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RELEVANCE OF NEHRU'S VIEWS OF WORLD PEACE IN POST COLD WAR ERA

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ABSTRACT

There are many problems which are posing a serious threat to world peace. In post cold war scenario the problems like International terrorism, hoarding of nuclear weapons, political hegemony, natural resources, water, economic dominance, economic exploitation and environmental crisis created by man for his benefit (water crisis, global warming etc.) could threaten world peace. It is interesting to note that water today appears to be a potential threat to world peace. Nehru was not merely a theorist who developed a theory on world peace, he was a practical man. He identified various enemies of the world peace which could threaten world peace at that time. He was opposed to the contemporary game of power politics, military alliances and armaments. He also regarded war and violence as serious threats to world peace. These were the challenges which Nehru felt during his time. Now a days along with these challenges some new challenges have emerged which could disturb world peace. These recent challenges need immediate solutions otherwise they will become incurable.

Key Words: Poverty, Unemployment, Illetracy, World Peace, Nehru.

The world is faced with myriad of challenges like poverty, unemployment, illiteracy, health hazards and underdevelopment. Violence and conflicts among nations have assumed alarming proportions which underlies the urgent need for world peace. The doctrine of inequality of men and races is still preached and practiced. The democratic principles of dignity, equality and mutual respect are frequently denied. Some states tend to dominate the others and hold their people in subjection, denying them freedom and right to grow. Often armed might is used to suppress the freedom of people and the states. The idea of peace which has remained at the core of mankind since the earliest times occupies a prominent place today. Peace evades and the world society is faced with inter-state and intra-state feuds, conflicts and rivalries. What surprises one is the existing dichotomy in the behavior of the states. The ones who spearhead the voices of peace are found engaged in hindering the peace processes in order to meet their national interests. Even the vested interests of the ruling junta too, at times, mar the path of peace. The issue of tensions and peace are many.

There are many problems which are posing a serious threat to world peace. In post cold war scenario the problems like International terrorism, hoarding of nuclear weapons, political

hegemony, natural resources, water, economic dominance, economic exploitation and environmental crisis created by man for his benefit (water crisis, global warming etc.) could threaten world peace. It is interesting to note that water today appears to be a potential threat to world peace.

Indian leadership has always supported the cause of peace and has always strived hard to settle the matters of tension through peaceful negotiations with its immediate neighbours. Jawaharlal Nehru under whose effective guidance India strove for the cause of world peace is still recalled for his novel ideas and modes at bringing order and peace in global society. Being first prime minister and foreign minister of independent India, Nehru pursued such policies and took such steps which helped in promoting world peace and lessened the chances of third world war. He worked for establishing a lasting and enduring peace. He was regarded as a champion of world peace. His dream was to establish a world free of war, mutual hatred, conflicts, tensions and fear. He believed that future of mankind is safe only in an atmosphere of peace. So we must work for peace.

Though Jawaharlal Nehru was in favour of establishing peace at global level but he was more concerned with newly emerging Afro-Asian Countries since they had to preserve their political independence and had to protect themselves from becoming economic and political appendages of the developed west. Nehru believed that these emerging states were technologically and economically weak because of their exploitation by the former colonial powers. Meanwhile these states also suffered from many socio-economic problems and world peace depended upon the solution of these. Marred by mutual distrust and fear these states were more vulnerable to chaos and violence. Nehru rightly observed, "our dominant passion and urgent necessity is for the maintenance of peace, because without that all our plans and our missions for future are likely to be shattered to bits, indeed, unless peace is preserved, the world itself will be shattered... It is not by condemnation or mutual recrimination that we shall achieve this goal, we must forget past conflicts and past grievances and decide to make a new approach to each other in a spirit of tolerance and forbearance with charity towards all and malice to none."

Now the question arises what does world peace mean to Nehru? According to him, world peace meant 'world prosperity, world freedom and world happiness.' World peace at first place depended upon world freedom. He was totally against killing individual freedom and argued that just as individual freedom was the life breath of the individuals same was the case of national freedom of a nation. That shows that Nehru was not in favour of any kind of dominance of one nation over another. He was of the opinion that no nation had the right to interfere in the spheres of activities of another nation because it would kill the individuality of a nation and would threaten the world peace. He argued, "Peace can only come when nations are free and also when human beings everywhere have freedom, security and opportunity. Peace and freedom, therefore, have to be considered both in their political and economic aspects. The countries of Asia, we must remember, are very backward and the standards of life are appallingly low. These economic problems demand urgent solution or else crisis and disaster may overwhelm us. We have, therefore, to think in terms of common man and fashion our political, social and economic structure so that the burdens that have crushed him may be removed, and he may have full opportunity for growth."

Secondly, according to Nehru world peace meant world prosperity. By world prosperity he meant equal progress in material sphere in all the countries. He wished a world in which every individual, race and nation would have equal opportunity to grow and develop. He wanted that people in each and every nation should enjoy basic human facilities. He was in favour of balanced economic growth of all the nations so that there should not be a big gap between developed and underdeveloped countries. If this gap would not be filled up there could not be a lasting peace. On October 24, 1949 in an address to Canadian Parliament he asserted, 'there can be no security or real peace if vast numbers of people in various parts of the world live in poverty and misery. Nor, indeed, can there be a balanced economy for the world as a whole if the underdeveloped parts continue to upset that balance and to drag down even the more prosperous nations.'

Thirdly according to Nehru world peace meant world happiness. By world happiness Nehru meant the contentment or self-satisfaction of world nations due to enjoyment of freedom and prosperity in all spheres.

Nehru believed that the foundation of peace must be strengthened: colonialism must disappear and dependent people must attain self-government; racialism must be eliminated and underdeveloped countries must be assisted by the international community in their economic development, the improvement of health of their people and removal of illiteracy. Peace rested on the foundation of free peoples' developing in climate of peace and equal opportunities. Colonialism, racialism, poverty, diseases and illiteracy were the real enemies of world peace and they must be eliminated to provide durable foundation of world peace.

Nehru was not merely a theorist who developed a theory on world peace, he was a practical man. He identified various enemies of the world peace which could threaten world peace at that time. He was opposed to the contemporary game of power politics, military alliances and armaments. He also regarded war and violence as serious threats to world peace. These were the challenges which Nehru felt during his time. Now a days along with these challenges some new challenges have emerged which could disturb world peace. These recent challenges need immediate solutions otherwise they will become incurable. Nehru found out the challenges to world peace and tried to provide effective solution to these problems during his time. He stressed on international cooperation. He believed that international cooperation would help in strengthening international relations and establishment of peace at global level. He also favoured the principle of peaceful coexistence in international relations. Along with principle of peaceful coexistence he also favoured the principle of non-interference and non-aggression. He remarked, this stress on non-interference of any kind, political, economic or ideological is an important factor in the world situation today.' He favoured peaceful approach to solve international problems. He said that India's message to the world was insistence on peaceful methods to solve all problems violent methods solved nothing in the Indian view, and indeed they started a vicious circle of bitterness, hatred and violence. He also favoured internationalism. He was one among the few statesmen who always viewed internationalism as the foundation of international peace. These were some of the solutions which he highlighted during his time and appealed the people of India as well as entire world to act upon these. At present some more problems are threatening world peace so there is a dire need to highlight the Nehru's views on world peace and to find out their contemporary relevance.

Nehru's emphasis on these means was as relevant at his time as today, though structural compulsions of the bipolar hostility might have restricted its practicality beyond a level. In the post cold war era, Nehruvianism finds resurrection in the so called the; constructivist turn" that social science theorisation is supposed to have taken. Spilling over to the realm of international relations, social constructivism is trying to give us new perspective. It says international reality is not all about the fixed interests and power dynamics. It is also about how we actors construct it through our mutual perceptions of one another, through our dialogue with one another, through the public discourses etc. These subtle processes go a long way in determining how men and states understand each other. State-centric, rational choice based models fail to take this factor into account. They attribute the problem of world peace predominantly to the structure of anarchy or man's pessimistic psychological disposition or to the logic of reward and gain. They fail to recognize that actors also determine structures by defining and redefining each other's roles. In this respect Nehruvian internationalism is ahead of his time in anticipating social constructivism. Panchsheel and the broader view of international peace enunciated by Nehru show a sagacious blend of realism and idealism. It does not root out the role that decision makers, policy elites, common masses, the think tanks play in constructing a reality more near to the ideal of world peace. While doing so it also does not become oblivious to the considerations of interest and power.

Post cold war era makes Nehru's views on world peace even more practical and relevant. The cold war context has ceased to exist but not the cold war concerns. World peace might not be under immediate threat from the nation states but new forms of threat present in less conspicuous form earlier have moved to the forefront. Terrorism is one of such threats. Climate change is another, to mention few of them requiring immediate attention.

Nehru played an important role in creating an atmosphere of peace. He supported all those organizations, which aimed at establishing world peace. He gave his full support to United Nations Organization as a vehicle of peace. He also advocated reforms in United Nations to make it a more reliable organization. His deep concern for world peace led him to formulate the policy of Non-alignment. Being fully conscious about the future happenings Nehru stressed that India did not nt third world war. In order to prevent third world war India evolved the policy of Non-alignment under Nehru. He remarked, 'If and when disaster comes it will affect the world as a whole... our first effort should be to prevent that disaster from happening.'

Nehru was neither satisfied with Non-alignment vis-à-vis the rival camps nor was he satisfied in merely seeking to bridge the gulf that separated the two blocs. He was interested in promoting a universal code of conduct for nations. The Panchsheel which formulated an international code of conduct among nations remains Jawaharlal Nehru's singular contribution to international understanding among the community of nations.

Violence in the form of war among states is as old as history. We know that the post cold war scenario is the one of science and technology. Science has become the master. What is more startling is that violence and science have coalesced into one to disturb the peaceful atmosphere of the world and threaten the very existence of human society. At present war and violence means total destruction or end of humanity. If we want to survive or live for a long time we must work for the promotion of world peace.

Attaining peace has been a part of rich cultural heritage of India. India had been a peace loving country since ages. Study of ancient literature showed that Indian thinkers since Vedic era were highly concerned with attainment of peace. They, therefore, prayed to God, “O God, kindly take away from us all sorts of elements or harmful thought which are the source of all kinds of sufferings and please give us the thing favourable to our well being - mental, physical and social.” Many Indian thinkers carried this rich tradition about peace. Swami Vivekananda, Rabindranath Tagore, Mahatma Gandhi and Jawaharlal Nehru were leading among them. All these thinkers are important, but Jawaharlal Nehru has his own importance.

Indians had always stood for the policy of peaceful relations with one’s neighbours and for a peaceful approach to problems. Nehru’s views regarding world peace haven’t lost the gloss even in the post cold war era. India’s desire to implement the idea of coexistence in the international relations was considered by Nehru as a necessary condition of world peace. Being first Prime Minister of India he also got a chance to give practical shape to his ideas. Influenced by rich cultural heritage of India Nehru adopted such policies, which helped in promoting world peace. There is a need to revive his ideas on world peace so that this rich cultural heritage could be saved and passed on to the coming generations.

Nations have become so much interdependent that each one of them is affected by happenings in other nations. There is no such thing as an isolated event. Every occurrence has its worldwide reactions. If there is any disaster in one country it may affect other countries in one way or another. For example international terrorism has become a worldwide problem similarly environmental crises are global issues and have become a worldwide problem and have affected almost all the countries of the world. Similarly the desire for peace is not confined to any one of the particular country, it is an aspiration of entire world.

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PARLIAMENTARY SYSTEM

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ABSTRACT

British parliament is mother of all parliaments and that unwritten constitution of Britain and its peculiar constitutional evolution has given birth to concept of parliamentary supremacy. The parliamentary system of government has been adopted by a number of countries prominent among them are Germany, Italy, Japan, Canada, Australia, Pakistan and India. To understand parliamentary form of government the British model is discussed below. The government generally has three distinct powers: executive, legislative and judicial powers. Parliamentary form of government may be described as form of government wherein the executive branch of the government is elected /chosen from the legislative branch (which is called the parliament in England) and the executive is responsible to the parliament. The parliamentary form of government evolved in England owing to its peculiar constitutional history. Indeed development of this parliamentary form of government is journey from absolute monarchy to a notional monarchy spanning over nine hundred years. British parliament is therefore the mother of all parliaments. The parliamentary form of government has been adopted in a number of countries particularly in those countries, which formed part of the British Empire (with the exception of the united nation which parted its ways from the British Empire by declaration of its independence in 1776).

Key Words: England, Parliament, Government, Monarchy, Empire.

Parliamentary Supremacy

Dicey and other writers on English constitution have generally referred to the parliament's legislative supremacy as parliamentary sovereignty. The word sovereignty has always been confused owing to historical reasons. The word 'Parliament' and 'sovereignty' can have different meaning when used for different purposes and therefore it is necessary to explain the meaning they would have here. Dicey defines the supremacy or sovereignty of the parliament in term of two criteria, one positive and of the other negative. The positive criterion is that parliament has right to make and unmake any law whatever; the negative one is that no person or body is recognized by the law of England has having a right to override or set aside the legislation of the parliament. There is another unique characteristics of the English constitution, which is not found elsewhere in any place where the parliamentary form of judicial system is the House of Lords. The true significance of this aspect of English constitution in the context of supremacy of the parliament has to be seen. Although as stated herein before power paradigm has shifted completely and the king and lords are now considered only dignified and efficient part lies in the hand of the commons. The characteristics merit of the English constitution is that its dignified parts are very complicated and somewhat imposing, very old and rather venerable; while its efficient part, at least when in great and critical action, is decidedly simple and modern.

Indian Parliamentary System

In India, there is a parliamentary form of government both at center and the states. The executive power of the union is vested in the president who exercise his powers and functions with the aid and advice of the council of ministers headed by a prime minister. The only exception is that under Article 103, the president has to act according to the opinion of the election commission. The council of ministers is responsible for every executive act and accountable for their actions to the parliament. Their responsibility is collective. Wherever the constitution requires the satisfaction of the president for the exercise of any power or function, that satisfaction is not his personal satisfaction but in constitutional sense that of the council of ministers. The same is the position of a governor of the state who is required to act as a constitutional head and act according to the advice of his ministers except when he acts in his discretion.

There were many reasons why the framers of the constitution preferred the parliamentary system of government to the presidential system. The people of India were already familiar with the working of the parliamentary system. A parliamentary system could provide effective leadership in emergencies. Cabinet system ensures harmony between the executive and the legislature. Parliamentary system gives more responsibility. The assessment of the responsibility of the executive is both on daily as well as periodic basis. The members of parliament can make the ministers responsible by putting questions, moving resolutions and no-confidence motions, adjournment motions and debates on address by the President. Elections are held after regular intervals and that gives the voters an opportunity to express their approval or dissatisfaction with the government in power.

Note – It is to be noted that, though the Indian Constitution provides for the parliamentary form of government but unlike Britain, the Parliament is not supreme under the Indian Constitution. In India, the constitution is supreme. In England, Laws passed by the Parliament cannot be declared unconstitutional while the Indian Constitution expressly vests this power in the courts. The Indian Parliament is the creature of the Constitution and derives all its powers from the Constitution. It is not a sovereign body.

In fact federal Parliamentary character of the Indian Constitution has been recognized by the Supreme Court of India as basic structure of constitution.

In *kesavananda Bharti v. State of Kerala*, Chief justice Sikri, writing for majority indicated that the Basic Structure was:

- 1) The supremacy of the constitution;
- 2) A republican and democratic form of government ;
- 3) The secular character of the constitution;
- 4) Maintenance of the separation of powers;
- 5) The federal character of the constitution.

Justice Shelat and Grover added three features to the Chief Justice's list:

- 1) The mandate to build a welfare state contained in the directive principles of state policy;
- 2) Maintenance of the unity and integrity of India;

3) The sovereignty of the country.

Justice Hegde and Mukherjee instead provided in their opinion, a separate and shorter list:

- 1) The sovereignty of India;
- 2) The democratic character of the policy;
- 3) The unity of the country;
- 4) Essential features of individual freedoms;
- 5) The mandate to build a welfare state.

Justice Reddy stated that the Basic features of the constitution were laid out by the preamble and thus could be represented by:

- 1) A sovereign democratic republic;
- 2) The provision of social, economic and political justice;
- 3) Liberty of the right, expression , belief , faith and worship;
- 4) Equality of status and opportunity

Although while enumerating the basic structure of the constitution, parliamentary form of government has not been mentioned, yet what Supreme Court meant by the republican and democratic form of government was in fact parliamentary system of government .

In another case, Indira Nehru Gandhi v. Raj Narain Supreme Court of India struck down the clause (4) of the constitution 39th Amendment Act, 1975 is unconstitutional and void on the ground that it is violated the free and free elections which was an essentials features forming part of the basic structure of the constitution. The Supreme Court added the following features as “basic structure” to the list of basic features laid down in the *kesavananda’s* case:

- 1) Rule of Law
- 2) Judicial Review
- 3) Sovereign democratic republic status, which implied free and fair election.
- 4) Jurisdiction of Supreme Court under Article 32.

In this case as well, by sovereign democratic republic status, the Supreme Court meant the parliamentary democracy.

Despite many drawback, the parliamentary system in India has worked successfully over the last more than 60 years. In this period, parliamentary traditions and conventions have taken roots and people of India have grown familiar with the parliamentary system in India has failed because of multiplicity of political parties , illiteracy of voters , large growth of regional parties, and criminalization of politics.

Indian Constitution and Parliament

Indian constitution, Part V, Chapter II deals with Parliament from Article 79 to Article 122.

Article 79. Constitution of Parliament.

There shall be a Parliament for the Union which shall consist of the President and two Houses to be known respectively as the Council of States and the House of the People.

Note- though Indian President is not a member of either house of parliament yet, like the British crown, he is integral part of the Parliament and performs certain functions relating to its proceedings. President of America is not an integral part of the legislature.

Article 80. Composition of the Council of States (Rajya Sabha).

(1) ¹[²***] The Council of States] shall consist of-(a) Twelve members to be nominated by the President in accordance with the provisions of clause (3); and(b) Not more than two hundred and thirty-eight representatives of the States ³[and of the Union territories].

(2) The allocation of seats in the Council of States to be filled by representatives of the States ³[and of the Union territories] shall be in accordance with the provisions in that behalf contained in the Fourth Schedule.

(3) The members to be nominated by the President under sub-clause (a) of clause (1) shall consist of persons having special knowledge or practical experience in respect of such matters as the following, namely: -Literature, science, art and social service.

(4) The representatives of each State ⁴***] in the Council of States shall be elected by the elected members of the Legislative Assembly of the State in accordance with the system of proportional representation by means of the single transferable vote.

(5) The representatives of the ⁵[Union territories] in the Council of States shall be chosen in such manner as Parliament may by law prescribe.

1. Subs. by the Constitution (Thirty-fifth Amendment) Act, 1974, s. 3, for “The Council of States” (w.e.f. 1-3-1975).

2. The words “Subject to the provisions of paragraph 4 of the Tenth Schedule,” omitted by the Constitution (Thirty-sixth Amendment) Act, 1975, s. 5 (w.e.f. 26-4-1975).

3. Added by the Constitution (Seventh Amendment) Act, 1956, s. 3.

4. The words and letters “specified in Part A or Part B of the First Schedule” omitted by the Constitution (Seventh Amendment) Act, 1956, s. 3.

5. Subs. by the Constitution (Seventh Amendment) Act, 1956, s. 3, for “States specified in Part C of the First Schedule”.

The Upper House under other Constitution – distinguished

Under the constitution of India, the upper house is called as *council of states*. It is also called *Rajya Sabha*. Under the American Constitution, the upper house is known as *senate*. In England it is called *House of Lords*.

The upper house under all the three Constitution is a permanent house, not subject to dissolution. One –third of the members of the Rajya Sabha retire every second year, while one-half of American senate retire every two years. The House of Lords is a body of hereditary peers who are appointed by the crown for life.

While the members of Rajya Sabha are elected by indirect election by the elected member of the legislative Assembly of each state, the member of American senate are elected by a direct election by the popular vote of the people in their states. The member of House of Lords are appointed for life. On death of the peer, his eldest son has to become a peer.

The members of the Rajya Sabha as well as the American senate enjoy a tenure of six years. The allocation of seats to be filled by the representatives from the states in the Rajya Sabha is

done in proportion to the population of the state. In the American senate, each state sends equal representatives (i.e. two). Under the Indian Constitution, the president nominates 12 members to the rajya sabha. There are no nominated member in the American constitution.

Article 81. Composition of the House of the People

¹[Article 81. Composition of the House of the People.

(1) Subject to the provisions of article 331 ⁹[***],] the House of the People shall consist of-(a) Not more than ²[five hundred and thirty members] chosen by direct election from territorial constituencies in the States, and(b) Not more than ³[twenty members] to represent the Union territories, chosen in such manner as Parliament may by law provide.

(2) For the purposes of sub-clause (a) of clause (1), -(a) There shall be allotted to each State a number of seats in the House of the People in such manner that the ratio between that number and the population of the State is, so far as practicable, the same for all States; and(b) Each State shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it is, so far as practicable, the same throughout the State:

⁴[Provided that the provisions of sub-clause (a) of this clause shall not be applicable for the purpose of allotment of seats in the House of the People to any State so long as the population of that State does not exceed six millions.]

(3) In this article, the expression “population” means the population as ascertained at the last preceding census of which the relevant figures have been published:

⁵[Provided that the reference in this clause to the last preceding census of which the relevant figures have been published shall, until the relevant figures for the first census taken after the year ⁶[2026] have been published, ⁷[be construed,- (i) For the purposes of sub-clause (a) of clause (2) and the proviso to that clause, as a reference to the 1971 census; and(ii) for the purpose of sub-clause (b) of clause (2) as a reference to the ⁸[2001] census]]

1. Subs. by the Constitution (Seventh Amendment) Act, 1956, s. 4, for arts. 81 and 82.

2. Subs. by the Goa, Daman and Diu Reorganisation Act, 1987 (18 of 1987), s. 63, “five hundred and twenty-five members” (w.e.f. 30-5-1987).

3. Subs. by the Constitution (Thirty-first Amendment) Act, 1973, s. 2, for “twenty-five members”.

4. Ins. by s. 2, the Constitution (Thirty-first Amendment) Act, 1973

5. Ins. by the Constitution (Forty-second Amendment) Act, 1976, s. 15 (w.e.f. 3-1-1977).

6. Subs. by the Constitution (Eighty-fourth Amendment) Act, 2001, sec. 3, for “2000” (w.e.f. 21-2-2002).

7. Subs. by the Constitution (Eighty-fourth Amendment) Act, 2001, sec. 3, for “be construed as a reference to the 1971 census” (w.e.f. 21-2-2002).

8. Subs. by the Constitution (Eighty-Seventh Amendment) Act, 2003, for the words “1991”

9. The words and figure “and paragraph 4 of th Tenth Schedule” omitted by the Constitution (Thirty-sixth Amendment) Act, 1975, sec. 5 (w.e.f. 26-4-1975).

Article 82 Readjustment after each census.

Article 82 merely envisages that upon the composition of each census the allocation of seats in the house of the peoples and the division of each state into territorial constituencies may have to be readjusted. It is Art. 327 which enjoin upon Parliament to make provision by law from time to time with respect to all the matters relating to or in connection with election to either house of parliamentdelimitation of constituencies and all other matters necessary for securing the due constitution of such house or houses- *Meghraj Kothari v. Delimitation Commission*.

CONCLUSION

There were many reasons why the framers of the constitution preferred the parliamentary system of government to the presidential system. The people of India were already familiar with the working of the parliamentary system. A parliamentary system could provide effective leadership in emergencies. Cabinet system ensures harmony between the executive and the legislature. Parliamentary system gives more responsibility. The assessment of the responsibility of the executive is both on daily as well as periodic basis. The members of parliament can make the ministers responsible by putting questions, moving resolutions and no-confidence motions, adjournment motions and debates on address by the President. Elections are held after regular intervals and that gives the voters an opportunity to express their approval or dissatisfaction with the government in power.

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INDIA AND MALAYSIA RELATIONS: AREAS OF CONVERGENCE AND DIVERGENCE

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ABSTRACT

The end of the cold war and simultaneous growth of globalization are indicatives of so many changes, as they have changed the political and economic structure and processes of the world in a substantial manner. Politically the world is no more bipolar as it used to be during the cold war, rather a peculiar situation having edge towards Uni-polarity and hegemonism is being witnessed. As the bipolarity sets out and globalization sets in, the world witnessed new emerging relations among the nations which were less strategic and more economic. To meet the growing aspiration of the market forces, the state as a sovereign actor reduced in its role and market forces began to dominate the state politics. The financial crises of 1990, compelled India to adopt structural reforms in the form of liberalization, privatization and globalization (LPG) of its economy. Even the growth of economic regionalism started acquiring status affecting most of the regions of the world. In such a scenario, Southeast Asia gained prominence through India's look east policy, here economic convergences along with similar security concern made it imperative for both Southeast Asia and India to forge closer ties. In case with entire Southeast Asia, India-Malaysia relations which have deep historical and cultural ties, need to be analyzed. India-Malaysia relations have undergone a tremendous change owing to the restructuring of the balance of power and the emergence of the multi-polar world. The apprehensions and the policy orientation have been influenced by the incident and issues which impinged on the bilateral relations between the two countries. With Malaysia India have many areas of convergence pertaining to defence, economic, cultural and political issues but there has been issues which have soured their relations in the past including the problem of ethnic Indians, palm oil, harassment of the IT professional etc. So the paper is an attempt to evaluate the relations between the two countries on an objective pedestal and showcase the issues of concern and cooperation between India and Malaysia.

Key Words- Foreign Policy, Cooperation, Divergence.

The end of the cold war heralded an end to the bi-polar world catapulting US as the unchallenged global authority. The catastrophic change brought about many new configuration and radical changes in the contemporary global politics with wider repercussions for the rest of the world. In such rapidly evolving time, no country in the world seemed able to responds to accompanying drastic changes in an opportune and self-assumed manner with the collapse of the USSR, the western world led by America had emerged as a single unified power with a common ideology of liberal democracy. In a way, the emergent

world order slipped under the control of the western block, whose immediate task was to design and define the Global Agenda as per the norms laid down by them¹. Interface to such circumstances India needed to address its foreign policy to its neighbors to promote economic cooperation and reduce political conflict with a view to increase cooperation and put up a collective front to the issues underlined in the New World order.

Since the early 1990, India has been adapting itself simultaneously to the economic globalization and to the emerging balance of power. Changes in India's internal and external economic policies also coincided with the end of cold war. Accelerated growth and policies of trade and investment liberalization have also influenced India's foreign policy. Recognizing the global shift from geopolitics to geo economic, India introduced structural reform in the county. The strategic growth and outward oriented have helped India to forge new relationship with its neighbors in Asia and with major powers². Under a new policy initiative, a major effort was made to move closer to the ASEAN. As a result, it adopted the policy of "Look East" to forge deeper economic ties with the ASEAN on the one hand and the other hand; it facilitated the improvement and strengthening of ties with the individual countries.

As in the case with entire South East Asia, India's trading and commercial ties with Malaysia have pre-dated the Christian era. India has a long history of multi- faceted relationship with Malaysia. Both have established strong trading links in the 1st century BC. The relationship was again established when British started recruiting Indian indentured labour to work in their Malaysian plantation. These ties have left a strong influence on the social moral, language, family tradition and the rituals of Malaysia³. India and Malaysia had a cordial and fruitful relationship, particularly after the latter's transformation from Malaya to Malaysia. India was among the first few countries to recognize it. Diplomatic relations were established in 1957 and Indian supported for the formation of Malays federation. To demonstrate, this relationship Rajindra Prasad, the President of India paid a unit to Malaysia in 1958.⁴ During this period, the relationship extended to various field, economic political and cultural. The ethnic diversity of Malaysia with its balance between Malaysia and persons of Chinese origin and the smaller Indian community made it akin to the cultural, linguistic and religions diversity of India. Malaysia was among those few countries which openly and boldly extended understanding and support to India during the border war with China in October 1962.⁵ Tengku Abdul Rehman, the then Prime Minster of Malaysia, set up a fund to assist India during the crisis. India reprobated this justure by supporting Malaysia on the issue of Borneo. India also extended support to Malaysia against the Philippines claim of Sabah. Both the countries followed similar approach and policy towards NAM, the Commonwealth and the UN⁶. But the momentum of the relationship could not be maintained subsequently although the ties were friendly. While Malaysia and other ASEAN countries, particularly Thailand were opposed to the entry of Vietnamese Troops in Cambodia and supported the rebel armed movement against the Heng Samrine Regime, India recognized and supported the Cambodian government led by Hun Sen and had close relationship with⁷.

Friendly bilateral relations between India and Malaysia gathered momentum during the regime of Rajiv Gandhi and Dr. Mahathir Mohammad in 1985. A meeting of minds between the two Prime Minister, during their interaction at the commonwealth Summit at the Bahamas in 1985, and at the 8th NAM Summit at Zimbabwe, brought greater warmth to the relationship. Another integral factor in Malaysia's policy towards India is the recognition of

the importance of keeping the Indian Community (Constituting nearly 8 percent of the country's population) satisfied with the Malaysian body politic, so that it has no cause for any potentially destabilizing misgivings. Thus, Malaysia adopted a largely balanced view at least in public, on Islamic issues in India such as Babri Masjid and the destruction of the Charar-e-Sharif shrine. Even in the larger context of Indo-Pakistan relations, Malaysia has tended to "box" the two countries and adopt an artificially "balanced" position via-a-via India⁸.

The initiation of a revised foreign policy, which is generally known as liberalization, India sought a new momentum in ties with Malaysia in both the economic and political field. Malaysia proposed India's membership in ASEAN. Thus it became the dialogue partner of ASEAN in August 1996. Malaysia also supported India's membership in Asian Regional forum (ARF). It helped India in building its security areas and trade relations in Southeast Asia. An Indo-Malaysia Joint Commission was established in 1992 to cultivate close relations between the two⁹. Diplomatic relations between the two were established in 1957 and the two countries celebrated the 50th anniversary of the foundation of their diplomatic engagement in 2007. Though, bilateral relations have generally been cordial, the enthusiasm to engage deeper has remained absent for a long period. Bilateral ties have, however, improved during recent years due to the convergence of mutual interests in an economically globalizing world. Regular exchanges of high level visits have also contributed to the improved relations, such as Dr. Rajendra Prasad in 1958 V.V. Giri in 1973, Nehru in 1954 and 1964, Indira Gandhi in 1968, VP Singh in 1990, P.V. Narsimha Rao in 1995, and Atal Bihari Vajpayee in 2001. Malaysian Prime Minister Badawi's landmark visit to India in 2004 stimulated the bilateral relationship and opened new vistas for India-Malaysia cooperation. His visit culminated in the signing of 12 agreements and MoUs covering wide ranging cooperation in the areas of satellite technology, biotechnology, IT, Infrastructure, education and research. The most recent was the visit by Malaysian Prime Minister Mohd. Najib to India in 19 to 23 January 2010. The two Prime Ministers decided to establish a Bilateral Strategic Partnership in October 2010 which envisions development of a multi- faceted relationship from the long term and strategic partnership¹⁰. The first ever India-Malaysia CEOs forum was jointly launched by the PMs They also inaugurated in "Little India" project in Brickfield. The joint statement outlines a road map for enhanced contacts between two countries at the political, business and people to people levels, based on shared values of democracy and multiculturalism. Both leaders agreed to work closely with each other on regional and international matters of common interest, including on combating the scourge of terrorism. Both leaders successfully concluded negotiations for a Comprehensive Economic Cooperation Agreement and agreed to complete to formalities by 31st January 2011 so that CECA can come into force by the agreed date of 1st July 2011. Following six documents were signed during the visit:

- Agreement towards implementing CECA between India and Malaysia on 1st July 2011,
- MoU on cooperation in the field of Traditional System of Medicine,
- MoU for cooperation in the field of tourism,
- MoU for cooperation in the field of IT and Service,
- Agreement between CSIR of India and UNIK of Malaysia on Research and Development Collaboration,

- o Cultural Exchange Programme¹¹.

Both sides have agreed in principle to establish a mechanism for cooperation on counter terrorism. A bilateral Extradition Treaty was signed in January 2010 and a Treaty on Mutual legal Assistance in Criminal Matters was signed in March 2012.

Similarly, Economic relations between India and Malaysia have greatly strengthened in the last few years. The new economic realities and pressing need of opening up to the world supplemented by India's Look East Policy have increased their trade relationship. In the decade since 2000, growing India-Malaysia ties across the board have triggered new dimensions in the bilateral commercial and economic relations. Bilateral trade between India and Malaysia has increased by 7.3% to RM 41.15 billion (USD13.32 billion) in 2012 as compared with RM 38.35 billion (USD 12.53 billion) in 2011. India is the 8th largest trade partner globally. The bilateral trade for the period of Jan-Oct 2013 have shown an increase of 2.4% to RM 35.896 million (USD 6,744 million) and imports from India were valued at RM 14,449 million (USD 4,594 million).

Malaysia is currently 19th largest investor in India with FDI inflow from April 2000 to September 2013 standing at USD 618.37 million, as per the statistics of the DIPP. In addition about USD 6 billion in Malaysian investments are believed to be invested in India through the Mauritius route. Malaysian Foreign Direct Investment in India is primarily focused on road and highways, oil refineries, telecommunication, oil and gas, power plants, tourism and human resources. Notable among these are Maxis Communication in Aircel, Axiata in IDEA Cellular Ltd, Khazanah in IDFC and Apollo Hospital etc. They have completed 62 construction projects worth USD 2.8 billion in India, while 16 projects worth USD 2 billion are under various states of implementations. Under a partnership with Malaysian Airport, GMR Completed airport in Hyderabad in 2008 and the second one in Delhi in July 2010¹³. According to Construction Industry Development Board (CIDB) of Malaysia, Malaysian companies have so far completed 12 construction projects with USD 3.27 billion in India, while 17 projects valued at USD 2.376 billion are currently under various stages of implementation. As per Malaysian investment Development Authority (MIDA) cumulative Indian investment into Malaysia from 1980-August 2013, stands USD 2051.29 million (2.05 billion) which include investment of USD 2.91 million during 2013. At present, there are more than 77 Indian companies including 70 Indian joint ventures operation in Malaysia. Recon Malaysia Sdn Bhd is the largest Indian company in Malaysia which is one of the largest synthetic and textile integrated plant in the world. Ballarpur industries Limited of the Avantha Group- owned by Sabah Forest Industries and Larsen Turbo Groups Tamco Switch gear are other major Indian companies in Malaysia. IRCON has successfully completed the Seremban - Gomas Railway double tracking project worth over USD1 billion on 31st July 2013¹⁴.

The IT sector also offers potential joint venture opportunities and collaboration with Malaysia. Presently more than 36 Indian IT Companies including HCL, Satyam and NIIT have large setups in Malaysia. Hyderabad Software exports association signed a MOU with Multimedia Development Corporation (MDC) of Malaysia in 2001. The agreement signed between NASSCOM and PIKOM (Malaysia) and other agreement in IT sector have enhanced mutual cooperation. Malaysian Telekom Berhad has signed an agreement with India's VSNL to provide managed data network service (MDNS). The MDNS services will be beneficial for multinational corporation operation from Malaysia but with their base in India and vice

versa¹⁵. Trade and investment between the two countries has increased substantially after the signing of CECA in 2011 and various policy initiatives put in place for further improvement in the bilateral economic relations. The CECA has the potential of reshaping the partnership between the two countries and would facilitate the movement of business people and help to boost cross border investment between the two countries.

A new dimension was added with steps taken, even though modest, towards defense cooperation. India attached more importance to it than, perhaps Malaysia did, but certainly new area of cooperation was contemplated by both sides. India-Malaysia defense ties have steadily grown over the year from military training to include supply of defense equipment and enhanced security dialogue. The visit of the Malaysian Defense Minister in March 1992, preceded by the visit of the Indian Naval Chief in February, was mission undertaken to develop a defense relationship. The defense ties were further boosted by the visit of Indian Defense Minister at the time, Sharad Panwar, in January-February 1993. During their visit, both countries signed on MoU on defense cooperation which seeks to widen the scope of bilateral cooperation to include joint ventures, joint development project, joint research, procurement and logistical and maintenance support¹⁶. The signing of MOU led to the creation of the Malaysia-Indian Defense committee (MIDCOM), jointly chaired by the two defense secretaries focusing on the training of Malaysian military personnel in India. The last MIDCOM meeting was held at New Delhi in June 2013. During the last few years, numerous high level visits have been exchanged between the two countries: These visits from India including Shri N.N. Vohra, former Defence Secretary (March 2000), Chief of Air Staff, Air Chief Marshal A.Y. Tipnis (March 2001); Deputy Chief of Army Lt. Gen. P.P.S Bhandari (April 2004), Admiral Arun Parakash (July 2005) along with five naval ships including the Aircraft Carrier INS Virat on a Goodwill visit. Defense Minister of India, Shri A.K. Antony, Undertook a very successful visit to Malaysia in Jan 2008. This visit was closely followed by the official visits of the Indian Chairman Chief of Staff Committee, Chief of Army Staff and Chief of Air Staff to Malaysia and from Malaysia, the Chief of Air Staff and Chief of Defense forces to India. More recent visits include the Indian Chief of Air Staff's visit to Malaysia in February 2012, the Malaysian Chief of Army and Chief of Naval visited to India in April 2012 and the Indian Chief of Naval Staff visited of Malaysia in September 2013¹⁷.

India's defense diplomacy towards Malaysia focuses on developing an integral defense relationship through joint military exercise, training of defense personnel and trade in military equipment. India has also offered to train Malaysian defense personnel on Sukhoi fighter planes and Scorpene submarines, and two Indian naval ships INS Delhi and INS Kora participated in Langkawi International Maritime and Aerospace Exhibition-LIMA-03 in Malaysia. Malaysia also regularly sends high level delegation to the DEFEXPO, and Aerospace Expositions shown in India¹⁸. India and Malaysia are also participating in the MILAN naval exercise along with Bangladesh, Sri Lanka, Indonesia, Singapore and Thailand. India is also participating in the Cooperative Mechanism on the straits of Malacca and Singapore (SOMS) and contributed to the two of the six IMO projects (Project 1 and Project 4) for enhancement of navigational safety and environmental protection in the straits¹⁹. In May 2008 and June 2010, vessels from both navies conducted live firing and anti- piracy exercise in the Malacca strait, demonstrating their mutual interest in keeping the vital strait safe. During the visit of Prime Minister Man Mohan Singh to Malaysia in October 2010, both countries agreed to enhance their cooperative security relationship including cooperation in

counter- terrorism, the establishment of a JWG and the Indian defense industry's participation in the soon-to-be established Malaysia Defence and Security Park²⁰.

Moreover India-Malaysia cooperation is also growing in the area of science and technology. Indian biotech companies increasingly looking at making investment in Malaysia. Malaysia is positioning itself as a cost competitive country and a regional hub for global biotech companies. A bilateral agreement on cooperation in the field of Science and Technology was signed in Sept 1998. India-Malaysia Joint S&T Committee was established in 2001. This committee provides in institutional mechanism for coordinating India-Malaysia S&T Cooperation works under the chairmanship of Secretary, Dept. of Science and Technology and Environment in the Malaysian Government. In Dec 2004 during the visit of Malaysia PM Badawi, an Agreement was signed between Antrix Cooperation Limited, the commercial arm of the Indian Space Research Organization (ISRO) and MEASAT Global Bhd to form a joint venture company to pool their satellite capacities in a major move to develop a satellite neighborhood for millions of broadcasting and telecommunication customers across the wider Asia Pacific Region²¹.

Besides these, education and tourism are integral parts of India-Malaysia multi-faceted relationship. An estimated 3000 Malaysian students are currently studying in India, while about 1500 Indian students are studying in Malaysia. A MoU for cooperation in the field of Higher Education was signed on 20th January 2010 during Prime Minister Dato' Shri Najib visit to India. India Offers about 30 slots under ITEC and under the Colombo Plan, India sponsors training courses to Malaysia, especially for those working in the government related sectors²².

There are of course, some potential bottlenecks as far as the relations between India and Malaysia. Malaysia is a multiethnic, multi -religious society and Islam is the official religion of Malaysia. Malaysia has a strong presence of ethnic Indians. Indians constituting about 8 percent of its population have been a determining factor in Indo-Malaysia relations. Under the British policy of indenture labour, Indians were forcibly moved to Malaysia for working as plantation laborers. As the years progressed, they integrated themselves with the society and culture of Malaysia while retaining their language and religion. But the Indian community has not the same right as the Malaysian have. This problem was raised by the Hindu Rights Action Force (HINDRAF). This organization was cursed cruelly by the Malaysian Government. This action of Malaysia was reacted by the Indian Public and government which led to have disputes between both the countries²³. In fact, this aspect of hatred form "Indians" and "India" was also reflected when some Indian IT professional working in Malaysia's Multimedia Super Corridor project were harassed and charged as illegal migrant. Following the strong protest by the Indian government over the issue, the Malaysian authority conveyed its apology and promised its non-repetition.

Recently the Malaysian government in its move to develop infra structure targeted some Hindu temples as illegal buildings lacking registration. The demolition of these temples has led to an increase in religious tension in Malaysia²⁴. Another reason for worry for India could be the fact that while the people of Indian origin in Malaysia constitute about 9 percent of the population, they own only 1 percent of the national wealth and hence the political and business leader of Indian origin have no clout to make things favorable for India. On the issue of the reduction of imports tariffs, Malaysia has been taking a rather hard-line stance and has

been asking for the reduction of tariff without any firm commitment on its part. Problems with Palm oil issue will continue to plague bilateral relations because of its importance as a main revenue earner for Malaysia and how domestic Indian Politics are connected to their issue²⁵.

Despite having such domestic problematic political issues, India-Malaysia relations hold ample potential for successful future. Both have realized the reality of a complex interdependent world where it is irrational to impede cooperation in areas of mutual interest due to clash of interest in other areas. As things stand, it is evident that both India and Malaysia are keen to establish a strong relationship with a long term emphasis on greater cooperation and integration apart from the strengthening of economic and strategic ties. The rapidly growing Malaysian economy cannot bear the cost of isolation itself from India²⁶. Coupled with India's stable democratic political system, huge middle class population, immense military presence in South Asia, rising economic fortune and global ambition, make it a potential power that could play a very important role in world affairs. Because of it, leaving all its previous hesitant approach, Malaysia is changing its attitude towards India, for instance, Malaysia is providing the facility of 'Calling Visa' to Indian Workers. In the same way, India is also knocking at Malaysia's door because it is a fast developing economy with natural resources that has set its sights on joining the ranks of the developed by 2020, and partly because its ties with Kuala Lumpur will hopefully open others door too.

In pursuance of its Look East policy, India has initiated a multi pronged approach to develop cooperation with Malaysia. Still there are many areas in which both can help each other and be partner in their progress. At present, balance of trade is heavily in favour Malaysia. India can identify the commodities which can find market in Malaysia. Effective mechanism can be created through mutual agreement to regularize the flow of India white collar workers especially in the IT, bio-technology and service sectors. As both are the common members of various fora such as the NAM, the G-15, the G-77, the WTO, ARF, EAS, IORAC etc, could work together towards developing a common agenda at these forums and strengthen them. There is an ample scope to grow their relationship in the security paradigm in the Persian Gulf and the Strait of Malacca. There is a need for greater interaction between the two in the areas of non-traditional security (NTS) threats such as, food insecurity, human and drugs trafficking, terrorism, piracy, disaster management etc, as well as in the area of sea monitoring. Vulnerability of these threats can be mitigated through adaptive responses of which cooperative action in a key plank. Such actions need to be conceptualized around NTS issues as development challenges to ensure positive sum thinking and right priorities. Responses require moving away from traditional thinking of sovereign states and boundaries and engaging more with cross border consultative, transnational and pluralist approach.

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INDIA INDONESIA RELATIONS AFTER COLD WAR

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ABSTRACT

21st century is inevitably the Asian century and India, Indonesia and Southeast Asian countries are destined to play a major role in ensuring peace, stability and prosperity for humanity. This has long been an untapped relationship, somehow lost in the vagaries of time. But now the time seems right to reconnect and bolster relations, more so in view of the increase in China's power. India and Indonesia have entered into Agreement for Promotion and Protection of Investment in 1999, and Double Taxation Avoidance Agreement (DTAA) in 2012. During 2009-10 bilateral trade between the two was 11.7 billion according to data released by the Ministry of Commerce and Industry which is evident from Table 1. India and Indonesia are targeting bilateral trade worth US\$ 20 billion by 2020.

Kew Words: Foreign Policy, LEP, ASEAN, DTAA, EAS.

The Importance of Indonesia in India's foreign policy and strategic calculations needs to be located within the broader context of India's Look East Policy (LEP), which guides its interactions with Association of Southeast Asian Nations (ASEAN), our relations with Indonesia form an important component of that policy. Indonesia is the world's 13th largest economy measured by GDP on a purchasing power parity basis, and is on an upswing economically given its position as a major player in global energy, minerals and food. Relatively unscathed by the global financial crisis, Indonesia's economy is projected to grow at a healthy 6.1 per cent in 2010 and at 6.3 per cent in 2011 - one of the fastest in Asia (and the world). What is more, its per capita GDP is projected to increase by almost 20 per cent in the next two years. Since 2009, Indonesia has had Asia's second-best-performing stock market. It now is a US\$ 550 billion economy that is on an upward trajectory. As Indonesia will assume the chair of ASEAN in 2011 and will welcome the U.S. and Russia for the first time to the East Asian Summit (EAS) or ASEAN plus 8, it will play a critical role in shaping the discourse and agenda of the region. All of the above factors indicate the growing strategic and diplomatic importance of Indonesia in Southeast Asia, making the country of greater interest to India than ever before. The most fitting manifestation of Indonesia's special place to India was the welcome of President Sukarno as the chief guest on our very first Republic Day in 1950 and it is no wonder that the same honour has been extended to President Susilo Bambang Yudhoyono to mark the 60th anniversary of India-Indonesia relations.

Political, economic and strategic factors in the post-Cold War period call for expanded co-operation between India and Indonesia. It is essential that all-round ties

be steadily strengthened and expanded so that both emerge stronger not only to face the new challenges in the areas of security, politics and economics, but also the problems emanating from deep asymmetry of power in the international system. The 21st century is inevitably the Asian century and, India, Indonesia and Southeast Asian countries are destined to play a major role in ensuring peace, stability and prosperity for humanity. This has long been an untapped relationship, somehow lost in the vagaries of time. But now the time seems right to reconnect and bolster relations, more so in view of the increase in China's power. The NSP has marked the beginning of extensive relations between Asia's two largest democracies. Indonesian strategic thinkers have recently been inclined to look beyond ASEAN and are in favour of a regional architecture in which major nations of the Asia Pacific region and beyond are represented. In such a grouping, Indonesia, as the fulcrum of Southeast Asia, could be a valuable interlocutor in India's interactions with Southeast and East Asia.

India-Indonesia relations have passed through ups and downs and have been characterized by both friendship and indifference. India provided both emotional and material support during Indonesia's independence struggle. India and Indonesia worked together to spread the message of freedom among all oppressed peoples of the world as co-sponsors of the Bandung Conference of 1955. Our founding leaders, Sukarno and Nehru shared the same values of independence, freedom and non-alignment and later translated those ideals into the first Afro-Asian Conference at Bandung. With the end of the Cold War and India's Look East Policy from the early 1990s, perceptions of each other changed dramatically.

Indian Minister of External Affairs visited Indonesia in July 1996 to attend the ASEAN Regional Forum (ARF) and ASEAN-PMC meetings in Jakarta where India was formally admitted as member of the ARF and Full Dialogue Partner of ASEAN. Chief of Naval Staff attended the inauguration of the Indonesia Air Show held in Jakarta on 20 June 1996. During the World Food Summit held in Rome, Prime Minister had a meeting with the Indonesian President on 16 November 1996. The two leaders discussed means to build and expand bilateral relations and the need to strengthen India's relations with ASEAN. The holding of an exclusive Indian Trade Exhibition in Jakarta in March 1996 coincided with the meeting of the Joint Business Council. Indonesian President, Megawati Sukarnopurti visited India in April 2002. During her visit President, K R Narayanan, at a ceremony held to honour the visiting dignitary said, "ASEAN-India relations can mature only when India has the goodwill and co-operation of ASEAN's largest member-country." During Indonesian Trade Minister Marie Elka Pengastu's visit to India in August 2005 the two countries decided to set up a joint study group to examine the possibility of a Comprehensive Economic Partnership Agreement. In October 2005 Top officials of India and Indonesia met in Yogyakarta under the, Joint Consultative Forum, India was represented by Secretary (East) in the Ministry of External Affairs Rajiv Sikri,

Ambassador to Indonesia H. K. Singh and Joint Secretary Biren Nanda. The Indonesian team was led by Herijanto Soeprapto, Director-General (Asia Pacific and Africa), and ambassador to India, Donnilo Anwar. Forum expressed satisfaction at the state of bilateral relations.

Prime Minister Manmohan Singh also led a high level delegation to the Asian-African Summit (AAS) in Jakarta in April 2005. To further improve relations with a superpower in information technology and world's fourth largest modern economy' President Yudhoyono visited Bangalore, Agra and New Delhi in November 2005 and agreed to establish a "strategic partnership" to open a new chapter in bilateral relations. The New Strategic Partnership (NSP) is designed to address the long term interests of both countries, through closer diplomatic coordination, stronger defence relations, enhanced economic relations especially in trade and investment, greater technological cooperation, intensified cultural ties, educational linkages and people to people contacts. By working together and drawing upon each other's strengths, it is hoped that the NSP will enable India and Indonesia to contribute to regional and global peace, prosperity and stability. The NSP is based on the recognition that "as the world's largest democracies, and as independent-minded nations with a long tradition of internationalism, the combined voice of Indonesia and India can make a difference in international affairs." Indonesia strongly supported India's participation in the first East Asian summit (EAS), which was held in Kuala Lumpur in December 2005 as a means of balancing China's influence. Indonesia, for example, avoided aligning with China while retaining friendly ties with other powers such as the US - a classic "hedging" strategy. The participation of India, Australia and New Zealand was seen as ensuring that ASEAN remained the core of any emerging East Asian community.

