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Editor
R.K. Verma

Indian Institute of Public Administration

Bihar Regional Branch, Patna

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Dr. R.K. Verma

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From the Desk of the Chief Editor

I express my thanks to the learned contributors, the entire Editorial Team and the anonymous referees for carrying the venture of publication of Bihar Journal of Public Administration in regular frequency. Since taking up the assignment of Vice Chancellor of Magadh University, Bodh-Gaya. I could not spare sufficient time for the Journal. However, I am happy that the Editorial Team tries to keep me on tenterhooks for its timely publication and maintaining the high order of the Journal.

I have immense pleasure to present before the readers the Vol. XX No. 1, January-June, 2023 Issue of Bihar Journal of Public Administration. The processing (internal and external reviews, as well as computer typography) of the contributions take place amongst scarce human and material resources. As the Journal has been receiving a large number of contributions of good research quality in shape of research papers, research notes, book reviews, etc., from across the disciplines and the country, it becomes difficult to publish them in just two issues. Hence, the editorial board intends to accommodate the new ideas and issues of our focus area of research. We prefer to provide space for new ideas and practices related to Public Administration and allied disciplines, especially covering Bihar.

The Branch has been conscious of maintaining quality and punctuality of the journal in order to make it useful for teachers, researchers, students, policy makers and administrators. I express my thankfulness to the editorial team, anonymous referees, learned contributors and institutions of higher education that have rendered helping hands to our venture.

– **Prof. S.P. Shahi**

Chief Editor

Vice Chancellor, Magadh University, Bodh-Gaya



Editorial

It is matter of immense pleasure that BJPA has entered into the twentieth year (2023) of its regular publication. The year 2023 has so far been significant and eventful for the students of Public Administration and Indian Politics in the wake of India's Presidency of G20. The year has also witnessed some policy innovations both in the context of governance and India's foreign relations. The Journal intends to cover the innovative researches.

The present Issue of Bihar Journal of Public Administration, Vol. XX, No. 1, 2023 covers the significant issues like Budget as tool of policy and economic growth, gender upliftment, use of ICT in local self-governance and justice delivery, emerging good governance in Jammu & Kashmir, Tribal welfare, labour welfare, disaster risk reduction, impact of cooperatives on people's empowerment, women policing and so on. Further, the present Issue incorporates also the contributions on the subjects like forest rights, Act East Policy, SIR in food security, National Education Policy 2020 and changing role of media.

The present Issue has incorporated the analyses of Indian traditional governing wisdom, i.e. food and democratic contractarianism in ancient Indian political thought and examination of Indian democracy in the context of humanitarian values enshrined in Gita and Gandhian ideas.

Special premium has been placed on governance in Bihar by including the contributions on working of Panchayati Raj Institutions in changed situation, rise of dalit women, trends of urbanisation and role of state Human Rights Commission.

The IIPA Bihar Regional Branch and the Editorial team express thankfulness to external support from expert reviewers and the contributors. At last, though utmost care has been taken to maintain the quality, yet we shall feel obliged to have suggestions from readership for improvements in the Journal.

- Dr. R.K. Verma

Editor



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WOMEN ENTREPRENEURS IN MICRO AND SMALL ENTERPRISES IN BIHAR: SUGGESTING THE NEED OF APPROPRIATE POLICY

Rashmi Akhouri*

Abstract

Creating space for self-assertive roles of women in economic and political domains is the prime pre-requisite for their genuine empowerment. No doubt governments, especially Bihar Government have launched several gender based welfare schemes and promoted Self-Help Groups (SHGs) as well as 'Bank Sakhi' for their economic wellbeing, yet it becomes an urgent imperative to make women enabled to compete in economic sphere with their male counterparts. Under influence of this dominant assumption, the present paper intends to analyse the administrative and legal problems, socio-economic conditions, as well as socio-cultural factors affecting women entrepreneurs in micro and small enterprises in Bihar milieu. For this Patna district has been selected for examination. The present study is based mainly on primary sources of data collection through survey method. The study finds that for reaping the demographic dividend, it is high time to introduce public policies with gender inclusive strategies on education, skill development, informal sector development, and entrepreneurship.

Keywords: MSMEs, MSEs, Women Entrepreneurs, Motivation, Administrative-Legal, Patna, Bihar

INTRODUCTION

Women in general must fulfil a lot of societal roles pressed upon them for ages. It is critical and unheard-of women who tend to break down all barriers and step beyond their roles. The norms of masculinity are at once hostile towards the new

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challenging role that women want to take up as entrepreneurs and producers. The men in general are responsible for the weaker economic condition of the women and are the biggest hindrance in letting them evolve criticize them on the very fact that women do not 'fit the Bill's, are under performing and lack the skills of employment, profitability, and market share. This notion is more striking in developing nations where women entrepreneurs are not allowed to flourish on the pretext that their working patterns are quite feminized, and thus unprofitable and unprofessional in every aspect. This mindset has coerced their economic empowerment. Gender roles are reinforced and people are highly critical of women entrepreneurs. The society at large should try to understand the problems, remove the road-blocks and hurdles that they encounter and suggest some authentic measures to let them evolve and contribute to the economic growth of their nation besides facilitating women empowerment. Entrepreneurship can be used as one of the important key factors of economic development by involving women especially in rural women in entrepreneurial activities.

It is precisely this that the present research study aims at analysing the socio-economic conditions, problems related to legal, administrative, and socio-cultural factors affecting women entrepreneurs in micro and small enterprises in Patna district of Bihar. There are over 6 crore MSMEs in India, out of which majority fall in the category of micro-enterprises. Only 5% of total MSME units are in Bihar, out of which female owned are only 5%, indicating very high gender gap in established businesses. Thus, for any attempt made to understand the entrepreneurial activity among women, an analysis of their socio-economic status or condition and problems related to various aspects of their entrepreneurship is necessary. After the introduction of the policy of privatization, liberalization, and globalization the women started responding to the changes in the environment and their entry in the entrepreneurial activities was noticed. The beginning period marked the existence of women in the businesses related to home made products like pickles and papads. But later the focus was shifted towards the entrepreneurial activities related to the small and medium enterprises related to the manufacturing, trading, and service sector.

In developing economies, the small, medium and cottage industries can create livelihood to the poor and needy of the society especially in rural area. So, this present study had been undertaken to assess the socio-economic conditions, problems related to different aspect of women entrepreneurs of Patna district of Bihar.

REVIEW OF LITERATURE

Women entrepreneurship long went virtually ignored in the academic literature and gained prominence only after the 1970s (Bird & Brush, 2002; DeBruyn, Brush

& Welter, 2007; Jennings and Brush, 2013; Paolina & Serafini, 2018; Prelove et al. 2019). Since then, enormous literature has emerged talking about the economic contributions. Thus, for any attempt made to understand the entrepreneurial activity among women, an analysis of their socio-economic status or condition and problems related to various aspects of their entrepreneurship is necessary. In developing economies, the small, medium and cottage industries can create livelihood to the poor and needy of the society especially in rural area. So, this present study had been undertaken to assess the socio-economic conditions, problems related to different aspect of women entrepreneurs of Patna district of Bihar.

The systematic analysis conducted by Panda (2018) on various aspects and 90 developing countries, reveals that the constraints faced by women stem from gender discrimination, conflict between family and work, poor access to resources, lack of training and personality differences. Specifically, they are wary of risks and suffer from isolation in their entrepreneurial path, show a lack of self-confidence and an excess of insecurity.

Several studies have been conducted during the last decades also all attempting to primarily highlight the obstacles to WOE. Few important studies are done by Das, (2012); Singh and Rana, (2013); Pandey, (2015); Limbu & Bordoloi, (2015). A very comprehensive study on the problems faced by women entrepreneurs in India has been done by Sabrina Korreck (2019). Besides, there are several studies conducted to highlight specific problems that women entrepreneur in general or those in MSEs fold and extensively investigate the availability of finance, a deterrent factor, for women entrepreneurs. Some scholars in India have attempted to explore the factors that attract women to undertaking entrepreneurial activity. These include those by Singh, 2008; Krishnamoorthy and Balasubramanian, 2014; Chingakham Diana (2018), Goel Naval (2019) etc. Research shows that in developing countries, women entrepreneurs face greater barriers (Panda, 2018; Abou-Moghli and Al-Abdallah, 2019) and that their business ventures efforts are generally discouraged (Kapunga and Montero, 2017). There is dearth of specific studies covering Bihar which lagging behind other states in regard to women entrepreneurs, particularly in terms of appropriate interventions and policy initiatives. So, this is the case for specific area study.

OBJECTIVES, HYPOTHESES AND METHODOLOGY

With a view to achieved the major objective, the present study concentrates on enquiring respondents' socio-economic background, motivational factors, their expectations from rest of the society and problems faced by them. We have congealed hypotheses – (a) Economic factors are stronger in comparison to other factors causing problems to women entrepreneurs in micro and small enterprises,

- (b) Women who own their business are basically want to be self-dependent and
- (c) Highly educated women prefer large scale industries.

The present study is mainly based on primary sources of data collection. A survey of 120 women entrepreneurs, engaged in micro and small enterprises, sampled randomly from two subdivisions of Patna Districts was conducted with the help of Schedule. The secondary sources like books, journals, periodicals, conference paper, working paper, government reports and websites were utilised. The sampled respondents fell in different categories of entrepreneurs, such as 15.34% of them fell in manufacturing sector, 46% in micro-manufacturing and a sizeable of them (38.66%) in service sectors. It is because that similar proportion of women entrepreneurs in Patna belong to the micro manufacturing and service sector enterprises (84.66%) like cutting, tailoring, cloth store, food processing, cosmetics, beauty parlours, bamboo and cane works, pottery etc.

RESULTS AND DISCUSSION

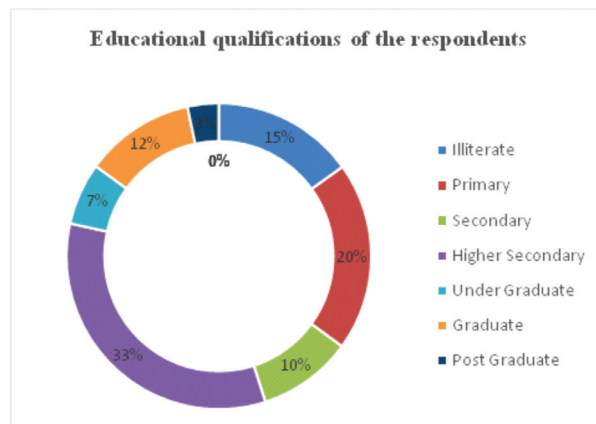
Many constraints like illiteracy, religious bindings, household bindings, superstition, pardah-pratha, capital deficiency, lack of training are responsible for low level of women entrepreneurs in a relatively developed district Patna. In our survey, there were 73% of women entrepreneurs in the age group of 26-45 years while the 17% were in the age group of 14-60 years. The main factors responsible for the emergence of women entrepreneurs in Patna district are lack of government jobs, limited sources of family income, motive of self-dependency etc. Only 15% of the women of general caste prefer to take business avenues owing to better economic position, ownership of land assets and jobs. Moreover, the general class of women enjoys high value in the society and therefore, they are reluctant to take up business enterprises. OBC is dominating due to several reasons like family support, financial need of the household, growth of literacy rate etc. It has been found in field survey that 45% of women entrepreneurs belong to OBC. It has been observed that Hindu women enjoy greater liberty and education in comparison to Muslim women in setting up business ventures.

EDUCATIONAL PROFILE OF RESPONDENTS

Education develops basic skills and abilities and promotes application of new knowledge, innovative ideas to production units of enterprises. It is an asset in accelerating entrepreneurial growth and in ensuring social change in desired directions. It helps to acquire market information purchase of raw-materials, bank finance and quality production. Table 1 shows the educational qualification of women respondents.

Table 1: Educational qualifications of the respondents

S. No.	Educational Qualification	Frequency	Percentage
1.	Illiterate	18	15
2.	Primary	24	20
3.	Secondary	12	10
4.	Higher Secondary	40	33.3
5.	Under Graduate	08	6.6
6.	Graduate	14	11.6
7.	Post Graduate	04	3.3

**Graph 1**

It was found that most of the women entrepreneurs prefer to undertake business activities rather to pursue higher education probably due to poor economic condition of the rural families in the studied area. Among the entrepreneurs 15% were illiterate, 33.3% educated up to high school and 3.3% were educated up to post graduate level.

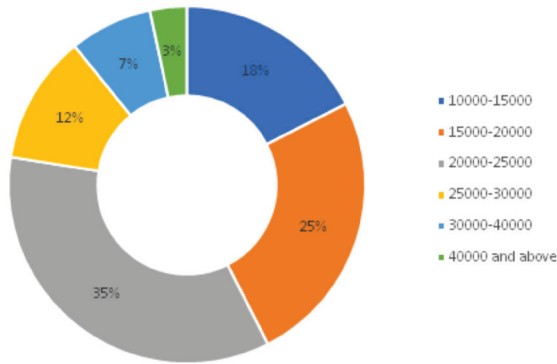
INCOME PROFILE OF THE RESPONDENTS

Survey of women entrepreneurs in the district reveals a sharp inequalities in income distribution of the head of the sample family. The following findings are significant in this regard. It is found that about 18% of the total sample households earn less, i.e. from 10,000–15,000 per month. The highest amount of income 40,000 and above is earned merely by 4% of the respondents. Inequalities in land asset distribution, job availability, educational qualification and family size are main causes of unequal distribution of income in the study.

Table 2: Level of income of the head of the sample family (per month)

S. No.	Level of Income		Frequency	Percentage
1.	10000	-15000	21	17.50
2.	15000	-20000	30	25.00
3.	20000	-25000	42	35.00
4.	25000	-30000	14	11.66
5.	30000	-40000	9	07.50
6.	40000 and above		4	03.33

Level of income of the head of the sample family (per month)



Graph 2

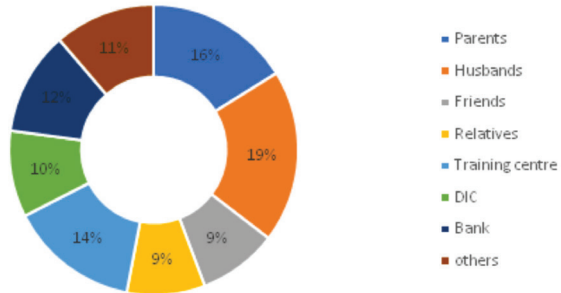
DECISION MAKERS IN FAMILIES OF THE ENTREPRENEURS

Husbands of the 20% of the respondents were found decision makers. The type of enterprises started by women entrepreneurs in a particular region reflects their potentiality, interest, and demand of the product in the market.

Table 3: Decision makers of the respondents

S. No	Decision Makers	Frequency	Percentage
1.	Parents	20	16.67
2.	Husbands	24	20.00
3.	Friends	11	09.16
4.	Relatives	13	09.00
5.	Training centre	14	15.00
6.	DIC	12	10.00
7.	Bank	12	12.00
8.	Others	14	11.66
	Total	120	100

Decision makers of the respondents



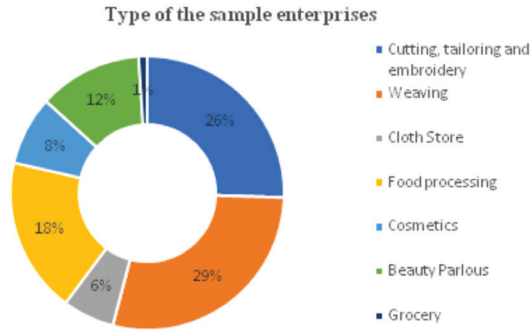
Graph-3

TYPES OF WOMEN-RUN ENTERPRISES

Among the various lines of production, weaving units have a predominant place, as 28% of the units came from weaving alone. Merely, one per cent of women entrepreneurs were engaged in grocery business. It was observed that grocery business was run by male members of the family. Now-a-days, women entrepreneurs take up business like cutting, tailoring, cloth store, food processing, cosmetics, beauty parlours, bamboo and cane works, pottery etc. The types of enterprises taken up by the female entrepreneurs in the study region are shown in Table 4.

Table 4: Type of the sample enterprises

<i>S. No.</i>	<i>Type of Enterprise</i>	<i>Frequency</i>	<i>Percentage</i>
1.	Cutting, tailoring and embroidery	28	25.00
2.	Weaving	32	28.00
3.	Cloth Store	12	06.00
4.	Food processing	20	18.00
5.	Cosmetics	10	08.00
6.	Beauty Parlous	12	12.00
7.	Grocery	06	01.00



Graph 4

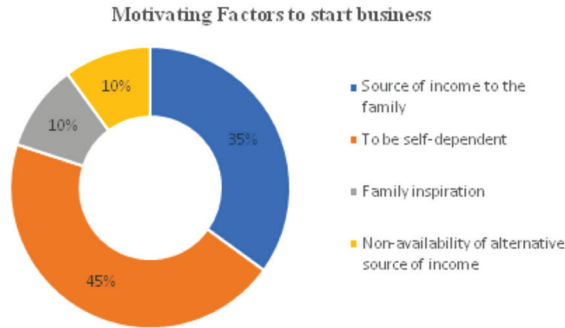
Monthly turnover reflects source of inspiration and confidence for the women entrepreneurs to carry out their business. By investing more, if less turnover is earned, it may reduce the continually of business. According to the field survey, most of the women enterprises 33% earned between 1000-5000 per month. This monthly turnover is very meagre but still they are willing to run their enterprises expecting that the future turnover will improve only two per cent of entrepreneur monthly turnover is 25,000 and above.

MOTIVATING FACTORS

Factors like adding to the source of income to the family, creative urge to be self-dependent, family inspiration and non-availability of alternative source of income motive women to start their own businesses. Table 5 shows 35% of women entrepreneurs have started business to earn income either to assist their husband or their parents’, 45% of them have started business enterprises to be self-dependent, 12% of them have started business due to family inspiration and 12% of them have started enterprises due to non-availability of alternative source of income to the family. Following factors shown in the Table 5 motives of women to start business in the studied area.

Table 5: Motivating factors to start business

S. No.	Factors	Frequency	Percentage
1.	Source of income to the family	42	35
2.	To be self-dependent	54	45
3.	Family inspiration	12	10
4.	Non-availability of alternative source of income	12	10
Total		120	100



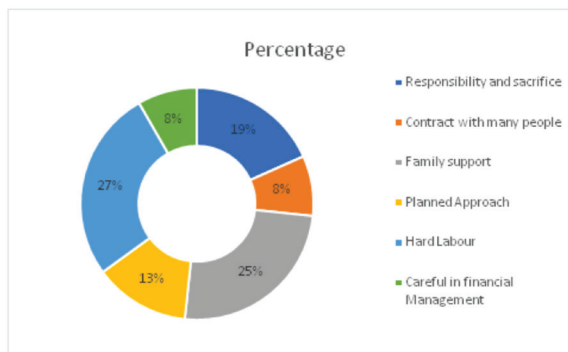
Graph 5

FACTORS RESPONSIBLE FOR THE SUCCESS

Our survey reveals that 18.33% of women business enterprises become successful due to knowledge background of the business responsibility and sacrifice, 16% became successful due to planned approach, 32% became successful due to hard labour and 10% became successful as they were more careful in financial management. Factors attributing to the success of the enterprises are shown in the Table 6.

Table 6: Factors responsible for the success of the enterprises

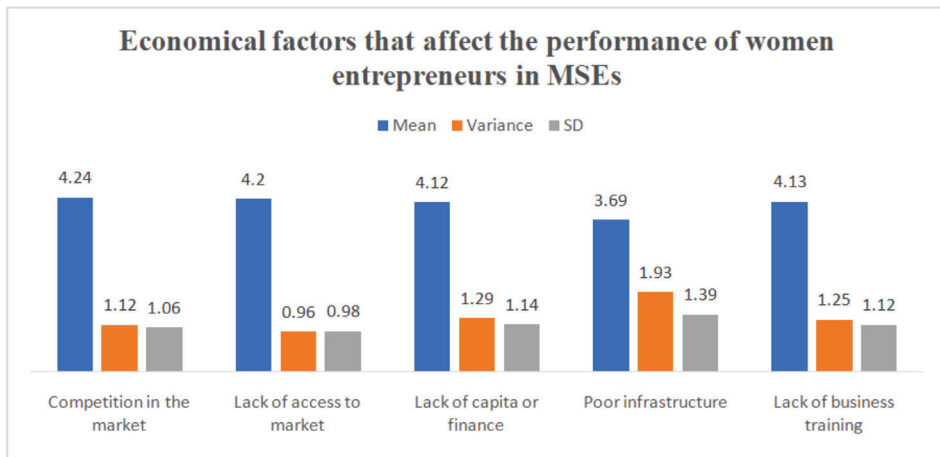
S. No.	Factors	Frequency	Percentage
1.	Responsibility and sacrifice	22	18.33
2.	Contract with many people	10	08.33
3.	Family support	30	25.00
4.	Planned Approach	16	13.33
5.	Hard Labour	32	26.66
6.	Careful in financial Management	10	08.30



Graph 6

ECONOMIC FORCES AS DETERMINANTS

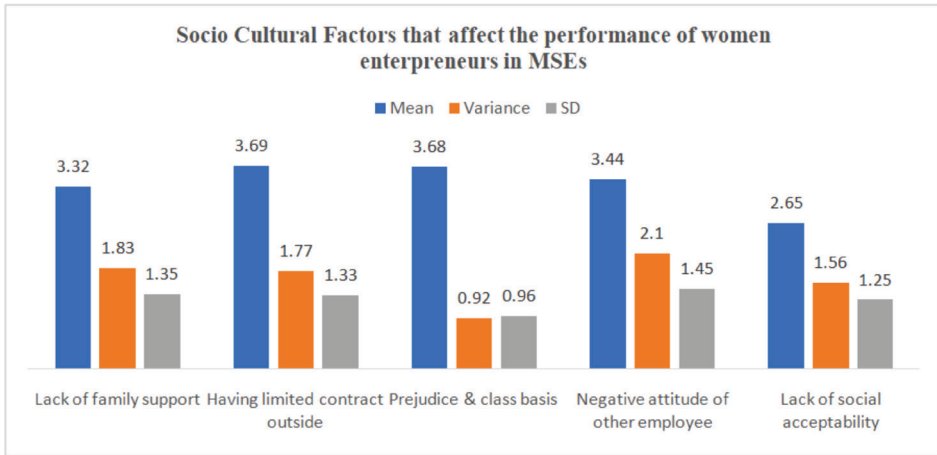
The economic forces like size of the market, availability of the competitive product, unable to reach the market, less fund availability, poor infrastructure, lack of business training. Bar Diagram 1 shows that competition in market is the first major problem, and almost all women entrepreneurs agree with the fact that there is less accessibility to market. Likert scale, was used to address issues of key factors that affect women entrepreneur’s performance in MSEs. The mean score (3.69), variance (1.93) and S.D. (1.39) show that the women entrepreneurs is MSEs agree on the poor availability of necessary infrastructure around their working areas. Lastly lack of the business training is the third in severity rank as an economical factor that is faced by the women entrepreneurs.



Bar Diagram 1

SOCIO CULTURAL FACTORS

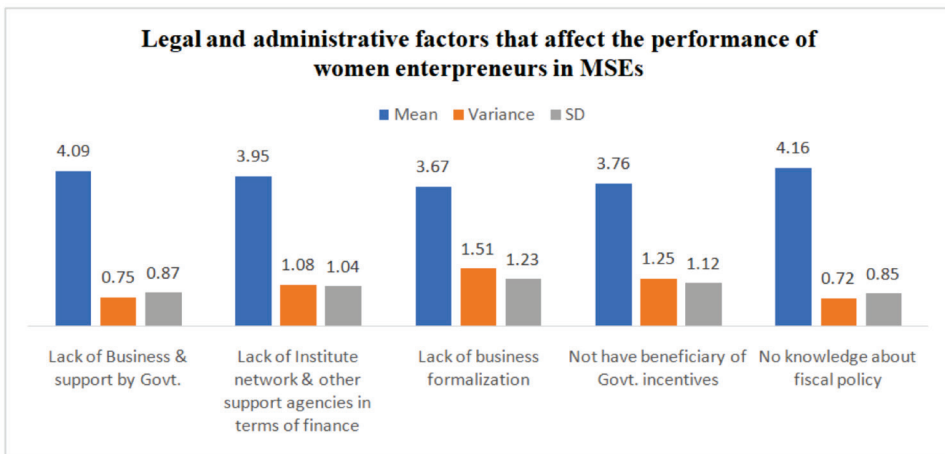
Bar Diagram 2 reveals that women respondents do not agree that there is lack of family support while they accept that there is prevalence of prejudice and limited contract outside based on statistical analysis. Most important socio-cultural factor that affects the performance of women entrepreneur can be analysed based on severity ranking. It reveals that the mean score (3.32), variance (1.83) and S.D. (1.35) of the women respondents shows that the women entrepreneurs lack the family support. The contact (networks) that women entrepreneurs in MSEs have with outsiders is low too with a mean score of (3.69), variance of (1.77) and S.D. of (1.33).



Bar Diagram 2

LEGAL AND ADMINISTRATIVE FACTORS: POLICY PERSPECTIVE

Bar Diagram 3 reveals that, women entrepreneurs in MSEs have no business assistant and supports by government bodies. The mean score (4.09), variance (0.75) and S.D. (0.87) show that these entrepreneurs agree with the issue that they have no business assistant and supports by the concerned government officials. The mean score (3.95), variance of (1.08) and standard deviation (1.04) shows that, the women entrepreneurs in MSEs agree on lack of Institutional network and other support agencies in term of finance.

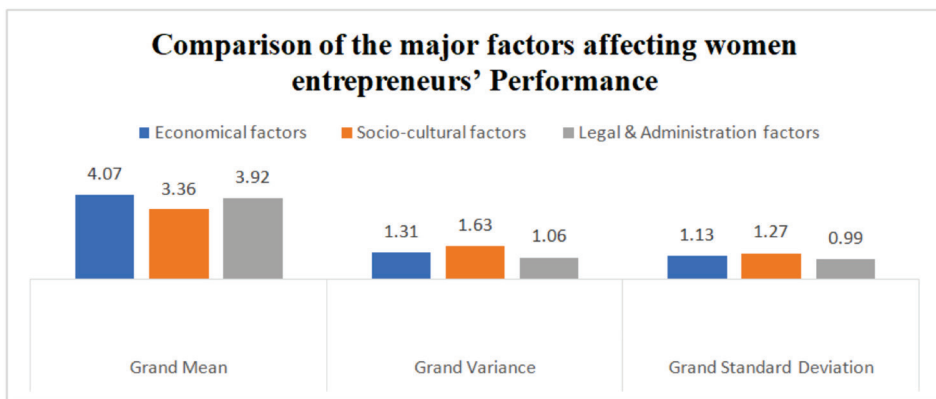


Bar Diagram 3

FINDINGS

Economic forces and legal administrative factors have greater bearing on performance of women entrepreneurs. This will be evident from the facts shown in Table 7 which shows that the grand mean (4.07), grand variance (1.31) and grand standard deviation (1.13) clearly depict that the economic factors are severe than the others followed by the legal and administrative factors that has a grand mean of (3.92), grand variance (1.06) and a grand standard deviation of (0.99). It shows that the impact of the socio-cultural factors are stronger in comparison to legal and administrative factors. This analysis concludes that measures should be taken to improve their accessibility to market and also steps should be taken to bring about change in the mindset. No doubt Entrepreneurship among women, improves the wealth of the nation and her family.

The study comes to the conclusion that economic factors followed by the legal and administrative factors pose more challenges in the way of existence and survival in the market. No knowledge about fiscal policy and lack of business assistance & support by government are the major legal and administrative factors that affect the performance. In socio-cultural factors, having limited contract outside & class bias are also the major factors that are faced by the women entrepreneurs. It has been observed from the above analysis that socio-economic factors influence women in making a successful entrepreneur.



Bar Diagram 4

It is marked from the study that women are ready to face the challenges associated with setting up of business. Society seems not to pose hurdles in the way of women entrepreneur. Women are not into business for survival but to satisfy their inner urge of creativity and to prove their capabilities. Women education is contributing to a great extent to the social transformation. The future will see more women venturing into areas traditionally dominated by men.

CONCLUSION

For reaping the demographic dividend, it is increasingly important to implement gender inclusive strategies on education, skill development, informal sector development, and entrepreneurship. Entrepreneurship is a potent means that empowers women economically and can progress women from no employment to self-employment. Most studies conducted show that WOE enterprises in Bihar are concentrated in some specific activities, primarily in the services sector. Those cases where women enterprises are involved in manufacturing and production, they prefer to choose low risk and low price goods for the purpose. There is urgent need for introducing policies to encourage women entrepreneurs to use technology and labour-intensive production process. The present study indicates that for reaping the demographic dividend, it is very important to introduce government policies to encourage them and capacity building interventions like gender inclusive strategies on education, skill development, informal sector development, and entrepreneurship. The recent trend shows that when women are better educated and have better employment opportunities, then participation of women might decline in SMEs and they move towards bigger enterprises as entrepreneurship is a potent means that empowers women economically. It is hoped that their entrepreneurial and economic sustainability will contribute to economic growth of Bihar, if appropriate government policies are introduced.

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IMPACT OF COOPERATIVES ON EMPOWERMENT OF PEOPLE: OBSERVATIONS FROM MICRO LEVEL IN WEST BENGAL

Sidhartha Sankar Laha*

Abstract

The major objective of the present study is to assess the role of co-operatives in accruing empowerment benefits in rural and urban localities. In this context, it was attempted to ascertain the impact of cooperatives on the employment generation, food production, women empowerment, social cohesion and quality of life among rural and urban communities. As such, a survey was conducted among sampled respondents by using multiple tools of primary data collection like observation, interview and discussion with focus groups from three selected districts of West Bengal. With a view to enrich our study, a sizeable of non-cooperative members were also surveyed. Our survey results reveal that cooperatives have been much beneficial in improving quality of life, poverty reduction and women empowerment.

Keywords: Co-operatives, Empowerment Benefits, Livelihood, Rural Poor, West Bengal

INTRODUCTION

Empowerment includes both controls over resources (physical, human, intellectual and financial) and over ideology i.e. beliefs, values and attitudes (Batliwala, 1994). It refers to achieving greater extrinsic control, capacity building and greater self-confidence and an inner transformation of one's consciousness that enables one to overcome external barriers to accessing resources or changing traditional ideology (Ambrose Pinto, 2001). Further, it involves a participatory approach and transforms

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the basic structure of subordination (Sinha, 1999). Empowerment can be viewed as a means of creating a social environment in which one can take decisions and make choices either individually or collectively for social transformation. It strengthens innate ability by way of acquiring knowledge, power and experience. Some of the best examples of empowerment from many countries have used group process to break the isolation and seclusion of individuals. Group processes have also been used in credit programs to ensure individual accountability for the loans taken (Hashemí, Schuler and Riley, 1996). Thus, it encompasses the achieving resources, skills, training, and leadership formation on one hand and the democratic processes, dialogue, and participation in decision-making techniques for conflict resolution on the other (Lalitha, 1996). Here empowerment benefits are perceived as sustaining livelihood for better life. Empowerment within the cooperatives focuses initially and primarily on the active participation of cooperative members. In a cooperative setting, a group of people coming together to form a cooperative to meet their needs is a self-help empowering action. The members of cooperatives are both the stake holders and beneficiaries and are supported by legal provisions. In turn, their substantive participation in the decision making empower them.

Participation is a process by which the members influence the direction, scope, operations and activities of their cooperatives. Cooperatives facilitate them to enhance their income, personal growth, self-reliance, social status, etc. Even the poor and deprived members among them can be benefitted by claiming their due and their rights, and responsibilities by being associated with cooperatives. This makes cooperatives effective (Mishra, 1999). Cooperation is a dynamic movement for socioeconomic and cultural development of the people. The cooperatives exhibit strong local linkage in rural areas which can be utilized for rural development.

OBJECTIVES AND METHODOLOGY

The core objective of this study is to understand the members' perception towards cooperation. In order to achieve this core objective, the following points of enquiry have been investigated: to assess the perception of the members about empowerment, to underline the benefits of cooperatives, to compare the perceptions of members and non-members of cooperatives and to identify the major problems in Co-operatives and suggest measures for enhancing empowerment benefits.

Field survey methods through Personal Interviews and Participatory Appraisal tools including Focus Group Discussion were adopted to elicit data/information from 540 respondents (members of cooperatives) and 118 non-members selected on a disproportionate stratified random sampling basis from villages representing two Agro-Climatic Regions, viz., Southern districts of North Bengal (Dakshin Dinajpur, Uttar Dinajpur, and Malda) and Eastern districts of North Bengal (Jalpaiguri, Alipurduar and Cooch Behar) in North part of West Bengal. For the

purposes of statistical analysis, the total score on empowerment benefits has been attempted through the Linear Multiple Regression Model.

PERCEPTION ON EMPOWERMENT BENEFITS FROM COOPERATIVE

The survey reveals that the percentage of respondents under highly perceived category was higher among non-members than member respondents. The mean score for member and non -members were 57.81 and 61.27 respectively under highly perceived category, although the chi-square test indicated that there is no association between perception of the empowerment benefits of cooperation and membership in cooperatives, the test of significance shows marked difference in the perception of the empowerment benefits of cooperation between members and non- members. (The 't' value between member and non-member respondents is -2.061 which is significant at 0.05 level in Table 1). The reason might be that, since non-members do not have entitlement as owners of cooperatives, they could have felt cooperatives as a great enabling force providing empowerment benefits.

Table 1: Perception of Respondents on the Empowerment Benefits of Cooperative (N = 658)

<i>Response Category</i>	<i>No. of Respondents</i>		<i>Total</i>
	Members($n_1 = 540$)	Non Members($n_2 = 118$)	
			N = 658
Highly perceived	239 (44.3)	57 (48.3)	296 (45.0)
Not perceived	272(50.4)	58 (49.2)	330 (50.2)
Not sure/neither agree nor disagree	29 (05.3)	03 (02.5)	32 (04.8)
Total	540 (100)	118 (100)	658 (100)
Mean	57.81	61.27	

Source: Field Survey

Figures in parentheses are percentages to column total.

Chai-square value is 1.974 which is not significant.

The 't' value between member and non-member respondents is -2.061 which is significant at 0.05 level.

ANALYSIS OF MEMBER'S PERCEPTION

The survey reveals that there is no significant difference between landowning and landless members on the perception of empowerment benefits of cooperation (Table 2).

However, members in rural areas have greater percentage of opinion on being benefitted by Cooperation than members in urban areas. But, it is not statistically significant, (the 't' value is 0.306 which is not significant at 0.05 level in Table 3).

To sum up this part, there are differences in the perception of the empowerment benefits of cooperation between members of cooperatives and non-member respondents. The non-member respondents feel cooperatives as a great enabling force due to absence of entitlement as parts of cooperatives. Further, the factors such as land ownership and place of domicile do not discriminate members to derive empowerment benefits from cooperation.

Table 2: Analysis of Members' Perception: Land Ownership Basis (N = 540)

<i>Response Category</i>	<i>No. of Respondents</i>		<i>Total</i>
	Landowning ($n_1 = 282$)	Landless ($n_2 = 258$)	
			N = 540
Highly perceived	127 (45.0)	112 (43.4)	239 (44.3)
Not perceived	144 (51.1)	128 (49.6)	272 (50.4)
Not sure/neither agree nor disagree	11 (03.9)	18 (07.0)	29 (05.3)
Total	282 (100)	258 (100)	540 (100)
Mean	58.49	57.07	

Source: Field Survey

Figures in parentheses are percentages to column total.

Chai-square value is 2.511 which is not significant.

The 't' value between land owning and landless members is 0.897 which is not significant at .05 level.

Table 3: Analysis of Member's Perception: Rural and Urban wise (N = 540)

<i>Response Category</i>	<i>No. of Respondents</i>		<i>Total</i>
	Urban ($n_1 = 172$)	Rural ($n_2 = 368$)	
			N = 540
Highly perceived	74(43.0)	165(44.8)	239 (44.3)
Not perceived	84 (48.8)	188 (51.1)	272 (50.4)
Not sure/neither agree nor disagree	14(08.2)	15(04.1)	29 (05.3)
Total	172(100)	368 (100)	540 (100)
Mean	56.17	57.64	

Source: Field Survey

Figures in parentheses are percentages to column total.

The 't' value between urban and rural members is 0.306 which is not significant.

EFFECT OF SOCIO-ECONOMIC FACTORS ON THE PERCEPTION

To have further query on the effect of demographic, social, economic indicators in general and Cooperative indicators in particular on the perception of empowerment benefits of Cooperation among different categories of members, a model as given above was prepared and Linear Multiple Regression(LMR) analysis was made.

The results of LMR model as given in Table 4 shows that the age of members is found as an important variable. It has a positive and significant effect on the perception of empowerment benefits of Cooperation among all categories of members irrespective of their landownership and place of domicile. Non-conduct of election to cooperatives for more than two decades could be the reason for poor perception of the empowerment benefits of Cooperation by members under young age category. However, gender as variable has, positive significant effect among members in general and landless members in particular (Male = 1, Female = 0). Provision of services of the schemes and programmes of the government through Cooperatives and encouraging weaker sections especially women to take part in the management of cooperatives in recent years could be the reason for greater perception of the empowerment benefits of Cooperation by landless members including women members of cooperatives.

Table 4: Linear Multiple Regression Model-Perception of Members' of the Empowerment Benefits from Co-operatives

<i>Independent variable</i>	<i>Among members</i>	<i>Among landowning members</i>	<i>Among landless members</i>	<i>Among urban members</i>	<i>Among rural members</i>
	(b_1)	(b_2)	(b_3)	(b_4)	(b_5)
1	2	3	4	5	6
Demographic status					
Age	0.468**	0.632**	0.272*	0.352*	0.484**
Gender	3.249*	1.050	4.974*	4.558	2.688
Social status					
Education	0.388*	0.487*	0.208	1.169**	7.861 E-02
Family size	-0.487	-2.242**	1.215*	1.302	-0.964
Neighborliness	0.327	0.939*	-0.103	0.810	3738 E-03
Contact with change agents	-0.278*	-0.129	-0.331	-0.240	-0.305**
Exposure to mass media	0.725**	0.122	1.315**	1.477*	0.665*
Social participation	0.223	0.151	0.922**	3.610** ⁻⁹	663 E-02

<i>Independent variable</i>	<i>Among members</i>	<i>Among landowning members</i>	<i>Among landless members</i>	<i>Among urban members</i>	<i>Among rural members</i>
	<i>(b₁)</i>	<i>(b₂)</i>	<i>(b₃)</i>	<i>(b₄)</i>	<i>(b₅)</i>
1	2	3	4	5	6
Economic status					
Assets	-2.417 E-05**	-	-	-1.894** E-05*	-3.909 E-05**
Family income	3.405 E-05*	3.317 E-05	4.515 E-05	1.680 E-05	2.253 E-05
Occupation	0.188	-	-	-0.608	0.155
Land size	0.209	-	-	-	0.558
Cooperation					
Duration of membership	-8.062 E-02	-0.292	2.735 E-02	-0.647	-8.915 E-02
Proportion to total borrowing	4.013 E-02*	4.005 E-02	1.631 E-02	-1.317 E-02	5.100 E-02*
Participation in cooperative management	0.362**	0.196	0.681**	0.397*	0.270*
Services availed from cooperatives	-0.222	0.863	-1.980	-3.546	1.615
Constant	23.720	27.240	18.577	-14.442	34.056
R ² 0.151**	0.220**	0.224**	0.364**	0.182**	
N = 540	282	258	172	368	

*significant at 0.05 level.

**significant at 0.01 level.

The social indicators, almost all of them, have significant effect. Education and exposure to mass media play an important role to derive greater empowerment benefits of cooperation by members especially members in urban areas. Whereas contact with change agents has negative effect among members in general and members in rural areas in particular education as well as exposure to mass media could be the reason to undermine the significance of change agents by rural members. The Focus Group Discussion among villagers in Teor, Chopra, Sripur, Dakol, and Abuhar villages in Southern districts of North Bengal region highlighted that the villagers have a common bond and identity. They have solidarity and a feel of oneness. It gives them a sense of power. To quote a villager, “We know every person in this village; every movement of each and every person is known and appraised; we maintain high sense of neighborliness amidst all factions and frictions, across social stratifications and social inequalities.”

So far economic indicators is concerned, total assets as an indicator has significant negative effect among members including members in urban and rural areas while it has no effect among landowning and landless members. However, family income has positive significant effect among members whereas size of land holdings has positive significant effect among rural members only. This finding indicates that both persons of small means and landowning members derive empowerment benefits of Cooperation.

It was found that 25 per cent have purchased milch animals out of Integrated Rural Development Programme (IRDP) loans, and 40 percent have got loans from different commercial banks on their security. It is found that both members and non-members are empowered in matters relating to up-keeping dairying in a remote village in the study areas of the North Bengal region. However, members feel more empowered than non-members as they enjoy 'profit'. A women participant of the FDG held in Eastern District said: "We got the loan to purchase milch animals and got it in our name...with the support of other members of the family. If we do not involve ourselves in all the matters pertaining to dairying we cannot repay the loan. Our family name will be ruined... Others may start teasing us and at times they may announce it in the street."

CONCLUSION

In nutshell, from the above discussion, it may be inferred that the user cooperative members have accepted the empowerment benefits from co-operatives. However, most of the women members are less participative in the decision making realm of co-operatives. Although they enjoy empowerment benefits at home, most of them are deprived of profit sharing. However, women members enjoy greater empowerment benefits including profit sharing than non-member women.

People in general and members, in particular, have a high perception of empowerment assistance from co-operative. It is very interesting to note that the degree of cooperation among non-members was greater for accruing empowerment benefits as they could not get benefits of cooperatives. However, the local land owners expressed less interest in cooperatives. Moreover, although demographic, social, and economic indicators of members have strong shreds of evidence of the greater effect on their opinion, it is quite clear that cooperation indicators such as duration of membership in co-operatives, participation in management affairs, and proportion of borrowings, including services availed of from co-operatives have greater effect to realize empowerment benefits among members. Co-operative, thus, are manifesting themselves as a great enabling force providing empowerment benefits to people.

Our findings match with the ILO report which says that ‘the co-operatives are already present in almost all areas and facilitated the achievement of Sustainable Development Goals as envisaged in UN SDGs 2015 for the entire world.’ Finally, co-operatives may have greater impact on enhancing self-assertive roles among people especially among rural poor who can raise voices before public authorities for their betterment. Finally, these cooperatives are instrumental in providing opportunities for productive employment, as well as offering health care, education, potable water, improved sanitation, roads, and market access while giving a stronger “voice” to rural groups.

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ADMINISTRATION OF JAMMU & KASHMIR IN POST-2019 ERA: A STUDY OF SOME CONSTITUTIONAL AND JUDICIAL REFLECTIONS

Priya Ranjan Kumar* and Angel H. Syiem**

Abstract

Abrogation of three laws related to Jammu and Kashmir in 2019 has overhauling impact on politico-administrative system of the state. The Government of India claimed it as a step towards fulfilling the constitutional obligation of ‘Unity and Integrity of the Nation.’ The step has generated a debate among academia, social and political activists and legal experts on the issues of its legality, constitutionality and feasibility. It is obvious that the step has overhauled the political, social, economic and legal relation of the state with the Union of India. In the light of the above situation, it is apt to revisit the administration of Jammu and Kashmir before and after passing of the above laws and analyse its effect in present context. Also it is an endeavour to analyse the judicial approach on legal issues in administration of the state.

Keywords: Administration, Jammu and Kashmir (J&K), Article 370(3), J&K Reorganisation Act 2019, Judicial Opinions, Delhi-Declaration, President

INTRODUCTION

Justice Rohinton Fali Nariman observed in the *SBI case* that “the Constitution of India is a mosaic drawn from the experience of nations worldwide.” The political, social and economic history of Jammu and Kashmir (hereinafter J&K) provided impetus for the Constitution framers to endow it with special status and make it a part of the federal structure. The 5th and 6th of August 2019, marked as a

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historical day for India and the state of J&K. It changed and redefined its political, legal, social, and economic relation which was earlier based on Article 370, 35A, the Constitution of J&K, and Instrument of Accession. The change of events made applicable the Constitution of India in its entirety with all amendments to the J&K which changed the status of administration of J&K and brought the state at par with other states by lifting away its long-standing privileged position as 'special status'. Even Article 370 with all its previous amendments were made inoperative. The State was organised and bifurcated into the Union territory of Jammu & Kashmir with a legislative body having 107 seats out of which 24 seats shall remain vacant as those of Pakistan occupied Kashmir and with five seats representation in the House of People and the Union territory Ladakh, including Leh and Kargil districts. In this backdrop, the changes brought in the administration of J&K demands a revisit of the historical legal documents and instrument to understand the impact in the present context.

ADMINISTRATION OF STATE OF J&K: HISTORICAL PERSPECTIVE

The State of J&K was administered by the Maharaja. The successor of Maharaja Pratap Singh, Maharaja Hari Singh issued Regulation 1 of 1934 to suppress public agitation in Kashmir and to establish a responsible government. The Regulation conferred prerogative and inherent power on the Maharaja on legislative, executive and judicial subject matters and given rule making powers to council of ministers on certain specified purposes. Through the Regulation, no law shall be effective in the state unless it is assented and signed by the Maharaja who will have unconditional discretion. In 1939, with an objective to attain co-operation between law making and executing machinery of the State, to maximise happiness of people while keeping his inherent power, rights, authority and jurisdiction intact, the Maharaja issued a proclamation.

Post second world war, "Cabinet Mission" arrived in India and affirmed the withdrawal of British Government and the 'sovereignty' rights surrendered by the states will revert back to the ruler who may negotiate to accede either to India or Pakistan (Anand, 2001). The Indian Independence Act, 1947 (Section 7(1)(b)), removed limitations imposed by the British Paramountcy and States really became independent except three states including J&K and they acceded to India by signing Instruments of Accession under section 6 of the Government of India Act, 1935. S.P. Jagota stated that J&K, one among the 565 princely states of India neither acceded to India nor to Pakistan due to probable reasons of indecision of the ruler and able to foresee the changes taking effect in that time or loss of power (Jagota: 1960). Maharaja was not in favour of acceding to India, but Poonch revolt against him due to infiltration from Pakistan, economic blockade (Ibid), invasion of J&K by tribesmen from the west and the south-west as aided by the Pakistan in October,

1947 (Ibid), posed a new threat to the throne where people demanded reforms in the governance policy of J&K to resist and prevent invaders. In a great emergency, to preserve his throne and protect his statesmen, the Maharaja signed an Instrument of Accession in accordance with section 6 of the Government of India Act, 1935 with India and acceded to the Dominion of India. Legislative power of the Indian Parliament was subject to matters enumerated in the Schedule of the Instrument for J&K which were defence, external affairs and communications (Anand: 2016). Moreover, the powers, authority, and rights of the ruler, i.e. Maharaja and the validity of laws already in existence in J&K was not changed. Appointment of S.M. Abdullah as a head of interim government was done to participatory governance with joint responsibility, keeping intact the power and privilege of dynasty ruler till the Constitution is finalised. The Council of Ministers were made responsible to convene National Assembly to frame the Constitution once the condition in J&K normalise.

In 1949, Maharaja Hari Singh due to his illness entrusted all his powers and functions to his son Yuvraj Karan Singh Bahadur who by proclamation declared the state to be governed by Indian Constitution once it gets adopted by the Constituent Assembly to the extent practicable which will govern the inter-relation between Union of India and J&K. Indian Constitution was completed by November, 1949 however, the situation regarding J&K at United Nation Security Council and in the State had entered a stalemate. Therefore, it is deemed necessary to make provisions in the Indian Constitution regarding special status of J&K and the motion of Shri Gopaldaswami Ayyangar was discussed in the form of Article 306-A (originally) which was added as Article 370 (as existed before 2019). The said Article was accepted and applied by the Maharaja of J&K in 1949 and the J&K Constituent Assembly was authorised to proceed for making of the Constitution for the state.

CONSTITUTIONAL ADMINISTRATIVE FOUNDATION

Article 370 of the Indian constitution with the heading “temporary provisions with respect of Jammu and Kashmir” confers power on the President to effectuate constitutional provisions with necessary modification which formed the basis for administration of J&K. Although the State was an integral part of India, its relation with the Union were to be regulated by Article 370 which by virtue of clause 1, independently, without exercise of the power by the President, declared that Article 238 will be inoperative in J&K which was before the Constitution (Seventh Amendment) Act, 1956 contain provision for administration of Part-B state (nine Princely states) of the first schedule by the President. The subject matters enumerated in the Instrument of Accession were recognised as a limitation on the legislative competency of the Parliament to make laws for J&K. The president was empowered to declare those laws for J&K after ‘consultation’ with or for other matters with

‘concurrence’ of the Government of J&K. The First Schedule of the Presidential Order 1950 enumerated ninety-six subject matters on which the Parliament may make laws for the J&K. Other Constitutional provisions enumerated in Schedule II shall apply subject to such modification and exception as the President in consultation of Sadar-i-Riyasat may specify. Article 1 and Article 370 itself were made applicable to the states. To understand about the application of Indian Constitution provisions with or without modification under Article 370 to the J&K one must refer the President orders made under Article 370 and amendments from time to time.

PRESIDENT ORDERS AND CONSTITUTION RELATION BETWEEN INDIA AND J&K

The President of India was empowered under Article 370 to extend the provisions of the Indian Constitution including any amendment as well as Parliamentary laws to J&K with such modification as he may specify by issuing order from time to time. Till 2019, the president of India has exercised its Constitutional power under Article 370(1) to the Jammu and Kashmir almost for fifty times.

The Constitution (Application to Jammu and Kashmir) Order, 1950

In consultation with the Government of J&K, exercising its power under Article 370, the President of India issued order 1950 which defined the legislative power of the Indian Parliament and application of Indian Constitution to J&K. The order referred to the subjects specified in the Instrument of Accession subject to which the Parliament was entrusted legislative competency to make laws. For the said purpose, first Schedule of the Order related to the jurisdiction of the union on almost 96 entries. The Second Schedule of the Order stated other provisions of the Indian Constitution which was made applicable to J&K and includes Part-V, XI, XII, XV-XVII, XIX to XXII and first to fourth schedule and eighth schedule. The Schedule does not include Fundamental Rights enshrined under Part III and Directive Principles of State Policy (DPSP) under Part IV. Supreme Court (hereinafter SC) jurisdiction was limited to original and appellate jurisdiction, no jurisdiction to Auditor-General, representatives of the States in the Parliament were to be chosen by President, residuary power of Parliament and State List and Concurrent List of Seventh Schedule, did not apply.

Delhi Agreement, 1952

In the year 1952, the Constituent Assembly of J&K was constituted to frame their Constitution, determine the future of royal dynasty, determine payment of compensation for expropriation of estate, and to declare reasoned conclusion

regarding accession. The Constituent Assembly have arrived at major decisions which were as follows:

- a. No compensation should be paid for expropriation of estate.
- b. Hereditary rulership should be abolished.
- c. Headship of the state should be elected.
- d. State should have its own flag.

The above decision of the Constituent Assembly would not come into effect unless recognised by the Government of India and accordingly, President Order is made. A delegation of J&K with Sheikh Mohd. Abdulla visited Delhi in 1952 and after negotiation, following agreement were reached-

- a. Residuary powers would remain with the State.
- b. The Supreme position of Indian flag was recognised, and the State of J&K flag was to continue for “historical and sentimental reason connected with their struggle for freedom”.
- c. The President power to pardon will apply in J&K.
- d. Article 324 was made applicable for the election to the House of Parliament.
- e. Hereditary rulership abolished and headship of the state, i.e. Sadar-i-Riyasat should be elected by the Constituent Assembly for a period of 5 years and should be recognised by the President of India.
- f. State Legislature may define permanent resident and confer on them special rights, privileges on acquisition of property and employment.
- g. Article 352, emergency provision was applied except on the grounds of internal disturbance or imminent danger unless request was made or concurrence was made by the State Government.
- h. The whole of Fundamental Rights not to be applied in J&K at once in full keeping in view social-economic and political situation and when it will be applied accordingly the jurisdiction of the SC would be extended.
- i. Appellate jurisdiction of SC in civil and criminal matters not applied.

On above terms of agreement, the Constituent Assembly of J&K considered the same by motion approving the Delhi agreement in 1952. It's application was however delayed. In meantime, difference of opinion on the question of applicability of 'fundamental rights' and the jurisdiction of the SC to J&K arose which led to the removal of Sheikh Mohd. Abdulla from PM in 1953 and from a liberal group Bakshi Ghulam Mohammad became PM of J&K. Under his leadership the work of the J&K Constituent Assembly was started afresh and in 1954 it recommended to issue directives to the Drafting Committee to redefine the relationship between and the state and accordingly suggest for addition, modification and amendment in the order of 1950 to suit the state requirement. Advisory Committee on Fundamental rights and Citizenship also suggested for application of fundamental rights and

preventive detention in the J&K with suitable modifications (Noorani, 1999). The reports of these committees were adopted by the Constituent Assembly in the year 1954 and a proposal was transmitted to the Union of India for needful measures. The President of India under Article 370(1) issued the Constitution (Application to Jammu and Kashmir) Order, 1954. A proviso was inserted to Article 368 of the Indian Constitution with an effect that the Constitutional amendment made by the Parliament will be applied to J&K solely by the President. The President has exercised the said power at different occasion effectuating the Constitutional Amendment to J&K. Almost fourteen Constitution Amendment made at different time and purpose was applied to J&K. The Constitutional provisions relating to Schedule Caste, Schedule Tribes and Anglo Indians provided under the Articles 330-342 and 244 were not applied to J&K initially but with President Order, 1956 almost 13 Scheduled Caste were recognised including Barwala, Basith, Batwal, Dhyar, Gardi etc. The Schedule Caste should be of Hindu and Sikh religion. Twelve Schedule Tribes were also recognised including Balti, Beda, Garra, Changpa etc.

ADMINISTRATION AND ORGANISATION OF JAMMU AND KASHMIR BEFORE COVID-19 WHACK INDIAN LOAM

Before the corona virus hit the Indian continent, Article 370 and Article 35A of the Constitution with Presidential Order as amended from time to time was the foundation on which the governance of all relations between Union of India and State of J&K was constructed upon. In the month of August, 2019 when President rule was in effect in the State of Jammu and Kashmir, the Government of India has taken stern legal steps to bring coherence between law and State, to establish stable, peaceful, accountable, equitable, and responsive government and keep J&K free from violence, and proxy war. The Government introduced three laws re-defining the constitutional status of the state and its relation with the Union. These laws were:

- (i) Constitution (Application to Jammu and Kashmir) Order, 2019,
- (ii) Declaration under Article 370(3) of the Constitution, 2019, and
- (iii) Jammu and Kashmir Reorganisation Act, 2019

The above laws carried drastic change with abrogation of both the Articles 370 & 35A surprising the neighbour countries of Pakistan and China. On 5th August, 2019 the Presidential Order of 2019 was passed which superseded earlier order of 1954 and all the amendments made thereunder. The first and foremost effect of this order was effectuating all the provisions of the Indian Constitution with amendments to the State of J&K meaning by the legislative, administrative, financial, and judicial relations with Union of India with that of State of J&K will be same as in case of other states. Article 367 was amended to the effect that the

position of Sadar-i-Riyasat was renamed as Governor of J&K who will act on the aid and advice of his council of Ministers and reference to the Constituent Assembly of the state was made as Legislative Assembly of the State.

As all the Constitutional provision are made applicable to the State of J&K and was integrated fully into the Republic of India, thereupon, on 6th August, 2019 a declaration was issued by the President on the recommendation of the Parliament to the effect of abrogating the operation of Article 370 and enforcing the Constitutional Provisions to the State of J&K. The Constitutional provision shall supersede the provision of the Constitution of J&K, any law, document, judgement, order, ordinance, bye-rule, regulation, notification, custom or usages or treaty or agreement which were in existence and obstructing the application of Indian Constitution. A temporary provision which was allowed to continue for last seven decades had raised number of political and legal controversies was settle down and the Dr. Ambedkar concern of Country interest was achieved. The Government passed Reorganisation of J&K Act, 2019 keeping in view “the prevailing internal security situation fuelled by cross boarder terrorism in the state of J&K and long demand of the people of Ladakh” and came into operation from 31-10-2019. The state was divided into the Union Territory of Ladakh with Leh and Kargil districts without legislature and Union territory of Jammu and Kashmir with legislature. The Governor of the J&K was made common Lieutenant Governor (LG) for both union territory and accordingly composition, power, duties and function of the LG, legislative Assembly and members etc was provided.

Another effect of 2019 legislation is making Constitution of J&K inoperative, no separate flag of State, no special rights and privileges of permanent resident, application of reservation policy for admission in educational institutions and employment, local self-government and will be administered by Union territories, Central social welfare legislation, legislations for women, children, disabled, old-aged person etc was applied in UTs. Now even non-resident can acquire and own immovable property. Union Minister of State for Home, Sri Nityananda Rai in response to a question in Lok Sabha has informed that thirty four persons from outside the UTs of J&K have purchased properties in Jammu, Resai, Udhampur and Ganderbal districts after abrogation of Article 370. Now the Central Government can fight terrorist related issues more effectively with establishing coordination with Military and paramilitary forces, Armed Forces, Intelligence agencies, state police and society. Economic sectors will rise, and revenue will be generated with employment opportunity. Railway projects for new single and double line of total length of 481 km costing approximately twenty-eight crores was sanctioned and work started connecting J& with other areas along with construction of roads and bridges will ease the life of people. Promotion of culture, implementation

of Government plan and schemes like Animal Husbandry and Dairying, Hydro Electric Projects, minorities schemes, leadership development for women (Nai Roshni), Skill development (Seekho aur Kamao), free coaching and allied schemes, pre and post matric scholarship and many more will be enjoyed by the people of State.

JUDICIAL SLANT

Constitutionality of Constitution Orders, 2019

While replying to series of petition before the SC on the issue of application of seniority for reservation in promotion as per Article 16(4) of the Indian Constitution to J&K, the three judge bench took the reference of abrogation of Article 370 by Constitutional Order of 272 & 273, 2019 and application of all provisions of Indian Constitution to the State of J&K. The Court kept the proceedings on hold as the validity of above Constitutional Orders was pending before the Constitutional bench in the case of Shah Faesal. In the case of Shah Faesal, the constitutionality of the Constitution (Application to Jammu and Kashmir) Order, 2019 and Declaration under Article 370(3) of the Constitution, 2019 was challenged before the five bench of the SC. Request was made by the petitioner to refer the matter for decision by larger bench due to the contrary opinion by two different Constitution Benches on interpretation of Article 370 and therefore, the court decided on this preliminary issue leaving other contention to be decided at later stage in the due course of hearing. The court held that “there is no conflict between the judgement in Prem Nath Kaul case and Sampat Prakash case” and rejected the contention of the petitioner on the following grounds:

1. “The judgement cannot be interpreted in a vacuum, separate from their facts and context. Observation made in a judgement cannot be selectively picked in order to give them a particular meaning. The Court in Prem Nath case had to determine the legislative competence of Yuvraj in passing enactment which was made during interregnum period, before the formulation of the Constitution of the State of J&K but after coming into force the Constitution of India. The importance given to the Constituent Assembly of the State of J&K needs to be read in the light of these facts.”
2. “The Court in Prem Nath Kaul indicated that the Constituent Assembly’s decision under Article 370(2) was final which should be read as bearing limited to those decision taken by the State Government under Article 370 prior to the convening of the Constituent Assembly of the State, in line with the language of Article 370(2).”

3. “The Constitutional Bench in Prem Nath Kaul case did not discussed the continuation or cessation of the operation of Article 370 of the Constitution after the dissolution of the Constituent Assembly of the State which was not an issue in question before the court, unlike in Sampat Prakash case where the contention was specifically made and refuted by the court.”

On other contention, the matter is pending before the court for decision.

President Power of Modification under Article 370

In the matter of *Puranlal Lakhanpal case*, the constitutionality of Article 81 of the President order made under Article 370 was challenged. Relying on the observation made in the case of Re-Delhi Laws Act, it was contended that six seats which was allotted to the state of J&K in the Lok Sabha was based on direct election but the President order 1954, Article 81(1) have modified the nature of election from direct to indirect and therefore, was unconstitutional on the ground of radical modification and exceeding constitutional authority by the President. The Court observed that the question in re-Delhi Laws case was relating to power of delegation to subordinate authority and exercise of power by the subordinate authority wherein the court held that the Central Government could modify Laws of Part-A state while extending its application in the Part-C state but without any radical alteration in them. It means that fundamental principles of laws cannot be amended or altered while adopting modification as a mode of subordinate legislation. In the instant case the court was of the opinion that ratio laid down in the Re-Delhi Laws case cannot be applied here as the matter was modification of Constitution and not of subordinate legislation. The court observed that the object and purpose behind insertion of Article 370 is important and in context of the Constitution, the meaning of ‘modification’ used in Article 370 should be interpreted in widest effect including an amendment by the President order. Therefore, the President was having the power to make modification or amendment in relation to Article 370 and the President order of 1954 was Constitutional.

CONCLUSION

The special status conferred on the State and the people of Jammu and Kashmir was not an outcome of one-day deliberation but rooted into political, economic and social surroundings existed before and after Independence of India. Saving population from getting duped by the Pakistan political propoganda, restrain intrusion and prevent invasion was the possible reason for the dynasty ruler to exercise political will to accede and became integral part India. Indian Judiciary at many occasion has affirmed that Article 370 was a temporary arrangement for administration of the State and the Presidential orders were constitutional

extending the provisions of the Indian Constitution to the State with modification as suitable. It cannot be denied that what was made as a temporary arrangement was allowed to continue for long decade but the fact will not convert its nature as permanent. The distinctive Idiosyncrasy of the Indian Constitution “Unity and Integrity of the Nation” was further strengthened by the Constitutional and legislative reforms made in the year 2019 by applying the Constitutional provision to the State of Jammu and Kashmir. The special status conferred upon the State and its resident were revoked and supplemented by universal application of all mainstream beneficial-welfare legislations, policies and schemes which opened new avenue for economic development.

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1. *State Bank of India v. Santosh Gupta*, (2017) 2 SCC 538.
2. *Prem Nath Kaul v. State of Jammu and Kashmir*, AIR 1959 SC 749, para 7. (Section 3, Regulation 1 of 1934)
3. *Ibid.* (Section 30, Regulation 1 of 1934)
4. *Ibid.*
5. *Bhupinder Singh Sodhi v. Union of India*, 2015 SCC Online J&K 126
6. *Supra Note at v*, p. 464.
7. *Supra Note at vi*, p. 523.
8. Article 370 (1) (a), The Indian Constitution, 1950.
9. The nine states governed by “Raj Pramukh” were Hyderabad, Jammu and Kashmir, Madhya Bharat, Mysore, Patiala and East Punjab States Union, Rajasthan, Saurashtra, Trancore-Cochin and Vidhya Pradesh.
10. *Supra Note at v*.
11. First Schedule, The Constitution (Application to Jammu and Kashmir) Order, 1950 [C.O.10] w.e.f. 26th January, 1950 contains 96 subject matters relating to Defence of India, Armed Forces, Delimitation of cantonment areas, local self-government, arms and ammunitions, atomic energy, preventive detention, foreign affairs, diplomatic, consular and trade representation, UNO, war and peace, extradition, crime committed on high seas, railways, maritime shipping and navigations, etc.

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14. Supra Note at v and x.
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FOOD AND DEMOCRATIC CONTRACTARIANISM: A COMPARISON BETWEEN ANCIENT INDIAN AND WESTERN THOUGHT

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Abstract

Ensuring food to the people as matter of entitlement is a first and foremost responsibility of state in the present times. But the history of responsibility of state to provide food dates back to ancient period, especially in India. State, being 'individual writ large', hunting, gathering and cultivation became sine qua non in the story of its evolution. The primary human instincts of greed and selfishness made explicit through demarcating land for oneself became the first lesson of power. Being concomitant with self-preservation, food becomes most important for the life of individual as well as state. The present article seeks to correlate social contract and the relevance of food in origin and preservation of state. The earliest theories on origin of state, the social contract theory served as a silver lining for the advent of liberal democracy. This social contract theory finds place in the Western as well as the Bhartiya ancient political traditions. As such, the present paper underlines the treatment meted out to food in the works of classical contractualist thinkers of India and its western counterparts. It is seen that fair standards of social justice and welfarism (in terms of food and livelihood) were established even in ancient India as envisaged through social contract and precepts of *Dharma*.

