sisters, those who have lost their beloved ones to one or the other conflict), “I won't let my life go waste like this, all for you” (62).

Similarly, there was no rehabilitation policy by the government for the Naxalites who were released after the bloody period was over. Instead they were ostracized by the society, as a result of which, they were left with no option but to take the old path again. In Nandini's case, she was unwelcome and unacceptable in her home and society and was home interned after her release. Such callous attitude from one and all forces her to tell Sujata when the latter asks her about her post-release plans, “You might hear that they have arrested me again. Who knows” (87). Thus, while Mahasweta demands rehabilitation policies for such people, she pronounces her verdict also in case the government perpetuates its callous attitude against them. The verdict is nothing but that the violent resistance remains the only option for the hapless to withstand and overcome the pitiless policies of the government.

At one level, the novel is a story of how an apolitical mother finds a voice of her own, how she is compelled to recognize the basic human need to formulate a more enlightened understanding of the circumstances that compelled Brati to make the kind of choices he did; all of these do facilitate Sujata's transformation from a weak-willed, hopelessly dependent and a non-assertive moral coward to a morally assertive, politically enlightened and a socially defiant individual. This is what the author aims at and wishes our fair sex to be. According to her, only the morally assertive, socially defiant and politically conscious women deserve and can prove to be better mothers. That is why Brati's mother Sujata after her daylong quest realizes that “if only she had had the strength to come out with the truth and challenge Dibyanath while Brati had still been alive!..... Even then she might have been able to affect the course of events” (94).

So according to Mahasweta, the political and moral sense which Sujata gets after the daylong awakening should already be there in a person. For her, political naiveté is as much a sin and a social crime as is political indifference or an immoral political choice. That is why Sujata in a rhetorical question asks herself, “Was this why Brati left home that evening in his blue shirt-so that Sujata would recognize the faults in her nature and in her mind?” (76). That is why, Nandini while alluding to Brati's death, tells Sujata, “I know you people never know anything..... but now you know that it's wrong to carry on presuming that one needn't know why and how such things happen” (72).

Hence, throughout the novel, it is illegitimacy and hypocrisy that Mahasweta locates rampant throughout the society-both at individual and collective level, “in administration, in the cultural-intellectual establishment, in politics, in the existence

of a whole antisocial fringe of killers prepared to serve the interests of any organized political force anywhere between the extremes of the Right and those of the Left” (Devi, viii). By highlighting this illegitimacy, Mahasweta besides defending the violent resistance of Brati and the like, anticipates possible future resistances of this kind, in case we remain socially, politically or ideologically indifferent to their plight and oppression. For her, the Naxalite movement (and for that matter any violent resistance rooted in oppression) is a human catastrophe for which the nation and the civil society is responsible and must account for.

This certainly has a universal significance and holds true for any part of the world-be it West Bengal, Kashmir or any conflict zone in India. By accusing the families and the societies for producing the Bratis, she may not qualify as an objective writer and may be accused of emotionality and sentimentality, but she has certainly qualified as a humane and a socially committed activist writer.

Human Rights Education is imperative for a country like India where such rights are at an ebb. It is true that the government has set the ball rolling in this direction by forming various agencies and bodies to enhance awareness on this issue. However, it is an equally grim reality that violation of rights are growing in magnitude day by day, far surpassing the efforts towards reform. Being a democracy, the bureaucracy and the people share a joint responsibility to co-ordinate such programmes in such a way that the marginalized are particularly empowered to lead better and respectable lives. Redressal of their grievances should be done with firmness, foresight and sympathy. Administering justice at the earliest, sensitization of our values, a revised look towards humanity, freedom from prejudices complemented with respect for our rights and dignity, can go a long way in dealing effectively with the mechanics of terror.

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# THE EMERGENCE OF THE INTERNATIONAL WOMEN'S NETWORK

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The Women's movement in the United States first popularized the modern usage of the word 'network' to refer to interconnected groups of people when they coined the term 'old boys network' to criticize the informal contacts men used to further professional goals, often through exclusive men-only clubs. From that initial critique, women went on to imitate and innovate with the network model. More than any other groups, women's organizations use the terms 'network' and 'networking' to describe their interactions. Indeed, many international women's groups are named 'networks' (The International Feminist Network, Latin American and Caribbean Feminist Network against Domestic and Sexual Violence, Asian Women's Research and Action Network).

Today's women's networks have their roots in the abolitionist movement and the subsequent international campaign for woman suffrage. Feminist theorists refer to the suffrage campaign as the 'first wave' for feminism, the movement beginning in the 1960s as the 'second wave'. Like the suffrage movement, second-wave networks were fostered by international conferences; the emergence of modern international organizations provided more arenas for women's issues.

The Inter-American Commission on Women, started in the 1920s, was one of the groups instrumental in getting the provision on equal rights for women into the UN Charter, and recommending the formation of the UN Commission on the Status of Women. The UNG Economic and Social Council (ECOSOC) established this commission in the late 1940s, along with the Commission on Human Rights (which received more institution support). The second wave of international organizing on women began in the 1960s and early 1970s, as ideas of originating with feminists in the United States and Europe sparked global debate. The Commission on the Status of Women drafted the Declaration on the Elimination of Discrimination against Women, adopted in 1967, and then began work on a convention. Adopted in 1979, the Convention on the Elimination of All Forms of Discrimination Against Women entered into force in 1981.

This convention dealt mainly with discrimination, defined as 'any exclusion or restriction of women on the basis of sex in the political, economic, social, cultural, civil or any other field.' The 1967 declaration and the resulting convention mention discrimination and equality in practically every article, but never refer to violence against women. Discrimination and equality were the master frames of the women's movement in the United States and in Europe, and the UN system.

The emergence of international women's networks was more intertwined with the UN system than the other networks. The three conferences – in Mexico City (1975), Copenhagen (1980), and Nairobi (1985) – that spanned the UN Decade for

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Women served as locations to build and connect the emerging international network. Preparations for the population conference in Cairo in 1994 and the women's conference in Beijing in 1995 further extended and solidified the network.

International conferences did not create women's networks, but they legitimized the issues and brought together unprecedented numbers of women from around the world. Such face-to-face encounters generate the trust, information sharing, and discovery of common concerns that gives impetus to network formation. The NGO meeting in Mexico city encouraged a group of women to found the International Women's Tribune Centre, which used the mailing list generated at Mexico city to keep in touch with individuals and groups around the globe, and expanded it to include new groups.

Women's groups in Latin America took the lead in the use of network styles of communication, becoming models for other women's organizations around the world. Ester Boserup's pathbreaking 1970 book, *Women's Role in Economic Development*, had highlighted the issue, especially the key role of women as agricultural producers, and the U.S. Agency for International Development had created a Women and Development Bureau in 1973.

Many activists believed that women's economic position could not improve without addressing the root problems of women's subordinate status, and of global economic inequalities, but these concerns were so systemic that they defied individual or group efforts to effect change.

The issue of violence, on the other hand, appeared to offer clearer avenues for activism. Violence and development could also be linked, since in many case violence against women limited the role they could play in development. Some of the most innovative groups to take on the women and development issue, like the women, law and development groups, later became leaders in the campaign for women's human rights.

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# RISING FOOD INSECURITY IN TRIBAL AREA

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## ABSTRACT

Presently the tribal population is 104 million accounts for 8.6% of the total population of India and is larger than any other country in the world. If all the tribals of India had lived in one state, it could have been the fifth most populous state. Despite the protection given to the tribal population by the constitution of the India, it remains the most backward ethnic group in India. The tribals are the poorest social group having more than 50 percent population below the poverty line. The health status is also lower and inferior compared to that of general population. This paper examines the levels of food insecurity at the micro level as against to the macro level in the tribal areas. A comparison of food insecurity reveals a higher incidence of food insecurity among the tribal as compared to that of non-tribal. The micro level indicators of food insecurity differ from the macro level indicators in several ways. The nutritional status of tribal children is much lower than that of their non-tribal counterparts. It has been found that natural forest resources play a significant role in determining the nutritional status of tribal children. The tribal community's vulnerability to food insecurity would be further aggravated if they were denied access to forest resources. Government policies should, therefore, ensure not only provisions of direct benefits in terms of subsidised food but also help build the capabilities of the tribal communities to overcome food insecurity, particularly in distress situations.

**Keywords :** Food Security, Tribal Areas, Nutrition.

## INTRODUCTION

Indian economy is growing faster. However, the growth is only registered in industrial and tertiary sector. The growth in agriculture is stagnant and slow. On the other hand, the growing population and cash crop cultivation is exerting extra pressure on agriculture for food crops. Around 35 percent of our population lives below the poverty line (BPL). In 2014, there were 212 million hungry people living in our country. India ranks at 55th position in the Global Hunger Index (GHI) of 120 countries. Economic growth in India is only visualized in its metropolitan cities and urban areas whereas a vast sections of the population in rural areas especially tribal areas of the country are out of the purview of the economic growth. Abysmal poverty, food insecurity, hunger, acute malnutrition, lack of basic amenities such as primary health care services, education and employment opportunities have become part and parcels in the day-to-day lives of these tribals in the country. From 1990-92 to 2001-03, the country registered a marginal decrease in the hungry persons from 215 million to 212 million but thereafter, the number of undernourished people in India increased substantially. The reasons were decrease in food grain output growth rate, increasing unemployment, high inflation, and the most important is the liberalization policies of the government at macro-level which reduced purchasing power of the farmers creating a situation of food insecurity. Now, inclusive growth; the growth with inclusiveness as its main vision has emerged as a ray of hopes to make an end to the uneven economic growth that the country has experienced in last two decades.

Agriculture is the main livelihood for more than 70% tribal households. However, low/fragmented landholding, less rainfall, high soil erosion & insufficient

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infrastructure restrain agriculture productivity. Further, primitive agriculture practices of tribal farmers, particularly less crop diversification, incompatibility between crop selection and resource conditions intensify the problem. The present agriculture, in process, is incapable of providing the households food security. A number of reforms has happened in the domains of public policies in the country in the recent times namely National Rural Employment Guarantee Act, Forest Rights Act, National Rural Health Mission, Right to Education and the National Food Security Act which envisage inclusive growth in India.

According to 2001 census STs numbered 84.32 million and accounted for 8.2 percent of India's population. Unlike SCs whose economics and social discrimination stems from being at the lower end of the Hindu religion hierarchy, the STs has been socially and economically at the disadvantaged due to their isolation both geographically as well as culturally from the mainstream population. Habitation in remote difficult terrains and the practice of primarily subsistence forms of agriculture has led to significant economic backwardness of tribal communities. Moreover, the lack of knowledge regarding their lifestyles and customs has also caused them to be regarded as "backward" or "uncivilised" by majority of urban and large section of non-tribal rural population. According to Sundaram and Tendulkar (2003a, 2003b) the head count ratio of the percentage of population below the poverty line among STs was 48.81 percent in 1993-94 and 48.02 percent in 2000-2001 for the rural sector giving rise to a poverty gap of almost 20 percent with the non ST/SC population. Farrington and Saxena (2003) find the central tribal belt in India to be among the poorest in rural India. In urban areas too, this poverty gap is almost 15 percent in 2000-01(Sundaram and Tendulkar, 2003).Gang et al (2002) finds that poverty rates among the tribal agricultural labour households to be at 58.3 percent as compared to 37.3 percent for the non-scheduled households, using the 2400 calorie per capita measure for evaluating the poverty line.

The major factors can be attributed for underdevelopment in tribal areas and perpetuated poverty and under-nutrition among tribal communities. First, the development policy adopted for achieving economic development is not compatible with the tribal development policy. The so called 'Nehruvian Model' of economic development through mega development projects in order to hasten agricultural and industrial growth, sadly proved to be a major hurdle in the path of tribal development. The immediate impact of these development projects is the massive displacement of the tribal communities from their original habitats. By 1990, nearly 85.39 lakh tribals had been displaced by some mega projects or the other and the preservation of forests as 'National Parks' etc. The resident tribal communities are deprived of their main source of livelihood, as an immediate impact of the displacement. However, the special development programmes implemented by the Government with the main objective of mitigating the hardships of the displaced communities met with varying degrees of success. Besides, the investment made on tribal development was grossly inadequate in terms of compensating for the massive disruptions occasioned by the earlier policy aimed at diverting lands under tribal covered areas towards developmental activities. Thus, developmental efforts at the national level clashed with efforts for tribal development. Second, the encroachment

of forestlands by the non-tribal population for livelihood is one of the reasons for accelerated forest degradation. This influx into forestlands resulted in the weakening of forest rights, loss of agricultural lands and depletion of forest resources, and hampered the conservation of timber plants. And lastly, the emergence and spread of the Naxalite movement in the country, particularly in the underdeveloped and tribal areas, turned out to be another major hurdle in the development process. On the whole, the development process in the tribal areas seems to have suffered due to the over-emphasis on projects of national interest, encroachment of tribal areas by non-tribal communities and the Naxalite uprising. Together these factors led to a higher incidence of poverty and child malnutrition in the tribal dominated areas. By the way, A number of reforms has happened by the government in the domains of public polices through public distribution system.

### **ROLE OF PUBLIC DISTRIBUTION SYSTEM (PDS)**

Public distribution system (PDS) is an Indian Food Security system. It distributes subsidized food and non-food items to India's poor. Major commodities distributed include staple food grains, such as wheat, rice, sugar, and kerosene, through a network of public distribution shops (also known as ration shops) established in several states across the country. But the function of Public Distribution System (PDS) in the tribal region is very poor. There were many flaws in the selection criteria. It was also found 18 percent of the deserving households have no ration cards whereas households having good landholding have BPL cards. 38 percent of the ration card holders are BPL and the rest belonged to the APL category. Black marketing of wheat, sugar and kerosene came out as major problems affecting PDS during discussions with the community members. Wheat and kerosene are supplied regularly to the villagers whereas sugar, rice, salt and pulses are not. Some of the PDS dealers distributed only 17 kg of wheat whereas the other distributed 20 kg or 30 kg. Dependency on PDS for food was high among the landless households. 32 percent of the households are totally depended upon the PDS for consumption of wheat. For these families, the amount of wheat consumed is equal to the amount of wheat distributed by the PDS.

### **OBJECTIVES**

- To identify the impact of food insecurity among tribal people
- To find out the problems in food security
- To suggest innovative ideas for effective food security
- To understand various causes of food insecurity from the parameters of availability, accessibility and utilization and its consequences affecting the tribes.

### **METHODOLOGY**

This paper is basically secondary data base research. This research is descriptive and exploratory in nature. We have collected the data from different websites and also website of Indian government.

## **FINDINGS**

- Food security programmes is not covering all rural and hill areas. In certain areas, the ration shops are not opening, if opened also, the food products was not available. There is no information notice board in most of the ration shops.
- Low quantity and quality of food grains are distributed to poor people, Old and unreliable weighing machines are used and no prepared scale of food grains.
- Very old stocks of food are distributed to rural and hills areas.
- Lot of administrative weakness in Fair Price Shops.
- Corruption in ration shop is based on ration employees and black marketers. No vigilance committees are present in rural, particular hills areas.
- Ration shops are at long distance in hills and the populations here need more mobile shops in hills areas.
- Rural people and tribal people are depending on affordable PDS food grains.
- Low quality and quantity of food consumption in rural and tribal's people will decrease the Health status.
- Rural family income and family food consumption are very low level and family health Problems are more particular among the vulnerable group.

## **POTENTIAL LONG TERM IMPACT**

Agriculture will become cost-effective and sustainable in long-term for tribal. Farmers shall grow crops sufficient to meet family needs, along with obtain diverse produces and marketable surplus providing cash income to mitigate crop failure risks.

## **MAJOR SUGGESTIONS**

- Need strong administrative movement in ration shops
- Need computerised ration shops and electronic labelled ration cards to poor people particular remote areas.
- Need strong law and action on ration food corruption and more vigilance committees in rural areas.
- Need electronic weighting machines and correct measurements of food grains scales.
- Need good and quality of ration products to poor people because controlled the health status in future.

## **CONSEQUENCES OF FOOD INSECURITY**

Worsening health situations and low life expectancy: Huge problems associated with the health situation among tribe. Diseases like diarrhea, malaria, typhoid, polio, asthma and tuberculosis are found to be very common among tribal people. During the months of August and September, the health situations become worse. Diarrhea and typhoid are the two major diseases which are wide spread

during the season. Women and children are heavily affected with the disease. Medical facilities are lacking behind. Presence of quacks in the area is very high. These quacks roamed from one village to another and charged heavily to the villagers. They also provided credit facilities to the villagers during the shortage of money. Very few of the households visit to qualified doctors. Believe in super natural power for curing disease is high. The tribals worship a god and goddess for curing their illness. When cured, they sacrifice goats before the deities. The village priest is the local healer who sacrifices chickens and goats before god during illness. Health conditions of women are very critical in the area. Women do all the domestic works - from collecting fuel wood to cooking food and fetching water. Domestic violence and sexual exploitation is high in the area. Cases of anaemia and malnutrition are found among the women. During pregnancy, there is no change in the type and amount of food given to them. After child birth, women are given only sawaryia to eat for a month.

