

# **Research Journal of Arts Management and Social Sciences**

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## *Editorial*

This 23<sup>th</sup> issue (April-September 2022) of the Research Journal of Arts, Management and Social Sciences is being presented to you. Here, in relation to Indian Public Services, we would like to say that administrative services are necessary for each administration because it brings maturity, stability, determination, development and certainty in the administration. The modern administrative service is developed in the context of developed and developing states in these technological form created by trained permanent officials who devote their full time and lifespan in the administration - due to which administrative services are politically neutral, fair, active, conscious of philanthropy and Responsibility is considered complete. Bureaucracy is not a hindrance in the life of a nation, as many people believe. Our nationality does not rest on political leaders and election methods, but its foundation is the bureaucracy of the country. Our country is running well, only because we have a strong and well-organized bureaucracy that is trained in a special way.

The modern version of the concept of 'bureaucracy' went into development and Max Weber liberated the word from various meanings while sociological studies of bureaucracy had stressed that bureaucracy was used to achieve the objectives or goals of an organization mandatory. In this connection, Piffner has written that bureaucracy is a systematic organization of tasks and individuals in a form that can achieve the goals of collective efforts in the most effective form. The task of running the administration of the country is a huge responsibility. It is bigger than the responsibilities that the politicians get for five years. It is therefore necessary to empower the life of a bureaucrat in such a way that his life will be free of stress and diseases, so that the nation should not be overwhelmed by its own burden. If today it has been a tragedy, the reason for this is that its infrastructure is being pulled beyond its boundaries. Our bureaucrats are being asked to do more and nonsensical work to the extent. Rather than implementing the laws, they are being asked to break them. For these reasons, the life of a bureaucrat is very challenging and filled with expectations. Changing governments in the democratic system is a natural process and it is also a fact that every government wants to keep the officers of their choice at those places which they consider important. But if the commitment of officials in this process becomes a condition to be with a government or a special person, then this situation is also of concern and also dangerous. If the commitment of bureaucracy should be against anybody then it can only be for the people of the country and its interests. It is true that the government officials have to work according to the instructions of the government, but they are also expected that if such instructions do not conform to national interest and constitutional limitations, then those who order it must be warned. The criterion for their commitment should be public interest. It is not that governments or leaders do not understand this, and the importance of this thing. It is not that governments working against this sentiment have not

been exposed to its adverse consequences. But in spite of all this, they are not ready to accept that government officials can have some role in addition to their instructions.

The truth is that such conscientious officials should be encouraged. But the equation of politics is not so straightforward and simple. If the behavior and thinking of politicians could overcome the boundaries of their own interests, then there may be some changes in the situation, but today is the situation, they are not going to wake up any hope. Yes, those officers surely hope, who are honest towards their commitments for the public interest.

We have government of any party, but the officers remain there. Those who are transferred also are thrown from the same. It is not that this bureaucracy is different from the political faction, but the entire bureaucracy is indulging in factionalism. It is not so. Yes, the group of some officers is definitely involved in political factions. This proposition has also come here recently. But the basic character of bureaucracy is still largely free from political commitment.

It becomes very important that every bureaucrat is in the position of a natural and comfortable happiness within himself. As long as we are not in a state of happiness within ourselves, we have no right to touch another's life.

Hope we will get academic support from you as in the past.



**Professor Akhilesh Shukla**  
Chief Editor

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## **Homosexuality: Law and Judicial role**

• Vandana Singh

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**Abstract-** *I believe God or superpower who creates whole universe , Living and Nonliving Things in which Human beings as a living beings are most valuable creature of God who have a capability to think , innovate, create , develop , produce, reproduce etc. It is to be said that among all the creatures of the god only human beings have a capacity to think or think anything or understand something by using their mind. Human beings who is the greatest creature of the God is living in the society where we often recognized or considered there is only two genders i.e. male and female or sometimes we called heterosexuals in biological terms. Normally, we as a society called themselves as a normal or straight people .And we as a society only talking about only both gender and their rights and duties, but there is also exists some other genders which are also a creature of God or superpower or so called nature, which we generally called “third gender” or “homosexuals” or sometimes use offensive languages like abnormal or not straight for them which hurts or humiliate them deep inside. Our society often ridicules and abuses the Third Gender community and they are sidelined and sometimes treated as untouchables everywhere in public places like schools, workplaces, malls, theaters , railway stations , bus stands , hospitals etc.*

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**Keywords-** *Homosexuality, Human, Constitution*

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**Introduction-** The history of persecution in colonial India of homosexual desire did not change with the coming into force of the Constitution. Instead what marked a moment of *azaadi* for LGBTs persons in India was the re-interpretation of the fundamental rights by C. J. Shah and J. Muralidhar in 2009. The shift in what the Constitution was to mean for LGBTs persons was signaled by the Justices in the oral arguments where for the first time, the judicial attitude to homosexuality changed. By showing empathy for LGBTs suffering and by refusing to think and talk about homosexuality merely within terms of 'excess' and 'societal degeneration', the Justice gave a new vocabulary to the law in which to talk about homosexual expression.

The language the Justices evolved was the notion of 'constitutional morality', which was an advance in the way morality has been thought of in law. Morality as seen from the words of Lord Macaulay was a justification for the very enactment of Section 377 and the Judges turned the notion of morality upside down by concluding that constitutional morality requires that Section 377 be read down. Constitutional morality requires that the values of the right to form intimate relationships be protected and that freedom from persecution by the law be guaranteed to LGBTs persons.

- 
- Assistant Professor, Department of law, Deen Dayal Upadhyaya Gorakhpur University Gorakhpur.

While it may be true that the majority of reported cases under the provision have to do with non-consensual sex, there is a hidden narrative of couples who have engaged in consensual intimacy and been subjected to the persecution of the law. If one reads from within the silent spaces in the judgment, one can see the use of Section 377 to persecute homosexual intimacy.

**Law Commission of India and Section 377 Of Indian Penal Code:** The Fifth Law Commission, referring to the ongoing controversy about decriminalization of homosexual acts and recalling the public opinion about it in India, recommended decriminalization of bestiality, as it is a pathological manifestation of the perpetrators. It also felt that the punishment provided for unnatural offences under the code is very harsh 'and unrealistic'. It suggests leniency in the punishment for buggery. However, it recommended a comparatively longer term of imprisonment for such an unnatural sexual assault on a minor girl or boy by adult. The recommended Section 377 of IPC reads:

**Sec 377. Of Indian Penal Code. Buggery-** Whoever voluntarily has carnal intercourse against the order of nature with any man or women shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both; and where such offence is committed by a person over eighteen years of age with a person under that age, the imprisonment may extend to seven years.

Explanation- Penetration is sufficient to constitute the carnal intercourse necessary to the offence described in this section.

Clause 160 of the Indian Penal Code(Amendment) Bill, 1978, drafted on the lines suggested by the fifth law commission, sought to substitute the Section 377 of the IPC. The 14th Law Commission, endorsing the Fifth Law Commission's proposal for reform and the consequential clause 160 of the 1978 bill and recalling of growing incidence of unnatural sexual assault on minor children, however, recommended that a mandatory minimum sentence of imprisonment for a term not less than two years (which may extend to seven years) be provided for unnatural sexual assault on a minor person. It accordingly recommended that words the imprisonment may extends to seven years), appearing in unnumbered Para 2 of the above recommended Section 377, be substituted by the words, he shall be punished with imprisonment of either description for a term which shall not be less than two years but may extend to seven years and fines'. Nevertheless, the commission proposed that a court for adequate special reason to be recorded in the judgment, be allow to reduce the recommended mandatory minimum sentence.

However, the Fifteenth Law Commission, in its One Hundred and Seventy-Second report on *Review of Rape Laws*, in the light of its proposals for reform in Section 375 in general, and suggested Section 376E, in particular, recommended that section 377 be deleted from the IPC and persons having voluntarily carnal intercourse with an animal will left to their just deserts.

### **Analysis of Naz Foundation Case to Navtej Singh Johar Case.**

- a) Naz Foundation Case
- b) Suresh Kumar Kaushal case
- c) NALSA case
- d) Navtej Singh Johar case

**a) Naz Foundation Case-** After agitating for many years against the existence of section 377 of the Indian penal code, which decriminalizes homosexuality, it is understandable that the decision in the **Naz Foundation case**<sup>1</sup>, has been welcomed and celebrated by the LGBTs community.

This counter majoritarian theme in *Naz Foundation* was borrowed from *Anuj Garg*<sup>2</sup>, where the Supreme Court had expressed a similar sentiment: —The issue of biological differences between sexes gathers an overtone of societal conditions so much so that the real differences are pronounced by the oppressive cultural norms of the time. This combination of biological and social determinants may find expression in popular legislative mandates. Such legislation definitely deserves deeper judicial scrutiny. It is for the court to review that the majoritarian impulses rooted in moralistic traditions do not impinge upon individual autonomy. This is the backdrop of deeper judicial scrutiny of such legislations world over.

The decision is founded on the constitutional principles of dignity, privacy, and equality. The Naz judgment recognizes the fact that discrimination includes not just direct discrimination but also indirect discrimination and harassment. Direct discrimination occurs when a provision unfairly differentiates on the basis of a protected ground on the face of it. Indirect discrimination occurs when a superficial non discriminatory measure has a disproportionate impact on a vulnerable group. Indirect discrimination was clearly at issue in Naz foundation case<sup>3</sup>. On the face of it, Section 377 outlawed all sex that wasn't peno-vaginal. It therefore, criminalised anal and oral sex between heterosexual couples as much as it did between homosexual couples. Notwithstanding this facial neutrality, the impact of criminalization largely affected gay man and lesbian woman alone, because all the sex acts they can possibly perform are non-peno vaginal. Thus, section 377 of Indian Penal Code discriminated indirectly against gay people.

Naz Foundation case fully accepts and owns the affirmation of dignity in the Universal Declaration of Human Rights (UDHR), which majestically, says that all humans have inherent dignity because of the fact that they are born such. This obligation of dignity is owed to human beings because they possess the capacity for moral judgment as well the twin faculties of reason and will.

The Naz Foundation decision is after all, the affirmation of such a community's right to assert love, and to do it with autonomy and dignity. This case is a very good instance of how the formidable walls of prejudice that inform most public institutions can be broken down. Naz does not outlaw all forms of morality based legislation or governmental action.

Rather, the decision suggests that mere public disapproval of a practice or behavior is an inadequate reason to restrict it. The Constitution does not create rights, it merely confirms their existence.

The court also introduced and developed the notion of 'inclusiveness' through following words —if there is one constitutional tenet that can be said to be underlying theme of the Indian Constitution, it is that of 'inclusiveness'. This Court believes that Indian Constitution reflects this value deeply ingrained in Indian society, nurtured over several generations. It declared that inclusiveness is manifest in recognizing a role in society for everyone. Those perceived by the majority as —deviants' or 'different' are not.

**b) Suresh Kumar Kaushal case-** The Delhi High Court judgment in *Naz Foundation* was challenged in *Suresh Kaushal*<sup>4</sup> wherein this Court opined that acts which fall within the ambit of Section 377 IPC can only be determined with reference to the act itself and to the circumstances in which it is executed.

The Court held that Section 377 IPC would apply irrespective of age and consent, for Section 377 IPC does not criminalize a particular people or identity or orientation and only identifies certain acts which, when committed, would constitute an offence. Such a prohibition regulates sexual conduct regardless of gender identity and orientation.

The Court further observed that those who indulge in carnal intercourse in the ordinary course and those who indulge in carnal intercourse against the order of nature constitute different classes and the people falling in the latter category cannot claim that Section 377 IPC suffers from the vice of arbitrariness and irrational classification. The Court further observed that while reading down Section 377 of the Indian Penal Code, it cannot be overlooked that only a minuscule fraction of the country's population constitutes lesbians, gays, bisexuals or transgender and in last more than 150 years, less than 200 persons have been prosecuted under Section 377 of the Indian Penal Code which cannot, therefore, be made a sound basis for declaring Section 377 IPC ultra virus the provisions of Articles 14, 15 and 21 of the Constitution.

**c) NALSA case- *National Legal Services Authority v. Union of India and others***<sup>5</sup> wherein the Supreme Court was dwelling upon the status of identity of the transgender. *Radhakrishnan, J.*, after referring to catena of judgments and certain International Covenants, opined that gender identity is one of the most fundamental aspects of life which refers to a person's intrinsic sense of being male, female or transgender or transsexual person. A person's sex is usually assigned at birth, but a relatively small group of persons may be born with bodies which incorporate both or certain aspects of both male and female physiology. The learned Judge Elaborating further, he said:- ***“Gender identity refers to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body which may involve a freely chosen, modification of bodily appearance or functions by medical, surgical or other means and other expressions of gender,***

***including dress, speech and mannerisms. Gender identity, therefore, refers to an individual's self-identification as a man, woman, transgender or other identified category."***

On the point of discrimination, he stated:

The discrimination on the ground of sex under Articles 15 and 16, therefore, includes discrimination on the ground of gender identity. The expression-'sex' used in Articles 15 and 16 is not just limited to biological sex of male or female, but intended to include people who consider themselves to be neither male nor female.

Dealing with the legality of transgender identity, Radhakrishnan, J. ruled: ***"The self-identified gender can be either male or female or a third gender. Hijras are identified as persons of third gender and are not identified either as male or female. Gender identity, as already indicated, refers to a person,,s internal sense of being male, female or a transgender, for example hijras do not identify as female because of their lack of female genitalia or lack of reproductive capability. This distinction makes them separate from both male and female genders and they consider themselves neither man nor woman, but a - third gender."***<sup>6</sup>

Sikri, J., in his concurring opinion, dwelling upon the rights of transgender, laid down that gender identification is an essential component which is required for enjoying civil rights by the community. It is only with this recognition that many rights attached to the sexual recognition as -third gender would be available to the said community more meaningfully viz. the right to vote, the right to own property, the right to marry, the right to claim a formal identity through a passport and a ration card, a driver's license, the right to education, employment, health and so on.

Emphasizing on the aspect of human rights, he observed:

***"...there seems to be no reason why a transgender must be denied of basic human rights which includes right to life and liberty with dignity, right to privacy and freedom of expression, right to education and empowerment, right against violence, right against exploitation and right against discrimination. The Constitution has fulfilled its duty of providing rights to transgender. Now it is time for us to recognize this and to extend and interpret the Constitution in such a manner to ensure a dignified life for transgender people. All this can be achieved if the beginning is made with the recognition of TG as third gender."***<sup>7</sup>

This was a landmark judgment, delivered by a two-judge bench of the Supreme Court, composed of Justice K.S. Panicker Radhakrishnan and Justice Arjan Kumar Sikri, which declared transgender people the 'third gender', affirmed that the fundamental rights granted under the Constitution of India will be equally applicable to them, and gave them the right to self-identification (right to express gender identity) of their gender as male, female or third gender.

This judgment has been distinguished as a major step towards gender equality in India. Moreover, the court also held that because transgender people were treated as socially and economically backward

classes, they will be granted reservations in admissions to educational institutions and jobs. The Court has directed Centre and State Governments to grant legal recognition of gender identity whether it be male, female or third-gender.

**Legal Recognition for Third Gender-** In recognizing the third gender category, the Court recognized that fundamental rights are available to the third gender in the same manner as they are to males and females. Further, non-recognition of third gender in both criminal and civil statutes such as those relating to marriage, adoption, divorce, etc. is discriminatory to transgender individuals.

Legal Recognition for Persons transitioning within male/female binary: As for how the actual procedure of recognition will happen, the Court merely states that they prefer to follow the consciousness of the person and use the 'Psychological Test' as opposed to the 'Biological Test.' They also declare that insisting on Sex Reassignment Surgery (SRS) as a condition for changing one's gender is illegal.

**About Their Public Health and Sanitation-** Centre and State Governments have been directed to take proper measures to provide medical care to transgender in hospitals and provide those separate public toilets and other facilities. Further, they have been directed to operate separate HIV/Servo-surveillance measures for transgender people.

**Socio-Economic Rights-** Center and State Governments have been asked to provide the community various social welfare schemes and to treat the community as socially and economically backward classes. They have also been asked to extend reservation in educational institutions and for public appointments.

**Stigma and Public Awareness-** These are the broadest directions - Centre and State Governments were asked to take steps to create public awareness to better help incorporate transgender individuals into society and end treatment as untouchables; take measures to regain their respect and place in society; and seriously address the problems such as fear, shame, gender dysphoria, social pressure, depression, suicidal tendencies and social stigma.

The Court notes that these declarations are to be read in light of the Ministry of Social Justice and Empowerment Expert Committee Report on issues relating to transgender individuals.

Thus, the Court had emphasized on 'gender identity' and 'sexual orientation'. Transgender have been recognized as a third gender apart from male and female and also construed Articles 15 and 21 of the Constitution of India includes the right to gender identity and sexual orientation, and held that just like men and women, transgender could enjoy all the fundamental rights that other citizens of India could enjoy.

**d) Navtej Singh Johar case- *Navtej Singh Johar and others V. Union of India through Secretary Ministry of Law and Justice***<sup>8</sup> is a landmark decision of the supreme court of India that decriminalized all consensual sex among adults in private, including homosexual.

In 2016, five people from the LGBTs community filed a new writ petition in the Supreme Court challenging the constitutionality of section 377 of the Indian penal code. The petitioners claimed that the issues which they raised in their petition were varied and diverse from those raised in the curative petition in the 2013 *Suresh Kumar Koushal v. Naz foundation* case, in which the Supreme Court had upheld the constitutionality of section 377. The NAZ case was earlier referred to a five-judge bench in order to decide whether the curative petition could be accepted for consideration. The petitioners were dancer Navtej Singh Johar, journalist Sunil Mehara, chef Ritu Dalmiya, hoteliers Aman Nath and Keshav Suri, and businesswoman Ayesha Kapoor. Specifically, it happened to be the first case where the petitioners had argued that they had all been directly aggrieved because of section 377 alleging it to be a direct violation of fundamental rights. In a survey conducted by the center for the study of Developing Societies and Konrad –Adenauer Shifting, only 25% of Indian youth approved of homosexual relationship in April 2017. The matter was heard by a five-judge constitution bench of the Supreme Court. The Supreme Court of India overturning its own verdicts in *Suresh Kumar Koushal v. Naz Foundation* hence declaring all private consensual sexual acts between adults legal including homosexual ones, and declaring portions of the law relating consensual sexual acts between adults unconstitutional in a unanimous decision. This decision overturns the 2013 ruling in *Suresh Kumar Koushal v. Naz Foundation* in which the court upheld the Law. However, other portions of Section 377 relating to sex with minors, non-consensual sexual acts, and bestiality remain in force.

The court found that the criminalization of sexual acts between consenting adults violated the right to equality guaranteed by the Constitution of India. While reading the judgment, the court made important statements-

***“Criminalising carnal intercourse is irrational, arbitrary and manifestly unconstitutional.”*** □ Chief Justice Dipak Mishra

***“History owes an apology to these people and their families. Homosexuality is part of human sexuality. They have the right of dignity and free of discrimination. Consensual sexual acts of adults are allowed for [the] LGBT community.”***

—□ Justice Indu Malhotra

***“It is difficult to right a wrong by history. But we can set the course for the future. This case involves much more than decriminalizing homosexuality. It is about people wanting to live with dignity”***

—□ Justice Dhananjaya Y. Chandrachud

The court ruled LGBTs people in India are entitled to all constitutional rights, including the liberties protected by the constitution of India. This included —the choice of whom to partner, the ability to find fulfillment in sexual intimacies and the right not to be subjected to discriminatory behavior are intrinsic to the constitutional protection of sexual orientation. The judgment also made note that LGBTs are entitled to an equal citizenship and protection under the law, without discrimination.

The following points have been discussed in detail:

**1. The Constitution- an organic charter of progressive rights-** A democratic Constitution like ours is an organic and breathing document with senses which are very much alive to its surroundings, for it has been created in such a manner that it can adapt to the needs and developments taking place in the society. The Constitution is a living, integrated organism having a soul and consciousness of its own and its pulse beats, emanating from the spinal cord of its basic framework, can be felt all over its body, even in the extremities of its limbs.<sup>9</sup>

The Supreme Court observed: "Our Constitution is organic in nature, being a living organ, it is ongoing and with the passage of time, law must change. Horizons of constitutional law are expanding."<sup>10</sup> The rights that are guaranteed as Fundamental Rights under our Constitution are the dynamic and timeless rights of 'liberty' and 'equality' and it would be against the principles of our Constitution to give them a static interpretation without recognizing their transformative and evolving nature. The argument does not lie in the fact that the concepts underlying these rights change with the changing times but the changing times illustrate and illuminate the concepts underlying the said rights.

In this regard, the SC observed:

The Constitution is a living organism and the latent meaning of the expressions used can be given effect only if a particular situation arises. It is not that with changing times the meaning changes but changing times illustrate and illuminate the meaning of the expressions used. The connotation of the expressions used takes its shape and color in evolving dynamic situations."<sup>11</sup>

The SC said where the rights of transgender as a third sex was recognized which had been long due in a democracy like ours, ruled in *NALSA* case:<sup>12</sup> - "*It is now very well recognized that the Constitution is a living charter; its interpretation must be dynamic.* It must be understood in a way that is intricate and advances modern reality. The judiciary is the guardian of the Constitution and by ensuring to grant legitimate rights that are due to TGs, we are simply protecting the Constitution and the democracy in as much as judicial protection and democracy in general and of human rights in particular is a characteristic of our vibrant democracy. The Constitution inherits liberal and substantive democracy with rule of law as an important and fundamental pillar. It has its own internal morality based on dignity and equality of all human beings. Rule of law demands protection of individual human rights. Such rights are to be guaranteed to each and every human being. These TGs, even though insignificant in numbers, are still human beings and therefore they have every right to enjoy their human rights."

**2. Transformative constitutionalism and the rights of LGBT community-** For understanding the need of having a constitutional democracy and for solving the question as to why we adopted the

Constitution, we perhaps need to understand the concept of transformative constitutionalism with some degree of definiteness. In this regard, the ideals enshrined in the Preamble to our Constitution would be a guiding laser beam. The ultimate goal of our magnificent Constitution is to right the turmoil which existed in Indian society before the adoption of the Constitution. The Supreme Court observed that the Indian Constitution is a great social document, almost revolutionary in its aim of transforming a medieval, hierarchical society into a modern, egalitarian democracy and its provisions can be comprehended only by a spacious, social-science approach, not by pedantic, traditional legalism. The whole idea of having a Constitution is to guide the nation towards a resplendent future. Therefore, the purpose of having a Constitution is to transform the society for the better and this objective is the fundamental pillar of transformative constitutionalism. The concept of transformative constitutionalism has at its core a pledge, promise and eagerness to transform the Indian society so as to clinch therein, the ideals of justice, liberty, equality and fraternity as set out in the Preamble to our Constitution. The expression 'transformative constitutionalism' can be best understood by embracing a pragmatic lens which will help in recognizing the realities of the current day. Transformation as a singular term is diametrically opposed to something which is static and stagnant; rather it signifies change, alteration and the ability to metamorphose. Thus, the concept of transformative constitutionalism, which is an actuality with regard to all Constitutions and particularly so with regard to the Indian Constitution, is, as a matter of fact, the ability of the Constitution to adapt and transform with the changing needs of the times.

The Supreme Court as well as other constitutional courts has time and again realized that in a society undergoing fast social and economic change, static judicial interpretation of the Constitution would stultify the spirit of the Constitution. Accordingly, the constitutional courts, while viewing the Constitution as a transformative document, have ardently fulfilled their obligation to act as the sentinel on qui vive for guarding the rights of all individuals irrespective of their sex, choice and sexual orientation.

The principle of transformative constitutionalism also places upon the judicial arm of the State a duty to ensure and uphold the supremacy of the Constitution, while at the same time ensuring that a sense of transformation is ushered constantly and endlessly in the society by interpreting and enforcing the Constitution as well as other provisions of law in consonance with the avowed object. The idea is to steer the country and its institutions in a democratic egalitarian direction where there is increased protection of fundamental rights and other freedoms. It is in this way that transformative constitutionalism attains the status of an ideal model imbibing the philosophy and morals of constitutionalism and fostering greater respect for human rights. It ought to be remembered that the Constitution is not a mere parchment; it derives its strength from the ideals and values enshrined in

it. However, it is only when we adhere to constitutionalism as the supreme creed and faith and develop a constitutional culture to protect the fundamental rights of an individual that we can preserve and strengthen the values of our compassionate Constitution.

**3. Constitutional morality and Section 377 IPC-** The concept of constitutional morality is not limited to the mere observance of the core principles of constitutionalism as the magnitude and sweep of constitutional morality is not confined to the provisions and literal text which a Constitution contains, rather it embraces within itself virtues of a wide magnitude such as that of ushering a pluralistic and inclusive society, while at the same time adhering to the other principles of constitutionalism. It is further the result of embodying constitutional morality that the values of constitutionalism trickle down and percolate through the apparatus of the State for the betterment of each and every individual citizen of the State.

In one of the Constituent Assembly Debates, Dr. Ambedkar, explaining the concept of '*constitutional morality*' by quoting the Greek historian, *George Grote*, said: "By constitutional morality, Grote meant... a paramount reverence for the forms of the constitution, enforcing obedience to authority and acting under and within these forms, yet combined with the habit of open speech, of action subject only to definite legal control, and unrestrained censure of those very authorities as to all their public acts combined, too with a perfect confidence in the bosom of every citizen amidst the bitterness of party contest that the forms of constitution will not be less sacred in the eyes of his opponents than his own."<sup>13</sup>

The Constitution was visualized with the aim of securing to the citizens of the country inalienable rights which were essential for fostering a spirit of growth and development and at the same time ensuring that the three organs of the State working under the aegis of the Constitution and deriving their authority from the supreme document, that is, the Constitution, practise constitutional morality. The Executive, the Legislature and the Judiciary all have to stay alive to the concept of constitutional morality. The society as a whole or even a minuscule part of the society may aspire and prefer different things for themselves. They are perfectly competent to have such a freedom to be different, like different things, so on and so forth, provided that their different tastes and liking remain within their legal framework and neither violates any statute nor results in the abridgement of fundamental rights of any other citizen. The Preamble goals of our Constitution which contain the noble objectives of Justice, Liberty, Equality and Fraternity can only be achieved through the commitment and loyalty of the organs of the State to the principle of constitutional morality. It is the concept of constitutional morality which strives and urges the organs of the State to maintain such a heterogeneous fiber in the society, not just in the limited sense, but also in multifarious ways. It is the responsibility of all the three organs of the State to curb any propensity or proclivity of popular sentiment or majoritarianism. Any attempt to push and shove a homogeneous, uniform, consistent and a standardized philosophy throughout the society would violate the principle

of constitutional morality. Devotion and fidelity to constitutional morality must not be equated with the popular sentiment prevalent at a particular point of time.

The Supreme Court observed:

***"Constitutional morality, appositely understood, means the morality that has inherent elements in the constitutional norms and the conscience of the Constitution. Any act to garner justification must possess the potentiality to be in harmony with the constitutional impulse. We may give an example. When one is expressing an idea of generosity, he may not be meeting the standard of justness. There may be an element of condescension. But when one shows justness in action, there is no feeling of any grant or generosity. That will come within the normative value. That is the test of constitutional justness which falls within the sweep of constitutional morality. It advocates the principle of constitutional justness without subjective exposition of generosity."***<sup>14</sup>

The concept of constitutional morality would serve as an aid for the Court to arrive at a just decision which would be in consonance with the constitutional rights of the citizens, however small that fragment of the populace may be.

In this regard, the SC stated that, we have to telescopically analyze social morality vis-à-vis constitutional morality. It needs no special emphasis to state that whenever the constitutional courts come across a situation of transgression or dereliction in the sphere of fundamental rights, which are also the basic human rights of a section, howsoever small part of the society, then it is for the constitutional courts to ensure, with the aid of judicial engagement and creativity, that constitutional morality prevails over social morality.

**4. Perspective of human dignity-** While discussing about the role of human dignity in gay rights adjudication and legislation, *Michele Finck*<sup>15</sup> observes: As a concept devoid of a precise legal meaning, yet widely appealing at an intuitive level, dignity- can be easily manipulated and transposed into a number of legal contexts. With regard to the rights of lesbian and gay individuals, dignity captures what Nussbaum described as the transition from "disgust" to "humanity." Once looked at with disgust and considered unworthy of some rights, there is increasing consensus that homosexuals should no longer be deprived of the benefits of citizenship that are available to heterosexuals, such as the ability to contract marriage, on the sole ground of their sexual orientation. Homosexuals are increasingly considered as "full humans" disposing of equal rights, and dignity functions as the vocabulary that translates such socio-cultural change into legal change."

The fundamental idea of dignity is regarded as an inseparable facet of human personality. Dignity has been duly recognized as an important aspect of the right to life under Article 21 of the Constitution. Every individual has many possessions which assume the position of his/her definitive characteristics. There may not be any obsession with them but he/she may abhor be denuding of them, for they are sacred to him/her and so

inseparably associating that he/she may not conceive of any dissolution. He/she would like others to respect the said attributes with a singular acceptable condition that there is mutual respect. Mutual respect abandons outside interference and is averse to any kind of interdiction. It is based on the precept that the individuality of an individual is recognized, accepted and respected. Such respect for the conception of dignity has become a fundamental right under Article 21 of the Constitution and that ushers in the right of liberty of expression. Dignity and liberty as a twin concept in a society that cares for both, apart from painting a grand picture of humanity, also smoothens the atmosphere by promoting peaceful co-existence and thereby makes the administration of justice easy. In such a society, everyone becomes a part of the social engineering process where rights as inviolable and sacrosanct principles are adhered to; individual choice is not an exception and each one gets his/her space. Though no tower is built, yet the tower of individual rights with peaceful co-existence is visible.

The Supreme Court observed that human dignity is beyond definition and it may, at times, defy description. To some, it may seem to be in the world of abstraction and some may even perversely treat it as an attribute of egotism or accentuated eccentricity. This feeling may come from the roots of absolute cynicism, but what really matters is that life without dignity is like a sound that is not heard. Dignity speaks, it has its sound, it is natural and human. It is a combination of thought and feeling.<sup>16</sup>

*Krishna Iyer, J.* observed that life is a terrestrial opportunity for unfolding personality and when any aspect of Article 21 is viewed in a truncated manner, several other freedoms fade out automatically. It has to be borne in mind that dignity of all is a sacrosanct human right and sans dignity, human life loses its substantial meaning.<sup>17</sup>

It is not only the duty of the State and the Judiciary to protect this basic right to dignity, but the collective at large also owes a responsibility to respect one another's dignity, for showing respect for the dignity of another is a constitutional duty. It is an expression of the component of constitutional fraternity. The concept of dignity gains importance in the present scenario, for a challenge has been raised to a provision of law which encroaches upon this essential right of a severely deprived section of our society. An individual's choice to engage in certain acts within their private sphere has been restricted by criminalizing the same on account of the age-old social perception. To harness such an essential decision, which defines the individualism of a person, by tainting it with criminality would violate the individual's right to dignity by reducing it to mere letters without any spirit.

***Dignity is that component of one's being without which sustenance of his/her being to the fullest or completist is inconceivable.*** In the theater of life, without possession of the attribute of identity with dignity, the entity may be allowed entry to the center stage but would be characterized as a spineless entity or, for that matter, projected as a ruling king without the scepter. The purpose of saying so is that the identity of every individual attains the quality of a —individual being only if he/she has dignity. Dignity

while expressive of choice is averse to creation of any dent. When Biological expression, be it an orientation or optional expression of choice, is faced with impediment, albeit through any imposition of law, the individual's natural and constitutional right is dented. Such a situation urges the conscience of the final constitutional arbiter to demolish the obstruction and remove the impediment so as to allow the full blossoming of the natural and constitutional rights of individuals. This is the essence of dignity and we say, without any inhibition, that it is our constitutional duty to allow the individual to behave and conduct himself/herself as he/she desires and allow him/her to express himself/herself, of course, with the consent of the other. That is the right to choose without fear. It has to be ingrained as a necessary pre-requisite that consent is the real fulcrum of any sexual relationship.

**5. Sexual orientation-** The Yogyakarta Principles define the expression "sexual orientation" thus:- "Sexual Orientation" is understood to refer to each person's capacity for profound emotional, affectional and sexual attraction to and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender."

In its study, the American Psychological Association has attempted to define *Sexual Orientation* in the following manner:

"Sexual orientation refers to an enduring pattern of emotional, romantic and/or sexual attractions to men, women or both sexes. Sexual orientation also refers to a person's sense of identity based on those attractions, related behaviors, and membership in a community of others who share those attractions. Research over several decades has demonstrated that sexual orientation ranges along a continuum, from exclusive attraction to the other sex to exclusive attraction to the same sex."<sup>18</sup>

***Homosexuality is something that is based on sense of identity. It is the reflection of a sense of emotion and expression of eagerness to establish intimacy. It is just as much ingrained, inherent and innate as heterosexuality. Sexual orientation, as a concept, fundamentally implies a pattern of sexual attraction. It is as natural a phenomenon as other natural biological phenomena.*** What the science of sexuality has led to is that an individual has the tendency to feel sexually attracted towards the same sex, for the decision is one that is controlled by neurological and biological factors. That is why it is his/her natural orientation which is innate and constitutes the core of his/her being and identity. That apart, on occasions, due to a sense of mutuality of release of passion, two adults may agree to express themselves in a different sexual behaviour which may include both the genders. To this, one can attribute a bisexual orientation which does not follow the rigidity but allows room for flexibility.

Society cannot remain unmindful to the theory which several researches, conducted both in the field of biological and psychological science, have proven and reaffirmed time and again. To compel a person having a certain sexual orientation to proselytize to another is like asking a body part to perform a function it was never designed to perform in the first place. It is

pure science, a certain manner in which the brain and genitals of an individual function and react. Whether one's sexual orientation is determined by genetic, hormonal, developmental, social and/or cultural influences (or a combination thereof), most people experience little or no sense of choice about their sexual orientation.

**6. Privacy and its associated aspects-** A nine-Judge Bench of the Supreme Court unanimously declared that there is a fundamental right of privacy which ensured in favor of all persons, the concomitant of which was that the right to make choices that were fundamental to a person's way of living could not be interfered with by the State without compelling necessity and/or harm caused to other individuals.<sup>19</sup>

In the absence of a protected zone of privacy, individuals are forced to conform to societal stereotypes. *Puttaswamy* has characterized the right to privacy as a shield against forced homogeneity and as an essential attribute to achieve personhood:

—...Recognizing a zone of privacy is but an acknowledgment that each individual must be entitled to chart and pursue the course of development of personality. Hence privacy is a postulate of human dignity itself. Thoughts and behavioral patterns which are intimate to an individual are entitled to a zone of privacy where one is free of social expectations. In that zone of privacy, an individual is not judged by others. Privacy enables each individual to take crucial decisions which find expression in the human personality. It enables individuals to preserve their beliefs, thoughts, expressions, ideas, ideologies, preferences and choices against societal demands of homogeneity. Privacy is an intrinsic recognition of heterogeneity, of the right of the individual to be different and to stand against the tide of conformity in creating a zone of solitude. Privacy protects the individual from the searching glare of publicity in matters which are personal to his or her life. Privacy attaches to the person and not to the place where it is associated.<sup>20</sup>

The right to privacy enables an individual to exercise his or her autonomy, away from the glare of societal expectations. The realization of the human personality is dependent on the autonomy of an individual. In a liberal democracy, recognition of the individual as an autonomous person is an acknowledgment of the State's respect for the capacity of the individual to make independent choices. The right to privacy may be construed to signify that not only are certain acts no longer immoral, but that there also exists an affirmative moral right to do them.

**7. Doctrine of progressive realization of rights-** When we talk about the rights guaranteed under the Constitution and the protection of these rights, we observe and comprehend a manifest ascendance and triumphant march of such rights which, in turn, paves the way for the doctrine of progressive realization of the rights under the Constitution. This doctrine invariably reminds us about the living and dynamic nature of a Constitution. Edmund Burke, delineating upon the progressive and the perpetual growing nature of a Constitution, had said that a Constitution is ever-growing and it is

perpetually continuous as it embodies the spirit of a nation. It is enriched at the present by the past experiences and influences and makes the future richer than the present.

