Journal of National Development

Chief Editor
Dharam Vir

Volume 35, Number 2 (Winter), 2022

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Aims and Scope

The Journal of National Development (JND) is an interdisciplinary bi-annual peer reviewed & refereed international journal committed to the ideals of a 'world community' and 'universal brotherhood'. The Journal is a joint effort of like-minded scholars in the field of social research. Its specific aims are to identify, to understand and to help the process of nation-building within the framework of a 'world community' and enhance research across the social sciences (Sociology, Anthropology, Political Science, Psychology, History, Geography, Education, Economics, Law, Communication, Linguistics) and related disciplines like all streams of Home Science, Management, Computer Science, Commerce as well as others like Food Technology, Agricultural Technology, Information Technology, Environmental Science, Dairy Science etc. having social focus/implications. It focuses on issues that are global and on local problems and policies that have international implications. By providing a forum for discussion on important issues with a global perspective, the *JND* is a part of unfolding world wide struggle for establishing a just and peaceful world order. Thus, the *JND* becomes a point of confluence for the rivulets from various disciplines to form a mighty mainstream gushing towards the formulation and propagation of a humanistic world- view.

Publication Schedule

The Journal of National Development is published in volumes of approximately 250-300 pages, divided into two bi-annual issues–summer and winter. Besides, a special issue in Hindi is also published every year to meet the demand of social scientists, both research scholars and teachers of Hindi speaking states of India.

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ISSN 0972-8309

All correspondence pertaining to subscription, change of address, purchase of back numbers, books for review and advertisements should be addressed to :

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ISSN 0972-8309

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Issues and Preventive Measures of Child Sexual Abuse

Shalini Mishra*

In India, even in the 21ˢᵗ century, family is a closed knit, compact unit, a sort of fortess where any intervention of outsiders is almost resented and rejected. The culture of silence surrounds it so tightly that any third person has no means to know what is happening therein. There is refusal and reluctance to talk about the intra-family violence, particularly towards children. Child sexual abuse is one such issue, which is the most closely guarded secret of the family. Irony of it is that of all the forms of violation of human rights, child sexual abuse is the most blatant, heinous and worst form of violation of human rights because it is perpetrated on the most helpless, vulnerable and defenceless class of society. Abuse of any person in any form is always bad. If such abuse is sexual in nature, it is worse and if it is of a small child, particularly girl child, it becomes the worst. There are, therefore, no words to condemn it. This paper describes about various issues related to child sexual abuse and its preventive measures in India.

[**Keywords :** Child sexual abuse, Legal provisions, Exploitation, Rights of child]

* Research Scholar, Department of Sociology, T.D.P.G. College, V.B.S.P.U., Jaunpur, Uttar Pradesh (India) E-mail: <tripathishalini260@gmail.com>

1.   Introduction

Child sexual abuse cuts across class, caste, cultural and economic backgrounds It is a disease which is affecting all strata of society the world over, irrespective of caste, creed, sex, religion etc. It is shocking but true that abuse of children, whether male or female, has become now a widespread phenomenon, in both developing and developed countries. But there is no specific law to make it an offence in India. Sexual exploitation of children has gained attention through crack downs on and revelations of the use of children in pornographic films and magazines, and the victimization of children through incest. The present paper is an attempt to analyze the problem of child sexual abuse in global and Indian perspective. Secondary sources of data have been used for explaining the meaning of child sexual abuse, magnitude, causes, indications and types of child sexual abuse.

2.   Meaning of Child Sexual Abuse

Child sexual abuse is sexual exploitation or sexual activities with a child under circumstances which indicate that the child's health or welfare is harmed or threatened. It may be intra familial or extra familial. Intra familial sexual abuse includes incest and refers to any type of exploitative sexual contact occurring between relatives. Extra familial sexual abuse refers to exploitative sexual contact with perpetrators who may be known or unknown to the child. Child sexual abuse is considered to be verbal or physical behavior by one person (perpetrator) towards another person (victim), which is upsetting, demeaning, harmful and /or traumatic. Acts of child sexual abuse cover a whole range of misbehavior from touching of private parts to sexual intercourse.

Child sexual abuse has been defined as the involvement of dependent and immature children in sexual activities they do not fully comprehend, to which they are unable to give informed consent. The Juvenile Justice (Care and Protection) Act, 1986, defines child sexual abuse as interaction between a child (under the age of 18 for girls and 16 for boys) and an adult (who is significantly older than the victim and is in a position of power or control over the child, ormay be even be an acquaintance or an unknown person) in which the child is being used for the sexual stimulation of the perpetrators or another person. It is usually a silent, hidden, invisible crime that both boys and girls face at home or outside, often at the hands of trusted adults.

As defined by the World Health Organization, child sexual abuse is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or that violates the laws or social taboos of society. Child sexual abuse is evidenced by this activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person. This may include but is not limited to :

1. The inducement or coercion of a child to engage in any unlawful activity.
2. The exploitative use of a child in prostitution or other unlawful sexual practices.
3. The exploitative use of children in pornographic performances and material.

3. Magnitude of the Problem of Child Sexual Abuse

The WHO estimates that 150 million girls and 73 million boys under 18 have experienced forced sexual intercourse or other forms of sexual violence involving physical contact, though this is certainly an underestimate. Much of this sexual violence is inflicted by family members or other people residing in or visiting a child's family home people normally trusted by children and often responsible for their care. A review of epidemiological surveys from 21 countries, mainly high- and middle-income countries, found that at least 7% of females (ranging up to 36%) and 3% of males (ranging up to 29%) reported sexual victimization during their childhood. According to these studies, between 14% and 56% of the sexual abuse of girls, and up to 25% of the sexual abuse of boys, was perpetrated by relatives or step parents. The global prevalence of child sexual abuse has been estimated at 19.7% for females and 7.9% for males, according to a 2009 study published in Clinical Psychology Review that examined 65 studies from 22 countries. Using the available data, the highest prevalence rate of child sexual abuse geographically was found in Africa (34.4%), primarily because of high rates in South Africa; Europe showed the lowest prevalence rate (9.2%); America and Asia had prevalence rates between 10.1% and 23.9%.' One in every two children is subjected to child sexual abuse in India while 80% of the cases go unreported.

The first ever national level study by Ministry of Women and Child Development covered 19 states with a sample size of 12,447

children in the 5-12 years age group and 2,324 young adults. The survey did not have a margin error. Some disturbing data from the survey is as under :

1. 53.22% of children have faced sexual abuse. The report says that most children do not report the matter to anyone.

2. 41.17% of children in the 5-12 age group of have been forcibly kissed, the figure came down to 25.73% in the 13-14 age group. Around 25.86% of the teenagers reported being forced po exhibit their private parts, the relevant figure for those below 12 was 35.86%.

3. Around 37.25% of children in the younger age group and 27.61% of teenagers were sexually abused during travel.

4. Around 70% of abused children have never reported the matter to anyone.

5. Assam with 86.26% topped the list of states where children faced sexual abuse, Andhra Pradesh and Delhi followed closely at 72.83% and 72.26% respectively. Rajasthan reported lowest complaints at 29.36%.

6. The percentage of sexually abused young adults (13-14 age group) is high in Assam at 77.5% followed by Delhi at 69.11%. Goa reported the least complaints at 23.01%.

4.   Causes of Child Sexual Abuse

The causes of sexual abuse are adjustment problem of the perpetrators, family disorganization, victim's characteristics and the psychological disorders of the abusers. One of the most important factors aggravating child sexual abuse is opportunity of being alone with the child. The third is the kind of relationship the child shares with the offender. If the offender is a relative or lives in the same house there is greater chance of prolonged and secret abuse. The open extra-marital relationships of parents due to which the child loses his/her internal resistance to abnormal gestures. The high alcohol and drug consumption by parents in which case children have no role model to look upto. The overcrowding and abandonment also leads to child sexual abuse on the streets. Further it is a common belief or myth that having sex with child can increase man's sexual powers or sex with a virgin can cure sexually transmitted diseases.

Children who have been abused sexually usually keep the abuse a secret. As the social stigma is attached to the sexual abuse,

the reaction of the family and society, in general, is of the denial of its existence. The various studies also show that, in the first place, children themselves do not find language, expression, capacity or ability to disclose such incidents. Secondly, the shame and secrecy surrounding sexual abuse is such that even if the child discloses about the incident, family is not ready to acknowledge it. They do not want to discuss openly about it. Further as abuser in such cases is mostly someone from the family itself, that too closely related to the child, the family becomes reluctant to discuss it, even if anonymity is assured. Thus the child id forced into silence given the culture of privacy, family prestige and family unity.

5.　Indications of Child Sexual Abuse

There are several indications of sexual abuse. Early warnings of sexual abuse in children may take the form of indirect statements made by the child or acted out in play. Children may also make direct statements to their friends or to adults about being molested. Children sometimes say odd things in order to observe the adults reaction before proceeding any further. The indications may be behavioural, physical or medical. The behavioural indicators include inability to trust, anger and hostility, inappropriate sexual behaviour, depression, guilt or shame, somatic complaints (like stomach-ache/ headache) problems in school, sleep disturbances, eating disorders, phobic or avoidant behaviour, regressive behaviour, self destructive behaviour or accident prone ness, running away etc. The physical indicators include difficulty in sitting or walking, genital or anal itching, pain, swelling or burning, genital or anal bruises or bleeding, frequent urinary tract or yeast infections, pain on urination, poor sphincter control, venereal disease, pregnancy, chronic unexplained sore throats, frequent psychosomatic illness, loss of appetite. Although medical evidence may not be present in all cases, when such facts are present they provide strong evidence of abuse.

6.　Types of Child Sexual Abuse

The forms of child sexual abuse vary from person to person and include :

1. An adult exposure of genitals to the child or to persuade the child to do the same.

2. The adult touching the child's genitals or making the child touch his own.

3. Involving the child in pornography both printed and visual which includes showing a child pornographic material.

4. Using the child for his own satisfaction even without touching, just by ejaculating on the private parts of the child.

5. Making verbal or other sexual suggestions or in decent overtures or gestures.

6. Fondling, fingering or touching the private parts of the child or any such attempt.

7. Inserting foreign objects in the private parts of the child for own sexual gratification.

8. An adult persuading child to engage in sexual activity.

7. Global Perspective of Child Sexual Abuse

Declaration of the Rights of the Child, 1959 mandates that the child shall be protected against all forms of neglect, cruelty and exploitation. The Convention on the Rights of the Child, 1989 mandates the countries under Article 19 to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse. The Vienna Declaration and Programme of Action, 1993 requires states to evolve effective measure against female infanticide, harmful child labour, sale of children and organ, child prostitution and other forms of sexual abuse. Hague Convention on the Protection of Children 1996 provides a mechanism to ensure that inter-country adoptions are made in the best interests of the child. It is an important instrument to prevent the international trafficking of children. ILO Convention Concerning the Prohibition and Immediate Action for the Elimination of Worst Forms of Child Labour, 1999 urges the states under Article 3 to take swift and effective measures to prevent the most damaging child exploitation practices which include child slavery, prostitution and pornography. United Nations Convention on Transnational Organized Crime, 2000 is applicable in relation to child sexual exploitation if the offence carries a penalty of four or more years of imprisonment or if it relates to the ancillary offence of obstruction of jurisdiction. The Convention strengthens the claim of child victims of sexual exploitation for compensation.

8. Indian Legal and Constitutional Provisions for Child Sexual Abuse

The Indian Penal Code does not recognize child sexual abuse as an offence. The child victim of sexual abuse is dealt with under other provisions of the IPC which are the offences of rape (Section 375), outraging the modesty of a woman(section 354) and unnatural offences (section 377). Further these sections covered rape, sexual molestation and unnatural sex which were not at all gender neutral. Additionally IPC failed to take into account the various forms of sexual violence committed on children and the range of sexual contacts according to the extent of coercion, injury, age and incapacitation of the child.

The 156th Report of the Law Commission recommended that penile/oral penetration and penile/anal penetration be covered by section 377 IPC and that finger penetration and object penetration into vagina or anus be adequately covered under section 354 with a more severe punishment. The 172nd Report of Law Commission of India also recommended changes in section 375-376, 376A-376E, 509 IPC,1st schedule of Cr. P.C and section 114A and155 Indian Evidence Act. The report also recommended that the term sexual assault be used ion place of rape and should extend to both humans and objects.

The Protection of Children from Sexual Offences Act, 2002 came into force on 14 November 2012.20 The Bill was passed by the Rajya Sabha on 10 May 2012 and Lok Sabha on 22 May 2012. It received the assent of the President on 20 June 2012. This Act has been drafted to strengthen the legal provisions for the protection of children from sexual abuse and exploitation.21 The main features of the Act are :

1. The Act defines child as any person below the age of 18 years and provides protection to all children from the offences of sexual assault, sexual harassment and pornography.This is the first time that an Act has listed aspects of touch as well as no touch behaviour under the ambit of sexual offences.

2. It makes crime gender neutral.

3. The Act incorporates child friendly procedures for reporting, recording of evidence, investigation and trial of offences. The attempt to commit offence has been made e liable for upto half the punishment prescribed for the commission of the offence.

4. The Act also prescribes for punishment for abetment of commission of offence. This would cover trafficking of children for sexual purposes.

5. For the more heinous offences of penetrative sexual assault, aggravated penetrative sexual assault, sexual assault and aggravated sexual assault. The burden of proof is shifted on the accused. The shift is in a very significant way with the introduction of the concept of "culpable mental state" which includes motive, knowledge or intention.

6. The media has been barred from disclosing the identity of the child without the permission of the Special Court.

Though the Act attempts to minimize the crime of sexual abuse of children, it suffers from various drawbacks like :

1. The Act only gives the action to be taken after the child has suffered sexual violence. There is nothing in the Act to prevent child sexual abuse.

2. It criminalizes all consensual sexual activity below the age of 18. However not every sexual act below the age of 18 is inappropriate. In fact many sociologists and psychiatrists have stressed that we cannot afford to ignore that many youngsters under the age of 18 do engage in sexual activity.

3. Earlier the Bill criminalized every sexual activity below the age of 16. Later this age was raised to 18. The legislature advanced a justification that it is bound by international obligation to raise the age of consent among the children. However this lacks merit.

9. Judicial Approach to Child Sexual Abuse

The court has taken a serious note of the problem of child sexual abuse. It said that child sexual abuse other than penile penetration is obviously unnatural. While admitting that child sexual abuse happens because the system of silence around the Act perpetuates it, the court made the following suggestions :

1. Immediate steps may be taken to prevent and rehabilitate the victims.

2. The police officer may be directed to take immediate action on the complaints of child abuse particularly.

3. The police officer may be directed to take the help of child welfare committee even in respect of interrogation of the child who has suffered sexual onslaught through 'in camera' proceedings as the child would be in tension and emotion to reveal sexual assault committed on her and women police may be entrusted the job of interrogating the abuse victim.

4. The victims of abuse may be examined by using the services of a gynaecologist and female doctors. Subjecting the victim to repeated medical examination should be avoided.

5. The victim of child sexual abuse and the complainant should be given adequate protection during investigation and trial.

6. Separate legal cell may be created for handling child sexual abuse.

7. Steps may be taken to create awareness among the public to seek the assistance and services of child welfare committee and Childline.

8. The trial court shall conduct child abuse cases as expeditiously as possible; if possible, through in camera proceedings and trial shall be conducted on day to day basis.in respect of examination of victim and material witnesses.

In another case the court opined that the absence of stringent law to deal with child sexual abuse can only have the pernicious effect of the crime continuing undeterred with impunity.

10. Conclusion and Suggestions

The child sexual abuse was in existence in the societies the world over since ancient times. Although there is no legal definition of the term it has been defined variously. The instances of child sexual abuse are alarming. And to add to it they are increasing day by day. The abusers are generally near and dear ones. Sexual abuse of children is not gender specific. It leaves a permanent scar on the mind of the child. The Protection of Children from Sexual Offences Act, 2002 has been formulated to deal with the problem. To help children affected by sexual abuse, the victim must be removed from the vicinity of the abuser at once. The child should be taught to assert himself. Sexual education should be encouraged in schools. In addition, every state should set up a State Commission for the Protection of Rights of the Child and formulate Plans of Action for Child Protection at the district and state levels. In order to enhance the standards of care and build a

protective environment for children in the country, there is a need to develop standard protocols on child protection mechanisms. Such protocols should also lay down standards and procedures for effective child protection service delivery including preventive, statutory, care and rehabilitation services for children. An effective community based monitoring mechanism needs to be put in place to ensure accountability at various levels. A child who has been abused or continues to be in an abusive situation, needs a variety of services, including professional help in the form of trauma counselling, medical treatment, police intervention and legal support. Such a system should be established under the scheme on child protection. Further, the existing Childline service providing emergency outreach services to children in difficult circumstances should be expanded. Children go missing for a number of different reasons. Such children are most vulnerable to all forms of abuse and exploitation. Not only should they be tracked but existing mechanisms for their rescue, rehabilitation, repatriation and reintegration should be reviewed and strengthened while keeping in view the best interests of the child.

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M. N. Roy's Transformation from Revolutionary to Politician and Upliftment of Humanity through Radical Humanism

Naseem Ahmed*

M. N. Roy was the living embodiment of India's Revolutionary past. A fourteen-year old boy persuaded Roy to join agitation against the school's headmaster's order and Roy became a revolutionary. After being persuaded by Jatinder Nath Das M.N. Roy became a Gandhi follower. Then he met an Anushilan Smithi which helped him in reaching the worldwide level and gaining a reputation. He was exposed to the Marx with the idea that Marx had superior techniques for improving the lives of the unprivileged. He was vocal critic of Gandhi and INC, claiming that their theory was unfounded. Roy was dismissed from the Congress Party by the Uttar Pradesh Congress Committee in 1939 because he prompted the idea of assisting the British

* Research Scholar, Department of Political Science, Chaudhary Charan Singh University, Meerut-250004, Uttar Pradesh (India) E-mail: <naseemahmed 9858@gmail.com>

government in their struggle against Hitler. Roy was dismissed from the International Communist Movement because he did not agree with Lenin's 21-Points Programme. After that he realized the significance of Gandhiji's non-violence and Charkha-Movement techniques. The goal of this study is to figure out why Roy favoured Gandhi at first and subsequently became outspoken critics of Gandhi after discovering Marxism. After that he began criticizing Marxism and, as a result, he resumed sailing in the Gandhian Boat. Roy's departure from Marxism to become a proponent of Radical -Humanism and, eventually a politician will also be explained in this the article. It's important to comprehend his transformation since he used these ideals as a yardstick for the upliftment of the impoverished. Hopefully, the likely result of bringing this paper will be served. Researchers, intellectuals, and academicians will benefit from incorporating Roy's philosophy into their respective fields of study. This paper's research takes the shape of radical-humanism, which aims to discover a permanent solution to the world's fundamental issues.

[**Keywords :** M. N. Roy, Gandhian thought, Political radicalism, Marxism, Humanism, Political philosophy, Independence movement, India]

1.   Introduction

This research paper examines M. N. Roy's political philosophies and their relation to humanity's upliftment through radical humanism. Roy was destined to become a rebel from the moment he was born. When he was tasked with welcoming a German vessel carrying arms for revolutionary terrorists, Roy was politically baptized. The plot for an armed insurgency against the British was thwarted after an attempt to smuggle weaponry into ships failed in 1914. He attempted to obtain weapons from China once more, but was unsuccessful. Roy appears to have accepted the terrorist techniques in the nationalist battle for freedom after being recruited into the revolutionary terrorist movement in Bengal. However, this was just temporary. During his time in the United States, he was influenced by Marxist ideas. Later, disagreements between Roy and Stalin arose, and Roy was branded a revolutionary..... Roy became a Marxist critic as time went on. Later in life, he transitioned from Marxism to Gandhism, and finally to radical humanism, which he coined "New Humanism." Roy made a significant contribution to current political philosophy through his work. Western political ideologies, capitalism, and socialism are inappropriate for India. As a result, other political systems must be considered. The problems of capitalism and socialism can be solved with radical humanism. It is centered on the individual and his overall development without

jeopardizing his rights as a citizen of the country. It is based on scientific knowledge of both man and nature. Radical humanism combines Gandhi's nonviolent ideas with Marxism's scientific and analytical approach. Radical humanism, as defined by M. N. Roy, attempts to discover a definitive solution to the world's actual issues. Human freedom is crushed by communism, and exploitation shapes capitalism. Dignity, freedom, fraternity, and equality are the cornerstones of radical humanism. Radical Humanism, often known as New Humanism, is the culmination of a long and perplexing intellectual journey. Roy's discontent with the subtle aspects of Marxian philosophy, such as its inadequate ethical moorings and overemphasis on the economic interpretation of history to the substantive, if not outright disregard for the substance, led to the development of the notion of New Humanism. As a result, Roy attempted to develop a radical humanist vision that owed much to Marxism at first. However, dissatisfied with his radical incarnation, Roy went on to propose a theory rooted in integrated scientific humanism, which he dubbed the New Humanism, new because it is Humanism enriched, reinforced, and elaborated by scientific knowledge and social experience gained over centuries of modern civilization. The basis of Radical Humanism is a strong emphasis on the individual as a human being's personality. 'Radicalism thinks in terms of neither nation nor class; its interest is man; it conceives freedom as individual freedom,' he declared categorically. In truth, New Humanism's philosophy cries out to be the liberator of man from the fetters imposed on him by numerous theoretical constructs over the course of history, whether intentionally or inadvertently. It's worth noting that Roy's political journey from Marxism to Radical Humanism allowed him to think about radicalism from several angles. His critique of Lenin's drought thesis on nationalism and colonialism is based on his attempt to comprehend Marxism from a colonial perspective. He opposed the Indian National Congress's philosophy and claimed that the future of India's liberation movement hinged on the participation of the underserved.

2. Objectives of the Study

The following are the paper's broad objectives :

1. To study a period of transformation in Roy's life.
2. To examine Roy's stature in the International Communist Movement and subsequent dismissal from the INC and ICM.

3. To explore M. N. Roy's political philosophy and its application to the upliftment of humanity through Radical-Humanism.

3.   The Importance of the Research & its Relevance

The purpose of this research is to look into M. N. Roy's political philosophy and how it relates to the upliftment of humanity through Radical Humanism. It represents an era of change in M. N. Roy's life. The investigation also focused on and investigated how Roy became a member of the International Communist Party. It also explained Roy's dismissal from the International Communist Movement, as well as Roy's position in the Indian National Congress and his subsequent removal from it, using mostly secondary material.

4.   Methodology of the Study

In this study, descriptive design, quantitative, and qualitative methodologies were used. Secondary sources such as newspapers, magazines, e-resources, books, journals, and corporate websites were used to acquire data. As a result, the attention throughout the article stayed on secondary sources in order to complete the work of producing this paper.

5.   Transformation in M. N. Roy's Life

Transformation in M. N. Roy's life may be divided in the following phases :

5·1   Revolutionary Phase

M. N. Roy was the embodiment of India's revolutionary-era. Roy's revolutionary history began when a fourteen-year old lad persuaded him to join agitation against the school's headmaster's order. He got kicked out of the school. However, his rustication order was later revoked. And, for the sake of India's independence, he took the first step toward becoming a devotee of Gandhi's philosophy and ideology. M. N.Roy aspired to become a follower of Gandhi after being persuaded by Jatinder Nath Das (who used to be a follower of Gandhi and was also a Revolutionary). He looked into what kind of people he should meet if he wanted to become a devout follower of Gandhi. After that, he came into contact with an "Anushilan Smithi." It's a closed society. All revolutionaries used to congregate in this society. Meetings and discussions were held in the past, and then choices

were made unanimously. This organization had only one goal : "to grant India freedom by overthrowing British rule in India." It was only because of Smithi that he was able to reach the world level and earns some international recognition. And, as a result of his international friendships, he founded the Mexican Communist Party (an international party that is foreign to Mexico) as well as the Communist Party of India. And it was only because of Smithi that Roy was moved abroad, where he toured and visited different countries on business. Actually, "Roy was dispatched to the United States of America in order to collect arms for revolutionaries." Anushilan Smithi gave him a push, and as a result, he became highly important internationally. Why was the United States of America significant? Because Mexico was underneath the United States of America, we learned that there might be a deal and that he may have come into contact with Mexicans, and as a result, he became the founder of the Mexican Communist Party. Lala Lajpat Rai, like Gandhi and Roy, was a great leader during the same time period. In fact, Roy was going through a location when he noticed Lala Lajpat Roy holding a meeting among the masses and giving a speech. When Roy noticed this, he detoured and attended the gathering, where he sat and listened to Rai's presentation on (i) Congress, (ii) Indian development, and (iii) India's immediate independence from the British. In the meanwhile, Roy enquired :

> "What strategy does the congress have for the uplift of the poor?" Rai responded to his query, but it was insufficient to please him, and he said quietly, "nice -try but i'm not convinced yet."

5·2 Marxist Phase

Then he moved on to the Marxist phase, looking for answers to the issues he had raised. While searching for answers to his issues, he came upon Karl Marx, who he believed had a better method for the upliftment of the poor. However, after meeting Marx, he became his most ardent supporter. However, it should be remembered that Roy did not meet Marx face to face because Marx's time period was so far ahead of Roy's. And by the time Roy was born, Marx had already passed away. Then we saw how Roy's revolutionary period progressively transformed into Marxism, with Marxism eventually becoming an enhanced kind of revolutionary. Then he met with

Indian revolutionaries to discuss changing their ideologies, saying that in order to free India, a 'Mass Revolution' is essential because; we lack a scientific programme of action; we rely on individual acts of revolution; and we lack mass support. He was acknowledged as an important personality and people began to reckon him in the International Communist Movement because of his high degree of grasp of Marxism. Roy was introduced to the International Communist Movement through Marxism, and the background for this was Anushilan Smithi. His revolutionary phase became more intense when his thoughts aligned with Marxism's philosophy. As previously said he was a strong critic of Gandhi and did not support Gandhi and the INC since their doctrine was unfounded. Gandhi was branded 'Bourgeoisie Class Leader' and 'Fooling the Masses' by him. Of course, he despised Gandhiji's nonviolence and Charkha Movement techniques and passionately criticized them as illogical and out of context.

This led to Roy's expulsion from the ICM & INC. He was expelled from the International Communist Movement for a variety of reasons. Roy was invited by Borodin and Lenin to the Communist International [Second Congress of the Communist International to be held in Moscow] conducted and chaired by Lenin, in which Lenin introduced 21-Points Programme, but Roy did not agree with it, by giving a statement that the Communist International should support Communist parties, workers, peasant parties, and the people struggle, but the Communist International did not agree. After Roy's expulsion from the International Communist Party, he became irritated and emotional, and he began to realize the importance of Gandhiji's nonviolence tactics and the Charkha Movement. Actually, he comprehended Gandhi and his techniques, and as a result, he backed him up and began criticizing Marx. He then joined the I.N.C. with the intention of radicalizing Congress from inside. Means to influence Congress's philosophy, i.e., to elevate and modernize the I.N.C. He enlisted as a member of the I.N.C. at Nehru's invitation at Roy Bareilly. He was also elected to the Uttar Pradesh Congress Committee's Executive Committee. Roy was a radical humanist who wanted to revolutionize the Congress Programme, not a congress-man in Gandhian garb. He then went on to found the "League of Radical Congressmen." He divided the Radical legislators by noting that these were the ones he could easily radicalize and change their

philosophy, thus he organized a group and called it "The League of Radical Congressmen." World War II broke out in 1939. Roy grew fond of the concept of assisting the British government in its fight against Hitler. Because Gandhiji had lost faith in the British government, Gandhi and other Congress leaders were opposed to the concept. Roy was thereafter dismissed from the Congress Party in Uttar Pradesh by the Uttar Pradesh Congress Committee. As a result, Roy was cut off from the congress.

5·3 Phase of Gandhi

Although Roy recognized Gandhi's beneficial impact on the masses, he had never considered why so many people flocked to him or the significance of Gandhiji's nonviolence and individual Satyagraha practices. Even the Charkha, a target of Roy's scorn in later years, was thought to have practical symbolic value, according to Sudipta Kaviraj (Kaviraj, 1986). In his book, "One Year of Independence," he even linked Gandhi to St. Thomas Aquainas, Savonavola, and Francis of Assisi. It's worth noting that even when Roy was criticizing Marxism, his thoughts mirrored Marxism. Despite his criticisms of Marx, he regarded him as "The Liberator of Humanity" in his ideas. Roy's primary theoretical framework for evaluating Gandhi and his political ideology is based on this general appraisal of the national and colonial problems. M. N. Roy's Marxist critique of Gandhi's social and political theories is possibly the best and well argued. Apart from his intellectual convictions, the larger colonial environment appeared to have clearly influenced Roy's radicalism, which tried to redefine the national bourgeoisie's ideological objective in India.

As a result of his endeavour to combine nationalism with what he learned from Marxism, Roy stood out among other radicals. In other words, this conceptualization, which is based on nationalism and Marxism, highlights its originality by highlighting 'both the extraordinary boldness of Roy's radicalism, and a tragic heteronomy inside its historical consciousness' (Kaviraj). Gandhism, he claimed, was the most important of all the class collaboration philosophies inside the nationalist movement. While Roy agreed with Gandhi's criticism of capitalist civilization, he was dismissive of Gandhi's solution since it was neither 'realistic' nor 'practicable.' He went on to say that in places where capitalism was necessary, 'one need not be a sentimental in present order of society,' and that capitalism 'will not

collapse because sentimental humanitarians find it full of cruelty and injustice, [but] because of its intrinsic difficulties' (Ray, 2000a).

Gandhi had a key role in understanding the negative economic impact of capitalism, which was introduced into India in the form of major capitalist industries at the expense of handicrafts and small businesses. 'By inaugurating the campaign of Satyagraha (passive resistance to evil), an active vent was given to the opposition, which could thus, transcend the limits of mere indignation meetings and passing revolutions of protest, 'Roy said of Gandhi's mobilization of people in the 1919 anti-Rowlat Satyagraha. Without any other means of combating the British authority, the Indian people were given a means of making their presence felt (Roy, 2000b). It's worth noting that Gandhi established a distinct break with the past. Despite Satyagraha's limited purpose due to its intrinsic weakness, it had 'penetrated the villages,' (Pal January 2018). Roy criticized nonviolence and satyagraha as being politically restricted ideologies, but he saw Gandhi as the most important leader who broadened the constituencies of nationalist politics by involving marginalized groups. The nonviolence cult was a useful instrument for both Gandhi's nationalist political movements and those who supported imperialism. Roy could see that nonviolence was being used to keep the people' revolutionary ardour in check.

Roy hoped to demonstrate his thesis by bringing attention to the abrupt end of the non-cooperation campaign. Gandhi, he claims, brought the movement to a halt because he saw a revolutionary outburst challenging the Non-Cooperation movement's intellectual foundation. Critical of Gandhi's Swaraj, which he believed would fail because 'the time has passed when the people could be inspired by a vague promise of Swaraj' (Ray, 2000c), Roy went on to sketch the programme of a revolutionary nationalist party as follows :

- Nationalist in independence; full separation from the empire; democratic republic with universal suffrage.
- Feudalism and landlordism are abolished.
- Land nationalism; only the cultivator will have the right to own land.
- Aid to agriculture for modernization.
- Mines and public utilities should be nationalized.
- Modernization of industries.