In the contemporary period, relations between the two countries have come perceptibly closer. There has been a regular exchange of high level visits with Presidents Wahid (2000), Megawati (2002) and Yudhoyono (2005) paying State Visits to India and with return visits from Prime Minister, Dr. Manmohan Singh who attended the Golden Jubilee commemoration of the Bandung Conference in April 2005. India was among the first countries to provide assistance amounting to US\$ 1 million in relief supplies to Indonesia following the Tsunami disaster. India also donated US\$ 2 million in relief assistance following the major earthquake in Northern Sumatra on 28 March, 2005. Two Indian Air Force IL-76 aircraft airlifted the relief supplies to Medan (North Sumatra) on 21st April 2005. India delivered US\$ 2 million worth of relief assistance to Indonesia after the earthquake in Java in May, 2006. A medical team from the Indian Navy also engaged in relief work in the affected area after these disasters. In June 2007, during the India-Indonesia Joint Commission Meeting at Jakarta, the Foreign Ministers of the two countries concluded an Action Plan to infuse the partnership with greater content and vigour. President Patil had paid a state visit to Indonesia in December 2008. There has also been a regular

exchange of Ministerial visits and an active Joint Commission process co-chaired by the Foreign Ministers of the two countries. Dr Singh and Mr Yudhoyono have been regularly meeting on the margins of international fora, and their last structured meeting was on the margins of the ASEAN Summit in Thailand in November 2009. We have active cultural exchanges between the two countries. The focal points for this exchange are the two Indian Cultural Centres established in Jakarta and Bali. The Cultural Centres organized a 'Festival of India' in Indonesia in the period October to December 2009. Indonesian President Susilo Bambang Yudhoyono will pay a three-day state visit to India from January 24 to 26 2011 which is expected to take the new strategic relationship between the two countries to a higher plane. Mr. Yudhoyono was Chief Guest at the country's Republic Day celebrations, reflecting the importance India attaches to the relationship. He was the first Head of State or Government to pay an official or state visit to India in 2011. Indonesian President hold delegation-level talks with Prime Minister Manmohan Singh, followed by the signing of agreements between the two sides. The discussions between the two leaders are expected to cover various bilateral, regional and international issues. Mr. Yudhoyono attended a Business Summit organised by the Confederation of Indian Industry (CII), Associated Chambers of Commerce and Industry and the Federation of Indian Chambers of Commerce and Industry in which leading Indian businessmen and industrialists and their Indonesian counterparts will participate.

India and Indonesia can cooperate in the field of higher education. While answering questions from the editors of *Jakarta Post* Prime Minister Manmohan Singh's during his visit to Indonesia in April 2005 for the commemoration of the Bandung Conference - declared that India intended to stay engaged by sharing experiences - "gained from our own development process with nations in Asia". To quote Singh: "Human resource development holds the key to employment and wealth creation, particularly in this age of globalisation. This has been our strategy and we have laid particular emphasis on training and skills development as we globalise. We have extended technical assistance valued at about US\$ 1 billion. We stand ready to do more." Undoubtedly Indonesia has been one of the prominent beneficiaries of India's technical cooperation programmes meant for fellow developing countries. Around 1000 Indonesian experts as well as officials received training in India under India Technical and Economic cooperation (ITEC). India offered more than 1100 scholarships to Indonesian students to study at Indian universities. In 2005 India opened a US\$ 750,000 Vocational Training Centre in Aceh followed by another one more recently. But there is greater potential for India-Indonesia cooperation in education, which will be of benefit to both the countries. To promote people to people contacts, it is time that Indian and Indonesia universities establish academic programmes involving exchange of teachers, and joint research projects of common interest. There is also an urgent need for regular Track-II dialogue on both bilateral and regional issues between the think tanks of the two countries. One major factor standing in the way of improved relations between the two countries is the lack of

knowledge of each other's society, politics, economy and strategic imperatives. Regular dialogues between civil societies, religious groups, academics and intelligence communities of the two countries will remove misperceptions and ignorance about each other and help foster empathy in each other's concerns and stakes. One of the important reasons for the Asian economic crisis of the late '90s was that while there had been a shift in the production process, there was no commensurate development in higher education in most Asian NICs to keep pace with such shift. India has a lead in information technology and our IITs and IIMs have a very high reputation in those countries. Many Indonesians have expressed a desire not only to come and study in those institutions, but also to have these institutions to set up campuses in Indonesia. There are Indonesian businessmen of Indian origin who would only be too glad to raise the money for these institutions. What they want is the brand name and some experienced back up faculty from India. Till that is done, India should open the doors of our premier institutions, like the IITs, IIMs, Delhi School of Economics and universities like JNU by reserving a few seats exclusively for them. The dividend from such a policy will be enormous, as the products of these institutions would eventually emerge as critical elites in decision-making in Indonesian government and corporate life, and India will surely strike a familiar chord for them. Under the I-Tech programme, India has trained a number of Indonesian engineers and technicians at the Roorkee Engineering College. Then there are others who have done their higher studies, including PhDs in Indian universities and have high regard for the Indian educational system. The Indian embassy and other the cultural and commercial centres in Indonesia need to keep track of the people who have been beneficiaries of Indian education and training, cultivate them so that they could form the critical mass and constituency to speak for India in Indonesia.

The agreement on scientific and technical cooperation was signed in 1982. The agreement provided the basis for cooperation between India and Indonesia in the field of science and technology, but no notable progress was made for a long time, except in the field of remote sensing. The cooperation between the Indian Space Research Organisation (ISRO) and its Indonesian counterpart LAPAN has made considerable progress since the two organisations began cooperating in the early 1990s. In 1998, Indonesia agreed to set up a Telemetry Tracking Command and Network (TTC) ground station in Biak in Papua province for satellites and geostationary launch vehicles. India is building a second \$ 900,000 ground station, that is bigger than the previous one, in Biak. In January 2003, during the visit of Prime Minister Vajpayee, a MoU for cooperation in the field of science and technology was signed under which a joint committee has been established. The areas of cooperation identified under the MoU are biotechnology, renewable energy sources, medical sciences, science policy, science popularisation, information technology, agriculture and marine science. After a gap of 25 years, India organised

an 'Indiatech 2005' in March 2005 in Jakarta to promote its engineering products in Indonesia.

Prime Minister Dr. Manmohan Singh visited Indonesia on October 10-12, 2013. During the visit, he had wide ranging discussions with President Yudhoyono both at restricted and extended level. Both leaders reviewed progress in bilateral relations since the elevation of the bilateral relationship to the strategic level and also exchanged views on regional and international issues such as global financial crisis, ASEAN, EAS, G-20 etc. Following MoUs were signed during the visit.

- MoU on Combating Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and its precursor
- MoU on Cooperation in the field of Disaster Management
- MoU on Health Cooperation
- MoU for International Cooperation on Combating Corruption
- MoU on Technical Cooperation in the area of Capacity Building of Public Officials between Lal Bahadur Shastri National Academy of Admin & National Institute of Public Administration of Indonesia.
- MoU on Cooperation between ICWA of Indonesia and ICWA of India

Both leaders agreed to adopt a five-pronged initiative for strengthening the Strategic Partnership with the objective of taking the robust, multifaceted cooperation to even greater heights in areas of Strategic Engagement, Defence and Security Cooperation, Comprehensive Economic Partnership, Cultural and People-to-People Links and Cooperation in Responding to Common Challenges. India and Indonesia have entered into Agreement for Promotion and Protection of Investment in 1999, and Double Taxation Avoidance Agreement (DTAA) in 2012.

Yet another area that can promote India's soft power in Southeast Asia in general and Indonesia in particular, is its culture. India's comprehensive engagement with the Southeast Asian region started with the 'Look East Policy; flagged off in 1991. However, historical evidence - both oral and written - shows that India has not only been 'Looking East' for the past two millennia, but has also engaged the east during this period, though intermittently. Cultural interactions along with trade ties have formed the bedrock of this connection. However, in the past two decades, India has not adequately leveraged the culture factor in its interaction with the countries of the region; which together, form the Association of Southeast Asian Nations (ASEAN). Although India has had robust cultural connections with these countries in the past, this connection was particularly pronounced in the case of Indonesia. Signifying the ancient cultural relations India and Indonesia signed a Cultural Agreement as early as 1955, which has acted as the central guideline for bilateral cultural interaction.

The Indian Council of Cultural Relations also provided an institutional support system for cooperation in human resources development through its education programmes and scholarships including the General Cultural Scholarship Scheme. Further, in 1989, the Indian government set up the Jawaharlal Nehru Indian Culture Centre in Jakarta. In November 2005, the two countries agreed to establish the

Indonesia-India Friendship Association, facilitating people-to-people cultural linkages.

The cultural agreement has been updated regularly through the cultural exchange programme (CEP), which has facilitated inter-institutional linkages and collaborative programmes between the two countries. Much of the cultural activities are either sponsored or undertaken by the Indian Council for Cultural Relations (ICCR), which oversees India's cultural relations with other countries. India now has an active cultural exchange programme with Indonesia. The focal points for this exchange are the two Indian cultural centres established in Jakarta and Bali. The embassy of India organised a Festival of India in Indonesia in 2009 that included 48 performances in seven cities of Indonesia, a food festival, an art exhibition and a fashion show. A seminar was organized by ICCR in Jakarta and Yogyakarta in early October 2010 on India's historical and civilisational Links with Southeast Asia.

There is an active cultural exchange between the two countries. The Cultural Exchange Programme (CEP) for the period 2011-2014 was signed in January 2011 during the visit of the Indonesian President to India. A MoU has been signed between ICCR and the University GadjahMada in February 2012 to set up a Rotational Chair on Indian studies. A chair on Indian studies has also been set up in Mahendradatta University, Bali. People-to-people contact was further strengthened through an active cultural exchange between the two countries, via the focal points at the Indian Cultural Centres in Jakarta and Bali. Several events have been organised in Indonesian provinces to enhance India's visibility in these regions and facilitating business contacts. Slice of India events have been held in universities across Indonesia to showcase Indian culture. A series of events were organised in Yogyakarta, Manado and Bali in October/November 2012 as a part of the India-ASEAN Commemorative event. Renowned Kathak exponent Ms Malti Shyam performed in several cities in October/November 2012, including in Jakarta, Bali and Manado. A Manipuri dance troupe performed at the car rally flag off ceremony at Yogyakarta and in Solo on 26 November 2012. The bust of Rabindranath Tagore was installed at the Borobudur temple in Yogyakarta on 26 November 2012.

To enhance people-to-people contact, India Cultural Forum was inaugurated on 15 August 2012 bringing together all India focused socio-cultural groups in Indonesia on one platform. The Overseas Indian Facilitation Centre Engagement Meet was held in Medan and Jakarta on 16 & 18 July respectively. However, there is still a lot to be done to promote India's cultural linkages with Indonesia. By virtue of being the biggest country in the region and a growing economy, Indonesia deserves to be accorded special importance.

With an expanding economy and increasingly favorable investment climate, Indonesia stands as a key economic entity in the ASEAN region. Its abundance of natural resources and a flourishing manufacturing sector have ensured a successful relationship with the booming Indian economy in areas of trade and investment. Though trade relations were formalized with the signing of a Trade Agreement in 1978, there was an absence of a forum for periodic talks between the two countries. The bilateral effort was revitalized with the first ever India-Indonesia Joint Commission Meeting (JCM) held in Yogyakarta in September 2003. The meeting

resulted in the formation of an India-Indonesia Expert Working group with the primary objective of enhancing and diversifying bilateral trade and investment relations. So far, the JCM has met thrice with the most recent meeting in 2007, producing a comprehensive "Plan of Action" in areas comprising trade, infrastructure, and investment. This underlines the increasing political support for the bilateral process which would provide the much-needed political impetus to deepen economic relations between the two countries.

Indonesia is our third largest trading partner in the ASEAN. Bilateral trade was US\$ 11.7 billion in 2009-10. India is Indonesia's largest buyer of Crude Palm Oil (CPO) and an importer of its minerals (particularly coal and copper ore). A number of high profile commercial events have been held in Indonesia to give a boost to bilateral Trade and Investment relations between the two countries. These include the 'Made in India' Trade Exhibition organized by CII in Jakarta in August 2009, the India Invest Seminar and B2B Event held in cooperation with the India Chamber of Commerce on October 22, 2009 in Jakarta and the INDEE 2009 – the Indian Engineering Exhibition organized by the EEPC in Jakarta in December 2009.

Indonesia's trade with India amounted to US\$ 6.21 billion in 2006-07, marking a growth of over 44 per cent from US\$ 4.3 billion in 2005-06. For a number of years, Indian state-owned trading companies, STC and MMTC have been active traders in Indonesia, doing business in commodities such as tin and crude palm oil, and a host of agricultural products such as oil meals, groundnut and agro-chemicals. Bilateral trade between India and Indonesia was US\$ 9.3 billion in 2008-09, an increase of 32.08 per cent over US\$ 6.21 billion in 2007-08. During 2009-10 bilateral trade between the two was 11.7 billion according to data released by the Ministry of Commerce and Industry which is evident from Table 1. India and Indonesia are targeting bilateral trade worth US\$ 20 billion by 2020.

Table - 1
India-Indonesia Bilateral Trade

(Value in US \$ Million)

YEAR	2005-06	2006-07	2007-08	2008-09	2009-10
EXPORT	1,380.20	2,032.96	2,164.17	2,559.82	3,063.36
% GROWTH		47.29	6.45	18.28	19.67
% Share	1.34	1.61	1.33	1.38	1.71
IMPORT	3,008.11	4,181.96	4,821.25	6,666.34	8,656.66
% GROWTH		39.02	15.29	38.27	29.86
% Share	2.02	2.25	1.92	2.2	3
TOTAL TRADE	4,388.31	6,214.92	6,985.42	9,226.17	11,720.03
% GROWTH		41.62	12.4	32.08	27.03
% Share	1.74	1.99	1.68	1.89	2.51

Source: Ministry of Commerce, December, 2010, Export-Import Databank, Ministry of Commerce

According to data released by Ministry of Commerce in December 2010 India's Major items of Exports to Indonesia are:

- Mineral Fuels, Mineral Oils and Products of their Distillation;
- Bituminous Substances; Mineral Waxes; Organic Chemicals
- Miscellaneous Goods.
- Ships, Boats and Floating Structures.
- Electrical Machinery and Equipment and Parts Thereof;
- Sound Recorders and Reproducers, Television Image and Sound Recorders and Reproducers and Parts.
- Iron And Steel
- Nuclear Reactors, Boilers, Machinery and Mechanical Appliances; Parts thereof.
- Oil Seeds; Misc. Grains, Seeds and Fruit; Industrial or Medicinal Plants; Straw and Fodder.
- Residues and Waste From the Food Industries; Prepared Animal Fodder.
- Cotton

According to data released by Ministry of Commerce in December 2010 India's Major items of Imports from Indonesia are:

- Animal or Vegetable Fats and Oils and their Cleavage Products; Pre. Edible Fats; Animal or Vegetable Waxes.
- Mineral Fuels, Mineral Oils and Products of their Distillation; Bituminous Substances; Mineral Waxes.
- Ores, Slag and Ash.
- Organic Chemicals
- Rubber and Articles Thereof.
- Ships, Boats and Floating Structures.
- Miscellaneous Chemical Products.
- Pulp of Wood or Other Fibrous Cellulosic Material; Waste and Scrap of Paper or Paperboard.
- Electrical Machinery and Equipment and Parts Thereof; Sound Recorders and Reproducers, Television Image and Sound Recorders And Reproducers, and Parts.
- Nuclear Reactors, Boilers, Machinery and Mechanical Appliances; Parts Thereof

Dr. Man Mohan Singh, Prime Minister of India and Dr. H. Susilo Bambang Yudhoyono, President of Indonesia, inked a bilateral strategic partnership agreement in November 2005. As part of the agreement, the two sides agreed to increase

bilateral trade up to \$10 billion by 2010. Total trade in 2010 surpassed this target, touching \$12 billion; up from \$4 billion in 2005. The two leaders also signed a MoU to set up a joint study group (JSG) to examine the feasibility of a comprehensive economic cooperation agreement (CECA) between the two countries. In order to fully realise the trade potential, India and Indonesia have pledged to increase the volume of trade to the \$20 billion mark by 2015. This is working as the driving force behind the accelerated negotiations on CECA and is likely to create mutually assuring tariff reduction timelines and increased cooperation in the services sector.

Because of India's growing security engagement with ASEAN bilateral defence cooperation between India and Indonesia improved. India and Indonesia are also engaged in addressing the non-traditional security challenges facing the region such as terrorism and maritime piracy. India and Indonesia signed a defence cooperation agreement in 2001. India has been supplying defence equipment, especially to the Indonesian navy. Indonesia has shown keenness to import items such as batteries for torpedoes, engines for *Parchim*-class corvettes as well as seeking repair facilities for Type 209 submarines. Both countries signed a Memorandum of Understanding on defence cooperation in 1995 which focused on supplies, technologies, joint production and joint projects. However it is yet to be ratified by the Indonesian parliament. During the visit of the Indonesian President, Susilo Bambang Yudhoyono in November 2005, the two countries agreed to hold an annual senior officer level strategic dialogue, with the first meeting to be held in the first half of 2006. A MoU on cooperation between the countries' diplomatic training institutes has also been signed. India has been providing training to Indonesian military officers under the ITECI programme. In July 2004, India and Indonesia signed a Memorandum of Understanding for combating international terrorism, which provided for the formation of a Joint Working Group (JWG) on counter terrorism. The JWG held its first meeting in New Delhi in February 2005 and agreed to strengthen bilateral cooperation in combating terrorism and other transnational crimes and in maritime security through exchange of information and intelligence, capacity building and legal cooperation. Naval cooperation has increased markedly with Indonesian and Indian navies holding joint exercises to enhance interoperability. In September 2006, the two navies conducted their first joint patrol to check piracy in the Andaman Sea. During Indian foreign minister Pranab Mukherjee's visit to Indonesia in June 2007, both countries affirmed the need to strengthen bilateral security cooperation. An important area for bilateral cooperation is maritime terrorism and piracy in and around the Malacca Strait. Central to this cooperation have been the visits by Indian navies to Indonesian ports and vice-versa, joint naval exercises and escorting of Indonesian ships in the Andaman Sea. Since 1995, Indonesia, along with Singapore, Thailand and Malaysia, has been participating in 'MILAN' the biennial gathering of navies hosted by India. India has also been conducting search and rescue operations – *Indopura SAREX* – with Indonesia. Since 1997, this bilateral SAREX has been

converted into a multilateral maritime operation that includes Malaysia and Singapore as well. While Indonesia has traditionally been opposed to foreign involvement in the Malacca Strait, they formally requested India for assistance in securing the Strait in March 2009 and have continued coordinated naval patrols - codenamed *Ind-Indo Corpat*- of their shared maritime boundary. The request to India for assistance was made not only because both India and Indonesia have common maritime boundaries but also because both oppose the deployment of American naval assets in the Strait of Malacca.

In the aftermath of 2004 tsunami, India launched *Operation Gambhir* in January 2005 and sent food and medical supplies to Indonesia through its hospital ship *INS Nirupak* and the corvette *INS Khukri*. President Yudhoyono, during his visit to India in November 2005, and the Indonesian Vice President Dr. Jusuf Kalla, during his visit in January 2007, expressed their country's gratitude for India's assistance in tsunami relief operations. Both countries' ties received a further boost when President Bambang was honoured as the chief guest during India's Republic Day celebrations on 26 January 2011, signalling India's intent of developing special relations with Indonesia and the high value it placed on its ties with Indonesia. During his 2011 trip, President Bambang signed trade and investments deals worth US\$15 billion as well as various agreements on extradition, counter-terrorism and closer defence ties between the two countries. India and Indonesia stepped up their defense cooperation in 2012 when defense ministers AK Antony of India and Purnomo Yusgiantoro of Indonesia met and resolved to cooperate on counter-terrorism and maritime security. There are also possibility of expanding the Corpat patrols into full-fledged joint exercises. The Indian and Indonesian armies have conducted joint exercises on counter-terrorism and jungle warfare in the past and continue to cooperate

This signaled the growing consolidation of strategic and security ties between the two most important countries in southern Asia, with potential for tremendous ramifications in the Asia-Pacific region in the coming years.

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BLATANT VIOLATION OF HUMAN RIGHTS

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ABSTRACT

Millions of people around the world are fighting for their rights and freedoms. In India a large number of democracies where even not a single day passes without papers reporting on violation of Human Right. There is strong need to emphasis on the protection of rights of women, children, and refugees people. It must be duty of every State to build an environment where respect for human right be expected. It is up to each and every one of us from Presidents and Prime Ministers to business executives, farmers and students to work toward this dream.

Key Words : Human Rights, Violation , Women ,Child .

Human Rights are derived from the principle of Natural law. They are neither derived from the social order nor conferred upon the individual by the society. They reside inherently in the individual human beings independent of and even prior to his participation in the society. Consequently, they are the result of recognition by the State but they are logically independent of the legal system for their existence. In India, the last 66 years of independence has been witness to a growing recognition of the place and relevance of human rights. Human Right as the expression goes means certain rights which are considered to be very basic for an individual's full physical, mental and spiritual development. International pressure, both from governments and from organizations such as the Amnesty International, led to the government establishing the NHRC. Sec 2(d) of the protection of the Human Right Act ,1993 defines human right as " the right relating to life , liberty, equality and dignity of the individuals" guaranteed by the constitution or embodied in the international covenants and enforceable by the courts in India. These rights are possessed by all human beings irrespective of their race, caste, nationality, sex, language etc.

The protection of human rights "is essential to the sustainable achievement of the three agreed global priorities of peace, development and democracy."Respect for human rights has therefore become an integral part of international law and foreign policy.

The U.N. Charter Articles 55 and 56 cast a legal obligation on U.N.O to promote respect for and observance of human rights. Several charters, treaties, etc., came into existence for effective enforcement of Human Rights like

- Universal Declaration of Human Rights 1948
- European convention on Human Rights 1950

- European Social Charter 1961
- American Convention on Human rights 1969
- African Charter on Human Rights and Peoples Rights 1981
- Helsinki Declaration 1975
- Geneva “Red Cross” Convention 1949
- International Covenant on Economic, Social and Cultural Rights

Though Indian government is the signatory of many International human rights instrument. Even though violation of human right is continue.

The Declaration is an embodiment of the aspirations of people across the world for ensuring equality, dignity and peaceful coexistence.

Magna Carta of 1215 , Petition of Rights of 1628, Habeas Corpus Act of 1679, Bill of Rights of 1689 are some of such steps taken in England but in practice blatant violation of human rights is apparent. Human rights violation are perpetrated in all parts of the world .The notion of universality attached to it, is also of no help due to the lack of effective implementation machinery.

Human Right Of Women

Female Infanticide: Son preference affects women in many countries, particularly in Asia. Its consequences can be anything from foetal or female infanticide to neglect of the girl child over her brother in terms of such essential needs as nutrition, basic health care and education. Education, class, creed or religion are no guarantee that human rights will be upheld, since even educated and upper middle class communities also resort to female feticides, show up in the skewed sex ratios.

Sexual Harassment : Sexual harassment in the workplace is a growing concern for women. Employers abuse their authority to seek sexual favours from their female co-workers or subordinates, sometimes promising promotions or other forms of career advancement or simply creating an untenable and hostile work environment. Women who refuse to give in to such unwanted sexual advance often run the risk of anything from demotion to dismissal.

Domestic Violence: Physical injury is the most visible form of domestic violence. The scope of physical domestic/intimate partner violence includes slapping, pushing, kicking, biting, hitting, throwing objects, strangling, beating, threatening with any form of weapon, or using a weapon. Worldwide, the percentage of women who suffer serious injuries as a result of physical domestic violence tends to range from 19% - 55%. Physical injuries as a result of domestic violence against women are more obvious than psychological ones, and can be more easily discerned by health professionals as well as courts of law in the context of legal prosecution.

Child Marriage: The phenomenon of child marriage prevails all over the country. A girl child is twice vulnerable for being a child and a girl. Discrimination against them begins even before their birth and continues as they grow. Despite the stringent provision people have no fear

Rape: Rape is most common crimes against women in India. According to 2012 statistics, New Delhi has the highest number of rape-reports. Sources show that rape cases in India have

doubled between 1990 and 2008. According to the National Crime Records Bureau in 2012, 25,000 rape cases were reported across India. Out of these, 24,470 were committed by relative or neighbor. Men accounted to commit 98 per cent of reported rapes. The latest estimates suggest that a new case of rape is reported every 22 minutes in India. The gang rape of a 23-year old students, on 16 December 2012, sparked large protests across the capital Delhi.

Acid Attack: Acid attack is one of the most violent crimes against women. It has been estimated that around a thousand of women suffer acid attack per year in India. Acid attack spoiled whole life of women. The delayed action of our Government and lack of the deserved punishment to the accused, results in such grave and hideous crimes.

Human right of women are violated from birth to death

Women are an important and basic unit of family. She is the creator, the up bringer, preserver and protector of family. Women of India, equal in talent and ability, is an invaluable asset of human resources and she is contributing substantially towards the nation-building. It is immoral and illegal to treat women as unequal. Women's right is human rights. To deny her the political, civil, social economic and cultural rights is gross violation of the Constitution, the supreme law of the land and is also contempt of numerous world human rights declarations, covenants and conventions.

If we go through all the constitutional and legal provisions guaranteeing human right to the people of the country particularly the women, we become co placement and assume that there has been liberation of the masses. But, is that the reality? If we scan the present scenario, what do we find? What is the status of women of the country vis-a-vis the human rights?

It is very strange that a country is progressing and all around awareness is increasing, atrocities against women, rather than declining are on the increase.

The attempt to understand women outside of their biological identities have been far and few. Even though rigid mindsets will not change overnight, concerted efforts and extensive programme on gender sensitization for both sexes need to become the order of day. A majority of women in rural and semirural areas continue to leave life of drudgery collective firewood, fetching water from distant sources. A lot of violence that women encounter on streets, at the work place and with in homes remain unknown or unreported. Society does not allow women to be comfortable

Human Right Of Refugee

British India was divided into two Dominions of India and Pakistan in 1947 under the Independence of India Act, 1947 passed by the British Parliament. According to it, Pakistan came into existence on 14th August, 1947 and the remaining part of the country was declared independent India on 15th August, 1947. The Muslim majority territories in the east of India were known as East Pakistan and such territories in the western part of India were known as West Pakistan. As a matter of fact both the eastern and western parts were declared to be the Dominion of Pakistan. However, the Muslim leaders declared Direct Action against the Hindus in the territories transferred to the Pakistan Dominion, and Hindu were butchered like anything, no more heinous act of genocide could be seen even in Hitler's Nazi Germany, whose leader were prosecuted in Nuremberg Trial and punished to death sentence. Great numbers of Hindus fled to the territories of Dominion of India. But they did not get status of refugees and were designated as displaced persons, even though the Mohammedans who went

from Bihar and some other parts of the country to Western Pakistan deeming a Heaven for them were called and given status of Mujahirs and are still being so called and designated with the intention to repel them back to India.

Refugees are victims of human right violations. Respect for human right is also essential for the protection of refugee in countries where they are integrated locally or re-settled. The United Nations Convention relating to the Status of Refugee, 1951 defines refugees under Art.1(a)(2) as: Any person who owing to the well founded fear of being persecuted for reason of race, religion, nationality, membership of a particular social group or political opinion is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country, or who not having a nationality and being outside the country of his former habitual residence as a result of such event, is unable or, owing to such fear; is unwilling to return to it.

A recent case came up before the Supreme Court as to the Chakma refugees from Bangladesh, in the matter of the National Human Rights Commission v. State of Arunachal Pradesh, where in the Supreme Court has laid down that the State of Arunachal Pradesh was under constitutional obligation to protect and safeguard the life, health and well being of the Chakmas. The Court directed the state to take all measures necessary for ensuring the life and personal liberty of the Chakmas. It may be noted that a large number of Chamka migrants had crossed the Bangladesh borders and entered into the Assam, Tripura, and in Arunachal Pradesh. The Arunachal Pradesh Students Union had launched a movement to expel the Chakmas out of the State. They had also threatened them to resort to violence if they were not expelled.

Human Right Of Children

In India despite Constitutional guarantees of opportunity and civil rights, millions of children face wide-spread deprivation and discrimination on the basis of religion, race, caste, sex and place of birth. We see, hear and read of, children are dying of starvation, while food in our granaries rots and feeds rats. We watch while the female sex ratio dips. Little children, barely able to stand, are married off flouting all laws. Little ones are sacrificed, trafficked and sold; as others are locked, abused, sodomised - the list is endless. And there are all those realities that never make the news. We know this is only the tip of the iceberg, but we choose not to act. Our silence and tolerance not only condones such violation of rights, it also makes us guilty of complicity.

Child Labour: India has more working children than any other nation. child workers employed in hazardous industry, homes and in commercial workplaces, were subjected to ill-treatment. In a landmark judgment the Supreme Court has held that children below the age of 14 years cannot be employed in any hazardous industry, mines or other works and laid down exhaustive guidelines how the state authorities should protect economic, social and humanitarian rights of millions of children, working illegally in public and private sections. The matter was brought before the Court by way of public interest litigation under Art. 32 of the Constitution. He told the court about the plight of the children engaged in Sivakasi Cracker Factories. Though the Constitution provides in Art. 24 that the children should not be subject to exploitation and the law prohibits employment of child labour and it cast a duty on the State to endeavour to provide free and compulsory education to them under Art. 41 yet there are 17 million children working in the organized sector as estimated by the planning commission. According estimates from various non-government sources, the actual number of working

children ranges from 44 million to 100 millions. Despite the Constitutional provisions and various legislative enactments passed by many states which prohibit employment of child labour is a big problem and has remained unsolved, even after 65 years of independence.

Child Trafficking: Child trafficking is one of the most heinous manifestations of violence against children. This is taking on alarming proportions - nationally and internationally. Although, very little reliable data or documentation is available, meetings and consultations across the country have revealed the gravity and the extent of this crime. It is high time we understood and realised that children are trafficked for a number of reasons and this cannot be treated synonymously with prostitution. The absence of this comprehensive understanding and a comprehensive law that addresses all forms of trafficking to back it makes this issue even more critical.

Human society perpetuates itself through the children. The future of the society depends on the quality of its children who determine the social development of today and the shape of the world of tomorrow. The future well being of nation depends on how children grow and develop. Being the blooming flower of garden of the society, it is the duty of the state and every person to protect the right of children which are better for their growth and mental development.

The State is expected to promote the upliftment of the, women and children who constitute such a segment of society need special attention of the state. However, the State seems to be content with performing its limited exercise in enacting some laws for vulnerable sections. Even then the legislation on the subject are passed as a matter of routine work of the law making body. Such legislation do not reflect any genuine interest or concern for these for whom the law is enacted. Such half hearted legislation anarchy however is apparent in the legislation relating to prostitution. The efficacy of the law making , law enforcement body ,as well as, its monitoring and auditing mechanism almost minimal. The enforcement machinery are responsible for the implementation of the law. It is lamented that even the stage of planning the entire area of social legislation and social problems are considered the area o lowest priority. Implementation of the law remains a state monopoly, the commanding nature of the state authority neither tolerable nor make it practicable for anyone to invoke. Community support and participation are necessary for strengthening the enforcement of the legal provision.

At last it can be said that our freedom movement is unfinished until the woman, refugee and child of the country is given their social, economic and cultural rights.

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USING SMART CLASS TEACHING IN IMPROVING THE ACADEMIC ACHIEVEMENT OF EIGHTH CLASS STUDENTS IN ENGLISH

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ABSTRACT

The present study was conducted to evaluate the impact of smart class teaching for a subject like English at school stage. So, the investigators decided to adopt Smart Class Teaching as an innovative tool to teach English to school students in an interesting and effective way. This is an experimental study. Achievement of students in English was treated as dependent variable while instructional treatment (use of Smart Class) was treated as independent variable in this study. Eighty one students of eighth standard were chosen by random sampling technique as a sample for the study out of which forty two students taught through Smart Class formed experimental group (E); thirty nine students taught through conventional method of teaching formed control group (C). Sample of the students were also equated on the basis of socio-economic status and ability in the subject concerned. Achievement test in English developed by the investigators was used to measure the achievement of eighth class students in English. Instructional Material based on Smart Class (Class Transformation System (CTS), Audio-Video Modules, and Smart Assessment System (SAS)) was used to carry out the teaching and learning process for four weeks. t- test was employed to compare the mean achievement scores of two groups (Experimental Group and Control Group). Findings of the study revealed that students instructed through smart class teaching achieved higher score than those instructed through conventional method of teaching.

KeyWords: Smart Class Teaching, Academic Achievement, English, CTS, SAS.

Learning English is a necessity not only for becoming socially integrated into the life of the school and the community at large but also for academic success in school and ultimately for economic survival and well-being in adulthood. English is an international language all over the world. It plays an important role in our life not only because that it helps to communicate with people from other countries but also it helps to know more about other cultures, traditions and habits. English is the most spoken one all around the world. This international language

continues to challenge teachers, researchers, and policy makers. Although English language is arguably the most important factor in students' academic success (Francis, Rivera, Lesaux, Kieffer & Rivera, 2006). It is necessary to improve the quality of textbooks and teaching materials in English for primary schools, secondary general education and higher education in order to develop good communicative skills. The requirements in terms of knowledge of the English are tightening. Now the basic knowledge and skills are not enough. It is preferred for people to master a "strong language." It needs a lot of thinking to be done on the part of the learner and the teacher or the source of learning entrusted with the task of supplying necessary information, skills and likewise things for learning English language.

Technology plays an important role in teaching English language which is an international language and needs to be taught carefully to gain exact way of expression effectively. Technology has entered in each and every aspect of education and making it easier for both students and educators. With the help of the technology, learning a language has become easier and not far away from the students' reach. Schools are increasingly adopting digital teaching solutions to make the class room environment more inclusive and participatory. The integration of ICT tools such as computers, interactive white board (IWB), digital visualizes (also known as document cameras), projectors, audience responses systems and educational content, has transferred classroom for the future. Smart boards and white boards can come forward for providing a proper platform to the learner and teacher in gaining useful experience for the development of essential proficiency in the learning of an international language. Studies have documented that both teachers and students like the technology and the students are more engaged and motivated to learn when whiteboards are employed (Kennewell, Smith, & Miller, 2001). Smart Class teaching provides quite innovative ways to direct students in learning a foreign language and sustain their attention for a longer period and nurture their creativity. Many research studies have noted that use of whiteboards shifts instruction from presentation to interaction and students' focus away from teachers and onto content, making interactive whiteboard lessons more student centered than traditional ones (Glover, Miller, Averis & Door (2007). A smart class teaching is a perfect example of a technology tool that serves as a visualization tool and that allows students to participate in hands-on activities. Boards are clean and attractive tools and a greater motivator for both pupils and teachers.



Fig.1: Interactive White Board Technology

According to Elaziz (2008), IWBs have benefits both for teachers and learners in English to have the opportunity to give clearer and more dynamic presentations, to accommodate different learning styles according to students' needs, to save and print notes made during class time, and to benefit from web-based resources, which in turn can facilitate teachers' own professional development. Mayer and Moreno (2003) presented some specific recommendations for conveying multimedia instructional messages and diminishing the cognitive load. According to the contiguity principle, multimedia messages should present visual and verbal messages contiguously rather than separately because corresponding pictures and words must be collocated in working memory in order to facilitate the construction of referential links between them. Gupta and Chirag (2013) also supported that teaching through multimedia package significantly improves mathematics achievement of 5th graders. In general, these studies suggest that students who are educated in classrooms with smart board not only improve their practices through experimental learning but also are motivated to learn English language effectively.

Although the use of smart class technology is growing rapidly, similar to all other new technological tools, it has become the target of criticism by some researchers. Campbell and Martin (2010) pointed out that when the educators lack training on how to overcome the technical problems related to the use of Smart Boards, the use of the technology becomes both inefficient and time consuming. Another limitation of the board is that the preparation of the materials to be used on the Smart Boards can take a long time; especially when teachers lack basic training on computer skills such as word processing, file navigation, databases or how to use the particular tools relevant to Smart Class teaching. This situation may cause teachers to use the Smart Boards inefficiently. Furthermore, lack of knowledge on how to use this technology may turn into a struggle for teachers, as they may not feel competent and confident while using the board (Schmid, 2009)

While on the other side, students think that when they are allowed to use IWB, their learning can be greatly improved and their learning process can be better facilitated (Levy 2002, Higgins & Smith 2005). Schmid (2009) states that the literature is rich in studies indicating the benefits of IWBs in educational settings for both teachers and learners.

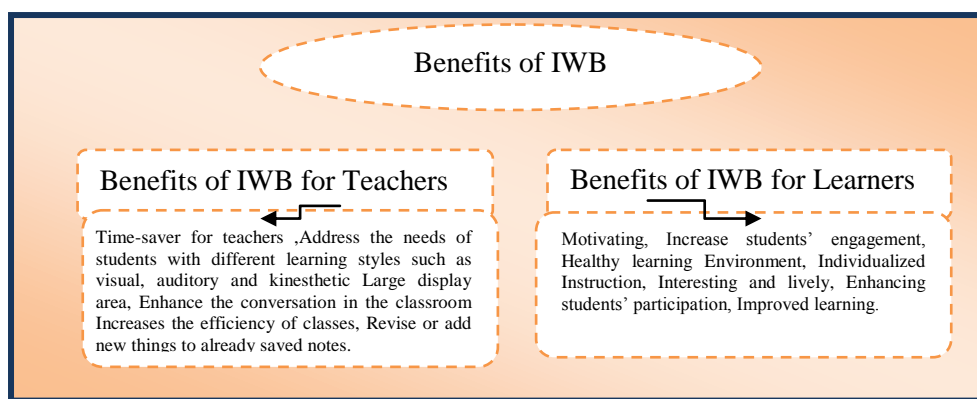


Fig.2: Benefits of IWB

The Benefits of Smart Class Teaching for Teachers

The use of Smart Board offers many opportunities for teachers. "With the help of technology, teachers will be leaders in the transformation of education around the world." Craig R. Barrett Walker (2005) states that their use allows teachers to reach a number of resources in the shortest time possible. Levy (2002) also points out that Smart Class teaching provides teachers with the means to integrate multimedia resources such as written text, video clips, soundtracks and diagrams into their classes. Thus, Smart Class teaching brings variety into the class thereby helping teachers to arrange the classes in ways that address the needs of students with different learning styles such as visual, auditory and kinesthetic (Miller & Glover, 2010).

The Benefits of IWBs for Learners



Fig.3: Students Using Smart Board

Smart Class teaching has a positive impact on students' learning. Students have been found to be more motivated in classes with Smart Boards because the integration of the technology into the classes creates more diversity in the class activities (Walker, 2003). Beeland (2002) surveyed that the board increases students' motivation to manipulate the visuals and texts on the board. As a result, students' engagement and participation are enhanced (Miller & Glover, 2010). That means students' engagement is increased in the classes with Smart Class teaching. Thus, the use of the board encouraged collaboration among students and interaction since the students interacted with each other and the teacher to talk about the tasks assigned them.

Need of the Study

An important progress in computer technology and software has been realized in recent years and use of Smart Class in education has increased and altered considerably the instructional strategies in our educational institutions and changed the way the teachers teach and students learn. The traditional teacher-centered method of teaching used for decades in our educational system has been modified and enhanced. There is nothing which is untouched with the use of

technology. It plays a vital role in all spheres of human activities. Education sector is also not an exception either. Smart Class room is doing a commendable job in almost all subjects, especially in English. Students can have access for all the necessary information in the form of text, pictures and videos on Internet. It is supposed to be used as a tool where and when considered useful. In the realm of English education, there has been a strong link between computer and English. Oguzserin (2011) revealed that there is statistically significant increase in the achievement and problem solving skills of the students in the experimental group that received the computer-based science & technology instruction. These studies proved that ICT could be a potent tool in teaching-learning process of English. Also appropriate educational technologies have the potential to make the English concepts more accessible through visualization and multiple representations and students can be engaged in more powerful learning activities and they are able to perform better in the learning environment that would not be possible without the use of education technology. Also computer based multimedia learning environment consisting of text, graphics, pictures, audio, video and animation offer a potentially powerful venue for improving students' understanding.

Integration of multimedia in education is still far from desired. The use of multimedia in teaching and their integration in the classroom and in the teaching training institutes have remained almost unexplored. A very few studies have been conducted in this direction that too in limited disciplines. Many linked queries and issues have remained unfold. Thus a lot of work is to be done in this direction to answer such problems. Therefore it is significant to conduct a study to evaluate the impact of Smart Class for a subject like English at school stage. Keeping in view, the above factors, the investigators decided to adopt Smart Class teaching as an innovative tool to teach English to school students.

Objectives of the Study

1. To develop an Achievement Test in English for students of class VIII.
2. To compare the mean achievement scores in English of students of Experimental and Control Group to be taught through Smart Class and Conventional Method before the experimental treatment.
3. To compare the mean achievement scores in English of students of Experimental and Conventional Group taught English through Smart Class and Conventional after the experimental treatment.
4. To compare the mean gain achievement scores in English of students of Experimental and Conventional Group taught English through Smart Class and Conventional Method after experiment treatment.

Design of the Study

In the present study, pre-test, post-test control group design has been employed as the study is an experimental in nature. Achievement of students in English was treated as dependent variable while instructional treatment (use of Smart Class) was treated as independent variable in this study. Two groups were formed namely experimental group (E) which was taught English through Smart Class and control group (C) which was taught English through conventional method. The schematic layout of the design has been presented in fig.4 below:

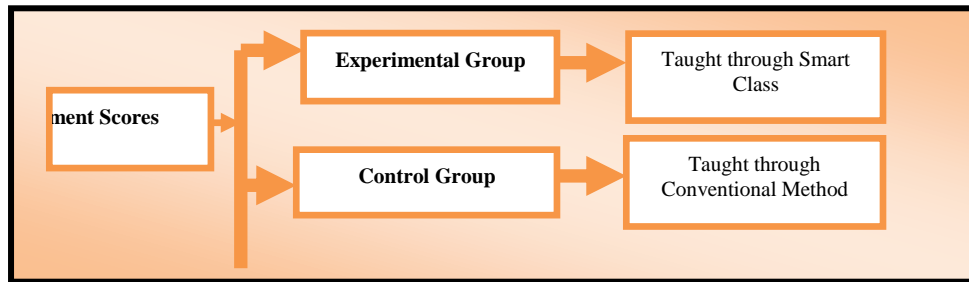


Fig.4: Schematic Layout of the Design

Sample

The sample for the present study was selected through multistage random sampling. The list of all schools affiliated to CBSE Board of Jind was obtained from internet. Then, one school affiliated to CBSE of Jind city was selected randomly for the present study. This school was having seven sections of VIII class. Out of the seven sections, two sections were randomly selected as sample. One section of VIII class containing forty two students of the school was taken as Experimental Group and the other section containing thirty nine students was taken as Control Group. Both groups were also matched on the basis of socio-economic status and ability in the subject concerned.

Tools Used

- Achievement test in English was used to measure the achievement of students in English (self-developed).
- Socio-Economic Scale by Dr. Ashok K. Kalia and Dr. Sudhir Sahu (2010).

Procedure for Data Collection

The design comprised of three phases. In first phase, students were matched manually on their Socio- Economic Status and ability as consulted from their class teacher. All students of two groups were administered Achievement test in English as pre-test. In the second phase students of Experimental Group were taught for four weeks through Smart Class. Instructional Material based on Smart Class (Class Transformation System (CTS), Audio-Video Modules, and Smart Assessment System (SAS)) was used to carry out the teaching and learning process. In the third phase, students of two groups were again administered Achievement Test for English to know the effect of teaching English through Smart Class.

Statistical Techniques Used

Mean, S.D. and t- test was used to compare the achievement scores of two groups (Experimental Group and Control Group).

Results and Interpretation

The present study is an experimental study in nature to study the effect of Smart Class teaching on achievement of eighth class students in English subject. The data obtained from the experiment has been analyzed under the following sub-heads: Analysis of Pre-test Achievement Scores ; Analysis of Post-test Achievement Scores; Analysis of Gain Achievement Scores; Discussion of the Results.

Analysis of Pre-Test Scores

This part of the analysis deals with the comparison of achievement scores in English of the two groups experimental group and control group at pre-test phase. The focus was laid to compare the achievement scores of the two groups of students to be taught through Smart Class teaching and Conventional method before experimental treatment. For this purpose, Mean, S.D. and ‘t’ value were calculated and presented in table-1.

Table-1

Means, S.Ds, and ‘t’ value for the difference between means of Pre-test scores of the Experimental and Control Group of English

Group	N	Mean	S.D.	‘t’ value
Experimental Group	42	23.25	2.91	1.23 (NS)
Control Group	39	22.43	3.12	

NS-Not Significant

It may be observed from the table that ‘t’ value (1.23) for the difference between means of two groups was not found to be significant. It leads to the conclusion that there is no difference in the mean achievement scores of Experimental Group and Control Group at the initial stage. So it may be said that the groups performed equally well on pre-test and their performance was similar before applying Instructional Treatment.

Analysis of Post-Test Achievement Scores

This section deals with the relative effectiveness of Smart Class teaching and conventional method of teaching on achievement in English on experimental group and control group after experimental treatment. This is an important phase in which we came to know the effectiveness of Smart Class teaching on the achievement of students in English who were studying in VIII class. For this purpose Mean, S.D., and ‘t’ value was calculated and presented in Table-2.

Table-2

Means, S.D, and ‘t’ value for the difference between means of Post-test scores of the Experimental and Control Group of English

Group	N	Mean	S.D.	‘t’ value
Experimental Group	42	37.65	1.90	12.8**
Control Group	39	26.75	5.06	

****Significant at 0.01 level**

Table-2 reveals that ‘t’ value (12.8) for the difference between means of post-test scores between experimental group and control group is significant at 0.01. When results were seen in the context of mean scores, it was found that mean achievement scores of experimental group was higher than that of control group. This shows that students taught by Smart Class achieved more than the students taught through conventional method. It can be concluded that Smart Class teaching is more effective than conventional method in raising the achievement level in English. The result is in consonance with the findings revealed by other researchers. Higgins & Smith (2005), Miller, Glover & Averis (2005) concluded that smart class teaching

tends to enhance students’ achievement and enrich their learning experiences than they do under the traditional settings.

Analysis of Gain Achievement Scores

This main emphasis of this section was to compare the gain achievement scores in English of the both groups (experimental group and control group) of eight class graders taught through Smart Class teaching and conventional method of teaching. For this purpose Mean, S.D., and ‘t’ value was calculated and have been placed in Table-3.

Table-3

Mean, S.D, and ‘t’ value for the difference between mean Gain Achievement Scores of the Experimental and Control Group of English

Group	N	Mean	S.D.	‘t’ value
Experimental Group	42	14.35	2.89	13.29**
Control Group	39	4.78	3.65	

****Significant at 0.01 level**

Table-3 reveals that experimental group achieved higher mean gain score than control group on achievement test. It is evident that ‘t’ value (13.29) for the difference between means of gain achievement scores between experimental group and control group is significant at 0.01 level. The subjects exposed to smart class teaching achieved significantly higher mean gain level of achievement in comparison to conventional method of teaching. This leads to the conclusion that smart class teaching method is more effective than conventional method in raising the achievement level in English. Mehra and Thakur (2008) in their study also found that students exposed to smart class teaching yielded better gain in achievement scores as compared to those taught through conventional method of teaching. Pre-test, post-test and gain mean achievement scores have also been presented through pyramids in fig.4.

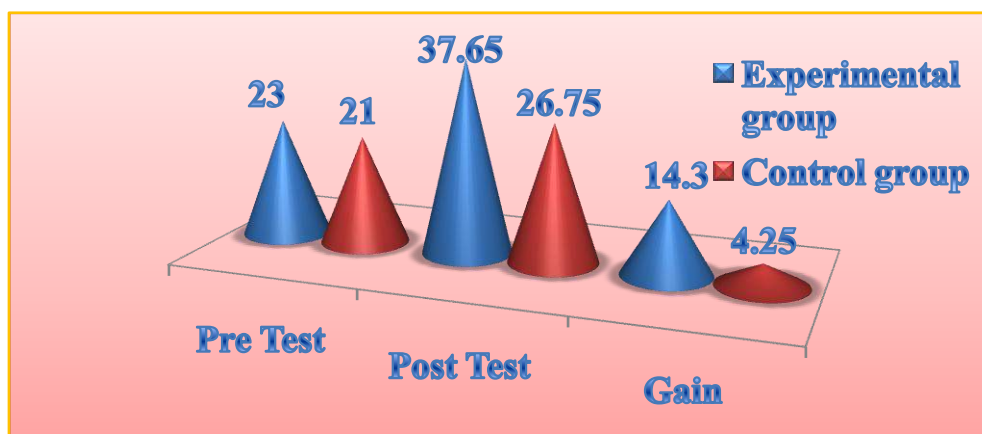


Fig.4: Mean Achievement Scores of two Groups at Pre-test, Post-test and Gain.