In *N.M. Thomas*, Krishna Iyer, J., in his concurring opinion, observed: "Law, including constitutional law, can no longer go it alone' but must be illuminated in the interpretative process by sociology and allied fields of knowledge. Indeed, the term 'constitutional law' symbolizes an intersection of law and politics, wherein issues of political power are acted on by persons trained in the legal tradition, working in judicial institutions, following the procedures of law, thinking as lawyers think. So much so, a wider perspective is needed to resolve issues of constitutional law."<sup>21</sup> Further, Krishna Iyer, J. referred to the classic statement made by Chief Justice Marshall in *McCulloch v. Maryland*<sup>22</sup> which was also followed by Justice Brennan in *Katzenbach v. Morgan*<sup>23</sup>. The said observation reads thus: "Let the end be legitimate, let it be within the scope of the constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the constitution, are constitutional."<sup>24</sup>

In *Manoj Narula*<sup>25</sup>, the Court recognized the dynamic nature of the Indian Constitution and observed that it is a living document with capabilities of enormous dynamism. It is a Constitution made for a progressive society and the working of such a Constitution depends upon the prevalent atmosphere and conditions.

In *Government of NCT of Delhi*<sup>26</sup>, the Court, while contemplating on what is it that makes a Constitution a dynamic and a living document, observed that it is the philosophy of 'constitutional culture' which, as a set of norms and practices, breathes life into the 73 words of the great document and it constantly enables the words to keep stride with the rapid and swift changes occurring in the society and the responsibility of fostering a constitutional culture rests upon the shoulders of the State. Thereafter, the Court went on to observe:

The Constitutional Courts, while interpreting the constitutional provisions, have to take into account the constitutional culture, bearing in mind its flexible and evolving nature, so that the provisions are given a meaning which reflects the object and purpose of the Constitution.

And again, it proceeded to reproduce the wise words of Justice Brennan: - "We current Justices read the Constitution in the only way that we can: as Twentieth Century Americans. We look to the history of the time of framing and to the intervening history of interpretation. But the ultimate question must be what does the words of the text mean in our time? For the genius of the Constitution rests not in any static meaning it might have had in a world that is dead and gone, but in the adaptability of its great principles to cope with current problems and current needs. What the constitutional fundamentals meant to the wisdom of other times cannot be their measure to the vision of our time. Similarly, what those fundamentals mean for us, our descendants will learn, cannot be the measure to the vision of their time."

The spirited and growing nature of the Constitution to accentuate those rights under the Constitution is also dynamic and progressive, for they evolve with the evolution of a society and with the passage of time. The rationale behind the doctrine of progressive realization of rights is the dynamic and ever growing nature of the Constitution under which the rights have been conferred to the citizenry.

The constitutional courts have to recognize that the constitutional rights would become a dead letter without their dynamic, vibrant and pragmatic interpretation. Therefore, it is necessary for the constitutional courts to beat in their judicial interpretation and decision making a sense of engagement and a sense of constitutional morality so that they, with the aid of judicial creativity, are able to fulfill their foremost constitutional obligation, that is, to protect the rights bestowed upon the citizens of our country by the Constitution.

Lord Roskill<sup>27</sup> suggest that it is not only the interpretation of the Constitution which needs to be pragmatic, due to the dynamic nature of a Constitution, but also the legal policy of a particular epoch must be in consonance with the current and the present needs of the society, which are sensible in the prevalent times and at the same time easy to apply. This also gives birth to an equally important role of the State to implement the constitutional rights effectively. The doctrine of progressive realization of rights, as a natural corollary, gives birth to the doctrine of non-retrogression. As per this doctrine, there must not be any regression of rights. In a progressive and an ever-improving society, there is no place for retreat. Society has to march ahead.

The doctrine of non-retrogression sets forth that the State should not take measures or steps that deliberately lead to retrogression on the enjoyment of rights either under the Constitution or otherwise.

**8. Post Judgement Scenario / Present Legal status-** *Once an article published by The Hindu where it is written that by adding or removing some words in the Constitution ,creates no effect till then, when it is being accepted by our society. This is exactly applies on the conditions of homosexuals.* After the landmark and historical judgements made by SC in NALSA & Navtej Singh Johar case , the LGBTQ community gets some reliefs and following rights like –

**a) Reconition of same-sex relationships-** Same-sex marriages are not legally recognised in India nor are same-sex couples offered limited rights such as a civil union or a domestic partnership. In 2011, a Haryana court granted legal recognition to a same-sex marriage involving two women.[6] After marrying, the couple began to receive threats from friends and relatives in their village. The couple eventually won family approval. Their lawyer said the court had served notice on 14 of Veena's relatives and villagers who had threatened them with "dire consequences". Haryana has been the centre of widespread protests by villagers who believe their village councils or khaps should be allowed to impose their own punishments on those who disobey their rulings or break local traditions – mainly honour

killings of those who marry within their own gotra or sub-caste, regarded in the state as akin to incest. Deputy Commissioner of Police Dr. Abhe Singh told The Daily Telegraph: "The couple has been shifted to a safe house and we have provided adequate security to them on the court orders. The security is provided on the basis of threat perception and in this case the couple feared that their families might be against the relationship."

In October 2017, a group of citizens proposed a draft of a new Uniform Civil Code that would legalize same-sex marriage to the Law Commission of India. It defines marriage as "the legal union as prescribed under this Act of a man with a woman, a man with another man, a woman with another woman a transgender with another transgender or a transgender with a man or a woman. All married couples in partnership are entitled to adopt a child. Sexual orientation of the married couple or the partners not to be a bar to their right to adoption. Non-heterosexual couples will be equally entitled to adopt a child". There are currently several same-sex marriage petitions pending with the courts. On 12 June 2020, the Uttarakhand High Court acknowledged that while same-sex marriage may not be legal, cohabitation and "live-in relationships" are protected by the law.

In response to a petition filed in the Delhi High Court by a same sex couple to legalise gay marriage, Solicitor General Tushar Mehta representing the Indian Government affirmed that same sex marriage is against Indian culture, showing the government's flip-flopping approach to the issue.

**b) Protections from Discriminations-** Article 15 of the Constitution of India states that: Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.

In the case of *Navtej Singh Johar v. Union of India*<sup>1</sup>, the Supreme Court ruled that the Indian Constitution bans discrimination based on sexual orientation via the category of "sex".

Similarly in the case of *National Legal Services Authority v. Union of India*<sup>2</sup>, the Supreme Court held that discrimination on the basis of gender identity is constitutionally prohibited.

***"Gender identity, in our view, is an integral part of sex and no citizen can be discriminated on the ground of gender identity, including those who identify as third gender. We, therefore, conclude that discrimination on the basis of sexual orientation or gender identity includes any discrimination, exclusion, restriction or preference, which has the effect of nullifying or transposing equality by the law or the equal protection of laws guaranteed under our Constitution."***

—**□ Supreme Court Judge K. S. Panicker Radhakrishnan**

***"Sex as it occurs in Article 15, is not merely restricted to the biological attributes of an individual, but also includes their "sexual identity and character" —□ Supreme Court of India***

Despite these constitutional interpretations, no legislative law has been enacted to ban discrimination on the basis of sexual orientation in

employment since Article 15 only extended to discrimination from the state or government bodies.

However, on 4 February 2021, the Allahabad High Court ruled that firing and discriminating against a person on the basis of sexual orientation is a violation of Navtej Singh Johar v. Union of India Supreme Court judgment, hence extending the anti-discriminatory provisions to employment everywhere. Furthermore, the Real Estate (Regulation and Development) Act, 2016 outlawed discrimination in housing on the basis of religion, caste, gender, sexual orientation, marital status and dietary preference.

In 2019, the Transgender Persons (Protection of Rights) Act, 2019 bans discrimination against transgender people in educational establishment and services, employment, healthcare services, access to the "use of any goods, accommodation, service, facility, benefit, privilege or opportunity dedicated to the use of the general public or customarily available to the public", the right to movement, the right to "reside, purchase, rent or otherwise occupy any property", the opportunity to stand for or hold public or private office, and in government or private establishments.

LGBT activists are encouraging people who have faced discrimination because of their sexual orientation or gender identity in other non-state areas to mount challenges in court, seeking to test the jurisprudence set by the two rulings. They are also campaigning for an explicit anti-discrimination law that would extend everywhere.

c) **Right to express gender identity**- India has traditionally recognised a third gender population, considered by society as neither male or female. Such individuals are known as hijras or alternatively hijras. In English language publications, these terms are given to eunuchs, intersex people or transgender people.

As a person or human being we must have a right to express ourselves, our feelings, thoughts, knowledge, our opinion etc. in front of other people. But, these rights are not available to the TG Community before the judgment.

Hijras were legally granted voting rights as a third sex in 1994. Due to alleged legal ambiguity of the procedure, Indian transgender individuals have difficulties accessing safe medical facilities for surgery. On 15 April 2014, the Supreme Court of India in *NALSA case* declared transgender people a socially and economically suppressed class entitled to reservations in education and jobs, and also directed union and state governments to frame welfare schemes for them. The Court ruled that transgender people have a fundamental constitutional right to change their gender without any sort of surgery, and called on the Union Government to ensure equal treatment for transgender people. The Court also ruled that the Indian Constitution mandates the recognition of a third gender on official documents, and that Article 15 bans discrimination based on gender identity. Values of privacy, self identity, autonomy and personal integrity are FRs guaranteed under Art 19(1) (a) in our constitution which guarantees

Freedom of speech & expression and the state is bound to protect & recognise those rights. In light of the ruling, government documents, such as voter ID cards, passports and bank forms, have started providing a third gender option alongside male (M) and female (F), usually designated as "other" (O), "third gender" (TG) or "transgender" (T).

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## ***Online Threats Targeting Women during the Pandemic***

• Pankaj Bala Srivastava

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**Abstract-** *COVID-19 is the first major pandemic of the social media age. More than half of the world's population was under lockdown conditions. Quarantine measures and self-isolation policies have increased internet usage to 70%, as women and men turn to the Internet for work, school, and social activities. With increased connectivity and limited digital skills of users, the world has also faced an escalation of the negative side of the digital space - cyber harassment. Concerningly, given the digital gender divide, women and girls are at a higher risk for these forms of violence. It is now easier to stalk people because there are so many apps, stalker ware, spyware, social media tools, etc. The Internet gives the option of anonymity to the stalker, making tracking and identifying fake profiles challenging. Cyber experts say that women are more likely to be cyberstalking victims than men. At a virtual event, the chairperson of the National Commission for Women told the media that online harassment, including cyberstalking, towards women has increased by 500% during the pandemic. However, with the legal definition of - and the laws around - cyber stalking still hazy in India, many do not report or even realize they are being stalked online. The present paper examines the various forms of cybercrime and violence, Legal Provisions on Cyberstalking, techniques for online targeting women, and suggests safeguards.*

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**Keywords-** *Cybercrime, Online Threat, Sexual harassment, IT Act, Internet crime*

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**Introduction-** Online harassment and threats are not new, but the degree to which these are directed at women and girls has begun to receive increased attention from news media, academia and law enforcement. With the advent of technology, cyber-crime and Victimization of women are on a high, and it poses a signal threat to the security of a person as a whole. Some perpetrators try to defame women by sending obscene e-mails, stalking women using chat rooms, websites etc., developing pornographic videos where women are depicted in compromising positions mainly created without their consent, spoofing e-mails, morphing images for pornographic content etc. The sex offenders look for their victims on social networks and job or marriage websites, where people post their personal information for better prospects. The revealing of personal data has made women more of a casualty of cyber-crime, and Victimization of women is leading to cyber-crime and vice versa.

Cyber violence is an increasing problem, often gender-based, and targets women and girls. Violence against women is all acts of gender-based violence that result in physical, sexual, psychological or economic damage

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or suffering to women.

Cyber means relating to electronic communication networks and virtual reality, whereas stalking means pursuing or approaching stealthily. Thus, cyberstalking means when the Internet is used for hunting someone online. When one person continuously tries to come someone online unwantedly. In this crime, stalkers take the help of e-mail message applications, messages posted on a Web and sometimes even on social media such as Facebook, Instagram, and many more. There is no universally accepted definition of cyberstalking, and this concept came recently after the emergence of the technological world.

Harassment of women includes 'sexual harassment or unwelcome sexual advances, requests for sexual favours, and other physical or vocal harassment of a sexual nature. Sexual harassment is undesirable sexual behaviour that could be expected to make a person feel offended, humiliated or intimidated.

However, the term 'stalking' is defined under the Indian Penal Code (IPC) 1860. Section - 354 (D) of IPC provides the term stalking as any man who follows a woman and contact or tries to contact for interaction continuously with disregard of such woman or monitors the woman with the use of the Internet, e-mail, or any other electronic communication shall be the offence of stalking. Moreover, it is punishable under the Indian Penal Code.

**Some Examples of Online Threats Targeting Women-** India's first cyber stalking case was reported in 2001. Manish Kathuria was stalking an Indian woman, Ritu Kohli, by illegally chatting on the website. She used obnoxious, offensive and obscene language, distributed her residence telephone number, and invited people to chat with her on the phone. As a result, MsRitu Kohli was receiving obscene calls from various states of India and abroad, and people started talking dirty with her. She was shocked and informed the Delhi police and reported the matter. The police registered the case under Section 509 of the IPC. But, this Section refers only to a word, a gesture or an act intended to insult the modesty of a woman. However, when the same things are done on Internet, then this section speaks nothing and is ineffective. This case caused alarm to the Indian government for the need to amend laws regarding the crime as mentioned earlier and regarding the protection of victims under the same.

The Pune-based Archeology student noticed that a random account liked almost 200 pictures of hers on Instagram. She dismissed it as harmless until he (sender) started posting lewd comments. Then he started sending messages asking if she would like to go on a date with him, whom she continued to ignore. Frustrated, the male sender started abusing her and threatened to forcefully 'make her his wife. That is when she lodged an online complaint with the cyber police, got the account in question suspended, and the abuser punished.

Many times, online stalking manifests into physical stalking and vice versa. A Delhi-based woman recounts a harrowing incident that once a guy sent her 30,000 messages on FB messenger, even though she had not met

or seen him in real life. He then started harassing her parents on the phone before stalking her younger sister and telling her he knew her whereabouts. She finally filed a complaint against him. When the police busted him, they found that his laptop and phone had her pictures as a screensaver. The crime of stalking is not a standalone crime and is of nature where many other offences in the law are interlinked.

In 2000, The Information Technology Act came into existence in India, but there was no provision regarding cyberstalking in the whole Act. The amendment in 2008 inserted the provision relating to 'cyberstalking'. Section – 66 (A) under the Information Technology Act, 2008 deals with cyberstalking and requirements for protecting victims.

However, this Act's provisions are insufficient to protect against cyberstalking, as the figures listed against women are rising consistently. As per the data, 4,699 cases of stalking were registered in 2014, 6,266 cases in 2015 and 7,132 cases in 2016. With over 11,000 cases reported in 2020, Uttar Pradesh has replaced Karnataka as the state with the highest cybercrime incident, data from the latest National Crime Records Bureau (NCRB) report has revealed. Nationally, reported cybercrime cases have increased from 44,735 to 50,035.

**Reasons to Cyber stalking-** There may be various reasons which lead to the emergence of cyberstalking. The first and foremost reason for committing online stalking is that it allows the person to hide their identity and location to perform their activities without being caught easily. The doing so maybe because of an obsession for love and sex, jealousy, defaming someone in the social group, revenge, ego, or even getting into/out of the relationship with the other person.

The e-Book 'A Practical Guide to Coping with Cyber-stalking' by ZhraaAlhaboby states that looking at what people are doing online becomes cyber-stalking when you make continued, persistent unwanted contact with a person, which causes them fear and distress.

Psychologist Dr Emma Short said that the stalkers tend to be quite anxious and could be suffering from depression, stress anxiety, or another addiction. These people lack social support, and they seem to be isolated. Thus, they spend a small amount of time online. She also said that people who have an addiction to the Internet after a certain period lose the connection with the natural world, and it becomes harder for them to form relationships. She said they tend to be male and are often in their teens and twenties: "There does seem to be a group of people in their teenage years who are more at risk of developing a dependency on the internet that might lead to fixation and unwanted interest in other people."

**Legal Provisions on Cyber stalking-** There are several provisions regarding stalking and sexual harassment under the Indian Penal Code, 1860. Section 354 D of the IPC defines the term "stalking" as any man who follows a woman and contact or tries to contact for interaction continuously with disregard of such woman or monitors the woman with the use of the Internet, e-mail, or any other electronic communication shall be the offence

of stalking. Moreover, the person who commits this offence shall be punished on the first conviction with imprisonment up to three years and also be liable for a fine and be punished on a second conviction, with imprisonment up to five years, and shall also be liable to fine. Section 354A of the Indian Penal Code punishes sexual harassment with three years of imprisonment and a fine. Section 354C forbids the offence of Voyeurism. According to this section, capturing the image of a woman engaging in a private act and distributing said image without her consent or permission is said to be the offence of Voyeurism. Moreover, this section provided three years of imprisonment for the first conviction and seven years of imprisonment on the second conviction, along with a fine.

Furthermore, the victim can file a defamation case under section 499 of the Indian Penal Code against the offender. · Section 503 of the Indian Penal Code punishes criminal intimidation. Where any threats made to any person with an injury to her reputation, to cause apprehension to her, or to drive her to do /not do an act regarding the course of action. The person doing so be punishable with imprisonment, which may extend to two years, and a fine. Section- 509 of the Indian Penal Code states that if someone is continuously bugging you with insulting spoken abuse because of gender. The section provides that anyone who says any word or makes any sound or gesture to insult the women's modesty shall be punished with one-year imprisonment and a fine.

The Information Technology Act 2008 also provides specific provisions relating to cyberstalking. Section 66A of the IT Act, 2008 punishes sending offensive messages through communication services. Anyone who sends any information through electronic mail or notices wholly abusive or threatening in character or false that may cause injury or danger by using computer or communication devices shall be cyber stalked. Whomever does so is punished with imprisonment of up to three years and a fine.

Section 67 of the IT Act, 2008 provides punishment for publishing or transmitting obscene materials in electronic form. Any person who does so shall be punished on first conviction with imprisonment of either description up to two-three years and with acceptable up to five lakh rupees. In the event of a second conviction, imprisonment of either description is up to five years and a fine of up to ten lakh rupees.

Section 67A of the IT Act, 2008 provides punishment for publishing or transmitting material containing sexually explicit acts, etc., in electronic form. Whoever does so shall be punished with imprisonment of either description up to five years and with a fine up to ten lakh rupees on first conviction and in the event of second conviction with imprisonment of either description up to seven years and with acceptable up to ten lakh rupees. However, this section has an exception if the publication is proved correct as being for the public good or using bona fide for religious purposes.

**Various cyber-crimes-** Forms of harassment can vary widely, from name-calling and trolling to persistent stalking and shaming to outright sexual and

death threats. Amongst the various cyber-crimes committed against individuals and society at large, the crimes which can be mentioned as especially targeting women are as follows: –

**I. Harassment through e-mails** is not a new concept, and it is very similar to harassment through letters. Harassment includes blackmailing, threatening, bullying, and even cheating via e-mail. E-harassments are similar to letter harassment but often create problems when posted from fake ids.

**II. Cyberstalking** is one of the most talked about net crimes in the modern world. The Oxford dictionary defines stalking as "pursuing stealthily". Cyberstalking involves following a person's movements across the Internet by posting messages (sometimes threatening) on the victim's bulletin boards, entering the victim's chat rooms, constantly bombarding the victim with e-mails etc. Cyberstalking usually occurs with women stalked by men or children whom adult predators or paedophiles stalk. Typically, the cyber stalker's victim is new on the web and inexperienced with the rules of netiquette & Internet safety.

Cyber stalkers target and harass their victims via websites, chat rooms, discussion forums, open publishing websites and e-mail. The availability of free e-mail and website space, as well as the anonymity provided by these chat rooms and forums, has contributed to the increase of cyberstalking as a form of harassment.

**III. Cyber pornography** is the other threat to females. This would include pornographic websites, pornographic magazines produced using computers (to publish and print the material) and the Internet (to download and transmit pornographic pictures, photos, writings etc).

**IV. Cyber defamation:** Cyber tort, including libel and defamation, is another common crime against women on the net. This occurs when defamation takes place with the help of computers and/or the Internet. For example, someone publishes defamatory matter about someone on a website or sends e-mails containing defamatory information to all of that person's friends

**V. E-mail spoofing:** A spoofed e-mail may be said to misrepresent its origin and shows its origin to be different from what it originates. A review in Cyberlaw Times. com shows that India has crossed the danger mark in cyber crime targeting women and children.

**VI. Morphing:** Morphing is editing the original picture by an unauthorized user or fake identity. It was identified that female pictures are downloaded by fake users and re-posted/uploaded on different websites by creating fake profiles after editing them. This amounts to a violation of the IT Act, 2000 and attracts sec. 43 & 66 of the said Act. The violator can also be booked under IPC. The Times of India reported that in October, a Delhi-based beautician told the police that her photograph was flashed on a porno portal along with her mobile number.

**Research Methodology-** The present study is based on descriptive and explorative research methods. The design of the study is a blend of qualitative and quantitative approaches. The secondary data on incidence related to cyber harassment has been used to assess the impact of cyber harassment on women.

**Review of Literature-** Online harassment and threats are not a new phenomenon, however, the degree to which these are directed at women and girls has begun to receive increased attention from [news media](#), academia and law enforcement, but there is a lack of empirical studies examining gender differences in experiences with online harassment.

[Emily A. Vogels](#) found in her research that roughly four-in-ten Americans have experienced online harassment, with half of this group citing politics as the reason they think they were targeted. Growing shares face more severe online abuse such as sexual harassment or stalking. Forty-two of the reviewed articles reported that victims of cyberstalking and harassment experienced many harmful and damaging consequences for their mental health, including depression, anxiety, suicidal ideation, and panic attacks.

The issue of cyber harassment started with the increased use of information communication technology (ICT) in the twenty-first century. Bocij and McFarlane (2003) conducted the first study exclusively focusing on this issue. By analyzing a web-based questionnaire filled by sample respondents searched through snowball sampling via e-mail, he identified 82% of respondents experienced harassment in any form while one-third of respondents as victims of cyberstalking. Most of these victims were educated females belonging to the age group of 30 years or older. The threat was the most common behaviour experienced by the respondents instead of commonly perceived theft and fraud. Most of the victims identified as suffering a very high level of distress with a mean score of 7.16 on a scale of 1 to 10 (1 as the lowest level and ten as the highest level). However, this level of distress had a negative relationship with the knowledge and experience of ICT.

#### **Suggestion for Safeguards**

- Protect smartphones, tablets, laptops and computers with passwords and finger lock and change them regularly so no one can hack them.
- Always log out from any website or application when not using it.
- Always use the secured site for browsing information and making payments.
- Never put your phone number, address, or other information on an unsecured website.
- Never mention personal and family information on social media; always make your account private and keep the data to close friends only.
- Never add unknown persons to your social media account to make large numbers of followers.

- Never update your current location or places you visit on social media, and remove events you are about to attend in the future.
- Try to avoid using others' phones or laptops for personal use, and if do so, must remove the browsing history and not forget to log out.
- Moreover, if you found anything wrong, take the screenshots and log the complaint as soon as possible.

**Conclusion-** Every growth comes with some advantages and disadvantages. However, it is on us how we use those technologies. It is good until we use it with care, but it can quickly turn into a curse if we do not use it with care. But it does not mean that we stay away from these technologies. We should develop ourselves in the changing world but with utmost care. Firstly, we must understand the pros and cons; secondly, we must have full knowledge of using that technology because half-knowledge of anything is dangerous. The Indian government has taken many steps and made legislation to protect women from cyberstalking. Online harassment but these laws are nothing until we use or report the crime, so at last, never fear to take the step and not be afraid of what society will say.

[Internet access](#) and online safeties are human rights issues and essential indicators of gender equality. The online harassment of women deserves significant attention from the media, academics, and the platforms themselves. Women deploy various defensive strategies while navigating online spaces, from normalizing harassment—and taking it for granted—to self-censorship and withdrawal.

Prompt reporting of cybercrime, technically proficient investigation by police adequately supported by forensics, prosecutors, and speedy and fair trial by the court is essential for controlling cyber crimes and catching cyber offenders who terrorize people, especially women, in the virtual and the natural world.

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## ***The Impact of Rural Tourism on Socio-Economic Environment in the Chitrakoot Region***

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**Abstract-** *Tourism is currently the world's largest industry and the fastest growing sector of the market. Tourism is usually viewed as being multidimensional, possessing physical, social, cultural, economic and political characteristics. "Definitions of tourism share a range of common elements" (Dowling 2001, P24). Mathieson and Wall (1982) that tourism is the temporary movement of people to destinations out of their normal home and workplace, the activities undertaken during the stay, and the facilities created to cater for their needs. Tourism is the fastest growing industry in the world. According to the World Travel and Tourism Council (WTTC) tourism is the world's largest industry generating 12% of the global gross national product and it employs around 200 million people worldwide (WTTC, 1995). Worldwide tourism is ranked second highest revenue generating industry next to the oil industry. It is necessary to differentiate between different type of tourist to understand and analyse their purpose of visit. There are different ways to attract domestic and foreign tourists, we need to understand what types of services are required to attract and retain the customers. There is a large potential market for rural tourism especially for foreign tourists, which has not yet developed because government has not taken up any systematic approach to attract foreign tourists.*

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**Keywords-** *Impact, Rural Tourism, Environment*

**Introduction-** Tourism growth potential can be harnessed as a strategy for rural development. Any form of tourism showcases the rural life, art, culture, and heritage at rural location, there by benefiting the local community economically and socially as well as enabling interaction between the tourist and the locals for a more enriching tourism experience can be termed as as rural tourism. It is manifested any may entail agricultural tourism, cultural tourism and eco-tourism. Rural tourism characteristics like, it is experience oriented, the locations are sparsely populated, it is predominantly in natural environment, it meshes with seasonality and local events and is based on presentation of culture, heritage and traditions. Many villages of Chitrakoot region have great potentialities as tourist destination. Villages of Chitrakoot Region have specialty in their different culture, religious, folk art and lifestyle. Now a day a segment of urban population are

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interested to visit the rural areas and understand their perspectives. This segment has been rapidly growing in the past decade and has to lead to rural tourism becoming a good prospect. The income from rural tourism can be contributed to revival of lost of folk art and culture of villages. Rural tourism has created tremendous impact on the local economy and socio cultural scenario of the concern area on one hand and carries a potential scope for the rural residents on the other hand. Rural tourism brings people of different culture, faiths, languages and life style, close to one another and it provide a broader outlook of life. It not only generates employment for the people but it also develops social, cultural and educational values. Rural tourism is an opportunity for rural development. Rural tourism is one of the opportunities that rural communities might consider to improve Productivity and incomes. Sustainable rural tourism can generate long term benefits for villagers. Tourism and more specifically rural tourism has been seen as a vehicle that has the potential to influence socio economic changes through the use of natural, socio culture and economic resources(Nzama,2010). It has been seen as a tool with a potential to enhance the development of rural areas on an ecologically viable basis and also as a means that can improve the quality of life of people living in the rural areas. Thus, tourism has been linked with poverty reduction for number of reasons, such as its ability to thrive in rural areas using readily available natural and socio cultural resources, thereby creating job opportunities for the local residents (Ashley and Roe, 2002).

There are a number of Challenges that have been associated with tourism development in rural areas, such as the general lack of capacity and tourism development related skills. Most rural areas in Chitrakoot region are characterized by lack of infrastructure, high illiteracy rates, unemployment, poverty and a general lack of knowledge and understanding of tourism development issues.

**I.Rural Tourism-** Rural tourism is among the most polymorphous of all forms of Special Interest Tourism (SIT). The diversity of attractions included within rural tourism embrace:

- Indigenous and European heritage sites
- Aspects of culture (agriculture)
- Industrial tourism (farm practices)
- Educetioanl tourism
- Special events
- Ecological attractions
- Adventure tourism
- Wine tourism

Such diversity represents major opportunities for rural areas that have turned to tourism as a means of supplementing diminished incomes (Douglas, 2001).

**1. Geographic And Demographic Definitions-** “A multi-faced activity that takes place in an environment outside heavily urbanized areas. It is an industry sector characterized by small scale tourism business, set in areas where land use id dominated by agricultural pursuits, forestry or natural

areas” (Department of Tourism, 1994:3)

**2. Product-Related Definitions-** “The Rural Tourism product could be segmented to include such product components as rural attractions, rural adventure tours, nature based tours, ecotourism tours, country towns, rural resorts and country-style accommodation, and farm holidays, together with festivals, events and agricultural education” (Department of Tourism, 1994:4).

**3. Tourist Experience-Related Definitions-** “Rural Tourism should be seen as offering a different range of experience to those offered in big cities” and that “the emphasis in rural tourism is on the tourist's experience of the products and activities of the area” (Department of Tourism, 1994: 3).

## **II. The Impact of Rural Tourism**

**1. Social and Cultural-** The most influential statement on the social and cultural impacts is Bouquet and Winter's (1987) diverse anthology of studies on the conflict and political debates associated with rural tourism. They consider the relationship between tourism, politics and the issue of policies to control and direct tourism and recreation in the countryside in the postwar period. In contrast, Neate (1987) considers farm-based tourism in the Scilly Isles in relation to attempts to diversify the economic base of family owned farms in the climate of declining profitability in agriculture. Vincent (1987) argues that rural tourism development requires that close-knit communities adapt to the incursion of capitalism in the expansion of tourism, where family independence, traditional values and cultural traditions may be adversely affected.

The role of women in rural tourism has also belatedly attracted interest as a highly seasonal and unstable economic activity, since tourism is one of the few opportunities taken up by women but also contributes to the marginal status of women in the rural workforce.

Increasingly, native people are becoming involved in tourism to help meet their own goals of independence and cultural survival, yet tourism development carries special risks for them. There are also special problems related to obtaining financing for projects, training with cultural sensitivity, attitudes towards work and service, and making decisions communally (Smith, 1997). In communities with low economic activity and low tourism development there will be high hopes and expectations of tourism (Johnson et al., 1994). It has also been noted that long term residents of rural areas are much more likely to support growth and change than newcomers, usually because the newcomers moved there for amenities which they do not want changed (Getz, 1994).

**2. The Economic Impact-** The economic impact of rural tourism has been a fruitful area for research among a range of social scientists, often emphasizing or challenging the role of tourism as a panacea for all the economic and social ills of the countryside (Getz, 1981). But Butler and Clark rightly acknowledge, tourism in rural areas is not necessarily the magic solution to rural development, given its: “Income leakages, volatility, declining multiplier, low pay, imported labor and the conservatism of investors. The least favored circumstance in which to promote tourism is

when the rural economy is already weak, since tourism will create highly unbalanced income and employment distributions. It is better supplement for a thriving and diverse economy than as a mainstay of rural development“ (Butler and Clark, 1992: 175).

**3. The Environmental Effect-** In a rural context, the growing pressure emerging from the development-intensive nature of tourism and the expansion of Mass tourism has posed many new pressures as “new tourism” discovers the qualities of rural environments. In fact, the construction of theme parks in rural environments, second homes (Gartner, 1987), timeshare, conference centers, holiday villages have all contributed to the insatiable tourism appetite for rural environments.

A number of recent special issues of journals have also focused on sustainability and rural tourism. However, it is apparent that tourism in rural context displays many of the features of the symbolic relationship, which exists between tourism and the environment. For these reason it is appropriate to consider the tourism resource base, emphasizing supply and demand features in relation to the business aspects of Rural tourism (Page and getz, 1997).

**III.Benefits of Rural Tourism-** Rural tourism, while still only a minority tourism market, is making a valuable contribution to rural economies. Its contribution can be expressed not only in financial terms, but also in terms of jobs, contributions towards funding conservation, encouragement to the adoption of new working practices, and the injection of a new vitality into sometimes weakened economies. Potentially rural tourism promises some of the following benefits to rural development:

**1. Job Retention-** Rural tourism cash flows can assist job retention in services such as retailing, transport, hospitality and medical care. It can also provide additional income for farmers, and, in some cases, for foresters and fisherman. Job retention is not as politically glamorous as job creation, but, by helping the viability of small communities, it is critical to the survival of marginal areas. Studies of rural Austria, Sweden and Ireland have documented the role of tourism in job retention.

**2. Job Creation-** Job creation typically occurs in the hotel and catering trades, but can also take place in transport, retailing, and in information/heritage interpretation. Studies in Britain suggest that job creation varies by enterprise type. Farmhouse accommodation and bed-and-breakfast can create up to 23 jobs per £ 100 000 of tourism revenue. Job creation effects are less marked in hotels and caravan/campsites, yielding approximately six jobs per £ 100 000 of revenue.

**3. New Business Opportunities-** Tourism generates new opportunities for industry. Even those rural businesses not directly involved in tourism can benefit from tourist activity through developing close relationships with tourist facilities where local foods can be used as part of the tourism offering in a locality. Rural tourism facilitates expansion of complementary businesses such as service stations and new businesses are created to cater to tourist needs for hospitality services, recreational activities and arts/crafts.

**4. Opportunities for Youth-** The tourism industry is often promoted as an

exciting and growing industry suited to the energies and enthusiasm of young people. Career options are enhanced with the opportunities for training and direct involvement in running tourism businesses, especially those within small communities.

**5. Service Retention-** Visitor information services can be provided by existing outlets, such as shops, thus increasing income flows if payment is made for acting as information outlets. Services can also benefit by the additional customers which visitors provide. Finally, tourism's importance to national economies can strengthen the political case for subsidies to help retain services.

**6. Community Diversification-** Community diversification *is* an important activity in many upland and climatically marginal regions. Forest regions have suffered serious socio-economic problems in recent years, partly because of the mechanization of tree felling and processing, and partly because of falling prices following reduced timber demand. Rural tourism can assist forestry by diversifying income sources for forest communities if the special qualities of the forest environment for recreational use are realized and developed.

**7. Rural Tourism Enhances and Revitalizes Community Pride-** Tourism encourages conformity to an ideal image of community which can result in growth of personal ties and community solidarity. Thus the basis for community solidarity shifts from shared cultural background to shared image. Amenities play a fundamental role in shaping a community's identity and pride and so the potential of tourism for improvements to facilities and amenities has positive implications for community pride, particularly rural museums as an important repository of rural culture.

**8. Preservation of Rural Culture and Heritage-** In rural tourism the sense of place is a fundamental element in both the tourists and host community's feelings of what makes the area attractive to visit and live in. This sense of place is maintained partly through rural museums which play a vital role in preserving heritage.

**9. Increase Arts and Crafts Sale-** Arts and crafts have a special place in the cultural heritage of regions and nations. Many commentators have noted that tourism can assist arts and crafts, both by recognizing their importance, and by purchasing craft products. Income flows from these activities are well documented. Support between the arts and tourism can be a two-way process. Many communities now use arts and crafts festivals as a marketing mechanism to encourage visitors to come to their areas.

**10. Landscape Conservation-** Landscape conservation has become an increasingly important form of heritage protection. Landscape is of crucial importance to rural tourism but, equally, visitor use is vital to the landscape conservation industry. Visitor use brings political benefits, can bring economic gains, and can provide jobs in maintaining and repairing traditional landscapes worn by recreational activities.

**11. Environmental Improvements-** Environmental improvements such as village paving and traffic regulation schemes, sewage and litter disposal can be assisted by tourism revenues and political pressures from tourism

authorities. These help develop pride of place, important in retaining existing population and businesses, and in attracting new enterprises and families.

**12. The Historic Built Environment-** The historic built environment can benefit from rural tourism in two ways. Many historic properties now charge for admission in order to maintain their fabrics and surrounding gardens and parklands. Secondly, there are important buildings from the past which have become redundant. Churches have lost their congregations, castles have lost their wars, farm buildings have become too small for modern equipment, railway stations have lost their trains, and canal warehouses no longer have barge traffic. The tourist industry can usually use these redundant buildings profitably and imaginatively: they can become attractions in their own right. The small town of St. Jacobs in Ontario, Canada, has converted grain stores into a craft centre; in Lanarkshire, Scotland, a folly constructed in the shape of a pineapple has become sought after as a cottage for holiday lets; in the Swiss valley of Safiental, a timber farm-house is maintained in its original pre-twentieth century condition by using it as a Youth Hotel.

A wide range of benefits has been identified as potential outcomes associated with promoting the development of agritourism. From an agricultural industry perspective, agritourism is perceived to be a means of:

- expanding farm operations;
- using farm based products in new and innovative ways;
- improving farm revenue streams;
- developing new consumer market niches;
- increasing awareness of local agricultural products;
- increasing appreciation of the importance of maintaining agricultural land uses;
- channeling additional on-farm revenues directly to family members who might otherwise have to work off the farm;
- giving a stimulus to upgrade farm living and working areas, as well as leisure facilities;
- providing opportunities to acquire managerial skill and entrepreneurial spirit, and
- increasing the long term sustainability for farm businesses.

**III. Profiles of The Research-** The research has been based on the relevant details of the research area. Research area contains Madhya Pradesh neighboring Satna and Uttar Pradesh adjoining chitrakoot, of which the various profile is given as follows.