**Malnutrition:** Malnutrition is very high in the tribal areas. It is found among the children and women. Children are thin in stature. Cleanings is absent. Malnutrition related deceases like Kwashiorkor is seen among the children. Aaganwadi centres lack proper functioning. Some cases, the aaganwadis are not functioning since last six months. The amount of food supplied to kids in aanganwadis low in quality and quantity. Chapattis made of wheat are supplied with one curry made of potato. Providing nutritious food to infants and pregnant women is very rare. Similarly, the mid day meal supplied in the primary school is very low in quality. The attendance of children at the aaganwadi centres and schools is very low. Only 40 to 50 percent of the children go to these centres. Babies are born with low birth weights. Average age of marriage of women and men are found to be 18 and 20 respectively. Malnutrition related deaths are also reported in the community.

**Migration:** Migration is a common phenomenon in the region. Some landless households migrate out in search of employment. Migration is a part of the survival strategy for the landless households in the community. They engage themselves in manual labour work mostly in agricultural fields, rice and daal mills to earn their livelihoods. In daal mills, the migrant workers are provided with facilities like water, electricity, rooms for living and free pulses for consumption. They have to purchase other food items from outside for their consumption. They are paid in hourly basis at around Rs. 10/- per hour. Migration is used as a coping mechanism during inadequacy of food and income. When the amount of food grains stored in house get finished, family members start migrating. Similarly, when there is a shortage of money or no labour is available in the agriculture fields or nearby places, households start migrating. Migration is high during the summer season and towards end of winter.

## **CONCLUSION**

Food insecurity situation is severely exists in the tribal area. The situation can be termed both as chronic and transitory. Chronic food security is the situation where people consume diet which is inadequate or is less in nutrition. Transitory food insecurity is a temporary shortfall in the availability of food. In terms of availability, cultivation and production of food crops has been decreasing over the years whereas

the cultivation and production of cash crops like cotton, soybean is sharply increasing while cultivation of traditional millet crops like kodo, kutki and sawariya is being rapidly vanishing. The decreased production of food grains results in low intake food among the community. Landless households are badly affected.

Eight to ten years ago, daily wage to the agricultural labourers were given in terms of exchanges of food grains like jowar, paddy and sawariya. However, the cultivation of cash crops has resulted in the payment of wages in terms of cash which is not enough to meet the food needs due to high price. The problems of food insecurity exist in all the three parameters of availability, accessibility and utilization. Very low annual income from agriculture, non- accessibility to credit and agriculture inputs from formal institutions and market makes the community prone to money lenders, private traders and middle men. Role of money lenders, private traders and middle men for supplying agricultural inputs, procuring of outputs like cotton, wheat, soybean and tuar significantly contributes to the exploitations of the poor tribal farmers.

The farmers are looted by the middle men and thus the income from agriculture is not enough to meet their dietary needs. Relatively high expenditure on social obligations significantly reduces their income thus results in low purchasing power. The farmers are caught in the vicious cycle of money lending. Year after year, they have to depend on the input suppliers and money lenders thus cyclic reliance on these informal sources worsens their situations to a great extent. Access to land resources for cultivation of food crops has been changing hands. Non tribals from outside have bought the land of these tribal's through illegal ways and settled down in the region. Very low level of education, poor living conditions and unhygienic practice during preparation and consumption of food make the community prone to various diseases.

Open defecation, unsafe drinking water from open dug wells and rivers makes them vulnerable further. Wide spread hunger and acute malnutrition coupled with failure of public distribution system are the other causes contributing to food insecurity resulting seasonal and permanent migration, low food intake both quantitative and qualitatively, low body mass index and very low life expectancy are the major consequences of food insecurity affecting the community in the region.

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# **THE NEW CANVAS: NEW TECHNOLOGY EVOLVING DIGITAL ART TO NEXT LEVEL**

**Mala Dhawan\***

## **Digital imaging and a new language of painting**

Today, digital art appears everywhere we go in advertisements, on television and at the cinema. The skills needed to create it are increasingly in demand. Suitable for beginners and more experienced artists alike. We find no industry surviving without a proper digital design team.

Artists today use digital tools that allow them to work as naturally and spontaneously as if they were using traditional artist tools such as pastels, watercolors, oil media, and gouache. With the recent growth of the tablet market, there are more tools and more sophisticated features available now which were never before.

The digital influence in contemporary painting is now giving rise to a new era after modernism *The Impact Of Digital Technology On Art And Artists*.

## **The Role of the Arts in Promoting Society**

Just as the arts are an expression of any society's culture, the culture of this society - conversely - is the mirror and outcome of these arts. The interchangeable relationship between the arts - as a cultural value offered to the public - and the general population that interacts with and embodies these values must perpetually rise upwards and never deviate - even marginally - downwards, not only with respect to heightening the esteem and taste for aesthetic beauty, but also on other levels such as revering the value of morality, virtue, hard work, science, defense of the motherland, as well as all the other values representing the backbone of the success and development of any contemporary civilized society. Accordingly, the role of artists in all categories: plastic arts, music and singing, drama, and poetry must rise to become an influentially positive element that pushes and supports this interchangeable relationship upwards and never downwards, particularly since the majority of artists constitute the cream of society and are revered and admired by the public. In fact, ordinary people's infatuation with artists in general puts a greater responsibility on their shoulders to serve as role models guiding societies towards cultural edification and enhancement.

## **The Impact of the Evolution of Digital Technology on the Arts:**

Contemporary art has been greatly influenced by the rapid development in digital technology. The flame of creativity dies out and the tide of inspirational revelation recedes and the building blocks of imagination freeze at the bottom of the artist's psyche, as they gradually transform into a shallow abstract translation of a

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constellation of enormous technological capabilities, devoid of any creative substance and by the astonishing progression in the introduction of new, more attractive and tougher materials that artists can work with. Both these innovations have expanded horizons of creativity and opened new artistic frontiers. They have also allowed contemporary artists to reduce time spent in the actual execution of artwork to a minimum thereby freeing them to focus more on contemplation, creativity and developing groundbreaking ideas, as well as sound preparation for artwork.

### **The Negative Risks of the Influence of Technology on Artists:**

The broad array of options now available to artists through new technologies may sometimes have a dangerously negative effect precisely because they offer the artists means of expression they never imagined were possible. Faced with myriad options, the artist may be overwhelmed, confused and puzzled and these emotions are immediately reflected in his works. His art work may become increasingly repetitive and devoid of imagination or spirit. Hence, the flame of creativity dies out and the tide of inspirational revelation recedes and the building blocks of imagination freeze at the bottom of the artist's psyche, as they gradually transform into a shallow abstract translation of a constellation of enormous technological capabilities, devoid of any creative substance.

### **The Human Touch:**

Digital technology and modern techniques have had the strongest impact on the art of painting and drawing. In the past, painting and drawing depended on the artist's skills in wielding his traditional tools - the brush, the pencil, charcoal or pastels. The artist, through conventional and calculated steps, was in control of the density of color, the degrees of the different shades, the realism or abstraction of his work of art. Artists today, on the other hand, operate with clicks of the mouse, video tools and digital colors, which even if they ostensibly mimic.

Artist today find it more challenging than ever to present original and innovative ideas, and they need to exert themselves and stretch their imagination to succeed.

Old traditional tools with respect to performance, are still radically different with regard to usage and wielding techniques and to the means to achieve the desired artistic effect from them. There is no doubt that the human touch in the classical school of painting had a major influence on the shape of the painting and the effect of the tools, particularly when an artist used his or her human fingers to place the special effects and touches on his or her work. Today's modern technology has, however, reduced the need for the human artistic touch in favor of a vast array of diverse and different tools, each of which is a mechanism that gives access to an even bigger set of tweaking and tuning options that open up limitless horizons for artists to express themselves more creatively and accurately, to the degree. This set of limitless options available to the artist has reached such a degree that computer-oriented artists sometimes inadvertently produce magnificent

masterpieces by mere chance. Consequently, artwork upon completion may emerge drastically different from the artist's original conception of the painting.

### **The New Challenge:**

Possessing this massive quantity of tools and capabilities must be accompanied by a comprehensive and in-depth knowledge of every detail of these tools and their capabilities, so as to enable the artist to successfully translate all his or her fantasies and creativity via the designated tool, using the fastest and shortest means possible.

In other words, artists today are presented with a gateway to creativity that is sophisticated and complex, replete with an enormous variety of techniques, and therefore artists need to hone their skills and understand these techniques well in order to maximize the capabilities they offer. Despite the challenge, the artist must once again become master of these enormous tools and techniques so that they become the execution tools by which he translates his vision and creativity and so that the final outcome truly reflects his personality.

In conclusion, there is no question that contemporary artists are facing increasingly more complex and complicated challenges in presenting distinctive artwork in the face of the many recent technological advances that have expanded and diversified the art world. Clearly, artists today find it more challenging than ever to present original and innovative ideas, and they need to exert themselves and stretch their imagination to succeed. Moreover, the increase in the state of tension that generally surrounds us has become today the strongest force, has among the strongest impact, and is a primary motivator for artists to push themselves and encourages them to continue their creative endeavors without stopping.

# LEGISLATIVE INITIATIVES TOWARDS WOMEN EMPOWERMENT

Geetika Garg\*

Women play major and versatile roles during various stages of their life as a daughter, wife, mother and sister, friend etc. But in spite of her contribution to the human beings, she still belongs to a backward class on account of various social, political, economic and psychological barriers, taboos and impediments.

The development of a nation solely depends on the social status of women. Women constitute almost one half of the globe's population. Women still suffer from discrimination, exploitation and victimization. According to Mahatma Gandhi "To call woman the weaker sex is a libel; it is man's injustice to woman. If by strength is meant brute strength, then, indeed, is woman less brute than man. If by strength is meant moral power, then woman is immeasurably man's superior."<sup>1</sup>

The need of the hour is empowerment of women. Empowerment essentially means decentralization of authority and power. It aims at getting participation of deprived sections of people in decision-making process. It means giving voice for voiceless. Empowerment may mean equal status to women to develop her. Man should give women opportunity and freedom to develop her. Women empowerment looks at basic woman rights and attempts on organising to attain them. Women empowerment aims at eliminating discrimination and challenging gender inequality.<sup>2</sup>

In India there are numerous laws aimed at empowerment of women in the areas of personal, labour, service and criminal and social economic matters. For centuries, women in this country have been socially and economically handicapped. They have been deprived of equal participation in the socio-economic activities of the nation. The Fundamental Law of the land namely Constitution of India guarantees equality for women. The Constitution of India has taken a long leap in the direction of eradicating the lingering effects of such adverse forces so far as women are concerned. It recognizes women as a class by itself and permits enactment of laws and reservations favouring them. Several articles in our Constitution make express provision for affirmative action in favour of women. It prohibits all types of discrimination against women and lays a carpet for securing equal opportunity to women in all walks of life, including education, employment and participation.<sup>3</sup>

Constitution is the fundamental legal document in a democratic society which aims at the creation of new legal norms, social philosophy and economic values which are to be effected by striking synthesis, harmony and fundamental adjustment between the rights of individual and social interest to achieve the desired community goals. The Constitution is thus an instrument to achieve the goal of economic democracy along with political and social democracy.<sup>4</sup> If we consider the various

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provisions of our Constitution then we will find that while all provisions of the Constitution are applicable to both men and women in equal measures, and can, therefore be invoked by women for the assertion of their rights, parts III and Part IV of the Constitution of India need special mention, as these are the backbone on which protective legislation for women has been based.

Article 14 of the Constitution of India guarantees equality before law. Article 14 states that the state shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

Article 15 is more clear on treatment of discrimination of any kind. It prohibits any kind of discrimination on the grounds of religion, race, caste, sex or place of birth.

Article 15(1) States that the state shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.

Article 15 (3) Provides that nothing in this article shall prevent the state from making any special provision for women and children.

Article 16: mandates for equality of opportunity in matters of public employment.

Article 16 (1) provides that there shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the state.

Due to the protection of life and personal liberty under Article 21 women has been given a bundle of rights as well as right to education under Article 21-A.

Article 21 States that no person shall be deprived of his life or personal liberty except according to procedure established by law.

ARTICLE 21-A<sup>5</sup> inserted by the constitution 86th Amendment Act gives that State shall provide free and compulsory education to all children of the age of 6 to 14 years in such manner as the state may by law, determine.

Article 23 state that traffic in human beings and begar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.

By taking inspiration from Articles 14,19, 39 in 1997 Supreme Court in Vishakha V/s State of Rajasthan<sup>6</sup> a PIL for the enforcement of rights of working women, gave judgment and guidelines to prevent sexual harassment of working women.

In all other fundamental rights, the words 'citizen', 'person' means both male person and female person. Hence women are equally entitled for the protection of all fundamental rights along with men.

The Directive Principles of State Policy contained in part IV of the Constitution of India incorporate several directives to the state to improve the status of women and to protect them.

Article 39 (a) directs the state to direct its policy towards securing that the citizen, men and women, equally have the right to an adequate means of livelihood.

Article 39 (d) directs that State to secure equal pay for equal work for both men and women. The state has enacted The Equal Remuneration Act, 1976 to give effect to this Directive Principle of State Policy.

Article 39 (e) specifically directs the state to not to abuse the health and strength of workers, men and women.

Article 42 of the constitution incorporates a very important provision for securing just and humane conditions of work and for maternity relief. The state has tried to implement this provision by enacting the Maternity Benefit Act, 1961.

Article 44 directs for securing a uniform civil code for the citizens throughout the territory of India. This particular goal is towards the achievement of gender justice. Even though the state has not yet made any efforts to introduce Uniform Civil Code in India, but the judiciary has recognised the necessity of the uniformity in the application of civil laws like law of marriage, succession, adoption and maintenance, etc, in the case of Sarla Mudgal v/s Union of India<sup>7</sup> and other cases as well. In Shabnam Hashmi v/s UOI<sup>8</sup> the Supreme Court made adoption by any person irrespective of religion, caste, creed, etc., held, permissible. And a small step in reaching the goal of Uniform Civil Code under Art. 44 of Constitution.

Apart from these specific provisions all the other provisions of the Constitution are equally applicable to the men and women. This clearly reveals the intention of the framers of the Constitution to improve the social, economic, educational and political status of the women so that they can be treated with men on equal terms and not discriminated.

The Supreme court has dealt with the validity of the Chota Nagpur Tenancy Act, 1908 of Bihar which denied the right to succession to scheduled tribes women as violative of right to livelihood under Article 21 of the Constitution in M. Kishwar v/s State of Bihar<sup>9</sup>. The majority judgment however upheld the validity of the legislation on the ground that such enact was in accordance with the custom of inheritance or succession of the scheduled Tribes. However, the dissenting judgment was delivered by Justice K. Rama Swamy who felt that the law made a gender-based discrimination and that it violated Article 15, 16 and 21 of the Constitution of India. The Majority Judgment does not appear to be in consonance with the right to equality enshrined in the Constitution. During the course of his dissenting opinion Justice K. Rama Swamy had an occasion to refer to various International Declarations and Conventions along with the relevant provisions of the Indian Constitution as regard the gender discrimination in India.<sup>10</sup>

Part IV-A which consist of only one Article 51-A was newly added to the constitution by 42nd Amendment Act, 1976. This article for the first time specifies a code of ten fundamental duties, which by 86th Amendment Act, 2002 raised to eleven by insertion of compulsory education for children of 6 to 14 yrs. of age.

Article 51-A (e) states that it shall be the duty of every citizen of India to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women. The 73rd and 74th amendments to the Constitution of India provided for reservation of seats (at least 1/3) in the local bodies of Panchayats and Municipalities for women.

In the Code of Criminal Procedure, 1973, Chapter IX (Sections 125-128) deals with the maintenance of wives, children and parents. Though the provisions are essentially of a civil nature, they have been included in the code with a view to affording speedy, cheap and effective remedy against starvation to wives, children and parents, who are unable to maintain themselves. According to the Law Commissions 41st report, primary justification for placing provisions relating to maintenance to wives, children and parents which are civil in nature in the Code of Criminal Procedure is that a remedy more speedy and economical than that available in civil courts is provided to them. Moreover, these provisions are aimed at preventing starvation and vagrancy leading to the commission of crime.<sup>11</sup> The existing provisions under the Code of Criminal Procedure to maintain dignity of women and to protect her from unnecessary harassment made by The Criminal Law (Amendment) Act, 2013 are sections 26, 54A, 154, 160, 161, 164, 173, 197, 273, 309, 327 and First Schedule of Code of Criminal Procedure, 1973. It also inserts new sections 357B and 357C of Code of Criminal Procedure, 1973.