Keywords: Food, State, Social Contract, Agganasutta, Arthshastra, Shanti Parv, Ancient India, Western Thought

INTRODUCTION

The ancient Indian political system had two major traditions in the form of monarchy and republicanism. Following the evolutionary principle, the stages

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of development of state started with a tribal society, a medieval transitional phase having 'proto-state' and finally the state with the qualifying rudimentary prescriptions. The oriental evolution matched its western counterpart in many senses. To begin with, Social contract might be a hypothetical justification of state origin, but it has established powerful narratives on peace and order, political obligation and liberal values of freedom and equality. Denton and Voth (2016) have put it that while entering the contract, individual forsakes some of his self-interests and in return gets safety and security (includes food and livelihood) and enters an organized social life. As such, the present paper seeks to understand democratic contractarianism in context of food. The role of food in origin of state and the treatment meted out to food by the contractualist thinkers is the scope of this present study. Democratic contractarianism works on the philosophy of political morality (Weale, 2013). It may justify the democratic or non-democratic structure of government as long as it aids the subjects in their self-preservation of which food is an important component. On the other hand, as the Indian traditional wisdom on statecraft indicates towards the contractualistic thinking, it makes an imperative to assess the Indian contractualist thought in the context of the role they designate to food in creation of the state. In this study, the meaning of the word food would subsume related terms like grain and agriculture (the means to food).

INDIAN CONTRACTUALISTS

In India, the tribal society was basically a "pre-class social formation without extreme class contradictions" (Singh, 1990, p. 445). The historical records show that they were basically in the shape of small clans ruled by chieftains or elective kingship. Need of centralized authority amongst the warring clans gave rise to Monarchy. Romila Thapar commented that "By the middle of the first millennium, tribal egalitarianism had surrendered to the evolution of a system of government that, whether oligarchic or monarchical, was explained as concerning itself with the problems of social disharmony, the need for authority, and the justification for revenue collection" (Thapar, 1975, p.122). The social contract theories broadly follow the same narrative. The justification of revenue collection associated with constituting sovereign authority makes space for 'the grain' in social contract because the early states were chiefly agrarian. The Indian social contract theorists mention food or grains more frequently in their contract than that of their western counterpart.

The Agganasutta in Dighnikaya, a prominent Buddhist text, reflects the elements of the social contract theory to explain the origin of state. Interestingly, the progression from a blissful society or a state of nature to complete anarchy necessitating a state is explained in terms of the nature of food. Long ago, it says, when the life on earth had not taken shape and the earth was all submerged, it was just mind, and people

fed on rapture. As the earth arose from the waters, the outgrowths had the pristine taste and aroma and people fed on it. The text says “... we enjoying the savoury earth, feeding on it, nourished by it..” The act ended the period of self-luminous existence and the sense of time, weather, planets and universe dawned in the minds of the people. A similar reference of food being connected to worldly wisdom is seen in the story of the ‘Original Sin’ wherein Adam and Eve got a sense of good and evil and life and death after eating the forbidden fruit.

The phase of sustaining on outgrowths continued for a long time, but as evil and immoral customs grew, the outgrowths disappeared. The creepers appeared then to feed the people but they gradually disappeared again with time as evil grew. Then, came the age of rice and rice was previously without husk, fragrant, pure and grew in open spaces. It grew incessantly to feed the people. The text says, “where we plucked and took away for the evening meal every evening, there in the next morning it had grown ripe again” (Appadorai, 2002, p. 3). This shows the sense of abundance. It was a time when the people did not have to toil hard or focus on sustenance of their physical existence or gratification of their mortal body. Gradually, the rice became polluted with time as evil grew and powder and husk enveloped the clean grain. There was no re-growth once harvested and rice stubble stood in clumps. At this point, the common ownership of land and food resources ends. People divided the rice fields and set up boundaries. Due to human vice and greed, man started to steal others plot. As he gets habituated to this evil, he is punished by the members of society. It is written thus, “... they took him and admonished him. Some smote him with the hand, some with clods, some with sticks. With such a beginning...censure and lying and punishment became known” (Appadorai, 2002, p. 4). Finally with this people decided to end the state of anarchy by choosing a ruler who was the most capable, handsome and favoured among them.

The contract between the ruler and the ruled, as mentioned in the Agganasutta, required the king to “be indignant at what whereat one should rightly be indignant, censure that which should rightly be censured, banish him who deserves to be banished...” and in return the people said, “... we shall contribute to thee a proportion of our rice” (Appadorai, 2002, p. 4). The King is thus chosen by the whole populace and is thus called the Maha Sammata or the Great Elect. The King is Khattiya (Kshatriya) or the Lord of the Fields and he is required to be well born and have abundance of gold and corn. Though it is ordained that the eldest son of the ruler inherits the kingdom, however the power of ruler continues as long as dharma is upheld in his territory. As soon as the celestial wheel is dislocated from its place or disappears, the King forfeits his claim to rule. The Vedic texts also depict a similar degeneration in values as society moves from Krita yuga to Kali yuga. In Buddhist text, the turn of ages is explained in terms of food.

In **Arthashastra**, the theory of origin of state has elements of both divine rights and social contract. Overwhelmed by the anarchy of stronger killing the weaker—the Matsya Nyaya, the people made Manu their king. And they assigned one-sixth of the grains and other commodities and money as King's share. There was a strict indictment that “those who do not pay taxes take on themselves the sins of those (kings) who do not bring well being and security of the subjects. Therefore, even the forest-dwellers offer a sixth part of their gleaned grains, saying this is the share for him who protects us” (Appadorai, 2002, pp. 26-27). Food and grains were the cornerstone of the contract since the concept of political obligation, security and preservation of subjects and the plight of ruler who didn't fulfil his duties, all were somewhere linked to food.

In Arthashastra, Book I, Chapter II titled as ‘The End of Sciences’ mentions *varta* as one of the four sciences, others being *anvikshaki*, *trayi* and *dandniti*. *Varta*, explained in chapter IV of the text, includes agriculture, cattle breeding and trade. Wealth and non-wealth or poverty in society has been addressed through *Varta*. Through *Varta*, that includes grain, cattle, etc., the King could hold his territory under his control and could acquire influence over the enemy's land as well because *varta* supported both the army and treasury. (Kautilya's Arthashastra, n.d., p.12). When life of subjects was threatened by calamities and famine, the King was supposed to “make a store of seeds and foodstuffs and show favour (to the subjects), or (institute) the building of forts or water works with the grant of food, or share (his) provisions (with them)” (Appadorai, 2002, p. 52). This shows that King tended to his subjects like a benevolent father and opens his share of grain stocks for his grief stricken subjects. Also, a clue of an early NREGA type arrangement or ‘food or work’ program is also visible when it is mentioned that the King would make arrangements for building of forts or water works in lieu of food as payment for the subjects.

In **Mahabharata's Shanti Parva**, the early state of nature is depicted as being good and all men protected each other righteously. Gradually, vices and error like greed, anger and lust entered men's mind. Roy (1975) has mentioned that, besides other facts, the degeneration in society was perceived in food and eating as well and “all distinctions between food that is clean and unclean ... disappeared” (Appadorai, 2002, p. 76). All this eventually led to disappearance of Vedas and all righteousness was lost. This terrified the Gods and they prayed to Lord Brahma to relieve the earth and heaven from this great distress. The Lord said that a person who is “a portion of Vishnu” and conversant with the science of chastisement would take birth as the King. This is the divine origin of King.

The social contract mentioned in Shanti Parva depicts a state of anarchy and destruction where strong fish devours the weak. Few men assembled and prayed to Lord Brahma to appoint the King and save the earth from destruction. Brahma

asked Manu to become the King who expressed his scepticism for the fear of bearing all sinful acts committed by men. The people prayed to the King for protection and assured him to pay (revenue) in food and kind as they said “we will give thee a fiftieth part of our animals and precious metals and a tenth part of our grain...” Protection implied acquaintance with the science of chastisement or the *dandaniti* that came to be regarded as the highest merit of the King. Without this exercise of *dand* by the King “wives, sons, food...property would not then exist” (Appadorai, 2002, p. 74).

In all the social contracts mentioned in the Indian tradition, the thing that runs common in all is the state of anarchy in pre-state social order necessitating a ruler who protects the subjects and his wealth and property that comprised primarily of land and agricultural produce. He establishes dharma and bears the *danda* that ensures a prosperous kingdom. The subjects have the obligation of paying taxes and tributes in the form of grains and other agricultural and forest produce. The distribution of wealth and the revenue policy is shown to be lenient on subjects and disposed towards their prosperity. Since the revenue was basically in agricultural wealth, the sovereign was directed to exact taxes in the same way as bee sucks nectar without destroying the flower.

The contract, though assumed to be hypothetical, makes the realisation clear that the embryonic state came into existence by harnessing the late Neolithic grain and labour as basis of control and appropriation. Noted scholar James C. Scott (2017), in his seminal work, ‘Against the Grain: A Deep history of the Earliest State’, reiterated that manpower, arable land and food produced the first node of political power. These archaic states resting on the alluvium and producing surplus to feed the non-producing class such as warriors, clerks, and priest, served as a common model for India and the West. The early civilizations like Indus, Mesopotamian, Chinese, Egyptian were grain states growing wheat and barley. Subsequently rice and maize came in the new world. These staple grains became the unit of taxation of early states. Scott says, “In a grain state, one or two cereal grains provided the main food starch, the unit of taxation in kind, and the basis for a hegemonic agrarian calendar. The key to the nexus between grains and states lies.... in the fact that only the cereal grains can serve as a basis for taxation: visible, divisible, assessable, storable, transportable and rationable” (Scott, 2017, pp. 128-129).

The **Western contractualists** also use the language of food. In The Leviathan, Ch-VI, Para 2 – “Endeavour; Appetite; Desire; Hunger; Thirst; Aversion”, Hobbes used term appetite in explaining his concept of hedonism and motion. Appetite and desire are treated as synonymous by Hobbes in so far as they are treated as physical motions common to beast and man. Otherwise, Hobbes said, they are different “...the latter (desire) being the general name, and the other (appetite) often times restrained to signify the desire of food, namely hunger and thirst” (Leviathan,

n.d.). The motions are referred to not just as vital but voluntary. Food, nutrition, breathing, etc. are listed as vital motion.

Hobbes is also regarded as one of the early proponents of hedonism. He explains various emotions like love and hate, good and evil through motions of desire and aversion. What pleases man is good, what pains him is bad. He talks of apparent motions of 'delight' and 'trouble of mind' caused by appetite (or desire) and aversion. He says, "Appetites are appearances to the mind of particular states of affairs as states of affairs to which we are attracted as pleasurable or from which we are repelled as painful. Each is: a solicitation or provocation either to draw near to the thing that pleaseth, or to retire from the thing that displeaseth, and this solicitation...is called appetite" (Hurley, 1990, p. 393). The meaning of appetite taken in relation to food is as appropriate as any other desire that may be inferred for understanding Hobbes basic contention.

In the same chapter VI of Leviathan, in the paragraph titled Felicity, Hobbes says, "For there is no such thing as perpetual Tranquillity of mind, while we live here; because Life itself is but Motion, and can never be without Desire.." What can also be deduced here is that since life is in constant motion, it can never be without appetite. It means the body needs food to fuel the vital motions. Hobbes continues to explain this more explicitly in Chapter 24 of Leviathan that is titled as "Of the Nutrition, and Procreation of a Common-wealth". The sustenance of the Commonwealth created as a result of the contract is explained in this section by Hobbes. He says that for the nourishment of a Commonwealth, commodities both from land and sea are needed. The nutrition consists of animals, vegetables and minerals that God has laid freely on the earth and it takes man's labour and industry to receive them. Hobbes says that the commodities for nourishment can be native or foreign because no territory under one Commonwealth can produce all things needed for its maintenance. To quote Hobbes, "no territory under the Dominion of one Common-wealth, (except it be of very vast extent,) that produceth all things needfull for the maintenance, and motion of the whole Body..." (Leviathan Weale, n.d.). They supplement the supplies at home through import, either by exchange, or by just war or by labour. In this way, even smaller commonwealths not just survived but enhanced their power as well. Hobbes has distinguished between nutrition consisting of vegetables and animals and the other comprising of gold, silver and money called concoction that are also required for nourishment of commonwealth. He says, "By Concoction, I understand the reducing of all commodities, which are not presently consumed, but reserved for Nourishment in time to come, to something of equal value, and withall so portably, as not to hinder the motion of men from place to place; to the end a man may have in what place soever, such Nourishment as the place affordeth. And this is nothing else but Gold, and Silver, and Mony" (Leviathan, n.d.). Thus, concoction was meant to serve as an exchange

medium in the Commonwealth to enable men to get things they wanted. As it passes between man to man all parts of the Commonwealth shall be nourished. The word 'nourishment' necessary for the existence of Commonwealth brings the importance of food explicitly and also implied in metaphorical usage.

Locke in his *Two Treatises on Government* (1689), *An Essay Concerning the True Original, Extent and End of Civil Government*, Book-II, Ch-V of Property, has stated in simple terms the man's natural right to life and to feed himself. Locke has said, "Whether we consider natural Reason, which tells us, that Men, being once born, have a right to their Preservation, and consequently to Meat and Drink, and such other things, as Nature affords for their Subsistence." (Property, n.d.). Labour appropriates the things for man and removes it from the common in state of nature. For this the consent of the commons was not required. Food becomes the first property that man's labour rewards him with. Locke says, "He that is nourished by the Acorns he pickt up under an Oak, or the Apples he gathered from the Trees in the Wood; has certainly appropriated them to himself. No Body can deny but the nourishment is his...And 'tis plain, if the first gathering made them not his, nothing else could. That labour put a distinction between them and common" (Property, n.d.). This did not mean that men could appropriate for themselves as much as they liked. A strong lesson on sustainability is conveyed by Locke as he believed that nature has made nothing to be spoilt or destroyed, so men would take only as much as was needed.

Another famous contractualist Rousseau has made plenty of references on appetite and food in his social contract and otherwise. In his renowned work, *Social Contract* (Book I, Chapter VIII-The Civil State), Rousseau makes a point on appetite and slavery to explain positive liberty. He says, "the passage from the state of nature to the civil state produces a very remarkable change in man, by substituting justice for instinct in his conduct, and giving his actions the morality they had formerly lacked. Then only, when the voice of duty takes the place of physical impulses and right of appetite, does man, who so far had considered only himself, find that he is forced to act on different principles, and to consult his reason before listening to his inclinations" (The Social Contract, n.d.). The 'right of appetite' is shown as natural inclination of man that has to be reasonably restrained in the civil state. The unlimited right over everything gained by natural liberty and individual strength is lost through a social contract. What man gets thereafter is moral liberty that is tempered by General Will. He gets proprietorship of his just share, i.e. only that amount of land which he needs for his subsistence. To quote Rousseau, "the first man who, having enclosed a piece of ground, to whom it occurred to say this is mine and found people sufficiently simple to believe him, was the true founder of civil society" (The Social Contract, n.d.). While general understanding here is

towards the right of private property, the deeper meanings are also explained by Rousseau. Appetite for him denotes slavery to one's physical senses, while heeding to the voice of duty and obedience to law makes the noble savage a civil man and truly free. He says, "what man acquires in the civil state, moral liberty, which alone makes him truly master of himself; for the mere impulse of appetite is slavery, while obedience to a law which we prescribe to ourselves is liberty" (*The Social Contract*, n.d.). Here, Rousseau uses appetite to denote man being slave of his physical senses, and once he learns to harness it with reason he will be truly free.

When we analyse the other important works of Rousseau, "one of the basic instincts identified in the *Second Discourse* is 'amour de soi' or self-preservation, of which the initial component is food" (Rosenberg, 1995, p. 98). In his book "*A Discourse on Inequality*" (1984) and "*On the Origin of Languages*" (1966) Rousseau has described the civilizing process of mankind through food. Discovery of fire and cooking of raw food was the turning point of human history. In his *Discourses*, he writes, "They learned to preserve [fire], then to reproduce it, and finally to prepare its meats that they formerly devoured raw."

To trace the origins of inequality in modern society, Rousseau delves deep into the history of human existence through the prism of food. He says that man was savage when he was hunter; man was barbaric when he was herdsman and man became civilized as he turned into a farmer. Thus, according to Rousseau, the variability in social organizations is related to man's livelihood and more specifically what he eats and civilization progresses as man moves from eating meat to eating grains (Oliver, 2014).

The portrait of noble savage in Rousseau's *Second Discourses* has been portrayed extensively through food. Natural man was not a carnivore and the Garden of Eden consisted of fruits and vegetables. "The nourishment of primitive 'savage' consisted entirely of what was readily available in nature without the embellishment of extensive preparation...(he) could eat when he liked, and so never experienced hunger, at least until changes in climate brought about changes in his way of life" (Rosenberg, 1995, pp. 99-100). In *Emile*, Rousseau has claimed that "excessive eating of meat leads to the development of a cruel and ferocious nature, and points to the English nation as evidence of this contention" (Rosenberg, 1995, p. 100). In *Confessions*, Rousseau has shown his own preference for a vegetarian diet. He has shown preference to country cuisine as opposed to the courtly and wanted the food to be common, simple and with mild flavours as opposed to exclusive taste. "The golden rule where food is concerned (and indeed where all aspects of life are concerned) is to follow the simplicity of nature as opposed to the practices of corrupt society whose diet is based on complexity and superfluity" (Rosenberg, 1995, p. 98).

CONCLUSION

In conclusion, it is seen that food and appetite are not incidental in the contractualist thinking but an integral part of their philosophy to explain important human and societal transformations. Food has inevitable place in the origin of state and in its preservation. The rulers who have failed to honor the inherent food contract clause were bound to doom. India in antiquity knew this and had meticulous arrangements for democratic distribution of food even in monarchical set up. The outcome of the social contract may be Manu or Leviathan or representative governments, but the political morality of providing sustenance and security to subjects needed to be upheld for the ruler to be legitimate. Taking a lesson from this classic wisdom, one can relate to the recent Arab spring in the Middle East North African region that witnessed a series of popular rebellion against the governments due to spiraling food prices. Governments need to either feed their people or perish. The lesson was true then and it is relevant now. Successive Indian governments have continuously strived to honor the food contract by marshalling the biggest food safety net for its humongous population. The report may be dismal in terms of malnutrition and global hunger indices, still the efforts to avert hunger crises even during pandemic has won accolades from United Nations World Food Programme that proclaimed that the world needs to learn from India. The path ahead is challenging and needs valuable lessons from contractualists on simplicity, honesty and sustainability when it comes to feeding and feasting!

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STRUCTURAL-FUNCTIONAL ANALYSIS OF PANCHAYAT RAJ INSTITUTIONS IN PRESENT BIHAR: A STUDY IN THE CONTEXT OF GRASSROOTS DEMOCRACY

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Abstract

The grassroots democracy has been strengthened in India after historic 73rd Constitutional Amendment 1992. Since then a lot of democracy-friendly changes has been introduced by states especially Bihar by revising the Bihar Panchayati Raj Act in 2006 and 2015. It is evident from the fact that Bihar took lead to introduce fifty percent reservation for women, to strengthen the Gram Sabha and devolving judicial powers to Gram Katchahry. However, in the real ranking of states for the component and total indices of devolution, Bihar came in just eighth position. Now the question is – why Bihar is not doing well in the ranking, despite introducing these democratic reforms in PRIs? All these attract the attention of the students of grassroots politics to examine the structural and functional improvements in panchayati raj institutions (PRIs) in Bihar. On the basis of examination of secondary data, the paper finds that the PRIs lack proper capacity building such as training to elected representatives, proliferation of e-Panchayats, provision of growing IT Infrastructure and office space at ground levels.

Keywords: Grassroots Democracy, PRIs, Local Governance, Structural-Functional, Social Audit, DPC, Bihar

INTRODUCTION

Apart from being a way of life, democracy is similar to free and equal individuals interacting in public spaces, guided by liberal presumptions, and ruled politically by representative institutions built on broad suffrage and competitive elections

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(Mackie, 2003). From John Stuart Mill to Robert Dahl, democratic thinkers have argued that 'the key characteristic of democracy is the continuing responsiveness of the government to the preferences of its citizens' (Dahl, 1971 and Putnam, 1993). The belief that development entails progress while upholding fairness or redistribution has resulted in an increase in social possibilities and involvement, making democratic systems crucial to the process of development (Sen, 1999). In order to achieve democracy on the one hand and growth on the other, democratic decentralisation is therefore crucial. The article makes an effort to determine the degree to which these three ideas are interconnected in the context of Panchayati Raj Institutions (PRIs) of present Bihar in the light of working of grassroots democracy.

The present article is based mainly on secondary sources of data collection like books, journals, government reports like reports of NSSO, CAG, Government of Bihar, Govt of India, etc. and the bare laws including Bihar Panchayati Raj Act, 2006 and its amendment in 2015.

DEMOCRACY AND GRASSROOTS DEMOCRACY

Democracy provides citizens with the ability to petition their government in an effort to further their own or society's goals, and it necessitates fair competition between various interpretations of the public interest. But effective governance is more than just a platform for divergent opinions or a place to air grievances; it really accomplishes goals. A good democratic government not only takes its citizens' needs into account but also effectively responds to their needs (Putnam, 1993). Robert Putnam's analysis of the criteria necessary for constructing a robust, receptive, and efficient representative institutional framework helped popularise the concept that participation is a method for efficiency. The involvement of the general public in public affairs and a civic culture in which participants are related through horizontal relations of reciprocity and trust rather than vertical relations of authority and dependency are, in this scheme of things, the two main prerequisites for establishing good government. He terms it as 'social capital'. The second prerequisite takes into account participation as voice, equity, and empowerment and expresses a desire for advancing the democratic process by recognising and including previously marginalised groups in society (Puri, 2004). Social connections are significant because they energise citizens to engage in political debates and enable group actions that aim to interact with the government. Not only does participation help shape public opinion, but it also develops knowledgeable, democratically conscious people who are aware of their right to take part in the political process. More importantly, participatory organisations may be able to keep elected officials responsible by restricting their authority (Chandhoke, 2012). Any ideal or model of democracy must include both a description of crucial principles like self-government, accountability, political equality, and liberty

and a prescription for institutions of government like elections, debate, or direct involvement (Fung, 2007).

Panchayati Raj in India was introduced for realising the Gandhian dream of Gram Swaraj (grassroots democracy) and making them effective instrument of rural development. Though Bihar witnessed the Panchayat system from as early as 1947 but experienced the three tier system in 1961 after recommendation of Balwant Mehta Committee. Since then, the PRIs could not deliver the desired results due to reluctance of state leadership. Finally, the PRIs after 73rd Constitutional Amendment provided a strong grassroots democracy which became inclusive in providing adequate space to all categories of the society, especially women with fifty percent reservation of seats in all social categories in 2006. A study conducted in Bihar examines the working of grassroots democracy (the PRIs) in four perspectives – people's political participation, emergence of new generation of political leadership, latent role of political parties and the electoral process including voting behaviour (Verma: 2009). Discussing the nature of grassroots democracy, a study by Palanithurai et al. (1997) marks the change in people's perception from traditional political behaviour to prioritising consumable commodities, educational and health facilities, control over resources, eagerness to participate in decision making and so on.

STRUCTURAL FUNCTIONAL ANALYSIS OF PRIs OF BIHAR

According to the basic statistics of PRIs by the Government of India (2019), the rural population of Bihar consisted of 89.5 (Census, 2001) and 88.7 (Census, 2011) per cent of the total population. Similar to this, when comparing the rural population of India according to state in the 2001 and 2011 censuses, Bihar's proportion is 10 per cent and 11.1 per cent, respectively. In Bihar, there are 38 District Panchayats, 534 Intermediate Panchayats, 8386 Village Panchayats, 114733 elected Grama panchayat representatives, 11497 elected block representatives, and 1161 elected district representatives. Similarly, there are 51998 elected women representatives at the Grama Panchayat level, 5341 at the block level and 548 at the district level. When the numbers for all elected members and all women representatives are combined, the percentage of women representatives is 45.44. According to the data, Bihar's PRIs do not currently have the acceptable level of female representation. In the ranking of states for the component and total indices of devolution in reality, Bihar only received the eighth spot (Panchayat Raj Department (PRD) of Bihar).

Elections could not be held until 2001 even after the BPRA was passed in 1993 as a result of lawsuits filed in higher courts. In accordance with the revised rules, the first PRI elections were held in 2001. The new generation of Panchayat delegates was in a primitive stage with low levels of engagement, but things progressively

got better. The 1993 Act was superseded in 2006 by a new Panchayat Act of 2006 with a few revisions, the most significant of which increased the reservation of seats for women up to 50 per cent at all levels in all categories and placed more focus on GSs (Verma, 2009). After including a provision for a separate budget for women, Bihar became the first state to implement gender budgeting for the fiscal year 2008–2009 itself (Sinha and Kumar, 2015). Following the 73rd Amendment, a three-tier system of Panchayat Raj, Zila Parishad (ZP), Panchayat Samiti (PS), and Gram Panchayat (GP) was established in Bihar. The PRD oversees and coordinates the operation of PRIs at the state level (Government of Bihar).

GRAM SABHA

A group of people who are on the voter list and who live in a village that is part of the Panchayat's jurisdiction make up a village-level body. The GS must convene once in every three months. The general public must be informed of the upcoming meeting either by drumming, using loudspeakers, and posting notices on the notice board of the Gram Panchayat Office, or by other methods. The Mukhiya of the GP chairs every meeting of the GP, and in his absence, the Up-Mukhiya. The presence of one-twentieth of the total number of members, or 5 per cent, is required to reach the quorum for a GS meeting (PRD, Bihar).

The GS will discuss the GP's annual statement of accounts, the administration report for the previous fiscal year, the most recent audit note and any responses made to it, the GP's budget for the following fiscal year, the report regarding the GP's development programmes for the prior fiscal year, the development programmes proposed to be carried out during the current year, and reports from the Vigilance Committee. The GS is accountable for a number of tasks, including helping to carry out development plans, identifying beneficiaries, obtaining volunteer labour and monetary or in-kind donations for community welfare programmes, and providing all assistance for family welfare and mass education programmes, fostering cooperation and unity among all in the village and asking Mukhiya, Up-Mukhiya, and GP members for clarity on each specific project, plan, revenue, or expense. Additionally, the GS may create vigilance committees made up of people who are not members of the GP to keep an eye on the projects, programmes, and other activities that are relevant to that village and to report on them at its meetings (BPRA, 2006).

WARD SABHA

The creation of the WS was made possible by the BPRA (Amendment) Act, 2015. Each territorial electoral ward among the wards under the GP should organise a WS. It will convene every three months. The Ward's elected GP representative is

responsible for calling the meetings of the WS and presiding over them. Each voter who resides in the Ward's electoral district is required to join the WS. It's one tenth of the total membership, or fifty members, must be present for a meeting to be deemed quorate. There is a provision for SC (Scheduled Castes)/ST (Scheduled Tribes) and female seat reservations in the WS.

WS establishes the order of schemes and development programmes to be implemented in the WS's area and forwards them to the GS for inclusion in the Gram Panchayat Development Plan. It also identifies benefices of various schemes, provides and mobilises volunteer labour, and verifies the eligibility of beneficiaries of government assistance. Promote all educational, health, harmony and unity and family welfare activities within the confines of the WS (BPR (Amendment) Act, 2015). In addition to Ward Implementation and Management Committee, which will help the WS raise awareness of issues like literacy, public sanitation, health, and environmental and natural disaster issues, the BPR (Amendment) Ordinance (2017), has provisions for a number of committees, including the Committee on Public Health, Family Welfare etc. at the ward level.

GRAM PANCHAYAT

According to the BPR of 2006, the District Magistrate (DM) declares the Gram Panchayat's boundaries based on a population of around 7,000. One or more villages might make up a GP (revenue villages). The Mukhiyas are chosen by majority vote from among all of the voters in the relevant GP. The people directly elect the GP representatives by a majority vote. The Mukhiya, Upamukhiya, and all of the ward members make up the GP and it has the tenure of five years (Government of Bihar).

The elected members (ward members) of the local constituency make up the GP, together with the elected Mukhiya and Up-Mukhiya. There should be provisions for the reservation of Women, SC and ST and Backward Classes (BCs). The GP must convene at the office of the GP at least once in every two months. For a quorum to be present at a GP meeting, at least half of the members must be present.

The Panchayat performs general duties such as developing annual plans for the development of the Panchayat area, creating an annual budget, promoting farm forestry and the growth of social forestry, promoting rural and cottage industries, maintaining the rural water supply scheme, constructing and maintaining rural roads, providing electricity, promote public awareness and involvement in programmes to reduce poverty that will lead to fuller employment and the creation of productive assets, schemes to protect marginalised groups, the upkeep of general sanitation, environmental protection, the management of public distribution, and support for all activities related to the education and health sectors. There are

provisions for a number of standing committees to ensure that GP runs smoothly. Taxes like taxes on property owners, on businesses that operated or were held within the local jurisdiction, on occupations, trades, fees for sanitary facilities were all collected by the Panchayat. Panchayats are qualified to receive monies from the State's Consolidated Fund, in accordance with the State Finance Commission's recommendations.

PANCHAYAT SAMITI

Every Block must have a PS with jurisdiction over the whole Block, excluding those areas of the Block that are included in or are under the authority of a Municipality or a Cantonment Board established under any legislation now in effect, unless otherwise stipulated in this Act. A PS is made up of directly elected members from its territorial constituencies, as determined by this Act, members of the Lok Sabha and the State Legislative Assembly who represent constituencies that are entirely or partially located within the Panchayat Samiti area, members of the Rajya Sabha and the State Legislative Council who are registered as electors within the PS area, and all of the Mukhiyas of the area. There should be provisions for the reservation of Women, SC and ST and BCs. PS is run by a number of standing Committees, same as GP.

According to the BPRA of 2006, PS creates annual plans, compiles them, and submits them to ZP. It creates a yearly budget and aids individuals impacted by natural catastrophes. Additionally, the PS is responsible for tasks related to agriculture, land development, water management, watershed development, animal husbandry, dairy and poultry, fisheries, khadi, village and cottage industries, rural housing, drinking water, education, health, the forest, public works, energy, social welfare, family welfare, public distribution, and electricity, among other things. Every PS must establish a PS Fund in their name, and all contributions, grants, loans, receipts, and gifts received on their behalf must be credited to this fund. PS's also have the authority to levy and collect any applicable taxes, user fees, and registration fees within their respective jurisdictions, as determined by the government through notification.

ZILA PARISHAD

Every district must have a ZP with power over the whole district, barring any areas that are included in or under the control of a Municipality or Cantonment Board established in accordance with any currently in effect laws. The members of the ZP must be directly elected from territorial constituencies within the district, the Pramukhs of all PS's within the district, members of the Lok Sabha and State Legislative Assembly who represent any area that entirely or partially falls within

the district and whose constituency falls within the district, and members of the Rajya Sabha and State Legislative Council who are registered voters. There should be provisions for the reservation of Women, SC and ST and BCs. Every ZP has a five-year tenure that begins on the day it has its first meeting. The elected members of the ZP choose two of them to serve as Adhayaksha and Up-Adhayaksha, respectively, under the supervision, control, and guidance of the State Election Commission.

ZP's main goals are to prepare the annual budget for the ZP, as well as to advance agriculture, land development, water management, watershed development, animal husbandry, dairy and poultry, fisheries, khadi, village and cottage industries, rural housing, drinking water, education, health, forest, public works, energy, social welfare, family welfare, public distribution, and electricity, as well as to reduce poverty and publish statistical and other information. Similar to PS, ZP is managed by a number of Standing Committees in order to carry out its functions successfully.

All donations, grants, loans, receipts, fees, and gifts received on behalf of a ZP must be attributed to the ZP Fund, which is established for each ZP and bears the name of the ZP. In their separate jurisdictions, ZP also has the power to charge and collect any appropriate taxes, user fees, and registration costs. ZP may borrow money from the Government or, with the prior approval of the Government, from banks or other financial institutions. A ZP may raise loans from time to time with the approval of the State Government for the purposes of the Act and create a sinking fund for the repayment of loans.

GRAM KATCHAHRY

Every GP region must have a Gram Katchahry to handle the administration of justice. A Sarpanch of the GK shall be chosen in accordance with the provisions of this Act, together with the number of directly elected Panches that the DM may from time to time notify, with each Panch representing around 500 people in the Panchayat area. It would have the same geographical constituency as the members of the GP. One Panch must be directly elected from each geographical constituency in accordance with the provisions of this Act. As much as possible, but not more than fifty per cent, of all Panches of GK seats must be allocated for members of SC, ST, and BCs. Every GK must endure for five years from the date set for the first meeting, unless sooner dissolved under any legislation already in effect. For the purpose of assisting the GK there should be a person by the name of Nyaya Mitra who has at least a three-year law degree from a recognised institution.

Under the guidelines of the BPRA, 2006, an electoral commission will hold free and impartial elections for local bodies. A FC is set up every fifth year to evaluate the ZP, PS, and GP's financial situation. Additionally, the government ought to

form a DPC in each district to coordinate the plans made by the Panchayats and Municipalities there and to draught a district-wide development plan.

EVALUATION OF LOCAL GOVERNANCE IN BIHAR

Many studies have shown that India's PRIs have significant disparities, and Bihar is no exception. Giving local government's legal status won't be sufficient to solve every issue; fiscal decentralisation on both a vertical and horizontal scale is essential. It is crucial to establish the SFC (State Finance Commission) and include the UFC (Union Finance Commission) into the sub-state level transfer system. The truth is that understanding of horizontal equality is lacking at the municipal, state, and union levels (Oommen, 2022). As part of the People's Plan Campaign (PPC) of the Ministry of Panchayat Raj, the Mission Antyodaya Survey is an annual survey that is conducted in GPs across the country. Its objective is to support the participatory planning process for the Gram Panchayat Development Plan (GPDP), and it is viewed as a positive step toward meaningful village-level planning in India.

Bihar is one of the states in India that is expanding the quickest, and this fact must be acknowledged. But in the state, both poverty and human development lag behind the national average. The public sector has to increase investment in the social and economic sectors due to the country's enormous development gap. The movement of core resources becomes important in such situation. The flow of resources to that degree would be reduced for Bihar during the FC-xiv award period since Bihar's inter-se share in the FC-xiv award has decreased in comparison to the FC-xiii. Even though the 73rd Constitutional Amendment guarantees vertical decentralisation, Bihar lacks it (Chakraborty,2016). In October 2001, the Patna High Court sent a notice to the government questioning why more than Rs 700 crore in Panchayat funding intended for Bihar had still not been distributed following Panchayat elections (Economic and Political Weekly, 2022).

Similarly, political parties and state governments, it may be said, are turning Panchayats into mere instruments in their hands rather than allowing them to function as self-governing entities (Mathew, 2002). In India human rights breaches have increased at all levels because everyone who has previously benefited from the privileges and powers is now actively working to overthrow the constitutional order. During local elections, caste power, money, and muscle are worse. Casteism is not being opposed in a consistent, organised manner by a political will. The legal requirements haven't been implemented to their fullest extent, and frequently those who break the law escape unpunished. Despite being centres of deceptive politics, GS and GP offer a democratic venue for free discussion of social and political concerns (Mathew and Nayak, 2002). In Bihar, despite the fact that untouchability's norms and practises were made illegal in 1955, comparisons between the location and

standard of Dalit and non-Dalit dwellings before and after the BGLM (Bodhgaya Land Movement) show that segregation has not only persisted but has gotten more subtle (Prasad, 2021). The overwhelming prejudice Dalit's and Adivasi's youngsters experience from educators and other pupils prevents the majority of them in the state from attending school. The third-highest per cent of children working in the country are in Bihar (Chowdhury, 2020).

The PRIs in Bihar has a lot of unfinished business to function efficiently owing to a shortage of personnel, lack of resources, an inability to employ the resources that are already available, capacity limitations, including a shortage of experienced labour, IT infrastructure, tools, and office space. The creation of a personnel model and the filling of vacancies are critical requirements. To strengthen local government, capacity building initiatives such as training programmes, the advancement of elected women representatives' leadership capabilities, and the training of other authorities on gender-related issues are crucial. Furthermore, parastatal organisations like the DRDA have prevented truly integrated decentralised planning from occurring yet. In a perfect world, the PRI system would include structural and functional integration of all parastatals. In Bihar, the people do not perceive the GS as a strong body that would resolve issues presented before it amicably. People also believe that GSs are ineffective because of the broken relationship between the Panchayats and the GSs. According to popular belief, the GS's tasks include passing the yearly accounts, approving the issuing of usage certificates, and approving beneficiary list updates. To ensure that the quorum is reached and other electors stay away, Panchayat chiefs invite their own supporters and possible beneficiaries to the sessions. Consequently, scepticism over the effectiveness of the GS sessions has grown. In fact, it is said that one of the main factors contributing to the emergence of left wing extremism in some regions is the failure of the GS (Final Report of Fifth FC of Bihar, 2016).

Social audit closely relates to active GS operation. It would foster a respect for downward accountability among elected leaders and other public servants. Leaks and inefficiencies can be stopped if the GS maintains a tight eye on things. The GS can keep track of and discuss the attendance of government employees, the operation of local institutions like schools, dispensaries, Anganwadi Centres, and ration shops, discuss the reports of the GP's Standing Committees, and review the list of beneficiaries for programmes like the Indira Awaas Yojana (IAY), Antyodaya Anna Yojana (AAY), and the National Old Age Pension Scheme and serve as a useful platform for educating voters about their right to information (RTI) in order to obtain information that is not often available. Redefining the GS's authority in line with PESA (Provisions of the Panchayats Extension to the Scheduled Areas) will ensure that the GS operates effectively through frequent meetings with a clear purpose, participation from marginalised groups, official functionaries present,

preparation of meeting minutes, and follow-up. Strengthen social audit, supply the GS with proactive information, and make the GS the platform for accountability for all village-level delivery institutions, including ICDS (Integrated Child Development Services) centres, health sub-centres, and elementary schools.

The GK at the GP level serves as a quasi-judicial forum for local dispute resolution in Bihar. The main reason for the GKs' bad behaviour is that they are unaware of their authority and powers inside the police and court. The Police frequently hijack issues that are the responsibility of the GK. The incapacity of GK is caused by a lack of Dalpati to serve notice and enforce judgments, a lack of sufficient facilities for holding GK sittings in a welcoming setting, poor training of the employees, and public misunderstanding about the GK and the Bihar Land Disputes Resolution Act, 2009 (BLDRA).

A committee made up of the District Judge (DJ), DM, and Superintendent of Police (SP) must assess the progress and issues with the GK function every three months in order to enhance it. Additionally, the inadequate civil jurisdiction of GK has to be increased from Rs. 10,000 to at least Rs. 1.00 lakh and then linked to price index. The SDM (Sub Divisional Magistrate) should assess how the GK is operating every month and report to DJ/DM/SP and PRD. Regularly held intensive training programmes for the GK Secretary, Nyaya Mitra, Sarpanch, and Panch are required. In order to assess the quality and timeliness of disposal, PRD must develop a proforma on cases submitted and dismissed. In the meeting of DPROs (District Panchayat Raj Officers) at the State Headquarters, the operation of the GKs must be reviewed. GKs may receive assistance from Para Legal Volunteers under the Bihar Legal Service Authority.

The establishment of a District Planning Unit (DPU), a building and secretariat for the DPC, as well as the immediate operationalization of the Plan Plus, the programme to demystify and streamline the decentralised planning procedure and GIS (Geographical Information System) modules of e-Panchayat, are all necessary to improve the performance of the DPC. The web-based programme captures the whole planning cycle, from the identification of needs through the processes for plan approval. It is also adaptable to local language adaption.

CONCLUSION

The analysis shows that, despite the state of Bihar taking a number of steps to carry out the objectives of the 73rd Constitutional Amendment Act, the state hasn't had the desired effect. The Fifth FC's (Bihar) recommendations are pertinent in this case. To accomplish effective local administration, the Panchayat's capacity must be increased by procedures such as training, e-Panchayat stabling, growing IT

Infrastructure and office space, etc. Additionally, in order to develop the PRIs in Bihar, it is essential to empower local governments via the effective devolution of responsibilities and resources and to guarantee accountability through GS, WS's, Social Audit, and Ombudsman.

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IMPACT OF RIGHT TO SERVICE LAW ON PUBLIC SERVICE DELIVERY: A CASE STUDY OF LUCKNOW DISTRICT, UP

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Abstract

Unlike global trend in declining growth of urban population, there has been rising trend in developing and populous countries like India. Further, the mid-size cities continue to grow in terms of population and area due to migration. The situation ensues the demand for services especially among vulnerable and marginalized populations. As such, the key challenge before local governments is to provide effective public service delivery to them. With a view to provide ensured right based service delivery, a few state governments have legislated 'Right to Service Act' which ensure delivery of notified public services within stipulated time-frame to the citizens and redressal of their grievances. Uttar Pradesh (UP) Government enacted the UP Janhit Guarantee Abhiyan in January 2011. Now it becomes an urgent imperative to assess the impact of the law on service delivery. The present paper, with view to assess the impact, attempts to study Lucknow District as a case study. Based mainly on primary sources of data collection, the present study finds that there is positive impact of the Act on the efficiency of public services delivery system and it has strengthened the citizen centric governance model by involving the people in the process.

Keywords: UPJGA 2011, Service Delivery, Citizen-centric Governance, Local Self-Government, Lucknow, UP

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INTRODUCTION

The Right to Service Act in India is a legislation aimed at providing time-bound delivery of various public services to citizens in efficient manner. A few states like Madhya Pradesh, Uttar Pradesh, Bihar, etc. took lead in introducing such Acts. Under such laws citizens can file grievances and complaints for receiving the public services as matter of right. The law also mandates that public officials responsible for delivering services be held accountable for any delay or inefficiency in service delivery. The local government authorities are responsible for implementing the law in their respective areas of jurisdiction. The services include issuing certificates, licenses, permits, documents and other services. The local government authorities play a critical role in implementing the law and ensure the transparent and accountable system for delivering services, which can help to reduce corruption and improve efficiency in service delivery.

MAIN FEATURES OF UTTAR PRADESH JANHIT GUARANTEE ADHINIYAM, 2011

Some of the key provisions of the Uttar Pradesh Janhit Guarantee Adhiniyam, 2011 (UPJGA) are as follow.

The Act provides a list of public services including issuance of birth certificates, driving licenses, ration cards, etc. The state government will notify public services from time to time under section 3 of the Act. The Act sets out specific timelines (varies from one day to sixty days depending on nature of the service) within which the services must be delivered to the citizens, failing which penalties may be imposed on the concerned government officials. So far nature of penalty is concerned, the Act has specified the minimum fine of rupees 500 to maximum fine of rupees 5,000 under section 8 of UP JGA, 2011. The state government notifies the designated officials responsible for delivery of the public services. The Act also provides for the appointment of a designated officer who will be responsible for receiving and processing applications for the specified services.

The Act mandates that every public authority covered under it should publish a citizen's charter that specifies the services provided, the time frame for delivery of services, and the procedure for grievance redressal.

The Act makes it obligatory to publish the information about the process of service delivery and grievance redressal mechanism for ensuring transparency. The grievance redressal mechanism as per the law, there are two stage of appeal for redressal of their grievances. The time period for appeal varies from 30 days to 60 days with exception. The state government will provide protection to the public officials in their official duty. The act has provision for protection of action taken by an official in good faith. There will be no suits, prosecutions, or legal actions against public officials.

REVIEW OF LITERATURE

The Right to Service Act has been the subject of several research studies and scholarly articles. These studies have provided insights into the implementation of the Act, its impact on service delivery, and the challenges faced in its implementation covering some states. The available literature on the subject have covered citizens' charter, governance and aspects of the Act (shown in the graph below). But, there is lack of literature on assessing the impact of the Act on public service delivery.

The global scenario can be understood by the studies like Kaufmann and Zoido (1999) which suggested that good governance is composed of six dimensions: voice and accountability, political stability, government effectiveness, regulatory quality, rule of law, and control of corruption. Voice and accountability refer to the ability of citizens to hold their government accountable through free and fair elections, a free press, and civil society organizations. The World Bank advocates that good governance can be achieved through the following four principles: accountability, participation, predictability, and transparency. Woods and Narlikar (2001) examine the role of international financial institutions (IFIs) in promoting good governance and find that the IFIs' approach to good governance has been too narrow and focused on economic rather than political reforms.

A study by Yamini Aiyar (2014) provides an overview of the implementation of the Right to Services Acts in various states in India, including the Uttarakhand Right to Service Act. The article highlights the challenges like bureaucratic resistance, inadequate staffing and training, lack of political will, and poor accountability mechanisms in implementing the Right to Services Acts. It suggests measures to overcome the challenges, viz., using technology to streamline service delivery, building strong citizen grievance redressal mechanisms, and encouraging civil society participation in monitoring the implementation of the Acts. Datta and Pandey (2015) find that citizen charters have the potential to enhance transparency and accountability in public service delivery by clearly specifying the services offered, the standards of performance, and the redress mechanisms available to citizens in case of service failures. They argue that citizen charters are often not effectively implemented due to factors such as lack of awareness among citizens and public officials, insufficient resources, and inadequate monitoring and evaluation mechanisms. Fritzen & Lim (2015) argue that citizen charters can improve the quality of public services by setting benchmarks for service delivery and creating an impetus for continuous improvement. But the language and content of citizen charters should be clear, concise, and easily understandable to ensure effective communication with citizens. Saini and Kumar (2015) explore the provisions and impact of the Uttar Pradesh Janhit Guarantee Act. The study concludes that the act has been successful in ensuring timely delivery of public services and has led

to greater accountability and transparency in the governance system. Joshi and Kumar (2016), in their study highlight the significance of the Act in promoting transparency, accountability, and citizen participation in governance. They note that the Act has brought about a paradigm shift in the delivery of public services in Uttarakhand, making it more citizen-centric and efficient. Singh and Kumar (2016) have studied the UP case and find that while the act has led to some improvements in service delivery, there are still challenges in ensuring effective implementation. Singh and Raj (2018) argue that the act has been successful in creating a culture of accountability and has led to greater public participation in the governance process. Singh and Singh (2018) highlight the role of e-governance in improving service delivery and promoting transparency and accountability in governance. They note that e-governance initiatives have been implemented in Uttarakhand to enable citizens to access government services more easily, reduce corruption, and enhance government efficiency.

The above review of literature suggests that there is dearth of literature on assessing the impact of the law in UP and we could not find any study on Lucknow district.

OBJECTIVE AND METHODOLOGY

The major objectives of the present paper is to assess the impact of Uttar Pradesh Janhit, Guarantee Adhinyam, 2011 on the beneficiaries and pin out the obstacles in the way of its implementation.

The present study is based mainly on primary sources of data, i.e. survey conducted in Lucknow district with help of interview schedule. 120 respondents were sampled from the district randomly. The SPSS software has been used to analyse the data. Secondary sources were also utilized.

The government of Uttar Pradesh has notified 384 services under the Act out of which 7 most important services were selected for study purpose. The details of the services along with designated officials are given below in table format.

Table 1: Notified Services and Designated Officials with time-line

<i>Department</i>	<i>Notified Services</i>	<i>Designated Officials</i>	<i>Stipulated Time-frame</i>
Urban Development/ Panchayati raj department	Birth Certificate	Health Officer	30 days
	Death Certificate	Health Officer	30 days
	Water connection	Executive	30 days

<i>Department</i>	<i>Notified Services</i>	<i>Designated Officials</i>	<i>Stipulated Time-frame</i>
Revenue department	Domicile Certificate	Tehsildar	15 days
	Solvency Certificate	Sub-Divisional Magistrate	30 days
	Income Certificate	Tehsildar	15 days

Sources: upcmo.nic.in

ASSESSMENT OF IMPACT OF UPJGA 2011

The Table 2 represents the number of services requested by the respondents. The most services requested were issues of domicile certificate. Another type of service that was in high demand was income certificates. Another service that was under-utilized was solvency certificate. As common services, these are frequently requested by candidates in their daily lives.

Table 2: Services demanded by the beneficiaries

<i>Type of Services demanded by the respondents</i>	<i>Frequency</i>	<i>Percentage</i>
Birth and Death Certificate	18	15
Water connection	22	18.33
Domicile Certificate	32	26.67
Solvency Certificate	4	3.33
Income Certificate	23	19.16
Caste Certificate	21	17.5
Total	120	100

The pie diagram 1 shows that the majority of the respondents had recently applied for the service, while others were either in the application processing or final service delivery stages. This is because the majority of citizens could only complete their application after multiple visits.

The Table 3 depicts the beneficiary's distribution based on the way of receiving public services. According to the table, around 75% persons applied for online service delivery, while just a small number applied for offline or third-party service delivery. This is because of presence of digital portal, app and common service center. At the same time, there are some problems of internet connectivity and functioning of the government websites.

Table 3: Mode of Obtaining Public Services

<i>Mode of Obtaining Services</i>	<i>Frequency</i>	<i>Percentage</i>
Online	90	75
Offline	28	23.33
Third Party	2	1.67
Total	120	100

Table 4: Assessment of the Awareness about UP JGA, 2011 among beneficiaries

<i>Awareness about the act</i>	<i>Awareness about the Act</i>		<i>Awareness about the designated officials</i>		<i>Aware about procedure of obtaining services</i>		<i>Familiar with the provisions of the act</i>	
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>
To a great extent	16	13.34	24	20	13	10.83	25	20.83
Some Extent	45	37.50	47	39.16	66	55.00	35	29.16
Very Little	23	19.16	31	25.83	12	10.00	44	36.66
Not at all	36	30.00	18	15	29	24.16	16	13.33
Total	120	100	120	100	120	100	120	100

According to the table, about 57% of citizens agreed that they have had some extent or very little information about the act. 30% citizens were not aware about the act. It shows that the government has not been very efficient in advertising and popularizing the act. Similarly, 60% beneficiaries were aware about the designated officials. Around 65% beneficiaries are aware about the procedure of obtaining the services. Only half of the beneficiaries are familiar with the provision of the act. The similar study by IIPA has also reflected these results.

Table 5: Assessment of the stipulated time-frame under the act

<i>Time- bound Service delivery</i>	<i>Aware about the stipulated time for the delivery of service</i>		<i>Service Delivery date mentioned on acknowledgement receipt</i>		<i>Received service within stipulated time-limit</i>		<i>Resolved Grievances within the time frame</i>	
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>
Yes	68	56.66	96	80	108	90	78	65
No	34	28.33	15	12.5	5	4.16	17	14.16
Can't Say	18	15.00	9	7.5	7	5.83	25	20.83
Total	120	100	120	120	100	100	120	100

The above table shows the assessment of the time frame for delivery of the public services. According to the table, around 57% respondents are aware about the stipulated time frame for service delivery and 43% respondents are not aware about time frame. This is because of lack of official's board which outline services and its time frame for delivery of services. Almost 80% respondents agreed that the service delivery date was stated on the acknowledgement receipt. Around 90% of respondents stated they received the service on time, while 10% indicated they did not receive public service delivery on time.

The bar diagram below shows the level of satisfaction among beneficiaries. Around 66% respondents believes that the act was successful in attaining the objective. 34.16% respondents believe that the act was not successful in attaining the objective. Similarly, 80% respondents believe that the act has empowered the citizens by providing them choices. The majority of respondents (77%) believe that service delivery under the act provides value for money and at the same time 23% respondents did not agree. Around 85% respondents are satisfied with the stipulated time frame for service delivery.

Table 6: Problems in obtaining public service by the respondents

		<i>Frequency</i>	<i>Percentage</i>
Problems in obtaining public service	Complexity of Rules and Regulations	18	15
	Corruption and Bribes	15	12.5
	Internet connectivity and slow and sluggish functioning of websites	31	25.83
	Procedural difficulty in obtaining services	14	11.67
	Absenteeism and excess work load	11	9.17
	Infrastructure Problems	19	15.83
	Implementation of COVID-19 guideline	12	10.00
	Total	120	100

The above table provides insight into respondents' opinion of the difficulty in receiving public service delivery under the act. Around 26% respondents said that the internet connectivity is the biggest problem in obtaining the public services. Similarly, 16% respondents believe lack of proper infrastructure are also the problem in getting public services. 12% respondents face procedural difficulty in obtaining the services.

CONCLUSION AND SUGGESTIONS

The above discussions lead us to the conclusion that UP JGA has the positive impact on public service delivery, particularly to the marginalized sections of

society and has strengthened the citizen-centric governance model by involving the people in the service delivery process. In this context the role of local self-governments become crucial. But the lack of proper power to local self-government and awareness of the UP JGA among people have hampered its efficacy.

Thus, it is high time to go for certain measures to overcome the challenge. First of all appropriate steps have to be taken to raise awareness among the people through campaigns to make them acquainted with the provisions of the law. Further there is urgent need of expanding the number of services to be delivered. The state of Karnataka has highest number of notified public services amounting to over thousand services. Proper and timely dissemination of concerned information is essential for making it more transparent.

On the part of government agencies, there is need of imparting training and motivation to officials in using ICT. Investment is required in technology to develop a robust monitoring mechanism that track the delivery of services in real-time. The use of technology such as online portals, mobile applications, and SMS alerts can help in improving the delivery of services and reducing corruption. The procedures for availing services should be simplified and made user-friendly to encourage citizens to use the Act. Bihar model of service delivery can be followed.

The Act should have an effective monitoring and enforcement mechanism to ensure timely delivery of services. This can be achieved by setting up an independent body to monitor the implementation of the Act and to take action against the officials who do not comply with the provisions of the Act. Karnataka's Sakala model has employed external independent regulator for monitoring of the Act.

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DISASTER RISK REDUCTION GOVERNANCE IN ASSAM: A STUDY

Bhawna Gupta* and Dikumoni Hazarika**

Abstract

Disaster Risk Governance and Crisis Management play a crucial role in strengthening the resilience of the citizens. Assam is prone to natural disasters such as earthquakes, floods, landslides, cyclones, and droughts that are common in Assam, of which floods alone affect 92.6 per cent of cultivated land. Covid-19 pandemic added to the miseries of the state. This attracts our attention towards understanding the governance mechanism of effective disaster management and risk reduction in the state. As such the present paper examines the disaster risk governance in Assam. For which the role of Assam State Disaster Management Authority (ASDMA) has been examined in terms of its structure and functioning. The present study, based on secondary data, highlights the importance of community readiness and community participation in disaster preparedness as an effective component of Disaster Risk Governance. It finds that there is need of adopting new techniques for both national and local strategies for disaster risk reduction.

Keywords: Natural Disasters, DRR (Disaster Risk Reduction), Governance, ASDMA, District Administration, Community Participation, Assam

INTRODUCTION

India is one of the world's most disaster-prone countries due to its vast geographical diversity and high level of socio-economic vulnerability. According to the World Risk Index Report 2021, India is placed at 90th spot among 181 nations and weak

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in preparedness to deal with 'climate realities'. Both Central and state governments have initiated various measures and approaches to mitigate natural disasters, especially floods. The COVID-19 pandemic has reinforced the importance of climate and crisis management approaches, and disaster management strategies at global and national levels.

Assam has a long history of multiple hazards like floods, earthquakes, cyclones, landslides, erosion, etc. In the years 1897 and 1950, the state was affected by two big earthquakes with magnitudes of 8.7 and 8.5 respectively on the Richter Scale. As per the Government of Assam Report, severe flooding during summers has been a persistent natural disaster in Assam affecting 17 out of 34 districts almost every year. Hence disaster management acquires prime significance in governance in Assam. The most active state intervention is designed as Assam State Disaster Management Authority (ASDMA) which facilitates disaster planning, preparedness, capacity building, creating public awareness, disaster risk reduction (DRR) and giving efficient responses to build a disaster-resilient state. The Authority is supported by district administration during disasters in all stages of disaster management. Effective relief camp management is delegated to the SDO (civil) and the Revenue Circle Officer. Besides, agencies at the district level coordinate with national and international knowledge-based institutions and scientific communities to effectively deal with disasters. However, despite having a techno-legal framework, vulnerability assessment exercises and lessons from past experiences, the authorities have been unable to proactively deal with the disasters and reduce disaster risk and impact. To delineate the inefficiencies of government, the adoption of new alternatives such as inculcating new technologies to reduce disaster risk becomes a necessity.

To address the above concerns, the paper attempts to examine the disaster risk governance structures in Assam and give recommendations for their strengthening and effectiveness. The paper mainly relies on secondary data. It is divided into three parts. The first part of the paper tries to provide a conceptual framework and the context of the study. The second part deals with the disaster risk profile and the disaster risk governance structure in Assam and brings out the weaknesses especially exposed due to the COVID-19 pandemic. The last part covers the recommendations and concluding remarks.

CONCEPTUAL CONSIDERATION

First of all, the concept of 'disaster risk governance' needs to be understood. It refers to how public authorities, civil servants, media, private sector, and civil society coordinate at community, national, and regional levels to manage and reduce disaster and climate-related risks (UNDP, 2013). The emphasis of disaster risk governance is on 'integrating' or 'mainstreaming' disaster risk reduction into government planning and development efforts. UNDP has also created a

framework for mitigation of disaster risk reduction and climate change. The UNDP framework emphasize on organisational and institutional development for management policies and cross-sectional coordination system, i.e. education, agriculture, health, etc. It includes: (a) the introduction of technical guidance and training and educational programmes; (b) risk reduction approaches like risk assessment, risk reduction and recovery actions; and (c) finally encouraging widespread community engagement in disaster risk reduction (UNDP, 2013). The framework has been adopted in India's national risk reduction strategies.

INSTITUTIONAL FRAMEWORK AT THE NATIONAL LEVEL AND STATE LEVEL

In 2005, the Indian government passed the Disaster Management Act, which regulates disaster planning and implementation. This Act created institutional structures for developing and monitoring disaster management plans. It also assured that the various branches of the government take steps to avoid and mitigate catastrophes, as well as respond quickly in the case of a disaster. At the national level, there is the National Disaster Management Authority (NDMA) under the chairmanship of the Prime Minister to plan and formulate policy and guidelines for disaster management. The NDMA is now moving towards cross-cutting themes like medical preparedness, psycho-social or trauma care, community-based disaster management, information and technology adoption, awareness generation, etc.

State Disaster Management Authorities (SDMAs) have been constituted at the state level, chaired by the Chief Ministers of the respective states. They work hand in hand with the National Disaster Management Agency (NDMA) and follow their criteria when developing a disaster management strategy for the states. District Disaster Management Authorities (DDMAs) have been created at the district level, chaired by Collectors/District Magistrates/Deputy Commissioners to plan, coordinate, and implement disaster plans. The Act provides specific roles to local bodies in disaster management including Panchayati Raj Institutions (PRIs), municipalities, Cantonment Boards, town planning authorities, etc. The Act also has made the statutory provisions for the constitution of the National Disaster Response Force (NDRF) and NDRF battalions are scattered across the states/UTs to quickly respond to disasters. Likewise, there is a provision that states can create State Disaster Response Force (SDRF). Besides, the State Police Forces, Civil Defence, Home Guards, and Fire Services are also available to respond to disasters. The institutions take support from various scientific organizations at the national and international level for weather forecasting and other such kinds of disaster-related information. Funds have been created to provide financial support.

DISASTER RISK PROFILE OF ASSAM: SEVERITY

Assam (see Figure 1) is most vulnerable to multiple hazards; among them, floods are very common. Further, floods also create a variety of issues such as riverbank erosion, landslides, diseases, and so on. Floods in Assam affect 92.6 per cent of cultivated area, and repeated floods in the Brahmaputra and Barak rivers cause major erosion, loss of life and livestock, heavy damage to infrastructure, and retard agricultural productivity. The pandemic and its cascading impacts have affected every sector, with the poorest and most vulnerable bearing the brunt, especially migrants, informal workers, and older persons. The state faces multipronged disasters such as:

- (a) **Earthquake:** Almost twenty disastrous earthquakes have struck this region in the last century. Besides, during the non-instrumental period in Assam, earthquakes occurred in the years 1548, 1596, 1601, 1642, 1663, 1696, 1756, 1772, 1838, and 1841. According to plate tectonics, Assam is located on the Indian plate's easternmost projection, where the plate is pushing beneath the Eurasian plate, forming a subduction zone. As a result, Assam was placed in seismic zone V, rendering the whole state vulnerable to moderate to extremely large earthquakes.
- (b) **Floods:** The Brahmaputra Valley in Assam is one of the country's most disaster-prone regions, with more than 40 percent of its territory (3.2 million hectares) vulnerable to flooding. This represents 9.4 percent of the country's total flood-prone land. Over the last 50 years, river erosion has taken away around 7 percent of the land in the state's 17 riverine regions (Source: Environment Assessment Report, India: Assam Integrated Flood and Riverbank Erosion Risk Management Investment Program, ADB June 2009). Flooding in the state is caused by a combination of natural and anthropogenic factors. The region's frequent floods are caused by the region's exceptionally dynamic monsoon rainfall regime, as well as the region's peculiar physiographic environment. The Brahmaputra basin has one of the biggest water yields in the world. This, along with the valley's narrow width and sharply flattened gradient, results in massive drainage congestion and flooding,
- (c) **Landslides:** As a result of continued deforestation and the demand for more agricultural land, hill slopes have become unstable, resulting in landslides during the monsoon season,
- (d) **Cyclone:** According to the IMD Cyclone e-Atlas, two cyclone occurrences passed over the state between 1968 and 2008 which swept across the state. According to the Lutheran World Federation/Department for World Service India Program (ACT/LWS India), a brief but severe storm with heavy rainfall hit sections of Assam's Dhubri, Dhemaji, and Sointpur districts on April 22, 2003. This disaster struck the Cachar Subdivision in the Dhubri district in

Assam's western portion. This catastrophe claimed the lives of over 48 people and injured over 1,500 others.

Figure 1: Map of Assam



Source: www.mapsofindia.com

ASSAM STATE DISASTER MANAGEMENT AUTHORITY (ASDMA) AND ITS ROLE

In December 2006, the Assam State Disaster Management Authority (ASDMA) was formed having responsibility of developing disaster management plans and policies in Assam. All 27 districts have established District Disaster Management Authorities under the direction of ASDMA (DDMAs). In addition, 11 District Emergency Operations Centers constructed on Earthquake Resistant Technology have been constituted. The main functions of ASDMA are:

- **Understanding Disaster Risk:** It has taken an “all-hazards” approach to disaster risk understanding. This strategy is intended to address a wide variety of potential hazards and calamities in Assam. ASDMA also plans to support DDMA with community-based disaster risk assessments, which will include schools, hospitals, and communities
- **Strengthening Disaster Risk Governance:** To enhance DRG, an “all-agencies strategy” has been developed, which stresses institutionalizing disaster risk through inter-agency coordination that links communities as well as creating DM. ASDMA also emphasizes capacity building as a key priority for disaster

mitigation under DRG. Examples of such programs are training the teachers on school safety, training NGOs, and Panchayati Raj Institutions (PRI) members, and conducting a workshop on 'Safer Homes & livelihood'. Moreover, an exhibition on innovation challenges in Disaster Risk Reduction was organized on the occasion of The International Day for Disaster Reduction on 13th October by ASDMA as a capacity-building program.

- ***Adopt Disaster Risk Reduction Strategies for Resilience:*** ASDMA adopted a '*resilience approach*' as a major disaster risk strategy. It means it is the capacity of systems and communities, potentially exposed to hazards, to adapt by resisting or changing, to reach and maintain an acceptable level of functioning and structure. This is determined by the degree to which the social system can organize itself to increase its capacity for learning from past disasters for better future protection and to improve risk reduction measures. ASDMA has implemented several initiatives to educate communities about disaster risks and preparedness measures, including placing advertisements in local newspapers about storms, floods, and earthquakes, as well as holding disaster preparedness rallies. It is important to recognize the disaster risk.
- ***Enhancing Local Disaster Management Capability:*** Local communities and institutions are on the frontline of managing the disasters. In Assam, ASDMA aims at enhancing the capability of the institutions and the communities to carry out disaster operations. To support the new technology, the Flood Early Warning System (FLEWS) has been inducted which is now operational in the state. ASDMA has initiated door-to-door campaigns and surveys at the panchayat level to scale up disaster preparedness. Further, the authority has supported the traditional practices of the communities coping with natural disasters.

ASDMA has urged the state government to include disaster management in the state curriculum to prosper knowledge and help to teach the safety practices in schools, colleges, and universities. It is also supporting research on various facets of disaster management for advancing quality information related to the disaster. The State Executive Committee, chaired by the Chief Secretary to the Government of Assam, was established in the State to assist the authorities in carrying out its functions. It also coordinates actions by the guidelines laid down by ASDMA and ensures compliance with directions issued by the State Government.

ROLE OF DISTRICT ADMINISTRATION

The District Disaster Management Authorities (DDMAs) guide local governments and examine district preparedness, preventative, relief, and restoration efforts. They also assist in disaster prevention by facilitating community awareness initiatives, assisting local block-level authorities, and providing information to the state-level

authority regarding local issues during disasters. The DDMA's also make every effort to reduce floods by building an emergency communication infrastructure in the affected region to ensure that safe drinking water, health care, and other necessary services are available.

In Assam, the Collector/District Magistrate (DM) leads District Level Coordination and Relief Committees in each district. These committees work with input from both government and non-government organizations. The Collector/DM is also responsible for collaborating with Panchayati Raj Institutions (PRIs) and village-level task teams established by them. Circle Disaster Management Committees provide technical and professional assistance to Village Disaster Management Committee in managing the disaster at the local level.