The pyramids presented in fig.4 are indicating the pre-test, post test and gain mean achievement scores. When results were seen in the context of mean scores, it was found that

mean achievement scores of experimental group was higher than that of control group in all phases of pre-test, post-test and gain. In the first phase which is pre-test, no difference was found in the mean gain achievement scores of experimental group and control group. So, it may be said that performance of both groups remained equally well before applying instructional treatment. But in the post-test, the height of the pyramid of experimental group indicates that experimental group has scored higher achievement score than the control group. It is apparent that Smart Class teaching method has credibly increased the students' achievement in English which is not possible in traditional method of instructions. The subjects exposed to Smart Class teaching achieved significantly higher mean gain level of achievement. It leads to the conclusion that smart class teaching has an effective influence on the achievement of the students.

Discussion of the Results

In the light of above results, it is clear that experimental group has showed better performance in the achievement test after the commencement of the experiment. The students instructed through Smart Class teaching achieved higher score than those instructed through traditional method under the traditional setting. Hence, it may be inferred that smart class teaching plays an important role in improving the achievement of students in English and was found to be superior to traditional classroom teaching for class VIII students. Experimental group achieved more than the control group. Smart Boards not only improve the learning process, enhance students' achievement but also help students to learn contents quickly. In traditional class rooms instructions are imparted with one side verbal communication between the teacher and students which create monotonous atmosphere in the classroom where digital modules attract the attention of the students and make them excited. This may be the reason that students learn a lot during Smart Class teaching and they get a chance to learn by participating in many digital activities like SAS (Smart Assessment system, MCQs etc.). It has the potential to deliver the content in a better and easier way than traditional methods of teaching. Thus Smart Class teaching is an effective tool in raising the achievement of the students.

Educational Implications

The findings of the present study reveal some important educational implications for teachers, students, teacher educators, curriculum planners and school authorities. In the journal Proceedings of Society for Information Technology & Teacher Education International Conference 2009, J. Elliott (2009) supported the fact that teaching with an interactive whiteboard or Smart Board increases students' engagement, healthy learning Environment and can accommodate learner's needs. There is consensus on the contribution of this tool to three aspects of educational practice: the presentation of information and resources, the power of visualization in the interpretation of concepts and models, the facilitation of interaction and organization of activities with a whole-class focus.

Dedicated teachers are always looking for better ideas to meet the many challenges they face in schools, especially as diversity increases in student population. Efficient use of technology by educators is an essential component of the successful enhancement of student learning in the 21st-century classroom. Smart Class teaching provides teachers with effective ways to respond to diverse students by promoting academic achievement and cross cultured understanding. The great opportunity which Smart Class teaching provides to the teacher is that of making education more individually relevant. Smart Board helps teacher in re-teaching

in case of student don't grasp the concept properly and missed the part due to any reason. "Had a child arrived late to the lesson after the initial introduction, the teacher would still have a copy of what that child had missed." Towlson (2003)

Smart Class has unique importance in the educational system and environment. It has enhanced the way students/teachers work, learn, play and most importantly communicate. Smith (2008) agrees that Smart Class facilitates student engagement. He says that students experience high active engagement due to instructional techniques like student interaction, student to student communication and the use of technology. In short, Educational possibilities enhance when Smart Class teaching is introduced to the students.

Smart Class teaching is an effective mode of teaching because they help the learners to learn in a better manner to have a better understanding of the subject. With the help of Smart Boards pupils gain the satisfaction and confidence of learning by themselves. Levy & Cox (2003) stated that IWB enables learners to be more creative when making presentations thus promotes their self-confidence.

Students can normally progress at their own speed, which is particularly advantageous in mixed ability situation. Thus Gifted are not bored, slow learners are not rushed and shy students are not embarrassed if incorrect answers are given by them. (Cooper and Clark, 2003). In a nutshell, it can be said that smart class teaching can be effectively used in class room situation.

Conclusion

The result of the currently available research presents a predominantly positive picture of the digital boards to enhance lesson phases such as instruction, presentation, brainstorming and debriefing. The interactive whiteboard has been incorporated into learning environments for over a decade and it is proved that interactive white boards are far better than the conventional classes where you need to put more efforts and time. Since the Smart Boards can never replace the teacher completely, it is important to remember that it can be employed as a useful tool towards obtaining results which would help teachers to carry out their tasks better and more effectively. However, teachers will only be able to use the technology if they are well prepared and qualified. Technology itself can't perform miracles and the expected results can only be realized with the help of the professionalism of the teacher. Researchers have showed that expected positive results are possible to achieve if adequate training is provided to teachers and allowed sufficient time to adopt the new technologies (Glover ,Miller , Averis & Door 2007).

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SPAN OF MANAGEMENT: THEORY AND PRACTICE

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ABSTRACT

This paper provides an insight into the Span of Management through its concept, types, factors affecting, advantages, limitations and V.A Graicunas's formula. Span of Management also termed as Span of Control is commonly used in business management and public administration. It is not a principle in itself but provides an empirical generalization based on common sense. Organizational theorists had tried to develop it as a guiding principle but it serves only as a frame of reference. It is a controversial concept and perhaps the most discussed single concept in classical, neo-classical or modern administrative theories.

Key Words: Delayering, Gracunas's Formula, Narrow Span of Management, Span of Attention, Coordination, Level of Management.

Span of Management: Concept and Concerns:

Span of management plays a significant role in organizations and has its implications for organizational structure i.e. interactions between supervisors and subordinates and decision making process. Sub-ordinates that can be personally directed by a supervisor or an administrator is termed as span of management. The term can be defined as:-

1. **Dimock:-** "Span of management is the number and range of direct, habitual communication contacts between the chief executive of an enterprise and his principle fellow officers."
2. **Lois Allen:-** "Span of management refers to the number of people that a manager can supervise."
3. **Peterson and Plowman:-** "Span of management refers to the maximum number of sub-ordinates which may be placed under the jurisdiction of one executive immediately superior to them."
4. **Elliott Jaques** has the view-point that a manager may have up to as many immediate sub-ordinates that he can know personally in the sense that he can assess personal effectiveness.
5. **Haimann and Scott** defined span of management as the number of subordinates who can be effectively supervised and managed.
6. **Longenecker** simply defined span of management as the number of immediate subordinates reporting to a given manager.

Span of management is the range or extant of effective control and supervision of the work done by the sub-ordinates. A general definition of span of management can be as the extent to which one person can extend his or her supervisory powers over other individuals or

administrative units in an effective manner is termed as span of control. Span of management is needed due to limited attention power, limited time and limited energy.

Span of management affects the efficient utilization of managers and the effective performance of their subordinates.

Ideal span means the number of subordinates which should cost less and provide more strength to the management.

Types of Span of Management:

The span of management can be of two types i.e. wide span of management and narrow span of management.

1. Wide span of management: Wide span of management means a manager can supervise and control effectively a large number of persons at a time. It is because shorter span of management leads to rise in number of steps or levels in vertical chain of command which leads to tall organization. Wide span of management has features as it leads to maximized communication; better supervision; better co-ordination; suitable for routine and easy jobs; prompt response from employees; less overhead cost of supervision and greater ability to respond to environmental changes.

A wide span of management results in an organization that has relatively few levels or steps of management which can be termed as flat or horizontal organization. Wide span of management is suitable when people are competent, prefer low supervision and tasks are similar and standardized. Simon pleads for wider span of control. It is because shorter span of management leads to rise in number of steps or levels in vertical chain of command which leads to tall organization. This makes vertical communication difficult and indirect. Wider span of management leads to maximized communication.

To make the span of management wider **Delaying Process** is used. In this process, the span of management is increased which results in reduction of the number of managers and layers in the organization. Delaying helps in improving communication from the top and saving cost.

2. Narrow span of management: When the work and authority is divided amongst many subordinates and a manager supervises and controls a small group of people, then narrow span of management exists. It adds more layers or levels of management and so leads to tall organization. Main features of narrow span of management are as specialization work can be achieved; work which is complex and requires tight control and supervision, there narrow span of control is helpful; messages can be distorted; co-ordination is difficult to achieve; communication gaps can come; more overhead cost of supervision and no quick response to environmental changes.

When the span of management is narrow then the structure of the organization is tall and there may be ineffective, inaccurate and incomplete communication which could lead to decreased morale, increased executive payroll and red-tapism.

Factors affecting span of management:

1. Ability of subordinates: when the subordinates are enough competent to complete the allotted work easily, the manager will not be required to give more attention to them and more subordinates can be supervised. But, when if subordinates are less

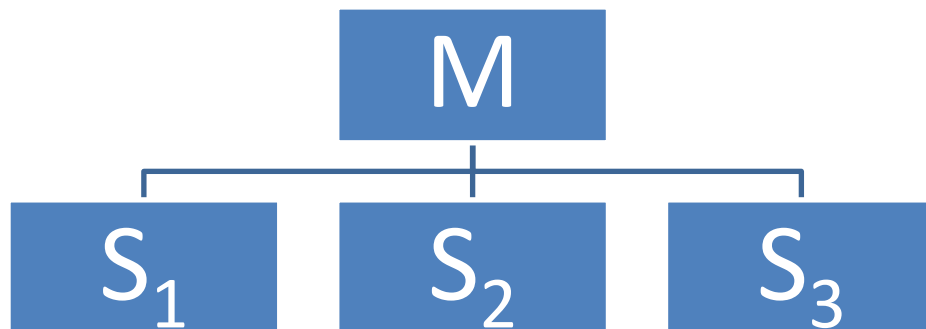
competent, the manager will be required to devote more time for supervision and span of management will be narrow.

2. Degree of delegation: A manager who delegates more authority of taking decisions to his subordinates can supervise a greater number of subordinates and enlarge the span of management. But, if a manager keeps more authority of taking decisions with him can supervise a small number of subordinates.
3. Capability of the supervisor: The qualities and qualifications of the supervisor affect the span of management to a great extent. If the supervisor is competent enough, he can easily supervise a large number of employees and span of control can be wider. In case when supervisor is new, less competent and has less administrative ability, the span of management will be narrow.
4. Age of the organization: The span of management is wider in old organizations than in newer organizations because in old organizations things get stabilized.
5. Nature of work: As the work is more routine, the span of management can be wide. The similarity and simplicity of functions can be tackled easily while if work is of complex nature, the supervisor's span of control will be narrow. So, nature of work determines the span of management.
6. Geographical Dispersion: If branches of a business are widely dispersed, then the manager will find it difficult to supervise each of them, as such the span on management will be smaller. A manager can supervise easily the work of a large number of subordinates, if they are located in one compact place.
7. Techniques of supervision: Supervision Techniques such as delegation, planning, programming, the use of staff specialists, etc., help extend a manager's span of control. Span of management can be extended where the direction of operations is done more by goals and objectives rather than by ever-present supervisor. Also, an administrator can broaden his span of control by the use of staff specialists who can provide another set of legs, eyes and ears for the executive.
8. Communication system: A well organized and sensitive proper communication system in an organization will make possible a larger span of management than a power and ill-organized system of communication.
9. Use of standing plans:- It reduces the work load of managers, as a result span of control increases considerably.
10. Use of communication technology: In modern times, because of the use of automation in administration, of control has widened. Further, the application of mechanization to such activities as accounting and computation work had increased the span of management .
11. Level of management: The higher the superior is in the organizational hierarchy, the narrower the span of control. Based on empirical studies, Newman suggested that executives in higher echelons should have a span of three to seven operating subordinates, whereas the optimum range for first-line supervisors of routine activities is usually from fifteen to twenty employees.

There are other factors such as well-defined authority and responsibility; availability of staff services; economic restrictions; superior-subordinates relationship; degree of centralization; financial position of the organization; clarity of plans and responsibilities etc which also affect the span of control.

Formula of V.A Graicunas:-

In 1933, a French Management consultant described the concept of ‘Span of Attention’ which is related to the principle of span of management in administration. His concept is based upon the hypothesis that there is a limit to the number of things one can attend to at the same time. He analyzed the possible number of relationships that can happen for a given span of management. According to Graicunas, “As the number of subordinates increases arithmetically, the number of relationships increases almost geometrically.” Three types of superior-subordinates relationships were identified by Graicunas.



1. Direct single relationships: The first and other type of relationship is direct relationship between superior and his subordinates e.g if M is superior while S₁ and S₂ are his subordinates, then direct single relationships will be two i.e (a) M with S₁ and (b) M with S₂.

2. Direct group relationships: Direct group relationships arise between the superior and his work groups in all possible combinations. e.g in a figure (a) M with S₁, S₂ in attendance, (b) M with S₂, S₃ in attendance.

3. Cross Relationships: Cross relationships arise among the subordinates under a common superior e.g (a) S₁ with S₂ and (b) S₂ with S₁. when a third subordinate S₃ reports to M, one additional direct relationship will be established between x and p. group relationships will be increased to seven as S₃S₂, S₂S₃, S₁S₂, S₂S₁, S₃S₁S₂, S₂S₁S₃ and S₁S₃S₂.

Along with these, will be four more cross-relationships:- S₁S₃, S₂S₃, S₃S₁, S₃S₂. So, there will be a total number of 18 interactions. A fourth subordinate will raise the total number of interaction to 44.

The general mathematical formula of Graicunas is as:-

$$R = N[2^N/2 + N - 1] \text{ Or } R = N[2^{N-1} + N - 1].$$

Where R- Total no. of relationships.

N- no. of subordinates reporting directly to the superior.

e.g if no. of subordinates is 3, 4, 5 and 6 then relationships will be as:-

$$R_3 = 3[2^3/2+3-1] = 18.$$

$$R_4 = 4[2^4/2+4-1] = 44.$$

$$R_5 = 5[2^5/2+5-1] = 100.$$

$$R_6 = 6[2^6/2+6-1] = 222.$$

No. of subordinates	1	2	3	4	5	6	7	8	9	10
No. of relationships	1	6	18	44	100	222	490	1080	2376	5210

According to Graicunas, a manager can effectively supervise 6 subordinates or 222 relationships. The number of subordinates at higher level should be 5 or 6, while at the lower level a number of 20 subordinates is an ideal number.

Advantages of Span of Management:

Advantages of adequate span of management can be pointed out as it increases efficiency; facilitates effective supervision and control; increases goodwill; develops professional morale and team spirit; better communication and co-ordination; facilitates quick action; less labour absenteeism and turnover; develops discipline and mutual trust and superiors can concentrate on important work.

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TEACHER EFFECTIVENESS OF SECONDARY SCHOOL TEACHERS IN RELATION TO THEIR ATTITUDE TOWARDS TEACHING.

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ABSTRACT

Effectiveness of education is rightly seen in the effectiveness of the teachers. Only effective teachers can materialize policies and plan of education in the classroom. A teacher is the symbol of hope for the whole education system of nation. Education is perceived to be universal phenomena. It is adequately organized and regulated through formal institutions like school and colleges. The quality competency and character of teachers are undoubtedly very significant. Nothing is more important than to secure a sufficient supply of high quality personal to the teaching profession providing them with the best possible professional preparation and to create satisfactory conditions of work to make their teaching more effective. So teachers' effectiveness becomes a very important question in front of the educationist and researcher. N.C.T.E. emphasized upon the some points regarding management, infrastructure, salary, worker conditions, in order to improve the effectiveness of teachers. To make the teacher goal oriented and productive to motivate the students and to improve the function & environment of any institution, it is essential to diagnosis teacher effectiveness with various correlates. In the present study, after reviewing a number of literature of teacher effectiveness, the investigator has selected some important correlates of teacher effectiveness like attitude towards teaching. This study is conducted on teachers in secondary schools. This study is desirable to improve the quality of education in secondary school.

KEY WORDS: Teacher Effectiveness, Attitude, Statistical Techniques.

TEACHER EFFECTIVENESS

National Policy on Education- 1986 rightly remarked the status of teacher "The status of the teacher reflects the socio-cultural ethos of a society, it is said that no people can rise above the level of teachers should have the freedom to innovate, to devise appropriate method of communication and activities relevant to the need and capabilities and the concerns of the community.

Flander and Simon (1969), have defined that teacher effectiveness is an area of research which is concerned with relationship between the characteristics of teachers, teaching acts and their effects on the educational out comes of classroom teaching. An effective teacher may be

understood as one who helps development of basic skills, understanding, proper work habit, desirable attitude, value judgment and adequate personal adjustment of students.

Medley (1982), asserts “teacher effectiveness must be defined and can only be assessed, in it terms of behaviour and learning of students, not behaviours of teachers.”

Nitsaisook (1987), described the activities that make teachers effective like. “Variety of activities and experience e.g., Case studies, demonstration, discussion with peer group, training programme etc.”

Thus the task of identifying effective teachers is crucial. The researcher in the present study has attempted to adopt, balance view of all the researchers and decided to include those teaching aspects, which are more preferred by supervisors and seniors teachers. There are aspects of teaching behaviour in the present study prescribed by Dr. Sujata Mishra.

Teacher effectiveness plays a pivotal role in teaching learning process. It being the hub of program needs, close observation and critical analysis as the enrichment and effectiveness may have direct bearing on the learning outcomes of the pupils. Only effective teacher are able to realize the real goal of education to their students. An effective teacher is indispensable even in the most equipped system of education who teaches effectively may have the way for progressive and productive society. Teacher effectiveness refers to the effect that the teacher’s performance has on pupils. Like teacher performance, teacher effectiveness depends in large on the context in which the teacher performs.

Effective teachers are those who achieve the goals which they set for themselves or which others set for them (e.g. Commissions on Education, Ministry of Education, Legislators, Govt. officials and/or Schools Administration). As a consequence, those who study and attempt to improve teacher effectiveness must be cognizant of the goals imposed on the teachers of the goals that teachers establish for themselves or both. That effective teacher must possess the knowledge and skills needed to attain the goal, and must be able to use that knowledge and those skills appropriately if these goals are to be achieved. In Medleys (1982) terms, the possession of knowledge and skills falls under the heading of ‘teacher performance’. Thus that who investigate and attempt to understand teacher’s performance with the accomplishment of teacher goals is teacher effectiveness. Effective teacher tend to be aware of aware of and actively pursue goals.

A quality teacher and competent teacher is the one who captivates the learner. Therefore a teacher should be a perfect well-being who lives his life to the maximum and sets the same trend for his learner. He must be an epitome of wholesomeness of cognitive, cognitive and effective domains, well behaved, well informed, well enlightened, and self-motivated, self-evaluated, having scientific attitude, real thirst for knowledge and moving towards the apex. Such a teacher will be labeled as qualitative, skilled and competent, which every civilized and progressive society aspires to incorporate as a vital part of its ethos.

ATTITUDE TOWARDS TEACHING

Attitude is such a complex affair that, it can not be completely described. Attitude denotes inner feeling or belief of a person towards particular phenomena. Some investigation regard ‘attitude’ as a feeling or disposition to favour or to be against an object, idea, person or group. If a person has positive attitude towards an object he will try his best to achieve it. If he has a negative attitude he will try to avoid it. Thus, it plays an important role in determining the success and failure of a person in any field.

G.W. Allport (1937), defines “Attitude as mental and neural state of readiness, organized through experience a directive or dynamic influence upon the individual to all objects and situations with which it is related”.

Again attitude refers to certain regularities of an individual feeling, thoughts and pre-disposition to act towards some aspect of the environment. Attitudes also emphasized by Krech and Cruthfied (1948). Teaching is the best profession. Teachers' attitude towards teaching may be positive or negative but are of great significance for efficient and profitable functioning of any institution. Teachers who have great satisfaction with their job and positive attitude towards teaching, enjoy their profession, and prefer teaching in spite of many economic or social uses. On the other hand, a teacher who has a negative attitude will not enjoy teaching, rather feeling like a fish out of water.

In short, we can say that teacher effectiveness is lead by their attitude towards teaching. The more degree of satisfaction in the job, stronger the attitude towards teaching. Social advancement and development of pupils depends to a great extent on the enthusiasm and professional skill of teachers. The disposition of positive attitude of teacher should always be implied because the growth of generation.

For the professional preparation of teachers the study of attitude held by them is very important. How a teacher performed his duty, as a teacher it depends to a great extent on his attitudes. A positive and favourable attitude makes the teacher work not only easier but also more professional, satisfying and rewarding. A negative unfavourable attitude makes the teacher task harder and unpleasant. In short, one can say that teachers' effectiveness is lead by attitudes towards teaching. Samantray (1971) found that there exists some degree of positive relationship between teacher attitude and teaching efficiency. The researcher in this study selected six aspects concerned with teachers attitude. (i) Teaching profession (ii) Classroom teaching (iii) Child Centred Practice (iv) Educational Process (v) Pupil (vi) Teacher. Dodeen and his colleagues's report (2003) attitudes of teachers have also been determined to be influenced by gender.

An effective teaching must have a positive attitude towards teaching as a profession and attitude is an important aspect to understand the quality teaching. An attitude is an important concept to understand human behavior. Attitude determines what each individual will see, hear, think and do. Attitude can be positive or negative. People's attitude towards their professions has an effect on their performance. A teacher with the right attitude makes a lasting impact on students learning. A teacher with the right attitude goal will mix and match all the available tools and techniques to suit the teaching- learning process unique to a given subject or topic or class.

Educationists and educational planners in India have started realizing that only securing enough teachers will not do, as what equally important is securing the right type of teachers. Unless such teachers are found, the secondary schools cannot deliver the goods that are expected of them. Fundamentally the success of the secondary education does not depend either on the definition of aims, statements of objectives or discussion of subject values but on the academic and professional preparation of the teachers, for the professional preparation of the teachers the study of attitudes held by them is very important. How a teacher performs his study, as a teacher is dependent to a great extent on his attitudes, values and beliefs. A positive favourable attitude makes the work not only easier but also more satisfying and professionally

rewarding. A negative unfavourable attitudes makes the teaching harder, more tedious and unpleasant. In addition a teacher's attitude not only affects his behaviour in the classroom but also influences the behaviour of his students. Moreover effective and productive learning on the part of pupils can be achieved by employing teachers with desirable attitudes or by shaping their attitudes in the desired direction.

Datt (1951) under the study to see the Attitude of teachers in Delhi towards teaching profession and found that the co-efficient of co-relation between attitude and age come out to be $=.99$ which is almost negligible. Women teachers were found possessing more co-efficient of correlation than the males. The main difference was found statistically significant. The teaching experience was 9 which indicated teaching experience had no effect on attitude towards teaching profession.

Ahmad and Baxter (2007) in a co-operative research carried out by a young Pakistani and a young Indian, both working for international Non-Governmental Organization, explores how text-books help determine political and social attitude, especially attitude towards Indian and Pakistani. Teachers may create either positive or negative attitudes towards teaching-learning situation in the classroom. Planning is important in every classroom situation. If certain attitudes are important enough to teach, they are important enough to be planned. Planning enables the teachers to approach an affective topic positively and to prevent an exemplary model for the students. Teacher may not expect or want certain affective behaviour and make some kind of controlling response. How teachers' response provides social reinforcement for the students. Teacher can anticipate undesirable affective behaviour, determine alternative appropriate behaviour and teach students. Teacher's attitude towards an individual student also has an important effect on student affective behaviour and the attitude-learning environment of the classroom. Teaching is the best profession. Teacher's attitude towards teaching may be positive or negative but is of great significance for efficient and effective functioning of any institution.

SIGNIFICANCE OF STUDY

Effectiveness of education is rightly seen in the effectiveness of the teachers. Only effective teachers can materialize policies and plan of education in the classroom. A teacher is the symbol of hope for the whole education system of nation. Education is perceived to be universal phenomena. It is adequately organized and regulated through formal institutions like school and colleges. The quality competency and character of teachers are undoubtedly very significant. Nothing is more important than to secure a sufficient supply of high quality personal to the teaching profession providing them with the best possible professional preparation and to create satisfactory conditions of work to make their teaching more effective. So teachers' effectiveness becomes a very important question in front of the educationist and researcher. N.C.T.E. emphasized upon the some points regarding management, infrastructure, salary, worker conditions, in order to improve the effectiveness of teachers.

To make the teacher goal oriented and productive to motivate the students and to improve the function & environment of any institution, it is essential to diagnosis teacher effectiveness with various correlates. In the present study, after reviewing a number of literature of teacher effectiveness, the investigator has selected some important correlates of teacher effectiveness like attitude towards teaching. This study is conducted on teachers in secondary schools. This

study is desirable to improve the quality of education in secondary school.

OBJECTIVES OF THE STUDY

- To study the relationship between teacher effectiveness and attitude towards teaching of secondary school teachers.
- To study the significant difference between teachers having high and low attitude towards teaching on teachers effectiveness.
- To Study the significant difference between govt. and Private school teacher on teacher effectiveness.
- To study the significant difference between male and Female teacher's on teacher effectiveness.

HYPOTHESES

- There exists a significant positive relationship between teachers effectiveness and attitude towards teaching of secondary school teachers.
- There exists a significant difference between high and low level of attitude towards teaching of secondary school teacher on teacher effectiveness.
- There exists a significant difference between govt. and private school teachers' on teacher effectiveness.
- There exists significant mean difference in teacher effectiveness towards between teaching of male and female teachers of secondary school.

DELIMITATION OF THE STUDY

- The study confined only to the teachers of secondary schools.
- The study is limited to the sample of 50 teachers only.
- The sample was confined to 25 private secondary schools and 25 Govt. secondary schools.
- The study limited to the teachers of Haryana state only.

Population

In research population refers to definite whole study area or observations. All the teachers in secondary schools of Haryana constituted the population for the purpose of the present study.

Sample

Sample drawn from the target population on the basis of which generalization are drawn and made applicable to the population as a whole, as it is not possible to encompass the entire population. It is not possible to work with the total population in a systematic way. In the present study random sampling technique was used. The sample of total 50 secondary school teachers (25 Govt. and 25 private) was drawn randomly through out the schools.

Selection of Tools Used

1. Teacher effectiveness Scale by Dr. Sujata Mishra
2. Teacher Attitude Inventory by Dr.S.P.Ahluwalia.

Collection of Data

After selection of the tools, the investigator personally administered the scale, inventory on the selected teacher of secondary schools. Adequate instruction were given to responds. They

were informed about the nature and utility of the study before, administering the scale, inventory. Proper instruction was given to responds to fill correct response in scale. They were asked that their identity would not disclose and their answer would be kept confidential. There was no time limit for falling the scale. Then, different test were administered individually. After completions the answer sheets were collected and scored according to the scoring procedure.

STATISTICAL TECHNIQUES TO BE USED

The statistical techniques were employed product moment Co-efficient of correlation, standard deviation and t-test were used to analysis the data.

CORRELATIONAL ANALYSIS

Correlation between teacher effectiveness and teachers' attitude towards teaching.

The co-relation between teacher effectiveness and attitude towards teaching of secondary school teachers were presented in from Table 4.1 to 4.2.

Table 4.1

Coefficient of Correlation between Teacher Effectiveness and Teacher's Attitude towards Teaching

Variables	N	df	Co-efficient of correlation	Level of significance
Teacher effectiveness	50	48	.53	.01
Attitude towards teaching				

It is revealed from the table 4.1 that the co-efficient of correlation between teacher effectiveness and attitude towards of teaching of secondary school teachers is .53, which is significant at .01 level of significance. It means that there is significant positive relationship between teacher effectiveness and attitude towards teaching of secondary school teachers. Attitude towards teaching has positively impact on the teacher effectiveness of the secondary school teachers. Thus, the hypothesis (Hp-1) that ‘there exists significant positive relationship between teacher’s effectiveness and attitude towards teaching of secondary school teachers’ is retained.

Table 4.2

Significance of Difference between high and low level of attitude towards teaching of secondary school teachers on teacher effectiveness

Variable	Group	N	Mean	S.D.	S.Ed.	t-ratio	Level of Significance
Teacher Effectiveness	High	28	244.8	29.96	6.75	9.03	.01
	Low	22	183.9	11.31			

It is revealed from the table 4.2 that the mean scores of high and low level of attitude towards teaching of secondary school teachers on teacher effectiveness 244.8and 183.9 with S.D.’s 29.96 and 11.31 respectively. The t-ratio is came out from the above two groups is 9.03, which is significant at .01 level of significance. That means there is significant difference between teachers having high and low level of attitude towards teaching on teacher effectiveness. Further, the mean scores of teacher having high level attitude towards teaching on teacher effectiveness is higher than the teachers having low level of attitude towards

teaching. It indicates that teachers those have high level of attitude towards teaching are more effective teachers. Thus, the hypothesis (Hp-2) that ‘there exists a significant difference between high and low levels of attitude towards teaching of secondary school teacher on teachers effectiveness’ is retained.

FIG.1

Mean Scores of High And Low Level of Attitude Towards Teaching of Secondary School Teachers on Teacher Effectiveness.

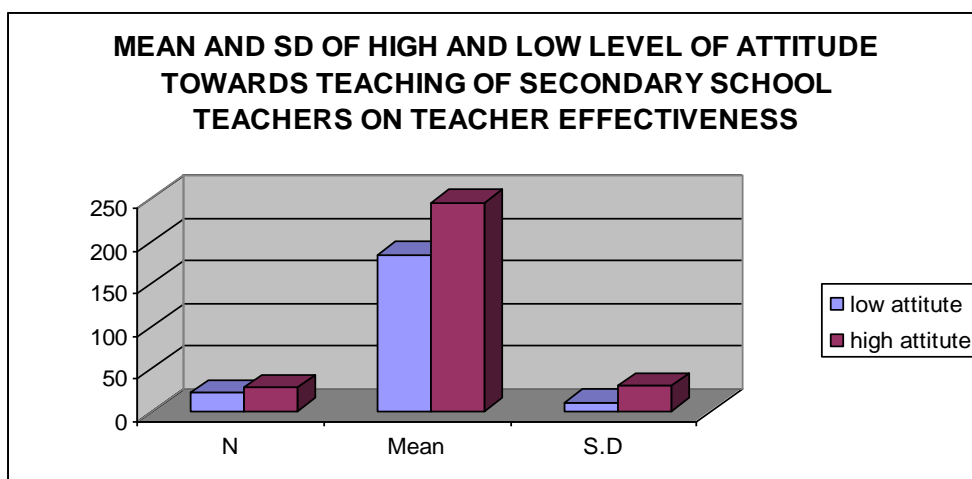


Table 4.3

Significance of Difference between govt. and priavte secondary school teachers on teacher effectiveness

Variable	Group	N	Mean	S.D.	S.Ed.	t-ratio	Significance
Teacher effectiveness	Govt.	25	161.9	16.69	5.12	3.77	.01
	Private	25	181.2	19.41			

It is revealed from the table 4.3 that the mean scores of govt. and private of secondary school teachers on teacher effectiveness 161.9 and 181.2 with S.D.'s 16.69 and 19.41 respectively. The t-ratio is came out from the above two groups is 3.77, which is significant at .01 level of significance. That means there is significant difference between govt. and private school teachers on teacher effectiveness. Further, the mean scores of Govt. teacher on teacher effectiveness is higher than the private school teachers. It indicates that teachers those are teaching in Govt. School are more effective. Thus, the hypothesis (Hp-4) that ‘there exists a significant difference between govt. and private secondary school teachers on teacher effectiveness’ is retained.

FIG.2

Mean scores of Government and Private Secondary school Teachers on Teacher Effectiveness

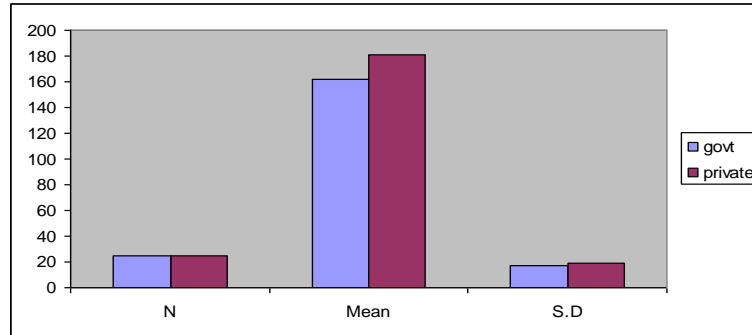


Table 4.4

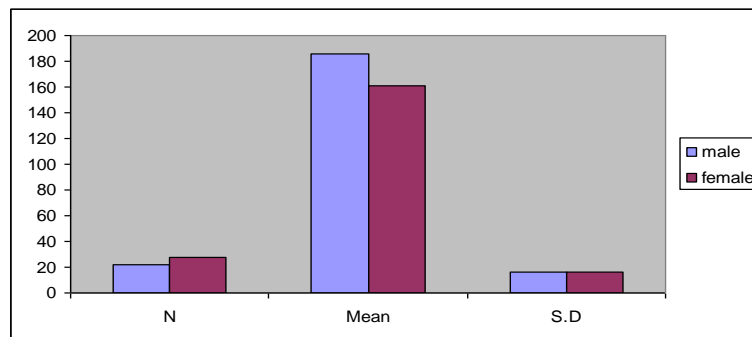
Significance of Difference between male and female secondary school teachers on teacher effectiveness

Variable	Group	N	Mean	S.D.	S.Ed.	t-ratio	Significance
Teacher Effectiveness	Male Teachers	22	185.6	15.9	4.63	5.40	.01
	Female Teachers	28	160.6	16.5			

Table 4.4 indicates that the mean scores of male and female secondary school teachers on teacher effectiveness 185.6 and 160.6 with S.D.'s 15.9 and 16.5 respectively. The t-ratio is came out from the above two groups is 5.40, which is significant at .01 level of significance. That means there is significant difference between teachers male and female teachers teacher effectiveness. However, the mean scores of male teacher is higher than the female teachers. It indicates that male teachers are more effective than the female teachers. Thus, the hypothesis (Hp-4) that 'there exists a no significant difference between male and female secondary school teacher on teachers effectiveness' is rejected.

FIG.3

Mean scores of Male and Female Secondary School Teachers on teacher effectiveness



MAIN FINDING

Findings Based On Co-relational Analysis

1. Teacher effectiveness is positively and significantly correlated with attitude towards profession of teachers of secondary schools.
2. Teacher effectiveness is positively and Significantly Correlated with attitude towards working condition of teacher of secondary schools.
3. Teacher effectiveness is positively and significantly correlated with attitude towards authority of teacher of secondary schools.
4. Teacher effectiveness is positively and significantly correlated with attitude towards institution of teachers of secondary schools.
5. Teacher effectiveness is positively and significantly correlated with attitude of teachers of secondary schools.
6. Teacher effectiveness is positively and significantly correlated with attitude towards teaching profession of teachers of secondary schools.
7. Teacher effectiveness is positively and significantly correlated with attitude towards class room teaching of teachers of secondary schools.
8. Teacher effectiveness is positively and significantly correlated with attitude towards child centered practice of teachers of secondary schools.
9. Teacher effectiveness is positively and significantly correlated with attitude towards educational process of teachers of secondary schools.
10. Teacher effectiveness is positively and significantly correlated with attitude towards pupil of teachers of secondary schools.
11. Teacher effectiveness is positively and significantly correlated with attitude towards teacher of secondary schools.

Findings Based On Differential Analysis

1. There is significant difference between teachers having high and low level of attitude towards teaching on teacher effectiveness. Further, the mean scores of teacher having high level attitude towards teaching on teacher effectiveness is higher than the teachers having low level of attitude towards teaching. It indicates that teachers those have high level of attitude towards teaching are more effective teachers.
2. There is significant difference between govt. and private school teachers on teacher effectiveness. Further, the mean scores of Govt. teacher on teacher effectiveness are higher than the private school teachers. It indicates that teachers those are teaching in Govt. School are more effective.
3. There is no significant difference between teachers male and female teachers teacher effectiveness. However, the mean scores of female teacher is higher than the male teachers. It indicates that female teachers are more effective than the male teachers.

EDUCATIONAL IMPLICATIONS

This study aim at determining the relationship between teacher effectiveness with teacher attitude and its various dimensions of the teachers of secondary schools working in Haryana.

The results of simple correlation reveal that there is significant correlation between teacher

effectiveness and attitude towards teaching & its various dimension of secondary schools teachers. There are many important variables which affect a teaching learning system in a collective way inside and outside the schools. They also shape school climate, make schools effective or less effective. These significant correlations highlight the importance of all those factors which are essential for the development of teacher effectiveness in secondary schools. All the dimensions of teacher attitude influence the teacher effectiveness because they are highly correlated with each other. Authority and management of school should be aware about the correlations of teacher effectiveness with teacher attitude in order to enhance the performance of teachers.

Better living and working conditions of the teachers not only facilitate them in performing the duties efficiently and also develop interest in the profession. Positive attitude towards teaching helps the teacher in making adjustment to the new situation and develop ability to understand subject matter and methodology of teaching. Expansions of knowledge of teachers can be done through seminar, workshops, orientation course, and summer course and in service training programme during the short and long vacations. These facilities would definitely help to improve the effectiveness of teachers. Attitude towards teaching increases when teachers find working condition cordial. If the suggestion made above be followed one can be reasonably hope that teacher would develop positive attitude towards teaching and satisfied on working front.

Younger generation imitate the attitude of their elders. The children remain under the influence of their teachers especially in school. The attitude of the teacher is bound to influence them. The need of the hour is that the schools should have satisfied teachers who take pride in teaching profession, become professional and show positive attitude towards teaching to present effective teaching.

Such situations and facilities can generate more satisfied, stable, committed and effective teachers in secondary schools. All such implication can improve the quality and effectiveness of teaching in secondary schools.

The study has its implication for the organizers of educational institutions, administrations and planners of educational policies. Role of effective science teachers explicitly expressed the role of effective teachers and their teaching strategies for proper growth of future generations. There is a pressing need that the work of the teachers should be objectively assessed. Basically, some adequate criteria must be specified.

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PLATINUM METALS AND POLYPYRROLE NANOCOMPOSITES

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ABSTRACT

Synthesis and study of nanocomposites is an attractive and challenging area of research. Their pursuance, compelled by unprocessibility of individual constituents having novel characteristics, has led to newer hybrids with newer properties. More emphasis of research studies in this direction has been laid on the hybridization of conducting polymers with different polymers, other organic and inorganic constituents and the conducting polymers. Polypyrrole has assumed an important place in this class of nanometrials. Synthesis and the study of the polypyrrole nanocomposites with platinum metals and their compounds is in its infancy with the infancy of a promising infant. This paper is a mild effort to highlight the probable potentials and prospects of this category of composites.

Keywords: Nanocomposites, Unprocessibility, Conducting Polymers, Platinum Metals.

Nanocomposites are materials made of distinctly dissimilar components mixed at the nanometer scale and existing in variety of systems showing different dimensionality as well as an amorphous nature. The properties of these hybrid materials are dependent on the properties of the individual constituents as well as on their interfacial characteristics and also on the morphology of the hybrid formed. Many existing materials with novel properties can be generated and the possibilities of synthesizing materials with properties independent of the constituents also exist. Researchers all over the world are busy with the synthesis of a wide variety of nanocomposites and bionanocomposites. Inorganic-organic nanocomposites and polymer nanocomposites are being more enthusiastically synthesized and studied. Chemical and electrochemical methods are being used for their synthesis and in chemical synthesis sol-gel and self assembly methods are main routes for design and synthesis of these nanocomposites. Various methods are available for controlling the nature of the organic and inorganic precursors and for assembling the composite materials. Various components can interface by making use of weak interactions like hydrogen bonding, Van der Waals or electrostatic forces. Some organic and inorganic components may be linked through strong chemicals bonds like covalent, ionic or Lewis acid- base bonds. Nanocomposites are showing promises for applications as mechanically strong light weight components, battery cathodes, sensors, non-linear optics, neural tissue engineering and micro- robots.

Synthesis and study of nanocomposites is most enthusiastically and extensively perused area of research because of their potentials for wider applications. Of all the organic conducting polymers, polypyrrole has attracted a lot of attention for preparation of nanocomposites and a large number of polypyrrole nanocomposites with other polymers (2,7,11,13,14,16), metals (4,6,12,19,24,29), metal oxides (1,5,15,18,27,32), and nonmetals (9, 30) have been synthesized and studied. Polypyrrole nanocomposites have been prepared in different shapes :

films(22,32,33) rods (6) fibres (32,33) tubes (12) core-shell materials (11,13,14) and layered materials (5,16,17,18,31) Chemical and electrochemical methods of synthesis have been more frequently used for the synthesis of these nanocomposites. In chemical methods self-assembling method and sol- gel method are methods of choice. In electrochemical methods potentiostatic , potentiodynamic and galvanostatic methods have found wide applications. Polypyrrole nanocomposites claim promises for better electrical properties, optical properties and electrochromic properties and have been claimed with enhanced mechanical strength and as corrosive protective materials. These hybrid materials promise applications as chemical, electrochemical and mechanical sensors and novel materials for polymer based batteries. Their application as a scaffold in tissue engineering and micro robots find mention in research studies. They have been mentioned as materials exhibiting excellent laser properties, photo stability, ultrafast photo chromic responses and second order and third order non-linear responses.

Polypyrrole Nanocomposites With Platinum Metals And Their Simple Compounds - Current Scenario:

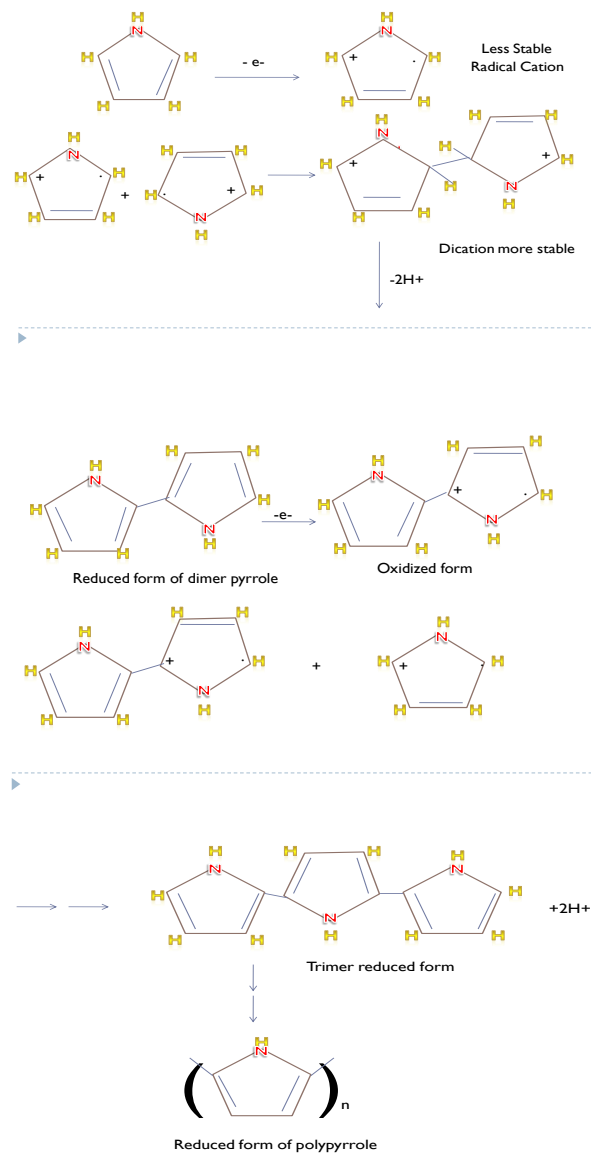
Mathew c Henry and coworker (19) woked for a new route to composite colloids of gold and polypyrrole. In this paper, they also indicated the possibility of palladium, platinum and rhodium salts being used as suitable oxidants for redox polymerization of pyrrole and the potentials of their composites as catalysts. This work is valuable for its chemical route to the synthesis of nanoparticles of these metals and for prospects of their simultaneous composite formation with ploypyrrole. NP composites of ppy/ pd (23) and ppy/pt (24) nanocomposites find mention in literature. L. Wang and coworkers [16,17] have shown the possibilities of nanocomposites with transition- metal- halides and found $RuCl_3$ as a new host for polymer intercalation. Work has also been carried out in the direction of the phase transfer of some of the nanoparticles (3,23) including that of nanoparticles of Pt. This may also lead to better methods of synthesis of platinum metals/ polypyrrole nanocomposites.

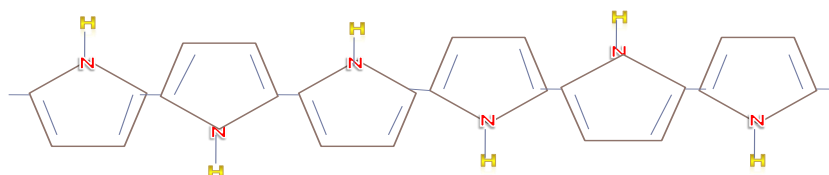
Prospects Of Polypyrrole/ Platinum Metals' Nanocomposite Synthesis And Their Applications:

These nanomaterials come into the category of inorganic-organic nanocomposites. Such hybrid materials can be synthesized by fine tuning the physical and chemical properties of the individual organic and inorganic constituents by making use of the synergistic association of the organic and inorganic constituent at the nanoscale. These nanocomposites may also be called polymer composites when the platinum metals nanoparticles are made dispersible in polypyrrole polymeric matrix. Both types of nanocomposites – having week interactions as well as having chemical bonds- by hybridization of polypyrrole and nanoparticles of platinum metals and their compounds are possible.

Being a typical conducting polymer with $-\pi$ conjugating carbon chain, polypyrrole is semiconducting in its pristine state and its conductivity can be increased by doping. It has found applications in rapidly expanding fields of sensors, lithium batteries and electronics. It has long term stability of its conductivity. But it is amorphous/ powdery and insoluble product. Though it can be easily prepared, it offers difficulties in the preparation of its well defined functional nanostructures. Its synthesis by redox polymerization form pyrrole monomer offers opportunity for synthesizing in colloidal form and therefore it offers chemicals & electrochemical methods for self assembling of oxidized pyrrole units. By

making use of the salts of precious metals, its simultaneous polymerization to polypyrrole nanoparticles and their hybridization with the metal nanoparticles has become practically possible. The mechanism of oxidative polymerization of polypyrrole from pyrrole monomer is as under:





Linear polypyrrole

Ruthenium, Osmium, Rhodium, Iridium, Palladium and Platinum form part of the transition metals.

Ir	V	Cr	Mn	Fe	Co	Ni	Cu
Zr	Nb	Mo	Ir	Ru	Rh	Pd	Ag
Hf	Ta	W	Re	Os	Ir	Pt	Au

The above mentioned six metals forming part of the transition metals are collectively known as platinum metals & have been shown in bold in the above table. These metals occur together in native form and less frequently in compounds and are about 10^{-8} - 10^{-7} % of the igneous rocks of the earth. These metals share the common characteristics of transition metals and also group properties. Some of the properties of these metals are given in table below.

Metal	M.P °C	Oxidation state & most important Oxidation state shown in bold	Standard electrode potential			Ionization Energies MJ Mol ⁻¹			Conductivities in mho cm ⁻¹	Super Conductivity	Lattice Structures
			M ⁺ /M	M ²⁺ /M	M ³⁺ /M	I	II	III			
Ru	2450	3,4,5,6,7,8	-	+0.45	-	.711	1.617	2.747	8.5x10 ⁴	in Thin Films	Hcp
Os	2700	3,4,5,6,8	-	+0.85	-	.84	-	-	11x10 ⁴	in Thin Films	Hcp
Rh	1970	1,3	+0.6	+0.6	+0.8	.720	1.744	2.997	22x10 ⁴	in Thin Films	Ccp
Ir	2450	3,4,5,6	-	-	+1.15	.88	-	-	20x10 ⁴	in Thin Films	Ccp
Pd	1550	0,2,4	-	+0.99	-	.805	1.875	3.177	10x10 ⁴	In elemental Form	Ccp
Pt	1774	2,4	-	+1.2	-	.087	1.7911	-	10.2x10 ⁴	in Thin Films	Ccp

Value of ionization energy when multiplied by 10.364 gives value in electron volt.

Platinum and palladium dissolve in hot aqua regia as their chloro - complexes whereas ruthenium, osmium, rhodium and iridium form insoluble chlorides. Pt (IV), Pd (II), Rh (III) and Ru (III) act as two equivalent oxidants i.e., require two equivalent of reducing species whereas Os, Ir (IV) act as one equivalent oxidants i.e. require one equivalent of reducing species in the primary act. Some of the compounds of these metals which can find use in the synthesis of their nanoparticles of these metals and in the synthesis of their nanocomposites are given below with their characteristic properties.

Compounds of Ruthenium and Osmium: Ruthenium and osmium exist as RuO_4 and OsO_4 in tetrahedral yellow volatile molecules soluble in carbon tetrachloride. RuF_6 and OsF_7 are the highest fluorides of ruthenium and osmium and are reducible to their fluorides of the lower oxidation states by the action of mild reducing agents or decomposition or both. The highest chlorides of ruthenium and osmium are RuCl_3 and OsCl_4 respectively.

Compounds of Rhodium and Iridium: Rhodium and Iridium exist as RhO_2 and IrO_2 . Rhodium and iridium form yellow colored sulphates. Both the metals though form tetra-chlorides and hexa-fluorides, their tri-chlorides are of importance.

Compounds of Palladium and Platinum: PdO_2 is thermally stable below 200°C and decomposes to PdO at 200°C and comes in dipositive state and in that state it is insoluble in all acids but decomposes reversibly to produce palladium and oxygen at higher temperature. PtO_2 also completely dissociates into metal and oxygen. Platinum exist as PtO and PtO_3 and both these oxides decompose to metal and oxygen. PtO_2 (Platinum IV oxide) dissociates into metal and oxygen. Palladium (II) sulphate $\text{PdSO}_4 \cdot 2\text{H}_2\text{O}$ and PdNO_3 crystallize in yellow prisms when Pd is dissolved in corresponding acids. $\text{PtSO}_4 \cdot 4\text{H}_2\text{O}$ is also crystalline salt having orange color. Pd(II)Cl_2 which is crystalline form, decomposes on heating to give palladium and chlorine. K_2PdBr_4 which also has Pd in oxidation state two and here it oxidizes CO to CO_2 in solution. PtCl_2 is insoluble in water but dissolves in HCl to give complex acid $\text{H}_2[\text{PtCl}_4]$ and $\text{K}_2[\text{PtCl}_4]$ a red brown crystalline salt. PtCl_4 is readily soluble in water and exist as complex acid $\text{H}_2[\text{PtCl}_4(\text{OH})_2]$. In HCl it forms hexa- chloroplatinate or hexa- chloroplatinic acid which can be decomposed by heating and platinum is left. K_2PtCl_6 and $(\text{NH}_4)_2\text{PtCl}_6$ can also be decomposed by heating to leave platinum. Palladium in divalent state forms PdS which is a hard crystalline substance having tetragonal structure with bluish or silvery lusture. It is insoluble in nitric acid or aquia regia.

