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CHANGING ROLE OF TECHNOLOGY IN TEACHING- LEARNING PROCESS DURING THE EPOCH OF COVID-19: A NEW NORMAL

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ABSTRACT

The Education system has dramatically affected by the COVID-19 pandemic, which leads to nearly total closure of schools, universities and colleges. The entire teaching-learning process has very much influenced by this 'interruption', or we call it a break to stop and look 360 degrees around what we were doing in the name of 'Education'. Yes, it poses many challenges to move further, ensuring participation of all as per constitutional understandings and tons of opportunities to be progressive. Removing our mental and physical barriers about using technology and integrating it into our education system is the first lesson we learnt from this age of pandemic. Online and Digital Education is a need of an hour -A New Normal. Various digital measures are being taken so as 'the show must go on' even in callous and complicated life and deaths situations. Online education is an alternative in a case where the students are not allowed to go to school. This paper discusses the positive aspects of the epoch of COVID-19 on education and change in the educational system by adapting to technology-assisted teaching-learning and students' engagement through virtual sessions. It also reveals the forefront challenges amongst all learners, educators, policymakers and employers due to this new normal.

Keywords: COVID-19, online classes, e-education, educational technology, New Normal.

INTRODUCTION

Globally everything has stopped, workplaces have been closed, projects delayed, and school colleges shut down. We live amidst potentially one of the greatest threats in our lifetime to global education, a gigantic educational crisis. As of May 10 2020, school closure in response to this pandemic has impacted approximately 1.268 billion learners worldwide. According to UNICEF monitoring, nationwide closures have implemented in 177 countries and local closures in 13 countries, which has affected almost 73.5 % population of the world's learner. Not only students, teachers, and families have affected by school closure, but the economic and societal impact has also revealed (Lindzon, 2020). Closures of schools in response to COVID-pandemic have brought attention to several social and economic issues, i.e. student debt, Financial crises, food insecurity, unemployment, immigration, homelessness, orphan children and later many more.

LEARNING CRISIS AND SDG-4

Experiencing a global learning crisis is already of great concern as many students enrolled in school but were not learning the fundamental skills needed for life. Development of analytical and other intellectual skills, creativity to make new connections and synthesis, ability to deconstruct and evaluate given knowledge critically and acquiring practical skills, inquiry, seeking a solution to complex problems etc., all involves Learning. In social environments, Learning also happens through osmosis. However, due to the outspread of COVID 19, non-pharmaceutical interventions and preventive measures – self-isolation and social distancing are implied that can have adverse social and economic effects on nations, governments, educators, parents and the most important stakeholders of the education systems – the learners. It also cuts down the path countries had made towards the United Nations' Sustainable Development Goal (SDG) 4 – the internationally agreed goal on providing a quality, inclusive and equitable education to all. Disaster management is one of the essential components in SDG goal. COVID 19 is a pandemic and termed a disaster. COVID 19 changes the way of teaching-learning process across the globe. Around 1.5 billion students are a force to sit at home in the world. Sitting at home is an emergency for students. The governments in developed countries have taken several significant steps in the field of education as a measure of rescue and rehabilitation i.e.

- In Canada, students do not have to pay the loans which they have taken for education.
- Australia has paid for advanced technology to be used for education.
- In the UK, students will get back their paid fees.
- Universities of Ghana are using online methods for teaching.
- In Malaysia, also higher education colleges and university campuses are using the online mode.

- In China itself, the ministry of education has assembled diverse constituents to develop a new cloud-based online learning and broadcasting platform and upgrade a suite of education infrastructure, led by the Education Ministry and Ministry of Industry and Information technology.
- Similarly, the Hong Kong-based read together, HK forum comprises more than 60 educational organizations, publishers, media, and entertainment industry professionals providing more than 900 educational assets, including videos, books, chapters, evaluation tools, and free counselling. The consortium intends to continue to use the platform and maintain it even after COVID-19 has been contained.
- In India, more than 100 online courses are provided on the Swayam Platform developed by IGNOU. It is essential to mention that online education has significantly led from school education to higher education, including professional and technical education.