DISASTER MANAGEMENT IN ASSAM – KEY CONCERNS

Assam is mostly influenced by the southwest tropical monsoon, which is active from April to October and brings with it periodic wintry showers. All of Assam's rivers are prone to flooding, owing to high rainfall in a short period. Tectonic movements, geological settings, climatic change, river dynamics, and unstable slopes cause the majority of naturally hazardous events. Flooding has been recorded in the past as a result of severe rain in Assam. Flash floods result in landslides, especially during the monsoon period. Despite efforts for flood control and mitigation, there is frequent flooding in various districts and in urban areas of Guwahati. Inadequacy of drainage systems in urban areas, unplanned land use, erosion of embankments of the Brahmaputra River, and various other factors have impeded the development of the state.

In recent years, the Government of Assam has started an ambitious megaproject with the nodal agency, the Ministry of Development of the North Eastern Region (DoNER)., sponsored by the Asian Development Bank (ADB) called Integrated Flood and Riverbank Erosion Mitigation (FREM) Project seeks to improve people's livelihoods by implementing comprehensive FREM measures to protect them against river erosion and flooding. The Flood Early Warning System (FLEWS) project, which began in Assam in 2009, provides early warning of floods in terms of magnitude (severity), location (revenue circle/group or cluster of villages), and likely time (within 12-24 hours range), as well as high rainfall warnings with location and time, and pre-and post-monsoon embankment status in various areas.

ASDMA has taken up a series of training and capacity-building exercises, and awareness generation activities to enhance and speed up community preparedness for disaster risk reduction. This training focuses on providing technical skills such as conducting hazard vulnerability, capacity assessment, drawing seasonal hazard maps, imparting technical knowledge, etc. Further, they reach households

through programmes such as apartment sensitization programs on earthquake preparedness in Guwahati city, Panchayat level pilot projects on flood resilient model villages, and projects on sustainable livelihood Disaster Risk Reduction mainstreaming. In Assam, indigenous people have deep knowledge about natural hazards. So, indigenous innovations such as the development of floatation tools and keeping raw materials handy for making structural modifications of their houses in times of disaster, especially floods, signify the disaster preparedness of those communities and its importance (Jagnoor, et al., 2020). When a disaster occurs, the establishment of relief camps and the rehabilitation process takes time. In such cases, an immediate response should be started from the community level to save loss of life, property, and livelihoods from natural disasters it is only possible when local communities are well prepared and trained.

COVID-19 AND ASSAM

During the pandemic, ASDMA issued directives for social isolation, and containment of COVID-19 cases, across the state. It decided to use digital technology to create awareness among the people. Towards this end, the ASDMA implemented a pilot project in Kamrup (Metropolitan), Jorhat, Dibrugarh, Cachar, and Bongaigaon districts to digitally carry out its Information, Education, and Communication (IEC) activities to create awareness among the people to take various safety measures in the time of disasters. The frontline workers, including police officers and medical personnel, were proactive during the lockdown. Assam State Disaster Management Authority (ASDMA) has created a volunteer army named Pratirodhi Bandhu (resistant friend) to bridge the gap between the rural population and the administration. 14,000 individuals joined this community-driven project. The volunteers' job was to make sure that individuals followed the social distance rules as well as other precautionary and preventive measures like wearing a mask when stepping out and washing their hands. The programme's principal goal and objective were to mobilize the community and address the non-medical response needs. The authorities hoped to provide psychological assistance through Pratirodhi Bandhu during the lockdown.

The crisis of regular floods added with the pandemic has more adverse impact on rural populace than that of urban people in Assam who heavily depend on government agencies for protection, treatment and relief. Further, the adverse impact on more than seven lakh workers engaged in the tea industry with poor healthcare facilities resulted in to losses in tea production and export. Workers lost confidence in the government because at that time maternal and infant mortality rates became suddenly high among tea plantation workers. Additional days of unemployment during lockdown were directly associated with income loss amongst the labourers and were higher amongst the elderly and senior-aged

labourers engaged in a profession that remained non-operational during the lockdown. (Guha, et al., 2020) The COVID-19 pandemic also had a significant negative impact on old citizens, the tribal population, migrant workers, children, and other vulnerable sections of society.

CONCLUSION AND RECOMMENDATIONS

The discussion indicates that despite several measures, the initiatives for disaster risk management remain scattered across regions and agencies and investments in climate change adaptation are lacking. COVID-19 has highlighted that without social protection, disasters exacerbate poverty, deepen existing inequalities, weaken resilience to future crises, and increase the need for humanitarian assistance. Assam is vulnerable to earthquakes and floods owing to its location in the Indian tectonic plate and falling in the basin of the second largest river in the world – the Brahmaputra. The aftermath of the pandemic and insurgency has exposed the flaws in governance and their practical ramifications. People, especially the rural poor, feel excluded and live in constant fear and have a lack of trust/faith in the government machinery. In such a situation, the Government requires exploring innovations in the governance framework and focusing on mainstreaming disaster risk reduction in various development activities. With COVID-19 being more than a health crisis, it was imperative to not only minimize the loss of life but also provide social and financial security for the families of migrant labourers and vulnerable sections.

In the light of the above discussions, some of the key measures to improve disaster risk governance in Assam can be recommended.

- **Legislative Measures:** The regulatory framework of disaster management and DRR developed since 2005, needs to be reformed by bringing changes, conducive to DRR in sectoral laws – such as building and construction laws; land use regulations; regulations for informal settlements; environmental and natural resource management laws; climate change adaptation laws. These are key pillars of disaster risk governance.
- **Sustainable Development:** It is essential to mainstream Disaster Risk Reduction in various development activities and understand the resilience levels of existing infrastructure as per climate change and mitigating risks in both rural and urban areas.
- **Building Capacity for Post Disaster Risk Recovery:** For better risk recovery mechanism, capacity building measures should be taken by (a) introducing Flood Management Education in the curriculum at secondary and higher levels, in addition to research and training programmes and (b) imparting proper training and equipment facilities to forces like NDRF and SDRF to fight the disasters along with provision of adequate equipment. In the process, the

involvement of local bodies, non-governmental and civil society organizations, and others should be ensured.

- **Community-Centric Disaster Risk Management:** It is important to capitalize on local knowledge and expertise, and strengthen people's technical and organizational capacities. In addition, local-level disaster awareness programmes in the areas of post-disaster sanitation, water and vector borne diseases and rehabilitation should be introduced to empower the local communities.
- **Leveraging Technology:** Conventional warning systems covering only major river channels alone have been inadequate to minimize flood damage. Mapping of embankments with breaches, flood enunciation mapping, and the issue of alerts for possible flood situations with the best possible lead time can be done by using geo-spatial technology in close partnership with various scientific institutions.

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TRENDS OF USAGE OF E-GOVERNANCE IN URBAN SLUMS: A CASE STUDY OF CENTRAL CHENNAI, TAMIL NADU

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Abstract

Digital India, a flagship programme of Indian Government, requires adequate public awareness, as its value is connected to the cycle of selection and usage by the citizens to understand the worth of this new era technology. The present study, based on survey conducted in urban slum areas in Chennai, attempts to assess the extent of usage, ascertain the perception of users and to underline their experience on e-Governance services. Our survey results depict that almost half of the respondents do not avail such services due to complicated processes and reluctance on their part to use. On the other hand, those who used the e-governance services do not face difficulties rather they enhanced their capacity by using it. Interesting to note that unlike earlier studies the educational status of the users has no significant impact on availing e-Governance services.

Keywords: e-Governance, e-Services, Usage, Urban slum, Chennai

INTRODUCTION

This epoch is the period of information, where it has become a distinct advantage throughout everyday life and turns out to be vital in all civic and private applications. Awareness to new technical innovations and its value is connected to the cycle of selection and usage by the residents to understand the worth of this new era (Katta, 2017). The mechanical tools of technology have been fashioned by the tech savvy individuals to get to the data in an undemanding manner and to make our life simpler (Basit & Amudha, 2010). Around the globe the demands made by citizens

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upon governments have continually increased and in time to come they would further increase. As per World Bank data of 2019, India has 34.4 per cent of its population use internet as compared to that of 17.1 per cent of Pakistan. However, China is far ahead evident from the fact that 54.3 per cent of Chinese population use the IT (www.statista.com). Knowledge and awareness on such online information assumes a critical part in all applications like schooling, medical benefits, banking applications, cultivation, down to the minute details about any resident's life, which is the foundation of monetary life. Generally, it is alleged that availing services from the government agencies become tedious, time taking and complex, but the web innovation has made it feasible for the government organizations to branch into an e-empowered and transform themselves into simple, responsible, fast, responsive and straightforward administrations (Santosh, 2020). Although use of ICT in governance was introduced in India well back in late 1980s, yet the Digital India initiatives have made it more proliferated. This has facilitated the dissemination of information from G2C and vice-versa. It has also reduced the corruption in public service delivery and empowering citizens (Hai & Jeong, 2007). The arrangement of e-Governance requires a satisfactory admittance to contemporary technology and the capacity to reconstitute the channel. For legitimate execution of e-Governance and to keep away from hazard of impediment, inspiration and powerful involvement of public authorities are essentials (Smith & Teicher, 2004).

However, in the fast emerging economies like India having high incidence of poverty added with low education among the people, it is particularly hard for the public authority to ensure assistance to them through means of e-services. According to the Global Information Technology Report in 2012, India ranked 69 in the network e-readiness index among 139 countries, with the pathetic score of 3.8/10 (World Economic Forum, 2012). Tamil Nadu is a pioneer among States in India in promotion of ICT and e-Governance by successfully implementing various e-Governance programmes including those under the National e-Governance Plan (NeGP). Tamil Nadu as a state exhibits better position in terms of literacy. However, looking at Chennai per se, 28.89% live in slums and bags the fourth place in the list of housing the maximum number of slum dwellers (GoTN, 2017). As such, the present study was conducted to evaluate the perspective and usage of e-governance services among urban slum dwellers in Chennai.

REVIEW OF LITERATURE

With the advent of Covid-19 pandemic crisis, the use of internet by people has increased to a great extent. According to the Indian Telecom Services Performance Indicators for July-September 2020, the total number of web endorsers in India amounted to 57.29 per cent whereas in 2017-18 (as per NSSO data) it was merely 14.9 per cent (www.statista.com/statistics..). The increased usage of internet has made

people more ICT friendly and e-governance friendly. It makes an urgent imperative to look into the issues in e-governance. The use of ICT in governance at grassroots level can be studied with three approaches – namely, organizational approach, functional approach and social justice approach. In other words, the aspects of the use of ICT are in the governmental organisations, critical process for producing goods and services for the people and encompassing the deprived sections of the society into the ambit of beneficiaries of public service delivery (Verma & Kumari: 2010). While accessibility of computerized infrastructure will assume a significant part in crossing over the current hindrances, assembling advanced skills among the Indian populace to have the option to exploit this foundation as critical. Chee-Wee, Tan et al. (2008) attempted to analyze the job of e-government service quality as a striking driver of residents' reliability convictions towards e-government sites, which thus advances the citizen's reception of public e-administrations. This review achieved a few hypothetical targets and inferred that e-government sites ought to not exclusively be planned as unadulterated technical innovation with practical properties yet they should likewise consolidate sociological components that oblige clients' social necessities (Ibid). Another study (Singh: 2015) featured the monetary outline of the Punjab state in India and examined the difficulties looked in the acknowledgment and receiving the e-Government services. It underlines a few hindrances like low proficiency rate in IT training, low standards of living, huge populace underneath poverty line, and ignorance in regards to the utilization and advantages of e-Governance services (Ibid.).

METHODOLOGY

The present study is based mainly on primary sources of data collection, i.e. Survey. It was conducted in the month of July-August 2021 among individuals aged above 16 years in urban slum areas (clusters) based in Chennai city. The locality was selected by incorporating a multistage cluster sampling design without replacement. Samples were selected applying random sampling method from one Zone (Central Chennai) of 4 Zones of the City. From the selected Zone two slums namely Namachivayapuram in Choolaimedu and Varatharajanpet in Kodambakkam were selected. The questionnaire in local language was served to the respondents. As per the prevalence of e-service users, the sample size was calculated with Confidence Level C.I 95%, Margin of error 8% and prevalence of 24% was 110. With a presumption of two eligible individuals per household, 28 households were included in each slum until a sample size of 110 was met. All the sampled respondents were slum dwellers falling in the age group of above 16 years. The collected data were entered in SPSS version 22 for analysis.

RESULTS AND INTERPRETATION

The Table 1 reveals the detailed profile of respondents. Out of total sampled respondents 44.5% were males and rest were females.

Table 1: Profile of Respondents (n = 110)

<i>Variables</i>		<i>Frequency</i>	<i>Percentage</i>
<i>Categories of Respondents</i>			
Locality	Varatharajanpet	55	50
	Namachivayapuram	55	50
Age	16-20	11	10
	21-30	29	26.4
	31-40	27	24.5
	41-50	23	20.9
	Above 50 years	20	18.2
Gender	Male	49	44.5
	Female	61	55.5
Educational status	Illiterate	1	9
	Primary school	14	12.7
	6th to 12th standard	58	52.7
	Diploma	5	4.5
	Degree (UG, PG)	32	29.1
Occupation	Student	9	8.2
	Unemployed	8	7.3
	Housewife	32	29.1
	Private sector	28	25.5
	Government sector	4	3.6
	Own business	10	9.1
	Others	19	17.2
Monthly income	Less than RS.10,000/-	36	32.7
	10,001 to 20,000/-	40	36.4
	20,001 and above	34	30.9
Type of residence	Own house	63	57.3
	Rented house	47	42.7
Type of house	Katcha	31	28.2
	Semi pucca	10	9.1
	Pucca	67	60.9
	Asbestos	2	1.8

Table 2: Extent of Internet Users (Frequency Count/ n = 110)

<i>Number of respondents using internet and their frequency</i>	<i>Frequency</i>	<i>Percentage (%)</i>
Never	57	51.8
Daily	50	45.5

<i>Number of respondents using internet and their frequency</i>	<i>Frequency</i>	<i>Percentage (%)</i>
Weekly	3	2.7
Total	110	100

Slightly more than half of the respondents stated to never be using internet facilities (51.8%). This included using android mobile phones (whatsapp/facebook/ etc.) or availing internet services at internet centres for information.

Table 3: Extent of Availing e-Governance Services (Frequency Count (n = 110))

<i>Number of respondents using internet for e-governance services and their frequency</i>	<i>Frequency</i>	<i>Percentage (%)</i>
Never	53	48.2
Daily	2	1.8
Weekly	1	0.9
Monthly	12	10.9
Quarterly	3	2.7
Half yearly	1	0.9
Yearly	38	34.5
Total	110	100

The Table 3 reveals that almost half of them did not use internet shows 48.2% to never have used e-Governance service facilities. The remaining 51.8% use/have used e-governance services with the majority of them stating a frequency of once in a yearly (34.5%).

Table 4: Reasons of non-usage of e-Governance Services (Frequency count (n=53))

<i>Reasons for not availing e-governance services</i>	<i>Frequency</i>	<i>Percentage (%)</i>
Very difficult to use	19	33.3
Prefer to approach offices in person	12	21.1
Illiterate	3	5.2
Did not have reason to use e-governance services	23	40.4
Total	57	100

Among those whom never used/use e-Governance services, 40.4% said that they did not have a reason to avail it. This may be attributed to their family members or friends aid when the need aroused. The other commonly stated reasons were preference to approach offices in person (21.1%) and difficulty in usage (33.3%).

Table 5: Availing e-Governance Services (n = 57)

<i>List of e-governance services availed</i>	<i>Frequency</i>
House tax	8
Water tax	5
Electricity bill	19
Income tax	3
New water supply connection	1
Land ownership/patta	1
Birth certificate	19
Death certificate	10
Certificate of succession (heir)	6
Community certificate	12
Government health insurance	1
First generation graduate	0
Driving license	5
Aadhar card	12
Voters ID	5
Passport/Visa	4
Train tickets	9
Bus tickets	0
Bus/train pass	2
Pension	1
Filing Complaint	0
Pan card	6
Dependent certificate	0
Ration card	4
Registration of vehicles	0
Residence proof	1
Marriage certificate	1
Income certificate	5

Application for birth certificate (19) and payment of electricity bill (19) were stated as the two most commonly availed services among those whom availed e-Governance services (n = 57). The next two commonly stated services were community certificate and aadhar card application by each 12 of the respondents. Registration of vehicles, filing complaints, application for first generation graduate certificate and booking bus tickets were not stated by any of the respondents.

Table 6: Types of Access Source (n = 57)

<i>Means of availing e-governance services</i>	<i>Frequency</i>
Private internet centre	18
Government internet centre	25
Laptop/desktop/tab	10
Android mobile phone	20

Among the 57 whom availed the e-Governance services, the largest number of them availed government e-seva (government) internet centres and the lowest number of them fell in the category of using personal Laptop/desktop/tab.

Table 7: Convenience Perspectives of Usage of Private Sources (n = 18)

<i>Perspectives of Usage</i>	<i>Responses</i>	<i>Frequency</i>	<i>Percentage (%)</i>
It is convenient to reach the private internet centre (n = 18)	Yes	15	83.3
	No	3	2.7
Helps Sought for using the e-governance services at the private centres from (n = 18)	Self	1	5.6
	In-charge of Internet Centre	17	94.4
Opinion on Whether the self-use was easy? (n = 18)	Yes	0	0
	No	1	100
Possibility of completing the procedure in time (n = 18)	Yes	10	55.6
	No	8	44.4
Network issues (n = 18)	Yes	11	61.1
	No	7	38.9
Affordable (n = 18)	Yes	14	77.8
	No	4	22.2
Availability of facilities like printer and Xerox machine (n = 18)	Yes	17	94.4
	No	1	5.6

Of 18 respondents who used private internet centre, 15 stated it to be convenient to reach, 1 stated to use by self and 10 said it was possible to complete the procedure on time. 17 used the help of the incharge person at the centre. 77.8% (14) stated it to be affordable and almost all 94.4% (17) said facilities like printer and Xerox machine were available.

Table 8: Convenience Perspectives of Usage of Government Sources (n = 25)

	<i>Responses</i>	<i>Frequency</i>	<i>Percentage (%)</i>
Convenient to reach the internet centre (n = 25)	Yes	18	72
	No	7	28
In-charge of kiosk guides properly and provides necessary data (n = 25)	Yes	21	84
	No	4	26

	<i>Responses</i>	<i>Frequency</i>	<i>Percentage (%)</i>
In-charge of kiosk guides in entering proper information (n = 25)	Yes	22	88
	No	3	12
It is possibility of completing the process in time (n = 25)	Yes	8	32
	No	17	68
Charging genuin amount for the services availed (n = 25)	Yes	25	100
	No	0	0
Network issues (n = 25)	Yes	14	56
	No	11	44
Availability of facilities like printer and xerox machine (n = 25)	Yes	4	16
	No	21	84

Of 25 respondents who used government e-seva centre, 18 stated it to be convenient to reach and only 8 said it was possible to complete the procedure on time. 21 respondents said the in-charge of the centre guided them accordingly and 22 said they entered proper data. All the e-seva centre users stated it to be affordable and to have paid correct amount but majority (84%) said facilities like printer and Xerox machine were unavailable.

Table 9: Convenience Perspectives of Usage of Personal Equipment (n = 10)

	<i>Responses</i>	<i>Frequency</i>	<i>Percentage (%)</i>
Means of availing e-governance services when utilizing personal laptop/desktop/tablet (n = 10)	Of Self	9	90
	Of Family member	1	10
Whether the process was easy? (n = 9)	Yes	6	66.7
	No	3	33.3
Whether the process was timely completed? (n = 9)	Yes	6	66.7
	No	3	33.3
Whether it was easy to upload? (n = 10)	Yes	8	80
	No	2	20
Whether the process was easy to download? (n = 10)	Yes	8	80
	No	2	20
Availability of facilities like printer and Xerox machine at home(n = 10)	Yes	5	50
	No	5	50
Network issues (n = 10)	Yes	6	60
	No	4	40
Affordable to recharge for internet services (n = 10)	Yes	6	60
	No	4	40

Of 10 respondents who used personal laptop/desktop/tablet, 9 stated to be availing services by self. 80% of respondents said it was easy to upload and

download materials from the websites. 6 out of 10 stated to have faced network issues and 5 out of 10 said facilities like printer and Xerox machine were available. Cost of recharging was reported to be affordable by 6 out of 10 users.

Among 20 respondents whom stated to have used mobile phones, 17 stated to be using by self and 16 said it was an easy process. 85% of respondents said it was easy to upload and 90% to download materials. 19 out of 20 stated to have faced network issues and 16 out of 20 said facilities like printer and Xerox machine were unavailable at their residence. Cost of recharging was reported to be affordable by 17 out of 20 users. Eye pain, burning, etc and other discomforts were reported by 11 users.

Table 10: Perception of e-Governance services

<i>Perception and responses</i>		<i>Frequency</i>	<i>Percentage (%)</i>
E-governance services is usable	Yes	104	94.5
	No	6	5.5
E-governance services should be increased in India	Yes	103	93.6
	No	7	6.4
Willingness to use e-governance services in future	Definitely	72	65.5
	Maybe	10	9.1
	No	20	18.2
	Don't know	8	7.3

Majority of the respondents stated e-Governance services to be usable (94.5%) and should be increased in India (93.6%). The latter can be attributed towards their awareness of time saving and accessibility to centres being convenient when compared to in-person approach. However, only 65.6% stated to definitely use it in future while 18.2% denied completely and 9.1% said 'maybe'. This shows that the benefits of the services were known by the respondents but the difficult process or simply the availability of significant others to aid in availing the facility proved to be direct determinants for unwillingness to avail facilities in future.

CROSS TABS AND CHI SQUARE

Table 11: Using internet facilities (by Locality and Gender)

<i>Locality/Gender</i>	<i>Using internet facilities</i>		<i>Total</i>	<i>Pearson Chi-square</i>	<i>P - Value</i>
	<i>Never using</i>	<i>Using</i>			
Varajarajanpet	21	34	55	8.193	0.004
Namachivayapuram	36	19	55		
Total	57	53	110		

Locality/Gender	Using internet facilities		Total	Pearson Chi-square	P - Value
	Never using	Using			
Gender					
Male	23	26	49	0.843	0.359
Female	34	27	61		
Total	57	53	110		

Table 12: Using internet facilities for e-Gov Services (by categories of respondents)

Locality/Gender	Used/using internet to avail e-Governance services		Total	Pearson Chi-square	P - Value
	Never used	Used			
Varajarajanpet	25	30	55	0.328	0.576
Namachivayapuram	28	27	55		
Total	53	57	110		
Gender					
Male	15	34	49	10.925	0.001
Female	38	23	61		
Total	53	57	110		
Educational status					
Illiterate	0	1	1	1.323	0.250
Literate	53	56	109		
Total	53	57	110		
Age					
16-20	4	7	11	11.944	0.018
21-30	8	21	29		
31-40	13	14	27		
41-50	13	10	23		
Above 50 years	15	5	20		
Total	53	57	110		

There was a significant difference between tendencies for using e-Governance services between both the genders and age of the respondents. This indicates that gender and age are salient determinants in technology adoption in the urban Indian context.

Table 13: Opinion on Increasing e-Governance Services

Locality	Perception that e-governance services should be increased		Total	Pearson Chi-square	P - Value
	Should be increased	Shouldn't be increased			
Varadarajanpet	54	1	55	4.205	0.040
Namachivayapuram	49	6	55		
Total	103	7	110		
Usability e-governance services					
	Usable	Not usable			
Varadarajanpet	55	0	55	8.664	0.003
Namachivayapuram	49	6	55		
Total	104	6	110		

Table 14: Perception on Increasing e-governance services (by Locality)

Name of urban slum	Willingness to use e-Governance services in future				Total	Pearson Chi-square	P - Value
	Definitely	Maybe	No	Don't know			
Varatharajanpet	35	7	10	3	55	2.156	0.541
Namachivayapuram	37	3	10	5	55		
Total	72	10	20	8	110		

Table 15: Perception on Usability of e-governance services (by Gender)

Perception on Usability of e-governance services	Gender of the respondent		Total	Pearson Chi-square	P - Value
	Male	Female			
Yes	47	57	104	0.331	0.565
No	2	4	6		
Total	49	61	110		
Perception that e-governance services should be increased					
Yes	47	56	103	0.804	0.370
No	2	5	7		
Total	49	61	110		

The Table 11 shows a strong association between the urban slum area VS using internet facilities (p 0.004). Likewise a strong association was found between gender (male and female) and age of the respondents VS used/using internet to

avail e-Governance services (p 0.001, p 0.018) (Table 12). Urban slum area VS perception that e-Governance services should be increased in India (p 0.040) and usability of e-governance services are usable (p 0.003) was found to be significantly associated (Table 13). There was no association found between level of literacy and usage of internet to avail e-Governance services (0.250) as shown in Table 13.

CONCLUSION AND RECOMMENDATIONS

Albeit the public authority has devised many initiatives to work with the admittance to public administrations, the ideal results are yet to be completely figured out. This can be to a great extent ascribed to different front-end and back-end difficulties that the government authority keeps on confronting. There are different difficulties for the execution of e-Governance services in India. In our study we uncovered difficulties which resemble female gender, age of the citizen, complicated process of interfaces, dissemination of technology without legitimate designing, etc. This study uncovered a strong reality that education does not play a role in availing e-Governance services and in fact even those whom avail it seek the help of others or in charge person at the Centre. Also, though the perception of the e-services was positive and was stated that it can be increased by almost all the respondents, only 65.5% were willing to use the services in future. This can be attributed towards a complicated process at the website along with unclear information/structure which denies confidence to proceed for the respondent. Majority (84%) of the respondents whom utilized e-seva centres said facilities like printer and Xerox machines were unavailable. This could be the reason behind 68% stating a delay in completion of process along with 56% stating network issues in websites. The participation of citizen's plays the ultimate role in the implementation and success of e-Governance in India.

From the study results, we suggest the following steps in order to make E-Governance service execution more effective:

- Awareness Camps: As the citizens participation assumes a significant part in execution of E-Governance services, the GoI must consider holding awareness camps on the benefits and usage of the services by considering even the collaboration of the local Non-governmental organizations (NGOs) for a better action plan.
- IT Literacy: Since the use of ICTs in this nation is very low, individuals should be instructed and made e-proficient for e-Governance to prosper and eventually to catch up with the digitalism. This can be incorporated as early as in school days where life skills and practical necessities can be addressed.
- Easing the processes: The technological infrastructure should be built as simple as possible and in local language to save time and serve as an option to every

citizen. A well flowing and well navigating site will not only aid in reaching the users demands but also further encourage them and silence the fear regarding e-services.

- Upgrading e-seva centre facilities: Printer, Xerox machines, etc should be ensured in a working condition along with uninterrupted network facilities.

Through our study, we recommend further studies to be undertaken in each of the urban slums incorporating larger sample size as a significant association was recorded.

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EMERGING TRENDS OF URBANISATION AND URBAN LOCAL BODIES IN BIHAR

Vijay Shankar Vikram*

Abstract

India has witnessed a fast pace of urbanisation in recent past. The big or small cities attract enormous population from rural areas owing to the reasons like job seeking, education and better living, as such they become epicentres of economic growth on one hand and experience enormous problems of civic amenities, scarcity of space, traffic congestion etc. These cities are managed by urban self-governments with support of state and central governments through various schemes. Bihar has been among states having polluted and poorly managed cities. From 2022 the mayors and chairpersons of municipal bodies in Bihar are directly elected. In the changed situation of municipal governance and fast pace of urbanisation, it becomes an urgent imperative to assess the performance of urban local bodies (ULBs) in governance and delivery of public services. The present study is based on secondary sources of data collection. Our study indicates that these ULBs in Bihar are not well at delivery of civic services to the urban dwellers due to heavy dependence on central and state governments for funds and infrastructure.

Keywords: City, Urbanisation, ULBs, Decentralised Governance, Slums, Public Utilities, Bihar

INTRODUCTION

An urban area is spatial concentration of people who are working in non-agricultural activities. To designate a place as 'urban' the following characteristics are normally necessary in India: (a) A total population not less than 5,000, (b) A density of population is not less than 1000 person per square mile, and (c) More than 75

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percent of the working male population should be engaged in non-agricultural occupations. (Premi, 1991) India's small to mid-sized cities, in particular are attracting more people as they become the epicentre of the country's economic growth. People may move to the city because they are pushed by poverty from rural communities or they may be pulled by the attractions of city lives. Combination of these 'push and pull' factors can also be a reason for fast pace of urbanisation (Manju, 2014).

Cities are experiencing high levels of pressure over limited resources. Traditional urban planning is failing the urban poor who have survived in Indian cities by obtaining shelter, services and work in the unorganised and untaxed informal sector. There are many positive factors in the cities. Large cities are usually dynamic, growing centres for modern production and industry, financial services, internal commerce and foreign trade, education and government. On the other hand, least attention was paid to towns of smaller classes. As a result, their infrastructure dwindled over time. Over time, more and more people living in urban areas were left without basic amenities. The urbanization scenario reflects that there is immense inequality in terms of facilities and quality of life of the people. It is because of the fact that urban system is heterogeneous from its very inception and gradually face the shortage of resources, breeding inequality (Chatterjee, 2014).

URBANIZATION IN INDIA

Historically, city life in India was very good since ancient periods. At present context, urbanization is no longer a conscious process but a natural one (Aggarwal, 2007). Since Independence, there has been a tremendous increase in urban areas and urban population in our country. At the time of Independence, only 10 per cent of the population lived in urban areas. Urbanization is both a consequence and a causal factor in economic development. The rate of urbanization is an important index of progress of the economy.

After the economic reforms, urbanization is taking place at a relatively rapid rate in India which can be judged by the fact that the urban population in India was 27.8 percent in 2001 which rose to 31.16 per cent in 2011. It might have gone up by more than thirty-five per cent by now. According to a report of World Bank, India along with China, Indonesia, Brazil, Nigeria and the United States, will lead the world's urban population surge by 2050. The causes of such rapid urbanization is attributed to the growth of modern type of industry, commerce and service occupations (including public administration) all of which are concentrated in urban areas and especially in the cities (Anjum, 1998). But still it is low in comparison to even our neighbours and very low in comparison to developed nations which will be evident from the facts in Table 1 below:

Table 1: Population Lives in Urban Areas in Various Countries

S. No.	Name of Country	Population Lives in Urban Areas (in percent)	Census
1.	India	31.16 %	Census, 2011
2.	Pakistan	36.38 %	Census, 2017
3.	Bangladesh	38.95 %	Census, 2022
4.	China	63.89 %	Census, 2020
5.	Indonesia	57.90 %	Census, 2020
6.	USA	82.66 %	Census, 2020
7.	Brazil	87.32 %	Census, 2022

Source: Author's collection from reports of Indian Census-2011, Pakistan Census- 2017, Bangladesh Census-2022, China Census-2020, Indonesia Census-2020, USA Census-2020 and Brazil Census-2022.

According to a survey by UN, India's population is expected to reside in urban areas up to 40.76 per cent in 2030. According to a Research report, town only encompass 2 percent of the world's land surface, yet they are responsible for consuming over 75 per cent of the planet's resources and produce 75 per cent of the world's waste. Many of the cities of tomorrow are more likely to be mega or super cities or smart cities. Even in this age of globalization and technical boom, thousands are without any home or shelter and have to live in open spaces or sleep on pavements in most of the metropolitan cities of India. (Verma, 2006)

Table 2: Population Lives in Urban Areas in India and its major States

S. No.	Major States and India	1981	1991	2001	2011
		% Urban Population	% Urban Population	% Urban Population	% Urban Population
1.	Maharashtra	35.0	38.7	42.4	45.2
2.	Tamil Nadu	33.0	34.2	44.0	48.5
3.	Gujarat	31.1	34.5	37.4	42.6
4.	Karnataka	28.9	30.9	34.0	38.6
5.	Punjab	27.7	29.5	33.9	37.3
6.	West Bengal	26.5	27.7	28.0	31.9
7.	Andhra Pradesh	23.3	26.9	27.3	33.5
8.	Haryana	21.9	24.6	28.9	34.8
9.	Rajasthan	21.0	22.9	23.4	24.9
10.	Madhya Pradesh	20.3	23.2	26.5	27.6
11.	Kerala	18.7	26.4	26.0	47.7
12.	Uttar Pradesh	18.0	19.8	20.8	22.3

S. No.	Major States and India	1981	1991	2001	2011
		% Urban Population	% Urban Population	% Urban Population	% Urban Population
13.	Orissa	11.8	13.4	15.0	16.7
14.	Bihar	12.5	13.1	10.5	11.3
15.	Assam	9.9	11.1	12.9	14.0
	All India	23.3	25.7	27.82	31.16

Source: Author's collection from Census-1981, 1991, 2001 and 2011 reports of India.

Table-2 shows that the population lives in urban areas in India and its major states since year 1981 to 2011. A report of "State of Asian Cities 2011-12", highlights the importance of a differentiated strategy for megacities and for small-sized towns or medium-sized towns, is of relevance for India. It finds megacities as the 'most visible by-product of the combined dynamics of international economy and urbanization in Asia and points also to new configurations such as mega-urban regions, urban corridors, and city-regions. The report points out that these new urban regions require deep reform of existing urban management practices and institutions. It also points out that the small and medium towns that comprise about half of the region's urban population and have their own demographic momentum, are in need of interventions to enable them to enhance their role in national and local development. (Ahluwalia et al., 2014)

URBANIZATION IN BIHAR

Bihar is one of the poorest and the most backward and least urbanized state. It is also India's most densely populated state, with 1,106 persons per square kilometre as per Census 2011. It is comparatively higher than national average which is 382 per square kilometre. In terms of distribution of age, it is also the 'youngest' state in India. But the pace of urbanisation in Bihar has been relatively low. But due to change of government in Bihar in the year 2005 and emphasis on good governance, population residing in urban areas increased to 11.3% as per Census 2011. The intent of the governments to develop smart cities in 21st century has brought some change. A smart city uses information and communication technology (ICT) to improve operation efficiency, share information with the public and provide a better quality of government service and citizen welfare. Patna, Muzaffarpur, Biharsharif and Bhagalpur in Bihar have been selected under the Centre's Smart City Mission. It ranks cities according to points based on four parameters with a maximum total score of 250. These parameters include project performance (120 points), fund management (80 points), mandatory compliance (15 points) and performance in challenges/initiatives (35 points). But, despite all efforts, the overall rank of Patna

has come down drastically from 65 to 82 among 100 cities in the latest Smart City rankings. (Rumi, 2022)

URBAN LOCAL SELF GOVERNMENT IN BIHAR

Historically speaking, Bihar along with Orissa was part of Bengal which was governed under Bengal LSG Government Act, 1885. After first separation, Bihar and Orissa Municipal Act, 1922 was formulated. After second separation, Orissa formulated its own Act in due course. After Independence, the state of Bihar decided to upgrade Patna City Municipality into Municipal Corporation, as such separate Patna Municipal Corporation Act, 1951 was formulated. Thus, two Acts came into operation, one for Municipal Corporation and another for Municipalities of Bihar. The amendments in both Acts were made as per provisions of 74th Constitutional Amendments in the year 1994. Later on a draft Municipal Act was circulated by the Government of India with the advice to incorporate the provisions of draft model in the existing municipal Acts or make separate Act as per draft. Instead of incorporating the provisions of draft in the existing municipal Acts, Bihar repealed its both municipal Acts and formulated a new Bihar Municipal Act, 2007. (Tripathi, 2020)

The mission of smart cities entails proper participative urban local bodies. In order to ensure political participation, the devolution of power and authority to the lower rungs is necessary so as to enable people to take part in development administration. The Panchayati Raj Institutions and Urban Local Bodies created under 73rd and 74th Constitutional amendment are the most potential institutions for the purpose. The flow chart below (Fig.1.1) depicts the picture.

The 74th Constitution Amendment aims at systematic constitution of urban sections, proper representation of all sections of people in the councils, regularity in election, well differentiated financial allocations and above all devolution of planning down to grass-root level. Thus the provisions of the 74th Amendment streamline the structural configuration of the urban local bodies in general throughout the country. These provide constitution of Nagar Panchayats for a transitional area from rural to urban areas, Municipal Council for smaller urban area and Municipal Corporation for a larger urban area. This act provides the 12th Schedule for Municipalities (Article-243W) relating to their various functions. (Ray, 2001)

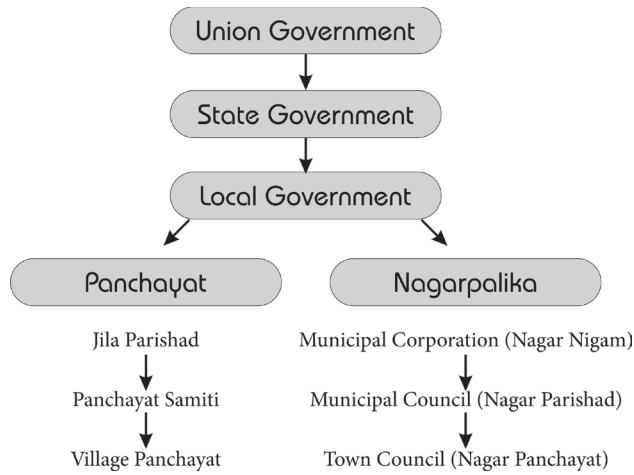


Figure 1.1: Democratic Decentralisation in India

As the fact remains true, the country has adopted a democratic way of governance to safeguard and implement the provisions of the Constitution of India in the letter and the spirit which briefly means the people first, the society to be egalitarian, public accountability and good governance among other things. This has brought to fare many a vexed problems for urban administration to resolve. As a result, urban problems of complicated nature are today faced like massive scale migration from mostly rural to urban centres, slums and squatter settlements, housing for all as basic human rights is a far cry despite government intervention by setting up of housing boards, city development authorities and other local self government agencies, lack of essential services like potable water supply, sewerage, drainage, collection and disposal garbage, inadequacy of urban infrastructure service like power supply, roads, bridges, transports and communications, acute environment, degradation and unsustainable urban development.

The Bihar Municipal Act, 2007 has contained some contradictions. It is to be stated that this new Act enacted by the Government of Bihar is not representing the spirit of 74th Amendment of Constitution. Instead of decentralisation of power and autonomy to the municipal body all the powers have been centralised in the hand of state government. The urban local bodies can't take any decision without approval of the state government. It is also to be stated that due to this centralised act several problems are erupting regularly and ultimately intervention of Hon'ble High Court has become common in Bihar. (Ibid., p. 90)

Hence, there are many amendments have been made in this Act till now. In the December, 2020 the Government of Bihar had created new urban bodies and upgrades the existing ones to bigger entities. All these bodies would lead to huge investments in infrastructure development, development of business activities and

enhancements of civic amenities. However, the people falling under the jurisdiction of these urban bodies need to pay taxes for availing civic amenities. (Pathak, 2020)

On 13 January, 2022 Governor of Bihar gave consent to the Bihar Municipality (Amendment) Ordinance, 2022. The Government of Bihar has amended the municipal ordinance and made a provision that the head and deputy head of government of each urban bodies of Bihar shall be elected by the direct vote of the voters residing within the limits of the municipal body there. It is noteworthy that till now the Mayor and Deputy Mayor was elected from amongst the ward councillors in the municipal bodies. There was a system to remove them by the majority of the ward councillors, but now in the event of death, resignation or dismissal of the person sitting on these posts, only the elected person from among the public will take these posts for the remaining period. Ward councillors will not be able to remove them from office on the basis of majority by bringing a no-confidence motion against the Mayor and Deputy Mayor or the President and Vice-President.

Recently elections of all urban bodies (Municipal Corporations or *Nagar Nigam*, Municipal Councils or *Nagar Parishad* and Town Councils or *Nagar Panchayat*) have been conducted in two phases on 18 December, 2022 and 28 December, 2022. This time the election for the post of Mayor and Deputy Mayor was done directly by the votes of the general public. Directly elected public representatives of urban bodies in Bihar will ensure their accountability to the public and will accelerate the ambitious plans and projects being run for the development of cities. Earlier, people were elected to these two posts by the votes of ward councillors. It is expected that all Mayor, Deputy Mayor and all ward councillors would try to solve each and every problem and provide better amenities to people lives in urban areas.

CHALLENGES FACED BY URBAN LOCAL FOR SELF GOVERNMENT

The ULBs in Bihar face enormous challenges, important of which are:

Critical Inadequacies in Public Utilities

Massive problem have emerged due to rapid growth of urban population without a corresponding increase in urban infrastructure like safe drinking water, preventive health services, sanitation facility, adequate power supply and provisioning of basic amenities. Minimum basic facility is also not available for many cities in this state. The existing urban health services are under tremendous pressure to meet the demands of all needy people. The quality of life for the bulk of urban population involves many avoidable hardships. Poor urban infrastructure, congested roads, poor public transport, improper treatment of sewage, uncollected solid waste are the general feature of urban settlements.

Shortage of Houses

According to report the Urban Development and Housing Department, Gov. of India, the housing shortage in the urban area in Bihar was estimated at 1.19 million (Nezami, 2017). The problem that perhaps causes the most concern to a majority of urban dwellers is that of finding an appropriate place to live in. All these are severely decrease the quality of life and lower the well being of urban population.

Increase in Inequality

After independence, the country was poor and more than half of the population was below the poverty line – literacy was pitiable and the supply and distribution of amenities was extremely skewed. More that seventies decade saw the highest rate of growth of urbanisation. But at the same time, it must be said that urbanisation was extremely lopsided. It improves the inequality among cities as well as urban and rural people. The four metro cities (Kolkata, Mumbai, Chennai, and Bangalore) were the centre of attention; the next set of big cities (capitals of fast growing states, industrial townships, newly constructed ports) also got their dues in terms of urban planning. The speed of population growth and levels of poverty in mega cities such as Mumbai, Kolkata, Delhi, Patna and Hyderabad pose immense infrastructural problems.

Deteriorating Urban Environment

The problem of pollution is more serve in big cities like Patna, Mumbai, Delhi, Kolkata and Chennai. In India, urban areas are more developed and industrialized that the rural areas, and this attracts still more people to the urban areas. Thus there is more pressure on facilities like transport service, housing and drainage facilities, as well as more production of other goods required by urban population, which in turn results in the release of large amounts of wastes and pollutants. The rapid growth in urban population, which affects patterns of production and consumption, is a principal source of pressure on the environment. Due to large migration of population to urban areas the threat to the environment becomes inevitable and it not only leads to environmental degradation but also the increasing vulnerability to infectious disease and congestion.

Slums Proliferation

Rapid urbanizations with lack of adequate housing led to proliferation of slums across cities. The pace of urbanizations not matched by adequate housing and other basic facilities and this resulted in rapid proliferation of slums and slum population. Resulting emergence of uncountable slums and slum dwellers across the mega

cities are need utmost attention from the government and policy making bodies. Inadequate housing that forces more than 10 percent of the total urban population in Bihar to live in slums. (UNFPA, 2022)

Urban infrastructure and governance are key elements for the provision of amenities and services. In India, this is one of the stories of failure. An urban local self government institution with a representative character and adequate autonomy of jurisdiction and power is essential to carry out the task of governing municipalities and towns. Growing demands for a better life put pressure upon the municipal governments. The urban local self government have to cover multifarious local problems such as health, housing, education, water-supply, drainage, sanitation and so on. Unlike state and national governments, the local government is closer to people and this intimate government-citizen nexus justifies the existence of local self government.

CONCLUSION

In the light of above discussion, it can be said that urbanization is a form of social transformation from traditional rural societies to modern urban communities. However, in India for the construction and maintenance of infrastructure, the local bodies have to depend on either matching grants or loans from different central/state projects or the collection of property tax. It has been seen that there is strong relationship between the level of urbanisation and buoyancy of municipal finance. Thus, unequal urbanisation has led to unequal development of infrastructure, resulting in huge disparities among states, within the states, within the districts and even within the urban centres of different sizes. Unplanned urban growth for instance causes growth of slums and squatter settlements, varying affects on environmental degradation and increased burden on existing infrastructure. The urban local self government is suitable machinery to increase people's participation in policy formulation and its implementation.

Many studies also show that it has not been able to fulfil the expectation of the people due to paucity of funds, bureaucratic dominance, factionalism and corruption, over dependence on governmental grants are some of the major causes behind failure of urban local bodies to act as the arm of democratic decentralisation. Some critics, demand for requirement of some amendment in reservation system and to give more autonomy to Urban Local bodies in Bihar. It is expected that all recently new elected Mayor, Deputy Mayor and all ward councillors would try to solve each and every problem as well as provide better amenities to people lives in urban areas.

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GOVERNMENT POLICY FOR WELLBEING OF TRIBES IN INDIA: A REVIEW OF THE POST 2014 PERIOD

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Abstract

Even after seven decades of self-rule and constitutional provisions in their favour, the Scheduled Tribes (STs) in India are still beyond the mainstream in terms of socio-economic status. However, in the period after 2014, Government of India took several measures to ameliorate them from miseries through schemes like VKY, PMVDY, EMRS, etc. These schemes and policy aim to expand the quality of life of STs by delivering them basic amenities, promoting entrepreneurship, providing quality education, and financial assistance, and promoting tribal culture and development. Now it is high time to assess the impact of these schemes on the life of tribes in India. With this view in mind, the present paper attempts to examine the improvement in the socio-economic development of tribes and challenges faced in implementation of these schemes. Based on secondary data, the present paper finds that there has been paradigmatic shift in policy and the policy has shown promising results, yet there is still a long way to go in addressing the challenges faced by STs, such as poverty, unawareness, marginalization, and discrimination among them.

Keywords: Scheduled Tribes, National Tribal Policy, Schemes, Policies, Forest Rights Act, STs, Socio-economic Status, India

INTRODUCTION

Scheduled Tribes (STs) are the indigenous communities of India who are recognized by the Indian Constitution and are entitled to certain privileges and protections under the law. The STs constitute around 8.6% of India's population and

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are spread across different states in the country (John, 2005). These communities have their distinct cultures, traditions, and languages, and they have been living in India for centuries. Historically, the STs in India have faced marginalization and discrimination. They have been subjected to exploitation, oppression, and violence by the dominant castes and communities. The colonial rule in India further worsened their condition as their lands and forests were taken over, and their resources were exploited by the British administration. The British introduced the Forest Act in 1865, that restricted the rights of the tribals over their traditional lands and forests. The tribals were displaced from their lands and forests, and they were forced to work as laborers in mines, plantations, and other exploitative industries (Sivaramakrishnan, 1995).

The Constitution also mandated the creation of Scheduled Areas and STs Commission to address the issues faced by STs. However, despite these constitutional safeguards, the STs in India continued to face poverty, illiteracy, and discrimination. The historical marginalization of the STs in India has resulted in several socio-economic indicators that are below the national average. STs have been systematically excluded from mainstream society and have had limited access to basic facilities like healthcare, education, and employment opportunities. The STs also face issues of poverty, illiteracy, and lack of political representation. The tribal empowerment policy seeks to address these issues by providing them with access to basic amenities, promoting their education and employment, and enhancing their overall socio-economic status. However, the present Indian Government since 2014 has launched several policies and initiatives to address the issues faced by the STs and promote their empowerment (Gandhi, 2023).

The paper aims to examine the key initiatives taken by the present government to improve the socio-economic status of STs, promote their education and employment opportunities, and preserve their unique cultural heritage. The paper seeks to mark the policy shift and its actual impact and also suggest policy measures for further improvement.

SCHEMES FOR SOCIO-ECONOMIC EMPOWERMENT OF STS

Some of the key policies for the socioeconomic empowerment of STs are:

VKY (Vanbandhu Kalyan Yojana): Launched in 2014, this scheme aims to improve quality of life of STs by giving them basic amenities such as drinking water, electricity, roads, and sanitation facilities. It also focuses on enhancing the livelihood opportunities of the tribals by promoting agriculture, horticulture, and other allied activities (Bhagat-Ganguly & Jain, 2019). Moreover, the VKY has helped to create new livelihood opportunities for the tribal population. By supporting agriculture, horticulture, and other allied activities, the scheme has enabled the

tribal population to earn a better livelihood and improve their economic status. The scheme has also helped to reduce the dependency of the tribal population on forest resources, leading to a reduction in deforestation and forest degradation in tribal areas (Gupta, & Padel, 2019).

PMVDY (Pradhan Mantri Van Dhan Yojana): Launched in 2018, this scheme seeks to promote entrepreneurship among the tribal population by setting up Van Dhan Kendras, which provide them with training, infrastructure, and marketing support for value addition of forest produce (Bhuyan, Das & Mohanty, 2018). Van Dhan Vikas Kendras (VDVKs) are established in tribal areas, which are clusters of 10-15 Self-Help Groups (SHGs), each consisting of around 30 tribal families. The VDKs are equipped with the necessary infrastructure and equipment to process and add value to the forest produce, such as bamboo, honey, tamarind, and medicinal plants. The SHGs are trained in value addition, packaging, and branding of their products, and are provided with marketing support. PMVDY has played an important role in promoting entrepreneurship among the tribal population and improving their income levels. As of October 2021, more than 50,000 SHGs have been formed under this scheme, with a total of 7,829 VDKs established across 22 states of India. The scheme has generated direct employment for more than 3.6 lakh tribal people and indirect employment for around 15 lakh people. The scheme has encouraged the tribal population to shift from subsistence collection of forest produce to commercial harvesting, thereby reducing the pressure on the forests and promoting their conservation. However, there are challenges such as the lack of access to finance, infrastructure, and technology that need to be addressed to scale up the impact of the scheme and make it more inclusive for all segments of the tribal population (Sahu, 2021).

EMRS (Eklabya Model Residential School): In 2018, the government announced the establishment of EMRS in every tribal-dominated block with more than 50% ST population and at least 20,000 tribal persons.” The schools aim to provide quality education to ST students from Class VI to XII and help them compete at par with their non-tribal counterparts (Dash, 2018). As of March 2021, there are a total of 564 EMRS functioning all states and union territories in India. The EMRS scheme has been instrumental in promoting education among STs and addressing the issue of dropouts. The scheme has significantly contributed to improving the literacy rate among STs in India, which was 58.96% in 2011, according to the Census of India. The schools provide quality education in a residential setup, with well-equipped classrooms, libraries, laboratories, and sports facilities. The curriculum is designed to be in sync with the National Curriculum Framework and to prepare students for competitive exams like JEE, NEET, and UPSC. also provides for the recruitment of trained and qualified teachers from among the ST community, which not only

enhances the quality of teaching but also creates employment opportunities for the STs. The schools under this scheme also provide vocational training to the students in areas such as agriculture, horticulture, and handicrafts, to enhance their employability (Patil, ed.: 2020).

TADF (Tribal Affairs Dividend Fund): In 2019, the government created a TADF with an amount of 1,000 crores of financial assistance to tribal entrepreneurs and startups. The fund aims to promote innovation and entrepreneurship among the STs and create employment opportunities for them. The TADF provides financial help in the form of equity, debt, and quasi-equity to ST entrepreneurs and start-ups. The fund is managed by the Ministry of Tribal Affairs and is implemented through TRIFED. However, the success of the TADF depends on its effective implementation and outreach. The fund needs to reach out to a larger number of ST entrepreneurs and startups and provide them with the necessary support to scale up their businesses. The TADF has the potential to promote entrepreneurship and create employment opportunities for the STs. However, its success will depend on the government's ability to effectively implement the fund and provide the necessary support to ST entrepreneurs and startups (Naraparaju, & Sharma, 2017).

IMPLEMENTING AGENCIES AND STRATEGIES

Government of India has ventured to implement the tribal empowerment policy from specific agencies and strategies. TRIFED has been reconstituted in decentralised way in 2019.

TRIFED (Tribal Cooperative Marketing Development Federation of India): It was set up in 1987 under Multi-State Cooperative Societies Act 1984 to promote the economic development of the STs by marketing and selling their products. In 2019, the government announced the formation of TRIFED's regional offices in all 29 states and 2 union territories to expand its outreach and promote tribal products (Sarkar, & Singh, 2020). The government's decision to establish TRIFED's regional offices in all 29 states and two union territories of the country in 2019 was aimed at expanding its outreach and strengthening its role in promoting the economic development of tribal communities. TRIFED has been instrumental in promoting the economic empowerment of STs by providing them with a platform to showcase their products and access new markets. It has helped improve the livelihoods of tribal artisans and entrepreneurs, reducing their dependence on traditional occupations and creating new employment opportunities. However, TRIFED faces challenges such as inadequate infrastructure, limited financial resources, and limited access to markets, which require sustained efforts by the government, civil society organizations, and other stakeholders to support the economic empowerment of STs in India (Raheem, 2018).

However, challenges remain in the implementation of these policies, including lack of proper infrastructure, inadequate funding, and bureaucratic hurdles. Therefore, there is a need for continuous monitoring, evaluation, and improvement in the implementation of these policies to ensure their effectiveness in promoting the overall development of STs in India (Mishra, 2015; Koundal, 2016).

NSTFDC (National Scheduled Tribe Finance and Development Corporation):

The agency launched in 2001 has been reformed now. It aims to provide financial assistance and support for the economic development of STs. It offers various loan schemes to ST entrepreneurs for setting up businesses, acquiring assets, and expanding existing ventures. The corporation also provides skill development and training programs to improve the employability of ST youth.

Micro Enterprise Development Programme (MEDP) is a skill development and training program aimed at promoting entrepreneurship among STs. The program provides training in various trades such as carpentry, tailoring, food processing, and handicrafts, among others. It also offers support for the establishment of micro-enterprises and provides marketing assistance to ST entrepreneurs.

Third, the most popular strategy is **National Rural Livelihood Mission (NRLM)** initiated in 2011 aims at poverty alleviation by promoting sustainable livelihoods for the rural poor, including STs. The program provides support for the creation of self-help groups, skill development, and micro-enterprise development. NRLM also offers financial assistance and linkages to credit institutions for the establishment and expansion of income-generating activities.”

Pradhan Mantri MUDRA Yojana (Micro Units Development and Refinance Agency) Yojana is a government scheme launched in 2015 to promote the growth of micro-enterprises and small businesses. The program offers collateral-free loans up to Rs. 10 lakhs to individuals and small businesses engaged in manufacturing, trading, or services sectors. ST entrepreneurs are also eligible for these loans and can benefit from the scheme’s focus on promoting the growth of the micro-enterprise sector.”

Special Central Assistance to Tribal Sub-Schemes: The Special Central Assistance to Tribal Sub-Schemes (SCA to TSS) is a scheme launched by the Indian government in 2014 to provide financial assistance to the states for implementing various tribal welfare programs. The scheme is a part of the Tribal Sub-Plan (TSP) strategy, which aims to ensure that the benefits of development reach the STs and improve their socio-economic conditions. The SCA to TSS is implemented as a part of the Central Assistance to Scheduled Tribes Component of the State Plans (CA to TSP) and is funded entirely by the central government. Under the SCA to TSS, the central government provides 100% grant-in-aid to the states for implementing various programs such as infrastructure development, education, healthcare,

livelihoods, and skill development for the STs. The funds are provided to the states based on the proportion of the ST population in each state and the state's plan for tribal development. It has also provided financial assistance for the construction of hostels for ST students and the appointment of teachers in tribal schools. Moreover, the SCA to TSS has also contributed to the promotion of livelihoods and skill development among STs by providing funds for the establishment of self-help groups, skill development centers, and the promotion of traditional handicrafts and other allied activities.

OTHER POLICIES COVERING TRIBAL AREAS

The Indian government has also launched initiatives for the overall empowerment of STs. These policies aim to address the social, cultural, and political issues faced by STs in India. One such policy is the Panchayats (Extension to Scheduled Areas) Act, 1996, also known as PESA. This Act provides a framework for local self-governance in tribal areas, giving them more control over their resources and decision-making. It also provides for the establishment of Gram Sabhas, which act as a democratic institution for the tribal communities to voice their concerns and participate in decision-making (Bara, 2022).

The FRA, 2006, is another significant policy for the overall empowerment of STs. It recognizes the rights of STs and other forest-dwelling communities over forest land and resources. This Act gives them the right to own, manage, and conserve forest resources”, thereby protecting their traditional way of life and livelihoods.

The Union Government's scheme namely the National Livelihood Mission (NRLM) to provide sustainable livelihood opportunities to STs and other marginalized communities. The NRLM aims to empower the poor and vulnerable sections of society by enhancing their skills, providing them with credit facilities, and promoting self-employment.

Furthermore, the Ministry of Tribal Affairs has launched the “GOAL” (Going Online as Leaders) program to provide digital literacy and skill development training to tribal youth. This program aims to bridge the digital divide and empower STs with the necessary skills to participate in the digital economy. These policies and initiatives have played a crucial role in promoting the overall empowerment of STs in India by addressing their social, cultural, and political issues. However, more needs to be done to address the deep-rooted structural inequalities and discrimination faced by STs in the country (Choubey, 2021).

DISCUSSION OF NATIONAL TRIBAL POLICY (NTP)

The “NTP was formulated by the Ministry of Tribal Affairs in 2014, with the aim of providing a comprehensive framework for the overall development of tribal communities in India. The policy recognizes the historical marginalization and deprivation faced by the STs and aims to provide them with equal opportunities and access to resources for their socioeconomic development.” The NTP emphasizes the need to empower tribal communities through various means such as providing basic amenities like healthcare, education, and sanitation facilities, promoting livelihood opportunities, preserving and promoting their culture and traditions, and ensuring their participation in governance and decision-making processes. One of the key objectives of the NTP is to promote inclusive growth and ensure that the benefits of development reach the tribal population. The policy advocates for the creation of institutional mechanisms to monitor the implementation of various programs and initiatives aimed at the socio-economic development of the STs.

The NTP also focuses on preserving and promoting the cultural heritage of tribal communities. It recognizes the unique knowledge systems and skills possessed by the tribal people and emphasizes the need to document, preserve, and promote them. The policy envisages the creation of cultural centers, museums, and research institutes to promote tribal culture and traditions. The NTP provides a comprehensive framework for the overall development of tribal communities in India. It aims to address the historical marginalization and deprivation faced by the STs and provide them with equal opportunities for their socioeconomic development (Malik & Malik, 2020).

The FRA 2006 provides for the identification and vesting of forestland and other resources with forest-dwelling STs. The Act also provides for the recognition of their individual and community rights over forest resources such as grazing land, water bodies, and minor forest produces. The Act has empowered these communities on one hand but its implementation has been slow and has faced various challenges such as lack of awareness among forest-dwelling communities about their rights, inadequate capacity building of forest officials, and lack of political will. There have also been instances of the forest department denying the rights of forest-dwelling communities and attempting to evict them from their traditional lands. The implementation of the Act needs to be strengthened, and the government needs to take measures to ensure that the rights of forest-dwelling communities are protected and their livelihoods are sustained (Pegu, K. (2021).

CONCLUSIONS

In conclusion, the Indian government has implemented several policies and initiatives to empower the tribal communities in India since long but the policy

could not be up to desired level. However, the policies introduced in the post 2014 period got momentum in the areas of empowerment of STs, such as education, healthcare, entrepreneurship, and access to resources.

The major policy shift indicates that policy of tribal welfare has shifted from 'welfare and temporary relief' to 'empowerment, decentralisation of actions, provision of adequate funds and infrastructural support for their amelioration.' Here, empowerment includes capacity building with awareness and skills, imparting education and delivery of healthcare services. These policies can be categorized into social empowerment, economic empowerment, and overall empowerment.

In spite of positive results, the implementation of these schemes have interface challenges such as ignorance, poverty, distance from mainstream, marginalization, and discrimination. Another challenge is the issue of land rights and displacement. STs in many localities have been displaced from their traditional lands for development projects, leading to the loss of livelihood and cultural identity. Here FRA becomes ineffective.

More efforts are needed to sensitize and educate non-tribal communities about the rights and dignity of STs and to enforce anti-discrimination laws effectively. More investment, political commitment to the cause of tribes, and creating social awareness among them are the need of the hour.

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ROLE OF BIHAR HUMAN RIGHTS COMMISSION IN PROTECTION OF HUMAN RIGHTS: CHALLENGES AND PROSPECTS

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Abstract

Protection and promotion of human rights of the people became an important universal issue and the state parties agreed to evolve institutional mechanism for the purpose in early 1990s. India also resorted to enact 'Protection of Human Rights Act 1993' which envisages the establishment of National Human Rights Commission, State Human Rights Commission and Human Rights Courts largely to resolve the issues of severe violation of human rights in their jurisdiction. In consequence, Bihar Human Rights Commission (BHRC) was established in the year 2000. But it is generally alleged that these institutions have been inadequately effective. As such, the present paper attempts to assess the effectiveness of BHRC and underline the challenges faced by it. Based on secondary sources, the paper finds that BHRC, despite challenges, has been considerably successful in checking the violation of human rights in the state. However, BHRC has to face the challenges like inadequate attention of the government and lack of awareness among people to approach the Commission for redressal of their grievances.

Keywords: Human Rights Protection, Institutional Mechanism, BHRC, Protection of Human Rights (Amendment) Act 2019, Disposal of Cases, Bihar, India

INTRODUCTION

Violation of human rights by state apparatus itself was recognized by the world leaders and the need of adequate legislation for protection of human rights of the people was felt by UN General Assembly (UNGA) in 1993. UNGA resolved that it is essential responsibility of state to protect the violation of human rights

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through domestic legislation. The State must ensure to institute strong mechanism to promote the rights of individual under their jurisdiction. Flagrant violation of human rights leads to devastating consequences on socio-economic and political growth of the nation. International community consistently emphasized on to develop conducive methods for the lasting exercise of human rights norms to save the humanity from brutality and vicious crimes. Since the Magna Carta 1215, the first document to put into writing the principle that the king and his government was not above the law (UK Parliament, 2023) sowed and strengthened the seed of human rights regime. In contemporary age, the Universal Declaration of Human Rights (UDHR) adopted by the United Nation General Assembly (UNGA) by its resolution 217 A (III) on 10 December 1948 (Dag Hammarskjold Library, 2023) has become the corner stone of all the human rights documents drafted later. Since the UDHR 1948, the UN has adopted many international treaties and conventions for the protection and promotion of human rights across the globe. International treaties and conventions are supplemented by suitable mechanisms for the implementation of the provisions incorporated therein. However, the UN doesn't have any kind of international enforcing agencies to monitor the progress of ratified treaties. It completely lies with the discretion of the member states to integrate the provisions of ratified treaties in their domestic legislation.

The governance of human rights is very complex and diffuse as all the parts of government are involved together with other kinds of national institutions and civil society. (National Human Rights Institutions, 2010, p. 2). In the late nineties and the decade followed, the United Nations has extensively strengthened the establishment of the National Human Rights Institutions (NHRIs) as a priority area with the mandate to protect and promote human rights domestically. But it was nowhere an easy task because of the institutional diversity depending on the region, the country and its legal system, the mandate and powers of NHRIs vary widely. Other complexities facing NHRIs included thematic diversity, need for a minimum standard, and classifying the core protection activities to assess and function effectively. (Ibid., pp. 2-3)

NHRIs are State bodies with a constitutional and/or legislative mandate to protect and promote human rights, unique in nature not resembling other parts of the government, at arm's length from the government yet funded exclusively or primarily by the State. The Principles relating to the Status of National Institutions (The Paris Principles) set out broad mandate based on universal human rights standards and formulate key criteria for NHRIs to be a successful institution. (UNGA Resolution, 1993) The Paris Principles oblige the NHRIs to serve as relay mechanism between international human rights norms and the State.

Owing to the establishment of NHRIs and the internal conflicts culminating in the 1980s and early 1990s in Punjab, Jammu & Kashmir and the North Eastern

States which were dealt with heavy hands by the government lend the foundation of India's National Human Rights Commission (NHRC) in 1993. (Tiwana, 2004, p.3) The Parliament of India in 1993 passed the Protection of Human rights Act (hereafter, the Act of 1993) which enabled the establishment of National Human Rights Commission in Delhi and 14 State Human Rights Commission (SHRC; hereafter, the Commission) across the Country. The Bihar Human Rights Commission (BHRC) was established on 3 January, 2000 vide notification no. 207; however, it was formally constituted vide notification no. 6896 on 25th June, 2008 when Shri Justice S.N. Jha, a former Chief Justice of the Jammu & Kashmir and Rajasthan High Courts was appointed as Chairperson and Shri Justice Rajendra Prasad, a former Judge of the Patna High Court and Shri R.R. Prasad, a former Director General of Police, Bihar were appointed as members. (BHRC, Home page)

BIHAR HUMAN RIGHTS COMMISSION

The Act of 1993 in chapter five enables the State to constitute the SHRC solely to protect the violation of human rights in their jurisdiction specifically for matters falling under List II & List III enumerated in Seventh Schedule. The existing composition of BHRC in April 2023 as per the mandate of the Act of 1993 consists of Hon'ble Mr. Justice Vinod Kumar Sinha, Chairperson, Hon'ble Mr. Ujjwal Kumar Dubey, Member, Hon'ble Mr. Shashi Shekhar Sharma, IAS, Member, further from administration wing Shri Rajesh Kumar, IAS, Secretary, from registration wing Shri Shailendra Kumar Singh, Registrar, and from investigation wing Dr. Amit Kumar Jain, IPS, ADG of Police, and S. M. Wakil Ahmad, S.P. (BHRC, Home page; Composition of the Commission)

The Chairperson and other members are appointed by the Hon'ble Governor after the recommendation of a committee headed by the Chief Minister including other members consisting of the Speaker of the Legislative Assembly, Minister in-charge of the Department of Home in that State, and the Leader of the Opposition in the Legislative Assembly. If Legislative Council exists in a State, the Chairman and the leader of opposition of that Council are also the member of that Committee. The Act of 1993 mandates that the chairperson of a SHRC must be a person who has been Chief Justice of a High Court while the Amendment Act of 2019 provides that a person who has been Chief Justice or Judge of a High Court will be chairperson of the SHRC and the term of office is limited to three years or till the age of 70 years whichever is earlier instead of five years or till the age of 70 years whichever is earlier. (The Protection of Human Rights (Amendment) Act, 2019) Apart from the Chairperson of SHRC, one member is or has been the judge of High Court and the second member is or has been the judge of District Court in that State. The sitting judge of a High Court or District Court might not

to be appointed without the consultation of Chief Justice of the concerned High Court. Other two members are to be appointed from amongst the persons having knowledge or practical experience in the field of human rights.