- ‣ Worker protection, minimum wages, an eight-hour workday, the elimination of child labour, insurance, and other modern social legislation.
- ‣ Primary education is free and compulsory.
- ‣ Religious and worship freedom.
- ‣ Minority rights are number ten.

Roy provided a critical alternative to the Congress led nationalist moment, which was more reconciliatory and less revolutionary, as the programmes suggest. These programmes are merely a reiteration of what he stated about swaraj in his book "India in Transition" published in 1922. (Roy, 1922).

5·4   Radical Humanism

M. N. Roy's radical humanism strives to put a human being in the proper perspective and suggests that all citizens in the country realize their full selves. The three pillars of radical humanism have been man, society, and nation. India is particularly interested in learning why the world's most well-known systems, such as capitalism and communism, continue to fail in practice. Humanity has experimented with and lived through communist and capitalist ideologies. India has a long and illustrious history of culture and philosophy. Western ideologies are inappropriate for India. The problems we are facing today are the outcome of our country's naive acceptance of western ideology. Our country requires an alternative to the world's broken systems. The scientific understanding of human beings lies at the heart of radical humanism. Every country has its own unique history and socioeconomic situation; treatments from other countries will not work in India. It is absurd to believe that one ideology's effective application can be replicated in another.

The underlying organic activity, for example, is the same in all human individuals around the planet. The drugs are beneficial in curing the diseases of people in England. The same drug will not work in our country's citizens. Climate, water, eating habits, and inherited factors all play a role in disease. Although external symptoms may be identical, the same drug will not be able to cure everyone in the world. In our country, we accept illogical and unworkable ideals and cry out for a permanent solution. We're always seeking for a solution in the west. We are in such a position that we are sitting on the golden gem and always looking outside for

methods to grow the country. M. N. Roy's experiment and experience in life is a golden gem in front of us. He was the founder of the Communist Party of India and an adherent of Marxism, a western political ideology. When Marxism arrived in our country, Mahatma Gandhi developed his Gandhism worldview. In India, the interaction of various political philosophies has had a significant impact on modern political philosophy. M. N. Roy's political theory, Radical Humanism, can be viewed as a synthesis of Gandhism's moral, nonviolent, and truthfulness with Marxism's scientific and intellectual approach.

Roy's Radical Humanism is based on both a materialistic and a spiritual viewpoint. His materialism is grounded in a scientific mindset. His spiritualism has nothing to do with religion. Man's rationality, according to M. N. Roy, is derived from natural reason, and man's moral sensibility is derived from his rationality. Religious supernaturalism is categorically rejected by M. N. Roy. After a detailed examination of Marxism's practical failures around the world, he lost trust in Marxism in his later years. Roy's radical humanism is an attempt to discover an ultimate solution to the world's fundamental problems. When Marxism's influence was waning, M. N. Roy was hailed as a precursor and brilliant visionary by people all over the world. The failure of communism in Russia has persuaded us that the underlying cause of issues cannot be attributed solely to economic factors.

Man's desire for freedom and reason is the ultimate key to his advancement. Human nature is characterized by its rationality and desire for liberty. Many people do not notice these cravings because they are not cognizant of them. M. N. Roy stated definitely that the need for freedom is the most fundamental human desire. Communism suffocates the human being's most basic desire. M. N. Roy began to re-examine communist views as a result of this, despite having previously adopted communism as his philosophy. He could not agree with them because of the way communism had taken root in Russia. He discovered that it was a tyrannical and slave like regime. Stalin had completely abandoned the moral leadership of Russia's progressive forces. He did not hold any leaders responsible for communism's deception. He sought to understand the origins of the communist theory that Stalin and his fellow leaders used to guide their actions. Finally, he discovered communism's disregard for man as an individual. 'Man had been reduced to a powerless pawn in the

hands of blind economic forces, as well as a minor component of a class's larger collectivity. Both independence and sovereignty were denied to him.' (Karnik, 1978). He saw that neither capitalism nor communism could provide a solution to man's problems.

M. N. Roy had extensive experience in Europe and had experienced the political and economic flaws of parliamentary democracy. As a remedy for Europe's parliamentary democracy's flaws, communism supported a proletariat dictatorship and centralized planning. Under the tyranny of the party leader, communism rendered man a slave to the state. Instead of the proletariat's dictatorship, Russia was subjected to Stalin's dictatorship. As a result, he considered looking beyond communism and established a school of thought that would ensure man's total growth and independence within political and economic institutions. As a remedy to the dilemma, M. N. Roy recommended organized democracy and a cooperative economy. Both organized democracy and co-operative economy should have a philosophical foundation for this. Radical humanism, his newly constructed ideology, has the potential to establish the groundwork for building democracy and a cooperative economy.

In radical humanism, the most fundamental value is human freedom. This fundamental value is the source of all human values. M. N. Roy defined freedom as follows; It is the purpose of life to live. The struggle for survival is the primary motivator of biological becoming. It continues throughout the long process of biological evolution until it manifests itself in man as a conscious desire for freedom, which is the highest human value. The animal struggle for survival is where man's never- ending quest for freedom began. Everything that man has done, from cultural advancement to scientific breakthroughs to creative invention, has been inspired by that one desires. Man is finite in comparison to the universe, and his surroundings, in the end, is the entire universe. As a result, his fight for independence will never end; he will never be able to rule the universe. As a result, the desire for liberty is the one constant in the human universe. This need permits man to gain information; by understanding, he conquers his environment. (Roy, 1982).

Radical humanism is a philosophy that encompasses all aspects of man's activity and existence, from abstract contemplation to social and political reconstruction. The cosmos is a law-governed system,

and man is an inherent part of the physical universe, according to this philosophy. As a result, man is fundamentally reasonable. The harmony of the universe is reflected in man's intellect. Because he is logical, man is moral. Morality grows in man as his rationality develops. 'The social battle for human growth, the entire process of human evolution, says Roy, "is nothing but the continuation of the struggle for life on a higher level, where that conflict is led by intelligence, choice, and reasoning rather than instinct and natural selection." (Roy, 1984). It used to be impossible to comprehend the relationship between man and nature, but contemporary science has overcome this problem. As a result, comprehending radical humanism allows you to get to the root of any problem and solve it scientifically.

As a result, in his final years, M. N. Roy developed a new scientific humanism based on scientific analysis of human nature. At the same time, man is selfish and self centered, as well as social and cooperative. M. N. Roy had given the dual essence of man a lot of thought. All social and economic issues can be solved by working together. Roy's worldview is based on the recognition of mutual sustenance and cooperation. The primary trait of modern civilization is mutual sustenance and cooperation. India needs to disseminate M. N. Roy's humanistic concept in order to establish a modern civilized India. His political ideology takes a humanistic approach to solving human problems. Although the Indian Constitution guarantees citizens the right to self determination, our democracy has failed to maintain a humanistic approach in practice. With a greater knowledge of Radical Humanism, India can achieve astounding accomplishments. Through a humane approach, the people can gain access to Social Justice and Economic Justice without resorting to violence. Democracy and radical humanism should be integrated into the mainstream of our national life. Radical humanism is the common thread that might bring the issues to a peaceful conclusion.

The philosophy of M. N. Roy is based on the concepts of dignity, liberty, and human values. Individual development is prioritized over societal progress, and people can enjoy independence in society. As a result, radical humanism has the potential to save our radical democracy as well as the fundamental concepts of liberty, fraternity, equality, and justice enshrined in our Constitution. The quality and quantity of human development, as well as its management, are

critical to democracy's future. The political ideology of radical humanism has to be expanded and propagated. M. N. Roy was anti partycracy and the hollowness of our democratic practice without delivering social and economic fairness to all in his later years. M. N. Roy's impact to Indian politics has either been emphasized or overlooked. In actuality, despite his great experience as a political thinker and revolutionary around the world, as well as his effective participation in many world revolutions, he failed in his birthplace. His ambitions to build a great, prosperous, civilized, logical, secular, and humanistic democracy never materialized. He uncovered the system's flaws and shortcomings through his intellectual research, and he forecast the risks of practicing party politics. M. N. Roy's anxieties are heightened by the current socioeconomic situation in India. As a result, M. N. Roy's ideas can save our country from the whirlpool's difficulties. Only then will India's disillusioned conditions of dirty party politics be purified. Radical Humanism must penetrate into the veins of every nook and cranny of the country, as well as every political worker. Humanism has the potential to lead the country down the path of truth and progress.

5·5 Phase of Politician

M. N. Roy's New Humanism is a great contribution to the history of political philosophy. New Humanism as a political philosophy will not die. Roy realized that the modern crisis requires a new orientation of human thinking, particularly in politics. As previously stated, Roy joined the I.N.C. in order to radicalize the INC from inside, i.e. to modify the INC's philosophy. After that, he founded the League of Radical-Congressmen. He was also a member of the International Communist Party before being removed from the organization. Later, he founded a party to promote Radical Humanism, after which he began to criticize political parties, claiming that party members are more concerned with their own selfish interests than with the interests of the masses. As articulated by Roy, his vision of radical democracy is a highly decentralized democracy built on a network of people's countries in which individuals have long term democratic control over the state. The economic side of Roy's ideal radical democracy has not been overlooked. He claimed that progressive fulfillment of material needs is a precondition for individuals in society to reach their full intellectual and other basic human potential.

The core of the Radical Democratic state, he claims, is an economic reform that will provide a steadily growing standard of life. The economic liberty of the masses is a necessary condition for their progress toward the objective of independence. According to Roy, the ideal of radical democracy will be realized through the collective efforts of mentally free men who are unified and committed to create a world of freedom. They will serve as guides, friends, and philosophers to the people rather than rulers, in keeping with the objective of liberty, and their political decisions will be rational. Roy absolutely states that a social renaissance can only be achieved with a concerted and widespread effort to teach the public about the ideas of liberty and rational cooperative living changes. According to Roy, social revolutions require a quickly growing number of new renaissance men, as well as a rapidly expanding system of people's committees and a mix of organizations. The revolution's programme will be based on the same values of liberty, reason, and social harmony. Roy has always preferred to develop Radical Democracy above Parliamentary Democracy, owing to the fact that Parliamentary Democracy will be nothing more than a power transfer. People will battle for power, just as they do under Parliamentary Democracy. Then there's a chance that nepotism and personalization will emerge in that system. Roy favoured industrialization and modernization, as well as public ownership. As opposed to private-sector, it should be public-sector. Again, we detected a Marxist flavour in him.

6.   Conclusion

For each ailment in each part of the country, a cure that is appropriate for that location must be sought. Many cures have been discovered, yet they are ineffective since they are not from within. Individual liberty is guaranteed by democracy, but the capitalist system exploits the masses and maintains a monopoly on people. Socialism was instituted to end exploitation, but it obliterated freedom, dignity, and individuality in the process. In our Constitution, we have adopted the slogans of Fraternity, Liberty, and Equality. We cannot sacrifice others' fraternity and liberty in order to achieve equality. Without fraternity or liberty, equality has no significance. Radical Humanism can help our country's residents have access to all three without harming one another. No world system has ever brought all three together until now. Radical

humanism, according to M. N. Roy's political ideology, may solve this issue and attain all three; liberty, equality, and fraternity. His idea is based on the core principle of reason. Roy's mission is to restore reason, primarily to provide a solution to the world's predicament, as he sees it. According to Roy, reason is a biological capacity in man because he is a natural being. As a result, he is rational. Because man is logical, Roy deduces that he is moral. Roy believes that what is rational is moral and that what is reasonable is moral. His search for rationalistic humanism ethics based on materialism and morality arises as an answer to man's need for social peace and good social accommodation.

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3

Nexus between Agriculture Development and Poverty Reduction in Nepal

*Bhaba Datta Sapkota**

This paper tries to describe the nexus between agricultural development and poverty reduction in the context of Nepal, where a rise in agricultural output significantly contributes in a variety of ways. The study has followed the content analysis technique as a secondary document published the by Government of Nepal and its agencies. It is limiting the Nepalese context by considering agriculture development as an independent variable and poverty reduction as an outcome variable following a descriptive cum narrative design. The minimum similarity index, academic integrity, and professional ethics are considered for their validity and reliability. Findings show that the increase in agricultural productivity in developing economies is often considered a deterministic source to reduce poverty. Despite this, there is a gap between the agriculture growth rate and the trend of poverty reduction from the early days to till date. Both economic growth

* **Faculty of Humanities and Social Sciences, Tribhuvan University, Department of Rural Development, Patan Multiple Campus, Patandhoka, Lalitpur (Nepal) E-mail: <bdsapkota78@gmail.com>**

and poverty reduction, in developing countries, are the result of agricultural development. Theoretically, institutional reform and investing in human capital are essential efforts for higher agricultural productivity and poverty reduction in Nepal. Empirically, the supply of essential inputs to the farmers and extension of agriculture marketing with a community cooperative model is inevitable for sustainable agricultural development and poverty reduction, which in turn would be the substantial foundation for sustainable development goals at local to global scale. This study implies that the, role of agricultural growth in the line with reducing the intensity of poverty is considerable. In order to get success in poverty reduction, human well-being, livelihoods, and balance rural-urban development, and make the national economy self-sustaining, the government should develop an investment-friendly climate by developing appropriate policy interventions. This study contributes to the agriculture transformation theories and attempts to fulfill the gaps in empirical and policy level in developing economies.

[**Keywords :** Agriculture development, Poverty reduction, Productivity, Economic development]

1. Introduction

Agricultural productivity growth is vital for high, broad, inclusive and sustainable economic development and poverty alleviation in developing countries. It has a multiplier effect on the economy by multiple ways for example, as an economic activity, as a livelihood, and as a provider to environmental services. Thus, it is considered as a versatile backbone for the structural transformation of a growing economy (de Janvry & Sadoulet, 2021). Despite rising urbanization, extreme poverty is still mostly a deprived rural phenomenon from local to global scale. Poverty is a cross-cutting issues in development domain. It has always been defined as an inadequacy of minimum necessities of a good life. Globally, two third population are poor, residing in rural areas and for livelihoods they depends on subsistence agriculture, forestry, small business, handicraft, livestock, fisheries and allied functions. The key to long-term poverty reduction for the world's poorest nations is shifting to a more diversified economy with higher growth. In developing economies, agriculture sector is a key driving sector of national economy and considered a leading sector that entails to almost all socio-economic activities (Lawal, 2011). However, it is rising agricultural output that has enabled underdeveloped nations to take the first step of the ladder to affluence and gear the economic

prosperity (DFID, 2005) which ultimately pressurized the reducing the poverty in reality.

The oldest industry in the world is probably agriculture. When we go through the human civilization, our ancestor started as a hunting and food gathering strategy, to seek their basic needs, then according to law of change, they started to food gathering technique via sedentary practice and became a cultivator. With the march of time, when human society became success to invention of science and technology in agriculture, for instance, innovation of plough and steam engine by James Watt (early 18th century) then traditional agriculture practice was turned into modern and systematic way (Badi and Badi, 2004). As a result, farming evolved into a more communal activity whereby individuals had to settle disputes and share the plough and its animals (Harford, 2017).

A series of agricultural and allied activities, for instance, production of crops, livestock, horticulture, sericulture, agronomy, agro-forestry, plantation, dairy and dairy products, mining, fishing, bee-keeping, rural electrification, storage and the rearing pigs collectively constitute agriculture. As a broad spectrum and system of production, it has significant impacts on tenant's livelihoods (Badi and Badi, 2004) and becomes an indivisible part of rural life. It is indeed, the agriculture sector can contribute to rural income, employment, livelihoods, food security and nutrition, food rights, fodder, agro-tourism and raw materials for agro-based industries.

In general, an agriculturally dominated poor country has never been success to reduce poverty, through subsistence agricultural system, in particular, no country has ever done it without accelerating the agricultural productivity in its initial stage of development. It revels agriculture is the gateway point of economic growth and poverty reduction in a growing economy. For this, agricultural development efforts in many developing countries should realize the nexus between higher agricultural productivity and economic growth in their development strategies in order to have the greatest impact on poverty. Countries that have successfully decreased poverty have had strong agricultural expansion, especially increased productivity. A country would be able to feed its expanding population, create jobs, earn foreign currency, and supply raw materials for companies based on agriculture if its agricultural sector was robust and effective (Adhikari, 2015).

In Nepal, agriculture sector has been contributing to more than 60.4 percent households for their livelihoods (NPC, 2020), 65 percent employment (MoAD, 2022) and accounted around 26 percent share to gross domestic product (GDP) (MoF, 2022). Prior fiscal years revealed a large contribution of government spending on agricultural to the country's GDP, compared to Nepal's negligible domestic savings and foreign direct investment in the sector (Adhikari, 2015). These statistical picture shows that, the backbone of economic development is the agriculture sector in Nepal. In order to raise production and productivity, prior efforts to improve and reform the sector in a scientific manner must be intensified because it contributes to high and inclusive economic growth (NPC, 2020). Since early days to till date, it is popularly accepted, agriculture sector has been considering as the major yardstick of national economy, basically livelihoods, gross domestic production, saving and export. Although, agriculture sector has multiplier effect in relation to country's overall development (Ogen, 2007) however, both natural and anthropogenic factors have been affecting the level of agricultural development. This paper focused to examine the linkage between agriculture development and poverty reduction in Nepalese context.

2.   Issues of the Study

Since early days to till date, land resource has been becoming a hope and glory of rural people, especially in developing countries. Farmer's daily life deeply and emotionally attached with arable land. In Asian context, development means rural development in general and agriculture development in particular, since most of the people in Asia live in rural areas occupying subsistence farming as a chief source of livelihoods. For low and middle income countries under the current global capitalistic economic system, appreciable increase in agriculture production is not only inseparable organ of economic development but also equally valuable to overcome the existing poverty and unemployment (Govinda et al., 2011).

History has demonstrated, agriculture played a significant role in Asia's relative success in eliminating poverty thanks to a strong commitment to developing agriculture through assistance for the efficient development of irrigation and the use of new technology (DFID, 2005). Nepal's agriculture is still in its early stages of development. Although agriculture employs the bulk of the people, it

is a low-productivity, low-competitive industry with minimal adoption of new technology. The majority of land is used to grow grains, there is a growing food trade deficit, and malnutrition is on the rise. Some industries, including those that process dairy, poultry, tea, vegetables, fisheries, and poultry, demonstrate dynamism, but generally, these encouraging indications aren't enough to uplift a lot of people just yet involved in agriculture to escape poverty, significantly reduce hunger, and ensure nation's ability to eat (MoAD, 2015).

The national development strategy of Nepal has been adopted in accordance with the long-term goal of establishing a society free from all forms of poverty in order to achieve high economic growth and economic and social equality for the reduction of poverty (MoF, 2021). During the Nepal's long-term economic vision (2020-2044), the general structural plan calls for raising the agricultural and service sector to 30% and 61 percent of GDP, respectively, while lowering the contribution of the agricultural sector to 9 percent (NPC, 2020). The fifteenth five year plan (2019/20-2023/24) of Nepal, proposed cooperative and community farming will boost agricultural output and productivity. Due to its complexity, food security considered as a multi-dimensional issues and requires convergent efforts form local to global scale. Among others, ending hunger, enhancing food security and nutrition, and promoting sustainable agriculture is a leading sustainable development goals (2015-2030). To guarantee the security of food and nutrition, agriculture will be modernized, mechanized, and industrialized (NPC, 2020). Recognizing the importance of food and nutrition security, the Constitution of Nepal (2017) has guaranteed food sovereignty. The Right to Food and Food Sovereignty Act (2018) has been enacted for the implementation of this provision. Despite these policy level practices, it is more challengeable, due to the impact of the Covid-19 pandemic, which is more severe than the economic loss brought on by the disastrous earthquake in fiscal year 2014-15, Nepal's economic growth has turned negative by 2.12 percent for the first time in the last 20 years (MoF, 2021). In Nepal, production, distribution, and the labor market are just a few of the economic sectors that have been impacted. As a result, poverty, inequality, and unemployment have all worsened.

Agriculture's contribution to Nepal's GDP has been declining over time. Unfortunately, rather than manufacturing or industry having quickly overtaken agriculture in productivity increases, the

decline in agriculture has been caused by static or declining productivity in the agricultural sector itself. Therefore, policymakers continue to be concerned with how to achieve a steady increase in agricultural productivity. The agriculture development strategy [(ADS) 2015-2035], a long term perspective plan, which serves as a blueprint for the entire development of the agriculture sector and sustainable development goals (2015-2030) have been adopted as guiding principles. The rights enshrined by the Constitution of Nepal (2015) has also been taken into consideration. To make the sector competitive, ADS places a strong emphasis on commercialization, mechanization, and diversification of agricultural and livestock products (NPC, 2020).

It is sometimes claimed that increasing agricultural output in emerging nations will decrease poverty more effectively than equal development from other industries. Growth in production must benefit someone because it brings in more money; nevertheless, it need not always be the poor (Warr & Suphannachart, 2021). There is broad consensus on a basic prerequisites required to agriculture development such as access to sufficient inputs, infrastructures, incentives, motivation, investment on human capital as well as good policy measures, scientific land reform and agricultural research that fosters gainful employment, generating non-agricultural growth and so on. Compared to other countries in South Asia, agriculture in Nepal has grown much more slowly. In order to augment family earnings, a large portion of the young generation either migrates to India and overseas as a labour migrants. This is a result of the poverty trap that many rural farmers are trapped in (Devkota & Upadhyay, 2013). However, there is much debate in relation to comparative importance and what the government ought to do to support them in substantial manner. Among the development practitioners, policy makers, planners and intellectuals have strong debates with regard to pillars of national development in Nepal, arguing different sectors such as agriculture, tourism, forestry, hydropower and so forth. Under this debatable context, this paper examine the role of agriculture in poverty reduction in Nepal focusing on what are the problems of agriculture? And what is the linkage between agriculture and poverty reduction?

3.   Objective

The focus objective of this paper is to describe nexus between agriculture development and poverty reduction in Nepal.

4.   Methods and Materials

This paper, methodologically, was proceed using content analysis technique as a secondary data published by Government of Nepal and its agencies, for instance, National Planning Commission (NPC), Ministry of Agricultural Development (MoAD), Ministry of Finance (MoF), Central Bureau of Statistics (CBS) and Scholarly published national and international research articles, reports and synopsis paper. This paper is limiting the Nepalese context considering agriculture development as an independent variable and poverty reduction as an outcome variable while employing a descriptive cum narrative design. Ethical considerations, for instance, minimum similarity index, academic integrity and professional ethics were followed for its validity and reliability.

5.   Theoretical Foundation

Voluminous prior literature including empirical and theoretical have made by the classical and neo-classical economists have logically been argued that the development of agriculture sector and its productivity power directly contribute to higher economic growth and poverty reduction(Cervantes-Godoy & Dewbre, 2010).

Economists argued that agriculture plays an important role in development. Lewis (1954) who suggested that "there are large sectors of the economy where the marginal productivity of labor is negligible, zero, or even negative." According to Lewis (1954), asserted that labour resources are tied to the primary sector with subsistence wage rate, and are a driving force for industrial development. Developing countries are dualistic in nature as such subsistence and capitalistic sector. Owing to surplus capital is available in capitalistic sector, transforming surplus labour forces form subsistence sector to capitalistic sector would resulting industrial development in capitalistic sector without reducing the average production in subsistence sector.

The contribution of agriculture sector to poverty reduction and economic development explanation made by Johnston-Mellor (1961) is still remain applicable for developing economies where agriculture dominated dualistic economy is exists. They suggested that the contribution of agriculture to overall economic transformation by multiple ways including i) agriculture provides food demand for rapidly growing population; ii) agricultural sector helps to minimize

imported capital goods by exporting primary goods and iii) agricultural sector influence to creates abundant chances to establish local market for the non-agricultural sector. Thoma Robert Malthus (1789) states in his theory, over population are always harmful. In contrast to Malthus, Esther Boserup (1981) believed 'necessity is the mother of invention', and asserted that increase in population pressure acts as an incentive to developing new technology and producing more food (Borjenson, 2007). Nevertheless, slower rates of population increase offer better chances for boosting living standards in developing nations. Schultz (1964) argued that "once there are investment and efficient incentive farmers will turn sand into gold (Lekhi, 2005)". Transformation of traditional feudalistic production system which has low productive power into modern having higher productive through investing on human capital, land reform and supplying sufficient modern inputs can significantly contribute to poverty reduction in many developing countries.

6. Result and Discussion

6·1 Problems of Agriculture

In many developing economies, poverty, inequality, agriculture stagnation, malnutrition, food security and local economic development are ongoing challenges. Nepalese economy is not far from these issues. In Nepalese context, agriculture is characterized by dominance of small and marginal farm holders following traditional and indigenous farming technology which is regarded as low yielding technology (Devkota & Upadhyay, 2013). A series of problems and challenges are collectively pressurized on behalf of the accelerating path of agriculture development and poverty reduction in Nepal. For instance, ineffective coordination and collaboration among the stakeholders, low production and productivity, weak supply and distribution systems, uncontrolled food price hiking, geo-political structure, global warming, climate change and other natural disasters (de Janvry & Sadoulet, 2021), weak public awareness, shrinking local and indigenous seeds and inputs, brain-drain, brown-drain, uncontrolled rural-urban migration, excessive use of pesticides, dominating role of middlemen, agriculture as an inferior job, and so forth.

Over the last 10 years, population has been increasing at 1.35 percent annually (CBS, 2012) and currently 0.93 percent (CBS, 2021)

while agricultural land has decreased by 129 thousands hectares (CBS, 2013). Increasing population coupled with declining agricultural land and stagnant productivity of major cereals has led to food and self-insufficiency in some districts of the country. Out of 77 districts in Nepal, 34 district still facing the food crisis and experiencing self-insufficiency in food production (MoAD, FAO & WFP, 2020). Traditional land management hinders rather than helps communities implement sustainable land-use planning. The country's overall governance has been hampered by a lack of efficient land-use regulation and planning processes.

The efficient and timely use of inputs is the foundation of agricultural development. In order to use inputs, capital is crucial, thus farmers who lack it are unable to do so on time, which lowers crop yields. The main issues are a lack of resources and supplies necessary to increase agricultural output, as well as inadequate physical infrastructures such irrigation, highways, agricultural markets, cold storage facilities, warehouses, and collection centers (NPC, 2020). Over the years, the intensity of poverty in Nepal is continuously decreasing, it is not by the other factors but by the remittances. Prior research, government report, plan, policy, synopsis, and national and international conferences conclude that, the following are the major bottlenecks of Nepalese agriculture development which ultimately stimulate the intensity of poverty.

- Agriculture culture is getting inferior job;
- Brain-drain and brown-drain;
- Climate change and global warming;
- Concentration of land in limited people;
- Deficiency in government plan and policies;
- Deforestation, soil erosion and landslides;
- Fragmentation of land with increasing number of households;
- Haphazard of use of land without keeping in view of its impact in ecology, environment and food chain system;
- Increasing encroachment of public land by different individuals and organizations;
- Lack of workforce to work in the farm;
- No sufficient security, opportunity, empowerment and motivation to real tillers;

⇢ No sufficient urban amenities to rural area;

⇢ Poor physical connectivity between rural and urban areas;

⇢ Political apathy, corruption and effect of crony capitalism;

⇢ Vicious circle of political instability;

⇢ Unsystematic urbanization in plain and highly fertile cultivated land and so on.

The problems cannot be sustainably addressed without agricultural transformation. Currently, 30 million population are in Nepal (CBS, 2021) and addressing their rapidly increasing food demand; there is no other substantial alternative way except agricultural development. Indeed, a comprehensive strategy that pursues multiple routes out of poverty-such as switching to high-value agriculture, decentralizing non-farm economic activity to rural areas, and providing assistance to help people leave agriculture-is needed to address income disparities in countries that are undergoing transformation. Together with other industries, agriculture can help to accelerate economic development, combat poverty, and preserve the environment (World Bank, 2008).

6·2 Agriculture Development and Poverty Reduction

In the 21st century, agriculture continues to a key tool of poverty alleviation and sustainable economic development(World Bank, 2008). A productivity revolution in smallholder farming is necessary because agriculture is to serve as the foundation for economic growth in developing economies where two-third population rely heavily on agriculture as a chief source of livelihoods. Economic growth plays a leading role in development discourse, although, particularly in recent years, studies have argued that while growth is crucial for reducing poverty but not sufficient. The developing country like Nepal where majority of people survive on agriculture (60.4 percent in Nepal) and accounted significant portion (24 percent in Nepal) of gross domestic product (MoF, 2021) would be the foci base of poverty alleviation and economic development. The role of agriculture in relation to poverty reduction can be examined by both demand-supply approach. The employment intensity of growth, adjustments in the employment structure toward higher productivity sectors, technology, the construction of assets for the poor, etc. are some of the factors that are anticipated to have an impact on the incomes of the poor on the demand side. The ability of

the underprivileged to participate in economic progress and gain access to newly created jobs is a crucial factor from the supply side (Rizwanul, 2004). The linkage between high growth and poverty reduction can be conceptualized by a conceptual framework presented as figure-1 below :

Figure-1 : Linkage between Agriculture Development and Poverty Reduction
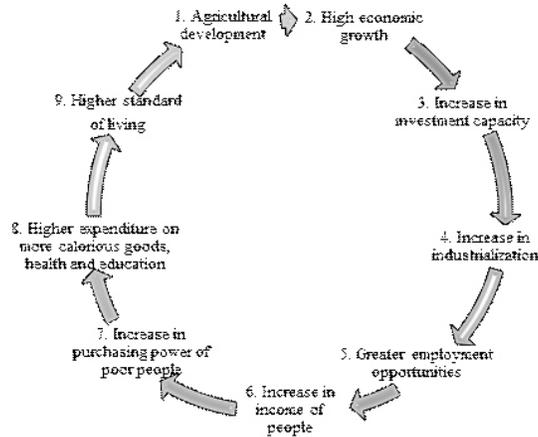
Source : Author's analysis, 2022

In general, agriculture has been successful in supplying the effective global food demand. Agriculture is a multidisciplinary concept that has many benefits for development. It can collaborate with other industries to accelerate economic growth, reduce poverty, generate employment, reduce import of food and preserve the environmental sustainability (World Bank, 2008). Agriculture is the gateway point of economic development and further it leads to multiplier effect to entire economy. In developing countries, agriculture as a primary sector produce raw materials to industrial sector as well as contribute to higher option to economic growth. Good economic growth, no doubt, further stimulate greater investment capacity and lead to industrial development in the economy. Industrial development creates more employment and higher income of the masses. More income is the fundamental basis of saving, capital accumulation, capital formation and strong purchasing power of people. Income for decent living would determine the access to sufficient calorie intake, health, and educational facilities; social identity, inclusion and economic empowerment. Due to this linkage effect, ultimately the intensity of poverty and its multiple forms shall be reduced.

A strong agricultural sector is the major yardstick of economic development and helpful to reduce poverty at all levels. High and broad economic growth, however, is not a sufficient for fighting against poverty; it is equally vital to consider the pattern and sources of growth as well as how its advantages are distributed among the masses in order to succeed in this endeavor. Agriculture is the gateway of economic prosperity, it is not only developed but also developing economies. It is an economic industry of all industries. Agriculture, as a primary sector, produce and provide essential raw materials to industrial sector.