**IV. Profile of Madhya Pradesh-** Madhya Pradesh, the second largest state of the country is located in central India, surrounded by Uttar Pradesh in the North, Chhattisgarh in the East, Maharashtra in the South and Gujarat and Rajasthan in the West comprising 11 Agro – Climatic zones with diverse soil and climatic condition, which helps to support to cultivation of a wide range of crops with diversified cropping pattern. Madhya Pradesh stands in the topmost position for producing pulses, oilseeds, garlic and coriander with

highest cattle population in India. The state is a leading producer of soybean, gram, garlic, and coriander.

The majority of the population of Madhya Pradesh lives in rural areas as 72.37 percent of total population of M. P. lives in the villages of rural areas. In actual numbers, males and females were 27,149,388 and 25,408,016 respectively. The total population of rural areas of Madhya Pradesh state was 52,538 thousand. The population growth rates recorded for the urban and rural area for this decade (2001-2011) were found to be 25.69 percent and 18.42 percent respectively. In the rural area of Madhya Pradesh state, female sex ratio per 1000 males was more as compared to urban area. The same for the child (0-6 age) was 923 girls per 1000 boys. In Madhya Pradesh, 15.84 percent children (0-6) live in rural areas, while 12.38 percent of children live in urban areas. In rural areas of Madhya Pradesh, literacy rate for male and female stood at 74.74 % and 48.49 %. Average literacy rate in Madhya Pradesh for rural and urban areas was 63.94 and 82.85 percent respectively to the total population. (study 112 mp pdf) Madhya Pradesh is the land of diversity. The various crops are grown in Madhya Pradesh. Soybean (26.51%) followed by wheat (22.18%), gram (13.79%) and paddy (7.56%) are the major crops of the state. (Fig 11) Jawar, bajra, maize, Kodo, kutki, lentil, tur, cotton, mustard, pea, barley, moong, urd, linseed, seasmum, niger, groundnut, teora and sugarcane are also grown by the cultivators of the state. (study 112 mp pdf) Out of 52 districts of Madhya Pradesh, Satna is one of the fastest emerging city of Madhya Pradesh. It is also known as cement city of India. Satna situated between Satpura and Vindhya range of hills. Satna district boarded by Banda to north, Rewa, and Sidhi to east, Panna to the west, Jabalpur, and Umaria to the south. (district profile Satna)

**V. Profile of Satna District-** Satna district is one of the districts of Madhya Pradesh state of India. The district is having the boundaries of Chitrakoot district of Uttar Pradesh State in North, Rewa and Sidhi districts in the east, Panna district in the west and Jabalpur and Umaria districts in the south. The district takes name from Satna, the headquarters town, which is in turn takes it's from Satna River which flows near the town. Satna district consists of Six Sub Divisions, Ten Tehsils, Four Hundred Thirty Eight Patwar Circle, Seven Hundred Three Panchayat Samities, One Nagar Nigam, One Nagar Palika, Nine Nagar Panchayat, Seven Hundred Three Gram Panchayats, Eighteen Hundred Sixteen Revenue village and Seven Assembly Area. And having 2178.655 Km. (Pacca) all weather road and 2263.535(Kachha) seasonal road. The district has 7,502 km<sup>2</sup> area and as per 2011 census report Satna district has a population of 768,648. The population density of Satna district is 249 person per km<sup>2</sup>.

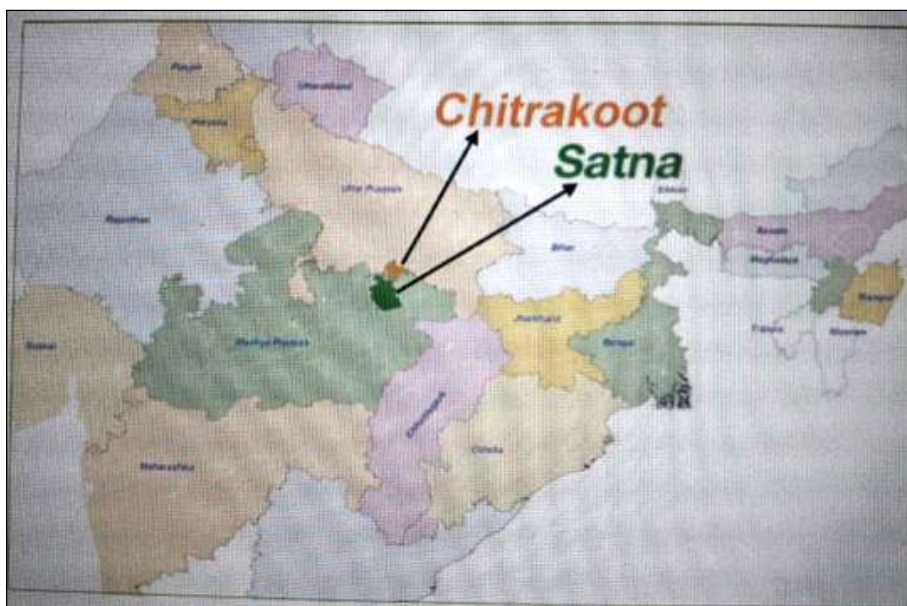
**1. Location and Geographical Area-** The district is located in between 23.58 degree North Latitude to 25.12 degrees North Latitude and 80.21 degrees East Longitude to 81.23 East Longitude. The District is situated about 305 meters above the mean sea level. The district takes the name from Satna, the headquarters town, which is, in turn, takes it's from Satna River which flows near the town. It has 10 Tahsil, Seven Hundred Three Panchayat

Samities, One Nagar Nigam, One Nagar Palika, Nine Nagar Panchayat, Seven Hundred Three Gram Panchayats, Eighteen Hundred Sixteen Revenue village and Seven Assembly Area. And having 2178.655 Km. (Pacca) all weather road and 2263.535(Kachha) seasonal road. (district profile satna)

**2. Physical Conditions-** Northern part and western part is hilly while the eastern, southern and central part is plain. Rocks exposed are mainly of sedimentary origin belonging to vindhyay group. In maximum part of the district, water scarcity is the major problem during maximum part of the year (Khan Seraj, 2009, Kumar A and Rajput PS, 2013). The present study aims to analyze the trend of annual rainfall of vital importance in all activities which is the only resources of renewable water resource and analyze the cause of scarcity of water.

**3. Rainfall and Climate-** Average climate is ranging from 05 degree Celsius to 46 degree Celsius in the district. Annual rainfall is about 1200mm and Red Soil, Light Black, Alluvium and Hilly Soils are the predominant soil types available in the district. Rivers are not perennial in nature well, ponds, canals, and tube wells are the main sources of irrigation in the district. The maximum temperature of Satna district rises up to 48C and minimum temperature goes up to 30 C. (District profile Satna)

**4. Soil Types-** The soils are deficient in organic carbon (0.14 – 0.43%), available nutrients status shows low to medium nitrogen, low to medium phosphorus and medium to high potassium, boron and zinc micronutrients deficient soils. It is seen from the above discussion there are many similarities between both the district such as cultural, agricultural and socio-economic situation etc. And both the district has not a good economic condition of farmers. It has been seen that if the wholesale price of any commodity increase then local market price increase automatically with the same ratio but if, the price of wholesale of any commodity decrease then in local



market they did not decrease in the same ratio. This trend is not in the favors of consumer it favors of only traders also this trend affect mass. So, we are trying to solve this problem of farmers to improve their economic conditions by recommending some suggestion to govt. may take proper action to stop farmer's suicide, hunger and migration problems. both the district reports of hunger, death, suicide, and migration of labor has been reported it may be one of the major factors for these things may be price are not transmitted properly in market and asymmetry in wholesale and retail market.

**VI. Profile of Uttar Pradesh-** Uttar Pradesh is situated in northern India. Nepal is International boundary of the state. Uttar Pradesh touches multiple boarder from northwest to Haryana and Delhi, from West to Rajasthan, from nrth to Uttarakhand , from east to Bihar ,from south east to Jharkhand and from south west to Madhya Pradesh . It covers 93,933 miles (243290 Km<sup>2</sup> ). This is most populous state of India. It is the fifth largest state of India. It accounts for 6.88 percent of total area of the country. The population of the state was about 200 million as per census of 2011, which accounted for 16.49 percent of the total population of India. Uttarakhand was also a part of Uttar Pradesh till November, 2000. The state is divided into 4 divisions, namely. Western (30 districts), Eastern (28 districts), Central (10 districts) and Bundelkhand (7 districts). At present state has 75 districts, 327 tehsils, 822 blocks and 107452 revenue villages. The other two regions i.e. the central and western are comparatively much better and well developed to eastern and Bundelkhand regions. . (all up data collected from state agri. Profile of up 2014-15).

**VII. Profile Of Chitrakoot District-** Chitrakoot means the 'Hill of many wonders'. Chitrakoot falls in the northern Vindhya range of mountains spread over the states of Uttar Pradesh and Madhya Pradesh. Chitrakoot district in Uttar Pradesh was created on 4 September 1998. Chitrakoot Parvat Mala includes Kamad Giri, Hanumaan Dhara, Janki Kund, Lakshman pahari, and Devangana famous Religious mountains. Lord Rama spend a major part of his exile here. According to the epic Ramayana, Chitrakoot is the place where Bharat, brother of Lord Rama came to visit him and asked him to return to Ayodhya and rule the kingdom. It is believed that the supreme Gods of Hinduism, (Brahma, Vishnu, and Shiva) took incarnations here. The place is dotted with many temples and several religious sites. At Chitrakoot, everything relates to Lord Rama. One can also explore the amalgamation of culture and history on this land. Chitrakoot is a spiritual retreat, thronged almost throughout the year by travellers, who have a penchant for the unknown and unexplored. Chitrakoot is a perfect blend of divinity, serenity, and natural beauty.

**VIII. History-** History described further into two parts ancient history and modern history. Ancient history told us about Lord Ram periods whereas, modern history speaks about moderns era.

**1. Ancient Histoty-** Celebrated in the entire Indian literature and sacred books; the abode of Lord Ram, his spouse Sitaji and his brother Lakshman during their exile for about eleven years and a half; capable of purifying the

human heart and of attracting the tourists by its charms of nature. Chitrakoot is a holy place famous both for its natural scenery and its spiritual altitude. A tourist is as much thrilled by sighting its beautiful waterfalls, playful young deer and dancing peacocks as a pilgrim is overwhelmed by taking a dip in the Payaswani/Mandakini and by immersing himself in the dust of the Kamadgiri. From times immemorial, the Chitrakoot area has been a live centre of inspiration for cosmic consciousness. Thousands of mendicants, hermits, sages and saints have attained higher and higher spiritual status and have exerted a beneficial impact on the world through their penance, sadhana, yoga, tapasya and various arduous spiritual endeavours. Nature has been very generous in bestowing over the area all the gifts in her power, which enable it to attract pilgrims and tourists alike from all over the world. Atri, Anasuya, Dattatreya, Maharshi Markandeya, Sarbhanga, Sutikshna and various other sages, seers, devotees and thinkers have lived in this area through all the ages; and knowledgeable people say that many of such figures are still engaged in tapasya here in various caves and little known places. This lends the area a spiritual aroma which permeates its entire atmosphere and makes it spiritually alive to this day.

Chitrakoot is the teerth of all teerths. According to the Hindu belief, Prayagraj (modern name- Allahabad) is the king of all teerths; but Chitrakoot is rated as more elevated. When Chitrakoot did not go to him as all the other teerths did, Prayagraj was told that Chitrakoot enjoyed a higher status and it was Prayagraj who was expected to go to Chitrakoot and not vice versa. It is said that Prayagraj comes every year to wash off his sins by bathing in the Payaswini. It is also said that all the gods and goddesses came to Chitrakoot when Ram performed the Shraddha ceremony of his father to partake of the shuddhi (i.e. a feast given to all the relatives and friends on the thirteenth day of the death in the family). They were captivated by the beauty of the place. Lord Ram's presence there added a spiritual dimension to it. So they were unwilling to depart. Vashishtha, the family priest sensing their desire to stay and in accordance with the wishes of Lord Ram, forgot to utter the visarjan (departure) mantra. Thus, all the gods and goddesses have made this place their permanent abode and are always present there. Today also, even when a mere tourist reaches this place strewn profusely with ancient rocks, caves, ashrams and temples with sages engaged in holy and spiritual sadhana, he loses himself unwittingly in the atmosphere charged with unceasing holy rites and enlightening sermons and partakes of the bliss of a world very different from our own. Thousands of pilgrims and seekers of the truth from all parts of the world resort to this place impelled by an irrepressible desire to improve and elevate their lives.

Chitrakoot has had its own identity and this very name since times immemorial. The first known mention of the place is in the Valmiki Ramayan, which is believed to be the first ever Mahakavya composed by the first ever poet. As an unwritten composition, an epic of growth, it was handed down from generation to generation by an oral tradition. As Valmiki is said to be contemporaneous with (or even earlier than) Ram and is

believed to have composed the Ramayan before the birth of Ram, the antiquity of its fame can well be gauged. Valmiki speaks of Chitrakoot as an eminently holy place inhabited by the great sages, abounding in monkeys, bears and various other kinds of fauna and flora. Both the sages Bharadwaj and Valmiki speak of Chitrakoot in glowing terms and advise Ram to make it his abode during the period of his exile, as the place was capable of relieving a person of all his desires and of giving him a calm of mind that could make him achieve the highest of the goals in his life. Lord Ram himself admits this bewitching impact of this place. In the 'Ramopakhyana' and descriptions of teerthas at various places in the Mahabharat, Chitrakoot finds a favoured place. It 'Adhyatma Ramayan' and 'Brihat Ramayan' testify to the throbbing spiritually and natural beauty of Chitrakoot. The writer has been told that the latter work devotes as many as sixteen cantos to the description of Chitrakoot and its principal places. Entire Indian literature relating to Ram gives it a unique pride of place. The Rev. Father Kamil Bulke even mentions a 'Chitrakoot—Mahatmya'; found among the collections of Mackenzie. Various Sanskrit and Hindi poets also have paid similar tributes to Chitrakoot. Mahakavi Kalidas has described this place beautifully in his epic 'Raghuvansha';. He was so much impressed with its charms that he made Chitrakoot (which he calls Ramgiri because of its time-honoured associations with lord Ram) the place of exile of his yaksha in Meghdoot. Tulsidas, the saint-poet of Hindi has spoken very reverently of this place in all his major works-Ramcharit Manas, Kavitawali, Dohawali and Vinay Patrika. The last-mentioned work contains many verses which show a deep personal bond between Tulsidas and Chitrakoot. He spent quite some part of his life here worshipping Ram and craving his darshan. It was here that he had what he must have considered the crowning moment of his achievements—ie. the darshan of his beloved deity Lord Ram at the intercession of Hanumanji. His eminent friend, the noted Hindi poet Rahim (i.e. Abdur Rahim Khankhana, the soldier- statesmen-saint-scholar-poet who was among the Nav-Ratnas of Akbar) also spent some time here, when he had fallen from favour with Akbar's son Emperor Jahangir. According to the Beetak literature of the Pranami sect, the saint- poet Mahamati Prannath wrote two of his books-Chhota Kayamatnama and Bara Kayamatnama here. The exact place where Prannath lived and composed these works interpreting the Quran and showing its similarities with Shrimad Bhagwat Mahapurana, could not be traced.

**2. Modern History-** A newly district was created on 6th May 1997 in U.P. named Chhatrapati Shahuji Maharaj- Nager, which comprises of Karwi & Mau Tehsils and has been carved out from the Banda district. After some time, the district name was converted in Chitrakoot on 4 th Sept. 1998. It falls in the northern Vindhya range of mountains spread over the states of Uttar Pradesh and Madhya Pradesh. The larger part is included in the District Chitrakoot of U.P. and the District Satna of Madhya Pradesh. The word “Chitrakoot” has been used here to refer to this larger area and symbolizes the rich and varied cultural, religious, historical and archaeological heritage of the various places and sites of this area. Lacs of people gather here at these

sites on each Amavasya. Somwati Amavasyas, Deepawali, Sharad-Poornima, Makar Sankranti and Ram Nawami are special occasions for such gatherings and celebrations.

**3. Location and Geographical-** According to the 2011 census Chitrakoot district has a population of 991,657, roughly equal to the nation of Fiji or the US state of Montana. This gives it a ranking of 448th in India (out of a total of 640). The district has a population density of 315 inhabitants per square kilometre (820/sq mi) . Its population growth rate over the decade 2001-2011 was 29.29%. Chitrakoot has a sex ratio of 879 females for every 1000 males, and a literacy rate of 66.52%.

- District Chitrakoot lies between Lat. 24° 48' to 25° 12' N and Lang. 80° 58' to 81° 34' E
- Distance Covered by district from East to West is 62 Km. & North to South is 57.5 Km.
- District is bounded in the North by Kaushambi, in the South by Satna(M.P.) Rewa (M.P.) , in the East by Allahabad (PrayagRaj), in the West by Banda.
- District is Linked with Roadways to all adjoining districts of Banda, Allahabad, Satna, Rewa & Kaushambi.

#### **4. Distance From Famous Cities-**

#### **5. Rivers-**

Name of Cities	Distance (In Km.)
Allahabad(Prayag Raj)	125 Km.
Khajuraho	200 Km.
Varanasi	280 Km.
Delhi	670 Km.
Lucknow	285 Km.
Kanpur	205 Km.

The Important Rivers of District Chitrakoot Are :

- Yamuna River
- Mandakini(Paishwani) River
- Gunta River
- Bagein River
- Ohan/Balmiki River
- Bardaha River

**6. Physical Conditions-** There are many mountains of Vindhyaachal Parvat Mala, Main Mountains are as follows :

- **Madfa Pahar-** This mountain is situated in Karvi Tehsil
- **Chitrakoot Parvat Mala-** KamadGiri, Hanumaan Dhara, Janki Kund, Lakshman pahari, and Devangana are famous Religious

mountains.

- **Balmiki Pahar-** This mountain is situated at Allahabad & Banda National Highway Marg in Karwi Tehsil

#### 7. Climate Conditions-

- **Winter-** This season starts from 15th Sept. and is a very healthy season, but in January season is very cold and Temp. is down from 5°C to 0°C.
- **Summer-** After 15th March, Temperature is increased upto 49°C. in May.
- **Rain-** In mid of June, Average Rain is 100 mm (approx).

**8. Soil Types-** There are mainly five types Soil in the Chitrakoot Region which are following as :

- Kankirili Soil
- Kabar Soil
- Balui Soil
- Rakad Soil
- Padua Soil

**9. Farming-** Mostly people are depends on farming, there are three types of crops, which are as follows :

- **Khariff-** In this period, Main production of Agriculture goods like Dhan, Urd, Macca, Jawar, Bajra, Til, Mung, Reunha, Sanva, Kakun etc.
- **Rabi-** In this period, Main production of Agriculture goods like Wheat, Channa, Jau, Pease, Mustard etc.
- **Zaid-** In this period, Main production of Agriculture goods like Water Melon, Kakri, Musk Melon, Mango, Jamun, Lemon etc.

Farming is the main Business of District, other Businesses are as follows-

- Stone Crasher
- Foot Wear Udyog
- Bidi Udyog
- Wooden Toys Udyog
- Murti Udyog

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## ***Child Trafficking as a problem of illiteracy and Unemployment Delhi as a trafficking hub***

• Anas Maqbool Khan

•• Deepshikha

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**Abstract-** *This article reviews majorly all the laws and prevention schemes for the need and care of protection of children. This article includes the prevention strategies and implementation practices through various stakeholders to address the issue of child and female trafficking. The author defines the victims of trafficking belongs to the rural and unemployed section of the country as well as illiterate also. It includes the purpose of trafficking and the demand supply process of children internationally which is growing more than any other illegal trade. This article concludes the failure of laws and other prevention schemes to stop trafficking and globally this reason needs to have a major attention and awareness.*

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**Keywords-** *Child and Female Illegal trading, Sexual exploitation, Violation of Human Rights, Awareness, Punishment*

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**Introduction-** Family is the primary source for a child to learn in each society. Mother is the first teacher of any child after that the other secondary sources like schools, society, locality, and peer group etc. plays a major role in building or constructing any child's nature. Children are the or always been the main point of concern because they are the future of society. Children always get influenced by the society and learn or imitate with the family and peer group members. They always come back to their family if they have done any mistake if they are in problem, if they are happy, they are sad and mainly if they are scared of anyone they feel safe with their family. It is the primary feeling that a child gets from their family i.e. security, protection, care etc. But what happen if family itself be the reason of fear. It is very general in present society or in Delhi itself where street children can be seen everywhere. These children mainly belong to the families whose occupation is begging or rag picking. But one part of this population (Street children) also belongs to run away children, lost children, and children without families.

These are the children who ran away from their homes but they did not find any place and when they felt hungry or they need money they start begging, these are the children who were not satisfied with their parents or beaten by step mother or father so they ran from their home, some of them got adventurous and influenced by peer group and come from home just for

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fun and lost their way and several other reasons. But they exactly don't know that how much vulnerable they are. Some of the cases comes in the light that they got in contact with some persons who made promises to give them job and assured them to pay very good money so that they come to city from their home, some people itself brings the children from villages and importantly their family themselves send their children of 10-12 years of age to work because they don't know that there is a business which is spreading its roots which are called Human Trafficking and Child Trafficking.

Human Trafficking is a growing problem in the society in present time. Especially women and children are the major victims of trafficking globally. Trading of children majorly girls from rural areas to the metropolitan cities or urban areas becomes a common business. Trafficking of children or trading of boys and girls (minors) in the name of employment, jobs or promise of work becomes an organized and major earning crime for the people who have contacts everywhere in the system. They do the transport of children at a very big level every day.

Trafficking is against child rights as it pushes the children into dangers, including violence and sexual abuse. It also violates a child's right to grow up in a family environment. A trafficker forcibly involves the children into illegal activities and in the case of refusing they kidnapped them and sell to somewhere, where they are forced to do something against their will and they don't have any other option. Sexual offenses against children are not adequately addressed by the existing laws. A large number of such offenses are neither specifically provided for nor are they adequately penalized. Such offenses against children need to be defined explicitly and countered through adequate penalties as an effective deterrence. For protection of children from offenses of sexual assault, sexual harassment and pornography with due regard for safeguarding the interest and well-being of children. Govt. of India is making various acts and laws.

**What is Trafficking?** The Oxford English Dictionary defines, traffic as 'Trade especially illegal (as in drugs); It has also been described as 'the transportation of goods, the coming and going of people or goods by road, sail, air, sea etc. The word trafficking or trafficking is described as 'dealing with something, especially illegally (as in the case of trafficking narcotics); The most comprehensive definition of trafficking is adopted by the UN office of Drugs and crime in 2000, known as the "UN protocol to prevent, suppress and punish Trafficking in persons, especially women and children". 2000 under the UN convention against Transnational Organized Crime (UNTOC). This convention has been signed by the government of India.

### **Article 3 of UNTOC**

- a) Trafficking in persons shall mean the Recruitment, Transportation, Transfer, Harboring or receipt of persons, by means of the threat or use of force or other forms of coercion of abduction, of fraud of deception, of the abuse of power or of a position of vulnerability or of the giving or of a person having control over another persons, for

the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor services, slavery or practices similar to slavery, servitude or the removal of organs.

- b) The recruitment, transformation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered 'trafficking in persons' even if this does not involve any of the means set forth in subparagraph (a) of the article;

In India, child trafficking is emerging as common trade and it is happening at very large extent. In the year 2006 child trafficking or kidnapping or children 3549 cases were registered and there were probably lots of cases which were not registered, not heard or neglected.

**Article 23 of the Indian Constitution-** Guarantees right against exploitation; Prohibits traffic in human beings and forced labor and makes their practice punishable under law.

**Article 24 of the Indian Constitution-** Prohibit employment of children below 14 years of age in factories, mines or other hazardous employment.

**Indian penal code, 1860-** There are 25 provisions relevant to trafficking; significant among them are:

- Section 366- Procurement of a minor girl (below 18 years of age) from one part of the country to another is punishable.
- Section 366B- the importance of a girl below 21 years of age is punishable.
- Section 374- Provides punishment for compelling any person to labor against his will.

**Traffic in women and Girls Act, 1956**

- Procuring, including or taking persons for prostitution.
- Detaining a person in premises where prostitution is carried on;
- Prostitution is or visibility of public places;
- Seducing or soliciting for prostitution;
- Living on the earning of Prostitution;
- Seduction of s person in custody
- Keeping a brothel or allowing premises to be used as a brothel.

**Child labor (Prohibition and Regulation) Act, 1986**

Prohibits employment of children in certain specified occupations and also lays down condition of work of children.

**Juvenile Justice (care and Protection of children) Act, 2000**

- Enacted in consonance with the convention on the rights of the child (CRC).
- Consolidates and amends the law relating to juveniles in conflict with the law and to children in need of care and protection.
- The law is especially relevant to children who are vulnerable and are therefore likely to be inducted into trafficking.

**The protection of children from sexual offenses Acts, 2012-** An Act to protect children from offenses of sexual assault, sexual harassment, and pornography and provide for the establishment of special courts for trial of such offenses and for matters connected therewith or incidental thereto.

The data collected by the national Crime Records Bureau shows that has been an increase in cases of sexual offenses against children. This is corroborated by the study on child abuse: India 2007<sup>1</sup> conducted by Ministry of Women and Child development. Moreover, sexual offenses against children are not adequately addressed by the existing laws. A large number of such offenses are neither specifically provided for nor they adequately penalized.

There are 20 to 30 people are being trafficked daily and taken to different areas from New Delhi Railway Station from which most of them are minors. Stakeholders help the NGOs working at different railway stations. Viz. Bachpan Bachao Andolan, Salam Balak Trust, Saathi, Shaktivahini, and Prayas are actively working in the field of protection and care of children at New Delhi Railway Station, Old Delhi Station, and Anand Vihar station while Don Bosco is taking care of children at Hazrat Nizamuddin station. All the outreach worker and NGOs persons spread their network talking with RPF, stakeholders, Auto and taxi drivers, T.T of different trains etc. So they inform the concerned person if they see any case of trafficking in trains or at the railway station.

It is expanding as a high-level crime after smuggling and arms trade it becomes a good way of profit making trade. There is an increase in reported crimes where children are feeding into the global market or are being increasingly pushed into the labor market, even as their families are getting pushed into the margins where their very existence is under threat.

There are two major sections which are very prone to trafficking. Children and women face a lot of human rights violation globally. While talking about India children, majorly girls trafficked to different states for labor, domestic work and sexual exploitation whereas boys mainly for forced labor which is very small in numbers to the west Asian countries. In spite of these professions they are forced into begging, drug peddling, pornography and into exploitative sports like camel racing. Illiteracy, unemployment, Extreme poverty, migration because of disasters, and several other reasons forced the parents to send their children into this cruel world which is full of selfishness and money making thinking whether it will be at any cost. And the irony of Indian legal system is that the Police do not work for child trafficking on the priority basis. Even the street children also complained several times in front of CWC that police handled them very brutally. In these situations, the victims of child trafficking scared to come in front and complaint about whatever happened with them because they know that the system, who is made to protect them, will not work for them. There are many cases of rescued child who were forced into prostitution, have to go back in the same racket because only sending the children back to their parents is not the only solution due to their inability to take care of them. As the Supreme

Court directed Central Government to make a "National Plan to Combat Trafficking and Commercial Sexual Exploitation of Women and Children" in 1997, the plan was set up in 1998. With collective efforts of several organizations like United Nations Office on Drugs and Crime (UNODC), South Asia, and the Gender Training Institute (GTI) of the Centre for Social Research (CSR) in collaboration with the union home ministry, a training manual were prepared for police officers who deals with the cases of human trafficking. The major agenda of these training and workshops were not only to deal with the cases of trafficking but majorly to sensitize the police personals about the victims of the crime.

Sex trafficking of a female can be seen as the darker side of globalization. Although globalization has created new opportunities for women and provided them mobility without limitation of borders for the search of employment, but it has also created an advantage for mafia to use the social and economic need of many women to force them into an increasingly profitable sex industry. The need of trafficking of females to supply the sex industry occurs globally. Where the trading of girls mostly happens at cross-border basis because it is easy to underground a victim in a different country. The victims, who trafficked illegally to some other country, face dual problems as they are undocumented as well as don't even have legal rights to access. It has been estimated from different surveys that each year more than half a million people trafficked to the international borders. From which 50 percent are children and 70 percent are females and nearly 90 percent trafficked for the sex trade.

This web of trafficking involves almost every country in the world for the fulfillment of commercial sex need. Another point which is almost negligible in everyone's mind that why all these people get trafficked and who are accessing the victims. In Marxian point when there is demand than obviously, the supply must be there whether it is legally or illegally. There are several trades which are running illegally in every part of the world because there are people who are taking benefit from the trades. Likewise, trafficking is also spreading its roots because the demand is increasing day by day. The trafficking of people or we can say the supply of people happens from poor countries to the rich or wealthy countries as the poor people wants to fulfill their basic needs and in search of those needs they become vulnerable and forced into the commercial sex industry. The largest numbers are trafficked from SE Asia; Japan is considered the largest market. Within this region, victims are believed to come mainly from the Philippines and Thailand; in addition to Japan, they are trafficked to Hong Kong, Malaysia, Taiwan, and Thailand. Cross-border trafficking is also prevalent in the Mekong region, among the contiguous countries of Burma, Cambodia, Laos, Thailand, Vietnam, and China (Southern Yunan province). South Asia is the second most common source of victims, and India and Pakistan are both key destination countries for females trafficked from Nepal and Bangladesh; they are also transit countries as well as sources for countries of the Asia Pacific and the Middle East. Australia is a major source of sex tourists, who travel to Asian countries on organized sex tours. It is also a prime destination for sex-

trafficking victims from Asia (Congressional Research Services 2004).

Another legally illegal way of trafficking which is practicing in many countries is Inter-Country adoptions. There is a very fine line between inter-country adoptions and child trafficking. No one surely knows about that the child is getting adopted for the purpose of feeding a child as a parent or she/he is only getting adopts for the purpose of trafficking. In poorer countries like African countries and in Asian countries also the unmarried women or young girls who became pregnant and faces isolation and negligence from the society finds the best option to give their child to some agency which provides shelter for the children and offer pre-natal and delivery services. They also helped the mothers to give their child to some adoption agency which will find a suitable family for her/him. And in return of that, she will get a good amount. As we have discussed earlier no one knows the purpose of adoption and majorly the inter-country adoption doesn't also have any follow-up procedure so that the consumer of the child will come under any legal issue in future also. The number of inter-country adoptions increased due to Hollywood celebrities, who are adopting ethnic babies. The questions arise about the legal procedure or implications of inter-country adoptions. The agencies that are providing mother support and services for inter-country adoptions, how much financial gains they are getting while providing free access to information on the internet. The agencies also counsel unmarried mothers to sell their child.

There are many cases found in Africa which conflict the children's rights. In South African Children's Act, trafficking of a child means;

*'The recruitment, sale, supply, transportation, transfer, harbouring or receipt of children within or across the borders of the Republic - i) by any means, including the use of threat, force or other forms of coercion, abduction, fraud, deception, abuse of power or the giving or receiving of payments or benefits to achieve the consent of a person having control of a child; or ii) due to a position of vulnerability, for the purposes of exploitation; and includes the adoption of a child, facilitated or secured through illegal means.'*

On 1<sup>st</sup> December 2003, the government of South Africa has accepted to The Hague Convention on Inter-Country Adoptions, but there is no enabling legislation in place to facilitate these as yet. The president has signed Chapter 16 of the Children's Act, but is not yet in effect, which establish a Central Authority for Inter-country adoptions and will recognize The Hague Convention legally, which defines that the children's court will deal all Inter-country adoption cases directly and works under the parameters of South African Child Care act of 1983 which does not provide any guidelines for Inter-country adoptions. Even after having different laws many social workers in the country argued before the court that the agencies bypassed the children's courts and in the conflict of child care act. By doing this the South African children remove from the country without following the formal procedure and it is wrong in itself to keep a child in a vulnerable position as the state lose their control or guardianship to save the rights of

that child in a different country. Court gives judgment several times to stop Inter-country adoptions as it is considered illegal and will be treated as a crime like trafficking or trading the children. The court also states that the purpose of adoption is to find a suitable family for the child not a suitable child for a wealthy family.

India continues to have the highest child labor in the world. The existing laws on child labor that allows children to work in occupations that are not part of the schedule of occupations, that it considers harmful to children. The draft will merely state, "Provided that notwithstanding anything contained in the child labor (prohibition and regulation) Act, 1986 (no.61 of 1986) no person shall employ or otherwise engage a child in a manner that renders her a working child.

Instead of having several laws and acts buying of children for cheap labor is continued. In every factory either it is hazardous work or non-hazardous, the children below 16 years of age can be easily seen in Delhi. On the name of better employment, better earning and better living style, the people from lower strata or mostly the families from BIMARU states send their children to metropolitan cities through the persons who are working on the name of placement agencies. It becomes very common that in every village there are one or two persons goes in every week and contact different families, they give foolish ideas, make false promises and bring the children or women by train and if he will catch by someone he goes to jail and within two days he gets bail and again he starts the same thing. The major reasons for trafficking of children mainly for labor (Domestic, construction, industries, factories etc) viz. Begging, Drugs peddling, Smuggling, Girls for prostitution, Pornography, child abuse, circus, dance troupes, beer bars etc. for marriage in the areas where girls sex ratio is low, camel jockeys in international trafficking and several other reasons also.

India has the dubious distinction of having the world's largest no. of sexually abused children with a child below 16 years raped every 155<sup>th</sup> min. A child below 10 years of age at every 13<sup>th</sup> hour and one in every 10 children sexually abused at any point in time. An estimated 6 to 7 lakhs child are sexually abused in India. While there is a fall in the reported cases of rapes, there is an increase in child rape and also in incest rapes. Clearly, home and family are not always the heaven they are regarded to be. Govt. of India, in its report to the UN committee on the rights of the child, presented in January 2003, identified child sexual abuse as a priority issue and one that required urgent attention. Child marriage, trafficking, and corporal punishment continue. Indeed, while child marriage earlier was merely a social will, today children are trafficked for marriage.

**Briefing of the problem-** The biggest challenge to any intervention on child trafficking remains the lack of a holistic understanding and awareness of the problem; Because of this lack of understanding, there is no proper legal framework. In fact, there is no definition of the term "trafficking in the Indian law. The last national level field-based research providing trafficking-related data was by the Central Social Welfare Board in 1991, and it was confined to trafficking for prostitution. The major study undertaken by

NHRC, based on both field research and literature review, which talks about trafficking for several other reasons also including prostitution.

According to ILO estimates, 15% of the countries estimated 2.3 Million prostitutes are children. A survey undertaken by Bhumika Vihar, an NGO based in Kishanganj, Bihar estimates that more than 25000 girls have been trafficked in the Kosi, Mahananda region for marriage. As per the 2014 Trafficking in Persons Report (TIP) 'over 20 million persons trafficked for various forms of exploitation worldwide'. Human trafficking is widespread as a global business of estimated \$15.5 billion. There are several procedures in TIP states several countries which are poor in prosecution, protection and prevention which places them as the failed states and poorly dysfunctional and hardly care for the international law like Thailand, Malaysia, Venezuela, Gambia, Syria, Central African Republic, North Korea Yemen, Mauritania, and Zimbabwe amongst others. There are several countries which have not signed with the protocol which is special to prevent trafficking in persons (women and children) listed Bhutan, Sri Lanka, Bangladesh, Pakistan, Nepal, and Maldives besides developed countries like, Singapore, Japan, and South Korea.

According to a report of WHO 150 million girls and 73 million girls have been faced a different type of sexual exploitation. These are the figures which are collected from the reports filed by the families, the exact figures are much more than expectation who do not report due to social stigma and fear of social isolation. As per the report of UNICEF 2011 based on a survey between the years 2000-2009 that 12% children of South-Asia between the ages of 5-14 years are engaged in child labor.

India is considered as the major sourcing destination for human trafficking as per the TIP 2014. Over 90% is done within the borders and 10% is from overseas. Trafficking of girls from neighboring borders like Nepal and Bangladesh for sexual exploitation is very common. Girls between the age of 9-14 years being brought to India and sold to brothels in Kolkata Delhi and Mumbai mainly for commercial sex work. The irony is they are not only forced or kidnapped victims most of them are sold by their parents or relatives as a reason of their poverty. Young girls being bought and sold for marriage is not a new phenomenon. Reports of girls being bought by Arab Sheikhs, or poor girls being sold in the name of marriage, or saving dowry etc. It is quite well-known that not all trafficking that happens in the name of marriage is for the purpose of marriage. Marriage may also be a means to get young girls into prostitution or for labor. Organizations working in the Balasore, district of Orissa have reported that increasing trend of girls belonging to poor families being lured by a middleman to eastern UP, with promises of good dowry: less marriage. Inevitably, the aspiring grooms are already married or old. These girls are forced to worked as agricultural laborers during the day and cater sexually not only to their husbands but to others too at night.