The Act of 1993 obligates the State Government to appoint a Secretary to the SHRC not below the rank of Secretary to the State Govt. as well as such officers not below the rank of Inspector General of Police or such other officers from investigative staff for the efficient performance of the Commission. The SHRCs are obliged to furnish the annual report to the State Govt. as well as the special report on any matter which seems to be urgent or important without waiting for the former. It is the responsibility of the State Govt. to lay down the annual and special report of the Commission before each House of State Legislature and memorandum of action taken or proposed to be taken on the recommendation of the Commission in case of non acceptance the reasons thereof.

The BHRC lays down by regulation its own procedure to resolve the cases of gross violation of human rights in compliance with section 10(2) of the Act of 1993 to be called as the Bihar Human Rights Commission (Procedure) Regulation, 2014 (the Regulation hereafter) which comes into immediate effect. (BHRC, Home page; Resolution 2014) Chapter two of the Regulation explains in detail the procedure for dealing with complaints and/or Suo Motu action with various remarkable points such as no chargeable fees from complainants, communication both in English or Hindi, placing newly registered complaints before the Commission within 7 working days, constitution of Bench(s), issuing timebound notice or an order to take action, directing summons, calling any investigating agency of the Central/ State Government to submit timebound reports, publication of list of cases on the notice board every first working day of the month, sending a copy of the document to Complainant or his/her representative detailing everything including recommendation if any and action taken by the concerned authority to mention few important steps of how the BHRC functions. For the convenience of the Complainant, the Regulation provides the subject-wise breakup of the incidents leading to complaints/Suo Motu action with code/sub-code numbers and large number of sub headings.

CHALLENGES AND REFORMS

Established in the year 2000, the BHRC practically started functioning in 2008 after the appointment of the Chairperson and other members which became defunct again from 2016 to 2019 without a chairperson and other members. The then Chairman Hon'ble Bilal Nazki left to take the charge of chairman of J & K Human Rights Commission in December 2016 and the Hon'ble member Neelmani completed his term in November the same year leaving BHRC to run with lone member Justice Mandhata Singh till February 2019 when he also completed his

term. The Govt. of Bihar was unable to appoint the new Chairperson till July 2020 which showed gross negligence on parts of protection and promotion of human rights in the State. The then President of People's Union for Civil Liberties (Bihar Unit), Dr Daisy Narayan expressed her grave concern that without chairperson and members of the BHRC, it was very difficult for civil societies and civil rights bodies to engage with the Govt. in absence of any mechanism for taking up human rights violation by the State. (Sharma, 2019)

Apart from key posts, most of the administrative posts were usually vacant in BHRC as noted by the then Chairperson Hon'ble Bilal Nazaki during his tenure in the year 2014 that about half of the posts were vacant (45 out of 95 posts) which definitely hampered the working of the Commission. (Salomi, 2014) Justice Nazaki further noted that the public credibility of rights panel had amplified with a greater number of cases registered however due to lack of awareness common masses were unable to reach BHRC even in gross violation of their rights. The Complaints registered/disposed by BHRC year-wise underline the efficiency of the commission and awareness/credibility among the people. The following table represents the year-wise registration/disposal of cases in BHRC:

Table 1: Year-wise registration/disposal of Complaints in BHRC

<i>Year</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>Total</i>
Complaints Received	2819	3683	3823	4346	4906	5641	6545	7486	8422	8062	6727	6485	68,945
Complaints Disposed	1016	1413	1380	2940	3410	3710	7620	8687	9207	7676	6977	6172	60,208

Source: BHRC, Home page; Documents (available at <http://bhrc.bihar.gov.in/>)

Above table shows the increasing trends of complaints registered by the BHRC year-wise nevertheless it doesn't suffice the wide range of incidents leading to complaints mentioned in the Regulation of 2014. The major heads of incidents leading to complaints have been classified into 16-17 broad categories which is further sub-classified into more than 100 sub-heads along with codes and sub-codes. It makes easier for the complainants or their representatives to tag appropriate heads and/or sub-heads for which they are victimized while lodging the case to BHRC thus describing the complains comprehensively for better understanding of the Bench under consideration. However, the subject-wise break-up of complaints disposed up to the year 2020 signifies a different picture characterizing the non-reporting of several vulnerable categories of rights violated across the State. The following table represents the subject-wise disposal of complaints up to the year 2020:

Table 2: Year-wise/Subject-wise Complaints Disposed in BHRC

SN	Subject	Upto 2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
1.	Children	14	6	10	12	11	7	14	1	5	1	14
2.	Education	74	59	63	101	132	51	80	36	17	11	-
3.	Health	38	45	48	38	71	61	82	80	41	18	62
4.	Jail	349	177	175	145	204	188	156	150	76	20	186
5.	Judiciary	36	15	6	18	18	14	7	22	3	0	11
6.	Labour	33	18	10	18	17	21	21	13	9	11	19
7.	Mafias/Under-world	337	342	532	684	564	737	643	363	233	131	90
8.	Minorities/SC/ST	117	68	45	38	52	35	28	78	46	11	34
9.	Miscellaneous	1586	674	668	650	1039	1207	2321	2955	2653	1780	2863
10.	Police/Armed Forces	1929	1310	1563	1881	2082	1983	2086	2263	1751	647	2231
11.	Pollution/Ecology/Environment	45	19	9	9	11	14	22	18	11	6	16
12.	Poverty Alleviation	119	64	72	83	77	60	45	46	23	17	-
13.	Religion	15	0	4	9	5	0	1	1	0	0	4
14.	Remand	1	0	0	0	0	0	1	0	0	0	1
15.	Service Matters	1015	554	639	768	831	812	1075	806	505	464	699
16.	Women	377	234	229	255	298	282	345	328	258	119	220
17.	Others	121	2	16	4	20	647	206	131	87	5	602

Source: BHRC, Home page; Documents (available at <http://bhrc.bihar.gov.in/>)

From the above table, it is visible that the highest number of complaints received is against Police/Armed Forces followed by Service Matters, Mafias/Underworld and Women while least number of cases is registered against Remand, Religion, Children followed by Pollution/Ecology/Environment and so. As per the various human rights index with different indicators, the State of Bihar stands always vulnerable which necessitates flagrant violation of basic rights while the list of less registered complaints tells a different story. The factors influencing efficient functioning of BHRC include the following to say a few:

- Irregularities in appointment of vacant posts
- Enormous lack of awareness among law enforcing agencies as well common masses
- Orders follow only recommendation to the Govt. lacking enforcement power leading to unusual consequences – sometimes ought right rejection in the name of public interest or partially complied or sometimes complied but action is too delayed making it meaningless

- No penalization of authorities not implementing the orders
- Appointment of judges and other members not necessarily from among those having proven record of human rights activism or practical experience/ knowledge in the field
- The structure of the Committee recommending the names of Chairperson and other members always favors to pick the choice of the Govt.
- Scarcity of resources and infrastructure leading to slow or non-disposal of cases
- Bureaucratic style of functioning making it difficult for complainants to obtain updated information effortlessly.

The rate of complaints resolved and commendable job played by BHRC in recent past is worth appreciable but the long road to the protection and promotion of human rights seems to be a distant dream in Bihar. The State Govt. must take note to strengthen the efficient, free and fair functioning of the Commission to stop the frequent violation of human rights of vulnerable, marginalized, and under privileged communities in particular and victims in general. To enhance the effectiveness of the BHRC, State Govt. must initiate immediate action to regularize the vacant posts as soon as the term of existing chairperson/members and administrative staffs is accomplished. Being the least literate State of India as per the recent index of 2022, larger section of Bihar is completely ignorant of their basic rights and its protection emphasizing the urgent need of extensive awareness program dictating the significant role of BHRC. The orders of the commission must be empowered through penalizing scheme to enforce the recommendations over the offending authorities. To avoid the bureaucratic culture and government's influences, the commission must develop independent cadre of staffs through the recruitment of experienced and knowledgeable persons in the field. People from NGOs, Academics, and Civil Society having practical experience of human rights movement must be included to enhance the productivity of the commission.

The human rights commissions are always levied of scarcity of funds and resources hampering the day-to-day affairs of public causes while it has been observed that the large chunk of budget is used for office expenses and to maintain the members as State commission members are commensurate with High Court Judges. To minimize the fiscal constraints, the commission must be empowered to develop the non-bureaucratic cadre of staffs which would also help in promoting larger public interest. Former member of BHRC Hon'ble Neelmani has pointed out a practical inconsistency that incidents under 'State List' must be exclusively dealt by State Commission instead of NHRC. (The Economic Times, 2016) The ambit of application of human rights commission should not be restricted to arbitrate the cases of private stakeholders and armed forces. In the field of practical reforms, the BHRC must give immediate attention to strengthen the research and training

program and the regular publication of annual report for public access that must be uploaded in the official website as the practice followed by the NHRC.

CONCLUSION

Protection and promotion of human rights determine the dignified life of people within the boundary of the State. The subject of human rights is principally confined to domestic legislation for which NHRIs are categorically working to mitigate the violation of wide range of incidents leading to individual and social disintegration. Since the establishment, BHRC faced lack of consistent leadership, government negligence, less familiarity, etc. Despite the challenges from various nooks and corners, it is working to stop gross violation of human rights significantly in recent years. However, there is an urgent demand to strengthen the working of the commission being the medium between the civil society and the government to take up the violation of human rights by the State. On the one hand lack of resources and infrastructure hampers the progress of complaints registered with the BHRC while less awareness among the people limits various cases in vulnerable categories to seek the assistance on the other hand. The commission must make lasting arrangements for extensive awareness through macro and micro level of research and training programs. The government, civil society, academicians, social activists, human rights practitioners, and other stakeholders should come forward to join hands with BHRC to develop Bihar a model of human rights defender.

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APPLICATION OF LABOR WELFARE MEASURES AMONG WORKERS IN THE CARPET INDUSTRY: A STUDY IN THE LIGHT OF GOVERNMENT INITIATIVES

Surendra Kumar,* Anil Choudhary, Brijesh Gangil*** and Mukesh Kumar******

Abstract

Carpet industries, having international trade, employ a large number of skilled and non skilled labourers who face miseries and exploitation. Covid-19 pandemic has added to their miseries. The situation makes an urgent imperative to study their well being, job satisfaction and role of government initiatives. The present paper, based on secondary sources of data collection, finds that the socio-economic life of skilled and semi-skilled laborers of carpet industry in North India remains deplorable despite government initiatives. Their situation was further worsened by the global recession of carpet trade due to pandemic. There is urgent need of reforms in government policies to mitigate their miseries, particularly introduction of annual incentives, safe and healthy working conditions, monthly or quarterly health checks, insurance, and training is need of the hour.

Keywords: Welfare, Job satisfaction, Carpet, Weavers

INTRODUCTION

The art of carpet weaving was brought to India in the sixteenth century, and today there is a great market for Indian carpets abroad. With a substantial portion of

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global exports, India's tradition of hand-knotted carpets is known across the world for its eco-friendliness, understated elegance, superb designs, exceptional quality, and bright color artistry with a personal touch. The handmade carpet industry in India employs more than 20 lakh people, mostly women in rural areas, and is one of the most labor-intensive industries in the country (Bowonder et al., 2005; Khan & Mishra 2012; www.indiancarpets.com). India now holds the top spot in terms of value and volume for the manufacturing and export of handmade carpets and other floor coverings.

But labour involved the Indian carpet industries are the worst sufferers. Overcrowding, unsanitary slums, difficult working conditions, insufficient recreational facilities, and exposure to catastrophic accidents are only a few of the variables that have influenced the mental nature of the labor force. (Gupta et al. 2018). Definitely, this has adverse impact on production and trade of carpets. Labor welfare measures are regarded as an essential instrument to improve workers working conditions. Safety and welfare measures are inevitable in any organization where workers are involved. The obligation of a corporation to its employees extends beyond the payment of salaries for their services (Bambra 2011). Some of the amenities and services that fall under the purview of labor welfare include accommodations, appropriate food facilities, recreational facilities, medical facilities, and transportation (Walton 1991). Creating a secure and healthy atmosphere is a prerequisite for every successful endeavor. Labor welfare facilities can bring about the fulfillment of employees' expectations, promoting job satisfaction (Kalleberg 1977).

As such, the present paper reviews the effect of the pandemic on the textile sector. The paper also discusses the government initiatives taken during the period of global recess. As human input has an important role in the development of industries. Welfare is discussed as a tool for mutual growth between industry and labor. It further focuses that why welfare is important for the satisfaction of employees.

IMPORTANT AREAS AFFECTED BY THE COVID CRISIS

Lay-off of workers

According to employment reports, over 45 million people were employed in different sectors in India. But due to the imposition of lockdown and temporary closure of industries, the lay-off of workers took place. Due to uncertainty of livelihood, most of the workers migrated to their native places. Due to the closure of industries and the market the labor associated with them was affected heavily.

Emilio Congregado et al. (2021) in their study examined the unemployment variants classified them in to two – those who lost hope for getting job, gave up searching and second, were those who still in search of jobs for sustenance of their families. They found that during covid period discouraged worker effect dominated the most.

SUPPLY CHAIN TROUBLE

The carpet manufacturers need to look at local sourcing opportunities, due to the impact on import and export. The pandemic had impacted most of India’s export markets (the US and EU together account for about 60% of the country’s total garment exports in value terms), resulting in order cancellations and order delays that had increased inventory levels and increased working capital needs. On the other hand the local companies also ceased to function due to lockdown. This resulted in short-term blips like decreased consumption and casual labor employment (factory closures and individuals returning to their home areas). Figure 1 shows the graph of India’s carpet export in US\$ (million) (The Textile Magazine – Home 2022).

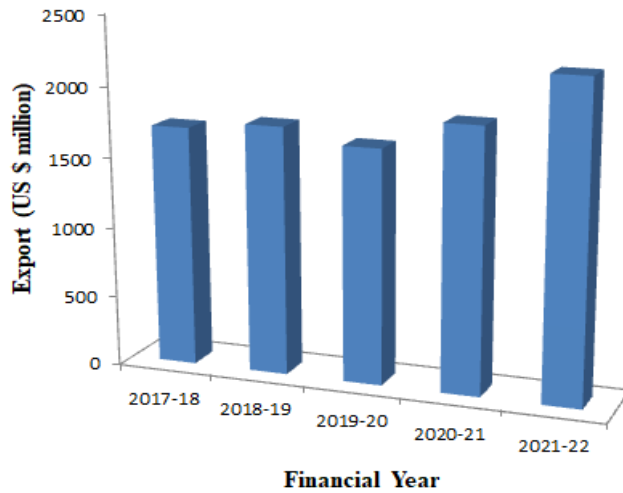


Figure 1: Export report graph of Indian carpet

The report expresses that a huge downfall in export was observed during 2019-20. India exports silk, coir, jute, and handloom carpets and floor coverings. The nation is the world’s top exporter of carpets, exporting between 85 and 90 percent of its entire production. About 40% of handmade carpet exports worldwide come from India (Press Information Bureau 2022).

A 5.65% decline was observed in the export of handmade carpets in the 2019-20 financial year. This decline in export influenced the economic condition of weavers.

Table 2 represents the country-wise share of India's export in 2021-22. The USA is one of the leading exporters of India's handlooms. European countries are also potential exporters of handmade carpets and handlooms. But still, there is huge potential for export in these countries.

Table 2: Country-wise share of India's export 2021-22
(Press Information Bureau 2022).

<i>S. No.</i>	<i>Country</i>	<i>Percentage share</i>
1.	USA	57
2.	Germany	5
3.	United Kingdom	5
4.	Australia	4
5.	Sweden	3
6.	France	3
7.	Netherland	2
8.	Others	21

Amit K. Giri and S.P. Singh (2022) revealed that hand-knotted carpet exports have undergone a substantial directional shift, but their volume has not significantly increased during the reform era. Fieldwork carried out in the carpet manufacturing cluster suggests that a severe lack of competent carpet weavers is one of the key reasons, why the amount of hand-knotted carpet exports have not increased significantly. The lack of carpet weavers in this labor-intensive business has also led to a drop in India's exports of high-end carpets during the reform era. Navneet Gera (2019) concludes that export performance can be increased by increasing export knowledge.

CONSUMER SENTIMENTS

Due to the nationwide lockdown for such a long period, consumer sentiments were affected to a high extent. Salah Abosedra et al. (2021) indicated that consumer lost their confidence in spending due to a decline in their incomes. It was found that consumer sentiments had a huge impact on spending instability. Asymmetric behavior in consumption growth indicates when income declines consumption decreases more than when there is an increase in income. The trend is termed the uncertainty of the pandemic by Leduc & Liu (2020).

Overall, these effects suggest that additional governmental initiatives are needed to address the COVID-19 period's effects and boost consumer confidence and consumption. However, companies need to ensure the welfare of their employees.

The length of the recovery period had been directly impacted by the scope of the outbreak and lockdown. The Confederation of Indian Textile Industry (CITI) has asked the government to swiftly announce a relief package for the textile and apparel sector in order to lessen the crisis the capital- and labor-intensive textile industry is now experiencing in the wake of the coronavirus outbreak (Giri, A.K. and Singh, S.P., 2022).

GOVERNMENT INITIATIVES

India frequently hosts expositions and trade shows on a national and worldwide scale to showcase handmade carpets and give exporters there a platform. The Indian government offers many facilities and subsidies to support handloom weavers and other artists. A memorandum of understanding (MOU) for the skill development of handloom weavers has been signed by the Indian Ministry of Textiles and the Ministry of Skill Development and Entrepreneurship. Additionally, subsidized loans and subsidies are offered for the setup of handlooms. To increase the textile industry's competitiveness in the global market, the Scheme for Rebate of State and Central Taxes and Levies (RoSCTL) program, which became effective in March 2019, has been extended through March 31, 2024, for exports of clothes, made-ups, and other items.

To encourage the export of handicrafts, the government has taken several actions. To give the craftsmen a global marketing platform, several traditional international marketing events as well as virtual marketing events have been planned. The government has also launched many initiatives for the promotion of the Indian Handmade Carpet Industry and skill development. By running a skill development program for 74,891 craftsmen, 35 handicrafts technical training centers will train 2476 artisans, and 16 design & specialty training centers will train 640 artisans, under-recognition of prior learning (RPL) will be addressed.

The Aatma Nirbhar Bharat Abhiyaan is a unique economic package that the Indian government had launched to strengthen the economy and increase India's self-reliance. For several sectors, relief and credit support measures have been announced. The Covid-19 pandemic-related lockdown has hurt the weavers and artists' companies, which can be revived by making use of these relief and credit support methods (Press Information Bureau 2022).

WELFARE AND JOB SATISFACTION

Welfare means doing something good. The term refers to a person's sense of well-being and wholesomeness. It is the desirable state of existence involving a person's physical, moral, psychological, and emotional factors. All human activities, both physical and mental, are classified as labor. It covers the human

being's environmental, economic, and social well-being (Levy 2001). The scope of labor welfare is divided into statutory and non-statutory, and intra-mural and extra-mural welfare activities as reported by Eiseman (2001). The statutory welfare facilities are covered by the Factories Act (1948), the Industrial Disputes Act (1947), the Minimum Wages Act (1948), and the Payment of Wages Act (1948), according to the research (1936). Globalization harms producers (particularly in developing countries) who specialize in highly competitive product markets, resulting in declining wealth (Galbraith & Berner 2001). Job satisfaction is an important aspect of an individual's and an organization's operations and development. Despite the organizational plans, strategies, and policies, only human inputs play a significant role in the success of an industry.

IDENTIFICATION OF FACTORS BASED ON WELFARE FOR JOB SATISFACTION

Basu (2000) examined the relationship between the incentives given to employees and their effects on job satisfaction. The results of this study show that low salaries are directly related to low employee motivation, combined with little options for training and development, a lack of career advancement opportunities, and frequent job moves. Salary followed by promotion was identified as the significant factor for job satisfaction. Policy improvements are required to include labor economic stability, employment regulation for organizational flexibility, union management for meaningful representation, and corporate involvement in governance and labor security (Gurtoo, 2008 and Ashraf, 2018)

C.I. Okeke and P.N. Matilda (2017), on the basis of study on job satisfaction among teachers, finds that low remuneration was the main reason of their satisfaction. M Sarmad, (2016) underlined the impact of incentive and recognition programs on employee motivation and satisfaction. M.V. Suryanarayana and M. Nagavalli (2018) investigated the association between canteen facilities and a healthy physical work environment in industrial units in Andhra Pradesh's coastal districts. The study reveals that larger organizations in both the public and private sectors were delivering clean and sanitary food to their employees at a low cost. More experienced personnel were satisfied with safety measures and working circumstances. According to D.R. May et al. (2010) study, leave fairness, safety equipment, overtime payouts, promotion, and recreational facilities all needed to be improved. Changes should be made in the areas of grievance management, restroom facilities, and service awards, among other things. Y.R. Prasad et al., (2014) and Sha et al. had the similar views. V. Singh (2015) emphasized that despite good working conditions, the transport workers were dissatisfied with poor canteen facilities.

Regular engagement between authorities and workers is required for the effective implementation of labor laws. Forouzanfar et al. (2016) argue that workers, their families, and the national economy all suffered large losses due to inadequate and risky working conditions. According to the findings, an industrial social worker should collaborate with management to assess the need for developing a work environment that will attract and engage employees. Monika and Kaliyamurthy (2012), on effectiveness and employee satisfaction of welfare programs, finds that productivity-linked annual incentives should be implemented efficiently to inspire personnel. Employees should be provided with subsidized meals in the canteen by management.

Asiedu et al. (2020) has pleaded for including health services and education services for the workers and incentives. R.P. Rangeela & M.G. Anil (2018), regarding health and safety provisions under the Factories Act, of 1948, advocated that the health and safety standards should be improved by introducing additional value-added services, such as advancements in safety provisions. The organization should arrange a health checkup camp on a monthly or quarterly basis.

FACTORS ASSOCIATED WITH WEAVERS IN THE CARPET SECTOR

The weaver receives a basic payment based on the amount of carpet being produced. And for unwrapping and untying yarn, the workers receive pay based on the weight of the finished thread. While the ladies untie on average for 60-70 INR per day depending on the contractor's finance availability, the weavers get 1200-1800 INR for 1 foot*9 foot depending on the quality of the carpet. The laborers are divided into three categories skilled, semiskilled, and unskilled. Their wages are based on their act of work.

Weavers who are proficient at using Tufted guns earn slightly more per day than manual weavers since they can complete more work per day. Depending on the thickness of the carpet they are working with, they can make anywhere from 200 to 350 INR every day. Semi-skilled workers work manually, so are not able to finish their tasks readily. Generally, skilled and semi-skilled workers fall into three categories: independent weavers or self-employed, dependent weavers, and wage workers (Ishfaq Majeed and Mohammad Swalehin 2020).

Independent weavers use their looms and procure their materials. The independent weaver creates the actual product in his own facility using his own resources, and sells it to the merchants or traders. Dependent weavers use their own facilities and equipment to create the product, while working capital (raw materials and designs) are provided by the middlemen. The weaver then gives the contractor the finished carpet. Weavers frequently complained that middlemen never paid them in full, citing a delivery time default as their justification. Without

independent access to capital or the market, the wage weaver works in another person's space. They play a significant role in the working class of the carpet industry. In order to extract surplus, producers make sure that workers produce a higher value than is returned to them in pay.

They typically work both directly for businesses and contractors. The unskilled workers help in untying the wool and transportation. Their work is based on the demand of weavers [Ishfaq Majeed and Mohammad Swalehin 2021]. All these categories were hugely affected during this period, due to less or no demand for carpets. Reduction in the order during the pandemic and the unavailability of raw materials made the life of the people associated with the carpet sector more severe.

Khursheed Ahmad Wani et al. (2015) investigated the health risk factor in the carpet sector in different climatic conditions in Gwalior, Madhya Pradesh India. The general working conditions like noise level, light intensity, temperature, and humidity were measured. The study says that the climatic conditions are very challenging due to the burning summer and chilly winter. So these workers get affected by many diseases. It was found that many weavers have eye irritation, back pain, allergies, general weakness, and hearing loss.

Khursheed Ahmad Wani and Yogesh K. Jaiswal (2012) conducted another study in Jammu Kashmir and found that the weavers were affected by health risk factors in the winter seasons. They concluded that proper precautionary measures can reduce the health risk factor. They mentioned that health insurance, face masks, first-aids, etc. can help these weavers to work in harsh environments.

According to Ishfaq Majeed and Mohammad Swalehin (2020), about 60.0% of the weavers lack knowledge about the market and marketing, which is caused by poor educational levels among weavers. Due to strict procedures and formalities, 50.0% of carpet weavers cannot participate in government programs and projects. Ishfaq Majeed and Mohammad Swalehin(2020)conducted another study to understand the wage pattern of the weavers in Kashmir and found that their exploitation is much higher than what they get paid. Middleman or the owner takes the full gain from their work They suggest that there is a need for government help for the weavers to educate them through several programs and encourage them to work independently or understand the value of their work.

Jalil Nazari et al. (2012) conducted a study in Tabriz City, Northwest Iran on carpet weavers. The study was oriented on musculoskeletal problems. The study revealed that due to poor working conditions in hand-woven carpet workshops, they were troubled by this problem.

Vatsla Srivastava and Vipin Kumari (2020) observed hand made carpet industry in Jaipur, Rajasthan in India. This industry was determined to have relatively low levels of job satisfaction. Some artisans worked solely because weaving was their

ancestors' tradition; they had dedicated many years of their lives to it and lacked the necessary abilities to work in another field. Some people work solely for the purpose of transporting ancestral art. As they saw no expansion in this industry, the majority of them were not interested in passing on this heritage and this lovely craft of weaving to future generations.

Figure 2 reflects the key factors which can help the condition of labors in carpet industry. As the covid restriction had been removed and export from India is rising again. Industries had to take initiative toward the weavers. Employee welfare creates healthy and cordial industrial relations among laborers, employers, and organizations. Welfare activities improve labor efficiency by increasing production, leading to higher productivity. Welfare enhances the morale of the employees, and retention of the workforce in the organization, which will create the company's positive image in the long run.

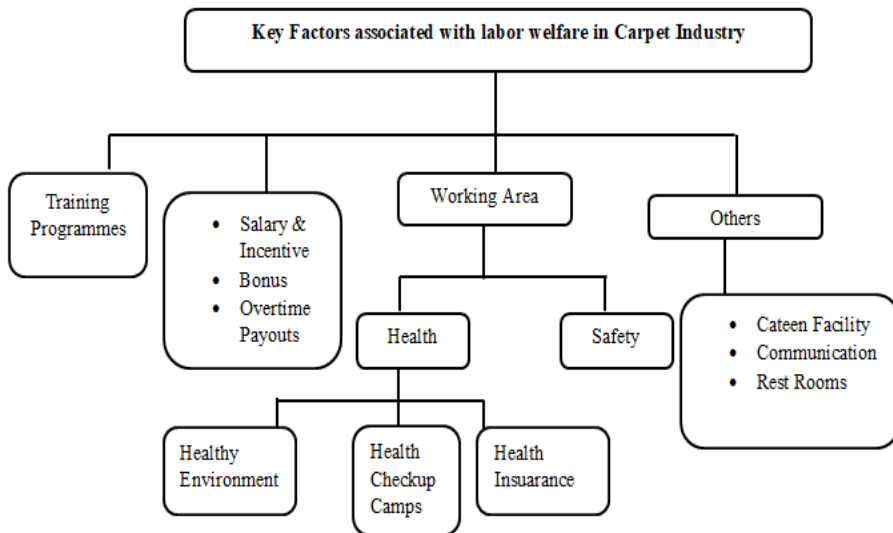


Figure 2: Key factors associated with labor welfare in Carpet Industry

The welfare activities can help the morale condition and faith of weavers towards the industry. Health checkup facilities, direct wages, and timely incentives can make a huge impact on the life of the laborers.

CONCLUSION

The paper concludes that lay-off, import-export issues, and customer sentiments had affected the livelihood of labor in the textile industry hugely. Albeit, the

government has taken some steps toward the improvement of labor, some good policies are needed to grip such situations if occur in near future. It is also important that industries must look toward the welfare of their laborers. Work content, payment, advancement, recognition, working conditions, benefits, personal, and leader/supervisor were all nine characteristics found to be substantially connected with employee motivation and happiness at work. Employee morale and attitudes have been affected directly or indirectly as a result of job satisfaction, resulting in quantitative and qualitative improvements in individual performance. There are various factors that can be useful in the near future which contribute to the welfare of weavers. These factors include annual incentives, safe and healthy working conditions, monthly or quarterly health checks, insurance, and training.

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WEB LINK

Carpet export promotion council of India website: www.indiancarpets.com



GOOD GOVERNANCE: A NEW TOOL OF SUSTAINABLE PEACE IN JAMMU AND KASHMIR

Mudasir Ahmad Qazi* and Fayaz Ahmad Parray**

Abstract

Good Governance is one of the most important factor in eradicating poverty, sustaining peace, and promoting development across the world through a more transparent, responsive, and accountable dispensation in place. It is a mechanism relates to the political and institutional processes and outcomes that are necessary to achieve the goals of development. It is the perfect instrument to establish peace and prosperity to the people. The present paper attempts to underline new features of good governance based on secondary data. It is found that by abrogating Art 370, the Government of India intended to ensure good governance in valley and resorted to several innovative governance measures in the Union Territory of Jammu & Kashmir that has shown much promise in achieving the goal of development, peace and prosperity. It attempted to introduce participative governance model giving ample space for people's participation like Back to village, Jan Sunwai, LG Mulakat, Mission Karmyogi, digital initiatives like, satark Nagrik App etc.

Keywords: Good Governance, Sustainable Peace, Article 370, Corruption, People's Participation, J & K

INTRODUCTION

The concept of Good Governance mainly revolves around the concept of responsibility of governments and governing bodies to meet the necessities of the masses as opposed to select groups in the society. Participation, Rule of Law,

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Transparency, Responsiveness, Consensus orientation, Equity, Effectiveness and Efficiency, Accountability, and Strategic vision form the core of good governance. It is the process of how public institutions conduct public affairs and manage public resources and guarantee the realization of human rights in a manner essentially free of abuse and corruption and with due regard for the rule of law. It is the power exercised for the management of a country's economic and social resources for development. Good governance is of utmost significance in local governments. It tries to increase engagement between local government and common citizens to get the best alternatives that serve the people. Three institutions can be reformed to promote good governance: the state, private sector, and civil society. It generates an environment that fosters strong and equitable development and it is also essential for sound economic policies. This strengthens the confidence of people to trust the political system and legitimizes the governing institutions.

GOVERNANCE: ROOT OF CONFLICT AND A TOOL OF SUSTAINABLE PEACE

Over the years the studies in conflict resolution have identified that "...to effectively prevent violence it is necessary to directly address the underlying causes of conflict, among that governance has emerged as a particularly important factor" (Carrie and Sheeley, 2019). Governance systems are a key area where prevention activities can help to shift violent conflict into productive discourse (Ibid.). There is a close link between good governance, stability, and sustained peace. The focus on governance as a root cause of conflict and peace is helpful in focusing high-level discussions on the connection between conflict prevention and development. Governance institutions that are unable or unwilling to respond to citizen needs – due to corruption, capacity and resource shortages, and the absence of accountability mechanisms – have been identified as an enabling factor for unrest and violence and have been linked to rising instability and violence in a variety of conflict settings (Ibid.). The Sustainable Development Goal report identified that "...stabilization efforts is that improving the delivery of basic services can help to break out of this vicious cycle by increasing state legitimacy and reducing the propensity for violent conflict" (Ibid.). However, the emphasis on transactional service delivery and other technocratic state-building projects is not enough to improve government legitimacy in the eyes of citizens. Access to services alone is less important for building legitimacy than a variety of other factors, including the quality of services, the identity of who delivers them, the inclusiveness of decision-making, and the existence of a grievance mechanism. Moreover, more inclusive and representative decision-making improves governance outcomes, reduces the likelihood of civil war and violence, and improves perceptions of legitimacy. However, inclusion is not just about institutions, but also the underlying power structures, values, and

expectations that shape behaviour by both decision-makers and citizens (Ibid). Institutional inclusion mandates like quotas, though critical first steps, can fall short because they don't take the effectiveness and quality of participation into account. Efforts to address political marginalization as a means of building peace need to move from simply mandating broad inclusion to identifying and addressing the specific drivers of exclusion and their linkage to violence.

The absence of an organized and well-functioning civic sector can impact governance by increasing the likelihood that grievances are addressed through violence rather than through constructive deliberation. In conflict-affected contexts – particularly where there was limited space for civic engagement before the outbreak of violence – many donors and international non-governmental organizations (INGOs) implicitly assume that building the technical and operational capacity of local civil society organizations will be sufficient to strengthen civic engagement, improve governance, and prevent violence (Ibid.). Many factors can contribute to weak civic engagement, including a lack of access to basic information about rights, a lack of the social connections needed for meaningful participation, and constrained civic space. As a result, building social capital and civic engagement is about strengthening the civil society ecosystem, from informal platforms and civic actors to established organizations and networks. Training programs for individual organizations that narrowly focus on improving operational capabilities cannot address high higher-order skills like advocacy, influence, and leadership. These interventions should be paired with efforts to identify, consult, and connect a broad range of actors across the civic sector. Support for the civic engagement should amplify how citizens are organizing and mobilizing themselves rather than duplicating efforts.

NEW GOVERNANCE IN JAMMU AND KASHMIR: POST ARTICLE 370 ERA

In the context of Jammu and Kashmir, good governance was a prerequisite for strengthening piece and bringing stability to the region after the abrogation of article 370. After the abrogation of Article 370, the process of reforming the working of institutions and bringing accountability was the priority of the government. The central government adopted the “Minimum Government Maximum Governance” paradigm which gave a new direction to governance in India in general and Jammu and Kashmir in particular. In recent years, Good Governance has been the hallmark of the Jammu and Kashmir administrations. Several remarkable initiatives have been launched by the government under Good Governance. Some of the important steps to take in this direction are described below;

1. The ‘Back to Village’ programme launched in Jammu and Kashmir is aimed to involve the people of the state and government officials in a joint effort to deliver the mission of equitable development. The programme is aimed

at energizing Panchayats and directing development efforts in rural areas through community participation. As part of this programme, civil servants will have to reach out to each Panchayat of the State, where they will stay for a specific period to interact and obtain feedback from the grassroots to tailor government efforts in improving the delivery of village-specific services. The 'Back to Village' programme has been conceived to ensure that developmental initiatives are built on the feedback and cooperation of the people, thus being more result oriented with a greater probability of success than those which are top-down.

2. My Town My Pride programme was started by the Jammu and Kashmir administration on October 19, 2020, as a part of the public outreach initiative in J&K's towns to deliver services at doorsteps to the urban population. It has three objectives public outreach in towns, strengthening grassroots democracy, and service delivery at doorsteps.
3. Jan Sunwai Abhiyan was started on September 10, 2020, and lasted till October 1, 2020. The 21-day-long Jan Abhiyan will lead to the build-up of the actual B2V3 program. The program will focus on Energizing Panchayats; collecting feedback on the delivery of government schemes; capturing specific economic potential and undertaking an assessment of the needs of the villagers. The aims and focus of the programme were on three important components, Adhikar Abhiyan, Unnat Gram Abhiyan, Jan Sunwai Abhiyan. Throughout Jan Abhiyan, Block/tehsil Diwas were organised in every block/tehsil on every Wednesday of a week. On the day all departmental functionaries shall be available at a notified place in the block with all supporting staff as equipment to ensure immediate on-the-spot disposal of applications, redress of grievances and to ensure that the public does not face harassment due to unavailability or unresponsiveness of any government functionary.
4. The District Good Governance Index is a framework document comprising of performance under ten governance sectors having 58 indicators with 116 data points. The criteria have been adopted after following a rigorous and robust process of data collection, screening and validation by each of the Districts. The governance sectors the performance of which was weighed under this index include Agriculture and allied sector (11 indicators), Commerce and Industry (05), Human Resource Development (09), Public Health (09), Public Infrastructure and Utilities (06), Social Welfare and Development (06), Financial Inclusion (03), Judiciary and Public Safety (04), Environment (02) and Citizen Centric Governance (03).
5. Mission Karmayogi was launched on September 20, 2020, by Prime Minister Narendra Modi-led Union Cabinet. Mission Karmayogi - National Programme for Civil Services Capacity Building (NPCSCB) – is meant to reform Indian bureaucracy and prepare civil servants for the future. The programme aims to

“comprehensive reform of the capacity building apparatus at the individual, institutional and process levels for efficient public service delivery” The programme will try to improve human resource management practices among the officers. It will focus more on role-based management. It will aim to allocate roles and jobs based on the competencies of the officers. The mission has also created an online platform called as iGOT-Karmayogi. iGOT stands for Integrated Government Online Training. This platform will provide content to learn from global best practices rooted in “Indian ethos”. Civil servants will also have to undertake courses on this platform on which the officers’ performance will be evaluated. A Special Purpose Vehicle will monitor the platform.

6. The electronic Annual Performance Appraisal Report (SPARROW) is an online system based on the comprehensive performance appraisal dossier that is maintained for each member of the Service by the State Government/ Central Government. This system aims to facilitate the electronic filing of PAR by officers in a way that is not only user-friendly but also allows them to fill from anywhere anytime as per their convenience. Similar convenience will be available to the officers at different Stages in the workflow hierarchy of the filling and submission process. The system is also expected to reduce delays in the submission of completely filled PARs
7. LG’s Mulaqaat-In another remarkable initiative of Good Governance, LG’s Mulaqaat Program was launched to facilitate public/complainants who have filed grievances on JKIGRAMS to directly communicate with Lieutenant Governor. It is Live Public Grievance Hearing programme, at the Civil Secretariat. It is a manifestation of a proactive and citizen-friendly administrative system. It is a Mechanism of direct communication and speedy governmental intervention to resolve daily issues faced by the masses. Through this initiative, various issues of the applicants got resolved on the spot. These programmes enabled People Centric-Responsive Administration and aimed at energizing the Grassroots democracy and empowering the Panchayats as well as the people. It has been successful as almost 100% of grievances raised through this platform have been redressed. Notably, the present administration of J&K is mainly focusing on ‘On-The-Spot’ grievance redressal, instantaneous delivery of goods and services to the masses and ‘On-The-Ground’ speedy execution of People-Centric projects, which is being observed through the exceptional development works and projects that are currently going on across the Union Territory

Besides the above initiative, the J&K has registered an overall increase of 3.7 points on account of a splendid performance in the commerce and industry sector and an improved score in agriculture and allied sectors. The central government’s commitment to extending good governance to the people of Jammu and Kashmir is reflected in institutionalizing a slew of good governance initiatives in the

Union Territory that includes zero tolerance against corruption, nepotism and discrimination against minorities. A multitude of good governance reforms was initiated by the NDA led by Narendra Modi like the Prevention of Corruption Act, Abolition of Interviews for Group C and D posts and more than 800 Central Laws have been made applicable to J&K. The long-pending cadre review, establishment of CAT benches, Extension of RTI Act, CPGRAMS and conduct of common eligibility test through the National Recruitment Agency at every district headquarter in the UT besides other similar pro-people measures.

Moreover, with the adoption of the e-office, a simplified, responsive, effective and transparent paperless working culture in most of the government offices of Jammu and Kashmir has been established. The e-Office is aiding government departments to enhance public service delivery by eliminating the delay of files in offices. The UT government has also launched the Electronic Vigilance Clearance System that furnishes vigilance clearance through electronic/online mode in favour of all government employees as and when they require it during their service career. With a vision to establish citizen-friendly and corruption-free governance, the 'Satark Nagrik App' through which any ordinary citizen can lodge complaints with the Anti-Corruption Bureau (ACB) online. Keeping its commitment to institutionalizing corruption-free administration, an online portal for e-filing of property returns (PRS-Portal) was launched. The new portal facilitates access and monitoring of the property details of all the employees besides facilitating the employees in obtaining timely vigilance clearances. Also, governance has been handed over to elected representatives in Panchayats after more than 13 years (Kashmir Observer, 2020). The J&K administration cites various laws implemented to safeguard the rights of scheduled castes, scheduled tribes, children and senior citizens of the union territory. Under the 'Sabka Vishwas, Sabka Prayas' push, the Centre has introduced new land laws and simplified the agrarian reforms act for the benefit of farmers. All 890 central laws are now applicable in J&K following the abrogation of Article 370. Under the One Nation, One Tax, One Market, the government has abolished the entry toll, allowing free movement of goods between J&K and the rest of the country. This is a historic decision toward full integration of J&K with the rest of the country (The Excelsior, nd)

To ensure transparency and accountability, the J&K administration has unveiled an online billing system across the UT. No government work is executed without administrative approval and e-tendering. The J&K administration said the union territory maintained growth momentum even during the pandemic and ranked among the top four states/UT across the country in GSDP growth. With the land revenue documents registration process being made online, the system has become smooth and quick. Since 2019, a total of 1.44 lakh registrations have been recorded yielding a revenue of over ~775 crores to the exchequer. Now, there

is a single portal for land records that can be accessed online. In what it calls an end to the Darbar move, the J&K administration has stopped the entire practice of government officials moving between Jammu and Srinagar every six months, saving two months of work time and annual revenue worth 400 crores. In a step towards a corruption-free J&K, the administration has introduced a mobile app for citizens to lodge their complaints and grievances with the Anti-Corruption Bureau against any corruption or harassment by public servants. The J&K administration has introduced several measures including an E-vigilance clearing system to ensure a transparent working environment. To generate employment, the Centre has carried out the largest recruitment drive in the union territory, with 10,831 selections recorded this year. More than 20,000 posts have been advertised. The Yogyata-Se-Rozgar initiative has been proven to be a transparent one with no complaints of wrong selection. On health indicators, J&K registered the lowest neonatal mortality rate (9.8) against the national average of 24.9 It also recorded an infant mortality rate of 16.3 against the all-India tally of 35.

CONCLUSION

After the abrogation of article 370, the administration of Jammu and Kashmir took a lot of initiatives to mainstream the administration in the erstwhile state of Jammu and Kashmir. The Administration has become responsive, effective, and accountable. Over the years studies in conflict resolution have identified that governance is an effective tool in a conflict situation. To effectively prevent violence in a conflict zone, it is necessary to directly address the underlying causes of conflict. The deficiency of good governance has been a major cause of people's alienation. The post-article 370 era in Jammu and Kashmir is considered an era of good governance, as a lot of initiatives in the direction of good governance have been taken and implemented by the administration of Jammu and Kashmir. These initiatives should be supplemented by an elected government.

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GITA, GANDHI AND INDIAN DEMOCRACY: AN ANALYSIS

Priyanka Singh*

Abstract

It is more important to capture the essence of true democracy contained in Indian traditional political wisdom than to go for the present operative part of modern democracy. The essence of democracy lies in peace, non-violence, dutifulness and welfare of all. Indian religious epics like *Bhagavad Gita*, *Mahabharat* and classic discourses like *Arthshastra* have prescribed the benevolent state as ideal state. Similarly, the statesmen like Gandhi have pleaded for these values as most suitable for Indian socio-economic and political milieu. Gandhi is known as a 'practical idealist'. But today entire world is facing democratic deficit evident from the prevalent inequality, violence, hatred and imbalance between interests of socio-economic classes and corporate sector. In such situation it becomes an urgent imperative to trace the relevance and necessity of Indian traditional wisdom reflected in *Gita* and ideas of Gandhi for the statecraft, suitable to the working of Indian democracy. As such the present paper, based on descriptive analysis of secondary data, intends to underline the relevance of our traditional values and ethics reflected in *Gita* and Gandhi's ideas to the working of Indian democracy and for establishing a responsible and accountable administration and a democratic society as well.

Keywords: Gandhi, Nishkam karma, Ethical Values, Bhagavad Gita, Democracy, India

INTRODUCTION

In India, there is a deep rooted history of ethical values, democracy, tolerance and non-violence. Even, the Indian freedom struggle against colonial powers includes

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mainly the non-violent, ethical and peaceful, means under the leadership of great soul Mahatma Gandhi. Gandhi studied all the scriptures related to major religions of the world and found the ancient Hindu scripture Bhagavad Gita to be a gist, giving of glimpses of all religions prevailing in the world, because all religions consider peace, humanity, harmony and non-violence to be superior to hatred, brutality and violence. Gandhi did not accept Gita mere a historical narrative or a conversation between Lord Krishna and Arjun or a text, but he laid stress on its allegorical nature. He believed that Gita was a great allegory. He wrote that “The Bhagavadgita is not a historical work; it is a great religious book, summing up the teaching of all religions. The poet has seized the occasion of the war between the Pandavas and the Kauravas on the field of Kurukshetra for drawing attention to the war going on in our bodies between the forces of Good (Pandavas) and the forces of Evil (Kauravas) and has shown that the latter should be destroyed and there should be no remissness in carrying on the battle against the forces of Evil...In Islam, Christianity, Judaism, it is a war between God and Satan, in Zoroastrianism between Auramazd and Ahriman (CWMG, pp. 25-26).” Thus, Gandhi regarded Gita as a source of inspiration and sacred guide to conduct. Furthermore, he considered it as spiritual dictionary of daily references. His whole life was a practical application of Gita’s ideals and principles. He wrote about the impact of Gita on his life that “The Gita is for me a perennial guide to conduct. From it I seek support for all my actions and, if, in a particular case, I do not find the needed support, I would refrain from the proposed action or at any rate feel uncertain about it... Every time I have suffered the loss of a relative or friend, I sought consolation in the Gita. (Gowda, 2011)”

GITA’S ETHICAL VALUES AND GANDHI

The ethical values like Nishkam Karma or the Anasktiyog (Selfless action) and dutifulness are the central notions of Bhagavad Gita and Gandhi was immensely influenced by the same notion of Gita. He found that all chapters of Gita are centered on the notion of Nishkam Karma. He wrote that, “The third, the fourth and the following fifth chapter should be read together, as they explain to us what the *Yoga* of selfless action (*anasakti*) is and what are the means of practising it...The remaining chapters deal in detail with the ways and means of achieving *anasakti*. We should study the *Gita* from this point of view, and if we pursue this study, we shall find without much trouble a solution of the problems, which confront us from day to day (Gandhi, p. 20).”

Gandhi considers that by reason of a delusion, a man fails to act according to principles of nishkam karma and does wrong activity as well. In this sense, Gita shows us moral and ethical way to act accordingly. Gandhi wrote in his book, “By reason of delusion, man takes wrong to be right. By reason of delusion was Arjuna

led to make a difference between kinsmen and non-kinsmen. To demonstrate that this is a vain distinction, Lord Krishna distinguishes between body (not-Self) and Atman (Self) and shows that whilst bodies are impermanent and several, Atman is permanent and one. Effort is within man's control, not the fruit thereof. All he has to do, therefore, is to decide his course of conduct or duty on each occasion and persevere in it, unconcerned about the result. Fulfillment of one's duty in the spirit of detachment or selflessness leads to Freedom (Desai, 1946, p. 31)"

Gandhi derives his notion of satyagrah and non-cooperation from the principle of *nishkam karma* or *anasakti* that is mentioned in Gita. He explained the meaning of satyagrah as performance of dispassionate action in reference of *anasakti* and non-cooperation with unethical acts of others. Thus, he believes that satyagrah was a positive form of *anasakti* and non-cooperation was a negative form of *anasakti*. He wrote, "It is certainly the *Bhagavadgita's* intention that one should go on working without attachment to the fruits of work (*anasakti*). I deduce the principle of *Satyagraha* from this. He who is free from such attachment will not kill the enemy but rather sacrifice himself. Killing an enemy proceeds from impatience and impatience proceeds from attachment.... As far back as 1889, when I had my first contact with the *Gita*, it gave me a hint of *Satyagraha* and, as I read it more and more, the hint developed into a full revelation of *Satyagraha* (CWMG, pp. 50-51)." Indeed, a man who motivated by any personal desire or benefit could not be able to explore the multiple aspects of truth. Hence, Gandhi described *anasakti* as the highest and only virtue to be followed for discovering, understanding and attaining truth.

Anasakti or selfless action is the center of Gita, but it is most important question that how can a man be free from self-centered action or an action tied to his self-gratification? Gita provides an accurate answer in decisive language for this question. "By desireless action; by renouncing fruits of action; by dedicating all activities to God, i.e., by surrendering oneself to Him body and soul (Desai, 1946, p. 128)." Gandhi always wants to control the man's unlimited desires that are responsible for impatient and illogical behavior. Anger, greed, corruption, red-tapism and violence are ultimately results of desireful action of the man. Recognizing these problems western political thinker Plato gave his idea of communism regarding family and property. Indeed, unlimited desires are root cause of all problems of human beings.

The second aspect of *nishkam karma* or *anasakti* is renunciation from fruit of action. Gandhi interpreted it as freedom from self-benefiting action. In other words, *anasakti* is always associated with helping others. Hence, the purpose of renunciation is self-realisation through unqualified dedication to duty. Gandhi wrote that, "This need not, and certainly does not, involve the idea of "all absence of purpose", as a Christian critic would make out. The supreme purpose is before man, viz. Self-realization or Freedom, and it is with that end in view that the fruit

of all action is to be abandoned. We find the same idea beautifully paraphrased and explained in Tolstoy's '*What I Believe*', ...Nor yet does it mean that because a man will have no eye to fruit, he will have no fruit. On the contrary, the ultimate fruit is made all the more certain by the renunciation of the desire for it...There should be no selfish purpose behind our actions. And to be detached from the fruit of actions is not to be ignorant of them or to disregard or disown them (Desai, 1946, p. 161)."

Gandhi believes right knowledge is necessary for attaining desirelessness and renunciation. For right knowledge devotion is inevitable. "Knowledge without devotion will be like a misfire (Desai, 1946, p. 128)." According to Gita, devotion is not mere lip-worship, but a devotee is free from jealous, greed, anger, sorrow, fear and ego; he becomes a fount of kindness, selflessness, behave alike in happiness and misery, dedicated to God, renounces all fruits, good or bad and treats friend and enemy alike, etc. Thus, the attributes of real devotee are compatible to self-realisation.

Third layout of action of anasakti is dedication of all action to God. It means to be faithful towards own duty and it releases one from bondage of karma. It is a connecting bond between desireless action and renunciation from action. Gandhi never supported the style of reciting mantras given by Vedic pundits, but for him devotion is inherent in mercy and kindness as mentioned above. Thus, he found the principle of nishkam karma leads toward non-violence because a nishkam karma yogi is free from greed, anger, hate, ego and other self-centered actions. In this context, the action of nishkam karm yogi perpetuates peace and ahimsa.

GITA'S ETHICAL VALUES AND INDIAN DEMOCRACY: A GANDHIAN PERSPECTIVE

There is a rich culture and tradition of ethics and morality in India and the democratic values are inherent in ancient Indian religions, scriptures and lifestyle. The Bhagavad Gita is known as the most momentous and valuable scripture of Hindu religion. Nishkam Karma, dutifulness, honesty, integrity, responsibility and accountability are the inherent values of the Gita and these values are inevitable for a democratic system. As discussed above that Gandhi was immensely impressed by the teaching of Gita and it is quite contradictory that most of the people consider that the Gita is based on violence and war, but Gandhi found it the assertor of nishkam karma (Anasaktiyog) and ahimsa. He always believes in democratic values like peace, nonviolence, dialogues and participatory activities. He has a unique understanding of nonviolence and ethical values.

Thus, Gandhi underlined a close relationship between the Gita's principle of Nishkam Karma and ahimsa. He derived the concepts of satyagrah, non-cooperation and swaraj from the discourses of Gita. In his opinion, if any action is performed selflessly, there is no need of force and violence. Violence is the ultimate result

of conflict between contradictory desires and thoughts. Since, the nature of self-centered desires are very narrow and negative, so the chances of conflict are much greater than selfless desires. Selfless desires are associated with the welfare and furtherance of society and compatible with non-violence. Hence, Gandhi believes nishkam karma and ahimsa are complementary to each other.

Bhagwad Gita's chapter-10, verse 4–5 (Ram, p. 44), chapter-13, verse 8-12 (Ram, pp. 56-57), chapter-16, verse 1-3 (Ram, p. 64) and chapter-17 verse 14 (Ram, p. 67) directly mentions ahimsa in different perspectives. Though, Gandhi acknowledges that some verses of Gita are not congruent to ahimsa but it is quite inappropriate to consider Gita as being based on violence. In words of Gandhi, "Where the description of the fight and justification of violence are not the subject-matter of the epic, it is quite wrong to emphasize those aspects. And if it is difficult to reconcile certain verses with the teaching of nonviolence, it is far more difficult to set the whole of the *Gita* in the framework of violence... The central teaching of the *Gita* is not *himsa* but *ahimsa* is amply demonstrated in the second chapter and summarized in the concluding 18th chapter. The treatment in the other chapters also supports the position. *Himsa* is impossible without anger, without attachment, without hatred, and the *Gita* strives to carry us to the state beyond *sattwa*, *rajas* and *tamas*, a state that excludes anger, hatred, etc. (Gandhi, 1959, p. 13)."

Arjun did not want to go in battle, but ahimsa was not the reason behind it. He was in a dilemma of battle with his own kith and kin. Since, Gandhi described Gita as an allegory of man's inner battle between higher and baser impulses, Arjun and his party represents higher impulses and Duryodhan and his party represents baser impulses. In this context, it is inevitable for Arjun to fight against baser impulses, because it is a supreme duty of a nishkam karm yogi. Also, Gandhi gave much importance to violence in comparison with cowardice and here Arjun employs violence that was justified against the evil forces. He wrote in *Young India* in 1925, "to those who are innocent of nonviolence, the *Gita* does not teach a lesson of despair. He who fears, who saves his skin, who yields to his passions, must fight the physical battle whether he will or no; but that is not his *dharma*. *Dharma* is one and one only. *Ahimsa* means *moksha*, and *moksha* is the realization of Truth. There is no room here for cowardice. *Himsa* will go on eternally in this strange world. The *Gita* shows the way out of it. But it also shows that escape out of cowardice and despair is not the way. Better far than cowardice is killing and being killed in battle (Gandhi, 1959, p. 14)."

Gandhi argued for better understanding of a scripture; reader should have faith in truth and nonviolence. A spiritual uncultured man, who unaware about the practice of *yamas* and *niyama* – the eternal guides of conduct, lacking in faith is ill-equipped to understand and interpret any scripture. He considers *yamas* as ethical commandments for human behavior, that is related to fellowmen and other living

creatures and non-living objects. It includes truth, nonviolence (*ahimsa*), *asteya*, *brahmacharya* and *aprigrah*. The niyamas are related to self-code of conduct or five do's to manage a man's behavior. It contains *saucha* or cleansing/sanitation of body and mind with abhorrence to lust or *kamadhikya*, anger contentment or *santosha*, austerity or tapas, self-introspection or *swadhyaya* and prayer/meditation or *ishwar-pranidhan* .

Gandhi wrote in his book '*Message of the Gita*', "That interpretation is not true which conflicts with Truth. To one who doubts even Truth, the scriptures have no meaning. No one can contend with him. There is danger for the man who has failed to find *ahimsa* in the scriptures, but he is not doomed. Truth – *sat* – is positive; nonviolence is negative. Truth stands for the fact, nonviolence negatives the fact. And yet nonviolence is the highest religion. Truth is self-evident; nonviolence is its maturest fruit. It is contained in Truth, but as it is not self-evident a man may seek to interpret the *shastras* without accepting it. But his acceptance of Truth is sure to lead him to the acceptance of nonviolence (Gandhi, 1959, pp. 11-12)." Thus, Gandhi found Gita as a champion of the principles nishkam karma and nonviolence that are core value of a democratic system. Further he motioned in his book, 'Violence is unreal, nonviolence is real.' Realization of Truth is impossible without nonviolence. *Brahmacharya* (celibacy), *asteya* (non-stealing), *aprigraha* (non-possession) are means to achieve *ahimsa*. *Ahimsa* is the soul of Truth. Man is mere animal without it. A seeker after Truth will realize all this in his search for Truth and he will then have no difficulty in the interpretation of the *shastras* (Gandhi, 1959, p.12)."

Gandhi believed while reading a scripture it is not necessary to scan the letter only but understanding the spirit of it and if we read the verses of Gita with the pure spirit, we could be able to understand its true essence. He considers that Gita is not a scientific work, but it is much subjective in nature. As we know, during Indian freedom struggle different fighters like Lala Lajpat Rai, Aurobindo Ghose, Bal Gangadhar Tilak, etc. interpreted it according to their vision and mission. But Gandhian interpretation of Gita is much intensive and vast. He made it as the base scripture of his entire philosophy of truth, non-violence and selfless action. Gandhi constantly believes in moral and ethical values, that is why he never supports unethical means for a just purpose. This perception makes him different from other freedom fighters. Indeed, Gandhi was a pure democratic personality; he fought against a colonial power by nonviolent and democratic means. He always believes in the process of conversations and dialogues. He acknowledged that the verses of the Gita are inspiration for him and he developed his notion of nonviolence from the same. Thus, we can see a tripartite relationship between the ethical values of Geeta, Gandhi's nonviolence and Indian democratic System.

CONCLUSION

Gandhi's understanding of Bhagavad Gita is very profound and sublunary. For Gandhi, Selfless and desireless action and self-realisation are such core values on which the verses of Gita are centered. Gandhi envisaged Gita as allegorical in nature, which represents the inner battlefield of human body where the eternal conflict between good and evil goes on. Similarly western political thinker Rousseau classified human will into two parts, first actual will second real will. Actual will is narrow and self-centered in nature while real will is vast and welfare oriented. Rousseau considered that actual will be the subordinate to real will. It is supreme obligation or duty of nishkam karm yogi to fight against evil forces. Gandhi acknowledges that violence is better than cowardice or inaction. For him nishkam karma and ahimsa are inseparable.

Indeed, Man's endless desires are the major cause of conflict, disharmony and violence in society in all times and phases. We can see this issue in the thoughts and philosophy of both western and Indian political thinkers. Plato recognised family and property as the major reason of corruption and for remedy he propounded his 'Theory of Communism'. It is very much similar to Gandhian concept of non-possession (*aparigrah*) and selfless action (*anasakti*). According to the teaching of Gita and the principle of *nishkam karma*, murder, lying and dissoluteness are the sinful acts, therefore these acts are prohibited. In this sense, Gita teaches us to follow truth and nonviolence in every aspects of life. For Gandhi, "The Gita is not an aphoristic work; it is a great religious poem. The deeper you dive into it, the richer the meanings you get. It being meant for the people at large, there is pleasing repetition. With every age the important words will carry new and expanding meanings. But its central teaching will never vary. The teacher is at liberty to extract from this treasure any meaning he likes so as to enable him to enforce in his life the central teaching (Desai, 1946, p. 132)." Thus, the teachings of the Gita are used for the welfare and upliftment of all human beings. The verses of the Gita are like a cascade of prosperity, kindness and permissiveness and these are essential values of democratic society and also helpful for establishing a transparent, responsible and accountable administration, which is an inevitable part of a democratic system.

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UNDERSTANDING THE URBAN DEVELOPMENT MODEL: A CASE STUDY OF THE MILLENNIAL CITY GURUGRAM, HARYANA

Sumedha Priyadarshini

Abstract

Gurugram, a part of Delhi- NCR, is often regarded as the face of the “New India”. The city with an interesting development arc, has evolved into an aspirational city assuring a “quality of life”. The article reflects on the urban development model and the existent urbanism in the city, influenced by “flexibility” (Gururani, 2013) and speculative logic of the market (Goldman, 2011), attracting private investments in the urban development of the city. I argue that such a development model results in the creation of exceptions and exemptions in the realm of urban planning and governance, benefitting mainly the “elites”. This also uncovers the duality of the entrepreneurial state, i.e. (i) enabling flexibility and thereby making Gurugram a lucrative option for private investments (ii) creating new regulatory bodies to monitor the urban development in the city.

Keywords: Flexible planning and governance, speculative urbanism, public-private, entrepreneurial state

Gurugram, a part of Delhi-NCR, is the millennial city of India with an interesting development arc. The “old land” once contributing exclusively to the rural economy has evolved into an aspirational city, selling dreams to the youth of the country for a “quality life”. Also known as the office hub, the city has offices of numerous MNCs simultaneously pulling the ambitious young professionals of the country to the city for the high paying jobs. The setting up of Maruti- Suzuki automobile factory in the city and the emergence of real estate developers like DLF, can be marked as a turning point in Gurugram’s development arc. Chatterji (2013) remarks that Gurugram is emblematic of the post liberalization India which is a witness of confluence of

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public- private enterprise in the realm of urban development. However, despite of such initiatives by the state, there has been an undeniable infrastructural and urban governance lag (Gurugram Metropolitan Development Authority (GMDA), 2017).

In present paper, it has been attempted to interpret and analyse the development model of Gurugram. This study is based on both primary and secondary sources of data collection (collected as part of PhD. work). A survey of government officials, municipal councilors, residents and representatives of Resident Welfare Association (RWA) was also conducted with help of semi-structured interviews schedule. conducted with the officials of multiple state bodies in the city, counselor, resident welfare association (RWA) members and residents of a planned residential sector.

THE RISE OF THE CITY: A HISTORICAL PERSPECTIVE

In early years after independence, Delhi was suffering from various issues: “Traffic jams and accidents, sprawling colonies-without the vital conveniences of life in the matter of sanitation over-crowding everywhere and particularly areas, in miserable slum: miles of ribbon developed hut-shops, chronic water-shortage all add to distress which is bad at any time but is highly intolerable in the rainy season. Further the partition of our country brought hundreds of thousands of refugees. They were welcomed and cared for with the sympathy they merit but the enormous influx of such persons has also entailed endless difficulties for the Proper development of the Metropolis” (Ministry of Health, 1956: pp. i) To deal with this situation, a three dimensional Regional plan for a “larger Delhi” was envisioned catering to the social, functional and economic needs of the city.

While the Regional Plan was being formulated, an Interim Plan was implemented to cater to the immediate needs of the city. The plan was devised by the Town Planning Organization in December, 1955 that worked under the aegis of the Ministry of Health, Government of India. Eventually, the National Capital Region Planning Board (NCRPB) Act, 1985 was enacted by the Union Government with an objective of constitution of a Planning Board that created plan for the development of the NCR. The Board also looked into policies for controlling land use and infrastructural development in the region with the consensus of the neighbouring states namely: Haryana, Rajasthan and Uttar Pradesh. In 1989, NCRPB released the first statutory regional plan for the region. Later, the Regional Plan, 2001 focussed on mitigating the capital city from the pressures of catering to increasing population by deflecting and inducing similar development patterns in the NCR. Gurugram was regarded one such centres of expansion.

Being a part of NCR, Gurugram has been experiencing inflow of migrants since the setting up of Maruti Automobile manufacturing unit in the 1980s. The

geographical proximity to Delhi, supply of educated labour, metro and roadways connectivity via Delhi has made Gurugram a lucrative option for the migrants. The role of Delhi, thus, cannot be denied in the development and popularisation of Gurugram. However, a study noted that in the past decade (2001-11), the high dependence of Gurugram on Delhi has declined over time (Denis, Mukhopadhyay, & Hele, 2012). The millennial city can be regarded as the closest example to subaltern urbanisation where the city has managed an autonomous social, political and economic agency that is independent of Delhi in multiple ways. The study further noted the population rise in the was greater than Delhi. The density of the service sector offices has increased exponentially in the city. Gurugram, thus, expanded geographically and administratively. For instance- inclusion of the Manesar area and constitution of the Municipal Corporation Manesar. Simultaneously, to facilitate and regulate urban development in the city, multiple state bodies, parastatals have been instituted like: the Gurugram Metropolitan Development Authority (GMDA). Today, Gurugram's dependence on the metropolis is majorly restricted to the supply of educated labour and connectivity to other cities through roadways and metro.