7.   Discussion

Growth of agricultural sector as compare to non-agriculture is , indeed, more important for the people living below the poverty line (Cervantes-Godoy & Dewbre, 2010). Gallup et al., (1997) reported that "every 1 percent increase in per capita agricultural output led to a 1.61 percent increase in the incomes of the poorest 20 percent of the population." Similar, argument has concluded by Thirtle et al., (2001) "focused on a major cross-country analysis that, on average, every 1 percent increase in agricultural yields reduced the number of people living on less than US$1 a day by 0.83 percent." Being more optimistic, Lipton (2004) and Hazell (2005) conclude that "productivity gains are attainable with the correct policies and will have a significant impact on growth and poverty." Cervantes-Godoy & Dewbre, (2010). China's surprising victory over absolute poverty was really fueled by the agriculture sector. In Nepalese context, Adhikari (2015), concluded that the Government expenditure on agriculture is crucial for the national economy in relation to livelihoods and employment. Similar finding is found by Warr and Suphannachart, (2021), agricultural productivity growth has indeed contributed to poverty reduction in Thailand. In contrast, Maxwell (2004) "has argued that agriculture plays a limited role in driving growth and reducing poverty". Similarly, Cervantes-Godoy and Dewbre (2010) argued that people in developing economies who depend on agriculture for a survival are often much poorer than those who involved in other economic ventures. For the majority of developing nations, agriculture has been a significant part of the national economy (Mongues et al., 2012), and it is crucial to almost all social and economic activities worldwide (Lawal, 2011). This paper claims that growth in agricultural incomes obviously

contribute to reduce poverty particularly in Nepal where agriculture considered as a major source of gross domestic product and provide livelihoods opportunities to masses.

8. Conclusion and Recommendation

This paper offers the first systematic analysis of the nexus between agriculture growth and poverty reduction in Nepal. The central claim of this paper is that a reduction in poverty is caused by appropriate improvements in the variables impacting agriculture productivity. In Nepalese context, a bundle of theoretical, empirical and policy level problems are buzzed in course of agriculture development and poverty reduction. Being such a challenges and problems, this paper conclude that, there is a significant positive relationship between agriculture development/growth and poverty reduction in developing economies. Agricultural development has multiplier effects on different dimensions of the development and poverty reduction such as economic growth, investment capacity, employment opportunities, and people's income for decent living, purchasing power parity, access to education and health, and wellbeing. All these variables significantly measures the poverty and human happiness. Thus, to create a food-sovereign and independent economy, the country needs to invest heavily in agriculture which ultimately helps to reduce existing intensity of extreme poverty. The paper recommended that the three tires of governments, private sector, donor agencies, non-governmental organizations and development partners should focused on agriculture productivity by delivering basic facilities to the real tillers on time; and subsequent researchers could explore the institutional setting in relation to agriculture development and poverty alleviation.

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4

Reproductive Rights of Women : A Study

Vikin and Sonika Choudhary***

Since ancient times, women have struggled with the right to have children. Due to the moral, ethical, and theological implications, these rights have historically generated considerable controversy. In addition, women and men seem to be differentiated by their procreative capacities. Do women have any say in how many children they have? Is it up to women to decide if, when, and how many children to have? Is a safe abortion a right for women? Sexuality and reproduction can they be separated? The women's health movement first appeared in various regions in the early 1970s due to a resounding "NO" to many of these queries. Human rights are freedoms that must be guaranteed to everyone without exception. Freedom is based on the understanding that every member of the human family has inherent worth and is entitled to the same unalienable rights. The right to life is the most significant human right. No exceptions are allowed because it is a fundamental human right. The right to an abortion is an example of such a

* Research Scholar, Department of Home Science, C.C.S. University, Meerut, Uttar Pradesh (India) E-mail: <Vikinsandhu20@gmail.com>

** Associate Professor, Department of Home Science, R.G. (P.G.) College (C.C.S. University), Meerut, Uttar Pradesh (India) E-mail: <Sonikachoudhary@gmail.com>

topic. Every mother is thought to have the right to an abortion; it is regarded as a universal right among other women's rights. Secondary data gathered from numerous sources have been used in this essay.

1. Introduction

The practice of abortion has existed since before civilization emerged. Women have sought abortions for various reasons, including being too young or old, weak or unsuitable physically, becoming pregnant outside of marriage, or having an excessive number of children from the beginning. First, the woman tried to hide the abortion because she felt she was tampering with nature. Later, as society advanced, the abortion seeker experienced social consequences and moral judgment. Historically, all major religions forbade abortion as a sin against God.

Abortion raises powerful emotions and firmly-held ideas. However, equitable access to safe abortion procedures is a person's fundamental right. Moreover, where abortion is safe and legal, nobody is forced to have one. In contrast, women are forced to carry unplanned pregnancies to term in nations where abortion is illegal and unsafe, or they run the risk of experiencing severe health consequences or even death. Women's organizations have fought for the right to access safe and legal abortions for many years; today, their demands are being backed by an increasing body of international human rights legislation. The conclusion that women have the freedom to make their own decisions on all aspects of reproduction, including the issue of abortion, is necessitated by international human rights legal instruments and authoritative interpretations of such treaties.

In most international human rights accords, reproductive freedom is recognized as a fundamental human right. However, in contrast to India, many other nations do not accord women the same basic rights to procreate. The time is now, 70 years after India attained its freedom, to assess the status and "space" that women in that country currently enjoy. From being compelled to stay in the domestic home sphere to their current revival as superwomen. A woman in our country has gone through it all. India's path to emancipating women has been tremendously dramatic.

2.   Methodology

In this article, secondary data has been used, collected from various sources i.e. magazines, newspapers, Journals, and various websites.

3.   Reproductive Rights : A Part of Human Rights

In the middle of the nineteenth century, feminists and socialists began to advocate for the right to reproductive freedom as a pillar of women's political and personal independence. Because of contemporary reproduction methods, couples can plan for a child, when to have one, and how many to have. Reproductive rights are integrally tied to the delicate issues of women's rights, autonomy, and right to decide about their bodies. In all liberal democracies, reproductive rights have been recognized as a part of human rights.

At the "International Conference on Human Rights in 1968," the UN considered the procreative right for the first time. A group of 12 special rights known as procreative precedence includes the rights to life, liberty, personal security, and health, including sexual and reproductive health. The freedom to select whom to marry, to have an equal number of children, and to decide how many children to have and when. The freedom from sexual and gender-based violence; the right to equality and freedom from discrimination; the right to put an end to practices that are harmful to women and girls; the prohibition of torture and other inhumane, cruel, or humiliating treatments or punishments; access to information on family planning; sexual and reproductive health education; and the right to benefit financially from scientific advancements.

Reproductive rights cover a range of civil liberties protected by international treaties. Here are some of them:

3·1   Right to Health, Reproductive Health and Family Planning

According to the human rights document, having access to reproductive and general health care is a fundamental human right. In international human rights law, reproductive health is a novel notion. It's still being done in terms of how to say it clearly. Today, even the government is demonstrating its concern for health, shifting its focus from the demographic problem to the needs of the public regarding their reproductive health, such as by providing facilities for safe and affordable family planning methods like contraceptives,

maternal and child health services, etc. The right to health is a far broader idea than this. One must be in a social and economic position to choose between reproductive and reproductive health services.

3·2   Right to Decide the Number and Spacing of Children

All couples and individuals have the fundamental right to choose freely and responsibly the number and spacing of their children and the knowledge, education, and resources necessary to do so, according to the 1974 World Population Conference in Bucharest. In the final Beijing Declaration of the International Conference on Population Development, the couple's right to choose the number and spacing of their children was recognized. With modern family planning methods, women can now plan their pregnancies. However, it is estimated that 350 million couples worldwide lack access to the family planning services they need.

3·3   Right to Marry and Start a Family

Marriage, becoming a parent, or both can be the beginning of a family. According to an international agreement, every person has the legal right to marry and start a family. However, early marriage is a concern of the Human Rights Convention, which also noted that a high maternal death rate could affect early marriage. To prevent early childbirth, which could put both the mother's and the child's mental and physical health at risk, legislation has set the age at which girls and boys can legally be married.

3·4   Right to be Free from Gender Discrimination

In accordance with the Women's Convention, rules that hinder women from exercising any of their fundamental liberties or human rights on an equal footing with males are considered to be discriminatory against them. In addition, legal protection against gender-based violence, such as marital rape, domestic abuse, and sexual harassment at home and work, is also a part of the right to reproductive freedom.

3·5   Right to be Free from Sexual Assault and Exploitation

Sexual exploitation and violence are not permitted, which is another aspect of reproductive rights. In this case, sexual assault and exploitation include public and private actions, such as domestic abuse, marital rape, job harassment, etc.

3·6   Right to Modify Custom that Discriminate against Women

Reproductive freedom guarantees the right to change gender-discriminatory customs because it is one of our fundamental human rights. The right of women to be free from harmful practices like female genital mutilation and circumcision is thus guaranteed by this. A concerted effort has been made to eradicate detrimental societal and cultural norms that undermine women's worth, respect, and development.

3·7   Right to Life, Liberty and Security

The ability to enjoy one's right to life is paramount to realizing all other rights. For example, the right to life and security extends to everyone's ability to maintain their physical integrity, giving them the freedom to decide whether to have children and feel secure in and control their bodies. In addition, it gives women the power to decide whether to engage in sexual activity or not, as well as whether to carry a pregnancy to term.

3·8   Right to Privacy

The word "privacy" is difficult to define. Simply put, it refers to a person's right to be shielded from direct physical intervention into their private life, family concerns, or information dissemination. It is a fundamental human right and every person's justifiable expectation. In many nations, the right to privacy is acknowledged.

3·9   Right not to be Subjected to Torture or Other Cruel, Inhuman or Degrading Treatment

Today, this right is understood more broadly to include the right to safeguard an individual's integrity, including their bodily and mental health as well as their dignity. For the protection of women's reproductive rights, this amplification is important. Regarding women's inherent dignity and reproductive rights, it placed a strong emphasis on their respect, protection, and fulfilment. The most severe type of violation of women's reproductive rights is coercive reproduction, which includes forced pregnancies, pregnancies brought on by rape, etc. It requires that a woman be subjected to torture or other inhumane, brutal, or humiliating treatment.

3·10 Right to Enjoy Scientific Progress and to Consent to Experimentation

In cases of infertility for either partner or both, several reproductive technologies can assist a couple in becoming parents. The couple's infertility issue has been resolved via invitro-fertilization, surrogacy, cloning, etc. Through measures such as sterilization, abortion, contraception, etc., scientific techniques also assist women in preventing unintended pregnancies. Thanks to scientific advancements and experiments, women now possess tools to control their bodies or their reproductive capability. These advancements have given women a sense of freedom to enjoy their reproductive capabilities, but there is also concern that these technologies could be used in ways that would violate women's rights and independence.

4. Aspects of Women's Reproductive Health Needs and Health Care

Poor health infrastructure, the caliber of the delivery system, and its responsiveness to women's demands are only a few of the factors that negatively impact reproductive health. It is important to note that the following social, economic, cultural, and biological aspects all contribute to the gradual expansion and advancement of reproductive rights in India :

‣ Gender is ingrained in every civilization on a social, economic, and cultural level. Fertility, mortality, and migration studies using demographic data have primarily focused on women as child-bearers.

‣ The Primary Health Care approach is the framework in which India's healthcare program operates. The policy of health care delivery system's overarching goals are to provide universal coverage and make it possible for the entire population to access the services. Maternal and Child Health Services, Reproductive and Child Health Project (RCH), and Family Welfare Program are three health care initiatives designed specifically for women.

‣ Obstetric and gynecological problems, such as reproductive tract infections, cervical cell alterations, and genital prolapse, are persistently under-treated during pregnancy and the birth of a child.

⇥ Medical facilities in India are ill-equipped to handle issues with reproductive health. For example, there aren't many diagnostic facilities, the service providers aren't well-trained, and there are no available medications to address any problems.

⇥ There has been a substantial gap in legislative concern for adolescents' reproductive health. Adolescents have high levels of sexual activity, which can occasionally lead to pregnancy at a young age. Once they become pregnant, they are abandoned at their most vulnerable.

⇥ The Family Planning Research and Programme committee, often known as Apex, was established in India and held its inaugural meeting in Bombay in July 1953. The Committee adopted a complete perspective on family planning and recommended that "family planning" be used broadly to include birth control, child spacing, and other holistic factors. The group presented many suggestions, including opening family planning centres for sex education, marriage counselling, marriage hygiene, Planned Parenthood, and infertility concerns across the nation.

5. Challenges of Women's Reproductive Health Needs and Health Care

The main challenges of women's reproductive health needs and health care are as follows :

⇥ According to data from UNICEF India and the World Bank, India has some of the highest maternal fatalities worldwide. Every year, 45,000 women in India lose their lives due to pregnancy-related causes, or one every 12 minutes on average.

⇥ The third most common reason for maternal mortality in India is unsafe abortions. Studies have revealed that around one-third of pregnancies in India are aborted, and half of those pregnancies are unplanned. Yet, in public or private health institutions, just 22% of abortions are performed.

⇥ This is exacerbated by the scarcity of safe abortion facilities, especially in public hospitals, stigma, and negative attitudes toward women in general and young, single women in particular.

⇥ Although there is no legal necessity for parental or spouse approval, doctors refuse to perform abortions on young women

or insist they obtain it first. Unfortunately, this leads many women to have illegal and frequently dangerous abortions.

⤻ The Medical Termination of Pregnancy Act 1971 only permits terminations up to 20 weeks. Therefore, women must approach a medical board and courts to get approval for an abortion if an unintended pregnancy has progressed above 20 weeks, which is very challenging and time-consuming.

⤻ Non-medical worries about the financial burden of raising a child, the impact on job choices, or any other non-personal issues are not considered by the legislation.

6.   Conclusion

The institution of the family, on the other hand, is unquestionably as old as humanity itself. The idea of the family played a vital role in the growth of human civilization. Because men and women had little knowledge about family planning in the past, there were many families. However, social, cultural, and economic patterns have evolved globally. As a result, people began to consider the standard of their lives. Because of this, there is now a growing concern on a national and international level regarding the health of women's reproductive systems, and reproductive rights are now considered fundamental human rights. As a result, the government has recently promoted family planning programs to improve quality of life through higher living standards.

In a society, where daughters or daughters-in-law are expelled from the house for having a girl child. There is no social or economic security for women, where dowries are still bad despite the dowry prohibition Act, and where women constantly worry about being sexually harassed both inside and outside the family. Reproductive rights can be a valuable tool for people to improve their social status and emotional, financial, and cultural stability when lacking.

Women have historically been viewed universally as the weaker sex. However, women's rights and positions have steadily improved in the modern era. Various laws and policies have been passed to empower women or perhaps to better many women in general. There are many laws in place to protect their interests, but what is necessary is an honest desire to carry them out and the severe application of those laws that already exist. Even if population planning regulations, legal rulings, mass media, and global human

rights activists all support reproductive rights, they sometimes do so in a way that empowers women. Today, it is imperative to guarantee the protection and advancement of women's reproductive rights in all spheres.

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5

The Role and Impact of Social Media on the Lives of Indian Women : A Sociological Analysis with special reference to the COVID-19 Pandemic Situation

Priya Singh* and Sushma Pathak**

The use of the internet has steadily increased among people of all ages and places since it was invented. With the advent of the COVID-19 outbreak, social media, which is an internet product, has become increasingly popular, especially among women who constitute half of the population. More and more women are starting to use social media platforms, so it is important for them to understand its role and impact on their lives and minimize its negative impacts. This paper aims to find the negative and positive impact of social media on women in India before and after the COVID-19 outbreak. This paper is based on secondary data and case studies. Authentic websites, articles, and research papers have been reviewed for writing this research

* Research Scholar, SRF in Sociology, Dr. Ram Manohar Lohia Avadh University, Ayodhya, Uttar Pradesh (India) E-mail: <priyasinghvj.03@gmail.com>
** Professor, Raja Mohan Girls P.G. College, Ayodhya, Uttar Pradesh (India) E-mail: <Smpathak90@gmail.com>

paper. It has been shown that social media plays very important role to raise awareness about various privacy settings which women can use on various platforms for their safety.

"Social Media is about sociology and psychology more than technology."   —*Brain Solis,* ***Principal of Future Works***

1. Introduction

The Internet is one of the most powerful inventions which turned the whole world into 'a village' connecting the whole world on a platform. Social media is a product of the internet which is bringing revolution all around the world and its popularity is growing with each passing day. Coronavirus disease (COVID-19) is an infectious disease caused by the SARS-CoV-2 virus. This vivacious pandemic took the whole world in its grip and caused death to over 6.4 crore people. Before the outbreak of COVID-19 people were free to go outside but this infectious pandemic brought almost all countries of the world under lockdown and quarantine. Lockdown forced everyone to stay in their home which resulted in heavier use of social media. People started using the internet more often, specifically social media platforms in order to stay connected with the outside world. Social media is a medium of communication that has gained popularity in recent times. Lockdown allowed working from home which in short increased leisure time.

Amy Kean, senior marketing manager, Internet Advertising Bureau has rightly said that "Regardless of what may be the hot social media property of any particular month or year, social networking has become a core part of our daily lives."

According to the internet and marketing association of India (Kantar), Internet users in India will rise by 45%, from around 622 million in 2020 to 900 by 2025. By 2025 rural India will have more active internet users than urban India. When it comes to gender division, clear demarcation can be seen in both urban and rural India, the gender ratio for internet users is 57:43 in urban India and 58:42 in rural India. Reports revealed that around 98% of people use it for entertainment, 90% for communication, and 82% for using social media platforms. There is a need to understand how it plays a positive and negative role in women's lives since half of the population is female, and this will facilitate the mitigation of its negative effects.

Spreading awareness about everything around is one of the most powerful gifts of social media for women, they are getting empowered by social media. According to Iris Vermeren, the old saying "Men are from Mars, women are from Venus" holds water when it comes to how men and women use social media. Females use social media less than men for business reasons, whereas women use social media to share more personal information than men, revealing more about their personal lives.

2.   The Role and Impact of Social Media vis-a-vis the Lives of Indian Women

Social media has opened the door of education, it has democratized the education sector e.g. online education as well as audio-visual aids are available at any time and place. As we all know, a mother is the first teacher of the child and social media is helping numerous mothers in numerous ways, who want to learn and teach their kids. It is helping those women also who want to learn and earn but got deprived due to any reason. Social media has provided online classes both free and paid which is helping in skill development, by which women are getting jobs based on their capabilities, similarly, women are learning online and preparing for various exams. Skill learning has provided a platform for women to work online and earn while sitting at home. Women are getting acquainted with what's happening in their country and around the world. The Russia-Ukraine war which happened recently became a hot topic even among women, this is the power of social media. Social media is becoming an integral part of women's free time, allowing them to experience peace and joy. During the time of the pandemic when people were not stepping out of their homes, women and family members remained in touch through social media. Women living far from their children can keep an eye on them through social media platforms. Reema (age 42, U.P. East) told about how she kept connected with her children studying in a foreign country and other family members who were living in India during the Pandemic through the use of social media, and afterward, she told about various benefits she is getting through the use of social media.

All information is at their fingertips, women are learning the art of cooking, the art of dressing, and whatnot from social media. Women from different fields are making diverse content and that content is getting consumed all over the world. Ganga (age 34,

Bangalore) told about how she learned the art of cooking through the use of social media and now she is educating her children by taking the help of social media. She used social media to sell cakes online and earned, which has helped her and her family during and after the pandemic. Ganga talked about being connected to her maternal family members who are living in Uttar Pradesh, which indeed gave her confidence and support during COVID-19 and she never felt lonely. Many political activists have awakened and aroused women through social media. Women are participating in various political programs whether offline or online, and they are expressing their political views along with actively participating in politics through the use of social media. Women are getting a voice for themselves by watching other women who are sharing their exploitation and awakening stories, now they are getting aware of their rights. Social media is also acting as a threat to all those who were blackmailing women, now the public can see and the police have to act due to the power and pressure of social media. Darshan (age 47, Ayodhya) told about how she is getting politically active by getting connected to various political groups on social media and she is also planning to stand for the local councilor election. She talked about raising awareness among girls and women in her city. She also talked about how women are using social media as a platform for standing against exploitation and harassment. She encourages women in her area to actively participate in various political and social functions and also awakens them to stand up for themselves.

Economically women are getting self-dependent by using social media, Instagram (a social-media platform) is providing a platform for women to open online stores and sell their handcrafted items from home, they are also selling services such as counseling, tutoring, etc. Social media has connected women to the outside world while simply sitting at home and giving them opportunities to earn in numerous ways. Women are getting inspired by seeing other women on social media who are doing well in their fields; this is one of the positive impacts of social media. Sheela and Meena (age 24 and 18, New Delhi) these two sisters are running an Instagram store, on which they are selling art and craft materials. They have grown so much during and after COVID-19 that now they have their own office, they are helping their family, and they are economically self-dependent. They talked about various opportunities which women can use to earn while being at home, and they explained how they started their small business from home and now shipping items all over India.

Some women envy other women, they continuously stalk and feel bad about themselves by taking other women as their reference group (Merton coined this term to refer to those groups, of which we want to be a part) and killing their peace of mind, even trying to defame them. YouTube has provided a platform to make videos and earn, many women such as Nisha Madhulika, Kavita kitchen, Mostly Sane, Riksawali, etc are making e- content and earning a lot of money. YouTube, which is one of the most popular social media has provided an earning as well as a learning platform, this has encouraged many women from rural as well as urban areas to earn money by making educational or lifestyle videos. Women are learning new skills from this platform. YouTube and other platforms have reduced the gap between rural and urban, rich and poor women all around the country as well as the world. Women are getting cheap internet which is loaded with all kinds of information thus it is democratizing the sphere of learning. Priyal (age 35, Goa) talked about how she learned to make rangoli and bake cakes from YouTube. She opened her YouTube channel Priyal Foods and Arts, now she is showcasing her talent and earning money. She also started her online cake-selling business in her locality which is helping her earn and now she is getting recognized for her brilliant work. She is grateful to social media for providing platforms that are helping her and many women all around the world.

While in the personal lives of women it has provided contentment, peace, and happiness through entertainment, learning, sharing, and getting connected with their loved ones. It is helping them connect with their friends and not feel alone. Neelam (age 63, Noida) told about her kitty parties which are making her feel connected socially. Neelam is old and she is living alone as her son is working abroad, she joined social media and now she is connected with all her family members living far away, she also reconnected with her friends who are continuously talking and meeting which is giving her happiness and fulfillment in her life.

With positive implications social media has a vulgar face that has been created by narrow and dirty-minded people, they are making fake IDs of women, uploading edited nude pictures of women, and harassing them. Social media has popularized sexual content which is threatening the security of women. A criminal mindset has been developed in many women through the use of social media. The

honey trap is one of the outcomes of social media which shows that many women are using social media platforms to commit crimes and earn money illegally. Many women have defamed their husbands and exploited in-laws' families by filing false allegations against them. Shweta (age 19, Hyderabad) told about getting stalked and harassed on social media. She talked about how boys stalk and pass dirty comments, which are irritating, and how it makes her feel insecure on social media platforms. She also talked about seeing other successful friends and relatives and getting jealous and feeling inferior to them. She pointed out many benefits of social media but also explained as a teenager how she felt left out from her peer group and got demotivated due to excessive use of social media nowadays.

When we talk about religion and culture, now with the use of social media women have started celebrating traditional festivals of our country more than ever before and in a much more organized way. Many women who were leaving Indian culture due to western influence are now getting influenced by social media and have started opting for and loving their traditions i.e. Karwachauth, Tulsi-vivah, Chhath pooja, etc. Social media and real-life preachers and influencers such as Nand Kishori, Anniruddhacharya, Sadhguru, etc are teaching about the rich culture of India and encouraging women of every age to opt for Indian culture and tradition. Social media is also inculcating love for our country, its tradition, and culture among women and everyone. Sangeeta (age 55, Reewa) is a widow living in a village, she talked about how she managed to get herself motivated to do all the work after her husband's death. She talked about listening to Satsang online which helped her know the truth of life and stay positive even in traumatic times of her life. Neetu (age 28, Mumbai) talked about how she started celebrating Karwachauth and Chhath puja after getting influenced by social media which she was ignoring after leaving her hometown in Bihar.

Social media has provided women a stage to reach millions of people and tell them about their intellectual thoughts, creativity, and whatnot. Social media has broken the shackles of language and culture and has converted this world into a village, which indeed helped women to be part of the real world by using it. Social media has equally benefitted all the disadvantaged groups of society such as women, the third gender, Dalits, and tribes. Social media has enhanced the horizons of learning and is developing different

perspectives which indeed has developed the minds of women, they can now think and grow on their own. Women in both rural and urban India are using social media but we have seen a sudden rise in its usage with the advent of COVID-19. Pratibha (age 39, Ayodhya) is a homemaker and mother of two children. She talked about posting her poems online and getting recognized through it, she also talked about being invited to various poetry programs which helped her in many ways.

Even after so much development women of India got subjugated by a patriarchal society but social media has connected their voice, which is getting expressed through poems, videos, articles, and blogs. Social media has provided freedom of expression but it also removes privacy and is open to the public who can praise or criticize. A survey suggested that every fifth woman who uses social media is a victim of harassment and abuse. Many cases of suicide have been reported due to body shaming, social media has made an image of fake perfection, after which everyone is running which is leading to mental problems such as an inferiority complex and even suicide in many cases. Preeti (age 44, Gujarat) talked about her daughter who committed suicide due to peer pressure she was getting on social media after failure in her class. She is upset about her daughter and wants to awaken other parents about the negative influence of social media.

A noticeable remark made by eminent social feminist Simone de Beauvoir is worth noting, "one is not born, but rather becomes a woman." She wrote about family as the "primary source of socialization where a firm line is drawn between men's and women's identities and roles while secondary socialization is done through media which enforces gender roles on women."

The phrase "picture perfect" is ruining the lives of young women, who are making themselves suffer just to look perfect on social media. Commodification, a term used by Karl Marx, goes very apt when we look at social media such as Instagram, Facebook, Whatsapp, etc. These platforms project women as a commodity whose appearance looks pleasant and this is causing mental insecurity among women and leading them to alienation(separated from themselves and society). The worst impact of social media is visible among teenagers who are going through an identity crisis. At a very young age, they are dealing with relationship pressure, rejection pressure, and looking cool pressure which is taking their

growth away and causing life-threatening situations in many scenarios. Young girls are getting in touch with strangers through social media which is increasing fraud, crime, trafficking, cyberbullying, and cyberstalking which is putting their lives in danger. According to the Indian Digital club, the use of social media by women is leading to a loss in their self-confidence, an increase in competition, tampering look with plastic surgery, skin complexity, eating disorders, depression, and complication in relationships. Sunandini (age 18, Mumbai) is a college-going girl, she talked about getting trolled for her weight by her college mates. She starved herself and even made up her mind to get surgery but later on after getting counseled she is now happy with herself.

There are two sides to any coin, the same way when social media provided a platform for growth and development, a place where everything is democratized on the other hand provided privacy of connection, which is giving space for crimes. Cases of cyberbullying are more common in women than men, which include image editing, abusing, threatening, blackmailing, uploading inappropriate posts, spying through web cameras, indecent messages and making videos viral, etc. Social media has enhanced women's sense of entitlement and their egos have been inflated which has given them dreams of marrying millionaires, they have started to use filters and makeup even going through surgery to get the social media image of perfection. According to women's daily magazine, suicide has risen in both literate and illiterate women due to mental health caused by social media, the use of drugs by celebrities, and influencers encouraging women to take drugs and fall into vices.

The correct amount of medicine can heal a person in the same way controlled and regulated use of social media can uplift women. Excess and uncontrolled use of social media in women is leading to increase in obesity, social media addiction, weakening of eyesight, increase in frustration, depression or anxiety, loss of creative thinking and writing, wastage of time and money, obstruction in children's growth and wellbeing, increase in fraud, extramarital affair, divorce, etc. Hacking is one of the major drawbacks which has caused financial loss and even loss of life to many women, recently in Lucknow a mother was killed by her teenage boy for not letting him play an online game likewise a couple in Agra lost their 15 lakh rupees due to online fraud. Social media addiction has been reported worldwide, it is the first thing we are checking in the morning and the

last thing we are using before going to bed. Its impact on our eyes and mind has been deteriorating. Women are busy with their phones and not paying attention to their growing kids, which is leading to obstruction in children's growth. Social media has created a world full of fake relations, women and men are ignoring the real-life people who are sitting next to them. Gaining popularity on social media has become so important to women that they are ready to leave their families and break marriage bonds. The most common scenario that we can see in a modern home is everyone is busy on various social media platforms and not talking to each other, sharing online but not offline, communication gaps have increased with the increase of on-screen time.

On one hand, we see awareness in society about various mal-practices and false notions through the use of social media while on the other hand, we see the commodification of women on social media platforms. Social media has provided means of freedom but many women are using it to show nudity, for getting popularity through controversies, and create chaos online. Live-in relationships which are against our Indian tradition are getting popularised among women through social media. Women are experiencing mental harassment through stalking, abusing, and commenting we can see an increase in sex-related crimes and even blackmail and kidnapping in many cases. The dark side of social media is taking vulnerable women into its grip and forcing them to be victims of various types of crime. Women can only empower themselves if they positively use social media and not for nudity or to sell themselves as a commodity. In India, the status of women has always been degraded and few women are using social media to degrade that status instead of uprising and awakening downtrodden women.

"It is okay to own technology, what is not okay is to be owned by technology. No technology is good or bad, the real disease is human recklessness. Power is power only when used with caution, if used wildly, all power is poison"? Abhijit Naskar, Mucize Insan: When The World is Family

3. Conclusion

Proper knowledge and awareness of how to use social media can minimize its destructive side and can make this platform a beautiful sphere of learning, growing, and connecting. Social media is beneficial when used in moderation and it can prevent health

hazards. It is very important to raise awareness about various privacy settings which women can use on social media platforms for their safety. Cyber laws should be implemented strictly which will eventually reduce cyber crimes. Knowledge of the fake social media world can help women to feel good about themselves. It is essential for women not to get attracted to negative social media life and its dark ways of thinking. Social media should be used for connecting, sharing, growing, and motivating. In the end, it is appropriate to say women need to know how to control social media instead of getting controlled by it.

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Women Rights in India in terms of Equality, Equity and Empowerment

Savya Sanchi*

It has been observed that in spite of legislative protection and declaration by the world body the cause for anxiety remains in ground reality. Women constitute half of the world's population, perform nearly two thirds of its work-hours and receive one-tenth of the world's income and less than one hundredth of the world's property-1980 UN Report. That is why in the Cairo Declaration (September, 1994) access to economic resources had been set as one of objectives to achieve equality and equity based on harmonious partnership between men and women and enable women to realize their full potential and empower themselves. This paper describes about the several constitutional provision in India for women so that they can achieve the equality, equity and finally get empowered. In patriarchal society there is always the dissimilarity and discrimination between male and female so here constitutional rights play an important role for women empowerment.

[**Keywords :** Equality, Equity, Empowerment, Uniform-Civil-Code, Muslim laws]

* Assistant Professor, Department of Sociology, Arya Kanya P.G. College, Prayagraj, Uttar Pradesh (India) E-mail: <savyasanchi.tripathi@gmail.com>

1.   Introduction

In the situation described and the concern for it expressed above equal property rights for women is the most important global goal for women. Land and real property are not only essential resources for all people everywhere, but they have been the basis used throughout the history to control people's lives. It is land that all wars have been and are fought for. The present paper is an attempt to analyze Women rights in India in terms of equality, equity and empowerment. Secondary sources of data have been used in this paper.