There are wide prospects of composites of polypyrrole and platinum metals and their compounds at nano scale. The control of the polymer nanocomposites can be carried out by the nature of the inorganic and polymeric phases and their dispersion and interaction with each other. The mechanical properties of nanocomposites can be controlled by dispersion of platinum metals and their oxides in the polypyrrole phase by exfoliation. Their nanocomposites can also be synthesized by intercalation. The intercalated nanocomposites being more compound like due to fixed polymer/ layer ratio, their nanocomposites may prove to be very interesting and useful for their electronic and charge transfer properties. On the contrary RuCl_3 / polymer nanocomposites have been synthesized where RuCl_3 acts as a host for polymer intercalation. Proper dispersion of nanosized filler particle is very important in the absence of which nanosized filler particles may aggregate into larger clusters and may affect the properties of the composite. Various techniques are, however, available to control the dispersion as well as bonded formation. Platinum metals form part of transition metals and

their complexes exhibit different 'd' coordination geometries. Consequently they are capable of providing different accepting subunits and can be linked to the polypyrrole building blocks to form rigid frameworks. Thus tethered nanobuilding blocks called macromolecules can be synthesized to get nanoparticle surfaces. Redox polymerization of pyrrole units to polypyrrole with simultaneous synthesis of composites with some of the platinum metals for more effective use for catalysis as mentioned earlier may prove to be a sound platform for further research studies.

Conclusion:

This area of hybridization is being explored throughout the world by the researchers & success has been achieved to a great extent but much more can be done in this area of research. Partial success has been achieved in the area of metallopolypyrroles & much effort is needed in this area. Conjugated metallopolymers is an important and challenging area of study where unique characteristics of conjugated conducting polymers are combined with catalytic metals to form novel materials. Polypyrrole and platinum metals can be used for the synthesis of such materials requiring a strategy of capping aromatic monomers which don't polymerize with easily electrochemically polymerizable organic moiety and then combining the conducting polymer with catalytic metal. Some of the platinum metals' complexes have also been used for the synthesis of composites but square planar complexes for metal ions Pt(II) & Ir(I) can give surprising results when hybridized with polypyrrole because these ions have d^8 configurations & overlap of orbital's in their cases is maximum. Many crystalline platinum complexes show conductivity when a stack of its molecules interact with each other along one dimension. The first 1D metal of Pt complex was made by oxidation of solution of $K_2Pt(CN)_4 \cdot 3H_2O$ with bromine & which on evaporation gave crystals of $K_2Pt(CN)_4Br_{0.3} \cdot 3H_2O$ known as KCP. Such 1D complexes of platinum & iridium have the scope of fine tuning with unidirectional conductivities of polypyrrole & the conductivities of composites may be studied. Another area which seems to be unexplored & which is expected to give surprising results is the hybridization of porphyrins & porphins in their pristine state & degraded states with platinum metals & the study of such composites for their bioapplications.

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TERRORISM & CYBER TERRORISM: - A HISTORICAL OVERVIEW

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ABSTRACT

*The term "terrorism" comes from the French word *terrorisme*, which is based on the Latin verb *terrere* (to cause to tremble). It dates back to 1795 when it was used to describe the actions of the Jacobin Club in their rule of post-Revolutionary France, the so-called "Reign of Terror". Jacobins are rumored to have coined the term "terrorists" to refer to themselves. Terrorism refers to a strategy of using violence, social threats, or coordinated attacks, in order to generate fear, cause disruption, and ultimately, brings about compliance with specified political, religious, or ideological demands. The European Union includes in its 2002 definition of "terrorism" the aim of "destabilizing or destroying the fundamental political, constitutional, economic or social structures of a country."*

Key Words: - Terrorism, Cyber Terrorism, EU, Violence.

The words terrorism, insurgency, civil war, revolution, guerrilla war, intimidation, and extremism are most often interchanged and used very loosely. What is common in all is violence. Terrorism is an organized system of intimidation. It is broadly defined as "violent behavior designed to generate fear in the community, or a substantial segment of it, for political purposes". It is also defined as 'a method whereby an organized group or party seeks to achieve its avowed aims chiefly through the systematic use of violence.' (Encyclopedia of Social Sciences). The US Central Intelligence Agency's 1980 definition of it, duly accepted by the state department is: "The threat or use of violence for political purposes by individuals or groups, whether acting for or in opposition, when such actions are intended to shock, stun, or intimidate a target group wider than the immediate victims"¹ Terrorism is characterized by a technique of perpetrating random and brutal intimidation, coercion or destruction of human lives and property, and used intentionally by sub national groups operating under varying degrees of stress, to obtain realistic or illusionary goals. The main characteristics of terrorism are:

1. It is against the state or community,
2. It has a political purpose,
3. It is illegal and unlawful,
4. It aims at intimidating and creating impact of fear and panic not only for the victim but also for the people at large, caused for the purpose of coercing or subduing,
5. It is accompanied by a feeling of impotence and helplessness on the part of the masses,
6. It stops rational thinking,
7. It leads to reaction of fight or flight, and

8. It contains arbitrariness in violence as victims' selection is random or indiscriminate.

1793: The Origins of Modern Terrorism:²

The word terrorism comes from the Reign of Terror instigated by Maximilien Robespierre in 1793, following the French revolution. Robespierre, one of twelve heads of the new state, had enemies of the revolution killed, and installed a dictatorship to stabilize the country. He justified his methods as necessary in the transformation of the monarchy to a liberal democracy. Robespierre's sentiment laid the foundations for modern terrorists, who believe violence will usher in a better system. For example, the 19th century Narodnaya Volya hoped to end Tsarist rule in Russia. But the characterization of terrorism as a state action faded, while the idea of terrorism as an attack against an existing political order became more prominent.

1950s: The Rise of Non-State Terrorism:

The rise of guerrilla tactics by non-state actors in the last half of the twentieth century was due to several factors. These included the flowering of ethnic nationalism (e.g. Irish, Basque, and Zionist), anti-colonial sentiments in the vast British, French and other empires, and new ideologies such as communism. Terrorist groups with a nationalist agenda have formed in every part of the world. For example, the Irish Republican Army grew from the quest by Irish Catholics to form an independent republic, rather than being part of Great Britain. Similarly, the Kurds, a distinct ethnic and linguistic group in Turkey, Syria, Iran and Iraq, have sought national autonomy since the beginning of the 20th Century. The Kurdistan Workers Party (PKK), formed in the 1970s, uses terrorist tactics to announce its goal of a Kurdish state. The Sri Lankan Liberation Tigers of Tamil Eelam are members of the ethnic Tamil minority. They use suicide bombing and other lethal tactics to wage a battle for independence against the Sinhalese majority government.

Terrorism as International Crime:³

Like no other event in recent history, the attacks against the United States on September 11, 2001 concentrated the world's attention on the problems of terrorism. Among the many problems terrorism poses is a familiar crux of international law: the failure of attempts by the community of nations to find an acceptable legal definition of terrorism. The principal reason for these emporia is that the international community finds it difficult to distinguish between terrorism, national liberation movements and other movements that have or continue to use force to defend their right of self-determination. For this reason, the international law concerning terrorism has developed haphazardly and now consists of an unsystematic hodge-podge of treaties concerning specific modes of terrorism. Individual states have chosen which among these treaties they will ratify and incorporate into their domestic legal systems. Accordingly, prosecutions of acts of terrorism falling within the various treaties tend only to occur in domestic legal fora.

A brief analysis of terrorist acts with the jurisdictional power of the ICC indicates the terrorism might be prosecuted as a crime against Humanity, war crime or possibly genocide. The emphasis of the Rome Statute lies with individual responsibility so there is no need to demonstrate that a State has been the perpetrator. Now that the category of offenders was

extended to include terrorist organizations, the September 11 attacks could be theoretically viewed as crimes against humanity. Of the international core crimes, the crime against humanity is the one best suited to tackle terrorist crimes with. The central requirement of crimes against humanity is that the illegal act must be committed as part of a widespread or systematic attack directed against a civilian population. The state, or in this case the non-state actor, must not necessarily adopt a policy as the formal policy.

However, in researcher opinion, it would be beneficial to amend the ICC Statute with express provisions concerning terrorism. One has to keep in mind that terrorism is a separate category and as such deserves separate contemplation and prosecution. As already laid out earlier, not all terrorist acts meet the high threshold of crimes against humanity. Consequently, certain terrorists could escape ICC jurisdiction even though their act was vile and a serious crime of international concern.

Historical perspective of cyber terrorism

Cyber terrorism is the premeditated use of disruptive activities, or the threat thereof, in cyber space, with the intention to further social, ideological, religious, political or similar objectives, or to intimidate any person in furtherance of such objectives.⁴ Computers and the internet are becoming an essential part of our daily life. They are being used by individuals and societies to make their life easier. They use them for storing information, processing data, sending and receiving messages, communications, controlling machines, typing, editing, designing, drawing, and almost all aspects of life.

The most deadly and destructive consequence of this helplessness is the emergence of the concept of "cyber terrorism". The traditional concepts and methods of terrorism have taken new dimensions, which are more destructive and deadly in nature. In the age of information technology the terrorists have acquired an expertise to produce the most deadly combination of weapons and technology, which if not properly safeguarded in due course of time, will take its own toll. The damage so produced would be almost irreversible and most catastrophic in nature. In short, we are facing the worst form of terrorism popularly known as "Cyber Terrorism". The expression "cyber terrorism" includes an intentional negative and harmful use of the information technology for producing destructive and harmful effects to the property, whether tangible or intangible, of others. For instance, hacking of a computer system and then deleting the useful and valuable business information of the rival competitor is a part and parcel of cyber terrorism.

The definition of "cyber terrorism" cannot be made exhaustive as the nature of crime is such that it must be left to be inclusive in nature. The nature of "cyberspace" is such that new methods and technologies are invented regularly; hence it is not advisable to put the definition in a straightjacket formula or pigeons whole. In fact, the first effort of the Courts should be to interpret the definition as liberally as possible so that the menace of cyber terrorism can be tackled stringently and with a punitive hand.

The law dealing with cyber terrorism is, however, not adequate to meet the precarious intentions of these cyber terrorists and requires a rejuvenation in the light and context of the latest developments all over the world.

Definition of Cyber Terrorism:

The word "cyber terrorism" refers to two elements: cyberspace and terrorism.

Another word for cyberspace is the “virtual world” i.e. a place in which computer programs function and data moves.⁵ Terrorism is a much used term, with many definitions. For the purposes of this presentation, we will use the United States Department of State definition:” The term ‘terrorism’ means premeditated, politically motivated violence perpetrated against noncombatant targets by sub national groups or clandestine agents.”

If we combine these definitions, we construct a working definition such as the following: “Cyber terrorism is the premeditated, politically motivated attack against information, computer systems, computer programs, and data which result in violence against noncombatant targets by sub national groups or clandestine agents.

The basic definition of Cyber-terrorism subsumed over time to encompass such things as simply defacing a web site or server, or attacking non-critical systems, resulting in the term becoming less useful. There is also a train of thought that says cyber terrorism does not exist and is really a matter of hacking or information warfare. Some disagree with labeling it terrorism proper because of the unlikelihood of the creation of fear of significant physical harm or death in a population using electronic means, considering current attack and protective technologies.

The U.S National Infrastructure Protection Center defined the term as⁶

“A criminal act perpetrated by the use of computers and telecommunications capabilities, resulting in violence, destruction and/ or disruption of services to create fear by causing confusion and uncertainty within a given population, with the goal of influencing a government or population to conform to particular political, social or ideological agenda.”

Center for strategic and International Studies defined Cyber Terrorism as

“The use of computer network tools to shut down critical national infrastructure (such as energy, transportation, government operations) or to coerce or intimidate a government or civilian population “. (The center for Strategic Infrastructure Studies (NIPS), formerly a unit of the federal Bureau of Investigation (FBI) It conducts investigations and provides a response to computer attacks.)

Who are Cyber Terrorists?

From American point of view the most dangerous terrorist group is Al-Qaeda which is considered the first enemy for the US. According to US official’s data from computers seized in Afghanistan indicate that the group has scouted systems that control American energy facilities, water distribution, communication systems, and other critical infrastructure.⁷

After April 2001 collision of US navy spy plane and Chinese fighter jet, Chinese hackers launched Denial so Service (DoS) attacks against American web sites.

A study that covered the second half of the year 2002 showed that the most dangerous nation for originating malicious cyber attacks is the United States with 35.4% of the cases down from 40% for the first half of the same year. South Korea came next with 12.8%, followed by China 6.2% then Germany 6.7% then France 4%. The UK came number 9 with 2.2%. According to the same study, Israel was the most active country in terms of number of cyber attacks related to the number of internet users. There are so many groups who are very active in attacking their targets through the computers. The Unix Security Guards (USG) a pro Islamic group launched a lot of digital attacks in May 2002. Another group called World’s Fantabulas Defacers (WFD) attacked many Indian sites. Also there is another pro Pakistan group called

Anti India Crew (AIC) who launched many cyber attacks against India. There are so many Palestinian and Israeli groups fighting against each other through the means of digital attacks.⁸

Methods of cyber terrorism⁹

(1) Cyber terrorism is the forerunner of war face. In the era of Information and Communication Technology (ICT) one nation causes terrorist violence by using new technology against other nation or nations. These are not the conventional way of war rather cyber war or net war between two or more nations which are very much unpredictable. For example between Israel and Pakistan net war, India and Pakistan net war, China and USA net war.

(2) International cyber terrorist attack. When international Organizations of terrorists link or communicate between them through internet and their own network to attack any nation, it is called international cyber terrorist attack. For example, in the year 2001 on 11th September World Trade Centre and Pentagon attack; immediately after that in the same year on 13th December 2001 attack at Indian parliament.

(3) Use of computer system and internet facilities. Use of computer system and internet facilities by terrorism group to develop own websites and network to send messages to each other worldwide are affective mode of cyber terrorism.

(4) Cyber terrorists use encryption programmed and digital signature. Cyber Terrorism use encryption programmed and digital signature to coordinate them using e-mail service which cannot be read by anyone. Even the national Security Agency through their super computing system failed to crack terrorist group's code. The United States of America is fighting against these attacks from 1990's

(5) Terrorists now using Information and Communication Technology (ICT) including satellite transmission. Terrorists now using ICT including satellite transmission, cell phones, wireless etc. to communicate with each other and organize for terrorist attack.

(6) Flowing 'worm', viruses, 'Trojan horse'. Flowing 'worm', 'virus', 'troan horse' to collapse Government departments such as defense, intelligence, commerce, academic and health. Access to Global electronic network and information's is one way which facilitates cyber terrorism.

Above mentioned modes are the possible ways of exploitation of ICT by terrorists. Terrorist' activities are dependent on certain contributory factors. These are as follows; Motivation

Motivations of terrorists may be psychological, cultural or national. (i) Cultural motivations depend on the feelings of native land and outsiders, group and outsiders, community, language and like. (ii) Psychological motivations depend on satisfaction and dissatisfaction in life, with family, with community, with society. (iii) National motivations are motivations of military or business personality for financial purpose with certain goals for benefits.

Some Incidents of Cyber Terrorism:-

- a. In 1998, ethnic Tamil guerrillas swamped Sri Lankan embassies with 800 e-mails a day over a two-week period. The messages read "We are the Internet Black Tigers and we're doing this to disrupt your communications." Intelligence authorities characterized it as the first known attack by terrorist against a country's computer systems.

- b. During the Kosovo conflict in 1999, NATO computers were blasted with e-mail bombs and hit with denial-of-service attacks by hacktivists protesting the NATO bombings. In addition, businesses, public organizations, and academic institutes received highly politicized virus-laden e-mails from a range of Eastern European countries, according to reports. Web defacements were also common.
- c. Since December 1997, the Electronic Disturbance Theater (EDT) has been conducting Web sit-ins against various sites in support of the Mexican Zapatistas. At a designated time, thousands of protestors point their browsers to a target site using software that floods the target with rapid and repeated download requests. EDT's software has also been used by animal rights groups against organizations said to abuse animals. Electro hippies, another group of hacktivists, conducted Web sit-ins against the WTO when they met in Seattle in late 1999.
- d. One of the worst incidents of cyber terrorists at work was when crackers in Romania illegally gained access to the computers controlling the life support systems at an Antarctic research station, endangering the 58 scientists involved. More recently, in May 2007 Estonia was subjected to a mass cyber-attack by hackers inside the Russian Federation which some evidence suggests was coordinated by the Russian government, though Russian officials deny any knowledge of this. This attack was apparently in response to the removal of a Russian World War II war memorial from downtown Estonia.

Law Relating to Cyber Terrorism:-

On October 17, 2000 special laws governing Cyber Crimes became effective in India with the passage of Information Technology Act 2000 (ITA-2000). Subsequently, the special act for Terrorism, POTA was also enacted with effect from 24th October 2001. We need to therefore look at the laws governing "Cyber Terrorism" within these laws and any other associated legislation that may come into effect by cross reference including the IPC.

Terrorism in Meta Space using Cyber space as a conduit is to be governed by the laws of the Meta space such as POTA with evidence gathered from Cyberspace as per the provisions of ITA-2000 which brought in some changes in the Indian Evidence Act.

Indian Law and Cyber Terrorism:-

In India there is no law, which is specifically dealing with prevention of malware through aggressive defense. Thus, the analogous provisions have to be applied in a purposive manner. The protection against malware attacks can be claimed under the following categories:

- 1) Protection available under the constitution of India, and
- 2) Protection available under other statutes.

(1) Protection Available Under The Constitution of India:-

The protection available under the Constitution of any country is the strongest and the safest one since it is the supreme document and all other laws derive their power and validity from it. If a law satisfies the rigorous tests of the Constitutional validity, then its applicability and validity cannot be challenge and it becomes absolutely binding. The Constitutions of India, like other

Constitutions of the world, is organic and living in nature and is capable of molding itself as per the time and requirements of the society.

(2) Protection Available Under Other Statutes

The protection available under the constitution is further strengthened by various statutory enactments. These protections can be classified as:

- a. Protection under the Indian Penal Code (IPC), 1860, and
- b. Protection under the Information Technology Act (ITA), 2000. Sec 66f (ii) deals with the offence of cyber terrorism and states whoever commits or conspires to commit cyber terrorism shall be punishable with imprisonment which may extend to imprisonment for life.

How to protect from cyber terrorism?

1. All accounts should have passwords and the passwords should be unusual difficult to guess.
2. Change the network configuration when defects become know.
3. Check with vendors for upgrades and patches.
4. Audit systems and check logs to help in detecting and tracing an intruder.
5. If you are ever unsure about the safety of a site, or receive suspicious email from an unknown address, don't access it. It could be a trouble.

Conclusion:-

The problems associated with the use of malware are not peculiar to any particular country as the menace is global in nature. The countries all over the world are facing this problem and are trying their level best to eliminate this problem. The problem, however, cannot be effectively curbed unless popular public support and a vigilant judiciary back it. The legislature cannot enact a law against the general public opinion of the nation at large. Thus, first a public support has to be obtained not only at the national level but at the international level as well. The people all over the world are not against the enactment of statutes curbing the use of malware, but they are conscious about their legitimate rights. Thus, the law to be enacted by the legislature must take care of public interest on a priority basis. This can be achieved if a suitable technology is supported by an apt legislation, which can exclusively take care of the menace created by the computers sending the malware. Thus, the self-help measures recognized by the legislature should not be disproportionate and excessive than the threat received by the malware. Further, while using such self-help measures the property and rights of the general public should not be affected. It would also not be unreasonable to demand that such self-help measures should not themselves commit any illegal act or omission. Thus, a self-help measure should not be such as may destroy or steal the data or secret information stored in the computer of the person sending the malware. It must be noted that two wrongs cannot make a thing right. Thus, a demarcating line between self-help and taking law in one's own hand must be drawn. In the ultimate analysis we must not forget that self-help measures are "watchdogs and not blood-hounds", and their purpose should be restricted to legitimate and proportionate defensive actions only. In India, fortunately, we have a sound legal base for dealing with malware and the public at large has no problem in supporting the self-help measures to combat cyber terrorism and malware.

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INTEGRATED STUDY OF SEMI-ARID SIWANI AREA THROUGH REMOTE SENSING AND GIS

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ABSTRACT

Satellite remote sensing data and the application of Geographic Information System (GIS) Technology find new frontiers in the process of assessment and evaluation of natural resources. Satellite images provide an unbiased, permanent data set that may be interpreted for a wide range of specific land use and land cover such as agriculture, forestry and waste land. In this study, the satellite data has been used as an input for analysis through the application of GIS Technology for the theSiwani area in Bhiwani District of Haryana State. Landscape units according to various land uses on the land cover map have been generated.And, finally these informations of diverse nature are integrated by applying GIS technology to produce thematic maps for land use planningand management of natural resources.

Key Words :Remote Sensing, Geographic Information System (GIS), Satellite Images, Landuse.

Information on the natural and cultural elements provides the basic input for land use planning and management of resources in any area. This also explains the past and present relationship of man with nature and the resultant landscape. The application of satellite remote sensing data in natural resource mapping is widely accepted. This is because it provides reliable and accurate baseline information of the terrain. Delineation of various land information is possible because it provides a synoptic view. The images provide a data set that may be interpreted for a wide range of specific landuse and landcover such as agriculture, forestry and wasteland. The present study is centered at the area of Siwani Tehsil of Bhiwani District in Haryana State which further forms the basis for planning and management of resources through the integrated approach.

Study Area

The Siwani Tehsil experiencing semi - arid type of climate is the part of Bhiwani District in Haryana State . The study area lies between 28⁰45' and 29⁰00'N latitudes and 75⁰30' and 75⁰ 45'E longitudes spreading over about 498 sq km. Siwani constitutes the physiographic unit of the sandy triangular zone enclosed by Bhiwani, Loharu and Jhumpa. The general topography of the study area bears a distinct imprint of both wind and water as geomorphic agents. A close examination of relief of the area reveals that a zone is clustered with sand dunes of varying shapes and dimensions. In between the sand dunes falls the main agricultural land. The general relief is marked by irregularities and

undulations. The direction of the sand dunes is inconsistent. The altitude of this tract varies between 750 and 870 feet. The sand dunes which are closely spaced, represent an extension of the landscape across the state border in Rajasthan.

Methodology

Physiography and land use survey of the study area was carried out using remote sensing technique in conjunction with ground truth and finally the integration was done using GIS technology.

The basic data used in the present study are:

- (a) Survey of India Toposheet — 44P/9
- (b) Satellite Imagery — IRS -1D LISS III data on 1:50,000 scale of August 2007.

Pre-Field Interpretations

The above mentioned satellite imagery was used for identification and delineation of physiographic and land use units. The interpretation of the remotely sensed data was carried out to identify and delineate the major sub physiographic units through studying the elements of shape, size, colour/tone, pattern, shadow, texture, etc. and various land use units.

The physiographic units identified and delineated are:

1. Fluvial Plain
 - 1.1 Plains
 - 1.2 Dunes
2. Aeolian Plain
 - 2.1 Dunal Complex
 - 2.2 Dunes
 - 2.3 Inter-dunes
 - 2.4 Plains

The land use/land cover units identified and delineated are:

1. Settlements
 - 1.1 Urban
 - 1.2 Rural
2. Agricultural
 - 2.1 Cropland
 - 2.2 Current fallow
3. Forest land

- 4 Wastelands
 - 4.1 Water logged
- 5 Water bodies
 - 5.1 Ponds

Ground checks / Ground Control Points:

The 9 sample—areas were selected in such a way that these included all the major and sub-physiographic and land use units and each of the delineated units, the physiography, soil, texture, settlement units, etc. were studied in detail to check the interpreted thematic details.

Digitization:

(a) Data loading, merging and georeferencing:

Remotely sensed data pertaining to ID P6 false colour composite of 4 bands with 24 metres resolution on 1:50,000 scale has been utilized for the study. The toposheet was fixed on the digitizer and the layers containing information about study area boundaries were put to the latitudes and longitudes used as control points. Through online digitizing the raster data were converted into vector data. For every theme, a blank coverage was created with appropriate tic marks. Various polygons i.e. arcs enclosed by areas on all sides were constructed marking the different landform and land use units. Different label points were assigned to each to specify the respective physiographic and land use units e.g. A1 for alluvial plains, A2 for Aeolian plains, etc. Within each feature attribute table, there was a record for each feature of that class.

Editing

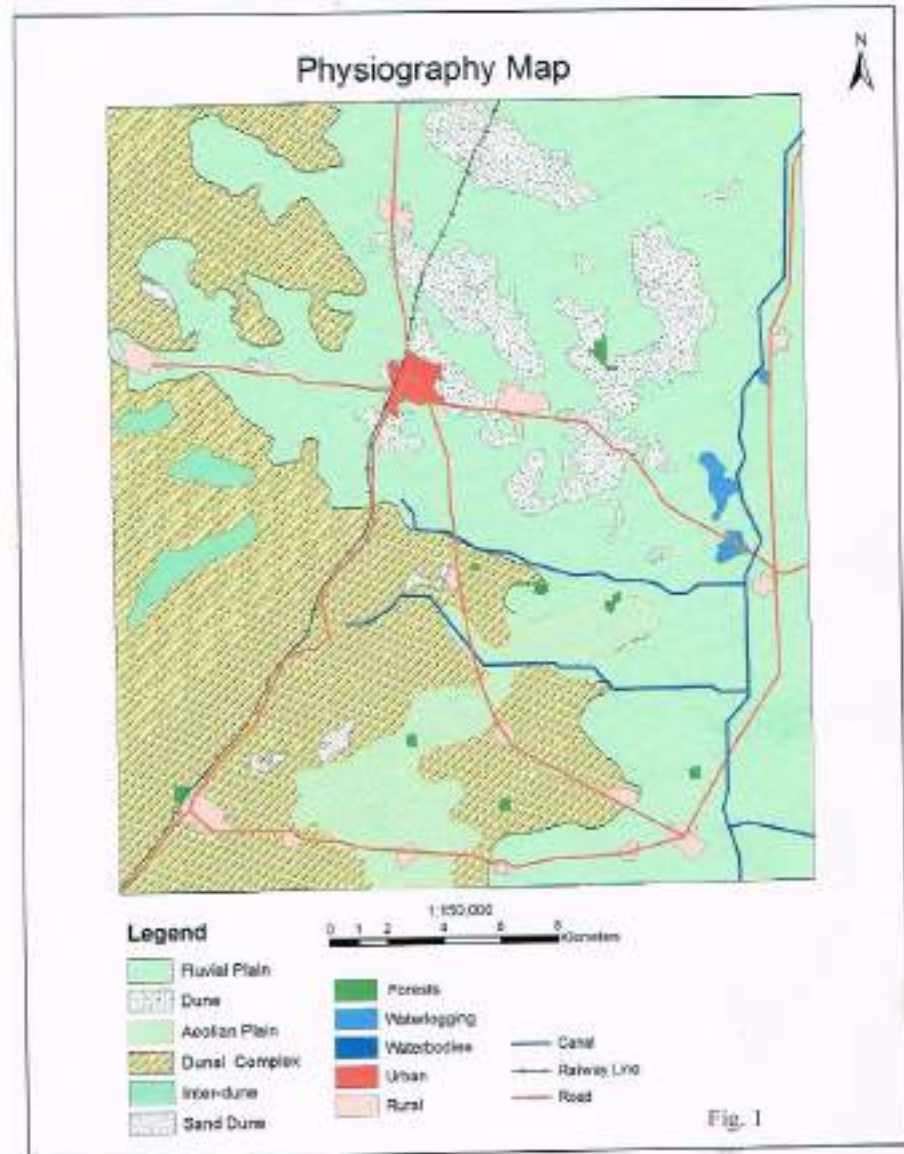
Once the digitization was complete, vectorized points were downloaded to hard disk of system, and coverage was created followed by creation of topology with clear option for default tolerance limits. Errors such as overshoots, undershoots, dangle nodes etc. were removed by editing. By entering into Arcedit, all the dangle errors were displayed using display characteristics of arcs in red colour so as to enable to identify the node errors. These errors were then edited specifying the edit feature.

Integration Of Physiographic and Land Use Maps:

Both the physiographic and land use maps were overlapped on each other. Using the DISSOLVE or ELIMINATE commands, both the features of land use as well as physiographic maps could be shown as one integrated map.

Results And Discussion

The salient features of various physiographic units studied were noted as shown in map (Fig.1).



(a) Fluvial Plain:

On imagery, it was mapped mainly in the north-western and north-eastern part of the study area. It was characterized by moderate

erosion, diffused mixed to gray tone indicating higher moisture content in the landform. The soils were free from salt problems and contained more of clay than sand.

(b) **Aeolian Plain:**

On imagery, it was mapped mainly in the south-western and western part of the study area near Siwani settlement. This was characterized by very light tone reflecting yellow-whitish colour due to lack of irrigation facilities and semi-arid conditions.

(c) **Dunes:**

These occupied mainly northern part of the study area. These were characterized by distinct mixed tone due to variable moisture conditions.

The salient features of various land use units studied were noted as (Fig. 2).

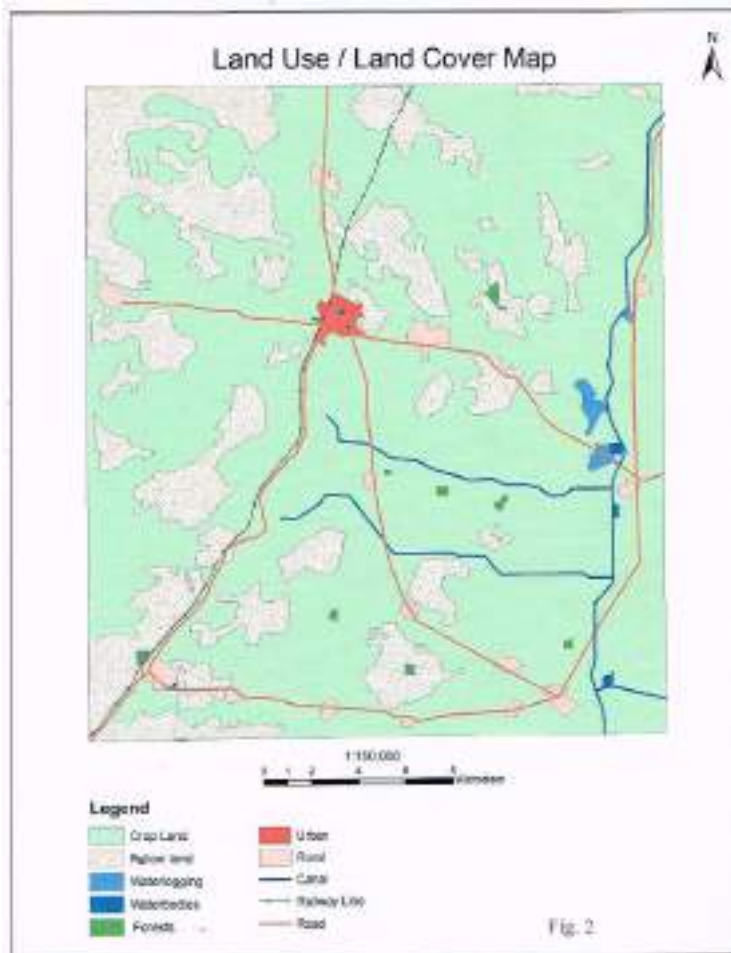


Fig. 2

(a) Agriculture:

This covered mainly north-eastern part and was scattered in the rest of the area mainly near irrigation (canal) facilities. This was characterized varying tones of red colour with brightness increasing with the vigour of the crop. One such mustard field was selected for the ground check too.

b.) Settlements:

These were characterized by bluish-grey tones with a coarse texture, well connected road network joining various hierarchies of settlements. The urban settlement i.e. Hisar city in the extreme north-east corner seemed to be more planned. and bigger in size while the rural settlements were identified on the basis of smaller size, presence of a pond or water body near its periphery.

(c) Plantations:

These were characterized by well-marked shape and diffused the extreme end or red colour of vegetation i.e. the dark grayish-red.

(d) Water bodies:

These were mainly in the form of small ponds in the rural settlements and big water tanks in the urban settlements. These were characterized by dark blackish tone indicating the presence of water.

(e) Waterlogged area:

These were mainly in the eastern and north-eastern part of the study area. They were characterized by dark brownish tone indicating waterlogged

(f) Scrub land :-

These were characterized by irregular shape and brown greenish tone.

(g) Transport network :-

These are mainly linear features in the imagery with the road network passing through the settlements and sometimes sharp bends than the rail lines, while the rail line being characterized by lesser bends in its route and rarely passing through the settlement.

Conclusions

GIS facilitate a multi-criteria evaluation through the overlay of maps. It is powerful decision making tool as it provides facilities for analysis of various spatial and non-spatial data and helps in decision making processes. Thus, GIS enables us to process the data in terms of the planning needs as well as physical realities, hence play very significant role in management of natural resources.

The salient physiographic features identified in the study area are as fluvial plains, Aeolian Plains and sand dunes. And , the major land use units studied include agriculture, settlements, plantations, water bodies, waterlogged areas, scrub land and transport network. The integrated study of various natural and cultural elements of the area provides the basis for future planning and management of resources.

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A STUDY OF AGGRESSION, ANXIETY AND WILL TO WIN AMONG BOXERS WITH REFERENCE TO THEIR LEVEL OF PARTICIPATION

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ABSTRACT

The main thrust of the modern sports is on winning, not just to participate or to engage in recreation. Physical Health, fitness, joy and fun are no longer the rationale or even the intention. The sensational performance of Indian pugilist in international events has been largely attributed to the aggression, anxiety and the lack of will to win. These are the factors that make great competitors. The study consists of 300 male boxers were selected as subject. The levels of participation of the boxers were District (100), State (100) and National (100). The age groups of the boxers were 17 to 25 years who participated at different levels district, state and national level in 2012. Aggression Questionnaire constructed by Dr. G.L.Pat, Anxiety Questionnaire by Martin and Will to Win Questionnaire by Pezer and Brown were use to asses psychological variables. Two tail student t' test was used for analysis of results.. The result of the study shows that National level boxers are better in aggression than state and district level, National level boxers have shown less anxiety than state & district level and National level boxers are better in will to win than state level which are significant at 0.01 level of significance.

Key Words: Aggression, Anxiety, Will to Win, Boxers.

Psychology plays an important role in boxing as well because a player has to understand the behaviour of the opponent and has to change strategy accordingly. To put the psychological pressure on the opponent, a boxer should be psychologically fit. The psychological factors which effect a boxer directly are, anxiety, aggression and will to win. Boxing is a game of skill, concentration, good co-ordination, and anticipation. Basslor (1977), it is the mental toughness, as heart bears exertion, to sustain hard punches. It is the activities that change the state of one's mind and further exerts pressure and to further influence behaviour. Rajesh (2007) conducted a study on aggression level of boxer and wrestlers and he concluded that there is no significant difference in level of aggression of the boxers and the wrestlers.

In the game of boxing anxiety plays a major role in best performance for the best performance the level of anxiety must be optimum. Boxing being a combative game, it involves dangers of physical injury. So state situation anxiety has higher level when a boxer enters the ring, the level of state anxiety should be reduced with passing time for the best performance.

Rathore, Bhadana and Singh (2001) carried out an investigation of sports special ability in relation to anxiety, aggression and adjustment of Rajasthan state junior boxers. There are two major loci of control in the career of sports competitors i.e. the internal and external control.

Internal factors include ability, superiority in skill, practices, suitable body build, etc, while the external factors include chance, luck, influence of high-ups, financial backing, official's role and judgment etc. Success or failure in sports to a great degree is dependent on these factors, It, therefore, seems worthwhile to locate the factors that influence sports careers and their relation to anxiety, aggression and self-efficacy. The objectives of the study were to explore the extent of special sports related ability of the Junior Boxers, to understand the personality factors of boxers, and to measure the level of anxiety, aggression and adjustment of the Junior State boxers. The ample consisted of a group of 60 Rajasthan State Junior boxers from the age group 17-19 years, who had to participate at the State level.

'Will to Win' has been defined as the intensity of desire to defeat an opponent or to exceed some performance standard in given sports. Individual wishing 'will to win' should be very competitive and should feel that winning is the major reason for competing. Winning or losing should affect their self-esteem: individual or collective. It has been observed that our athletes do not win, do not get gold or silver medals because they do not have the 'will to win', to excel, to defeat the opponent, to exert to the maximum, to the last drop of blood or to the last breath. But this is a conjecture only, as no serious efforts have been made to measure the 'will to win' among the athletes. Pezer and Brown (1980) consequent upon their study on intercollegiate women basketball teams showed that the players in the winning teams had greater 'will to win' than the losing teams. They used Nunally will to win scale (1967)

Reddy T. Onima and Singh,V.(2010) compared will to win as a psychological differential to play and triumph among female runners, jumpers and throwers. The findings of the study in relation to will to win showed insignificant difference among short distance runners, long distance runners, jumpers and throwers. On the basis of the findings of the study, the following conclusions are drawn: insignificant difference among short distance runners, long distance runners, jumpers and throwers was found as will to win is defined as the intensity of the desire to defeat an opponent or to exceed some performance standard in a given sports.

METHODOLOGY

SAMPLE

The present study, total 300 male boxers were selected as subject as different levels of participation. The levels of participation of the boxers were District (100), State (100) and National(100). The age group of the boxers was 17 to 25 years different districts of Haryana.

TOOLS USED

1. Aggression Questionnaire constructed by Dr. G.L.Pati.
2. Anxiety Questionnaire constructed by Martin.
3. Will to win Questionnaire constructed by Pezer and Brown.

STATISTICAL TECHNIQUES USED

The present study data obtained by the aggression, anxiety and will to win questionnaire from the boxers were analyzed.To compare psychological measurements of Boxer 't' test was used as devised by Garrett (1981).

RESULTS

TABLE-1: COMPARISON OF AGGRESSION BETWEEN NATIONAL, STATE AND DISTRICT LEVEL BOXERS

Level of Participation	N1	N2	Mean1	Mean2	MD	S.D.1	S.D.2	S.Ed.	t-ratio
National v/s State	100	100	35.77	23.68	12.09	5.91	3.64	0.69	17.52*
National v/s District	100	100	35.77	17.12	18.65	5.91	0.96	0.60	31.08*
State v/s District	100	100	23.68	17.12	6.56	3.64	0.96	0.38	17.26*

***Significant at 0.01 level.**

Table 1 shows that the mean scores of aggression of national level boxers is 35.77, while the mean of aggression of state level boxers is 23.68 with S.D. 5.91 and 3.64 respectively. The t-ratio of aggression of both the group of boxers (national and state) is 17.52 which is significant at 0.01 level. Further table 1 shows that the mean scores of aggression of national level boxers is 35.77, while that of district level boxers is 17.12 with S.D. 5.91 and 0.96 respectively. The t-ratio of aggression of both the group of boxers (national and district) is 31.08 which is significant at 0.01 level of significance. It seems from table 1 that the mean scores of aggression of state level boxers is 23.68, while that of district level boxers is 17.12 with S.D. 3.64 and 0.96 respectively. The t-ratio of aggression of both the group of boxers (state and district) is 17.26 which is significant at 0.01 level of significance. Comparison between mean, mean deviation and S.D. values of aggression between national, state and district level boxers is shown below in figure 1:

FIGURE-1: SHOWING COMPARISON OF MEAN, MEAN DEVIATION AND S.D. VALUES OF AGGRESSION BETWEEN NATIONAL, STATE AND DISTRICT LEVEL BOXERS

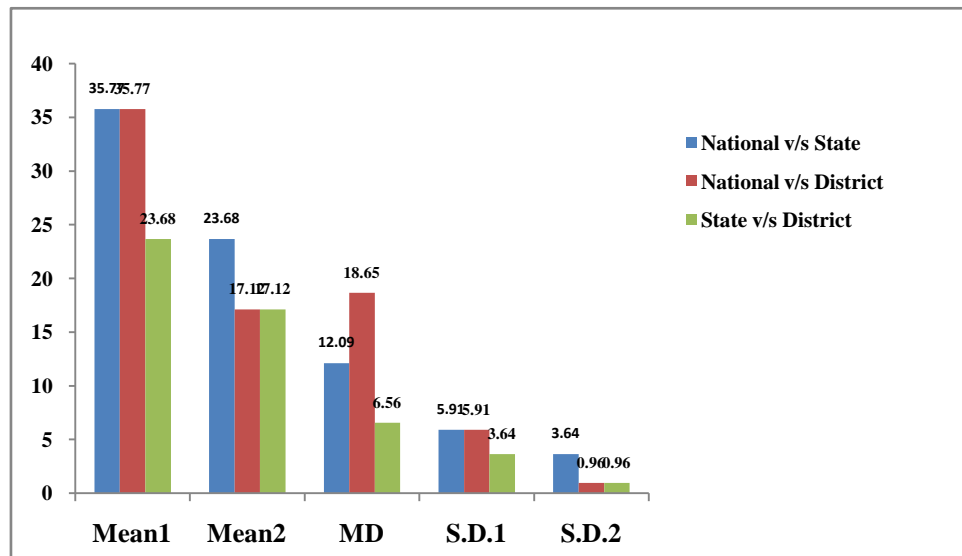


TABLE-2: COMPARISON OF ANXIETY BETWEEN NATIONAL, STATE AND DISTRICT LEVEL BOXERS

Level of Participation	N1	N2	Mean1	Mean2	MD	S.D.1	S.D.2	S.Ed.	t-ratio
National v/s State	100	100	11.23	16.53	5.3	1.01	1.68	0.20	26.5*
National v/s District	100	100	11.82	25.86	14.04	1.15	1.76	0.21	66.86*
State v/s District	100	100	16.53	25.88	9.35	1.42	1.76	0.23	40.65*

***Significant at 0.01 level.**

Table 2 shows that the mean scores of anxiety of national level boxers is 11.23, while the mean of anxiety of state level boxers is 16.53 with S.D. 1.01 and 1.68 respectively. The t-ratio of anxiety of both the group of boxers (national and state) is 26.5 which is significant at 0.01 level. Further table 2 shows that the mean scores of anxiety of national level boxers is 11.82, while that of district level boxers is 25.86 with S.D. 1.15 and 1.76 respectively. The t-ratio of anxiety of both the group of boxers (national and district) is 66.86 which is significant at 0.01 level of significance. It emerges from table 2 that the mean scores of anxiety of state level boxers is 16.53, while that of district level boxers is 25.88 with S.D. 1.42 and 1.76 respectively. The t-ratio of anxiety of both the group of boxers (state and district) is 40.65 which is significant at 0.01 level of significance. Comparison between mean, mean deviation and S.D. values of anxiety between national, state and district level boxers is shown below in figure 2:

FIGURE-2: SHOWING COMPARISON OF MEAN, MEAN DEVIATION AND S.D. VALUES OF ANXIETY BETWEEN NATIONAL, STATE AND DISTRICT LEVEL BOXERS

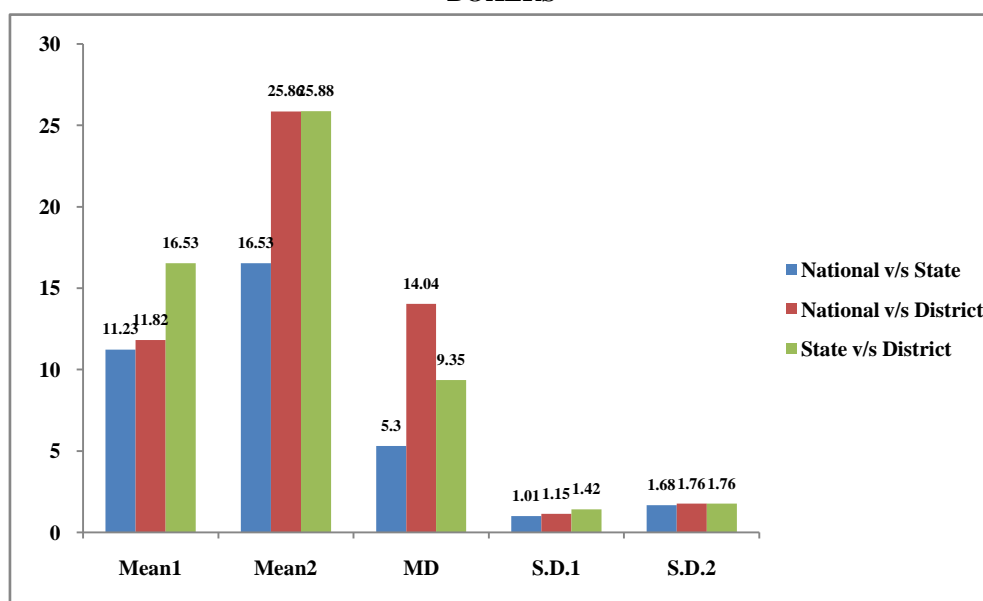


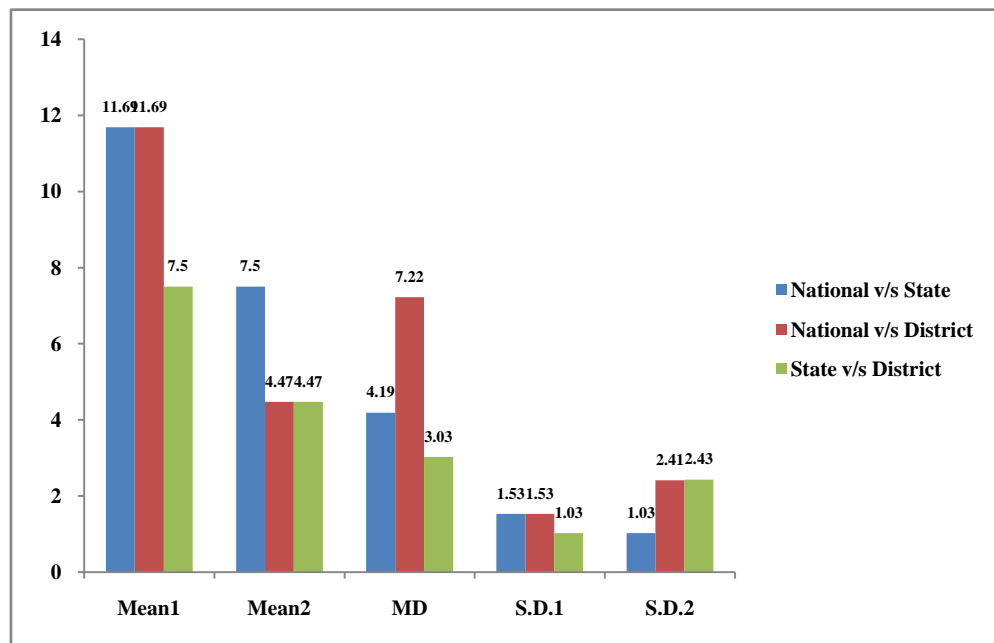
TABLE-3: COMPARISON OF WILL TO WIN BETWEEN NATIONAL, STATE AND DISTRICT LEVEL BOXERS

Level of Participation	N1	N2	Mean1	Mean2	MD	S.D.1	S.D.2	S.Ed.	t-ratio
National v/s State	100	100	11.69	7.50	4.19	1.53	1.03	0.18	23.28*
National v/s District	100	100	11.69	4.47	7.22	1.53	2.41	0.29	24.91*
State v/s District	100	100	7.50	4.47	3.03	1.03	2.43	0.26	11.65*

***Significant at 0.01 level.**

Table 3 shows that the mean scores of anxiety of national level boxers is 11.69, while the mean of will to win of state level boxers is 7.50 with S.D. 1.53 and 1.03 respectively. The t-ratio of will to win of both the group of boxers (national and state) is 23.28 which is significant at 0.01 level. Further table 3 shows that the mean scores of will to win of national level boxers is 11.69, while that of district level boxers is 4.47 with S.D. 1.53 and 2.41 respectively. The t-ratio of will to win of both the group of boxers (national and district) is 24.91 which is significant at 0.01 level of significance. It emerges from table 1 that the mean scores of will to win of state level boxers is 7.50, while that of district level boxers is 4.47 with S.D. 1.03 and 2.43 respectively. The t-ratio of will to win of both the group of boxers (state and district) is 11.65 which is significant at 0.01 level of significance. Comparison between mean, mean deviation and S.D. values of will to win between national, state and district level boxers is shown below in figure 3:

FIGURE-3: SHOWING COMPARISON OF MEAN, MEAN DEVIATION AND S.D. VALUES OF WILL TO WIN BETWEEN NATIONAL, STATE AND DISTRICT LEVEL BOXERS



DISCUSSION

From the table 1, it is clear that the aggression found in National level boxers is more than the state level boxers and the difference in means are statistically significant at 0.01 level. National level boxers possesses more aggression because they are having more training and experience than those of state level boxers. Table shows that National level boxers are more aggressive than State level players though aggression is an inborn quality, but even than it grow by training and experience. National level boxers have more training and experience due to that they have more confidence. Confidence raises aggression. State level boxers are less aggressive due to less maturity level.

From the Table 1, it is clear that the aggression found in National level boxers than the district level boxers and the difference in means are statistically significant at 0.01 level. National level boxers possesses more aggression because they are having more training and experience than those of district level boxers. Table shows that National level players are more aggressive than District level boxers though aggression is an inborn quality, but even than it grow by training and experience. National level boxers have more training and experience due to that they have more confidence. Confidence raises aggression. District level boxers are less aggressive due to less maturity level.