The Indian Penal Code, 1860 intends to punish every person for every act or omission contrary to the provisions of which he shall be guilty within act or omission contrary to the provisions of which he shall be guilty within India and acts committed beyond India which are committed offences by the act. The punishments to which an offender is liable under this code are death, or imprisonment for life both rigorous and simple, or forfeiture of property, or fine. The Sections 292, 293 and 294 provide for punishment in sale and exhibit of obscene books objections and for obscene act in public place. Section 304(b) deals about murder of women in connection with demand of dowry. Sections 312 to 318 deal about punishment for causing miscarriage. Section 354 provides punishment for outraging the modesty of any women and by the Criminal Law Amendment Act, 2013 new sections 354A, 354B, 354C, 354D are also included to protect her from sexual harassment, disrobing, voyeurism and stalking. Section 326A and 326B are also included by this amendment act of 2013 to safeguard women from acid attacks. Section 366 deals about kidnapping for marriage against her will. Section 366-A deals about procurement of minor girls for sexual purpose. Section 375 deals with rape and 376 deals about punishment for rape. The legislature made some stringent changes and substituted the sections 375, 376, 376A to 376E by the Criminal Law (Amendment) Act 2013. Section 494 protects women from bigamy. Section 497 deals about protection of married women from adultery. Section 498-A of Indian Penal Code deals about subjecting women to cruelty by her husband or relatives and her husband and S. 509 provides punishment for uttering words and gesture or act intended to insult the modesty of a woman and punishment by Amendment Act 2013 has been enhanced.

The Evidence Act, 1872 Sections 113A & 113B provide for presumptions as to abetment of suicide by a married woman within 7 years of marriage, and dowry death of a woman. The Criminal Law Amendment Act 2013 also amends sections 114A, 119 and 146 of Indian Evidence Act, 1872. It also inserts new sections 53A in Indian Evidence Act, 1872 so as to provide protection to women against harassment when they came as victim of crimes before court.

The Hindu Adoption Maintenance Act, 1956, Section 18-A provides for obligations of husband to maintain his wife. Section 18(2) provides right of wife to live separately and S. 19 provides for maintenance of widow by her father-in-law.

The Hindu Succession Act, 1956, Section 14 of the Act provides for property of female Hindu to be her absolute property. Section 23 provides right of female legal heirs in the dwelling house.

The Hindu Minority and Guardianship Act, 1956, Section 6 of the Act provides for mother as a natural guardian for minors below 5 years. By Act 30 of 2010, Sec.3, Section 8 was substituted and now it provides any female Hindu who is of sound mind and is not a minor has the capacity to take a son or daughter in adoption.

The Hindu Marriage Act, 1955, Section 13(2) of the Act provides for wife to present a petition for divorce. Section 13(b) provides equal right for wife for getting divorce by mutual consent. Section 24 of the Act provides for relief for interim maintenance and expenses. Section 25 of the Act provides for right to a wife to seek permanent alimony and maintenance and S. 26 of the Act provides right to claim custody of children.

The Immoral Traffic (Prevention) Act or PITA is a 1986 amendment of legislation passed in 1956 as a result of the signing by India of the United Nations declaration in 1950 in New York on the suppression of trafficking.<sup>12</sup> The act, then called the All India Suppression of Immoral Traffic Act (SITA), was amended to the current law. The laws were intended as a means of limiting and eventually abolishing prostitution in India by gradually criminalising various aspects of sex work. The main points of this act are as follows.<sup>13</sup>

- **Sex Workers:** A prostitute who seduces or solicits shall be prosecuted. Similarly, call girls can not publish phone numbers to the public. (imprisonment up to 6 months with fine, point 8) Sex worker also punished for prostitution near any public place or notified area. (Imprisonment of up to 3 months with fine, point 7).
- **Clients:** A client is guilty of consorting with prostitutes and can be charged if he engages in sex acts with a sex worker within 200 yards of a public place or "notified area". (Imprisonment of up to 3 months, point 7) The client may also be punished if the sex worker is below 18 years of age. (From 7 to 10 years of imprisonment, whether with a child or a minor, point 7).
- **Pimps and babus:** Babus or pimps or live-in lovers who live off a prostitute's earnings are guilty of a crime. Any adult male living with a prostitute is

assumed to be guilty unless he can prove otherwise. (Imprisonment of up to 2 years with fine, point 4).

- **Brothel:** Landlords and brothel-keepers can be prosecuted, maintaining a brothel is illegal. (From 1 to 3 years imprisonment with fine for first offence, point 3) Detaining someone at a brothel for the purpose of sexual exploitation can lead to prosecution. (Imprisonment of more than 7 years, point 6).
- **Procuring and trafficking:** A person procures or attempts to procure anybody is liable to be punished. Also a person who moves a person from one place to another, (human trafficking), can be prosecuted similarly. (From 3 to 7 years imprisonment with fine, point 5).
- **Rescued Women:** The government is legally obligated to provide rescue and rehabilitation in a "protective home" for any sex worker requesting assistance. (Point 21).

Dowry Prohibition Act, 1961 was enacted with the intent to curb the evil practice of dowry. In order to make it more effective and stringent it was amended in the year of 1984 and 1986. This act was introduced and taken up by then Indian minister Ashoke Kumar Sen, this Act<sup>14</sup> prohibits the request, payment or acceptance of a dowry, "as consideration for the marriage", where "dowry" is defined as a gift demanded or given as a precondition for a marriage. Gifts given without a precondition are not considered dowry, and are legal. Asking or giving of dowry can be punished by an imprisonment of up to six months, a fine of up to Rs. 15000 or the amount of dowry (whichever is higher), or imprisonment up to 5 years. It replaced several pieces of anti-dowry legislation that had been enacted by various Indian states.

The Protection of Women from Domestic Violence Act 2005 is an Act of the Parliament of India enacted to protect women from domestic violence. It was brought into force by the Indian government from October 26, 2006. The Act was passed by the Parliament in August 2005 and assented to by the President on 13 September 2005. As of November 2007, it has been ratified by four of twenty-eight state governments in India; namely Andhra Pradesh, Tamil Nadu, Uttar Pradesh and Odisha. Of about 8,000 criminal cases registered all over India under this act, Rajasthan had 3440 cases, Kerala had 1,028 cases, while Punjab had 172 cases registered.<sup>15</sup> This act primarily meant to provide protection to the wife or female live-in partner from domestic violence at the hands of the husband or male live-in partner or his relatives, the law also extends its protection to women living in a household such as sisters, widows or mothers. Domestic violence under the act includes actual abuse or the threat of abuse whether physical, sexual, verbal, emotional or economic.<sup>16</sup> Harassment by way of unlawful dowry demands to the woman or her relatives would also be covered under this definition.

The salient features of the Protection from Domestic Violence Act, 2005 are as follows:

- The Act seeks to cover those women who are or have been in a relationship with the abuser where both parties have lived together in a shared household and are related by consanguinity, marriage or a relationship in the nature of

marriage, or adoption; in addition relationship with family members living together as a joint family are also included. Even those women who are sisters, widows, mothers, single women, or living with the are entitled to get legal protection under the proposed Act.

- "Domestic violence" includes actual abuse or the threat of abuse that is physical, sexual, verbal, emotional and economic. Harassment by way of unlawful dowry demands to the woman or her relatives would also be covered under this definition.
- One of the most important features of the Act is the woman's right to secure housing. The Act provides for the woman's right to reside in the matrimonial or shared household, whether or not she has any title or rights in the household. This right is secured by a residence order, which is passed by a court. These residence orders cannot be passed against anyone who is a woman.
- The other relief envisaged under the Act is that of the power of the court to pass protection orders that prevent the abuser from aiding or committing an act of domestic violence or any other specified act, entering a workplace or any other place frequented by the abused, attempting to communicate with the abused, isolating any assets used by both the parties and causing violence to the abused, her relatives and others who provide her assistance from the domestic violence.
- The draft Act provides for appointment of Protection Officers and NGOs to provide assistance to the woman for medical examination, legal aid, safe shelter, etc.
- The Act provides for breach of protection order or interim protection order by the respondent as a cognizable and non-bailable offence punishable with imprisonment for a term which may extend to one year or with fine which may extend to twenty thousand rupees or with both. Similarly, non-compliance or discharge of duties by the Protection Officer is also sought to be made an offence under the Act with similar punishment.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 is a legislative act in India that seeks to protect women from sexual harassment at their place of work. It was passed by the Lok Sabha i.e., the lower house of the Indian Parliament on 3 September 2012. It was passed by the Rajya Sabha i.e., the upper house of the Indian Parliament on 26 February 2013.<sup>17</sup> The Bill got the assent of the President on 23 April 2013.<sup>18</sup> The Act came into force from 9 December 2013.<sup>19</sup> On November 4, 2010, the Government introduced protection of Women Against Sexual Harassment at Workplace Bill, 2010, which aims at protecting the women at workplace not only to women employee but also to female clients, customer, students, research scholars in colleges and universities patients in hospitals.

The major features of this act are as follows:

- The Act defines sexual harassment at the work place and creates a mechanism for redressal of complaints. It also provides safeguards against false or malicious charges.

- The definition of “aggrieved woman”, who will get protection under the Act is extremely wide to cover all women, irrespective of her age or employment status, whether in the organised or unorganised sectors, public or private and covers clients, customers and domestic workers as well.
- While the “workplace” in the Vishaka Guidelines is confined to the traditional office set-up where there is a clear employer-employee relationship, the Act goes much further to include organisations, department, office, branch unit etc. in the public and private sector, organized and unorganized, hospitals, nursing homes, educational institutions, sports institutes, stadiums, sports complex and any place visited by the employee during the course of employment including the transportation.
- The Committee is required to complete the inquiry within a time period of 90 days. On completion of the inquiry, the report will be sent to the employer or the District Officer, as the case may be, they are mandated to take action on the report within 60 days.
- Every employer is required to constitute an Internal Complaints Committee at each office or branch with 10 or more employees. The District Officer is required to constitute a Local Complaints Committee at each district, and if required at the block level.
- The Complaints Committees have the powers of civil courts for gathering evidence.
- The Complaints Committees are required to provide for conciliation before initiating an inquiry, if requested by the complainant.
- Penalties have been prescribed for employers. Non-compliance with the provisions of the Act shall be punishable with a fine of up to 50,000. Repeated violations may lead to higher penalties and cancellation of license or registration to conduct business.<sup>20</sup>

The legislations, which take care of rights and privileges of women, are numerous in number. But due to ignorance and illiteracy those legislations cannot be properly enforced. The plethora of Indian Legislations aims at women empowerment. The judicial decisions rendered by the Indian Courts depicts the active role played by the judiciary to protect women from exploitation at a stage where legislations are unformed due to lack of adequacy of enforcement machinery. The legislative and judicial initiatives have placed the women in a better place in the society. Yet the woman in India has to go for miles to achieve cent percent empowerment. “The fastest way to change society is to mobilize the women of the world.”<sup>21</sup>

However, there are still quite a few areas where women empowerment in India is largely lacking. To truly understand what is women empowerment, there needs to be a sea-change in the mind-set of the people in the country. Not just the women themselves, but the men have to wake up to a world that is moving towards equality and equity. It is better that this is embraced earlier rather than later, for our own good.

Swami Vivekananda once said “arise away and stop not until the goal is reached”. Thus our country should thus be catapulted into the horizon of empowerment of women and revel in its glory.<sup>22</sup>

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# RESTORATIVE JUSTICE: AN EFFECTIVE APPROACH OF VICTIMOLOGY

**Abhishek Kumar Mishra\***

The criminal justice system is based on retributive justice, which focuses on the offender for punishing him for the offence. This concept is borrowed by the tribal community who uses it as a dispute settlement mechanism.

It was felt that the victims of crime who ought to be in the center are often marginalized in the criminal justice process. The aim of criminal justice system should be to restore peace to the communities. Nothing helps the victim to restore and repair the damage caused to him/her by crime. Mere an aggressive response to crime problem does not benefit the victims. Neither putting the offender behind the bars serve any purpose nor by isolating him any progressive solution to the conflict between the victim and the offender can be effected. The idea of restorative justice is emerging as answer to this issue.<sup>1</sup>

Restorative justice system is an approach to criminal justice that emphasizes restoring the victim and the community rather than punishing the offender. It can be viewed as an alternative to retributive or traditional responses to crime. This system give an opportunity to victim and family of offender and victim to voice their anger and distress, and to move all affected parties of an offence closer to reparation and resolution.

Crime is understood as harm to individuals and communities, rather than simply a violation of abstract laws against the state. Those most directly affected by crime- victim, community member and offender are therefore encouraged to play an active role in justice system. Rather than the current focus on offender punishment, restoration of the emotional and material losses resulting from crime is more important.<sup>2</sup>

The main priority of criminal justice would change from making offenders pay for their crimes through suffering to ensuring that they repaired the harm, both material and symbolic, which they had caused. Reducing reoffending and enhancing public safety would still be central concerns, but the methods of achieving such goal would change. Instead of isolating offenders and seeking to deter them through threats of punishment, a restorative criminal justice would hold offenders accountable to those they had harmed, subject them to the disapproval of people who care about them, establish circles of support and accountability around them, and attempt to restore repentant offenders to full membership of the law-abiding community.<sup>3</sup>

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<sup>1</sup> G S Bajpai, Conflict Management Through Restorative Justice, Social Defence, Vol.52 No.32,2002 NISD.p.27.

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<sup>3</sup> Gerry Johnstone, Restorative Justice, Ideas, Values and Debates, Lawman India Pvt Ltd., New Delhi, 2002.p.161.

## What is Restorative Justice

Restorative justice is a process through which remorseful offenders accept responsibility for their misconduct to those injured and to the community that, in response allows the reintegration of the offender into the community. The emphasis on restoration, restoration of the in terms of his or her self-respect, restoration of the relationship between offender and victims, as well as restoration of both offenders and victim within the community.

Marshall (1995) defines restorative justice as: "...a way of dealing with victims and offenders by focusing on the settlement of conflicts arising from crime and resolving the underlying problems which cause it. It is also, more widely, a way of dealing with crime generally in a rational problem solving way. Central to restorative justice is recognition of the community, rather than criminal justice agencies, as the prime site of crime control..."<sup>4</sup>

Restorative justice' may be used as a synonym for mediation. The object and nature of restorative justice aims at restoring the interest of the victim. Involvement of the victim in the settlement process is welcome in the process of restorative justice. It is a process of voluntary negotiation and concertation, directly or indirectly between the offender and the victim.<sup>5</sup>

The Economic and Social Council of the United Nations has already developed a blueprint of the Basic Principles of the Use of Restorative Justice Programmes in Criminal matters (2000). This instrument is likely to become a model guideline for launching the restorative justice system. This document says "Restorative process" means any process in which the victim, the offender and/or any other individuals or community members affected by a crime actively participate together in the resolution of matters arising from the crime, often with the help of a fair and impartial third party. Examples of restorative process include mediation, conferencing and sentencing circles".<sup>6</sup>

### Common Feature of Restorative Justice

1. Restorative justice makes the victim the most important component of the whole process.
2. Various means are adopted to enhance the interaction among the victim offender and the community.
3. Crime causes harm to victims, offenders and communities; crime is fundamentally a violation of people and interpersonal relationships.
4. Violations create obligations and liabilities. Offender's obligations are to make things right as much as possible.
5. The need for offender to be held accountable of the act committed against the victim and the community at large.
6. Accountability is based on accepting responsibility and repairing the harm done.

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<sup>4</sup> Supra n1 at 28.

<sup>5</sup> Anupam Sharma v NCT of Delhi & others, 146(2008)DLT 497.

<sup>6</sup> Supra n 3.

7. The role of community is significant in bringing justice to victim.
8. Problem solving approach is adopted in the processing of each case.
9. Assisting victims to regain a sense of control in the areas of their lives affected by the offence.
10. Offenders are accountable for their individual choices, but communities are also accountable for the conditions which may exist that contribute to crime.
11. Crime is defined as an act against another person and the community, rather than an act against the state. The state has an interest in resolving the problem but is not the primary actor. The offender becomes accountable to the victim and the community, not the state.
12. Result in a restorative system are measured not by how much punishment was inflicted, but by how much reparation was achieved.

### **Difference between Retributive and Restorative justice system**

	<b>Retributive justice</b>	<b>Restorative justice</b>
Vision	It is to create a safe community by incapacitation of the offender	It is to repair the damage caused by criminal behavior to the victim of crime, individually and as a community.
Crime	As an act against the state. A crime is a violation of law, a violation of an abstract law.	As an act against another person and the community. Crime is an injury which violates persons and community harmony
Victim	Only by material and psychological losses	The losses and capacity to participate in the process of recovering losses and to begin healing.
Justice	Punish the criminal for violation of criminal law (due process of law).	To make offender accountable for victim (care all the need of victim).
Role of offender	It is passive. He is dependent on proxy professional.	The offender is to take responsibility for his action.
Role of victim	Only to give witness and is otherwise ignored.	It is vital and central to the hearing. His right and needs are considered.
Accountability	The offender is accountable to the state for the crime. The state and the offender are in an adversarial relationship. State makes it necessary to protect the offender through a system of rights.	The offender is accountable to the victim and the community. The state has the responsibility to ensure that the offender is held accountable to the victim and that the process of accountability is fair.