REGULATING THE URBAN GROWTH OF GURUGRAM: GOVERNMENT INTERVENTIONS

The inflow of migrants of all categories, menials and white collar jobs, in the city created an immediate need for housing and settlement. As result, the proximity to the metropolis triggered private investments by real estate developers like- DLF. Historically, the city implemented certain liberal economic policies even prior to its implementation by the central government. For instance- the state of Haryana opted for outsourcing and involvement of the private sector for urban development and services even before the advent of economic liberalisation in India in the 1990s. The following legislative frameworks defined the urban development of city by promoting the public-private partnership (PPP). Such initiatives, influenced by the subjectivities of the speculative market, led to "flexibilities" in urban planning and governance. Let us examine the government interventions.

Punjab Scheduled Roads and Controlled Areas restriction of Unregulated Development Rules, 1965: The Rules aimed at regulating development along the scheduled roads and in the controlled areas of the state of Haryana. The act allows the state to outsource the task of development of land into a colony with building plots to meet purposes like residential, industrial, commercial etc to private developers or "colonizers". The colonizers have to get plans approved the Town and Country Planning Department, a state body of Haryana. The plans have an explanatory note along with mapping of the amenities in the colony including their specifications and locations. It promoted PPP model. For instance- in lieu

of development charges, the private developers are allowed to use state sponsored amenities like- electricity lines, sewerage. It should be noted that the provisions of the act, though operative at the macro level of planning and development, also invoke a sync with the micro planning through the Haryana Building Code which specifies how a particular building will be linked with main amenities like water or sewerage connection of a plot house with the respective water or sewerage main lines around and of the colony. The successive acts followed the same trend of outsourcing and initiated a PPP model to meet ends.

The Haryana Development and Regulation of Urban Areas Act (HDRUA), 1975: The Act proposes to regulate the use of land and control the ill-planned and haphazard urbanization especially to aid the development of “infrastructure sector and infrastructure projects.” It is applicable to all urban areas in the state of Haryana. Such provisions simultaneously allow the regulatory state to expand urban areas and convert and engage different types of land – in the peri-urban areas for such infrastructural development activities. In the context of speculative urbanism, this Act lays the foundation of speculative endeavors of the state to promote infrastructural development in the region and allow real estate developers to venture into creation of residential colonies among other projects (Goldman, 2011). The covert speculative logic of the act can be regarded as the stepping stone towards the creation of world class infrastructures in Gurugram i.e. envisioned to have a global urbanism as per the Regional Plan(s). It also allows a leased land in the ‘urban area’ to be converted into a colony comprising of plots, or flats for residential, commercial, industrial, cyber city, cyber park purposes or for construction of flats in the form of group housing, for integrated commercial complexes or creation of low-cost eco-friendly colony. In certain cases of such conversions, the state holds auctioning of licenses and invites bids. The land owners are allowed to collaborate with a ‘developer’ who functions on behalf of the actual owner for the attainment of license and development of the colony.

After the grant of license, the colonizer (land owner) is supposed to deposit infrastructure development charges i.e. cost of development of major infrastructural projects like national/state highways, transport, major water supply scheme and power facilities etc. However, the colonizer may instead ask the plot holder for the payment of charges. The colonizer is also supposed to pay infrastructure augmentation charges to the state as they attain completion or partial completion certificate from the Director. There are some Exemptions made for the colonizers in this case.

The speculative endeavours of the entrepreneurial state are also met here. The act assures maximum inflow of the capital for the creation of world class infrastructures under such PPPs further stimulating the socio-economic growth of the city. However, in the financialization of urban development and city planning,

the duality of state is evident. While, the state plays a regulatory role in monitoring the unprecedented profit making by the developers and haphazard urban development, it simultaneously makes exemptions for the private developers. This is also an exemplar of flexible planning (Gururani, 2013) where exemptions and exceptions are being made to profit the developers as a result of “coalition of elites” (Chatterjee, 2004). It is also evident in the way the state allows conversion and inclusion of peri urban areas for infrastructural projects or creation of cyber city, residential societies etc that has led to the erratic and fragmentary pocket(s) like development of cities like Gurugram. It enables the regulatory state to meet the speculative endeavours and lack of accountability on the impact of development activities on environment and public health.

HARYANA URBAN DEVELOPMENT AUTHORITY (HUDA) ACT, 1977

Following the HDRUA, HUDA Act was implemented in 1977 to establish an urban development authority to serve as regulatory and administrative body for urban development as well as a local development authority for the development of local area. The act focused on urban areas which comprised of an area within the jurisdiction of any local authority and any area in the vicinity of state govt. of Haryana which they consider for urbanization. The act also covers urban areas under the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 or the Faridabad Complex Act, 1971.

HUDA acted as an apex body to promote and secure the development of urban areas, to acquire or dispose off land by way of purchase, transfer, exchange, gift, hold, manage, develop, mortgage, engage directly or through an agency (via contracting) in building, engineering, mining, water supply connection, treatment of disposal of sewage, sullage, storm water, control of pollution in the urban area. However, the constitution of HUDA did not intend to undermine local governance. The act has provision to transfer the maintenance of area developed by HUDA to local authority discharging municipal functions of the concerned area. The act also allows the state to create new local development authorities, other than HUDA, for the integrated planned development of an urban areas.

The functions of HUDA include- preparation of master plan at the macro level where the authority will divide the local development area into sectors and formulation of sector development plans at micro level. The sector development plan, constitutes a site plan and a use plan for the development of the sector linking population density to architectural and engineering aspects of amenities and housing. It works under the radar of the state government and tries to expand and maintain the inflow of capital and investments for urban development HUDA assures meeting the speculative endeavours by working on the PPP and involving private agencies/developers like- DLF in the real estate development or creation of

infrastructures which may attract more inflow of capital and investments such as: real estate development, establishment of offices of MNCs, creation of cyber city etc.

Gururani (2013) notes, that such involvement of private agencies in the planning and development of an area creates “flexibility” in planning. The flexibility is induced by political techniques and strategies that create exceptions and exemptions, favouring private developers, politicians clubbed as the “elites”. The flexibility in planning is effective in making the city investor friendly. Thus, the nature of the state is brought into deliberation as being nominal in character and lacking accountability around the an impact of urban development on the environmental and public health. However, this nominal character of the state is contested with the tendency in the state of creating new bodies and authorities for regulating the planning and development of the sector. The next section will attempt to understand this tendency of the state. The analysis will follow a timeline and discuss the reasons/logic behind the formulation of respective bodies and authorities. This will give a sense of the pattern of planning and governance in the city.

INSTITUTIONAL SET-UP OF GURUGRAM

Development prior to outsourcing days-the period of U.E.D.

Urban Estates Development (U.E.D.) was formed in 1962 and worked under the Town and Country Planning Department. The department worked as per the Punjab Urban Estates Development and Regulations Act, 1964. U.E.D was accompanied by various other department like: PWD (B&R), Public Health, etc of the state government. The presence of various departments working together became problematic and lacked coordination. It was cancerous and impeded the overall growth of the urban estates in the city. U.E.D. also suffered from time lag in the sanction of funds as per the estimates provided to the state government, and inability in raising resources sponsor the urban development programmes of the city. The incompetence of the U.E.D. in achieving its targeted goal in stipulated time frame created a requirement of an umbrella body that could take up all the development activities. Thus, through the HUDA act,1977, HUDA was formed that could take over U.E.D.

HUDA-MARKING THE INVOLVEMENT OF THE PRIVATE

HUDA also known as Haryana Shehri Vikas Pradhikaran (HSVP), came into prominence in the year 1977 with the enactment of Haryana Urban Development Authority Act, 1977. HUDA replaced U.E.D. and functioned as an integrative

system. The state body comprised of multiple wings and exclusively performing for the urban development in the city.

HUDA was found as a statutory authority and emerged as a planning as well as an administrative authority that had a wide range of functions (as discussed above). The body comprises of bureaucrats at authoritative positions and is chaired by the chief minister of the state. HUDA has a presence across the state of Haryana where the planning and development of land of the urban area, is the responsibility of the statutory body. The process followed over here, firstly involves the acquisition of land by the state government, i.e. government of Haryana for various uses like-residential, commercial, industrial etc. The acquisition follows the specifications of the Development plans and layout plans of a particular area that is prepared by the Director, Town and Country Planning Haryana. The planning is as per the sub section 7 of section 5 of the Punjab Scheduled Roads and Controlled Areas (Restriction of Unregulated Development) Act, 1963. (Town and Country Planning, 2022).

In an interview, the planner of one of the authorities stated that the selection of the area is on the basis of the population density, i.e. on the basis of the urbanisation – How many people are migrating to the area? What degree of urbanisation is there? What is the potential of the area in terms of development (i.e. how much can the area develop)? Thereafter, the area is categorised as controlled area as per the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 and the development plans for the same is formulated and infrastructural development like roadways, sanitation and other urban amenities like parks, is regulated in accordance with the plan. The area selection and the infrastructural development of the area is, thus, guided by estimation of population (done on the basis of the census data) for at least 20 years. This is also a factor in deciding the infrastructural development of the area such that it supports the dynamic population of the area such that it supports the dynamic population for the specified time period.

In the development and planning of an area, HUDA has not been reluctant in the involvement of the private.... Even during the pre-liberalisation phase (1970-80's), the state of Haryana Haryana Government involved the private developers such as DLF, in developing the urban (Yardley, 2011). These private developers involve/d in developing colonies follow the protocols as mentioned in the above acts and produce development and lay-out plans. The Director of Town and Country Planning Department (T&CPD) working with HUDA verifies about the “satisfactory arrangements” made for different infrastructures like- sewerage, drainage, waste treatment etc. It is mandatory for the private developers to adhere to the “programme of acquisition of land and its development” (Haryana Shahri

Vikas Pradhikaran, 2022)). The private developers also have to pay development charge in return for the constructions and any changes made to the controlled area. At times, these colonies use the infrastructure like- electricity, sewer lines, roads etc provided by HUDA, and in return pay the requisite charges to the authority.

It should be noted that the rationality followed in the transfer of public works to private developers is not purely outsourcing at an economic level. HUDA promoted flexibility in planning (Gururani, 2013) by creating exceptions and exemptions to favour the politicians, big private developers and the elites. Over the years, with the expansion of the city both in terms of population and area, HUDA started encountering multiple problems especially in governance. To cater to such challenges the Municipal Corporation of Gurugram (MCG) was institutionalised. In one of the interviews with an official of MCG, who spoke vividly about the “much-needed” shift from HUDA to MCG, regarded the paucity of funds with HUDA as a major reason for the need of a new body like MCG along with issues like immense workload as a result of simultaneously functioning as a planning and administrative body. Such conditions led to introduction of MCG to ease up the work load of HUDA and take care of the finances at the same time. However, there were other reasons favouring the introduction of MCG in the city which would be explored in the following section.

MCG- Replacement or an addition

Under the 74th Amendment Act, the Municipal Corporation Act was passed in the year 1994 but there was no formation of a Municipal Corporation in the city. As per the 1991 census, Gurugram did not meet the population mark, of population over 5000 as well as did not meet the Ministry of Urban Development criteria for an urban local body. Therefore, the Haryana Government did not identify Gurugram as an urban area (Gururani, 2017). This hindered the urban planning and development authorities namely- HUDA from taking charge of the urbanisation in the peripheral areas of Gurugram. Finally in 2008, with the census of 2001 recording the population of Gurugram to be more than 5000, Municipal Corporation was announced in the respective areas of the city. In the year 2011, first municipality elections were conducted and representatives were voted by the public, the registered voters, from each ward.

MCG is composed of both elected and non-elected officials. The elected officials include the mayor and the elected representatives (councillor) from each ward while the non-elected officials include the bureaucrats, planners and engineers etc. The MCG was constituted in 2008 after which the city was divided into four zones comprising of almost 35 wards. Each ward has a councillor representing the ward in the corporation meetings and emerges as the voice of the public(S) of the

ward. Post the constitution of MCG, it started taking over the HUDA sectors as well as the colonies developed by the “colonizers” in phases. MCG now carried out the development work of these sectors and colonies. In an interview with an official of MCG, they described it as an “executive” (hum yahan sirf execution karte hain – we only execute here) body, executing and implementing the plans. Unlike the case with HUDA that replaced U.E.D., MCG has taken over the executive/administrative functions of HUDA. The function of HUDA in the city got restricted to the acquisition of land and planning as per the protocols (described above).

The functions of MCG as per the 74th Amendment Act is wide ranged but can broadly be stated as “it shall be the duty of the Corporation to consider all periodical statements of the receipts and disbursement and all progress reports and pass such resolution thereon as it deems fit.” (MCG Act, 1994). It envisions to provide basic amenities like- collection of property tax, maintenance charges, building plan approval, issue of birth and death certificate, Clean water, Sanitation, Health and Hygiene, Public Libraries, Community Centres, street lightings, parks etc. For the provision of the above, MCG is contracting private agencies and outsourcing them tasks related to public works. For example- Ecogreen, a private agency, is outsourced for the integrated waste management system. MCG has to monitor and regulate the working of the outsourced private agencies. MCG is actively involved in the solid waste management, maintenance of sewerage system and issue of birth and death certificate, all centric to the planned development.

The existence of MCG as an elected body assures involvement of the public in the governance of the city. Though, it should be noted that the public was and is still represented through other ways like-Resident Welfare Association (RWA), seen as an “apolitical” and merely consultative route opted by the middle class professionals engage with the state (Chatterji, 2013). Chatterji (2013) notes that MCG is regarded as a hope for coordinating the development activities and becoming a platform for negotiation between the diverse stakeholders. The councillors elected through the municipality elections are more powerful than the RWAs of every sector (Dhankhar & Kumar, 2018). It should be noted that in this process of “participatory” governance, there are strokes of caste-class politics and vote bank politics. For instance, a senior official of local authority highlighted in one of the interviews that, in many cases, the MCG is often asked to regularise a colony under political pressure since the local leaders perceive such colonies intended to be regularised as potential vote banks.

MCG’s formulation, therefore, is additive for the state in terms of governance. Within the city, however, the transition of governance from HUDA to MCG as well as involvement of private agencies, has not been smooth and has involved confusion (Singh, 2016). The residents, at the same time, face confusion in detecting the state body, responsible for the delivery of a particular service as there are multiple

bodies functioning at the same time in the city. Also, the city experienced a lag in the infrastructural development and the nature of urban governance. The state recognised that “the pace of infrastructure and the nature of urban governance has not kept pace with these rapid developments” (Gurugram Metropolitan Development Authority, 2017). Thus, to monitor the urban development in the city and coordinate the working of the various bodies and private agencies and developers, a creation of a new body was considered necessary that led to the formation of Gurugram Metropolitan Development Authority (GMDA) in 2017.

GMDA- keeping a tab on the urban development: GMDA is a reaction to “random-ness” existing in the city where the state was unable to keep a tap on the urban development taking place in the city. Before the coming of GMDA, the city lacked an integrated plan and each sector had a plan of its own. There was a lag in infrastructural development and urban governance and lack of standardisation (Gurugram Metropolitan Development Authority, 2017) in the absence of agency or body that supervised the functioning of different agencies and bodies within the city. Such conditions led to the formation of GMDA, a statutory authority, under the Gurugram Metropolitan Development Authority Act, 2017. The main function of the body included “to develop a vision for the continued, sustained and balanced growth of the Gurugram Metropolitan Area through quality of life and reasonable standard of living provided to residents through generation of employment opportunities, to provide for integrated and coordinated planning, infrastructure development and provision of urban amenities, mobility management, sustainable management of the urban environment and social, economic and industrial development, to redefine the urban governance and delivery structure in coordination with local authorities in the context of the emergence of Gurugram as a rapidly expanding urban agglomeration, to establish a statutory Authority for the said purpose and for matters connected therewith or incidental thereto.” (Gurugram Metropolitan Development Authority, 2017)

The vision behind the formation of GMDA is to serve as an apex body that would supervise all the developmental activities across the city and would coordinate the functioning and working of all the other authorities and bodies say MCG and HUDA. In an interview, a planner of GMDA pointed the above benefits of having an apex body like GMDA, assuring order in the “randomness” (Planner, 2018). Despite of such initiatives the infrastructural development in the city has lags. The urban development is unable to meet the two ends- i) bridge the fragmentary infrastructural development, ii) assure maintenance or re-installation of the existent infrastructure. For example- the sewerage lines in the city that are fragmentarily spread across the city require full connectivity to the master sewer lines through new connections and installations. Concurrently, the existent sewerage lines need

maintenance and an upgrade in order to mitigate the pressure on the infrastructure with the spike in population density.

CONCLUSION

From the above discussion, it is evident that the city is simultaneously witnessing two kinds of trends- state's attempt in creating new bodies and authorities to regulate urban development and the involvement of the private in the urban development while reducing the role of the state to a mere broker. The duality of the nature of the entrepreneurial state is effectively being used by the state to induce speculative urbanism (Goldman, 2011). "Flexibility" emerging as the law of the land in the city, creates exemptions and exceptions for the elites (Gururani, 2013) in the realm of urban planning and governance through the PPP. Gurugram with its urban development model, making it a lucrative option for private investment, is often regarded as the face of the "New India". However, the development model assuring world class infrastructural development and quality life, is unable to meet the infrastructural lag and overlooks the risks such activities to public health and environmental health.

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ENDNOTES

1. Subaltern urbanisation can be defined as the “growth of settlement agglomerations that are independent of the metropolis and autonomous in their interactions with other settlements” (CPR, 2019)
2. The Municipal Corporation Manesar was formed on 24/12/2020.. (Municipal Corporation Manesar, 2022)
3. The Government may declare any area outside the limits of municipal town or any other area into a controlled area if it considers to have the potential for building activities, industrial, commercial, institutional, recreational estates/ activities and uses subservient to the above, to be a controlled area for the purposes of this Act. (The Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965)
4. Haryana was a part of then Punjab in the 1950s.
5. Under HDRUA licenses are awarded to private developers for acquiring, assembling and developing a minimum contiguous 100 acres of land. (Chatterji, 2013)
6. Speculative urbanism describes the logic starting in the late twentieth century that is built upon: new forms of finance, particularly ‘alternative finance’ from the shadow banking sector; the dynamics of inter-state reforms that disinvest the state from land, housing, finance and public infrastructure sectors, shifting authority onto capital markets while playing a more prominent role as intermediary and broker; the rise of transnational networks of policy experts that launch inter-referencing campaigns for governments to emulate the Shanghai or Singapore models of global urbanism and build ‘world-class’ infrastructure; and the production of an urban subjectivity or speculative governmentality reliant on intensified forms of risk-taking and speculation to keep up with global-city ambitions and rents (Goldman, 2011)
7. The Regional Plan 2021 for NCR aim for a sustainable holistic development. The main concerns of the plan range from environmental concerns i.e. prevention of the depletion of natural resources and biodiversity to regulation of haphazard “unplanned” development (NCRPB, 2017). The 2041 Regional Plan aims to provide a long term plan for the “Future Ready National Capital Region” of new vibrant India which is aligned with the Sustainable Development Goals (SDGs). (NCRPB Draft Regional Plan 2041, 2017)
8. Haryana Urban Development Act, 1977 empowers the state to acquire agricultural land for developing residential townships and industrial estates and outsourcing the task of urban development of an acquired area to the private sector. (Chatterji, 2013)
9. This is done in accordance with the Land Acquisition Act, 1894
10. “The Government may, by notification in the Official Gazette, declare any area outside the limits of municipal town or any other area, which in its opinion has the potential for building activities, industrial, commercial, institutional, recreational estates/activities and uses subservient to the above, to be a controlled area for the purposes of this Act.]” (Haryana Shahri Vikas Pradhikaran, n.d.)



INDIAN DEFENSE BUDGET AND NATION BUILDING: A STUDY OF TRENDS OF LAST TWO DECADES

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Abstract

The Indian budget has been allocating the substantial share to Ministry of Defence over the years, including expenditure on pension. This makes an imperative to analyse the trends of allocations in relation to general budget and the GDP of the country as well as its contribution to nation building. As such, the present paper attempts to examine the defence budget in the light of Union Government expenditure from post economic reforms period, especially from 1998 to 2019 through micro-analysis of one Army Plan and traces its contribution to the nation building. The analysis of two decades of annual budgets suggest that on an annual average of 2.6 per cent of Central Government expenditure is reverted back to the national economy from Army expenditure, apart from almost similar contribution from Navy and Air Force. Further, it indicates that there have been deficiencies in military modernisation, however, the Government of India has enhanced the exports in defence sector. Finally, the present paper explores the key areas for sustaining in future.

Keywords: Union Budget, Defence Budget, Ratio to GDP, Union Expenditure, Defence Export, India

INTRODUCTION

Peace and development are complementary to each other, on one hand and the peace entails security needs of a nation depending on territorial size, population,

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geo-strategic factors, internal and external threats, military alliances and political system, on the other. An affirmative relationship between total national output and defence expenditure implies that nations as they become wealthier, it has more to protect and necessitates an increase in defence expenditure (Castillo & Lowell, 2001). If this is interpreted further, then such a growth in defence expenditure is more defensive in outlook. But at the same time another interpretation of the enhanced allocation is that greater wealth accumulation allows nations to adopt more aggressive foreign policy. Rapid economic growth of the nation is always seen with concern. There is no clear empirical evidence to believe that nations increase their defence spending only during rapid economic growth. The increase in defence spending may be due to Geopolitical compulsions, international events, threats, intimidation and other factors. Therefore, country's wealth cannot always explain the rise in defence expenditure across the globe. The objective of the paper is to understand the model of the defence budget, its trends over the past years and its contributions in nation building.

REVIEW OF LITERATURE

The allocation of resources for defence spending has always been in sharp analysis due to raising debate of Security vs Development dilemma. The world literature is divided on the impact of defence spending on economic growth of the nation. Few experts like Hong (2009), Aizenman and Glick (2003) believe that both have a significant negative relationship as they induce crowding out of resources from public space. Opportunity cost² in terms of reduction in investment due to resource diversification, Balance of Payment issue due to impending defence imports and likely increase in inflation due to enhanced defence spending are few issues which affect country's economic activity but these fears do not have a very clear evidence (Deger & Smith, 1983). The opponents like Mylonidis (2006), Dunne (1990) etc argue positive relationship and believe that larger apportion of resources to defence budget sometimes encourage R&D, enhanced security, create demand, and may cause increase in labour and in savings in smaller developing economy. But there are no trends to attribute to it till the country is actually threatened or during national crises. Therefore, no long term propensity of public saving habit can be attributed to the defence budget. There is also a third school of thought which has concluded no correlation between defence spending and economic growth. Authors like Alexander (1990), Huang and Mintz (1990) etc. have found no relation between the two variables. All these studies are based on group of countries using cross sectional data. In Indian context, studies by Kanchan Dutta (2017), NaHou (2009) etc have found a negative relationship between defence spending and national output for India.

ADEQUACY OF DEFENCE BUDGET

India has unique geography and has even more unique neighbourhood. Pakistan and China are declared nuclear states. India and China, both are rising global power and any future conflict would affect the world order. In addition, security functions in India involves fighting proxy war in Jammu & Kashmir, quelling activities of left wing extremists as internal security concern and neighbourhood security involving Bangladesh, Nepal, Sri Lanka, Bhutan, Myanmar and Maldives. This justifies carving out sizeable resources for defence budget in Indian context. Though, there is no race with Pakistan and China but the recent strategic awakening in the Indian Security Establishment is preparing India for a two front war leading to enhanced military expenditure in India (Raj, 2018). India has become the second biggest importer of weapons and is ranked fifth in the world in defence expenditure but it is still awfully short in view of its security needs in terms of its size, situations and threat perceptions. The government now has red flagged the availability of resources for defence needs and has adopted 'Poverty-sharing' and 'Make-Do' approach with available resources. Armed Forces stare at the Operational Hollowness with depleting capabilities and are crying endlessly to make up its valid needs. The public in general and the resource managers feel that the Non-Development portion of the government budget is too high and it has a sinking cost with no public good being achieved from these resources (Rabindra, 1999).

TRENDS OF DEFENCE BUDGET

The defence budgets of India for 20 years are mainly based on small revision of past allocation levels but do not confirm to a rigid percentage pattern as part of Central Government Expenditure (CGE). Indian defence budget does not show influence of any major foreign capital infusion or effects of any major aid donors in capital procurement and expenditure plan under the review period. The allotment of funds for defence expenditure has matured at 10-15 per cent of CGE over the years with defence budget to GDP ratio varying between 1.49 per cent to 2.51 per cent of GDP (<http://www.sipri.org/databases/milex>). The defence budget consists of funds for Ministry of Defence (Civil) and other defence organizations like DRDO, DGOE, DGQA, NCC, ECHS, Mil Farms etc. Therefore, the actual allocations for armed forces have varied between 1.7 to 1.9 per cent of the GDP.

The Tables 1&2 reveal that the share of defence expenditure in total CGE has decreased from 12.6 per cent in 1998 to about 10.6 per cent in 2019. The percentage change in total defence allocation (DTE) on Year to Year basis is sporadic and mostly relates to demand necessitated liabilities created due to procurement in Capital or Revenue Head in the respective years.

Table 1: General Budget and Defence Budget
(capital and revenue expenditure from 1998 to 2018 Showing GDP ratio)

<i>Year</i>	<i>G C E</i>	<i>G R E</i>	<i>CGE</i>	<i>DCE</i>	<i>D R E</i>	<i>D T E</i>	<i>DTE to CGE ratio per cent</i>	<i>DTE to GDP ratio per cent</i>
1998	25200	300483	325683	10036	31200	41236	12.66	
1999	30415	347554	377969	11855	35216	47071	12.45	
2000	25426	342647	368073	12384	37238	49622	13.48	2.5
2001	36050	375582	411632	16207	38059	54266	13.18	2.5
2002	31743	412976	444719	14953	43024	57977	13.04	2.3
2003	37488	442311	479799	16863	45472	62335	12.99	2.4
2004	57226	458871	516097	31994	45648	77642	15.04	2.45
2005	58088	541654	599742	32338	51079	83417	13.91	2.5
2006	65203	644123	709326	33828	54086	87914	12.39	2.6
2007	116937	721649	838586	37462	57671	95133	11.34	2.49
2008	84448	1022935	1107383	41000	76948	117948	10.65	2.48
2009	112183	1047425	1059608	51112	92026	143138	13.51	2.47
2010	137096	1197396	1334492	62056	94740	156796	11.75	2.55
2011	137485	1318361	1455846	66144	109040	175184	12.03	2.5
2012	150565	1445406	1595971	70499	113485	183984	11.53	2.43
2013	172019	1604758	1776777	78882	130163	209045	11.77	2.41
2014	175391	1719809	1895200	81965	148358	230323	12.15	2.4
2015	264124	1793773	2057897	79958	149946	229904	11.17	2.42
2016	243612	1988719	2232331	79370	176859	256229	11.48	2.47
2017	330508	2217534	2548042	86529	187406	273935	10.75	2.44
2018	407102	2404513	2811640	93992	199130	293122	10.43	2.42
2019	398431	2653764	3052195	110394	215197	325591	10.67	1.6

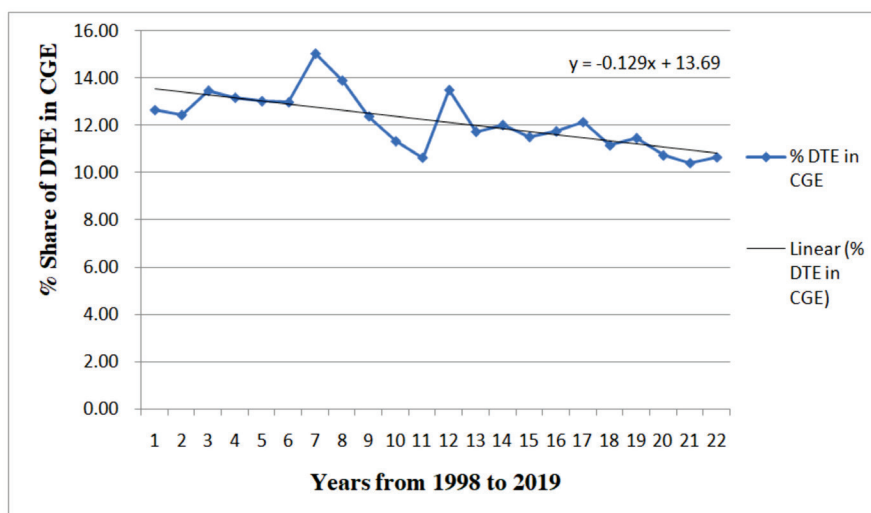
Source: indiabudget.gov.in/previous_union_budget.php & www.macrotrends.net

Table 2: Defence Budget and Union Budget for period 1998-2018

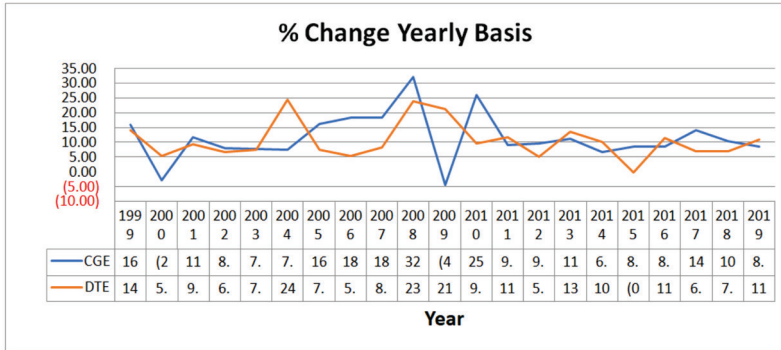
<i>Year</i>	<i>CGE</i>	<i>per cent Chg in CGE</i>	<i>DTE</i>	<i>per cent Chg in DTE</i>
1998	325683		41236	
1999	377969	16.05	47071	14.15
2000	368073	(2.62)	49622	5.42
2001	411632	11.83	54266	9.36

<i>Year</i>	<i>CGE</i>	<i>per cent Chg in CGE</i>	<i>DTE</i>	<i>per cent Chg in DTE</i>
2002	444719	8.04	57977	6.84
2003	479799	7.89	62335	7.52
2004	516097	7.57	77642	24.56
2005	599742	16.21	83417	7.44
2006	709326	18.27	87914	5.39
2007	838586	18.22	95133	8.21
2008	1107383	32.05	117948	23.98
2009	1059608	(4.31)	143138	21.36
2010	1334492	25.94	156796	9.54
2011	1455846	9.09	175184	11.73
2012	1595971	9.62	183984	5.02
2013	1776777	11.33	209045	13.62
2014	1895200	6.67	230323	10.18
2015	2057897	8.58	229904	(0.18)
2016	2232331	8.48	256229	11.45
2017	2548042	14.14	273935	6.91
2018	2811640	10.35	293122	7.00
2019	3052195	8.56	325591	11.08

Source: [indiabudget.gov.in/previous union_budget.php](http://indiabudget.gov.in/previous_union_budget.php)

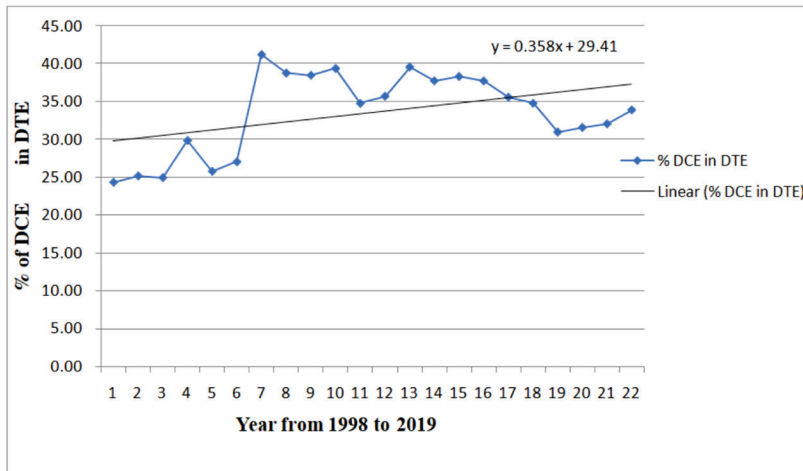


Graph 1: Per cent share of Defence budget in Central Government Expenditure



Graph 2: Change of Central Government Expenditure and Defence Expenditure

The increase in CGE has not fully percolated to the defence budget as per cent change on YoY basis is much lower in case of defence budget except few exception years where there is an increase justified by major out go due to purchase of major weapon system or implementation of 7th Central Pay Commission (CPC)/ One Rank One Pay (OROP) commitments. The ideal 60:40 mix (Behra: 2018) of Revenue to capital ratio is almost impossible to achieve due to burgeoning salary and pension bills. The analysis of capital expenditure of defence budget which is critical for capability building for Armed Forces is varying between 25 to 35 per cent in the chosen period. The trend line shows capital expenditure at 33 per cent which substantiates the efforts being made by Ministry of Defence and Service HQs to reach towards the ideal figure of 40 per cent in the Capital Head. The implication is that more resources have to be earmarked towards capital budget which is the need of the hour to sustain modernization.



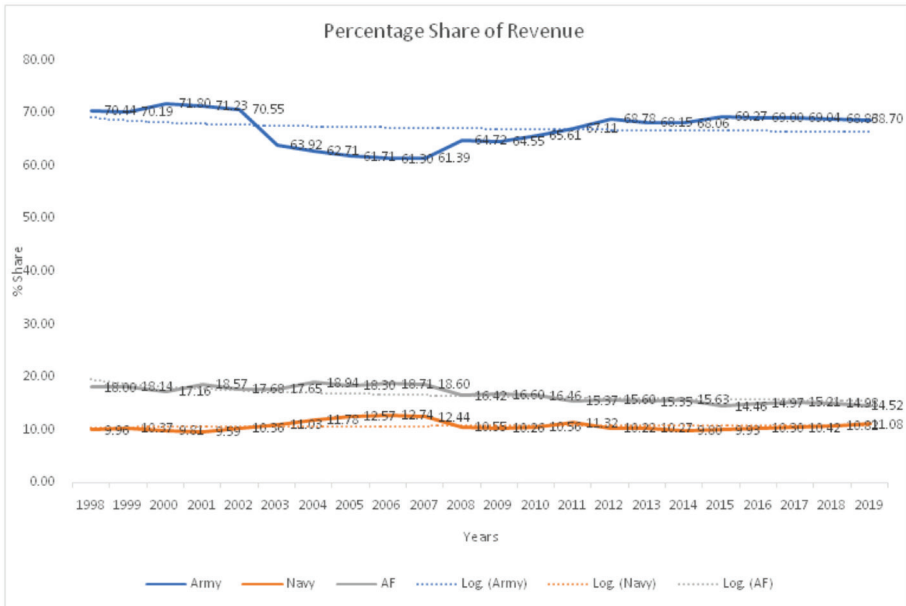
Graph 3: Data showing per cent change of capital budget in Defence budget for period 1998-2019.

Among the defence services, the Indian Army accounts for the biggest share in the defence budget followed by the Air Force, Navy, DRDO and others including Ordnance factories. The revenue data for 20 years have been analysed and the data has been further converted into percentage terms to estimate the trends in the expenditure pattern. It is observed that Air force and Navy followed the trend in revenue allotment but the army slipped from the trend line from 2003-04 to 2012-13 for about 10 years spending less than the projected average affecting its operational capabilities.

Table 3: Data showing division of Defence Revenue allotment in major subheads

<i>Year</i>	<i>Def Rev</i>	<i>Army</i>	<i>Navy</i>	<i>AF</i>	<i>DGOF</i>	<i>DRDO</i>
1998	31200	21977	3109	5615	498	–
1999	35216	24717	3652	6389	458	–
2000	37238	26737	3653	6390	458	–
2001	38059	27111	3649	7069	230	–
2002	40709	30353	4456	7605	609	–
2003	43203	29064	5016	8025	658	2709
2004	43862	28625	5378	8647	645	2353
2005	48211	31520	6422	9350	976	2809
2006	51681	33154	6890	10118	893	3031
2007	54219	35405	7174	10729	1137	3226
2008	73600	49798	8116	12633	2526	3875
2009	88440	59399	9439	15275	3534	4379
2010	93068	62162	10008	15596	1698	5275
2011	104793	73175	12347	16757	1340	5421
2012	111277	78056	11602	17709	876	5241
2013	124800	88712	13364	19983	2381	5722
2014	140405	100969	14536	23186	3307	6360
2015	143236	103868	14885	21677	3204	6311
2016	168635	122031	18214	26480	3171	6962
2017	175861	129381	19529	28510	1925	8061
2018	199130	137056	21545	29383	2667	8479
2019	215197	147843	23487	31252	3208	9407

Source: indiabudget.gov.in/previous_union_budget.php & mod.gov.in/document/annual-reports



Graph 4: Trends in percentage share of Revenue: Army, Navy and Air Force for period 1998-2019

It is of utmost importance to have an ideal mix of Capital and Revenue in the defence budget and further to have an optimal balance among defence expenditure, social and public spending in CGE. Therefore, defence expenditure must be promoted as investments in technology, industrialization and as budget for employment generation which aids overall development for the country.

DEFENCE BUDGET AND PUBLIC GOOD

Army gets the lion’s share due to its huge establishment and spends about 60 per cent of the defence budget. However, a considerable amount of money spent on defence is in some way ploughed back in the economy on various accounts. Expenditure on defence does contribute meaningfully towards local economy in terms of increase in retails, employment generation, improvement in infrastructure and increase in savings. Therefore, larger public good is also achieved and felt at local level which enhances the sense of security in society. A micro analysis of one of the Army’s five year Plan (12th Army Plan 2012-2017) has been carried to map the contribution it made to economy during the period. This analysis is based on data only for Army and the data for AF, Navy and other attached offices of MoD for that period have not been taken. The defence budget⁸ for the 12th plan was approximately 11.2 lakh crore and the Army budget in that comprised of 5.69 lakh crore. The contribution

of the budget towards Nation building has been categorized under the following three heads:-

- (a) **Direct Contribution.** This includes the remittances to the Consolidated Fund of India (CFI) by levy of direct & indirect taxes, expenditure on infrastructure development and education etc. 10.96 per cent (62375.64 Cr) of the Army Budget allotted during 12th Plan was devoted towards direct contribution in economy. The direct contribution can be further categorized under four board heads i.e Revenue Non Salary, Revenue Salary, Capital Acquisition and Other than Capital Acquisition.
- 8 Retrieved from http://www.Indiabudget.gov.in/previous_union_budget.php
The average taxes per year that were ploughed back into CFI during 12th plan are 12475.12 Cr or 0.743 per cent of the Government expenditure and details are as under:-
- (i) **Revenue:** Non Salary. The taxes paid for transportation, Military Farms, ECHS, Stores procured and Infrastructure amounts to 2251.6 Cr or 0.134 per cent of the Government expenditure.
 - (ii) **Revenue:** Salary. Taxes paid towards the salary of defence persons, defence civilians and Territorial Army amounts to 7554.58 Cr or 0.45 per cent of the Government Expenditure.
 - (iii) **Capital Acquisition.** Taxes paid on account of the equipment procured for modernization amounts to 1796.03 Cr or 0.107 per cent of the Government Expenditure.
 - (iv) **Other than Capital Acquisition.** Taxes paid on account of land, construction works, MAP, MF and ECHS as also towards building Rohtang Tunnel, Infrastructure Development in Eastern Command and construction of China Study Group Roads amounts to 872.8 Cr (out of which 711.39 Cr is for the infrastructure development) or 0.052 per cent of the Government expenditure.
- (b) **Indirect Contribution:** Local Economy. Formations & Units of the Indian Army are located across the country with a significant number of troops in remote area. Any expenditure (from private or public funds) incurred by these formations/units contribute towards the local economy as it involves hiring of local transport, labour, procurement of stores and expendables, hiring of services etc. 26.52 per cent (150913.9 Cr) of the Army Budget allotted during 12th Plan was devoted towards indirect contribution. If the Indirect tax is averaged for one year of 12 th plan then it amounts to 30182.78 Cr or 1.799 per cent of the CGE.
- (c) **Balance:** Services Availed. It is the cost of stores procured and services availed by the Army and is equivalent to the cost borne by the nation for maintaining army. 62.52 per cent of the Budget allotted for this purpose.

- (d) **Ancillary Organizations.** Army provides resources in terms of manpower and management to organizations like AWHO, AWES, BRO, NCC, TA, AGIF & CSD etc which contribute towards nation building through contribution of taxes into CFI, generating employment, facilitating education and creating infrastructure. Approximately 1.24 Lakh jobs are created who contribute nearly 805 Cr as direct taxes amounting to 0.047 per cent of the total CGE.
- (e) **Employment Generation.** The Government of India is able to generate approximately 57.52 lakh jobs,⁹ annually, at an expenditure of approximately 4743.19 Cr, which is allotted to Department of Labour & Employment Generation. The Army is able to generate approximately 1.24 Lakh jobs annually from within its own resources, therefore an amount of 102.25 Cr or 0.0061 per cent of CGE may be assumed to contribute towards nation building.
- (f) **Facilitating Education.** The Government of India expends approximately 79686 Cr through the Ministry of Human Resource Development¹⁰ for 15,16,865 Schools, 38,498 Colleges, 760 Universities & 12,276 Stand Alone Institutes educating approximately 3,150 Lakh students annually¹¹. The Army manages 385 Schools & 11 Colleges educating approximately 3.18 lakh students annually. Using the Yardsticks of funds allotted to Ministry of HRD for education of students, an amount of 72.7 Cr or 0.0043 per cent of Government Expenditure may be assumed to be contributing towards nation building.

Table 4: Percentage contribution of Army budget going back to national output

S. No.	Contribution	Amount	per cent Army Budget	per cent CGE
1	Direct	12475.12	10.98	.743
2	Indirect	30182.78	26.56	1.799
3	Contribution by Ancillary org to CFI	805.04	.70	.047
4	Employment Generation	102.25	.09	.0061
5	Army Welfare Education	72.7	.06	.0043
	Total	43637.87	38.39	2.5994

(Source: Financial Planning Directorate, IHQ of Army(MoD))

9. Ghosh, P., & Ghosh, S. (2018, January). Towards a Payroll Reporting in India. IIM Study Report, Bangalore.

10. Retrieved from [http:// www.cbgaindia.org/wp-content/uploads/2017/02](http://www.cbgaindia.org/wp-content/uploads/2017/02)

It is seen that approximately 38.39 per cent of the annual Army budget or 2.5994 per cent of the CGE is contributed directly or indirectly towards nation building by various activities. If the contribution of AF and Navy is also factored in, it would amount to an even bigger contribution at the national level.

CONCLUSION

The narrative of Gun vs Butter dilemma must be viewed differently as they are not exclusive rather complement each other. The defence budget allocations are mainly based on small revision of past allocation levels but do not confirm to a rigid percentage pattern as part of Central Government Expenditure (CGE). The government has already sounded the MoD about limited physical and financial resources available for defence budgeting specially when the Indian economy is going through substantial slowdown and suppressed economic activity due to COVID-19 lockdown. It is not possible to keep the military expenditure even at 2.5 per cent of the GDP which have been the trend in the past years. Defence budget presently hovers around 12 to 15 per cent of CGE.

The increase in CGE is mostly catering for the manpower costs in terms of wage and pension bill. MoD along with Armed forces will have to find ways to reach in ideal mix of 60:40 its revenue to capital ratio to make available resources for modernization. It is further observed that where Air Force and Navy spent their revenue budgets along projected lines from 2003-04 to 2013-14, Army slipped out affecting its operational readiness.

The paper also brings to focus the contribution made by the Army budget in national economy. Army budget brings back about 38.39 per cent of its own budget amounting to 2.597 per cent of CGE into economy equivalent to about INR 43637.87 Cr (2016-17 basis) in terms of direct and indirect taxation and subsequent capital formation leaving aside similar contributions made by Air Force and Navy. It creates a traction in the local economy by contributing in local infrastructure, housing, employment generation, transportation needs, enhanced retail, education and environment protection. Growth is inbuilt in security. The very presence of elements of Armed forces or its smallest dwellings in terms of military stations/cantonments bring development in local economy. It has been observed that any permanent movement of a unit/formation/Establishment out of an area is often fiercely opposed by the locals and the state governments. Therefore, the expenditure on defence must be seen in light of being a premier public good shared by citizens of the country for the security of nation.

The details of restructuring, cost cutting measures and modernization delays are beyond the scope of this paper. However, future defence budgets must bring in financial and economic traction¹² at national level. The idea of consolidating

demand for security related equipment, arms and ammunition for Internal security managed by Ministry of Home Affairs (MHA) including requirements of respective State governments in order to provide scale to Indian Public and Private Defence industry is an idea worth considering.

It is evident that a sustainable defence budget for future not only have to indigenize heavily with quality products under Make in India to meet its major requirements and improve export promotion but also may look at other options of monetizing its massive idle land bank, vast idle reserve of skilled and semiskilled manpower as pensioners and its ultimate brand value in loyalty business of banking and insurance leaving aside Armed Forces to focus on its primary aim.

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THE IMPACT OF WOMEN FARMERS' INCLUSION IN FARMER PRODUCER ORGANIZATIONS ON HOUSEHOLD NUTRITIONAL SECURITY: A LITERATURE REVIEW

Manish Kumar* and Aviral Pandey**

Abstract

Women have been traditionally playing an important role in agriculture, particularly crop production, in states such as Bihar. But, there has been a noticeable decline in the number of women actively participating in economic activities, including agriculture and related activities, in states such as Bihar in recent years. This could be a factor responsible for the high malnutrition among children and adults in the state. It appears that commercialization and the use of technology, including other factors, are contributing to decline in female participation in agriculture and related fields. On the other hand, interventions such as farmer producer organisations have been effective in increasing female active participation in agriculture. Women's active participation in Farmer Producer Organizations increases women farmers' access to productive and income-generating resources, that further improves children's nutrition, health, and education. However, the nutritional implications of FPOs are poorly understood. A review of existing literature is required to develop an understanding of the nutritional implications of Farmer Producer Organizations. Based on a systematic review of the literature, this study investigates the gender and nutritional implications of Farmer Producer Organisations.

Keywords: Farmer producer organization, Commercialisation, Women, Nutrition.

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INTRODUCTION

Farmer Producer Organizations (FPOs) in India are significantly contributing to women's empowerment by facilitating women's access to productive and income-generating resources. Simultaneously, a strong woman also improves her family's food security, reduce poverty, and improve their nutrition and health (UN, 2016). FPOs give both men and women equal access to the services and resources needed for production. Since many male farmers relocate to urban areas in search of alternative employment opportunities, increasing the participation of women in agriculture is crucial (FAO-OECD, 2011). Women's active involvement in agricultural activities can also improve the future of their family members and next generations. The examples from Africa and Asia show how women's power to decide on family nutrition and production decisions increases when they have more control over their income and production decisions (HKI, 2010). In case of small and marginal farmers, FPO becomes even more important. Marginal farmers join producer organisations in order to access modern commercial channels.

In developing countries, women traditionally controlled the marketing of agricultural products, but advances in agricultural technology and modernization have allowed men to fully take over farm management (Johnson et al., 2016; Quisumbing et al., 2015). On the other hand, FPOs are helping female farmers link them with market channel so they can sell their farm products directly to consumers without the involvement of middlemen. Here, women's independent management of production resources decreases their reliance on men and increases their economic and societal contribution (ILO, 2014). Increased women's control over resources benefits both women's empowerment and the nutritional well-being of households because it empowers women to perform the role of providers while men take less active role in all this (Tavenner & Crane, 2018).

Academics and policymakers in India are interested in identifying the relationship between FPOs and households' nutrition. But, a theoretical understanding is required in several areas, including how this linkage works and how female participation in FPOs may contribute more to meet the households' nutritional needs. Policymakers can gain insight from the theoretical understanding on this issue by seeing how this linkage could potentially affect state like Bihar. In light of the situation, the purpose of this article is to examine how do women's participation in FPOs affects the nutritional status of their households. The majority of this work is based on review of available literature. In total, this article has seven sections. The first section of this article discusses FPO characteristics and the distinctions between FPOs and cooperatives. The methodology section is covered in the second section of this article. Section III lays the theoretical groundwork for understanding how the commercialization of agriculture mandate and household nutrition are related. Section IV provides details on national and international experiences of

the linkages between the FPO and household nutritional status through Women's Empowerment. Section V discusses impact of FPO Membership on Households Income in India, and Section VI explains how FPOs can end malnutrition in Bihar. Section VII includes conclusion and areas for future research

SECTION I

Farmer Producer Organisation (FPO): Conceptualization and Origin

Because of the growing concern to promote organisations such as producer companies in rural areas, there is a large amount of literature on the function of FPOs and their development. The papers discuss the FPO in brief, beginning with its concept, composition, and role in employment generation. We also look at the circumstances/factors that influence its development and expansion.

Farmers Producer Organisation (FPO) is an example of a Producer Organisation, whose members are farmers. Small Farmers' Agribusiness Consortium (SFAC) is supporting the promotion of FPOs (GoI, 2013). An organization of producers of any product, such as agricultural, non-farm, artisanal, etc., is known as a Producer Organisation (PO). Farmer producer organizations (FPOs) are crucial organisations for the progress of farmers and the rural poor, as well as for their empowerment and reduction in poverty among farming households (FAO, 2006). Farmers' access to technology, increased productivity, and improved input and service access are critical for increasing farmers' earnings in India and states such as Bihar (Chander, 2019). Given these facts, farmers' organisations in India have been encouraged to combine the advantages of decentralised production with the advantages of centralised services, post-harvest management, value addition, and marketing. A PO for non-farmers can also be established if the producers produce a non-farm product (such as a handcraft or item made with a loom).

FPO has also been seen as method of bringing together small and marginal farmers and other small producers in order to form commercial ventures under the supervision of experts. Farmers can form a producer group to support specific initiatives (Trebbin and Hassler, 2012). Farmer producer organisations perform tasks such as input acquisition, post-harvest gathering and processing, and selling (marketing) goods. FPO can help farmers with crop marketing as well as the production of a variety of agricultural products. Because of farmer associations, small farmers can participate in the market more successfully and collaboratively (Fischer and Qaim, 2012). Members of FPOs can compete with larger farms and agribusinesses because they can acquire inputs and outputs with lower transaction costs, gain market knowledge, gain access to new technology, and reach high-

value markets (Quisumbing et al., 2015). The FPO is regarded as an extension of agricultural operations. The farmer can concentrate on production while delegating other tasks to the farmer-owned company. In essence, while farmers handle primary production, POs can handle increased postharvest operations, input supply, and other tasks to ensure that farmers can provide the items that the market desires at the proper quality, time, and price (Kormelinck et al., 2019; Bijman et al., 2016). Another advantage of joining forces in an FPO is the ability to hire skilled and specialised human resources that may be out of reach for a single farmer (Meijers et al., 2016). Farmers' Organizations (FOs) have been formed in India with the goal of internalising extension services for their members and providing both forward (production facilities, market and value addition) and backward (input, credit, and technology) linkages (Khan and Pratap, 2021).

Differences between FPOs and Cooperatives

There are significant distinctions between farmer producer organisations and cooperatives (See Table 1). A producer organisation is a producer organisation, which can be a producer company, a cooperative society, or any other legal form that operates on the principles of profit or benefit sharing among members. Furthermore, FPO (Farmer Producer Organisation) (also known as farmers' producer company) are mainly governed by the Companies Act of 1956. A FPO can be a PC, a cooperative society or any other legal framework. A cooperative Society is a non-profit organisation that is run by and for the people who buy and use its products and services. India has had cooperative societies since before independence. In the late 1890s, many farmers in western Maharashtra revolted against the persecution of moneylenders. The British government in India enacted the Cooperative Society Act in 1904 for poor farmers who relied on money lenders for agricultural loans. The provisions of the Act were later expanded to include cooperative financing organisations and banks in both rural and urban areas. However, during World War II, cooperative organisations in India faced difficulties as agricultural commodity prices rose. This 'cooperative movement' in India gained traction after independence. The government recognised the importance of the cooperative sector in promoting the rural economy. It included proposals for this area in its "Five Year" Action Strategies series of development plans. Every hamlet was encouraged to have at least one cooperative society. It also aided in the establishment of cooperative farms. Cooperative societies in India evolved from the agricultural market to the credit sector, and then to large-scale industries such as housing, fishing, banking, and so on. On the other hand, FPOs includes both provisions of cooperatives and companies. Amendment was done in company act and section-IX A was added for creation and registration of FPO. Major differences between cooperatives and FPOs/PCs are given in Table 1. Overall, FPOs have better legal status and more democratic structure than the cooperatives.

Table 1: Key Differences between Producer Company and Cooperative

<i>PARAMETERS</i>	<i>COOPERATIVE</i>	<i>PRODUCER COMPANY</i>
Registration	Cooperative Societies Act.	Indian Companies Act.
Objective	Single object	Multi-object
Area of operations	Restricted, Discretionary	Entire Union of India
Membership	Individuals and cooperatives	Any Individual, Group, Association, Producer of goods and services
Share	Non- tradable	Non- tradable but transferable and limited to members on par value
Profit sharing	Limited dividends Shares	Commensurate with the volume of business
Voting rights	One member, but government and registrar of cooperatives hold veto power	One member, one vote members not having transactions with the cannot vote
Government Control	Highly patronized to the extent of interference	Minimal, limited to statutory requirements
Extent Autonomy	Limited in “real word scenario”	Fully autonomous, self-ruled within the provisions of the act

Source: NABARD 2015.

FPO/Producer Company

Here it is important to discuss the provisions of Producer Company. The Government of India (GOI) enacted the Producer Companies Act (under which FPOs perform their business) in 2002 by incorporating a new section IXA in the Indian Companies Act, 1956, based on the recommendations of the Y.K. Alagh Committee established for this purpose. A Producer Company (PC) has to registered with the company's registrar (ROC). The Government of India's goal for such an initiative was to formulate legislation that would allow the incorporation of cooperatives as companies and the conversion of existing cooperatives into companies. A PC is formed with the members' equity contribution. The day-to-day operations are expected to be managed by professionals hired from outside, who will report to the Board of Directors (BOD), which is elected/selected by the PC's General Body for a specific tenure. Because farmers or producers are the company's equity holders, a PC as an organisation provides an appropriate framework for the producers to own the company. The PC's primary goal is to bring together small farmers and producers for (a) backward linkages for inputs such as seeds, fertilisers, credit, insurance, knowledge and extension services, and so on, and (b) forward linkages

such as collective marketing, processing market lead agriculture production, and so on.

SECTION II

Methodology

This article follows a systematic review that focuses on the connections between farmer producer organisations, women, and nutrition. A systematic review assists in synthesising data from all available sources and integrating it to effectively reach and promote farmer producer organisations. The findings of this study could thus be used to develop new strategies for improving the households' nutrition status. The current systematic review included studies on Farmer Producer Organizations and the links between producer organisations, nutrition, and women's income. This study uses Google Scholar search engine to identify relevant literature. The search string used in Google Scholar was "TITLE-ABS-KEY (Farmer Producer Organization) OR TITLE-ABS-KEY (Producer Organizations and Cooperatives) AND TITLE-ABS-KEY (Farmer Producer Organization and Women) AND TITLE-ABS-KEY (Producer Organization and Nutrition) AND TITLE-ABS-KEY (Farmer Producer Organisation in Bihar)".

Data Management

Mendeley, a bibliographic reference management tool, was used to import all pinpointed references, and duplicates were removed.

Selection of Studies

First, we independently screened the articles for titles and abstracts, and then we performed initial screening and data extraction. Articles on the "Impact of Farmer Producer Organizations on Women and Households' Nutrition" were included in the full-text Review. Following the primary screening, the selected articles were reviewed for full-text reading to determine their eligibility.

Study Characteristics

The final sample for the systematic review includes 29 research articles/papers, the majority of which were descriptive and quantitative in Nature and discussed the links between FPOs and women, as well as household nutrition in India and abroad.

SECTION III

Agriculture Commercialization and Household Nutrition

At least 2 billion people worldwide suffer from micronutrient deficiencies in the twenty-first century, and more than 800 million individuals are chronically undernourished (FAO, 2019; IFPRI, 2016). Many of these households are small-scale farming households that rely primarily on agriculture for subsistence and livelihood in developing countries. A key question arises in that country, where the majority of households reside in rural areas and are primarily marginal farming households, how to improve the nutritional status of households (Fan and Pandya-Lorch, 2012). Commercialization of marginal farmers' products is critical to agriculture and rural development (IFPRI, 2018). Agriculture commercialization can have an impact on household nutrition by improving dietary quality and increasing calorie and micronutrient consumption. Commercialisation may have an impact on food consumption, either directly or indirectly. It is expected that selling a larger share of what is produced will increase a household's income and thus will improve households' access to nutritious food (e.g., Von Braun, 1995). If the farm family chooses to sell the product rather than use it, their cash income will immediately increase (Barrett, 2008).

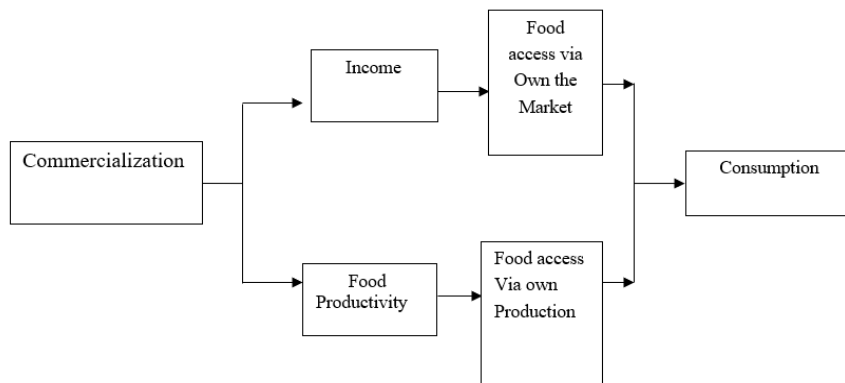


Fig 1: Relationship Between Commercialization and Food Consumption

Source: Author's Conceptualisation

A variety of literature on agricultural commercialization in case of African countries can be found, such as consumption of calories, zinc, and iron was increased by their family members following agricultural commercialization in case of Kenya (Ogotu et al., 2017). Furthermore, Ogotu et al. (2017) provided evidence that additional cash and income (through producer organisation) were spent on calories and

micronutrients, and similar effects were also seen in the case of Malawi (Radchenko and Corral, 2017). Commercialization through FPO has two broader implications for small and marginal farmers. On the one hand, it increases farmers' income, while on the other, it increases crop productivity. Farmers with increased income can purchase more food or nutritious food items from the market, and farmers with increased production can also achieve high food security status from own production and thus can enjoy improved households' nutrition.

SECTION IV

National and International Experiences of the Linkages Between the FPO and Household Nutritional Status through Women's Empowerment

Producer Organizations (POs) play an important role in empowering women in developing countries by making resources and services available to them. Family membership in POs, on the other hand, frequently leads to the commercialization of smallholder farming, which empowers women when males take over farm management due to improved access to markets and technology (Mwambi et al., 2021). Producer organisations (POs) are emphasised as a critical first step in rural development (ILO, 2014). POs' business model promotes women's empowerment because it is based on the ideals of self-help, equality, and equity, as well as economic progress through collaboration (Burchi&Vicari, 2014; Manchon & Macleod, 2010). According to the United Nations (UN, 2016), and the World Bank (World Bank, 2012) women's empowerment increases food security, alleviates rural poverty, and improves nutrition and health. According to FAO (2011), women increase production if they have equitable access to resources and services. Recent research has also examined the factors that influence farmer collective action participation and its impact on commercialization, prices, and earnings (e.g., Barham and Chitemi 2009; Bernard and Spielman 2009; Fischer and Qaim 2012). It has been seen that higher household income due to commercialization often has a positive impact on total consumption if revenue is managed by women, as revenue is more likely to be used for purchasing food and other essential home items, which improves the nutritional status of the households (Hoddinott and Haddad1995; Quisumbing et al.1995. Barham and Chitemi (2009) investigated the relationship between Farmer Producer Organization gender composition and marketing success, Mayoux (1993) and Gotschiet et al. (2009) investigated gender equity and mainstreaming within rural farmer groups and cooperatives. Previous research on women's participation in FPOs focused on the effects on agricultural productivity and marketing. Later, we find literature on the relationship between FPOS and household nutrition, which works through women's active participation in production and increased income control (Barhamand and Chitemi 2009).

SECTION V

Impact of FPO Membership on Households Income in India

The sections focus on the findings of FPO studies conducted in India, which show how FPOs affect output, productivity, and income augmentation. There is significant impact of FPOs on member households' income. In 2019-20, a NABARD internal study in three states – Madhya Pradesh (MP), Odisha, and Kerala – found that the net yearly income of FPO members increased by 29% (See Table 2). The average annual income of members in Odisha was 79,557 prior to joining FPOs, but it increased to 90,247 after joining, a 13.4% increase. The average annual income of Kerala members prior to joining FPOs was 85,114; after joining the FPO, it increased to 1,42,038. In M.P., the average yearly income of members before joining FPOs was 1,54,640, but increased to 1,79,548 after joining the FPO. FPO members' income increased by 66.9 per cent in Kerala and 16.1 per cent in Madhya Pradesh, respectively. Higher plantations contributed to higher growth in Kerala's farmers' income. Farmers reported higher average prices for their produce after joining FPOs. Farmers in Madhya Pradesh, for example, reported increases in the average price (per quintal) of about 7.5% in the Kharif (2019) season and 12.5% in the Rabi (2018) season, while in Kerala, the average price increased by more than 46%. Besides higher price for their produce, farmers who joined Farmer Producer Organization reported higher crop yields, lower input costs, and lower cultivation costs.

Table 2: Income Enhancement of FPO Members

<i>Name of state</i>	<i>Pre/Non-FPO</i>	<i>Post-FPO</i>	<i>Increases (%)</i>
Odisha	79,557	90,247	13.4
Kerala	85,114	1,42,038	66.4
Madhya Pradesh	1,54,640	1,79,548	16.1
Total	3,19,311	4,11,833	29

Source: Field study conducted by NABARD in 2019-20 in different states.

SECTION VI

How FPOs can end Malnutrition in Bihar

Bihar state is attempting to improve food and nutrition security despite its large population, widespread poverty, and high rates of malnutrition. High malnutrition is a serious problem in Bihar, where the prevalence of underweight children is

comparable to that of underdeveloped countries worldwide and significantly higher than the Indian average (Singh and Singh, 2020). Only Jharkhand (57.1%) and Madhya Pradesh (59.8%) have a higher percentage of underweight children than Bihar (56.1%). (2012) (World Bank). “In Bihar, more than half of stunted children are severely stunted, nearly 40% of total underweight children are severely underweight, and 30% of wasted children have severe undernutrition” (UNICEF, discussion paper). Stunting, a symptom of chronic malnutrition, has long-term consequences for a child’s ability to grow physically, think critically, and generate income. It is critical to recognise that agriculture employs 50% of the workforce and is the primary source of income for the majority of rural households. In order to achieve better nutritional outcomes, agricultural policies and programmes must place a greater emphasis on nutrition (FAO, 2013). A multi-sectoral approach to treating malnutrition is required to improve nutritional outcomes, as agriculture has the potential to alleviate malnutrition (FAO, 2013; Das et al., 2014). Although women make up a small proportion of the agricultural workforce, they make significant contributions to the industry without receiving adequate recognition (FAO, 2011). They face significant challenges in gaining access to resources for production, markets, and services. As a result, in order to encourage improved nutritional outcomes through nutrition-sensitive agricultural interventions, the role of women in agriculture must be strengthened. Farmer producer organisations can be effective in ensuring that women farmers have access to production resources. This can improve overall household income and, as a result, nutritional status. There have been studies that show that FPOs have a significant impact when handled by women in the state. JEEVIKA and NABARD are assisting Farmer Producer Organizations in Bihar and giving female farmers a voice. However, there have been no studies on the nutritional implications of FPOs in Bihar. Thus, micro level studies are required to determine the impact of FPOs on household nutrition.

SECTION VII

Conclusion and Areas for Future Research

In India, Farmer Producer Organizations (FPOs) can make a significant contribution to women’s empowerment and households’ nutrition. An empowered woman can improve her family’s food security, reduce poverty, and improve nutrition and health. Here, FPOs based female empowerment provide equal access to production resources and services for men and women. Access to production resources for women decreases their reliance on men while increasing their contribution to the economy and society (ILO, 2014). The goal of this article was to use a systematic review of literature to determine whether women’s participation in FPOs affects the nutritional status of their households. Our study shows that

FPO-based commercialisation can help improve household nutrition if female farmers participate actively in agriculture and in agricultural commercialization. Also, there is enormous potential to improve household nutrition in state like Bihar as women farmers in state are still not actively participating in agricultural commercialization. Inclusion of female farmers in agricultural commercialization through FPOs can thus have a significant impact on the households' nutrition in the state. There has been limited research on the impact of FPOs on nutrition in India in general, and Bihar in particular. Thus, primary survey-based research on the nutritional implications of FPOs is required to develop policies to improve the nutritional status of households in states such as Bihar.