From the table 1, it is clear that the aggression found in State level boxers than the district level boxers and the difference in means are statistically significant at 0.01 level. State level boxers possesses more aggression because they are having more training and experience more practice and then those of district level boxers. State level boxers are more aggressive than District level boxers though aggression is an inborn quality, but even than it grow by training and experience. State level boxers have more training and experience due to that they have more confidence. Confidence raises aggression. District level boxers are less aggressive due to less maturity level.

From the table 2, it is clear that there is a significant difference in anxiety of boxers at National and state level. Table 2 shows that National level boxers show less anxiety than state level boxers. National level boxers are practicing more and with this they are having more training and experience than those of state level that is why they give better performance than state level boxers.

Table 2 shows that National level boxers show less anxiety than District level boxers. National level boxers are practicing more and with this they are having more training and experience than those of District level, that is why they give better performance than District level boxers, but District level boxers are beginners and they have hesitation and lack in fighting experience. So they suffer from more anxiety.

Table 2 shows that state level boxers show less anxiety than district level boxers. State level boxers are practicing more than district level boxers and with this they are having more training and experience than those of district level, that is why they give better performance than district level boxers, but District level boxers are beginners and they have hesitation and lack in fighting experience. So they suffer from more anxiety.

Table 3 shows that it is clear that the will to win found in National level boxers is more than the state level boxers and the difference in means are statistically significant at 0.01 level. National level boxers possesses more will to win because they are having more experience

than those of state level boxers. Table shows that National level boxers are more will to win than State level boxers though this is an inborn quality, but even than it grow by experience. National level boxers have more experience due to that they have more confidence. Confidence raises will to win. State level boxers are less will to win due to less maturity level.

From the Table 3, it is clear that the will to win found in National level boxers than the district level boxers and the difference in means are statistically significant at 0.01 level. National level boxers possesses more will to win because they are having more experience than those of district level boxers. Table shows that National level boxers have more will to win than District level players though will to win is an inborn quality, but even than it grow by experience. National level boxers have more experience due to that they have more confidence. Confidence raises will to win. District level boxers have less will to wine due to less maturity level.

From the table 3, it is clear that the will to win found in State level boxers is more than the district level boxers and the difference in means are statistically significant at 0.01 level. State level boxers possesses more will to win because they are having more experience more practice and then those of district level boxers. State level boxers have more will to win than District level boxers though will to win is an inborn quality, but even than it grow by experience. State level boxers have more experience due to that they have more confidence. Confidence raises will to win. District level boxers have less will to win due to less maturity level.

CONCLUSIONS

1. National level boxers are better in aggression than state level.
2. National level boxers have shown better performance in aggression than district level boxers.
3. State level boxers are better in aggression than district level.
4. National level boxers have shown less anxiety than state level.
5. National level boxers are better in anxiety than district level boxers.
6. State level boxers are better in anxiety than district level.
7. National level boxers are better in will to win than state level.
8. National level boxers are better in will to win than District level.
9. State level boxers are better in will to win than District level.

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MARXIST CRITIQUE OF CASTEISM: A REFLECTION ON INDIAN CASTE STRUGGLE

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ABSTRACT

*India might be at the cusp of being the next superpower, but is yet to decipher the jigsaw of caste system which has been dragging the moral-ridden hierarchical turmoil to which several have fallen victim. This paper attempts to delve into the genesis of this system which was primarily sorted based upon ability, but evolved into the stringent classification based upon birth. From Kshatriyas and Brahmins of bygone era to the scheduled tribes and castes of now, a streamline of injustice flows in India's veins. Many critics loathe Marxism in relation to its inferences as regards caste system. But it can be regarded as a plausible solution, since the question at its locus is division labour and most importantly relation of labourer to society and their work. Disproportion in this context amid the classes seems to be interwoven and yet the same time alienated from the gulf among the castes. Seminal religious and spiritual texts seems to be the breeding ground for this very thought line, as this paper inculcates references from the likes of **Bhagwat Gita** to strengthen this argument. The very idea of a selected few dominating over the others is a blasphemy and via the scope of this paper, this glaring corollary of caste system is explored. The interpretation is synced in further by attuning the remarks of astute critics like Louis Desmont. The malice of caste system is probed further by drawing parallels with the labour relation of 18th century England which stood at the brink of dominating the world. Marxist approach via its relation to practical brewing economy is a viable panacea, for economic prosperity will eliminate this disparity.*

Key Words: Communist, Kshatriyas, Chaturvarnya.

The Communist Manifesto clearly reflects the behavior pattern of society as an organism based on any principle in its opening lines:

The history of all hitherto existing society is the history of class struggles. Freeman and slave, patrician and plebeian, lord and serf, guild-master and journeyman, in a word, oppressor and oppressed, stood in constant opposition to one another.... (Marx and Engels 108-109)

The fable among the rigid lot of Hindus is that this *chaturvarnya* had its basis in religion. This convention is backed by the likes of *Manusmriti* and further cultivated by the epitome of religious texts such as *Mahabharata* and *Ramayana*. But this manoeuvre of gaining divine approval served the purpose of seeking continuity to the chariot of this bigoted division of work. This design was not bestowed by fate but rather the work of wily few who rather than having a symbiotic relation with the working clan, had their plans embarked for a tyranny filled rule over majority of this labour wielding class. The only word for this is exploitation or

rather capitalist exploitation in modern terms. Hence in the guile of this four tier stringent structure were the undercurrents of interrelation of production.

Though many anti-marxists validate the point that Marxist theory cannot be relied upon to decipher the labyrinth of caste shrouded system in India, the very fact that the theory is based upon the 'labour relations'. It can be deemed fit enough to decode any relation which deals with *Homo sapiens*.

A user-value parameter needs to be set up in order to probe inter-human relations based upon their work and hence labour. Just like with the crests and troughs of a wave, there are high and low castes in the system. But what defines this distinction? On a general ground, the upper echelons of the caste are affluent, for they possess ample capital to wield power over other and hence suppression and thus the 'troughs' or 'low' castes.

Working class as a whole does the actual 'work' for the upper castes merely engage themselves with labour requiring the use of intellect. However, the ones at the tail of this system are shoved into manual labour which culminates into economic disparity for the intellect labour comes with a higher pay value than the manual one. Not only it leads to the seeping inferiority into the psyche of lower castes, it makes them cower down to accept it as their fate as the religion ticks in to hinder them from going against the system.

Marx takes a stand upon the hereditary occupational dogma which caste levies upon an individual in his seminal work 'Capital' which was published in 1867:

Manufacture, in fact, produces the skill of the detail labourer, by reproducing, and systematically driving to an extreme within the workshop, the naturally developed differentiation of trades which it found ready to had in society at large. On the other hand, the conversion of fractional work into the life-calling of one man, corresponds to the tendency shown by earlier societies, to make trades hereditary; either to petrify them into castes, or whenever definite historical conditions beget in the individual a tendency to vary in a manner incompatible with the nature of castes, to ossify them into guilds. Castes and guilds arise from the action of the same natural law that regulates the differentiation of plants and animals into species and varieties, except that when a certain degree of development has been reached, the heredity of castes and exclusiveness of guilds are ordained as a law of society. (Marx 321)

Caste structures and class formations are entirely different prospects to be delved in. And yet they are interwoven intrinsically into each other. However, they generate variable forms of responses on academical front for the caste consciousness comes to the fore as a weed amidst the augmentation of plebeian solidarity. The very fabric of this unison of working class is torn to shreds by the perception of their respective caste. A destitute peasant belonging to a 'higher rung' caste does not consider his work brethren belonging to a 'lower caste' as his equal and will not heed to foster any cultural and social bonds with him. Though they might amalgamate to form trade unions to indulge in struggles having roots in economic issues, they mostly refrain from nurturing any companionship which shall breach the stringent caste barriers. More often than not, it is a cohesive economism than being class consciousness which harnesses the will to be part of these movements catering to economic wants.

Let us seek the very origin of this deigned truth from the religion itself. *Manusmriti* forbids the transposition of an individual's occupation as a fatal offence. Even the mouthpiece of God,

the holy *Bhagwadgita* recommends death as a better preposition rather than swapping allegiance from one's *swadharmato* that of other. However, the Machiavellian writers were not merely assured by these religious interpretations and hence shored up their defences against any manoeuvre against the *chaturvarnya*. For instance, *Bhagwadgita* entrusts *Kshatriyas* to remain aligned to their task of engaging in war, however, on the hindsight it might merely be a morse code to levy tyranny upon those who rose to challenge. *Karna* is a cult example of being victim to this system as he was being mocked at for being a *SootPutra* when he challenged *Arjuna* to a duel. Thus the system was woven in such a way that any individual challenging the strata would fall prey and hence made it a stagnant institution altogether.

The facet that alarms us is that while one faction escapes the rigours of the labour, the other one, which is the majority, does the labour and yet faces exploitation. Such is the irony that the 'crest' class enjoys a monopoly over the viable modes of production and thrives by exploiting the labour via churning out rent from land and dividend on capital, hence indulging themselves in no labour at all. Languishing at the bottom are the deprived ones who are destined to 'clean the dirt' of entire *chaturvarnya*. If the time is to really herald equality in division, it is time that the other castes clean their 'own dirt'.

Every phenomenon is open to interpretation and putting Casteism under the scanner of observation reveals an intriguing assessment by Louis Dumont who authored the book *Homo Hierarchies*. For him the values are genetically embedded in the culture and these values could be dissected in different ways by every individual. Thus caste should be inferred from Indian context. By seeking the intimate reality of the objective in question he made Indian perspective its vital cog.

The fact that the bifurcation of labour is reliant on the cosmos of caste rather than the economic jargon defies logic. These castes though comprise of a system as a whole but they are disjoint within themselves for a chasm so deep separates them from one another. For Dumont, stature of every caste was in proportion to the propinquity of that sect to the locus of the caste system itself; the creators of *Chaturvarnya*: the Brahmins. As per him, beneath the system was the unconscious acceptance of the hierarchical ascendancy. He infers that this apparatus of caste will defy the toll of time as even now an individual will favour a spiritual gratification and hence acceding to the Brahminic authority.

However, Dumont fails to breach the epidermal periphery at many fronts by merely celebrating the Brahmin sovereignty. As Jonathan Perry points out that the *Sadhus* were placed at a higher pedestal in spiritual hierarchy than Brahmins because of their very rejection of the worldly materials, while Brahmins enjoyed the leverage extended to them by their autocratic patrons. Dipankar Gupta constructs another valid argument based upon the altering of demography as he points out that since *Jats of Western Uttar Pradesh* deemed Brahmins as the avaricious lot and considered their presence as a bad omen is in stark contrast to Dumont's theory of Brahmins being heralded by the lower castes as the ideal ones.

Marx asserts that the metamorphosis of human society as a whole pertains to the material aspect, for it has always been the yearning for better prospects that has led to the advancement of the humans. However, it faces the idealistic notion of the divine will as its foe which led to the baseless thought lines such as kings being the incarnations of the God.

Marx launches an onslaught on this whole stigma of caste in "The German Ideology" by stating that under the guile of religion the whole system of labour division is empowered by the primitive caste system.

If we are to seek any semblance between the division of labour and origin of caste, we are to make believe that division of labour was the primal being which led to the caste system which has ever since been evolving into a more stringent system. But the more circumspect curiosity which arises out of this issue is the fact that is caste merely an Indian concept or does it find hearth on other shores as well?

Well the research finds caste as a unique entity only present in India and since the whole system culminated from the division of labour, we need to transform the system as a whole.

The very idea of privileged and deprived is blasphemous for even the God created every human as an equal so he will not desire a selected few to rule over others. Hence every person shall by design, labour for themselves. Though it might sound farfetched but the segregation of labour under the aegis of production system in Great Britain which came to end during 18th century gives us a glimpse of what might be the picture of this caste struggle.

Marx in his book *Poverty of Philosophy* makes a subtle and well documented argument as regards the genesis of whole system. He perceives that the whole crux of labour division under any sort of system, be it corporative or caste, it has to adhere to a certain set of rules. But who sets these commandments? Merely a system of legislature doesn't suffice in producing such rules but rather these rules are the result of the ever evolving system of material production. These rules play a mere second fiddle in setting up the plinth of a social organization.

The caste system tends to have its consequences echoed by and large in the plight of dalits in India even now. Merely embarking on the course of emancipation won't set the things right. As to why Marxism is yet to gain an acceptance as a more practical solution is the fact that it is still relegated to be used as a mere academic rhetoric or merely as a tool to garner votes. So far its use has been at the best fragmentary.

As Abraham Lincoln correctly points out though slavery is heralded as a moral wrong and it is not involved with; in the region's where it exists but yet for wielding power over such states we merely wish to treat it as wrong rather than providing a practical solution. This summarizes the current turmoil of casteism in current scenario. A dalit may have aspirations to be an engineer but the fact that his act will breach the immoral morality of Chaturvarnya; he won't be encouraged to do so. Even the current quotas to bring economic semblance between the various castes only classifies them further as not being the part of society as a whole.

This does not call for dissolving of a system altogether but to ameliorate the status of lower rungs to the levels of privileged ones. While the likes of Jyotirao Phule and B.R. Ambedkar did provide a strong democratic front for the dalit movement, it won't have laid down any feasible economic components. Merely discovering the roots of exploitation is not the solution. After the Civil War in United States, it was not the question of abolishing slavery but what lay beyond this liberty in a land which was not theirs, but acceptance sinned in and they have continued to make strides. Though the caste as a modus operandi has regional variations its discrimination towards the deprived lot remains uniform. Applying the Marxist proponents to the Indian terrain, it may be found that though class does maintain its distinctness, but it mingles into the psyche of caste when human response to a situation is needed.

In the panorama of base and superstructure, caste and class duality hinders the proper appearance of caste struggle at the fore. It has verisimilitude similar to being a DNA of progeny which might vary from the DNA of parent and yet there is no denying the similarity in the facets of parents and their wards. Caste, in this case being progeny's DNA. Society as a whole thrives in solace unless the harmony ceases to exist and the plethora of caste and class, base and superstructure cross swords to engage in defining one another. If such is the case, then the conflict evolves into a broiling war to bring back harmony which is ironic in itself for how a war can bring harmony and yet it is what precisely culminates. Mode of production and production relations defines the economic chasm between two classes on which clings the whole surreal ideology of religion which brings in caste at the scene, making it overlap with the class.

Via regular engagement in these class struggles, the class sentience can indeed be awakened. But the given the genesis of this struggle which is often garbled by caste consciousness, we will only be caught in a whirlpool. Hence on moral grounds as well as on social grounds, we need to examine the caste strata as semi-autarchic disposition within the larger frame of class structure embedded in the Indian society and seeking a correlation between the modern jargon of the struggle to its origin in the ancient era.

CONCLUSION

World is transcending into a phase where the division of labour is shaping and moulding drastically. India is part of this metamorphosis for the shackles of hereditary occupations have already started to unchain. However, thwarting the entire caste system will take more of apocalyptic actions, for the caste still plays a vital role in drawing the trajectory of one's occupational life especially in lower castes. But giving them the economic conditions and materialistic aspiration will not make them Icarus but rather Helios himself, for it is their time to shine. Hence in the aftermath of this discussion it won't be wrong to at least alleviate our psyche to make open the labyrinth of caste to Marxist interpretation.

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BIODIVERSITY OF SOIL MYCOFLORA IN A CLAY- LOAM GARDEN SOIL

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ABSTRACT

*Soil is inhabited by variety of organism, of which presence of fungi in the soil is of immense importance both ecologically and economically. A clay loam garden soil carries both saprophytic and parasite mycoflora but type and number of fungal population varies in various depth of soil (S_1 = Surface soil, S_2 = 15 cm deep soil). Number of fungal genera were higher in S_2 soil and lesser in S_1 soil. Percent abundance (%A) of each type were also calculated after growing the soil mycoflora on artificial nutrient medium and counting their total population (TP) colonies. It was found that *Aspergillus flavus* showed maximum percent abundance i.e. (14.33%) and (11.33%) in S_1 and S_2 soils respectively where as in *Rhizopusoryzae* showed minimum percent abundance (2.44%) in S_1 soil. The minimum percentage abundance (2.02%) in S_2 soil was shown by an unidentified fungal genus.*

Key Words :- Soil, fungi, mycoflora, population, abundance.

Soil which was earlier considered an inert medium is actually a dynamic ecological habitat teeming with multitudes of active organisms. The studies on the ecology of soil saprophytes has been emphasized by soil microbiologists and plant pathologists. Since soil is inhabited by myriads of organisms producing many biological complexities, these organisms exert various kinds of influences, like parasitic, saprophytic and some are antagonistic to others. These antagonisms being expressed in various ways, such as production of antibiotics or other secretions, some are synergistic to the existence of each other thus producing helpful metabolites or using different food bases and so becoming uncompetitive with each other and so on.

In a historic paper, Weindling (1932) reported the parasitism of *Trichoderma lignorum* on *Rhizoctonia solani* and various other species of soil fungi. He reported parasitism of *T. lignorum* on *Armillariella*. Weindling and Fawcett (1936) next reported successful control of damping-off of citrus seedling infected by *R. solani* through acidification of soil layers around the seeds at pH 4.0. Present study deals with isolation and identification of soil borne fungi from two different levels of soil in a botanical garden having clay loam garden soil.

MATERIALS AND METHODS

A field in the Botanical Garden of Kurukshetra University, Kurukshetra was selected for the purpose of present studies.

ISOLATION AND IDENTIFICATION OF SOIL FUNGI

a. Collection of Soil Samples

For the isolation of soil fungi, the soil samples were collected. The spot was cleaned of from all the superficial deposits such as stones, pebbles, grasses etc. Samples of soil were collected from two different zones. Samples from surface designed as S_1 and from 15 cm depth as S_2 .

The soil samples were collected in polyethylene bags and brought to the laboratory for investigation.

b. Isolation of Soil Fungi

Standard methods viz. Waksman dilution plate method (Waksman, 1927), and Warcup's soil plate method (Warcup, 1950) were employed for the isolation of soil fungi.

Waksman's dilution plate method : The soil samples were gently crushed and stone pieces and big roots etc. were removed. 10 gm of soil was added into a 250 ml Erlenmeyer conical flask containing 100 ml of sterilized distilled water. This soil suspension was shaken on a magnetic stirrer for half an hour to obtain uniform soil suspension. 10 ml of this soil suspension was pipetted out into a 250 ml conical flask containing 90 ml of water. The process was repeated three times under aseptic conditions so that 4 progressive dilutions were prepared for both the samples. 1.0 ml from each of these suspensions were transferred into sterilized petriplates separately plated with Potato Dextrose Agar and Czapek'sDox Agar medium. The inoculated plates were incubated at $25 \pm 2^{\circ} \text{C}$ and a complete record of the data comprising of the total number of colonies in each plates, the species present and the number of colonies of each species were made.

Warcup's Soil Plate Method : This was designed by Warcup(1950) in order to reduce some of the particular disadvantages from which soil dilution plate suffers. In this method a very small quantity of soil 0.005 – 0.015 gm was placed in the centre of the plate. A drop of sterilized water was added on the soil and the soil was dispersedthrough out the plate with the help of a sterilized glass rod. 10-12 ml cooled, melted Czapek's – Dox agar medium is added and the soil particles are dispersed throughout the agar. Adequate dispersal may be obtained by gently shaking and rotating the plate before the agar solidifies. The plates were incubated at 25°C and the fungi developing in the plates were recorded after 6-8 days. Caution was also taken in using a uniform quantity of soil for ploting so that the colonies which sprang up in each disk could be comparable quantitatively.

c. Analysis of Mycoflora : The percentage abundance(%A)of each species of fungi was determined by following the formula given as –

$$\text{Percentage abundance} = \frac{\text{No. of colonies of individual species in all the plates studied}}{\text{Total number of colonies of all the species}} \times 100$$

d. Purification of Isolated Fungi :

Fungi isolated from the soil were purified by streaking method and the pure cultures were maintained on PDA slants. These slants were stored at a temperature of $10 \pm 1^{\circ}\text{C}$ in the refrigerator.

e. Identification of Isolated Fungi :

The isolates of soil fungi was identified following Gilman (1957) and also byRaper and Thom (1949).

RESULTS AND DISCUSSION

Soil samples were collected from Kurukshetra University, Kurukshetra Botanical Garden soil and fungi were isolated by Waksman's dilution plate and Wacup's soil plate method. A list of total number of fungi collected from surface and at a depth of 15 cm is given in Table 1. Total population and percentage abundance of isolated soil fungi is given in Table 2. A comparative account of total population of soil fungi isolated from surface and deep soil is shown in Fig 1. Fungi dominating in surface soil is *Aspergillus flavus* followed by *Alternaria alternata* and *Cladosporium*. In deep soil, the most dominating fungus is *Aspergillus flavus* followed by *A. niger*, *Alternaria alternate* and *Fusarium* sp. The results in the present study showed that quantitatively the number of fungi was more in S₂ (15 Cms deep) soil (Surface) soil. The lesser number of soil mycoflora in the S₁ soil is due to physical compaction of soil and due to impact of various climatic factors including high temperature.

After perusal of data in Table-1, it is clear that *Aspergillus fumigatus*, *A. terreus*, *Chaetomium* sp., *Cladosporium* sp., *Emericella* sp. *Fusarium* sp. *Penicillium* sp. and *Trichurus* sp. were absent in S₁ (Surface) soil and *Aspergillus* sp. *Cladosporium* sp., *Fusarium equiseti*, *F. udum*, *Penicillium cyclopium*, *P. nigricans*, *Trichurus* sp and *Rhizopus oryzae* were absent in S₂ (15 cms deep) soil. Papavizas (1985) has reviewed the work on biology, ecology and potential of biological control of *Trichoderma* and *Gliocladium* found in field soil. Mukhopadhyay (1987) has reviewed the work done on the control of soil borne plant pathogens by *Trichoderma* spp. From analysis of data in Table-1 and Table-2, it was clear that *Aspergillus flavus* show maximum percentage abundance (14.33%) and *Rhizopus-oryzae* show minimum percentage abundance (2.44%) in surface (S₁) soil. Where as in 15 cm deep (S₂) soil, the maximum percentage abundance (11.33%) was shown by *Aspergillus flavus* and minimum percentage abundance (2.02%) was shown by an unidentified fungus genus. Srivastava and Kumar (2013) studied the biodiversity of mycoflora in the rhizosphere and rhizoplane of Indian herbs and found on quantitative basis that number of fungi was less in rhizoplane region and more in rhizospheric region.

Table -1 : Fungi isolated from Kurukshetra University Botanical Garden Soils.

S. No.	Fungi	Surface soil S ₁	Deep Soil (15cm) S ₂
1	<i>Alternaria alternate</i>	+	+
2	<i>Aspergillus flavus</i>	+	+
3	<i>A. fumigatus</i>	-	+
4	<i>A. niger</i>	+	+
5	<i>A. terreus</i>	-	+
6	<i>Aspergillus</i> sp.	+	-
7	<i>Chaetomium</i> sp.	-	+
8	<i>Cladosporium cladosporioides</i>	+	-
9	<i>Cladosporium</i> sp.	-	+
10	<i>Curvularia lunata</i>	+	+
11	<i>Emericella</i> sp.	-	+
12	<i>Fusarium equiseti</i>	+	-
13	<i>F. udum</i>	+	-

S. No.	Fungi	Surface soil S ₁	Deep Soil (15cm) S ₂
14	<i>Fusarium sp.</i>	-	+
15	<i>Helminthosporium sp.</i>	+	+
16	<i>Penicilliumcitrinum</i>	+	+
17	<i>P. cyclopium</i>	+	-
18	<i>Penicilliumnigricans</i>	+	-
19	<i>Penicillium sp.</i>	-	+
20	<i>Trichurus sp.</i>	-	-
21	<i>Rhizopusoryzae</i>	+	-
22	<i>Unidentified</i>	-	+

S₁ = Surface soil,
S₂ = 15 cm deep soil,
+ = Present,
- = Absent

Table -2 : Percentage Abundance of isolated soil fungi.

S. No.	Fungi	Surface soil S ₁		Deep Soil (15cm) S ₂	
		TP	%A	TP	%A
1	<i>Alternaria alternate</i>	31	10.84	23	9.31
2	<i>Aspergillusflavus</i>	41	14.33	28	11.33
3	<i>A. fumigates</i>	-	-	17	6.88
4	<i>A. niger</i>	18	6.30	26	10.52
5	<i>A. terreus</i>	-	-	14	5.66
6	<i>Aspergillus sp.</i>	39	13.63	-	-
7	<i>Chaetomium sp.</i>	-	-	11	4.45
8	<i>Cladosporiumcladosporioides</i>	28	9.80	-	-
9	<i>Cladosporium sp.</i>	-	-	19	7.70
10	<i>Curvularialunata</i>	15	5.24	10	4.04
11	<i>Emericella sp.</i>	-	-	9	3.64
12	<i>Fusariumequiseti</i>	17	5.94	-	-
13	<i>F. udum</i>	23	8.04	-	-
14	<i>Fusarium sp.</i>	-	-	20	8.10
15	<i>Helminthosporium sp.</i>	26	9.10	23	9.31
16	<i>Penicilliumcitrinum</i>	16	5.60	18	7.28
17	<i>P. cyclopium</i>	14	4.90	-	-
18	<i>Penicilliumnigricans</i>	11	3.84	-	-
19	<i>Penicillium sp.</i>	-	-	15	6.07
20	<i>Trichurus sp.</i>	-	-	9	3.64
21	<i>Rhizopusoryzae</i>	7	2.44	-	-
22	<i>Unidentified</i>	-	-	5	2.02
	<i>Total Population</i>	286		247	

S₁ = Surface soil,
S₂ = 15 cm deep soil,
+ = Present,
- = Absent

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PROTECTION OF CHILD RIGHTS IN INDIA: A STUDY OF LEGISLATIVE TRENDS

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ABSTRACT

*A right is as an agreement or contract established between the persons who hold a right and the persons or institutions which then have obligations and responsibilities in relation to the realization of that right. Child rights are a set of principles or ideals. They are entitlements and some of them are justifiable in a court of law, but they are not tangible. Protection is one of these rights. But Child Protection is more than a right. It is a framework or system by which the rights of a child can come to be. The framework consists of various duty bearers such as the departments of the government, police, school, civil society, who all have roles to play to ensure that a child's rights are met, and in the case that a child's rights are violated that the violator be brought to justice and care be provided to the child. Child protection is not only treatment, but should also be preventive. Child protection is about ensuring that children have a security net to depend on, and if they happen to fall through the holes in the system, the system has the responsibility to provide the child with the necessary care and rehabilitation to bring them back into the safety net. The **United Nations Convention on the Rights of the Child** has made efforts more coordinated and sustained. The Convention has added legal and moral dimensions to child's rights and the obligation to fulfill children's basic needs. Rights can be declared; policies can be formulated, but unless the life of the child in the family and community gets improved all efforts may be meaningless.*

There is a need to raise awareness of the legal protection and create an ethos of respecting the rights of the child in Indian society. We need to empower the younger generation to assert their basic rights in order to realize their full potential.

Key Words: Convention, Trafficking, Protection, Exploitation

1. INTRODUCTION

India is home to more than 40 Crore children. Though we have made considerable economic and social progress since independence, a large number of children are still living in inhuman and pathetic conditions. They are subject to abuse and exploitation, especially the girl child. They are deprived of basic services and forced to drop from school and work. They are living on streets and mostly get trafficked for sexual and other purposes. Trafficking of girls for

commercial sexual exploitation, domestic labour and forced marriage continues to be a serious problem.

Such children need special care and protection. They need to be rescued, rehabilitated, repatriated and reintegrated into the mainstream of life. A protective environment has to be created to ensure their access to education, protection from economic and sexual exploitation and to make them lead their lives with safety and dignity. The community has a major role to play in creating such an environment. Teachers, Panchayat members, Field Functionaries and Social Workers have to work together to reduce the vulnerabilities of such children. All children have the right to live in safety and dignity in a protective environment that ensures that children are in school, laws are in place to punish those who abuse and exploit children and communities are aware of the risks which children face and the government, elected members, grass root level functionaries and civil society address children's 'protection' issues.

2. WHO IS A 'CHILD'?

According to international law, a 'child' means every human being below the age of 18 years. This is a universally accepted definition of a child and comes from the United Nations Convention on the Rights of the Child (UNCRC)¹, an international legal instrument accepted and ratified by most countries.

India has always recognized the category of persons below the age of 18 years as distinct legal entity. That is precisely why people can vote or get a driving license or enter into legal contracts only when they attain the age of 18 years. Marriage of a girl below the age of 18 years and a boy below 21 years is restrained under the Child Marriage Restraint Act 1929². Moreover, after ratifying the UNCRC in 1992, India changed its law on juvenile justice to ensure that every person below the age of 18 years, who is in need of care and protection, is entitled to receive it from the State. According to Indian Majority Act, 1885³, Every minor of whose person or property, or both, a guardian, other than a guardian for a suit within the meaning of [Chapter XXXI of the Code of Civil Procedure, 1973]⁴, has been or shall be appointed or declared by any Court as Justice before the minor has attained the age of eighteen years, and every minor of whose property the superintendence has been or shall be assumed by any Court of Wards before the minor has attained that age shall, notwithstanding anything contained in the Indian Succession Act or in any other enactment, be deemed to have attained his majority when he shall have completed his age of twenty-one years and not before. There are, however, other laws that define a child differently and are yet to be brought in conformity with the UNCRC. But, as stated earlier, the legal understanding of the age of maturity is 18 for girls and 21 for boys. This means all persons in your village/town/city below the age of 18 years have to be treated as children and need your assistance and support.

What makes a person a 'child' is the person's 'age.' Even if a person under the age of 18 years is married and has children of her/his own, she/he is recognized as a child according to international standards. All people under the age of 18 are entitled to the standards and rights guaranteed by the laws that govern our country and the international legal instruments we have accepted by ratifying them.

3. NEED FOR CHILD PROTECTION AND THE LAW

Children have the right to be protected from all exploitative and vulnerable situations prevailed in the society. Everyone must learn to deal with these issues. But that is possible

only if you make yourself aware of the real problems and risks that children face and of the remedies that are available in law and policy to change the situation in the best interest of children. A child may need legal help and protection. Resisting legal action when a child needs it the most is a common mistake all of us often tend to make. 'Child Protection' needs to be understood in terms of who are the children who need to be protected, from what/whom and how? Every child has a right to protection. This not only includes children who are in difficult circumstances and those who have suffered violence, abuse and exploitation but also those who are not in any of these adverse situations and yet need to be protected in order to ensure that they remain within the social security and protective net. 'Child Protection' refers to protection from violence, exploitation, abuse and neglect. Violations of the child's right to protection, in addition to being human rights violations, are also massive, under-recognized and under-reported barriers to child survival and development. Children subjected to violence, exploitation, abuse and neglect are at risk of: shortened lives, poor physical and mental health, educational problems (including dropping out of school), poor parenting skills later in life, homelessness, vagrancy and displacement. Conversely, successful protection increases a child's chances to grow up physically and mentally healthy, confident and self-respecting, and less likely to abuse or exploit others, including his or her own children.

The need to protect some children is certainly greater than others due to their specific socioeconomic and political circumstances and geographical location.⁵

4. ISSUES FOR RIGHT TO PROTECTION

- a. Exploitation.
- b. Abuse.
- c. Inhuman or degrading treatment.
- d. Neglect.⁶

5. THE CHILDREN WHO REQUIRED PROTECTION

- a. Homeless children (pavement dwellers, displaced/evicted, refugees etc.)
- b. Migrant children.
- c. Street and runaway children.
- d. Orphaned or abandoned children.
- e. Working children.
- f. Child beggars.
- g. Children of prostitutes.
- h. Child prostitutes.
- i. Trafficked children.
- j. Children in jails/prisons.
- k. Children of prisoners.
- l. Children affected by conflict.
- m. Children affected by natural disasters.
- n. Children affected by HIV/AIDS.

- o. Children suffering from terminal diseases.
- p. Disabled children.
- q. Children belonging to the Scheduled Castes & Scheduled Tribes.⁷

6. PROVISIONS FOR THE CHILD PROTECTION

a. The Indian Constitution⁸

The Constitution of India guarantees all children certain rights, which have been specially included for them. These include:

- i. Right to free and compulsory elementary education for all children in the 6-14 year age group (Article 21 A).
- ii. Right to be protected from any hazardous employment till the age of 14 years (Article 24).
- iii. Right to be protected from being abused and forced by economic necessity to enter occupations unsuited to their age or strength (Article 39(e)).
- iv. Right to equal opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and guaranteed protection of childhood and youth against exploitation and against moral and material abandonment (Article 39 (f)).

Besides these they also have rights as equal citizens of India, just as any other adult male or female:

- i. Right to equality (Article 14).
- ii. Right against discrimination (Article 15).
- iii. Right to personal liberty and due process of law (Article 21).
- iv. Right to being protected from being trafficked and forced into bonded labour (Article 23).
- v. Right of weaker sections of the people to be protected from social injustice and all forms of exploitation (Article 46).

The State must:

- i. Make special provisions for women and children (Article 15 (3)).
- ii. Protect interest of minorities (Article 29).
- iii. Promote educational interests of weaker sections of the people (Article 46).
- iv. Raise the level of nutrition and standard of living of its people and the improvement of public health (Article 47).

b. United Nations Convention on The Rights of The Child⁹

The most significant of all international laws for children is the UN Convention on the Rights of the Child, popularly referred to as the CRC. Human rights belong to all people, regardless of their age, including children. However, because of their special status - whereby children need extra protection and guidance from adults - children also have some special rights of their own. These are called children's rights and they

are laid out in the UN Convention on the Rights of the Child (CRC). This, together with our Indian Constitution and Laws, determine what rights all children must have.

Significant features of the UN Convention on the Rights of the Child (CRC)

- i. Applies equally to both girls and boys up to the age of 18, even if they are married or already have children of their own.
- ii. The convention is guided by the principles of ‘**Best Interest of the Child**’ and ‘**Non-discrimination**’ and ‘**Respect for views of the child.**’
- iii. It emphasizes the importance of the family and the need to create an environment that is conducive to the healthy growth and development of children. • It obligates the state to respect and ensure that children get a fair and equitable deal in society.
- iv. It draws attention to four sets of civil, political, social, economic and cultural rights:
 - I. *Survival*
 - II. *Protection*
 - III. *Development*
 - IV. *Participation*

Right to Survival includes

- i. Right to life.
- ii. The highest attainable standard of health.
- iii. Nutrition.
- iv. Adequate standard of living.
- v. A name and a nationality.

Right to Development includes

- i. Right to education.
- ii. Support for early childhood care and development.
- iii. Social security.
- iv. Right to leisure, recreation and cultural activities.

Right to Protection includes freedom from all forms of

- i. Exploitation.
- ii. Abuse.
- iii. Inhuman or degrading treatment.
- iv. Neglect.
- v. Special protection in special circumstances such as situations of emergency and armed conflicts, in case of disability etc.

Right to Participation includes

- i. Respect for the views of the child.
- ii. Freedom of expression.
- iii. Access to appropriate information.

- iv. Freedom of thought, conscience and religion.

All rights are dependent on each other and are indivisible. However, because of their nature all rights are divided into:

- i. **Immediate Rights** (Civil and Political Rights) which include such things as discrimination, punishment, right to a fair hearing in criminal cases and a separate system of juvenile justice, right to life, right to nationality, right to re-unification with the family. Most protection rights fall within the category of immediate rights and therefore demand immediate attention and intervention.¹⁰
- ii. **Progressive Rights** (Economic, Social and Cultural Rights), which include health and education and the rights that are not covered by the first category.¹¹

They are recognized in the CRC under Article 4, which states:

“With regard to economic, social and cultural rights, State Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.”

Note: Children acquire different capacities and degrees of maturity as they grow older. This does not mean they require no protection if they are 15 or 16 years old. For instance, children in our country are made to marry and work under the age of 18. But they should not receive less protection because the community feels they have matured. They must receive the very best protection, opportunities and help in order to ensure them the best start in life on their journey to adulthood.

c. **SEX – SELECTIVE ABORTION, FEMALE FOETICIDE AND INFANTICIDE**

The main law for prosecuting persons who are engaging in sex selective abortion is the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994.¹²

- i. It prohibits misuse and advertisement of pre-natal diagnostic techniques for determination of sex of fetus, leading to female feticide.
- ii. It permits and regulates the use of pre-natal diagnostic techniques for detection of specific genetic abnormalities or disorders and use of such techniques only under certain conditions and only by the registered institutions.
- iii. It gives punishment for violation of the provisions given in the act.
- iv. The complaint made by any person should be first given to the appropriate authority with the notice of not less than thirty days for proper action and with the intention to make a complaint to the court.

Apart from this law, the following sections from the Indian Penal Code, 1860¹³ are also important.

- i. When death is caused by a person (Section 299 and Section 300).
- ii. Voluntarily cause a pregnant woman to miscarry the unborn baby (Section 312).
- iii. Act done with intent to prevent a child being born alive or to cause it to die after birth (Section 315).
- iv. Causing death of an unborn child (Section 316).
- v. Exposing and abandoning of a child below 12 years (Section 317).

- vi. Concealing the birth of a child by secretly disposing her/his body (Section 318).

The punishment for these offences extends from two years up to life imprisonment, or fine or both.

d. **CHILD MARRIAGE**

i. **The Child Marriage Restraint Act, 1929¹⁴**

It defines a child as a male below 21 years of age and a female below 18 years of age (Section 2(a)). Under this Act several persons can be punished for allowing, contracting, performing or being involved in a child marriage. They are as follows:

- A male who contracts child marriage if he is over 18 years and below 21 years of age shall be punished with simple imprisonment which may extend up to 15 days or with fine which may extend up to Rs. 1000 or both (Section 3).
- A male who contracts child marriage if he is over 21 years of age shall be punished with imprisonment which may extend up to 3 months and with fine (Section 4).
- A person who performs or conducts the child marriage, unless he can prove he had no reason to believe it was a child marriage, shall be punished with imprisonment which may extend up to 3 months and with fine (Section 5).
- The parent or guardian of the child who permits, negligently fails, or does any act to, promote such child marriage can be punished (Section 6).

ii. **Prohibition of Child Marriage Act, 2006¹⁵**

In this recent Act, the legislature made strict provisions for the child marriage. These are follows:

- Age of marriage for boys is 21 and 18 for girls and any marriage of persons below this age is child marriage - illegal, an offence and punishable under law.
- The penalty for facilitating child marriage is rigorous imprisonment up to two years and/or a fine up to one lakh rupees.
- Any person arranging, party to, solemnizing, participating in a child marriage is also liable to be punished under the Act, including mass marriages.
- Enhancement in punishment for male adults marrying a child, and persons performing, abetting, promoting, attending, etc., a child marriage to be imprisoned up to two years and fined up to one lakh rupees.
- The Court may also make an order directing the groom or parents or guardian to pay maintenance to the bride until her remarriage.

e. **CHILD LABOUR**

- i. **Children (Pledging of Labour) Act, 1933¹⁶** declares any agreement by a parent or guardian to pledge the labour of a child below 15 years of age for payment or benefit other than reasonable wages, illegal and void. It also provides punishment for such parent or guardian as well as those who employ a child whose labour is pledged.

- ii. **The Bonded Labour System (Abolition) Act, 1976¹⁷** prohibits forcing a person into bonded labour for debt repayment. The act extinguishes all debt agreements and obligations. It prohibits creation of any new bondage agreement and discharges bonded labourers from all debts for which they were bonded. Compelling a person to render bonded labour is punishable under the law. This includes punishment for parents who pledge their child or other family members to work as a bonded labourer.
- iii. **Child Labour (Prohibition and Regulation) Act, 1986¹⁸** prohibits employment of children below 14 years in certain hazardous processes and regulates it in certain other non-hazardous processes.
- iv. **Juvenile Justice (Care and Protection of Children) Act, 2000¹⁹** Section 24 of this Act provides punishment for those who procure or employ a child in any hazardous employment, keep her/him in bondage and withhold the child's earning for their own purposes.
- v. **Indian Penal Code, 1861²⁰**
 - a. buying or disposing of any person as a slave (Section 370).
 - b. habitual dealing in slaves (Section 371).
 - c. unlawful compulsory labour (Section 374)
- vi. **Juvenile Justice Act of 2000²¹**

Section 26 of the Juvenile Justice (Care and Protection of Children) Act, 2000 penalizes procurement of a child for the purpose of any hazardous employment, keeping such child in bondage and withholding the child's earnings for one's own use.
- vii. **Other Labour Laws**
 - The Factories Act, 1948.
 - The Plantation Labour Act, 1951.
 - The Mines Act, 1952.
 - The Merchant Shipping Act, 1958.
 - The Apprentices Act, 1961.
 - The Motor Transport Workers Act, 1961.
 - The Beedi and Cigar Workers (Conditions of Employment) Act, 1966.
 - The W.B. Shops & Establishment Act, 1963.
- f. **CHILD SEXUAL ABUSE**

Sexual abuse is any kind of sexual behavior, which is unwanted or forced. It includes rape, sodomy, harassment and eve teasing. The law only recognizes certain kinds of sexual abuse as an offence and there is no special offence for sexual abuse of a child by his or her relative.
- i. **The Indian Penal Code, 1861²²**

The forms of child sexual abuse recognized by the Indian Penal Code are:

Outraging the Modesty of a woman or a girl (Section 354 A)-

- a. A man committing any of the following acts—
 - (i) physical contact and advances involving unwelcome and explicit sexual overtures; or
 - (ii) a demand or request for sexual favours; or
 - (iii) showing pornography against the will of a woman; or
 - (iv) making sexually coloured remarks, shall be guilty of the offence of sexual harassment.
- b. Any man who commits the offence specified in clause (i) or clause (ii) or clause (iii) of sub-section (1) shall be punished with rigorous imprisonment for a term which may extend to three years, or with fine, or with both.
- c. Any man who commits the offence specified in clause (iv) of sub-section (1) shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

Rape (Section 375,376 A,B,C,D,E)

The Criminal Law (Amendment) Act, 2013 made the most important change in definition of rape under IPC. Although the Act sought to change the word *rape* to sexual assault, in the Act the word 'rape' has been retained in Section 375, and was extended to include acts in addition to vaginal penetration. The definition is broadly worded with acts like penetration of penis, or any object or any part of body to any extent, into the vagina, mouth, urethra or anus of another person or making another person do so, apply of mouth or touching private parts constitutes the offence of sexual assault. The section has also clarified that penetration means "penetration to any extent", and lack of physical resistance is immaterial for constituting an offence. Except in certain aggravated situation the punishment will be imprisonment not less than seven years but which may extend to imprisonment for life, and shall also be liable to fine. In aggravated situations, punishment will be rigorous imprisonment for a term which shall not be less than ten years but which may extend to imprisonment for life, and shall also be liable to fine.

A new section, 376A has been added which states that if a person committing the offence of sexual assault, "inflicts an injury which causes the death of the person or causes the person to be in a persistent vegetative state, shall be punished with rigorous imprisonment for a term which shall not be less than twenty years, but which may extend to imprisonment for life, which shall mean the remainder of that person's natural life, or with death." In case of "gang rape", persons involved regardless of their gender shall be punished with rigorous imprisonment for a term which shall not be less than twenty years, but which may extend to life and shall pay compensation to the victim who shall be reasonable to meet the medical expenses and rehabilitation of the victim. The age of consent in India has been increased to 18 years, which means any sexual activity irrespective of presence of consent with a woman below the age of 18 will constitute statutory rape.

Unnatural Offences (Section 377)

Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal shall be punished with imprisonment for life, or with imprisonment of either description for term which may extend to ten years, and shall also be liable to fine.

Acid Attack (Section 326 A)

According to Indian Penal Code, 1861 Section 326A Whoever causes permanent or partial damage or deformity to, or burns or maims or disfigures or disables, any part or parts of the body of a person or causes grievous hurt by throwing acid on or by administering acid to that person, or by using any other means with the intention of causing or with the knowledge that he is likely to cause such injury or hurt, shall be punished with imprisonment of either description for a term which shall not be less than ten years but which may extend to imprisonment for life, and with fine.

g. CHILD TRAFFICKING

The legal framework available for dealing with a case against child trafficking is as follows:

i. The Indian Penal Code 1860²³

- a. The IPC punishes cheating, fraud, kidnapping, wrongful confinement, criminal intimidation, procreation of minors, buying and selling of minors for immoral purposes.
- b. Section 370 of Indian Penal Code (IPC) has been substituted with new sections, 370 and 370A which deal with trafficking of person for exploitation. If a person (a) recruits, (b) transports, (c) harbors, (d) transfers, or (e) receives, a person, by using threats, or force, or coercion, or abduction, or fraud, or deception, or by abuse of power, or inducement for exploitation including prostitution, slavery, forced organ removal, etc. will be punished with imprisonment ranging from at least 7 years to imprisonment for the remainder of that person's natural life depending on the number or category of persons trafficked. Employment of a trafficked person will attract penal provision as well.

ii. Juvenile Justice (Care and Protection of Children) Act, 2000²⁴

This law helps to ensure care and protection of trafficked children and their restoration and reintegration with their family and community.

iii. Special and Local Laws of trafficking include:

- Andhra Pradesh Devadasi's (Prohibition of Dedication) Act, 1988 or Karnataka Devadasi (Prohibition of Dedication) Act, 1982
- Bombay Prevention of Begging Act, 1959.
- Bonded Labour System (Abolition) Act, 1976.
- Child Labour Prohibition & Regulation Act, 1986.
- Child Marriage Restraint Act, 1929.
- Guardian ship and Wards Act, 1890.
- Hindu Adoption and Maintenance Act, 1956.
- Immoral Traffic (Prevention) Act, 1986.
- Information Technology Act, 2000.
- Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988.
- Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989.
- Transplantation of Human Organ Act, 1994.

h. CORPORAL PUNISHMENT

There is no Central legislation in India banning corporal punishment in schools but the Ministry of Women and Child Development has issued a new set of guidelines that bans physical punishment of students.

First violation of the ban will invite up to one year in jail, or a fine of Rs. 50,000 or both. For subsequent violations, imprisonment could be extend to 3 years with an additional fine of 25,000 rupees. Heads of schools will be responsible to prevent corporal punishment. Teachers found guilty could be denied promotion, and even increments. Different States, however, have enacted laws or made policies to ban it. The Central Government is presently working at a law on child abuse, which includes corporal punishment as an offence against a child. Till this law comes into existence, whatever is available may be brought into use.²⁵

States in India that have banned or upheld corporal punishment²⁶

States	Corporal punishment (banned or upheld)	Law/Policy
Tamil Nadu	Banned	Corporal punishment was prohibited in Tamil Nadu in June 2003 through an amendment of Rule 51 of the Tamil Nadu Education Rules prohibiting the infliction of mental and physical pain during “corrective” measures.
Goa	Banned	The Goa Children’s Act 2003 bans corporal punishment in Goa.
West Bengal	Banned	In February 2004, the Calcutta High Court ruled that caning in state schools in West Bengal was unlawful A PIL has also been filed by Tapas Bhanja (advocate) in the Calcutta High Court.
Andhra Pradesh	Banned	School Education Secretary, I V Subba Rao issued Government order (GO Ms No 16) on February 18, 2002, replacing the provisions on corporal punishments issued earlier in GO Ms No 1188 in 1966. Through the new order of 2002, the Andhra Pradesh government imposed a ban on corporal punishment in all educational institutions by amending Rule 122 of the Education Rules (1966), violations of which should be dealt with under the Penal Code.
Delhi	Banned	Petition filed by Parents Forum For Meaningful Education. The Delhi School Education Act (1973) had provision for corporal punishment that has been stuck down by Delhi High Court. In December 2000, the Delhi High Court ruled that provisions for corporal punishment in the Delhi School Education Act (1973) were inhuman and detrimental to the dignity of children.
Chandigarh	Banned	Corporal punishment was prohibited in Chandigarh in the 1990s.
Himachal Pradesh	Has decided to Ban	The State decided to ban corporal punishment in schools after a report of a child becoming disabled

i. **DOMESTIC VIOLENCE**

a. **Domestic Violence Act, 2005²⁷**

- i. The Act seeks to cover those women who are or have been in a relationship with the abuser where both parties have lived together in a shared household and are related by consanguinity, marriage or a relationship in the nature of marriage, or adoption; in addition relationship with family members living together as a joint family are also included. Even those women who are sisters, widows, mothers, single women, or living with the abuser are entitled to get legal protection under the Act.
- ii. "Domestic violence" includes actual abuse or the threat of abuse that is physical, sexual, verbal, emotional and economic. Harassment by way of unlawful dowry demands to the woman or her relatives would also be covered under this definition.
- iii. One of the most important features of the Act is the woman's right to secure housing. The Act provides for the woman's right to reside in the matrimonial or shared household, whether or not she has any title or rights in the household. This right is secured by a residence order, which is passed by a court. These residence orders cannot be passed against anyone who is a woman.
- iv. The other relief envisaged under the Act is that of the power of the court to pass protection orders that prevent the abuser from aiding or committing an act of domestic violence or any other specified act, entering a workplace or any other place frequented by the abused, attempting to communicate with the abused, isolating any assets used by both the parties and causing violence to the abused, her relatives and others who provide her assistance from the domestic violence.
- v. The Act provides for appointment of Protection Officers and NGOs to provide assistance to the woman w.r.t medical examination, legal aid, safe shelter, etc.
- vi. The Act provides for breach of protection order or interim protection order by the respondent as a cognizable and non-bailable offence punishable with imprisonment for a term which may extend to one year or with fine which may extend to twenty thousand rupees or with both. Similarly, non-compliance or discharge of duties by the Protection Officer is also sought to be made an offence under the Act with similar punishment.

b. **Juvenile Justice (Care and Protection of Children) Act, 2000²⁸**

It recognized cruelty against children by people who have the charge of such children or control over such children as a special offence. Section 23 of this Act provides for punishment for cruelty to a child, which includes assault, abandonment, exposure or willful neglect that is likely to cause mental or physical suffering to the child.

j. **CASTE DISCRIMINATION**

i. **The Constitution of India²⁹ guarantees**

- a. Equality before the law and equal protection of laws to each and every person in the country (Article 14).
- b. Prohibits discrimination on grounds of race, caste, sex, descent, place of birth or residence (Article 15).