GOVERNMENT INTERVENTION TO MAKE TEACHING-LEARNING CONTINUOUS

The pandemic of COVID 19 is, first and foremost, a health emergency, and when it comes to education, all the schools and universities have been closed down by almost all the countries. In India first case of COVID 19 reported on January 30, 2020, and on March 21, the union government declared a countrywide lockdown, including all the educational institutions. The government also ordered all the educational institutions to support, guide and facilitate the learners through online mode for the smooth functioning of the teaching-learning process and examination. A report published on April 13, 2020, quoting the chairman of University Grant Commission (UGC) as saying, "Among other things, that to maintain social distancing, online learning and e-education were the only way out, and that it is the need of the hour for the students, teachers and the education system as a whole". This statement was meant to prepare the higher education community for an indefinite campus closure exigency. Emphasis was also visible on accepting and adapting Online Education in succession.

"We are seeing at this time of COVID-19 and even later when all of this (is) over, to give a push to online education" (UGC, 2020).

As 82% of the world's learners are no longer in traditional schooling or education programs, UNESCO recommends online Learning and education technology to reach learners remotely, thus Setting a stage for 'NEW NORMAL'.

A CHANGING EDUCATION IMPERATIVE

"New Normal" means a current situation, ways of living, social system, etc. that is different from what has been experienced or done before but is expected to become usual or typical, and people have started accepting it. At least for two decades, EdTech (short for Education Technologies) enthusiasts have

been anticipating that technology will become the most prominent intermediary of teaching-learning processes. The National Education Policy 2020 recognizes the importance of utilizing technology while also addressing the potential risks and hazards. It asks for well pilot projects to determine how online/digital education benefits can be enhanced and drawbacks to be reduced. It also emphasized improving and expanding existing digital platforms to address the present and future challenges in providing quality education for all. During the wake of the Covid-19 pandemic, millions of students worldwide chased out of their university spaces; professors are restricted to their homes. Higher education is disaggregated, and faculties and students grapple with the sudden new teaching norms- Learning, which is entirely tech-mediated. Institutions and their stakeholders all are equally under pressure not to waste academic time and re-invent their teaching-learning-evaluationactivities in the only possible way – **go online completely**.

This New technology-mediated education can be called Education 4.0, after the first three waves of education systems that evolved over 2000 years of civilization -the Gurukula system (one master to a few students), the traditional university system (one to several apprentices) and distance learning (one to very many learners across the spectrum). Technology is the understanding and use of skills required to build resources that can deliver various media types. Media is created by technology as it generates the flow of information, which is then distributed and provided via video sharing, blogging, podcasting, clip arts, webinars and virtual environments. Both the technology and media work together; they must have to go hand in hand To use different media for e-learning education and the classroom environment. Technology and media play a crucial role during this pandemic in keeping teaching-learning continuous. However, the difference is that the centuries-old 'chalk-talk teaching model' has transformed into one' technology-driven model'. Due to this disruption inthe delivery of education services, policymakers have been pushed to figure out how to stimulate extensive scale involvement while also assuring equitable e-learning solutions and bridging the digital divide. It is policymaker's creativity and adaptability to seek solutions to bridge the gap.

Student engagement, whether offline or online, is always a challengingtask. Initially, there weremanydisagreements and dissent among faculty regarding student engagement during the lockdown. When online sessions started, a sharp increase in the students' attendance was noticed and much higher than the traditional classes.Ministry of Education (MOE)insightfully shifted the focus providing through free Swayam courses, various e-learning portals,i.e., DIKSHA portal, e-Pathshala, Swayam, E-libraries, E-books, STEM-based games, etc. with the help of different educational bodies.