The problem of trafficking is not only to send children outside India but it is also bringing or trafficking the children inside India for the purpose

of bonded labor in industries like mining, bidi making, rice and wheat mills, agriculture or tea garden farming, brick making, embroidery etc. they are forced to work for 16-18 hours a day and in return they only got food or some amount. They are often beaten up by owners and many times sexually exploited also. The transit point for trafficking from Nepal is mainly Gorakhpur and from Bangladesh is Kolkata. The network of trafficking has very strong and well-established network with the deep involvement of government officials which includes border police, police within the states, and some of the politicians who gets the benefit of every activity and profit which takes the shape of a big industry.

Another transit area of child trafficking is Dubai and Saudi-Arabia where children being used for camel racing and begging respectively. Both are the billion-dollar industry where, in Dubai children tied on the back of a camel while racing and in Saudi-Arabia children puts on streets at the time of Haj majorly to get more and more benefit from begging. Children used for money collection like a syndicate is going in India also.

According to a report published in Hindustan times on 18<sup>th</sup> may 2016, more than 22 thousand children went missing from Delhi in last three years from which 9000 is still untraced. The people from different states come to Delhi in search of occupation with the hope of living a decent life, struggling daily for their survival through odd jobs. The problem of missing children in Delhi is at higher in numbers that every year more than 7000 children go missing whether they are abducted, kidnapped, trafficked to some other state or some other country from which 1500 remain untraced as per listed in government records. And their parents left their jobs, work in search of their children and hope daily that one day they will get their child. The problem of trafficking of children in Delhi is getting very common and becomes the trafficking hub after Maharashtra. The problem with the parents is that they cannot even forget her/his child and get back to work also, which creates unemployment, poverty and other problems like beggary in the capital. Children got kidnapped and trafficked to some other state or some other country for bonded labor and girls mainly forced into prostitution or sent to some village of poor sex ratio where she got married to the man twice of her age. As per the different NGOs working in the field of care and protection of children reveals that the traffickers target mainly children from lower income group because both of the parents are working left their children alone and vulnerable behind. The cases of trafficking majorly happen near the border areas of the capital from where it is easy to bring the child somewhere else. The families not only facing this problem in Delhi but also in the nearby cities like Gurgaon where 3700 children remain untraced in last three years. Besides trafficking, the crime rates against children also the highest in the capital.

As per the report of CRY Ngo, 22 children went missing every day in Delhi in 2015, which was 18 in 2014. As per the report, 7928 children missing in 2015 which is the increase of 1500 in figures from 2014. The children got smuggled from outer areas of Delhi to the neighboring states of

which 50% remain untraced. Social activist claims that the government machinery is not active like they consume more and more time after complaint also, they have an ineffective tracking system, improper information database which increases the chances of not bringing back the child. The boys between 0-12 years' age higher in number where girls between 12-18 years' age are dominating.

**1. National Crime Record Bureau-2007**

In the year 2006 child trafficking or kidnapping of children 3549 cases were registered. It is also stated that there has been an increase in cases of sexual offenses against children. This is corroborated by the study on child abuse; India 2007' conducted by Ministry of women and child development.

**2. Campaign against Child Trafficking-2007. National Secretariat.**

- i. In India, there are between 12.6 crores (govt. data) to 10 crores (Non-govt. sources) child laborers.
- ii. Every year near about 44,000 cases registered of missing children from which only 11,000 rescued.
- iii. From a lump-sum assumption, there are 200 girls and women entered into prostitution daily. From which 20% are below 15 years of age.

**3. The United Nations Convention on the Rights of Children,** ratified by India on 11<sup>th</sup> December 1992, requires the state parties to undertake all appropriate national, bilateral and multilateral measures to prevent

- a) The inducement or coercion of a child to engage in any unlawful sexual activity.
- b) The exploitative use of children in prostitution or other unlawful sexual practices.
- c) The exploitative use of children in pornographic performances and materials.

**4. Government of India reported to reported to UN committee in January 2003 on the Rights of the child-**

Child sexual abuse as a priority issue and that required urgent attention. Child marriage, trafficking, and corporal punishment continue. Indeed, while child marriage earlier was merely a social evil, today children are trafficked for marriage, especially into states that have either not allowed their girl children to be born or prevented there from surviving.

**5. The National Crime Records Bureau** records 171 cases reported on procurement of Minor girls, 24 on buying of girls for prostitution, 36 on selling of girls for prostitution, 46 for the importation of girls and 722 on exposure and abandonment. There were 2571 cases of kidnapping and abduction in 2003 which actually the cases of child trafficking of these 1369 were for kidnapping and abduction for the

purpose of marriage, 383 for illicit intercourse, 58 for prostitution, 109 for unlawful activity, 21 for adoption, 13 for sale, 6 for begging and 6 for slavery. While 48 cases involving juveniles were reported under the ITPA, cases of juvenile delinquency under the Narcotic Drugs and Psychotropic Substance Abuse Act were 62.

The Indian circus industry today exhibits a higher child-adult ratio amongst its workers than in most other industries, with children often outnumbering adults. The circus management is eager to “contract” young children, as it is easy to train them given their greater physical flexibility (for gymnastic) and they are less likely to rebel against management decisions. There are forty-four million destitute children in India and 12.44 million orphans. The official number of adoption (in country and inter-country) is only around 5000 a year, of which about 20% were inter-country adoptions in the year 2004 (1021 children placed in inter-country adoptions in 2004)

The objective of the integrated child development services (ICDS) scheme is the holistic development of children below 6 years of age and proper nutrition and health education of pregnant and lactating mothers starting with 33 projects and 4891 Anganwadi centers (AWC's) in 1975. At present 7025 ICDS projects and 13.31 lakhs AWCs are operational. They are currently providing services to 928 lakh beneficiaries. Greater emphasis is being laid on awareness generation, convergence with the MGNREGA and MIS-based monitoring.

In the country like India, it is not easy to deal with the problem where several other problems lead to the problem of trafficking like illiteracy, unemployment, poverty, migration, child labor etc. are to a very major extent. From all these past initiatives and current situations overview this clearly understood that the problem of child trafficking is connected to each and every part of the society. It is increasing day by day and affecting the societal conditions in a bad manner. The past initiatives and current working machinery are unable to control the problem and the government is also not working to control the causes and effects. The laws which deal with the exploitation of children is somewhere sufficient but the major concern area is to tackle the root causes and its unwanted consequences are absent. Fulfillment of basic needs of women and children viz education, self-sustainability, empowerment, employment and most importantly their resettlement and reintegration of victims can solve this problem to some extent. At present there is the need for the agencies which can provide immediate action in coordination with the sensitive police system (especially trained for the victims of trafficking), to provide them security, shelters, proper medical facilities, professional social workers and trained counselors etc. which can only be successful with the coordination between states machinery and agencies.

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## ***Economics of Organized Crime***

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•• Ayushi Gurnani

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**Abstract-** *The core function of organized crime is the selling of protection. Protection can be real, against third-party crime, or manufactured by the organized crime groups themselves. Mafias and gangs emerge in areas of weak state control, because of prohibition and geographic, ethnic, or social isolation. Although competition is considered good in economics, in the case of organized crime the predatory competition that is more likely to take place is harmful. The costs of organized crime include the resources expended on the activity, more ordinary productive and investment distortions, as well as other dynamic effects on occupational choice. Drug trafficking is one of the most serious problems for most countries all over the world. Unfortunately, this type of business is rather profitable, if not to consider that it is constantly related to murders, kidnapping, prostitution and other crimes.*

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**Keywords-** *Law and economics, property rights, governance*

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**Introduction-** Organized crime exists in practically every country on the planet, from sophisticated mafias to young street gangs. The Yakuza in Japan, the Triads in Hong Kong, Shanghai's Green Gang, Colombian and Mexican drug cartels, numerous groupings in post-Soviet states, youth gangs in Los Angeles, New York, Soweto, or Sao Paulo, as well as many other less well-known – and some unknowable, given the nature of the business – groups are just a few examples.

Organized crime is involved in a lot of regular economic activities, such as the manufacture and distribution of a wide range of legal and illegal goods and services, such as construction and restaurant services, as well as drugs, gambling, and prostitution. As a result, we might be inclined to believe that mafias and gangs are just like any other business enterprise, susceptible to the same economic analyses as other businesses. The provision of protection, on the other hand, is the defining activity of an organized crime group, without which its other activities would either cease to exist or significantly change in character. Protection isn't a typical business activity.

Its purpose is to protect the ownership of other things and services and to make the contractual exchange of those goods and services enforceable. And that enforceability comes from the barrel of a mafioso's

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gun, not from laws and courts, which an average security firm and its clients have access to. Of course, the difficulty is that that gun can be used not only against potential criminals, but also against people who are supposed to be protected. This is a characteristic of protection, and it distinguishes organized criminal groups from ordinary businesses, making them more equivalent to the traditional source of protection and security, the government. The early, proprietary, tribute-extorting, autocratic chiefdoms and states that are far removed from today's modern states are the kind of states with which organized crime groups have similarities. That is, rather than thinking of Mafiosi as bureaucrats, it is preferable to consider of them as feudal lords.

In many ways, organized crime originates in situations that are diametrically opposed to a central premise of much economic modelling: perfect and costless enforcement of property rights. If that premise were to be properly followed, a mafioso would have no need to ask for protection money, because the potential victim could take the extortionist to court and win for less money.

Only when property rights are difficult to enforce or imperfect can the mafia thrive. The lower the efficacy of the State as evidenced in its laws, courts, police, and other government agencies, the more costly and imperfect property rights enforcement is. When the state is weak or when the state effectively cedes authority by, for example, outlawing specific activities that are subsequently picked up by organized crime, organized crime is more likely to form.

That is, when there is a power vacuum and conditions are near to anarchy (lack of rule), organized crime is more prone to arise.

A major element that undermines governmental authority is geographic distance and inaccessibility from the centers of power. No state currently has, or has ever had, an absolute monopoly on the use of force within its borders. Aside from conventional crime, there are and have been places where the state cannot afford to exert direct control. As a result, brigandage and revolt have thrived in jungles, mountains, and deserts. As a result, geography can play a role in generating a power vacuum that can be filled by quasi-state groups.

Brazil, Peru, Ecuador, and Colombia, for example, have had trouble extending their state sovereignty over their various areas in the Amazon jungle. Private armies, guerillas, and paramilitaries, backed by landlords or drug traffickers, have been battling among themselves and, in some cases, against governments, for control of areas.

Ethnic and social distance from the center of power are two more types of distance that matter. Youth gangs in the United States have historically thrived in low-income regions dominated by a single ethnic group — Irish, African-American, or Hispanic. Many residents of such communities have always perceived themselves as being marginalized and discriminated against by society. Revolutions, wars, and major political shifts can all result in a power vacuum.

With the prior political authority and institutions gone, and new effective ones needing time to develop, people can endure basic physical insecurity as well as more complicated concerns of uncertainty and contract enforcement insecurity over long periods of time. It is perhaps no coincidence, then, that the Sicilian Mafia flourished greatly in the years following Italy's unification, in an area that had previously been under authoritarian rule for many centuries and in which republican institutions were foreign in comparison to the rest of the country. It has been contended (Solnick, 1998) that the power vacuum in the former Soviet Union preceded and was the triggering cause of the break-up itself. Over time, bureaucratic control weakened significantly, with individual bureaucrats or groups of bureaucrats acquiring control of the organizational assets they were supposed to manage. Actually, the term 'mafias' was used to characterize the corruption networks that existed throughout regional and central ministries (Handelman, 1994). In these past ages, when republican institutions were foreign in comparison to the rest of the country, there appears to be some continuity in membership. Mafias from the Soviet era and post-Soviet mafias and gangs.

#### **Characteristic of organized crime –**

1. Organized crime refers to a large group of people who commit repeated crimes over an extended period of time, frequently indefinitely.
2. It has a tendency to control law enforcement institutions through political clout or corruption.
3. The organization is typically extremely centralized, with authority concentrated in one or a few individuals.
4. The mafia's operation in the United States has been related to the operations of corporations and large business houses. There is a division of labour, as well as a delegation of duties and responsibilities and functional specialization. Organized crime, like any contemporary business, requires meticulous planning, risk insurance, and monopolistic inclinations.
5. Criminal groups take steps to protect themselves and prevent their activities from being stopped. Arrangements are made with doctors, lawyers, cops, judges, politicians, and government officials to achieve this goal.

**Types of crime-** Organized crimes are generally classified into following four major types:

#### **1. Organized gang criminality-**

- Common instances are bank robbery, hijacking, murder, kidnapping, automotive theft, and gem theft.
- Over the last few years, India has also witnessed organized gang activity, particularly killings and kidnappings for ransom.
- The two states that stand out in this regard are Uttar Pradesh and Bihar, particularly the latter. In Bihar, the major coal-

mining area of Dhanbad and west Champaran are the two most important places where the mafia operates.

- The Uttar Pradesh government passed the Gangsters Act in 1986 in response to the mafia's threat in the state.
- According to a study of its (Gangsters Act) implementation in 15 districts, not a single person has been convicted so far, despite the fact that 1,000 people have been arrested under the Act. Even a charge could not be framed before the court in 80% of the cases. The acquittal rate has been 100 percent in cases where the accusations were contrived.

## **2. Racketeering-**

- Racketeering is the act of extorting money from a lawful or illicit enterprise.
- Illegal businesses such as prostitution, gambling, and drug trafficking are particularly vulnerable to racketeering because they are unable to seek protection from the police or other authorities.
- In actuality, money is required and paid in exchange for a criminal group's protection of the unlawful business's functioning.
- Labor and trade unions provide the racketeers with particularly useful means for achieving their goals. Organized criminals can exploit both employers and employees in business and industry by seizing unions; unions provide criminal leverage and fade to mafia leaders.
- Contract work is another area where organized criminals have gotten a piece of the pie by using political pressure and muscular force.

## **3. Syndicate Crime-**

- Smuggling, bootlegging, gambling, prostitution, and currency exchange breaches are examples of this type of organized crime.
- There are front men at various levels who carry out the tasks that have been given to them.
- Because the Bosses operate behind the scenes from their well-appointed headquarters, they are somewhat immune to law enforcement.
- The most serious component of the situation is that the proceeds from criminal activities are invested in legitimate businesses.

## **4. Smuggling-**

- It is a common form of criminal behavior in developing nations such as India, where the government policy is to promote indigenous products and businesses while conserving as much foreign cash as possible.
- Smuggling is a direct effect of a country's government's

import and export policies.

- India has a long coastline and a wide border area with adjacent nations, with Gujarat, Maharashtra, Uttar Pradesh's terai region, Punjab, and the Eastern region being the most vulnerable. Synthetic fabrics, watches, electronic goods, gold, and narcotic substances are the most common things trafficked into the country. Foreign and Indian cash, as well as snake skins, are smuggled out of the country.
- In terms of supply and demand, gold is the most trafficked item into the country.
- Drug trafficking is undoubtedly the most heinous of all smuggling acts.
- Inter-gang rivalry, of which Mumbai is a prime example, results in high-intensity violence, including assassinations and counter-assassinations.
- The problems of drug traffic to and from India reached alarming dimensions during 1975 to 1985 and afterwards.

**Impact-** Organized crime is no longer regarded as a sensitive problem of criminality that has extended and structured into a massive economic entrepreneurship; a phenomenon affecting the operation of society and politics on a global scale, albeit its consequences vary depending on certain circumstances. It has become into a huge danger to global security and democratic governance. It is well acknowledged that OC operates as a stimulant for a variety of other forms of violence and criminality, affecting all sectors of society directly or indirectly and undermining government-citizen relationships.<sup>1</sup>

If left uncontrolled, OC breaks down social cohesion, divides families and people, corrupts institutions, and destabilizes the social and economic foundation of our societies, as well as jeopardizing democratic functioning and constitutional structures. Organized crime has evolved from an issue isolated to specific countries or regions to one of the most important variables in defining risks to national security in general and democratic government in particular.

OC has evolved into a more mobile, powerful, and all-encompassing menace. The degree of violence used in their execution, the financial losses incurred, or other factors that elicit fear or outrage among the broader public. However, before OC can be considered to exist, it must be able to defend itself against the state and other external agents that may pose a threat to its continued existence and expansion. On the one hand, intimidation through the use of violence or the threat of violence; on the other side, corruption, which prevents state institutions or civil society organizations from acting. Organized criminals can engage in a wide range of activities, which vary depending on the internal and external elements that each group faces. OC is an increasing concern to national security and international stability, as it has the potential to destabilize social institutions and economic progress, undermine democratic processes, and victimize entire communities. As a

result, a conventional problem of public order or internal security has evolved into a challenge that threatens not just the viability of communities, but also the independence of governments, the integrity of financial institutions, and the operation of democracies.

### **Organized Crime in Relation to Other Countries of the World**

**development of organized crime in India-** In India, there were groups of people called who used to commit robbery of pilgrims and ascetics followed by their murder. Sometimes, the young children spared while killing travelers to groom them to become thugs. It was difficult to prosecute them because they used to operate in a highly of the velers used to secretive manner, professionally and with military precision. A high degree of teamwork and coordination both during the infiltration phase and the moment of the attack made the task of Law Enforcement Agencies tough. The thugs as a criminal tribe seem to mirror many aspects of Italian Mafia. A police organization known as the Thuggee and Dacoity Department was established in India within the Government of India in 1835. William Sleeman was appointed as Superintendent of the. Thousands of men were either put in prison, executed, or expelled from British India. The campaign was heavily based on informant ions received from captured thugs who were offered protection on the condition if they tell everything that they knew. By the 1870s, the Thuggee cult was extinct, but the concept of criminal tribes and criminal castes is still in use in India. In India, Mumbai being the financial capital of the country became a playground of several organized crime gangs. Independence, due to the prohibition policy adopted by the State of Maharashtra, bootlegging or trade-in illicit liquor became a lucrative business for the criminal gangs. They started making money by supplying illicit liquor to the local citizens in Mumbai. After Varad Rajan Mudaliyar, Hazi Mastan, Yusuf Patel, Karim Lala, Dawood Ibrahim, Amar.<sup>2</sup> Naik, Ashwin Naik, Arun Gawali, Chhota Rajan, and Ravi Pujari are examples of persons who started their respective gangs. The main activities of the gangs were/are extortion, collection of protection money from rich businessmen, contract killing, film financing, drug trafficking, smuggling of computer parts and illicit trade in Arms and Ammunition. Crimes like kidnapping, getting flats vacated by force, settling disputes amongst merchants, etc. have become the main source of organized criminal gangs operating in Mumbai. Organized Crime in Mumbai: Haji Mastan, Yusuf Patel, and Karim Lala Gangs: Haji Mastan and Yusuf Patel began as small- scale criminals and later took to smuggling gold and silver. While Mastan and Patel made their millions in gold smuggling, Lala, a Pathan don, dealt in drugs.

**Development of Organized Crime in Europe-** In Europe the development of criminal gangs in 18th and 19th century, was reasoned mainly to the extreme poverty of lower classes and was the main cause for their very existence and their growth. Some of the members revolted against the existing system and shaped themselves into organizations, involved in all types of illegal activities and they were successful as they had the necessary technical skills and social contacts to form and maintain criminal networks.

They found it easy to stand their ground against the police and judicial authorities who were poorly organized, in the midst of political instability and military precariousness of the times, of suppressing them effectively on the short-term basis.<sup>48</sup> By 1920's and 1930's they had organized their illegal enterprises on a large scale as they had already acquired the necessary experience in criminal techniques and financial resources. The government was not capable of enforcing law and order and, in many places, turned out to be susceptible to corruption and blackmail. The implication of this at the turn of the century was that the organization of crime gradually changed into the direction of project organization and business organization. The breakdown of Berlin wall and the U.S.S.R and the formation of European Union (EU) opened doors for criminal syndicates to spread its activities and it established its base in France, Germany, United Kingdom, Austria and Netherlands. The development of 'domestic bilateral organization' operating from country to country, allowed taking advantage of the opportunities offered by drug prices differences in these countries. The treaties established by the European community has granted total freedom in moving capitals, goods, services and persons across borders; organized criminal group has taken advantage of the situation, specializing in transnational illegal behaviors, exploiting larger possibility of movement within the union, they have become transitional and organized, building up illicit enterprises, by moving criminal goods and criminal proceeds from one country to another, establishing their bases in most secure nations and entering those illegal sector where they perceive high opportunities for gain, with low risks.

**development of organized crime in united states of America-** Organized Crime thrives in cities and is popularly associated with immigrant groups, its social and economic roots reach back into early history of the United States. Outlaw gangs of the western frontier the lawless bands led by the James brothers, the younger, and the Daltons, represented a cultural heritage of organized activity. 'Robber Barons', transformed the wealth of the frontier into financial empires. As they amassed their fortunes, the use of violence, enforcers, conspiracy, bribery, corruption, and other activities proved economically expedient and therefore morally 'acceptable'. When opportunities provided by the western frontier disappeared, those Americans striving for security and success, as well as millions of European immigrants, turned towards the cities. The growth of American city and the influx of immigrants at the beginning of the twentieth century produced the modern era and dilemma of OC. There have been allegations that, as early as 1890's the Italians who then entered America, in increasing numbers, brought with them a secret criminal organization called the mafia. The Prohibition Enforcement Act of 1919, created illegal markets for beer and liquor. Bootlegging provided the stable financial base for the formation of major crime empires. The reference of OC syndicate in the USA was dominated by the official Reports; the Kefauver report (1950-51), the Katzenbach Report (1966-67), the Byrne Report (1975-76) and Kaufman Report (1983-86); all these Reports concluded that the smaller and larger

crime syndicates were definitely operating in the cities of the USA; the syndicates fit completely into American social, economic and political structures, and they even made an important, albeit illegitimate, contribution to their upkeep. They also offered their members prospects of a legitimate place in the respectable upper world; organized criminals function like a social ladder, for lack of a better alternative, for marginal groups and immigrants.

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## ***Female Foeticide - Reasons for Infanticide in India***

• Akhilesh Shukla

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**Abstract-** *Female foeticide is the act of aborting a foetus because it is female. This is a major social problem in India and has cultural connections with the dowry system that is ingrained in Indian culture, despite the fact that it has been prohibited by law since 1961. In India a strong preference for sons over daughters exists, unlike in Western cultures. People realise smaller family sizes with relatively greater number of sons through the use of medical technologies. Pregnancies are planned by resorting to 'differential contraception' - contraception is used based on the number of surviving sons irrespective of family size. Following conception, foetal sex is determined by prenatal diagnostic techniques after which female foetuses are aborted. Foetal sex determination and sex-selective abortion by medical professionals has grown into a 1,000 crore industry (US\$244 million). Social discrimination against women and a preference for sons have been promoted. Since 1991, 80% of districts in India have recorded an increasingly masculine sex ratio with the state of Punjab having the most masculine sex ratio. According to the decennial Indian census, the sex ratio in the 0-6 age group in India went from 104.0 males per 100 females in 1981, to 105.8 in 1991, to 107.8 in 2001, to 109.4 in 2011. The ratio is significantly higher in certain states such as Punjab and Haryana (126.1 and 122.0, as of 2001).*

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**Keywords-** *Female foeticide, foetus, Differential contraception.*

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**Introduction-** It is estimated that more than 10 million female foetuses have been illegally aborted in India. Researchers for the *Lancet* journal based in Canada and India stated that 500,000 girls were being lost annually through sex-selective abortions. Pre-natal sex-determination was banned in India in 1994, under the *Pre-conception and Prenatal Diagnostic Techniques (Prohibition of Sex Selection) Act*. The act aims to prevent sex-selective abortion, which, according to the Indian Ministry of Health and Family Welfare, has its roots in India's long history of strong patriarchal influence in all spheres of life. It is most prominent in Gujarat and the North Indian states, which according to census data have an alarmingly low ratio of female children. Certain castes regularly practiced female infanticide and later female foeticide. The castes with a much lower proportion of female children to male children included lewa patidars and the rajputs in Gujarat; jats, rajputs, khutris and royal brahmins in undivided Punjab, rajputs and gujars in the Uttar Pradesh. This process began in the early 1990s when ultrasound techniques gained widespread use in India. There was a tendency

for families to continuously produce children until a male child was born. This was primarily due to the large sexist culture that exists in India against women. This is reflected by literacy rates among women as well as economic participation, which are both particularly low in states where female foeticide is prominent and an unequal population ratio exists alongside. The government initially supported the practice to control population growth. The Preconception and Prenatal Diagnostic Techniques (PCPNDT) Act was passed in 1994, making sex-selective abortion illegal. It was then modified in 2003 holding medical professionals legally responsible. However, the PCPNDT Act has been poorly enforced by authorities.

**Social Effects-** Female foeticide has led to an increase in human trafficking. In 2011, 15,000 Indian women were bought and sold as brides in areas where foeticide has led to a lack of women. Government response to the problem has been known to not have stopped female foeticide from occurring. Although several acts have been passed to combat the situation, many of them are not enforced strongly enough. This and the existence of several loopholes in the system means the practice of sex-selective abortion continues. An example of one of these loopholes would be on the pretext of checking for genetic disorders in the fetus, who can stop a doctor from examining the sex of the unborn child and informing the parents in secret. In 2001, the Supreme Court in India gave orders to five multi-national companies- Philips, Symonds, Toshiba, Larsen and Toubro and Wipro to give them the names and addresses of all the clinics and persons in India to whom they have sold ultrasound machines in the last five years to enable the state government to find out if these machines were registered. Unfortunately, not much happened after this directive, although the companies were reported to have supplied all the information that was required. *The Statesman*, a leading newspaper reported on February 3, 2002 that not a single illegal ultrasound machine has been impounded in Delhi. Banning pre-conception sex-determination tests calls for new legislation. But the fact is that even the present PNDT Act is full of loopholes and cannot be effectively implemented. Law certainly empowers the government to act but the fundamental question is whether the government or Supreme Court can alone usher in social transformation in Indian society. India's prime minister acknowledges gendercide as a national shame, however, the police and judiciaries do not implement the law because they believe in the same thing. Authorities often let the unlawful parents and doctors off with light punishment. Often, when the mothers disobey the husband's family decision to abort the female foetus and report it to the authorities, the suits are ignored or given a light sentence: The mother is targeted for bearing girls and disobeying the family's decision to abort the child. She may even lose her job, be expose to constant death threats, and be left with unresolved cases. In addition, others who give birth to girls are prone to violence. Even if she is able to give birth to the baby girls, the family is likely to not report the births and even murder them.<sup>[12]</sup> Increasing awareness of the problem has led to multiple campaigns by celebrities and journalists to combat sex-selective abortions. Aamir Khan devoted the first episode "Daughters Are Precious"

of his show *Satyamev Jayate* to raise awareness of this widespread practice, focusing primarily on Western Rajasthan, which is known to be one of the areas where this practice is common. Its sex ratio dropped to 883 girls per 1,000 boys in 2011 from 901 girls to 1000 boys in 2001. Rapid response was shown by local government in Rajasthan after the airing of this show, showing the affect of media and nationwide awareness on the issue. A vow was made by officials to set up fast-track courts to punish those who practice sex-based abortion. They cancelled the licences of six sonography centres and issued notices to over 20 others. The first season of *Satyamev Jayate* was premiered from 6 May 2012 on various channels within Star Network along with Doordarshan's DD National. It marked the television debut of Indian Bollywood actor and filmmaker Aamir Khan. His works are remarkable and are given below in the table. While Hindi is the primary language of the show, it is also dubbed and simulcast in several other Indian languages such as Bengali, Malayalam, Marathi, Tamil and Telugu.

This has been done on the smaller scale. Cultural intervention has been addressed through theatre. Plays such as 'Pacha Mannu', which is about female infanticide/foeticide, has been produced by a women's theatre group in Tamil Nadu. This play was showing mostly in communities that practice female infanticide/foeticide and has led to a redefinition of a methodology of consciousness raising, opening up varied ways of understanding and subverting cultural expressions. In a recent landmark judgement the Bombay High Court upheld an amendment to the PCPNDT Act banning sex-selection treatment. The Court pronounced that "pre natal sex determination would be as good as female foeticide. Pre-conception sex determination violated a woman's right to live and was against the Constitution." The *Beti Bachao*, or Save girls campaign, has been underway in many Indian communities since the early 2000s. The campaign uses the media to raise awareness of the gender disparities creating, and resulting from, sex-selective abortion. *Beti Bachao* activities include rallies, posters, short videos and television commercials, some of which are sponsored by state and local governments and other organisations. Many celebrities in India have publicly supported the *Beti Bachao* campaign. Save girls, save the girl child, is a campaign in India to end the gender-selective abortion of female fetuses, which has skewed the population towards a significant under-representation of girls in some Indian states. The "Beti Bachao" campaign is supported by human rights groups, non-governmental organizations, and state and local government in India. Alka Gupta reporter of UNICEF has published in her report that Eligible Jat boys from Haryana travel 3,000 km across the country to find themselves a bride. With increasingly fewer girls in Haryana, they are seeking brides from as far away as Kerala as the only way to change their single status. The girls have not vanished overnight. Decades of sex determination tests and female foeticide that has acquired genocide proportions are finally catching up with states in India. This is only the tip of the demographic and social problems confronting India in the coming years. Skewed sex ratios have moved beyond the states of Punjab, Haryana, Delhi, Gujarat and Himachal Pradesh.

With news of increasing number of female foetuses being aborted from Orissa to Bangalore there is ample evidence to suggest that the next census will reveal a further fall in child sex ratios throughout the country.

The decline in child sex ratio in India is evident by comparing the census figures. In 1991, the figure was 947 girls to 1000 boys. Ten years later it had fallen to 927 girls for 1000 boys. Since 1991, 80% of districts in India have recorded a declining sex ratio with the state of Punjab being the worst. States like Maharashtra, Gujarat, Punjab, Himachal Pradesh and Haryana have recorded a more than 50 point decline in the child sex ratio in this period. Despite these horrific numbers, foetal sex determination and sex selective abortion by unethical medical professionals has today grown into a Rs. 1,000 crore industry (US\$ 244 million). Social discrimination against women, already entrenched in Indian society, has been spurred on by technological developments that today allow mobile sex selection clinics to drive into almost any village or neighbourhood unchecked. The PCPNDT Act 1994 (Preconception and Prenatal Diagnostic Techniques Act) was modified in 2003 to target the medical profession - the 'supply side' of the practice of sex selection. However non implementation of the Act has been the biggest failing of the campaign against sex selection. According to the latest data available till May 2006, as many as 22 out of 35 states in India had not reported a single case of violation of the act since it came into force. Delhi reported the largest number of violations – 76 out of which 69 were cases of non registration of birth! Punjab had 67 cases and Gujarat 57 cases. But the battle rages on. In a recent landmark judgment the Mumbai High Court upheld an amendment to the PCPNDT Act banning sex selection treatment. The Court pronounced that pre natal sex determination would be as good as female foeticide. Pre-conception sex determination violated a woman's right to live and was against the Constitution, it said. While the boys from Haryana may have found a temporary solution to the problem of missing brides, experts warn that the demographic crisis will lead to increasing sexual violence and abuse against women and female children, trafficking, increasing number of child marriages, increasing maternal deaths due to abortions and early marriages and increase in practices like polyandry. There have been only two convictions — a fine of 300 rupees (\$7) and another fine of 4,000 rupees (\$98) — from over 400 cases lodged under the Pre-conception and Pre-natal Diagnostic Techniques Act. Bringing about changes in the demand for sex determination is a long process and has to be tackled through women's education and empowerment including the right to property and land rights. States in the North East and in Kerala where women have these rights show a comparatively better sex ratio. The battle against sex selection has proved to be long drawn out. But some signs are visible that demonstrate that the fight can be won. Lakhnapal, a small village in Punjab has turned the tide of male births for the first time. In a state that has the lowest sex ratio in the country, the village boasts of 1,400 girls for every 1000 boys. Arvind Kumar, the collector of Hyderabad district has illustrated the power of the Act. Hyderabad had the lowest child sex ratio (0-6 years) in Andhra Pradesh. After taking over in 2004 he tracked down all 389

diagnostic clinics in the city and took action. 361 ultrasound scan centres were issued notices for non compliance with the PNDT Act. Licenses of 91 centres were cancelled. 83 machines were seized and 71 released after an undertaking and fine. Three suppliers were prosecuted for supplying machines to clinics with no registration licenses.

The Women's UN Report Program & Network (WUNRN) is a non-governmental organization to implement the conclusions and recommendations of a United Nations Study on Freedom of Religion of Belief and the Status of Women from the Viewpoint of Religion and Traditions (E/CN.4/2002/73/Add.2). This study is a major, universal, comprehensive U.N. approach to intolerance and discrimination against women based on religion and traditions. To strengthen the nexus between women's rights and freedom of religion or belief, it is important to build on the Juridical and Factual Aspects of this study by research, plans of action and practical projects. WUNRN, together with The Tandem Project, is committed to this objective through support for the dignity and fundamental rights of women everywhere, and by the promotion of tolerance and the end of discrimination against women based on religion and traditions. The WUNRN reports of 23 May 2011 says that India's 2011 census shows a serious decline in the number of girls under the age of seven - activists fear eight million female foetuses may have been aborted in the past decade. The BBC's Geeta Pandey in Delhi explores what has led to this crisis. Kulwant has three daughters aged 24, 23 and 20 and a son who is 16. In the years between the birth of her third daughter and her son, Kulwant became pregnant three times. My mother-in-law said if I had a daughter, my husband would leave me. Thankfully, I had a son." Each time, she says, she was forced to abort the foetus by her family after ultrasound tests confirmed that they were girls."My mother-in-law taunted me for giving birth to girls. She said her son would divorce me if I didn't bear a son." Kulwant still has vivid memories of the first abortion. "The baby was nearly five months old. She was beautiful. I miss her, and the others we killed," she says, breaking down, wiping away her tears. Until her son was born, Kulwant's daily life consisted of beatings and abuse from her husband, mother-in-law and brother-in-law. Once, she says, they even attempted to set her on fire."They were angry. They didn't want girls in the family. They wanted boys so they could get fat dowries," she says. India outlawed dowries in 1961, but the practice remains rampant and the value of dowries is constantly growing, affecting rich and poor alike. Kulwant's husband died three years after the birth of their son. "It was the curse of the daughters we killed. That's why he died so young," she says.

How girls are valued varies widely across India. Over the years, most states in the south and north-east have been kind to their girls, and sex ratios are above the national average. In the matrilineal societies of Kerala and Karnataka in the south and Meghalaya in the north-east, women have enjoyed high status and commanded respect. But the latest census figures show the good news even in these areas could be turning bad. A minor decline in the number of girls has begun in the three states which,

campaigners worry, might be indicative of a trend. What is seen as most distressing is the steep decline in the number of girls under seven in the southern state of Andhra Pradesh and in Sikkim, Nagaland, Manipur and Tripura in the north-east. Even though these states have registered numbers much higher than the national average, the decline is too substantial to ignore. But all is not lost. Some states, such as Punjab, Haryana and Himachal Pradesh - which saw the gap between numbers of boys and girls widen in 2001 - have shown an improvement. That is cause for some cheer, campaigners say. Her neighbour Rekha is mother of a chubby three-year-old girl. Last September, when she became pregnant again, her mother-in-law forced her to undergo an abortion after an ultrasound showed that she was pregnant with twin girls. "I said there's no difference between girls and boys. But here they think differently. There's no happiness when a girl is born. They say the son will carry forward our lineage, but the daughter will get married and go off to another family." Kulwant and Rekha live in Sagarpur, a lower middle-class area in south-west Delhi. Here, narrow minds live in homes separated by narrow lanes. The women's story is common and repeated in millions of homes across India, and it has been getting worse. In 1961, for every 1,000 boys under the age of seven, there were 976 girls. Today, the figure has dropped to a dismal 914 girls. Although the number of women overall is improving (due to factors such as life expectancy), India's ratio of young girls to boys is one of the worst in the world after China. Many factors come into play to explain this: infanticide, abuse and neglect of girl children. But campaigners say the decline is largely due to the increased availability of antenatal sex screening, and they talk of genocide.

The government has been forced to admit that its strategy has failed to put an end to female foeticide.