2.   Women Rights in India

Now, in India there are several succession rights applicable to individual communities. These succession rights claim their origins to the personal laws of different communities. And these personal laws, again, owe their allegiance to respective religions. The Hindu, i.e., the followers of Hinduism, account for over 80 per cent of India's total population. The Muslims, i.e. the followers of Islam, form the second largest religious community in India's population. Parses comprise 01 per cent of Indian population; for the last two decades they are having negative growth rate. Although these religious communities have different percentages, and yawning gaps in them of population, 'their personal laws wield the power and strength equally applicable to their respective communities'.

In this contest the Hindus are guided by the 'Hindus Succession Act, 1956 [30 of 1956]; the Muslims are basically guided by the Muslim law; the Christians and Parses are guided by the Indian Succession Act, 1925 [39 of 1925]. The main scheme of the Hindu succession Act, 1956 is to establish equality between male and female in regard to rights to property and hence the limited estate of a female under the old Hindi law was completely abolished in the matter of intestate succession. But the intention of the legislature is however not to repeal all fundamental elements and concepts of Hindu law prevailing before the commencement of the Act.

As mentioned earlier, Hindu Succession Act could establish equality between men and women, but in the niceties and nuances of law. Several sections of the Act have been criticized. Under Section 15 of the Act, the property of a female Hindu dying intestate shall devolve, firstly, upon the sons and daughters and the husband. In the

case of a male Hindu, the mother is also a class 1 heir and inherits equally with the children and the wife of the deceased son; But in the case of female, mother stands excluded by the children and the husband of the deceased daughter. The provisions cannot be justified on any conceivable ground and is patently prejudicial to the interest of the mother.

Then again, under the provisions of sections 15 (1) read with the provisions of sub-section (2) in the absence of children, the order of succession in the case of a female Hindu would vary according to the source of acquisition of the property. If the property was inherited from her husband or father-in-law, it would devolve, not upon her own heirs, but upon the heirs of the husband. And similarly, if the property was inherited from her parents, it would devolve, again not upon her own heirs, but upon the heir of the father. The very first incongruity that appears to be is that these rules would apply only when the property is inherited by the Hindu female, but not where the same is acquired by gift, will or otherwise from the husband or the parents, as the case may be. If devolution of the properties of Hindu male is not to depend upon or according to the source of acquisition, it is difficult to appreciate as to why it would do so in the case of a female Hindu, unless we want to perpetuate in somewhat different form, the old outmoded view that women's ownership of property cannot be full, but must be somewhat limited. These provisions obviously discriminated against women to a considerable degree and cannot be regarded to be a special provisions in favour of women within the meaning of Act 15 (3) of the constitution.

Section 53 of the Act patently discriminates against female heirs, providing as it does, that if a dwelling house wholly occupied by the members of the family heirs, providing as it does, that if a dwelling house wholly occupied by the members of the family of the of the deceased devolves on both male and female heirs, then "the right of any such female heir to claim partition of the dwelling house shall not arise until the male heirs choose to divide their respective shares therein." The section further provides that "the female heir shall be entitled to a right of residence therein", but "If such female heir is a daughter, she shall be entitled by to a right of residence only if she is unmarried or has been deserted by or has separated from her husband or a widow". One of the objections against the females succeeding equally and unqualified as full coheirs with the males is that allotment of shares to them, particularly when they are married,

would bring in serious complications to the disadvantage of the male heirs and the married female heirs, expected to reside elsewhere with the members of their respective families, would be tempted to reside in the same house or may transfer their shares to the strangers. If a married male heir has the right to reside in the dwelling house with the members of his family or to transfer his share, the denial of such right to female heirs cannot be justified, particularly when section 22 is there to take care of such transfers. But justification apart, as already noted here in before, however, justifiable and even laudable the object and reason may be, what is determinative is the direct effect and consequences of the provisions and if the effect and consequence of section 23 is discrimination against the female heir and favouring the males, the section would be hit by the equality clause according to the thesis propounded by the supreme court in the Eleven-Judge Bench decision in Bank Nationalization case in R. C. Cooper (Air 1970 Sc 564) and the decisions (Benner Calman Air 1973 Sc 1061] following the same.

In the South, succession laws were a bit different. The state Government of Kerala and Andhra Pradesh have sought to remove some of the discriminations with a view to give daughters ownership in the family property on the same level as the sons. But even these changes do not go far enough and still discriminate against a married daughter and a widow do not apply equally to separate properties of the father in the Hindu customary Law. Karnataka government is taking steps for joint ownership of property between husband and wife and accordingly change the Hindu succession Act announced in All India Radio on September 8 1994.

In the customary law of certain tribes, only male agnates on the male line agnates on the male line are recognized as valid heirs and unmarried daughter is only entitled to unfructuary maintenance. In no case amongst the tribals of Arunachal found to be defacto managers of farm operations. It would be necessary to introduce corrective measure to overcome the discrimination, in order that the gap between the state's proclamation to achieve equality of the sexes and its laws which deny it, is bridges.

Women these days begun questioning the consequences of legitimatory succession in section 30 of the Hindu Succession Act, where a Hindu may dispose of by will or other testamentary disposition of any property. The situation being so, the probate Court probates the will if it is technically all right and is genuine. Usually

the father in his will deprives the daughters on the plea that he had to spend a lot at their weddings, without considering how much the father spent in weddings compared to the valuation of property he willed. In the questions-answer session in all India Radio the other day a married women asked the answering lady lawyer whether the will of this nature worked against the interest of women; the lady lawyer could not answer her back satisfactory. That is why it is has been rightly pointed out, The Hindu Succession Act allows the widow to inherit equally with sons and daughter. But it also has a questionable provision whereby the husband, if he so wishes, can will always all his property, leaving the widow no support. A change in testamentary provision of the Hindu Succession Act or a change in the procedure of probating the will in this situation is very much required, otherwise, the purpose of the Act itself would be frustrated.

The excellence of 'Muslim Law' of inheritance is not so much commonly appreciated by laymen, as it attracts the brilliant minds of scholars. Nearly all the modern writers have admitted the Muslim System of inheritance of its utility and formal excellence : "The Mohammedan Law of inheritance comprises beyond question the most refined and elaborate system of rules for the devolution or property that is known to the civilized world" (Rumsey).

It must be remembered that celibacy is extremely rare among the Muslims of India, where the overwhelming majority of Muslim women are married; that it is a fundamental principal of Islamic law that a husbands must provide his wife with a dower, while the provision of a dowry by the wife's father has no place in the Islamic System; that it is incumbent on the Muslim husband to provide his wife with maintenance and housing, however poor he may be and however affluent may be her own circumstances; and that the duty to support the children of a marriage is invariably placed primarily at least, on the father. In view of these manifold obligations, it is distinctly arguable that the greater share normally given to males in the Islamic law of inheritance dose not, in fact, constitute a discrimination, which can be said to base on sex alone particularly in view of the fact that there is no question whatever of the exclusion from inheritance of a daughter, sister, mother or wife in the sharia, common though that often is in the customary law of different part of the subcontinent.

So much so about the Muslim law of inheritance and the question of discrimination against women therein.

Much furore went on the Travancore Cochin Christian Succession (Validation and Revival) Bill, meant to counter the Supreme Court decision of equal property right to Christian Women (The Statesman, Calcutta, July 22, 1994) otherwise, as mentioned earlier, Christians are guided by the Indian Succession Act, 1925 and nothing appears to be mentionable on the question of equality/ inequality therein.

But the Parses who are pretty well known for their advance thinking in some aspect of personal laws even discriminated by giving sons double shares to the shares of daughters in dividing male intestate's property (Sections 51(1)(a) and (1)(b) of the Indian Succession Act, 1925).

The problem here lies not so much on the differences and inequalities in different personal laws as it does in the sphere of there adjudication. The problem of adjudication again arises from the lack of uniformity in personal laws in spite of Article 44 in the constitution as well as from the controversy centering round the part III of the constitution (Fundamental Rights) and personal laws. Without entering into the debate of controversial interpretations of Article 13 and 372 (i) of the Constitution it may well-right be contended that the ratio of judgment does not give us any definite direction as to where the constitution stand vis-à-vis personal law (AIR 1952 Bom. 84; AIR 1980 SC 707; AIR 1992 Bom. 214).

There Seems to be two ways out of this rut. One by the application of laws made through-'judicial decisions', and two by 'legislative measures'. If the judicial decision are looking for specific provision, which is not there in law, in that case they may well apply 'Equity'. In cases for which the law makes no provision, the courts are sometimes expressly authorized to decide in accordance with the principle of natural law. The commissioners for preparing a body of substantives law for India recommended that the judges should decide such cases in the manner they deem most consistent with the principles of justice, equality and good conscience.

3. Conclusion

In India, there was never any separate court for administering equality. The greater part of the law to be applied by the court has been codifed. But in the absence of specific law or usage in any matter, the court has to act according to the principles of 'equity', justice and equity jurisdictions.

Legislative measures should primarily be directed to deciding the question whether the Constitution is to be upheld in case of any aspect of personal law coming in conflict with the Constitution. The measures should also decide if a Uniform Civil Code (Article 44 of the constitution) is at all a feasible and viable proposal. If so, the frame such code; and if not, to find out any alternative (which would take a long and elaborate discussion). Equality is one of the maxims of equity and the latter delighted in equality. Any attempt to empower women in any form would lead to fiasco if the effort is devoid of equality and equity.

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Parenting Style's Impact on Children's Behaviour

Nidhi Shukla*

For a long time, developmental psychologists have been curious about how parenting influences a child's growth. However, finding concrete cause-and-effect relationships between particular parental behaviours and later child behaviour is quite challenging. Some children who were nurtured in very different surroundings may subsequently develop remarkably similar personalities. But on the other hand, youngsters reared in the same household and environment but who live together can have wildly distinct personalities. Despite these difficulties, experts assert connections between parenting practices and the results these practices have on kids. And some claim that these consequences persist into adult conduct. This study will analyze several parenting philosophies and how they affect children. In order to accomplish this, the article will examine the four basic parenting philosophies based on Baumrind's theory and analyze the effects of each on the child. For this

* Professor, Department of Education, College of Education, Bilaspur, Greater Noida, Uttar Pradesh (India) E-mail: <nidhibhardwaj1982@gmail. com>

purpose, secondary data has been collected from various sources- Journals, Books and Websites.

[**Keywords :** Punishment, Socio-economic, Children, Development, Parenting style]

1.   Introduction

Parenting that prepares children for the needs of the particular subculture or culture in which they live is good. However, certain generalizations can be made regarding the characteristics of effective parenting. We can learn a lot about the parenting practices that best prepare kids for life in the real world. Parenting style is the general tone of parent-child interactions, according to Darling and Steinberg (1993). Setting the tone for the parent's interactions with the child is an adequate context. Parenting practices influence child growth. Children's psychological and social development is impacted. One's own parents' influence significantly affects one's parenting style. Parenting style is influenced by a parent's temperament, educational background, cultural background, social status, and spouse. Parenting style is influenced by the child's and parent's temperament, and the mother's and father's parenting philosophies may differ (Belsky, 2005).

Because of this, the article discusses many parenting techniques parents use when growing their kids. Every parent has a unique way of interacting with and guiding their children. The morals, principles, and behaviour of a child are usually determined through this bond. Researchers have classified parenting styles into four, five, or even more psychological categories. Only four parenting styles will be covered in this article: authoritarian, authoritative, permissive, and uninvolved. Every group uses a different strategy for how parents bring up their kids. Each parent will typically fit into such groups and occasionally exhibit traits from another type. Situational factors can also affect parenting style.

2.   Review of Literature

Authoritarian parents are characterized by limited attentiveness and high demands, according to Hoskins (2014). In this parenting approach, parents emphasize obedience to authority and hence anticipate being obeyed in a less friendly atmosphere without justification. Additionally, authoritarian parents show little interest in and trust in their kids. A child's behaviour is frequently strictly

controlled, and open communication is discouraged. In other words, it has generally accepted that an authoritarian parent uses coercion and punishment, thinks a child should follow the rules and behave appropriately and is forceful and controlling. The parent-child bond and the child's autonomy are both constrained by the authoritarian parenting style since parents are more focused on maintaining the traditional family unit.

Baumrind was the first to propose an authoritative parenting approach. Baumrind (1966) asserts that authoritative parents' guide their kids in a reasoned and issue-focused way. Since this parenting style is more demanding, parents typically welcome effective communication and healthy relationships (Piko & Balazs, 2012). According to Nijhof and Engels (2007), an authoritative parenting style is crucial for adolescent children's psychological and social growth. This is especially true because an authoritative parenting style promotes the development of the children's more significant levels of self-reliance, self-esteem, and ability to apply efficient coping mechanisms, as well as their excellent self (Parker & Benson, 2004).

In contrast to ignoring parents that are neither responsive nor demanding, Hoskins (2014) claims that permissive parents demonstrate low demandingness and high levels of responsiveness. For example, when speaking with adolescents about family matters, they respond in a way that affirms their impulses, actions, and desires more. They also avoid enforcing behavioural control on their children, do not impose boundaries, and only have a few behavioural expectations for their children. From this vantage point, it is possible to claim that permissive parents truly let teenagers actively participate without worrying about their behaviour.

3.   Methodology

This study is based on secondary data which has been collected from journals, websites, newspapers, books and reports.

4.   The Four Parenting Styles

Over 100 preschool-aged children were the respondents of a 1960s study by psychologist Diana Baumrind. She uncovered some significant aspects of parenting using naturalistic observation, parental interviews, and other study techniques. These characteristics include enforcing rules, friendliness and nurturing modes of communication, and standards for maturity and control.

The majority of parents, according to Baumrind, exhibit one of three parenting styles based on these dimensions. A 4th parenting style may be added, according to further studies by Maccoby and Martin. Each of these factors has a remarkable impact on how children behave. These parenting styles were divided into categories primarily based on two parenting behaviours: parental warmth and parental control. Parental control is "the degree to which parents govern their children's behaviour," ranging from being overly demanding to be lenient when enforcing laws and regulations.

4·1 Authoritative Parenting Style

Parents with an authoritative parenting style, like authoritarian parents, set standards for their kids' behaviour by establishing rules and regulations. It is far more democratic to parent in this manner, in any case. Parents in control of the situation are receptive to their kids' needs and eager to answer their inquiries. While having high expectations for their kids, these parents nonetheless show them affection, give them feedback, and give them enough support. These parents are more loving and understanding than harsh when their kids don't live up to expectations. According to Baumrind, "parents should watch over their kids' behaviour and instil firm rules. Despite not being obtrusive and constrictive, they are aggressive. They use encouraging rather than harsh techniques of discipline. They want their kids to possess assertive, socially responsible, self-reliant, and cooperative traits."

4·2 Authoritarian Parenting Style

In authoritarian parenting style, children are expected to adhere to the rigid regulations set by their parents. Typically, punishment is imposed for violation of such restrictions. Authoritarian parents impose these regulations without explanation. Instead, the parent may respond, "Because I said so," when asked to explain. These parents have great expectations but are not very receptive to their children. They want their children to be exceedingly well-behaved and error-free, yet they offer little guidance regarding what they should do or avoid in the future. Mistakes are often punished severely, but their offspring are frequently left wondering what they did wrong. Baumrind says that these parents are "obedience- and status-driven" and demand their directives to be followed without question. As a result, they are

frequently characterized as bossy and autocratic. Their philosophy is "sparing the rod, spoiling the youngster." They anticipate unquestioning compliance from children.

4·3   Permissive Parenting Style

Children raised by permissive parents frequently struggle with self-control and contentment. The likelihood of these kids having issues with authority is higher, and they often have academic difficulties. Although it avoids making demands or imposing any limitations, the permissive parenting style is caring and welcoming of children. When they are not yet mature enough, children of permissive parents are given much freedom to make their judgments. They are free to watch as much television as they like, eat meals when they feel like it, and go to bed when they feel like it. Both etiquette training and domestic tasks are not required of them. Although some permissive parents genuinely believe that this method of child parenting is optimal, many others lack confidence in their capacity to shape their children's behaviour and are chaotic and incompetent in running their families (Berk, 1998). However, they are more likely to engage in destructive behaviour. Children with permissive parents typically have strong self-esteem and good social skills. However, many of them find it challenging to take accountability.

4·4   Uninvolved Parenting Style

All life domains rank uninvolved parenting as the lowest. These kids frequently lack self-control, feel inadequate, and perform less competently than their peers. Love and boundaries are essential for a child's development. They won't acquire self-control and may become highly egotistical, rowdy, and uninformed if indulged or neglected and given little instruction. And suppose they get too much direction, like the kids of authoritarian parents. In that case, they won't have many opportunities to learn how to be independent and may lack confidence in their decision-making capacity. Men and women are less sure about how to raise children in today's complex society than they were in earlier ones. Therefore, it is essential for the welfare of the next generation and community to define parenting principles and to put them into practice in a warm, helpful, and suitably demanding manner.

According to research, there is not a single parenting style that is the best or most appropriate, although psychologists think the

authoritative parenting style is now the most advantageous. According to them, this approach is the most adaptable and strikes the ideal balance between parental authority and parental affection. The highest positive outcomes and the healthiest relationships with their parents continue to be found among children raised by strict parents. However, it is crucial to recognize that there are various elements at play when it comes to raising children, with cultural differences playing a significant role. It is crucial to keep in mind how culture affects the family. When a youngster lives in a secure environment, it has been discovered that giving them some flexibility and freedom will bode well for the kid and result in favourable consequences. Therefore, this may not be the case for a youngster who lives in a high-risk setting.

Such conditions would necessitate a higher level of management for a child. The child in this situation is privileged since they do not experience gender or racial prejudice and can grow up in a secure neighbourhood. There are no socioeconomic demands on the family because his parents' ability to afford to reside in such a community indicates they are financially secure. As an illustration, consider a little Asian girl who grew up in a mobile home without needing a father. For such families, establishing strict goals and being strict with their children works best, as evidenced by the children achieving more remarkable academic accomplishments, which Asians regard highly (Bornstein and Bornstein, 2007). In addition, a substantial portion of ethnic minority families resides in risky neighbourhoods, where safety is a significant concern. This necessitates parents imposing strict guidelines and curfews despite opposition from their kids because it is the safest choice. A more permissive parenting approach would be preferable in this case rather than an authoritarian one (Kopko, 2007).

Elders are highly esteemed in nations like India. Our culture teaches us that older people are the most knowledgeable and that their advice is always accurate. Age is intimately correlated with wisdom and intellect in our culture. Therefore the older a person is, the more they know since they have "experienced more." Regarding this, disobeying our parents' wishes is nearly a sin and discouraged. Most of our parents had rigid parents who did not allow any flexibility when they were growing up, and we frequently overhear them complaining to us about how they were never let to do the things that we are now free to do. They feel it is the most successful

parenting approach and a sure-fire recipe for success because their parents had been authoritarian, and the majority of the parents of their peers were the same, and they use the same techniques on their kids. Like most parents worldwide, Indian parents have great expectations for their kids, and they think that imposing strict rules on them will help them achieve those goals.

5.   The Impact of Parenting Styles

How do these parenting practices affect a child's development? Numerous studies about the effects of parenting styles on kids have been conducted in addition to Baumrind's original study of 100 pre-schoolers. Findings include :

- Authoritative parenting tends to produce children who are content, capable, and successful, while authoritarian parenting approaches typically produce children who are loyal & proficient but rank below in happiness, social awareness, and ego.
- Children raised with permissive parenting frequently struggle with self-control and contentment.
- Uninvolved parenting styles rate lowest in all life domains, with these kids more likely to struggle with authority and have lower academic performance.
- These kids frequently lack self-control, feel inadequate, and perform less competently than their peers.

6.   The Advantages of Authoritative Parenting

Children with authoritative parents are now more likely to obey their commands because they are perceived as rational, fair, and just. Children are also much more likely to learn these lessons because these parents explain the rules and the rules themselves. Instead of simply adhering to the rules out of fear of punishment, the kids of authoritative parents can comprehend why the rules are in place, comprehend that they are fair, and work to adhere to them to satisfy their internalized sense of what is right and wrong.

7.   Conclusion

Society tends to think that parenting comes naturally to parents and that they automatically know how to raise their children regarding caring, potty training, esteem development, and other issues. It's becoming more evident that this is the case. Modern

parents are more willing to admit that they don't always know the best course of action or that they might not wish to raise their kids as they did. It's become harder to rely on parenting methods from the past as a result of societal developments. India is opening up to western influences, which is accelerating social development. Children are forced to deal with problems their parents would have never imagined because of how quickly these changes occur. The parenting practices used in their homes are a major contributing factor to most mental health issues affecting kids and teenagers. Parents should understand the effects of various parenting philosophies on children's growth. There is little research on parenting in India, despite the importance of the topic.

In contrast, modern families provide their kids more freedom and laxer disciplining procedures regardless of their financial situation. Several factors, including the number of children, the child's and parents' personalities, the parents' views, and the family's structure, can influence how parents raise their children. As society changes, parenting practices must adapt. Parenting in the present era requires a high level of parenting awareness. Even though other communal organizations now perform the majority of the duties once performed by families, parents continue to be the primary socializers of their offspring. As a result, society is significantly impacted by their parenting style. In children's growth, parenting style plays a significant role. Family parenting practices have an impact on a child's socio-emotional development. Parenting styles need to be given more consideration by parents, educators, and mental health experts. Society also has to devise strategies for educating parents about this issue.

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8

The Comparative Study of Motor Fitness Components between Kho-Kho and Kabaddi Players

Varsha Gautam*

For the Kabaddi and Kho-Kho player's the Agility, Speed, Strength and Endurance are the essential variables according to the sports sciences. Keeping in view this concept, this study was taken to compare the levels of motor fitness between Kho-Kho and Kabaddi players. Total number of 40 Internal Kho-Kho and Kabaddi Players (20 Kho-Kho and 20 Kabaddi players) were selected randomly from Department of Physical Education, CCS University, Meerut. The criterion measures adopted for this study were Agility, Speed, Strength and Endurance. The data collection tools used in the study were 50 metre Dash, Shuttle Run, 600 metre Run Walk and Standing Broad Jump. Data of Motors Fitness Components between Kho- Kho and Kabaddi players was compared by using independent Sample t test. The level of significance was kept at 0.05 level of significant. It was found that in Motor Fitness components like, Agility, Endurance and Strength there was significant difference between Kho-Kho and Kabaddi players. But no

* Teaching Assistant, Department of Physical Education, CCS University, Meerut, Uttar Pradesh (India) E-mail: <purewriting@gmail.com>

significant difference was found in Speed between Kho-Kho and Kabaddi players. Mean scores showed that Kabaddi Players were better in Speed, Endurance and Strength as compare to Kho-Kho Players. While as Kho-Kho Players were better in Agility as compare to Kabaddi Players. Based on the results it was concluded that Kabaddi Players are good in Speed, Endurance and Strength, while as Kho-Kho Players are better in Agility.

[**Keywords :** Motor Fitness, Kabaddi Players and Kho-Kho Players]

1.   Introduction

Kabaddi and Kho-Kho are games that require skill and speed. Speed is the ability to perform a movement within a short period of time (Neiman, 1995). Speed training is an important Kabaddi and Kho-Kho related skill related component of physical fitness which enables a player to move from one point to another with faster response time. It has been shown that to improve speed each athlete requires to work on acceleration, starting ability, stride rate, speed endurance, and stride length (Mackenzie, 2001). Kabaddi and Kho-Kho are the most popular games in the India,Pakistan and Bangladesh apart from other countries in world in general. Kabaddi and Kho-Kho being most competitive sport, a player who is Physically fit does not only enjoy more but he is also capable of using all the skills attained and mastered by him throughout, right from beginning to end of the game. The twin combination of both skill and physical fitness is requisite for a player without either of which he will not be able to achieve much, specifically in order to play any ball game competently (Nabhendra Singh, 2010). However, the word physical fitness and motor fitness are often used interchangeably. The term motor fitness was developed to describe a broad concept than physical fitness. This extensive term means the ability to perform basic motor. A Comparative Study of Motor Performance Level 409 skills efficiently and effectively. Power, balance, agility, speed, reaction time and kinaesthetic perception are the traits of motor performance, and these traits plays major role in increasing the performance of any game's skills. With a good and well efficient combination of all these motor performance traits a player can give all his/her utmost throughout the most tireless of competitive matches. (Nabhendra Singh, 2010) Muscular power, often referred to as explosive power, is a combination of speed and strength an important in vigorous performance because it determines how hard a person can hit, jump and push etc. There are various means and

method to increase power by increasing strength without sacrificing speed, by increasing speed of movement without sacrificing strength and by increasing both can be stressed by applying strong force through rapid motion. (Nabhendra Singh, 2010).

Agility is the ability to change the direction of body or its parts swiftly is dependent on strength, reaction time, speed of movement and muscular coordination. Quick start and stops and quick changes in direction are fundamental to good performance in Kabaddi and Kho-Kho (Nabhendra Singh, 2010). For Kho-Kho and Kabaddi Player's Speed, Agility, Endurance and Strength are the important variables according to the sports sciences. Keeping in view the concept, this study was taken to compare the levels of motor fitness between Kho-Kho and Kabaddi players.

2.   Materials and Methods

Total number of 40 Internal male Kho Kho and Kabaddi Players (20 Hockey and 20 Football players) were selected randomly from Department of Physical Education, CCS University, Meerut. The data collection tools used in the study were 50 metre Dash, Shuttle Run, 600mt. Run Walk and Standing Broad Jump. The criterion measures adopted for this study were Speed, Agility, Endurance and power. Data of motors fitness components between Kho-Kho and Kabaddi players was compared by using independent Sample t test. The level of significance was kept at 0.05 level of significant.

3.   Results

The results of this study are presented in the following tables :

Table-1 : Descriptive statistical of Speed, Agility, Endurance and Strength between Kabaddi Players Kho-Kho Players

Motor fitness Component	Kabaddi Players			Kho-Kho Players		
	N	Mean	SD	N	Mean	SD
Speed	20	8.02	0.60	20	7.02	0.42
Agility	20	10.72	0.61	20	11.58	0.6
Endurance	20	1573.20	284.09	20	1472.00	193.94
Strength	20	2.19	0.16	20	3.00	0.18

Table-2 : Independent sample 't' test of Speed, Agility, Endurance and power between Kabaddi Players and Kho-Kho Players

Components	't' value	df	Sig. (2-tailed)	Mean Difference
Speed	2.04	38	0.068	1.00
Agility	3.17	38	0.042	0.86
Endurance	0.61	38	0.033	1.01
Strength	1.25	38	0.028	0.81

4.   Dialogue of Findings

It was found that in Motor Fitness components like, Agility, Endurance and Strength there was significant difference between Kabaddi and Kho-Kho players. But no significant difference was found in Speed between Kho-Kho and Kabaddi players. Mean scores showed that Kabaddi Players were better in Speed, Endurance and Power as compare to Kho-Kho Players. While as Kho-Kho Players were better in Agility as compare to Kabaddi Players. This finding is supported by Berger and Paradis (2010) compared the physical fitness of children in order to compare the physical fitness in 10WA and Tokyo Japan. They recorded that Tokyo children scored better in all motor performance tests accepts on lie sit-ups. They also found that Tokyo children had more chances for activity through physical classes than the 10WA group. Choudhuri (2002) Studied the comparative physical fitness between students of residential and non-residential schools (aged 12-14 years) and had tested physical fitness index (PFI), BMI and anthropometry measures of 50 residential school children and 40 non-residential school children in Bijapur of Karnataka State. They reported that non-residential school children had poor physical anthropometry and showed a less PFI score, as compared to residential school children.

5.   Conclusion

In the present study it was found that in Motor Fitness components like, Agility, Endurance and Power there was significant difference between Kabaddi and Kho-Kho players. But no significant difference was found in Speed between Kho Kho and Kabaddi players. Based on the results in the present research the researcher concluded that Kabaddi Players are good in Speed, Endurance and Power, while Kho-Kho Players are better in Agility.

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9

Comparative Study of Non-Performing Assets (NPAs) in selected Public Sector Banks and Private Sector Banks in India

Swaty* and Mohan Kumar**

The banking industry plays a vital role in the economy of India. Measurement of loans from time to time and recovery mechanism of NPA is one of the burning topics in the banking industry, now a day. The asset quality in terms of NPA is constantly deteriorating in banks, especially the Public Sector Banks (PSUs) in our country and thus causing intolerable stress to the banking sector, regulators, and the Indian economy. In present paper the researchers have tried to analyse the problem of NPAs by doing the comparative analysis of public sector banks and private sectors banks in India. So, in present study two public sector banks i.e., State Bank of India and Bank of Baroda and two private sector banks i.e., AXIS Bank and HDFC Bank have been taken for the study purpose. The present study has been

* Assistant Professor of Commerce, Government Girls College, Rewari, Haryana (India) E-mail: <swatymanish@gmail.com>

** Assistant Professor of Commerce, GC Bahu, Jhajjar, Haryana (India) E-mail: <singlamohan1@gmail.com>(corresponding author)

conducted to find the relationship between NPA and their impact of NPA on Net profit and Return on Assets (ROA) with the key parameters of the banks selected under present study. The present study clearly states that the financial position of HDFC bank is good as it shows low Gross NPA%, low Net NPA% and higher Net Profits over the last 5 years taken for present study. Thus, it is one of the major issues of public sector banks as well as government as NPA problem in India is more due to lending to non-priority sector and sensitive sectors such as personal loan and real estate loans. There is need to focus on recovery and minimizing of NPAs of every public sector bank in India. A proper and effective Management Information System (MIS) needs to be implemented for monitoring of credit warning signals. The credit appraisal and monitoring accountability should be conducted by banks as well as focusing on the default risk minimization mechanism.

[**Keywords :** Non-Performing Assets, Public sector banks, Private sector banks]

1. Introduction

The banking industry plays a vital role in the economy of India. Measurement of Loans from time to time and recovery mechanism of NPA is one of the burning topics in the banking industry, now a day. The asset quality in terms of NPA is constantly deteriorating in banks, especially the Public Sector Banks (PSUs) in our country and thus causing intolerable stress to the banking sector, regulators, and the Indian economy. It is the requirement of the day to study the prospective impact and the remedies of the growing problem of Non Performing Assets on the banking sector. A number of studies have been done on NPAs in Indian banking sector by academicians and researchers. In the process of strengthening the recovery of loans and dues by the banks and the other financial institutions the Government of India started the financial reforms in Indian economy. These reforms were undertaken on the basis of reports laid down by report I and II of Narasimham Committee. The Government of India promulgated the "recovery of debts due to banks and other financial institutions act" and the "securitisation and reconstruction of financial assets and enforcement of security interest act" in the year 1993 and 2002 respectively. But in reality the acts introduced by the Government of India are not serving the purpose mainly due to the bank's approach and attitude towards financing and recovery of loans especially from the small and medium enterprises.

As per RBI, NPA is (a) an asset, including a leased asset, becomes non-performing when it ceases to generate income for the

bank and (b) A non-performing asset (NPA) is a loan or an advance where; (i) Interest and/ or installment of principal remain overdue for a period of more than 90 days in respect of a term loan, (ii) The account remains "out of order", in respect of an Overdraft /Cash Credit (OD/CC), (iii) The bill remains overdue for a period of more than 90 days in the case of bills purchased and discounted, (iv) The installment of principal or interest thereon remains overdue for two crop seasons for short duration crops, the installment of principal or interest thereon remains overdue for one crop season for long duration crops, (v) The installment of principal or interest thereon remains overdue for one crop season for long duration crops, (vi) The amount of liquidity facility remains outstanding for more than 90 days, in respect of a securitization transaction undertaken in terms of guidelines on securitization dated February 1, 2006. (vii) In respect of derivative transactions, the overdue receivables representing positive mark-to-market value of a derivative contract, if these remain unpaid for a period of 90 days from the specified due date for payment. c) Banks should, classify an account as NPA only if the interest due and charged during any quarter is not serviced fully within 90 days from the end of the quarter.