*Contt.../-*

Outcome	The system are measured by how much punishment was inflicted	The system are measured by the by how much reparation or atonement was achieved.
The system	Can respond to crime and only by punishing the offender and hoping that this has a deterrent effect and by incapacitation the offender is prevented from any crime as long as he behinds bar.	Can control crime using restorative processes because the background of many offenders shows that they were victimized prior to becoming offenders. Studies show that when a victim has not healed from his victimization there are chances for him to become an offender. So that syst em helps by preventing the victim from turning into an offender as a result of his frustratation at being victimized.

## Types

Restorative justice can be expressed through a wide range of policies and practices directed towards offender and crime victims such as victim support and advocacy, restitution, compensation, community mediation, circle sentencing, family group conferencing community boards that meet with offenders to determine appropriate sanction.<sup>7</sup>

The operational procedure in the restorative programmes tends to vary. Essentially, these programmes require the victims, offenders and the community act together in repairing the damage of crime as per the procedure of law under the authority of the state. Restorative justice initiatives that function as alternatives to influence the disposal of cases within the criminal justice system tend to be part of formal programmes and aims often include the general aims of the criminal justice system in addition to those specifically related to restorative justice. There are three stages at which formal restorative justice programmes are generally applied.<sup>8</sup> They are:

1. **Pre Conviction:** These programs operate where the defendant does not deny guilt or has indicated that they do not intend to defend the case. As a procedural safeguard it is usually expected that the prosecuting agency has formed an intention to prosecute the case. Outcomes may include a recommendation or report to a court, or else the case may be finalized by agreement between the victim, the offender and the prosecuting agency without proceeding to a court.
2. **Pre Sentence:** Once guilt has been admitted or proven, a court may refer the case for victim-offender mediation.

<sup>7</sup> H. Zehr. *Retributive Justice, Restorative Justice*. Elkhart, IN: Mennonite Central Committee, U.S., Office of Criminal Justice, 1985.

<sup>8</sup> *Supra* n 1 at 32.

3. **Post Sentence:** Certain victim-offender mediation programmes operate with the convicted offenders who have been put to community-based sentences or to imprisonment. They may operate between victims and offenders who have a direct relationship, or between groups of victims and offenders who are not connected by a specific offence. Mediation between an inmate and the community into which he or she will be released has also been used to assist integration.

### **Victim-Offender Mediation**

It is a face to face meeting, in the presence of a trained mediator, between the victim of a crime and the offender. During the mediation they can choose to create a mutually agreeable plan to repair any damage that occurred as a result of crime. The idea of bringing them together is based on age-old values of justice, accountability and restoration. This model is most often employed in cases involving property crimes and minor assaults, victim-offender mediation programs are frequently found in juvenile courts.<sup>9</sup>

The benefit of this model that they humanize the criminal justice process. When offenders are brought face to face with victim, the harm they have caused becomes very real, making it very difficult for offender to rationalize their criminal behavior. It make more difficult for the offender to replicate his wrong doing in the future. Another benefit that the offender is the emotional and psychotically release from the stigma of being labeled a criminal.<sup>10</sup>

### **Family Group Conference**

In addition to the victim and offender, participant may include people connected to the victim, the offenders family members, and other connected to the offender. FGC is often the most appropriate system for juvenile cases due to the important role of family in a juvenile offender's life. A co-ordinator organizes the meeting, invites the people. He visit family members before meeting to make sure, everyone understand what will happen. The meeting is usually held in relax premises to make the meeting as comfortable as possible.<sup>11</sup>

There are two models, first is family empowerment model, it is based on a belief that children and families have a right to be involved in making decision that affect them. The coordinator withdraws after the information giving stage and the offender's family has the opportunity to draw up a plan by themselves, before the coordinator is called back in for the final stage. In the second model victim offender restoration model the coordinator remains in the conference throughout. In the second model, the major focus is the restorative process of conference and the reparation plan, rather than addressing issues relating to the offending in the young person's life.<sup>12</sup>

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<sup>9</sup> The first program was started in kitchener, Ontario, Canada in 1976 conducted by the Mennonite church . The first VOM in the US was started in Ekhart, Indiana in 1978.

<sup>10</sup> Supra n 8 at 23.

<sup>11</sup> FGC made its first legislated appearance in 1989 of Newzeland's children, young person act.(Maori)

<sup>12</sup> Supra n 2 at 66.

## Sentencing Circle

Unlike other restorative initiative it is part of and replaces sentencing in formal justice system. It engages the community and the formal justice system as a partner and to a lesser extent victims and offender in the resolution of criminal justice based dispute. As with the restorative process of mediation and conferencing, circles provide a space for encounter between the victim and offender, but it moves beyond that to involve the community in the decision making process. Depending on the model being used, the community participant may range from justice system personnel to anyone in the community concerned about the crime. Everyone in the community is invited to attend and participate. Each circle is led by a keeper who directs the movement of the talking piece.<sup>13</sup>

In addressing the crime, participants describe how they feel. For the offender, this include why he commit the crime. For the victim and community, the circle provides an opportunity to explain the impact the crime has economically, physically and emotionally. Through this process of sharing participants are able to develop strategy for addressing the crime (restitution or community service).<sup>14</sup>

## Community Service

It is a requirement by the court that convicted offender should undertake unpaid work for the benefit of the community. Numerous examples of criminal sanctioning with an emphasis on the performance of work with a socially useful purpose can be identify historically. The first modern community service program is developed in Alameda County, California in 1966 when certain road traffic offenders were required to perform unpaid work for the community.<sup>15</sup>

Community service has been containing elements of punishment, restitution and rehabilitation. It is often defined as symbolic restitution because it is the community that benefits rather than the individual victim of crime.

Restorative justice includes many of the core principles and practices. it included all responses to crime aimed doing justice by repairing the harm or healing the wounds, crime cause.

By these way victims are given an opportunity to convey how the offense has affected them and seek answers to any questions they may have about motive and retaliation. Agreement or outcomes vary within across programs but typically include an apology to the victim and the performance of work for the community or victim. Some agreement may include a monetary payment to the victim for damage incurred as a result of the offence. In modern time restorative criminal justice is feasible as the routine response to crime mainly in youth and minor offence.

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<sup>13</sup> Supra n 8 at 24.

<sup>14</sup> It is originated in 1992 Canada, Yukon, North America, Navajo. It is based on ancient tribal tradition. Barry Stuart, a Yukon Judge, implemented it as an alternative to traditional incarceration.

<sup>15</sup> In UK, community service orders were intended to serve as alternatives to short prison sentencing.

## **Implementing Restorative Justice**

Zehr discusses a number of blueprints for system wide implementation of restorative justice.<sup>16</sup>

### ***A modified civil procedure***

The system would be modeled not on criminal law, but on the existing structure of civil law in which the focus is on the settlement and restitution rather than punishment. Degrees of responsibility or liability are recognized, and disputing parties remain central stage and retain significant power. This model would not abolish the concept of crime and deal with what we now call tort or private wrongs. Hence there would be separate system for dealing the crime.

### ***A parallel approach***

Instead of thinking in terms of dismantling criminal law, we simply establish a separate restorative justice system which would serve as an alternative to it. There would be a option for victim and offender, they might agree to take a conflict to the restorative justice system instead of to the formal criminal justice system.

The possibility of this model should accepted because presently many of conflicts which come in criminal justice are in fact dealt with privately outside the court, sometimes based on the principle of restorative justice system.

### ***Parallel but interlinked***

In this model a separate restorative justice track was created but was linked to an interdependent with the formal criminal justice system. To be workable, such a system would be clearly require an understanding of and commitment to the principle of restorative justice on the part of those operating the formal criminal system. A considerable willingness on the part of offenders to confess and take responsibility, and a willingness of victims to accept restitution, to forgive those who have harmed them provided they express remorse. This model acknowledges its success is due to the cultural context and it should not expected that such a model could be transported to a very different culture.<sup>18</sup>

## **Restorative Justice in India**

The aboriginal tribes of India have been practicing the justice approach since long time. In tribal community restorative justice system were practiced in different forms.

The Indian heritage has much testimony to offer that its socio-cultural fabric contains intrinsic mechanism to bring the conflicting people together and settle their dispute in a highly informal manner. In fact, the caste panchayats and other social groups in the countryside have been an effective source to dispense justice. The verdict delivered by these bodies was acceptable to everybody. The interests of the

<sup>16</sup> Hennessey Hayes ,Restorative Justice, in Encyclopedia of Criminology, Vol.3, edited by Richard A Right, Routledge Publication, NY, 2005.

<sup>17</sup> Supra n 7 at 167.

<sup>18</sup> This model is very successful in Japan and now integral part of Japanees way of life.

victims were supreme. Many times the offenders were directed to compensate or restore the harm done to the victims.

Panchayat was prevalent in India as a means of rendering justice in villages since ancient time. It is also a form of restorative justice system. In this the head and other participant sit together with victim and the offender and their families trying to restore the injustice done while punishing the offender. It has been gradually replaced by the criminal justice system but this is still in existence in some parts of rural India in tribal areas.<sup>19</sup>

The initial concept of lok adalat also has some essence of restorative justice. The Rangpur experience says there was a public participation with the victim and offender in case of dispute and they have derived provision of community service as punishment.

The socio political changes have almost replaced the traditional functioning in the rural communities. The system of criminal justice in India is based on the laws and principles that date back to colonial era. The restorative justice in the Indian criminal jurisprudence is almost non-existent. This is mainly because the system of criminal justice in this country is hardly a victim-oriented one. The progress made in the spheres of victimology is yet to reach to the criminal justice practices in this country. There is no separate law in this country enabling the victim to have their say in the criminal justice process. The compensation, restitution and restoration are still not very common here. The main reason is perhaps that the procedural law in the country does not provide much scope for these practices. As regards compensation, some highly inadequate and restricting provisions are available in the Sections 357-58 of the Criminal Procedure Code, 1973 and section 5 of probation of offenders Act, 1958.<sup>20</sup>

Section 357 does not provide speedy or sure relief to the needy. Any compensation awarded under the cover of this section at the end of normally protracted trial spanning over an average 9 to 10 years is not immediately available to the victim as he must await the appellate round to conclude.

The provision of section 358 pertaining to compensation to the person groundlessly arrested are highly inadequate. Under this provision the court may award as compensation to the victim are only a sum of Rs. 100.

In *Baldev Singh v state of punjab*<sup>21</sup> supreme court made observation that the power of the courts to award the compensation to victims under section 357 is not an ancillary to other sentences but is in addition there to. It is a measure of responding appropriately to crime and of reconciling the victim with offender. Therefore all courts commended this power liberally so as to meet the ends of justice in a better way.

Through the criminal law amendment Act, 2013 a special provision of fine is introduced to meet the requirement of medical expenses for victim of acid attack<sup>22</sup> and gang rape<sup>23</sup>.

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<sup>19</sup> Supra n 2 at 70.

<sup>20</sup> Supra n 1 at 35.

<sup>21</sup> (1995)6 SCC 593.

<sup>22</sup> Section 326A

<sup>23</sup> Section 376D.

Under the section 5 of Probation of offenders Act, 1958 court can direct to pay compensation as he thinks reasonable for loss caused to any person by the commission of offence but in practice the courts are not paying adequate attention to this provision.<sup>24</sup>

There is a provision of compounding the offences under the Criminal Procedure Code. The victim and offenders can reach to settlement of the matter in accordance with the Section 320 of the Criminal Procedure Code, 1973. This procedural law allows the parties to undergo what is called “compounding of cases” in certain offences without the permission of court and in some cases with the approval of the court. The compounding the offences has connotations to what is now popularly being voiced as restorative justice.

Our criminal justice system is accused oriented. Under our procedural law the accused is treated privileged person. But now time has witnessed changes far reaching significance and there has been change towards improving the conditions of the victim of crime and ameliorate their hardships. Supreme Court develop a compensatory jurisprudence through various judgments. Under article 21 of the constitution Supreme Court pay compensation to the victims. Supreme Court directed the state to pay compensation and gave guidelines for the purpose for illegal detention<sup>25</sup>, for custodial torture and rape victims<sup>27</sup> etc. which in effect developed the ground towards developing restorative justice in our criminal justice system.<sup>28</sup>

The criminal procedure code has included chapter XXIA for plea bargaining in 2006. It allow plea bargaining to be used in criminal case where the prescribed maximum punishment is below 7 years. It is not allowed in case where the crimes against the women or victim are aged under 14 or likely to affect the socio legal condition of the country. The plea of guilt must be voluntarily.

### ***Impediments***

The factors that tend to hinder the process of restorative justice are inherent in the system of criminal justice itself.

- The continuance of conflict serves the interests of many persons and they like the conflict between the victim and offender should not subside. The lawyer, for instance, is often said to have exacerbated the conflict. The police, at times, can also act in similar fashion.
- The victim and offender do not take much interest in this process as they invariably remain ignorant of the likely implications of this pursuit.
- Lack of active official backing and support to such of initiatives is another factor in this process.

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<sup>24</sup> N.K. Chakrabarti, Restorative Justice and Role of Judiciary A Study of Judicial Attitude of Apex Court, Indian Journal of Criminology, Vol. 34 (1&2), 2006, P.68.

<sup>25</sup> Rudal Shah v State of Bihar, AIR 1983 SC 1086; Sebastian M Hongray v union of India, AIR 1984 SC 1026; Bhim Singh v State of J&K, AIR 1986SC494; Inder Singhu v State of Punjab, (1995) 3 SCC 702.

<sup>26</sup> Nilabati Behra v State of Orrisa, (1993) 2 SCC 746; D.K. Basu v State of West Bengal, (1997) 1 SCC 416.

<sup>27</sup> Bodisatva Gautam v Shubhra Chakroboorty (1996) 1SCC490; Delhi Domestic Working Women's Forum v Union of India (1995) 1scc14; State of Karnatka v S. Nagraju, AIR 2002 SC 469; Chairman Railway Board v Chandrima Das, AIR 2000 SC 46.

<sup>28</sup> Supra n 25 at 72.

- The compromise, which is effected, by intermediaries and others is generally not in the interest of the victim. At times the victims are forcibly compelled to undergo the compromise.
- Infact, in some areas this has become a profitable business for many who by inducing fear to the parties try to settle the matter and charge heavy money from the interested party.
- The system of criminal justice is in a state of crisis because of pendency and higher rates of acquittal and is perhaps not in a position to afford innovation of any kind.

## CONCLUSION

The future of restorative justice is an optimistic one. Restorative justice uses as a major trends in juvenile justice. As an alternative to court, restorative practices yield many benefits for those embroiled in conflict i.e. offenders, victim, and their supporter. Restorative justice will become increasingly prominent in the response to youth crime, but remain much more peripheral in the response of adult crime. Restorative justice will never become a mainstream alternative to retributive justice unless long term research and development program show that it does have the capacity to reduce crime. The research does not definitively shown that restorative justice program do have the capacity to reduce reoffending, but able to repairing harm, restoring relationship and decreases the burden of cases.<sup>29</sup>

Malimath committee recommended for the introduction of restorative process in the criminal justice system.

The justice loses its basic purpose if the victim continues to be sidelined and accused manages to get all the procedural benefits. With the focus only on the offender while ignoring need of the victim and the community this peace is not achievable. When we do not include the voices of those who have been harmed, we actually do not require very much of the people who have done the harm. There is a need to understand much more about how the implementation of restorative justice in various forms, might alter our patterns of crime control. Therefore restorative justice approach should be adopted in true spirit to achieve the goal of social justice as enshrined in the Constitution.

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<sup>29</sup> Supra n 19 at 1429.

# SEARCH FOR IDENTITY IN STEINBECK'S "THE GRAPES OF WRATH"

Dr. Beena Joshi\* & Dr. Gitanjali\*\*

Literature from times immemorial has directly or indirectly fostered the values of human rights. This is based on the premise that each one of us has the ability and power in making social change possible. A literary writer is committed to the human cause and has a firm belief on the immense power of literature to make a change in society. Sartre has beautifully expressed his opinion that "all literary works are an appeal" and "the work of art is of value because it is an appeal". Every writer creates a universe in his work with a purpose, the purpose of putting an order in chaos, of envisaging a world of humanity and freedom.

'The Grapes of Wrath' (1939) is a novel written by John Steinbeck in which he tries to present the social conditions, which deals with the search for identity and the miserable plight of migrant laborers. The time when Steinbeck began writing was the period of the Great Depression, a time when a large number of Americans were suffering from poverty, hunger and unemployment. They were trapped in an interminable labyrinth and were treated as living beings, not as humans.

Those were the days when America was still groaning under the crushing blows of the Great Depression. The American economy lay completely shattered. Coupled with that, natural calamities like drought were playing havoc with the working class, especially the farm labourers.

His deep concern for the plight of the migrant workers, his dualistic philosophy which combines empirical realism with cosmic idealism reveal his concern with the problems of the common man.