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RISE OF SELF-ASSERTIVE ROLE OF SC WOMEN IN BIHAR POLITICS: A MICRO LEVEL ANALYSIS

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Abstract

Scheduled Caste (SC) women bear the triple burden of caste, class and gender since ages. But with the advent of new Panchayati Raj arrangement further revised in 2006, the women of all categories got opportunity to enter into political arena, nevertheless at grassroots level. It has been witnessed that since then women's political participation has considerably risen, even in macro level politics evident from rising women voters turn out in general elections. It has also been found that women of lower rung of our society, especially SC women, have turned politically more sensitized than the women of rest of the society. To some empirical studies, the factors behind their rise are threefold – new Panchayati Raj arrangements, voluntarism and social capital. Now the question is – are SC women playing substantial role in political affairs at the grassroots level after entering into political institutions? If so what are the roles they played in rural Bihar? What are the factors leading to their (women of SC categories) increasing political participation? In view of these quests, the present paper examines some ground realities of aspects of political roles of SC women in rural Bihar. The article, based on micro level survey, finds that there has been rise in self-assertive roles played by SC women and the major factor responsible for their entry in political arena is – getting rid of problems faced by them in the society.

Keywords: SC Women, Political Participation, Self-Assertive Roles, Panchayati Raj, Bihar

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RISE OF SC WOMEN AND PRIs

This powerful surge of humanism, liberalism and humanitarianism did not leave India untouched. The British rule felicitated the contact of Indians with the outside world. The social change can be perceived in two phases of development – social reform and political independence. It is important to note that these PRIs made as per recommendations of Balwant Roy Mehta Committee did not achieve the desired success. Since then, several attempts were made improve the situation of PRIs through Ashok Mehta Committee, P V R Rao Committee and finally national debate under prime ministership of Rajive Gandhi. The national debate resulted into the introduction of 64th Constitutional Amendment Bill in this regard to the Parliament but it could not be passed. With passage of 73rd Amendment, the village political scenario changed a lot. The main features of the Act were – making the PRIs constitutional, directly elected people’s representative at all the three tiers and scope of entry of all social categories in the panchchayati raj institutions (PRIs). The new generation of leadership emerged at the grassroots level as result of love and hate relationship between the traditional dominants (upper castes) and the neo dominants (other backward castes). The ‘politics of social justice’ (Verma, 2001) charged the OBCs to enter into the political arena forcefully even at the village level, though it took a long time to break the shackles of traditional natural leaders. The Scheduled Castes from very beginning have been provided with token share in political power structure. They were shadowed in the spade of Mandal-Mandir politics. At the grassroots level, their numerical strength mattered much for the PRIs. In short they have considerable numerical strength with no adequate share in power structure both at micro and macro levels. Since from very beginning a few SC leaders were projected by the Non-SC leadership in order to woo SC vote bank. This revealed that SCs lacked self-assertion.

There have been discrepancy and inequality among SC inter-se. At the grassroots level Dusadhs and Pasis dominate the scene. But with passage of time and perhaps owing to PRIs, they began to participate in political affairs increasingly (Pai: 2001). In the recent past grassroots level leadership among the SCs has risen to a great extent which will be discussed in the forthcoming lines. Two studies of Bihar after 2001 panchayat elections, revealed that the new PRIs have given rise to subalterns in Bihar (Gupta: 2001). The Bihar Panchayati Raj Act 2006 made a revolutionary change by providing 50 per cent reservation to women at all the three tiers of PRIs. Other studies find that SC women were made to take part in PRIs through reservation policy. With the passage of time these categories of women gradually became politically participative (Jha and Puspendra, 2012). Whatever the situation may be it is essential to note the situation in our studied areas.

HOW AND WHY DO SC WOMEN ENTER INTO POLITICS?

The family background is the strongest factor to inspire a section of our society into politics. It generally happened that women of political families joined politics rather inducted into politics easily. The studies have shown that in Bihar Political System, at the macro level, the women politicians mostly came from the families having political family background. So far their participation at the grassroots level politics is concerned, women were hardly visible. But with the introduction of new panchayati raj institutions, a large chunk of women entered into political arena through the provision of reservation, particularly after 2006 since when fifty percent of seats are reserved for women in all categories and at all tiers. In the initial years, these women were drawn from the traditional dominant families or proxy women leaders of poor categories. But with passage of time SC women began to exert political roles inspired by family members, community fellows, voluntary organisations and understanding of utilising their rights (Kumari, 2016). A quick analysis of empirical data collected from two villages of Gaya district reveals the ground reality on the issues of:

1. reason of entering into politics,
2. source of inspiration to work in public domain and modes of political participation practiced by SC women.

The first quest is – how and why they entered into political arena? They were asked to mention the type of role they took up as the breaking point from when they started public activities. The following table 1 depicts the picture. The data reveals that majority of SC joined politics with some public activities as compared to the majority of other caste categories were pushed into politics without any public activities. 31.9 per cent of SC women learnt to take up activities in public domain through participation in vigilance over development work as compared to 40.1 per cent of them through activities like participating and leading procession etc. The situation is quite reverse in case women of better off categories. However they are far behind in case of proposing development plan and collecting people to mount pressure on authorities. It denotes that SC women are not matured enough to propose plans and play leadership roles as much as the women of better off sections. It can be inferred that SC women are more enthused to political opening than that of women of upper strata of society.

Table 1: Type of Role to Enter into Publical Domain

Caste Groups And Quantity	Opinion on First Role Played in Public Domain						Total
	Vigilance over Dev Work	Proposing Dev Plan	Collected People for Mounting Pressure	Led Proce-sion / Org Meetings	Election Work	None	
EBCs	4 (40.0)		1 (10.0)	0	1 (10.0)	4 (40.0)	10 (100)
Gen Cs	1 (33.3)	1 (33.3)				1 (33.3)	3 (100)
OBCs	0 (0.0)	2 (22.2)	0	0	2 (22.2)	5 (55.6)	9 (100)
SCs	30 (31.9)		0 (0.0)	38 (40.1)	9 (9.5)	17 (18.5)	94 (100)
Total	35 (42.3)	3 (1.4)	1	38 (40.8)	12 (1.4)	27 (14.1)	116 (100)

Note: Figures in parentheses show the percentage

It is also pertinent to know the factors which made them to join politics. The following Table 2 depicts that they entered into politics for the following factors, women of the locality pushed her, community fellows so decided and no idea. The data shows that majority of SC women had no idea as they consider it was just by a chance. However, a sizeable of them (29.8%) admitted that they were thrown up by their community perhaps for meeting the reservation needs. Over eight per cent of them came up to protect the interest of women or represent the cause of women.

Table 2: Reason of Entry into Panchayat Politics

Caste categories	Opinion on Reasons of Entering Into Panchayat Politics			Total
	Women of Locality Pushed	Decision of the Community Fellows	Cannot say	
EBCs	2 (20.0)	0 (0.0)	8 (80.0)	10 (100)
Gen Cs	0 (0.0)	1 (33.3)	2 (66.7)	3 (100)
OBCs	5 (55.6)	0 (0.0)	4 (44.4)	9 (100)
SCs	10 (10.6)	28 (30.5)	56 (59.9)	94 (100)
Total	17 (14.6)	29 (25.0)	70 (60.4)	116 (100)

Note: Figures in parentheses show the percentage

Table 3 further depicts the inspirational factors from their inner self in which they opted following reasons-self-assertion, to get rid of problems faced, somebody inspired to join politics and guardian of the family inspired to join politics. The data reveals that almost half of SC women (49.4%) joined politics to get rid of problems faced by them at society level (derogatory behaviour, abusive language, atrocities), however, 38.8 per cent joined politics on insistence of their guardians of the family.

Table 3: Source of Inspiration to Join Politics

Caste Groups And Quantity Self-Assertive		Opinion on Source of Inspiration to Work (Play Roles)					
		To get rid of Problems being faced	Somebody Instigated to Work	Guardian	No Idea	Total	
EBCs	Count	0	5	2	0	3	10
	%	.0%	50.0%	20.0%	.0%	30.0%	100.0%
Gen Cs	Count	1	2	0	0	0	3
	%	33.3%	67.7%	.0%	.0%	.0%	100.0%
OBCs	Count	1	6	2	0	0	9
	%	11.1%	66.7%	22.2%	.0%	.0%	100.0%
SCs	Count	10	42	8	33	1	94
	%	10.6%	49.4%	9.4%	38.8%	1.2%	100.0%
Total	Count	12	55	12	33	4	116
	%	10.3%	47.5%	10.3%	28.5%	3.4%	100.0%

Inspired by these facts, we attempted to ascertain the family background of the SC women in our studied areas. The field data depicted in the Table 4 reveals that merely 8.6 per cent of our respondents had political family background and 88.8 per cent had no such family background. The rest 2.6 per cent did not respond. But the trend varies a lot, if data is examined caste group wise. 33.3 per cent of women of general caste category had political background followed by 20 per cent of women of EBCs category and 11.1 per cent of OBCs as compared to merely 6.4 per cent of SCs category. The field data shows that women of SC category are having less opportunity to have political background than the upper caste groups like General Castes, OBCs and EBCs. However, they are having greater degree of political involvement. The reason behind it is their own understanding about their position in society and opportunity to ladder up in the changed situation. They have come to understand that their situation can only be improved if they fight back the traditional dominance. The two reasons – creation of social capital among them and increased awareness through voluntary efforts.

Table 4: Political Background of Family

<i>Caste Group</i>	<i>Had Background</i>	<i>No Pol Background</i>	<i>No Response</i>	<i>Total</i>
EBCs	2 20.0%	8 80.0%		10 100.0%
Gen Castes	1 33.3%	2 66.7%		3 100.0%
OBCs	1 11.1%	8 88.9%		9 100.0%
SCs	6 6.4%	85 90.4%	3 3.2%	94 100.0%
Total	10 8.6%	103 88.8%	3 2.6	116 100.0%

POLITICAL PARTICIPATION/ACTIVITIES

Simply joining a political party/organisation does not reveal the fact that the person is politicised or having leadership quality unless he or she participate in political activities and decisions making process of a political body. Let us have brief definition of political participation. According to Verba, “Political participation affords citizens in a democracy an opportunity to communicate information to government officials about their concerns and preferences and to put pressure on them to respond (Verba et al., 1995). It means that in any democratic system citizens have the right to express their views and Attitudes towards almost everything happening in the public sphere or concerning their own interests in a way that governmental officials know this and respond. Political participation can be defined as those actions of private citizens by which they seek to influence or to support government and politics. Participation in electoral processes involves much more than just voting. Political participation derives from the freedom to speak out, assemble and associate; the ability to take part in the conduct of public affairs; and the opportunity to register as a candidate, to campaign, to be elected and to hold office at all levels of government. Types of Participation – first, unconventional is a relatively uncommon behaviour that challenges or defies government channels or the dominant culture. It is usually personally stressful for both participants and their opponents. Unconventional participation has been successful in influencing government decisions. Secondly, Conventional participation is a relatively routine, added behavior that uses the channels of representative government. Supportive behaviors are mainly ceremonial acts expressing allegiance to government and country. But the situation in our society is different. It is not the social status that makes a set of people to participate in a greater degree as compared to other castes like OBCs and Forward Castes (General Castes). The degree of political awareness

among the SC women is rising faster than other caste groups; which has made them to participate in political affairs.

The survey data, as depicted in Table 5 below, reveals that As such data depicts that those SC women who entered into politics had played roles in varied degrees of which a very low percentage of them had taken up political roles adequately while they have trend of leaning towards political role taking. There is urgent need to encourage them for taking part in political activities and creation of social capital among them to resist the traditional dominants in the society.

Table 5: Political Activities By SC Women in the Locality

<i>Caste Groups</i>	<i>None</i>	<i>Rare</i>	<i>Yes Noticed</i>	<i>No Response</i>	<i>Total</i>
EBC Castes	4 44.4%	5 55.6%	0 .0%	1 10.0%	10 100.0%
Gen Castes	1 33.3%	2 66.7%	0 0.0%	0 0	3 100.0%
OBC Castes	3 33.3%	6 66.7%	0 0.0%	0 0.0%	9 100.0%
SCs	7 7.6%	80 87.0%	5 5.3%	2 2.1	94 100.0%
Total	15 12.9%	93 80.2%	5 4.3%	3 2.6%	116 100.0%

Note: Figures in parentheses show the percentage

Political participation has been considered as any voluntary action employing legitimate methods to influence the choice of public policies, administration of public affairs or the choice of political leaders at any level local or national. Voting the most common is one of those actions which are considered as political participation. S M Lipset (1960), Sydney Verba (1967) and many others have defined political participation as participatory engagement of aggregate individuals either in formal or informal modes, of course to influence the decision making process. Milbrath (1965), Ahmed (1971) and several others have categorised the level of political participation right from expression of political will to hold a public or political office. Here we are concerned with manifest actions like voting, motivating, fighting for electoral positions and holding a public office. Simple expression of political will is not included in our analysis. The political participation is closely related to political socialisation.

The political participation can be judged by the nature of political activities undertaken by the SC women in our studied areas. The SC women were found in two types of activities – firstly, attending meetings etc. (participating in meetings,

processions and such other activities in addition to casting votes) and secondly, Leadership roles (taking lead in organising SC women, instigating them to vote and take part in meeting etc.). The survey results depicted in Table No 6 reveals that non-SCs Caste groups do not have opinion about SC women taking leadership roles whereas the SC women feel that some SC women leaders are taking part in leading roles. However, it is an interesting trend to mark that majority of the non-SC caste groups feel that SC women are coming up in political activities. The opinion of the respondents caste wise shows a different trend. 44.4 per cent of the EBCs respondents had the opinion that SC women did not take part at all as compared to 33.3 per cent of General Castes and OBCs each and merely 7.6 per cent of SCs. 55.6 per cent of EBCs respondents had the opinion that SC women were found engaged in activities falling in attending meeting category whereas 66.7 per cent of General Castes and OBCs each and 87 per cent of SCs categories. The opinion about taking up leadership roles by the SC women was found only among the respondents of SCs category.

Table 6: Nature of Activities Undertaken by SC Women

<i>Caste Groups</i>	<i>None</i>	<i>Attending Meetings</i>	<i>Leading SC Women</i>	<i>No Response</i>	<i>Total</i>
EBCs	4 40.0%	5 50.0%	0 0.0%	1 10.0%	10 100.0%
Gen Castes	1 33.3%	2 66.7%	0 .0%	0 0	3 100.0%
OBCs	3 33.3%	6 66.7%	0 0.0%	0 0	9 100.0%
SCs	7 7.6%	80 87.0%	5 5.3%	2 2.1	94 100.0%
Total	15 12.9%	93 80.2%	5 4.3%	3 2.6%	116 100.0%

CONCLUSION

The whole gamut of the above discussion reveals that there has been considerable rise in self-assertive political roles played by women of scheduled caste category. They have gradually been politically sensitized and exerted roles in PRIs and in social domain, despite social constraints. It is due to their feeling and hope to ladder up in the society by exercising their rights. The above ground realities depict that SC women are getting politically empowered gradually. The major moving force of

inspiration of SC women to join politics has been to get rid of the problems they face in society. But they are still far behind the women of OBCs in terms of capacity.

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DIGITAL COURTS AND JUSTICE DELIVERY: HOW FAR ARE THEY SPEEDY AND EFFECTIVE?

Abhay Kumar* and Ganesh Prasad Pandey**

Abstract

Justice delivery system can be said to function satisfactorily when it renders speedy, fair and efficient justice at a reasonable and affordable cost, ensuring the rule of law, securing human rights and helps in achieving good governance. In the contemporary times, the justice delivery system is also undergoing plethora of changes and one of them most peculiar change is the adoption of the digital tools for insuring swift and effective judicial administration. This paper analyses the contemporary changes brought in the mechanism of justice delivery system and whether it has been a boon or a bane to the litigants. Moreover, the recent judgement of the constitutional courts in respect to declaration of access to Internet as a fundamental right has also been critically analysed within this paper.

Keywords: Digital Courts, Justice Delivery, Speedy Trial, Effective Delivery

INTRODUCTION

Prior to the corona period, it was believed that the parties involved in a legal dispute, the judges, advocates and other court personnel, could all convene in the same location to carry out the administration of justice. There was a public courtroom that anyone may enter and observe proceedings. This safeguarded the constitutionally protected right to have access to the judicial system under Article 21 of the Constitution. The legal system was given the opportunity during COVID-19 pandemic to discover ways to ensure access to justice even in the absence of a

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physical courtroom in order to better serve the public. As soon as the lockdown was initiated, the Court was tasked with rapidly locating the necessary technology and devising protocols for virtual courts and electronic hearings.

In India, e-governance in the field of administration of justice began in the late 1990s, but it accelerated after the enactment of the Information and Technology Act 2000. In the year of 2006, digital courts or virtual courts or e-Courts were launched as a part of the National e-Governance Plan (NeGP). The main objectives of the e-Courts project are to bring more transparency in the judicial matters and to bring judiciary closer to the common litigants in India. Virtual court hearings have taken place in Indian courts much prior to the Pandemic era. Judicial precedents have emerged to maintain privacy and confidentiality of the parties. In the case of *Krishna Veni Nagam v Harish Nagam*, the Supreme Court granted approval for the utilisation of video-conferencing technology in the adjudication of matrimonial cases. Nonetheless, the course of action was of brief duration. The year 2018 witnessed the Supreme Court's decision to permit the live-streaming of cases that hold constitutional and national significance.

As of June 2023, there are roughly 43.81 million cases pending before the District Judiciary, and 6.09 million cases pending before the High Courts, as reported on the e-Courts website. While 35.6% of High Court judicial posts are vacant, only 21.4% of District Court judicial jobs are open. To a similar extent, the tribunals are up to employ specific competence for technical themes and decrease the obligations of the courts are beset by their own problems, resulting in large delays in the resolution of disputes. It would be a great help to litigants and people if the pendency rates could be reduced by embracing the virtual modes for dispensing the justice. In this article, we'll look at how digital courts work and how they relate to constitutionally guaranteed freedoms.

DIGITAL COURTS AND CONSTITUTIONAL RIGHTS TO SPEEDY JUSTICE

Without the delivery of justice, the entire institution of "law" is rendered meaningless, amounting to little more than a legalised form of coercion. According to Plato, "justice" is a natural human trait; without it, a person is relegated to the margins of society. Since everyone has an equal right to seek justice once they have paid their debt to society, this is of paramount importance.

Increasing public confidence in the judicial system can be accomplished by highlighting the promptness and precision of legal decisions. Building court automation can lead to a significant reduction in both the expense of legal processes and the amount of time they take. It is possible for it to increase data and documents access as well as authenticity verification, streamline court procedures,

and enable legal access to legal resources, all of which would result in improved access to justice.

It is a fundamental right of every citizen to get speedy justice, which also is the basic requisite of good judicial administration. Right to speedy justice is extended under the right to life guaranteed by the constitution. Speedy justice can renew our people's faith in the administration of justice and in the "rule of law". These constitute the bedrock of our democracy.

This is a matter of concern and one worries whether the system can continue to bear such an "overload". The need to address this through both load reduction and productivity enhancement is of great importance. Some steps have been initiated to reduce delays in justice delivery and pendency in courts. These include computerisation of courts at all levels, setting up of Fast Track Courts, etc.

Article 21 of the Indian Constitution stipulates that no one's life or personal liberty will be taken away except in conformity with lawful procedure. Article 21 protects against both executive and legislative measures. "The idiomatic phrase 'personal liberty' in Article 21 is of the broadest scope, and it covers a variety of rights that go to constitute man's personal liberty, some of which have been elevated to the status of distinct fundamental rights and granted additional protection under Article 19," Justice Bhagwati stated in the Maneka Gandhi Case.

Justice Krishna Iyer while dealing with the bail petition in Babu Singh v. State of U.P., remarked, *"Our justice system even in grave cases, suffers from slow motion syndrome which is lethal to 'fair trial' whatever the ultimate decision. Speedy justice is a component of social justice since the community, as a whole, is concerned in the criminal being condignly and finally punished within a reasonable time and the innocent being absolved from the inordinate ordeal of criminal proceedings."*

In Tamilnad Mercantile Bank Shareholders Welfare Assn. v. S.C. Sekar the Hon'ble Supreme Court held that an aggrieved person cannot be left without the remedy and that access to justice is a human right and in certain situations even a fundamental right.

Various enormous judicial pronouncements have interpreted the word "life" appearing in Article 21 of the Constitution and have enlarged its scope and ambit. It has also included those rights which are considered to be incidental or integral to the right to life, therefore, it holds no valid reason why access to justice should not be covered under ambit of Article 21. If "life" implies those bundles of rights which make life worth living, there is no basis for holding that "access to justice" will not affect the quality of human life. Therefore, there can be no hesitation in holding that the right to access to justice covers the aspect of having the court proceeding in a digital manner in this era of computization.

EFFORTS OF DIGITIZATION

To digitise the courts, the Supreme Court established the E-Committee in 2004, which implemented the e-Courts Project in two parts. With the implementation of the government's Digital India plan and low-cost internet data access across the country, there are presently over 65.8 crore active users. The Indian digital stack has resulted in extraordinary innovation in the areas of e-governance and public service delivery, as well as private sector innovation. As a result, concerns about privacy, cyber security, and litigants' protection should not slow down the digital judicial system. Citizens' trust in the court system can be increased by demonstrating the speed and precision with which legal issues are resolved. Over time, such a sophisticated digital judiciary would also enable performance evaluation of the quality of judicial outcomes. Building court automation can significantly reduce the cost and length of judicial processes. It can improve data and paperwork access and authentication, streamline court procedures, and offer legal access to legal resources, resulting in improved access to justice.

You can file a legal complaint or register a FIR online, just like you can book movie tickets or airline tickets or recharge your phone using the internet. The current situation called for the development of a digital method for the registration of complaints and the establishment of responsibility. The filing of a First Information Report (FIR), a civil complaint, an application for the Right to Information Act (RTI), a consumer grievance, an application for document verification, licencing, etc., improved the accountability of the government while saving the common man a great deal of effort. In addition, courts report the progress of cases on a consistent basis on the web sites they maintain. The new website of the Supreme Court of India, which contains an all-new Integrated Case Management Information System (ICMIS), was introduced by Prime Minister Narendra Modi in a recent legal development.

RIGHT TO INTERNET AS A FUNDAMENTAL RIGHT

The use of the internet has permeated every aspect of our daily lives. When we put it to good use, the internet makes our lives less complicated, less time-consuming, and more straightforward. Our personal, societal, and economic growth can all benefit from the information, knowledge, and data that are made available to us through the internet. There are numerous applications for the internet; nevertheless, how we utilise it in our day-to-day lives is determined by the needs and priorities that are unique to each of us.

In the realm of fundamental rights, the idea of having a right to access the internet is a more recent development. The concept that every person should have the right to use the internet and to make unrestricted use of it for their own personal and professional needs is known as net neutrality. However, in recent

years in India, discussions over the right to access the internet have gained steam, with many people saying that it ought to be recognized as a fundamental right under the Constitution of India.

The right to the internet encompasses not only the right to access the internet but also the right to voice one's mind and express themselves through the internet. These two aspects are referred to as the positive and negative forms, respectively. It has been argued that the Internet is so integral to the practise of other fundamental rights like freedom of expression, access to information, and education that its recognition as a fundamental right is necessary. Access to the Internet is viewed as a fundamental human right that must be guaranteed before any others may be fully exercised. While many people would agree that having access to the internet is crucial in modern society, some have argued that it is not a fundamental right in and of itself. Hence, they say it would be too much for the state to provide universal access to the internet, hence it shouldn't be considered a fundamental right.

The Supreme Court has declared access to internet a fundamental right. A government cannot deprive the citizens of fundamental rights except under certain conditions explicitly mentioned in the Constitution. The Hon'ble Supreme Court ruled in *Anuradha Bhasin v. Union of India* that Articles 19(1)(a) and 19(1)(g) guarantee the right to freedom of speech and expression and the right to practise any profession, or to carry on any occupation, trade, or business via the internet.

THE FLIP SIDE OF DIGITAL COURTS

It's possible that a judge will have a harder time maintaining order in a virtual courtroom than in a traditional one. The judges are unable to see what is occurring behind the camera lens during the proceedings. In spite of the fact that most court hearings are open to the general public, trials in which there is no jury typically just include the judge, the parties, and their attorneys. However, if you are online and utilising a site such as Zoom, anyone who knows the password can view you. This includes your children, your relatives, and anyone else. When it comes to securing the testimony of witnesses, this is an extremely vital consideration. In a court that meets in person, the judge has the authority to direct the witnesses to wait outside of the courtroom until it is their turn to testify. When a court proceeding is being carried out digitally, it is more difficult to enforce the regulations. In legal proceedings, such as trials and other court hearings, several personal documents, such as psychological evaluations, medical reports, and other information, can be submitted as evidence. When you are participating in a video conference, the likelihood of having this information compromised is significantly increased.

Anyone who has been to court before is aware that it is very similar to a performance on the stage. In most situations, there are two opposing viewpoints,

and the boundaries between the two groups are clearly delineated in a region that is somewhat lower than where the judge is seated, who is elevated in the middle of the back of the room. There are many different parties involved, as well as many questions and answers. A person's demeanour, as well as their facial expressions, body language, and overall attitude, can play a significant role in the resolution of a legal dispute. The vast majority of it is absent from a virtual trial.

CONCLUSION

Without easy access to the courts, rule of law is useless. One of the basic and fundamental rights guaranteed by the Constitution is the right to get justice. The right to access the internet in India is making steps at a very rapid rate, and that this is a really positive development. In these challenging times brought on by the pandemic, when education and the majority of our day-to-day activities are largely dependent on access to the internet, it becomes pertinent and the most opportune moment for this right to be recognised by the State for the upliftment of the masses as a social measure and justice delivery. In other words, it is the most opportune moment for this right to be recognised in the judicial administration.

Freedom of expression is guaranteed as a basic fundamental right for all people by the Indian Constitution. Article 19(1)(a) of the Constitution makes mention of it. The Supreme Court has repeatedly widened the protections afforded to the freedom of expression. The most recent addition updates the constitutional requirement to reflect technological advancements. Millions of people in India rely only on the Internet for their news and information.

E-governance has emerged as a central concept in all spheres of modern life, including the judicial system. By increasing the use of technology in the judicial system, we can cut down on the amount of time currently spent on pending cases. A project charter for e-courts has been envisioned by the National Informatics Centre. E-courts are a further progression towards the goal of paperless courts, which the notion of e-courts represents.

In general, the acknowledgement of the right to the internet as a fundamental right might have important ramifications for the protection of people's rights in the modern era of digital technology. It is possible that this will assist in ensuring that everyone has equitable access to the legal system as well. Additionally, that there is no arbitrary censorship or restriction of speech on the internet which will affect the justice delivery system.

ENDNOTES

1. National e-Governance Plan (NeGP) is an initiative of the Government of India to make all government services available to the citizens of India via electronic media.
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4. *Swapnil Tripathi vs Supreme Court of India*; Writ petition (C) No. 66 of 2018
5. https://ecourts.gov.in/ecourts_home/
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BUDGETING AS THE INSTRUMENT OF PUBLIC POLICY: RUMINATING OVER FIVE BUDGETS OF INDIAN UNION FROM 2016-17

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Abstract

Budgeting by governments has a history of almost hundred and fifty years and it gradually evolved as tool of public policy. Budget was first used as a tool of policy in the early 19th Century by American President Abraham Lincoln. However, the history of budgeting in India can be traced back to ancient period as reflected in Kautilya's Arthshastra. In modern times, budget has been proved to be effective tool of policy as it regulates governments' accountability, efficiency and economy. Further, the nature of budgeting has been changing with change in time and political regimes. With this view in mind, the present paper attempts to analyse the Union budgets of last five years in order to underline influence of budget on policy decisions. The paper finds that the tax revenue has gradually increased over the years on one hand and non-plan public expenditure has also risen sharply in last two budgets on the other. This trend indicates the shift in policy priorities.

Keywords: Budgeting, Revenue, Budget-cycle, Policy-process, Public-expenditure, Policy, India

PROLOGUE

During the last five decades, budgeting has developed naturally and spontaneously rather than in a planned manner and, to a certain extent, empirically rather than theoretically. It has been heavily influenced by political systems, economic theories, management approaches, accounting principles, and the conduct of public administration. There are three fold approaches to the study of budgeting as a tool of policy priorities based on three basic aspects of the role of budget. These

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aspects are accountability control, efficiency control and economic control. Further, accountability control covers administration, politics and accounting. Secondly, efficiency control involves allocative efficiency, cost measurement, administrative efficiency to manage applicability and limits of the government's spending. Thirdly, economic control involves fiscal policy, incidence of taxes and expenditures and distributional concerns (Cozzetto et al., 1995).

Budget is a policy tool to describe the implementation of public policy (Smith and Lynch, 2004). As we observe the progression of the big financial handshake – the passing of baton from one Financial Year to another, we but ruminate not only on the year gone by, but also on the year to come. And what better way than studying the biggest instrument that moves the Fiscal Policy–Budget.

Although, India has the three-tier system of Policy formulation and Governance namely Union, State and local bodies, yet Union budget has wider bearing on entire nation from national to local level. The Budgetary process and announcement is a much-hyped yearly event, eagerly awaited by one and all. It involves taxation and revenue raising, expenditure on Health, Education Social Sector etc, and it becomes a policy tool for capacity building, which can be very effectively put into use, if used in the right manner. The usefulness, effectiveness and importance of Budget can be understood from the following five pronged aspects:

- Through the budget, the Government makes provisions for delivery of public services such as health, education, housing, and protection to be delivered.
- Redistribution of the national income amongst the entire population of a country.
- Budget is an economic and a social policy tool that not only addresses inequality, but also marginalization and vulnerability of specific unprivileged groups.
- Budget conveys the real commitment of the executive towards implementation of laid-down and announced policies.
- Finally, the Budget is the instrument that can hold every government accountable.

Ever since the Budget made its entry in the financial space, it has become the nerve-centre of any public economy. It originated as a major instrument of social and economic development. But there was a time in its infancy when it was considered merely a report for the information of the legislature. It was even pushed to the extent of being bracketed as an object of ridicule! However, things have started looking quite different, now.

THE PUBLIC POLICIES AND THE INDIAN (UNION) BUDGET

Browsing through the essentials of the Indian Budget over the past decade, the undernoted can easily be stated to be forming the core in any budget document.

- (a) A Review of the revenues collected, expenditure incurred and changes in the composition of the national debt and other matters during the current fiscal year.
- (b) An estimate of the expenditures during the coming year and how far they are expected to be met by tax revenues at the existing rates; and
- (c) Proposals for tax changes, increases or remissions as may be required to cover expenditure.

The Budget for any country may be split up either for various reasons – the most prominent ones being for political and/or economic purposes. In the event of an ensuing election, if the executive government cannot continue for the full year, then a lame-duck budget needs to be presented. This lame-duck budget is to cover only a part of the year, allowing the next executive to formulate its own budget for the rest of the year (as seen in a past few cases where elections were called for/held).

Further, a supplementary budget may be presented by any layer of the government when it is not possible to foresee and provide for all emergencies and exigencies.

In the case of India, to ease out our understanding of Budget as an instrument of public policy, the government accounts (borne out of both the centre and the states) are generally maintained and bifurcated into the three following parts: - i) The Consolidated Fund of India; ii) The Contingency Fund of India; and iii) The Public Account

The Union Budget is divided into two parts – The Revenue Budget and the Capital Budget. While the former deals with the receipts (from taxation, public enterprises etc.), also the expenditure incurred from them; the latter is a statement of all the capital borrowings and the expenditure to go with it. Both the Union and the State Budgets contain a 'Plan Budget' which shows the budgetary provision for important projects, programmes, and schemes, those of which are to be included in the detailed layout. The same gives details of the budgetary support for the central plan by the sectors of development, including the central assistance for state and union territories. Since planning is an integral part of Indian economy, the plan budget along with a Performance Budget of different ministries and departments are expected to enable the citizens to have a proper appreciation of the plan.

LEGISLATIVE CONTROL OVER THE BUDGET

According to the Constitution of India, every Money Bill needs Presidential recommendation before being presented in Parliament. Also, all Money Bills and Category I Finance Bills must be initiated in the lower house, i.e., Lok Sabha [Articles 110(1) and 117(1)], and that No Money Bill can be introduced in the Upper House i.e., Rajya Sabha [Article 109(1)]. Hence, in India, Money Bills are first introduced

in the Lok Sabha at the Centre and the Vidhan Sabha at the states. After the Budget is presented, there is a general discussion. Then demands of various ministries are voted, and this occasion is utilized for a discussion of the working of each ministry or department and 'cut-motions' are sometimes moved to express disapproval of its working.

When the demands have been voted, this category-1 Finance Bill is brought before the house seeking its approval for the various tax proposals in the budget. After the Finance Bill has been passed, an appropriate bill is presented to give legal effect to the voted demands and to authorize expenditure from the Consolidated Fund of the country.

Also, according to the Constitution, Parliament has control over the specified expenditure, and is to ensure that no ministry or department exceeds the amount sanctioned to it. For this purpose, there exists the independence of audit. Such audits help to ensure that the sanctions of the parliament are faithfully executed and that there is no misuse of funds.

ROLE OF BUDGET AND THE ECONOMIC POLICY

The Budget plays a pivotal role in fiscal policy administration in the economy, as it helps to determine the rise, the composition, and the distribution of the flow of funds in a particular year. Subsequently, the ability of the Government authorities to form a clear picture of the impact of their transactions on the economy has today gained prominence and has become a pre-requisite for making Fiscal and Economic Policy decisions. Therefore, it is not sufficient to know from where the resources are coming in and on which heads, but also the heads on which they are being spent. But at the same time, it is of immense importance to determine the extent to which the government transactions will have an impact on the level of economic activity.

Further, the different magnitudes and sub-magnitudes of the modern public budget (Public Expenditures and Revenues) are intertwined in such a manner, that the proper assessment of the impact in flow of funds becomes difficult. This further has a role in hampering the task of fiscal decisioning. Furthermore, in developing countries like India, where government plays a dominant role in investment and capital formation, it becomes largely imperative that the role of budget in economic and social progress should be judged in an accurate manner.

Accordingly, to make the budget more worthwhile, more and more modern approaches in the classification of Budget have cropped in.

CLASSIFICATION OF BUDGETS HEADS

In modern times, the Budget has been recognized as a powerful instrument of economic policy which reflects the economic activity of the government. The financial flows from the public budget bear a significant impact upon the working of the society. Accordingly, various facts of Budget are presented to indicate the way it affects the economy. All of these make demarcation of the different types of Budgets a necessity. Looking up all possible 'Budgets' that are available, we can cull out some of the prominent heads of the budgets as under:

(a) Revenue and Capital Budgets:

This is the most widely acclaimed form of Budgeting. India also subscribes to this Revenue and Capital form of Budgeting.

(b) Conventional and Cash Budgets:

The conventional Budget popularly known as the Administrative Budget, is financed in the conventional manner, i.e. through the levy of taxes, and hence it differs from the Cash Budgets.

(c) Executive and Legislative Budgets:

While the Executive Budget is prepared by the Executive of the Government, the Legislative Budget differs in it being prepared by the Legislature.

(d) Unified and Multiple Budgets:

A unified Budget is one which contains all the pros and cons in it. When a Union Budget is divided into different parts, it is a case of multiple budgeting.

(e) Union, State and Local Bodies Budget:

The Union, State and Local Bodies Budget are prepared by the Executive.

(f) Ordinary and Emergency Budgets:

The Ordinary Budget deals with the functions which are relatively permanent while the Emergency Budget is concerned with the abnormal or exceptional circumstances, and, finally,

(g) Deficit, Surplus and Balanced Budgets:

Besides all the above, we also have the all-important classification of the Budget on 'Economic and Functional' lines. This gives rise to the concepts of Economic and Functional classification of the Budget.

UNION BUDGET: AN ACCOUNT OF THE PAST HALF-DECADE

All said and done, an account of the Budget invariably is an account of the numbers and figures that go with it.

Accordingly, an overview of the Union Budget in recent times throws up some very succinctly interesting points.

Revenue/Income and Expenditure being the critical measures in any Budget, every student of Economics looks forward to noting the mention of 'Where the Rupee Comes From' and 'Where the Rupee goes to' - an invariable mention at all Union Budgets today.

Looking up the same data over a period of the last five Financial Years, we observe –

Sources of Revenue: The Rupee Comes From

As can be seen, there has been hardly any movement under the heads of Borrowings and other liabilities during the 5-year period. Starting from a provisioning of 21 paisa to the Rupee (21%) in 2016-17 to a dip of 2 paisa to the Rupee in the next 2 years (19%), it is seen to be settling down to 20 paisa to the Rupee (20%) for the last two years. Though being rock-steady for three consecutive years in the beginning (19 paisa to the Rupee or 19%), the Corporation Tax is seen to have had a jump of 2% in 2019-20, only to finally settle down less 3% at 18 paisa to the Rupee in 2020-21.

Replacing the grand old Service-Tax, the Goods and Services Tax is seen to have made a distinct entry in the year 2019-20 and was parked at 19 paisa to the Rupee (19%), on entry. Notably, the Service Tax has a provisioning at 23 paisa per Rupee (23%) in 2018-19 – just before it went into oblivion and handed over the baton to GST.

The only head which is seen to have been constantly increasing over the years is the Government's earning from Income-Tax. Starting at 14 paisa to the Rupee (14%) in the year 2016-17, it is provisioned at 17 paisa to the Rupee (17%) in 2020-21. That itself is a 21% rise in collection in the five-year period. Also, while the Union Excise Duties and Customs are seen to be constantly coming down, one needs to deep-dive into the details of the Non-Debt capital Receipts which is seen to have had a 50% jump from 2016-17 to the 2020-21 numbers.

Channels of Expenditure: The Rupee Goes To

What started off as an 8-heads accounting activity for the first two years, soon turned into a 9-heads accounting activity thereafter. Also, the Central Plan of 2016-17 gave way to the Central sponsored scheme thereafter. Also giving way are the Heads of Plan and Non-Plan assistance to states and Union Territories to the new accounting Head of Finance Commission and Other transfers, as seen in the last four years.

The state's share of Taxes and Deposits are seen to be steady – hovering around the 23 paisa or 24 paisa to the Rupee for the first four financial years – the same is seen to be dipping by 13% to 20 paisa to the Rupee in 2020-21. Though the

provisioning for subsidies is seen to be going down (40%) over the years – a welcome positive change, what is of interest to many a policy economist is, the reduction in the Defense accounting and provisioning numbers. From 10 paisa to the Rupee in 2016-17 to 8 paisa a Rupee, Defense provisioning is seen to have a drop of 20%.

A distinctly observable head has been the highly volatile head of Other Non-Plan Expenditure. Starting off from a provisions amounting to 12 paisa to the Rupee in 2016-17, to a rise of 8% very next year, it had a large wavering fall (38%) in the immediate next year. While it seems the Non-Plan Expenditure was steading down for the next two years, it again went back to its old ways of being volatile. In the provision for this financial year (2020-21), there is seen to a rise of 25% in the provisions for 2020-21.

Lastly, with the PFRDA firmly in place, there is seen to be positive movements in the pension front with a new accounting head (Pensions) gets a look-in from 2018-19. Any study of the Budget would essentially be deemed incomplete without an account of the Economic Survey. Accordingly, it is pertinent to look up and study the Economic Surveys over the budgetary periods and relate to the Budget provisions that followed thereafter.

BUDGET- POLICY LINK

Whatever be the contention, the holy alliance of marriage between public policy on the one hand and budgeting on the other, is difficult to be divorced. Accordingly, this marriage of convenience necessarily seems to act as the bridge between the Public Policy and the overall Budgetary Process to make the Policy statements come alive, rather than to remain as mere statements of wishful thinking. In the developed world, this once-a-year annual activity is organized and welcomed wholeheartedly. A lot of this is due to the fact that, the Budget Instruments today outline the all-encompassing socio-economic policies of the executive, the legislature, and the Judiciary.

THE BUDGET CYCLE

The following figure 1 shows the steps in the budget cycle.

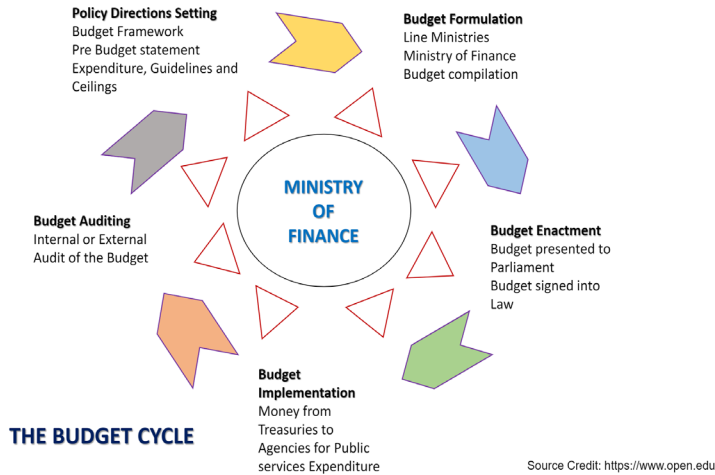


Figure 1: The Budget Cycle

The Budget Cycle consists of the following steps – Setting the Policy Directions; Formulation of Budget; Enactment of the Budget; Implementing the Budget to Auditing the Budget – each following the other as in a Cycle. Understandably, not just being the first cog in the Cycle, the Policy Directions Setting is critical for the success of the overall process, as it is that stage which not only connotes the Budget framework, but also provides for the Pre-Budget statements and an account of the proposed guidelines, expenditure, and ceilings.

This leads us to the Methods of Advocacy and the Budget Cycle.

Table 1: Methods of Advocacy in the Budget Cycle

STAGE IN THE CYCLE	KEY ACTORS TO TARGET	POSSIBLE ADVOCACY METHODS
Policy and Direction Setting	Council of Ministers/ Cabinet/ Ministry of Finance/ Advisors to government such as the ADB, IMF and IBRD.	Developing and disseminating policy briefs. Enabling Face-to-face formal and informal engagements with budget makers. Identifying and using champions for promoting public spending on specific issues. Engaging the international community towards specific policy goals by mobilising the actors like World Bank, International Monetary Fund, and other donors. Sharing findings from job-critical situational analysis to be updated and informed on spending priorities. Grooming the civil society and educating the citizens to participate in budgeting processes.

<i>STAGE IN THE CYCLE</i>	<i>KEY ACTORS TO TARGET</i>	<i>POSSIBLE ADVOCACY METHODS</i>
Budget Formulation	Line Ministries/ Local Governments/ Ministry of Finance	Providing back up to the subject matter experts and assisting them in making a case for responsive budgeting. Initiating the concerned line ministries to participate in pre-budget consultations. Enabling Face-to-face formal and informal engagements with policy and budget makers. Engaging stakeholders for advancement on specific goals. Providing expertise in conducting budget analysis studies. Participating in budget working groups. Provisioning for alternate and back-up budgets.
Budget Enactment	Parliament/ Ministry of Finance/ Office of the President	Inviting all stakeholders to participate in pre- and post-budget consultations/hearings. Participation in the executive budgetary hearings Providing a critical analysis of the executive budget proposal. Making oral and written submissions to respective stakeholders, wherever necessary. Enabling incorporation of opinion polls/Feedback Forms etc., in support of any critical policy goal for implementation. Engaging the Media for wider and better reach.
Budget Implementation	Line Ministries	Partaking at Social accountability actionable/s as – Expenditure tracking. Public service monitoring. Identifying Leakages and highlighting the same through ‘whistle-blowing’.
Auditing	Ministry of Finance	Requesting and connecting with the Ministry for publishing the audit reports and act on the audit recommendations. Driving social accountability initiatives. Enabling and executing transparent auditing processes, routinely.

Source Credit: <https://www.open.edu>

METHODS OF ADVOCACY IN THE BUDGET CYCLE

Once all the Methods of Advocacy have been aligned, studied, and assimilated, the study can veer towards an understanding of the Parameters, the Indicators and the corresponding data collection and Analysis methods.

Reproduced under is an account of the same.

Table 2: Indicators, Parameters and Budgetary Analysis

<i>PARAMETERS</i>	<i>INDICATORS</i>	<i>DATA COLLECTION AND ANALYSIS METHODS</i>
National Context Specific Analytics	Unemployment Human Development Index Gross Domestic Product Inflation Tax (Earnings) to GDP Ratio Poverty Index Gini Coefficient (Income Distribution) Population	Time Series Analysis Review of available literature (Official and Unofficial) Analysis of Validity Assumptions and Projections (Cronbach Alpha)
Fiscal and Macro-Economic policy related national development strategies/ plans	Supportive policies and Strategies Tax, Social-Spending, Debt, Aid, Subsidies Privatization vs Nationalization	Content and Critical Attributes Analysis
Fiscal Space	Debt sustainability Ratio Budget deficit GDP growth Resources Utilized vs Available Revenue Generated vs Available Country credit rating	Extrapolation Analysis Time Series Analytics
Budgetary Allocations	Change in Allocations Public Expenditure as a percentage of GDP Public Expenditure as a percentage of Budget Allocation Per Capita Spent Development vs Non-Development Recurrent vs Capital Budget	Variance Analysis Nominal Analysis Real Figure Analysis Time Series Analysis Independent Analysis
Spending Patterns	Variance – Budgeted Amount vs Outturns Turnaround Time to Policy Commitment Equity of Spending Analysis of Transaction Costs and Leakages Per Capita Spend Efficiency in Allocation	Cost-Benefit Analysis Variance Analysis Correlation Analysis Corruption Perception Index Social Accountability
Transparency and Accountability	Accessibility of Key Budget documents Availability of Functional oversight mechanisms Feedback and Accountability mechanisms	Opinion Poll/Survey Social Accountability parameters Corruption Perception Index
Public (Citizen's) participation	Openness of participating structure Formalised spaces within the Executive and the Legislature for enabling holistic participation	Focused Group Discussion Participatory Action Research

Source Credit: <https://www.open.edu>

THE EPILOGUE

The impact of Budget is felt far and wide not just on the Economy but on every aspect of policy and governance.

While the first three budgets of the period under our consideration was presented by the then Finance Minister Arun Jaitley, it can be observed 'Government's earning from Income-Tax' grew steadily i.e. 14 paise to the Rupee (14%) in the year 2016-17. Whereas during the last two budgets present by FM Smt. Nirmala Sitharaman as the Finance Minister depicts a higher growth viz. at 17 paise to the Rupee (17%) in 2020-21 The country also had an interim Budget presented during this period. Similarly, in 'Other Non-Plan Expenditure', the provisions for financial year 2020-21 under this head has shown a rise of 25%. The trends discussed above depict that budget instrument effectively articulates the Governmental Policies and Programs in every ramification. Accordingly, the purpose of a Budget is to act as the centroid for channelizing the interests, desires and needs of citizens into action. Budget, as a Policy Document silently goes about rectifying one ailment to the other - thereby purifying the societal set-up.

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PRISON REFORMS IN INDIA: A STUDY

Vikas Sharma* and **K.B. Asthana****

Abstract

Prisoners are also entitled to have humane treatment under the aegis of human rights. But prisoners in India are kept in precarious conditions like overcrowding, poor living conditions and insufficient access to basic facilities in Indian jails. The present situation of Indian prisons indicates a slew of issues. The prisons are running at capacities considerably beyond their capacity. Congestion, poor hygiene, and higher tensions among inmates are prevalent. The situation demands for reforms in policies of prisons. No doubt Indian government has taken steps towards prison reforms in recent years. Several judicial decisions, including directions of Supreme Court and human rights commissions. As such, the present paper attempts to take the account of prison reforms by examining concerned laws and judicial verdicts. Furthermore, the use of technology, such as e-prisons and video conferencing for hearings, has increased efficiency and reduced delays in legal proceedings have been taken into account. It is suggested that India may strive for a more equitable and effective criminal justice system by implementing comprehensive changes, ultimately leading to a safer and more just society. Top of Form.

Keywords: Prison Reforms, Criminal Justice System, Supreme Court, Bail, Minor Offences

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INTRODUCTION

Prisons in India are generally at three levels – talukas, districts, and central, which are also known as Sub Prisons, District Prisons, and Central Prisons. Infrastructure, security, and prisoner amenities such as healthcare, academic, and rehabilitative services better from lower to the central level. This Act defines prisons broadly for the purpose of housing detainees and categorises inmates as “criminal,” “common,” and “sentenced.” Part II of the Act regulates prison support and officials, as well as the staffing arrangement, which includes the director, clinical official, guard, and official such as the controller general, under whose responsibility the prisons would work effectively. Part III of the Act governs the duty of prison officials as defined in Sections 8 to 20. Administrators, corrections officers, and clinical officials will be Prisons authorities who will be responsible for running the Prisons efficiently. Administrator of the Prisons should go along requests of Examiner General will investigate matters identifying with work; discipline use of Prisons and also needs to keep up records of detainees. The clinical official of Prisons will report to the director and is accountable to complete after capacities concerning clean conditions, well-being, treatment of detainees, responding to administrator about detainees truly influenced by a disease, and so on.

The Act also creates positions for detainees, for example, sentenced inmates who will capacity and impart obligations inside prison grounds and will contemplate working in the community. Section 9 of the Act expressly prohibits prison employees from conducting business inside the prison grounds. The Act controls detainee confirmation, evacuation, and release and covers convicts entering into prisons will be thoroughly scrutinised and every one of their goods will be maintained in the custody of a guard, and female convicts will be checked exclusively by female officials. Clinical officials will evaluate criminal convicts and record stamps and wounds on their bodies. If clinical officials determine that the detainee is suffering from a severe illness, he may be ejected from the prison grounds. Furthermore, Sections 42 to 54 deal with offences relating to prisons. Section 54 of the Act establishes discipline for offences reported by Prisons subordinates.

Without a question, the situation of modern penitentiaries is superior to that of the past, but much work remains to be done towards jail improvements for compassionate treatment of inmates. To ensure detainees’ fundamental rights, detainees should be treated in accordance with the protected instructions. The High Court in *Mohammad Giassudin v. Province of Andhra Pradesh* observed: “Reformist crime analysts across the world will concur that the Gandhian determination of wrongdoers as patients and his origination of penitentiaries as medical clinics—mental or moral – is the way into the pathology of misconduct and the restorative job of discipline.”

THEORIES OF IMPRISONMENT

Detainees were mostly housed in prisons under previous social regimes. They were punished outside of the prisons. However, with the rise of human advancement, prisons have become the primary method of punishment. There are four major discipline speculations, namely, retributive hypothesis, hindrance hypothesis, preventative hypothesis, and reformatory theory. For example, a youngster who falls and kicks the floor inadvertently is generally recognised as a kind of retaliation that does not provide any remedial need. The second option is the discouragement hypothesis. By rebuffing the guilty parties, this hypothesis avoids the wrongdoer from committing an offence and deflects the general public as well by rebuffing him and preventing them from committing an offence. (Goldsmith and Groves: 2015).

The position of legal executive in the Organisation of Prisons and Justice the Indian legal executive, for the most part, Preeminent Court, plays an ardent and active role in the restoration and organisation of penitentiaries. One might argue that before the 1980s, Indian legal executives embraced Summit Court proposed new prison legislation in 1974. In significant achievement *Court in D.B.M. Patnaik's case*, stated that simple incarceration does not deprive offenders of all the fundamental rights guaranteed by our Constitution. In 1977, the Supreme Court was concerned about the release of inmates and the reorganisation of prisons in Hiralal's case, and this legal wave continued. In *Sunil Batra's case*, which is regarded as a landmark in the field of prison equity and detainee rights in India, the Court held that "the fact that an individual is legally imprisoned does not preclude the use of Habeas Corpus to secure his other inherent rights." In *Prem Shankar Shukla's case*, Court noticed that no one will be habitually cuffed or shackled in order to persuade the custodian's escort. The Supreme Court again in *R.D. Upadhyay's case* has held that the right to acceptable treatment and the right to legal cure are requirements for the equitable organization of prisons. Focal correctional institutions, Area Prison, and Sub Prison are the most generally recognised and standard prison organisations. Ladies' Correctional Facilities, Borstal Schools, Open Correctional Facilities, and Exceptional Correctional Facilities are examples of prison foundations.

The table depicts the precarious conditions of the prisons and the need of correctional facilities on the basis of capacity available and inmates, of convicts, under-trials and waiting for trials categories, are lodged therein.

Table 01: Statement of Prisons and Their Capacity in India

Types	Number	Total capacity
Central Prisonss	134	159158
District Prisonss	379	137972
Sub Prisonss	741	46368

<i>Types</i>	<i>Number</i>	<i>Total capacity</i>
Women Prisonss	18	4784
Open Prisonss	63	5370
Borstal Schools	20	1830
Special Prisonss	43	10915
Other Prisonss	3	420
Total	1387	366781

SKETCH OF WORLDWIDE COMMITMENTS AND RULES ON PRISONS

International treaties and instruments have become beacons for countries, illuminating the path of equality and humanity. The desire to carry out and maintain human rights should come from within a country. The instrumental endeavours were not in vain. To transform global serious aspirations into national norms, some investment is required. Meanwhile, these provide an opportunity for the national legal executive to analyse national law in light of the nation's international commitments. The argument has been honourably summarised by the Apex Court of India in *Varghese v. Bank of Cochin*. Individuals who are unable to appear in court may lodge a complaint with the human rights board of trustees, which will then implement several tactics. For Instance, in the *Prem Shankar Shukla v. Delhi Administration, the Preeminent Court*, while managing binds and different mortifications perpetrated on people in care, watched, "All things considered, even while talking about the applicable statutory arrangements and sacred necessities, court and insight should always remember the center chief found in Article 5 of the Widespread Affirmation of Human Rights, 1948." *Sunil Batra v. Delhi Administration*, the Preeminent Court cited extensively from universal instruments on Human Rights. So, Courts to take due note of the Worldwide Instruments of Human Rights while managing instances of infringement. Workmanship of the Constitution of India makes it compulsory for the State to cultivate regard for Worldwide Law and bargain commitment.

ISSUES, PRISONS LAWS, COMMITTEE AND JUDICIAL TRENDS IN INDIA

Human rights issues and pledges are now a prominent component of government policy. All human rights stem from the natural pride and worth of the human individual, which is the focus of Human Rights and Basic Opportunity. In general, anything that enhances a person's dignified and free presence should be considered a Human Right. The idea took a long time to develop and crystallise. Initially, there was confusion between the Common Rights proposed by political scholars throughout history and the concept of Human Rights. The last is all-inclusive. The

substantial certainty, the possibility of development itself reduced to some extent by the legal inside the edge work of the standards germane and to the constitutions themselves, has nearly relevance. The Human Rights Status in Prison Facilities will be treated fairly. All things considered, Prisons Foundation should treat the Prisoner with a view to re-socialization them by keeping up and improving every single alluring connection of Prisoner with him loved ones. The treatment will be, for example, will support their confidence and build up their awareness of other's expectations, Religions care, instruction, professional direction and preparing, business, guiding, physical improvement and reinforcing of mental character are to be given as per singular needs of every detainee, assessing his social and criminal history, length of sentence and his possibilities after discharge. These will strengthen the reformatory perspective at the organisation and be a huge improvement in the way jails work, and they can serve as actual centres of reformation. Human Rights used to have otherworldly closeness laws, but the growing familiarity with human rights issues, shows, and enthusiasm of human rights campaigners, experts, and courts have changed that. The Prisons Change Bill was endorsed by the National Human Rights Commission in 1996. In 1998, the draught Bill was routed to the details, a couple of which resulted in new legislation. Rajasthan was one such state, and its Rajasthan Penitentiaries Act, 2001 included a section on the Rights and Obligations of Prisoners.

CORRECTIONAL FACILITIES AND PRISON REGULATIONS IN INDIA

Significant rules which have a direction on the guideline and the executives of Prisons in the nation are: (i) The Distinguishing proof of Prisoner Act, 1920. (ii) Constitution of India, 1950. (iii) The Exchange of Prisoner Act, 1950. (iv) The Portrayal of Individuals Act, 1955. (v) The Prisoner (Participation in Courts) Act, 1955. (vi) The Probation of Wrongdoers Act, 1958. (vii) The Code of Criminal Strategy, 1973. (viii) The Emotional well-being Act, 1987. (ix) The Adolescent Equity (Care and Insurance) Act, 2000. (x) The Human Rights protection Act, 1993.

INDIAN CORRECTIONAL ADVISORY PANELS

Following autonomy, the Legislature of India appointed various boards of trustees, such as the All India Prisons Changes Advisory Group Board of Trustees (1986), and the Equity KrishnaIyer Council (1987), to read and make recommendations for improving prison conditions and organisation, among other things, with the end goal of making them progressively conducive to the reconstruction and restoration of prisoners. These advisory bodies made a variety of recommendations to enhance the conditions of prison facilities, prisoners, and prison employees across the country. Essentially, from the time of the autonomy of the Pakwasa Board of

Trustees in 1949 onwards, a compensation mechanism was also presented. As a result, certain liberal arrangements were also offered in prison manuals by which polite prisoners were rewarded with sentence reductions.

PRISONER'S RIGHTS AND ADMINISTRATION OF PRISON IN INDIA

The primary purpose and avocation of Prisons is to ensure society against wrongdoing and retribution. In current reasoning, corrective techniques for treatment of Prisoner alone are neither applicable nor alluring to accomplish the objective of renewal and recovery of Prisons prisoners. The judicial process was not a component of the state's responsibilities throughout the Vedic period. Robbery, homicide, and infidelity are mentioned throughout this time period, but nothing that indicates that the monarch or an approved individual as a jurist has the authority to make any judiciary judgement, whether criminal or civil.

THE PANCHAYAT SYSTEM'S ROLE IN CORRECTIONAL ADMINISTRATION AND THE WORK OF CONVICTS IN SEVERAL DOMAINS

Regardless of the fact that the concept of the corrective foundation certainly makes individual work with prisoners fairly difficult and establishes positive cutoff points to the individual interaction, which is the basic tool of social work. Despite these restrictions, there are potential for one-on-one work with inmates, given the availability of talented and skilled social workers. "Truth be told, the best time for the social worker to reach the detainee is when he has just entered the prisons." The initial shock of the first day or night in the Prisons and of gatherings with other Prisoners, when the detainee is perplexed and afraid, frequently even dismissive of each other, appears to be the ideal opportunity for the social worker to connect with him. The social worker will allow him to speak about the harsh realities of prison life, as well as the opportunities for his future; it's instructive and professional options, as limited as they may look to the inmate. The social specialist must determine how much assistance the prisoner requires and whether he may benefit from social casework at this time.

The primary responsibility of a social expert in a prison is to assist the criminal in changing his attitude about misbehavior, sentencing, and repression. He will seek to aid him in expressing his thinking about his own activity, improving his attitude towards society, and developing new plans for his future life. Currently, social workers may be effective in encouraging the use of the Prisons library, professional preparation, and studies as an adjustment to the Prisons' rules. He will assist him in staying in touch with his loved ones if he requires it. Finally, the social worker will play an important role in preparing the convict for his release and return to the network. He influences him to adopt a legitimate demeanor towards the prison's

guidelines, the solicitation for work, and furthermore endeavors to reveal to him that a critical component for allowing his discharge is a different perspective towards society and its laws. It is frequently difficult for the social worker to persuade the detainee that he is responsible for his own change and correction.

CORRECTIONAL MANAGEMENT WITHIN INDIA

Our country's prison system has been in place for more than a century. When one looks back, one cannot help but be impressed by the immense changes that occurred over this time period. While the development is still in its early stages and is only being implemented in a few, rather than all, of the country's prisons, it does provide assurance of the treatment plan for criminals. Many of the harsh treatment methods are already obsolete, making way for a few new ones such as open-air labour, offices for advanced education, recreational and correctional programs, group work, and wage payment. Efforts are now being made to treat the captives in a less oppressive and more liberated environment. Penitentiary administration and inmate reorganization has been the subject of intense debate and scrutiny in a variety of public forums. In recent years, the Hon'ble Supreme Court of India has fallen vehemently on the human and deplorable conditions in prisons, attracting the attention of the press and social activists. With growing support for the protection of human rights in all walks of life, the plight of detainees has arisen as a fundamental issue of open police.

Every discipline looks either backwards or forwards. Two of the four recognised types of discipline look to the past, while the other two look to the future. Until recently, only the negative types were used; and even today, the positive types are not used as generously and artistically as they should be. The first of the four forms of discipline we can name "*in reverse negative*" is retaliation. Its primary goal is to deny the wrongdoer enjoyment in the fruits of his offence, but it also goes above and beyond, and seeks to include him in true tragedy. It arose from the shaky foundations of a corrective framework, as demonstrated by the principle of "*tit for tat*", or, in a more sophisticated sense, "*he would not be permitted to pull it off*." This is the regulation under which taken or carried things are appropriated, as well as the dealer's pontoon or truck. We have looked at how far even this basic sort of discipline is used now, and how far our idealistic notion "*Wrongdoing doesn't pay*" holds true.

CONCLUSION

The whole gamut of discussion suggests that the current legal framework of the Prisons should be reformed in the areas of (a) facilities at penitentiaries by revising Penitentiaries Act (b) outsourcing for sanitary and other work (b) Criminal Equity framework (c) Prison Manual and (d) responsibilities jail personnel.

Moreover, Each State has an instrument known as Criminal Equity involves predominantly three organs, the police, the legal executive and the Prisons the police is essential. The most significant view point which is of great worry for each general public, in the current situation, is human rights viz-a viz police and criminal equity framework. It is the security of these rights which turns into a sole goal of any Criminal Equity Framework however it is the incongruity of the circumstance this very framework, numerous multiple times reveals into the infringement of the rights.

As a result, there is a fundamental need to overcome all challenges and flaws in the framework's operation so that the image of the police, especially, Criminal Equity framework. The present research focused on the hierarchical structure and its operational aspect in order to protect the human rights violations against jail inmates. These reforms have been recognised for quite some time. However, India is burdened with an old and antiquated framework. Prior to independence, various National Police Commission Reports were issued in order to establish a strong police structure. The flagrant misuse of police power during the crisis and the police upheaval of 1979 prompted the discussion of altering the police framework specifically, as well as the Criminal Equity Framework in general. The Supreme Court has also issued the directions to effectuate the assignment of police modifications in the well-known *Parkash Singh v. Association of India* case in 2006. Given the "gravity of the issue" and "all out vulnerability with regard to when police changes would be presented," the court decided to award "*fitting bearings for guaranteed consistency.*" These bearings are binding on the Focal and State governments.

These reforms become an urgent imperative and it should be drawn the attention of policy makers, government agencies and also the civil society towards the reforms. The problems in the prison have not only undermined the rights and dignity of prisoners but also hindered the chances of successful reintegration into society after serving their sentences. Some steps are suggestible - first and foremost, the government should prioritize reducing overcrowding in prisons by exploring alternative sentencing options for non-violent offenders and implementing effective measures to address pre-trial detentions. Simultaneously, investing in infrastructural improvements and hygiene conditions within prisons is vital to ensure basic human rights to them. The President of India Draupadi Murmu has also raised this issue at several occasions. It is high time that our democratic government pay adequate attention and exhibit the political will to improve the life of prisoners. The reforms will benefit not only to prisoners but also to the overall well-being and safety of Indian society as a whole.

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6. This Act may be called the Raj Co-operative Societies Act, 2001.
7. Bar Act, The transfer of prisoners Act, 1950, *Act No. 29 of 1950, 12th April, 1950.*
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A RESEARCH NOTE ON
**WOMEN POLICE IN ASSAM DURING FLOODS:
A STUDY OF AQUATIC AREAS OF BRAHMAPUTRA IN GAUHATI CITY**

Trishnakhee Baruah* and Sandeep Gupta**

Abstract

The purpose of policing in every society is to deliver security and safety to its members, however, their demand rises to its peak when it comes to maintaining and providing security to marine life and its surrounding areas especially when it is surrounded by the mighty river Brahmaputra. The marine policewomen play an intrinsic part often when there is a heavy flood every year, especially during monsoons. The present study aims to understand the various roles and responsibilities of police in providing security in nearby flood-hit areas caused by the Brahmaputra in the city. The study, based on both secondary and primary (case studies of thirty women police respondents from different ranks), highlights that although there are changes in the overall system of policing and in providing security, yet there are some systemic drawbacks in the crisis period when the river gets worst and more polluted.