2.   Review of Literature

NPA is one of the burning topics for the banking sector now a day which has forced many researchers to study the reasons and the problems created by NPA. Moreover it is the requirement of the day to study the prospective impact and the remedies of the growing problem of Non Performing Assets on the banking sector. A number of studies have been done on NPAs in Indian banking sector by academicians and researchers. The literature reviewed in this part is obtained from the research studies and articles of researchers published in various journals.

Das (2010) analyzed the parameters which are actually the reasons of NPAs, and those are, market failure, willful defaults, poor follow-up and supervision, non-cooperation from banks, poor Legal framework, lack of entrepreneurial skills, and diversion of funds.

Gupta (2012) argued that despite the efforts of banks in containing the NPAs, the amount of slippage is still high and public sector banks are more at threat while private sector banks are able to consolidate with technology and improved methods.

Shiralashetti and Poojari (2016) analyzed the causes of NPA and impact of NPA on the profitability of the bank. The study found that there was a moderate relationship exist with Gross NPA and Net profit of the syndicate bank and also found that there was no significant difference between sector wise NPA. The study provided some suggestions to the regulators.

Dudhe (2017) analyzed the impact of NPAs on the profitability of banks. The study finds that public sector banks are more prone to NPA problems which will adversely affect their profitability. The suggestions to control the NPAs are to have a proper credit management which includes activities such as preparation of credit planning, proper credit appraisal, post sanction follow up and need based credit.

Sengupta and Bhardhan (2017) argued that regulatory forbearance does not facilitate resolution and can actually worsen the banking crisis by providing incentives to the banks to defer NPA recognition and delay action. Restructuring of a loan should be the commercial decision of a bank and should not automatically qualify for regulatory concessions in terms of deferment of recognition of NPAs.

Vikram and, Gayathri (2018) their study focused the sector, which has higher NPAs (Public/Private sector banks), causes and control measures for rising NPAs. It found out that the level of NPAs is higher in Public Sector Banks compared with Private Sector Banks. Also, focused causes, level of NPA and controlling measures were analyzed. It suggested that the root of the issue of rising NPAs lies in the nature of overseeing credit chance by the banks and willful defaulters.

Singh and Aggarwal, (2019) observed that there is a direct impact on the bank's performance due to the risk of NPAs and NPA have a negative effect and influence on the performance of both public and private banks. They concluded that during 2018-19 there has been a major improvement in the asset quality of scheduled commercial banks as gross NPA ratio has declined from 11.5% to 9.3% as on March 2019. They found that the biggest reason behind the increasing NPAs of the public sector banks is the political interference in the functioning of public sector banks.

Mittal (2019) identified the effect of increasing NPA in India and stated that the NPA has increased in the last decade. It means

that a large proportion of bank assets has been ceased to generate income for the bank, which in turn, lowers the profitability and ability of bank to generate further credits. The decline in banks profitability is causing adverse economic shock as well as putting consumer's deposits at risk.

Girnara (2020) this study was conducted of public sector banks and private sector banks of last 5years. Various ratios related to NPAs were calculated and also a comparison of NPAs in public sector banks and private sector banks has been made. After that, it is found that Gross NPA and Net NPA are high in public sector banks as compare to private sector banks and also negatively affecting to profitability of banks.

3.   Objectives of the Study

Objectives of this study are two-fold :

- To study the relationship between NPA with the key parameters of the banks selected under present study.
- To find out the impact of NPA on Net profit and Return on Assets (ROA) of the banks selected under present study.

4.   Research Methodology

As we all are aware that the definition of Non Performing Assets is also changing in the changing era. And NPAs are increasing gradually at increasing rate in banking institutions in our country. So, the study of dynamic changes of NPA in banking sector in India is very important. In present paper the researchers have tried to analyse the problem of NPAs by doing the comparative analysis of public sector banks and private sectors banks in India. So, in present study two public sector banks i.e., State Bank of India and Bank of Baroda and two private sector banks i.e., AXIS Bank and HDFC Bank have been taken for the study purpose, as these banks are most prominent in their specified area and best in their category. Present study has focused on different components like gross NPA %, Net NPA %, Net NPA, Net Profit, etc. for the study of both public and private sector banks.

4·1   Scope of the Study

The scope of the study is comparative analysis of NPAs of two public sector banks namely Bank of India and Bank of Baroda and

two private sector banks namely AXIS Bank and HDFC Bank in India for the duration of 2018 to 2022.

4·2 Sources of Data

The present study based on secondary data. These data have been collected from different sources such as : Annual reports of SBI, BOB, RBI, ICICI and HDFC Bank; Press Release Report of SBI, BOB, RBI, ICICI and HDFC Bank and related subject matter and related website of public and private sector banks in India.

4·3 Sample Design

The public and private sector bank for the study have been selected on the basis on convenience sampling method. Two public sectors banks namely State Bank of India (SBI), Bank of Baroda (BOB) and two private sector banks namely ICICI Bank, HDFC Bank in India have been selected for the present study on the basis of market capitalization. The study period is from 2018 to 2022.

4·4 Statistical Tools Used

Mean has been calculated to know the average performance and to know the stability in the performance of the banks to find out the relationship between NPA and other key parameters of bank.

5. Data Analysis and Interpretation

Table-1 : %Gross NPA of selected Public and Private Sector Banks in India from 2018 to 2022

Year	Public Sector Banks % Gross NPA		Private Sector Banks % Gross NPA	
	SBI	**BOB**	**HDFC**	**ICICI**
2018	10.91	12.26	1.30	9.90
2019	7.53	9.61	1.36	7.38
2020	6.15	9.40	1.26	6.04
2021	4.98	8.87	1.32	5.33
2022	3.97	6.61	1.17	3.76
Mean	6.708	9.35	1.282	6.482

The above table reveals the % of Gross NPA of selected public sector and private sector banks in India. BOB has highest Mean ratio

of 9.35%, followed by SBI with 6.708%. HDFC has lowest Mean ratio of 1.282%, whereas, ICICI Bank have 4.786% Mean ratio. This shows that there is a consistency in Gross NPA to gross advances ratio or % of Gross NPA ratio.

Table-2 : Relationship between Net Profit and Net NPA of Selected Public Sector Banks

Year	Public Sector Bank			
	SBI		BOB	
	Net Profit (In cr.)	Net NPA (In cr.)	Net Profit (In cr.)	Net NPA (In cr.)
2018	-4556.3	110854.70	-1887.1	23,483
2019	2299.6	65894.74	1100.1	15609
2020	19767.8	51871.31	927.8	21577
2021	22405.5	36809.72	1547.7	21799.88
2022	35373.9	27965.71	7849.7	13364.64
Mean	15058.1	58679.236	1907.64	19166.704

The above table shows that NPA has a mixed trend. NPAs of SBI have decreasing trend from 2018 to 2021, as it decreased to ₹ 27965.71 cr. in 2022 from ₹110854.70 cr. in 2018. Net profits of SBI have shown increasing trend throughout the period. It is cleared from the above table that the Net Profit of SBI is ₹ 35373 Cr from ₹ 4556.3 cr. Net loss from 2022 to 2018. In BOB NPA decreased from the year 2018 to 2019 from ₹ 23483cr. to ₹ 15609 Cr. In the year 2020 NPA is increased to ₹ 21577 Cr and again decreased to ₹ 13364 cr. in 2022. Net profits of BOB are showing an increasing trend overall .The mean of Net profit of SBI is more as compare to BOB and Average NPA is also high in case of SBI i.e. ₹ 58679 Cr.

Table-3, on next page, shows that the Net Profit (in cr.) and Net NPA (in cr.) of 2 private sector banks, such as ICICI BANK and HDFC BANK. The data of ICICI Bank indicates that the net profit and Net NPA are fluctuating over the 5years. But in HDFC bank the Net Profit and Net NPA are increases at increasing rate over the 5 years. The Mean value of Net profit is highest in HDFC Bank with ₹ 26589.82cr. and Mean value of NPA is highest in ICICI bank i.e., ₹ 13539. 6cr.

Table-3 : Relationship between Net profit and Net NPA of selected Private Sector Banks

Year	Private Sector Bank			
	HDFC		ICICI	
	Net Profit (In cr.)	Net NPA (In cr.)	Net Profit (In cr.)	Net NPA (In cr.)
2018	-4556.3	110854.70	-1887.1	23,483
2019	2299.6	65894.74	1100.1	15609
2020	19767.8	51871.31	927.8	21577
2021	22405.5	36809.72	1547.7	21799.88
2022	35373.9	27965.71	7849.7	13364.64
Mean	15058.1	58679.236	1907.64	19166.704

Steps to tackle the problem of NPAs : The following ways may be used to control the increasing problem of NPAs in our country and effectively monitor and control the problem of increasing NPAs in banks in India and enabling the banks to achieve a clean balance sheet :

- **Insolvency and Bankruptcy Code (IBC) :** To exercise control over the quality of the assets, the RBI's has pushed for the IBC. the resolution process is expected to quicken with use of IBC.

- **Tightening Credit Monitoring :** A proper and effective Management Information System (MIS) needs to be implemented for monitoring of credit warning signals. The effective MIS system will help the banks to detect issues and set off timely alerts to management.

- **Credit Risk Management :** Credit Risk Management may be one of the effective toolsin controlling increasing NPAs in banks in India. The credit appraisal and monitoring accountability should be conducted by banks. Moreover to build safeguards against external factors banks should also conduct a sensitivity analysis.

- **Amendments to Banking Law to give RBI more power :** The present scenario allow the RBI just to conduct an inspection of a lender but doesn't give them the power to set up

an oversight committee. The prevailing laws in this regard may be amended to empower the RBI to monitor large accounts and create oversight committees. Now a day it is seen that the PSU lenders put aside a large portion of their profits for provisions and losses because of NPA, the RBI may ask them to create a bigger reserve and thus, report lower profits.

‣ **Stricter NPA recovery :** It is suggested that the prevailing laws in this regard should be amended to empower the banks to give more power to recover NPA rather than to play the game of "wait-and-watch."

‣ **Corporate Governance Issues :** Banks, especially the public sector ones, need to come up with proper guidance and framework for appointments to senior-level positions.

‣ **Accountability :** Lower-level executives are often made accountable today; however, major decisions are made by senior-level executives. Hence, it becomes very important to make senior executives accountable if Indian banks are to tackle the problem of NPAs.

6. Findings of the Study

The following findings may be placed on the basis of present study :

Gross NPA% : It is one of the key indicators of banking sector. According to the Comparative analysis Gross NPA% is higher in public sector bank i.e. BOB of 9.35 % and lower in private sector bank i.e., HDFC Bank with 1.282% mean value.

Net Profit (in crores) : It shows the profitability of the bank. The mean value of Net profit is highest in HDFC bank i.e., ₹ 26589.82 cr. and lowest in BOB which is ₹ 1907.64 cr.

Net NPA Amount (in crores) : It is another key parameter of financial position of bank. As per the comparison Public sector bank i.e., SBI having higher Mean NPA value of ₹ 58679.236 cr. and HDFC the private sector bank having lower Mean NPA amount of ₹ 3664.08 cr.

Net NPA% : As per the comparison between public sector banks and private sector banks Net NPA % is more in Public Sector bank i.e., PNB which has mean value of NPA % is 8.068 and less in Private sector bank i.e., HDFC Bank with 0.682% of mean Net NPA%.

7.   Conclusion

It may be concluded that the problem of increasing NPA is one of the burning topics in the banking industry, now a day which indicates the financial stress of banks in India. It is difficult to completely reduce the NPA from banks but these may be minimized to lowest level possible. The present study indicates that the problem of NPAs is more severe in public sector banks than in private sector banks. The present study clearly states that the financial position of HDFC bank is good as it shows low Gross NPA%, low Net NPA% and higher Net Profits over the last 5 years taken for present study. Thus, it is one of the major issues of public sector banks as well as government as NPA problem in India is more due to lending to non-priority sector and sensitive sectors such as personal loan and real estate loans. There is need to focus on recovery and minimizing of NPAs of every public sector bank in India. A proper and effective Management Information System (MIS) needs to be implemented for monitoring of credit warning signals. The credit appraisal and monitoring accountability should be conducted by banks as well as focusing on the default risk minimization mechanism. Bank should follow the credit policy of the government and take strict and timely action against NPA. The prevailing laws in this regard of recovery of NPAs may be amended to empower the RBI to monitor large accounts and create oversight committees.

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Uniform Civil Code : Road to Gender Justice

Shalika Agrawal*

Indian democracy has proved its resilience and ability to achieve gender justice and equality for women in every sphere of national life. With the enactment of four statutes in 1955-56 for Hindus relating to marriage, succession, maintenance, guardianship and adoption, the position of Hindu women has improved to a greater extent by providing monogamy, permitting divorce, and by revolutionizing their position to become the absolute owners of the estate of deceased husband and coparcener in HUF. But their Muslim counterparts continue to suffer from vices of polygamy, absolute power of husband to give extra judicial divorce. In famous Shayara Bano case, the Supreme Court has outlawed Triple Talaq. The amendment of the Hindu Marriage Act to incorporate irretrievable breakdown of marriage as ground of divorce is the need of hour. By reference to landmark judicial decisions and enactments, the author has analyzed in the article how far the legislature and

* Associate Professor & HOD, Department of Political Science, AKP (PG) College, Hapur, Uttar Pradesh (India) E-mail: <shaluag1418@gmail.com>

the judiciary had come in helping women to achieve equality, the challenges to Uniform Civil Code. and suggested useful guideposts.

[**Keywords :** Feminist jurisprudence, Gender justice, Empowerment, Discrimination, Secular mainstreaming, Polygamy, Bigamy, Monogamy, Irretrievable breakdown, Coparcener]

I.   Introduction

Woman is described as man's better half. As long as she has not the same rights in law as man, as long as the birth of a girl does not receive the same welcome as that of a boy, so long we should know that India is suffering from partial paralysis. Suppression of woman is denial of Ahimsa.   —Mahatma Gandhi

India is a 'cradle of religions' Rao (Rao/1970). Each religious community has its own personal laws. Personal laws which are based on religious beliefs of different communities govern the family matters of each community. Despite the professed constitutional guarantee of equality and social justice, the different personal laws perpetuate unequal and dependent status of woman. These personal laws are inequitable to woman and deny her the same socio-economic freedom and status which is provided to man in our society. The biggest minority in India is its womanhood subjected to generations of gender injustice (Iyer, 1987 : 5). The status occupied by woman in society and the treatment accorded to her have been justly regarded as an index of the degree of civilization and culture attained in any country (Venkataramiah, 1985).

2.   Constituent Assembly Debates : Sentiments of the Framers

At the time of the framing of the Constitution, constitutional framers were fully conscious of the fact that to evolve a strong and consolidated nation, there should be no discrimination against sex and that the position of woman should be elevated to that of man. Article 44 was, therefore, incorporated in our Constitution giving a direction to the state to implement Uniform Civil Code (UCC) throughout the territory.

The clause on UCC generated substantial debate in the Constituent Assembly. Some members of the Assembly took starkly contrasting stances on the UCC. They felt that India was too diverse a country for the UCC and UCC would be against the freedom of religion. While some were not against the idea of a uniform civil law,

they argued that the time for that had not yet come, adding that the process had to be gradual and not without the consent of the concerned communities.

Member K. M. Munshi however, rejected the notion that a UCC would be against the freedom of religion. He advocated for the UCC, stating benefits such as promoting the unity of the nation and equality for women. He said that if personal laws of inheritance, succession and so on were seen as a part of religion, then many discriminatory practices of the Hindu personal law against women could not be eliminated (Munshi, CAD 548).

Dr. B. R. Ambedkar had more of an ambivalent stance. He felt that while desirable, the UCC should remain "purely voluntary" in the initial stages. He stated that the Article "merely" proposed that the state shall endeavour to secure a UCC, which means it would not impose it on all citizens (Ambedkar, CAD 551).

The Constitution of India was ahead of its time, not only by the standards of the developing but also of many developed countries, in removing every kind of discrimination against women in the legal and public domain of republic (DWCD, 2002-03). The Constitution has given special attention to the needs of women to enable them to exercise their rights on an equal footing with men and participate in national development.

3.   Personal Laws of Hindus

There are four communities in India - Hindus, Muslims, Christians and Parsees. Sikh, Jain and Buddhist though constitute minorities are governed by Hindu law. Personal law applies to a person solely on the ground of belonging to or professing a particular religion. (Bhattacharjee, 1986). Personal laws that are based on religious beliefs of different communities govern the family matters of each community. The provisions of various personal laws are discriminatory in the sense that the rights granted or liabilities imposed by one are not granted or imposed by the other. Despite the professed constitutional guarantee of equality and social justice, the different personal laws perpetuate unequal and dependent status of woman. These personal laws are inequitable to woman and deny her the same socio-economic freedom and status, which is provided to man in our society. Justice Krishna Iyer opined that "Our history is the history of repeated injustices and usurpations on the part of man

towards woman in the name of personal laws. The biggest minority in India is its womanhood subjected to generations of gender injustice" (Iyer, 1987).

Before 1955, the traditional Hindu laws and customs were extremely unfavorable to women. "Religion, as a system of beliefs and rituals, undoubtedly accords an inferior and dependent status to Hindu women" (DSW, 1975). Discrimination in personal matters concerning marriage, divorce, property rights and reproductive rights was particularly widespread. In India, women have been major victims of discrimination under personal laws. When the Constitution came into force in 1950, it ensured right to equality to all men and women and enactment of a Uniform Civil Code to provide equality to women. With the enactment of four statutes in 1955-56 for Hindus relating to marriage, succession, maintenance, guardianship and adoption, the position of Hindu women has improved to a greater extent. They have now been guaranteed monogamy and permitted divorce or dissolution of marriage. Now their disability to inherit absolute estate as heir to male property has been removed. Her rights are now no more limited to life estate. Their position has now been revolutionized by entitling them to become the absolute owners of the estate of deceased husband. Hindu women were not coparcenary in joint Hindu family, but with the passing of the Hindu Succession Amendment Act, 2005, they have become coparcenary in joint Hindu family acquiring their share in joint family property since birth.

The Supreme Court in its path breaking judgment of ***Gita Hariharan*** (1995), provided millions of women what was long due to them. The Court declared the mother to be the natural guardian of the child during the lifetime of the father thus giving a blow to century's old patriarchal traditions. In historic judgment of ***Naveen Kohli*** (2006), the Supreme Court recommended the Government to amend the Hindu Marriage Act, 1955 to include irretrievable breakdown of marriage as one of the grounds of divorce to Hindu couples staying separately since long time having no chance of reconciliation. In ***Smt.Seema*** (2006) the Supreme Court has directed that all marriages, irrespective of the religion be compulsorily registered and has asked the Centre and State Governments to frame rules. It will protect women against bigamy, polygamy and enable them to exercise their right of maintenance and custody of children.

4.   Personal Laws of Muslims

But no such legislation could be passed for their Muslim counterpart and other communities. The Muslims continue to suffer from vices of polygamy and absolute power of husband to give extra judicial divorce. In historic judgment of ***Shayara Bano*** (2017) confirming ***Shamim Ara*** (2002), the Supreme Court declared Triple talaq as illegal and void. Hindus are taking undue advantage of polygamy provisions to enter into second marriage while the first is subsisting. In famous ***Sarla Mudgal*** case (1995) and in ***Lily Thomas*** (2000) Supreme Court has given a right lesson to those Hindus who embrace Islam to enter into another marriage. The Court held that they should be prosecuted under the Hindu Marriage Act and the Indian Penal Code. Thus bigamy has been outlawed for all Hindus. Polygamy under the guise of Muslim law is now banned. It is high time to recount how far the legislature and the judiciary have come in helping women to achieve equality.

So far as the question of maintenance of Muslim women is concerned in one of the significant decision of Supreme Court in ***Danial Latifi*** (2001), Justice B. Patnaik has set at rest the controversy in this regard and now divorced Muslim women are entitled to reasonable maintenance from their husbands for a period which may extend beyond the period of iddat. A dangerous trend of talaq by SMS or while in sleeping has been confirmed by Maulvis which has led to a controversy. Muslim women have constituted their Indian Muslim Women Personal Law Board to resist the discrimination perpetrated on Muslim women. Religious fundamentalists should leave their obstinacy. In this regard, their fears that Uniform Civil Code will tantamount to interference with the way of life and thus contrary to right to religion are baseless. Muslim women are still suffering discrimination in matters of inheritance also. When a number of other Muslim countries like Pakistan, Turkey, Iran, etc. have passed legislations for banning polygamy and unilateral divorce, the Muslim women should also be ensured justice in these matters by bringing about uniformity of law amongst Indian population.

5.   Maintenance to Divorced Wife beyond Iddat

The Supreme Court has always adopted an approach that welfare laws such as Sec. 125 of Cr. P.C., passed in the spirit of Art.

15 (3) of the Constitution must be so read as to effectively fulfil its salutary objects when the beneficiaries are weaker sections, like neglected wives, discarded divorcees and destitute women claiming maintenance for their survival. In ***Bai Tahira V. Ali Hussain*** (1979) the bench consisted of V.R. Krishna Iyer, V.D. Tulzapurkar and R.S. Pathak, (JJ), The question before the Supreme Court was whether a woman who has been divorced by her husband and received a sum under any customary and personal law applicable to parties and which was payable on such divorce was entitled to any maintenance under sec. 125. Justice Krishna Iyer observed :

> The purpose of the payment 'under any customary or personal law' must be to obviate destitution of the divorcee and to provide her with wherewithal to maintain herself. Law is dynamic and its meaning cannot be pedantic but purposeful (Ibid, 565-366)

In ***Fuzlunbi v. Khader Vali*** (1980) Supreme Court again emphasized that Muslim law shows its reverence for the wife in the institution of mahr (dower). Explaining its meaning it was held that it was neither dowry nor price for marriage. The quintessence of mahr whether it is prompt or deferred is clearly not a contemplated quantification of a sum of money in lieu of maintenance upon divorce.

6. Mohd. Ahmad Khan v. Shah Bano Begum

Again in leading case of Mohd. Ahmad Khan v. Shah Bano Begum(1985), the Supreme Court rejected the argument of the appellant, that his liability to provide for the maintenance of his divorced wife was limited to the period of iddat, despite the fact that she was unable to maintain herself. The Court observed that Muslim Personal law, which limits the husband's liability to provide for the maintenance of the divorced wife to the period of iddat, does not contemplate or countenance the situation envisaged by Section 125

The Court referred to the Aiyats 240 to 242 of holy Quran, the sacred book of Islam and observed that verses (Aiyats) 241 to 242 of the holy Quran showed that there was an obligation on Muslim husbands to provide maintenance for their wives.

According to senior advocate of Supreme Court, Danial Latifi, the decision of the Supreme Court for the maintenance of the divorced Muslim women would surely consolidate their better future (Latifi, 1986). "Justice to women becomes one of the most

fundamental questions. Whatever other reasons, one can hardly deny that the Supreme Court judgment was also inspired by the sense of justice to women" (Engineer, 1986) It was unfortunate that the then Government enacted The Muslim Women (Protection of Rights on Divorce) Act, 1986 with the intention of nullifying the decision in Shah Bano case. The act absolved Muslim husband from his responsibility of maintaining divorced wife after the period of iddat and made it a responsibility of the relatives of the wife i.e. children, parents, etc. and in case relatives were unable to bear the responsibility, it was to be borne by State Wakf Boards.

7.   The Main Issue again in Melting Pot

The question of maintenance to divorced Muslim women after the period of iddat from her husband settled by the judgments of the Supreme Court in Bai Tahira, Fuzlunbi and Shah Bano case was again thrown in a melting pot. Contradictory opinions have been laid down by the various High Courts in this respect. In one of the most significant decisions of Supreme Court in ***Daniel Latifi v. Union of India*** (2001) the constitutional validity of the said Act was upheld. It was challenged that the exclusion of Muslim women from the applicability of Sec. 125 of Cr. P.C. was violative of their fundamental rights as guaranteed under Article 14, 15 and 21 of the Constitution of India. Supreme Court held that a Muslim husband is liable to pay reasonable maintenance for the future of divorced wife which may extend beyond the period of iddat and also that the liability of Muslim husband towards his divorced wife arising out of Sec. 3(1)(a) of the Act to pay maintenance is not confined to the iddat period. It was alleged that the said Act was unislamic, unconstitutional and it had the potential of suffocating the Muslim women and it undermines the Secular character of the constitution.

8.   Mode of effectuating Talaq : Shamim Ara (2002)

In the leading case ***Shamim Ara v. State of U.P.*** (2002) the Supreme Court laid down the guidelines and the principles for extra judicial talaq to be effective. The Muslim lady claimed maintenance for herself and for her two children from her husband which was denied by the husband on the ground that she was already divorced by him. The lady emphatically denied having been divorced at any time. The Court observed that a mere plea taken in the written statement of a divorce having been pronounced in the past could not

by itself be treated as effectuating talaq on the date of delivery of copy of the written statement to the wife. The Court affirmed the decision of Guhati High Court in ***Rukia Khatoon v. A. K. Laskar*** (1981) where division bench stated the correct law of talaq as ordained by the holy Quran as follows:

1. that 'talaq' must be for a reasonable cause; and

2. that it must be preceded by an attempt of reconciliation between the husband and the wife by two arbiters, one chosen by the wife from her family and the other by the husband from his. If their attempts fail, 'talaq' may be affected.

The Court observed that the husband was not able to prove divorce as per the standards laid in the above case and no reason was substantiated in justification of talaq. The ruling of the Court brings about progressive interpretation of the laws relating to talaq which is in tune with the pace with which our country is marching ahead in all walks of life.

9.   Shayara Bano v. Union of India (2017)

In leading case of Shayara Bano (2017), the Supreme Court considered the validity of triple talaq on the petition of Shayara Bano, several batches of other petitions as well as Supreme Court PIL. In this case the Judges of the Supreme Court differed in their views. The Majority view was taken by Kurian Joseph, Rohinton Fali Nariman and Uday Umesh Lalit, JJ. and the minority view by Jagdish Singh Khehar, CJI and S. Abdul Nazeer, J. The petitioner-Shayara Bano, approached the Supreme Court, for assailing the divorce pronounced by her husband Rizwan Ahmad on 10.10.2015, The petitioner sought a declaration, that the 'talaq-e-biddat' pronounced by her husband be declared as void ab initio. Such a divorce which abruptly, unilaterally and irrevocably terminates the ties of matrimony, purportedly under Section 2 of the Muslim Personal Law (Shariat) Application Act, 1937, be declared unconstitutional.

Practice in Islamic and non-Islamic countries : It was submitted on behalf of the petitioners, that the practice in question is not an essential religious practice. Even Islamic theocratic States, have undergone reform in this area of the law, and therefore, in a secular republic like India, there is no reason to deny women, the rights available all across the Muslim world. A large number of

Muslim countries, or countries with a large Muslim populations such as, Pakistan, Bangladesh, Afghanistan, Morocco, Tunisia, Turkey, Indonesia, Egypt, Iran and Sri Lanka had undertaken significant reforms and had regulated divorce law. It was pointed out, that legislation in Pakistan requires a man to obtain the permission of an Arbitration Council. Practices in Bangladesh, it was pointed out, were similar to those in Pakistan. Tunisia and Turkey also do not recognize extra-judicial divorce, of the nature of 'talaq-e-biddat'. In Afghanistan, divorce where three pronouncements are made in one sitting, is considered to be invalid. In Morocco and Indonesia, divorce proceedings take place in a secular court, procedures of mediation and reconciliation are encouraged, and men and women are considered equal in matters of family and divorce. In Indonesia, divorce is a judicial process, where those marrying under Islamic Law, can approach the Religious Court. In Iran and Sri Lanka, divorce can be granted by a Qazi and/or a court, only after reconciliation efforts have failed.

The Supreme Court thus declared Section 2 of the 1937 Act to be void to the extent of recognizing and enforcing Triple Talaq. The Court by a majority of 3 : 2 set aside the practice of 'talaq-e- biddat'- triple talaq.

Recommendations of the Law Commission of India

The Central government in 2016 requested the Law Commission of India to undertake an examination of various issues relating to the implementation of UCC. In 2018, the Law Commission submitted a 185-page report on the reform of family law. The paper stated that a unified nation did not necessarily need uniformity.

The commission noted that, the term "secularism" had meaning only if it assured the expression of any form of difference. The report recommended that, discriminatory practices, prejudices and stereotypes within a particular religion and its personal laws should be studied and amended.

The Commission suggested certain measures in marriage and divorce that should be uniformly accepted in the personal laws of all religions. Some of these amendments include fixing the marriageable age for boys and girls at 18 and simplifying the divorce procedure. It also called for the abolition of the Hindu Undivided Family (HUF) as a tax exempted entity.

10. The Muslim Women (Protection of Rights on Marriage) Act, 2019

Subsequently, The Muslim Women (Protection of Rights on Marriage) Act, 2019 was passed by the Parliament which declares triple talaq to be a cognizable offence u/s 7(a). It has also been made compoundable u/s 7(b). The provision has also been made for the maintenance of victim women and also for the guardianship of the minor children. The relevant provisions are given below :

Sec 3 : Any pronouncement of talaq by a Muslim husband upon his wife, by words, either spoken or written or in electronic form or in any other manner whatsoever, shall be void and illegal.

Sec. 4 : Any Muslim husband who pronounces talaq referred to in section 3 upon his wife shall be punished with imprisonment for a term which may extend to three years, and shall also be liable to fine

Sec 5 : Without prejudice to the generality of the provisions contained in any other law for the time being in force, a married Muslim woman upon whom talaq is pronounced shall be entitled to receive from her husband such amount of subsistence allowance, for her and dependent children, as may be determined by the Magistrate.

Sec. 6 : Notwithstanding anything contained in any other law for the time being in force, a married Muslim woman shall be entitled to custody of her minor children in the event of pronouncement of talaq by her husband, in such manner as may be determined by the Magistrate.

11. Irretrievable Breakdown of Marriage : The Ground of Divorce

In plethora of judgments, the Supreme Court has strongly recommended that the Government should amend the Hindu Marriage Act (HMA) to include "Irretrievable breakdown" of marriage as one of the ground for divorce where the marriage for all practical purposes has broken down without a chance of reconciliation. In leading judgement of ***Naveen Kohli v. Neetu Kohli*** (2006), Naveen Kohli industrialist and Neetu Kohli, had married in 1975 but had stayed separately since 1994 having number

of cases pending in the courts against each other where couple had stayed separately for long years without a chance of reconciliation. Supreme Court observed that the courts in such cases should not withhold divorce even though irretrievable breakdown of marriage is not a ground for divorce under law. A three Judge Bench of the Court observed as under :

> Once the marriage has broken down beyond repair, it would be unrealistic for the law not to take notice of that fact, and it would be harmful to society and injurious to the interests of the parties. Where there has been a long period of continuous separation, it may fairly be surmised that the matrimonial bond is beyond repair. The marriage becomes a fiction, though supported by a legal tie. By refusing to severe that tie the law in such cases does not serve the sanctity of marriage; on the contrary, it shows scant regard for the feelings and emotions of the parties.