- c. Prohibits discrimination on grounds of race, caste, sex or place of birth in any public employment (Article 16).
- d. Abolishes ‘Untouchability’ and declares practice of ‘untouchability’ in any manner whatsoever, a punishable offence (Article 17).

The first Indian law that came into force to provide for punishment for the preaching and practice of ‘Untouchability’ and for any matter connected with it was ‘**The Protection of Civil Rights Act, 1955**’.

- ii. **The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989³⁰** which recognises various kinds of acts of violence and discrimination inflicted upon the Scheduled Castes and the Scheduled Tribes by Non-Scheduled Castes and Non-Scheduled Tribes as punishable offences. It also provides for establishment of Special Courts at district level to try the offences under this Act, appointment of Special Public Prosecutors for the purpose of conducting cases in Special Courts, and imposition of collective fine by the State.

k. **STREET AND RUNAWAY CHILDREN**

Juvenile Justice (Care and Protection of Children) Act 2000³¹

The Juvenile Justice (Care and Protection) Act 2000 deals with “juveniles” or “children” (persons who have not completed eighteenth years of age) who are in

- i. need of care and protection.
- ii. conflict with law.

Children in need of care and protection

According to 2 (d), a “child in need of care and protection” means a child.

- i. who is found without home or means of subsistence.
- ii. whose parent or guardian is unable to look after the child.
- iii. who is an orphan or whose parents have abandoned her/him or who is missing, a run away child or whose parents cannot be found after reasonable inquiry.
- iv. who is abused, tortured or exploited for sexual or illegal acts or is vulnerable to such abuse.
- v. who is vulnerable to drug abuse or trafficking.
- vi. who is abused or vulnerable to abuse.
- vii. who is victim of any armed conflict, civil commotion or natural calamity.

Child Welfare Committee

According to the law every State Government is supposed to constitute for every district or group of districts, one or more Child Welfare Committees to dispose off cases for the care, protection, treatment, development and rehabilitation of children in need of care and protection as well as to provide for their basic needs and for the protection of their human rights.

Production before the Committee

Any child in need of care and protection can be produced before the Committee by a special juvenile police unit or a designated police officer; a public servant; child line, a

registered voluntary organization recognized by the State Government, a social worker or a public spirited citizen authorized by the State Government, the child herself/himself.

The Child Welfare Committee may pass an order to send the child to children's home and initiate a speedy inquiry by a social worker or a child welfare officer.

After the completion of the inquiry, if the Committee is of the opinion that the said child has no family or ostensible support, it may allow the child to remain in the children's home or shelter home till suitable rehabilitation is found for her/him or till she/he attains the age of eighteen years.

Children in conflict with law

"Juvenile in conflict with law" means a juvenile who is alleged to have committed an offence.

Juvenile Justice Board

The State Government is also supposed to constitute for a district or a group of districts, one or more Juvenile Justice Boards to deal with children in conflict with law and grant bail and dispose of such cases in the best interests of the child.

l. Drugs and Substance abuse

i. *The Narcotic Drugs and Psychotropic Substances Act, 1985*³²

This law declares illegal the production, possession, transportation, purchase and sale of any narcotic drug or psychotropic substance and makes the person, addict/trafficker liable for punishment.

Use or threat of use of violence or arms by the offender, *use of minors for the commission of offence*, commission of the offence in an educational institution or social service facility are some of the grounds for higher punishment.

ii. *The Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988*³³

Under this law, people who use children for drug trafficking can be booked as abettors or conspirators to the act.

iii. *Juvenile Justice (Care and Protection of Children) Act, 2000*³⁴

Section 2 (d) defines a child vulnerable to or likely to be inducted into drug abuse or drug trafficking as a 'child in need of care and protection.'

m. Child Begging

When children are forced into begging or used for it, the following provisions can be used:

***Juvenile Justice (Care and Protection of Children) Act, 2000*³⁵**

Employment of or using a juvenile or child for begging is recognized as a special offence liable to punishment (Section 24).

The juvenile justice law actually recognises children abused, tortured or exploited for illegal acts such as begging as 'children in need of care and protection'.

i. *The Indian Penal Code*

Kidnapping or maiming a minor for begging is punishable under Section 363A of IPC.

Juvenile Delinquency or Children in Conflict with law

Children who commit crimes have been protected from the rigorous punishments meted out to adults and are recognized as ‘children in conflict with law’ rather than criminals under the Juvenile Justice (Care and Protection of Children) Act, 2000.

Under this law, every juvenile in conflict with law has a right to bail as granting bail is mandatory, except when it can pose a threat to the life or well-being of the juvenile.

Instead of being sent to a jail, the law takes a reformatory approach and provides for release on probation after advice and admonition or, places them in custody of special homes.

7. CONCLUSION AND SUGGESTION

Children can be subjected to neglect, abuse, violence and exploitation anywhere. There is some abuse that may happen anywhere, while a lot of it is what children suffer at home and in non-school environments. A child may be a victim of violence/abuse/exploitation that happens inside or outside the school. You must help the child. This too is possible only if you are able to identify that there is a problem and you spend time to understand it and explore possible solutions.

Always remember that your duty to protect children does not come to an end once you are out of incident. The life of a child can be changed with your positive intervention. You just have to prepare yourself for it and know more about their problems as well as what you can do to help. Once you are mentally prepared and equipped to tackle the problem you will be able to do many things you have never dreamt you are capable of doing.

Creating and strengthening a protective environment for children requires many levels of engagement, which in turn demand dialogue, partnerships, and coordination based on a shared analysis traditional development activities and approaches, such as improving basic services, monitoring results, and recognizing individuals as actors in their own development.

Teachers must be aware of the government’s schemes for children and what they have to offer. Identify children and families that require assistance and could be helped through any of the existing Government schemes. A list of such children and families can be handed over to your Block/Taluka/Mandal Panchayat Member or BDPO directly.

People you must liaise with if you want to protect children include:

- The Police.
- Your Panchayat/Municipal Corporation Head/Member.
- Anganwadi Workers.
- ANMs.
- Block/Taluka/Mandal and Zila Panchayat Members.
- Block Development Officer (BDO) or Block Development and Panchayat Officer.

- Community Development Officer or Community Development and Panchayat Officer.
- District Magistrate/ District Collector.
- Nearest Child Welfare Committee.
- Child Line Organizations in your area.

It is important to know the basic law and understand the rights they protect. Only if you understand rights and legal protection available will you be able to convince a child or her/his parent(s)/guardian(s) or the community for legal action. Sometimes the police/administration can also turn out to be difficult. Knowing your law can empower you to deal with them better.

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CHILD SOLDIER: A LIFE UNDER THE DANGER OF WAR

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ABSTRACT

In today's world problem of Child Soldiers is increasing day by day. It is a form of exploitation of children of all types physical, mental, emotional and stops the development of a child. The problem of child soldiers is not limited to few states instead it is prevalent in almost all the countries either in one form or the other. In this article author has tried to bring the focus on this point that in spite of so many international conventions, laws in this regard this problem is still persistent. The main reason is children are easy targets. It is the need of the hour to look into this matter immediately else it will be too late and till then life of many children will be turned into complete darkness. The author has asserted on the aftermaths of being a soldier on children and their impossibility of returning to normal lifestyle along with this author has suggested some measures by which this problem can be resolved.

Key Words: Soldier, Danger, Causality, Proliferation, Militant

Child soldiers have recently been used by irregular armed forces in West Africa, Angola, Sudan and other various countries of the world. Both government and non state actors around the world have used children to fuel their armies. These realities have compelled concerned governments, child rights groups and children themselves to demand a change in this ongoing reality. Whilst current international law allows children of 15 to lawfully take part in armed hostilities, there is a general and growing acceptance that this is far too young.

It's bad enough that children's lives are torn apart by wars which they didn't start. But when they're forced into fighting in the conflict themselves, it causes psychological and physical damage that can often never be repaired. Every child has the right to go to school and to live free from violence. Using kids as soldiers constitutes one of the most horrendous breaches of those rights and it is simply and unequivocally wrong¹. Since 2000, the participation of child soldiers has been reported in most armed conflicts and in almost every region of the world. Although there are no exact figures, and numbers continually change, tens of thousands of children under the age of 18 continue to serve in government forces or armed opposition groups. Some of those involved in armed conflicts are under 10 years old.

Who Is a Child Soldier:

The internationally agreed definition for a child associated with an armed force or armed group (child soldier) is any person below 18 years of age who is, or who has been, recruited or used by an armed force or armed group in any capacity, including but not limited to children,

boys and girls, used as fighters, cooks, porters, messengers, spies or for sexual purposes. It does not only refer to a child who is taking or has taken a direct part in hostilities¹. Both girls and boys are used in armed conflict and play a wide variety of roles. These can involve frontline duties including as fighters but they may also be used in other roles such as porters, couriers, spies, guards, suicide bombers or human shields, or to perform domestic duties such as cooking and cleaning. Girls and boys may also be used for sexual purposes by armed forces or groups.

Many children that participate in armed conflict are unlawfully recruited, either by force or at an age below that which is permitted in national law or international standards. Although international standards do not prohibit the voluntary recruitment of 16 and 17 year olds by armed forces, it is contrary to best practice. Today close to two thirds of states recognise that banning under-18s from military ranks is necessary to protect them from the risk of involvement in armed conflict and to ensure their well-being, and that their other rights as children are respected. 250,000 children are thought to be involved in armed conflict. Some estimates put the figure as high as 300,000. It is thought that 40% of child soldiers are girls.

Facts about Child Soldiers:

In the last 13 years, the use of child soldiers has spread to almost every region of the world and to every armed conflict. Though an exact number is impossible to define, tens of thousands of child soldiers are illegally serving in armed conflict around the world, and the number is always increasing¹.

1. As the name implies Child Soldiers are under aged: even though the exact number of child soldiers is not clear but it is visible that they are present in most of the countries of the world.
2. Forced Labour: Not all the child soldiers are active on combat, some are recruited to cook work as suicide bombers, shields, messenger, courier, cleaner and girls are forced into sexual slavery. Whatever may be the case children are forced to do the things they don't want?
3. Recruited Girls are raped: most of the child soldiers are males and 40 percent girls are there but these girls are more vulnerable to abuse and most commonly used for sexual favors by commandants and other ranks.
4. Recruited child soldiers lack basic needs: they are usually forced to do every type of work without providing basic needs as they are not aware of such things and moreover they are more easy to made to follow commands or Children who are poor, displaced from their families, have limited access to education, or live in a combat zone are more likely to be forcibly recruited.
5. Technology has contributed a lot: earlier the arms were used to be heavy but with the help of the latest technologies arms are becoming more handy and easy to operate that too has paved a way to recruit child soldiers.
6. Children who are not forced to be soldiers volunteer themselves because they feel societal pressure and are under the impression that volunteering will provide a form of income, food, or security, and willingly join the group.

7. In the last 2 years, 20 states have been reported to have child soldiers in government, government-affiliated, and non-state armed groups. Additionally, 40 states still have minimum age recruitment requirements under 18 years.
8. The recruitment of child soldiers breaks several human rights laws. While children who have committed crimes as soldiers are looked upon more leniently, those who perform crimes voluntarily — without drugs or forcible threats — are subject to justice under the protection of the international juvenile justice standards.

Danger and Casualties

Children have also been made to carry explosives between Afghanistan and Pakistan, conduct military operations in the DRC, Philippines, Myanmar and Somalia, carry out arson attacks and collect kidnap ransoms in Haiti; they were used as suicide bombers in Iraq, according to the Secretary-General's 2010 report, as well as Pakistan and Afghanistan. Children have, of course, always been caught up in warfare. They usually have little choice but to experience, at minimum, the same horrors as their parents—as casualties or even combatants. And children have always been particularly exposed. When food supplies have run short, it is children who have been hardest hit, since their growing bodies need steady supplies of essential nutrients. When water supplies have been contaminated, it is children who have had the least resistance to the dangers of disease. And the trauma of exposure to violence and brutal death has emotionally affected generations of young people for the rest of their lives.

Recent developments in warfare have significantly heightened the dangers for children. During the last decade, it is estimated (and these figures, while specific, are necessarily orders of magnitude) that child victims have included:

- 2 million killed;
- 4-5 million disabled;
- 12 million left homeless;
- More than 1 million orphaned or separated from their parents;
- Some 10 million psychologically traumatized.

Most child casualties are civilians. But one of the most deplorable developments in recent years has been the increasing use of young children as soldiers. In one sense, this is not really new. For centuries children have been involved in military campaigns—as child ratings on warships, or as drummer boys on the battlefields of Europe. Indeed the word 'infantry', for foot-soldiers, can also mean a group of young people. What is frightening nowadays is the escalation in the use of children as fighters. Recently, in 25 countries, thousands of children under the age of 16 have fought in wars. In 1988 alone, they numbered as many as 200,000¹.

Why child soldiers are preferred or Reasons behind it:

- Due to the proliferation of light weapons.
- They are easier to intimidate and they do as they are told.
- They are also less likely than adults to run away and they do not demand salaries.
- Alone, orphaned, frightened, bored and frustrated will often choose to fight.

- Children who have grown up surrounded by violence see this as a permanent way of life.
- Way to secure food and protection.
- Children may also have active reasons to want to fight. Like adults, they too may see themselves fighting for social justice.
- Want to fight for their religious beliefs or cultural identity.
- Seeking revenge for the deaths of their parents, brothers or sisters.
- Many children, therefore, want to become soldiers and offer themselves for service.

Countries where recruitment of Child Soldiers is Prevalent:

Around the globe, Human Rights Watch has documented the recruitment and use of children as soldiers. Today, child soldiers are fighting in at least 14 countries:

Afghanistan – Insurgent groups, including the Taliban and other armed groups, use children as fighters, including in suicide attacks. The UN also reports recruitment of children by the Afghan National Police.

Burma – Thousands of boys serve in Burma’s national army, with children as young as 11 forcibly recruited off the streets and sent into combat operations. Children also serve with some of the armed ethnic opposition groups.

Central African Republic – Hundreds of children, some as young as 12, serve with various rebel groups. The Lord’s Resistance Army has abducted children in the southeast of the country.

Chad – Thousands of children have served in both government and rebel forces in Chad. In 2011 the government signed an action plan to end its use of child soldiers and recruitment has decreased sharply.

Colombia – Thousands of children—both boys and girls—serve in Colombia’s irregular armed groups. The majority serve in the FARC guerrillas, with smaller numbers in the UC-ELN guerrillas. Children are also recruited into successor groups to paramilitaries.

Democratic Republic of Congo (DRC) – Children serve in the government armed forces as well as various rebel forces. At the height of DRC’s war, the UN estimated that more than 30,000 boys and girls were fighting with various parties to the conflict. Most have now been released or demobilized, but active recruitment continues in the east of the country. The Lord’s Resistance Army also abducts children in northeastern Congo. It uses both boys and girls as fighters, and girls as sex slaves.

India – Maoist “Naxalite” rebels in Chhattisgarh use children as soldiers. The Maoists induct children as young as six into children’s associations and use children as young as 12 in armed squads that receive weapons training and may participate in armed encounters with government security forces.

Iraq – Al-Qaeda recruits children to spy, scout, transport military supplies, plant explosive devices, and actively participate in attacks against security forces and civilians, including suicide attacks.

Philippines – Children are recruited by rebel forces, including the New People’s Army, Abu Sayyaf Group, and the Moro Islamic Liberation Front (MILF). The Philippines army has fabricated stories that children taken into custody are rebel “child warriors.”

Somalia – The Islamist armed group al-Shabaab forcibly recruits children as young as 10, often abducting them from their homes or schools. Some are coerced into becoming suicide bombers. Children also serve in Somalia’s Transitional Federal Government (TFG) forces.

South Sudan – The South Sudan government has pledged to end its use of child soldiers, but continues to recruit children and has not yet demobilized all children from its forces.

Sudan – In Darfur, over a dozen armed forces and groups use child soldiers, including the Sudanese Armed Forces, pro-government militias, and factions of the rebel Sudan Liberation Army.

Thailand – Separatist insurgents called Pejuang Kemerdekaan Patani (Patani Freedom Fighters) have recruited hundreds of ethnic Malay Muslim children as messengers, couriers, scouts, and in some cases, combatants, in the insurgency in Thailand’s southern border provinces. The National Revolutionary Front-Coordinate (BRN-C) has systematically recruited children and used them to support armed attacks.

Yemen – Government forces have recruited children as young as 14. Prior to the Arab Spring, the government used children in its armed forces to fight Huthi rebels in the north, who also used children. In 2011, rebel forces in Taizz deployed children to patrol roads and operate checkpoints. Some had previously served with government forces before defecting

Concept of Child Soldiers in India

According to a report from the Conflict Study Center child soldiers are used in Assam, Manipur, Nagaland, Andhra Pradesh, Chhattisgarh, Jharkand, Karnataka, Maharashtra and Jammu and Kashmir, and those children were used by both the state and insurgents. Child soldiers also serve in the Indian armed forces. The use of child soldiers by the state and by non state actors is a violation the Geneva convention and the Convention on the Rights of the Child. In Chhattisgarh state it is estimated that up to 80,000 children are involved in the ongoing Naxalite insurgency. The majority of children is used by militants; though government supported militias also use them. The Asian Legal Resource Centre has stated that human rights groups have voiced concerns over the use of child soldiers by the state and the Naxalites. According to them up to 118 districts in India are facing armed insurrection and the child soldiers were used by both sides in these conflicts. Human rights watch has also accused the Indian security forces of using children as spies and messengers, although the Indian government denies this allegation¹. Today, the numbers have soared dramatically. The Asian Centre for Human Rights says there are at least 500 child soldiers now in the Northeast — a region that comprises seven states ethnically, geographically and culturally distinct from the rest of India. “If they are convinced and thrilled by the guns and the life, it is very difficult to get them back,” says Annie Mangsatabam, who chairs a child-welfare committee in Manipur. “Even if they come back, they and their families are always at risk from the rebels.” There are at least 30 militant outfits spread over the hills and valleys of Manipur. Many have training camps in Burma. And there are conflicts that have been dragging on for at least five decades in Northeast India. To contain them, New Delhi enforces the Armed Forces Special Powers

Act — a special legislation first introduced in 1958 to contain Naga insurgents. It allows security forces to arrest, detain and kill, without fear of prosecution¹.

International Standards to control problem of Child Soldiers

Child Soldiers International promotes the adoption and implementation of international legal standards protecting children from military recruitment or use in hostilities. The following is a summary of the main international and regional legal standards relating to child soldiers:

1. International Human Rights Law

Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC): Adopted by the UN General Assembly on 25 May 2000, entered into force on 12 February 2002. OPAC sets 18 as the minimum age for direct participation in hostilities and for compulsory recruitment by state armed forces. States may accept volunteers from the age of 16 but must deposit a binding declaration at the time of ratification or accession, setting out their minimum voluntary recruitment age and outlining certain safeguards for such recruitment. OPAC also prohibits the recruitment or use in hostilities of under-18s by non-state armed groups.

Convention on the Rights of the Child: Adopted by the UN General Assembly on 20 November 1989, entered into force on 2 September 1990. The Convention on the Rights of the Child generally defines a child as any person under the age of 18. However, Article 38 uses the lower age of 15 as the minimum for recruitment or participation in armed conflict. This language is drawn from the two Additional Protocols to the four Geneva Conventions of 1949 (see below).

Article 38 requires state parties to prevent anyone under the age of 15 from taking direct part in hostilities and to refrain from recruiting anyone under the age of 15 years. OPAC was drafted in order to raise the minimum ages set out in the Convention. Implementation by State Parties of the Convention on the Rights of the Child and of its optional protocols to the Convention, including OPAC, is monitored by the **(UN) Committee on the Rights of the Child**.

2. International Criminal Law

Rome Statute of the International Criminal Court: The Rome Statute establishes a permanent criminal court to try persons charged with committing war crimes, crimes against humanity, and genocide.

In its definition of war crimes the statute includes "conscripting or enlisting children under the age of fifteen years into national armed forces or using them to participate actively in hostilities" (Article 8(2)(b)(xxvi)) in international armed conflict; and in the case of an internal armed conflict, "conscripting or enlisting children under the age of fifteen years into armed forces or groups or using them to participate actively in hostilities" (Article 8(2)(e)(vii)).

The statute also defines sexual slavery as a war crime (Article 8(2)(b)(xxii) and Article 8(2)(e)(vii)) and a crime against humanity (Article 7(1)(g)). The treaty came into force and the court came into being on 1 July 2002.

3. International Labour Law

International Labour Organization (ILO) Minimum Age Convention 138: This convention was adopted on 26 June 1973 and came into force on 19 June 1976. States

ratifying the convention are bound to: pursue a national policy designed to ensure the effective abolition of child labour; and raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons (Article 1). It also sets 18 years as “the minimum age for admission to employment or work which by its nature or circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons” (Article 3).

International Labour Organization (ILO) Worst Forms of Child Labour Convention 182: This convention was adopted on 16 June 1999 and came into force on 19 November 2000. It commits each state which ratifies it to "take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency". The term "child" applies to all persons under the age of 18 years, and the worst forms of child labour include forced or compulsory recruitment of children for use in armed conflict (Article 3a).

4. International Humanitarian Law

Additional Protocols to the four Geneva Conventions of 1949 (1977): The protocols set 15 as the minimum age for recruitment or use in armed conflict. This minimum standard applies to all parties, both governmental and non-governmental, in both international and internal armed conflict.

Article 77(2) of Additional Protocol I: applicable to international armed conflicts, states: “The Parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities and, in particular, they shall refrain from recruiting them into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years the Parties to the conflict shall endeavour to give priority to those who are oldest.”

Article 4(3)(c) of the Additional Protocol II: applicable to non-international armed conflicts, states: “Children who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part in hostilities”.

Customary International Humanitarian Law: Customary international law is made up of rules that come from "a general practice accepted as law" and that exist independent of treaty law. Rules of customary international humanitarian law provide that “children must not be recruited into armed forces or armed groups” and that “children must not be allowed to take part in hostilities”. These rules apply to both international and non-international armed conflicts.

5. Regional Standards

African Charter on the Rights and Welfare of the Child: The Charter is the only regional treaty which addresses the issue of child soldiers. It was adopted by the Organization of African Unity (now the African Union) and came into force in November 1999. It defines a child as anyone below 18 years of age without exception. It also states that: "States Parties to the present Charter shall take all necessary measures to ensure that no child shall take a direct part in hostilities and refrain in particular, from recruiting any child" (Article 22.2).

6. Principles relating to child soldiers

The Paris Commitments and Principles (2007): The Paris principles and guidelines on children associated with armed forces or armed groups (Paris Principles) and Paris

commitments to protect children from unlawful recruitment or use by armed forces or armed groups (Paris Commitments) were formally endorsed by 58 states in 2007 at a meeting in France in February 2007. Their drafting followed a review of the "Cape Town Principles and Best Practice on the prevention of recruitment of children into the armed forces and on demobilization and social reintegration of child soldiers in Africa", which had been the guiding principles on child soldiers since their adoption in 1997.

The aim of the Paris Principles and Commitments is to combat the unlawful recruitment or use of children by armed forces or armed groups. Their specific objective is to prevent the occurrence of this phenomenon, to secure the release of children concerned, to support their social reintegration and to ensure that they are afforded the greatest protection possible. In adhering to the Paris Commitments, states agree to uphold certain basic principles which will allow them to achieve the set objectives. The Paris Principles give more detailed guidelines on the implementation of the Commitments. As at September 2011, 100 states had endorsed the Paris Commitments.

7. UN Security Council Children and Armed Conflict Framework

The **UN Security Council** has passed a series of resolutions condemning the recruitment and use of children in hostilities. These are resolutions 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004) and 1612 (2005), 1882 (2009) and 1998 (2011) on children and armed conflict.

Security Council Resolution 1379 (2001) called upon the UN Secretary-General to **list parties that recruit and use children** in the annual report on children and armed conflict. Killing and maiming and sexual violence in conflict (Resolution 1882 in 2009) and attacks on schools and hospitals (Resolution 1998 in 2011), were later added as criteria for listing.

8. Special Representative of The Secretary-General for Children And Armed Conflict

The **Special Representative of the Secretary-General for Children and Armed Conflict** serves as an independent advocate for the protection and well-being of children affected by armed conflict, working with partners to enhance their protection and facilitating through diplomatic and humanitarian initiatives the work of operational actors on the ground. The mandate of the SRSG was first established by UN General Assembly of resolution 51/77 of 12 December 1996.

Need of Laws to tackle Child Soldiers in India:

The Indian government should immediately take measures to end the involvement of children in situations of armed conflicts or protracted armed violence in India, Child Soldiers International said today. As the UN Committee on the Rights of the Child meets in pre-session to begin the review of India's initial report on measures taken to implement the Optional Protocol to the Convention on the Rights of the Child on Children in Armed Conflict (OPAC), the organisation urged the Indian government to conduct systematic investigations into reports of underage recruitment, hold perpetrators accountable and take measures to prevent and end the association of children in armed Child Soldiers International has particular concerns related to the risk of recruitment of children in the ranks of the Special Police Officers (SPOs) who have been used in counter-insurgency operations in Chhattisgarh, Jharkhand, Orissa, Andhra Pradesh and Maharashtra. Village defence militias, village guards and SPOs have also been deployed in Maharashtra, Assam, Meghalaya, Manipur, Tripura and Jammu & Kashmir.

Regulations for the appointment of SPOs do not specify minimum age. Further, the Indian Penal Code does not explicitly criminalise the recruitment or use in hostilities of person's under-18 years. There is credible evidence that children have been recruited by armed groups in the states of Jammu & Kashmir, areas affected by Naxal violence and the north-eastern states of Manipur and Meghalaya and used by them in a variety of roles. OPAC requires states parties to prevent unlawful recruitment of children in their territory and to effectively investigate credible reports of its occurrence. Specifically, Child Soldiers International recommended that the government of India:

- Ensure that the minimum age for membership to armed forces, paramilitaries, police forces and village defence militias is explicitly set by law at 18 years or above and that effective age verification procedures are applied at the point of recruitment.
- Explicitly criminalise in law the unlawful recruitment of children or their use in hostilities by state armed forces, paramilitaries, police forces, village defence militias, and non-state armed groups.
- Amend the Armed Forces Special Powers Act (AFSPA), Jammu & Kashmir Public Safety Act (PSA) and other emergency legislation to explicitly prohibit the detention of children under these laws. Issue a military order to ensure all military personnel are aware of this prohibition.
- Take all necessary measures to prevent the recruitment of children by armed opposition groups in Jammu & Kashmir, areas affected by “Naxal violence” and Northeast India, including by undertaking a comprehensive assessment of the extent and causes of children's involvement in such groups¹.

Conclusion & Suggestion

Ending child soldiering remains a daunting challenge. “The military imperatives of the group and the political, economic and social factors that drive conflicts and cause children to enlist – often underpinned by local cultural attitudes towards the age of majority – can outweigh legal and moral arguments.

- Our vision is of a world where all children (boys and girls below the age of 18) can grow up under conditions that allow them to realise their full potential and enjoy their fundamental human rights. We believe that to achieve this, children must be protected from any form of military recruitment by armed forces or groups and involvement in armed conflict, as well as from other human rights abuses that occur in these environments.
- End the use of children in hostilities by government armed forces and state-allied armed groups.
- Build momentum towards achieving a global ban on the voluntary recruitment of children (under the age of 18) by state armed forces.
- Improve the effectiveness of interventions to prevent the recruitment and use of children by non-state armed groups.
- Strengthen accountability for individuals responsible for the unlawful recruitment and use of children.

- Promote the application of human rights standards to processes for the release, recovery and reintegration of child soldiers.

Governments must also remember that the problem has deeper and more human roots than the conflict du jour. Because children are more likely to be drawn to armed groups if they have experienced human rights violations or other forms of violence. Understanding these deep-seated drivers of child involvement in conflict will be essential in devising a plan to protect them, and punish those who do not.

It is also strengthening the data collection and reporting on sexual violence, in the hope it will allow for better identification of perpetrators and better analysis of trends on sexual violence against children. The proliferation of small arms is another issue that the UN would like to see addressed in order to make sure weapons do not end up in the hands of children.

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CONFLICT AND COOPERATION IN INDIA-CHINA RELATIONS

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ABSTRACT

In recent years, China and India have been amongst the fastest growing economies in the world, and their shares in the global economy have steadily increased. Both possess massive manpower, scientific, industrial and technological bases as well as large armed forces. Both are nuclear powers and have nascent space programs. Historically, both have demonstrated the capacity and will to act as hegemon, dominating the security environment of their regions. But they also have a history of rivalry which led them to a full-scale war in 1962 and armed skirmishes in 1967 and 1987. Despite that, the post-cold war era has offered enormous opportunities to them to move in the direction of a productive relationship. Both countries have realized the imperative need for cooperation in diverse areas, especially in the trade and economic domains, in the long-term interest of peace and stability in Asia. Indeed, the issues that bind the two countries are also the issues that divide them and fuel their rivalry. With their ever-expanding economies and widening geopolitical horizons, the bilateral relationship between the two rising Asian giants could be characterized more by competition than cooperation. This paper investigates the various contentious issues responsible to compel India and China to take confronted postures against each other. The paper concludes with the view that strategic competition appears likely to overshadow cooperation in India–China relations.

Key Words: India, China, Conflict, Cooperation, Competition, Asian Powers, Border Disputes.

India and China- two giants of Asia, the world's two oldest civilization-states, once great powers and now the most populous countries—are back as claimants to preeminence in Asia and the world. As ancient civilizations, China and India coexisted in peace and harmony for millennia. But as post- colonial modern nation states, with the exception of a very short period of bonhomie in the early 1950s, relations between the two Asian giants have been marked by conflict, containment, mutual suspicion, distrust and rivalry.¹ Their relations have been tense ever since a border dispute led to a full-scale war in 1962 and armed skirmishes in 1967 and 1987. Several rounds of talks held over more than a quarter of a century since 1981 have failed to resolve the disputed claims. Agreements on maintaining peace and tranquility on the disputed border were signed in 1993 and 1996. An agreement on the guiding principles for settlement was concluded in 2005. However, Chsina's increasing assertiveness, as evidenced in increased incursions in Arunachal Pradesh has led to a rapid meltdown in the Sino- Indian border talks, despite public protestations of amity.² Despite that, both China and India are keen to assume the great power roles they believe have been their right in view of their

histories and civilizations. Both have similar robust attributes of a strong power: massive manpower resources; a scientific, technological, and industrial base; and formidable armed forces. Both are heavily engaged in the global economy and possess nuclear and space powers with expanding military capabilities to match their growing ambitions. When Chinese and Indian elites speak of restoring their country's rightful place in the world, they give expression to a concept of preeminence in Asia and the wider world. Indeed, the issues that bind the two countries are also the issues that divide them and fuel their rivalry. With their ever-expanding economies and widening geopolitical horizons, the bilateral relationship between the two rising Asian giants could be characterized more by competition than cooperation. As India and China proceed simultaneously on their relative power trajectories, geopolitical equations and power relations in Asia are bound to undergo significant realignment.³ And the future relationship of the two will be characterized not only by competition or cooperation alone but with something mixed kind of stuff i.e. competitive coexistence.

India and China are natural competitors whose proximity and zero-sum interests are creating tensions. Though both have certain areas of cooperation but strategic competition appears likely to overshadow cooperation in their relations. Rather, a more hostile form of competition is expected in long term. On the one hand, leaders in New Delhi and Beijing deny that serious bilateral animosity exists, although such rhetoric is a predictable feature of great power diplomacy. On the other hand, the myriad of often divergent goals and unresolved tensions suggest that competition will trump cooperation in Sino-Indian relations.

Despite growing interaction at the political, cultural, and economic levels, the gulf between the two countries—in terms of their perceptions, attitudes, and expectations of each other—has widened over the last half century. While Indians constantly benchmark themselves against China, the Chinese perceive their country as a global power solely on par with the United States and make disparaging comments about India's "unrealistic and unachievable 'big power dreams'." Most Chinese remain skeptical about India's future believing that India's fractious polity will limit its economic and military potential. The popular notion is that two emerging powers with rapidly growing economies and global ambitions cannot peacefully co-exist at such close quarters. Where spheres of influence overlap there is competition, as in the cases of Nepal and Myanmar. Standard realist accounts argue China is unwilling to permit the emergence of India as a power beyond South Asia. In the past China has built alliances and partnerships with countries in the Indian periphery, most notably Pakistan, but also Myanmar, Nepal, Sri Lanka, Bangladesh and, more recently, Afghanistan.⁴ Combined with the Chinese presence in the Indian Ocean region, this has created some concern among Indian policy-makers of strategic encirclement.⁵ Still, India has been cautious and, in all but naval strategy, circumspect about countering China's moves. New Delhi continues to follow a one-China policy favouring Beijing, despite growing military exchanges with Taiwan.⁶ India's Look East policy, a serious attempt to correct the conceptual drift in India's approach to Asia beyond China, has resulted in substantially growing economic relations with Singapore, Vietnam and Indonesia. Yet India has refrained from seeking out strategic alliances in either East or Southeast Asia.

The Sino-Indian border dispute is long running and fairly intractable, despite shows of flexibility in the past. It periodically prompts both sides to rake up decades-old grievances. Since 1988 China and India have made repeated efforts to resolve their land-border dispute,

and experts on both sides affirm that these efforts have enhanced the stability of their relationship. Still, a resolution of the border issue has remained elusive, and border relations continue to be one of the most significant sources of tension and mistrust in the overall China-India relationship. Chinese and Indian officials and analysts concede that talks over the past two decades have made little progress toward a border delineation agreement. Officials and analysts from both countries claim that assertive nationalistic voices in their own political systems make it hard for either government to make significant concessions to the other regarding national territory. Indian security analysts are very concerned that India's long-term strategic position is being seriously eroded by Chinese incursions and China's decade long buildup of military forces, transport, and logistical support in regions near the border. Indian military officials believe this buildup would permit China to rapidly deploy many divisions to the border quickly in a crisis. But Chinese and Indian analysts also agree that diplomatic processes have made important progress in stabilizing the border region, by establishing confidence-building measures and new systems of communication and consultation that civilian officials and military officers can employ to avoid or resolve incidents on the border regions.

China-Pakistan relationship further presents an obstacle to closer ties between China and India. Both China and Pakistan place great weight on the historical ties that have forged their close partnership.⁷ China and Pakistan shared common geopolitical concerns with respect to India that made the two natural partners. These concerns include territorial disputes in their shared borders with India; a history of hostility and confrontation with Delhi; and a powerful mutual interest in maneuvering to balance or contain India's power and influence. These conflicts involving India established the foundation for what China now labels its "all-weather friendship" with Islamabad. However, China has begun to adopt a more even-handed stance, evident during the Kargil War, the attack on the Indian Parliament in 2001, and the 2008 terrorist attacks in Mumbai. The underlying logic is that Pakistan's growing instability and India's growing power compel China to take a middle path. There are also security concerns of India about the transfer of nuclear intelligence to Pakistan by China as China is helping to construct two nuclear power plants in Pakistan. Future tensions between India and Pakistan could fuel a nuclear arms race on the subcontinent. In light of the Mumbai attacks and setbacks for the Pakistani government's efforts to contain Islamist influence in the country, however, it would be surprising if Beijing were not becoming somewhat wary of Islamabad, given unrest in its own Xinjiang region and the country's persistent fear of terrorism. Moreover, the prospect of nuclear or military conflict between India and China is diminished by the sizeable gap in capabilities between the two.⁸

Tibet is also a significant security concern. Indian parliamentarian and author Arun Shourie argues that 'India's security is inextricably intertwined with the existence and survival of Tibet as a buffer state and to the survival and strengthening of Tibetan culture and religion'.⁹ For India, the Chinese role in Tibet presents both a threat and a tactical opportunity. The presence of the Dalai Lama and thousands of Tibetan refugees in India sometimes allows New Delhi to indirectly apply pressure on Beijing, just as China's policies toward Pakistan sometimes do to India. This lever is not often used, however. In 2008, the Indian government took great pains to ensure that Tibetan protestors did not cause any embarrassment to Beijing during the passage of the Olympic Torch through New Delhi. On the other hand, at the height of tensions between the two countries over border issues during autumn 2009, a visit by the

Dalai Lama to the Buddhist temple community in the disputed Tawang, nestled in northwestern Arunachal Pradesh, can only have been perceived as provocative by Beijing.

The growing US-India relations also pose a big challenge to Sino-Indian rapprochement. The United States has developed complex relationship with both China and India. It is arguably believed that the strategic links of China and India with Washington create a zero-sum effect on their bilateral strategic interaction. First of all, the US input has affected the trajectory of China's ties with India. The New Delhi-Washington nexus has undergone a dramatic transformation in the last decade. The formal signature on the civil nuclear deal in 2008 was a milestone in an enhanced Indo-US partnership, convincingly marking the depth of the strategic engagement. That the Bush administration promised to help India to be a global power in the 21st century is explained as having a strategic allusion to China's rise. As widely observed, moreover, Washington's rhetoric on the bond of the oldest democracy and its initiative to forge an Asian alliance of democracies has made Beijing more vigilant about any undermining changes of its strategic environment. Few Chinese analysts doubt that upgrading Indo-US strategic ties will produce geopolitical consequences disfavoring Beijing. For them, there seems a visible uneasiness that New Delhi could act as a counterweight to Beijing and even bandwagon with the US in encircling China, although opposite view holds that Indian policy makers would prefer an independent diplomacy in terms of its policy towards China. Beijing is concerned about any US driven strategic initiative excluding China and involving India in Asia and Pacific region.

China is also helping Sri Lanka to build a naval port. Although China assures that it will not be used for the presence of Chinese war ships in the region, India worries what will happen. The strategy China follows with the establishment of different ports and military bases from the Island of Hainan in the South Chinese Sea to the Persian Gulf in the Middle East is called "String of Pearls". This "String of Pearls" should secure China's energy supply and trade routes. India sees this strategy as interfering in India's own backyard. At the same time India increases also its naval presence in the Indian Ocean and in the Persian Gulf. India traditionally has a good relationship with Iran. The South Asian nations are helping Iran to expand the port of Chabahar, South Iran, near the Iran-Pakistan Border.¹⁰ India also established naval presence in the Seychelles and Mauritius, and surveillance posts in Madagascar and in the Antarctic. Officially India strengthens its naval presence to secure the sea route for trading ships in the Indian Ocean Region. But experts are convinced that India also wants to counterbalance the increasing influence of China in the region.¹¹

India and China both face growing demand for energy and are locked in fierce competition for stakes in overseas oil/gas fields in Russia, Burma, Iran, Iraq, Sudan, Vietnam, and Libya. Competition between India and China has also intensified in Central and Southeast Asia as both view these regions as vital sources of natural resources and markets for their goods. However, China currently has an overwhelming lead over India both economically and diplomatically. Each has put forward its own proposals for multilateral cooperation that exclude the other. Nearly 70 percent of China's trade is through the Strait of Malacca, the Indian Ocean, and the Suez Canal. The predominance of the U.S. and Indian navies along these sea-lanes of communication (SLOCs) is viewed as a major threat to Chinese security. To protect its long-term economic security interests, China is now laying the groundwork for a naval presence along maritime chokepoints in the South China Sea, the Malacca Straits, the

Indian Ocean, and the Strait of Hormuz in the Persian Gulf through acquisition of naval bases in Cambodia, Burma, Bangladesh and Pakistan. Both China and India have declared that they are not rivals for third world markets, but a look at their activities in Africa gives a contrary feeling.¹² In building economic linkages in this continent, China has stolen a march over India. Much ahead of the latter, it has tried to woo local countries through a clever mix of aid, investment and construction of roads and other infrastructures, and diplomatic offensive. This has helped it gain access to their oil and several valuable raw materials. In terms of trade, China is far ahead. In commodities, China and India account for almost 50 percent of Africa's exports to Asia, as well as its imports from Asia.¹³ Economic competition in developing-country markets and the struggle for political-economic ties with African governments could conceivably set off a scramble for resources and markets in the region. On the other hand, the major exports from Africa to China and India today (oil and natural gas to China, ores and metals to India) do not overlap. There is some competition among Chinese and Indian producers in export markets for such goods as textiles, garments, leather goods and light machinery.

There is a very clear sense in both China and India that their civilisational greatness entitles them to great-power status. In his Budget Speech of 1991, then Indian Finance Minister Manmohan Singh asserted that the emergence of India as a world economic power was 'an idea whose time has come', a remark that is often quoted. China, meanwhile, is often said to retain a Confucian notion of itself as 'the Middle Kingdom' around which international relations ought to be ordered. This perception is compounded by the Chinese nationalist narrative of the 'century of humiliation', a period extending from the First Opium War until the creation of the People's Republic, and featuring serial national humiliations at the hands of foreign imperialist powers, especially Japan. Some worry that competing conceptions of inherent historical and contemporary greatness among Chinese and Indian policymakers could prove difficult to reconcile in day-to-day relations. It would be easy, however, to overestimate how much China's and India's claims to more international clout could contribute to regional conflict. Although China has essentially achieved great-power status, its foreign policy is notably and pointedly oriented towards maintaining regional stability and creating conditions for China's 'peaceful rise'. Analysts have characterised China's new diplomacy as 'less confrontational, more sophisticated, more confident, and, at times, more constructive' in its approach to regional and international affairs than it has been in the past. At the domestic level, modern Chinese nationalism has been called 'pragmatic': it is instrumental and reactive, preoccupied with holding the nation together, in part through a strategy of rapidly accelerating growth, rather than with hostility to others. Contemporary Indian politics and foreign policy evince a similar pragmatic strain, though occasional Indian stridency in multilateral forums stands in contrast to China's more targeted and restrained interventions. India is not as convinced of its historical uniqueness as it once was, and prefers to cast itself officially as an ordinary if significant nation tending to the imperatives of its economic development rather than a country obsessed by the quest for great-power status. Economic prosperity is seen by most Indians as the key to India's attainment of greater power in the years to come. This approach has favoured the normalization of traditionally antagonistic relationships with neighbouring countries and a greater commitment to international institutions that might legitimize its emergent status. Sino-Indian perceptions of each other are somewhat more problematic. A 2006 Pew Global Attitudes Survey found that 43 percent of Chinese had an

unfavourable opinion of India, while 39 percent of Indians had an unfavourable opinion of China. China's growing military power was, according to 63 percent of Indians, a 'bad thing' for their country, while 50 percent said the same about China's growing economic power. At the same time, 65 percent of Indians said that China would replace the United States as the dominant power sometime in the next 50 years. Public opinion is one thing; more relevant perhaps is the perception (and potentially a self-fulfilling prophecy) among some members of the Indian foreign-policy establishment of a 'China threat'. Eminent Indian foreign-policy analyst C. Raja Mohan describes India's China policy as standing on three legs: 'say nice things in public about Sino- Indian friendship, Asian unity and anti-Western solidarity; nurse intense grievances in private; and avoid problem solving because that would need a lot of political courage'.¹⁴

Finally it may be concluded that despite the overall efforts from both the sides to ease the mutual tension, their relations will remain competitive. Both are emerging powers. Both will try to take actions which will be suitable to their populations, geographical location, their country's size, and so on. Furthermore, the emergence of both the states as great powers and economic giants in the 21st century is likely to result in significant new geo-political alignments. Both will try to enhance their presence in different parts of Asia and Africa. Moreover, the new economic prosperity and military strength of both the states will create new tensions as both will try to register their authority in different parts of the world, especially in South Asia, South East Asia and Central Asia. At the strategic level, India will continue to expand the strength, scope and reach of its nuclear and naval capabilities. The growth of such capabilities will provide China further reason to be wary of Indian intentions. Consequently, China will also adopt a proactive approach, ultimately leading to a great degree of competition between the two. Hence, both China and India will remain in the state of competitive coexistence for the decades to come.

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QUESTION OF HINDU UNITY AND IDEOLOGICAL OVERLAPPING: A STUDY OF MINISTRY PERIOD IN U.P

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ABSTRACT

Hindu sanghatans and their politics in U.P was very important issue during the national struggle in general and the Congress ministry period in particular. Hindu organization thought that ministry should work according to the Hindu interests. However, Congress ministry wanted to maintain its secular image at the national level. But despite this, some local level Hindu leaders involved in the Hindu sanghatans to revive the socio-political conditions of the Hindus in the province. Due to this, there was ideological crises setup among the Congress leadership. In this situation, Hindu-Muslim crises emerged in the province.

Key Words : Hindu, Muslim, Sanghatans, Politics, Communal Politics, Sectarian, Secular.

Communal politics and separatist ideology was the main feature of India's freedom struggle. Ideological differences had become the sever problem for fight against colonial power. As it may be consider that India is country which has distinct culture since ancient and medieval time. However, India remained secular country before the colonial power. But, imperial power gave an idea of identity formation since the establishment of censuses in India in late nineteenth century. Censuses report gradually segregated the Indian society between different casts, sects and religion. After this, identity consciousness remained gradually develop among the different groups and sections of the Indian society. Later on, this consciousness established feelings of others. Along with this, there were some allied interests also correlated with such feelings. In this process, sanskritisation became important factor to mobilize communities. All these communities traced their future in historical past. Further, community consciousness turned into socio-religious hatred in late nineteenth and early twentieth century. Along with this situation, colonial power also contributed it's role to breakup communal harmony by writing historical past. In the process of history writing, imperial historians contributed significant role. James Mill was the prominent one among them. These writers misguided historical fact to break up the Indian society for serve the colonial interests. Therefore, communal problem gradually increased between various sections of the society. In this situation, different communities organized their people in socio-political organizations which had strong base of common religiosity. Feelings of other became emerge in different section of the society by such type of religious sentiments. Therefore, society remained under went change towards separatist and communal ideology.

Separatist idea and ideology remained a sensitive issue among the historians of the subcontinent and south-east Asia in general and particular in India. Communalism continued a subject of debate between the social scientists since early decades of twentieth century. Communal conflicts and clashes had already discussed by different researchers. They also narrated its causes and impact. It remained commonly believe that religion and religious issues

behind every communal conflict. However, there were certain other things provoke the situation to worst. In this situation, different cast and communities associated themselves with different political groups. These parties strengthen themselves with the support of particular cast, religion and communities. These groups merely achieve political benefits by using the sentiments of people. For this purpose, they played the game of majority and minority, uses symbols of particular community and celebrates particular fests and festivals. Same time, these political parties exploit emotion of people to aggravate against the other religion and community. Therefore, society divides into different sections. Each section stays them with particular political juncture to serve their interests. In this circumstance, society slightly underwent change in to communal front.

Present research work is an moderate attempt to disuse about the separatist ideas in United Provinces in pre-independence India. This paper mainly describes about the ideology and working of Hindu sanghtans in U.P. it is quite evident that U.P remained a pro-Hindu revivalist province since the Nagri movement in late nineteenth century. Bhartendu Harishchandra and Maadan Mohan Malaviya were the staunch supporter of this movement. Hindi-Urdu controversy established new dimensions in the politics of the province. It is important that after this Hindu-Muslim problem gradually emerged. Communal clashes and violence became grow as time passes. This article disuses about the ideological difference between the Hindu sanghtans as per concern of Congress ministry in the U.P. It eliminates firstly the problem of the ministry period in the context of the communal problem and the nature and growth of Hindu communal forces. It also elaborates about the different Hindu organizations which were considering the Congress ministry as the anti-Hindu ministry and later on Hindu minded leaders of these organizations taking part actively in the communal conflicts. It also reveal about the issues which were not acceptable to these Hindu organizations. It also describes that there were some ideological overlapping also seem among the Hindu leadership towards the Congress. It also describes about the Hindu communitarian leadership who were nationalist bent of mind. But same time they also wanted to protect Hindu interests. Besides this, it also elaborates stanch Hindu leadership who were opposing the Congress and it working. These sanghtans wanted to establish Hindu Raj in the province. All above aspects discus in present paper.

The interpretations of the period between 1936 and 1939 include a number of assumptions and omissions that open fresh questions regarding the Congress-Hindu sanghtans in the province. Most importantly, it is unclear how elite competition caused electoral patterns to follow a communal orientation.¹⁵ Along with this, it is quite evident that communal polarization between the Congress and the League-largely because of the earlier effects of Hindu nationalism within the Congress leadership.¹⁶ The communal polarization in politics after 1937 was the result of a long term use of religious symbolism by the Congress and the others. The Hindu-Muslim problem turned major political issue during the Govind Ballave Pant's ministry in the United Provinces. Later on, Hindu sanghtans actively took part in the Congress-League clash. It affected the secular image of U.P Congress. It was the big challenge of sectarian hegemony of the Congress ministry in the province.

The election of 1937 was a prolonged process of the Constitutional development of the British India. The process of constitutional initiatives by the British government started with the first act introduced in the local self government at the district and municipal levels in the 1880s.