Keywords: Women Police, Floods, Brahmaputra, Cooperation, Efficiency, Guahati

INTRODUCTION

Role of Women Police during the Floods

Every year the mighty river Brahmaputra brings disastrous floods hitting the Guahati city and the people. The police, especially women police are assigned to

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provide relief to the victims and evacuate people from flood-affected areas until the special forces like NDRF or SDRF arrive. Their major role in supervising and mentoring different boats that go for deep rescue operations during floods. It is undoubtedly a difficult task to keep track of all the happenings and the overall situation, therefore better cooperation from the armed forces and the local administration are required at the nick of time. The role of the Women Police during the flood crisis in Guwahati becomes very important as they are considered to be the first responder in for the flood-hit areas to provide relief and rescue operations to a larger chunk of people especially women. In the process they are required to be well-trained and fortified with necessary equipment, rehearsal, and practices to get command of all the necessities in that crucial hour of guarding and saving the flood affected people including women and children. This perhaps helps them to be the subsidiary hands of the specialized armed forces during various emergencies. At times, the local police have a good command over the surrounding areas and are acquainted with the conditions to tackle the situations, provided they have the overall understanding and knowledge about it.

The city women police have done a tremendous job so far in drafting and preparing road communication and traffic plan to ensure that the traffic congestion is manageable, and they could easily reach out to the flood-affected areas with other necessities such as food, water, and clothes. The officers irrespective of rank including female officers prepare various communication conventions to collect information and report to the higher authorities of the disaster management authority. They also make sure to inform and warn about the aftereffects of the flood to the general mass of people including women and children.

Often it is witnessed that during the flood when the victims leave their houses and property and get settled in some high land momentarily, their belongings tend to be at high risk, hence there is a greater chance of any misfortunes such as crime, theft, robbery, etc in those stipulated time.

Another significant role of the women police is to map various essential resources that are required for the victims like the arrangement of rescue and relief camps, and centers, and to keep proper vigilance on the food and medicine supply so that every victim gets them.

The situation is, even more, worsen for women folk, and children as there are chances of crime such as trafficking, molestation, etc. Hence, women police folk necessarily take measures to ensure safety and security and to provide overall patrolling in flood-affected areas.

During the phase of definite distribution of goods and services to the victims, many people gather at the assigned area for the necessities, it is an important aspect to be considered as there are many people with many backgrounds and identities,

so keeping an eye on them becomes difficult, hence, the idea of coordination and cooperation among the police needs to be considered as an important factor. Therefore, management of the crowd is something that the entire police department concentrates more on. Properly planned coordination with various agencies such as the National Disaster Response Force (NDRF), Border Security Force (BSF), etc, are the major goals of every police department to manage the flood situations in the affected areas of the city. Tracing missing victims and reporting the number of deaths to the higher authority is one of the other important roles that the police department has been doing so. Managing media and briefing them about the situation is also required. Hence, women police from various ranks and hierarchies ensure that there is good communication with the media and responses so that there is not any false interpretation and rumor in different media.

The mighty river Brahmaputra is a great source of livelihood for the people of entire eastern India particularly the state of Assam in the northeast as it flows with its tributaries through the heart of the city of Guwahati. The city is blessed and surrounded by wetlands but due to unplanned development and advancement, it has somehow become a threat to the common mass. The river Brahmaputra has boosted its economy and is quite successful in promoting tourism in the stretch of the northeast. It has also encouraged many business sectors to establish their relationships with the other part of the states. The river has also given space and scope for growth to urbanization and settlement in and around its proximity. Therefore, it is the sole responsibility of the individuals residing to take proper care of the river, but unfortunately, because of increasing pollution and waste, the river has started losing its charm, and every year during monsoons the water level rises causing big havoc to its surrounding areas. The disposal of additional sewage from factories and industries has affected the purity of the river, thus hurting the surrounding ecosystem and its rich flora and fauna. The erosion of its bank and decreasing land mass has become a serious threat to its locality. The adverse effects of these disasters have directly serious repercussions on the local economies. The city's law enforcement has been taking great responsibility for the overall security of the members of the community as every year a major chunk of people go homeless and helpless. The city women police apart from giving security to the commoners 24x7, also make sure to perform a wide range of duties and tasks during floods. They are responsible for safeguarding the entire stretch of the river as it is the easiest communication to get linked with the city. During a flood, the women police irrespective of ranks must ensure they are undertaking various search and release operations. They are also responsible for organizing different relief camps and centers for rehabilitation for those members whose family members have lost lives or have been injured during natural calamities.

OBJECTIVE

The present study aims to understand the various tasks and responsibilities of women police in safeguarding the areas in and around the Brahmaputra and its repercussions on the common individual's day-to-day livelihood.

METHODOLOGY

The study is descriptive and has been further designed with the help of 30 case studies from the experiences of different categories of women police with the help of an interview schedule. The study has also used secondary data such as articles, journals, etc. to get an in-depth understanding. Since the nature of their job is transferable, the researcher must take prior appointments and permission to schedule interviews with them. The tools for data collection were a voice recorder, a notebook, and an interview guide.

The sampling used was snowball sampling as it was from one policeman, the researcher could track and get introduced to the other number of officers from various ranks across police stations depending on their availability and accessibility.

ANALYSIS AND DISCUSSIONS

Table 1: Perception of the respondents on getting equal support from colleagues during flood

<i>Perception of the respondents on getting support from colleagues</i>	<i>Frequency</i>	<i>Percentage</i>
Yes	24	80
No	06	20
Total	30	100

Source: Fieldwork

It was observed from the above study that the support system plays a very important part in a person's life, especially when it comes to maintaining smoothness and stability near flood-hit areas. The above table stated that 80% of the respondents from the higher rank stated that they get enough support and guidance to deal with difficult situations during floods. Whereas, the rest 20% of the respondents from lower rank stated that they face difficulty in receiving guidance due to a lack of coordination among colleagues. Respondents' who already had the experience to deal with such situations and emergencies undoubtedly had a wider perspective on tackling situations far better. Moving from one place to another at the time of natural calamities had always helped them to learn many unknown things in life which perhaps would have been impossible to know if they were not a part of this profession. Therefore, the profession of police has always shown them a wider perspective on things without criticizing them.

Table 2: Perception of the respondents on the presence of organizational biasness in departments during flood

<i>Perception of the respondents on the presence of organizational biasness</i>	<i>Frequency</i>	<i>Percentage</i>
Yes	22	73
No	08	27
Total	30	100

Source: Fieldwork

Guidance was seen as a valid way for respondents to get assistance and direction within the organization. Around 27% of the respondents from higher ranks such as Inspector to Deputy Superintendent of Police reported the significance of good coordination at the time of engaging in various roles and duties, especially during heavy floods and when people suffer from various diseases and heavy losses after the calamity. And 73% of the respondents from the lower rank such as Sub-Constables and the Constables stated that because of subtle and ingrained biases in organizational cultures, the officers often work in environments that do not accommodate their special needs and this is very much applicable to lower rank police officers who need to be in the field throughout to witness and report the incidents to the higher authority. They have few supportive organizational practices at their disposal and organizations frequently leave them to their own devices when it comes to coping in those situations. The profession of marine police does provide numerous opportunities and benefits to the officers with many challenges. Professional commitments and projects are stressful factors in every police officer's life. Hence, importance should be given to working collaboratively so that the level of stress does not hamper the work in those crucial times during floods.

Table 3: Perception of the respondents on improvement in the working conditions during flood

<i>Perception of the respondents on improvement in the working conditions</i>	<i>Frequency</i>	<i>Percentage</i>
Yes	23	77
No	07	23
Total	30	100

Source: Fieldwork

Although there are a variety of styles, patterns, and methodologies for dealing with any type of calamity in the city, the work culture and surroundings demand and require considerable zeal, patience, determination, and sharp observations, among other things too. Around 77% of the respondents from both the higher as well as lower ranks stated that the working circumstances were not up to the mark

and need more improvement. An endless number of discussions, alterations, and implementations of plans and policies simultaneously need to be taken in every part for better sustainable development of the river, and every officer irrespective of any position is required to be assigned tasks and duties that are filled with determination and dedication to deal with any circumstances. Whereas, the rest of the 23% of the respondents especially from the topmost ranks stated that the system has already moved towards a new direction of alterations and new methodologies towards dealing with flood victims and the overall flood-hit areas. Hence, no major requirement for change is needed as such.

Table 4: Perception of the respondents on their level of work efficiency during flood

<i>Perception of the respondents on their level of work efficiency during flood</i>	<i>Frequency</i>	<i>Percentage</i>
Good coordination among colleagues	20	67
Lack of coordination	10	33
Total	30	100

Source: Fieldwork

More adjustments and alterations are required to make this profession and the system more efficient. Due to the few changes that have come with the methodology or in the structure, marine policing could no longer be described as an inefficient one as 67% of the respondents stated work efficiency is very much satisfactory. Often during the distribution of goods and services to the victims, around 33% of the respondents from the lower rank such as Sub- Constables and Constables admitted that there was no proper coordination, hence they face hurdles in maintaining the overall victims.

Hence, the respondents from higher ranks such as Sub- Inspectors and Inspectors believe that various organizations can encourage the commoners by assisting them before the rainy season starts and making them aware of the challenges and repercussions by organizing programs and live sessions to stay calm and be patient in that crucial hour because despite of the police department giving their utmost effort sometimes fail to achieve the targeted aims as the victims tend to panic and lose their sense of understanding the situation and the ways to tackle them. There are also other ways of providing the victim with mental support and these are done especially by the Constables and the Sub-Constables who mark their presence by safeguarding the victims in their crucial hours by being the real heroes of the society.

LIMITATIONS OF THE STUDY

The occupation represented by the participants constitutes a small portion of the respondents. Moreover, the researcher utilized English as the primary language for data collection. This may have limited participants' ability to express themselves freely without any hesitations in the English language as they could have done more efficiently in their native language i.e., Assamese.

CONCLUSION

The intensity of flood and its repercussion increases every year and leaves behind a negative effect on the lives of the citizens, it has also succeeded in affecting marine life and its surrounding ecosystem to a larger extent. The police folk and the government should develop innovative ideas and policies to maintain and secure this main source of livelihood in the entire state of Assam. This is the only largest river that has been helping its people for ages. It is a great responsibility of the overall community members as well as the police folk to address and enlighten the general mass about every yearly occurrence of flood and its effect and also make them understand the significance of degrading sewage pollution and improving the marine environment as most of the areas get flood hit because of the people's unawareness and lack of proper understanding of the situations. The city is blessed with many tourist spots and destinations, the only thing that hampers its charm is during monsoons when a few drops of rain create havoc in the surrounding areas. There is undoubtedly great effort from the enforcement department together with the flood management community to reduce the liabilities of the community members and reinforce their aptitude to deal with floods and their hazards and should try to focus on different aspects such as the in-depth study of climate change, a comprehensive understanding on flood management, an overall insightful knowledge on hazards and disasters, etc. The police department should also focus on different ways and tactics to address the wider mass of sewage management as it is the major aspect through which the flood situation worsens every year. The general mass should take the initiative for maintaining a sewage-free environment, especially during monsoons the drainage system gets hampered because of this the situation gets affected more. These kinds of research and in-depth training would perhaps give a wider platform to ponder and find out the loopholes that are hampering the city and its surrounding soon after getting attacked by the yearly fresh floods caused by the river Brahmaputra and its tributaries. Whether it is a short or long-term measure, the enforcement authority in collaboration with the government should come up with solutions to reduce the risk of floods in and around the city. As the enforcement department is responsible for the overall security and safety of the individuals, they are that bunch of saviors who would be in a better position to reflect, describe and fulfill the needs, requirements, and

developments in the flood-hit areas of the city as it is the high time to alter the thoughts and information into action to minimize the consequences. Since the entire police department is responsible for having significant roles in managing people and saving lives, their opinions and feedback are necessary for future disaster management and implementations to better the people and their surroundings.

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BOOK REVIEW

Kuldeep Mathur, **PANCHAYATI RAJ: Oxford India Short Introduction**, (ISBN-10: 0-19-809043-9; 13: 978-0-19-809043-4), Oxford University Press, (17th Edition 2021), New Delhi, 2021, Pages xxix + 172, Rs. 230.00

Animesh Kumar*

The book under review begins with an explanation of a conceptual framework that may be used to comprehend local governance as it moves through the many regions of good governance, decentralization, and reforms in India. Author has reaffirmed the fact that there is an essential requirement to move the focus from government to governance, placing an emphasis instead on decentralisation rather than delegation. This is because he believes that the two terms are not interchangeable. Apart from introducing governance, decentralisation, and Panchayati raj. This short book is divided into seven condensed segments. Chapter 1, The Gandhian Vision; Chapter 2, The Journey Towards a Constitutional Mandate; Chapter 3, Panchayats as Self-Governing Institutions; Chapter 4, Devolution of Financial Resources to the Panchayats; Chapter 5, Reservation for Disadvantaged Groups and Their Participation in Decision-Making; Chapter 6, Panchayats and the Web of Local Governance Institutions; and Chapter 7, What Does the Future Hold?

The author discusses Mahatma Gandhi's aspiration to establish networks of economically and politically independent villages that would cater to the fundamental requirements of the populace. He emphasised how important it was to increase the productivity of the local sources so that they might boost their exports and lessen their reliance on imported goods. This brings to light a very important problem about the predominance of both the central and state governments, which diminishes the importance of the other organisation as a subsidiary one.

The author then traces the path of the development of the Panchayati Raj system as we know it now, beginning with the community development plan and ending

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with the 73rd Amendment. Along the way, the author discusses the formation of the three-tier structure of panchayats and the suggestions made by the Balwant Rai Mehta committee. It is a comprehensive analysis of the divergent viewpoints held by the Congress and the Janta Party on the subject of democratic decentralisation throughout the years 1957-1990. In chapter two of the book, the author dealt with the development and described the various aspects taken into consideration until it received constitutional recognition in the 1990s.

It is mentioned in the chapter about the structure of panchayats and how they are elected, how essential Gram Sabha is in the districts, and how it has been utilised to make centrally financed programmes run more effectively. This information is included in the chapter about the organisation of panchayats. In addition to this, it emphasises the significance of gaining local support through the elections held for the Panchayati Raj, as well as the rise in the involvement of various SC, ST, and OBC populations as a result of the allocation of reserved seats. This matter has been addressed head-on throughout the entirety of the book. It gives its approval to the practise of setting aside seats in public institutions for members of underprivileged groups within society, in particular for women, with the goal of reducing the gender gap in India and broadening the democratic base of women. It addresses the institutional barriers that prevent women, dalits, and members of other tribal groups from actively participating in decision-making processes. It investigates the expansive ambit of the Panchayat Extension to Schedule Area, a piece of legislation that gives the tribal groups legislation to safeguard their natural resources and act as stakeholders in their development. This study was carried out in India. This chapter provides an illustration of the conflict that can arise between multinational corporations that have the support of the government and the attachment that indigenous people have to their natural resources. It sheds light on the predicament of the tribal people, who, after being abandoned by their own government during the conflict with the MNCs, took up guns and formed the Naxalite Movement, which is the name that has been given to the group since its inception.

The author investigates the problem of financial mobilisation within the Panchayati Raj system in order to highlight the function of the machinery that is supplied by the constitutional framework. Some examples of this machinery are the State Finance Commission and the National Finance Commission. He goes on to talk about the unwillingness of the state to devolve financial powers to the local government through the District Planning Committees in order to give them the most independence possible.

The discussion of the existence and significance of parallel organisations, such as NGOs, NPOs, or civil societies, in the procedure of democratic decentralisation at the level of the village may be found in the chapter that comes immediately before

the very last one in this book. In addition to this, it recognises the power of caste panchayats, which defeats the fundamental objective of the constitutional mandate.

The book provides, in conclusion, an introspective outlook on the gigantic framework of the Panchayati Raj system. The author has raised vital questions, pointing out the lacunae in the functioning of the executive and the legislature. He has also provided meaningful insights and suggestions to bridge the gap between the administration and its aspirations.

In its final chapter, the book offers the reader a contemplative perspective on the enormous structure that constitutes the Panchayati Raj system. The author has made several very important points, drawing attention to gaps in the way that the executive branch and the legislative branch carry out their duties. In addition to this, he has offered insightful observations and recommendations that can help the government get closer to the goals it has set for itself. This book makes an attempt to review the functioning of the institutions that make up the Panchayati Raj and investigate its potential for the future. At the end, the author attached four annexures in the form of appendices, followed by the bibliography and index.



भारतीय राष्ट्रीय वन-नीतियां एवं आदिवासियों के वन अधिकार: औपनिवेशिक काल के पूर्व से अब तक के सामाजिक परिप्रेक्ष्य में एक विश्लेषण

दीपक कुमार खरवार* एवं विभूति भूषण मलिक**

सार संक्षेप

सदियों से वन एवं आदिवासी के बीच अन्योन्याश्रय संबंध रहा है। वन अधिकार संरक्षण कानून एवं वन नीतियों के बावजूद आदिवासियों के हितों की रक्षा नहीं हो पा रही है। उल्टे दूसरी ओर विकास के नाम पर वनों की कटाई और आदिवासियों का विस्थापन तेजी से हो रहा है। सरकारी एवं गैर-सरकारी संगठनों तथा औपनिवेशिक काल से ही शासकों द्वारा वनों का मनमाना दोहन किया गया। हालांकि स्वतंत्रता के बाद कानून एवं नीतियों के द्वारा आदिवासियों को सम्मानजनक दर्जा प्रदान किए जाने का दम्भ भरा गया, लेकिन उद्योग एवं व्यापार हेतु भूमि अधिग्रहण, विकास प्रेरित विस्थापन एवं शोषण जैसी अनेक समस्याएं आज भी उनके सामने मौजूद हैं। इसी वैचारिक आलोक में प्रस्तुत आलेख वन नीतियों एवं आदिवासियों का वनों पर अधिकार सुनिश्चित करने हेतु बनाए गए कानूनों का एक लेखा-जोखा प्रस्तुत करते हुए वन प्रशासन, नीतियों का कार्यान्वयन तथा उनमें आने वाली बाधाओं को चिह्नित करने एवं उनके निवारण के उपाय सुझाने का प्रयास करता है।

प्रमुख शब्द : राष्ट्रीय वन नीति, वनरक्षा विधि, आदिवासी, वन अधिकार, विस्थापन, शोषण।

प्रस्तावना

अफ्रीका के बाद विश्व की दूसरी सबसे बड़ी आदिवासी आबादी भारत में निवास करती है। 2011 की जनगणना के अनुसार, देश की कुल जनसंख्या का 8.6 प्रतिशत आबादी आदिवासियों की हैं, जो भारत के लगभग 15 प्रतिशत भौगोलिक क्षेत्रों में फैले हुए हैं। सदियों से जनजातियों का निवास स्थान जंगल रहा है। इसलिए जनजातीय समुदाय का जीवन, वनों और वन्य जीवन के साथ घनिष्टता से जुड़ा हुआ है तथा जनजातियों की जीविका का साधन भी रहा है। जंगलों से ही जनजातियों को फल-फूल, कन्द-मूल, स्वच्छ हवा, जड़ी-बूटियाँ, घर बनाने का सामान और अन्य अनेक प्रकार की छोटी-मोटी उपयोगी वस्तुएँ मिलती हैं जिन पर वनवासियों के अधिकार को सुनिश्चित करने के लिए कानून भी बने हैं। जनजातियों के कुलदेवता या टोटम पेड़-पौधे, जानवर, पक्षी, झाड़ियाँ, नदी या अन्य किसी प्राकृतिक वस्तु उनके जीवन के अंग हैं। इतना

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ही नहीं इन प्राकृतिक संसाधनों का वे संरक्षण भी करते हैं। परन्तु उनके इस नैसर्गिक अधिकार पर राज्य द्वारा प्रहार किया जाता रहा है। औपनिवेशिक काल में अंग्रेजों ने अपने साम्राज्यवादी हितों को पूरा करने के लिए वन विभाग की स्थापना की और वन से संबंधित अनेक प्रकार की नीतियों को बनाया। अपने मंसूबों को पूरा करने के लिए वनों को संरक्षित घोषित कर दिया और उसका लगातार दोहन किया और आदिवासियों का जंगलों से संबंधित उनके प्रथागत अधिकारों को समाप्त कर दिया, जैसे - जंगल में प्रवेश करने, वहाँ पशुओं को चराने, झूम खेती इत्यादि प्रकार के कार्यों पर रोक लगा दिया गया, जिसके कारण उन्हें अपने मूल स्थानों को छोड़कर दूसरे स्थानों पर पलायन करने के लिए एवं अपने पारंपरिक व्यवसायों को छोड़कर अन्य व्यवसायों को अपनाने के लिए मजबूर होना पड़ा। स्वतंत्रता के बाद भी औपनिवेशिक दौर की नीतियों को कायम रखा गया और कहा गया कि जंगल के संबंध में औपनिवेशिक नीतियों की बुनियादी संकल्पनाएँ ठीक थीं, उन्हें सिर्फ नई दिशा देने की जरूरत है (पाठक, 1994; गवर्नमेंट ऑफ इंडिया, 1952; झा, 1992)।

साहित्य समीक्षा

आदिवासियों की समस्याओं पर अनवरत अध्ययन चल रहा है। गाडगिल, माधव और वर्तक (1975) ने कहा कि पूरे भारत में लघु वन क्षेत्रों का बड़ा हिस्सा विद्यमान है, जो कि धार्मिक विश्वासों के कारण बचा हुआ है, क्योंकि वहाँ मानव द्वारा किसी प्रकार का हस्तक्षेप नहीं किया जाता है। देशबंधु और गर्ग (1986) द्वारा संपादित ग्रंथ में भारत के वनों की स्थिति के संबंध में विभिन्न दृष्टिकोणों एवं चुनौतियों का वर्णन किया गया है। भौमिक, पी.के. (1989) के अध्ययन में आदिवासियों के वनों पर निर्भरता पर प्रकाश डाला गया है। उन्हें अपने आस-पास के वातावरण और उसमें निवास करने वाले जीवों एवं वनस्पतियों के बारे में स्पष्ट ज्ञान होता है। वे मौसमी विविधताओं को देखते और समझते हैं और अपने जरूरत के अनुसार बुवाई, शिकार, मछली पकड़ना जैसे इत्यादि कार्यों को करते हैं।

दुबे (1996) के अनुसार वन राष्ट्रीय संपदा है, लेकिन हजारों वर्षों से जंगलों में आदिवासी रहते हुए आए हैं। जिसके परिणामस्वरूप इनके संस्कृतियों का विकास स्थानीय प्राकृतिक परिवेश के अनुसार हुआ है। विशेषकर आदिवासियों की अर्थव्यवस्था वनों पर निर्भर रही है। इसलिए विकास या वनों की रक्षा के नाम पर हम उन्हें अपने पारंपरिक अधिकारों से वंचित नहीं कर सकते। चौबे (2015) के अध्ययन में स्वतंत्रता प्राप्ति से पहले की स्थिति और आजादी के बाद जंगलों के संबंध में बदलती नीतियों तथा इससे जंगल और जनजातियों की स्थिति पर पड़ने वाले प्रभावों का विश्लेषण किया है। अंग्रेजों ने औपनिवेशिक हितों की पूर्ति एवं स्वतंत्र्योत्तर काल की सरकारों ने औद्योगीकरण हेतु ऐसी नीतियों का निर्माण किया, जिसमें वन तथा उसके संसाधनों का भरपूर दोहन किया जा सके।

उपर्युक्त अध्ययनों से स्पष्ट होता है कि वन नीतियों एवं वनों पर आदिवासियों के अधिकार हेतु बने कानूनों का समग्रता से विश्लेषण का अभाव है। अतः प्रस्तुत आलेख का मुख्य उद्देश्य भारत में स्वतंत्रता पूर्व एवं स्वतंत्रता पश्चात् आदिवासियों के लिए बनाए गए वन अधिकारों का विश्लेषण करना। प्रस्तुत शोध पत्र में वर्णनात्मक शोध पद्धति का प्रयोग किया गया है। जिसमें द्वितीयक स्रोतों के आधार पर आदिवासियों से संबंधित वन अधिकारों का विश्लेषण किया गया है। जिसके अन्तर्गत विभिन्न सरकारी, गैर-सरकारी आकड़ों, पुस्तकों, शोध पत्रों, पत्रिकाओं, सरकारी दस्तावेजों आदि की सहायता ली गई है। यहाँ हम वन नीतियों एवं संबंधित कानूनों का विवेचन तीन काल खण्डों में विभाजित कर विश्लेषित करेंगे।

औपनिवेशिक काल के पूर्व

भारत में ब्रिटिशों के आगमन से पूर्व वन संसाधनों का उपयोग जंगलों के निवासियों द्वारा किया जाता था और उस समय भारतीय शासकों की वन भूमि में कोई ज्यादा रुचि नहीं थी। वे जंगलों से अपनी जरूरत भर की कुछ वस्तुओं को लेकर संतुष्ट रहते थे। गाडगिल और गुहा (1992) के अनुसार अंग्रेजों के आगमन से पहले भारत में 'पारिस्थितिक-संतुलन' की स्थिति थी। औपनिवेशिक काल से पहले के दौर में जंगलों पर ग्रामीण समुदायों का नियंत्रण था और वे ही इसकी देखभाल करते थे। शासकों का वनों की तरफ ध्यान बहुत कम था। उस समय तीन ही ऐसे वर्ग थे जो जंगलों पर अपना अधिकार होने का दावा प्रस्तुत करते थे। पहला ग्रामीण जो जंगल की ज़मीन पर लकड़ी काटने, मवेशियों के लिए चारा इकट्ठा करने और खेती के विस्तार के लिए अपने अधिकार का दावा करते थे। दूसरा वर्ग ज़मींदारों एवं सामंतों का तथा तीसरा वर्ग सरकार का था। मद्रास प्रेसीडेंसी के 5 अगस्त 1871 के राजस्व समिति के कार्यवाही में कहा गया कि वे सभी बिना किसी अपवाद के आदिवासी या सामुदायिक अधिकारों के अधीन हैं, जो कि अनादिकाल से अस्तित्व में हैं एवं ग्रामीण आबादी के लिए बहुत आवश्यक हैं, उन्हें परिभाषित करना बहुत मुश्किल है। यहाँ के जंगल हमेशा से ही सामान्य संपत्ति रहे हैं।

ईस्ट इंडिया कम्पनी काल

ब्रिटिश सरकार अपने शुरूआती दिनों में वन संरक्षण के प्रति उदासीन रही और वनों का अंधाधुंध दोहन करती रही। अंग्रेजों के आगमन के शुरूआती दौर में लकड़ियों की आपूर्ति और खेती के लिए ज्यादा-से-ज्यादा ज़मीन हासिल करने के मकसद से जंगलों की काफी बड़ी मात्रा में कटाई की गई (रंगाराजन, 1996)। परन्तु उन्होंने महसूस किया कि भारतीय वन रणनीतिक एवं व्यवसायिक रूप से काफी महत्वपूर्ण हैं, इसलिए उन्होंने राजस्व उद्देश्यों, कृषि एवं वाणिज्यिक शोषण की पूर्ति के लिए बड़ी मात्रा में वनों को नष्ट कर दिया। यद्यपि वनवासियों एवं ग्रामीणों को उनके वन के संसाधनों से वंचित नहीं किया गया, लेकिन इस समय तक राज्य द्वारा देश के वनों एवं बंजर भूमि पर अपना वास्तविक स्वामित्व स्थापित करने की कवायद शुरू हो चुकी थी (गाडगिल और गुहा, 1992)।

19वीं शताब्दी तक अंग्रेज समझने लगे कि भारतीय वन संसाधनों में भारी मात्रा में गिरावट हुई है जिससे उनका ही नुकसान हुआ है। फलतः ब्रिटिश सरकार को वन संसाधनों के संरक्षण के लिए नियम बनाने के लिए विवश किया (सलदानहा, 1966)। 1853 में रेल नेटवर्क के निर्माण के आरंभिक वर्षों में अधिक सुलभ वनों पर अभूतपूर्व हमला हुआ। रेलवे स्लीपर की माँग को पूरा करने के लिए जंगल के बड़े हिस्से को नष्ट कर दिया गया और इस दौरान वनों की कटाई पर किसी तरह के रोक-टोक की व्यवस्था नहीं की गई जिसके कारण बहुत सारे वृक्ष ज़मीन पर पड़े-पड़े बर्बाद हो गए। 1856 में लार्ड डलहौज़ी ने रेलवे में बड़ी मात्रा में लकड़ी के उपयोग के कारण हो रहे वन विनाश के प्रभाव को महसूस किया और एक वन नीति बनाने का फैसला किया जिससे वनों को नष्ट होने से बचाया जा सके (स्मिथिज, 1925)।

ब्रिटिशसम्राट का शासन काल

ब्रिटिश सरकार द्वारा वन प्रशासन की स्थापना की गई जो अपने प्रकृति में अधिकारवादी थे। अपने औपनिवेशिक उद्देश्यों की पूर्ति के लिए अंग्रेजों ने जंगलों को राष्ट्रीय संपदा के रूप में परिभाषित किया

और स्थानीय वनवासी एवं ग्रामीण समुदायों पर अनेक प्रकार के प्रतिबंध लगा दिए। इस प्रकार ब्रिटिशों ने वाणिज्यिक उद्देश्यों एवं राष्ट्रीय विकास के नाम पर वनों पर नियंत्रण स्थापित कर लिया। आगे ब्रिटिशों के द्वारा बनाई गई वन नीतियाँ एवं उसका आदिवासियों के सामाजिक-आर्थिक जीवन पर क्या प्रभाव पड़ा इसका कालानुक्रमिक वर्णन किया गया है।

1865 का पहला वन-कानून

1865 के भारतीय वन अधिनियम द्वारा राज्य के एकाधिकार की दावेदारी करने का पहला प्रयास किया गया। इसका मुख्य उद्देश्य उन वन क्षेत्रों के अधिग्रहण करने में मदद करना था, जिन्हें रेलवे की आपूर्ति के लिए चिह्नित किया गया था। राज्य को यह अधिकार दिया गया कि वह वृक्षों से आच्छादित किसी भी भूमि को जंगल घोषित करे और अधिसूचना द्वारा विनियमित करे बशर्ते कि इस तरह की अधिसूचना से किसी व्यक्ति या समुदाय के मौजूदा अधिकारों का हनन न हो (धारा-2)। इस प्रकार, वनवासी लोगों के सामाजिक रूप से विनियमित प्रथाओं को कानून द्वारा प्रतिबंधित किए जाने का पहला प्रयास था (हसनैन, 2016)। इस कानून के माध्यम से वन उत्पाद के उपयोग करने के प्रथागत अधिकार को विशेषाधिकार में बदल दिया गया।

1878 का वन-कानून

1874 में वन अधिकारियों का एक सम्मेलन बुलाया गया जिसमें 1865 के अधिनियम की कमियों और नए प्रस्तावित अधिनियम के विभिन्न प्रावधानों पर विस्तार से इस सम्मेलन में विचार-विमर्श हुआ। जिसके आधार पर ब्रेंडिस ने 1875 में वन अधिनियम से संबंधित अपना स्मरण-पत्र (मेमोरंडम) तैयार किया जिसके परिणामस्वरूप 1878 का भारतीय वन अधिनियम सामने आया। यह वनों पर अपनी सत्ता लागू करने वाला भारत सरकार द्वारा दूसरा कदम था जिसमें आदिवासियों एवं स्थानीय लोगों को जंगल में प्रवेश करने और वहाँ पशुओं को चराने आदि कई कामों पर रोक लगा दिया गया (हसनैन, 2016)।

1878 के वन अधिनियम द्वारा वनों को तीन भागों में बाँटा गया (गाडगिल और गुहा, 1992)। पहले प्रकार के वनों को आरक्षित वन (रिजर्व्ड फ़ॉरेस्ट), दूसरे प्रकार के वनों को संरक्षित वन (प्रोटेक्टेड फ़ॉरेस्ट), और तीसरे प्रकार के वनों को ग्राम वन का नाम दिया गया। दरअसल वन विभाग के गठन और 1878 के वन अधिनियम द्वारा अंग्रेजों ने एक साथ दो लक्ष्यों को पूरा किया - पहला, उन्होंने वनवासी समूहों के जंगल और उसके संसाधनों पर उनके अधिकारों को नकारा और दूसरा जंगल के संसाधनों के दोहन के लिए एक स्पष्ट व्यवस्था कायम की। इस प्रकार, अंग्रेजों ने जंगलों को पूरी तरह से राज्य की सम्पत्ति में बदल दिया। इस व्यवस्था के कारण सदियों से जंगलों में रह रहे आदिवासी समूह 'अतिक्रमक' बन गए। साथ ही, जंगल में उनके सारे परंपरागत अधिकार 'छूट' में तब्दील हो गए (सिंह, 1987; गुहा, 2013)।

1894 की पहली राष्ट्रीय वन-नीति

1894 की वन नीति भारत की पहली औपचारिक नीति थी जिसके माध्यम से वन उत्पादों, राज्य संरक्षकता और स्थायी खेती के वाणिज्यिक दोहन को ज्यादा महत्व दिया गया। यह नीति मुख्य रूप से डॉ. वोएलकर द्वारा 1893 में दिए गए रिपोर्ट 'भारतीय कृषि में सुधार' के सिफारिशों पर आधारित थी। इस नीति के माध्यम

से ब्रिटिश प्रशासन ने जमींदारों को राज्य की राजस्व आय बढ़ाने के लिए खुले जंगलों को कृषि भूमि में परिवर्तन करने लिए प्रोत्साहित किया। वास्तव में इस नीति ने लोगों के हितों के स्थान पर राज्य के हितों को ज्यादा प्रमुखता दिया। इस वन-नीति के अन्तर्गत पहली बार वन-क्षेत्र का इस्तेमाल करने वालों के लिए पहले उन्हें चाहे कितनी ही आजादी क्यों न प्राप्त हो; उनके अधिकारों, सुविधाओं और प्रतिबन्धों की व्यवस्था की गई। 1894 में पहली बार वन-अधिकारियों ने जनजातियों के अधिकारों को नियमित और सीमित करने के लिए सत्ता का इस्तेमाल किया (हसनैन, 2016)।

भारतीय वन अधिनियम-1927

1927 का भारतीय वन अधिनियम, 1878 के वन अधिनियम का ही संशोधित रूप था। यह अधिनियम वन-भूमि और वन उत्पादन पर आदिवासियों एवं स्थानीय ग्रामीण लोगों के अधिकारों को विनियमित करने का प्रयास था। इसके अन्तर्गत जंगलों पर राजकीय नियंत्रण बढ़ाने के उद्देश्य से विस्तृत नियम-कायदों की व्यवस्था की गई। इसने न केवल वनों पर लोगों के अधिकारों को विनियमित किया गया, बल्कि वन अधिकारियों के लिए सभी नियम-कानूनों को भी संहिताबद्ध किया गया। इन कानूनी व्यवस्थाओं के कारण वन-विभाग के रेंजर्स, चौकीदारों एवं अधिकारियों ने अपने शक्ति का मनमाने ढंग से जनजातियों एवं ग्रामीण लोगों पर इस्तेमाल किया जिसके परिणामस्वरूप स्थानीय लोगों को अपना मूल स्थान छोड़ने के लिए मजबूर होना पड़ा। 1878 में जो अधिकार वनों पर स्थानीय समुदायों को मिला था, उसको 1927 के भारतीय वन अधिनियम के द्वारा समाप्त कर दिया गया। अब कोई भी समुदाय वन अधिकारी के जाँच-पड़ताल के बिना वन भूमि पर अपना अधिकार होने का दावा नहीं कर सकता था। इसके माध्यम से झूम खेती पर भी प्रतिबंध लगा दिया गया। इस तरह इस कानून के माध्यम से राज्य को वनों को व्यवसायिक रूप से इस्तेमाल करने का स्पष्ट अधिकार मिल गया और वनों के सामुदायिक स्वामित्व को समाप्त कर दिया गया। इन विभिन्न प्रतिबंधों के कारण जनजातियों एवं स्थानीय लोगों के सामने व्यवसाय और आजीविका जैसी समस्याएँ उत्पन्न हो गईं, जिसने बहुत से लोगों को अपना पारंपरिक व्यवसाय बदलने एवं आजीविका के लिए अपना मूल स्थान छोड़कर किसी दूसरे स्थान पर जाना पड़ा। वास्तव में इस नीति ने आदिवासियों एवं स्थानीय लोगों के अधिकारों को सरकार के हाथों में स्थानांतरित कर दिया। अब सामान्य सम्पत्ति राज्य सम्पत्ति बन गई।

स्वतंत्र्योत्तर काल

स्वतंत्रता प्राप्ति के बाद संविधान सभा ने जनजातीय क्षेत्रों की विशेष स्थिति पर विचार किया। संविधान सभा के सदस्यों ने यह महसूस किया कि इन क्षेत्रों के लिए अलग से व्यवस्था कायम रखने की आवश्यकता है। संविधान की पाँचवीं और छठी अनुसूची में आदिवासियों के एक बड़े समूह को अनुसूचित जनजाति के रूप में कई संवैधानिक अधिकार दिए गए। छठी अनुसूची के अंतर्गत उत्तर-पूर्व के राज्यों के लिए और पाँचवीं अनुसूची के अंतर्गत पूरे देश के जनजातीय क्षेत्रों के लिए विशेष प्रावधान किए गए (चौबे, 2015)।

राष्ट्रीय वन-नीति 1952

स्वतंत्र भारत की वन नीति में औपनिवेशिक दौर की विरासत कायम रखी गई। 1952 की वन नीति इसका प्रमुख उदाहरण है। 1952 की वन नीति में यह घोषित किया गया कि जंगल के संबंध में औपनिवेशिक

नीतियों की बुनियादी संकल्पनाएँ ठीक थीं, केवल उन्हें नयी दिशा देने की जरूरत है (गवर्नमेंट ऑफ इंडिया 1952; झा, 1992; पाठक, 1994)। इसलिए नई नीति में 'सार्वजनिक हित' की जगह 'राष्ट्रीय हित' को महत्व दिया गया। राष्ट्रीय-हित के नाम पर स्थानीय समुदायों को वन प्रबंधन से अलग-थलग रखने की नीति को वैधता प्रदान की गई। इसमें यह कहा गया कि किसी जंगल के फायदे से संपूर्ण राष्ट्र को सिर्फ इसलिए वंचित नहीं किया जा सकता है कि 'क्योंकि संयोगवश कोई गाँव एक जंगल के नजदीक बसा है' (गवर्नमेंट ऑफ इंडिया, 1952)। इससे प्रमुख रूप से आदिवासी ही प्रभावित हुए। इसका अंदाजा इसी बात से लगाया जा सकता है कि देश के कुल जंगल का 60 प्रतिशत क्षेत्र आदिवासी बहुल जिलों के अन्तर्गत आता है (कैम्पेन, 2004)। इसका नतीजा यह हुआ कि अशिक्षित एवं पारम्परिक आदिवासी समाज अपनी भूमि या अधिकारों का दावा नहीं कर पाए। वन विभाग द्वारा इन आदिवासियों को 'अतिक्रमक' घोषित कर दिया गया। आदिवासी समुदाय जिस जमीन का उपयोग झूम खेती के लिए करते थे उसे भी जंगल मान लिया गया। इसका मतलब यह हुआ कि ये लोग जिस जगह पर पीढ़ियों से रह रहे थे, वहाँ अब इनका रहना गैर-कानूनी बन गया। वास्तव में इस नीति में जंगल और इसके संसाधनों पर निर्भर समुदायों के हितों पर कोई ध्यान नहीं दिया गया। वन संसाधनों के प्रबंधन में इनकी इच्छाओं और विचारों को महत्व नहीं दिया गया।

भारत सरकार ने इस नीति का एवं इसका आदिवासियों पर पड़ने वाले प्रभावों का विश्लेषण करने के लिए 1960 में यू.एन. डेबर की अध्यक्षता में एक समिति का गठन किया। छह सदस्यीय इस समिति ने अपने रिपोर्ट में यह बताया कि आदिवासियों की मुख्य समस्या वन अधिकारों का न मिलना, ज़मीन का छिन जाना और विकास परियोजनाओं के कारण होने वाला विस्थापन है (गवर्नमेंट ऑफ इंडिया, 1961)। आयोग ने अपने रिपोर्ट में सरकार से सिफारिश किया कि 1952 की वन नीति पर पुनर्विचार किया जाना चाहिए और आदिवासियों को वन भूमि पर खेती करने के लिए अनुमति देनी चाहिए।

1976 में एक बड़ा बदलाव यह हुआ कि संविधान के 42वें संविधान संशोधन द्वारा वनों के विषय को राज्य सूची से समवर्ती सूची में स्थानांतरित कर दिया गया। जिससे वन से संबंधित कानून बनाने का अधिकार अब केन्द्र को प्राप्त हो गया। परिणामस्वरूप अक्टूबर, 1980 में फारेस्ट कंजरवेशन आर्डिनेन्स लागू किया गया। बाद में उसे संसद में स्वीकृत होने के बाद कानून बना दिया गया।

वन-संरक्षण अधिनियम 1980

राष्ट्रीय कृषि आयोग 1976 की सिफारिशों के आधार पर 1980 में एक वन विधेयक का मसौदा तैयार किया गया। इस विधेयक में वन भूमि और वन उत्पाद पर लोगों के अधिकारों को सीमित करने का प्रावधान किया गया। सरकार को भी इस अधिनियम की उद्देश्य की पूर्ति के लिए किसी भी भूमि को वन भूमि में घोषित करने का अधिकार दिया गया। इस अधिनियम के द्वारा राज्य सरकारों को यह निर्देश दिया गया कि केन्द्र सरकार की अनुमति के बिना राज्य किसी भी आरक्षित वन या अनारक्षित वन के हिस्से को अपने किसी भी उद्देश्य की पूर्ति के लिए आवंटित या इस्तेमाल नहीं करेगा और इसमें स्थानीय लोगों के अधिकारों के विपरीत भी एक विशेष प्रावधान किया गया। इस तरह केन्द्र सरकार ने वन एवं वन उत्पादन से संबंधित सारे अधिकार अपने हाथों में ले लिया। बाद में इस विधेयक को संसद द्वारा पारित करके एक अधिनियम बना दिया गया।

आदिवासियों एवं वनों से संबंधित बी.के. रॉयबर्मन समिति

गृह मंत्रालय ने 1980 में जनजातीय अर्थव्यवस्था में सुधार के लिए वन नीति को पुनः परिष्कृत करने के उद्देश्य से नृविज्ञानी श्री बी.के. रॉयबर्मन की अध्यक्षता में एक समिति का गठन किया। समिति ने 1982 में अपनी रिपोर्ट पेश की। अपने रिपोर्ट में समिति ने जनजातियों के जीवन में वनों के महत्व पर जोर दिया। निःशुल्क ईंधन, चारा, और घर बनाने के लिए लकड़ी के अलावा आदिवासी लोग आय का एक तिहाई हिस्सा जंगल से ही प्राप्त करते हैं। समिति ने अपने रिपोर्ट में यह भी अंकित किया कि जंगलों से संबंधित समस्त सरकारी कार्यवाही कुल मिलाकर राजस्व उपार्जित करने की है। वन नीति के पैरामीटर में आदिवासियों की अर्थव्यवस्था का कोई महत्वपूर्ण स्थान नहीं है, ज्यादा से ज्यादा आदिवासियों से मजदूरी पर काम ले लिया जाता है। समिति ने यह महसूस किया कि वन नीति ऐसी होनी चाहिए जो वन निवासियों के सकारात्मक भूमिका एवं महत्व को समझे, जो वनों की कटाई, संरक्षण, उत्पादन और भूमि का प्रबन्धन जैसी समस्याओं से निपटने में निपुण हो (हसनैन, 2016)।

राष्ट्रीय वन नीति 1988 और जनजातियों के अधिकार

भारतीय वन नीति 1988, स्वतंत्र भारत की दूसरी वन नीति थी और पहली ऐसी वन नीति थी जिसने सामुदायिक आजीविका में सुधार प्राप्त करने के उद्देश्य से वनों के संरक्षण एवं प्रबंधन में स्थानीय लोगों की भूमिका को महत्व दिया (बेहेरा और ऐन्जल, 2006)। इस वन नीति का सर्वप्रमुख उद्देश्य प्राकृतिक विरासत के रूप में वनों के संरक्षण के माध्यम से पर्यावरण संबंधी स्थायित्व और पारिस्थितिकी एवं वातावरण संबंधी संतुलन को बनाए रखना था, जो सभी जीव स्वरूपों, मानव, पशु और वनस्पति को जीवित और कायम रखने के लिए जरूरी था। इन वन नीति की सबसे खास बात यह थी कि जो वनों के साथ जनजातियों के सन्दर्भ में कही गई। उसमें कहा गया कि आदिवासियों का जंगलों के साथ जो प्रतीकात्मक संबंध रहा है उसका सम्मान करते हुए वन-प्रबन्ध की सभी एजेंसियों और वन विभागों का बुनियादी कर्तव्य यह है कि वनों के संरक्षण, उनके पुनर्विकास और उनकी स्थितियों में सुधार करने के सभी कार्यों में आदिवासियों को घनिष्टता के साथ जोड़ा जाए, वन और उसके आस-पास रहने वाले लोगों को अच्छे रोजगार उपलब्ध कराए जाएं तथा साथ ही उन लोगों की परम्पराओं, अधिकारों और हितों को सुरक्षित रखा जाए। जहाँ तक आदिवासियों के अधिकारों और उन्हें मिलने वाली रियायतों का संबंध है, तो इस नीति में स्पष्ट कहा गया कि जो भी अधिकार और रियायतें आदिवासियों को पहले से प्राप्त हैं वे उन्हें मिलते रहेंगे।

वन-अधिनियम 2006 और आदिवासियों के अधिकार

एक लंबे संघर्ष के बाद वर्ष 2006 में एक महत्वपूर्ण अधिनियम पारित हुआ जिसे 'अनुसूचित जनजाति तथा अन्य परम्परागत वन निवासी (वन अधिकारों की मान्यता) अधिनियम', 2006 कहा गया। यह अधिनियम आदिवासी समुदाय के लिए सरकार द्वारा बनाया गया एक ऐतिहासिक अधिनियम है। इस अधिनियम में वनों में निवास करने वाली अनुसूचित जनजातियों और अन्य परम्परागत वन निवासियों के मान्यता प्राप्त अधिकारों में दीर्घकालीन उपयोग के लिए जिम्मेदारी और प्राधिकार, जैव विविधता का संरक्षण और पारिस्थितिकी संतुलन को बनाए रखना और वन में निवास करने वाले अनुसूचित जनजातियों और अन्य

परम्परागत वन निवासियों की जीविका तथा खाद्य सुरक्षा को सुरक्षित करते समय वनों की व्यवस्था को सुदृढ़ करना भी सम्मिलित किया गया है (अटल एवं सिसोदिया, 2011)।

निष्कर्ष

सदियों से आदिवासी समुदाय वनों में अपना जीवन व्यतीत करते रहे हैं। आदिवासियों का सामाजिक, आर्थिक एवं सांस्कृतिक जीवन घनिष्ठ रूप से वनों से जुड़ा हुआ था। लेकिन औपनिवेशिक तथा स्वतंत्रता के बाद की नीतियों ने वनों के साथ जो आदिवासियों के संबंध थे उसको पूरी तरह से बदल दिया। जिन वनवासियों का जंगलों पर वास्तविक अधिकार था, जहाँ से उनकी अर्थव्यवस्था संचालित होती थी तथा जो खुद वनों का संरक्षण करते थे, उनके इन प्रथागत अधिकारों को कानून बनाकर समाप्त कर दिया गया। जिसके कारण आदिवासियों के सामने गरीबी, भुखमरी, शोषण, विस्थापन जैसी अनेक समस्याएँ उत्पन्न हो गईं। इस तरह से आदिवासियों को वनों से अलग करके न ही वनों या किसी भी प्राकृतिक संसाधनों को बचाया जा सकता है और न ही उनकी समस्याओं को समाप्त किया जा सकता है। भारत सरकार द्वारा बनाया गया 2006 का अधिनियम आदिवासियों के लिए एक आशा का किरण लेकर आया, जिसमें फिर से आदिवासियों को वनों एवं वन्य उत्पादों पर उनके अधिकार को देने का प्रयास किया गया।

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राष्ट्रीय शिक्षा नीति 2020 : उद्देश्य, कार्यान्वयन-तंत्र एवं संभावनाएँ

निर्मला*

सार संक्षेप

नई राष्ट्रीय शिक्षा नीति 2020 से लोगों की बड़ी उम्मीद जगी है। दावा किया जा रहा है कि इस नई नीति से अगली पीढ़ी का सर्वमुखी निर्माण हो सकेगा तथा आगे आने वाली पीढ़ी ज्ञान और कौशल से लैस होकर समावेशी भारत कर्णधार बनेंगे। प्रश्न है कि इस नीति में कौन-कौन से ऐसे प्रावधान हैं, जो इस उम्मीद को पूरा करेंगे? उन प्रावधानों को कार्यान्वयन हेतु कौन से तंत्र विकसित किए जाएंगे? इससे कितनी उम्मीद रखनी चाहिए? द्वितीयक स्रोतों से प्राप्त तथ्यों के गुणात्मक विश्लेषण के आधार पर प्रस्तुत लेख उन संभावनाओं पर प्रकाश डालता है जिसकी महत्वाकांक्षा नीति निर्माताओं ने की है।

प्रमुख शब्द : शिक्षा नीति 2020, भाषायी विविधता, कौशल विकास, शिक्षक प्रशिक्षण, कार्यान्वयन तंत्र, राष्ट्रीय अध्यापक शिक्षा परिषद, वित्त

प्रस्तावना

वर्तमान समय की मांग है कि शिक्षण प्रक्रिया विद्यार्थी-केंद्रित हो जिसमें विद्यार्थी की जिज्ञासा, खोज, अनुभव एवं संवाद के आधार पर शिक्षा का संचालन लचीला, समग्रता एवं समन्वित रूप से विद्यार्थी को देखने समझने में सक्षम होने के साथ-साथ रुचिपूर्ण होना चाहिए। रोजगार एवं वैश्विक पारिस्थितिकी में तेजी से हो रहे परिवर्तन के कारण यह आवश्यक हो गया है कि बच्चों को जो कुछ सिखाया जाय वह निरंतर सिखते रहे इसलिए शिक्षा में विषयवस्तु को बढ़ावा देने के स्थान पर समस्या-समाधान, तार्किकता एवं रचनात्मक रूप से सोचने-समझने पर बल देना चाहिए। नई शिक्षा नीति के माध्यम से विद्यार्थियों के सम्पूर्ण जीवन के प्रत्येक पक्षों एवं क्षमताओं के संतुलित विकास के लिए पाठ्यक्रम में विज्ञान और गणित के साथ-साथ बुनियादी कला, शिल्प, मानविकी, खेल एवं फिटनेस, भाषाएँ, साहित्य, संस्कृति तथा मूल्य को प्रमुखता से शामिल किया गया है। शिक्षा एक ऐसा माध्यम है, जो विद्यार्थियों के चरित्र निर्माण में महत्वपूर्ण

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भूमिका निभाता है। जिसके द्वारा विद्यार्थियों में नैतिकता, तार्किकता, करुणा एवं संवेदनशीलता विकसित होती है तथा साथ ही साथ विद्यार्थियों को रोजगार के लिए सक्षम बनाता है।

नई शिक्षा नीति 2020 पाँच आधारभूत संरचना पर केन्द्रित है - वहनीयता, अभिगम्यता, गुणवत्ता, न्यायपरकता एवं जवाबदेही के आधार पर विद्यार्थियों को निरंतर सीखने की प्रक्रिया को सुनिश्चित करता है। नई शिक्षा नीति को समाज और अर्थव्यवस्था में ज्ञान की मांग के रूप में नागरिकों की जरूरतों के अनुरूप तैयार किया गया है। विद्यार्थियों में नियमित नए कौशल हासिल करने की आवश्यकता को पूरा किया जा सकता है, इस प्रकार, गुणवत्तापूर्ण शिक्षा प्रदान करने के लिए सभी को अवसर प्रदान करता है। संयुक्त राष्ट्र सतत विकास लक्ष्य 2030 में सूचिबद्ध पूर्ण उत्पादक रोजगार एवं अच्छे कार्य की ओर अग्रसर होना नई शिक्षा नीति का प्राथमिक उद्देश्य है। नई शिक्षा नीति 2020 ने पिछली राष्ट्रीय शिक्षा नीति 1986 की जगह लाया गया है। और 2040 तक भारत में प्राथमिक और उच्च शिक्षा दोनों को बदलने के लिए एक व्यापक ढांचा तैयार किया है। नई शिक्षा नीति 20 जुलाई 2020 को भारत सरकार द्वारा घोषित किया गया, जो अंतरिक्ष वैज्ञानिक के. कस्तूरिंगन की अध्यक्षता में गठित की गई समिति की रिपोर्ट पर आधारित है। नई राष्ट्रीय शिक्षा नीति, 2020 के तहत वर्ष 2030 तक सकल नामांकन अनुपात (Gross Enrolment Ratio & GER) को 100 प्रतिशत लाने का लक्ष्य रखा गया है।

भारत प्राचीनतम काल से ही विश्वगुरु रहा है, अपने उच्च स्तरीय शिक्षा के लिए विश्व प्रसिद्ध है। नालंदा, तक्षशिला जैसे विश्वविद्यालय के कारण भारत की तूती सम्पूर्ण विश्व में बोलती थी। देश-विदेश के विद्यार्थी यहाँ शिक्षा ग्रहण करने के लिए आते थे। नई शिक्षा नीति के लिए 2 लाख सुझावों को लेकर तथा वर्तमान युवा पीढ़ी के भविष्य तथा आने वाली पीढ़ी की अपेक्षाओं, आकांक्षाओं व चुनौतियों को ध्यान में रखकर लागू किया गया है। उच्च शिक्षा में सर्टिफिकेट, डिप्लोमा एवं डिग्री पाठ्यक्रमों को शामिल किया गया तथा 34 साल बाद लाई गई नई शिक्षा नीति शोधपरक, नवाचार और अनुसंधान को बढ़ावा देती है। नई शिक्षा नीति के माध्यम से यह प्रयास है कि तीव्र गति से बदलते सामाजिक, आर्थिक और वैश्विक परिवेश में देश के युवाओं को सक्षम बनाया जाय तथा ऐसी शिक्षा प्रणाली विकसित करना है जिसमें भारतीय परम्पराओं एवं मूल्यों को जगह मिल सके।

शोध प्राविधि

प्रस्तुत शोधपत्र में अंतर्वस्तु विश्लेषण पद्धति का प्रयोग किया गया है। शोधपत्र के आकड़ों को संग्रहण करने के लिए द्वितीयक स्रोत का प्रयोग किया गया है, जिसमें नई शिक्षा नीति 2020 से संबंधित रिपोर्ट, समाचार पत्रों, पुस्तकों तथा विभिन्न प्रकाशित शोधपत्र एवं आलेख से संकलन किया गया है।

साहित्य समीक्षा

प्रो. के.एल. शर्मा (2020) ने अपने शोधपत्र में लिखा है कि शिक्षा के माध्यम से एक सशक्त समाज का निर्माण किया जा सकता है, परन्तु शिक्षा इतनी गुणवत्तापरक हो कि मानव स्वयं को स्वतंत्र, रचनात्मक एवं नैतिक दृष्टि से सशक्त समझ सके। शिक्षा परवर्तन एवं सशक्तिकरण का एकमात्र साधन है। उन्होंने पुनः

वकालत की कि भाषा बौद्धिक मेधा के विकास के लिए अत्यंत आवश्यक है। अपरिचित भाषा उसे बाधाएं पहुँचाती है।

शर्मा, के.एल (2021), मेथड्स ऑफ टीचिंग इंगलिश इन इण्डिया (दसवां संस्करण), लक्ष्मी नारायण अग्रवाल, आगरा

दुर्गेश सिंह (2020) ने अपने शोधपत्र में लिखा है कि भारत की वर्तमान शिक्षा प्रणाली त्रिस्तरीय (प्राथमिक, माध्यमिक एवं उच्च शिक्षा) है। वर्तमान शिक्षा व्यवस्था युवाओं को शिक्षित तो कर रहा है, परन्तु रोजगार दिलाने में असफल है। इससे स्पष्ट होता है कि भारतीय शिक्षा व्यवस्था विश्व स्तर के कुशल एवं दक्ष युवा बनाने में असमर्थ है। देश में 34 साल बाद सरकार की पहल पर नई शिक्षा नीति लाया गया है, जो शोधपरक, नवाचार एवं अनुसंधान को बढ़ावा देती है।

अजय कुरियन एवं सुदीप बी. चान्द्रमान (2020). नई शिक्षा नीति समाज में कई लोगों के लिए अप्रत्याशित है। नई शिक्षा नीति ऐसे परिवर्तन की सिफारिश करता है, जो कई शिक्षाविदों के लिए आश्चर्यजनक है। नई शिक्षा नीति स्कूल एवं कॉलेज के शिक्षा को समान रूप से प्रभावित किया है। नई शिक्षा नीति मुख्यतः उच्च शिक्षा को प्रभावित किया है।

अध्ययन का महत्व

प्रस्तुत अध्ययन नई शिक्षा नीति 2020 के विभिन्न पहलुओं को समझने में मदद करेगा, तथा वर्तमान शोध नई शिक्षा नीति 2020 के नियमों एवं शर्तों के अनुसार उच्च शिक्षा में सुधारों को समझने में भी मदद करेगा। यह शोध नई शिक्षा नीति 2020 के बारे में पाठकों के बीच जागरूकता पैदा करने का प्रयास करेगा, इसलिए इस अध्ययन का महत्व और अधिक बढ़ जाता है।

नई शिक्षा नीति 2020 का विश्लेषण

नई शिक्षा नीति 2020 में शिक्षा व्यवस्था के प्रमुख चार विशेषताओं को रेखांकित किया गया है – विद्यार्थी, अध्यापक, पाठ्यक्रम तथा ढांचागत सुविधाएं इत्यादि।

क्षेत्रीय भाषा (मातृभाषा) – अध्ययन-अध्यापन के लिए मातृभाषा का एक विशेष महत्व होता है। जिसके माध्यम से बालक के व्यक्तित्व का विकास होता है एवं बालक को सीखने में आसानी होती है। मनोविज्ञान के एक धारणा के अनुसार बालक को क्षेत्रीय भाषा (मातृभाषा) में अध्ययन कराने पर अधिक सरलता एवं शीघ्रता से सिखाता है। इसी बात को ध्यान में रखकर नई शिक्षा नीति में भाषाई विविधता को महत्व दिया गया है – नई शिक्षा नीति के अनुसार बालक की पाँचवीं कक्षा तक का अध्ययन मातृभाषा या क्षेत्रीय भाषा के माध्यम से कराया जाएगा तथा कक्षा आठ या उससे आगे भी क्षेत्रीय भाषा पढ़ाई का माध्यम हो सकता है। विदेशी भाषा की पढ़ाई सेकेंडरी लेवल से कराया जाएगा, बाकी विषय चाहे जो भी हो चाहे अंग्रेजी ही क्यों न हो, एक विषय के तौर पर ही पढ़ाया जाएगा। इसके द्वारा विद्यार्थियों को सांस्कृतिक मूल्यों से जोड़ा जा सकता है। 3 से 6 वर्ष की आयु के बालकों के लिए आंगनबाड़ी, बालवाटिका या प्री-स्कूल के माध्यम से मुफ्त सुरक्षित तथा गुणवत्तापूर्ण शिक्षा दिया जाएगा। बालक के प्रारम्भिक शिक्षा को बहुस्तरीय खेल एवं गतिविधि आधारित बनाने को प्राथमिकता दिया गया है।

भाषाई विविधता का संरक्षण

नई शिक्षा नीति 2020 में कक्षा पाँच तक की शिक्षा क्षेत्रीय भाषा के माध्यम से अध्ययन किए जाने पर बल दिया गया है तथा साथ ही साथ मातृभाषा को कक्षा आठ तक आगे की शिक्षा के लिए बालक को प्राथमिकता दिया गया है। स्कूली एवं उच्च शिक्षा के लिए संस्कृत एवं किसी प्राचीन भाषाओं को विकल्प के रूप में रखा जाएगा, लेकिन किसी भी छात्र पर किसी भी भाषा के चुनाव में कोई बाध्यता नहीं होगी। बालकों के लिए शारीरिक शिक्षा – विद्यालयों में सभी स्तरों पर बागवानी, नियमित रूप से खेलकूद, योग, नृत्य, मार्शल आर्ट तथा स्थानीय उपलब्धता के आधार पर शारीरिक गतिविधियों एवं व्यायाम में प्रतिभाग कराया जाएगा।

- अध्यापकों की नियुक्ति प्रभावी और पारदर्शी प्रक्रिया से किया जाएगा तथा उनके प्रशिक्षण की व्यवस्था किया जाएगा और समय-समय पर अध्यापकों द्वारा किए गए कार्य प्रदर्शन का मूल्यांकन किया जाएगा एवं उसी आधार पर उनकी पदोन्नति की जाएगी।
- राष्ट्रीय अध्यापक शिक्षा परिषद् द्वारा वर्ष 2022 तक शिक्षकों के लिए राष्ट्रीय व्यवसायिक मानक का विकास किया गया है।
- राष्ट्रीय अध्यापक शिक्षा परिषद् द्वारा एन.सी.ई.आर.टी. के परामर्श पर अध्यापक शिक्षा हेतु राष्ट्रीय पाठ्यचर्या की रूपरेखा का विकास किया जाएगा।
- वर्ष 2030 तक अध्यापन कार्य के लिए न्यूनतम डिग्री चार वर्षीय बी.एड. डिग्री का होना अनिवार्य किया जाएगा।

नई शिक्षा नीति में उच्च शिक्षा से संबंधित प्रावधान के तहत उच्च शिक्षण संस्थानों में सकल नामांकन अनुपात को 26.3 प्रतिशत से बढ़ाकर 50 प्रतिशत करने का लक्ष्य रखा गया है। तथा साथ ही देश के उच्च शिक्षण संस्थानों में 3.5 करोड़ नई सीटों को जोड़ा जाएगा। स्नातक पाठ्यक्रम में मल्टीपल एंट्री एंड एक्जिट व्यवस्था को अपनाया गया है। इसके तहत 4 वर्ष के स्नातक कार्यक्रम में डिग्री या प्रमाणपत्र प्रदान किया जाएगा, जैसे – 1 वर्ष पूर्ण करने पर प्रमाणपत्र, 2 वर्ष के बाद एडवांस डिप्लोमा, 3 वर्ष के उपरांत स्नातक की डिग्री तथा 4 वर्ष के बाद शोध के साथ स्नातक की उपाधि प्रदान किया जाएगा। विभिन्न उच्च शिक्षण संस्थानों से प्राप्त अंकों या क्रेडिट को डिजिटल रूप से सुरक्षित रखने के लिए एक एकेडमिक बैंक ऑफ़ क्रेडिट दिया जाएगा, ताकि अलग-अलग संस्थानों में छात्रों के प्रदर्शन के आधार पर उन्हें डिग्री प्रदान किया जा सके। नई शिक्षा नीति में देश भर के उच्च शिक्षा संस्थानों के लिए एक एकल नियामक (भारतीय उच्च शिक्षा परिषद्) की परिकल्पना की गई है, जिसमें विभिन्न भूमिकाओं को पूरा करने के लिए अनेक कार्य क्षेत्र होंगे। भारतीय उच्च शिक्षा परिषद् चिकित्सा एवं कानूनी शिक्षा को छोड़कर सम्पूर्ण उच्च शिक्षा के क्षेत्र में एकल निकाय के रूप में कार्य करेगा।

- राष्ट्रीय उच्चतर शिक्षा नियामकीय परिषद् शिक्षक एवं शिक्षा सहित उच्च शिक्षा क्षेत्र के लिए एक नियामक का कार्य करेगा।
- सामान्य शिक्षा परिषद् उच्च शिक्षा कार्यक्रमों के लिए अपेक्षित सीखने के परिणामों का ढाँचा तैयार करेगा ताकि उनके मानकों का निर्धारण किया जा सके।

- राष्ट्रीय प्रत्यायन परिषद् संस्थानों के प्रत्यायन का कार्य करेगा जो मुख्यतः बुनियादी मानदंडों, सार्वजनिक स्व-प्रकटीकरण, सुशासन और परिणामों पर आधारित होगा।
- उच्चतर शिक्षा अनुदान परिषद् निकाय कॉलेज एवं विश्वविद्यालयों के लिए वित्तपोषण का कार्य करेगा।

(5+3+3+4) एक नई शिक्षा व्यवस्था: नई शिक्षा नीति में 10+2 के ढाँचे की जगह 5+3+3+4 एक नई पाठ्यक्रम संरचना को लागू किया गया है, जो क्रमशः 3-8, 8-11, 11-14, 14-18 वर्ष के उम्र के बच्चों के लिए है। नई शिक्षा नीति में अब तक दूर रखे गए 3-6 वर्ष के बच्चों को स्कूली पाठ्यक्रम के तहत लाने का प्रावधान है। इसके तहत छात्रों के शुरूआती स्तर की अध्ययन के लिए तीन वर्ष की प्री-प्राइमरी तथा पहली और दूसरी कक्षा को रखा गया है। अगले स्तर में तीसरी, चौथी तथा पाँचवीं कक्षा को रखा गया है, इसके बाद माध्यमिक स्कूल कक्षा 6-8 में बच्चों को विषय का परिचय कराया जाएगा। सभी छात्र तीसरी, पाँचवीं तथा आठवीं में ही परीक्षा दे सकेंगे, 10वीं और 12वीं की बोर्ड की परीक्षा पहले जैसा जारी रहेगा परन्तु बच्चों के समग्र विकास करने के लक्ष्य को ध्यान में रखते हुए इनमें नया स्वरूप दिया जाएगा। एक नया राष्ट्रीय आकलन केंद्र परख मानक-निर्धारक निकाय के रूप में स्थापित किया गया है। नई शिक्षा नीति के तहत आंगनबाड़ी या बालबाड़ी एवं प्री-स्कूल के माध्यम से मुफ्त सुरक्षित और गुणवत्तापूर्ण शिक्षा की संकल्पना की गई है।

- छठी कक्षा से बच्चों को वोकेशनल कोर्स, इंटरशिप कराया जाएगा तथा म्यूजिक और आर्ट्स में बच्चों के रुचि को बढ़ावा दिया जाएगा।
- उच्च शिक्षा में भी कई तरह का परिवर्तन किया गया है, जिसमें कोई छात्र किसी दूसरे कोर्स में जाना चाहता है, तो एक निश्चित ब्रेक लेकर जा सकता है।
- शोध करने वाले छात्रों के लिए चार वर्ष की डिग्री तथा नौकरी करने वालों को तीन साल की डिग्री दिया जाएगा। ई-पाठ्यक्रम क्षेत्रीय भाषाओं में होगी। पिछड़े वर्गों के छात्रों के लिए छात्रवृत्तियाँ, मुफ्त शिक्षा का प्रावधान करके उनको आगे बढ़ने के लिए प्रोत्साहित किया जाएगा।

पाठ्यक्रम एवं मूल्यांकन

नई शिक्षा नीति में पाठ्यक्रम और मूल्यांकन नई शिक्षा व्यवस्था के महत्वपूर्ण आयाम हैं। जिसमें छात्रों के पाठ्यक्रम की बोझ को कम करने, छात्रों के विकास, अनुभव आधारित शिक्षण और तार्किक चिंतन को बढ़ावा देना हैं, जिसमें व्यवसायिक शिक्षा के साथ-साथ इंटरशिप भी कराया जायेगा।

- नई शिक्षा नीति में प्रस्तावित सुधारों के अनुसार, कला और विज्ञान, व्यावसायिक तथा शैक्षणिक विषयों एवं पाठ्यक्रम व पाठ्येत्तर गतिविधियों के बीच बहुत अधिक अंतर नहीं होगा।
- कक्षा 6 से ही शैक्षिक पाठ्यक्रम में व्यवसायिक शिक्षा के साथ-साथ इंटरशिप की भी व्यवस्था की जाएगी।
- राष्ट्रीय शैक्षणिक अनुसन्धान एवं प्रशिक्षण परिषद् द्वारा स्कूली शिक्षा के लिए राष्ट्रीय पाठ्यक्रम रुपरेखा तैयार की जाएगी।
- विद्यार्थियों के समग्र विकास के लक्ष्य को ध्यान में रखते हुए कक्षा 10 तथा कक्षा 12 की परीक्षाओं में बदलाव के रूप में भविष्य में सेमेस्टर या बहुविकल्पीय प्रश्न आदि जैसे सुधारों को शामिल किया जा सकता है।

- विद्यार्थियों के प्रगति का मूल्यांकन करने के लिए मानक निर्धारक निकाय 'परख' नामक एक नए राष्ट्रीय आकलन केंद्र की स्थापना की जाएगी।
- छात्रों की प्रगति के मूल्यांकन तथा छात्रों को अपने भविष्य से जुड़े निर्णय लेने में सहायता प्रदान करने के लिए कृत्रिम बुद्धिमत्ता आधारित साफ्टवेयर का प्रयोग किया जाएगा।

विकलांग बच्चों के लिए प्रावधान

सम्पूर्ण भारत में दिव्यांग विकलांग छात्रों की एक बड़ी संख्या है, उनकी आवश्यकताओं को ध्यान में रखना सरकार का दायित्व है। इसी आवश्यकता पूर्ति के लिए नई शिक्षा नीति शिक्षण सामग्री और आधारभूत ढाँचा तैयार करने पर बल दिया गया है। नई शिक्षा नीति में विकलांग बच्चों के लिए क्रास विकलांगता प्रशिक्षण, संसाधन केंद्र, आवास, सहायक उपकरण, उपयुक्त प्रौद्योगिकी आधारित उपकरण, शिक्षकों का पूर्ण समर्थन एवं प्रारम्भिक शिक्षा से लेकर उच्च शिक्षा तक भागीदारी सुनिश्चित करना इत्यादि के प्रावधान किए गए हैं। पारम्परिक ज्ञान-संबंधी प्रावधान भारतीय ज्ञान प्रणाली जिनमें जनजातीय एवं स्वदेशी ज्ञान शामिल होंगे, को पाठ्यक्रम में वैज्ञानिक तरीके से शामिल किया जाएगा।

- एक स्वायत्त निकाय के रूप में राष्ट्रीय शैक्षिक प्रौद्योगिकी मंच का गठन किया जाएगा जिसके द्वारा शिक्षण, मूल्यांकन योजना एवं प्रशासन में अभिवृद्धि हेतु आचारों-विचारों का आदान प्रदान किया जाएगा।
- डिजिटल शिक्षा संसाधनों को विकसित करने के लिए अलग प्रौद्योगिकी इकाई का विकास किया जाएगा जो डिजिटल बुनियादी ढाँचे, सामग्री और क्षमता निर्माण के लिए समन्वय का कार्य करेगी।

राष्ट्रीय शिक्षा नीति 2020 की संस्तुतियों के सन्दर्भ में शिक्षक-प्रशिक्षण कार्यक्रम को धरातल पर लागू करने की रणनीति क्या होगी?