The Supreme Court, in a series of judgments, has exercised its inherent powers under Article 142 of the Constitution of India for dissolution of a marriage where the Court found that the marriage is totally unworkable, emotionally dead, beyond salvage and has broken down irretrievably, even if the facts of the case do not provide a ground in law on which the divorce could be granted. The Supreme Court in **R. *Srinivas Kumar v. R. Shametha*** (2019) observed as under :

> Undoubtedly, it is the obligation of the court and all concerned that the marriage status should, as far as possible, as long as possible and whenever possible, be maintained, but when the marriage is totally dead, in that event, nothing is gained by trying to keep the parties tied forever to a marriage which in fact has ceased to exist.

In this case, the appellant husband filed a divorce petition in the year 1999 before the Family Court at Hyderabad. The said petition was filed for a decree of divorce against the respondent wife under Section 13(1) (ia) and (ib) of the Hindu Marriage Act, 1955. That the learned Family Court dismissed the said divorce petition. High Court also dismissed the appeal against it. Feeling aggrieved, the appellant preferred an appeal before the Supreme Court. The appeal of the husband for dissolution of marriage was allowed by the Supreme Court in exercise of powers under Article 142 of the Constitution of India on the condition and as agreed the appellant

husband shall pay to the respondent wife a lump sum permanent alimony, quantified at Rs.20,00,000/ (Rupees Twenty Lakhs).

The Court allowed the appeal observing that the appellant husband and the respondent wife have been living separately for more than 22 years and it will not be possible for the parties to live together. In the similar set of facts and circumstances of the case, the Supreme Court in the case of *Sukhendu Das v. Rita Mukherjee* (2017) has directed to dissolve the marriage on the ground of irretrievable breakdown of marriage in exercise of powers under Article 142 of the Constitution of India.

12. Uniform Civil Code is a Must

Sweeping modifications have been affected in Hindu Personal laws covering marriage, divorce, adoption and succession etc. and Hindu society has shown a remarkable tendency to adjust and adopt to the changing needs of the time. In majority of the Muslim countries, personal laws have been altered to bring it to conformity with the changing needs of their societies (Mahmood, 1975). It is unwise for the Muslims of India to shut their eyes to the tremendous progress in the field of personal laws. 'A unified, codified, and modernized law of personal status is now the order of the day in a large number of countries where Muslims constitute overwhelming majority' (Mahmood, 1972). Supreme Court has played a purposive, dynamic and consciously creative role in fulfilling and furthering the object of uniform civil code. In Shah Bano case the Supreme Court observed :

> A common civil code will help the cause of national integration by removing desperate loyalties to laws which have conflicting ideologies. No community is likely to bell the cat by making gratuitous concessions on this issue. It is the state which is charged with the duty of securing a uniform civil code for the citizens of the country and unquestionably, it has the legislative competence to do so.

In *Ms. Jorden Diengdeh v. S. S.Chopra* (1985) Supreme Court observed 'We suggest that time has come for the intervention of the legislature in these matters to provide for a uniform code of marriage and divorce and to provide by law for a way out of the unhappy situations……'90

13. Conclusion

To conclude, the arduous journey from Shah Bano to Shayara Bano has proved to be a hallmark in establishing Muslim women's rights as human rights. The dawn of new era has begun with Shayara Bano case and Act 20 of 2019. The positive impact is being noted in desired direction where in a case on allegations of triple talaq aganist husband by muslim wife, enquiry was set up and husband denied from triple talaq to escape from the penal consequences of the said Act. It has come to relief of innumerable number of muslim women. Now it is to be seen that law of divorce under the Hindu Marriage Act (HMA) is also soon amended to provide irretrievable break down of marriage as one of the ground of divorce in the statute book. Supreme Court has recommended time and again to add this ground to the existing grounds of divorce. It is high time that the Government should rise to occasion and prove that power of justice will defeat injustice.

Uniformity in family laws is primarily meant for improving the legal status of women in India. Gender justice demands that justice should be done to millions of women. If religious beliefs of practices come in conflict with matters of gender justice at the time of legislation, such religious practices must yield to the higher requirement of gender justice. The best from the personal laws of each community in the country as well as codes in force elsewhere in the world should be incorporated in the proposed uniform civil code. The purpose of law is to ensure that all sections of society get justice.

At present, there is a need that the Government should take up the lead to educate the people and to organize public opinion in favour of the uniform civil code. Mass education at all levels moulding the value system of people should be done on a large scale. Means of communication should be pressed into service for publicizing drawbacks and reforms which have already taken place and the need for further development. We must be committed to what is said by former CJ of India, P.B. Gajendragadkar for UCC. "In any event, the non implementation of the provision contained in Art. 44 amounts to a grave failure of Indian democracy and the sooner we take suitable action on that behalf, the better. In the process of evolving a new social order, a common civil code is a must" (Gajendragadkar, 1977 : 85-86).

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11

Attitude of IGNOU Learners Towards Online Counselling Sessions (During and post Pandemic)

Rohit Goswami*, Preeti Verma** and Bhanu Pratap Singh***

During the COVID-19 outbreak all across the world, everyone was is taking all precautionary and preventive measures to combat this pandemic. All face to face mode Colleges/schools/Universities had been shut down to contain the spread of this novel virus. It was expected that the shutdown would impact the learning process to a great extent. But, at this crucial point of time, the open university especially IGNOU with the help of ICT had arranged and shared several online links which was accessed by students, faculties, academicians and researchers for audio, video and text content. The wave and ideology to provide student support services through ICT interventional not only continued till date but also strengthened with blended

* Research Scholar, Regional Centre, Chandigarh, Union Territory (India) E-mail: <rohgoswa@ignou.ac.in>

** PGDHE, Learner, IGNOU Regional Centre, Noida, Uttar Pradesh (India) E-mail: <preetiverma2501@gmail.com>

*** Regional Director, IGNOU Regional Centre, Chandigarh, Union Territory (India) E-mail: <bhanupratap@ignou.ac.in>

mode of learning in present of time. In this paper researcher will find out the attitude of IGNOU learner's during & post Pandemic towards online counseling sessions. During pandemic online sessions was the need of hours and learner's of IGNOU enjoyed the online counseling sessions and got benefitted. But after the pandemic when normal situation arrived, learners may expecting face to face counseling.

[**Keywords :** Attitude, IGNOU learners, Online counselling sessions, Pandemic]

1. Introduction

IGNOU is providing education to all segments of society by establishment of Study Centre in PG Colleges, Universities and rural and backward Area. IGNOU was started with slogan "reach to unreached" with two academic Programme namely Diploma in Management and Certificate in Computer with near about 2000 enrolled learners, but presently near about 4.5 million learners are enrolled in different 240 Academic programme of IGNOU with the help of 21 Schools of Studies and a strong network of 68 Regional Centres located all over India, more than 2000 Learner Support Centres and 53 overseas centres and IGNOU providing good and quality education not only to common man but is reaching to all segment of society i.e teachers, working people, disabled persons, people residing in remote areas and working and house hold women etc. IGNOU is playing a vital role for teachers for their upliftment with professional, educational and personal growth by providing various in service programmes.

Interventions taken by IGNOU to strengthen the support services during lockdown due to COVID-19 :

⋙ In the current emerging crisis due to COVID-19, the Open and Distance Learning (ODL) system is suitably placed because of its pedagogy having greater weightage of Self Learning Material (SLM) in its teaching learning process.

⋙ In more than 90 percent programmes of the university face to face academic counselling component is around 10 percent of overall hours devoted for the learning.

⋙ In order to provide academic support to its learner's university, it quickly adopted various tools of Information and Communication Technology (ICT) to reach out to its learners to provide them alternative to the face to face academic counselling, which the university organizes at its LSCs.

- The video conferencing ICT applications like Google Meet, Zoom, Microsoft Team were used extensively in the last one month to connect faculty, academic counselors and learners. Besides this university has also organized a number of facebook live sessions involving faculty directly from its head quarter in New Delhi to further supplement the academic support to its learners.

- Further university has allowed learners to submit a scanned copy of the assignments (which has around 30%weightage in the overall assessment for any course) through email to further support the learners which otherwise need to be submitted by hand at the LSCs. These assignments will also be evaluated online by academic counselors.

All above activities have been conducted by IGNOU through ICT intervention during lockdown due to pandemic COVID-19. The RCs are adopting online method for providing learner support service by advising them to utilize online method to handle various student queries.

- The Regional Director has assigned works relating to Finance & Accounts, student queries, communication with LSCs etc to every staff of the Regional Centre to work from home.

- Student queries are being replied via email, IGRAM, phone and Facebook.

- Uploading E-learning materials for every programme and uploading links for self learning materials from e-Gyankosh.

- Updating our Regional Website regularly.

- Utilizing the means of FaceBook to update various information.

- Email ID has been created assignment<rcname>@gmail.com. to submit scanned copy of hand written assignments by the learners. A circular in this regard has also been uploaded in Regional Centre Websites

- SMS has also been sent to all the learners regarding submission of scanned assignment in the dedicated email ID and also sent the said information to all the coordinators.

The globalization of higher education, particularly through the distance mode of delivery, has given an altogether different perspective to the cross border delivery of IGNOU's academic programmes in various countries. Because of diversity of society,

work conditions and interests demand of need based programme has been aroused from long time. Indira Gandhi National Open University (IGNOU) has been launching different need based academic programme .These programme have been developed as per the need and requirement of local community.

It is well established fact the education in general and higher education in particular is an effective instrument of social & economic transformation. It is the most important source of human resource development all over the world.

2. Review of related Literature

Survey of related literature is an essential pre-requisite to actual planning and execution of any research project. It is like surveying the area and judging the distance first and then to formulate a plan. It helps the researcher in avoiding duplication on the one hand, and in getting benefit from similar study on the respect of method adopted and devices used in the collection of data and their organization and interpretation

2·1 Research in Abroad

C. Villiedi (2003) : Studied on Knowledge, Attitude Perception and Expectations (KAPE) of the Women Learners of University of Madras. The survey method was selected to collect the research information for the study. Cluster sampling method was used. In the first stage one contact seminar center was chosen for collection of data.

David Olugbenga Ojo and **Felix Kayode Olakulehin (2006) :** Studied the Attitudes and Perceptions of Students towards Open and Distance Learning in Nigeria. The samples for this study comprised 120 distant learning students randomly selected from study centres located at the six geo-political zones in Nigeria. A structured questionnaire was used as research instrument and find out that ODL learners in Nigeria are favorably disposed to Open and Distance Learning institutions.

Helen Khoo Chooi Sim, Hanafi Atan and **Rozhan M. Idrus (2006) :** Studied the factors that contribute to satisfaction regarding the quality of the learner support system. In this study five-point Likert scale questionnaire was used as research instrument. The population of this study involved students registered at the School of Distance Education and stratified sampling method was used. The

factorial analysis was conducted to see the inter-relationship amongst the 16 dimensions identified in the study.

Femi A. Adeoye and **Ibrahim O. Salawu (2010) :** Studied to identify the reasons why learners opted for the distance learning degree of National Open University of Nigeria (NOUN) and their perception of the programme.

2·2   Research in India

Prabir K. Biswas (1999) : studies the Awareness, Interest and Motivation of fresher in IGNOU. The findings of the study were that more and more young and unemployed learner's arc taking admission at IGNOU who have very little knowledge about open learning system. These learners need more useful re-admission guidance and counselling for proper selection of programme. Most of them are motivated to join their specific programme for accelerating educational clarification and job.

C. R. K. Murthy (2004) : Studied components involved in delivery of programme, learners feedback on various aspects including Face-to-face etc. The finding of the research was; the learners' perception about the PGDDE programme is positive and its utility to their society is highly recognized by them.

R. K. Srivastava and **A. Jagriti (2005) :** studied the personal problems and their solution of the distance learners. For this purpose he selected 105 distance learners and 08 teachers. Personal problems included applying for admission, submission of Exam form and preparation for exams remain from the beginning till obtaining mark sheet. The findings of the study are as under :

- Teachers also observed that learners face serious problems on account of exam procedure.
- Teachers suggested establishment of a cell for the solution of problems learners.

S. Raja Rao (2008) : studied three study centres of Dr. B. R. Ambedkar Open University (BRAOU) from two districts of Andhra Pradesh to find out the access of media infrastructure at homes of the distance learners and awareness of media support services and infrastructure at the study centres. The findings of the study were as under :

Access of media infrastructure at learners' homes : new technologies are less accessible to the respondents than the old technologies like radio and tape recorder.

Awareness of media support services of the university : majority of the respondents were aware that Dr. B.R. Ambedkar Open University uses television and radio for teaching its students.

Manashee Gogoi and Mukut Hazarika (2009) : studied Awareness and Attitude of the college students at first degree level in the colleges under Dibrugarh University towards open and distance learning. The findings of the study were as under :

- There exists a significant difference between the male & the female and urban and rural as far as their awareness are concerned.
- There is no significant difference between the male and the female college student as far as their attitude is concerned.

Ashok K. Gaba and S. S. Sethy (2010) : Studies the Case of Indira Gandhi National Open University to find out the learners' Perception towards Information and Communication Technologies, the awareness towards online/distance learning programmes, accessibility to on-line programmes, level of skills for study through online and learners' preference for the support services through ICTs. The findings of the study were as under :

- Majority of the respondents of all the programmes were having basic knowledge of ICT in general and computer skill in particular before registration with IGNOU. They were also having experience in using Internet for about 1 to 2 years.
- Learners had given their preference to receive support services through Audio/ Video and CDs/DVDs followed by Online/e-Learning/Web based programmes.
- More than 90% of lGNOU's learners of respondents were having mobile phones followed by access to FM Radio (80%), TV with Cable, DTH and Gyan Darshan on it (77%), MP3 player (70%), Desktop Computer (67%),TV without cable connection(66%), telephone landline (63%), audio, video, CD/DVD player (55%), and Desktop with Internet facility (53%). About one fourth learners of all the programmes were having the accessibility of laptop and laptop with internet facility
- Majority of the respondents (about 70%) of B.Sc and BCA programmes were aware about the web pages of IGNOU and its Regional Centres' in comparison to rest of the respondents of other programmes.

2·3   Conclusion of Review of related Literature

The researcher visited to the various online resources in the field of Open & Distance learning. The researcher also referred to RC, Library to study the literature available in the relevant field. Researcher has also discussed the topic with the Academics working in the field of ODL and found the above mentioned studies relevant to the present studies. From the above referred studies, it is found most of the studies conducted in abroad & in India pertains to one or the other aspect of Learner awareness but none of the study was conducted on the objectives of this present study.

3.   Significance of the Study

Distance Education-Programmes are being offered with help of a plethora of interactive media-printed material (SLMs), Audio-Video programmes, Teleconferences internet, Academic Counselling Assignments, Face-to -Face workshops, project work, practical works etc. However, these technologies may influence learning in unanti-cipated way, if used without understanding the implications for student learning. One can find a number of empirical validations, pertaining to student reactions or perceptions to Distance Education, from several perspectives. Similarly Comparative, effectiveness, of distance education and traditional educational system has also been studied in term of several variables.

4.   Objectives of the Study

Based on area of study i.e The Study of Attitude of IGNOU Learners Towards Online Counselling Sessions (During and Post Pandemic),the following objectives are formulated for study :

- To find out the attitude of IGNOU learners towards online counselling sessions during pandemic.
- To find out the attitude of IGNOU learners towards online counselling sessions post pandemic.

5.   Operational Definations of the Terms

Online Councelling Sessions : "Education is a virtue, it stays with an individual throughout their life" has been told by elders. But the means for the virtue is on the cross road across the globe due to the corona pandemic. In view of the COVID-19 outbreak all across the world, All face to face mode Colleges/schools/

Universities have been shut down to contain the spread of corona virus. The lockdown due to COVID 19 has put the government on the tight rope leading the academic administrators in the country to plan a series of activities by the concerned ministry and various regulators including UGC, IGNOU, CBSE, NCERT,NIOS etc.

Attitude : The opinions, tendency or felling of person individual or a human group towards objects or a system. For example- what is the opinion of students, parents and society towards distance education system?

The Attitude is predisposition or a tendency to respond positively or negatively towards a certain idea, object, person, or situation. Attitude influences an individual's choice of action, and responses to challenges, incentives, and rewards (together called stimuli).

6.   Research Methodology

In order to study the Learner attitude towards the online counselling sessions in Open & Distance Learning during and post pandemic, the investigator has collected the information through a self made questionnaire. The self made questionnaire was made on different parameters of student support services, which were provided to the learners through online /digital mode during pandemic like counselling, submission of assignment and projects etc. has been included in the questionnaire. The questionnaire was prepared on five point rating scale i.s Strongly Agree, Agree, Neutral, Disagree and Strongly Disagree. The questionnaire were sent to the learners who are already enrolled in M.A. (EDU) programmes of IGNOU under IGNOU Regional Centre Noida. The Questionnaire was prepared on Google form and link was created. The link of questionnaire was shared with RC Noida with a request to sent to all M.A. (Edu) learners. The Regional Director RC Noida taken proactive support to the researcher and sent email to all the M.A.Edu Learners enrolled under RC Noida.

Population : Under the jurisdiction of IGNOU-Regional Centre, Noida, 257 learners are enrolled in the session Jan 2019, July 2019, Jan 2020 and July 2020 in M.A(Edu) Programme at different Study Centres. In this case, all the learners (i.e. 257) enrolled at IGNOU-Regional Centre, Noida has been taken as Population.

Sampling : Due to time & resource constraints, the investigator has sent the link of the questionnaire to M.A.(Edu) Learner with the help of Regional centre, Noida through email and SMS. Only 71 learners have filled the questionnaire online as sample for this study.

Table-1 : Profile of Learner Selected as Sample

Sr. No.	Head	Category	Frequency	Percentage
1.	Gender	Male	50	70.4
		female	21	29.6
2.	Residence	Urban	29	40.8
		Rural	42	59.2
3.	Educational Group	Science	34	47.9
		Arts	37	52.1

Description of Tool : The investigator has designed a questionnaire to collect the information from learners on their personal information as well on their attitude about SSC, Use of ICT Tools & Online resources. The draft questionnaire was distributed to the Academics at the IGNOU-Regional Centre, Noida & Local Study Centre. It was also administered to some learners to find out whether the questions are comprehended by them easily. The suggestions & modifications received were incorporated into the Questionnaire.

The questionnaire was divided into Two (02) parts :

Part-A : consists of 04 question about their Programme, Sex, Residence status, Educational group under study questionnaire and purpose of Study.

Part-B : This part consists of Ten (10) Questions. It consists of ten questions to test the attitude level of M.A.Edu learners towards student support services during pandemic.

Delimitation of the Study : The Study will be delimited to the student enrolled in M.A (Edu) Programme under Noida Regional Centre sessions of year 2020 (Jan 2020 and July 2020) only.

7. Analysis and Interpretation of Data

The data collected through the Questionnaire having 10 questions on different aspects of the online counselling sessions. The Significance at the level 0.01 has been shown by (*), significance at

the level 0.05 has been shown by (**) and No significant Difference has been shown by (***).The Critical Value at the Significance level 0.01 is 2.58 and the Critical value at significance level 0.05 is 1.96.The data collected is being analyzed and interpreted in the light of the set objective is as follow :

Objective 1 : *To find out the attitude of IGNOU learners towards online counselling during pandemic.*

Based upon the above objective, the data were collected about the following 10 statements through a self made questionnaire :

S-1 : Prefer to attend the online counselling sessions conducted through digital mode.

S-2 : Comfortable with the counselling through GoogleMeet/ Zoom/ Webex as students can interact with their teacher.

S-3 : Like to attend the lecture sessions through YouTube / Facebook live

S-4 : In live session of YouTube/ Facebook, interactions through Chats with the academic counsellors were helpful

S-5 : In live session of YouTube/Facebook, interactions through Chats with the academic counsellors were helpful.

S-6 : The Online Counselling sessions were interactive and informative for the learners.

S-7 : The Regional Centres and Study Centres are able to give information on different academic activities through websites/ Facebook/whatsapp/ email/ Twitter/Instagrametc.

S-8 : The schedule for online counselling sessions was provided well in advance.

S-9 : The information pertaining to submission of projects/ assignments/exam form etc. Were also shared during online counselling/ chat box.

S-10 : It was easy to excess the web link given by the University to attend the online counselling sessions.

Responses of the selected sample are analyzed in table-2 on next page. Reading of data contained in this table reveal the following facts :

1. Data on **S-1** show that 43.60% (Strongly Agreed - 19.70 + Agreed - 23.90) Learners of IGNOU were more or less agreed, 25.40% were neutral and only 31.00% Learners of IGNOU were

found more or less disagreed with the statement that Prefer to attend the online counselling sessions conducted through digital mode.

Table-2 : Learner's Attitude towards Online Counselling Sessions during Pandemic

statement	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
S-1	19.7	23.9	25.4	22.5	8.5
S-2	16.9	31.0	25.4	14.1	12.6
S-3	18.3	23.9	31.0	14.1	12.7
S-4	23.9	28.2	23.9	12.7	11.3
S-5	21.1	33.9	23.9	12.6	8.5
S-6	22.5	28.2	22.5	16.9	9.9
S-7	18.3	31.0	22.5	16.9	11.3
S-8	21.1	31.0	26.7	11.3	9.9
S-9	23.9	33.8	19.7	14.1	8.5
S-10	31.0	35.2	21.1	7.0	5.6

2. Responses on **S-2** clearly show that 47.90% (Strongly Agreed - 16.90 + Agreed - 31.0) Learners of IGNOU were more or less agreed, 25.40% were neutral and only 26.70% Learners of IGNOU were found more or less disagreed with the statement that Comfortable with the counselling through GoogleMeet/Zoom/Webex as students can interact with their teacher.

3. Data about **S-3** clearly show that 42.20% (Strongly Agreed -18.30 + Agreed - 23.90) Learners of IGNOU were more or less agreed, 31.0% were neutral and only 26.80% Learners of IGNOU were found more or less disagreed with the statement that Like to attend the lecture sessions through YouTube/Facebook live.

4. Responses on **S-4** clearly show that 52.10% (Strongly Agreed - 23.90 + Agreed - 28.20) Learners of IGNOU were more or less agreed, 23.90% were neutral and only 24.0% Learners of IGNOU were found more or less disagreed with the statement that In live session of YouTube/Facebook, interactions through Chats with the academic counsellors were helpful.

5. As regards **S-5**, data clearly show that 55.00% (Strongly Agreed - 21.10 + Agreed - 33.90) Learners of IGNOU were more or less agreed, 23.90% were neutral and only 21.10% Learners of IGNOU were found more or less disagreed with the statement that Online counselling gives the opportunity to have interactions with IGNOU faculty (**HQ**) besides Counsellors (at Study Centre).

6. It is clear from the responses on **S-6** that 50.70% (Strongly Agreed - 22.50 + Agreed - 28.2) Learners of IGNOU were more or less agreed, 22.50% were neutral and only 26.80% Learners of IGNOU were found more or less disagreed with the statement that The Online Counselling sessions were interactive and informative for the learners. The graphical diagram is given below:

7. It is evident from the responses of the sample on **S-7** that 49.30% (Strongly Agreed - 18.30 + Agreed - 31.00) Learners of IGNOU were more or less agreed, 22.50% were neutral and only 28.20% Learners of IGNOU were found more or less disagreed with the statement that The Regional Centres and Study Centres are able to give information on different academic activities through websites/Facebook/whatsapp/ email/Twitter/Instagram etc.

8. Data on **S-8** clearly show that 52.10% (Strongly Agreed - 21.10 + Agreed - 31.00) Learners of IGNOU were more or less agreed, 26.70% were neutral and only 21.20% Learners of IGNOU were found more or less disagreed with the statement that The schedule for online counselling sessions was provided well in advance.

9. It is clearly evident from responses on **S-9** that 57.70% (Strongly Agreed - 23.90 + Agreed - 33.80) Learners of IGNOU were more or less agreed, 19.70% were neutral and only 22.60% Learners of IGNOU were found more or less disagreed with the statement that The information pertaining to submission of projects/ assignments/exam form etc. Were also shared during online counselling/chat box.

10. Responses on **S-10** clearly show that 66.20% (Strongly Agreed - 31.00 + Agreed - 35.20) Learners of IGNOU were more or less agreed, 21.10% were neutral and only 12.60% Learners of IGNOU were found more or less disagreed with the statement

that It was easy to excess the web link given by the University to attend the online counselling sessions.

Objective 2 : *To find out the attitude of IGNOU learners towards online counselling post pandemic.*

Based on the data collected through a self made questionnaire about same 10 statements may also be analyzed in different point of view with the help of table- 3, which is presented again in different prospective i.e analyzing the percentage of sample which was more or less disagree with the online academic counselling even in pandemic as they were usual with face to face counselling and they may always prefer to the face to face counselling :

Table-3 : Learner's Attitude towards Online Counselling Sessions Post Pandemic

statement	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Disagree-ment level
S-1	19.7	23.9	25.4	22.5	8.5	56.4
S-2	16.9	31.0	25.4	14.1	12.6	52.1
S-3	18.3	23.9	31.0	14.1	12.7	57.8
S-4	23.9	28.2	23.9	12.7	11.3	47.9
S-5	21.1	33.9	23.9	12.6	8.5	45
S-6	22.5	28.2	22.5	16.9	9.9	49.3
S-7	18.3	31.0	22.5	16.9	11.3	50.7
S-8	21.1	31.0	26.7	11.3	9.9	47.9
S-9	23.9	33.8	19.7	14.1	8.5	42.3
S-10	31.0	35.2	21.1	7.0	5.6	33.7

Analysis of the data contained in the table above shows the following facts :

1. Responses on **S-1** show that 56.4% learners of IGNOU were found more or less disagreed to attend the online counselling sessions conducted through digital mode.

2. As regards **S-2**, data reveal that 52.1% learners of IGNOU were found more or less disagreed that comfortable with the counselling through GoogleMeet/ Zoom/Webex as students can interact with their teacher.

3. Responses on **S-3** clearly show that 57.8% learners of IGNOU were found more or less disagreed that like attending the lecture sessions through YouTube/Facebook live.

4. It is clearly evident from the responses on S-4 that 47.9 learners of IGNOU were found more or less disagreed that In live session of YouTube/Facebook, interactions through chats with the academic counsellors were helpful.

5. As regards **S-5**, data clearly show that 45% learners of IGNOU were found more or less disagreed that online counselling gives the opportunity to have interactions with IGNOU faculty (HQ) besides counsellors (at Study Centre).

6. It is clear from the responses on **S-6** that 49.3 learners of IGNOU were found more or less disagreed that the online counselling sessions were interactive and informative for the learners.

7. It is evident from the responses of the sample on **S-7** that 50.7% learners of IGNOU were found more or less disagreed that The Regional Centres and Study Centres are able to give information on different academic activities through websites/ Facebook/whatsapp/ email /Twitter/Instagram etc.

8. Data on **S-8** clearly show that 47.9 learners of IGNOU were found more or less disagreed that The schedule for online counselling sessions was provided well in advance.

9. It is clearly evident from responses on **S-9** that 42.3 learners of IGNOU were found more or less disagreed that The information pertaining to submission of projects/assignments/ exam form etc. were also shared during online counselling/chat box.

10. Responses on **S-10** clearly show that 33.7 learners of IGNOU were found more or less disagreed that It was easy to excess the web link given by the university to attend the online counselling sessions.

8. Conclusion

The output of study revealed that during the pandemic online sessions was the need of hours and learner's of IGNOU enjoyed the online counselling sessions and got benefitted. But after the pandemic when normal situation arrived, learners are expecting face to face counselling also.

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Chaudhary Zabardast Khan : An Unknown Hero of 1857 in UP

Vighnesh Kumar* and Sheetal Tyagi**

Hapur, a district head-quaters in the division of Meerut in Uttar Pradesh played an important role during the Indian Revolution of 1857. The township has a number of muhallas inhabited by both the Hindu Tyagis as well as their Muslim Tyagis brothern, having been converted during the Later Mughal period. Both of them belong to the Bhadsiyan Shasan of the Gautam gotra who are told to be owner of 360 villages around Hapur. Chaudhary Zabardast Khan, the Muslim Tyagi leader of Bhanda Patti, Hapur played one of the most effective roles as a best friend of Nawab Walidad Khan of Malagarh Fort who had been considered the worst opponent to the East India Company. Later on, Chaudhary Zabardast Khan along with his all the six brothers was captured and executed at the Chauraha, now near the tehsili at a point on the Bulandshahr Road, Hapur.

* Professor, Department of History, Chaudhary Charan Singh University, Meerut, Uttar Pradesh (India) E-mail: <vighneshkmr@gmail.com>

** Research Scholar, Department of History, Himalyan Garhwal University, Shiv Nagar, Pokhra, Uttarakhand (India).

Every year a one month Shaheed Mela is held at Hapur in the holy memory of the Martyrs of Hapur who had laid down their lives opposing the foreign rule.

[Keywords : Indian revolution of 1857, Bhanda Patti, Taga Sarai, Asaura, Gautam gotra, East India Company, Gulaothi, Subedarship of the Provinces of Aligarh and Bulandshahr, Babugarh]

The district of Hapur is a newly formed district in the division of Meerut though its head-quarters of same name. Hapur was declared a newly formed district by Ms. Mayawati, the then Chief Minister of Uttar Pradesh on 28 September, 2011 giving it the name of 'Panchsheel Nagar'. This name was changed by the then newly elected Chief Minister Shri Akhilesh Yadav in July 2012. He renamed the district as the 'Hapur District' after the name of the township of Hapur.

Hapur is the township having its foundation in the end of the first millennium of the Common Era. It is said that it was founded by a Dor King named 'Hardutta'. After his name it was called Harpur which in due course of time turned into 'Hapur' which is an easier pronunation.[1] Raja Hardutta is told to found Hapur in 983 C.E.[2] He had faced Mahmud Ghazanvi attacks on his region.[3]

During the time of Chauhan ruler Prathviraj, Dor Raja Chandrasen was ruling on the geographical area from Meerut to Aligarh.[4] He was attacked and finally having been pressed hard. The Hindus were giving resistance from the forts of Meerut and Baran. Finally those were killed at Baran though by treachery of king's own cousin named Ajay Pal 'Lamba' who was rewarded by Muhammad Ghori's slave general Qutubuddin Aibaq in 1193.[5] Since then the present area of the district of Hapur fell into the control of the Turk invaders, though a series of the continuous resistance given by the Hindus of these districts has been observed. The local people were not willing to bear the intolerant policies of the foreign Turks. This seems to be applicable on the Turk rulers of both the Sultanate and the Mughal periods.