In 1994, the Pre-Natal Determination Test (PNDT) Act outlawed sex-selective abortion. In 2004, it was amended to include gender selection even at the pre-conception stage. Abortion is generally legal up to 12 weeks' gestation. Sex can be determined by a scan from about 14 weeks. "What is needed is a strict implementation of the law," says Varsha Joshi, director of census operations for Delhi. "I find there's absolutely no will on the part of the government to stop this." Today, there are 40,000 registered ultrasound clinics in the country, and many more exist without any record. Ms Joshi, a former district commissioner of south-west Delhi, says there are dozens of ultrasound clinics in the area. It has the worst child sex ratio in the capital - 836 girls under seven for every 1,000 boys. Delhi's overall ratio is not much better at 866 girls under seven for every 1,000 boys. "It's really sad. We are the capital of the country and we have such a poor ratio," Ms Joshi says. The south-west district shares its boundary with Punjab and Haryana, the two Indian states with the worst sex ratios. Since the last census, Punjab and Haryana have shown a slight improvement. But Delhi has registered a decline. "Something's really wrong here and something has to be done to put things right," Ms Joshi says. Almost all the ultrasound clinics in the area have the mandatory board outside, proclaiming that they do not carry out illegal sex-determination tests. But the women in Sagarpur say most people

here know where to go when they need an ultrasound or an abortion. They say anyone who wants to get a foetal ultrasound done, gets it done. In the five-star clinics of south Delhi it costs 10,000-plus rupees (\$222; £135). In the remote peripheral areas of Delhi's border, it costs a few hundred rupees. Similarly, the costs vary for those wanting an illegal abortion. Delhi is not alone in its anti-girl bias. Sex ratios have declined in 17 states in the past decade, with the biggest falls registered in Jammu and Kashmir. Ms Joshi says most offenders are members of the growing middle-class and affluent Indians - they are aware that the technology exists and have the means to pay to find out the sex of their baby and abort if they choose. "We have to take effective steps to control the promotion of sex determination by the medical community. And file cases against doctors who do it," Mr George says. "Otherwise by 2021, we are frightened to think what it will be like."

Female foeticide is now more widespread in the country than ever before. The practice was restricted to few states a few years ago has now spread all over the country. Girls and women not only face inequity and inequality, they are even denied the right to born if their families do not wish so. In fact many families do not wish their women folk to deliver baby daughters. The Declining Sex Ratio: one of the sensitive indicators of boy preference is the sex ratio. The record shows that the sex ratio or the number of females for each thousand males has gone down consistently over the past decades. In this study I took the interview of 100 people of Rewa city and found that the following factors are responsible for female foeticide- Female foeticide is now more widespread in the country than ever before. The practice was restricted to few states a few years ago has now spread all over the country. Girls and women not only face inequity and inequality, they are even denied the right to born if their families do not wish so. In fact many families do not wish their women folk to deliver baby daughters. The Declining Sex Ratio: one of the sensitive indicators of boy preference is the sex ratio. The record shows that the sex ratio or the number of females for each thousand males has gone down consistently over the past decades. In this study I took the interview of 100 people of Rewa city and found that the following factors are responsible for female foeticide-

**1. Social Security-** Consequent upon the advances in medical science, the termination of unwanted children especially female fetuses through abortion has become common in families to satisfy their preference for sons.

**2. Evil of Dowry-** Some people think, a girl means accumulation of sufficient resources for the dowry the parents have to give away, when the girl gets married. Therefore, the parents think that the girl is a financial burden for them, whereas the boy is an asset who fetches a fabulous dowry for the parents.

**3. Financial Dependence of Females on Husband or In laws-** In India socio-economic background has been the villain behind the tragic female foeticide. Certain communities want to get rid of female child compelled by the circumstances of dehumanizing poverty, unemployment, superstition and illiteracy.

**4. Cultural Factors-** the concept of 'Vanshodharak' a male child to perform

last rites in Hindus and carry forward Measures to Reduce Female Foeticide.

However the national law against prenatal diagnostic technique (regulation and misuse) Act of 1994 is a positive step which enabled the National Human Rights Commission to direct the Medical Council of India to take action against doctors found abusing prenatal diagnostic techniques. There is a need for sustained campaigning and active monitoring of the act. State Governments should realize the importance and priority of the law and not merely treat it with their usual complacency. Structures for implementation of the 1994 law need to be created at the District level. Volunteers have to be actively mobilized to monitor registration and functioning of sex determination clinics at different districts. Cases have to be filed against the violators and social consciousness has to be raised against the crime. Members of the society and the religious leaders have a positive role in creating a morally reformed society.

However the national law against prenatal diagnostic technique (regulation and misuse) Act of 1994 is a positive step which enabled the National Human Rights Commission to direct the Medical Council of India to take action against doctors found abusing prenatal diagnostic techniques. There is a need for sustained campaigning and active monitoring of the act. State Governments should realize the importance and priority of the law and not merely treat it with their usual complacency. Structures for implementation of the 1994 law need to be created at the District level. Volunteers have to be actively mobilized to monitor registration and functioning of sex determination clinics at different districts. Cases have to be filed against the violators and social consciousness has to be raised against the crime. Members of the society and the religious leaders have a positive role in creating a morally reformed society.

The long— term task is to foster a culture of goodness and human dignity which inoculates individuals and institutions against the infection of this despicable human practice. The role of the Akal Takht in Punjab is worth mentioning. The apex religious organization of the Sikhs has issued directives to the community not to indulge in the inhuman and immoral practice of female foeticide and to take stern action against those who would violate this direction i.e. offenders would be ex-communicated. Almost all communities have organizations similar to the Akal Takht, if they made a concerted effort to educate their flock, and if need be boycott those guilty of this crime. a radical social change could come about.

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## ***MSME Financing in India: Post Pandemic Challenges and Solutions***

•Nandini Sengupta

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**Abstract-** *Micro, Small and Medium Enterprises are the strongest drivers of growth and employment in a developing country like India. The Covid-19 pandemic and the resultant lockdown has thrown this sector into a downward spiral. The actual extent of the disaster is still unknown, but the impact is there for all to see and feel. During the pandemic the sector reeled with cash crunches, supply chain disruptions, migration issues, low demand and productivity etc. This study attempts to throw light upon the different traditional modes of financing available to the MSMEs. It also discusses the financial support given by the government during the pandemic. Lastly the paper gives suggestions to increase the access of finance to the MSMEs.*

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**Keywords-** *MSME, Atmanirbhar Bharat, Fintech*

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**Introduction-** The national lockdown since March 2020 due to the Covid-19 pandemic had numerous negative effects on the economic health of India. The restrictions imposed to limit the spread of the virus like social distancing and quarantines paralysed the supply chains, affected demand and slowed down the growth rate of all economies of the world. The repercussions of this were felt most gravely by the micro and small enterprises which employ the majority of the India's population second only to agriculture. This paper gives an overview of the present status of the MSMEs, followed by the different ways in which they received financial support traditionally and also during the pandemic. The next section discusses the different challenges in financing MSMEs and offers probable solutions.

**Status of MSMEs in India-** The MSME sector plays a very significant role in the socio-economic development of India. This sector contributes to 28% of GDP, employs 11.1 crore people in 634 lakh enterprises (Ministry of MSME 2020-21). The sector contributed about 49% of exports in the financial year 2020-21, (DGCI&S, December 2021). According to the National Sample Survey (NSS) 73<sup>rd</sup> round conducted in 2015-16 by National Sample Survey Office, Ministry of Statistics and Programme Implementation-

1. There are 633.88 lakh unincorporated non-agriculture MSMEs of which 630.52 lakh (99%) belong to the micro sector, 3.31 lakh (0.52%) belongs to the small sector and 0.05 lakh (0.01%) belong to the medium sector. The distribution of MSMEs in the rural (51.25%)

- and urban (48.75%) areas are almost equal. (NSS, 73<sup>rd</sup> round 2015-16)
2. Male owned enterprises were 80% whereas female owned enterprises were 20% of the total. This distribution was similar for both urban and rural areas.
  3. The socially backward groups owned 66% of MSMEs of which majority were owned by OBCs (49.72%). SCs and STs together accounted for 16.55%. Sector wise distribution reveals that 66.42% micro enterprises, 36.80% small enterprises and 24.94% medium enterprises were owned by socially backward groups.
  4. Out of the 11.10 crore jobs created 498 lakh were in the rural areas and 612 lakh were in the urban areas. The micro enterprises provided 97% of the total employment in MSMEs, followed by small (2.88%) and medium (0.16%) enterprises respectively. About 76% are male employees and 24% are female employees.
  5. Percentage of MSME in manufacturing sector is 32% and that in Service sector is 68%. (<https://udyamregistration.gov.in> data upto December 2021)

Some of the features may seem to indicate a very happy world for the MSMEs. They, however, do not reveal the several limitations and challenges being faced by them. The sector is majorly dominated by micro enterprises which face a range of challenges like financial constraints, technological obsolescence and incompetency, low productivity, limited marketing and managerial capabilities etc. These problems are multiplying as the competition is increasing with technological advancements and globalisation pressures. They remain confined in their local areas using local resources and meeting the demand of the local people. Most of the micro and small enterprises do not have access to or lack information about institutional finance. The years following the pandemic have made the situation even worse.

**Sources of Institutional Financial Support-** The main sources of finance for MSMEs are loans from banks, non-banking institutions, venture capital funds, microfinance institutions, equity finance, informal sources like family and friends and self-finance. The majority (78%) of MSME financing is done by the informal sector and the remaining 22% comes from the formal sector mainly banks (92%) and NBFIs (Singh et al 2016). MSMEs face problems of accessing finance at different stages of their existence. Early stage small and medium enterprises do not have a collateral or a satisfactory credit history to get funds from banks. Hence during the early stage these enterprises depend heavily upon informal sources like friends, relatives, family and NBFIs. The interest rates on such loans are very high too.

According to the Asian Development Bank (2014) challenges to access formal finance are requirement of collateral, high lending rates, lack of information, complex procedures. RBI (2005) observed the following issues with MSME finance a) lack of financial information b) informal business practices c) lack of access to equity financing, venture capital fund

and secondary market instruments d) market fragmentation e) lack of easy access to national and international markets e) delays in settlement of dues by buyers etc. Banks are wary of rising non-performing assets in case of MSME's inability to pay back the loan. The Government of India in 2015 initiated several policy measures to tackle this problem: a) ensuring universal financial inclusion of MSMEs in a time-bound manner by ensuring registered MSME's have a bank account linked to Udyog Aadhar. B) operationalisation of Rs 100 billion equity fund for the MSME sector. C) expanded coverage and enhanced utilisation of credit guarantee schemes with inclusion of wider set of providers such as NBFCs and Microfinance institutions. The Ministry of MSME, Government of India has started many schemes to provide financial assistance like Scheme for promotion of Innovation, Rural Industries and Entrepreneurship, Scheme for Fund Regeneration of Traditional Industries (SFURTI), Credit Linked Capital Subsidy Technology Up gradation Scheme (CLCS-TUS), MSME Cluster Development Programme, Market Development Assistance to Khadi Artisans (MDA), National SCST Hub, Coir Udyami Yojana etc. Under the Chairmanship of Shri U.K.Sinha an Expert Committee was set up in 2018 to provide financial solutions to MSME. The recommendations include a) creation of distressed asset fund of Rs 5000 crores for MSMEs affected by demonetisation and GST b) expanding the role of SIDBI c) greater adoption of technology to solve problems of MSME and form a government sponsored Fund of Funds of Rs 10000 crores to support venture capital and private equity firms in the sector.

The Covid-19 pandemic hit the MSME sector severely. Given the severity of the calamity the government stepped in to provide support. In May 2020 the government announced the 'Atmanirbhar Bharat Abhiyan Package' under which following initiatives were taken:

1. The definition of MSMEs was revised on June 2020. This definition is now based on both investment and turnover. This will help the new entrepreneurs to join this sector which will help increase investment, revenue, employment and production (Vaishnav and Surya, 2020)
2. The RBI reduced the repo rate to cut down the lending rates.
3. A collateral free automatic loan worth Rs 3 lakh crore to be repayable after 12 months was announced to provide support to the struggling MSMEs to restart their businesses and provide employment.
4. Rs 20,000 crore subordinated debt was announced.
5. To encourage domestic firms global tenders were banned for government procurement up to Rs 200 crore that will support 'Make in India'.
6. Dues of MSMEs were to be honoured within 45 days by government and public sector undertakings.
7. E-market links were started for MSMEs to provide support for marketing and liquidity.
8. The PF contribution by employees was reduced from 12% to 10 %

under EPFO to increase liquidity and provide a push to consumer demand.

9. GST payments were delayed without interest or penalties.
10. A special liquidity facility of Rs 16000 crore was given to SIDBI for on-lending/refinancing.
11. Under Resolution Framework 2.0 additional benefits were given.

**Solutions for MSME Financing-** Covid-19 pandemic are neither the first nor the last crisis that the MSME sector has faced. In an uncertain economy such crises will continue to occur more often. Hence it is imperative to be future ready. The Indian MSME sector is dominated heavily by the micro enterprises. They definitely need institutional financial support to become self-sufficient and resilient to overcome such challenges. The MSMEs suffered the most because of lower orders, loss in business, non-availability of raw materials and liquidity issues. To make matters worse RBI data shows that credit off take fell to 0.5 percent in March 2021 compared to 1.7 percent the previous year. Despite the government support MSMEs continued to face problems in accessing credit. The following measures should be considered to ease the problems of MSME financing.

1. The government should set up an emergency fund for small businesses which can be used only during crisis. These small firms must contribute to this fund according to their size and turnover and maintain a minimum amount in the corpus. The government can also contribute an amount to this fund. This will encourage forced savings by small firms and provide a cushion during a crisis. (Sharma and Rai, 2022)
2. An insurance scheme should be started for micro enterprises by government contributing some amount. This will serve a dual purpose of encouraging MSME and the insurance sector. (Sharma and Rai, 2022)
3. The fintech ecosystem should be simplified by removing the administrative layers to make transactions more effective. Traditional financial institutions should collaborate with fintechs to increased lending capabilities.
4. Most of the MSMEs have movable assets and less likely to have immovable assets like property or land. This becomes a problem in case of banks asking for collateral. Therefore, many fintechs are using technological tools to assess the credit worthiness of MSMEs. Similar technological tools can be used by banks using different kinds of data on transaction, finance, utilities, macro, environmental, social as well as mobile data to assess the credit worthiness. This will create dependence on information collateral rather than on physical collateral. (Mathur and Shankar 2021)
5. Lending models with innovative products and procedures should be encouraged for MSMEs. One such is the Cash-flow-based model which is based on historical cash flows and repayments predicated on future cash flows. This method suits the MSMEs as they have

volatile cash flows and seasonality in business.

6. Each sector has its peculiar problems with different yardsticks to measure the risk and return. Therefore sector-based lending should be promoted as that will provide an in-depth view and comprehensive understanding to new-age lenders by utilising sector-specific statistical records.

In India MSMEs not only contribute to financial development but also to social development. This sector provides a vast platform for a variety of entrepreneurs cutting across caste, class, gender, religion etc. The pandemic has hurt this sector the most. Hence it is extremely important to discuss and come up with strategies that are suitable to the Indian MSME sector.

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## ***Trends of Budget Hotels and Small sized commercial Hotels in India***

•Ratnesh Kumar Tiwari

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**Abstract-** *The hotel industry has been closely related to the expansion and development of commerce and trade. In fact, the hotel industry has been emerging as a powerful industry after the industrialization. Thus, the relationship of employees and employers is always a base for better services to guests. Since hotel industry is understood as individuals intensive industry. so that the service quality and service responsiveness of employees become essential for overall success and survival of this industry in today's hospitality marketplace. Thus managing the employee performance has become a vital element in the human resource management context. The performance appraisal is a pivotal subsystem of the human resource management system which helps the management to measure and appraise the employee performance in order to achieve organizational objectives. Therefore, hotel organizations also use & apply this system in increase competency level of the employees and their work performance and guest satisfaction viz-a-viz services quality to achieve and competitive advantages in the industry.*

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**Keywords-** *Hotel, Practice, India, Budget Hotels, and Small Sized Commercial Hotels.*

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**Introduction-** The Indian middle class with more disposable income, increased focus in leisure and travel activities has set in a modification in consumer profiles. Specifically business executives holding positions in small/medium scale establishments have to undertake travel and are continuously on the run for the sake of business related purpose. Matching with this movement quite a few number of hotels have come up which may be in the small sized hotels sector technically. But most striking about them recently is the standard, level of operation and of course the style. In the supply side the quality, quality, adopted style, amount of professionalism in play seems to have become their core of humming operations and to remain successfully in hospitality business. This definitely did not exist in the past. This is the nucleus of present study. Simple comparison of the past and present scenario would present a spectacular upward development. The perception about the boy gone and the way it is perceived at present is having a gulf of difference. This is pervading in the areas of infrastructure, atmosphere, environment, accommodation, food and beverage, facility and services etc; a change, which is very desirable. Small sized commercial hotels of the past, seems

to have mingled in the distance past. Present budget hotels follow the 'no frills' principle, offer the ambience and comfort of star hotels but at much lesser rates. They typically maintain a tariff range of Rs. 1000/- to 2,500/= and total number of rooms may vary from 60-100 per hotel.

**Hypothesis-** There is a positive relationship between performance appraisal practices and specific characteristics of hotel organizations like class, age, capital, number of employees and kind of ownership of the hotel.

### **Methodology**

**Sampling and Data Collection-** Sample hotels were selected from the respected directory of the Ministry of Tourism, Govt. of India & FHRAI that serves as a resource centre for business information and maintains significant databases of hospitality organizations. To begin the sample of 106 hotel employees were taken with the help of questionnaire. As well as the use of Secondary data survey methodology was chosen because it had been deemed to be the foremost efficient method of reaching an oversized range of respondent.

**Budget Stay and State Tourism Boards-** Nearly all tourism boards' functions in different states in India have always paid attention to providing budget accommodation facilities for visitation tourists. Given the present situation of increased domestic tourist influx, coupled with MICE tourism is gaining momentum, some tourism boards have increased their marketing budgets, efforts. This is to facilities functioning tourism properties at locations which might be to tourist interest as well as having potential for MICE activities, Kerala would be a perfect example. The enterprising principal secretary of Kerala Tourism, Bhushan B says in the context of budget tourism 'we have KTDC run Yatri Nivas and motels across the state to help travelers on a shoe string budget', Rajasthan Tourism Secretary, Zutshi V stresses the need for 20,000 rooms in the budget category to fill the gap of demand and supply of hotel accommodation, looking at the projected growth of tourism in the coming decade. The state government has welcomed budget category hotel operators to for development budget hotels by announcing a new hotel policy. There will be easy availability of land through creation of land banks at a special reserve price which will be half of the commercial rate. Exemption will be granted in land conversion charges and entertainment tax.

**Cases of Hotel Chains, Rush for Budget Hotels to Meet the Demand-** Going by reports of the two - four star hotel category in India is virtually unexplored. Only 20-25% of the market catered to by any branded player. Speaks about the significance of brand awareness, brand or product class and price fairness on the consumer value process, which appears to be justified in the budget hotels scenario in India. Given the potential and lucrative demand-supply imbalance which needs more hotels, there is a scramble for hotel chains to enter the budget segment.

The Indian Railways, in the public sector, has announced its place to set up 100 budget hotels all over country on railway land, which will be managed by private operators. 34 sites have been already identified which includes Vijaywada, Secunderbad, Madurai, Chandigarh.

**Savera Hotel**, Chennai based four-star hotel is expanding rapidly to launch its three star brands. Anthony M. GM (Sales and Marketing) say, "We are looking at launching our three star brands only in south India". The hotel is also looking at budget hotels and motels on Chennai-Hyderabad, Bangalore-Mysore and Chennai-Bangalore Highways.

**Bhart Hotels Ltd.**, a leading hotel chain in India announced to open 25 budget hotels in the country. Suri J. its chairperson while speaking to PTI (Press trust of India) on 24 August 2007 said, "In next 24-36 months we will open 20-25 budget hotels in different cities. The group will come up with budget hotels in tier-2 cities like Jalandhar, Surat and Ludhiane"

**Smart Hotels** as a budget brand to be launched by APS Hotels India within next two years in eight cities in India. The group is a master franchisee of US based Microtel Inn and Suites for India and has three three-star hotels in Bengaluru, Jaipur and Mumbai under the brand. "Smart Hotels will come up in Goa, Jaipur, Bangalore, Gwalior, Bhopal, Lucknow and Delhi. The properties will be owned and managed by us", said Aneja A, Chairman of the group on June 6, 2008.

**Homestay** Budget brand of Sarovar Hotels has plans to start homestay projects in Sripurumbudur, Old Mahabalipuram, Himachal Pradesh and Chandigarh. They will have small sized rooms. quality bed, bath room, one restaurant and meeting facility.

**Kamfortels** (Kamat Comfort Hotels) by Kamat Hotels India Ltd. plans to open a chain of 50 Kamfortels in various cities in India in next five years, said Kamat V, CMD KHIL to express hospitality, 24 July 2014. Work has already started at a property in Nashik and many other locations. Kamfortel will have about 80-100 rooms, medium sized meeting and conference room and will be located at religious places or an industrial town which has a large moving population. Each Kamfortel will follow a franchisee model with KHIL, providing. Know-how to build and manage the hotel.

**Peppermint**, the budget chain of Bangalore based Royal Orchid has plans to expand it to Gulbarga, Mysore, Hassan, Hospet, Mangalore and other small cities in next two years.

**Hilton Garden Inn**. The mid-scale brand has been jointly launched by DFL and Hilton Hotels, says the press release on 1st April 2008. Klean K, President Hilton Hotels said, "We are targeting the different needs of business travelers in India. These properties are to come up in places like New Delhi, Chennai and Trivandrum. They will offer-from complimentary wired and Wi-fi internet access to hotel's complimentary use of business centre to one of most comfortable beds.

**Whitebread**, a budget hotel chain has ambitious plans for India and China. In an announcement made by Parker A, CEO of the company on 11th May 2007, said "We aim to have several hundred hotels in India and China in next five years".

**Courtyard** by Marriott International has already commissioned hotels in Goa, Chennai, Pune, Hyderabad, soon to start operations at Gurgaon and Ahmedabad. However, catering to the upper-moderate tiers to business travelers in India

Easy Group's Budget hotel company easy Hotel Ltd. has formed a joint venture with Isithmar PJSC of UAE. As per the release on 30th April 2006, easyhotel will set up eight budget hotels in India in next four years. In the first phase four hotels will be established in Delhi, Chennai, Mumbai and Kolkata, next four in pipeline will be set up in the following years. They will be with no-frills. economical prices and low overheads.

**Ibis** economy hotel chain along with Inter Globe enterprises has planned to launch 25 economy hotels in next ten years in metros, business destinations and smaller cities, Ibis would follow the international budget standard.

**Super 8 and Days Inn**, the economy brand hotel chain of Wyndham Worldwide corp. of New Jersey, has signed a deal with Gammon India Limited as per the press release on 30th August 2007 to build and open at least 12 hotels in 2009, 13 in 2010 and 13 in 2011. Gammon will own and manage the hotels and Wyndham group will provide operational, sales, marketing, training, quality assurance, architecture and design support.

**Premier Inn** UK's largest hotel chain, popular among international travelers as budget hotel chain, scheduled to open its first hotel in Bangalore, Premier Inn is pitching itself as a value-for-money mid-market brand. It has plans to build 80 hotels across the country.

**Formula 1**, budget hotel of a joint venture between France Hospitality giant Accor and Emaar MGF has planned to roll out 100 hotels to cater to the requirement of budget travelers as per the press release in November 2006. Starting with major metros, the company is looking at developing 50 hotels in the first five years to its operation. Balance will be developed in the second phase.

**Lemon Tree** Hotels, Delhi based Company with moderately priced, full service hotels for budget conscious business and leisure traveler in the upscale. Already having its presence in cities like Goa, Gurgaon, Ahmedabad, Aurangabad, Indore, Chennai etc. With completion of new projects at Pune, Delhi and Bengaluru the chain will have operations in 15 locations across India.

**Keys** brand of budget hotels, backed by New York based Berggruen Holdings has ventured into India. Berggruen Hotels will build 38 Keys brand hotels in next five years. The Keys brand has the concept of "spaces to work, places to play" and will aim to fulfill the business and pleasure needs of guests. Each Keys hotel will have a business centre, meeting rooms with sports bar, all day restaurant and gymnasium. Guest rooms will feature IT-enablement, Wi-Fi, refrigerators, Tea/coffee makers and 20" LCD televisions. The reasonably priced initial tariff would be Rs.1400/- to 2200/- across the country. It has acquired seven hotel locations and is finalizing details of another twenty-four sites. Presently Keys budget hotels operate at Thiruvananthapuram, Hyderabad and Lonavala. Out of three more, Ludhiana to start functioning from December 09. Bangalore and Mahabaleswar to be opened soon as announced by Sethi S, CEO of the group.

**Demand/Supply Mix of Indian Budget Hotels-** This, new genre budget / small-sized commercial hotels in city centers are poised to grow, nurture,

slowly shaping themselves to be a class to reckon with. Not being in any star category they are steadily inching forward to convince and claim recognition among the potential guests. They are big enough now to function in the lines of full service hotels providing all sorts facilities in a compact manner like their big counterparts. Vividly supports the fact that the budget hotel product concept provides more value for money to the new value conscious travelers, because they represent an innovative product concept. They are now a cluster of hotels; recognized as business class, having a definite market segment, catering to the needs of mid rank business executives who are on the demand side. This segment forms the main business block. They are the repeat guests, their needs such as accommodation; conferences, meeting, convention etc. are the main stay of this operation. Ready to offer reasonably priced accommodation, offering world of facilities and professionalism which most business executives / travelers in the above segment are on the lookout on a recurring basis. Although chains of hotels are coming up in a big way, standalone hotels still form the bulk in two tier and three cities. To woo the potential guests, activities are in top gear. Successful models are getting replicated. Structural changes to existing operational properties are being done to redefine it. Many individual hotel properties are refining their product mix to come up with a winning model.

Market survey of this class hotels indicates that they have been able add touches a glamour to an extent. The professional management and operations are still limited to those hotels which are being operated under the banner of established branded names. However, there is no scope of denial to the existence of professionalism in single units/multi units individually owned and operated properties. They too have caught up with the trend of development professionally

**Conclusion-** Trends of budget hotels and transformation of the small sized commercial hotels in India has been overwhelming. In order to manage and handle the situation by the principles of management, hospitality management education institutes have been producing able managers and other related skills for today and future. But, overall industry requirement exceeds supply. The micro factor boosting growth and appreciable changes in this segment is owing to burgeoning of mid rank business executives as well as unexpected preference of these hotels by price sensitive corporate. These hotels are not limited by word as budget. They are professionally managed, compact full service business class hotels limited by their size, luxury and scale of operation. Hotels of this order are now object of fascination and competition is only growing. They have to face the challenges by uniqueness of the product. The product innovativeness, service augmentations are necessary ways and in order to excel for most coveted front runner positions, service excellence will always remain as a key area of study.

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## ***Agricultural Indebtedness: Crisis and Revival***

• Anil Kumar

•• Vinod Kumar Srivastava

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**Abstract-** *Agriculture is the mainstay of livelihood for the rural economy of India. About fifty percent of the workforce depends on agriculture for their livelihood. Agricultural innovation and the growing use of modern technology in the wake of the green revolution make farm practices a costly affair. Agriculture credit plays a pivotal role in the growth and development of the rural economy, as it promotes livelihood options through enhancing the availability of credit for its productive investment. Need for borrowing in the rural economy is more significant in a country of India. Because of lag in income and expenditure, the rural people borrow not only to smooth their consumption and purchase of productive assets but also to meet many other social obligations. The poor rural households do suffer from widespread poverty, inequality and unemployment etc. The crisis in rural livelihood is precipitated by the combination of poverty, low income and limited non-farm income opportunities. Agriculture Indebtedness has deep roots in India. Farmers require short, medium and long term credit for effectively carrying out agricultural operations. Short term credit is required for crop production programmes while medium and long term credit is used for making capital investments for land development, irrigation, farm mechanization and for allied activities like poultry, animal husbandry, fisheries etc. Agriculture needed credit, like any other business, in general, and because of the seasonal nature of agricultural activities and the time gap between planting and harvesting in particular. Credit was required for buying seed, manures, for hiring labour and machine services and for making permanent improvements on the farm. Credit is very important for supporting the farmer households in lean seasons without income by providing adequate liquidity. The credit need of Indian farmers was recognized even by the British rulers who were instrumental for introducing cooperative finance in India. Agricultural Credit is a tool for providing instantaneous and long term financial assistance for farmers from different sources as non institutional and Institutional Credit agencies. Non Institutional Credit agencies are Money lenders, traders, commission agents, landlords, friends, relatives are the various entities who provide non institutional credit. Institutional Credit agencies are Government, Co-Operative Credit Societies, Land Mortgage Banks, and Commercial Banks.*

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**Keywords-** *Agriculture, Economy, Innovation, Technology*

**Introduction-** Agriculture is the mainstay of livelihood for the

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rural economy of India. About fifty percent of the workforce depends on agriculture for their livelihood. Agriculture also plays a key role in accelerating the tempo of development by providing employment, generating income and, creating demand, supplying raw materials and, wage goods to the industrial sector and promoting exports. Due to the slow pace of industrialization, agriculture continues to be over crowded without any significant transfer of unemployed surplus labour from the rural sector to the industrial sector. Agricultural innovation and the growing use of modern technology in the wake of the green revolution make farm practices a costly affair. Over and above all, exposure of agriculture to numerous production and marketing risks and, uncertainties of such adverse outcomes not only compel them to borrow but also seriously jeopardize their self-financing and repaying capacities. Consequently, this leads to an accumulation of debt that many a time assumes serious outcomes. Besides the exploitative rural financial market, it was also argued that the extravagant nature of the Indian farmers on social ceremonies was also responsible for their Indebtedness.

Credit is the main life stream of all activities associated with production and consumption. Agriculture credit plays a pivotal role in the growth and development of the rural economy, as it promotes livelihood options through enhancing the availability of credit for its productive investment. Various financial institutions provide credit for building the socioeconomic infrastructure of the rural economy. Need for borrowing in the rural economy is more significant in a country like India with more than three-fourth of its farm households owning small and marginal holdings and, a large segment of rural poor are unable to meet their subsistence living. Because of lag in income and expenditure, the rural people borrow not only to smooth their consumption and purchase of productive assets but also to meet many other social obligations. Unable to meet these expenses from their income, they are compelled to borrow from various sources. Borrowings become even essential in adverse situations like droughts, floods, pest attacks, and other natural calamities. Even economically well-off farmers are also compelled to borrow not only to smooth their consumption expenditures but also to invest in next crops and to invest in productive assets lost during such situations. Even in modern farm practices, farmers borrow to modernize and mechanize their agricultural operations to diversify into more rewarding farming and non-farming practices.

The large farmers manage to get crop loans, but the access to institutional sources is quite limited for small and marginal farmers. Being unable to access institutional source of finance, a large proportion of farmers were pushed to borrow at a very high and exploitative cost charged by the moneylenders, traders and commission agents. The creditworthiness of a landless and marginal farmer is eyed with suspicion because of his inability to mortgage acceptable collaterals like house building, land, and other assets. They do not possess such assets to pledge for the loan. Sometimes they don't have valid legal papers claiming for ownership of the land. Land

in rural areas is still treated as secured asset and a major source of living. In most cases, they hesitate to mortgage it in fear of losing it. The institutional finance often provides cheaper loans to rural elite class i.e. landholding class. Land less labourers and petty tenants are often deprived of access to credit facilities from formal sources. In most states of India, tenancy rights are not recorded and leasing of land is often prohibited.

Thus, the needy households who are actually in need of credit are screened out from the list of potential beneficiaries of formal credit agencies. Assetslessness, high incidence of poverty, unequal distribution of income, poor access to health, lack of educational facilities and deplorable living standard often compel them to borrow from informal or private sources. Sometimes friends and relatives, due to personalized and social ties offer loans. Most of them need no security against the loan, but this source meets a very small proportion of their credit requirements. Under such circumstances, the moneylender/landowner/employer lends money and usually charges usurious interest rates. Closely knit cohesive village economy and fear of social disapproval deter the borrower to default the loan. Even in the case of default of loan the landowner/employer can recover the loan in terms of labour or crop produce or by capturing the assets which were mortgaged or by exercising his economic power. The agrarian crisis generated by the suicidal tendencies brought the problem of Indebtedness in the limelight. The recent agrarian crisis, rural Indebtedness and large-scale farmer suicides in many parts of the country, presents extreme form distress scenario. Agriculture has been accorded the status of priority sector for credit disbursement. The enquiry committees, policy makers, and various researchers argued that the underdeveloped rural credit markets in the country, exploitative practices of the moneylenders and usurious rate of interest charged by them resulted in poor economic condition and indebtedness of people. The rural credit market is characterized with the problem of imperfect information, high rate of interest, adverse selection and moral hazard. Consequently, there was almost a consensus in the developing world that government intervention is necessary to overcome these problems and for development of the rural credit markets.

The nationalisation of private sector banks, expansion of the co-operatives, and establishment of regional rural banks (RRBs), establishment of small and marginal development agencies and other micro financial institutions, fixation of low rate of interest for agricultural loans and mandatory priority sector lending to agriculture regulation are some of the policy measures undertaken in India and other developing countries may be seen in this perspective. Consequently, the government established various rural credit institutions for development of the rural financial market and to provide farmers with affordable and adequate credit for productive purposes. Rural finance disbursement has been increased mainly after the nationalization of Banks. Large laws were enacted to provide relief to the indebted peasantry from the accumulated burden of moneylenders. The poor rural households do suffer from widespread poverty, inequality and

unemployment etc., the single most important factor that oppresses and makes life miserable is their Indebtedness to money lenders or landowner etc. Sometimes their hard and miserable life also led them to drinking alcohol which again led them to the moneylender. The crisis in rural livelihood is precipitated by the combination of poverty, low income and limited non-farm income opportunities. Rural Indebtedness has deep roots in India. The huge debt burden has incapacitated the rural economy. It has long been treated as a distress phenomenon. The ever-rising cost of cultivation, declining net return, and absence of alternative source of employment has resulted in heavy Indebtedness of farmers. Large pools of research have been carried out to enquire the reasons for persistent Indebtedness among the rural households.

**Review of Literature-** The problem of indebtedness has attracted the attention of many researchers and policy-makers throughout the world. Researchers from almost all the streams including Economics, Sociology, Political Science and Law, have extensively scanned the problem of indebtedness from their own perspective. Consequently, a very rich and diverse literature has been generated, covering various dimensions of the problem. The coverage of all these studies cannot be within the scope of a research work like the present one. Therefore, we have chosen review of a limited number of studies, directly related to our subject matter. We have included Indian as well as International studies. Besides gaining insights of different aspects, a review is likely to help us to frame various hypotheses and to understand the mechanisms related to various forces and factors, leading to the debt trap for some and enabling others to escape it. Sridhar (2006) observed that indebtedness is usually treated as the cause of farmers' suicide but it is only a symptom. The main problems are withdrawal of state from giving essential services and support to agriculture that made farmers to depend excessively on private sources. The decline in both farm and off-farm employment also added to the rural crisis. More over the shift in cultivation from rain fed cereals to cash crops made farmers to depend on cash incomes to meet expenses of cultivation and consumption expenses as well. Liberalization policies exposed farmers to prices determined globally. It also led to loss of state control over farm inputs and product prices that led to deepening of the crisis. According to Siba Sankar Mohanty (2007), Indebtedness is a problem which not only hinders the growth process but also creates the intergeneration gap for the participation in the democratic process due to growing distress and social psyche among the indebted households. This problem is the reason for the growing number of suicides in India because the farmers were not able to cope up with the fall in their social status. Patil Vikhe (2008) examined the issue of agricultural indebtedness. The study revealed that decline and uncertainty in agricultural earnings along with increasing dependence on purchased inputs led to high level of borrowing, including borrowing from non institutional sources and the consequent difficulty in repayment added to the farm distress. The problem is compounded by the absence of risk mitigation measures in the

field and the insensitivity of rural institutions. Rajeev Meenakshi et al (2011) have examined the incidence of indebtedness in India. They have interpreted incidence of indebtedness as an indication of farmers' access to credit. They found that small and medium sized land holders have inadequate access to credit in India. The institutional credit sources accounted for 58 percent of credit of which 60 percent is provided by commercial banks and out of the remaining 42 percent of non institutional source 62 percent was supplied by money lenders. In their inter-state analysis they observed that Andhra Pradesh farmers have high access to credit but mostly from informal sources. Kerala and Maharashtra tops in providing institutional loans to farmers. In Karnataka 52 percent of credit is accessed from institutional sources. Sajjad and Chauhan (2012) have examined various aspects of farm distress and reported that suicides are high in states with more proportion of indebted households. Indebtedness is caused by non remunerative farm product prices, higher cultivation cost, borrowing at high cost from money lenders and frequent crop failures. Farm mechanization has increased cost of cultivation rather than reducing it and it led to elimination of manual labour on the part of farmers and farmers have become farm managers and they used migrant labourers for essential farm activities. The cost increased when staple crops were replaced with commercial crops needing high investment. Crop yield instability is found increasing with high yield and highly commercialized agriculture rather than in traditional agriculture which was found self-sustaining. Indebtedness is found high among marginal farmers (61%) and small farmers (18.9%). Jain Neha et al (2016) have examined the problem of indebtedness among Scheduled Caste and Scheduled Tribe households in India. They have observed that the SC and ST communities suffer from social exclusion and are not able to find adequate employment that result in borrowing for the purpose of meeting their day to day expenses. Singh Gian et al (2017) have conducted an in depth analysis of various aspects of debt among farm households and farm labourers in India. They have observed that formal credit was mainly used for productive purpose while informal credit was used for unproductive consumption purposes.