But at this stage, British Raj did little to balance the administration.¹⁷ A few institutions were introduced in most of the towns and districts but the system did nothing to focus on the grievances at a higher level of government.¹⁸ In 1909, with the introduction of the Morley-Minto reforms, this system started getting changed except in Punjab, where the reforms introduced a substantial elected element at the provincial level. The powers of the new provincial councils were not extensive. Another important feature of the Morley-Minto reforms was that they provided the first opportunity to provincial grievances to achieve representative status and to confront provincial governments with those grievances.¹⁹

A decade after the introduction of the Morley-Minto reforms, the confrontations with the government assumed new proportion. In 1920, further developments took place. In that year, by the terms of the Montague-Chelmsford reforms, each provincial council was given a majority of elected members.²⁰ The makers of the Act of 1919 were confronted with a challenging task as they tried to cope up with the major political questions of the day. The relationship between the centre and the provinces, place to be allotted to princely states, the question of Muslim representation, and joint electorates versus separate electorates had become the issues of debate since the days the Simon Commission arrived.²¹ The franchise was extended greatly through the Reform Act of 1919, and most importantly, the patronage of such important departments such as education, agriculture and local self-government was handed over to ministers responsible to the legislatures.²² After 1920, therefore, the government no longer possessed a monopoly of power at the provincial level but the real power was transferred to Indian hands and the government became dependent on the goodwill and co-operation of others for the administration of important departments.²³

The process of constitutional initiatives by the British government started with the Round Table Conferences, (RTCs), finally reached its culmination in the Government of India Act, 1935. It passed through many stages. The declaration of the Communal Award was followed by the issue of a White Paper Proposal (WPP) containing the various view points expressed at the RTCs.²⁴ Subsequently, a joint select committee of the British parliament (JPC) was set up to consider the WPP and make recommendations to the British parliament on the constitutional reforms in India.²⁵ The new constitution, as it took shape, was, undoubtedly, a major advance over all the earlier arrangements: diarchy was replaced by provincial autonomy, a federation was proposed at creating an electorate of 36 million as against seven million created by the Government of India Act, 1919.²⁶ All the major party of India opposed the Government of India act 1935.

Although all the parties criticized the Government of India Act 1935, still they decided to contest the elections held under the new scheme in early 1937. There was still a real prospect of the Congress mending its fences with Muslim politicians, in particular, and Muslim electorates in general.²⁷ The election results surprised many. As it turned out, the Congress won a clear majority with 133 seats in a House of 228 seats.²⁸ But it was a lopsided success because it did not win a single Muslim seat. Its main rival, the Muslim League, could win only 27 seats.²⁹ The Land lords' won only 25 seats in the election. Congress fielded 159 candidates, while the Muslim League contested on 66 seats.³⁰ After the election, a long negotiation had set up for the Congress-League coalition ministry. Though it was important at that time but it became more important and debatable question in the future. It remained an issue of debate among historians from 1937 to the present day that if the Congress had formed a coalition

government with the League, the partition might have been averted.³¹ The Muslim League might have been co-opted into constitutional politics; Jinnah might not have been pushed towards extremism from where he had no choice but to ask for Pakistan. The Muslims might have not rallied behind the League and the League might not have been communalized to that extent. So far it has been argued, that 1937 was a landmark in the course of communal politics in the U.P. Because after this year, particularly the breakdown of the Congress-League negotiations. Muslims opinion turns in favour of the League. Now Muslims opposed the Congress.³²

But it was not only Muslim League story. After formation the ministry, Hindu organizations believed that Congress ministry was a Hindu ministry. Hindu leadership considered it Hindu Raj. They thought that Premier Pant government should work like Hindu bent of mind. These leaders wanted that every kind of policies should formulate according to welfare of Hindu community.³³ They thought that protection of Hindu interests remained first.

These interests should be in favour in recruitment policies, protection of religiosity, revival of Hindi language and also political benefits. The Hindu organizations firmed on the issue that ministry must be neglected the Muslim of province.³⁴ These organizations thought that the Congress represented the Hindus of the province. Muslim League represented the Muslims. Therefore, Congress should did only for Hindus. But, it was quite important that Congress had a big secular face on the national level politics. It was the body who was representing the all sections of the society. But it was also evident that some Hindu minded Congress leaders were supporter of 'Hindu Raj' at local level. However, the Congress ministry was very conscious about its secular image. Hindu sanghatans blamed that ministry could not do much for the Hindus of during the ministry regime. The Hindu organizations criticized the Congress ministry on the whole issue. On the whole issue, the Hindu organizations, did not remain mere spectators. The Hindu Mahasabha started comprehensive and systematic assault on the Congress government and its leadership. Mahasabha condemned all the previous incidents and the talks of Muslim League with Congress.³⁵ The Hindu Sabha further condemned the Congress government for its policy of Muslim 'appeasement'. Mahasabha also blamed that Congress remained biased at the time of communal riots.³⁶ The Hindu Sabha also raised the issue of low proportion of government jobs for Hindus. It also alleged that Muslims enjoyed more benefits in the government jobs as compared to the majority of Hindu population in U.P.³⁷

There were several issues on which Hindu Sabha criticized the Congress in the province. These issues correlated with the religious sentiments of the people. The Hindu Sabha criticized the booklet which was published by the U.P government on the issue of Muslim mass contact plan. Hindu Sabha called it Muslim appeasement policy of Congress and published a long editorial page in the leading Hindi newspaper, the *Abhyuday*.³⁸ Hindu Mahasabha cited a number of instances where Hindus were oppressed by the Congress led government. The current regime of provincial government placed restrictions on the Hindus *Arti* (Prayers) and blowing of *Shankh* or conch shells in temples. Their religious processions were banned by the authority many a times.³⁹ Further to avoid communal tension, the Hindus were not allowed to take their marriage processions without the permission of the superintendent of police in Banda district during the *Moharram* days. The Hindus were banned from taking out any kind of procession from the first to the tenth of *Moharram* at

Aliganj in District Eata. In another example, District authority of Bareilly did not allow Hindu women to play *Dholak* on the occasion of a marriage at Arnla in District Bareilly.⁴⁰ All the restrictions of authorities were increasing aggressiveness of the Hindus which creating bitter relationship between the Hindu and the Muslims in the province. Hindu organizations believed that the Congress ministry was responsible for worst conditions of the Hindus.

The Hindu organizations believed that all restrictions and bans were imposed on the Hindus by the Congress rule in the U.P. These sanghatans thought that the Congress ministry was working according to Muslim appeasement policy. The Hindu Sabha and the Mahasabha raised their voice against the discriminatory policy followed by the U.P. government. Indra Prakash, the General Secretary of Hindu Mahasabha pointed out that it was dangerous for Hindu culture and civilization in U.P. He issued a warning to the Congress saying that the Hindus of the U.P. “will think twice before casting their votes at the next general election in favour of such dubious and scrupulous well wisher.”⁴¹ Apart from this, the Hindu Sabha and the Hindu Mahasabha started aggressive movement against the Congress Raj and the Congress leaders. Throughout 1938 and 1939, the activities of both the Hindu Sabha and the Mahasabha increased in the United Provinces.⁴² Hindu Sabha organized a meeting. In this meeting, speakers criticized the Congress ministry and Pant comparing it with ‘General Dyer’.⁴³ In a meeting at Bareilly, the Hindu Sabha passed a motion of no-confidence against the Congress government and coined a new name *Maulana*, for Pant in place of *Pandit*.⁴⁴ The Hindu Sabha and Arya Samaj led movement against the Nizam of Hyderabad to revive it’s condition in forth coming by-election.⁴⁵ It needs to be mentioned here that in these meetings the attendance of the Hindus was quite large number than before. Despite this, the Hindu Mahasabha could not perform well in the two coming bye-elections.

Under the active leadership of Savarkar, the Hindu Sabha tried to revive it-self in the bye-election of Faizabad in July 1938. Savarkar came to Faizabad to campaign for the Hindu Sabha candidate, Thakur Suraj Pal Singh. Although, Thakur Suraj Pal Singh belonged to the *Zamindar* class of the province. Dispite this, Savarkar appealed the Hindus that it was the right time for the Hindus to protect the socio-political interests of the Hindus.⁴⁶ But the election result was very adverse for the Hindu Sabha. Pandit Ram Ratan Shukla of the Congress won the election with 65 percent of votes.⁴⁷ It was important tha it can be understood that the Hindu communal leaders or leaders of Hindu Sangathan could not convince the Hindus to cast their votes in favour of the Hindu Sabha or the Hindu Mahasabha candidates. On the other hand, it can be said that the Congress’ nationalist agenda, socialist and secular programme found favour with the elections as compared to the Hindu religious scheme. It could clearly shows ideological weakness of the Hindu sanghatans.

Within fifteen days of the bye-election of Faizabad, the Pilibhit town came under communal fire. The reason was the selling of fruits. This incident happened between the Muslim fruit seller and two Hindu customers. There were forty people got injured and among them six were critical.⁴⁸ Another communal riot broke out at Minapur village in District Banaras. The reason of that incident was that both communities used each other’s agriculture fields for toilet purposes. Three people were injured in this episode.⁴⁹ Another riot took place at Khayaltoli in District Kanpur, when a Muslim kidnapped a Hindu woman. These incidents did not concern about the communal issues. But later on fundamentalist intermingled these issues with religion. These problems were concerned with particular issues, but not general ones.

However, the issues derived a mileage from long historical background for all the troubles.

In this reaction, a number of local Hindu Sabhas were formed in different places of the United Provinces. These Hindu Sangathans were formed in Kanpur, Bareilly, Banaras, and Allahabad.⁵⁰ The important fact was that a lot of Congressmen or prominent district Congress leaders were supporting these local Hindu organizations. A few among them were Algu Rai Shastri, Mahabir Tyagi, Purushottam Das Tandon, Raghbir Dyal Seth, Lala Ram Ratan Gupta, Raja Maheshwar Dayal Seth and Sampurnanand.⁵¹ All these leaders were earlier the followers of the Gandhian philosophy and principles. These Hindu minded leaders ushered in physical activity and culture through these organizations. By such kind of activities these leaders wanted to turn Hindu movement more aggressive.

An important reason of Hindu consciousness among the communitarian leaders of the Congress was that the League was increasing its influence among the U.P.'s Muslims on religious grounds during this period. To counter the League, these leaders were involved, simultaneously, in the Congress and the Hindu Sabha and Sanghathan.⁵² These prominent figures of Congress advocated the volunteer activity or volunteer organizations as the necessity for Hindu community. It was also important that earlier many of among these leaders belonged to the socialist ideology.⁵³ Within this camp, they leaned towards the reformism of the Arya Samaj. For example, one prominent Civil Disobedience leader, Algu Rai Shastri, moved towards the Hindu sangathans. In the late 1935, he was the Secretary of the Meerut Arya Samaj and an active worker of *Gurukul Daurli* of Meerut district.⁵⁴ Shastri raised the issues of Hindu rights in political activities. For example, Shastri criticized the Muslims for their unnecessary demand of restriction on playing music before mosques in Azamgarh. But similarly, Shastri was also involved in the training of the Congress Rashtriya Dal at Azamgarh in 1940.⁵⁵

Like Shastri, another local level Congress leader, Mahabir Tyagi, had been a leading Congressman since the days of the Non-Cooperation Movement in Dehradun. In the election campaign of 1937, Tyagi used the platform of Arya Samaj to mobilize Hindu people in favour of the Congress.⁵⁶ Tyagi was openly involved in both religious and political organizations. This ideological overlapping was conspicuous at the Congress meeting in Dehradun where Nehru addressed the Congress workers' meeting with Mahabir Tyagi at the Arya Samaj Temple at Dehradun in July 1936. Tyagi involved himself with the Hindu religious organizations like *Mahabir Dals*, *Hanuman Dals*, *Arya Vir Dal* and *Rastriya Swayamsevak Sangh* (RSS). These were the examples of communitarian activities of Congress's leaders at the local level in the U.P.

Another prominent activist, Purshottam Das Tandon who started his career as a Congress's volunteer was also inspired by the Hindu revivalism. His nationalism was explicitly cultural in shape. He visualized Hindi as well as Hindu religion, implicitly, as the basis of the nation. In 1939, Tandon formed the *Hind Rakshak Dal*. This organization endorsed Congress related to general activities. Later on, Tandon was involved actively in the volunteer organization, like *Hind Raksha Dal* and 'Congress *Raksha Dal*' for a long time. These organizations, regularly worked for the Hindu cause. Some time volunteers of these organizations worked for Hindu cause as well as socio-political interests of the Congress. But it was important fact that Congress volunteering activities remained overlapping with the Hindu organizations at local levels. As a result of these activities of the Hindu minded leaders, the Muslims of province

were gathering themselves in Muslim communal organizations. Some Congress leaders opposed these activities among the Hindus as well as the Muslims. Therefore, at Wardha in December 1938, Congress Working Committee, declared the Muslim League and the Hindu Mahasabha to be a communal organization. Congress working committee also debarred their members from the Congress who were holding any office in the communal organization. Due to this reason, Lala Ram Ratan Gupta, the president of the Kanpur City Congress Committee and Pandit Raghbir Dayal Dutt had to resign from the Hindu Sangathans. This was a clear sign of the increasing Hindu consciousness among the Congress leaders.

It was intolerable for the Hindus because the police was an important department which could play an important role during the communal riots. The Mahasabha leaders further stated that the Mohammedan in Bengal and Punjab had made it difficult to secure jobs for the Hindus. The meeting of the working committee of All India Hindu Mahasabha asked concerned Congress ministries to stop Mohammedan recruitment further till the proportion of Hindus in the services was equal according to the proportion of their population. The Mahasabha leaders also appealed to the Hindus to boycott the Congress. They also appealed that the Hindus should not vote for the Congress candidate but vote for a Hindu nationalist. Again they appealed to the Hindu youth to train themselves for military service. The Mahasabha also thanked Dr Hedgewar, who had founded the Hindu youth's organization R.S.S, a well known Hindu communal militant organization, whose main focus was on the military training for the Hindu youth.

Congress also faced criticism by some other political groups in the province. Like Hindu sanghatans, Independent Party also blamed the Congress for its minority politics. Although, the Hindu Sabhas and the Hindu Mahasabha criticized the Congress outside the assembly but both the parties had not even a single representative in the assembly. Some Hindu minded leaders of the Independent party also spoke against the Congress's anti Hindu policy. Among them was J.P.Srivastava who had raised his voice for the interests of the Hindus. Before the Banaras and the Kanpur riots in the March of 1939, the Pirpur report had been published. After this, Muslim League members created unhappy scenes both outside and inside the assembly.

After the bye-election, the Hindu Sabha decided to re-strengthen the party. For this purpose all the Hindu Sangathans united themselves to organize the Hindu political party in the province. Here, one thing is important to understand that the formation of a separate Hindu Sabha of Agra province took place in the late 1939. Its head office was opened at Allahabad. It began to open new issue of conflict among the Hindu Sabha of Oudh and the Hindu Sabha of Agra in the province. The Hindu Sabha decided to acknowledge both the Hindu Sabhas. After this, a committee was formed under the leadership of J.P. Srivastava to revive the Hindu Sabhas in the province. As a paternal organization, the Hindu Mahasabha also took keen interest in the affairs of the Hindu Sabha of U.P. It was felt that J.P. Srivastava wanted to capture the whole leadership of the U.P Hindu Sabhas by the blessings of the high command. Srivastava's visited all over the province for this purpose. Another purpose of Srivastava's visit was to find out the problems of the Hindu Sangathans. Shrivastve wanted to unite these Sabhas and Sangathans. He tried to take advantage of the anti-government Hindu feelings to unite the Hindu Sabhas and Sanghtans in U.P. Such factional politics was the real problem before the Hindu Sangathans which remained problematic for the Hindu Sangathan since long the past.

To serve their purpose, the Hindu organizations of U.P. blamed the Congress government and called it anti-Hindu or pro-Muslim. These activities were effective for a short term not for a long term to gain the Hindu support. This was evident at the time of elections in the province Hindu sangathans only succeeded to get Hindu support at the time of community clashes.

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25. Restrictions were imposed on the Hindus who were forbidden blowing of *Shankhs* during the *Moharram* in Barabanki district and also banned from throwing colours at the time of *Holi*. A temple was also closed at Jahangirabad.
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29. At Baduan, around 1000 Hindus attended a Hindu Sabha meeting. *Ibid.*
30. Mishra, Salil, *Op.cit*, p.303; and *WRPA*, No- 324-1939.
31. This time Nizam of Hyderabad imposed so many restriction on Hindus in Hyderabad state; *WRPA*, No-277, 1939.
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33. In this election Hindu Sabha got 35 percent votes (8,270) and Congress got 65 percent votes (15, 353); Pater Reeves (ed.), *Op.cit*, p.313; and *Aaj*, July 12, 1938.
34. *Aaj*, July 17, 1938.
35. *Ibid.*, August 16, 1938.
36. *Ibid.*, February 15 and 22, 1939.
37. *Leader*, December 22, 1933; and *Ibid.*, February 28, 1939.
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 48. As a president of the U.P. Congress, Kidwai had known in that some Congressmen were occupying position in communal organizations in 1935-36. But CWC could not define any organization as communal. That's why Wardha Congress had to declared about communal organizations; Zaidi and Zaidi, *Op.cit*; vol-11,pp.495-96; and also see, *All India Congress Committee Papers*, P. 20(1)1934-35.
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 52. *Ibid.*
 53. In the Election of 1937, both parties represented Hindu interest but both of parties had failed at the time of election; *P.D. Reeves, Op.cit*; pp.260-310.
 54. Mishra,Salil, *Op.cit*, p.272.
 55. Pirpur Report published in the end of 1938, but before this there were two major riots broke out in Kanpur and Banaras. In these riot's around 50 people died and 200 people were injured; *Aaj*, March 5, 8, 9, and11, 1939.
 56. Conflict was arise when Hindu Sabha of Agra opened its office at Lucknow, now Hindu Sabha of Oudh was objected this and controversy was began. There were 55 local Sabhas were agree to open Hindu Sabha of Agra and retained its status as it is; *All India Hindu MahaSabha Papers*, File.No-P.10, 1939-40, NMML, New Delhi.
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EVOLUTION OF VISION AND IDEOLOGY OF BHAGAT SINGH

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ABSTRACT

Bhagat Singh is one of the most beloved son of soil because of his uncompromising fighting spirit and clear ideology and vision about Liberation of Mother India and its further growth in to a great nation. His choice of violence as a method of resistance or his idealistic heroism for which he is rightly wasn't as significant as his contribution in trying to formulate a revolutionary philosophy and a course of action, taking into account the travails of colonial subjection, on the one hand and the character of internal exploitation, on the other. Bhagat Singh as a revolutionary activist – and also as a young intellectual – was searching for an ideology and a world-view for human emancipation. Bhagat Singh enriched the concept of revolution, widened its scope and added many more dimensions to its definition. Bhagat Singh believed in a 'realistic socialism'. He dreamt of social equality and prosperity. He was a great patriot, visionary integrating the Indian problems of social reforms in a revolutionary manner. He was a symbol of inspiration and hope for the people of the country and the world also. Therefore, he deserves all the more, the honour of being saluted as Shaheed-E-Aazam and reminds us that this indicated the possibility of uniting Indian people from all streams, not eclectically but on a revolutionary plank.

Key Words: Revolutionary, Utopian, Socialism, Communist, Atheist.

Nationalism has always been a major political force all over the world and Indians too have shown a great feeling of nationalism in the struggle for their freedom from British Rule. Story of India's struggle for freedom is unique and captivating since it shows the harmonious combination of revolutionary ideas and non violent way of thoughts in reaching its final goal of independence. In spite of their basically different methods, they enriched and strengthened the struggle for National Independence. Journey to independence from foreign rule started from great revolt of 1857, through many revolutionary movements led by various people like Lal, Bal, Pal, Bose and finally led by Gandhi ji and Nehru in achieving the final goal of total freedom. Among the great revolutionary of India, Bhagat Singh is one of the most beloved son of soil because of his uncompromising fighting spirit and clear ideology and vision about Liberation of Mother India and its further growth in to a great nation. Bhagat Singh and his companions cherished the dreams of liberating India and transforming Indian Society through revolution. Not only did he enrich and widen the ideology of the Revolutionary Movement but also gave a new meaning and dimension to its mode of struggle. The Revolutionary Movement which had been following the Hindu line was detached from the religion by Bhagat Singh. He directed the revolutionary efforts towards the attainment of nationalistic and socialistic goals. Bhagat Singh had a deep conviction that revolution was harbinger of

progress. Human urge for change and revolution could not be strangled by atrocious acts and suppression. It is important to be familiar with Bhagat Singh's ideas about revolution, and his vision of Society and India.¹

He was the iconic figure of the revolutionary nationalist phase of the freedom struggle. Indian freedom struggle was universally acknowledged as a non-violent movement and because of that these heroes of the revolutionary nationalism and their great contribution against the British Raj remained unsung but it left a great impact on the youth.

His choice of violence as a method of resistance or his idealistic heroism for which he is rightly wasn't as significant as his contribution in trying to formulate a revolutionary philosophy and a course of action, taking into account the travails of colonial subjection, on the one hand and the character of internal exploitation, on the other.

The youth was disillusioned by the non violent methods of the Indian National Congress and they groped for an alternative path – the revolutionary path.

Bhagat Singh as a revolutionary activist – and also as a young intellectual – was searching for an ideology and a world-view for human emancipation. This journey began right from his school days and gathered momentum after joining the National College, Lahore. Bhagat Singh had apparently read a good number of files containing newspaper clippings about Sardar Ajitsingh, Lala Lajpatrai and also major political events, and at least 50 books and booklets, which were written by radicals like Sardar Ajitsingh, Soofi Amba Prasad and Lala Hardayal, on socio-political issues when he was in the Fourth Standard.²

The Russian revolution proved to be one of the most important factors that helped in creating a favourable situation for the revolutionaries. During the First World War the working class had already emerged as a powerful force which had the potentiality of changing its own fate and that of the nation. It was natural that the Marxist literature, writings of Lenin and Socialist's works should have become the craze.³

Bhagat Singh enriched the concept of revolution, widened its scope and added many more dimensions to its definition. Revolution had usually been associated with the violence 'the cult of pistol and the bomb'. There might be a phase when such means had to be used.⁴ He endowed it with social significance, when he observed: *"By revolution we mean that the present order of things, which is based on manifest injustice, must change. By revolution we mean the ultimate establishment of an order of society, which may not be threatened by such breakdowns and in which the sovereignty of the proletariat should be recognised and as a result of which a world federation should redeem humanity from the bondage of capitalism, misery and peril of wars."*⁵

This ideological development led him to become, in 1928, one of the leading persons to reconstitute the HRA (Hindustan Republican Association /Army) as HSRA (Hindustan Socialist Republican Association /Army) and this change did not occur at the spur of the moment or as some emotional or utopian outburst, but was a well-thought out strategic step. The fact is that the HSRA did stress the need of organising labourers and peasants but they were not to figure as members.⁶ In fact it was Bhagat Singh who added the word 'Socialist' to HSRA.⁷ And finally, he led the action of throwing harmless bombs in Constituent Assembly to register the protest against the anti-worker Trade Dispute Bill, and Public Safety Bill which was primarily directed against the Marxist/ Communist political activists coming in India from

abroad. He also wrote and proclaimed on several occasions “Proletariat as the Vanguard of Revolution” and “the necessity of Dictatorship of the Proletariat for establishing a Socialist Society.” Who would do this besides a Marxist?

Bhagat Singh started to live like a communist, from the time he began his reading of communist literature,⁸ and emphasizes that “Being a true communist, his outlook on each and every matter remained internationalist. Like all other revolutionaries he also had risen above regional sectarianism, but had gone one step ahead of them. His humanism had left the nationalism long behind, there was not an iota of geographical or linguistic sectarianism in him.⁹

Bhagat Singh believed in a ‘realistic socialism’. He dreamt of social equality and prosperity. His vision of a Communist Society was very similar to that of Marx and Lenin— a society where there were equal opportunities for all and a just distribution wealth according to one’s capabilities, and where even the lowliest could live comfortably. His brand of socialism was not a utopia, but a reality which could be brought about with non violent and peaceful methods. It was through Bhagat Singh that Marx and Lenin gained influence over Indian National consciousness.¹⁰ He knew that in this quest for socialism, one would have to make compromises at times, without losing sight of the main aim. In any such compromise, both parties gain some and lose some. But the onward, non violent march towards socialism should continue. Nothing worthwhile can be achieved by being a hardliner.

Since his age of 13years, he organized a group in his village, participated in non-cooperation movement by leaving school while studying in 9th Std., organized grand reception for Jatha against the stiff opposition of his relative Landlord who had joined hands with the British officials, organized NauJawan Bharat Sabha as an open wing of the revolutionaries to do political work among the youth and the peasants and workers, and worked as its secretary. He worked for Kirti Group which was formed by Ghadar revolutionaries who had returned from Moscow trained in communist theory in the Eastern University, and he also wrote for Kirti, a Punjabi Journal started by Santokh Sing and then run by Sohan Singh Josh (who later joined CPI). Bhagat Singh, while in Kanpur, was in touch with the early communists like Satyabhakta, Radha Mohan Gokulji, Shaukat Usmani. Bhagat Singh had also met Muzzafar Ahmad, one of the founders of communist movement in India, in 1924 in Lahore.

By 1928, not only Bhagat Singh, even Sukhdev and Bhagawati Charan Vohra (who was also one of the brains behind this revolutionary party and drafted important documents like the Manifesto of NauJawan Bharat Sabha, and HSRA Manifesto) in Punjab, Bejoykumar Sinha, Shiv Verma and Jaidev Kapoor in UP were getting more and more convinced about the need to adopt a socialist agenda for their revolutionary organisation. So in a special meeting of HRA (September, 1928), after long deliberations, they consciously reconstituted the HRA as HSRA. This was not an ornamental change but a very well thought out Strategy, the flowering of which can be seen in the document drafted by Bhagat Singh titled “A Letter To Young Political Activists” and “Draft Revolutionary Programme”. Apart from NauJawan Bharat Sabha, Lahore Students Union, Bal Students Union, Bal Bharat Sabha were also formed as part of the mass work of this group. Seeing Bhagat Singh’s increasing impact on the youth and people in general, the police arrested him in 1927 by implicating him in 1926 Dussehra bomb case which, it was suspected, was the handiwork of some agents of police themselves.

The thoughts and ideas expressed by Bhagat Singh about Vishwa Prem and Internationalism, Capitalism and Imperialism, Indian Bourgeoisie collaborating with Foreign Capitalists in exploiting the peasants-workers and the toiling masses of India, the Basic Tenets of a Socialist Society, the Concept of Revolution, etc. are some of the important pointers to his theoretical understanding based on Marxist outlook.

So practically, Bhagat Singh and HSRA were a part of the Communist Movement in India since almost its inception. The reasons for Bhagat Singh and his comrades not becoming the formal members of the Communist Party do not seem to be very clear—may be as the CPI itself was in a formative stage and took some shape only in the early 30s¹¹ that they did not join, or may be that they still differed on certain aspects (as sounded by Durgabhabhi later).

Bhagat Singh -- it can be emphatically said -- was fully convinced about the need of a Communist Party to take forward the revolution, which was reasserted in the Draft Revolution Programme, where he mentions that the Party will be known as Communist Party. In late 20's they were trying to shape a revolutionary organization, HSRA, as the elementary form of Communist organization. From this document and the jail note book and some other writings it was clear that ultimately HSRA was also to take the path of mass mobilization of workers, youth, peasants, students and other potentially revolutionary sections of Indian Society. It is an oft-repeated and known fact that most of the HSRA comrades, who survived the British onslaught and imprisonment, later joined the Communist Party.

Bhagat Singh's foremost contribution was as an ideologue. It was Bakunin's – *The God and the state*- which influenced him the most¹². Bhagat Singh felt that revolutionary creed should be detached from religion as the religion would cause rift in the whole hearted devotion of a revolutionary to the creed of revolution. Bhagat Singh's categorical emphasis on the necessity of abolishing 'God' fitted in well with the communistic principles¹³. He believed in ideological firmness and said, 'Religion has no connection with the National Movement.' Bold sentiments indeed, but very true. It is distressing to see that today Nationalism is being touted in the garb of religion and caste. This has resulted in fragmentation of society and in communal riots.

As stated in "Why I am an Atheist?" a boy from a Sikh family with Arya Samajist background who regularly did his prayers and chanting of Gayatri Mantra twice a day, turned into a complete atheist by 1926. His atheism was not merely an act of negating religion mechanically. If we go through his various writings on "Kooka Revolt", "Anarchism", "Religion and our Freedom Struggle", "Communal Riots & the Solution", "The problem of Untouchability", "Different thoughts of New leader" and scattered statements in various other articles and documents, we can get a glimpse of the mind of an intellectual who is trying to grasp the complexity of religion, society & politics in the then existing Indian context with a Marxist understanding which was rare even among the stalwarts of our freedom struggle including those from the Left in that decade.

Bhagat Singh also showed an objective and sympathetic attitude towards the viewpoint of the earlier revolutionaries who could not overcome the need to hold on to the religious beliefs, mysticism or irrational spiritualism. The reason was the lack of scientific grasp of the true political character of their own 'revolutionary' work, the sacrifice and strains of keeping themselves away from kith & kin, comforts of life, temptations, and also the 'absence' of alternative philosophical-moral world-view based on modern human universal values and

revolutionary ideology like scientific socialism & Marxism, etc., This analysis was based on his own personal life experience and also on a firm Marxist understanding. He says, “from my personal experience I can safely assert that in the secret work when a man constantly leads a risky life, ‘without hope & without fear, ‘always prepared to die unknown, unhonoured and unsung’, then he cannot but fight the personal temptations and desires with the help of this sort of mysticism which is by no means demoralising.”¹⁴

He analyses the concept of God and religion, not only his well-known article ‘Why I Am An Atheist’ (1930) but also prior to that in one of his articles written on ‘Anarchism’ (1928). In these writings, his emphasis is on the exploitative and iniquitous character of these concepts and the social institutions based on them, and how religion becomes an instrument in the hands of feudal and capitalist vested interests and the ruling classes. He also touches the other side of this problem. The origins and the need of God and religion for the human beings and the society lies in their lack of scientific understanding of the nature, environment and society, and the lack of power to control their own life, society and destiny. He discusses how God and religion become useful myths to the people living in hardships and for the man in distress. This entire treatment of God and religion given by young Bhagat Singh shows a remarkable resemblance with the oft-quoted famous paragraph of ‘young’ Marx. One may wonder¹⁵ whether Bhagat Singh had read this famous passage from Marx, and indeed in his jail notebook, we do find this passage noted down by Bhagat Singh¹⁶. He clearly disapproves of ‘conciliating the various conflicting religions as all the nationalists try to do’¹⁷.

He cites the example of Soviet Russia and also an incidence from Calcutta where in a riot-charged atmosphere the industrial workers of both Hindu and Muslim communities joined hands to resist the riot as examples of class-consciousness overcoming the social divides. He also expresses hope in the young generation, which was then showing a growing despise towards communal riots. Finally, he refers to the stand taken by Ghadar Party on secularism in these words – “The martyrs of 1914-15 had separated religion from politics. They believed that religion is an individual’s personal matter; no one else should interfere in it. Nor should religion be mixed with politics, because it does not allow the chemistry to work them together. He makes a scathing attack on the philosophy (karmvipak) of Hinduism, which provides a rationale to a most heinous system of untouchability and caste hierarchy¹⁸.

People’s unity rising above communal divides and secularism was what Bhagat Singh cherished for all his life. As described by Prof. Bipanchandra “More than any contemporary leader, with the exception of Gandhiji, he understood the danger that communalism posed to Indian Society and Indian Nationalism.” He considered it “as big an enemy as colonialism” and he also insisted that, “people must free themselves from the mental bondage of religion and superstition.”

These clear politico-ideological stands and the high moral-philosophical level of his understanding which Bhagat Singh showed at every small or big incidence and action stems from his Marxist thinking and his commitment to Scientific Socialism. His denial to pray before God in the Jail in 1927 when it was insisted by British officials and his denial to read Gutka from Guruvani in the last moments of his life are the reflection of the high moral-philosophical principles which stand above the religious morality.

Bhagat Singh, who had picked up the thought of social reform and of opposing the practice of untouchability from the Aryasamaji background of his grandfather, and who in the last

moments of his life asked for a roti prepared by the scavenger (untouchable) in the Lahore prison (the famous Bebe ki roti), had made a significant progress in developing his thoughts about caste and untouchability on a scientific, Marxist foundation.

In his article on “The problem of Untouchability” he attacked the religious– philosophical–spiritual rationale of untouchability. He invoked the principle of equality and demands to abolish the ideas and of discrimination based on birth or social division of labour. He criticised the hierarchical system that treats inhumanly the very sections that render the most essential, most basic services to the society. Finally, he suggested that unless the untouchables – the backbone of this country – organise themselves, the problem of untouchability will find no solution. He not only welcomed demand for equal rights to the untouchables but also upholds the idea of demanding equal opportunities and equal treatment in all walks of life, extra & special rights to overcome the division and inequality. He invoked the tradition of great contributions and sacrifices made by the untouchables in our history, and appealed them to rise and revolt, against the system as they are the ‘real proletariat.’ He cautioned them not to be lured by the bureaucracy, as it is the capitalist bureaucracy which is the cause of their poverty and slavery and also warned them that the gradual reforms will not bring any benefit to the masses and they should unite to unleash a revolution from the social movement and also to be part of political and economic revolution ¹⁹.

He approached the problem of untouchability from the class point of view, but not in a reductionist or merely economic manner. His understanding of the organic links of caste, class, religion, capitalism and imperialism, though in a very rudimentary form, exhibits a non-conventional, revolutionary content. Bhagat Singh, in his another brief write-up ²⁰, while criticising the wasteful expenditure on Kalanagar event in Mumbai, demanded that real skills (Hunnar) lie in the hands of the artisans who need to be given financial help and training. He suggested that, “instead of opening Hindu Sabhas and Congress Mandals, let opening of training schools all over India be given top priority which will save us from unemployment, dependence and deprivation.” ²¹

Bhagat Singh in the Draft Revolutionary Programme mentioned ‘the need for organising artisans.’ Gandhiji approached the problem of crores of artisans suffering under colonialism by using Charkha as a symbol and by propagating Swayampurna Gram-vyavastha (Self-sufficient Village System) as the remedy, whereas Bhagat Singh approached this problem differently and emphasizes the need to organize and empower the artisan classes.

Though he didn’t develop a full-fledged or detailed critique of the caste system, he showed a remarkable sense about the need to abolish the evils like untouchability and the Varnashram system as the worst form of deprivation, discrimination, exploitation, inhumanity and inequality in India, and simultaneously he emphasised the need to strengthen the skills and self-reliance of the productive class like artisans.

Bhagat Singh made scientific socialism his creed and wherever necessary made a critique of ‘Utopianism’, he never had a contemptuous attitude about utopias or utopians. Scientific Marxian socialism manifested in his life, work, thought and politics at every step and every moment. That is why though his world-view was a Marxist Revolutionary one, his appeal was not confined to any one stream; on the other hand, it cut across all the streams. This appeal was – and is – no doubt, at one level, because of his truly heroic life, but at another level, it is due to the spirit and outlook present in his thought, social values and political practice that

exuberates an ‘Indian-ness’ in the application of Marxist Revolutionary thinking and a ‘non-sectarian’ approach. His ideologies were influenced by modern thoughts of the world. By his thoughts, work and zeal he tried to bring the Indians out of the backwardness and adopted Scientific and Humanist way of thinking. He was a great patriot, visionary integrating the Indian problems of social reforms in a revolutionary manner. He was a symbol of inspiration and hope for the people of the country and the world also. Therefore, he deserves all the more, the honour of being saluted as Shaheed-E-Azam and reminds us that this indicated the possibility of uniting Indian people from all streams, not eclectically but on a revolutionary plank. This possibility is still open today only it needs to be explored in a much advanced and complex contemporary world.

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DEMOCRATIC SYSTEM IN INDIA: ITS EVOLUTION AND ADOPTION

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ABSTRACT

Popular democracy and representative institutions are neither entirely alien to the Indian soil nor of recent origin. The history of democratic traditions goes back to the Vedic Period (circa 3000-1000 B C) Popular assemblies and elective monarchy were in vogue in ancient India. For nearly sixteen centuries (circa 1000 B.C. to 600 A.D.) republican form of Government flourished in various parts of the country. Parliamentary democracy in its modern sense with all its sophisticated operational mechanics and formal trappings, however, were a legacy of the British rule. The Cabinet government is a typically British institution. It was not set up under a written constitution. Nor was it defined by a series of parliamentary statutes. The only relevant parliamentary statute was the Bill of Rights, which summed up the results of the long drawn struggle between the Monarchy and the Parliament. The rest was built gradually through precedents and conventions after the convulsions of the seventeenth century.

Key Words : Cabinet, Government, Parliament, Courts of Law

The ancestry of the present British system of Cabinet government ultimately goes back to the King's advisors in the Middle Ages. The King had at his side, then, a body of sworn Councillors. This body became distinct both from Parliament and the Courts of Law. The Councillors could be dismissed by the King whenever he pleased.¹

According to Winston Churchill, a politician and historian, has also given a good description of the Constitution under James-II. Churchill writes.

"In these days the King was the head of the Executive: he chose his own Ministers and settled his own policy. There was no recognized right of opposition to the Government. James had now made it clear that he would only be advised by Ministers who whole-hearted accepted his view. If statesmen could not see their way to serve the King as he wished to be served, they had no expectation of ever being called to public service. Indeed, the distinction was very nice between opposition and treason."²

The Glorious Revolution (1688) had established the supremacy of Parliament and the struggle between Crown and Parliament, which occupied the greater part of the seventeenth century, had come to an end. But the position of the Cabinet and its relationship with the Crown and Parliament was ambiguous. Churchill described a bizarre scene in Parliament pertaining to this transitional reign of William and Mary. The foreign policy then was directed by William and not the Cabinet Ministers. It was only from the reign of Anne onwards that the Prime Minister and the Cabinet would guide external Policy. The treaties negotiated by the government came under fire and Portland and his colleagues were assailed in the House of Lords for 'having led the King astray'. Marlborough immediately rose and disclaimed

responsibility. A full disclosure was sought with the King's permission. The Ministers explained that they had been presented with 'accomplished fads', meaning thereby that the King had himself negotiated the treaties. Such a justification would not have washed in modern times. The Cabinet is now fully responsible for policy and can last as long as it enjoys the confidence of the elected House. But the Cabinet government was then in 'an embryonic condition,' and the Ministers' defence. Churchill wrote, 'was not invalid.

The distrust of the Cabinet was so great in those days that a demand was raised that the King must be advised 'not by any secret Cabinet but the Privy Council as whole' and the Privy Council, in turn, must be 'governed by the preponderating authority of an elected body which wielded the money power.'³

The office of the Prime Minister was not formally created in England by any statute. For nearly a century and half it was an institution without a formal legal foundation. It evolved over a period of time. The German-speaking eighteenth century monarchs of the Hanoverian dynasty, it was said, showed no interest in chairing the meeting of their Cabinets. The Cabinet came to be presided over by the Prime Minister.

There was a widespread belief that it was the difficulty of communication which provided *an opportunity for this development*. But Gordon Walker maintains that the point about language was not important. Walker says that George-I regularly attended Cabinets upto at least 1721 and the King and his Minister talked in French. The King's attendance ceased because business of government came to be transacted more and more in Ministerial meeting held in the King's absence.⁴

The concept that the Cabinet was, in the ultimate resort, accountable to Parliament, was established firmly before the middle of the nineteenth century. Melbourne's Prime Ministership is notable in that it was during his administration that King William-IV 'exercised for the last time the royal prerogative of dismissing a prime minister who still had the confidence of the commons.' Melbourne found being Prime Minister 'a troublesome business' Melbourne probably held to the old tradition that 'the Ministers were the King's Servants.'⁵

1. The respondents showed overwhelming preference for the parliamentary system. In a memorandum circulated to the Union Constitution Committee on June 4, 1947. A. Gopaldaswamy Ayyangar and Alladi Krishnaswami Ayyar argued strongly in favour of the Cabinet system. Clauses 1, 2 and 3 of Section IV of the memorandum read:

The executive power of the Federation will, subject to the provision of the Constitution, be exercised by, or on the authority of a Council of Ministers, to be called the Cabinet. which will be collectively responsible to the House of Representatives.

2. The Cabinet will consist of a Prime Minister who will be its head and such number of other Ministers of State as may be provided for by law or in the absence of any law as many be fixed by the President
3. The President will appoint the Prime Minister from amongst the members of the Federal House of Representatives and, in doing so, will ordinarily invite the person *who, in his judgment, is likely to command the largest following in the House* to accept the office. The other Minister of the Cabinet will be appointed by the President on the advice of the Prime Minister. In making appointments of Minister, the President will have due regard to

the representation of the different regional areas in the Unions as well as of important minority community." ⁶

The Union Constitution Committee in its meeting on 9 June 1947 adopted 'Parliamentary type' executive for the Union without any debate. Sardar Vallabhbhai Patel, the Chairman of the Provincial Constitution Committee, reported to the Constituent Assembly on 15 July 1947 that the Joint session of the Union and Provincial Constitution Committee came to the conclusion that it would suit the conditions of this country better to adopt the Parliamentary System of Constitution, the British type of constitution with *which* we are familiar. ⁷

In fact, from the early days of political awakening in India, the most ardent *desire of the politically conscious intelligentsia* was to see established a democratic system based on the Westminster model in the country. From the time of the Indian Councils Act, of 1892, as has been noticed earlier, the educated classes had become increasingly familiar with this form of government. The Congress had sought to work the Provincial Autonomy part of the 1935 Act on the basis of this model. It was against this background that we must understand the crucial decision of the Union Constitution Committee on 8-9 June 1947 that the 'Executive Should be of the parliamentary type.'

It was also decided on 8 June 1947 that the President 'should not have special responsibilities' as was suggested in a note prepared by the constitutional Adviser, B.N. Rau. Thus there was to be no clause about the 'exercise of any function by the President in his discretion.' It was further decided that the President's power to dissolve the Lower House of the Parliament should be exercised only on the advice of Cabinet.

Jawaharlal Nehru, Rajendra Prasad and the constitutional experts like Alladi Krishnaswami Ayyar, K.M. Munshi, B.R. Ambedkar, N.G. Ayyangar and S.P. Mookherjee attended the important meeting held on 8 and 9 June 1947. It was on the strength of this decision that Nehru declared in the Constituent Assembly that they had been proceeding with the building of the Constitution in the 'ministerial sense.'⁸

The nature of the Indian executive was explained by Dr. B.R. Ambedkar, the Chairman of the Drafting Committee on 4 November 1948

"Under the Presidential system of USA, the President is the chief head of the Executive. The administration is vested in him. Under the Draft Constitution, the President occupies the same position as the King under the English Constitution. He is the head of the state but not of the Executive. He represents the nation but does not rule the nation. He is the symbol of the Nation. His place in the administration is that of a ceremonial device on a seal by which the nation's decisions are made known. Under the American Constitution the President has under him Secretaries in charge of different departments. In like manner the President of the Indian Union will have under him ministers in charge of different departments of administration. Here again there is a fundamental difference between the two. The President of the United States is not bound to accept any advice tendered to him by any of his secretaries. The President of the Indian Union will be generally bound by his Ministers. He can do nothing contrary to their advice nor can he do anything without their advice. The President of the

United States can dismiss any secretary any time. The President of the Indian Union has no power to do so, so long his ministers command a majority in Parliament.⁹

Dr. Ambedkar's statement remains the central factor in choosing between the Presidential and

the Cabinet system. That central factor was the choice between 'stability' on one hand and 'accountability and responsibility' on the other. Dr. Ambedkar clearly argues that while the British system gave more responsibility or accountability and less stability than the American system, what India needed was a daily assessment of responsibility of the executive. That, indeed, is the key choice that India made.¹⁰

Finally, the Constituent Assembly adopted the Cabinet system of government for India. The Constituent Assembly debated this issue extensively as stated earlier, before casting its vote in favour of the Parliamentary system and the Cabinet form of Government.

However, the Constitution of India did not mention the term 'Cabinet' in its provisions. Instead it mentioned the COLLEGE of Ministers. The Cabinet has its origin in the Rules of Business made under Article 77(3) of the constitution its form, and nature of functioning however, has evolved by convention and has no statutory standing. As Ramesh Thakur observes, "The Council of Ministers has constitutional status. the Cabinet does not get a mention in the Constitution. Accordingly, its powers are defined by convention and usage.¹¹ There is little doubt however, that the Cabinet exercises effective power and takes decisions on all questions without bringing the Council, which never meets. into formal consultation.

The Articles 74 and 75 of the Constitution of India, which came into force on 26 January 1950, were as under:

Article 74 Council of Ministers to aid and advise President

- (1) There shall be a Council of Ministers with the Prime Minister at the head to *aid and* advise the President.
- (2) The question whether any, and if so what, advice was tendered by Ministers to the President shall not be inquired into *in* any court.

Article 75: Other provisions as to Ministers

- (1) The Prime Minister shall be appointed by the President and the other Ministers shall be appointed by the President on the advice of the Prime Minister.
- (2) The Ministers shall hold office during the pleasure of the President.
- (3) The Council of Ministers shall be collectively responsible to the House of the People.
- (4) Before a Minister enters upon his office, the President shall, administer to him the oath of office and of secrecy according to the forms set out for the purpose in the Third Schedule.
- (5) A Minister who for any period of six consecutive months is not a member of either House of Parliament shall at the expiration of that period cease to be a Minister.
- (6) The salaries and allowances of Ministers shall be such as Parliament determines from time to time by law and, until Parliament so determines, shall be as specified in the Second Schedule.

These two Articles established the principle of accountability to Parliament, Joint responsibility of the Ministers, the leading role of the Prime Minister and the position of the President as a constitutional head.¹²

Why the cabinet system?

The ministerial character of the Cabinet system, in which power resides in ministers

and not with the President, or a single executive authority, was explicitly by Jawaharlal Nehru in the Constituent Assembly. A cabinet composed of members from different parts of the country and different communities, would be able to preserve India's unity and integrity which were of central concern in 1950. A directly elected President of the American type would be under no obligation to constitute a representative Cabinet. Besides too much executive power would be concentrated in a single individual which had inherent dangers.

Needless to say, at the time of framing of the relevant provisions of the Indian Constitution, the constituent bodies had the knowledge of history of long standing rule of foreign empires and the development of the British rule prior to the freedom struggle of India and later in post-struggle stage then had before them a complex series of documents in the form of the Act of 1773, 1784, 1833: the Act of 1858 (followed by the reforms by Act of 1909) and then, the act of 1919 and lastly the Government of India Act, 1935 which ultimately became the basis for the draft of *Indian* Constitution.

- (7) in fact, the above mentioned Acts were passed by the British Parliament with their own constitutional philosophies, keeping in view theirThe council of Ministers shall be collectively responsible to the House of the People.
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their own needs, interests and other administrative requirements, whereas our Constitution is an inter-mix of various provisions of different constitutions_ It was based on Westminster Model but lacked deep foundation in the historical, political, cultural and temperamental ethics of the Indian nation.

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CONSUMER AWARENESS IN RURAL AREAS : A SURVEY IN PANCHKULA DISTRICT

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ABSTRACT

Modern welfare government are actively engaged in promoting economic and social development, as it is essential to optimum welfare of human beings. The present study has been glanced that awareness of the rural areas about consumer Protection act are not adequate hence. The study was conducted in Panchkula district on 150 peoples including Sarpanch, member of Panchyat and general population. This study is an empirical research based on survey method. In this research paper to highlight the importance, Lack of knowledge and suggestion of CPA in India as well as in Haryana's rural area in practically.

Key Words: Consumer Awareness, Rural Areas, Survey, CPA, Government

“Consumerism is a social movement seeking to augment the right and power of buyers in relations to sellers.”

-Prof. Phillip Kolter

“Are there any crabs here?” said Alice “Crabs and all sort of things”, said the sheep “plenty of choice only make up your mind. Now, what do you want to buy?”

-Wool and Water, Alice in Wonderland, Lewis Corroll.

Everybody knows that a consumer is a person who pays a price for a commodity or services and uses it. Mahatma Gandhi, the father of our nation, has beautifully de-scribed the consumer or customer as the most important visitor on our premises. He is not dependent on him. He is not an interruption in our work. He is the purpose of it. He is not an outsider our business. He is the part of it. We are not doing him a favour by serving him. He is doing a favour by giving us an opportunity to do so. These lines highlight the importance of consumer.

Traditionally a consumer has been regarded as the king-but this is true in theory only, even in highly competitive economics the consumer is not the king. The earlier principle of Caveat Emotor or let the the buyer beware has given way to consumer is king, but did we actually mean this? Consumers all over the world are the victims of high prices, deceptive practices, unsafe products, poor services etc. In a country like India, which is a virtually a sellers, market and majority of consumers are poor, illiterate and helpless which is the basic reason for exploitation. Rise of consumer awareness in India the concept of consumer protection is not new. References to the protection of consumer interest against exploitation by trade and Industry, Underweight and measurements, adulteration and punishment for these offences, were made in Kautiya's Arthashastra.

In India there are number of enactments promulgated for the protection of the consumer. In fact each legislation in the country has some elements, each are directly or indirectly aimed at the consumers welfare of protection. Some of the laws enacted to protect consumer

interests directly are as under : legislation for protection of consumer in India.

- The sales of goods Act. 1930
- Agricultural Produce Act. 1973
- The Drug and Cosmetic Act. 1940
- Emblems and Names Act. 1950
- India standard Insutituion Act. 1952
- The Prevention of Food Adulteration Act. 1953
- The Drug & magic remedies Trade Practices Act. 1954
- The Essential Commodities Act. 1955
- The Trade Merchandise marks Act. 1958
- The Monopolies & Restrictive Trade Practice Act. 1969
- The Hire Purchase Act. 1972
- The water Act. 1974
- The standards of weight and Measures Act. 1976
- The Prevention of Black Marketing & Maintenance of Supplies of Essential Com-
modesties Act. 1980
- The Air Act. 1981
- The Environment Protection Act. 1986
- The Consumer Act. 1986
- The Bureau of India standard Act. 1986
- The Railway claims Tribunal Act. 1987
- Electrical Appliances order 1987
- The securities and Exchange Board of India Act. 1992
- Electrical wires, Cables, Appliances & Accessories Act. 2000

Consumer Protection Act 1986 is like ozone lays which give protection to the consumer from unfair trade Practices But Government should work hard to fill up the wholes of the is ozone layer for complete protection.