The geographical area of the present district of Hapur remained important even during the East India Company's rule.[6] A number of heroes of Hapur and nearby villages gave armed resistance to General Gerard Lake's forces. These were solely supporting the Indian cause under the command of Rama Rao, the Maratha captain of Malagarh Fort.[7] Malagarh is situated on the left bank of River Kali and is well known because of its very strong fort.[8]

The Malagarh Fort also had a strategical position for the Marathas to safeguard Delhi in the last quarter of the nineteenth century.[9]

Madho Rao Phalkia, the Maratha captain posted at Malagarh Fort had to maintain good relations with the local chieftains of the area.[10] The larger portion of the Hapur was under Asaura (the Asaura Riyasat) and the other chieftains of the clan, now known as the Tagas or the Tyagis. One Chaudhary Shyam Singh Tyagi was conferred on the title of the 'Chaudhary Paragana' by Emperor Muhammad Shah 'Rangila'.[11]

The historic clan of the Tyagis of Asaura was so strong in the eleventh century CE that those had murdered Raja Hardutta.[12] Those days he was ruling over the area.13 The Tyagis of Asaura had attacked and killed the Raja in the fort of Hapur in the first quarter the eleventh century. The incident took place some where in the time bracket from 1017 to 1025C.E. Raja Hardutta's son and successor did not try to take revenge of his father's murder. This evidence shows the strength and importance of the Tyagi clan in the early decades of the eleventh century C.E. They was remained untouched. These are Brahmins of Gautam gotra and are called as the 'Bhadsiyans'.[14]

This family branched out and founded a number of settlements including those of the Bharai Muhalla, Taga Sarai and Bhanda Patti - all the colonies the old township of Hapur and the villages of Achheja, Chamri, Sabli and few more. The branch of Taga Sarai and Bhanda Patti had to face religious conversion much late though the original village of Asaura had undergone the conversion some more years earlier.[15]

Actually the Bhanda Patti and the Taga Sarai are closer to each other and during the Later Mughals they had been facing the religious conversion. As the case fit for the division of property, they had disputes among them.[16] It was some where in the eighteen fifties. Prior to it the elder brother had given the ancestral buildings to the younger one and had settled in the adjoining border that is the Taga Sarai muhalla.[17] In next generation they were at very good terms and same was during their third generation. But it could not remain same as there arose a family dispute on some proprietary rights over some villages in their possessions. At this juncture Chaudhary Roop Ram, the uncle (Chachajan) and Chaudhary Zabardast Khan, the nephew (Bhatije Raja) were seen against each other.[18] It was whispered that at least at three different occasions

Chaudhary Zabardast Khan had attempted to kill his Chachajan Chaudhary Roop Ram.[19] The last incident is noticed in the oral tradition that Chaudhary Roop Ram was aware of his nephew's ill intension and had started sleeping at night in the campus of the Radha Krishna Temple while on his bed at the roof of his home he was in practice to put two pillows length-wise on bed and giving to them one chadar so that all his households had to take the impression that Chaudhary Saheb was sleeping at his home as usual. Once in a summer at one dark night it happened that Chaudhary Zabardast Khan, taking naked sward in his had entered the house through its roof and seeing his Chachajan Chaudhary Room Ram on his bed, he attacked.[20] It was quite dark. He could not understand that there was Chaudhary sleeping or not. He and few of his brothers were satisfied making Chaudhary Roop Ram's end but when in the morning their informers gave them the information about Chaudhary Sahib being quite well, they were deadly ashamed. Till then they were even not on talking terms but the 'muh-lagey' households were taking liberty in terms of getting money and provisions. Chaudhary Roop Ram was very influential personality while Chaudhary Zabardast Khan was quite equal to him in persona but slight dark in colour having 'Badi Mata ke Daag' on his face. He was tall, few inches more than six fit, brave and smart but his mind was totally against his uncle Chaudhary Roop Ram. In open, he was to maintain his high family reputation and has broader prestigious position among all the Bhadsaan Tyagis of 360 villages. So what attempts he had made might be caused to loose his high social status. So both the parties, though knowing the naked truth, were showing as if nothing wrong was there in their family. It was the need of the hour to which the khandani family was going through. Disputed villages were of different nature, some being crown lands and so directly related to the Mughal Emperor Bahadur Shah 'Zafar'.

The temple between the Taga Sarai and the Bhanda Patti built by Chaudhary Roop Ram still exists there at Hapur. The Chaupal of Chaudhary Zabardast Khan is still being used for community functions and ceremonies. The descendants of both the uncle and his nephew still live with love and togetherness as well.[21]

During the Indian Revolution of 1857, Chaudhary Zabardast took Indian side.[22] He was in close terms with Nawab Walidad Khan whose neice through his elder sister had been married with Prince

Jawan Bakht, the son of Emperor Bahadur Shah and Begum Zeenat Mahal. Thus he had an effective approach directly to the Emperor. He was expecting a lot thinking of receiving royal favours through that channel.[23]

And really, he was right. As a matter of fact Nawab Walidad Khan had his bestly trusted friend in him. In Nawab's son's marriage party, it was Chaudhary Zabardast Khan who was there at Muzaffarnagar to perform the rituals of bridegroom's father in absence of Nawab Walidad.[24]

On 10th day of May, 1857 the Revolution out broke at Meerut and soon it had expended in all the directions.[25] On 11th May Emperor Bahadur Shah (though forcefully)[26] accepted to lead it. Soon the city of Delhi and the Red Fort became important. Those days Nawab Walidad Khan of Malagarh was not at Malagarh Fort but he had been there in Delhi and so as an eyewitness to 1857 at beginning at Delhi and the Red Fort. He saw almost all of the events being occurred. After two weeks, he appeared in his district along with a royal Farman in which he had been assigned the subedarship of the Provinces of Aligarh and Bulandshahr including the neighbouring areas by the Mughal Emperor.[27]

On the other hand, Mr. Sapte, the Collector and Magistrate of Bulandshahr had some intelligence that Walidad Khan was provoking the people at large against the rule of the East India Company.[28] So taking its notice, he wrote a letter to Walidad Khan not to do what was reported. The correspondence between the two has its historical importance being the primary source in nature relating to 1857.[29]

Walidad Khan was assisted by the Rajputs and the Gujars considerably from the inner side of the district while at Hapur he had already his best friend in Chaudhary Zabardast Khan.[30]

Chaudhary Zabardast had six more brothers and one sister.[31] Being the eldest brother, he was the head of the family after his father's death. He bravely made some plans to effectively assist Nawab Walidad Khan's forces. He had made all the necessary arrangements to control the Hapur and nearby area upto the middle of both the sides of the highway between Hapur and Gulaothi and similarly that of Hapur and Meerut. Hapur being in Meerut district was on the strategic position being situated on Ambala-Meerut-Agra-highway as well as Delhi-Garhmukteshwar-Moradabad-

Rampur-Bareilly-highway. One more important road led to Delhi via Sarawa, Begamabad and Loni increased its importance.

It is interesting to note that Walidad Khan's presence in the district caused a fear in the minds of the British officers. It is evident from the paragraph number 361 of the 'Report' sent to the Commissioner of Meerut by the Collector of Bulandshahr. It is as follows[32] :

"It was very distressing not to be able to respond to the repeated calls for assistance, but our hands were completely tied by the presence of Nawab Wuleedad Khan, who had a strong mud Fort, Malagurh, about 4 miles from the station. This man was a near relation of ex-King of Delhi, with whom be was staying when the outbreak occurred; but he had returned to Malagurh, about 26th May, deputed by the ex-King as Soobah of the Provinces of Boolundshuhur and Allygurh, which fact he himself admitted to me, but himself by saying, unless he had come out under some such pretense he would not have been able to escape from Delhi, which he had been detained an unwilling guest of the King."

In his next paragraph, he further mentions[33] :

"Not withstanding his profession of loyalty, I suspected him from the very first, as he had brought with him a considerable number of mutinous sepoys and Nujeebs, and had, I knew, several guns; and I heard on all sides he was mediating treachery. His presence at Malagurh completely paralyzed us; the moment we moved out any way from the stations, we felt convinced he would at once have come down, and with his guns would easily have prevented our return, and thus cut off communication with Allyugrh and Agra, - the sole object of our holding Boolundshuhur."

Writing about the interior of the district of Bulandshahr, he writes[34] :

"Reports from the interior of the District .... In fact, with the exception of the Malagurh man no person of consequence than gave us any uneasiness ...."

Walidad Khan was to take Gulaothi so that communication upto Hapur could be made easy and thus the Indian side could have an upper hand. It was to serve the purpose in more effective and wider way to take the Delhi-Garhmukteshwar highway in own

control that had to be resulted in safe travelling from the Bareilly side from where new enforcement was to be warm welcome in Delhi.

If Gulaothi had been captured, the rest was the work of Chaudhary Zabardast Khan. This strategic position of Hapur can be benefitted after taking Gulaothi in their control. On the other side the British side was simultaneously trying its best not to loose Gulaothi at all. It can be understood from what has been reported in para. no. 376. It is as follows[35] :

> "The next day Wulledad Khan threw a strong picket into Gulowtee, our Police of course having to fly. Our little party went to Baboogurh, the stud station, about 4 miles from Hauppur towards the Ganges, and from which we could watch the Ghat at Garhmookteesur, for which we now had ascertained for a certainty the rebel troops from the Rohilkhand station were making."

And really it was the 18th day of June, 1857 when a force under Major Thatcher came out from Meerut. Taking this newly arrived force, a fresh attack on Gulaothi was planned and executed. For a while it seemed that Chaudhary Zabardast Khan had to retreat but soon all the followers had joined each other and Gulaothi was regained by them. In this courageous event, the role of Hapur warriors under the command of Chaudhary was noticed unparallel.

Till then Walidad Khan was the real master of the area and this historical fact is mentioned as follows[36] :

> "Wulleedad Khan, of Malagurh became master of the Boolund-shuhur district."

Just after a period of one complete month from the date of the outbreak of the Indian Revolution of 1857, Walidad became the master of the Bulandshahr District on 10th June, 1857.[37]

The planning for taking the area right from Hathras upto the outskruts of Meerut was the role cum of Indian side under the leadership of Walidada Khan which was to be expended thus from Gulaothi to Meerut by Chaudhary Zabardast Khan and his allies. Chaudhary Hardayal Singh[38] of the riyasat family of Asaura and dozens other were ready to take the arms up against the British. The gun was ready at the Burj point Asaura under the leadership of Chaudhary Hardayal Singh.[39] The Tyagis, the Rajputs and the Giyars at large were designing and trying the their best to execute the revolutionary plan.

But due to the Fall of Delhi on 20th September 1857, the revolutionary cause was met a great disaster. Indian revolutionaries still were holding the stations of Bulandshahr, Aligarh, Khurja, Hapur and a number of to other. The Jhansi Brigade was also doing its best in this area assisting the revolutionaries. The following piece of information is worth mention in this context[40] :

> "We reached Boolundshuhur on the morning of the 28th [September 1857]. It would be useless for me to describe the action, which was fought on that day and which ended in the complete route out of the Jhansi Brigade, posted in a strong position to oppose our entrance to the Station."

On the 28th day of September, 1857 at the end of a three hour fierce battle at Bulandshahr, the revolutionaries had to loose the station.[41] Their 2 guns were also recovered. Mr. Lyall attached to the 'Watron's Horse' ha been mentioned for this bravery in the dispatch of Major Ovary, Commanding the Cavalry portion in this battle.[42]

The revolutionary plan conceived remained an aborted effort because of the Fall of Delhi. The British blow up the Malagarh Fort on 1st October, 1857 by lieutenant Home, of the Engineers, in person himself died in that.[43]

At Hapur Chaudhary Zabardast Khan and all of his sin younger brothers were captured and killed. Chaudhary Hardayal Singh was also captured and was brought on the site of their execution the very people tree from which the dead bodies were hung there. Chaudhary Roop Ram with the help of some baniya could bargain with the British Officer to forgive Chaudhary Hardayal Singh. On it, Chaudhary's minor son Debi Singh, giving a lot of money in silver and gold, remained successful to make the release of his father possible.[44] The brutality of the British during 1857-58 was seen on its worst which was a common phenomenon observed in all the district of the than North-Western Provinces now known as the Uttar Pradesh.[45]

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13

Religious Tourism in Ayodhaya

Naimisha Singh*

India is renowned for its religious monuments and temples. India is remarkable for its ability to coexist with such harmony in its diversity, despite having so many castes and ethnicities, each of which practices its respective religions. India is home to many religious sites and destinations for pilgrims because Hinduism is the most popular religion there. Uttar Pradesh is one of these states that attracts tourists for its pilgrimage industry. There are numerous temples and religious sites that draw many tourists and believers all year long. These towns and places in Uttar Pradesh are well-known for the pilgrims and temples and their beautiful geography. The most authentic tour of India you can take includes a stop at one of these pilgrimage sites in Uttar Pradesh. This essay is supported by secondary data that was gathered from numerous sources.

[**Keywords :** Religious, Tourism, Geography, Hinduism, Temples, Ram Mandir]

1. Introduction

Ayodhya, a well-known religious destination in Uttar Pradesh, became prominent due to its association with Ram, a hero from

* Research Scholar, 609, Civil line No. 1, Near P. W. D. Office, Sultanpur-228001, Uttar Pradesh (India) E-mail: <naimishasingh444@gmail.com>

Hindu mythology. As one of the seven most significant Hindu pilgrimage sites in India or Saptapuri, Ayodhya is regarded as the birthplace of Ram. It has always been a very well-known city in Indian history and mythology, formerly known as Saket. It was once the seat of the mighty Kosala kingdom. The fame of Ayodhya is due to the city's numerous allusions to the renowned Indian epic Ramayana. Moreover, Ayodhya is mentioned in ancient literature like the Atharva Veda, which glorifies it as a thriving city God created. According to the Vedas, Manu was the name of the first man in the universe. According to the Ramayana, Manu created the city of Ayodhya 9,000 years ago. Ayodhya is listed as one of Hinduism's seven most sacred towns in other ancient books, including the Skanda Purana.

The biggest festival in India, Diwali, begins in Ayodhya city. When Rama returned after defeating Ravana in battle, it is thought that the festival of Diwali was, first and foremost, a celebration with lamps. Ayodhya is not only well-liked by Hindus; it also occupies a special place in Jains' hearts. It so happens that Adinath, one of the five Jain Tirthankars, was born there. Even Muslim influences can be seen around Ayodhya. The contentious Babri mosque, which was demolished in 1992, was also located there. Babur, the Mughal emperor, is thought to have destroyed the Rama temple at the site of his birth to erect a mosque. The main point of contention is Hindu organizations' agitation to have a Rama temple rebuilt on the same property.

2. Methodology

This paper is theoretical in nature and based on secondary data. Secondary data has been collected from various journals, websites and newspapers.

## 3. Ayodhya

Ayodhya, Uttar Pradesh, India, is located at latitude 24.941553 and longitude 82.127167. Ayodhya, Uttar Pradesh, India, is in the Villages location category with GPS coordinates of 24° 56' 29.5908' N and 82° 7' 37.8012' E.

3·1 Geographical Status

Located on the southern bank of the Saryu River, Ayodhya city is part of the Faizabad district of Eastern Uttar Pradesh. Overall, the

climate is moderately monsoon. The following table displays the average monthly information for the climate's many components, including temperature, rainfall, and humidity:

Source : https://www.latlong.net/place/ayodhya-uttar-pradesh-india-15948.html
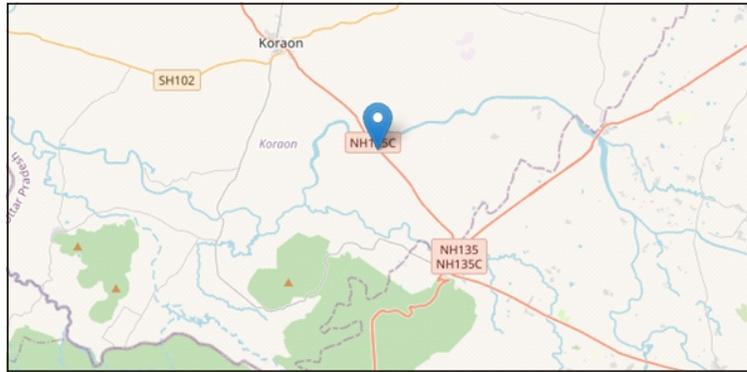
Sr. No.	Month	The Highest Average Monthly Temperature (In Centigrade)	The Lowest Average Monthly Temperature (In Centigrade)	Average Temperature (in Centigrade)	Average Relative Humidity (in per cent)	Average Monthly Rainfall (in cm)
1.	January	20.8	8.1	14.4	62.2	1.60
2.	February	26.6	11.2	18.9	54.2	2.12
3.	March	34.5	16.3	25.4	35.0	0.81
4.	April	38.2	22.0	30.1	26.8	0.51
5.	May	42.2	25.6	33.9	37.2	1.25
6.	June	40.0	27.4	33.7	57.8	11.96
7.	July	35.2	25.6	30.4	79.2	29.22
8.	August	33.2	25.9	29.5	82.4	31.41
9.	September	34.1	24.4	29.2	77.2	20.05
10.	October	32.6	22.0	27.3	62.0	4.87
11.	November	29.3	12.3	20.7	58.1	0.77
12.	December	25.5	8.4	16.9	63.2	0.61
Annual Average		**33.9**	**19.1**	**27.4**	**57.9**	**105.1**

Source : http://www.nagarnigamayodhya.in/pages/en/newtopmenu/ayodhya-city/en-geographical-status

3·2   When to Visit Ayodhya?

Ayodhya is a popular tourist destination since it is an important city from a religious perspective. The most fabulous season to visit Ayodhya is from October to March, when the weather is believed to be perfect for enjoying your sightseeing activities, and the whole place looks mesmerizing with temperatures hovering at a comfortable 23 degrees Celsius. However, the location is evergreen throughout the year. Ayodhya is a well-known tourist destination, so there are several places to stay for a reasonable price, and the city has a vast range of housing options and hotels to help you discover and find enjoyable and authentic experiences according to your preferences and budget. In addition, hotels in Ayodhya offer a wide range of amenities, so you may choose one that fits your preferences and price range and yet let you take full advantage of your stay there.

Ayodhya has a diverse range of holy sites for visitors to explore, including numerous historic temples, magnificent museums, busy streets, bazaars, chic urban areas, and stunning gardens. The top six temples in Ayodhya, which clearly express the city's religious and cultural legacy, are listed below. Most temples are within easy walking distance of one another, making it simple to visit them all in a few days.

3·3   Prominent Places to Visit

Prominent Place to Visit in Ayodhya are as follows :

1. **Ramjanma Bhoomi :** It is believed that Lord Ram's temple originally stood in this holy place. The order of Emperor Babur destroyed the temple, and a mosque was built in its place. Ram Janam Bhumi-Babri Masjid, one of the most religious sites in Ayodhya, has received the most media attention and coverage. The temple is now allowed to visit after years of controversy. The location where the fabled King Ram is thought to have been born in the temple. The Babri Masjid is no longer in its former magnificence; all that is left are the ruins. The best times to visit the location are believed to be Ram Navami, Dussehra, and Diwali, when the biggest festivals are celebrated with enormous vigor and pomp, along with various song and dance performances, unique rituals, and pujas. You will undoubtedly have the memory of your visit to this exquisite shrine with you for the rest of your life.

2. **Hanuman Garhi :** Hanuman Garhi is one of the holy sites in Ayodhya that has made a place for itself not only in the hearts of its devoted followers but also as a popular destination for tourists. One of the most well-known religious sites in Ayodhya, the holy place is well-situated in the city's centre and is a must-see. According to legend, visiting this shrine can wash away your sins and grant your requests. Hence it is frequented all year long by devoted Hindus. The inner sanctum of this cave temple houses a figure of Mata Anjani holding a young Hanuman in her arms. The location is also well worth a visit because of its remarkable architecture, which displays impressive architectural talent and circular bastions at each corner. The temple assumes a colourful form when major holidays like Hanuman Jayanti, Ram Navmi, Ram Leela, Diwali, and Dusshera are held. During the holiday season, the temple located on a mountain is breathtakingly lovely.

3. **Nageshwarnath Temple :** This temple was built initially by Kush, the younger son of Lord Ram, who plays a significant role in the epic Ramayana. Once, while taking a bath in the Saryu River, Kusha misplaced his amulet. He searched for it but was unsuccessful. Kusha continued to believe that a bad omen had befallen him and prevented him from finding the amulet. But in reality, a Nag Kanya who had fallen for him picked up the amulet. She won the young warrior's respect and adoration when she gave the amulet back. Kush built the Nageshwara Temple in Ayodhya in honor of Nag Kanya since she was a devout devotee of Lord Shiva. This temple has managed to maintain its original attractiveness since the beginning of time, while the rest of the city was entirely buried by dense woodland. The temple building features semi-divine Nagas praising Lord Shiva. The entire place is filled with excitement as Shivaratri, which falls in March, is celebrated with fanfare and merriment.

4. **Kanak Bhavan Temple :** The temple, which is more often known by the name Kanak Sone ka Mandir, gets its name from the lavishly embellished idols of Lord Rama and Goddess Sita that are covered in a substantial amount of gold jewels. One of the top sacred sites for both pilgrims and tourists alike, the Kanak Bhawan Temple continues to be a distinctive attraction. It's a stunning sight to see the magnificent dawn and sunset from where the temple is situated. Indian mythology holds that

Kaikeyee, who was in charge of exiled Lord Rama and his wife Sita, eventually constructed this shrine for Sita as a sign of penitence. The black and white tiled courtyard has evening musical performances, which is a popular draw for tourists.

5. Sumantanath : Ayodhya is not only regarded as one of the most significant pilgrimage sites for Hindus but also has similar significance for Jains. These temples are thought to have been constructed by Kesari Singh, the Nawab of Faizabad's treasurer, to honor the locations of certain Jain Tirthankaras birthplaces. One of the holiest locations in Ayodhya for Jain pilgrims, the site is home to five of the twenty-four Tirthankaras who are reputed to have been born there. The tourist destination, which is believed to be the Suryavansh dynasty's stronghold, is bordered by winding alleyways, expansive temples, and roadside stores selling trinkets. Near the Ramkot fortress is a collection of historic Jain temples known as Sumantanath. Beautiful inscriptions predict the countless Tirthankaras and their preaching on the walls of these temples.

6. Sita ki Rasoi : One of Ayodhya's unique religious places is Sita ki Rasoi, located on the city's northwest side. Goddess Sita's shrine has been transformed into a royal kitchen. The temple has a mock-up of an old kitchen in one corner, complete with a rolling pin and plate representing kitchen utensils. At the opposite end of the temple grounds are statues of the four brothers Ram, Lakshman, Bharat, and Shatrughan, as well as their wives, Sita, Urmila, Mandavi, and Srutakirti. Since Goddess Sita is also known as the Goddess of Food or the Goddess Annapurna, the temple has a special symbolic meaning. According to legend, the Goddess fed not just her own family but all of humanity by teaching them how to share and feed the destitute and the needy. The priests continue this tradition even now, providing daily free meals to everyone who comes to the church hungry. While showing respect, you can decide to donate voluntarily.

3·4 Number of Visitors Yearly

Since Yogi Adityanath was appointed chief minister of the state for the first time in 2017, the holy city has grown with each passing year increasingly. He garnered headlines worldwide in 2017 when he began the Deepotsav festival in Ayodhya on the eve of Diwali. Except

during the COVID-19 period, the event's splendor has risen yearly, breaking previous records for the number of lighted diyas and the volume of tourists who attend. Prime Minister Narendra Modi will be there, making it even greater this year.

1.71 lakh diyas were lighted during the first Deepotsav in 2017, and this number climbed to 3.01 lakh, 4.04 lakh, 6.06 lakh, and 9.41 lakh in 2018, 2019, 2020, and 2021, respectively, setting new records and being included in the Guinness Book of World Records each year. The objective for this year is to ignite 15 lakh lamps.

The branding of Lord Ram's birthplace with Deepotsav has also considerably enhanced the number of tourists visiting Ayodhya.

Year wise Detail of Visitors

Sr. No.	Year	Number of Visitors
1.	2017-18	1,78,57,858
2.	2018-19	1,95,63,159
3.	2019-20	2,04,91,724
4.	2020-21	61,96,148
5.	2021- Aug, 2022	2,21,38,805

Ramlila troupes from several foreign nations, as well as various Indian states, have performed in Ayodhya during the five Deepotsavs that have taken place thus far. For example, in Ayodhya, Ramlila parties from Indonesia, Sri Lanka, Trinidad, Russia, Laos, Cambodia, Nepal, the Philippines, and Fiji, as well as Jammu & Kashmir, Assam, Gujarat, Karnataka, and West Bengal, performed by their customs.

4.   Future Perspective

By 2030, Ayodhya will rank among the top tourist destinations in the world thanks to the Ram Mandir built shortly and the millions of people who will travel there to see it and pray there. Once the temple is built, this area will have more tourism opportunities. Ayodhya is a city of tenacity and history. It is a city of the spirit. Soon, it will be a tourist destination.

5.   Conclusion

A State's socioeconomic growth is significantly influenced by religious tourism. It encourages people to share their values,

customs, traditions, and ways of life; it supports cultural variety and spirituality; it brings in foreign exchange, creates job possibilities, and it promotes cultural diversity. Furthermore, it aids in the management of a nation's soft power to preserve connections with other countries. Diverse and culturally rich religious tourism has been practiced in India. Locations in Ayodhya, Uttar Pradesh that are particularly popular for religious tourism. A State's socioeconomic growth is significantly influenced by religious tourism. It encourages people to share their values, customs, traditions, and ways of life; it supports cultural variety and spirituality; it brings in foreign exchange, creates job possibilities, and promotes cultural diversity. Furthermore, it aids in the management of a nation's soft power to preserve connections with other countries. Diverse and culturally rich religious tourism has been practiced in India. Locations in Ayodhya, Uttar Pradesh, are top-rated for religious tourism.

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Impact of Koldam Hydropower Project on Occupational Pattern, Income and Residential Facilities of Project Affected Population

Shobhika* and Manoj Sharma**

Himachal Pradesh with abundance natural water resources has a vast potential of hydro power generation. The hydro power development is the key engine of economic growth of the state and is significantly contributing in the economy of the state in terms of revenue generation, employment opportunities and enhancing the quality of life. Himachal Pradesh is located in the north of the country and is a mountainous state. The establishment of the Koldam Hydropower project has affected the life of the people whom land has been acquired. In this paper an attempt has been made to study the impact of Koldam Hydropower project on occupational pattern, Income and residential facilities of project affected population.

[**Keywords :** Hydropower Occupational pattern, Residential facilities, Project affected population]

* Research Scholar, Department of Economics, Himachal Pradesh University, Shimla, Himachal Pradesh (India).
** Professor, Department of Economics, Himachal Pradesh University, Shimla, Himachal Pradesh (India) E-mail: <manoj.nith@gmail.com>

1.   Introduction

Energy is most required and important determinant for economic and social development of any country. It was predicted by World Energy Forum that coal, fossil and gas reserves will exhaust in near future, because of increase in demand for energy which further leads to exploitation of natural resources have forced planners and policy makers to look for alternate source of energy. It was found that renewable energy provides best alternate. Renewable energy is energy derived from resources that are regenerative and do not repeat over time.

Hydropower is one of the oldest and largest sources of renewable energy, which uses the natural flow of moving water to generate electricity and this hydro power generation is used by more than 60 countries worldwide, meeting half of their electricity demand. This not only provide clean energy source but also provide thousands of job across the globe. Hydro power energy is generated from water sources like rivers, waterfalls and oceans. Water constantly moves through a global cycle and this movement can be harnessed to generate electricity.

Himachal Pradesh is extremely rich in its hydroelectric resources as it is the home of many Himalayan rivers with enough water having huge potential of hydroelectricity. Around 25 percent of national potential is generated within the state. About 27,436 MW of hydroelectric power can be generated in the state by the construction of various hydroelectric projects on the five perennial river basins. Out of total hydroelectric potential of the state, 10,519 MW is harnessed so far and Himachal Pradesh Government has only 7.6 percent of under control rest is harnessed by central government and some public private organizations. (EIA Report 2016). Hydro power generation is the biggest source of revenue to the Himachal Pradesh Government therefore the State Government has given high priority to the development of hydropower projects.

2.   Review of Literature and Research Gap

Bhattarai (2015) focused on the impacts of Hydropower projects in Himalayan Region of Sikkim with special reference to the Dzongu region which focus on demographic and social- economic changes. The study analyzed the demographic and economic change of the state since 1971 to 2011. Eleven villages of Dzongu region had been

taken up for the study. The study pointed out positive as well as adverse impacts of the project. Benefits such as employment have accrued to the rural community from these economic development projects.

Chand et al. (2016) analyzed the environment Impact of Kol Dam hydro power project. The study was conducted during 2011 to investigate the impacts on local people and the overall economy due to the construction of Kol dam project. Five affected villages were selected for the study was Kasol, Harnora and Jamthal of district Bilaspur, Ropa and Kyan of Mandi district and there loss of land holding were taken into account. The article attempted to study the environment as well as economic impact of the project. It was found that the submergence of land resulted in the loss of different trees like fodder, timber, fuel, wood and fruit trees. There was substantial decrease in the livestock population, loss of assets, decrease in on farm sector (crops & livestock). But there was an increase in off farm income (jobs and private business). The study concluded that there might be serious impact on local biodiversity as well as on the life study of project affected families.

Reddy (2016) wrote a book on rehabilitation and resettlement of Tehri-Hydro Power project. The book aimed at exploring the socio-economic assessment of the project affected people of Tehri Hydro power project. There were 125 villages and one Tehri town was affected by the construction of the Tehri project. Out of these, 37 villages were fully submerged. The study found out that the education level pf affected persons increased after rehabilitation as the resettlement site were situates in urban areas. There were an increase in employment and income level. The project authorities provided one room flat to the economically weaker landless oustees at free of cost in the rehabilitation area. The book also gave some recommendations like training on technology up gradation and modernization should be provided to strengthen the rural artisans.

Slariya (2020) Chamera series of Projects (Chamera-I, II, III) are the major projects. These hydropower projects displaced thousands of people and many are still struggling for their identity even after 36 years. Through this paper Slariya being an independent researcher attempted to understand more than three decades journey of NHPC in Ravi basin and the changes brought because of the power projects installed by NHPC, changes in socio-

economic conditions of displaced people of Chamera-I was the main focus of this paper. The paper was based on master level research conducted by the researcher by using exploratory research conducted by the researcher by using exploratory research design and responses had been recorded by using interview schedule and observation methods. This research confirmed that Chamera project has changed the standard of the people to a greater extend in many aspects of their life. This hydropower project positively contributed in the socio-economic development of the respondents. The project also adversely affects the lives of people of the area as many people's committed suicide by jumping into the dam over small family issues in a fit of anger. The study suggested proper fencing/boundary around the project dam area.

Srinivasan and Nathalapati (2020) in their research paper tried to examine the household and other factors that make displaced households vulnerable to different types of risks and help them in confronting these risks successfully. Their study harnessed a large primary data set from 1,070 affected households in four irrigation projects along the Godavari River basin in Andhra Pradesh. The findings showed the loss of land, casualization of labour and loss of livestock assets in the resettlement process. Econometric analysis was also done which suggested that a sense of satisfaction with housing and the time taken for resettlement has a positive effect on household's ability to confront displacement risks, whereas episodes of illness have a negative influence. In their study they also discuss about R&R programme which tailored to include vocational training, assistance for self- employment, strengthening of SHGs and other community-based organizations. In order to overcome displacement risks study suggested for providing full compensation, investment on post- settlement welfare and benefit sharing measures.