**Objectives of the Study-** The primary objective of this study is to situate the causes and consequences of Indebtedness of rural households. Obviously, these two problems are interconnected. Solving one problem solves the other. To be more specific the objectives of the study are-

- To analyze the nature and incidence of Indebtedness of various categories of rural households according to farm size.
- To examine the sources of finance and purpose of borrowing for consumption or production activities and to see whether there is any variation across the land size class.
- To examine the impact of Indebtedness on socio-economic conditions of rural households.
- To suggest various policy measures to overcome the problem of indebtedness among rural households.

**Methodology and Study Area-** The study followed an empirical, analytical

and descriptive study to explore various dimension of the rural debt problem. We have used both primary and secondary sources of data for the present analysis as per the study requirement. In order to study impact and determinants rural Indebtedness or more precisely to study nature and extent of Indebtedness, factors responsible for increasing borrowing, the terms and conditions of lending, credit contracts and other interrelated issues, we conducted a census survey of two villages in the state of Uttar Pradesh in India. The area which is known for its poverty and backwardness. The two villages selected in our study area belong to 'two categories' based on a notion of irrigation status. Further, keeping in view of the functioning of various credit agencies like Self Help Groups (SHGs), Micro Finance Institutions (MFIs), Regional Rural Banks (RRBs), private money lenders and other financial institutions, these two villagers were selected. The relatively agriculturally advanced village is the village Maheshpur situated in Ayodhya district which has perennial canal irrigation and in which the use of HYV seeds, chemical fertiliser and pesticides is prevalent. The backward un-irrigated village is Kadipur situated in the district of Ayodhya. We study two different villages at a point of time rather than studying a particular village at distinct phases of development over time. All the households in two study villages are included in the study. The information required for our study were sensitive ones, utmost care was given in extracting required information from sample households by cross examination and winning over their trust that the information would be kept totally confidential.

To study the multidimensional mechanism of interlocked credit contracts with, land labour and produce markets, and socio-economic impact of Indebtedness one requires exhaustive and detailed data encompassing all socio-cultural and economic aspects of the village economy for which no reliable secondary data are available in all aspects. Moreover, to collect information from the rural households over their past for which respondents are required to recall their past from memory is likely to be extremely tedious task and would generate faulty data. But to a limited extent the recall method has been intelligibly used to draw overall inferences. While comparing the credit relation as between advanced and backward agriculture villages we have also attempted to shed some light on the changes which have come about in individual villages. The study intends to highlight the inter-village, Intra-village and interclass differences with respect to the debt burden from different sources and different sources. We deliberately avoided undertaking a large scale survey of indebtedness by purposively selecting the indebted households over a wider area.

**Agricultural Indebtedness-** Agriculture is the backbone of the Indian economy. Agriculture needed credit for buying seed, manures, for hiring labour and machine services and for making permanent improvements on the farm. Credit is very important for supporting the farmer households in lean seasons without income by providing adequate liquidity. When credit helps to increase farm incomes the debt is repaid without difficulty. But debt becomes a burden and farmers fall into a debt trap when the income

generated is inadequate and the debt is beyond the repaying capacity of farmers. Debt trap affects the capacity of farmers to borrow and the capacity to make fresh investments in the farm. Debt recovery measures of financial institutions intensify the distress of farmers. Multitude of factors, like crop failures, unremunerative prices of farm produce, when compared to prices of farm inputs, have affected the repaying capacity of farmers. The amount of credit required by farmers varies and depends upon various factors like types of crops raised, size of holdings and the number of family members. The financial needs of the farmers are classified according to time duration for which credit is needed as **Short-term or seasonal credit** which provides the farmers with the working capital to run their farms efficiently, to obtain the crop in the best circumstances and to hold the credit until the harvest can be marketed. Important items included in the short term credit are hired human and cattle labour, cost of fuel, oil and lubricants for the machinery used for cultivation, seed, manures, fertilizers, pesticides, small implements, feed and fodders for the livestock, and cash rent etc. This type of credit is normally required for growing the crop and is expected to be repaid after harvesting. In any case, this should be repaid within 12 to 15 months. **Medium term credit** provides the farmers the amount of capital to purchase livestock and farm machinery, and improvement of land. This credit is meant for a period of longer than a year but not more than 5 years. **Long-term credit** offers farmers the means required for purchasing small or medium holdings or to make permanent improvements, e.g., embankment and the erection of livestock quarters, storehouses and other farm buildings, litigation and repayment of old debts. The period of such debts varies from country to country and 6 place to place. In India such credit is required for periods ranging from 5 to 10 years.

**Sources of Agricultural Credit-** Agricultural Credit is a tool for providing instantaneous and long term financial assistance for farmers from different sources. Different types of agencies are involved in transmit of credit to farmers. Agricultural Credit is classified as non institutional and Institutional Credit agencies.

- **Non Institutional Sources of Credit-** Money lenders, traders, commission agents, landlords, friends, relatives are the various entities who provide non institutional credit.
- **Institutional Source of Credit- Government, Co-Operative Credit Societies, Land Mortgage Banks, Commercial Banks.**
- **Impact of Indebtedness on Rural Households-** Agricultural indebtedness comes in the way of social change and progress. The nine major impact of indebtedness is as follows-
- **Increase in the poverty-** Poverty becomes their life-long companion. Due to indebtedness they are not in a position to save money and become poorer. Once he becomes entangled in debt, he remains poor, no matter how much he may exert himself.
- **Slavery and Bonded Labour-** Indebtedness is resulted into slavery

and bonded labour. Due to fulfillment of the social obligation, in order to repay the ancestral debt, the poor farmer falls in prey to slavery and bonded labour.

- **Problem of Health-** Rural indebtedness leads to the poor health of the debtor. Due to poverty and indebtedness the farmer cannot have any nourishing diet and good food. They also cannot afford to have medical facilities for themselves and for their children. All these leads to lowering of their health standard.
- **Loss of Social Prestige-** Due to indebtedness the farmer feels himself very much inferior in front of the moneylenders or sahuikars. So it becomes his loss of social prestige.
- **Deterioration of Agriculture-** As a result of indebtedness, the condition of agriculture also deteriorated, because most of the farmers had to work on their moneylenders land as servants. The farmers also cannot give proper attention to the lands where they have cultivated. So it leads to the deterioration of agriculture.
- **Psychological Problems-** The effect of indebtedness leads to frustration, depression, mental imbalance and mental conflict of the poor farmer. Due to heavy burden of loan, the farmers are neither able to repay the loan nor able to improve their economic condition. They remain in a dilemma. Sometimes they commit suicide out of extreme frustration.
- **Lowering of Economic Standard-** Due to indebtedness, farmers' purchasing power are reduced, they cannot meet their own and their family's basic need. With this, economic standard of the farmer considerably comes down and down.
- **In-dignified Exploitation of Man by Man-** Due to ignorance and illiteracy the farmer easily falls into the prey of the moneylender. The moneylender tries to exploit him in many ways. Due to lower social prestige, he cannot raise his voice against the moneylender. So, indebtedness results in In-dignified exploitation of man by man. At times even the whole family of the borrower is forced to work for the moneylender.
- **Increase in Landless Labour-** Increase in landless labour is also because of rural indebtedness. Once a farmer is in the trap of the moneylenders, gradually the amount with Interest goes on increasing. A stage comes when the poor farmer has no other alternative but to sell his small piece of land to the moneylender and joins the ranks of landless labour.

**Causes of Agricultural Indebtedness-** The main causes of Agricultural indebtedness in India are as follows:

- Low income
- Poverty and lack of education

- Unproductive & wasteful expenditures of the loans
- Inherited debts
- Waste of money on Litigations
- Poor financial inclusion
- Weaker marketing system of banking facilities and services
- Faulty money lending system in India
- Uncertain Monsoon
- Wasteful expenditures in social customs
- High cost of agricultural production
- Results of Rural Indebtedness:
- Forced selling of mortgaged lands by the peasants due to nonpayment's consequently giving rise to landless laborers.
- Exploitation by moneylenders.
- Growing poverty due to lost capacity as a labourer.
- Discrimination in the rural society
- Social unrest causing crimes and suicides.
- Dividing the rural society into landlords and landless people.
- Posing hurdles in the social and economic developments.
- Giving rise to problems of bonded labour.
- Political exploitation as poor farmers not able to choose the right candidates due to monetary avarice.

**Conclusion and suggestion-** Our study is an integrated work that highlights the causes and consequences of Indebtedness among the rural households. Except social, economical and psychological consequences of Indebtedness, the study highlighted other aspects of crisis such as, migration, and welfare loss and farmer suicide. The analysis of the impact of borrowed funds shows that (all the households of the two survey villages taken together), 62 percent households reporting positive impact of debt in terms of increasing income, employment and asset building. The study acknowledges the fact that credit has large beneficial impact on socio-economic conditions of the households. Most of the higher asset holding class reported that their economic position has improved while most of the poorer households have experienced that their economic condition deteriorated. Inadequate accessibility to formal finance to the poor might be causing more distress for the rural households. Depletion of resources i.e. a direct wealth effect or an indirect collateral effect due to low repaying capacity of the household are also found to be other consequences of Indebtedness. Indebtedness accelerates inequality and skewed distribution of resources and concentration in land other assets among the fewer hands.

The study also vehemently proved the pervasiveness of high cost of loans in the informal credit market. The top quintile class has good access to formal borrowing while the poorer to informal borrowing. High cost informal borrowing might be the reason for the distress position of poor rural households. When a debtor has to give a considerable part of his income for repayment of loan (principal and interest) his desire to invest and earn

decreases and consequently his income goes down. The households with good number of assets in some extent could manage their liabilities wisely and economically. The poor households have few liquid assets or do not possess significant assets and face more wrath of crisis.

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## ***A Study of Sacred Groves of Gumla District (Jharkhand)***

• Shiv Kumar

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**Abstract-** *Sacred groves are patches of primeval forest that some tribal/rural communities protect as abodes of deities and are the good source of a variety of medicinal plants, fruits, fodder, fuel wood, spices, etc. The present paper is a case study of some sacred groves of Gumla (Jharkhand) in some selected blocks and the aim of the study is to document the tradition of sacred groves (Sarna Sthals). An attempt has been made to bring out historical, cultural and ecological importance of Sarna Sthals. Some suggestive measures have also been enumerated for the conservation of Sarna Sthals.*

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**Keywords-** *Sarna Sthal, Sal/Sakhua, Socio-Cultural, Pahan, Tribal*

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**Introduction-** India has long tradition of conserving nature by giving it a spiritual dimension since Vedic times. There is a strong symbiotic relationship between the biophysical ecosystem and socio-economic institutions, with strong cultural relations binding them. Culture and environment have been regarded as complementary, yet dynamic. The various cultural connections are expressed through myths and religious practices that celebrate plants and animals, forests, rivers, mountains that are so essential for existence.

Sacred groves are segment of landscapes containing trees and other forms of life and geographical features that have been preserved by the ethnic communities based on their religious beliefs (Jagdale, 2021). India has the highest concentration of sacred groves, estimated to be over 1,00,000 sacred groves (Malhotra, Gokhale, Chatterjee & Srivasta, 2007). They are dedicated to local folk deities or ancestral spirits. They are protected by the local people through social traditions and taboos by incorporating spiritual and ecological values. These groves are found all over the country with various local names and associated deities.

Since time immemorial the local communities, mostly tribal depends in these groves for traditional medicines to cure different diseases (Chanda and Ramachandra, 2019). A study of the tree wealth in the life and economy of the tribal people in Andhra Pradesh revealed that various species are used by the different ethnic groups for various purposes including the treatment of common diseases and disorders (Rani et al. 2003).

The role of sacred groves in the conservation of the regional medicinal plants has been emphasized in several studies from different parts of the country. Bhakat and Pandit, (2003) recorded from the Chilkigarh sacred grove in Midnapore district (West Bengal) 105 medicinal plant species of which 12 are threatened elsewhere in the district. A total of 120 medicinal plants widely used for the treatment of various ailments were reported from four sacred groves of Manipur (Khumbongmayum et al. 2005).

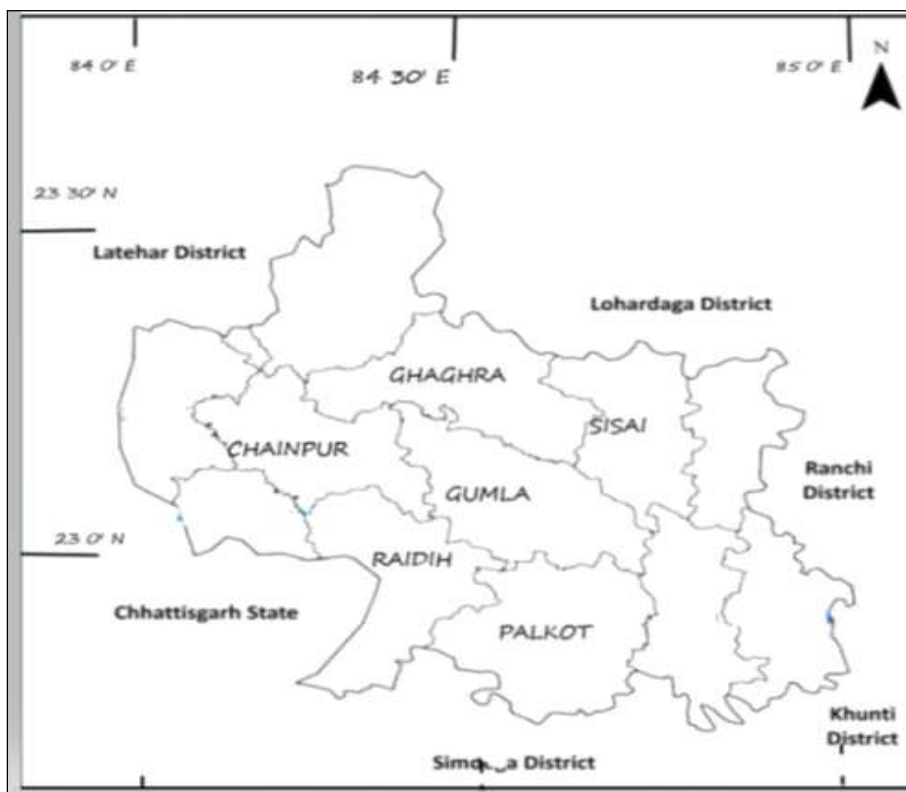
Descriptive accounts of religious and cultural practices, and people's attitudes related to sacred groves, forests/ecosystems/landscapes have been given by several workers (Gadgil and Vartak 1976, Khiewtam and Ramakrishnan 1989, Ramakrishnan 1996, Nair et al. 1997). The tribals of Jharkhand worship their sacred groves which are known as 'Sarna Sthal'. 29 sacred groves have been documented in the state. A Sarna is a cluster of trees where the tribals worship on various occasions. Such a grove must have at least 5 Sal/Sakhua trees (*Shorea robusta*) also known as Sorjum, held very sacred by tribals.

In Sarna Sthal, apart from mother Sarna, other Gods and Goddesses are also worshipped by the Pahans of the villages not only Oraons but all the Sarna Dharam adherants consider Sarna Sthals as their Sacred Place. Oraons, Mundas, Santhals, Ho, Birhor, Khadiyas and other tribes also perform their rituals here. The names differ according to dialect and languages.

Therefore, a holistic understanding of the current, structure and function of sacred grove is essential for assessing their ecological role and formulating strategies for their conservation. (Deepa et al, 2016).

**Study Area-** The various legends are in currency regarding its name. The most popular one ascribes to its word 'Gumla' in Mundari language, which relates to the occupation of the local Tribes in rice processing work (dhan-kutna). The second legend 'Gau-mela' relates to cattle fair. Cattle fair was weekly held in Gumla town every Tuesday. In rural areas, Nagpuri and Sadri people still call it 'gomila'. Blessed with nature's beauty, the district of Gumla is covered by dense forests, hills and rivers. It is situated in the southwest portion of the Jharkhand State. The District was carved out of Ranchi District on 18th May, 1983. The district is bounded in the north by the Lohardaga and Latehar districts, in the east by Ranchi district, in the south by Simdega district and in the west by the Chhatisgarh state. The district is situated between 22° 42' 45" and 23° 36' 30" N latitude and 84° 02' 00" and 85° 01' 00" E longitude. The Gumla district comes under the south Chhotanagpur division. It has one sub – division i.e. Gumla Sadar sub – division. Further, the district is divided into 12 blocks of which 6 blocks: Gumla, Palkot, Chainpur, Raidih, Ghaghra, Sisai block are selected (Fig. 1). As per census of 2011, the total population of the district is 1025213 persons.

**Fig 1**  
**Study Area**



**Table 1**

Block	Total Inhabited Village	Total Population	Rural Population	Urban Population	Sex Ratio (per 1000 male)	Scheduled Tribes (S.T.) Population	Scheduled Tribe (S.T.) Percentage (out of total)
Gumla	107	213620	157119	56501	979	122290	57.25%
Ghaghra	119	114399	105819	8580	1002	88805	77.63%
Sisai	87	116844	116844	-	1000	75208	64.37%
Chainpur	83	56591	56591	-	993	46320	81.85%
Raidih	61	71443	71443	-	999	46240	64.72%
Palkot	73	80859	80859	-	1011	48608	60.11%

**Demographic Characteristics of Study Area**

Source: Census of India, 2011

**Data Source and Methodology-** To study different Sacred Groves (Sarna Sthals) of Gumla district 6 blocks namely Gumla, Palkot, Chainpur, Raidih, Ghaghra, Sisai block were visited. The historical data for the study have been collected from the secondary sources and free flow interviewing of respondents. Primary data is collected through cross section interaction through discussion and interviews with the local people of the study area. The primary data have been collected during the period from March-June, 2022. The data was collected on socio-cultural activities being held at each selected spots. Unstructured schedules were prepared for analysis of human activity in the Sarna Sthal and effect on vegetation due to human intervention. The selection of sample respondents is based on stratified random sampling technique which is representative of all caste groups in the village. The information were also collected by the priest (Pahan) or the local people or Government officers posted in that villages/Blocks.

### Result and Discussion

**Table 2**  
**Distribution of Sacred Groves**

Block/Name of the Sacred Grove  Sarna Sthal	Location  Latitude/ Longitude (degree and minutes)	Festivals and Rituals
Gumla/ Sarna Toli	23.036N 84.550E	The place hosts Sarhul at the time of April (after Baisakh Purnima), when the flowers of Sakhua or Sal start to bloom. For other Festivals like Karma other place is used.
Ghaghra/ Ghaghra	23.063N 84.527E	During Sarhul, Pahan come to Sarna sthal with the holy water, white chicken (which is to be sacrificed) and grains of newly harvested rice.
Sisai/ Chittatoli	23.415N 85.163E	The most important offering to Chala Mata is the newly bloomed Sakhua/Sal's flower, no other flower is offered to her.
Chainpur/ Tabela	23.087N 84.412E	No items from Sarna Sthal are used for domestic purposes
Raidih/ Patra Toli	22.927N 84.456E	
Palkot/ Palkot	22.055N 84.456E	

Source: Field Survey, 2022

**Plates 1-6**  
**Sacred Groves of Study Area**



**Plate 1: Sarna Toli (Gumla Block)**



**Plate 2: Ghaghra Sarna Sthal (Ghaghra Block)**



**Plate 2a: Akhara of Ghaghra Sarna Sthal (Ghaghra Block)**



**Plate 3: Chittatoli Sarna Sthal:** The stone where sacrifice is done and Sal Sapling is planted. **(Sisai Block)**



**Plate 4: Tabela Sarna Sthal (Chainpur Block)**



**Plate 5: Patratoli Sarna Sthal (Raidih Block)**



**Plate 6: Palkot Sarna Sthal (Palkot Block)**

**Table 3**  
**Accessibility of Sacred Grove (Sarna Sthal)**

Block	Name of the Sacred Grove (Sarna Sthal)	National Highway (N.H.)	State Highway (S.H.)	Connected To Major District Roads(M.D.R.)	Pucca Road	Kutch Road	Footpath
Gumla	Sarna Toli	Yes	Yes	Yes	Yes	Yes	Yes
Ghaghra	Ghaghra	Yes	Yes	Yes	Yes	Yes	Yes
Sisai	Chittatoli	No	No	No	Yes	Yes	Yes
Chainpur	Tabela	No	No	No	Yes	Yes	Yes
Raidih	Patra Toli	Yes	Yes	Yes	Yes	Yes	Yes
Palkot	Palkot	Yes	Yes	Yes	Yes	Yes	Yes

Source: Field Survey, 2022

**Table 4**  
**Current Status of Sacred Grove (Sarna Sthal)**

Block	Name of the Sacred Grove (Sarna Sthal)	Status of Sal Tree (Which is to be worshipped)	Boundary/Water Supply for irrigation	Maintenance	Government Recognition
Gumla	Sarna Toli	Original Sal Tree died	Yes/ Rains, Ground-water	Average	No
Ghaghra	Ghaghra	Dried original one with new Sapling	Yes/ Rains, Ground-Water, small pond	Very Good	No
Sisai	Chittatoli	Tall and healthy	No/ Rains, Ground-water	No maintenance	No
Chainpur	Tabela	Tall and Healthy	Yes/ Rains, Ground-Water	Good	No
Raidih	Patratoli	Newly Grown Healthy Tree	Yes/ Rains, Ground-Water	Poor	No
Palkot	Palkot	Tall and Healthy	Yes/ Rains, Ground-Water	Average	No

Source: Field Survey, 2022

#### **Cultural Aspect of Sarna Sthals-**

- In every village in Gumla district, the boundary of the village is decided by the presence of Sakhua tree. According, to the dominance of whichever tribal community (i.e. Khadiya, Oraon, Munda mostly) residing in that particular village, the Religious head-'Pahan' is chosen.
- Primarily, in Chotanagpur, with the efforts of Late. Kartik Oraon, Sarna Dharam adherents were united to celebrate Sarhul on 'Chaitra Tritiya Shuklapaksh' for all the villages and that day has been declared holiday every year by Jharkhand State Government.
- According to different legends and traditions every village

celebrates their Sarhul on any day as per their convenience. And the celebrations stops after 'Baisakh Purnima'.

- Pahan does the rituals by filling water earthen pot at dawn so that nobody sees that and he sprinkles that water to every house of all the community for the well-being of Community people. All the Goddesses are worshipped especially by sacrificing a white chicken, offering Local drink '*Hadiya*', red string and grains of new rice crop.
- The Sarhul is celebrated when Sakhua's flowers start to blossom. It is mandatory that only Sakhua blossoms are used for the puja ritual. The Goddesses residing in Sakhua tree wants these flowers only to be used for worship.
- The changing pattern of celebration can be attributed to the inclination towards western culture.
- Most of the Pahans have taken up another job and only serve the purpose as a Family tradition. Very few actually know the history, legends and cultural aspects of Sarna Sthals.

#### **Ecological significance of Sacred Groves (Sarna Sthals)-**

- It is the repositories of rich medicinal plants, wild relatives of crops and many important species, which act as the valuable gene pool.
- It provides unmolested vegetation, harbours *in-situ* conservation of wild plant species with economic potential. It conserves rare and threatened plant species. Perhaps sacred groves could be called as a last refuge for these vulnerable species. They are acting as mini-botanical gardens.
- Sacred groves play a great role in maintaining the microclimate of the region. Conservation of these groves can conserve water and, prevent soil and nutrient loss.
- Groves act as shelter place for forest birds and small mammals during their foraging activities.

#### **Problems-**

- The areas are small to attract government attention for coming under notified areas of State list.
- The capturing/encroachment of lands of Sarna Sthals is more of a political issue than spiritual or cultural issue.
- The biodiversity status of Sarna Sthals are not good.
- The stories and myths and legends are not documented.

#### **Suggestions-**

- The areas need to be enlarged, even if not enlarged then more species of trees and shrubs need to be planted to maintain the gene pool.
- Some of the medicinal and other unique properties of plants need to be planted.
- There needs to be more youth inclusion regarding the culture and

conservation of Sacred Grove.

- Documentation of legends, traditional value should be inculcated in mainstream education system.

**Conclusion-** The study of interrelationship between the human beings and plants and animals in their surrounding environment is very revealing. Such “ecosystem people” draw their livelihoods from nearby resources and value nature for the ecological services it provides. At most of the Sarna Sthal, villagers celebrate Sarna Puja and maintain the Sarna Sthal by the contributory support of the local people. The maintenance of Sarna Sthal is need for preserving social, cultural and religious beliefs as well as ecological benefits of the environment.

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## ***Making of Gandhian Political Philosophy and Its Implication in Contemporary India***

• Iswar Parida

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**Abstract-** *Mohandas Karamchand Gandhi, popularly known as Gandhiji, has been widely accepted as political philosopher of twentieth century famous for his ideas like Ahimsa, Satyagraha, Swaraj, Swadeshi and Civil Disobedience. These ideas had been used as suitable tools to arouse nationalism among Indians against British and considered to be the befitting resistance to British rule in India. Largely, under the leadership of Gandhiji, the Indian national movement, become successful to send back Britishers to their own country, whereas the British system still rule over Indians to this day. In this context, how far Indians use Gandhian methods to eradicate the English system and institutions from India at present time? Even if the Gandhian method become successful to erase English system and institutions from India; then how far his ideas can initiate a viable possibility for replacing the colonial system with an alternative one. The major challenges that we face today in India are from the systems and institutions of colonial India which need to be addressed otherwise India won't be free from colonial cultural hegemony which seems to have strong legacy.*

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**Keywords-** *Gandhiji, Ahimsa, Satyagraha, Swaraj, Swadeshi, Civil Disobedience*

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**Introduction- Background for the Importance of Gandhian Non-Violence-** From inception of human history, violence has been the most practiced method to sort out problems in political and religious spheres. The presence of war as part of violence found in oldest civilization like Mesopotamia to Greek (Peloponnesian war) took many lives and wealth in ancient world. Also, medieval Europe had seen Barbarian attacks to Crusade war (continued for five hundred years), the importance of violence in human society. Even in modern Europe, violence was the day-to-day activities among Christians during the period of Reformation in order to ascertain who is a true Christian. Similarly India also has experienced violence as a method in its ancient, medieval and modern political sphere. In contemporary world, violence has been the inevitable part of human life to satisfy their egos, superiority, jealousies and other envious human qualities.

In the long history of human violence, Gandhi was successfully introduce non-violence as a method to resolve the problems of everyday life by resisting brutal force from exploiting poor souls. He was the advocacy of

right of man like Thomas Paine but to preserve that right he was not willing to take the violence method which has no positive reaction. He employed his idea of purification of heart through not opposing in violent way but also undo from the struggle until achieve the righteous goal through self-suffering. The idea of nonviolence was a new approach in political resistance employed by Gandhi. He used conscience or righteous mind in order to understand the truth and uphold that truth by resisting the brutal force in nonviolent way. Where did he learn this idea of nonviolence? Jainism has a strong influence on Gujarati society from which he derived the idea of nonviolence. It was completely in theological and spiritual method. Gandhiji experimented the idea of nonviolence in political way and claimed to be a strongman's daringness to use this method.

In the year 1906, with the suggestion from Mr. Lionel Curtis, the Government of South Africa drafted a Asiatic Law Amendment Ordinance to be introduced into the Legislative Council was published in the Transvaal Government Gazette. The aim of this Ordinance was "Every Indian, man, woman or child of eight years or upwards, entitled to reside in the Transvaal, must register his or her name with the Registrar of Asiatics and take out a certificate of registration."<sup>1</sup> Gandhi was in opinion that the legislation of this nature against freeman which enchained the Indians and ruin them in the hands of law. He and some of the established Indians over there organized a meeting to discuss the discourse of their action to end the Ordinance. Though some leaders gave fiery speech but Gandhi had realized the reality as a few Indians had no stand in front of mighty English army. So, Gandhi asked in the meeting to take oath to oppose the Ordinance in peaceful manner even if they are tortured physically or mentally.

His experiment in South Africa developed a new political philosophy known as "Satyagraha". He in his book *Satyagraha in South Africa* explained how the movement against The Black Act named in following manner,

None of us knew what name to give to our movement. I then used the term "passive resistance" in describing it...As the struggle advanced, the phrase "passive resistance" gave rise to confusion and it appeared shameful to permit the great struggle to be known only by an English name. Again that foreign phrase could hardly pass as current coin among the community. A small prize was therefore announced in *Indian Opinion* to be awarded to the reader who invented the best designation for our struggle...Shri Maganlal Gandhi was one of the competitors and he suggested the word 'Sadagraha', meaning "firmness in a good cause." I liked the word, but it did not fully represent the whole idea I wished it to connote. I therefore corrected it to 'Satyagraha.' Truth (Satya) implies love, and firmness (agraha) engenders and therefore serves as a synonym for force. I thus began to call the Indian movement 'Satyagraha', that is to say, the Force which is born of Truth and Love or Non-violence, and gave up the use of the phrase 'passive resistance', in connection with it, so much so that even in English writing we often avoided it and used instead the word 'Satyagraha' itself or some other

equivalent English phrase. This then was the genesis of the movement which came to be known as 'Satyagraha' and of the word used as a designation for it.<sup>2</sup>

Thus Satyagraha literally means devotion to truth, remaining firm on the truth and resisting untruth actively but nonviolently. Since the only way for Gandhi getting to the truth is by nonviolence, it follows that *Satyagraha* implies an unwavering search for the truth using nonviolence. According to Michael Nagler *Satyagraha* literally means 'clinging to truth', and that was probably how Gandhi understood it. Satyagraha has often been defined as the philosophy of nonviolent resistance most famously employed by Mahatma Gandhi, in forcing an end to the British domination.

According to Gandhi, *Satyagraha* is a moral weapon and the stress is on soul force over brutal force. Its aim is to win over the enemy and unjust law through love and patient suffering, not at crushing punishing or taking revenge against the authority, but to convert and heal it. Though it started as a struggle for political rights, Satyagraha became in the long run a struggle for individual salvation, which could be achieved through love and self-sacrifice. *Satyagraha* is meant to overcome all methods of violence. Gandhi explained in a letter to Lord Hunter that *Satyagraha* is a movement based entirely upon truth. It replaces every form of violence, direct and indirect, veiled and unveiled and whether in thought, word or deed. *Satyagraha* is for the strong in spirit. A doubter or a timid person cannot do it. Satyagraha teaches the art of living as well as dying. There are three basic precepts essential to Satyagraha: Truth, Non-violence and Self-suffering.

In Non Cooperation and Civil Disobedience movement, Gandhi was opposing immoral laws like Rowlatt Act<sup>3</sup> of 1919 and Salt Act of 1882. He was anti-establishment and anti-government in the eyes of British. In his first movement, he was not directly against the British law and poses the passive resistance by non-cooperating the government functionaries. However, he was against the government institutions and functionaries which altered in quit India movement in which the slogan was given to British to quit India. Thus, an anti-institutional leader shifted his position and appeal to British to leave India. Similarly Gandhiji's another experiment to oppose British law was seen in 1930 popularly known as Salt Satyagraha or Civil Disobedience movement. In this movement Gandhi has defied the Salt monopoly or criminalization of salt-manufacturer (Salt Act, 1882) by writing some articles on it while he was in South Africa. As Salt was the part of daily diet irrespective of all sections of Indian society, Gandhi raised the issue of Salt Act or criminalization of salt-manufacturing and convinced to disobey this Act by manufacturing the salt which is naturally given to Indians. Salt tax created a major part of government's income and salt-manufacturing in England enhanced the job opportunity to the English workers whereas Indians suffered in both ways by forcibly buying English salt in high price and not able to manufacture salt which would have created job opportunities for Indians. The criminalization of salt-manufacturing is a shame against humanity for which Gandhi took that issue nationally and supported by

mass. To oppose unjust law like salt law, Gandhi was convinced to resist government and challenge its policy. Though, Henri David Thoreau has claimed that a majoritarian government could not always be right in implementing laws which has adverse affect on public. In that case, the conscience of an individual can rightly define an unjust law from just. Gandhiji has used his idea of civil disobedience by resisting unjust law like Salt Act to save public from its oppression and provide them natural justice.

### **Gandhian Concept of Good Governance**

After British officially left India on 15<sup>th</sup> August, 1947, it can be said that India got her independence from British but the colonial British institutions still continues with its exploitative character except some change in nomenclature. Gandhi was against the western notion of democracy. Gandhi opposed the modern state. The state is the military, police, prisons, courts, tax collectors, and bureaucrats. He saw the state as concentrated violence. "The state represents violence in a concentrated and organized form. The individual has a soul, but as the state is a soulless machine, it can never be weaned from violence to which it owes its very existence."<sup>4</sup> Gandhi was a philosophical anarchist because he believed that "(the greatest good of all) can be realized only in the classless, stateless democracy." While Gandhi advocated democracy, he differentiated between direct democracy and western democracy. Commenting on the parliamentary system, Gandhi says, "If India copies England, it is my firm conviction that she will be ruined. Parliaments are merely emblems of slavery. By centralizing power, western democracies feed into violence. Thus he thought decentralization was the key to world peace."<sup>5</sup>

### **Relevance of Gandhian Philosophy in Contemporary Indian Society**

Gandhian philosophy of truth and non-violence as part of Satyagraha is also relevant in contemporary India. A recent peasant protest to Bombay in huge number and the Maharashtra govt. accepted all their demands. Moreover, Gandhiji followed the principle of decentralisation in his democracy. Power should not be concentrated in a single authority. Gandhiji's democracy shall be free from exploitation and oppression. There shall be no scope for exploitation by one class to another class. It is based on the rule of majority. According to him, —The nearest approach to the purest anarchy would be democracy based on Non-violence. In such a state everyone is his own ruler. However, Gandhi was highly critical of the parliamentary democracy and in his monumental book —Hind Swaraj (Self Rule or Home Rule, he has called the British Parliament as a —sterile women and a prostitute, though for him—good government is no substitute for self-government. There is contradiction in the statement of Gandhi about parliamentary democracy but while diving deep into the democratic ideals, he has said, —Democracy, disciplined and enlightened are the finest things in the world.

However, he has highest regards for Democracy and he calls it as —a great institution and again conscious people and says, —It is liable to be greatly abused. Once again nation-wide anti corruption movement launched by the great Gandhian of our time Anna Hazare and his team undoubtedly

proved the relevancy of Gandhism.<sup>6</sup> The government had to bow down with his demand of introduction of Jana Lokpal Bill, following his 12 days fasting at Ramlila Maidan, New Delhi. There was no any evidence of violent act in the movement though lakhs of people gathered daily in Ramlila Maidan and crores of other agitated in every nook and corner of the nation. In Orissa and other Indian states, many are agitating against the Government and Multi National Corporations (MNCs) on the issues like big dam, rights of the son of soil, corruption and so on, on the principle of Gandhian philosophy. These are only the few examples of several other instances going on in different parts of the nation. These development must be inspired others for applying Gandhian way in future. Gandhian democracy is still relevant in India.

It is clear from the 73<sup>rd</sup> amendment of Indian constitution. That amendment is related only with rural administration of India. One significant provision of that amendment is decentralization of power up to the rural level. That amendment has already been implemented in India. Gandhian techniques are mostly following by the Indian people to fulfillment different demands. .Gandhi's philosophy of life is relevant to all humanity. He did not reserve any afford in serving India and humanity and sacrificed even his life. He was a scavenger, a manual labour, an economist, a politician, a religious man, a lover of humanity and above all a Mahatma. Gandhi's life itself is a message to humanity.<sup>7</sup>

### Conclusion

Gandhian utopian state has been a day dream and no attempt has been made to innovate the political structure of contemporary India which is not exploitative and instrument of enslavement according to Gandhi. The question still remain open-ended whether Gandhian ideas irrelevant to mend the menace of modern day politics of India or does it have the potentiality to provide an alternative system and save us from the hegemony of west in all the aspects including politics.