Technology has a vital role in educating future generations. Teachers' role must alter in a world where knowledge is a mouse-click away. Skype meet up, Zoom, Google meets, Google Hangouts, Google classrooms, cisco WebEx, MOODLES, LMS, ICT, YouTube and various other tools are utilized to create

a virtual teaching-learning process. During this crisis, many institutions have organized online Faculty development programs to boost the faculties' morale and prepare them to be more flexible and adaptive to the rapidly changing scenario. After some initial hurdles and barriers, the virtual teaching-learning becomes popular because it appropriately facilitates the presentation of PPT, plays videos, and use board and marker in regular virtual classrooms. Technology has revolutionized the Indian education system, and pandemic forced different stakeholders to accept these changes. Unfortunately, this paradigm shift from traditional to virtual has happened on an untested and unprecedented scale; however, the online mode of student assessment is still an unfinished and unsettled agenda. Responsible agencies and institutions are still exploring the valid, reliable, appropriate way and means of the evaluation, satisfactorily acceptable by all the stakeholders.

People usually resist change because of their ignorance or doubts about its necessity and relevance, but they even unwillingly respond positively when an emergency arises. Initially, there were hesitations and doubts, using online classes over conventional media, but once it was recognized as a necessity by society, its acceptance rose significantly; therefore, various changes in the parents' mood and behaviour were noticed. After the hesitant start, the teachers gradually adopted the changes and contributed to the field through multiple innovations and techniques as and when a need arose. On the other hand, the importance of mobile and laptop technology greatly influenced the parental mindset across the broad spectrum of society. It paved the ways to visualize the communication tools as tools of Learning. On the contrary, the demand for regular electricity supply and deterred signal and internet connectivity, affordable price of mobile and data services and demand for 5G technology was also created.

The technology and media both played an extensive role to provide equity-based learning opportunities and thrown open the new horizons of competition and success in the education and professional spheres, where the students could suitably compete with others.

Lockdown forced people to be remain locked in their homes, but it was media and technology which came forward to rescue. Different media like Radio, TV and the internet also involved making teaching-learning as smooth as possible. Re-telecasting the epic serials of last century the Ramayana and the Mahabharata to assert the culture, national identity, ideals, values, history, humanity and life skills to get moral and emotional strength for the survival. It helped teach the importance of self-evaluation, self-discipline, collective efforts, helping needy people and positive thinking. It helps to understand the cultures, beliefs, castes, creeds, ethnicities and socio-economic backgrounds of other peoples to interact efficiently and collaborate.

OPPORTUNITIES ARISES

The COVID-19, despite its pandemic value, open up the pandora of potential opportunities before us:

- **Blended Learning for all: its need, importance and uses,**

curriculum, pedagogy, and content integration:Universities, colleges and schools adopt a blended learning model in which flipped, face-to-face and online delivery of content is used. It requires all teachers to be more techno-savvy and acquire the necessary training to reach the required level. The curriculum should be clearly defined with supportive pedagogical methods. Restructuring of content is needed along with best-mediated technology.

- **Learning management systems to be the new norm:**A colossal opportunity arises for the organization, development and enhancement of learning management systems for schools, colleges and universities.
- **Improvement in quality of learning material:**There is a tremendous opportunity to improve the quality of teaching-learning material by the school, colleges and universities. There is a grime need of creating innovative ways to design and distribute high-quality content.
- **Rise in collaborative work, including online teaching:**New era of cooperative education and Learning is evolving and creating opportunities for students to take online classes delivered by faculty members of the range of institutions. Thus the faculty members and the students across institutions and university, subjects and study areas benefit from one another; even students from competing institutions can take online classes taught by different faculty members/ teachers. There are also collaborations among faculty/teachers across the nation to benefit from each other.
- **Integration and use of open educational resources:** There is a total paradigm shift in the digital knowledge repository management and distribution system. It provides free access to OERs to the students and society at large.
- **Enhancement of teachers' digital skills:**Unlocking and unfolding the tremendous potential of technology and media in education can only be done by skillful teachers. Digital skills help them to utilize it purposively that have already been recognized as crucial in supporting national educational goals through their programs, content and process, thus owing to understand their immense social responsibility.
- **Active Involvement of the parents in the Learning of their child:** Happily, Parents are more involved in their children's learning process. They are concerned and engaged in many ways, e.g., focused on skill development, collaborating with teachers, etc.
- **Governments become more responsible:** The education ministries have a much better understanding of the limitations and challenges, i.e., in communication, infrastructure, incorporation of digital technologies in the curriculum, training of teacher that arise in

using technology effectively and acting on that. All of these will strengthen the educational structure and programs in future.