The Grapes of Wrath is heavily based on the practical working experience of the novelist who dedicated himself to the cause of the workers and the destitute and strove for their emancipation from the quagmire of the capitalist system. Peter Lisca writes that John Steinbeck "joined a band of migrant workers, lived with them in their Hoovervilles and worked with them when they got to California. (The Wide World of John Steinbeck, p 326). The main task of Steinbeck, therefore was to show to them the power and resistibility of the group, to infuse in them the spirit of living together, working together and struggling together for a common cause against the Associate Farmers.

John Steinbeck himself was a proletariat at that time and suffered from the hardships the other workers suffered. Lewis Gannet rightly appreciates Steinbeck's sympathies:

He had worked on the farms of his long valley long ago in his school vacations. He knew the work; he knew the people. He knew the bitterness. He felt them in the marrow of his bones. (John Steinbeck's Way of Writing, p 32).

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The concept of the group-men is further developed in this novel on a much larger scale. The human values find their fullest expression in the characters of Ma, Casey, Rosasharn, Tom and other minor characters. The characters are divided into two groups; the workers and the associated farmers, the former based on humanity and the latter on cruelty. The workers are one-time landowners, deprived of their property and home because of the vagaries of nature and nefarious designs of the Californian capitalists. The Joad family and thousands like them are lured by the contents of the pamphlets inviting them to work in the Californian gardens on good wages. Every family supposes in the beginning that it is the lucky one to receive the pamphlet but when it sees a very large number on the road, it is disappointed. Now all the Oklahoma families that have sold their properties and bought trucks to go to California find that they cannot return. After arrival they find that there is a fierce competition and the local workers consider them their enemy. Their condition put in plain words is that they have to fight over a job and work even at the lowest wages to satisfy their hunger. Their plight is further aggravated because they are standing apart from the other workers whereas the landowners are organized and act under a discipline. They can let their crops destroy but will not break the trust of their associations and organizations. This is the reason that the workers are exploited and the owners succeed in achieving their objectives.

The only thing that the landowners are afraid of is the unity of workers. At any cost they want to prevent them from being united. They send police and sheriffs to drive them out of the places they are staying at because they are apprehensive of the labour unity. They fear that the workers, if united and decided to revolt, cannot be controlled. Steinbeck's comments on the nervousness of the landowners points straight to the causes behind the growing labour unity:

The causes lie deep and simple the causes are a hunger in a stomach, multiplied a million times; a hunger in a single soul hunger for joy and some security, multiplied a million times, muscles and mind aching to grow, to work, to create, multiplied a million times. The last clear definite function of man-muscles aching to work, minds aching to create beyond the single need this is man. (*The Grapes of Wrath*, p 132).

Steinbeck is crystal clear in this passage. He believes that even the laborers should be identified as humans because they too want to work, to think, to create and live happily. Suppression of their identity will force them to unify and to dethrone the oppressor. And this is what happens in *Grapes of Wrath*.

The workers unify under pressure. When they were able to fulfill their necessities, they were individualistic in their thinking and their personal matters were supreme for them. But now they understand they cannot stand alone in the changed circumstances and therefore must group into a trade union. It is this effort of unity that the workers from Oklahoma say "we lost our land". When a baby has cold, the other worker gives his blanket for its protection. This sharing of pain, misery and sorrow is the bond of humanity and wiping off the boundary of the personal territory.

In fact, the development of “We” from “I”, the wiping of personal territory is a bombshell for the landowners because they know they can rule so long the workers are divided. The common sharing of the downtrodden is an indication of the fact that they are no longer dependent on the landowners for their existence and therefore will not kneel before them.

The next cause of the great owners' anxieties is that the migrant labourers have started to live together. If there is happiness, they participate collectively and if there is a sorrow they share it commonly. They cross the boundaries of individuality and even individual possessions. Their consciousness achieves sublimity and everyone feels that he is tied to another with human bondage. If people take an armed revolution it is not because they are by nature so. The causes are hunger, poverty, unemployment and identity crisis.

History is the witness that whenever property accumulates in the hands of a few individuals, the dispossessed and hungry men snatch their legitimate rights forcibly. In the beginning of their struggle they may seem to lose but always gain a decisive victory at the end. Their hunger which proves the greatest barrier in their unity at the start becomes the uniting force when it crosses the limits of endurance. Once the starving people understand the cause of their suffering and recognize the strength of the group, they march towards the goal of revolution. The downtrodden succeed in controlling the means of production that till date was in the hands of the few individuals.

And the great owners, who must lose their land in an upheaval, the great owners with access to history, with eyes to read history and to know the great fact: when property accumulates in too few hands it is taken away. And the companion fact: when a majority of the people is hungry and cold they will take by force what they need. And the little screaming fact that sounds through all history; repression works only to strengthen and knit the repressed. (pp 211-212).

This analysis of the text makes it amply clear that the novel aims at the emancipation of the workers badly trapped in the web of the capitalist system. The capitalists are not ready to pay higher wages to the labourers even when they are in a position to pay. They would rather destroy their crops but would not allow the workers to live comfortably. This uneven distribution of wealth and the control of the means of production by a few create social restlessness and instability. A society where a few flourish in wealth and the large majority live below poverty line and starve to death cannot be said to have respect for human values.

Thus *The Grapes of Wrath*, champions the cause of humanity in this troubled world. It was written during the period of Great Depression when the rich people, numbering a few had become vile and exploited the people of their own country in all possible ways. Steinbeck, who himself had been a worker in Salinas, analyzed the situation and searched for a philosophy and method for the emancipation of the down-trodden people so that they could breathe the air of freedom.

Steinbeck, being concerned with the method of struggle for emancipation, tries to analyse the human relations. In *The Grapes of Wrath* the horizon is widened.

There are a number of families all humane, co-operating with one another, although almost all of them are on the verge of starvation. The workers struggle, not because they are militants but because they have to. And even in the worst conditions they do not give up humanity. They are combined for a new world order.

Thus “The Grapes of Wrath” represents the modern men with their own biases, desires, inner conflicts and search for identity. John Steinbeck is primarily the writer of human consciousness and human actions. Man's rise and fall is his theme. The microcosmic and macrocosmic realities coalesce flawlessly in his works. He has presented a very real and convincing picture of the spiritual wasteland in the land of plenty, America, where money determines the value of everything and where purity is impossible in the political environment.

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# COMPARATIVE ANALYSIS OF CUSTOMER RELATIONSHIP MANAGEMENT OF LIC AND PRIVATE SECTOR INSURANCE COMPANIES IN INDIA

Ashish Sharma\*

## ABSTRACT

The biggest management challenge in the new millennium of liberalization and globalization for a business is to serve and maintain good relationship with the king – *the customer*. In the past producers took their customers for granted, because at that time the customers were not demanding nor had alternative source of supply or suppliers. But today there is a radical transformation. The changing business environment is characterized by economic liberalization, increasing competition, high consumer choice, demanding customer, more emphasis on quality and value of purchase etc. All these changes have made today's producer shift from traditional marketing to modern marketing. Modern marketing calls for more than developing a product, pricing it, promoting it and making it accessible to target customer. It demands building trust, a binding force and value added relationship with the customers.

## INTRODUCTION

Insurance is a contract for payment of a sum of money to the person assured (or failing him/her, to the person entitled to receive the same) on happening of the event insured. Usually the contract provided for payment of an amount on the date of maturity or at specified dates at periodic intervals or at unfortunate death of assured if it occurs earlier. All this is in consideration of payment of premium periodically to the insurance company by assured.

LIC is universally acknowledged to be an institution which eliminates risk, substituting certainty for uncertainty and comes to timely aid of the family in case of unfortunate death of the, breadwinner in other words, we can say that life insurance is giving partial solution to the problems caused by death.

The expectation that private sector entrants would necessarily take time to secure a foothold in the market was in itself an opportunity. In practice, though, the new entrants have made inroads faster than expected and are now all set to expand their presence in the market. It is therefore, upto the public sector companies to move quickly and at least prevent further incursion into their territory. If they do not move fast enough, a valuable opportunity will have been lost.

Private entrants are naturally targeting the profitable and more lucrative segments, by providing better service, new products and flexibility. They are

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targeting the bigger corporates and other clients in the well-established metropolitan centres. These new entrants have succeeded in eating into share of the existing entities. This share will increase substantially, if not in the immediate future, but in the long run, if the existing.

The flight of talent to new entrants is already in evidence, and could be on the rise for some time to come. Retaining qualified and competent executives will be a considerable challenge for the existing companies.

### **Customer Relationship Management in LIC**

“Customer Satisfaction” is a frequent phase in CRM, and now it becomes a new concept of marketing strategy which is noticed by more and more enterprises. The objective of the company’s marketing is to enhance the product’s perceived outcome to advance the customer’s expectation for aspire after the “Total Customer Satisfaction”. Because “Satisfaction” is a feeling and “Customer Satisfaction” is an abstract concept, it means that the “degree of satisfaction” is difficult to measure.

Customer relationship management are more essential factor of the every business administration because without customer not run by any business long duration and not properly apply a proper business factor about the organization. So LIC (Life Insurance corporation) as a most highly investment and insurance organization so apply a relationship of customer and create a number of customer therefore manage a customer relationship in highly increase a business structure and business flow of cash. LIC are apply various plans so run a business long duration are as following plans are apply.

Companies can further know more about what they buy, where they buy, how much do they pay, etc. Based on these answers, companies can then decide on their distribution, product development and pricing strategies.

Companies consider in advertising and distributing equally to all the market. This has also created incentive issues with sales people who get assigned to the less valuable 80% customers. This has helped them to retain their profitable clients. There are standard services available to the other 80% customers.

### **Customer Relationship Management in private Sector Insurance Co**

Most of the 22 New Players that have entered the Indian Insurance Market are Joint Venture Business, In Which all of the partners are world renowned names, The Following is a brief profile of each.

Life Insurance Companies operating in India as on 31.12.2012.

S. No.	Registration No.	Date of Registration	Name of the Company
1.	101	23-10-2000	HDFC Standard Life Insurance Company Limited (HDFC Std.)
2.	104	15-11-2000	Max New York Life Insurance Company Limited (Max New York)
3	105	24-11-2000	ICICI Prudential Life Insurance Company Limited (ICICI Pru.)
4	107	10-01-2001	Kotak Mahindra Old Mutual Life Insurance Limited (Kotak Mahindra)
5	109	31-1-2001	Birla Sun Life Insurance Company Limited ( Birla Sun Life)
6	110	12-2-2001	Tata AIG Life Insurance Company Limited (Tata AIG )
7	111	30.3.2001	SBI Life Insurance Company Limited (SBI Life)
8	114	02-08-2001	ING Vysya Life Insurance Company Private Limited (ING Vysya)
9	116	03-08-2001	Bajaj Allianz Life Insurance Company Limited (Bajaj Allianz)
10	117	06-08-2001	Metlife India Insurance Company Limited (Metlife)
11	121	03-01-2002	AMP Sanmar Insurance Company Limited (now it is Reliance Life Insurance Company Limited)

			(Reliance)
12	122	14-05-2002	Aviva Life Insurance Company India Private Limited (Aviva)
13	127	06-02-2004	Sahara India Insurance Company Limited (Sahara)
14	128	17-11-2005	Shriram Life Insurance Company Limited (Shriram)
15	139	N.A	Bharti AXA Life Insurance Company Limited (Bharti AXA)
16	133	04-09-2007	Future Generali India Life Insurance Company Limited (Future Generali)
17	135	19-12-2007	IDBI Fortis Life Insurance Company Limited (IDBI Fortis)
18	N.A.	N.A.	Canara HSBC Oriental Bank of Commerce Life Insurance Company Limited (Canara HSBC)
19	138	27-06-2008	Aegon Religare Life Insurance Company Limited (Aegon Religare)
20	140	27-06-2008	DLF Pramerica Life Insurance Company Limited
21	142	N.A.	Star Union Dai-ichi Life Insurance Co Ltd.
22	133	19-12-2010	India First Life Insurance Company Ltd.

CrM in private Insurance Companies is basically depend upon good Promotional Strategy of Companies. An organization's Promotional Strategy can consist of:

1. Public relation
2. Advertising
3. Sales Promotion Techniques
4. Personal Selling
5. E-Statements
6. Online Claim intimation

### **Comparative Analysis and Interpretation**

Comparative On the basis of information collected from Insurance Policy Holders it can be Analyzed that -

Analysis clear that the high fluctuation in the No, of Policy issued by Life Insurance Corporation of India. In the 2004-05 LIC of India Issued 9.87% more policies in comparison of 2003-04. But in the Next year 2005-06 it shows negative trend. In this year no. of New policies is reduced by (-11.09%). In the year 2006-07 it was again increased by 31.75%. In the year of 2012-13 it was increased only 5.88%. it presents Overall better efficiency of Life Insurance Companies.

Analysis presents negative growth rate in the No, of Policy issued by Private Sector Insurance Companies. In the 2004-05 growth rate was 101.59% more policies in comparison of 2003-04. But in the Next year 2005-06 it shows negative trend. In this year no. of New policies Growth Rate was only 34.65% and in the year 2009-2010 only 13.19%. In the year of 2011-12 and 2012-13 it become negative. Growth Rate in these year was (22.62%) and (6.84%). It presents Continue Increment in the No. of Private Companies are also increasing competition among all private sector Companies. It makes negative effect on the mind of Customer.

Analysis presents comparative study between LIC of India and Private Sector Insurance Companies on the Basis of New Policies Issued. Above table Shows Reducing Trend in the Share of LIC and Increasing trend in the Share of Private Insurance Companies in the Total No. New Policies issued. In the year of 2003-04 Share of LIC was 96.75% in the total policies. And Share of Private sector was only 3.25%. In the year of 2012-13 Share of LIC was only 78.64% and Share of Private Sector was 21.36% It presents downward trend of LIC and upward trend of Private Sector Companies. But It was only due to Increase in the No. of Private Sector Companies. In Detail Analysis LIC have high Growth and share in Total policies. It present Marketing Personnel of LIC are much efficient and Competitive.

It is clear that the Insurance Premium of Life Insurance Corporation of India is Continuously Increasing. It Present Better Customer Relationship Practices of Distribution Channels. Table Also refers that much fluctuations in the growth Rate of Insurance Premium is much Fluctuated. It was 18.25% in the 2004-05, 40.79% in 2006-07, 5.01% in 2008-09 and 18.30% in 2009-10. Which become 11.89% in

2012-13. It Shows Marketing Channels of LIC of India are paying Attention on New Customers in comparasion of Existing Customers.

It is clear that the Insurance Premium of Private Insurance Companies is Continuously Increasing. It Present Better Customer Relationship Practices of Distribution Channels of Private Companies.. Table Also refers that Continuously Decrease in the growth Rate of Insurance Premium of Private Companies.. It was 147.65% in the 2004-05, 87.31% in 2006-07, 25.09% in 2008-09 and 23.06% in 2009-10. Which become 9.91% only in 2012-13. It Shows Marketing Channels of private Companies are not paying Attention on Existing Policy Holder for Collecting Insurance Premium.

That the Income of Life Insurance Corporation of India is Continuously Increasing. It was 20.74% in the 2004-05, 31.99% in 2006-07, in 19.90% in 2009-10, and in 17.55% 2012-13. It Present Better Customer Relationship Practices and Efficiency of Marketing Channels. Decrease in the Growth Rate of Lic of India in few years is only due to increase competition with Private Insurance Companies.

That the Income of Private Insurance Companies is Continuously decreasing. It was 109.32% in the 2004-05, 28.52% in 2006-07, 8.52% in 2009-10 and 2.29% in 2011-12. It presents poor Better Customer Relationship Practices of Distribution Channels of Private Companies. It Shows Less efficiency of Marketing Channels of private Companies.

Analysis presents comparative study between LIC of India and Private Sector Insurance Companies on the Basis Income. Above table Shows Reducing Trend in the Share of LIC and Increasing trend in the Share of Private Insurance Companies in the Total Income. In the year of 2003-04 Share of LIC was 95.66% in total Income. And Share of Private sector was only 4.44%. In the year 2008-09 Share of LIC was reduce to 79.92% and private sector companies Share Increase to 20.28%. but again share of LIC was increasing it become 84.71% in 2010-11 and 85.90% in 2012-13. Same its apposite share of Private sector companies are reducing. It was 15.29% in 2010-11 and 14.10% in 2012-13. It present Personnel of LIC are much efficient and Competitive in comparison of Private Sector Companies.

Analysis gives information regarding the number of policies sold by LIC of India since 2003-04 till 2012-13. it is clearly observed that there is an overall growth in No. of Policy from 2989946 (-11.09%) in 2004-05 to 4010011(11.22%) in 2012-13 except a small number of down falls in a few years. Despite of few downs in No.of Policy issued by LIC of India has still managed to have a continuous growth. Those few misses in the count of number of policies have not directly affected the business volume as such. This is a very positive sign for an overall development of the corporation in the changing needs of the society.