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2. Mohandas Karamchand Gandhi(Translaed by Valji Govindji Desai). *Satyagraha in South Africa from The Selected Works of Mahatma Gandhi (Vol. II)*. Ahemedabad: Navjivan Trust, 1968, pp. 105-106.
3. The Anarchical and Revolutionary Crimes Act of 1919, popularly known as the Rowlatt Act and also known as the Black Act, was a legislative act passed by the Imperial Legislative Council in Delhi on March 10, 1919, indefinitely extending the emergency measures of preventive indefinite detention, incarceration without trial and judicial review enacted in the Defense of India Act of 1919 in the First World War. On the report of the committee, headed by Justice Rowlatt, two bills were introduced in the central legislature in February 1919. These bills came to be known as "black bills". They gave enormous powers to the police to search a place and arrest any person they disapproved of without warrant. A well known description of the bills at that time was:
4. No Dalil, No Vakil, No Appeal i.e., no pleas, no lawyer, no Appeal. Despite

much opposition, the Rowlatt Act was passed in March 1919. The purpose of the act was to curb the growing nationalist upsurge in the country.

5. Jesudasan, Ignatius. *A Gandhian Theology of Liberation*. Ananda, Gujarat: Gujarat Sahitya Prakash, 1987, pp. 236-237.
6. Ibid.
7. Dhiraj Kumar Das. Relevance of Gandhian Philosophy in Contemporary Period. *Pratidwani-A Journal of Humanities and Social Science*, Vol. I, Issue - II, 2012.

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## ***From Relegation to Recognition: Analysing the Role of the Courtesans in the Indian Freedom Struggle through Moral Narratives***

• Divya Kumar

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**Abstract-** *The presence of the courtesans in India's struggle for independence has attracted considerable attention. Moral narratives of the colonial period brought them within the authoritarian framework of 'purity' and 'chastity'. British administrators, Christian missionaries, press and more ironically, the Indian leaders and society in general, relegated them to the margins. The participation of the courtesans in the Revolt of 1857 resulted in British retribution and the former's subsequent disparagement. Yet despite stigmatization, their unforgettable contribution found a dominant place in the writings of both the British and the Indians in the late nineteenth and early twentieth centuries. In Rudyard Kipling's short story On the City Wall, the Lahore courtesan Lalun's involvement in secret political activities was reminiscent of the role played by the recalcitrant courtesans in the Revolt of 1857. Munshi Premchand's novel Bazar-e-Husn or Seva Sadan of the early twentieth century spoke of the double standards of the British and society in general when the courtesans were ordered by the local municipal corporation to relocate their kothas outside the city 'to maintain 'social morality'. Even social reformers like Swami Dayanand Saraswati and Keshub Chandra Sen did not hesitate to denigrate them. The latter went to the extent of saying "Alas! Her (prostitute's) smile is India's death". The courtesans were known by different names such as the Tawaif in North India, Baiji in the East, Naikin in Goa and Devadasi in South India. The term tawaif is a derivation from the Arabic word taifi or tauf denotes 'circling round'. The tawaifs who once enjoyed great socio-cultural privilege, were equated with prostitutes with the support of legislations like the Contagious Diseases and Cantonment Acts in the colonial period. Similarly, the devadasis were labelled as 'nautch girls'. Absence of autobiographies of courtesans and their recorded speeches acted as impediment in making their contribution see the light of the day. Moreover the moral narratives assiduously devoted themselves to negating their contribution while pushing them further to the margins. Yet, the spirit of nationalism was undeniably visible among such women, Notable among them were Azizun Bai of Kanpur, Dhaneshwari, Vidyadhari, Janki and Husna Bai of Benaras and Dharmman Bai of Bihar besides Muthulakshmi Reddy of Tamil Nadu who happened to be a devadasi's daughter. They helped the nationalists through the supply of arms, donations, organizing sabhas and promoting the uplift of females in general. The works of Rugrangshu Mukherjee, Veena Talwar Oldenburg, Lata Singh, Pran Nevile, Saba Dewan and others have brought to light such aspects. This paper intends to discuss such issues through primary and secondary sources.*

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**Keywords-** *courtesans, freedom struggle, stigmatization, moral narratives, tawaif*

**Introduction-** The period of nearly one century of the direct assumption of power of India by the British Crown constitutes an engaging discourse on class, gender and class distinctiveness. On the part of the British, the era began with the assertion of 'Victorian morality' by which the colonists assumed the role of 'guardians' with attempts to free the Indians, their subjects, from Oriental despotism. Throughout this period, the Indian reformers struggled to maintain a balance between values of the East and modernism of the West. Positioned between the ruler and the ruled were the missionaries: their support to either group depended on the circumstances. Mirroring the society, even the press, British novelists and travellers as also the Indian writers expressed their views on such delicate issues thus constructing the moral narratives. This period is also notable for the sizeable role played by the courtesans in the freedom struggle of India- a contribution which lay buried for years. Their attrition with the British which started during the Revolt of 1857, continued throughout the freedom struggle. Understanding the value of freedom, basically non-combatants, the courtesans offered financial assistance, arms and hiding places to freedom fighters, organized sabhas and enthused the Indians towards attainment of freedom.

Unfortunately, this glorious aspect largely remains an untold, subaltern narrative. On their part, such women never wrote narratives or gave speeches that were recorded. Both colonial and national historiography maintained silence on the commendable role of these heroines to ensure their near absence in the discourse of the national struggle. The British, caught off-guard by the participation of the courtesans in the Revolt of 1857, did their best to stigmatize and erase them from the annals of history, the missionaries called them 'impure' and the discourse on nationalism chose to push them to the margins, making them invisible and elusive in patriarchal histories. These victims of gendered and racialized representation were conveniently set aside on the issue of respectability. It was feared that their presence would destroy the sublimity and composite nature of the unified freedom struggle. The nationalists sought inspiration from the Revolt and its leaders including Begum Hazrat Mahal who herself hailed from a courtesan family; the other courtesans were conveniently ignored, what to talk of appreciation! Considering them 'pollutants', they wished their wives, mothers, sisters and daughters to keep away from them. With the stigma of being public women, even the elite female class preferred to maintain distance. In general, society had no place for them. Amidst assertion of nationalism, the moral discourse made the courtesans including the tawaifs and devadasis embarrassing remnants of the pre-colonial and pre-national age impeding the construction of a unified front against the British. Representing an uneasy diversity of culture, they were kept away from the freedom struggle and conveniently ignored.

Literary writings were far more just: they chartered the journey of

the courtesans in the society from the days of the Revolt to their role in the freedom struggle during the Jallianwallah Bagh massacre and beyond, extending to a plea to improve their condition and assign respectability to them. In fact, both British and Indian litterateurs ensured the valuable presence of the courtesans in the society amidst double standards of the rulers and reformers alike. Rudyard Kipling (1865-1936), born in India after the Revolt, had in mind the participation of the courtesans of Awadh in the anti-British conspiracy during the Uprising. Such unsettling thoughts found their resonance in his late nineteenth century work *On the City Wall* where Lalun, a beautiful and intelligent courtesan helped escape an old prisoner who had rebelled against the British in the Revolt. In this daring act, she sought assistance from an unsuspecting British admirer. Likewise Flora Annie Steel in her work *On the Face of the Waters* (1896), made a prostitute Gul-anari the instigator of a rebellion. Steel also referred to the taunts of such bazaar women who instigated the sepoys to support their fellow men in the struggle. On the other side was Philip Meadow Taylor. Perhaps propelled by the desire to show the support of the courtesans for the British Raj, he made Peri Buksh, the enchanting tawaif, a British informer in his short story *Seeta* (1872). Far from reality, this idea was a mere expression of wishful thinking. The early twentieth century witnessed Munshi Premchand's first novel *Bazar-e-Husn* or *Sevasadan*. It spoke of the double standards and patriarchal norms of the society against the prostitutes and its efforts towards their exclusion. Much later, keeping at centrestage the Jallianwalla Bagh massacre, Sa'adat Hasan Manto's two stories *Swarajya* and *1919 ka ek Waqya* spoke of feminist participation. While the former stressed on the Muslim women joining hands with the Congress in the freedom struggle, the second story is noteworthy for the feeling of revenge of two courtesans Shamshad and Almas for their nationalist brother Kanjar who was slain at the hands of the British.<sup>1</sup> The Jallianwalla Bagh incident was kept at the centrestage by Mulk Raj Anand when he wrote critically of the "Whites (British) who ... went to prostitutes of every cantonment"<sup>2</sup> It was a reference to the senseless policy of the Raj towards such women who faced exploitation at the hands of the British sepoys.

To study the presence of the courtesans in general, the narratives of foreigners such as the French missionary Abbe Dubois (1765-1848), and British personalities including Francis Buchanan-Hamilton (1762-1839), Bishop Reginald Heber (1783-1826), Emma Roberts (1791-1840), Fanny Parks (1794-1975) Emily Eden (1797-1869), Julia Charlotte Maitland (1808-39) require special mention. Their Indian travelogues are nuggets of information regarding such women in eighteenth and nineteenth centuries. The recent decades have enriched our knowledge through diaries and letters of sepoys, records in the form of birth and death municipal registers, *bahi khatas* of pilgrimage sites particularly of Gaya and Allahabad which throw

light on the lineages of tawaifs, written texts of Sufi saints, paintings and of course, oral narratives. Through such material, information can be gathered about these women who were as much 'Indians' as the freedom fighters. From the twentieth century onwards, considerable contribution was made by Indian scholars like Rudrangshu Mukherjee (*Awadh in Revolt, 1857-58* :1984), Lucknow's native historian Veena Talwar Oldenberg ( *Lifestyle as Resistance: The Case of the Courtesans of Lucknow* :1990) , Lata Singh ( *Visibilising the "Other" in History: Courtesans and the Revolt* :2007 ), Indrani Sen's three important works ( *The 'Loyal Indian Woman' in 'Mutiny Fiction'* :1999, *Devoted Wife/Sensuous Bibi: Colonial Constructions of the Indian Woman, 1860-1900* :2001 , and *Woman and Empire: Representations in the writings of British India (1858-1900)* :2002,) Pran Nevile ( *Nautch Girls of India: Dancers, Singers, Playmates* :1996) , Laura Lengel ed. *Intellectual Communication and Creative Practice: Music, Dance and Women's Cultural Identity* : 2005) Saba Dewan ( *Tawaifnama*: 2019) and Navina Jafa ( *Lost Histories of Tawaifs* ) . Amritlal Nagar's work *Yeh Kothewalian* (1958) too gives an account of the lives of tawaifs of Awadh and their accomplishments.

The present research paper has taken into account the above mentioned primary and secondary sources to discuss the role of courtesans during the Mughal rule going on to the colonial period, when their status underwent a decline after the Revolt of 1857. Participation in the uprising cost them dear. Being equated with sex-workers, they became victims of racial prejudice and power dynamics. Additionally, Victorian morality, the insistence upon purity and chastity by the missionaries, apathy of Indian reformers and society at large caused further depreciation of status. They became victims of ostracization and exclusion and faced further marginalization in the freedom struggle. Recent studies have thrown light on some of the untold stories of the courtesans in this regard. Yet, much remains to give them their 'due'. There is a need to acknowledge their presence and assign them their rightful place in the historiography and subaltern narratives particularly those pertaining to India's independence.

The courtesans formed a special class of highly skilled and accomplished women known for cultural refinements and etiquettes in the subcontinent even prior to the colonial period. Known by various names such as *tawaif* in North India, *baiji* in the East, *naikin* in Goa and adjoining areas and *devadasi* in Southern regions, a courtesan formed an integral part of the society. Technically speaking, the word *tawaif* is a derivation of the word *tauf* which means circumambulation. According to the historian Danish Iqbal, it draws its origin from the word *taifi* meaning 'a travelling troupe'. Likewise, *baiji* and *naikin* were associated with singing and dancing. The *devadasi* was a woman offered to God in temples of South, West and Eastern India.

During the Mughal period till the eighteenth century, the courtesans enjoyed a respectable societal status. Known for their independence, influence and affluence in a male-dominated society, they successfully carved out a place of their own. Who can fail to reminisce about Mah Laqa Bai (1768-1824) the Hyderabad -based courtesan and philanthropist and Begum Samru (1753-1836) of Sardhana? Mah Laqa was the first female poet to have a diwan of her work and compilation of Urdu ghazals. The Nizam of Hyderabad, often sought her advice on political and diplomatic affairs and appointed her to the Umrah, the highest nobility of the State. In the North, Begum Samru, born Farzana, was a courtesan of Delhi who rose to heights due to her political acumen. Out of admiration and affection, the Mughal Emperor considered her his beloved daughter. Such was the presence and clout of the courtesans that the famous poet Mirza Ghalib requested the Nawab of Sitapur if his *sher* could be sung by a *tawaif*. Many of the compositions of Amir Khusrau, Bahadur Shah Zafar and others have become immortal due to these women. Likewise, the *devadasis* too were artists of high calibre, known to be trained in music and dance. Many had a say in the administration, received land grants from the temple's endowments and could even bestow endowments and gifts on their own. They enjoyed considerable independence and a high socio-financial status since the Chola period. <sup>3</sup>Some like Muddupalani in Thanjavur of the eighteenth century were brilliant poets. The British, struggling to secure themselves in India, tried to emulate the lifestyle of the native rulers and augment the cultural interaction with them. It included their enjoyment of nautch parties which formed an integral part of socio-cultural life and other amusements.

Unfortunately, The situation clearly underwent a change after the Revolt of 1857. Participation of the courtesans in this upheaval cost them dear: Viewing their strong presence in the anti-British conspiracy in this great upheaval, the tawaifs were placed in moralistic, critical light. Labelled as 'criminals' they were penalized by the British Crown. They were equated with prostitutes and their *kothas* or residences which once were repositories of sophistication, *tehzeeb* and a composite Hindu- Muslim culture, were reduced to brothels. They were forcibly evicted and municipal authorities were given the right to relocate them on the logic of 'social morality'. Their intellectual and cultural accomplishments slowly faded out from the second half of the nineteenth century in wake of ostracization and social exclusion. Losing all respect and recognition, they were deprecated in moral narratives. Victorian morality and the missionaries attacked them on issues of domesticity, chastity and purity. The courtesans in general were clubbed together with *nautch* girls and prostitutes. The transition was too derogatory as the word 'prostitute' derived from the Latin expression 'prostituereutum' meaning 'to set up for sale' became a synonym of the

*tawaif*. The reverberation of the new metaphor which the word *tawaif* then acquired, continues to be heard even now!

During the eighteenth century, while the British East India Company (henceforth BEIC) struggled to attain economic and political gains, a keenness was witnessed in its officials to be one of the Indian rulers. The beginning was made by Warren Hastings, the first Governor-General of Bengal and the Asiatick Society of Bengal established on the pattern of the Royal Society of London to understand the natives and their culture better. The Orient attracted the officials so much that many married Indian women or took mistresses called *bibis*. Colonel James Skinner (1778-1841) had fourteen wives. David Ochterlony (1758-1825), a native of Boston, Massachusetts who happened to be the first Resident of Delhi, had a harem of thirteen attractive women. He even had Mubarak Begum, a Delhi courtesan as a wife. A mosque built by her in 1823 CE bears testimony to her influence- a rare feature of those times.<sup>4</sup> Ochterlony found the *nautches* delighting as can be discerned through paintings and chose to spend his entire life in this country. James Kirkpatrick (1764-1805), the Resident of Hyderabad, fell in the same category. He even had his children brought up as Muslims wearing local costumes and speaking either Persian or Urdu as their first language.<sup>5</sup> In the early part of the nineteenth century, cultural walls between Britain and India lacked racial rigidity and many a time, the Company desisted from direct 'intrusion' in Indian lives particularly in those of upper castes. Throughout the colonial period, the *nautches* were considered symbols of Oriental decadence and sensuality though in the beginning, the British officers attended them to validate their power. ss*The Hampshire Advertiser & Salisbury Guardian* truly reflected the contemporary thought of the age when it said on 18th of August, 1838, Issue 787:

“No entertainment can in India be complete without a *nautch*.”<sup>6</sup>

However such amusements had begun to be projected in negative light and were viewed as a threat to colonial stability from the early nineteenth century onwards. With the annexation of native States, the British East India Company (henceforth BEIC) marched towards paramouncy. Consequently, there was a hardening of social boundaries. Between the British and the natives. Nevertheless such prejudices melted away when it came to sensual pleasures. An excerpt from *The Women in India* in The Essex Standard of January 15, 1863 bears its testimony:

*In spite of the disadvantages attendant upon the colour of the skin, perhaps no part of the world can present more perfect specimens of femiine beauty than are to be found in Hindostan.*

Armed with a feeling of political and racial superiority, British politicians and administrators began to gain confidence regarding Great

Britain being the propeller of universal progress. Utilitarianism and Liberalism became the dominant theories. While the former rested on the concept of 'the greatest good of the greatest number', Liberalism believed in first finding out the sticky issues of reform and then legislating. The missionaries held a different view. The Enlightenment theories and British policy of non-interference drew flak with them. Since the eighteenth century itself, having assumed the role of watchdogs, had started disfavoured marriages and relationships between British men and Indian women. Decrying Indian customs and religions, they were highly critical of the 'nautch' parties. The reactions of the missionaries towards such nautches varied: compared to the Gregorian clergymen, the protest of the Anglicans was stronger. William Wilberforce, the anti-slavery crusader and England's most influential Evangelical, thus spoke disdainfully of Hinduism- "Our religion is sublime, pure and beneficent. Theirs is mean, licentious and cruel". His efforts bore fruit when the Charter Act of 1813 allowed entry of missionaries in large numbers. Their efforts towards conversion and condemnation of, female infanticide, child marriage, polygamy, sati and prostitution are well known. Many of these Oriental vices were evidence of 'licentiousness', they believed. Known for decency, the Evangelical Reginald Heber who was appointed the Bishop of Calcutta in 1822 fully appreciated the spirituality of Hindus for whom he demanded courtesy and respect from his fellowmen. Yet, he was appalled at the relationships between British men and Indian women and more so, by the personal life of David Ochterlony with his thirteen mistresses which he called 'lack of morals'. Both had met briefly in 1825. The double standards however were very much evident. While the Evangelical and liberal ideas in the nineteenth century placed Britain as a place of liberty, prudence and productivity, India was represented with opposing values such as despotism, luxury, superstitions and indolence.<sup>7</sup>

A major bothersome issue was the addiction of both British and Indian soldiers for Indian prostitutes. Infections and diseases led to waste of men and money. The alarming situation invited supervision of prostitutes in regimental bazars through lock hospitals, the first four of which saw the day at Bahrampur, Kanpur, Danapur and Fatehgarh in 1797. The missionaries abhorred such a move. In 1834, Reverend Thomas Carr, the Archdeacon of Bombay got the support of the Calcutta Bishop in criticizing the *Lal Bazars* which had prostitutes as brothels.<sup>8</sup> ( These prostitutes were not courtesans though. Moreover, while the British often presented the figures of prostitutes in India, they forgot that Europe too had their counterparts. According to Edward Sellon (1818-1866), an English writer and military officer with the BEIC, they differed from the 'two types of 'mistresses ' found in India. The 'superior' type stood far above their European counterparts in dresses, jewels, education, accomplishments as singing and had hair adorned with

jewels, pearls, diamonds and sweetly scented flowers. Above all, they did not drink maintained decency and sophisticated sensuality. Such stark contrast evoked frequent discussions. One celebrated 'madame' Mrs. Theresa Berkley (died 1836) of Britain was praised for having 'the first grand requisite of a courtesan and was far from being 'lewd'.<sup>9</sup> Such observations speak of the sophistication of the Indian courtesans which the Britons did not fail to notice. According to an estimate of the year 1850, there existed about 50,000 prostitutes in Britain with largest concentration in London.

The Revolt of 1857 saw the participation of courtesans in the anti-British activities in India, primarily in Awadh and Bihar. In Awadh, after the annexation of Awadh by the BEIC in February 1856, a sense of insecurity had gripped the populace including the courtesans who feared loss of financial and social status. Their *kothas*, frequented by sepoys, elite and merchants alike had become the centres of information, meeting places and hideouts of rebels. The courtesans kept themselves abreast with the latest happenings and acted as spies for them besides rendering help in form of money, material and arms. Recent past has revealed that courtesans like Haidari Bai of Lucknow, Azizun Bai and Hussaini of Kanpur, Dharmman Bai and Karman Bai of Jagdishpur, Bihar among others were involved in anti-British activities. Haidari Bai was visited by the thanedar of Lucknow Mahmud Khan who discussed with others plans against the rebels at her *kotha*. Haidari passed on such delicate information to rebels. Before the British grew suspicious, she left her *kotha* and joined a female platoon to fight against the British. Azizun Bai, born in Lucknow, shifted to Kanpur and played a strategic role in the decisive Kanpur siege. She passed on secret information and herself rode on horseback, armed with pistols and raised a female platoon named Mastani *Paltan*.<sup>10</sup> The study of Lata Singh brings to light the participation of Hussaini in the Bibighar Massacre of European women and children. It is probable that encouraged by these two, many girls took to streets to combat the British. Woefully, her fascinating story failed to find a rightful place in the colonial period.

The association of the tawaifs with the Revolt was unnerving. The British were caught unawares. The diaries of the British soldiers revealed their connections with the courtesans causing much anxiety to the government. Failure to appreciate the role of courtesans in the cultural heritage of India coupled with wrath against their participation brought havoc. Never anticipating what the courtesans could do behind the scenes, they tried to crush the former financially and socially. As attested by the examination of the civil tax ledgers from 1858 to 1877, the courtesans lay in the highest tax-paying bracket. Veena Talwar Oldenberg in her work *Lifestyle as Resistance: The case of Courtesans of Lucknow* brings home the fact that their houses, orchards, manufacturing and retailing establishments

for food and luxury items. Concerned literature was suppressed and there was almost silence on their role. The worst part of their decimation was equating them with prostitutes and their kothas with brothels.

This was in contrast to the treatment given to their white counterparts. Killing of white women and children was strongly condemned. Bibighar became a kind of shrine and 'Remember Cawnpore' became a war cry. Azizun Bai and courtesans like her were buried under layers of time. Retribution and severe punishments was justified for the ill treatment of British women at Delhi and other places by the Bishop of Carlisle and even Charles Dickens who angrily wrote, "I wish I were commander-in-chief in India" and "I should do my utmost to exterminate the Race upon whom the stain of the late cruelties rested". Henceforth, the British took utmost care 'to protect their women from the 'Indian gaze'. During the Ilbert Bill controversy, the cries of liberties of British subjects rug the air. Efforts were made to resurrect the memories of the Cawnpore massacres again, reiterating the view that the Englishwoman was in danger. Furthermore, it was asserted that If the Hindus kept their women in purdah, they should not be in a position to judge free white women.<sup>11</sup> Regrettably, the courtesans found themselves alone.

Meanwhile, other developments too proved detrimental after the British Crown assumed direct control of India in 1858. The ratio of the British sepoys versus Indian sepoys was increased. A close connection between the *lal kurti* (uniform of the British sepoys) and *lal bazars* (red light areas or brothels of regiments) necessitated an increased control over the cantonments and regimental bazars. In 1859 itself, lock hospitals were set up at Lucknow and Mian Mir and from the 1860s onwards, government furthered supervision. Based on the Acts of Britain, a series of Acts were passed such as the Indian Contagious Diseases (CD) Acts of 1864 and 1868. These were further jolts to the dignity of such women who could be physically examined whenever the authorities considered necessary. They were clubbed with the 'criminals' in the Criminal Tribes Act of 1871. With the declaration of the 'prostitutes' as a separate 'caste' in 1911, the courtesans were assigned a still inferior status and were treated as 'untouchables'!

The CD Acts were strongly opposed by the Bishop of Bombay and the senior Chaplain of the Church of England besides Vishvanath Narayan Madlik. In England when the Quakers raised their voice against the legislation at Home, men like Alfred Dyer, the publicist and Reverend Hugh Price Hughes questioned the government on its apathy in India. Hughes' article *is Empire consistent with morality?* raised a storm. After much deliberation, the CD Acts were repealed In 1886, following a sharp reaction evoked by a memorandum of 9th of June the same year which contained a requisition for 'extra attractive women' for Ambala regimental bazar. The Indian press was filled with great optimism. The *Indian Spectator* edited by

B.M. Malabari hoped that there would no more be demands for attractive women. While the Bengali weeklies *Sanjivani* and *Sudhakar* criticized the government for still supporting prostitution, *Hindustani*, a Urdu weekly of Lucknow demanded that racial discrimination should be done away with and Englishwomen should be imported to meet the carnal needs.

Indeed, in those days of Victorian morality and chastity, memsahibs were the priority. They included white middle class women, female missionaries and ordinary soldiers' wives. The memsahibs considered that they too were on a 'civilizing mission'. Though fascinated by the dresses of the courtesans, they upheld hegemonic narratives concerning the association of the former with sex work. This was done to maintain ethnicity-based hierarchies required to validate British colonial presence in India.<sup>12</sup> The memsahibs believed that imposition of Victorian gender ideals upon women, particularly the courtesans could 'save' and 'civilize' them in which education could play a major role. They forgot that there was a time in India when the courtesans were considered highly educated and accomplished.

Such thoughts helped evolve the conservative and nationalist ideology. The Indian reformers were influenced by Victorian ideals. On 1st of August 1870, K.C. Sen encouraged British women to teach their Indian counterparts. Condemning prostitution, he said- "Her (a prostitute's smile is India's death". Even the Arya Samaj called the profession 'sinful'. Swami Dayanand spoke strongly against a courtesan named Nanhibai who had fought against the British. This incident bears testimony to the fact that the courtesans were subject to frequent humiliation and marginalization even by reformers. She belonged to the low Bhagtan caste where girls were pushed into prostitution after getting their marriage solemnized with a sadhu. Later, Nanhibai dedicated her life to social service and donated generously to Lady Hardinge Medical College and other institutions. She considered it her sublime duty to help the freedom fighters.<sup>13</sup>

The Indian society was not kind either. Victorian morality had cast its influence. The courtesans were demarcated as 'women of low character', the 'other women' who broke up marriages and homes. The purdah was considered dignified but it led to loss of female independence.<sup>14</sup> ( Even Rudyard Kipling was quick to notice the hypocrisy of Indian intelligentsia which demanded political rights for itself but denied granting human rights to its womenfolk.<sup>15</sup>

During 1887-88, the Indian National Congress took up the issue of social purity and temperance which formed the core of deliberations in the National Social Conference which met for the first time in 1887.<sup>16</sup> Also the social purity campaign was inaugurated by Bishop Thoburn in Calcutta in 1893. Sadly, the women including the courtesans found no representation in such moves due to patriarchal norms of the society. Meanwhile in the 1890s,

the devadasi system came under severe attack by the reformers. The devadasis who had once enjoyed great affluence and high status, were subject to penury and devastation during the colonial rule. Throughout the nineteenth century, the nautch was considered a prestigious, high-cost involving traditional dance. Since most of the devadasis were attached to temples, the British rulers began to associate them to 'temple prostitution'. Two individuals in particular Venkata Ratnam Naidu and Veeresalingam actively involved themselves in the abolition of the devadasi system. Meanwhile women hailing from the family of devadasis namely Ammal and Muthulakshmi Reddy involved themselves in the freedom struggle.

Despite marginalization, the courtesans including the tawaifs and devadasis came forward in the freedom struggle. Particularly in the Non Co-operation Movement and after. Dhaeshri Bai of Banaras living in a house behind the Police Station in the Chowk area had the guts to provide shelter to Chandrashekhar Azad while he was dodging the police.<sup>17</sup> Mahatma Gandhi had evoked female participation in the freedom struggle. The tawaifs, well understanding the worth of freedom, joined it enthusiastically. On 25th of November 1920, Gandhi visited Benaras and spent two days there. The very next day, when he was addressing 20,000 people at the Town Hall, a group of tawaifs led by Vidyadhari Devi reached there in his support. Gandhi requested her to organize funds through art, music and dance. Thus was founded the Akhil Bhartiya Tawaif Sangh.<sup>18</sup> She performed nationalist songs in mehfil whenever invited, shunned foreign made cloth and wore only khadi. She and another tawaif Husna Bai organized small meetings to enthuse their fellow women. A likeminded tawaif Sultana too joined them. They helped the freedom fighters through money and arms. Husna Bai believed that as daughters of this great land, they were ready to help in whatever way they could. Gandhi even met a group of prostitutes at Barisal (present-day Bangladesh) and Kakinada. On expressing their wish to join the Congress, he urged them to adopt a pure life and start spinning charkha instead. . At Calcutta, a courtesan Gauhar Jaan helped raise funds for the freedom struggle. She even defied the British rule by riding in a four-horse drawn buggy, an act considered unimaginable in colonial India.

The courtesans found support of freedom fighters such as Sarojini Naidu and Kamaladevi Chattopadhyay. It would not be out of context to mention the contribution of Dr. Muthulakshmi Reddy. Daughter of a devadasi, she had many firsts to her credit. She met Sarojini Naidu during her college days and soon joined with women's associations. Both the women placed non- co-operation against the British above their desire for wider female enfranchisement.<sup>19</sup> In 1930, she resigned from the Madras Legislature in protest against Gandhi's arrest. She and many others like her rendered support to the national leaders in attainment of India's freedom.

Thus it can be discerned that the courtesans were as much

'nationalists' as other freedom fighters. Despite their social constraints, they wholeheartedly participated in the freedom struggle and contributed towards the national cause. With the unearthing of valuable sources in the recent past, efforts are on to bring the courtesans prominently in the nationalist and subaltern discourse. It is high time for them to get recognition in the annals of history.

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## ***A Comparative Study on the Biceps Muscle Girth and Calf Muscles Girth of Volleyball and Basketball Players of Senior Secondary School***

• **Mohammad Muqarram**

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**Abstract-** *The present study attempts to investigate the physical variations between volleyball and basketball players. A sample comprised of 60 volleyball and basketball players from different senior secondary school competition of J&K board by using simple random sampling technique. In which 30 volleyball players and 30 basketball players. The age of players ranging from 16 to 18 years. The Steel measuring tape were used for measuring the biceps muscles girth and calf muscles girth. To compare the biceps muscles girth and calf muscles girth volleyball and basketball players t-test was applied. The result of the study showed that there was a significant difference was found between volleyball and basketball players of senior secondary school in their calf muscle girth. No significant was observed between volleyball and basketball ball players of senior secondary school in their biceps muscles girth.*

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**Keywords-** *biceps muscles girth, calf muscles girth, volleyball players and basketball players.*

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**Introduction-** Human movement is a related scientific discipline that studies human movement in all contexts including that of sport. The study of Sport Science traditionally incorporates areas of physiology, psychology, motor control and biomechanics but also includes other topics such as nutrition and diet, sports technology, anthropometry, kinanthropometry, and performance analysis. Sport scientists and performance consultants are growing in demand and employment numbers, with the ever increasing focus within the sporting world on achieving the best results possible. Through the study of science and sport, researchers have developed a greater understanding on how the Introduction human body reacts to exercise, training, different environments and many other stimuli.

Anthropometry is the science of measuring human body and its parts. It is used as an aid to the study of human evaluation and variation. The study of human physical measurements is dealt by another science anthropometry, which has wide application as one of the essential parameters constituting the selective diagnostics of any game or sport. The study of "Body Type" has a significant place in the field of sports.

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Anthropometry is the science that deals with the measurement of size, weight, and proportions of the human body, as body size and proportions, physique, and body composition are important factors in physical performance and fitness. A standard anthropometrical analysis during a physical fitness assessment would involve determining the height, mass, somatotype and body fat percentage of an individual or athlete (Maud and Foster, 1995).

### **Objectives of the study**

1. To compare the biceps muscles girth of volleyball and basketball players of senior secondary schools.
2. To compare the calf muscles girth of volleyball and basketball players of senior secondary schools.

### **Hypotheses of the study**

1. There is no significant difference in the biceps muscles girth of volleyball and basketball players of senior secondary schools.
2. There is no significant difference in the calf muscles girth of volleyball and basketball players of senior secondary schools.

**Methodology-** For the purpose of this study two sample groups were formed. 1<sup>st</sup> group comprises of 30 volleyball players and 2<sup>nd</sup> group comprises of 30 basketball players were selected from the different secondary school competition of J&K with the age group of 16 to 18 years.

### **Tools**

**Biceps muscle girth in cm-** The subject was made to raise his right arm to the horizontal position in the sagittal plane with the fully supinated forearm flexed at the elbow to an angle of 45°. The subject was encouraged to 'Make a muscle' by fully tensing his biceps. The measurement was taken with the help of a measuring tape wrapped at right angles to the long axis of the upper arm where the maximum girth was affected.

**Calf muscle girth in cm-** The subject was made to stand erect with body weight equally supported on both legs. The measuring tape was wrapped around the right lower leg and measurement was taken at right angles to the axis of lower leg where it was maximal.

**Design of the Study-** Design of the study was random group design, as the volleyball and basketball players were randomly selected from these who were taking part in the senior secondary school and comparison of biceps muscles girth and calf muscles girth between volleyball and basketball players was done.

T-test was used to test whether there is any significant difference among the chosen biceps muscles girth and calf muscles girth variable of volleyball and basketball players of senior secondary school board competition J&K.

**Analysis of data-** A statistical analysis was carried out and the result obtained is given below.

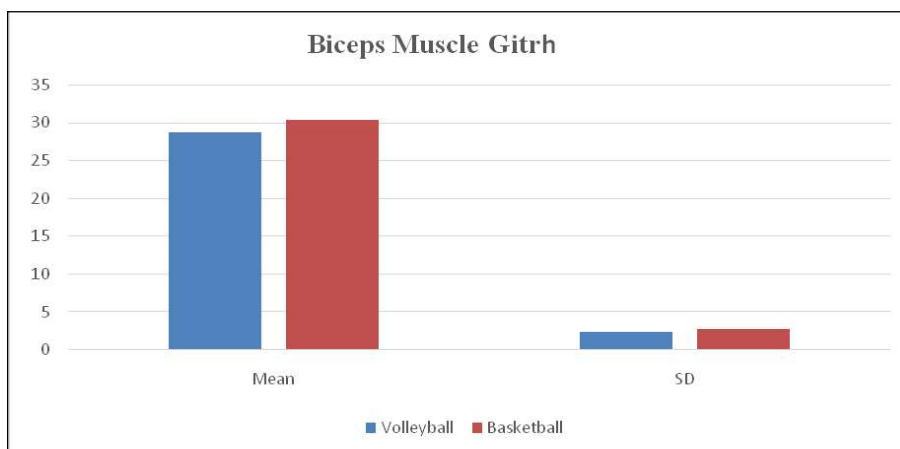
**Objective 1.** To compare the biceps muscles girth of volleyball and basketball players of senior secondary school.

**Null Hypothesis 1.** There is no significant difference in the biceps muscles girth of volleyball and basketball players of senior secondary school.

**Table 01**  
**Comparison of biceps muscles girth between volleyball and basketball players of senior secondary school**

Variable	Group	N	Mean	Std. Deviation	t-Value	df	Sig.
Biceps Muscles Girth	Volleyball	30	28.70	2.41	-2.369*	58	.602
	Basketball	30	30.31	2.82			

*\*Significant at 0.05 level*



**Figure: 01**

**Comparison of Means & SD of biceps muscles girth between volleyball and basketball players of senior secondary school**

**Interpretation-** In order to examine the difference of arm strength between volleyball and basketball players of senior secondary school independent sample t-test has been used. The result of the above the t-test can be seen in table 1, which is calculated as  $t(58) = -2.369$ ,  $p = .602$ , which is statistically significant at 0.05 level of significance. The result shows that the scores of basketball players ( $M = 30.31$ ,  $SD = 2.82$ ) was higher as compared to volleyball players ( $M = 28.70$ ,  $SD = 2.41$ ) regarding their biceps muscles girth. The above figure (1) graphically represents the mean and std. deviation difference between the biceps muscles girth of volleyball and basketball players. So, the null hypothesis (1), i.e. "There is no significant difference in the biceps muscles girth of volleyball and basketball players of senior secondary school", is **rejected**.

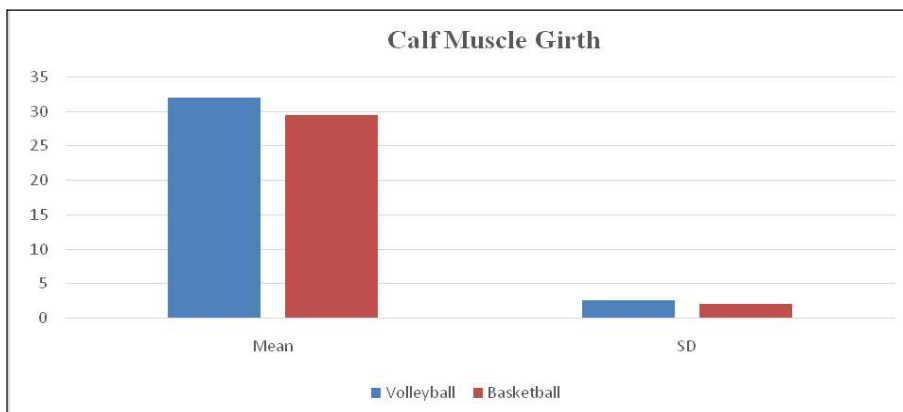
**Objective 2.** To compare the calf muscles girth of volleyball and basketball players of senior secondary school.