Consumer and Government suffer big losses due to fake products. The people at large believe that it is government responsibility to promote and protect public interest. So various legislative measures were taken to protect consumers from unfair trade practices. But question arise here is whether the consumer is aware of it? Without consumer awareness will be able to achieve our goal of consumer protection completely.

Need of the Study

Legal environment is the most important factor in protecting the interests of the consumers. If proper support of law does not exist, the consumer cannot be defended in the court of law. For the protection of consumer from time to time the government of India has enacted several laws. Presently there are more than 20 laws in the country either directly or Indirectly protecting the interests of the consumers. But the million-dollar question is whether Indian consumers have the knowledge about these laws? Are they able to get benefit under these laws by exercising their right, given under the respective Act? The situation is becoming worse as when the Rural Area's people is being cheated by the businessmen.

Objectives of the Study

By keeping view of above, following are the important objectives sited for this study.

- To analyze the level of awareness about consumer protection act among the Rural Area’s consumer.
- To study the working information about consumer Redressel in Rural Areas.
- To make suggestions in the light of the findings of the study.

Research Methodology

The study is an empirical research based on survey method. The data have been collected through a questionnaire. Distt. Panchkula (Haryana) has been chosen for the study. Ten villages sarpanch member of panchayat and General population have been including in the sample. Altogether sample of 150 consumers have been selected for the study.

The result of the survey is as shown from

Table 1 : Awareness about Consumer Act (C.P.A.)

Details of components	Aware	%age	Unwraire	%age
Consumer protection act	15	10	135	90
Fundamental consumer Rights	13	8.666	137	91.333

It is found table 1 that out of 150 consumers 15 of them 10% are aware and 135 of them 90% are not aware of consumer Protection Act 1986. There are out of 150 consumers 13 of them 8.666% are aware and 137 of the 91.333% are not aware of fundamental consumer rights.

Table 2 : Awareness about Consumer Court

Details of Components	Aware	% age	Unwire	%age
Knowledge of station which solution of consumer complaints	18	12	132	88
To faith in doing complaints	48	32	102	68
Knowledge about need to layer in these courts	5	3.333	145	96.666
Knowledge of fee structure in these courts	4	2.666	146	97.333

Table 2 indicates that out of 150 Respondents 18 of them 12% are aware and 132 of them 88% are not aware of the knowledge of place which solution of consumer com-plaints. 48of them 32% are aware, 102 of them 68% are not aware. To faith in doing complaints. As it is 5 of them (3.333%) are aware of knowledge about need to layer in these courts and 96.666% are not aware. These are 4 of them (2.666%) are aware or 146 of them (97.333%) are not aware of to knowledge of fee structure in these courts.

Table 3 : Awareness about Consumer Court

Details of Components	Aware	% age	Unware	%age
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Demanding bills from sellers	42	28	108	72
Checking the bills	22	14.666	128	85.333
Safety of the bills	15	10	135	90
Knowledge of M.R.P.	110	73.333	40	26.666
Comparing the actual rate paid with the M.R.P. rates	39	26	111	74
Comparing Goods of various soaps	31	20.666	119	79.333

The Table 3 shows that out of 150 consumers 42 of them are demanding bills from sellers and 22 of them 14.666% are checking the bills and only 15 of them (10%) have Note : Consumers get unveiled bills of 98 % age or kacha bills which is not valid. They get valid bills of 2% safety the bills or 110 of them 73.333 are aware to knowledge of M.R.P. As it is 39 of them 26% are compare the Goods of various soaps.

Table 4 : Awareness about Consumer Court

Details of Components	Aware	% age	Unware	%age
Checking the date of manufacture & Expiry	78	52	72	48
Reading the Instruction of packing	38	25.333	112	74.666
Knowledge about BIS Agmark	3	2	147	98
Knowledge about ISI Agmark	57	38	93	62
To become adulteration of buying the Goods	147	98	3	2
To complaints	2	1.333	148	98.666

The Table 4 reveals that out of 150 consumers 78 (52%) check the date manufacture & expiry of things and 38 of them 25.333 are aware or 112 (74.666%) are not aware and 10 of them (6.666%) are some aware of reading the instruction of Packing. From 150 respondents 3(2%) are knowledge about the Bureau of Indian standards Agmark and 147 of them 98% are not aware about BIS Agmark. There are 57 (38%) knowledge about ISI Agmark and 147 of them (98%) have been adulteration of the Goods. But 2(1.333%) consumers want to complain and 148of them 98.666% do not want to com-plain.

Main Causes for the lack of Consumer Awareness

More than 95% or 96% of the Rural Areas population is not aware about the various aspects of consumer Protection. The main reason for lack of awareness are as follows

- Low literacy rate

- Lack of effective and appropriate education
- Hesitancy aspect
- Socialist aspect
- Delay in decision
- Complexity of the market due to globalization
- Ineffective role of consumer - organization due to Political Interference
- Corruption
- Poverty
- Less/Poor efforts by the government
- Exploitation
- Lack of confidence in Government
- Lack of consumer courts at convenient place etc.

Note : Consumers get invalid bills of 98 % age or kacha bills which is not valid. They get valid bills of 2%

On the basis of the above study it is found that awareness of the rural areas about consumer-Protection act, right, consumer court, consumerism, quality, quantity and brand of goods are not adequate hence. There is need to educate them about the protection available to them under the government laws.

Suggestions

- For creating more awareness, we should held.
- Seminars chetna rallies Research projects can also create awareness among the consumers if these are organized properly and in effective manner.
- We should organizes Lecturers, workshop etc. on consumer Protection Act. 1986
- Establish of consumer courts in block level and speedy disposal of the cases.
- Creating customer-friendly atmosphere between the consumers & the various case disposal agencies.
- To Training of Sarpanch, member of Panchayat and other responsible persons of villages should be aware about consumers Protection Act.
- Rural Areas population want to own his language like Haryanvi song, speech, natak, posters and films etc.

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QUALITY IN ELEMENTARY EDUCATION

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ABSTRACT

In this fast changing scenario of education, the child is constantly facing the pressure of knowledge explosion, fast paced technology and pressure from peers, parental demands and stiff competition. This was not so few year ago. Today, the child has to handle many tasks. He can cope with the pressure of multitasking provided the parents at home and the teachers in the schools are caring and understanding. The role of quality has become more important at elementary Education. Education without quality has very little significance as it does not help developing understanding among children. The opening article reflects on very key issue and parameters of quality management to achieve the goal of universalization of elementary education. Indian Constitution directs the State to provide free and compulsory education for all children upto the age of 14. This goal has been pursued by the country for nearly six decades through successive development plans. The last two decades have witnessed significant improvements in children's participation in schooling, accompanied by substantial increase in investments. The recent effort to raise resources for the sector through imposition of an education cess is major effort in that direction. Even though school education has traditionally remained a subject for action by State Governments, Government of India has, during the last two decades following the National Policy on Education -1986, begun to play a leading role. This culminated in the launching of the national programme of Sarva Shiksha Abhiyan in 2001, Despite all these efforts, the final goal of providing quality education for all has eluded the country.

Key Words: Quality Education, Elementary, SSA, NPE, Quality.

Quality has emerged as a buzzword in the present parlance, to person and content to context. The parameters of quality need to be clearly identified before attempting to define quality of education. Defining passes two basic challenges firstly, what is the nature of quality? Secondly how can it be assessed, maintained and enhanced? The present paper attempts to delineate and discuss issue pertaining to the understanding of quality in elementary education.

What is Quality?

The term 'quality' generally refers to high degree of goodness, worth or excellence in an object or a system. As such quality is an attribute of any object or system which is relative in nature and cannot be measured in isolation. Quality is understood differently by different people in varying contexts. Sometimes quality of a product is assessed in terms of inputs and the value emanated against these. Quality when talked about as a product is interpreted as value for inputs in terms of time, money, energy etc.

I think that quality needs to be discussed in a context and conditions around the phenomenon under discussion.

GANDHI JI ON EDUCATION

Real education has to draw out the best from the boys and girls to be educated. This can never be done by packing ill-assorted and unwanted information into the heads of the students. It becomes a dead weight crushing all originality in them and turning them into mere automate Mahatma Gandhi (Harijan 1 December, 1933)

RABINDRA NATH TAGORE ON EDUCATION

Rabindranath Tagore recognized the value of education in establishing organic linkages with the surrounding so as to enable the individuals to live in harmony with all that exists around them.

THE NATIONAL POLICY RESOLVE

The National Policy on Education, as revised in 1992, had emphasized the need for a substantial improvement in quality of education to achieve essential levels of learning. The programme of Action, 1992, stressed the need to lay down Minimum Levels of Learning at primary and Upper Primary stage. This need emerged from the basic concern that irrespective of cast, creed, location or sex, all children must be given access to education of comparable standards. The MLL strategy for improving the quality of elementary education was seen as an attempt to combine quality with equity.

The main indicator of the quality of elementary education can be visualized in terms of its product- the learners' achievement both in scholastic and co-scholastic areas i.e. the performance in various subjects of study and habits, attitudes, values and life skills necessary for becoming a good citizen. The factors associated with success in these areas, which relate to conditions of learning and learning environment, are also sometimes considered as indicators of quality of elementary education. Thus ensuring quality in the inputs and processes becomes necessary of quality achievement is aimed at.

MAIN STEPS FOR OPERATIONALIZATION OF MLLS AS LAIES DOWN IN THE PROGRAMME OF ACTION 1992

- Primary assessment of the existing levels of learning achievement;
- Modification of the MLLs to suit local situation if needed
- Initial and recurrent orientation of teachers to competency based teaching;
- Preparation of teacher training handbooks for MLL based teaching;
- Introduction of continuous and comprehensive evaluation of students and using evaluation results for remedial action;
- Preparation of unit test and other evaluation materials and putting them in an item pool for using as and when required;
- Using MLL norms as and when textbooks are revised;
- Provision of competency based teaching learning materials to make the educational process activity based and joyful.

Quality issues in elementary education will therefore, revolve around the quality of infrastructure and support services, opportunity time, teacher characteristics and teacher motivation, pre-service and in-service education of teachers, curriculum and teaching-learning

materials, classroom processes, pupil evaluation, monitoring and supervision etc. Indeed improvement of quality in these parameters and its sustenance is a matter of grave concern for the whole system of education. Some issues are mentioned below:

- Providing for reasonably good school building and equipment to all schools and centers for alternative schooling.
- Providing quality ECCE to all children until 6 years of age.
- Ensuring a minimum of 4 to 5 hours per day of meaningful stay of each child in school.
- Providing trained and committed teachers in all schools and really interested and oriented instructors for all non-formal education centers.
- Improving the quality of existing pre-service teacher education.
- Organizing quality in-service teacher education to all teachers on a periodical basis and with a follow up mechanism.
- Creating and sustaining teacher motivation.
- Revitalizing supervision system for quality elementary education.
- Re-organization of curriculum to imbibe local needs and incorporating the concerns of the National Curriculum Framework 2008.
- Development of competency based and contextual teaching-learning material.
- Improving teaching-learning processes to make them child centered, activity based, mastery learning oriented;

The National Curriculum Framework 2005 has strongly articulated the need for a substantial improvement in the quality of education. The Sarva Shiksha Abhiyan (SSA) also emphasizes the significance of quality education and suggests various parameters to be addressed in State and district plans to achieve the desired goal. The quality dimensions for elementary education have broadly been identified as:

Quality Dimensions of Elementary Education

- Basic Infrastructure and other Facilities
- Management and Community Support
- School and Classroom Environment
- Curriculum and Teaching Learning material
- Teacher and Teacher Preparation
- Opportunity time (teaching-Learning Time)
- Classroom Practices and Processes
- Learners' Assessment, Monitoring and Supervision

Major Indicators for Quality

Some of the suggestive key indicators, which may be said to have direct or indirect effect on improving the quality of the teaching learning processes, may be broadly categorized as:

Dimensions Key Indicators

1. Infrastructural Facilities in the School

- Classroom/ space for learning
- Space for activities (individual and group)
- Drinking water facilities
- Storage facilities for drinking water
- Toilet facility
- Playground and play material facilities

2. School Management and Community Support

- Children attendance
- Teachers' attendance
- Academic support, if possible
- Financial support
- TLM development support
- Learners' assessment
- Timely availability of books

3. Curriculum and Teaching Learning Material

- Curriculum and its coverage
- Information related to hard spots(subject wise)
- Levels of student's learning(subject wise)
- Availability of teaching aids
- Facilities of library & laboratory and its use

4. Teacher and Teacher Preparation

- Teacher profile
- Pre-Service Experience-its details
- Ability to develop teaching-learning material
- Motivation level of teacher
- Support by BRCs/CRCs

5. Classroom Process and Practices

- Details of classroom organization, Seating arrangement, Classroom setting
- Display of material in the classroom setting
- Pupil-Teacher Ratio
- Method of introducing the topic
- Teaching-Learning strategies

6. Learners' Assessment, Monitoring & Supervision

- Policy adopted in the States for
 - No detention, Grade/Marks, Internal/External examinations
 - Periodicity of assessment (Quarterly, Half-yearly, Annual), Reward/Punishment
 - Recording procedures in school, Feedback mechanism used by teachers

Selection and Development of Formats

Based on the above indicators, that have been identified, the following monitoring levels have been identified.

- (i) School/ Community Level
- (ii) Cluster Level
- (iii) Block Level
- (iv) District Level
- (v) State Level

Sarva Shiksha Abhiyan will make efforts to take a holistic and comprehensive approach to the issue of quality. Efforts to decentralize the whole process of curriculum development down (grass root level) to the district level will be made. Reducing the load of non-comprehension by facilitating child-centered and activity-based learning will be attempted. Learning by doing, learning by observation, work experience, art, music, sports and value education shall be made fully integral to the learning process. Appropriate changes will be made in the evaluation system to make it more continuous and less threatening. Performance of children will be constantly monitored in consultation with parents but shall not be restricted only to cognitive areas. Teachers' role in preparation of textbooks and secondary learning materials will be enhanced. Universal Elementary Education (UEE) through community ownership, in a mission mode' is the mantra of the SSA. Perhaps the word 'Abhiyan' (or people's movement) is meant to indicate this 'community ownership'. It is another point altogether to ask if there has indeed been an Abhiyan! School timings will be made contextual. Based on a broad curriculum framework, districts would be free to define their content areas in their local contexts. State and national level institutions will facilitate this process of decentralized arrangements for development of curriculum and evaluation systems. Some guiding principles in curriculum and evaluation reform will be as follows:

- Teacher/ community participation in material preparation and in developing a school vision;
- Focus on good quality printing, illustrations for books along side improvement in content; freedom from 'cheapest syndrome' in matters of children's books;
- Use of local dialects as language' in classes one and two;
- Community-based and school-based projects for work experience;
- Association of local artisans/workmen in school activities;
- Primacy to cultural activities, art, sports, etc.;
- Content based and motivational training for teachers;

Today, by law, only the government or non-profit charitable trusts can run schools in India. Those in the educational policy establishment believe that a just society must provide state-

funded and state-delivered education for all children for free and the private sector has no role to play. They are ideologically against for-profit education and believe that it is simply wrong to make a profit from education.

Another argument against private delivery of education is that all the major developed countries in the West educated their children almost entirely through public schools and so we must do the same. But to put that argument in perspective, we need to understand that all those countries had much smaller school-going populations to educate during their respective growth phases and more importantly they all had the luxury of time to be able to gradually bring different sections of society under the ambit of public schooling over decades. Today in India, we face challenges and circumstances that are very different from what the developed countries faced then. We have a school-age population that is many times that of the developed countries and we want to educate all of the children within the next five years, going by our current target of achieving education for all by 2015.

Doing an RSBY in School Education:

The first idea, a policy innovation, is to take a leaf out of the Government's own RSBY Project and replicate it to provide a quality education for every single child in the country.

A little over three years ago, the Government of India took up an extremely ambitious large scale challenge. The Govt wanted to provide free health care to all Below Poverty Line (BPL) persons across India, about 250-300 million of them, and launched the Rashtriya Swasthya Bima Yojana (RSBY) in October 2007.

How does the RSBY work?

The RSBY is a National Health Insurance Scheme run by the Ministry of Labour and Employment. The Central Government funds 75% of the scheme and the State Governments fund the balance 25%. The State Governments are responsible for implementation.

The Government pays an annual premium of about 400-600 rupees per household to an insurance company, which ensures healthcare and hospitalization cover up to 30,000 rupees per family per year. The RSBY scheme covers five members in each family including the head of the household, the spouse and upto three dependents. The insurance covers most diseases requiring hospitalization. Pre-existing conditions are also covered from day one, with no age limit. Out-patient consultation is free, but the cost of out-patient health care will have to be borne by the beneficiaries themselves. Each BPL beneficiary is required to pay a nominal amount of Rs. 30 per year to cover administrative costs.

The RSBY is a cashless, paperless scheme and comes with a biometric smart card for each beneficiary, containing their fingerprints and photographs. Healthcare is available to the beneficiaries at any of over 5,000 empanelled private hospitals and over 2,000 empanelled Government hospitals across India. The BPL beneficiaries are free to go to any empanelled hospital of their choice anywhere in India based their own priorities of quality, accessibility, convenience or whatever else matters to them. More hospitals continue to be empanelled and these hospitals are required to meet a basic set of guidelines to become empanelled hospitals.

QUALITY ISSUES AT UPPER PRIMARY STAGE

Since Sarva Shiksha Abhiyan covers the Upper Primary stage also, the focus in quality interventions would have to be on meeting the complex needs of this stage in terms of teacher qualification, competency, subject specific deployment in schools, academic support through

BRCs/CRCs, training needs of teachers, classroom based support and supervision issues. Since SSA will be one of the first major programme interventions at Upper Primary stage (OBB, LJP, BEP, EFAUP had Upper Primary components), greater clarity with regard to the specific needs of this stage will emerge in the course of programme implementation.

RESEARCH, MONITORING AND EVALUATION

As Sarva Shiksha Abhiyan emphasizes quality education, it is necessary to periodically monitor and evaluate all aspects of pedagogical inputs like curriculum and textbook development, teacher training packages and class room processes, amongst others. In this effort the role of community assumes paramount significance. The community leaders and groups need to be sensitized on issues related to monitoring of children's progress and other quality related school activities. Existing VECs, PTAs, SECs, MTAs, SMCs, etc., should be involved in this process by organizing fortnightly/monthly meetings in the schools.

In order to assess enhancement in children's learning achievement and progress, after the launch of Sarva Shiksha Abhiyan, a periodic assessment every three years should be done at the primary and upper primary stages, using the BAS findings as a reference point.

Research groups at the state, district and sub-district levels would be constituted to facilitate quality improvement in teaching-learning. State, district, block and cluster resource groups would function in collaboration with the SCERTs, DIETs, BEOs/BRCs and CRCs respectively. Information regarding the constitution and functioning of these groups would be incorporated into the Project Management Information System.

Evaluation of these indicators has to be undertaken to ensure that they meet SSA stipulations. If any indicator of a parameter does not meet this criterion, we should give our attention as:

- Personnel in position
- Capacities, qualifications and experiences of the personnel
- Necessary arrangements for updating qualifications of the personnel
- The Working environment for personnel in education.
- Willingness of educational functionaries and their sensitizations about the quality of elementary education and arrangements for regular monitoring of the processes and output of education.
- Necessary mechanisms for systematic and regular feedback and onsite guidance for educational personnel
- Scope for regularity for undertaking action researches for improving the performance.

It is hoped that once the system of monitoring gets established and the objectives of monitoring are meaningfully realized /utilized, the quality of elementary education will continue to progress and the goal of achieving quality for all will be achieved. In the coming years, however, it should be underlined that the task is not easy, but the concerted efforts in this direction are likely to succeed because the Government of India, NCERT and other partners unanimously agree that the quality of elementary education is the prime concern of the day.

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A COMPARATIVE STUDY OF RURAL AND URBAN HIGH SCHOOL STUDENTS IN RELATION TO ENVIRONMENT AWARENESS

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ABSTRACT

Environment is that sphere which sustains our life on this planet, Earth. We, human being, do not believe in things that do not react immediately. Environment distortion does not impact us immediately, it takes time to be degraded and same is the impact procedure. To assess the sensitiveness towards environment this research scholar conducted study on rural and urban high school students. The result was as predicted in earlier study but urban students do show awareness towards environmental issues but do not believe in preserving it.

Key Words: Rural, Urban, Environment, School, Nature.

It is common knowledge that sustenance of human life is dependant on Mother Nature and as such environment has become a global concern and its protection is one of the challenging tasks faced by the mankind today. "Conserve or perish" has become the slogan of mankind all over the world. The imminent threat to humanity comes from the destruction of the earth's environment. The most urgent problem at the international level today is maintain the balance of nature and make the earth a safe and healthy place to live in for the present and future generations.

Reckless exploitation of nature by man disturbed the delicate ecological balance between living and non-living components of the biosphere. The unfavourable condition created by man himself threatened the survival, not only of man himself but also of other living organisms. The number of the species likely to become rare endangered or near extinction is increasing with time in the Red Data Book. Now it is very common to see display cards at public places, reading as "air unfit for breathing", "water unfit for drinking", "soil unfit for cultivation" and so on. So, due all this, nature and environment have always been a source of human reflection and investigation and an intimate knowledge of the environment has been a crucial element in many human societies.

Article 48 states: The state shall endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country.

Article 51 A, Inter-alia, states: It shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers, and wildlife and to have compassion for living creatures.

Environment Awareness is way of implementing the goals of environmental protection. With the acceptance of Tiwari Committee Report in 1960, the country realized the need of environment education. Thereafter efforts are being made of including environmental consciousness or awareness among the masses. It is education which an make the human

being conscious and knowledge about environment and environmental problems. Moreover awareness is essential for the action. Purpose of environmental education in schools is to acquaint and sensitize the young minds to the environmental problems and to inculcate in them social attitude and behaviour towards environment. Thus students must have awareness about environment and the problems associated with it so that they can play their role very effectively. Hence it is necessary to know how far the school students are aware about environment and environmental problems.

Objectives of the Study

- 1 To study the status of environmental awareness of urban and rural high school students.
- 2 To compare the environmental awareness of urban and rural high school students.

Hypothesis

- 1 There will be no significant difference in environmental awareness between urban and rural high school students.

Methodology

In the present study the investigator used descriptive survey method of research.

Sample: 30 schools on random basis were selected out of 130 secondary schools situated in rural and urban areas of Sonapat district. From these 30 schools 600(300 rural and 300 urban) students were selected as sample on random basis.

Tool Used: The tool used in the present study is “Environmental Awareness Aptitude Measure” test by Dr. Parveen Kumar Jha. It contains 51 items. Out of these 43 items have been worded positively and 8 items have been worded negatively.

Statistical Techniques Used: Mean, standard deviation and t-test were used in the analysis and interpretation of data.

ANALYSIS AND RESULT

TABLE-1

Mean scores of rural and urban high school Students and Further treating the data with t-test of significance of difference between their mean values.

Locality	Mean	S.D.	't' Scores	Level of Significance
Rural	81.68	7.98	13.49	0.01 level
Urban	95.74	9.82		

The first objective of the study i.e. to study the status of environmental awareness of rural and urban high school students is being achieved by comparing the mean values of rural and urban high school students. It is clear from the perusal of the mean values that the mean score of rural high school student is low and that of urban high school students is high. It means the environmental awareness of urban high school student is a little more in comparison to rural.

The second objectives of the study being computed by calculating the t-value in the table- I that shows that t-value is significant at 0.01 level. These findings reveal that urban high school students have more environmental awareness than rural high school students. The main reason for higher environmental awareness among urban high school students than rural

high School Students may be due to the family background and educational qualification of Parents. Parents of students studying in urban high schools may be well educated and have good income. Such parents are concerned with environmental problems and there by they make their children's also aware of environmental problems.

On the other hand students studying in rural high Schools come from poor families and there are parents are less educated. These parents are not aware of environmental issues so they can't pass on these awareness measures to their children. Due to which the students studying in rural high Schools have less awareness about environment.

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POST COLD WAR ECONOMIC RE-ALIGNMENT: A THEORITICAL PERSPECTIVE

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ABSTRACT

The end of the Cold War has fundamentally changed the world trade system. A world of regions is shaped by economic and social processes of regionalisation and by structures of regionalism. It is described as the geographic manifestation of international or global economic processes. It is referred to political structures that reflect and shape the strategies of governments, business corporations and a variety of non-governmental organizations and social movements.

The regionalism of the 1990s was promoted by the decentralization of the international system and the removal of superpower 'overlay'. The end of the Cold War era was similarly informed by a renaissance of ideas about the possibilities of universal institutions and projects and the fostering of global peace.

Key Words: FDI, Cold War, Regionalism, FTAs, RTAs, GATT, NAFTA, SAPTA.

Regionalism is sweeping the global trade system like wildfire while multilateralism progress at a glacial pace — a correlation that leads many observers to anxiety that regionalism's boon is multilateralism's bane. This anxiety has pushed regionalism up to the global economic agenda and prompted a new wave of research on this issue. Thinking throughout the 1950s straightened the economics and established the intellectual paradigm that directed research on regionalism for decades.

From 1960 to the late 1980s, regionalism was consisted of the European Economic Community (EEC) which contained a third of world trade in a highly effective customs union and a slew of Regional Trade Agreements (RTAs) among developing countries that covered an insignificant portion of world trade.

Regionalism became complicated in the late 1980s when Canada and Mexico changed their minds on regionalism. The United States had long been interested in regional preferential trade, but Mexico and Canada resisted, fearing supremacy by their giant neighbour. Canada proposed Free Trade Agreement (FTA) with the US in 1985 that come into force in 1989. Mexico offered FTA with the US in 1990 and this changed into North American Free Trade Agreement (NAFTA) at Canada's insistence. The US-Mexico initiative generated a wave of Latin American requests for bilateral FTAs with the US and gave greater urgency to arrangements among Latin Americans most notably Southern Common Market (MERCOSUR).

The rise of North American regionalism coincided with two other main development in world trade system. First, General Agreement on Tariffs and Trade (GATT) negotiations were

lurching from crisis to crisis in the late 1980s. Second, European regionalism was reignited by the European Act and the breakdown of the Soviet Union.

Krugman and Bhagwati observed that regionalism is a stumbling block to global free trade, whereas Summers and Bergsten viewed regionalism as a largely benign or even as a constructive power in the world trade system.

Summers argued that “plausible” regional arrangements are natural trade blocs and thus can raise world welfare. He also asserted that regionalism and multilateralism are the two legs on which the world is walking towards global free trade.

Paul Krugman, Jagdish Bhagwati and other intellectual leaders of regionalism put forth many explanations of the reasons of regionalism. First, GATT’s members were unsatisfied with its slow progress, especially when the tariffs issues become complex and its membership had increased. Second, negotiations of regionalism were easier than that of multilateral trade negotiations. Third, the conversion of US from devoted multilateralist to enthusiastic regionalist removed one of the key checks on regionalism.

Finally aggressive unilateralism of the USA scarred Western Hemisphere countries to seek a ‘safe harbour’ against its policies and a breakdown in the GATT system.

Regionalism has been raging for two decades and it shows no signs of dwindling. Since the existing Regional Trade Agreements (RTAs) are not going to be scattered and are more likely to be signed in future. Discussion on whether RTAs help or obstruct multilateral liberalisation is something of a luxury. The real issue trade policy makers are facing is how to increase the chances of successes of RTAs towards world trade system. How regionalism and multilateralism can work together require working of a detailed knowledge of matters related to rules, origin, and working of non-tariff barriers under RTAs.

Multilateralism under GATT meant narrow integration, i.e. mainly tariff cutting. However, the issues of liberalisation of tariffs, trade in services, trade-related intellectual property rights, trade-related investment measures, multilateral investment disciplines, technical trade barriers, government procurement, competition policy, trade facilitation etc. were remained confined to regionalism.

The past decade has witnessed a resurgence of regionalism in world politics. Old regionalist organizations have been revived, new institutions are formed. Call for strengthening of regional arrangements has been central to many of the debates about the nature of the post-Cold war international order. The number, scope and diversity of regional arrangements have developed significantly.

In present times regional economic integration schemes such as the Organization of African Unity (OAU) and the Organization of American States (OAS) have re-emerged as political entities. They have been joined both by a large number of aspiring micro-regional bodies such as the Visegrad Pact and the Pentagone in Central Europe; the Arab Maghreb Union (AMU) and the Gulf Cooperation Council (GCC) in the Middle East; ECOWAS and possibly a revived Southern African Development Community (SADC, formerly SADCC) led by post-apartheid South Africa) and by loosely institutionalized meso-regional security groupings such as the Conference on Security and Cooperation in Europe (CSCE, now OSCE) and more recently the ASEAN Regional Forum (ARF). In the economic field, micro-regional schemes for economic cooperation or integration such as the Southern Cone Common Market,

Mercosur, the Andean Pact, the Central American Common Market (CACM) and CARICOM in the Americas; the attempts to expand economic integration within ASEAN; and the proliferation of free trade areas throughout the developing world stand together with arguments for macro-economic or 'bloc regionalism' created around the triad of an expanded EU, the NAFTA and some further development of Asia-Pacific regionalism. The relationship between these regional schemes and between regional and broader world initiatives is central to the politics of contemporary regionalism.

Regionalism is a means by which tensions between globalization and localism and modernity and tradition are resolved.

In physical sense, 'region' means boundary or space defined by the extremes of culture and nature. The root of the word 'regionalism' is the Latin *regere* meaning 'to rule' and stems from the Roman imperial practices of territorial management. In general sense, regionalism is a geographical term for "socio-political movements which seek to foster or protect an indigenous culture in particular regions".

Region can thus be defined as a group of countries significantly interdependent over a wide range of different dimensions. This pattern of interdependence is indicated by patterns of economic and political transactions and social communications that differentiate groups of countries. Hence, regions do not just exist as material objects in the world. They are more than the flow of goods and people across physical space that can assume to be represented directly and accurately by cartographic depictions. Regions are also social and cognitive constructs that are rooted in political practice.

Regionalism is a set of cognitive practices shaped by language and political discourse, which through the creation of concepts, metaphors, analogies, determine how the region is defined, They serve to explain about the actors who are included and excluded within the region and thereby enable the emergence of a regional entity and identity.

The end of the Cold War has fundamentally changed the world trade system. A world of regions is shaped by economic and social processes of regionalisation and by structures of regionalism. It is described as the geographic manifestation of international or global economic processes. It is referred to political structures that reflect and shape the strategies of governments, business corporations and a variety of non-governmental organizations and social movements.

Many international trade policy scholars described 'regionalism' as to economic integration between two or more countries based on formal agreements. Because of these agreements, the trading countries concerned grant each other conditions that are preferential in comparison with other countries. However, regionalism does not necessarily refer to unions of countries in specific regions but also to trade agreements among countries on different continents.

As a result, different levels of integration can be attained through the process of regionalism:

- **Preferential Trade Zone:** Countries do not totally abolish trade barriers in relation to their partner countries. Essential product groups (e.g. agriculture) can also be excluded from trade liberalisation. Many agreements among developing countries belong to such preferential trade zone.
- **Free Trade Area:** Internal tariffs and quantitative trade barriers such as import quotas are completely or almost entirely abolished.

- Customs Unions: Member countries additionally align their external tariffs with respect to third-party countries.
- Common Economic Areas: Rules and technical standards are partially aligned.
- Common Market: Goods and production factors i.e. labour and capital can move freely across internal borders and a certain degree of coordination of economic policy is required.
- Monetary Union: Monetary and exchange rate policy is harmonised; in addition, an economic union standardises elements of economic policy with the objective of creating a uniform domestic market (such as the EU and particularly the EMU).
- Political Union: The competence for political decision making is to a great extent centralized at the supranational level.

The first micro wave of regional trade agreements occurred mainly among developing countries after European integration in the 1960s and 1970s, but they generally did not attain their desired objectives of economic and monetary unions or remained unimportant. The robust increase of regional trade agreements since the middle of the 1990s is particularly noteworthy.

The term 'New Regionalism' conceived by Ethier, who is considered as an advocate of regional trade agreements. He considered regionalism as the result of the multilateral liberalisation of trade, which leads to a strengthening of trade integration among countries that geographically close to each other. This trade integration can lead to fewer trade diversion problems and agreements between industrial and developing countries should tend to have additional benefits. Hence, regionalism is considered as 'a state-led or states-led project designed to reorganize a particular regional space along defined economic and political lines'. It is viewed as a political project led by states that are intended to organize the world, politically and economically, into regions.

Regionalism as 'the body of ideas promoting an identified geographical or social space as the regional project, or it is the presence or the conscious construction of an identity the represents one specific region'. It reflects three important points of regionalism. First, it focuses on a particular geographical area. Second, it contains a regional project that follows particular objectives. Third, it suggests the formation of institutions. In this sense, regionalism is both a political strategy intended at certain objectives and the mechanism for achieving those objectives. This shows that the 'geographical area is transformed from a passive object to an active subject capable of articulating the transnational interests of the emerging region'.

In this sense, regionalism represents 'the advocacy of regional cooperation' which 'can be a political slogan' as well as an ideology; developing a regional consciousness; encouraging a regional identity; and, a desire for a regional political and economic order in a particular geographical area. It has also been identified as 'a states-led project objective of which is to reorganize particular geo-economic spaces'.

Boas, Marchand and Shaw argue that 'regionalism is obviously a political project, but it is not necessarily state-led, as states are not the only political player around . . . we undoubtedly believe that, within each regional project (official or non-official), several competing regionalizing players with different regional visions and ideas coexist'. That is, both state and

non-state players are important. In fact, they believe that ‘the state is most often one of the regionalizing actors, equally important are Non-Government Organizations(NGOs), new social movements, media, companies as well as a range of actors based in the second economy of the informal sector’.

Winters defined regionalism as ‘any policy designed to reduce trade barriers between a subset of countries, regardless of whether those countries are really attached or even close to each other’. Mansfield and Milner consider a region in terms of geographic proximity whereas Cohen emphasized common currency as a basis for regionalism. Regionalism can refer loosely to the growing number of integration links of varying intensity between individual nation-states. However, it is best exemplified by the quickly increasing number of new Regional Integration Agreements (RIAs) around the world over the 1990s.

It can be concluded that the concept of region is clearly fundamental to regional analysis. It refers to a limited number of states linked together by a geographical relationship by a degree of mutual interdependence. Regionalism is usually related with a programme and strategy and may lead to formal institution building. It generally refers to the political activities that have a region as their dimension and context. It represents the body of ideas, values and concrete objectives that are aimed at creating, maintaining and modifying the provision of security, wealth, peace and development within a region and support by any set of actors to reorganize along a particular regional space. Further, the debate on old regionalism began in 1950s and stagnated in the 1970s and the concept of new regionalism started to emerge in the mid-1980s in the context of the comprehensive structural development and transformation of the world system. The new regionalism is a worldwide phenomenon that is taking place in more areas of the world than ever before. It is more extrovert than introverted which reflects the deeper interdependence of today’s world political economy and the intriguing relationship between globalization and regionalisation. Thus, the renewed trend of regionalism is a complex process of change, simultaneously involving state as well as non-state actors and occurring as a result of global, regional, national and local level forces.

Therefore it should be understood in both senses during the era of bipolarity in the Cold War and regionalism under unipolarity in the post Cold War period. In both cases, it, must be understood as a response to the dominant order, providing states with a means of balancing against major powers or bandwagoning with them. Further, it has also to maintain an interdependent relationship with multilateral institutions and broader global processes. Since the mid-1980s, there has been an explosion of various forms of regionalism on a global scale. The widening and deepening of the EU is the most pervasive case, but it is also made visible through the revitalization or expansion of many other regional projects around the world.

EVOLUTION OF ECONOMIC ALIGNMENTS

Initially studies on, regionalism started on a vague note therefore, it has been called addressed as an ‘elusive’ concept. It frequently appears in the studies of regional cooperation, regional organization, regionalisation and regional integration.

At the level of regional cooperation level It generally appears under certain economic conditions - regional economic interdependence - and aims to improve economic efficiency and thus to reinforce market-driven regionalisation.

It is also used to ‘connote those state-led projects of cooperation that emerge as a result of intergovernmental dialogue and treaties’. Various economic regional integration schemes which are created and implemented by countries are the most concrete manifestation. These state-led schemes are mostly economic integration in nature, which lead to a voluntary removal of obstacles to the mutual exchange of goods, services, capital and persons by countries and generally involves a shift of policy-making in economic areas from a national level to a supranational level.

Therefore, regionalism is related with a policy programme and strategy and it generally leads to the creation of regional cooperative organizations and institutions. From this perspective, it is an acknowledgment of the existence of interdependence as well as increasing positive interdependence by means of global co-operation or coordination between adjoining countries. It implies a complex performance, harmonization and compromise of national political and economic interests among countries, which is followed by an adjustment of regional interstate relations.

The concept of regionalism is all about perceptions, identities and ideas and more generally a perception of regional awareness and belonging. One of the five kinds of regionalism is ‘regional awareness and identity’ which ‘is a shared perception of belonging to a particular community often stated in terms of common culture, history or religious tradition’. This is a historically and culturally deep-rooted definition which gives significance to the particularities of each individual region and explains the uniqueness of each, leaving little space for a dialogue between different regionalism experiences.

It also signifies a practice and process of norm creation. The new regional cooperative enterprises not only ensure the commitment of national government and the credibility of cooperation, but also serve as ‘norm entrepreneurs’ which are essential to construct cognitive frames from which regional norms and joint obligations emerged. They are also critical in stimulating new norms to develop, consistent with the norm entrepreneur’s ideational commitment.

The world economy after World War II has become much more integrated. The world trade liberalization has become possible as a result of eight successive rounds of negotiations under the General Agreement on Tariffs and Trade (GATT) and there has been an accelerating trend toward regional integration in every corner of the world. The “first wave” of regionalism began in the 1950’s and 1960’s has been eclipsed by the exponential growth in the number of RTAs, many of them among developing countries, formed in the post-cold war period.

The most intense policy-driven exercise in regional economic integration has been the establishment of the European Common Market in its evolution into the European Union (EU). The EU has followed regionalism aggressively as a means of encouraging investment and competition, and to reinforce multi—polarity in the international system.

Theoretical analysis of regional trade agreements i.e. old regionalism is more complex. The core theoretical analysis of RTAs is the theory of customs unions. It refers to a full spectrum of levels of economic integration. The lowest level of economic integration is characterized by trade preferences or partial scope agreements which liberalize trade in specific goods or sectors. This kind of agreement, with its selective liberalization, does not conform to GATT/WTO rules on RTAs.

In case of a common market, members move beyond a customs union and shallow economic integration or commodity trade reforms, to permit the free movement of labor and capital within the union. The European Economic Community (EEC) by the early 1990's had achieved a common market. With the decision to become the European Union, in which members adopted compatible fiscal and monetary policies, and (many) a common currency (the Euro), the Europeans are achieving full economic or deep integration, or an economic Union.

The spirit of economic alignments was swiftly revived and strengthened against the backdrop of the ending of the Second World War and the creation of a new set of international institutions, notably the United Nations and the Bretton Woods/GATT system.

Although the alignments are generally related with the emergence of the EU in the aftermath of the Second World War, attempts to impose regionally based political orders and trade relations were made by both Nazi Germany and Japan either before or during the war.

Three main types of regional institution can be identified in this period. First, multipurpose' institutions representing Americas, Commonwealth, the League of Arab States (LAS), the Organization of American States (OAS), successor to the Inter-American system and the Organization of African Unity (OAU); Second, regional security alliances like NATO, the Warsaw Pact, the Rio Pact, SEATO, CENTO, and ANZUS were established in 1950s. Third, institutions with a principally economic focus to promote regional economic integration, notably the early European institutions and later attempts to replicate them elsewhere. Multilateral regulation of such institutions was provided through the GATT, which envisaged non-discriminatory regional arrangements. Such institutions, with the Europe leading the way with the creation of the European Community (EC) in 1958, proliferated in the 1960s such that the world was 'filled with proposals for NAFTA, PAFTA, LAFTA... and ever more'. Further, economic regionalism which occurred mainly among developing countries, had an underlying security focus, and hence was clearly distinguishable from the earlier wave of economic regionalism that had been inspired by the creation and successful early years of the EC. It was mostly sub-regional in scope (with sub-regional refers to sub-continental, or at least encompassing a smaller geographical space and fewer states than the earlier pan-regional groups) though it also included both a pan-European security institution, the CSCE, and a pan-Islamic one, the ICO. The more familiar examples of this second regional wave are the Association of South East Asian Nations (ASEAN), the Economic Community of West African States (ECOWAS), the South African Development Community (SADC), the Caribbean Community (CARICOM), the South Asian Association for Regional Cooperation (SAARC), the Arab Maghreb Union (AMU) and Gulf Cooperation Council (GCC).

Just as the international system had carefully stated the parameters and possibilities of regionalism during the Cold War, it was system change and its consequences that also help explain the post-Cold War changes and developments. Though arguably more complex and diverse than previous regional waves, the new regionalism was no less a response to the shifting political, economic and security imperatives of the post-Cold War. On the one hand, the example of Europe, the effects of globalization and uncertainty about the capacity of multilateral institutions all provided incentives to other countries to foster projects of economic integration, notably with the creation of free trade areas (FTAs). On the other, the

end of Cold War also changed the parameters of the security domain making regional security more vulnerable and accessible to local actors.

The regionalism of the 1990s was promoted by the decentralization of the international system and the removal of superpower 'overlay'. The end of the Cold War era was similarly informed by a renaissance of ideas about the possibilities of universal institutions and projects and the fostering of global peace. The third wave of regionalism was characterized by diversity of forms and organizations.

For evidence of the 'new regionalism', an expression coined in the 1990s, one could single out the sheer growth in numbers, as well as the expansion of capacity, membership and range of tasks, of different organizations. Also important is the phenomenon of interregional cooperation, where different regions craft and coordinate common strategies and policies. A final dimension relates to the growth of transnational advocacy networks, civil society groups and NGOs, which enter and increasingly participate in the regional domain.

Like the third wave of democratization, there were few regions which did not participate in this new wave. New institutions were formed in the Asia-Pacific region, like the Asia Pacific Economic Cooperation forum (APEC), in the Americas, the Southern Cone Common Market (MERCOSUR) and in the former Soviet space, the Commonwealth of Independent States (CIS). China, with the creation Shanghai Cooperation Organization (SCO), also entered into regional security arrangements for the first time. Major reforms were introduced in a number of existing institutions, notably in Europe, the Americas and Africa, where additional protocols, treaties and conventions were signed relating to conflict prevention and management, human rights and democracy.

IMPLICATIONS FOR INDIA-EU RELATIONS

The history of relationship between India and Europe is very old. At the end of the 15th century, European traders came to India and started exporting goods from India to Europe and other parts of Asia and the world. It has been established that as a result of these interactions, the Indian economy expanded further and was integrated with the pre-modern world economy. With the passage of time the India became a major and an important centre of European trading activities in Asia and the Indian Ocean by the Portuguese, Dutch, French and English East India companies. This market determined economic relationship between India and Europe changed with the advent of British colonialism in the sub-continent.

During the cold-war period, India adopted a policy of non-alignment and maintained a close relationship with the former Soviet Union. India was among the first countries to set up diplomatic relations with the EEC in the early 1960s. Trade and economic relations with Europe have always been very important for India and formed the core of India-EEC relations. Realizing the importance of economic relations with European countries, India was amongst the first few countries to establish diplomatic relations with the EEC in 1962. It took both sides another twenty years to sign their first political declaration after the EEC morphed into an enlarged EU of then twelve member states.

In short, India's Cold War experience showed the difficulty of pursuing several strategic goals - autonomy, security, development and status — in a dangerous and polarized international environment. It also reinforced the difficulty of achieving any of those aims without the benefit of strong raw capabilities.

The beginning of the 1990s brought with it dramatic economic change. By the end of the 1980s, India found itself in dire straits. Its fiscal deficit had increased rapidly to over 8 percent of GDP, inflation in 1991 was nearly 14 percent, and its external debt had increased from \$18 billion in 1980 to nearly \$72 billion by 1991.

The end of the cold war has changed the whole international economic environment. With the collapse of the Soviet Union, India not only lost its largest and most significant trading partner, but also its most important supporter and ally with respect to foreign policy. For India, it became necessary to revise its foreign policy and to think about the role it wanted to play in a post-cold war international platform. India had to work out new political ties with the major powers and had to redefine its economic and foreign policies towards the EU and subsequently it took steps to develop closer ties with the EU.

The end of the Cold War brought serious economic and security challenges to India and essentially shocked the country into liberalization. Economically, the 1991 Gulf War led to a spike in oil prices and led India's fragile economy into a balance-of-payments crisis. At the same time, the loss of Soviet military support left India vulnerable from a security standpoint.

To secure an IMF rescue package, repair relations with Washington, and plug into a globalizing economy that was leaving it behind, India undertook a series of economic reforms that began to unlock the country's potential. The decision to plug into the global economy indeed helped India begin to mend fences with the EU after decades of relative estrangement.

Regionally, India worked during the 1990s to develop leadership in South Asia. That effort was best encapsulated in the "Gujral Doctrine" developed by Prime Minister Inder Kumar Gujral in the 1990s, which laid out a series of core principles for South Asian regional relations, including accommodative Indian policy toward much smaller states, noninterference in neighbors' political affairs, a respect for territorial integrity, and a commitment to peaceful dispute resolution.

The 1994 Cooperation Agreement, accompanied by a Joint Statement on Political Dialogue, highlighted the EU and India's shared fundamentals of democracy and diversity. Against this background and with a view toward India's growing economic importance, the European Commission made the case for upgrading the relationship in a communication to the member states and the European Parliament in 1996. However, India's 1998 nuclear test temporarily interrupted this momentum. But 2004 summit at Hague brought back their relationship to the level of a "strategic partnership," thereby putting it in the same category as the United States, Canada, Russia, Japan, and China.

To spell out what this would entail was left to the next summit meeting in New Delhi in 2005. A Political Declaration on the EU-India Strategic Partnership provided the executive summary and a Joint Action Plan the fine print. Setting a broad political agenda for future Indo-European cooperation on top of trade and aid, Brussels and New Delhi pledged to strengthen dialogue and consultation, especially in multilateral forums; to jointly foster democracy, human rights, and cultural diversity; to promote the shared objectives of universal disarmament and nonproliferation; to combat terrorism, organized crime, and drug trafficking; and to identify areas of cooperation in peacekeeping, conflict resolution, and post-conflict assistance. Among other steps, both sides further agreed to upgrade their existing dialogue on migration and consular issues, increase cultural cooperation, stimulate more educational and academic exchanges, and intensify contacts between parliamentarians as well as civil society.

India and EU share the vision of a democratic, multi-cultural and multi-polar world. As such, at a time when a new economic and security architecture is evolving in Asia, it is natural that Europe would consider its engagement with Asia which is incomplete without partnering with India. On the India side also, there is a realization that it has to engage a liberal, democratic and globalizing Europe for its own advantage. Thus, the EU and India have institutionalized annual summit meetings (supplemented by business summits) since 2000.

The EU-India relationship relied on shared democratic values and institutions. Both countries respect their sovereignty and have mutual respect for their political systems. Both have beliefs in multilateral systems and abide by the norms of UN. The emphasis of their relations has a transformation from economic issues to political issues and working for world peace and stability.

India has tilted towards EU because of establishing single integrated market and dominant role of EU in world trade with some burning issues of environmental changes, energy. On the EU side, India's growing economy is one of the pivotal factors which motivated to EU for showing its interest in the world largest democracy. The IT revolution in India attracted EU to catch untapped large market of India. These are some factors which forced both the nations to come together and make negotiations and start cooperation with each other especially in trade and investment horizons.

The end of the Cold War and the growing impacts of globalization are also making India redefine its position and role both at the regional and at the global level. Since the economic liberalisation of the 1990s, which lead to growth rates of 6-7 percent p.a., India's global presence has been steadily visible. Two issues are shaping India's rise — the political dividend it has garnered as the world's largest democracy and its growing economic status, which, according to projections, will cause it to emerge, along with China, as a key economic driver of the future. India, the acknowledged leader of the South, is transcending that role to play a larger global role, a development that is endorsed by both the US and the European Union (EU) in their respective Strategic Partnerships with India.

However, India's foreign policy choices were circumscribed by Cold War politics that defined its political, economic and security relations with other states. Post-Cold War global politics is witnessing changes in power equations between and among states and India is no longer contained in South Asia by the Cold War rubric. Indian foreign policy, which during the Cold War was marked by Non—Alignment, today appears to be pursuing a policy of neo non alignment — i.e. engaging many to meet its different security requirements. The key to India projecting itself beyond the region is to have and ensure stability in the region. In South Asia it is engaging its neighbours both bilaterally and, more so, within a regional framework (SAARC), in order to achieve its other foreign policy objectives.

India's retreat from the "licence raj" — its equivalent of Soviet-style central planning — began halfheartedly in the 1980s; but its decisive opening to the world economy dates back to 1991.

India's most serious FTA negotiation is with the EU. Both sides have committed to an ambitious agreement, with tariff elimination on more than 90 per cent of goods trade and a strong GATS-plus agreement in services. Most of agriculture will be exempted by mutual agreement. Whatever the rhetoric, the EU will find it extremely difficult to tackle India's high trade related regulatory barriers through an FTA, and, specifically, to open up government procurement and some services sectors (for example professional services, financial services,

retail and distribution). Given stalled policy reforms in Delhi, snail-like unilateral liberalisation, WTO defensiveness and other trade-light FTAs, a “deep integration” FTA with India is next to impossible.

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