It is clear that the private insurance companies was growing rapidly in the beginning of years, but in the last few years these companies are falling continually. In the 2004-05 they issued 833753 policies More then 2003-04. But after that year their growth is unpredictable. It shows that growth rate of private insurance companies are much higher than the only public sector company LIC. But From the

year of 2010-11 no. of Policies issued by Private Sector Companies is falling. in 2010-11 it is reduced by 4.32%. it is become that in 2011-12 and 2012-13 by 22.62% and 24.04% respectively as compared to the respective previous years. It Presents reducing performance of private sector companies.

It is clear that the Life Insurance Corporation of India have Major Share (97.03%) in the Total Policies made by All Insurance Companies in India, but due to Increase in Private Companies share of Lic of India is Reducing. It Was 97.03% in 2003-04. 82.60% in 2007-08 and in 72.06% in 2010-11 but in the 2011-12 LIC of India again increased in Share of Total Policies. In 2011-12 Share of LIC was 76.29% which become 82.49% in 2012-13. It Presents better Customer Relation Policies and in Plans as per Need of Customers.

The life insurance offices are increasing continuously but as far as the contribution of LIC of India, it is decreasing from 2003-04 to 2012-13 from 89.61% to 30.94%. This is a tremendous fall in the number of offices opening throughout the country. This definitely has affected in the overall performance of LIC of India.

Above Table refers that 65% of the respondents are having policy of LIC and 18% respondents are having policy of private Companies and 17% of the respondents are having Policy of LIC and Private Companies both. It Present that most of Respondents are having more trust and good Customer Relations with LIC in comparison of Other Private Companies.

The Analysis clear that large no. of respondents (20%) are facing problem of Limited no. of Branches of LIC of India and (37%) are Limited No. of Marketing agents of Private insurance Companies. While 60% of respondents are not satisfied with behavior of Staff of LIC and 55% of respondents are not satisfied with Services of LIC. After that Large No. of Respondents Invest own Funds in the LIC of India due to Safety of Funds.

Analysis refers that Customers faith on Agent of Insurance Companies. Analysis presents that 72% of respondents are having more trust of Agents of LIC. While 28% are on Private Insurance Companies. It present Distribution channel of LIC is More reliable and Faithful.

Analysis refers that out of 100 persons 68 (68%) persons are satisfied with Lic of India due to security of funds than Private insurance. According to him Lic is more reliable and trustful.

## **CONCLUSION**

Insurance companies experiencing competition from within and abroad. Making this problem-situation into an opportunity lies always on the prudent management adopting or adapting tactics and strategies. In line of this, customer relationship management is a measure of winning competitiveness as it is the information-driven approach to customer analysis and process automation; and thereon supplement customer-value proposition. An action on tangible services – prompt and accurate issue of document, prompt and fair settlement of claim, good

listening mechanism, better problem solving approach, reliable manner of service and meet requirement of customers on time every time - in lieu of intangible promises would give utmost satisfaction to customers, the customer relationship management provides better service to the insured protecting him against perils or risks and the insurer enabling to retain the existing customers and bringing in new customers in his ambit of business.

It is very clear from the analysis of the data and the statistical analysis that follows that the CRM practices of life insurance companies have seen a dramatic change over the past few years. Most of the insurance companies have very transparent and effective CRM models. However it is evident that the private companies have been the pioneers in initiating the CRM strategies because of service quality perceptions and increased competition in the industry. Customer services in private companies far outweigh the facilities offered in the public sector LIC. It was found that LIC has reinvented its strategies to stay abreast with IRDA regulations and provide varied facilities to its customers. Majority of the respondents were of the opinion that the services provided by private companies have redefined the whole concept of insurance. When LIC was the only insurance company customers were at a disadvantage due to its monopoly position and seller oriented selling of life insurance products. However life insurance products are now need based and customer centric.

## **SUGGESTIONS**

The results analysis and discussion showed the following key milestones that need to be developed in order to reach the ultimate benefits from adoption of CRM concept in daily operation. These milestones are :-

- To Improve Quality of the provided services to retain Customers.
- Effective system for dealing with customer's complaints and quires Should be adopted by LIC and Private Sector Insurance Companies.
- Developing the communication channels with the customers by both LIC and Private Sector Insurance Companies.
- Top Managers should also be responsible for developing professionalism in his team & for ensuring quality & for rendering adequate post sales services to the customers.
- L.I.C. needs to concentrate on strengthening the existing infrastructure rather than expanding it further. There is a need to build a cadre of professional trainers from both within the organization as well as to tap the market for experts hand in the field of marketing of financial instrument.
- L.I.C. has opened about 2048 branches but these are not sufficient to provide required services. So far, L.I.C. could not cover event tahsil level. The corporation should open its Tiny Service Breaches even on block level if the insurable population of the area is sufficient.
- Insurance Companies Should Provide Plans for Low Income Group person.

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# INFLATION IN INDIA: SOME RECENT ANALYTICS

Shachi Rai\*

## ABSTRACT

Inflation has persistently been one of the most critical macroeconomic issues in India having immense socio-economic and political implications. It needs to be understood at the outset that inflation implies continuous rise in the general level of prices and is basically caused by increase in money supply and decline in output. In order to control inflation monetary, fiscal and real policy instruments are pressed into service. This paper examines the recent analytics of inflation in India; especially in the post-global crisis period. The focus of the paper is on explicating the implication of monetary and fiscal stimulus provided by the government for price increases and the resultant changes in the macroeconomic policy stances. Food inflation affects the masses and it has also inherent tendency to impact electoral outcomes. It is averred that inflation is both caused and checked by fiscal policy operations. Monetarists argue that inflation is by and large a monetary phenomenon. Moreover, real factors like decline in output of goods and services also play critical role in fuelling up prices. Inflationary expectations and global food and oil prices also profoundly impact inflationary forces. An enquiry into the recent behavior of inflation persistence shows that it became infrequent in the 2000s. This reflects upon weather-proofing of our economy concomitant with progressive integration in a favorable global environment. It may be underlined that the moments of the inflationary process merits significance for understanding the dynamics of the inflation process. The issue of inflation measurement has been of core concern during recent years. Wholesale Price Index (WPI) is akin to Producer Price Index (PPI) whereas Consumer Price Index (CPI) measures prices at the retail level. In the post-global crisis period, the use of WPI as a measure of inflation has been contested by experts. The sharp increase in expectation-induced inflation persistence points out that people discounted the credibility of monetary policy in its efficacy to lower inflation. Hence, there is a need for a flexible inflation targeting.

**Key Words:** Inflation, Food Prices, Targeting, Global Crisis

## Post-Crisis Inflation

It is noteworthy that India could succeed in rebounding from the recent global financial crisis with robust effort and earlier as compared to advanced economies and other counter-parts in emerging economies. The real GDP growth was close to 8 per cent by the first quarter of 2009 and it tended to revive the expectations of double - digit growth. However, in the middle of 2009 the food-inflation began to loom large on the macroeconomic scenario and crossed 10 per cent consequent upon weak monsoon and subsequently flooding. The headline inflation crossed the tolerance threshold of 5 per cent of the Reserve Bank of India (RBI) in October 2009. By the

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time RBI acted with a 75 basis points (bps) raising hike in cash reserve requirements in January 2010 followed by a 25 bps rise in the policy repo rate in March headline inflation soured above 10 per cent and food inflation to 20 per cent. It is interesting to note that in the middle of 2013-14 inflation dipped below 5 per cent for the first time in 40 months. However, its most notable feature has been its stubborn persistence around 9 per cent through January 2010 to January 2013, despite successive increases in the policy rate of up to 375 bps supported by intermittent cash reserve ratio (CRR) increases, cumulating to 100 bps, right up to October 2011. High inflation in the past has led to people's emotive resentment against it and even constrained them to vote out of the offending government of the day. But this time people preferred to buy gold. By 2010-11, an average annual level of 700-800 tones of gold import surged beyond 1000 tones and remained above that level. The current account deficit (CAD), which on an average was near zero as a proportion of GDP over the period 2003-09, jumped to above 4 per cent of GDP in 2011-12 and kept rising uncontrollably, touching 6.7 per cent in Q3 of 2012-13. This scenario has been characterised by an intense debate and diverse opinions. The focus has been on the contention that this inflation was due to sector-specific cost-push factors-fuel and other commodity prices (Bhanumurthy et al. 2012; Hatekar et al. 2011; Rakshit 2011); adverse supply shocks to agricultural output (Balakrishnan 2011; Rakshit 2011; Sen and Himanshu 2011); Clear evidence against a wage-price spiral in operation (Bose 2012). All of these argue that orthodox monetary measures would be of little avail in an economy operating in the horizontal range of the aggregate supply curve (Mundle 2011). These views have been encapsulated in Bose (2012). Any policy-propelled compression in demand reduces output and increases inflation. The anti-inflation actions spread over January 2010 - October 2011 have been driven by exclusive monetarist clout while ignoring the broader developmental concerns. In fact, the onus rested with the government to change the agricultural supply side (Chand 2012; Sen and Himanshu 2011) through raising productivity and investment in agriculture and extension services and more effective intervention through parastatals (Balkrishnan 2011; Chand 2011). There has been a vehement argument that given the irrelevance of purely macro-economic factors or overall excess demand, orthodox monetary (or fiscal) measures would be of little avail as anti-inflationary tools. In view of the nature and structure of Indian macro-economy, the efficacy of orthodox measures is extremely weak; especially when inflation is the consequence of supply side shocks. It may be contended here that excess demand for credit generated for financial inclusion can raise the velocity of circulation of money to increase and put pressure on prices. This being the case, monetary tightening through raising interest rates will have no effect on inflation and that there could be a price to pay for this tightening without attendant benefit of reduced inflation including in terms of unemployment and impairment of future growth. Apart from the above analytics, there has also been the view that inflation persistence is essentially a result of costly policy errors as it is narrowly based and hence misjudging the speed of its generalisation compounded by delayed reactions and by public communication of accommodation. These could have also been avoided has inflation data been allowed to do the talking - (Darbha and Patel 2012). In connection with this, monetary policy was accommodative (IMF, 2012).

The RBI has been of the opinion that the high inflation that set in since the second half of 2009/1 has been attributable to combination of global and domestic demand and supply factors - crude oil and other global commodity prices and pass through to domestic raw material prices; depreciation of rupee; increased demand for food and especially proteins; increase in rural wages; crisis-driven fiscal and monetary stimulus and consequent abundance of liquidity. With respect to the last factor, it has been argued as to why it was difficult to exit, the "excessively accommodative monetary policy" - headline inflation had barely turned positive and was entirely driven by food inflation; industrial production had started to pick up but exports were still declining; and globally, most central banks favoured continuing stimulus. As a result of this, there has been the view that any aggressive monetary tightening at that point would have affected the recovery, though it was recognised that even after the subsequent tightening, the real policy rate was negative and the monetary policy was still accommodative (Mohanty 2013). A much more calibrated approach to the emergence of inflationary pressure was seemingly justified by the enormous amount of liquidity in the system - rendering transmission sluggish - amidst high uncertainty surrounding domestic and global scenarios. A frequent series of small rate hikes was regarded as "the best way to balance potentially conflicting objectives" i.e., between minimising the sacrifice of growth and not letting expectations run out of control (Gokaran 2011). The concern for elevated food inflation and its persistence with structural dimensions of proteins at its kernel and its disappointment with the lack of an adequate supply response, given that the direct role of monetary policy in combating food price pressures is limited, has been an abiding theme in the RBI's communication on monetary policy.

### **Persistence Issue**

Recent high and persistent consumer price inflation has been associated with multiple supply shocks. Hence, inflation tended to come down as the commodity cycle turned. Estimates of aggregate supply show the average price increase to be 10 per cent and decrease only 5 per cent - so 5 per cent inflation is required to accommodate a relative price increase. Cost shocks have a larger impact on price compared to demand proxied by changes in money supply. Price inertia reduces the size of the monetary tightening that is needed. A sharp rise in interest and exchange rates is a negative for highly leveraged firms. Significantly, some relative prices and the exchange rate have a greater impact on aggregate prices. This requires a prompt policy response incorporating a mixture of supply-side, tax, trade and exchange rate policies. Multiple supply shocks are estimated to have caused inflation, but as they did not become persistent, second round price effects did not set in. Thus, output remains below potential. Since prices rise more easily than they fall, a first round price increase following a supply shock had to be allowed. Supply shocks took the form of upward shifts of the elastic aggregate supply - they did not reduce a fixed capacity. Therefore, average costs rose, not the marginal costs that rise with output. Poor governance caused chronic costs creeping in at all levels of output.

In Indian conditions, the policy-induced demand tightening can anchor inflationary expectations and prevent a wage-price spiral that shifts up costs, but

with a large sacrifice of output. This sacrifice in growth has been large during past supply shocks and policy contraction generally exceeded the fall in output. Monetary and fiscal policies tend to expand and contract in tandem with each other. There has also been a large negative demand impulse over 2010-12, but the impact constrained growth more than inflation. Credit has grown at less than GDP ever since the global financial crisis. It may be emphasized here that the best policies are those that reduce average production costs. If propagation mechanisms can be reformed so that demand can support an elastic aggregate supply, sacrificing growth as well as inflation can fall. This provides a new understanding about the effect of supply constraint on the economy.

In order to understand the dynamics of inflation process, investigating the moments of inflation process is imperative. These moments provide a useful summary of the cross-sectional distribution of its components and thereby insights into its formation and persistence. A revisit into the period 1981-2013 leads us to arrive at some significant observations. In the 1986-95 high inflation, the crossing of the threshold of 5 per cent by the first moment, the mean rate of inflation was driven by a pick-up in food prices. This was followed after a year by a rise in non-food manufactured products inflation over the period of persistence right up to the peak in 1994-95. In contrast to this, in the next episode - March 2000 to August 2001, the mean was entirely associated with fuel price inflation and turned out to be short-lived. In the third and fourth episodes in 2008 and 2010-13, inflation was generalised across constituent categories, but starting from food inflation and followed by non-food products inflation. This implies that since the late 1980s, fuel prices impacted the mean in the form of short-lasting shocks. However, high inflation episodes triggered by food inflation typically spread to non-food manufactured products inflation with varying lags and became generalised and persistent. This is supported by analysis of inflation dynamics in India in a new Keynesian Phillips Curve framework (IMF 2011). This implies that food inflation in India is rarely transitory and is most likely to be followed by non-food manufactured products inflation.

Inflation has stayed above its threshold for a prolonged period in the post global crisis episode in India. This happened despite the output gap falling and even turning negative. This highlights the importance of understanding the nature of shocks. Interestingly, the circumstances in which inflation occurs assume significance. The vast literature available with respect to inflation persistence modeling and price stickiness identifies four factors on the sources of inflation persistence. These are: (i) backward lookingness in price-setting mechanism or "intrinsic" persistence; (ii) inheritance from the mark-up over costs as reflected in marginal costs or the output gap - "extrinsic" persistence; (iii) formation of inflation expectations or "expectation-based" persistence; and (iv) persistence due to monetary policy regime shifts or "policy-driven" persistence which are best captured for instance, in the degree of interest rate smoothing in policy reaction functions.

Inflation persistence has increased in the post-global crisis period. Despite the fact that the influence of past and the inheritance from the macro-economic

environment have shown a declining trend, both are still high. Shocks to inflation will warrant forceful and more than proportionate responses. Output stabilisation has considerable inflation spillovers and seems to be a justifiable argument in monetary policy reaction function. Extrinsic persistence works in the same direction as intrinsic persistence, amplifying it through rigidities in economic structure that impede elastic supply responses and result in high output costs of bringing down inflation. Expectations have been playing a much bigger role than before in inflation inertia in the post-global crisis period.

### **Monetary - Fiscal Trade-offs**

It is generally understood that huge monetary overhang built up due to financing of large fiscal deficits create excess demand that needs to be considerably reduced during periods of inflation. However, every double-digit inflation in India has been associated with supply shock. It is feasible to check for the size of contraction in demand (relative to GDP). Excessive contraction may imply a failure of governance in the sense of inappropriate macro-economic policies. In view of these monetary and fiscal shocks and the sum thereof seem important in the 'policy' variable. The monetary policy shock is calculated as the change in reserve money supply in the earlier point of time and the change in repo rate in the subsequent time period.

The fiscal policy shock may be seen in terms of change in the sum of Central Government revenue and capital expenditure each as a percentage of GDP. In fact, changes in spending are better measure of fiscal impulse than fiscal deficit. The latter should increase during an economic showdown as revenues fall to function as an automatic non-discretionary stabilizer. The cyclical properties of government consumption may also be of significance. Period  $t$  gives the total of the two fiscal policy variables and the monetary policy variable each minus their respective values in period  $t-1$ . A negative value means that policy contraction exceeded that in GDP. Policy amplified shocks since the contractionary impulse exceeded the decline in output. It was negative in years when GDP growth rate fell due to supply shock. The only shock period in which policy was counter-cyclical was 2008-09 when the global financial crisis constituted a large negative external demand shock. Monetary policy was also not pro-cyclical over 1995-2008, as it was generally in other periods. Significantly, monetary policy and fiscal expenditure tend to expand and to contract together. Fiscal deficit implies that government's expenditure exceeds its revenue. Huge fiscal deficits in India are thought to generate excess demand that drives inflation. However, given high private savings, relatively low government debt and growth prospects, fiscal deficits seem manageable under the assumption of a credible fiscal consolidation path. If the composition of public spending changes in favour of building human capacity, including improvements in public service delivery, it may lead to inclusive growth, remove the fear of unsustainable deficits and also improve supply response. If improvements in governance reduce cost pressures on implicit elastic supply, the monetary policy stance can support demand. This calls for better coordination between monetary and fiscal operations.