**Null Hypothesis 2.** There is no significant difference in the calf muscles girth of volleyball and basketball players of senior secondary school.

**Table 02**  
**Comparison of calf muscles girth between volleyball and basketball players of senior secondary school**

Variable	Group	N	Mean	Std. Deviation	t-Value	Df	Sig.
Calf Muscles Girth	Volleyball	30	31.91	2.64	3.933	58	.245
	Basketball	30	29.46	2.17			

Not Significant



**Figure 02**  
**Comparison of Means & SD of calf muscles girth between volleyball and basketball player of senior secondary school**

**Interpretation-** As shown in Table 2 that there is an indication of significant difference between volleyball and basketball players of senior secondary school. The obtained result of independent sample t-test  $t(58) = 3.933$ ,  $p = .245$ , which is not statistically significant. The result found that volleyball players ( $M = 31.91$  &  $SD = 2.64$ ) and basketball players ( $M = 29.46$ ,  $SD = 2.17$ ) show minor difference in their calf muscles girth. Above figure (2) clearly shows that the value of mean and SD of volleyball and basketball players of senior secondary school. Thus, the null hypothesis (2), i.e., “There is no significant difference in the calf muscles girth of volleyball and basketball players of senior secondary school” is **accepted**.

**Discussion-** As in the present finding, basketball players scored higher mean value in their biceps muscles girth as compared to volleyball players of senior secondary school. This finding is contradictory to the study concluded by Sunil & Anand (2017), who indicated that mean biceps muscle girth and calf muscle girth of high performance kabaddi players were significantly greater than theme an biceps muscle girth and calf muscle girth of low performance kabaddi players. Where as insignificant differences were observed in the mean thigh muscle girth of the two groups.

As in the present finding, no significant difference was found between volleyball and basketball players of senior secondary school in their calf muscle girth. The present result is supported by the findings of

### **Findings of the study**

1. A significant difference was observed between senior secondary school volleyball and Basketball players regarding their biceps muscles girth (measure). The mean value of senior secondary school volleyball players was lesser than their counterparts, i.e. basketball players of senior secondary school.
2. No significant difference was found between senior secondary school volleyball and basketball players regarding their calf muscles girth. Thus, it can be concluded that both (volleyball and basketball) players had equal calf muscles girth.

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## **The Role of Feedback Technique in Utilization of Computer in Teacher Education**

• Yogesh Kumar Singh

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**Abstract-** *The concept of feedback and its role in teaching has historically been received a great attention in the instructional design literature. In an attempt to improve the instruction, the researchers often focus on the effective use of feedback technique in promoting learning. While feedback seems to be crucial to learning effectiveness, studies indicated that different conditions produce different results. While the benefits of feed-back in instruction is not disputed, uncertainty still exist as how to select and optimize the uses of different forms of feedback depending on characteristics of students- and learning situation (Clariana, Ross and Morrison, 1991). The effectiveness of feedback technique in computer-aided education is a basic component of instructional theory that has been demonstrated by many researchers. Frequent and consistent use of feedback is widely recommended in instructional sequence. In determining the possible success in learning, research also frequently gives emphasis to the individual differences and relationship' between different learner aptitude and different instructional methods. The most often cited concept is field dependent-independent as a determinant of cognitive styles. Recent development .in computer aided education and availability of CD ROM based of courseware offers opportunities and challenges for educator who wants to exploit the emerging medium. Smith and Ragan (1993) noted that interactivity is the critical instructional design feature of interactive technologies and feedback is the instructional system's response to the learner action. But they pointed that instructional designers are often disappointed by the. Ambiguity of the conclusion drawn from various research on feedback. This paper reports the investigation on the interactive effects of varying levels of feedback techniques among students who were field dependent-independent in utilizing a computer in their courses. Some of the implications to the design of computer aided education and courses are also discussed.*

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**Keywords-** *Feedback Technique, Computer-Aided Education*

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**1. Introduction-** In an attempt to achieving better learning outcomes, instructional systems and technology seeks for ways in utilizing various strategies in the design of instruction. The technology of instructional design often explores the specific method or combination of methods to enhance human learning. The concept of feedback and its role in instruction received a great deal of attention among instructional

designers. Many studies indicated that although feedback seems to be an important element for learning enhancement and retention, it is only true under certain conditions.

While the benefits of feedback in instruction are not disputed, uncertainty still exists as how to select and optimize the uses of different forms of feedback depending on characteristics of students' and learning situation (Clariana, Ross and Morrison, 1991). The effectiveness of feedback is a basic component of instructional theory that has been demonstrated by many researchers. Frequent and consistent use of feedback is widely recommended in instructional sequence.

Smith and Ragan (1993) noted that interactivity is the critical instructional design feature of interactive technologies and feedback is the instructional system's response to the learner action. But they pointed that instructional designers are often disappointed by the ambiguity of the conclusion drawn from various research on feedback. Different types of feedback can be categorized according to their functions and characteristics. For example, Knowledge of results (KOR) is the simplest level of feedback, which provides responses such as "right" or "wrong", "true" or "false" and "correct" and "incorrect". Such responses do not normally provide the correct answer to the learner.

Another higher level of feedback is Elaborative feedback (EF), which not only contains results on the appropriateness of a learner's response, but also provides reasons for why it was wrong and provides a correct answer. In No feedback (NF) situation learner is allowed to precede the instructional sequence without receiving any response. Hoska (1993) concluded that in motivating learners through computer-based instruction, there are no easy answers or guaranteed techniques to provide feedback that will influence all learners to invest effort in a learning task. When examining the effects of type of feedback (knowledge of results and informative feedback) and cognitive styles (field-dependence-independence and reflectivity impassivity) on response time, error rate, number of attempts, and correct scores, Hedberg and McNamara I (1985) reported that field-dependent students had higher response rates and fewer errors when knowledge of results was given. Johnson and Johnson (1993) observe that an important aspect of technology-assisted learning is the opportunity to both give and receive feedback.

**2. Objective-** The purpose of the study was to investigate the possible interaction effects of Feedback Technique at three levels of feedback and level of field-dependency with the use of computer based software presentation. The achievement of post-test scores of field-dependent and field-independent students was compared among different levels of feedback treatments as technique.

**3. Hypotheses-** The following main effects and interaction null hypotheses were developed for this research setting the level of significance at  $p < .05$ . The main effects of the null hypotheses for this study were-

1. In a computer-aided education environment, students utilizing **Elaborative feedback** will score significantly higher on the post-test than students in the knowledge of results feedback group and students utilizing knowledge of result feedback will score significantly higher on the post-test than students in no feedback group.
2. Field-independent (FI) students will score significantly higher than field-dependent (FD) students on the post-test in all treatment groups.
3. There will be an interaction effect in the post-test between knowledge of results feedback group and elaborative feedback group and field orientation.

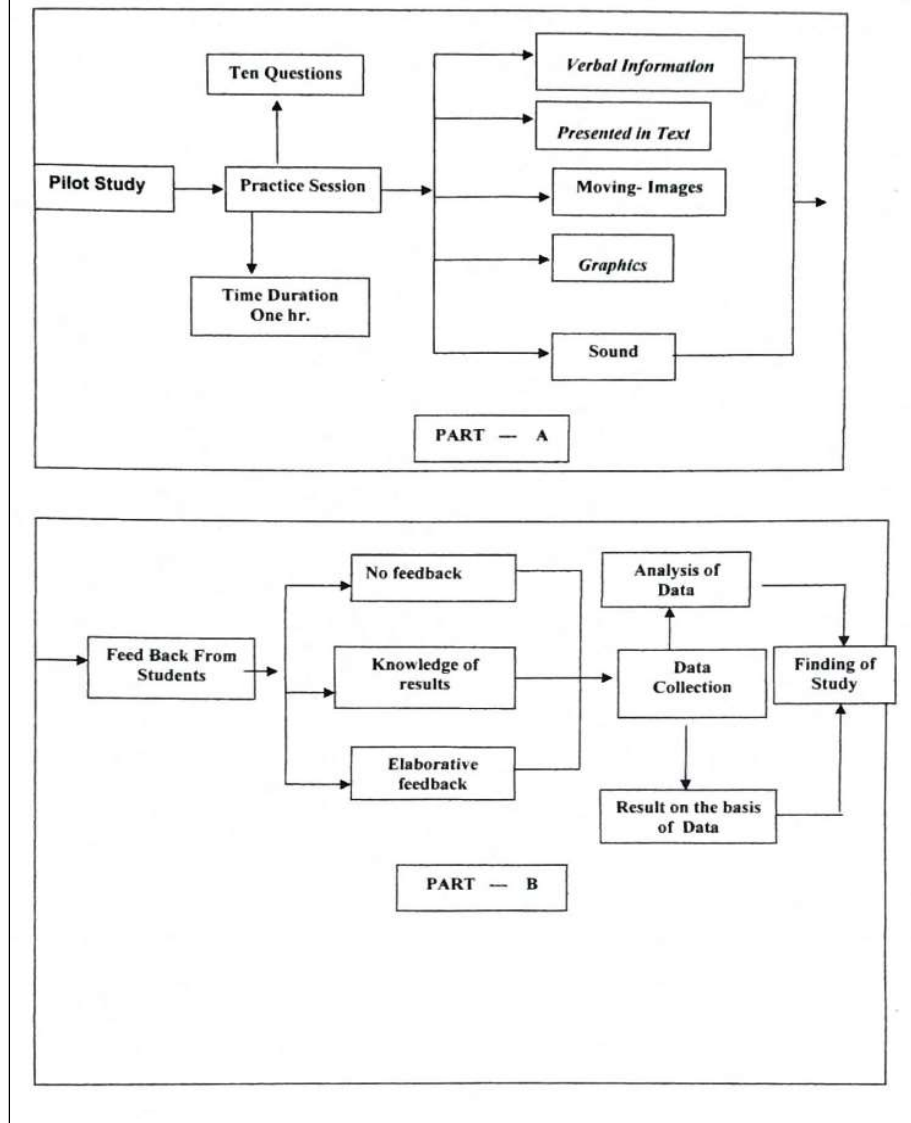
#### **4. Key Words**

**4.1. Feedback Technique-** One who gives encourage to a former condition to develop mechanical skill of student.

**4.2. Computer-Aided Education-** The software/multimedia/learning material used in education to develop the skill, knowledge, and attitude and change the behavior of students through computer education and also develops the courseware.

**5. Methodology-** The researcher has taken 105 students of a top English medium senior secondary school of Delhi in India for this study. The average age group of students was between 10to20. Before collecting a final data the researcher has conducted a practice session for the students to observe the effectiveness and level of feedback technique at three levels No feedback (NF), Knowledge of results (KOR) and Elaborative feedback (EF). A commercially produced educational software used through computer as multimedia presentation on Dinosaurs was used as presentation material. The program consisted of six major sections. Each participant answered practice questions and observed the corresponding feedback. The post-test included 20 Multiple Choice Questions (MCQs) on the presentation material. The score on each test were used as the dependent variable in this study. After collecting the data it was analysis by the researcher to find the result. The collected data is showing the results as consider in hypotheses.

Figure 1 : Flow Diagram Showing The Methodology Of Present Study



**6. Participants-** The participants for this research study were 105 upper secondary school students with the age ranged from fifteen to twenty. Eighty three percent of the group was between the age of sixteen and seventeen. Of these students, 52 percent are male (N=55) and 48 percent are female (N=50). Pilot study reveals that the experimental students have not been exposed to the content of the multimedia instruction used for the study.

**6.1. Group Elaborative Figure Test (GEFT)-** Group Elaborative Figure Test (GEFT) developed by Y.K.Singh, I.R.S.Sindhu and Prof. K.K.Sharma (1993) was used to assess the student's cognitive style of field dependence-independence.

**6.2. Instructional Methods-** Commercially produced educational material on Dinosaurs used as multimedia presentation through computer for students. This teaching material was used as presentation material (Learning Matter). The program consisted of verbal information and presented in text, moving images, graphics and sound. The program consisted of six major sections. A practice test with different levels of feedback was designed and developed by the researcher. The practice tests were constructed to include three different levels of feedback namely No feedback (NF), Knowledge of results (KOR) and Elaborative feedback (EF). Each participant answered ten practice questions and observed the corresponding feedback. The post-test included 20 Multiple Choice Questions (MCQs) on the presentation material. The score on each test were used as the dependent variable in this study. The KR-20 reliability coefficient was found to be 0.668.

**7. Data Collection-** All students involved in this experiment spent about an hour viewing the presentation materials. Subjects were assigned in random to one of the three treatments. They were given a practice test, which contains 10 multiple-choice questions. All participants completed the posttest after the practice tests.

**Table A**  
**Showing the Data of Study**

Age Group	Male	Percent	Female	Percent	Total	Percent
15 to 20	55	52	50	48	105	100

**8. Analysis and Results-** The two independent variables in this study were the different levels of feedback (No feedback-NF, Knowledge of results -KOR and Elaborative feedback -EF), and the students' level of field orientation (field-dependent-independent). The study employed 2 x 3 factorial design and the learning outcomes as measured by the posttest were the dependent variables. In order to determine the effects of feedback and level of field dependency, one-way ANOVA was utilized. Scheffe's Multiple Range Test was used to measure the Post Hoc Multiple comparisons at a significance level of .05.

Table no.1 shows the means and standard deviations of posttest scores by each treatment group. These results answer the first research question on whether or not provision of different levels of feedback has any effect in terms of test performance. It was found that as a whole group, subjects in the elaborative feedback (EF) group scored higher (Mean = 14.22, S.D. = 2.37) as compared to those in the knowledge of results group (Mean = 13.50, S.D = 2.85). The results also indicated that subjects in the knowledge of results (KOR) group scored higher than those in the no feedback (NF) group (Mean = 9.85, S.D. = 3.1).

**Table 01**  
**Means and standard deviations of treatment groups**

Treatment group	Mean	S.D.	Cases
No Freed back	9.85	3.1	35
Knowledge of Results	13.50	2.85	34
Elaborative Feedback	14.22	2.37	36

The result of the one-way analysis of variance of the treatment groups is as shown in Table no.2. The results showed that there is a significant difference in post-test *scores* between the NF group and KOR, and between NF and EF group ( $F=24.7059$ ,  $p = .0000$ ). However, a significant difference was not detected between the KOR and EF groups.

**Table 02**  
**Analysis of variance of feedback efficiency**

Source of variation	df	SS	MS	F
Between Group	2	385.1254	192.5627	24.7059*
Within Group	102	795.0078	7.7942	
Total	104	1180.1333		

\*Significant at the .05 levels

However it is not possible to conclude whether the significance difference among the group means reflects exclusively the positive effect of level of feedback, or if this significant difference also indicated superiority of other experimental conditions. An Scheffe's Multiple Range Test was used for the posteriori multiple comparisons with an Alphas set at the .05 level. This is to confirm the true significant mean difference in post-test of each treatment group.

Table no.3 indicates the results of the Scheffe's Multiple Range Test for the feedback group's means differences on the posttest. The group means underlined with a continuous line represent homogeneous subsets, i.e., subsets where the mean of the first and last groups differ by less than the critical value for subset of that size. The group means not underlined by a continuous line are significantly different.

**Table 03**  
**Results of the Scheffe's Multiple Range Test**

Group Means		
A (No Feedback) 9.8571	B (Knowledge of Results) 13.5000	C (Elaborative Feedback) 14.2222

To determine the effects of field-dependency, group means for each field-dependency group were computed. If mean difference proved to be statistically significant, it might indicate that level of field dependency has a positive effect upon the achievement as stated in the second hypothesis of this study. Table no.4 shows the means and standard deviation of posttest *scores* by each field-dependency group.

**Table 04**  
**Means and standard deviations of field-dependency groups**

Treatment Group	Mean	S.D.	Cases
Field Dependent	11.1	3.31	30
Field Natural	12.93	3.64	29
Field Independent	13.21	2.98	46

One-way analysis of variance was performed on the posttest *scores* and it was found that I significance difference between three groups of field-dependency were detected at  $F=4.0965$ ,  $IP=.0194$ .

An analysis of variance on the scores for the posttest was conducted in order to determine the effects on interaction between levels of feedback and field dependency. The results indicate that there are significant main effects on the field dependency and type of treatment. For the main effects of field dependency significance difference,  $F=16.136$ ,  $p=.000$  was detected. It was also found that there is a significant difference in feedback level,  $F=28.369$ ,  $p=.000$ . However no interactive effects were detected at .05 level of significance. Table 5 shows the analysis of variance on posttest with treatments and field dependency as main effects.

**Table 05**  
**Analysis of Variance of Post-Test with Treatments and Field-Dependency as main Effects**

Source of variation	SS	df	MS	F
Main Effects	395.857	3	131.952	23.980
FIDN	88.789	1	88.789	16.136
Treatment	312.212	2	156.106	28.369
Two-way Interactions	8.846	2	4.423	0.804
FIDN X				
Treatment	8.846	2	4.423	0.804
Explained	416.752	5	83.350	15.14 <sup>7</sup>
Residual	385.182	70	5.503	
Total	801.934	85	10.692	
Discussion				

As the multimedia courseware is becoming emerging technology, educators are looking into ways how to effectively utilize such medium. This study attempted to investigate the effects of varying level of feedback and cognitive styles of students in a multimedia presentation. Field-dependent and independent were chosen to consider as determinant of cognitive styles.

Mory (1992) noted that feedback is an important construct found within many theories of learning and instruction. She urged that by developing a more thorough understanding of the conditions under which feedback will be most effective, contributions to both instructional theory and instructional practice will be generated.

This study supported that the students perform significantly better on post-test 'when higher level of feedback is introduced. These results are consistent with the finding from previous investigations on the provision of

varying levels of feedback when compared to no feedback situation.

**9. Implications for Computer based Learning Software/Material-** Most of the literature available in the past dealt with the studies on effectiveness of varying levels of feedback technique in learning text-based or computer assisted instruction modes. This study utilizes the computer based learning material/multimedia courseware as stimulus material, which incorporated sound, animation and video clips in the presentation. It would be possible to include other dimension in feedback apart from audio and visual responses. Visual dimensions include written text, pictures and icons as visual stimuli. It would also be possible to provide the learner with recorded or synthesized human voice as a feedback. There are many possibilities of enhancing feedback applications with the use of technology. Instructional designers who involved in designing multimedia courseware could consider how, when and why such technologies can be used to promote meaningful learning in every lesson.

Several Investigations in the past, which consider how field-dependence-independence can affect performance on learning tasks, suggested a consistent relation of such cognitive style to task involving memory efficiency (Davey, 1990). It was found that in most studies relatively field dependent individuals tend to perform differently and generally less successfully than their more field independent persons due to the tasks of varying degree of memory load (Davidson and Smith, 1990).

Wager and Mory (1993) pointed out that feedback served different purposes at different stages in learning. It was also concluded that it is unlikely to find any universal agreement on the "best" type of feedback. It will depend upon the type of question, the stage of information processing, and conditions within the learner to arrive at an answer.

In general the study confirmed that varying levels of feedback had some effect on the student performance. The results from this study suggests that in utilizing multimedia courseware, knowledge of results and elaborative feedback can be effectively provided to students after every testing situation. The students should not only be informed of the correct or incorrect answers to each item, but also to elaborate on those answers.

Computer based educational software and teaching-learning material technologies have advanced a great deal in the past few years, and impressive range of such type of courseware are now within the reach of every educator. In producing computer-based courseware instructional designers attempted to get students involve in active learning through physical interaction. Such active learning can serve to maintain attention, create new knowledge, and improve achievement. Since computer based educational material and multimedia courseware is an emerging educational technology, Teachers should explore the use of such innovations in an effective manner. One of the possible ways is to add computer based educational material and use of educational software in practice program based on the original information, as was done in this study.

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## ***A study on the Analysis of William Wordsworth's Writings as a Poet of Nature***

• Kirti

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**Abstract-** *as a poet of Nature, Wordsworth stands supreme. He is a worshipper of Nature, Nature's devotee or high-priest. His love of Nature was probably truer, and tenderer, than that of any other English poet, before or since. Nature comes to occupy in his poem a separate or independent status and is not treated in a casual or passing manner as by poets before him. Wordsworth had a full-fledged philosophy, a new and original view of Nature. He conceived of Nature as a living Personality. He believed that there is a divine spirit pervading all the objects of Nature. This belief in a divine spirit pervading all the objects of Nature may be termed as mystical Pantheism and is fully expressed in Tintern Abbey and in several passages in Book II of The Prelude. Wordsworth believed that the company of Nature gives joy to the human heart and he looked upon Nature as exercising a healing influence on sorrow-stricken hearts. Above all, Wordsworth emphasized the moral influence of Nature. He spiritualised Nature and regarded her as a great moral teacher, as the best mother, guardian and nurse of man, and as an elevating influence. He believed that between man and Nature there is mutual consciousness, spiritual communion or 'mystic intercourse'. He initiates his readers into the secret of the soul's communion with Nature. According to him, human beings who grow up in the lap of Nature are perfect in every respect. The objective of present study is to analyze the nature concerns in the poetry of William Wordsworth. In the present study the author is trying to explore the literary sensibility of William Wordsworth.*

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**Keywords-** *worshipper, treated, Personality, emphasized.*

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**1. Introduction-** Wordsworth's magnum opus is generally considered to be *The Prelude*, a semiautobiographical poem of his early years which he revised and expanded a number of times. It was posthumously titled and published, prior to which it was generally known as "the poem to Coleridge". Wordsworth was Britain's Poet Laureate from 1843 until his death in 1850.

Wordsworth records his own feelings with reference to the objects which stimulate him and call forth the description. His unique apprehension of Nature was determined by his peculiar sense-endowment. His eye was at once far-reaching and penetrating. He looked through the visible scene to what he calls its "ideal truth". He pored over objects till he fastened their images on his brain and brooded on these in memory till they

acquired the liveliness of dreams. He had a keen ear too for all natural sounds, the calls of beasts and birds, and the sounds of winds and waters; and he composed thousands of lines wandering by the side of a stream. But he was not richly endowed in the less intellectual senses of touch, taste and temperature.

Wordsworth believed that we can learn more of man and of moral evil and good from Nature than from all the philosophies. In his eyes, "Nature is a teacher whose wisdom we can learn, and without which any human life is vain and incomplete." He believed in the education of man by Nature. In this he was somewhat influenced by Rousseau. This inter-relation of Nature and man is very important in considering Wordsworth's view of both.

Cazamian says that "To Wordsworth, Nature appears as a formative influence superior to any other, the educator of senses and mind alike, the sower in our hearts of the deep-laden seeds of our feelings and beliefs. It speaks to the child in the fleeting emotions of early years, and stirs the young poet to an ecstasy, the glow of which illuminates all his work and dies of his life."

**Review of literature-** William Wordsworth, a pioneer of Romanticism (1770-1850) in English poetry ranks as one of the greatest lyric poets in the history of English literature. So there is ample critical writing available on his poetry. Wordsworth's work has been the subject of a vast amount of critical analysis and has often been used as a battleground for different theoretical approaches. [Williams 2002](#) provides a valuable guide to the changing critical responses, alongside a useful introduction to a wide range of the poems. –[Danby 1960](#) gives a detailed reading of the major poems from 1797 to 1807 that readers new to the poetry will find particularly helpful. [Gill 2003](#), a collection of essays written by some of the leading current Wordsworth scholars, offers a good starting point. '–[Hartman 1964](#) is one of the most important studies of the poet and is often seen as the first major modern study of the poet and the touchstone for later criticism. [Wordsworth 1982](#) provides a good place to start, this time with an emphasis on manuscript study. [McFarland 1992](#) offers a powerful attempt to characterize the essential nature of Wordsworth's achievement, responding in particular to New Historicist readings of the poetry. The beautifully illustrated [Jaye, et al. 1987](#) locates the poet in the period's wider contexts. [Purkis 2000](#) also provides very useful introductions to the various contexts in which Wordsworth was writing, along with helpful close readings of the poetry.

#### **Objectives of the Study are-**

- The objective of present study is to analyze the nature concerns in the poetry of William Wordsworth.
- To explore the literary sensibility of William Wordsworth.

**Research Methodology and Data Collection-** The present research work is both analytical and interpretative. The present research work has study depiction of nature in Wordsworth's poetry. It has also analyze how Wordsworth's nature writing is different from other nature poets. The author

has visited various libraries and study centers for review of literature and data collection. The study material has been collected from books, journals, articles, websites, magazine and other critical writing.

**Findings and Discussions-** Wordsworth gave a new meaning and significance to Nature. He spiritualised and intellectualised the term Nature. By now Nature had been used in literature as a scenery or for pomp and show. Nature was employed to provide a scenic background to human activity. But Wordsworth revolutionised the concept of Nature by presenting it as a living entity. Nature in Wordsworth assumes a complete personality. It acquires the central position in his poetic world. Nature, here speaks in first person. Nature made him her mouthpiece. "Nature not only gave the matter for his poems, but wrote his poems for him."

Wordsworth's childhood had been spent in Nature's lap. A nurse both stern and kindly, she had planted seeds of sympathy and understanding in that growing mind. Natural scenes like the grassy Derwent river bank or the monster shape of the night-shrouded mountain played a "needful part" in the development of his mind. In *The Prelude*, he records dozens of these natural scenes, not for themselves but for what his mind could learn through.

Nature was "both law and impulse"; and in earth and heaven, in glade and bower, Wordsworth was conscious of a spirit which kindled and restrained. In a variety of exciting ways, which he did not understand, Nature intruded upon his escapades and pastimes, even when he was indoors, speaking "memorable things". He had not sought her; neither was he intellectually aware of her presence. She riveted his attention by stirring up sensations of fear or joy which were "organic", affecting him bodily as well as emotionally. With time the sensations were fixed indelibly in his memory. All the instances in Book I of *The Prelude* show a kind of primitive animism at work"; the emotions and psychological disturbances affect external scenes in such a way that Nature seems to nurture "by beauty and by fear".

In *Tintern Abbey*, Wordsworth traces the development of his love for Nature. In his boyhood Nature was simply a playground for him. At the second stage he began to love and seek Nature but he was attracted purely by its sensuous or aesthetic appeal. Finally his love for Nature acquired a spiritual and intellectual character, and he realized Nature's role as a teacher and educator.

In the *Immortality Ode* he tells us that as a boy his love for Nature was a thoughtless passion but that when he grew up, the objects of Nature took a sober colouring from his eyes and gave rise to profound thoughts in his mind because he had witnessed the sufferings of humanity:

To me the meanest flower that blows can give Thoughts that do often lie too deep for tears. Compton Rickett rightly observes that Wordsworth is far less concerned with the sensuous manifestations than with the spiritual significance that he finds underlying these manifestations. To him the primrose and the daffodil are symbols to him of Nature's message to man. A sunrise for him is not a pageant of colour; it is a moment of spiritual consecration: My heart was full; I made no vows, but vows Were then made

for me; bound unknown to me Was given, that I should be, else sinning greatly, A dedicated Spirit.

To combine his spiritual ecstasy with a poetic presentment of Nature is the constant aim of Wordsworth. It is the source of some of his greatest pieces, grand rhapsodies such as *Tintern Abbey*.

**Nature Descriptions-** Wordsworth is sensitive to every subtle change in the world about him. He can give delicate and subtle expression to the sheer sensuous delight of the world of Nature. He can feel the elemental joy of Spring.

*It was an April morning: fresh and clear  
The Rivulet, delighting in its strength,  
Ran with a young man's speed; and yet the voice  
Of waters which the winter had supplied  
Was softened down into a vernal tone.*

He can take an equally keen pleasure in the tranquil lake:

*"Then, the calm And dead still water lay upon my mind Even with a  
weight of pleasure, and the sky, Never before so beautiful, sank down Into  
my heart, and held me like a dream."*

A brief study of his pictures of Nature reveals his peculiar power in actualising sound and its converse, silence. Being the poet of the ear and of the eye, he is exquisitely felicitous. No other poet could have written:

*"A voice so thrilling ne'er was heard  
In spring time from the cuckoo bird;  
Breaking the silence of the seas .....  
Among the farthest Hebrides"*

Unlike most descriptive poets who are satisfied if they achieve a static pictorial effect, Wordsworth can direct his eye and ear and touch to conveying a sense of the energy and movement behind the workings of the natural world. "Goings on" was a favourite word he applied to Nature. But he is not interested in mere Nature description.

**Conclusion-** Wordsworth's attitude to Nature can be clearly differentiated from that of the other great poets of Nature. He did not prefer the wild and stormy aspects of Nature like Byron, or the shifting and changeful aspects of Nature and the scenery of the sea and sky like Shelley, or the purely sensuous in Nature like Keats. It was his special characteristic to concern himself, not with the strange and remote aspects of the earth, and sky, but Nature in her ordinary, familiar, everyday moods. He did not recognize the ugly side of Nature 'red in tooth and claw' as Tennyson did. Wordsworth stressed upon the moral influence of Nature and the need of man's spiritual discourse with her.

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## ***Inner Life of Female Characters In the Novels of Anita Desai***

• Sudhir Kumar Tiwari

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**Abstract-** *Anita Desai is a very popular Indian novelist, she is known as the mother of the Indian psychological novels. Her meticulous depiction of modern Indian life has secured her a place of honor in the pantheon of Indian authors. Her experience of love appears to be short lived and her hopes vanish. She admits that when she heard one cry in stillness of nights, its hoarse, heart-torn voice, pierced her white flesh and plunged into its knife to hilt in her palpitating heart. Anita Desai has found it necessary to explore the inner as the outer climate configuration, and to disperse the narration on in the flow of general sensibilities, what is wanting is the controlling art that contains and gives form unifying impression to the pressures of depression.*

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**Keywords-** *Individuals, psychological, frustration existence, psyche, chaos, turmoil, conjure Rite-hiker, fascinated, crucial.*

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**Introduction-** Anita Desai's fiction is primarily concerned with the individual's psychological motivation, frustrations, sense of failure and keen awareness of the futility of existence. Her novels focus on the intangible realities of life, and explore the inner depths of the human psyche, the chaos and turmoil inside the mind. She thinks that inner life of a man or woman plays crucial role in the life and it is more important than the external condition of life. In her interview with Atma Ram, she said.

*"I am interested in character who are not average but have retreated or been driven into despair and so turned against the general current. It is easy to flow with the current, it makes no demands, it costs no efforts. But those who cannot flow it, whose heart cries out the great 'No' who fight the current and struggle against it, may know what demands are and what it costs to meet them".<sup>1</sup>*

The above quoted interview is the Central Point through which almost all the character in her novels revolves around. In her first novel, 'Cry, The Peacock' She has tried to portray the psychological state of two important characters Maya and Gautama. Maya is obsessed with prophecy of disaster. Maya wants to revert back to her childhood memories to escape her present. Maya frustrates her within. Her experience of love appears to be short lived and her hopes vanish. She admits that when she heard one cry in stillness of nights, its hoarse, heart-torn voice pierced her white flesh and plunged in to its knife to hilt in her palpitating heart. Her hopelessness is individual but it spreads and becomes universal. Maya finds herself failed one in the battle of her existence. She speaks:

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*"I conjure up odoures and temperatures out of the air, seeking to recreate the world I have lost, and succeed in summing up a host of visions so vivid, so brilliant, that they sear me and annihilate me, my body and my surroundings, and I am torn between two worlds-the receding one of grace, the approaching one of madness. My body breaks in the battle".<sup>2</sup>*

### **In Where Shall We Go This Summer?**

Sita, the central figure of Anita Desai's novel, is a hypersensitive lady, a mother of four children with the fifth in her belly whom she does not want to see the light of the day because she feels that this world is not suitable for existence: *"She had refused to give birth to a child in a world not fit to receive the child. She had the imagination to offer it an alternative-a life unlivd, a life bewitched"*.<sup>3</sup> She feels so disgusted with the tiresome, fast and artificial world of Bombay that she wants to go back to the life she came from-The life a Manori island, a life lived in the wilderness of hills. Sita is interested in what her husband is not interested in. While returning from Ajanta they meet a hitech-hiker foreigner on their way. He is deathly pale and ugly. But she is fascinated and months later when Raman asks her why she has once more brought up the subject of the hitech – hiking foreigner, she blurts out: *"He seemed so brave"*.<sup>4</sup> When she remarks that it seems that she would have liked to know him better, she instantly averts: *"I would like to travel like that muself"*.<sup>5</sup> This plunges them into a state of tension that lasts till tensions is no longer possible and dies of itself. Her inner self reveals itself like a flower displaying its inner colours in bright sunshine.

**Voice in the City** explores the life of the middle and the lower middle classes of a city which is densely populated. Sociological speaking the seedy and nauseating industrial backdrop seems to play a crucial role in generating various kinds of mental aberrations a psychic disorder. Nairodi's wounded self, Monica's agonized self and Anita's insecure inner sprit fail to combine with the continuous violence inherent in the "cityscape" meticulously evoked and stabilized in the novel.

**Clear Light of Day Poses** is the story of a family of two brother and two sisters. Raja is a poet, who married a muslim girl and lives in Hyderabad, keeping a tenuous connection with his brother and sister, who live in Delhi. Here, a girl struggle with her inner self and tries to come to terms with the real life. But, she finds unable herself to fight against the taboos of society. The convention of society does not permit her to integrate with the mainstream of social paradigm of the life. Thus, her loveliness remains become part and parcel of life. Baba is a mentally retarded person, who always stays at home and enjoys absolute music from gramophone records. Bimla works as a lecturer in a Delhi college and nurses an eternal grievance against her brother for deserting the family. Tara, her sister marries an officer in the civil service, leaving Baba and Bimla to seek their own salvation in the ancestral house. It is Tara's visit to the ancestral house with her husband and children that makes Bimla revive the past and reflect on it. The following excerpts from her reminiscence clarify her feelings:

*"The memory came within out of the dark like a mosquito, dangling*

*its long legs and hovering just out of reach the mosquitoes that night were like the thoughts of the day embodied in monster form, invisible in the dark but present everywhere most of all in and around the ears, piercingly audible".<sup>6</sup>*

**In custody** again are a re-creation of the problems and the agonies of the inner self. The narrative is organized in such a way that the cultured past of India becomes part and parcel of the bubbling and throbbing consciousness of Devan. The town Mirapore has a Muslim area and a Hindu area, dominated by the mosque and the temple respectively. Devan, friend Murad, who edits an Urdu Journal 'Awaaz' from New Delhi, prevails on him to write an article on Nur's poetry for his journal. To Devan, Nur is a significant poet not because he makes things immediate but because he removes them to a position where they become bearable:

*"That was what Nur's verse did placed frightening and inexperience like time and death at a point where they could be seen and studied in safety".<sup>7</sup>*

Anita Desai's character clearly demonstrate that most of her protagonists suffer from an extreme sort of self-introversion. We may not be their personal obsession to the different type of physical temptation of the world. And, they do not find themselves secure to come towards their self-realization. The obsessions generate sometimes from a disharmonious family background as we have it. **In, Voices in The City and Clear Light Of Day In Where Shall We Go This Summer? And Fire on the Mountain,** the obsessions are the unfairness.

Anita Desai has found it necessary to explore the inner as well as the outer climate and configuration, and to disperse the narration in the flow of several sensibilities. What it wanting is the controlling art that contains and gives from unifying impression to the pressures of dispersion? In **Cry, the Peacock**, writer has tried to present a sharp meeting of Maya-Gautama polarization and the double force of the prophecy and present the symbolic hidden Inner-reality of the life. Her third novel "**Bye-Bye blackbird**" portrays Indian and Englishmen in England, but this not portrayed of outward reality rather than is exploration of inner psyche. These are the problems arisen like loss of identity, alienation and humiliation. This all is basically on account of racial discrimination and cultured prejudices. K.R.S. Iyengar has remarked her comment about the inner self of women character in the novels of Anita Desai says-*"In her novels the inner climate of sensibility that tours, clears or rambles like thunder or suddenly blazes forth like lightning, is more compelling than the outer weather; the physical geography or the visible action".<sup>8</sup>*

**In Fire On The Mountain**, Nanda is very much like Nirodi in exhibiting self-alienation tendencies that hasten process of self-destruction. They run away from social formalities and maintain an attitude of self-alienation. Nanda is the epitome of devotion; duty and sacrifice. To hide her inner fear of isolation when her husband leaves her alone to carry on his love affairs she considers her aloneness as "a moment of private triumph, as and

proud". Therefore, it could be said that the inner psyche of a woman is wounded and alienated from individual.

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