3.   Objectives of the Study

On the basis of research gap in the study area the specific objectives of this paper are as under :

1. To study the impact of Koldam Hydropower project on occupational pattern of project affected population.

2. To examine the Impact of Koldam hydropower project on income of project affected population.

3. To evaluate the impact of Koldam hydropower project on residential facilities of project affected population.

4.   Methodology

The present study is based on the data collected through primary survey using multistage random sampling. The land acquired for Koldam Hydropower project is spread over in four districts i.e. Bilaspur, Mandi, Shimla and Solan which covered 41villages, out of which 36 villages have been submerged, project activities are almost completed and five residential colonies for NTPC Ltd. have been constructed in three districts. Among these 41 villages, directly affected by project activities, 1125 families have been directly affected. Out of these families, 482 were displaced from their ancestor villages and resettled at five residential colonies. Three of these colonies at Jamthal, Chamyon and Kasol are in district Bilaspur where as district Shimla and Mandi have one colony each located at Sunni and Kangoo respectively. It is evident that the Most of Project Affected Family (PAF) who have lost their houses, residential and commercial land are now residing in these five Resettlement Colonies and hence data collection have been done in these colonies. These five residential colonies form the primary sampling unit for the study. From these colonies a sample of 125 households is selected keeping in view the size of their earlier farm land holding so that farmers of different size classes are represented in the sample. The data collected has been properly organized and tabulated for interpretation and analysis.

5.   Results and Discussion

5·1   Impact on Occupation Pattern

Impact of rehabilitation and resettlement action plan of the NTPC Koldam Project authorities on occupational pattern of sampled respondents' families has been analyzed and results are presented in Table-1 on next page. The data regarding occupational pattern in this table reveal that about 31.2 percent households were engaged in employment/service sector before the acquisition of land, a slight increase of 5.1 percent change was calculated in after situation. As the agricultural land of PAFs was acquired for the project, lots of households lost their primary occupation source therefore the no. of households decreased from 72.8 percent to 58.4 percent a negative

change of 19.8 percent. In earlier situation a few households were engaged in business sector but at present the percentage is double of the earlier situation 13.6 percent to 27.2 percent a hundred percent change. A few households were engaged in other works like daily wage labour, carpenter, painter or artesian. The percentage of these households increased from 10.4 to 28.8 percent, a percentage increase of 176.9 percent. Overall it may be concluded that due to the project there has been a shift from agriculture to non-agricultural activities. With loss of traditional source of livelihood, an opportunity like jobs in construction work and need of labour work force a new source of income in the project area leads to a diversification in the occupational pattern is found in after situation.

Table-1 : Impact on Occupation Pattern of Households

Occupation	No. of Respondents		Percentage Change
	Before	**After**	
Employment/service	39 (31.2)	41 (32.8)	5.1
Agriculture	91 (72.8)	73 (58.4)	-19.8
Business	17 (13.6)	34 (27.2)	100
Others	13 (10.4)	36 (28.8)	176.9

Note : The figures in parentheses represent percentage.

Source : Computed from field survey.

5·2   Impact on Income of Households

Impacts of NTPC Kol dam Project on Income & Employment of different categories of households surveyed are shown in Table-2 on next page. Comparison of before and after situations reveal that the average annual income has increased from ₹3,20,155 to ₹5,97,193 with a 86.5 percent change. The share of Service sector in the household's income has increased with average annual income of ₹ 1,82,738 as compared to the before situation i.e. ₹1,08,976 around 0.68 percent change. The share of agriculture in the households has declined at negative change of 29.9 percent from average annual income of ₹75,286 to after situation ₹ 52,733 because of the reduction in the size of their land holdings after acquisition of their agricultural land. In case of those households who started doing their own business or carrying their old business or who were allotted alternative plots for shop, average annual income before the execution of project was

₹1,20,286 which has increased to ₹ 2,86,857 there is 138.5 percent change after the construction of project in that area.

Table-2 : Impact on Income level of Households

Income	Average Annual Income (₹)		Percentage Change
	Before	**After**	
Employment/service	1,08,976	182738	67.6
Agriculture	75286	52733	-29.9
Business	120286	286857	138.5
Others	15607	74865	379.7
Total	320155	597193	86.5

Note : The figures in parentheses represent percentage.

Source : Computed from field survey.

5·3 Impact on Residential Facilities of Households

The present study focused on the houseless PAPs, who are allotted plots in Residential Colonies constructed by project authorities. The plots allotted to houseless families by NTPC authorities in Resettlement colonies were of small size 50×40 Sq. Ft. as compared to the houses acquired by NTPC for the construction of project. House details of households surveyed shows a change in residential facilities of PAFs which is shown in the following table :

Table-3 : Impact on Residential Facilities of Households

Category		No. of Respondents		Percentage Change
		Before	**After**	
Type of Houses	Kachha	77 (61.6)	0	-100.0
	Pucca	22 (17.6)	125(100.0)	468.2
	Semi	26 (20.8)	0	-100.0
Others	Kitchen	123 (98.4)	125 (100.0)	1.6
	Separate Toilet	109 (87.2)	125 (100)	14.7
	Separate AS	120 (96.0)	90 (72.0)	-25.0

Note : The figures in parentheses represent percentage.

Source : Computed from field survey.

The findings of analysis show that before the acquisition of land 77 surveyed households were living in Kuchha type of houses

and 26 households were living in semi type of house and at present all 125 households are living in Pucca houses. After acquisition of land for the construction of Kol dam and compensation provided to the households, most of the houseless households are now living better life in respect of residential facilities compared to their previous situation before the execution of land by project authorities. Before the acquisition of houses/ land most of the PAFs were living in Kucca or Semi Pucca houses without essential amenities like separate Kitchen 98.4 percent, separate toilets 87.2 percent and separate animal shed 96 percent. Although the size of house per Sq. Ft. decreased after the acquisition of their houses yet most of the families are living in permanent pucca houses with facilities like separate kitchen 100 percent, separate toilets 100 percent. The plots allotted to houseless families by NTPC authorities in Resettlement colonies were small of 50×40 Sq. Ft. as compared to the houses acquired by NTPC and because of the small size households couldn't keep animals along with them or either keep less number of animals. Therefore no. of separate animal shed decreased after the land acquisition by the project with a negative change of 25 percent and those 72 percent households who are still keeping animals are either living in houses constructed on purchase land or constructing housing on remaining land.

6. Conclusion and Suggestions

The socio-economic impact assessment study reveals that there have been positive impacts on income and employment pattern of project affected families. A slight shift in income and employment away from agriculture to non- farm activities has occurred in PAA. The findings of analysis show that after acquisition of land for the construction of Koldam and compensation provided to the households, most of the houseless households are now living better life in respect of residential facilities compared to their previous situation before the execution of land by project authorities. The occupation pattern of project affected population has changed, income has increased as well as residential facilities increased after the establishment of the Koldam project. It was observed during field visit that project affected population has other societal challenge which need attention of policy makers.

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Democratic Transformation in Taiwan : Challenges and Prospects

Aloka Dutta*

The   third wave of democratization swept the world in the 1980s and 1990s. It gradually and peacefully shifted from autocratic control to a representative election system. One typical way of describing the democratization process is to divide it into two stages : First the initial transition from an authoritarian or semi-authoritarian system to electoral democracy, and second the subsequent consolidation of democracy. In balancing democracy with security, Taiwan presents a unique and formidable dilemma. The People's Republic of China, which has long professed its intention of "reunification" to put an end to Taiwan's de facto independence and self-rule and has refused to cede the means by which to do so, represents its sole security threat. Even if China did not exist and were not 90 miles away from the main island of Taiwan, Taiwan's democracy would still be in jeopardy. Its economy has gotten more developed, development has slowed, social and economic inequality has increased, and the civil society movement in some areas shows rising dissatisfaction with representative institutions.

Taiwan's political development has caught the eye of several political analysts across its long transition to democracy and two decades of

* Professor, Department of Political Science, Bhagini Nivedita College (University of Delhi), Kair, New Delhi (India) E-mail: <alokadutta@rediffmail.com>

democratic governance. The Kuomintang (KMT) government, which seized sovereignty over Taiwan in 1945, enforced an authoritarian regime that lasted four decades. Even back then, Negotiations were held between the KMT administration and the Democratic Progressive Party (DPP), which had grown to become the main opponent. Between the KMT and the DPP, there have been three power changes since the democratic transition in 1996 was accomplished. What resulted was a semi-presidential system in which regular election where the ability of the government, journalism and civilized society allowed the people to reverse policy trends they did not like .On the other hand the political system's performance was a mixed bag. This paper will explore the daunting challenges that lie ahead to Taiwan's Democratization process and how this change can open new aspects and possibilities for Taiwan.

1. Introduction

Taiwan's history is full of examples where Taiwan's citizens have written a story that includes both difficulties and victory, and they are the ones who do so. Over the past two decades, Taiwan have overcome adversity and global isolation to create one of the most successful democratic transformations in contemporary political history. Patience, resourcefulness, pragmatism, and a strong determination to give up were crucial factors in this success.

Samuel P. Huntington characterized Taiwan Democracy as a "transformation" where transformation was carried by elites in power and the transition of Taiwan from authoritarianism to democracy occurred as a two-phase process. First, the hard-line authoritarian regime of Chiang Kai-Shek was pragmatically transitioned to a softer form under his son and successor Chiang Ching-Kuo. Then the transformation process continued with his successor, Lee Teng-hui, to the point where a viable democracy now exists.

The KMT's origins in mainland China, the Kuomintang party was created in 1912. With its roots in revolutionism, it launched the "Second Revolution" against the Manchu monarchy almost immediately. The First National Congress convened in 1924. It formalized the party organization and drew heavily on the Soviet system, which was still relatively young at the time. KMT membership was similar in that it was limited to individuals who vowed allegiance to the party and its decisions. Dues were collected, and a party hierarchy was established. The "party groups" were then integrated into social organizations to influence and implement the

party's policies among the general public. The ultimate likeness to the Soviet framework was the arrangement of control committees to implement party choices and teach. Other than institutionalizing the KMT structure, the Primary National Congress sketched out a program for "national transformation and reconstruction."

This program called for a three-period dynamic development from a one-party framework to a sacred government. Understanding transformation as it were in military terms, the party was to begin with period of brief military dictatorship, taken after by a period of political tutelage.It was arranged that the party would control the government utilizing historic achievements as a defines. After an unclear time, the period of political tutelage would change into a protected government, completing the three-period handle. In reality, it was Chiang Kai-Shek who controlled the party. His position as commandant of the military institute gave him respectability with both the Armed force and KMT parties.

His outstanding service during the "Second Industrial Revolution", his military leadership during the crisis, and his skillful manoeuvrings within the Kuomintang led to a rapid rise in dominance. By 1928 he was the permanent president of the Nationalist Party. Over the years, the party continued to clash with military commanders, communists, and the Japanese army. Towards the end of the 1945 Sino-Japanese War, Shek once again fought the Communists in a bloody civil war. The unity of the Kuomintang party was maintained by the charismatic Chiang Kai-shek. Chiang Kai-shek followed the ideology of targeting the enemy, explaining the need for struggle, and ultimately securing victory.

After withdrawing to Taiwan, the Kuomintang still faced the threat of invasion from the People's Republic of China while trying to control its huge population, military, and structure Taiwan's bureaucracy. Chiang's provisional agreements, as well as the terms of Congress, were extended indefinitely. This move aims to denounce the new government of in addition to advocating the Republic of China's admissibility as the de facto government of all China. In 1950, the United Nations and the United States recognized the Republic of China, dominated by the Kuomintang, as the legitimate government of all of China. This international recognition was later promoted as a justification for supporting party power. Chiang Kai-shek and the Kuomintang positioned themselves as an oligarchy in Taiwan.

2. Objectives of the Study

The main purpose of this study is to understand the democratic transformation in Taiwan along with the viability of democracy in Taiwan. Here we will analyze the following :

- ‣ To see the difference between authoritarianism and democracy by scholars.
- ‣ To see the public view regarding public views concerning the political system of Taiwan.
- ‣ To see the establishment of democracy in Taiwan in modern times.
- ‣ To see the challenges that hinder the development of democracy in Taiwan.
- ‣ To see how China poses a threat to Taiwan's transformation into a democracy.

3. Study Area

Taiwan is a nation in East Asia that is formally known as the Republic of China (ROC). It shares borders with the Philippines to the south, Japan to the northeast, and the People's Republic of China (PRC) to the northwest. The main island of Taiwan, originally called Formosa, has a surface size of 35,808 square kilometres. and has a highly urbanized population concentrated on the east two-thirds mountain range and the west one-third plain. The largest metropolitan area in Taiwan is comprised of the capital Taipei, New Taipei City, and Keelung. Kaohsiung, Taichung, Tainan, and Taoyuan are some further significant cities. A population of 23.45 million, Taiwan is one of the most populous countries in the world.

Figure-1 : Map of Taiwan - Nations Online Project

4.   Geo-strategic Importance of Taiwan

According to Alan Watchman, Taiwan's control appears to be necessary primarily for defensive reasons. Whether the source or port of the rebellion, and the port that General MacArthur later called "an unsinkable aircraft carrier", or whether it fell into the hands of rivals, by its own devices, the island is a relentless attack on mainland China's south-eastern provinces. It's a threat. According to Alan Wachman, this characteristic of Taiwan's position explains the extreme rigidity of China's position.

According to the authors, Taiwan's position in the "virtual geography" of the modern People's Republic is still heavily influenced by concerns about China's vulnerability. But in addition to these "defensive" aspects, there are more "aggressive" interests. Taiwan serves as an entry point into the Pacific Ocean, the only access point for the first island chain that does not affect the claims of other countries. From this point of view, the importance of Taiwan can be seen as decisive as a key to accessing its naval power and status as a great power. Alan Wachman emphasizes the continuing references to Alfred Mahan's pioneering work in the arguments made by most Chinese military analysts. Perhaps more than ever, Taiwan is serving as a cornerstone to rebuild China in power and status.

5.   Difference between Authoritarianism and Democracy by Scholars

Even though the country can maintain a good living standard for the government, there are contrasts between an authoritarian and a democratic government. A democratic government is one in which the people dominate the system, citizens have the ability to make their own laws, and the government serves the people. An authoritarian regime is one in which the government is completely dictatorial, the laws are made by the government, and citizens are required to obey it.

5·1 Authoritarianism

The essential element is that it is one in which stern and forceful control is exercised over the population, with no particular concern for their preferences or for public opinion. The justification for the rule may come from any one of a number of ideologies, but it will not be a democratic ideology, and ideas of natural rights or civil liberties will

be rejected in favour of the government's right to rule by command, backed by all the force it needs. It is very much tied to the idea of command and obedience, of inflexible rule, and a denial of legitimacy of opposition or even counter argument. (David Robertson)

Authoritarianism, which is sometimes confused with totalitarianism, is a political system in which one person, monarch, autocrat, dictator, or group/oligarchy dominates the whole country. The authoritarian system is not accountable to the populace and does not allow citizens to participate in most political choices, regardless of what or who governs it. A one-party authoritarian system's ideology specifies a target constituency, identifies an adversary, declares the need for a struggle against the enemy, and promises eventual victory.

5·2 Democracy

True democracy' means liberate, egalite, fraternity, effective citizen control over policy, responsible government, honesty, and openness in politics, informed and rational deliberation, equal participation and power, and various other civic virtues. (Samuel P. Huntington)

The interpretation and application of the term "democracy" differs greatly. However, for the sake of the following discussion of Taiwan's democratization, a simple description of a representative democracy, as well as some of its inherent traits, is sufficient. Indirect majority rule is used in representative democracies. A parliament, or comparable organization, is responsible for making political decisions and enacting laws, and it is elected by a majority vote of the public. Citizens acknowledge the elected body's authority and abide by the laws and policies enacted.

That is, before voting, alternative platforms are presented, discussed, and argued, and voting is not limited to a select few. To be called democratic, one must have the ability to "talk, publish, assemble, and organize" on a political level. There is also a set of laws or principles that limit the government's power, which usually takes the form of a constitution. The mechanisms for redress or impeachment for serious misuse or abuse of authority by elected authorities are outlined in this constitution.

6. Public Views concerning the Political System

Regardless of this multitude of positive ascribes, the people on the island have vehemently merged viewpoints over their system of

majority rule. In the 2012 World Values Survey, 40 to 60 percent of Taiwanese respondents expressed confidence in the central government, international cooperation, military, and judiciary; nevertheless, 28.4% of respondents rated the press favourably and 27.6% rated the Legislative Yuan. ideological groups at 22.4%.

- Despite its flaws, 88% of respondents said that democracy is still the greatest form of governance.

- According to 84% of respondents, "democracy is suited for our country."

- 76% of respondents said democracy was competent to resolve social issues.

- Although some people believed Taiwan had "small difficulties," 68% of respondents said Taiwan was a democracy.

- 63% of people in Taiwan were happy with the way democracy operated there.

- 63% of respondents said that democracy was always preferable.

However, The TFD (TFD Survey on Taiwanese View of Democratic Values and Governance) has been conducting surveys on Taiwanese people's attitude on democracy since 2011. In 2021, the TFD again commissioned the Election Study Center of National Chengchi University for conducting the survey and has continued to ask Taiwanese people their willingness to defend Taiwan, as they did for the last three years.

- Dr. Eric Chen-hua Yu said that nearly 80 percent of the questioned (75.3%) agreeing to the statement that although there exist some problems with democratic system, it is still the best political system we have.

- Those who said they are optimistic about the future of Taiwanese democracy also reached over 50 percent (55.3%), according to the survey.

- On Taiwanese people's willingness to defend Taiwan and its democracy, Dr. Yu said the survey found 62.7% of the polled said they would defend Taiwan if war breaks out due to Taiwan's declaring its formal independence.

From these surveys we can conclude that there have been only minor changes in preference for the people of Taiwan for democracy.

And it hints towards the positive attitude of people towards democracy and preference of the established rule. Dr. Chen also emphasized the Taiwanese people's faith in democracy is steady and growing. He said that potential factors include China's increasingly tough attitude towards Taiwan and intensifying tension between the United States and China. Dr. Chen also pointed out the Taiwanese people are more affirmative of democracy and optimistic of democratic development when Taiwan's democracy is facing challenges

7. Establishment of Democracy in Taiwan in Modern Times

Taiwan was reintegrated into China after World War II ended in 1945, although the agreement only lasted four years. After communists in China destroyed the Nationalist government on the mainland in 1949, Chiang Kai-shek relocated his government, party, and troops to Taiwan. Taiwan represented China at the United Nations as the Republic of China until 1971, when the People's Republic (the regime established by communists on the mainland was dubbed the People's Republic of China) took over the China seat. Chiang's government swiftly lost its international status as a result.

Chiang's government, which was a blend of presidential, parliamentary and cabinet models was founded in the 1947 constitution. However, because political power was concentrated in the Nationalist Party, or Kuomintang (KMT), over which Chiang presided, it functioned more like a presidential government. While the Nationalists were still at war on the mainland, a set of "Temporary Provisions" (to the 1947 constitution, rescinding some parts of it) and an emergency decree (described by some as martial law) were enacted in 1948 and 1949, respectively. As a result, a democratic political system was created in theory but not in practise.

The administration, police force, educational system, and military (at the top) were all staffed primarily by mainland Chinese who had relocated to Taiwan following WWII. Hakkas, a local minority who had moved centuries before and who were trusted by the mainland Chinese more than the Fukien Taiwanese, were appointed to police forces and railroads. The Fukien Taiwanese, Taiwan's largest ethnic group, which accounts for around two-thirds of the population, gradually rose through the ranks of business and local government.

Local politics were the first to implement democracy in Taiwan, and it favoured Taiwanese, particularly Fukien Taiwanese. Taiwan had made tremendous progress toward establishing a functioning democracy by the 1980s. In the presidential election of 2000, the ruling KMT was defeated by a candidate from the Democratic Progressive Party (DPP) whose base included Fukien Taiwanese. The DPP gained the majority of the seats in Taiwan's legislature elections (the Legislative Yuan).

8. Constitutional Framework

Chiang Kai-KMT-dominated Shek's National Assembly who established a constitution for the Republic of China in 1947, during the civil war (ROC). It built a Chinese 5-branch (5-Yuan) variant of a western constitutional democracy in reaction to Mao's expanding communism. The three classic western institutions (executive, legislative, and judicial) were united with a Control Yuan for bureaucratic oversight and an Examination Yuan for civil servant recruitment. In addition, the new constitution gave the National Assembly responsibility for electing the president and vice president as well as the power to alter it.

The Temporary Provisions of 1948 provided the president emergency powers, prohibited new political parties from being formed, and suspended the president's two-term limit. The emergency order of 1949 gave the military, police, and intelligence agencies extensive authority. The two policies significantly limited constitutional rights and made it impossible for the political system to function democratically. Local governance, on the other hand, was largely unaffected, as were commercial rights. In 1987, the emergency decree was lifted, and the Temporary Provisions were lifted in 1991.

During the 1990s, the constitution was revised several times. The government had successfully retained an electoral college with additional powers (the National Assembly) that included delegates from each of the mainland provinces until then, as the Republic of China. The Control Yuan was abolished as an elected government body in 1993, and its duties were curtailed. Because of a dispute between the president and the legislature over nominees, it did not function at all from early 2005 to mid-2008. The branch has now been re-established; however, it is no longer considered a vital government entity.

The Examination Yuan is no longer considered a major part of the government, making Taiwan a three-branch system for all intents and purposes. The Referendum Act, passed by the legislature in 2003, codified that hitherto undefined constitutional provision. Following elections, referendums were included, and several of them sparked heated debate. The National Assembly was abolished in 2005 when the constitution was revised. However, the procedure did not answer the issue of the government's core structure, even while other adjustments and practise have made it more presidential.

9. Local Government

Taiwan's political system contains some of the characteristics of a federal system, with local governments having first or primary control in certain areas. An amendment in the constitution was made in 1992 which increased local governance. Local government is also more significant than it might be otherwise because of the way the political system works, which allows local politicians to quickly advance to higher posts in the national government. Finally, many Taiwanese feel that democracy emerges from the grassroots and that local government reforms are more likely to succeed. As a result, local government is held in high regard.

10. The Role of the Political Parties

Political parties play an important role in Taiwan's political process. They recruit, train, and support members who run for office (with money and other forms of assistance) as well as develop campaign and election tactics. After they are elected, party members interact with and support high-ranking leaders. Both parties, on the other hand, are beset by factionalism and divisive and embarrassing debates, the details of which are frequently disclosed to the public.

When comparing the two parties to Western political parties, the DPP is classified as a leftist party, while the KMT is described as right of centre. However, Taiwan's overarching political issue has traditionally been whether Taiwan should be constitutionally independent of China, with the DPP promoting independence and the KMT opposing it. Since the US and most other countries have voiced opposition to Taiwan declaring official independence-and China has said that if Taiwan did so, it would use military force against it.

In terms of political advocacy, the independence plank has become less defining over time than it appears. Because the majority of Taiwanese citizens incline toward political conservatism, the KMT has consistently outperformed the DPP in terms of voter support. Ethnic voting, on the other hand, has been significant, with the Fukien Taiwanese tending to support the DPP.

Amidst the democratic reforms, International nongovernmental organizations, who have been having difficulty throughout Asia, are becoming more and more drawn to Taiwan because of its strong record on democracy, gender equality, press freedom, and religious freedom. Reporters without Borders, the Friedrich Naumann Foundation for Freedom, the International Republican Institute, the National Democratic Institute, and Reporters Without Borders are among the organizations that have established regional offices in Taiwan. They can continue their essential work in the region without fear of being watched, harassed, or interrupted by authorities if they work from Taiwan.

11. Challenges hindering the Development of Democracy in Taiwan in Modern Times

Taiwan is a new democracy and there are several factors which can affect the development of democracy in Taiwan which are listed below :

- **Quality of governance :** The quality of governance is one aspect that can influence the development of democracy in Taiwan. For example, there is a significant loss of trust in political parties, as seen by the increasing number of candidates running for elections. Campaigns for political parties are frequently predicated that would otherwise be impossible. Small political parties frequently "sell" or "swap" voter preferences with larger parties in order to negotiate and secure political positions.

- **Too much democracy :** It features a referendum system that makes it extremely simple to get a question on the ballot in other elections and for the results to be genuine. Furthermore, the outcomes are legally binding on the government. Taiwan is a prospering democracy yet at the same time it is threatened by China's position on Taiwan. This gives unwarranted power to well-organized and well-funded special interest groups of many kinds.

- **Disinformation activities :** The ever-changing nature of CCP mis-information activities in general is also a challenge. The CCP's ongoing disinformation offences are iterating new best practises and becoming increasingly adept at exploiting media and social media platforms in target countries, thanks to emerging technologies, new approaches to media and communication, and the opportunity to learn from the successful strategies of other malign actors. While the CCP's disinformation tactics constitute an obvious threat to the US and Taiwan, they are merely one aspect of a bigger dis-information problem.

- **China factor :** China is one of the most challenging factors that can hinder the development of democracy in Taiwan and this issue we will discuss separately.

However, it is equally important to understand that above mentioned problem except the china factor is not exclusive to Taiwan and these problems can affect any democracy worldwide.

12. The China Issue

Beijing's approach to Taiwan was forecasted in research for Brookings' Global China in November 2019. In conclusion, Beijing is trying to turn the island into a separate administrative region of the People's Republic of China (PRC) using the same strategy that was used for Hong Kong, "one country, two frameworks", which would bring an end to the Republic of China administration. It intended to use influence to achieve this goal, but it did not rule out using power. All the while, it has disregarded what it mistook for Taiwan's founding fathers' attempts to create a free nation.

The finest opportunity to begin the process of unification was presented when Beijing agreed to recognize Ma Ying-selection Jegou's as Taiwan's president in 2008. To reach political understandings that eliminated uncertainties over Taiwan's legal status and the direction of cross-Strait relations, it would have wished to build on its developed monetary reliance. Mama steered PRC requests for political dialogue in a different direction, but his financial arrangements rekindled Taiwan residents' concerns about a hazardous dangerous slant. Thus, monetary relations slowed down. Then, at that point the DPP, under by Tsai, took control of the LY in 2016, which was a major setback for Beijing. China responded

neither in an expedient manner nor by military action but by creating a mission to terrorize, stress, underestimate and infiltrate Taiwan legislative concerns by providing assistance to political groups and traditional media while also dominating online media. The goal could have been to ensure Tsai's defeat in the 2020 election, but that didn't work out. occur. Up to this point, along these lines, Beijing has neglected to propel its strategy objective.

Irrefutably how Taiwan pioneers plan a procedure for protecting Taiwan values despite Beijing's objectives and strategies is difficult. Would it be advisable for it to be a mix of convenience, collaboration, and resistance to freedom? Assuming that there was a simple arrangement, it would have arisen sometime in the past. The 2019-2020 crackdown on Hong Kong's dissent developments has just expanded resistance to any 1C2S courses of action.

However, meeting the China challenge is settled on even more troublesome on the grounds that choices should be handled through Taiwan's vote-based framework. On a very basic level, that is something to be thankful for on the grounds that It makes sure that any substantial change to how things are done now must have public approval. However, differences between and within groups demand any effort to create an understandable structure. The Blue camp is more confident in its ability to deal with the China threat, but the Greens are less certain of PRC objectives (and the Blues' obligation to Taiwan's interests). There are then divides inside the camps at that moment. While the Light Blue are also okay with Taiwan's avoiding China, even as it secures advantages from financial ties with the central area, the "Dark Blue" frequently adhere to the KMT's long-standing opposition to autonomy and want unification or some variation thereof. While the Light Green are aware of both the possibility of conflict and the necessity to maintain the benefits of cross-Strait financial links, the "Dark Green" favour a more severe approach to achieving independence through actions that call for Taiwanese freedom. The major point on which the two sides mostly agree is that they should rely on the United States to deter Beijing and maintain Taiwan's safety.

The notion of a compelling arrangement has become complicated as a result of polarization and attempts to prevent delegated authority. Consider the following models :
- Public discourse on China policy has typically been overly simplified, limiting it to debates over identity (Chinese vs.

Taiwanese vs. both) and long-term goals (unification vs. independence vs. the status quo), without in either instance clarifying the concepts employed. The government's response to Beijing's insistence that it recognize the 1992 Consensus, a vague agreement on cross-Strait relations, is a fundamental point of contention between the two sides. (The question of whether the PRC placing demands on Taipei is even acceptable is less covered).

- In addition to promoting Taiwanese identity, which is a mainstay of election campaigns, the DPP suggested a referendum on Taiwan's membership in the UN, which alarmed Beijing and Washington that Taiwan was advancing toward independence.

- The Sunflower Movement organized to protest a proposed cross-Strait agreement on trade in services in 2014 because of concern that it would eventually lead to Taiwan's political submission. By seizing control of the LY chamber, the seat of representative government, demonstrators overthrew the accord with the help of the DPP. The LY leadership committed to pass a law regulating the negotiation of any economic accord with the mainland as part of an agreement to end the occupation.

- While elements of the DPP proposed a referendum that would use "Taiwan" as the name of the island's Olympic team, in violation of an international agreement, the KMT supported a referendum that would limit the import of Japanese food products made in the region of the 2011 Fukushima nuclear accident. First was successful, second was unsuccessful.

- The DPP started to worry in 2019 that it would lose the presidential and legislative elections in 2020 and that a KMT government would give too much ground to Beijing. It utilised its majority to establish a statute that made political agreement negotiations nearly difficult for all governments.

- Beijing has always had aspirations for Taiwan. However, after years of double-digit investment in the Chinese military and expansionist activity across the Taiwan Strait and in surrounding maritime regions, Beijing is substituting its dedication to a peaceful resolution with an increasingly confrontational stance. Since 2020, the number of People's

Liberation Army aircraft and vessels operating in the Taiwan Strait has increased significantly, with almost daily incursions into Taiwan's southern air defence identification zone and sporadic crossings of the tacit median line separating the island from the Chinese mainland.

Despite these troubling trends, Taiwanese people have made it obvious to the rest of the world that democracy is unavoidable.

13. Conclusion

Over the last two years, Taiwan's response to the COVID-19 epidemic, as well as Taiwan aid and collaboration with countries throughout the world, has provided another evidence of Taiwan's critical role and importance. Taiwan high-tech industry, particularly its sophisticated semiconductor production, will continue to drive the global economy in the future. Taiwan's ability to strike a balance between international ties and safeguarding others in the region will continue to be inspired by its democratic way of life.

China's strategy aspirations add a remarkable and profound layer of trouble and this will be an issue of concern till the time Taiwan and China does not reach any agreement however though despite its modest size, Taiwan has shown that it is capable of having a large global influence-and that this presence matters to the globe. In the face of existential challenges, it has persevered and become an important player in the Indo-Pacific region. The commitment to democracy among Taiwanese citizens has never been greater during this entire ordeal because they recognize it as the only realistic alternative and the only game in town. And to protect its vision of Democracy international community support will be required.

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Form 4 (See Rule 8)

Place of Publication	:	Meerut, U. P. India
Periodicity	:	Bi-annual (English) + Special Issue in Hindi
Printer's Name	:	Dr. Priyanka Mahajan, Saksham Computers, Meerut
Nationality	:	Indian
Address	:	D-59, Shastri Nagar Meerut-250 004 (INDIA)
Editor's Name	:	Dr. Dharam Vir
Nationality	:	Indian
Address	:	D-59, Shastri Nagar Meerut-250 004 (INDIA)
Names and addresses of the individuals who own the journal and of the partners or share-holders holdings more than one per cent of the total capital	:	Dr. Dharam Vir D-59, Shastri Nagar Meerut-250 004 (INDIA)

I, Dr. Dharam Vir, hereby declare that the particulars given above are true to the best of my knowledge and belief.

Dharam Vir

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