## **Inflation Targeting**

The issue of inflation targeting (IT) in India is currently being debated upon. It necessary implies explicit central bank mandate to pursue price stability as the basic monetary policy target and fixing explicit quantitative targets for inflation. Thus, an overriding importance is given to price stability and low weights to growth. Hence, growth and employment occupy place in IT only to the extent that a commitment to a medium-term inflation target merits credibility. However, it may be argued that inflation control cannot be an exclusive concern of RBI in India, as the country faces the most daunting challenges of poverty and unemployment.

Inflation targeting monetary framework contemplates price stability as the predominant policy target. However, it must recognise the preconditions for such a framework - fiscal discipline; better capacity to manage supply constraints and augment supply capacity to contain supply side persistent pressures on inflation (so that trade-off costs of inflation targeting are minimized); and improved monetary policy transmission through more complete and integrated financial markets. In the Indian case, the monetary authority faces a persistent fiscal overhang. Ultimately, price stability and inflation expectations tend to hinge upon fiscal regime in the country. The RBI does not have the option of not supporting a high fiscal deficit. If the fiscal policy becomes imprudent and the RBI does not help finance the deficit, the ultimate outcome would still be inflationary as the public debt/GDP ratio would turn unsustainable in the medium term and the price level could at least partially be determined by the influence of fiscal policy operations on the price level. Hence, strict inflation targeting may not be palatable. Furthermore, the Indian economy with a large fiscal deficit and administered interest rates may be left in the most difficult monetary situation with exclusive reliance on impacting the demand side. Thus, there is a need to pursue a flexible inflation targeting with the imperatives of a strong fiscal, financial and monetary institutional set-up.

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# EMERGING CHALLENGES FOR HR AND EMERGING SOLUTIONS

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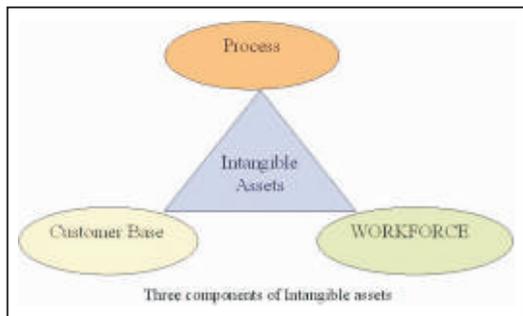
## ABSTRACT

As organizations grow at an express speed and their geographic spread also widens at an equal pace, HR faces a plethora of challenges everyday. While there is lot of emphasis given to recruitment and retention of talent on one side, there is an immense pressure to develop innovative employee engagement activities on the other. Leadership development is another key area of focus. Diversity management and developing global HR practices become nightmares to HR managers. The list not only keeps growing but becomes complex as well. This article attempts to highlight some of those key challenges faced by fast growing organizations. It also highlights the best practices followed by certain organization to address these challenges wherever applicable. The issues at a first class may look trivial or mundane but they are realistic and have larger significance.

## INTRODUCTION

If you happen to meet the HR Head of a large organization just ask him what his biggest challenge is. He will say 'retention of people'. The same person after a few minutes for the same question will answer 'attracting talent'. Probably his answer the next day will be 'staff motivation'. Different answers from the same individual at different times, does not mean that he is not sure of what his problem is but it depicts the fact that the priority of HR challenges keep changing from time to time. The biggest challenge for HR in the 21st century is, to identify its biggest challenge.

Most of the big companies' values are tied up in intangible assets. The study of intangible assets breaks them into three components. The First is processes. Processes are important for any industry and they determine the output of any activity. Companies should manage their processes well and derive maximum results out of them. Next important intangible is the customer base, or the brand value. Over the last one and a half decades companies are focusing more on driving maximum value for existing relationships. The third major intangible is the workforce and the investment made on the employees. The challenge here is to optimize the return in the workforce investment and also ensure that the investment that we make is driving the expected output. It is very important to be significantly different from competitors and always be in the minds of future employees and

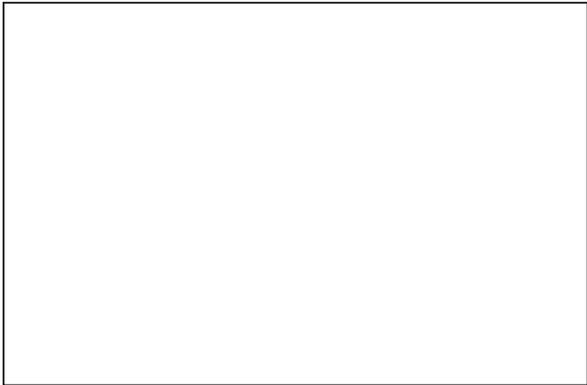


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shareholders. “People are our biggest assets” has become the buzzword for all organizations and “how are these great assets managed” remains a million dollar question! This article answers such unanswered questions and sincerely attempts to enable the HR fraternity to overcome their current challenges and make the HR roles interesting.

## **EMERGING NEW MARKETS**

There was a tremendous focus on the US and the UK geographies till a couple of years ago specially in the IT industry. But, now the scenario is changing and more countries in the Europe are emerging as potential markets. Asian countries like India and China are redefining the landscape. Many MNCs prefer to set up a base in these countries because they provide a beneficial ground on several aspects be it manpower, skill, knowledge or anything else. Indian companies are setting up their bases in other countries as well. It is evident from several business reports and articles that the focus is shifting from US, UK to Europe and of course APAC. The Challenge for HR is multifold in this regard. These challenges listed in the box above are just a few top priorities, the list grows longer and longer as we get into further detail. Another hard fact here is each one of these items in the list can be broken down into few smaller items, which also serve as big challenges to organizations.



Focus shifting from US, UK (west) to Europe, Asia Pacific

## **Retaining & Managing Talent**

Many years ago Mckinsey coined a term “war for talent”, which is now being looked at as a competition between organizations to attract new talent. What I would like to prescribe here is that we just have to shift gears and focus more on retaining the talent that we have and also come up with new ways of developing talent. It is a good sign that many organizations are moving away from a skill-based approach to a competency- based approach. A system that enables HR to maintain and manage the current competencies and enable employees to plan their development either to higher proficiency levels in their existing competencies or new competencies is a need of the hour. I am talking about a learning and competency management system under retention of employees and I have also clubbed talent management along in the heading because they both go together. At any point in time, an employee who believes that his organization continuously invests in developing his talent and also provides him enough opportunities to deploy his talent on the field will never allow the thought of quitting creep into his mind. But on the one

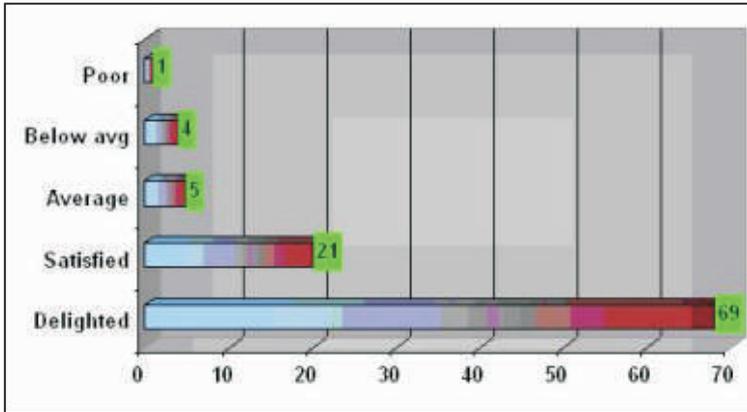
hand, getting more investment into talent development initiatives is currently a challenge and on the other side creating a career plan for every employee that enables him/her to continuously deploy his/her talent remains a bigger challenge.

### **Innovation & Talent development.**

It is absolutely beyond debate that 'Innovation' is now mandatory for the success of any business. There are several drivers that can cultivate innovation in an organization and one of them is developing the skills and talents of its employees through various modes of learning. PWC has released a report where the statistics very clearly shows that the investments on training and development activities are much higher in the US than Europe or APAC countries. That could possibly be one of the reasons that most of the innovations come from the US. Japan could be an exception to this but they have restricted themselves to technology innovations while we need innovations every field. We still do not have instruments to measure and provide a direct correlation between the investment made on innovation trainings and the no of creative outputs. But what is evident from the PWC report is that the companies that are showing maximum innovations are the companies that invest a lot on training and talent development. The report also clearly highlights that companies that produce better business results invest a huge sum in training and talent development. I would like to quote my own organization as an example for this. I am proud that I am part of a true learning organization and all of us who work for our organization can loudly say so with due respect to the enormous investment which goes into our learning & development initiatives. Creating an innovative culture within the organization, creating an environment to share ideas, motivating people to innovate are some of the key challenges for HR under this head.

### **Employee engagement and commitment from employees**

I remember when this term called 'employee engagement' was introduced into the HR portfolio, it meant including the fun element at work. Rejuvenating the employees with loads of fun activities was the key task of employee engagement personnel. It helped organizations to create a sense of belonging among employees and in turn indirectly demanded a certain degree of commitment from them. Some organizations have gone one step beyond and have included the families in such events. Loyalty to the organization was considered to be the in thing in every employee's mind. But unfortunately today these employee engagement activities just remain as entertainment activities and they do not add any value to the expected outcome. There is again very little evidence in this area too to measure the impact it makes on the organizations. 'Be loyal to your job but never be loyal to your organization' is the definition for loyalty nowadays among young professionals. We can go on debating whether it is the right thing to do or not but the bottom line is that we need better employee engagement activities which will create a bonding between employees and organizations.



Survey conducted on employee engagement activities (different IT companies)

From the above graph we can see that about 90% of the employees are satisfied or delighted with these initiatives and 5% feel it is average. The dissatisfied percentage is only 5. If we make a direct correlation between attrition rate, which is currently at 14% (industry average) and the dissatisfaction percentage that has come out in this survey, (5%) there seems to be a wide gap. We have no visible evidences to prove that our employee engagement activities are helping us to retain our people. The challenge for HR is to come up with innovative HR practices which will make employee engagement activities more interesting and also help us in achieving the objective of retaining people.

### Next Step- What should we be doing

After discussing all these challenges at length, I can very well understand that some of you may sigh and ask, “We experience all this but how do we get rid off them”. As I mentioned earlier, these issues may sound mundane but they are realistic. We cannot discount the fact that many of us in various HR roles are living with such challenges day in and day out. I would like to quote a traditional proverb here “where there is a will, there is a way”. It just needs the right attitude or passion as we may call it within ourselves. Many experts are talking about HR redefining its strategy to move up the value chain from a supporting function to an enabling function and then transforming itself into a strategic business partner.

Organization should continuously improve and innovate their HR Policies & practices. I have highlighted certain practices that most of the IT companies should follow to improve employee engagement.

Emerging New Markets Most of the organization strategy has been very clear for expanding in the maturing markets of Europe and Asia Pacific. We need to elect the right people (Leaders) to move to emerging markets and the employees should feel motivated that they have been handpicked for a challenging overseas assignment; hence it serves as a win-win situation to both the organization and the individual. Recruiting local team to assist these leaders would also help organization to aggressively enter into these unexplored potential markets.

Attitude and behavior of the workforce As I mentioned earlier we can debate whether it's a good sign or not that the attitude of young workforce is changing, but what we need right now is to accept the fact that there is a drastic change in the behavior of employees and quickly come up with counter measures to address this issue. I suggest having the right induction program to create a sense of belongingness for every new entrant. We also put our associates through a lot of learning programs, which brings about a behavioral change, maybe not overnight but definitely over a period of time. Knowledge and expertise keeps improving and employees begin to understand that the organization is taking maximum care of their career development, and hence they will want to stick on forever.

Leadership development “Leaders are not born they are made”. Organizations needs to cherry pick the leaders and nominate them to Leadership workshops. These development workshops will not only train them but also enable them to learn. They live the life of the role that they aspire to take. Over a period of time, these leaders along with other seniors of the organization share their experiences in the field with the next set of identified leaders. Thus, we also ensure that field experiences are ploughed back into the minds of the next generation leaders.

Retaining and managing talent Various features like gap analysis, role tagging, competency mapping, learning plan creation and so on makes learning exciting for any associates. Organization should focus on well-defined career paths for every individual and the corresponding learning interventions. As long as an employee is clearly shown the way he will move ahead he will be happy enough to prepare himself to move that way, and take all the necessary help required rather than trying to branch off elsewhere. Most employees move out for better growth opportunities, if the same is assured at home turf. Will anyone quit ?.

Employee engagement and commitment from employees Expecting commitment from employees without giving a commitment to them is the fundamental reason leading to all other dissatisfactions. Organization should commit success and better prospect to employees. Organization should not only expect their associates to participate in their employee engagement activities but they should involve them and then make them organize the event by themselves. This helps in motivating the employees and also retaining them as well. People may want to quit organizations but not families. These initiatives will not only help them to retain their people forever but also attract lot of new people in organization. Different tangibles offered by companies for individuals be it salary packages or variety of roles are getting uniform across the globe. Hence the unique differentiator for companies has to be these employee engagement activities. The primary focus of these activities must be 'bonding, entertainment is on the cards anyway.

## **CONCLUSION**

I did not want to use the word conclusion to complete this paper because this is just the beginning. Challenges will keep emerging and solutions will keep emerging as well. These challenges are also necessary for keeping any system in balance. Organizations should have the capability to foresee such arising challenges. The

agility of organizations to solve their challenges will determine their success rate and growth in the market. Especially companies that want to enter into any market aggressively, require a third eye continuously looking for these challenges and an attitude to keep solving them too.

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# **CINEMATIC ADAPTATION OF NOVELS/SHORT STORIES: THE ROLE OF NARRATIVE, ITS RELEVANCE AND IMPACT ON SOCIETY IN INDIAN CONTEXT**

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## **ABSTRACT**

The adaptation of Vikas Swaroop's novel '*Q and A*' into a multiple award winning film 'The Slumdog Millionaire' by Danny Boyle, Salman Rushdie's novel *Midnight's Children* into British-Canadian film in 2012 and *Hamlet* into Haider film by Vishal Bhardwaj has brought forth the significance of adaptation studies to the rest of the world in an effective manner. Really both literature and film seem to share the picture of narrativity, which is a focal point in the study of adaptation. Literary text is a reflection of social reality while film is a refraction of it. There is no conflict between these two art forms and there is an emergent need for them to work in tandem with each other for arousing social consciousness in the society about the problems of the marginalized and thus enlightening the society. The interface between literature and cinema is not merely one of transferring the word to the screen but an act of cultural negotiation which reflects social perceptions.

Culture studies and its corollary Film studies are inclusive studies and cinema can be located both as dynamic cultural institution as well as highly sophisticated mode of representing the world. Indian cinema whether of Hindi, English, Telugu, Tamil or Malyalayam has carved its unique niche in providing entertainment and enlightenment to the populace. It conditions human psyche and perspective and is conditioned by them. Karen Gabriel aptly remarks -

Cinema has evolved out of a specific context of representations and traditions of signification of values and cultural codes, which have to be examined as key determinants in the processes of forming and formulating meanings, within and outside cinematic spaces. This requires that we pay close attention to the ideological, discursive and representational alignments by which these different histories, social cultural, institutional etc. emerge into representation. (English Studies Indian Perspectives, 2005: 469).

It is true that cinematic form is now seen as part and parcel of a larger social process of constructive concepts and categories, thus serving socially significant ends, contributing towards the understanding of human culture as such.

Indian cinema made its debut appearance in 1956, when Satyajit Ray burst on the international film scene with *Pather Panchali*. It is a fact that some twenty-three of Ray's thirty feature films were based on fictions written by well known writers and even out of the remaining seven films for which Ray himself wrote the stories,

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four were based on already published texts. Prof. Meenakshi Mukherjee cogently proves "Translation from the printed page to the screen was Satyajit Ray's most common mode of film making" (Elusive Terrain, 2008 : 16).

This revelation has brought the need to analyse the significance of film studies and the adaptation of literary/printed texts into films. Film studies is a fast growing discipline in major universities of the world. Incorporating other fields such as art, history, languages, popular culture, psychology, technology and communications, film studies offers the students extensive possibilities for experience and knowledge. It provides the stepping stone to the researchers to analyze, synthesize and discern important information they learn to read and write effectively and look at the world with a critical eye but more importantly it develops a critical and audio-visual literacy. In a culture that totally relies upon visual information, a comprehension of how meaning grows out of the moving image becomes essential to various areas of study. No doubt films play an important role in fashioning social and cultural life including perception of gender, race and class. In less than a century they have become one of the most important influences on our society.