शिक्षक शिक्षा के संबंध में शिक्षा नीति 2020 द्वारा सुझाए गए यह सभी स्वागत योग्य बदलाव के आलोक में नीति नियन्त्राओं का अगला पड़ाव शिक्षक शिक्षा संबंधी नीति के क्रियान्वयन के तात्कालिक, मध्यावधि व दीर्घकालिक लक्ष्य तय करना तथा उन्हें प्राप्त करने के तरीकों का स्पष्ट उल्लेख किया जाना वक्त की मांग है, जिससे आगामी वर्षों में शिक्षा के क्षेत्र में सतत बदलाव की तैयारी की जा सके। डायट शिक्षक शैक्षिक सुधारों को चलाने में महत्वपूर्ण भूमिका निभाते हैं, क्योंकि वे हस्तक्षेपों, नवाचारों और नीतियों को लागू करने के लिए जिम्मेदार होते हैं। हमारी शिक्षा प्रणाली का परिवर्तन हमारे शिक्षकों के कौशल और गुणों पर निर्भर करता है। शिक्षा प्रणाली की गुणवत्ता मुख्य रूप से शिक्षकों की गुणवत्ता पर निर्भर करती है और शिक्षकों की गुणवत्ता कुल मिलाकर शिक्षक प्रशिक्षण की गुणवत्ता पर निर्भर करती है। शिक्षकों का विकास एक शिक्षण संस्थान का मुख्य स्तंभ होता है। शिक्षकों का उच्च गुणवत्ता वाला व्यावसायिक विकास समय की मांग है। केवल विषय का ज्ञान पर्याप्त नहीं है। शिक्षकों के पास स्कूल प्रबंधन और कक्षा प्रबंधन कौशल की एक श्रृंखला भी होनी चाहिए।

हमारे संचालित शिक्षक प्रशिक्षण कार्यक्रम ज्यादातर अप्रभावी होते हैं, क्योंकि वे अक्सर प्रशिक्षण के परिणामों की जाँच करने में विफल रहते हैं और क्या यह शिक्षकों की विशिष्ट आवश्यकताओं को पूरा करता है। अर्थात् वे या तो जटिल अवधारणाएँ हैं जिनका कोई व्यावहारिक उपयोग नहीं है या वे शिक्षकों की आवश्यकताओं और गुणवत्ता विकास को पूरा नहीं करती हैं।

प्रत्येक शिक्षक के पास अद्वितीय कौशल सेट होते हैं और प्रत्येक कक्षा में विभिन्न चुनौतियों का सामना कर सकते हैं। एक अकेला शिक्षक सामग्री प्रदान करने में अच्छा हो सकता है, लेकिन समूह कार्य को सुविधाजनक बनाने या कक्षा को अनुशासित करने में इतना अच्छा नहीं है। एक अन्य शिक्षक के पास मजबूत डिजिटल कौशल हो सकता है, लेकिन वह अंग्रेजी कौशल में इतना पारंगत नहीं है। इसलिए इन विविधताओं को देखते हुए शिक्षक प्रशिक्षण सामान्य नहीं हो सकता। डायट को शिक्षकों को उनकी जरूरतों के आधार पर विशिष्ट पाठ्यक्रम या कार्यशालाएं प्रदान करनी चाहिए। इसे गहन ज्ञान भी प्रदान करना चाहिए ताकि शिक्षक प्रासंगिक ज्ञान से लैस हों।

वित्तीय सहायता

एसटी, एससी, ओबीसी तथा अन्य सामाजिक और आर्थिक रूप से वंचित समूहों से संबंधित मेधावी छात्रों को प्रोत्साहन हेतु वित्तीय सहायता प्रदान किया जाएगा। राष्ट्रीय शिक्षा नीति 2020 का उद्देश्य असमानताओं को दूर करने विशेष रूप से भारतीय महिलाओं, अनुसूचित जनजातियों और अनुसूचित जाति जैसे समुदायों के लिए शैक्षिक अवसर की बराबरी करने पर विशेष जोर देता है। इस नीति द्वारा प्राथमिक स्कूलों को बेहतर बनाने के लिए 'आपरेशन ब्लैकबोर्ड' लांच किया गया तथा इस नीति द्वारा इंदिरा गाँधी राष्ट्रीय मुक्त विश्वविद्यालय ओपन यूनिवर्सिटी प्रणाली का विस्तार किया गया। ग्रामीण भारत में आर्थिक और सामाजिक विकास को बढ़ावा देने के लिए महात्मा गाँधी के दर्शन पर आधारित ग्रामीण विश्वविद्यालय के माडल के निर्माण के लिए प्रतिबद्धता व्यक्त किया गया है।

निष्कर्ष

प्रस्तुत पत्र में भारतीय नई शिक्षा नीति 2020 के प्रमुख विशेषताओं विचार करने से यह विदित होता है कि इसमें अवसर एवं चुनौतियाँ दोनों हैं। परन्तु यह राष्ट्रीय शिक्षा नीति 2020 के कार्यान्वयन तंत्र को इस प्रकार प्रावधानित किया गया है कि उन चुनौतियों का सामना किया जा सके। परन्तु यह सब आने वाले समय में इस नीति की सफलता इस बात पर निर्भर करेगी कि शिक्षा प्रशासन की दक्षता एवं इस नीति के अनुरूप शिक्षकों में क्षमता निर्माण की जाएगी तभी कारगर होगा। इसके लिए प्रारंभिक शिक्षा से लेकर उच्च शिक्षा तक नीति के अनुरूप प्रशासन तंत्र एवं शिक्षक तैयार करना होगा। आधारभूत शिक्षा में मातृभाषा को स्वीकारने के साथ ही वैश्विक स्तर पर वर्तमान में प्रासंगिक मान्य अंग्रेजी भाषा को पूर्णतः उपेक्षित नहीं किया जाना चाहिए। इस नीति से बच्चों के ड्राप-आउट की समस्या से भी निजात मिलेगा क्योंकि इसमें माध्यमिक, उच्च माध्यमिक एवं स्नातक स्तर पर किसी भी स्ट्रीम की बाध्यता समाप्त कर बहुविषयक शिक्षा के क्रियान्वयन की व्यवस्था की गई है। साथ ही राष्ट्रीय शिक्षा नीति में शिक्षक शिक्षा पर चर्चा तीन शीर्षकों "शिक्षक", "शिक्षक शिक्षा का दृष्टिकोण" तथा "शिक्षक शिक्षा" के अन्तर्गत की गई है। इस नीति में शिक्षक शिक्षा में पहला बड़ा बदलाव शिक्षक-प्रशिक्षण कार्यक्रमों की अवधि व प्रकृति से संबंधित है। अतः कह सकते हैं कि शिक्षा नीति 2020 भारत के लिए एक सही दिशा में कदम है तथा शिक्षा का वास्तविक अर्थ ज्ञान, कौशल, मूल्यों को प्राप्त करने तथा उस क्षेत्र में निरंतर कार्य करना, प्रगति करना है जिसमें व्यक्ति को अपनी रुचि की स्वतंत्रता रहेगी।

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एक्ट ईस्ट पॉलिसी : वर्तमान एशियाई परिस्थितियों के संदर्भ में एक समीक्षा

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सार संक्षेप

वर्तमान एन.डी.ए. सरकार ने दक्षिण पूर्व एशिया से संबंधों को कारगर बनाने के लिए पूर्व के लुक ईस्ट पॉलिसी की जगह एक्ट ईस्ट पॉलिसी का वरण किया है। इस नीति में दक्षिण पूर्व एशिया के देशों के साथ संबंध की दिशा में चार मूल क्षेत्रों व्यापार, सांस्कृतिक, संयोजगता तथा क्षमता निर्माण (चार 'सी' – कॉमर्स, कल्चर, कनेक्टिविटी तथा कैपेसिटी बिल्डिंग) को प्रमुखता दी गई है। 2014 में घोषित इस नीति के तहत विगत आठ वर्षों में उठाए गए कदमों की सार्थकता का आकलन आवश्यक प्रतीत होता है। प्रस्तुत आलेख में सरकार से सरकार (G2G), सरकार से नागरिक (G2C) तथा नागरिक से नागरिक (P2P) के संदर्भ में इस नीति का परीक्षण किया गया है। इस क्रम में पृष्ठभूमि के रूप में लुक ईस्ट पॉलिसी पर भी दृष्टि डाली गई है।

प्रमुख शब्द : लुक ईस्टनीति, एक्ट ईस्ट नीति, हिन्द प्रशांत, दक्षिणपूर्व एशिया, भारत, चीन, आसियान

परिचय

भारत सदैव से अपने पड़ोसियों के साथ व्यापारिक, आर्थिक तथा सांस्कृतिक संबंधों को बनाए रखने का पक्षधर रहा है, इसी क्रम में भारत सांस्कृतिक व राजनयिक रिश्तों के निर्वहन में सजगता से संलग्न है। प्राचीन काल से भारत का दक्षिण पूर्व एशियाई देशों के साथ ऐतिहासिक व सांस्कृतिक संबंध रहा है। दक्षिण पूर्व एशियाई देशों ने भारत के साथ औपनिवेशिक दासता से मुक्ति प्राप्त की। भारत ने दक्षिण पूर्व एशियाई देशों के सम्मुख मार्गदर्शक की भूमिका निभाते हुए किसी वैश्विक छोर के साथ न जाने का निर्णय लिया। कुछ समय उपरान्त, सोवियत संघ के पतन और शीत युद्ध की समाप्ति के साथ संपूर्ण विश्व में संरचनात्मक परिवर्तनों का दौर देखा गया। 1990 के दशक में भारत समय अनुकूल घरेलू नीति और विदेश नीति में वृहद परिवर्तन किए।

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भारत ने एक ओर आर्थिक उदारीकरण की नीति का अनुगमन किया, वहीं साथ ही साथ विदेश नीति के क्रियान्वयन में व्यावहारिक (प्रगैटीज्म) दृष्टिकोण को अपनाया गया है (हाउकिप, 2011)। जिसके उपरान्त भारतीय विदेश नीति में आसियान टाइगर्स के लिए उपयुक्त स्थान दिखाई देता है (वाजपेयी, 2012)।

दक्षिण पूर्व एशियाई पृष्ठभूमि

भारत के लिए इस क्षेत्र के महत्व की बात की जाए तो, दक्षिण पूर्व एशिया भौगोलिक निकटता के साथ रणनीतिक महत्व रखता है। इस क्षेत्र के कम से कम तीन देशों के साथ समुद्री सीमा से भारत लगा हुआ है। भारत, म्यांमार के साथ अपनी दूसरी सबसे लम्बी सीमा (भूमि व समुद्री एक साथ) साझा करता है। भारतीय द्वीप समूह अंडमान निकोबार, बंगाल की खाड़ी में दक्षिण पूर्व एशिया के साथ अत्यधिक निकटता के साथ संबंध साझा करते हैं। इस प्रकार, हिन्द महासागर में भारतीय समुद्री बिंदु का विशेष महत्व है, क्योंकि दक्षिण पूर्व एशिया (और पूर्व एशिया) के साथ पश्चिम एशिया और यूरोप के लगभग 40 प्रतिशत विश्व व्यापार रास्ते संदर्भित क्षेत्र से होकर जाते हैं। अतः दक्षिण पूर्व एशिया के प्रति भारत की विदेश नीति प्रमुखता से आकार लेने लगती है। आर्थिक तौर पर देखें तो इस क्षेत्र के देशों की अपनी तीव्र आर्थिक विकास दर के कारण न्यू टाइगर्स इकोनॉमी भी कहा जाता है (नायडू, 2004)। ध्यान देने योग्य विषय है कि दक्षिण पूर्व एशिया के साथ भारत के सांस्कृतिक, आर्थिक तथा वाणिज्यिक संबंध प्राचीन काल से जीवंत रहे हैं। इसी क्रम में, तात्कालिक नरसिम्हा राव सरकार द्वारा 1990 के दशक में लुक ईस्ट नीति का शुभारम्भ किया गया। अब भारत द्वारा पूर्व में स्थित देशों मुख्य रूप से न्यू टाइगर्स इकोनॉमी के साथ व्यापक स्तर पर आर्थिक, व्यापारिक, राजनीतिक, सांस्कृतिक, व रणनीतिक संबंधों का विकास करना था। इस प्रकार पूर्व दिशा के देशों में मुख्य रूप से म्यांमार, थाईलैंड, सिंगापुर, दक्षिण कोरिया, उत्तरी कोरिया, लाओस, कम्बोडिया, वियतनाम, फिलिपिन्स, इंडोनेशिया, मलेशिया, जापान इत्यादि देश थे। कुछ समय पश्चात पूर्व दिशा को अत्यधिक परिभाषित करते हुए ओसिनिया के क्षेत्र तक पहुँच बढ़ाई गई। अब मुख्य रूप से आस्ट्रेलिया व न्यूजीलैंड को सम्मिलित किया गया। क्योंकि इन देशों की महत्वपूर्ण सामरिक व आर्थिक भूमिका है, इसलिए भारत द्वारा इस क्षेत्र को विस्तारित पड़ोस के रूप में देखा गया। चीन के उदय ने 21वीं सदी की अंतर्राष्ट्रीय राजनीति के लिए महत्वपूर्ण बहस को जन्म दिया। चीन के उदय की व्याख्या बहुत भिन्न-भिन्न है, इसके आर्थिक, सैन्य और राजनीतिक संभावित परिणाम भी भिन्न हैं। चीन अपने उदय को शांतिपूर्ण उदय की संज्ञा देता है। जिसका अर्थ यह था कि चीन अन्य देशों के साथ विवाद के स्थान पर आर्थिक विकास में ध्यान केन्द्रित करना चाहता है। वैश्विक पटल पर चीन के द्वारा कहा जाने वाला शान्ति पूर्ण उद्भव सदैव संदेह के घेरे में है (वाजपेयी, 2012)।

एक ओर विद्वान चीन के उद्भव को महत्वपूर्ण आर्थिक उभार के रूप में देखते हैं, जिसमें 1978 और 2005 तक जियोपिंग के बाजार उन्मुख सुधार उपरांत 9.7 प्रतिशत की औसत राष्ट्रीय आय की वार्षिक दर दिखाई देती है। दूसरी ओर अनेकों विचारक चीन के उदय को चिंता का कारण और संघर्ष की सामग्री के रूप में लेते हैं (वाहिते, 2013)। भारतीय परिपेक्ष्य में समझें, चीन का आर्थिक प्रभावशाली उद्भव चिंता की वजह नहीं थी, बल्कि चीन की क्षेत्रीय दावों से संबंधित बढ़ती आक्रामक गतिविधियाँ थी। चीन के इन दावों का कई देशों ने विरोध भी किया। इस समय अमेरिका भी अपनी उपस्थिति में लगातार कमी कर रहा था। ऐसी दशा में संभावित अस्थिरता को स्थिर क्षेत्रीयता के रूप में बनाए रखने के लिए भारत एक महत्वपूर्ण

भूमिका का निर्वहन कर सकता था और भारत ने लुक ईस्ट नीति के माध्यम से किया। भारत ने चीन के कार्यों को गंभीरता से लिया। संभवतः यही वजह है कि भारत लुक ईस्ट के प्रारंभिक दशक में प्रतिक्रियावादी नीति (रिएक्टिव पॉलिसी) का प्रयोग करता रहा है। साथ ही यह बात भी सत्य है कि लुक ईस्ट पॉलिसी ने भारत की छवि को एशिया प्रशांत क्षेत्र में एक प्रमुख शक्ति के रूप में स्थापित किया है। वर्तमान समय में भारत का नाम लिए बिना एशिया प्रशांत क्षेत्र में राजनीतिक व रणनीतिक चर्चा संभव नहीं (नायडू, 2004)। भारत ने लुक ईस्ट पॉलिसी के माध्यम से दक्षिण पूर्व एशिया और हिन्द प्रशांत के लिए विदेश नीति के रिक्रिका को भरने का प्रयास किया है। फिर भी विस्तारित पड़ोस के प्रति भविष्य की प्रतिबद्धता को स्पष्ट करने की जरूरत थी। इस बात का आभास एन.डी.ए सरकार को हो गया था। जिसके अनुपालन में मोदी सरकार द्वारा 2014 में अत्यधिक सक्रियता के साथ लुक ईस्ट नीति को एक्ट ईस्ट नीति के रूप में अग्रसारित किया गया (कौल, 2016)। इस प्रकार, प्रस्तुत आलेख में लुक ईस्ट नीति का एक्ट ईस्ट नीति में परिवर्तन की सार्थकता को तथा इस नीति के तहत भारत की दक्षिण पूर्व एशिया के साथ संबंधों की यथार्थता का विश्लेषण किया गया है।

लुक ईस्ट नीति: संक्षिप्त परिचय

लुक ईस्ट नीति का अनुसरण 2000 के दशक में प्रधानमंत्री अटल बिहारी वाजपेयी 2004 के बाद भी प्रधानमंत्री मनमोहन सिंह के कार्यकाल तक किया गया (बाजपेयी, 2017)। इस नीति के तहत पड़ोसियों के साथ संबंधों को मजबूत किया जाना था, लेकिन भारत ने आसियान देशों के साथ जुड़ने तक ही सीमित रहा। लुक ईस्ट नीति के प्रादुर्भाव में तीन प्रमुख स्थितियाँ दिखाई देती हैं। प्रथम, आसियान और उसके सहयोगी राष्ट्रों के साथ संस्थागत संबंध बनाना (संवाद भागीदार, आसियान प्लस वन समिट मीटिंग और एआरएफ सदस्यता)। दूसरा, आसियान देशों के साथ द्विपक्षीय संबंध मजबूत करना और तीसरा, दक्षिण पूर्व एशिया को किसी महाशक्ति के प्रभाव से बचाना। तीसरे में मुख्य रूप से चीन के प्रभाव को कम करते हुए, अपने लिए उपयुक्त स्थान तैयार करना (नायडू, 2004)।

भारत सरकार द्वारा आधिकारिक रूप से लुक ईस्ट नीति को 1991में नरसिम्हा राव के प्रधानमंत्री काल में आरंभ किया गया। 1996 में विदेश मंत्रालय की वार्षिक रिपोर्ट में पहली बार 'लुक ईस्ट पॉलिसी' शब्द का उल्लेख किया गया था (एम.ई.ए., 1996)। तत्कालीन विदेश मंत्री आई.के. गुजराल ने लुक ईस्ट नीति को स्पष्ट करते हुए कहा कि 'पूर्व की ओर देखो का वास्तविक मतलब यह है कि बाह्य तौर पर दिखने वाला भारत गतिशीलता के साथ, घरेलू व क्षेत्रीय सभी ताकतों को इकट्ठा कर रहा है और एशिया महाद्वीप में, अपने पूर्व में, तेजी के साथ समेकित और प्रभावशाली पड़ोस के साथ सीधा तालमेल स्थापित करने पर ध्यान केन्द्रित कर रहा है।' भारत दक्षिण पूर्व एशिया के साथ आर्थिक और राजनियक संबंधों के लिए आगे बढ़ा। भारत, 1992 से आसियान देशों के साथ संवाद भागीदार बना। मार्च 1993 में मुख्य रूप से भारत ने व्यापार, निवेश और पर्यटन के क्षेत्रों में संवाद क्षेत्रीय भागीदार के रूप में संबंध उन्नत किए गए। इस प्रकार दक्षिण पूर्व एशिया के साथ बढ़ते आर्थिक सहयोग ने सुरक्षा संबंधों को भी मजबूत किया है।

लुक ईस्ट नीति के मुख्य उद्देश्यों में तीव्र आर्थिक विकास, द. पू. एशिया से राजनीतिक जुड़ाव, आर्थिक एवं वाणिज्यिक भागीदारी, रक्षा और सामरिक सहयोग तथा भारत के पूर्वोत्तर राज्यों का विकास थे। भारत और दक्षिण पूर्व एशिया के देशों के साथ व्यापक आर्थिक सहयोग हुआ, जिसमें वस्तु, सेवा और निवेश विषय सम्मिलित थे। भारत ने जापान सिंगापुर, दक्षिण कोरिया, मलेशिया जैसे महत्वपूर्ण देशों के साथ

व्यापक आर्थिक भागीदारी समझौते पर हस्ताक्षर किया है। दक्षिण पूर्व एशिया के साथ राजनीतिक जुड़ाव दो स्तरों के रूप में दिखाई देता है – पहला बहुपक्षीय संस्थाओं के साथ सम्पर्क हेतु उन देशों के शीर्ष नेताओं के बीच वार्ता तथा दूसरा दक्षिण पूर्व एशियाई देशों के साथ द्विपक्षीय संबंधों को गुणात्मक आधार प्रदान करना। भारत के सिंगापुर, वियतनाम, जापान, इंडोनेशिया, म्यांमार इत्यादि राष्ट्रों के साथ द्विपक्षीय संबंध हैं (वाजपेयी, 2022)। इसी क्रम में भारत पूर्व एशिया शिखर सम्मेलन (ई.ए.एस.) का संस्थापक सदस्य बना। जहाँ तक रक्षा और सामरिक सहयोग से संबंधित मामलों का प्रश्न है भारत अपनी पर्याप्त सैन्य क्षमता के कारण क्षेत्रीय सुरक्षा में एक स्थिर शक्ति के रूप में स्थापित होने लगा। इसके तहत संयुक्त अभ्यास, सैन्य प्रशिक्षण, उच्चस्तरीय दौरे, सुरक्षा संवाद, रणनीतिक समझौते तथा हथियारों की खरीददारी की मंशा थी। भारत दक्षिण पूर्व एशिया तक ही सीमित न होकर शेष पूर्वी एशिया पहुँच रहा था। लुक ईस्ट के द्वारा भारत ने पहली बार पूर्वोत्तर के राज्यों को पूर्वी एशिया के प्रवेश द्वार के रूप में देखा। इसलिए इस नीति में आंतरिक असमानता को कम करना था। चूँकि पूर्वोत्तर राज्य एक लम्बे अरसे से आर्थिक असमानता के कारण पिछड़ेपन से जूझ रहे थे, इसलिए इस नीति के द्वारा आर्थिक विकास के साथ पूर्वोत्तर राज्यों के बुनियादी ढाँचे, व्यापार और निवेश, खाद्य और कृषि-व्यवसाय तथा अन्य व्यावसायिक गतिविधियों को बढ़ावा दिया जा रहा है (शर्मा और चौधरी, 2018)। इस काल में भारत बहुआयामी दृष्टिकोण के साथ आगे बढ़ा। वास्तव में भारत ने लुक ईस्ट पॉलिसी, आर्थिक व राजनीतिक सहयोग के साथ सामरिक संबंधों को महत्व दिया।

एक्ट ईस्ट नीति

एक्ट ईस्ट पॉलिसी की घोषणा तत्कालीन विदेश मंत्री सुषमा स्वराज ने 2014 में की। भारत सरकार द्वारा 2014 में लाई गई एक्ट ईस्ट नीति के लिए कोई विशेष प्रपत्र निर्गत नहीं किया। इसलिए एक्ट ईस्ट नीति को समझने हेतु, भारत द्वारा क्रियान्वित नीतियों को देखना होगा। साथ ही समझना होगा कि एक्ट ईस्ट नीति पीछे से चली आ रही लुक ईस्ट का विस्तार है या कोई नई नीति है या यह नीतिगत स्वरूप में एक उत्प्रेरक एवं कार्योन्मुखी नीति है। लुक ईस्ट पॉलिसी के शुभारंभ के लगभग दो दशक उपरान्त घरेलू और अंतर्राष्ट्रीय परिदृश्य में बदलाव दिखाई देता है। बदलावों के फलस्वरूप लगातार भारत ने पूर्व की तरफ लगातार संबंधों को विकसित किया है और “1990 के दशक में शुरू की गई लुक ईस्ट नीति अब न केवल आसियान तक अपितु पूर्वी एशिया तक पहुँच गई है” (एम.ई.ए., 2003)। भारत ने अब रिएक्टिव डिप्लोमेसी से प्रोएक्टिव डिप्लोमेसी के रूप कार्य करने के संकेत दिए हैं। इस प्रकार के नीतिगत परिवर्तनों से स्पष्ट होता है कि भारत प्रतिक्रियावादी (रि-एक्टिव) नीति के स्थान पर एक्ट ईस्ट नीति एक प्रभावशाली स्वउत्प्रेरक (प्रो-एक्टिव) नीति के रूप में कार्य करेगा।

भारत की एक्ट ईस्ट पॉलिसी एशिया प्रशांत क्षेत्रों के साथ व्यावसायिक, रणनीतिक और सांस्कृतिक जुड़ाव को आत्मसात् किए हुए है। भारतीय प्रधानमंत्री नरेंद्र मोदी द्वारा लुक ईस्ट नीति को एक्ट ईस्ट नीति के रूप में 2014 को म्यांमार में ईस्ट एशिया समिट में लांच किया गया था। यह पॉलिसी मुख्य रूप से 4 (सी) कॉमर्स, कल्चर, कनेक्टिविटी और कैपेसिटी बिल्डिंग पर आधारित है। इसी संबंध में सितम्बर 2014 में मोदी का संदेश “मैं आपको भी यह आश्वासन देता हूँ कि हमारी व्यापार नीति और पर्यावरण में बड़ा सुधार होगा। हम आसियान के साथ संपर्क परियोजनाओं में तेजी से आगे बढ़ेंगे। मैं यह भी सुझाव देता हूँ कि हम

वस्तुओं पर मुक्त व्यापार समझौते की समीक्षा करें ताकि इसे और बेहतर व लाभकारी बनाया जा सके। मेरा यह भी आग्रह रहेगा कि सेवा और निवेश पर भी एफ.टी.ए. जल्द से जल्द लाया जाए” (कौल, 2016)। इस प्रकार एक्ट ईस्ट नीति एशिया प्रशांत क्षेत्र में विस्तारित पड़ोस पर केन्द्रित है। यह संवाद और सहयोग के लिए संस्थागत तंत्र की स्थापना सहित राजनीतिक, रणनीतिक और सांस्कृतिक आयाम को प्राप्त किए हुए है। भारत ने इंडोनेशिया, वियतनाम, जापान, कोरिया गणराज्य, आस्ट्रेलिया, सिंगापुर और दक्षिण पूर्व एशियाई देशों के संगठन के साथ अपने संबंधों को रणनीतिक साझेदारी में आगे बढ़ाया है। साथ ही, भारत ने आसियान क्षेत्रीय मंच (ए.आर.एफ.), पूर्वी एशिया शिखर सम्मेलन (ई.ए.एस) में सक्रिय भूमिका का निर्वहन कर रहा है। भारत अन्य उपयोगी सब रिजनल ग्रुपिंग, बिम्स्टेक, एशिया सहयोग संवाद (ए.सी.डी.) मेकांग गंगा सहयोग (एम.जी.सी.) और हिन्द महासागर रिम एसोसिएशन (आई.ओ.आर.ए.) में भी सक्रियता के साथ संलग्न है (बियाचिंग और पांड, 2020)। स्पष्ट तौर पर एक्ट ईस्ट नीति की समझ निम्नलिखित कार्यों के आधार विकसित कर सकते हैं। कुछ प्रमुख कार्य निम्नलिखित हैं –

प्रथम, आर्थिक हितों को आयाम के रूप में देखे पूर्वी एशियाई क्षेत्र में विश्व की लगभग 50 प्रतिशत जनसंख्या निवास करती है। इस दृष्टि से क्षेत्रीय आर्थिक सहयोग की अपार संभावनाएँ हैं, इन संभावनाओं में भारत का आर्थिक हित निहित है। अतः भारतीय मिशन ‘मेक इन इंडिया’ और ‘एक्ट ईस्ट पॉलिसी’ के साथ जोड़कर देखना होगा। जैसे – जापान सरकार द्वारा भारत में अगले पाँच वर्षों के लिए बुनियादी ढाँचे के विकास में 35 बिलियन अमेरिकी डॉलर निवेश की घोषणा की है। सितम्बर 2014 में शिजिमिंग द्वारा 20 बिलियन अमेरिकी डॉलर निवेश की प्रतिबद्धता किया गया है। इसी के सापेक्ष मोदी का संबोधन ‘सरकार ने बुनियादी ढाँचे और विनिर्माण के क्षेत्र में चीनी निवेश को आमंत्रित किया है, मुझे खुशी है कि भारत में दो चीनी प्रोद्योगिकी पार्क बनेंगे।’ इस प्रकार एक्ट ईस्ट नीति क्षेत्रीय आर्थिक संबंधों में भारत की भागीदारी सुनिश्चित करते हुए गुणात्मक स्वरूप निर्मित करने पर केंद्रित है।

द्वितीय, आयाम पर दृष्टिपात करें तो यह भारत और पूर्वी एशिया देशों के मध्य कनेक्टिविटी को सुदृढ़ करने से संबंधित है। क्योंकि कमजोर कनेक्टिविटी हमारे संबंधों की गतिशीलता को कम करती है। इसलिए भारत ने एक्ट ईस्ट नीति के द्वारा संस्थागत सम्पर्क स्थापित करने का प्रयास किया है। पूर्वोत्तर के राज्य दक्षिण पूर्व एशिया का प्रवेश द्वार हैं। इसी क्रम में वर्तमान में भारत पूर्वोत्तर राज्यों से होते हुए भारत-म्यांमार-थाइलैंड, त्रि-राष्ट्र राजमार्ग निर्मित का रहा है। कनेक्टिविटी के अन्य प्रयासों के रूप में, समुद्री बंदरगाहों का आधुनिकीकरण व विस्तार किया जा रहा है। हवाई यात्राएं भी प्रारंभ की गई हैं। अधिकांश यात्राएं भारत द्वारा बैंकाक, कुआलांपुर और सिंगापुर तक सीमित है, अतः इन्हें बढ़ाने का प्रयास जारी है।

तीसरा, प्रमुख पहलू भारतीय प्रवासियों को सम्पदास्वरूप भारतीय विदेश नीति में स्थान प्रदान करता है, क्योंकि भारतीय मूल और वर्तमान निवास स्थान को जोड़ने वाले सेतु का कार्य भारतीय डायस्पोरा करता है। मोदी सरकार में एक्ट ईस्ट नीति में प्रवासियों के लिए एक्सन मोड में है, क्योंकि देश के प्रधानमंत्री स्वयं उन देशों को संबोधित करते हैं। जहाँ भारतीय प्रवासियों की संख्या पर्याप्त है, इसी क्रम में दक्षिण पूर्व एशिया में उनके दो संबोधन उल्लेखनीय है, जिनमें मलेशिया और सिंगापुर यात्रा का संबोधन महत्वपूर्ण है। वर्ष 2015 मलेशिया में भारतीय प्रवासियों को संबोधित करते हुए प्रधानमंत्री मोदी ने कहा – ‘मेरे लिए भारत अपने क्षेत्र तक सीमित नहीं है, भारत भी दुनिया के प्रत्येक हिस्से प्रत्येक भारतीय में मौजूद है। भारत आप में है... कर्मों

में भारत की आत्मा बोलती है... आप भारत की भाषाओं, धर्मों और संस्कृतियों की विविधता को दर्शाते हैं। और आप सद्भावना की भावना के साथ खड़े हैं, अन्य मलय भारतीयों के साथ ही नहीं बल्कि सभी मलय लोगों के साथ आपकी उपलब्धि ने हमें गौरवान्वित किया है, आपने अपने हाथों से परिश्रम किया है। आपने गर्व और गरिमा के साथ यहाँ अपने जीवन का सृजन किया है” और सिंगापुर में कहा कि “प्रत्येक पीढ़ी के साथ आपने राजनीति, सार्वजनिक जीवन और पेशेवर सेवाओं में अधिक सफलता हासिल की है।”

चतुर्थ, एक ईस्ट नीति का चेथा प्रमुख आयाम साफ्ट पावर का संवर्द्धन व प्रयोग है। इस दृष्टि से भारत एक ऐसी प्राचीन सभ्यता है, जिसने मध्य एशिया से लेकर पूर्वी एशिया तक लगभग सम्पूर्ण एशियाई क्षेत्र को अपनी चेतना से प्रभावित किया है। भारत पूर्व की तरफ विशेष ध्यान कर रहा है। जिसके कारण भारत शताब्दियों से दक्षिण पूर्व एशिया से भारत के ऐतिहासिक, सांस्कृतिक व अन्य संबंध रहे है (मुनि, 2013)। शास्त्रीय ग्रन्थ रामायण, महाभारत व बौद्ध ग्रन्थ पल्लिनिदेशा में सुवर्ण भूमि (स्वर्णभूमि) और सुवर्ण द्वीप (स्वर्ण द्वीप), नारियल का द्वीप (नारिकेलद्वीप) व कपूर का (कर्पूर द्वीप) जैसे शब्दों का प्रयोग दिखाई देता है। सम्पूर्ण क्षेत्र हिन्दू मन्दिरों, चैत्यों, विहारों व स्तूपों से परिपूर्ण है। दक्षिण पूर्व एशिया की भाषा, शासन पद्धति, धर्म, खान-पान व पाक सहित स्थापत्य कला में भारतीय संस्कृति के स्पष्ट पदचाप दिखाई देते हैं। इसी कारण यूरोपीय लोग इसे “ईस्ट इंडीज” कहते हैं। फनान (कम्बोडिया), खमेर (कंबोडिया), पेगन (म्यांमार), चम्पा (वियतनाम), श्री विजया (सुमात्रा, इंडोनेशिया) सलेंद्र (जावा, इंडोनेशिया), मजापहित (जावा, इंडोनेशिया) इत्यादि भारतीयकृत राज्य (एम.ई.ए, 2013)। इस प्रकार के भारत के पूर्व के साथ प्राचीन संबंध भारतीय साफ्ट पावर के लिए वृहद सम्पदा का कार्य कर रहा है। प्रचीन कॉल से विद्यमान संबंधों को पुनर्जीवित करते हुए सांस्कृतिक संबंधों को प्रधानता देना एक ईस्ट नीति का अहम हिस्सा है। एक ईस्ट नीति के द्वारा दीर्घकाल से बने हुए संबंधों को मजबूती प्रदान करते हुए सभी प्रकार के अर्थात सरकार से सरकार (G-G) और सरकार से नागरिक (G-P) और नागरिक से नागरिक (P-P) संबंधों को प्रभावी बनाया जा रहा है।

निष्कर्ष

2014 में नरेन्द्र मोदी सरकार ने दक्षिण पूर्व एशियाई देशों के साथ आर्थिक संबंधों के साथ सांस्कृतिक, रणनीतिक व रक्षा सहयोग के विकास में भारत की सक्रिय भूमिका अर्थात एकट मोड की आवश्यकता को महसूस किया। भारत दक्षिण पूर्व एशिया में अपनी मजबूत स्थिति दर्ज करके, चीन के बढ़ते प्रभाव को कम करना चाहता है। भारत एकट ईस्ट नीति के माध्यम से पूर्वोत्तर के राज्यों का समुचित विकास कर रहा है, क्योंकि भारत पूर्वोत्तर के राज्यों को दक्षिण पूर्व एशिया के द्वार के रूप में देख रहा है। एकट ईस्ट नीति के माध्यम से भौतिक तौर पर कनेक्टिविटी के द्वारा दक्षिण पूर्व एशिया से प्रत्यक्ष तौर पर जुड़ रहा है जिससे पूर्वी पड़ोसी भारत के साथ चीन से सुरक्षा हेतु रक्षा सहयोग भी स्थापित कर सकता है। हिन्द प्रशांत क्षेत्र में क्षेत्रीय सुरक्षा का माहौल जटिल और बहुस्तरीय है। जिसमें चीन की उपस्थिति और आसियान देशों के साथ चीन के जटिल संबंध मौजूदा स्थिति को अत्यधिक जटिल बना देते हैं। आसियान देश चीनी खतरे से निपटने को लेकर दुविधा में हैं। इस क्षेत्र में एक ओर दक्षिण चीन सागर में चीन की आक्रामक स्थिति और दूसरी ओर चीन पर आसियान देशों की आर्थिक निर्भरता। आसियान इस क्षेत्र में महान शक्तियों की उपस्थिति को चाहता है। किन्तु चीन के खिलाफ परस्पर विरोधी मोर्चा बनाने से बचना चाहता है। ऐसे माहौल में भारत को सक्रिय रणनीति तैयार करना है। ऐसी रणनीति जिसमें आर्थिक सहयोग, राजनीतिक जुड़ाव, रणनीतिक हित शामिल

हों। यह भारत के लिए हिन्द महासागर क्षेत्र और हिन्द प्रशांत क्षेत्र में एक समुद्री शक्ति के रूप में उभरने की दिशा में महत्वपूर्ण कदम होगा (बियाचिंग और पांडे, 2020)। भारत, जापान, आस्ट्रेलिया और अमेरिका के साथ चतुर्भुज सुरक्षा संवाद (क्वाड) के माध्यम से एक संतुलनकारी शक्ति की रूप में हिन्द प्रशांत क्षेत्र में अपनी स्थिति को मजबूत कर रहा है। अतरूभारत एक्ट ईस्ट नीति के द्वारा आर्थिक सहयोग और सांस्कृतिक संबंधों को बढ़ावा देने के साथ एशिया प्रशांत क्षेत्र के देशों के साथ सक्रिय रूप से रणनीतिक संबंध विकसित कर रहा है।

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मीडिया एवं लोकतांत्रिक मूल्य : वैश्वीकरण के दौर में उनके हास का एक अध्ययन

अमिताभ कुमार सिंह*

सार संक्षेप

मीडिया लोकतंत्र का चौथा स्तंभ माना गया है। यदि यह नैतिक एवं स्थापित मूल्यों के अनुरूप अपनी भूमिका निभाए तो लोकतंत्र सदा सुदृढ़ रहेगा। यह जनता का मुख और सरकार की कान की भूमिका निभाता है। परन्तु वैश्वीकरण, बाजारवाद तथा उपभोक्तावाद की परिस्थितियों से प्रभावित होकर मीडिया का बाजारीकरण होता जा रहा है। पत्रकारों की सेवा शर्तों, सेवा सुरक्षा तथा स्वतंत्रता पर प्रतिबंध लगाया जाने लगा है जिसके चलते पत्रकार मालिकों के हितसाधन में ज्यादा लोक दायित्वों में कम ध्यान दे रहे हैं। 2005 में आयोजित वर्ल्ड प्रेस फ्रीडम डे इन्टरनेशनल कॉन्फ्रेंस में यह जोरदार तरीके से घोषणा की गई कि सुशासन एवं मानवाधिकार आधारित विकास के लिए पारदर्शिता, जवाबदेही एवं लोकसहभागिता को सुनिश्चित करने हेतु स्वतंत्र एवं बहुआयामी मीडिया का होना आवश्यक है। परन्तु आज मीडिया इसके विपरीत प्रोफेशनल हो गई है तथा जनहित को अनदेखा कर रही है। ऐसे में यह देखना आवश्यक हो जाता है कि कैसे और किन कारणों से ऐसी स्थिति उत्पन्न हुई। प्रस्तुत लघु आलेख इसी आवश्यकता की दिशा में एक प्रयास है।

प्रमुख शब्द : मीडिया, वैश्वीकरण, प्रोफेशनलिज्म, लोकतंत्र, भारत

भूमिका

पत्रकारिता एवं जनसंचार न केवल मीडिया के दो विश्वस्त प्रभाग हैं, बल्कि इनका संबंध इसके उद्देश्य एवं लक्ष्य से भी है। मीडिया सिर्फ सूचना संवहन का क्षेत्र नहीं है, वह समाज को जनसंचार से जोड़ने वाला वैसा तीव्र माध्यम है, जिसके प्रभाव में शुद्ध भाषा एवं प्रबुद्ध नागरिक का भी जन्म होता है। इस प्रकार मीडिया का समाज के सभी क्षेत्रों में व्यापक प्रभाव है। इससे समाज की अपेक्षाएं भी न्यून नहीं हैं। कोई भी समाज अपने समय के जनसंचार माध्यमों पर पूरी आत्मियता के साथ विश्वास करता है। अतः यह स्वाभाविक है कि मीडिया समाज को दिशा भी देता है तथा उनकी आवाज भी बनता है।

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ऐतिहासिक परिप्रेक्ष्य

जिन दिनों जनसंचार के वाचिक माध्यमों का उदय हुआ था, वह समय सभ्यता का महत्वपूर्ण समय था। एक-दूसरे से विचार विनिमय की जरूरत महसूस की गई और सामाजिक साहचर्य में सूचनाओं के आदान-प्रदान की प्रक्रियाओं में वैचारिक क्रांति की शुरुआत कर दी। इस प्रकार, मीडिया ने समाज के विकास में आरंभ से ही महत्वपूर्ण भूमिका निभाई है। समाज के चरित्र, संगठन, आदर्श, मर्यादा एवं एक-दूसरे से जुड़ी हुई अपेक्षाओं ने मीडिया का स्तर बहुत ऊँचा किया। इस प्रकार, मीडिया समाज निर्माण में मिशन की भूमिका निभाने लगा।

एक-दूसरे से जुड़ी हुई आवश्यकता होने पर संवाद संवाहनों के दायित्व तय किए गए। उन दायित्वों को निभाने वाले समाज के एक वर्ग ने इन दायित्वों के बदले कोई निर्धारित और निर्धारित धन प्राप्त कर उसे आजीविका के स्रोत व्यवस्थाएं अथवा प्रोफेशन के रूप में भी स्वीकार कर लिया। वाचिक परंपरा से गुजरता हुआ मीडिया का दौर लिखित क्षेत्र आकट्य ठहरा नहीं। अर्थात् हस्तलिपि और प्राकृतिक भोज पत्रों से मीडिया के लिखित अवतरण शुरुआत हुई। उसके बाद मशीन मानव निर्मित कागज, मशीन निर्मित कागज पर मुद्रण से होते हुए मीडिया का क्षेत्र व्यापक विस्तार की ओर बढ़ा। दूसरी ओर ध्वनि माध्यम के उत्पन्न विस्तृत और महत्वपूर्ण साधन रेडियो के उदय ने मीडिया के वाचिक प्रभाव को अलग तरह से प्रसिद्ध किया। उसके बाद दृश्य माध्यमों ने तो इस क्षेत्र में क्रांति ही ला दी। एक माध्यम से दूसरे माध्यम के साथ सहयोग भी किया। सहयोग के साथ उस पर आघात भी हुआ। इन माध्यमों में आपसी प्रतिस्पर्धा के प्रभाव देखे गए और व्यवसायिक का स्तर पर एक-दूसरे के आगे निकलने की होड़ ने एक-दूसरे पर वैचारिक और दूसरे प्रकार के आघात भी किए। यह और वैश्वीकरण का दौर है अर्थात् समूचा विश्व एक निश्चित स्थान पर केंद्रित हो चुका है। वहीं सारी सूचनाएं संग्रहित, आवंटित एवं विस्तारित हो रही हैं। वैश्वीकरण के दौर में मीडिया का समाज निर्माण में मिशन से जुड़ा हुआ स्वभाव अनेक स्तर पर बिगड़ा। सामाजिक परिवर्तन में मीडिया ने अपने इलेक्ट्रॉनिक सहयोग से अत्यंत प्रभाव डाला। वैश्वीकरण का यह दौर समाजशास्त्र के मानव शास्त्र एवं संस्कृति शास्त्र पर भी आघात किए बिना नहीं रह सका।

वर्तमान काल में भारतीय मीडिया

कौल (2011) ने अपने अध्ययन में तर्क दिया है कि वैश्वीकरण के समाजशास्त्रीय और सांस्कृतिक विश्लेषण में उपग्रह, टेलीविजन, इंटरनेट, कंप्यूटर, मोबाइल फोन जैसे मीडिया के सामाजिक और सांस्कृतिक भूगोल के वर्तमान पुनर्गठन के पीछे प्राथमिक ताकतों में माना जाता है। इलेक्ट्रॉनिक मीडिया विशाल दूरियों में एक-दूसरे के बीच परस्पर जुड़ाव और सामाजिक संपर्क में एक स्थायी लचीलापन की सुविधा प्रदान करता है। इसके अलावा विकास, साम्राज्यवाद और वैश्वीकरण ऐसे विचार हैं, जिन्हें दुनिया की व्याख्या करने और बदलने के लिए डिजाइन किया जाता है। उन्हें अक्सर सामाजिक विज्ञानों, अंतरराष्ट्रीय प्रश्नों की चर्चा में कंधे से कंधा मिलाकर चलते हुए देखा जा सकता है। लेकिन वे एक-दूसरे के लिए क्या मायने रखते हैं, यह अक्सर कुछ भी स्पष्ट नहीं होता। साम्यवाद के पतन के बाद से वैश्वीकरण की अवधारणा सबसे अधिक विवादित मुद्दों में एक है। वैश्वीकरण पर अधिकार एक असामान्य प्रक्रिया है। विमर्श स्वीकार करते हैं कि यह एक असामान्य प्रक्रिया है।

इसका यह अभिप्राय है कि मीडिया पर वैश्वीकरण के प्रभाव एवं उसके परिणाम समूचे विश्व में एक तरह से महसूस नहीं किए जाते। अनेक अर्थों में वैश्वीकरण भी इस शक्ति को ज्यामितीय माना गया है। जिसमें कुछ लोगों की अपेक्षा अधिक प्रभावी होते हैं। कौल का मानना है कि कुछ प्रवाह और गति आरंभ करते हैं तो कुछ न कुछ दूसरे की तुलना में अधिक प्राप्त कर रहे हैं, कुछ प्रभावी रूप से इसके द्वारा बंधे हुए और दो राष्ट्रों के साथ व्यवहार करते समय शक्ति का असंतुलन होने वाला है। अर्थात् वैश्वीकरण तकनीकी प्रगति और अंतरराष्ट्रीय बाजार से जुड़ा हुआ परिवर्तन है। एक ओर एकरूपता दोनों की तुलना में कारक है, तो दूसरी ओर विकास के लिए उसकी भिन्नता, स्थानीयता एवं विशिष्टता से जुड़ी हुई प्रक्रिया उत्तरदायी है। इन प्रक्रियाओं का आपस में जटिल संबंध है। वैश्वीकरण निश्चित रूप से सर्वव्यापी और सामान्य प्रक्रिया नहीं है। इसमें अनेक क्षेत्र सम्मिलित हैं। अनेक संदर्भ में इन्हें व्यक्त किया जाता है एवं संचार क्रांति के क्षेत्र उद्धाटित किए जाते हैं। वैश्वीकरण में मीडिया के क्षेत्र में अनेक प्रतिस्पर्धाएं एवं प्रतियोगिताएं जगाई हैं। जिस कारण पंडित युगल किशोर के दौर से होते हुए पंडित मदन मोहन मालवीय, गणेश शंकर विद्यार्थी का समाज निर्माण का हितैषी पत्रकारिता क्षेत्र मिशन मोड से प्रोफेशन मोड में बदलता गया। माना तो यहां तक जा रहा है कि 21वीं सदी का पहला दशक जैसे समाप्त हुआ। मीडिया अनेक संकटों से दो-चार हुआ। उसे अनेक सवालों से जूझना पड़ा। यह सवाल सिर्फ सवाल नहीं थे, संकट भी थे। इसका संबंध भारत की सामाजिक, राजनीतिक, शैक्षिक, आर्थिक एवं सांस्कृतिक स्थितियों में आ रहे बदलावों से भी जुड़ गया। लोगों की रुचियां बदल गए। लोगों में किसी सूचना को प्राप्त करने की शीघ्रता ने व्यग्रता का रूप ले लिया। मीडिया को प्रोफेशन बनाने वाले लोगों ने इन अपेक्षाओं की पूर्ति के लिए अनेक प्रकार से स्वयं को तैयार किया।

मीडिया का मिशन मोड से बाजारीकरण की ओर मुड़ जाने की परिघटना पर अपना मत देते हुए इलाहाबाद विश्वविद्यालय के मीडिया स्टडीज सेन्टर में कार्यरत अध्यापक धनंजय चोपड़ा (2023) ने माना है कि लोगों की बदलती दिलचस्पी और रहन-सहन के तरीकों ने भी मीडिया पर एक अलग ढंग का प्रभाव डाला। प्रभाव सामाजिक मूल्यों को अपनी जगह छोड़े जाने का भी पड़ा है। मीडिया इसके अपने मूल स्वभाव को बचाकर लोगों के हिस्से में खिसकते मूल्यों को दृढ़ता से देने का काम करता है। स्वयं ही अपने स्वभाव पर इसके प्रभाव को हावी होने से नहीं रोक पाया। इसकी वजह है कि मीडिया भी समय और समाज के साथ बदलने पर मजबूर हो गया। नतीजा यह है कि पुराने दौर की मिशनरी पत्रकारिता अब नए दौर में मार्केट ओरिएंटेड मीडिया होकर हमारे साथ है।

वास्तव में भारतीय मीडिया के पास प्रिंट मीडिया की एक समृद्ध परंपरा है। और इस परंपरा को साथ लेकर भारतीय जनमानस से मीडिया से मुठभेड़ करने को तैयार रहता है। मीडिया ने भारत के स्वतंत्रता आंदोलन में महत्वपूर्ण भूमिका निभाई। हालांकि भारत में समाज सुधार की अनेक क्रांतियां हुईं, लेकिन सामाजिक स्तर पर हुई क्रांतियों ने आंदोलन के रूप में वैश्विक स्तर पर तुलनात्मक रूप में अपना परिचय कम ही दिया। बे-मेल विवाह, सती प्रथा, छुआछूत, दलितों का शोषण जैसे अनेक मुद्दों ने मीडिया मिशन के उद्देश्य से सुगठित एवं संस्कारवान विचारक के रूप में सिद्ध किया। उस उनकी सूचनाएं स्वीकारी गईं। उन सूचनाओं पर गहन विचार-विमर्श भी हुए। किंतु यह क्रांतियां सामाजिक आंदोलन भी हुए। लोकतंत्र का आंदोलन एक प्रकार से वैश्विक आंदोलन था और या किसी भी दृष्टिकोण से विश्व के दूसरे देशों में होने वाले आंदोलन की अपेक्षा कम बड़ा नहीं था। अंग्रेजों के जमाने में भारतेन्दु बाबू हरिश्चंद्र से लेकर युगल किशोर, पंडित मदन मोहन मालवीय सहित अनेक अन्य दूसरे पत्रकारों ने भारत की संस्कृति सहधर्मिता एवं यहाँ के

लोगों की संवेदनशीलता की जो रेखा खींची, वह मीडिया के माध्यम से समाज के अनेक क्षेत्रों में संप्रेषित हुई। प्रिंट मीडिया का लंबा वक्त चला। वह आज भी गुजरा नहीं है। स्वाधीनता संग्राम में एक तरफ स्वाधीनता सेनानी लड़ाइयां लड़ रहे थे, तो दूसरी ओर मीडिया भी अपना दायित्व उठाए हुए था। इस प्रकार से मीडिया स्वतंत्रता संग्रामियों का अस्त्र-शस्त्र भी बना हुआ था। वे एक-दूसरे के पूरक भी थे और दोनों एक-दूसरे के विषय, उद्देश्य एवं युद्ध के औजार भी थे।

स्वतंत्र भारत में दृश्य माध्यमों का उदय हुआ। यह तेजी से लोकप्रिय हुआ। खासकर टेलीविजन ने एक नई परंपरा की सूत्रपात कर दी। पुनः चोपड़ा का मत उल्लेखनीय है, “हमारे इस समय में मीडिया के प्रमुख हिस्से पर टेलीविजन का कब्जा है और जनमानस मीडिया पर प्रश्नों का बौछार करता है। तब उसका लक्ष्य कम और न्यूज चैनलों पर अधिक होता है। सच तो यह है कि मीडिया पर बात करने वाले या इससे जुड़े लोग यह कहकर अपनी जिम्मेदारी से पल्ला नहीं झाड़ सकते कि हम मीडिया वाले या रेडियो वाले या फिर और वेब मीडिया के पैरोकार हैं। हमारा टेलीविजन पत्रकारिता से कोई लेना-देना नहीं है। इन बातों से इनकार नहीं किया जा सकता कि मीडिया का हर क्षेत्र पूंजी के जबरदस्त दबाव में है। अखबार या टेलीविजन पर समाचार देना अब किसी मिशन का हिस्सा भर नहीं है। बल्कि एक इंडस्ट्रीज का हिस्सा बन गया है। उसमें बहुत धनराशि लगाई जा रही है। इसका यह अर्थ है कि इंडस्ट्री जैसा है। काफी अधिक पूंजी लगने के कारण यह सभी प्रोफेशनल उद्योग हैं। मिशन किसी भी मुनाफे की होड़ में छोटा पड़ जाता है। मुनाफा का आंकड़ा मिशन के दायित्व सामाजिक सिद्धांत पर भी भारी पड़ रहा है। वह समय बीत गया, जब मीडिया आदर्श और मूल्यों के लिए स्थापित किया जा रहा था। अर्थात् वह मिशन का दौर था। मीडिया अब सूचना और मुनाफे का उद्योग बन गया है। यह प्रोफेशन का दौर है। समय में सूचनाएं समाज के लोगों तक पहुंचाना अधिक महत्वपूर्ण नहीं है, बल्कि उन सूचनाओं के बहाने विज्ञापन दाताओं का बाजार, उपभोक्ताओं तक अधिक पहुंचाया जाता है। खास तो यह कि भारत जैसे विकासशील देशों में आवश्यक आवश्यकता है कि इन विज्ञापनों के कारण विलासिता संबंधी आवश्यकताओं में दब रही है। इसके ब्रांडिंग के एसेंस तलाशे जा रहे हैं और नित्य नए-नए हथकंडे खोजे जा रहे हैं। यह स्वाभाविक है कि जब मिशन की जगह मुनाफा प्रभावी होगा, तो जन सरोकार से मीडिया काफी दूर चला जाएगा। चोपड़ा के शब्दों में, “इसी अभाव का प्रभाव जब मीडिया के स्वभाव पर पड़ता है, जनमानस के पास बची -खुची स्मृति परंपराओं ने मीडिया पर प्रश्न उठाने शुरू कर दिए। इन प्रश्नों के उत्तरों की तलाश में नए-नए रास्ते सामने आते गए। न केवल लोगों के सामने बल्कि मीडिया के सामने भी यह सवाल बना हुआ है।

मीडिया बदला, लोग भी बदले। परिस्थितियों ने पुराने समय की मान्यताओं को खारिज करना शुरू कर दिया। मीडिया का यह नया स्वरूप भारतीय पत्रकारिता में परंपराओं पर आघात करता हुआ प्रतीत हुआ। लेकिन नई परिस्थितियों की यह परिभाषाएं पूरी तरह परंपराओं की अवमानना नहीं कर सकीं। नए समय के साथ चलना स्वाभाविक था, लेकिन चुकी परंपराएं संस्कृति का आधार होती हैं, इसलिए उन्हें छोड़ना मुश्किल था। उद्योग में अपनी व्यवस्था एक उपस्थिति बनाए रखना और अधिक से अधिक मुनाफा कमाना मीडिया का जिद भले ही हुई, लेकिन सामान्य लोगों से अपने सरोकार तथा विश्वास को बनाए रखने की बेचैन स्थितियों से वह दूर नहीं जा सका।

इस संदर्भ में सुप्रिया अवस्थी (2016) तर्क देती हैं कि ‘‘पत्रकारिता अब मिशन नहीं रहा, अब यह एक प्रोफेशन के रूप में फल-फूल रहा है। मगर क्या हर प्रोफेशनल का कोई एथिक्स नहीं होता? लोकतंत्र की पवित्रता बरकरार रहनी चाहिए। मीडिया पर पूंजी का दबाव बहुत बढ़ गया है। किसी भी अखबार अथवा चैनलों को स्थापित करने के लिए करोड़ों रुपए की अनिवार्यता होती है। लागत की अधिकता के कारण पत्रकारिता ने पेशा अथवा व्यवसाय का स्वरूप स्वीकार कर लिया है। इस बात पर भी गौर करना चाहिए कि इस व्यवसाय को चलाने के लिए किस प्रकार की प्रणालियां विकसित की जाती है और किन-किन तरीकों से संसाधन सृजित किए जाते हैं। संपादकीय प्रभाग पर बाजार का असर दबाव का रूप ले रहा है। वैचारिक उत्तरदायित्व की शक्ति दूर होती जा रही है। यह पूरी तरह से मिशन से प्रोफेशन की ओर तेजी से बढ़ता जा रहा है।

इसी क्रम में पिछले दशक से एक और बदलाव आया, जिसमें मीडिया-पूँजीपति-राजनीतिज्ञ के गठजोड़ की परिघटना का उदय हुआ। इस विषय पर रवीन्द्र कुमार वर्मा (2017) का मत है कि राजनीतिज्ञ, मीडिया एवं पूंजीपतियों के अभिजनों के बीच एक ऐसा गठजोड़ बन गया है कि मीडिया अब जनता के सरोकार से कम और सत्ताधारी राजनीतिज्ञों एवं मीडिया के पूँजीपति मालिकों के हितों के प्रति ज्यादा प्रतिबद्ध हो गया है। वर्मा का मत है कि मीडिया को स्वतंत्र रूप से सरकार की जवाबदेही, उसके कार्यक्रम में पारदर्शिता तथा जनसहभागिता के प्रोत्साहन को उजागर करना चाहिए और लोकहित को अधिक महत्व देना चाहिए। परन्तु वर्तमान समय में मुख्य भारतीय मीडिया अपने आदर्श लोकतांत्रिक भूमिका से विलग होता जा रहा है। लोकतंत्र एवं मीडिया के संबंधों में परिवर्तन आया है – भारत में मीडिया का लक्ष्य लोकहित के प्रति अपने उत्तरदायित्व से व्यापारी हित साधन की ओर, सामाजिक परिवर्तन, लोकसहभागिता तथा सत्य सूचना निस्सरण; दिसेमिनेशन (dissemination) के वाहक की भूमिका से मीडिया कम्पनियों एवं राजनीतिज्ञों के हितों के वाहक की ओर मुड़ गया है।

निष्कर्षतः हम पाते हैं कि ऐसे में हमारे लोकतंत्र के सुदृढ़ रहने का रास्ता मुश्किल हो गया है। वैश्वीकरण एवं बाजारीकरण ने मीडिया की आदर्श भूमिकाओं को प्रतिकूल रूप से प्रभावित किया है। अब समय है कि मीडिया को स्वतंत्र, खोजी एवं आलोचनात्मक मूल्यांकन हेतु प्रतिबद्ध करने के उपाय किए जाएं जो सरकारी नीतियों से ही संभव है। उनपर प्रतिबंध लगाने एवं निगरानी रखने वाली संस्थाओं जैसे प्रेस कॉन्सिल ऑफ इंडिया, सूचना आयोग आदि को सक्रिय एवं सशक्त किया जाए।

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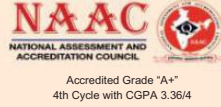
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Environmental Sciences, Bio-Techonology,
EWM, IT, BLIS, B.Ed, P.A. L.S.W & Commerce.
- **Laboratories** : Well equipped Labs
- **Total No. of computers** : 750+

Publication

- Anugrah Jyoti
- A.N. College Journal for Discourses in Humanities and Social Sciences (ISSN 2582-9122)
- Annual Report
- Coffee Table Book

Moocs

- A.N. College Coursera Campus (+200 Top University of the world)
- NPTEL-Swayam | IIRS - ISRO

Foreign Language

- Korean | Japanese



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