Thus, Cinema is a potential medium of artistic and cultural expression. "Cinema is a . . . microcosm of the social, political, economic and cultural life of a nation. It is a contested site where meanings are negotiated, traditions made and remade, identities affirmed as rejected (Chakrovorty : 32). Given that changes in the form and narratives of films have not kept pace with the rapid transformation in society - especially the increasing victimization of the poor, the rural and the marginalized - there is bound to be a puissant demand for the creation of expressive and artistic forms that respond to the needs of the people. Satyajit Ray's *Aryaner Din Ratri* (1970, Bengali) based on Sunil Ganguly's novel by the same title, depicts the cultural tragedy of imperialism through the 'story of the encounter between four middle class Calcutta youths and a tribal community in Palamau, Bihar. A decade later, *Aakrosh* (1980, Hindi) directed by Govind Nihalini is based on a script by Vijay Tendulkar, and is inspired by a real-life incident. Nihalini also directed *Hazar Chaurasi ki Maa* (1998, Hindi) adapted from Mahasweta Devi's novel about the Naxalbari movement in Calcutta. It forms a prelude to Nihalini's 1983 film *Ardha-Satya* (Hindi), which along with *Dev* (2004, Hindi) completes his trilogy on the corruption of the judicial system and the victimization of the marginalized and underprivileged. The character of Lahanyu Bhiku (Om Puri) forcefully represents the victimization of the disempowered, wrongly charged with the murder of his wife, Lahanya Nagi (Smita Patil), Bhiku's stoic silence in (not) defending himself lends a sharp politics to the film, reminiscent of the protagonist's agency in Mahasweta Devi's short story *Dopdi Mehjen*.

Mrinal Sen's *Mrigaya* (1979, Hindi) presents an ingeniously crafted and strikingly presented narrative of conflicting interpretations of justice through revenge and law by way of the story of Ghinua's (Mithun Charavorty) betrayal by

the colonial rulers. Other films on adivasis within the more popular oeuvre include Sai Paranjpye's Papeeha (1993, Hindi), Shekhar Kapur's Bandit Queen (1994, Hindi) and Vinay Shukla's God Mother (1999, Hindi). Similarly film, Dhulaki Tari Maaya Lagi (2004, Gujarati) by Keshav Rathod, has protagonists who belong to the Rathwa community and indeed, the film also includes some references to Rathwa music, custom and dress.

A significant number of documentary films have been made on adivasis including one by the legendary film-maker Ritwik Ghatak, titled Adivasiyon Ka Jeevan Srot (1955, Hindi). He had also directed Naagrik (1953, Bengali), a feature length film that was released posthumously in 1977. Other contemporary documentary film makers who have consistently dealt with adivasi issues include Vinod Raja (The Bee, The Bear and the Kuruba, 2000; Mahua Memoirs, 2007), Abhay Karlekar (Ab Aur Waqt Nahin, 2006; Sri Prakash Buddha Weeps in Jadugoda, 1999) and Satya Mohan (The Chenchus; The Koyas; The Samasthas). Altogether many documentary film makers have used cinema to gather evidence of the destruction and displacement caused by industrialization, changing farming methods, mining and forced migration. In some cases, documentary films have been supplied as evidence in court cases fought by the adivasis against corporate groups and the private sector. Dakxin Bajrange stands out as the only film maker from the adivasi community, the Chharas. His work includes films such as Right for Survival (2005), Bulldozer (2006), Thought for Development (2006), Actors are Born Here (2006), The Lost Water (2007).

As described earlier Satyajit Ray was the first director who adapted short stories by Rabindranath Tagore and Prem Chand to his films. He made four films based on six short stories by Tagore and Prem Chand : Teen Kanya (1961), Charulata (1964), Shatrani ke Khiladi (1977) and Sadgati (1981). Later on a vast hinterland of Indian literature became the corpus for the innovative film directors to fall back upon. There are umpteen Indian English films which are based on well known novels or plays Heat and Dust (1983) by James Ivory and Ismail Merchant, In Custody (1993) by James Ivory and Ismail Merchant, English August (1994) by Dev Benegal, Train to Pakistan (1997) by Pamela Rooks, Earth (1998) (based on Bapsi Sidhwa's Ice Candy Man) by Deepa Mehta, Dance Like a Man (2002) by Pamela Rooks, Mistress of Spices (2005) by Paul Mayeda Berges and Gurinder Chadha, The Namesake (2006) by Mira Nair and Bandit Queen by Shekhar Kapoor. In addition to this list the novel Amu has also been adapted as a documentary film. Besides classic films have been made from famous stories as well like Charulata, War and Peace, Throne of Blood. But Prof. Meenakshi Mukherjee says, "Some of the world's worst films may have been made from very good stories. The fact thus remains between the story and film there stands, the director who makes all the difference" (Elusive Terrain, 42).

These twin facts gave the researcher an idea to make the threadbare analysis of the adaptation of literary texts into the films. Really it is the creative freedom

exercised by film directors over the literary texts that make all the difference in creating the desired impact on the spectators. Like all film makers who use literary material, Ray always took liberties with the original story, and in the early stages of his career he often felt the need to justify the changes. He explained that some of the deviations were inevitable for rendering a verbal text into visual medium, some were necessitated by the change in perspective due to the time lag between the published story and its film version (often fifty or sixty years) and some were attempts to tighten and improve the narrative. He expressed this fact in a letter written to the *Bangla Journal Desh* (25<sup>th</sup> May 1959):

A writer's imagination is expressed through words. The film maker's imagination even when based on a literary text is expressed through moving images. It is surprising that this reviewer has no idea about the vast difference between the two processes. There has never been a successful film based on a novel where the director has not transformed the original through his own view point (quoted in *Elusive Terrain*, 17).

This letter was provoked by a review which had alleged that Apu in *Apur Sansar* bore no resemblance to Bibhutibhusan Banopadhyay's protagonist. Ray's letter argued that he had taken very little liberty with the original except what was necessary for the shift in medium and it is not his, but the reviewer's reading of the novel that is flawed. Ray seemed keen to prove that he had been true to the written text as far as possible.

With the result, it becomes incumbent on the researcher to enumerate the relative significance of written text and the visual form and the aspects common among them. It is crystal clear that the narrative potential of film is so marked that it has developed its strongest bond not with painting, not even with drama, but with the novel. They both are no doubt narratives but different narratives with different code systems. Sound codes contribute considerably to the emotional effects in the film as do cultural codes regarding the understanding of the era, its atmosphere and conditions. Monaco writes :

Both films and novels tell long stories with a wealth of detail and they do it from the perspective of a narrator, who often interposes a resonant level of irony between the story and the observer whatever can be told in print in a novel can be roughly pictured or told in film (although the wildest fantasies of a Jorge Luis Borges or Lewis Carroll might require a lot of special effects). But the differences between the two arts, besides the obvious and powerful contrast between pictorial narration and linguistic narration, are quickly apparent. (How to read a film, 2009: 51).

It is found that the canvas of film is limited because it operates in real time while novels end only when the writer desires. Film is, in general restricted to what Shakespeare called "the short two hours traffic of our stage". Popular novels have been a vast reservoir of material for commercial films over the years. Both of them

have different advantages and disadvantages. Film is limited to a shorter narration than the novel, however, it naturally has pictorial possibilities, the novel doesn't have. James Monaco avers, "What can't be transferred by incident might be translated into image" (54).

Novels are told by the author we see and hear only what he wants us to see and hear. Films are more or less told by their authors, too but we see and hear a great deal more than a director necessarily intends. It would be an absurd task for a novelist to try to describe a scene in as much detail as it is conveyed in cinema. (The novelist Alain Robbe-Grillet experimented in just this way in novels like *Jealousy* and *In the labyrinth*). Besides the description of the novelist is filtered through his language, his prejudices and his point of view. There is a fair amount of freedom to choose with regard to film. According to the Austrian film theorist Brian McFarlane fidelity to the original text is not necessarily a 'desirable goal' (9) for a film maker. He argues that "fidelity criticism depends on a notion of the text as having and rendering up to the (intelligent) reader a single, correct meaning which the film-maker has either adhered to or in some sense violated or tampered with" (8).

The driving force of the novel is the relationship between the materials of the story (plot, character, setting, theme and so forth) and narration of it in language. In other words, this is the relationship between the tale and the teller. The moving motif of film, on the other hand, is between the materials of the story and the objective nature of the image. "It is as if the author/director of a film, were in continual conflict with the scene he is shooting. Chance plays a much larger part, and the end result is that the observer is free to participate in the experience much more actively, The words on the page are always the same, but the image on the screen changes continually as we redirect our attention. Film, is, in this way a much richer experience." (How to read a film, 54).

The persona of the narrator becomes weaker and thus making film weak on that count. There has only been one major film, for example, that tried to duplicate the first person narration so useful to the novel, Robert Montgomery's *Lady in the Lake* (1946). The result being the spectators' vision got confined to the ken of the hero. James Monaco aptly writes, "Film can approximate the ironies that the novel develops in narration, but it can never duplicate them." (54).

The movie camera has helped ushering in a synthetic art that has combined the elements of several forms of narrative into one. It has also invented some new techniques of narration such as the flashback and montage. There is a close ontological connection between the flashback and montage in film and the techniques of the stream of consciousness and interior monologue in modern Western fiction (the idea of correspondences in Baudelaire's poetry is similarly akin to the idea of montage).

Novel has faced the challenge of the film by bifurcating itself into two forms - the popular novel which is now so closely connected with film that it sometimes

begins life as a screen play and the elite novel where the artistic avant-garde work is being done. In addition to it, the scenic and descriptive character of the novel has declined. Novelists have learnt to narrate their stories in the smaller units common to film. Like contemporary playwrights, they think now more often in short scenes than in longer acts.

In the present time the novel, movies and television are more closely intertwined than ever before. The development of film differed in two important respects from the precedent of the novel. Before prose narrative could reach a wide popular audience, it was necessary for a culture of literacy to develop. Film has no such prerequisite. On the other hand, film is highly technological. But the researcher agrees with Gerald Gillespie when he says, "Alain Robbe-Grillet is among those writers after World War II who have made the broader public aware that literary and filmic technique have become reciprocal in their influence" (Narrative : A Seminar, 2005, 301).

Linearity and Spatiality is another major difference between the novel and film as the novel is linear (read word by word) and film is both linear and spatial (viewed). Mc Farlane states, "frame-following frame is not analogous to the word following-word experience of the novel." (27). When the book consists of verbal signs i.e. is passed on conceptually, then cinematic sign that is visual, aural and verbal, passed on perceptually. So it is upto the film-maker which signs to use when adopting a literary text with a cinematic one representing most important verbal ones. Another distinction between the novel and film is the tense from in which the story is told. It is usually held that the novel's story is told in the past and the film's story in the present. This fact makes the film more immediate than the novel, as it represents the action physically, its spatiality is dominating over linearity. Another feature under the discussion of the film's realistic visual representation is the aspect of metaphor. Arnheim claims that in film metaphor is eliminated due to film's realistic representation.

Thus filmic adaptation is neither paraphrase nor an imitation, but something in-between. The tendency to look at an adaptation as an interpretation seem the most reasonable way to accord a respectable position to film makers' borrowing from literary sources. Adaptation is a genre that is beneficial to both novel and film. It guarantees increase of interest in the other medium in whoever that has come across the work in one medium. The complete visual experience a film gives makes the less realized portions of literature more real and concrete. The novel's ability to make one see something that is not there, and the film's ability to present the viewers with all the details he could not visualize renders both the media deep engagement with the creative thought process of a human being that is central to his intellectual existence. These compatible social constructs have dynamic and symbiotic relationship between them.

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# MUGHAL ROYAL LADIES AND THEIR IMPACT ON POLITICS AND ADMINISTRATION

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Persian historians of the Mughal empire have written about the royal ladies from a distance. No nobleman, historian or scholar, not even an *Allama* like Abul Fazl, could enter the ladies, meet with queens and princess, discuss their problems and write about them<sup>1</sup>. Most of the Persian chroniclers were official historians; per force the central figure of their narrative was the emperor. The ladies was for His Majesty's personal pleasure, and his women remained far too removed from the chroniclers' official notice<sup>2</sup>. Therefore, their references to the seraglio of the royalty and nobility are based on their observations from a distance and not on intimate personal knowledge. They do not throw light on the day-to-day life of its female inmates or about their feelings and sentiments.

It was not customary to write about this '*sanctuary*' in official chronicles. In a society where women lived in seclusion, public references to their way of life were as far as possible avoided due both to a discreet sense of expediency and a false sense of decency.

However, this shortcoming, to some extent, is compensated in the autobiographical reminiscences of members of the royal family themselves.

Babur, the first Emperor of the Mughal line (C.E. 1526-30), in his famous memoirs *Babur Name*, makes emotional, even sentimental, often detailed references to his female relatives grandmother, sisters and daughters as also to his Begums<sup>3</sup>. For Humayun's harem (1530-1556), his sister Gulbadan Begum's *Humayun Nama* is still better. Gulbadan, a princess, herself living in the harem, possessed firsthand knowledge about it. Being a woman, her interests focused essentially on things feminine and she wrote about the lives of the harem-folk with candour. The *Humayun Nama* is not a valuminous work, but its English translation by A.S. Beveridge, with a scholarly introduction, informative notes and a long Appendix containing biographical notices of prominent ladies.

In the history of the Mughal Royal Ladies four personalities stand out prominently. They are Nur Jahan, Mumtaz Mahall, Jahan Ara and Roshan Ara. These four ladies represented the quintessence of Mughal feminine model. They lent charm and elegance to the harem in the seventeenth century; the century of Mughal glory and grandeur. And of these four, the personality of Nur Jahan strikes as the most outstanding<sup>4</sup>.

Had Nur Jahan confined her activities to her literary pursuits, innovating new fashions and dresses, helping the poor and nursing her ailing husband, she would

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have craned from one and all the sort of praise bestowed on her by Motamid Khan and Mohammad Hadi. But she was ambitious, and her intelligence matched her ambition. Therefore, like all great men she was liked and disliked in equal measure by her contemporaries; she became an object of controversy. This controversy primarily revolves around:

- (i) her ambition to rule through her family clique;
- (ii) her grabbing of royal power through her influence over her loving and doting husband Jahangir; and
- (iii) her plugging the country into disorder because of her animosity to Shahjahan and Mahabat Khan.

There is no doubt that Nur Jahan exercised influence on the politics and administration right from CE 1611 because of her charm and devotion to the king. From about CE 1622 till the time of Jahangir's death in CE 1627 she was the ruling Queen, sharing power with the King. In and after the year CE 1621 many important events happened in quick succession.

Mumtaz Mahall stands sandwiched between the regnant Nur Jahan and the charming Jahan Ara. But her memory has not suffered on that account; she was as exquisitely lovely as her wonderful aunt, the famed Empress Nur Jahan. It has suffered because of her very short tenure as queen. While Nur Jahan dominated the *Mughal Harem* for seventeen years and Jahan Ara for about thirty, Mumtaz Mahall remained queen just for three years. On the other hand, on one point she scores over both, for while Nur Jahan and Jahan Ara lie buried in lowly graves, the mausoleum of Mumtaz is world famous. That 'bubble in marble' called the Taj Mahal, deservedly commemorates the history of a woman who was a class by herself. Shia by conviction, Persian through parentage, this Mughal queen lived like a Hindu princess, devoted to her husband and family and suffering all the while, producing one child almost every year<sup>5</sup>.

Mumtaz Mahall participated in the affairs of the State. The royal seal was entrusted to her charge and it was her privilege to affix the royal seal on State documents which were sent to her in the *harem*<sup>6</sup>. Shahjahan usually consulted her on private as well as state affairs. She also advised the king in some matters in which she was personally interested.

Jahan Ara Begum was the eldest child of Mumtaz Mahall and Shahjahan. She was born at Ajmer on 23<sup>rd</sup> March 1614. the cultured and talented Sati-un-nisa Khanum, the lady-in-waiting on Mumtaz Mahall, was appointed as her tutoress and her influence stood in good stead to the princess<sup>7</sup>.

As the first lady of the realm and as such among all the ladies of the *Mahal*, the Begum Saheb was the most respected. Naturally, life was full of interest for Jahan Ara, and with her influence and resources she could not help being dragged into the vortex of court politics<sup>8</sup>.

Undoubtedly the entry of the Rajput princesses into the Mughal harem infused a new life in the Mughal empire and inaugurated a new era of Mughal-Rajput co-operation and interdependence. Rajput Ladies like Padmini and Rani Roopmati influenced the Mughal administration and politics.

Apart from above discussed by ladies of Mughal, there were so many other Royal Ladies Mughal period those have influenced the Mughal administration and politics.

In present study we have to critically estimate the impact of Mughal Royal Ladies on the Mughal administration and politics.

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