- **Social networking sites and their educational use:** Social networking sites, i.e., Facebook, Twitter, youtube, linkdine, WhatsApp, Instagram, telegram, signal, Koo and many more, emerging as new educational tools and having tremendous potential to facilitate the teaching-learning process to a next new level. It can be used for interaction between students and teachers and students for academic discussion and meaningful tasks such as sharing notes, assignments, projects, other resources and activities.

CHALLENGES TO HAVE THE 'NEW NORMAL'

Opportunities bring challenges. The path to accepting NEW NORMAL and being digital in teaching-learning pose various challenges as well. These are in many areas:

- First-generation learners have no cultural capital to bank on while struggling their way through digital mode.
- The availability of internet access and connectivity in remote areas is a serious challenge. Students from rural areas and disadvantaged families may be discouraged due to the lack of access to technology, internet connectivity and speed, and electricity supply, creating a severe barrier to distance learning. Lack of good internet connectivity and access to technology is a barrier for many disadvantaged families. Students who do not have the internet at home will find it challenging to keep up with distance learning.
- Despite the range of open learning resources freely available to students, researchers, and teachers, the provisions of copyright restricted access to the vast corpus of the latest knowledge creation, resulting in creating knowledge gaps and lacuna.
- The capacity of teachers in developing content- Since 'new form of teaching' came without warning and precautions, and a large no of teachers have no training and skill-building in using virtual tools, it created a severe challenge to utilize the capacity of teachers in the content creation, content vating and its review.
- The issues of equity and inclusion are facing new challenges since the introduction of COVID-19 once again. Access to digital resources and communication creates a barrier to the utility of internet resources, especially for the blind, deaf and dumb, pupils affected with learning disabilities, autism and other serious hidden disabilities.
- Parents of disadvantaged groups and especially families living below the poverty line finding it challenging to support the education of their children; sudden unemployment resulted out of lockdown and loss of earning created inability of purchasing power of the families; therefore, the paraphernalia required for online education becomes a new burden to them.

- Availability of electricity is also a significant issue in making digital Learning successful in a country like India, wherein rural and remote areas use electricity supplies with long cut downs.
- The digital divide is a significant challenge in this transition phase that needs to be handled at war footing.
- Reliability and credibility of the educational attainment of those who pass out through these processes depend upon their acceptance in society as human first and secondly in the Job market as skillful professionals.

CONCLUSION

Digital transformation has become a new standard or usual with educational institutes around the country. Many people see online Learning and evaluation to become more productive and efficient and also helpful in obtaining innovative and enhanced professional skills. Technology turns education from teacher-centred education to teacher-student-centred education. Today, we can connect teachers and students as close as possible to an actual class experience using virtual classrooms and various technologies. The use of technology and media in education necessitates coordination among course material, educator, technology, and students. It can only be successfully implemented if the basic need for internet connectivity, online system availability, laptops, software, etc. Will be available. Nonetheless, we cannot ignore that COVID-19 has pushed the use of technology and media here in such a situation to make quality education accessible to everyone with some specific concerns, issues and limitations that need immediate affirmative intervention.

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ROLE OF INTELLECTUAL PROPERTY IN ECONOMIC DEVELOPMENT OF INDIA: AN ASSESSMENT IN CONTEXT OF SUSTAINABLE DEVELOPMENT GOALS

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Abstract

The potential benefits of innovation in technology protected by intellectual property rights determine the economic growth of the nations and serve a vital role for achieving sustainable development goals. India ranks in 48th position globally, as per the Global Innovation Index (GII) 2020 reports. Therefore, it is high time to rethink to evolve a robust culture of innovation and new knowledge creativity in the era of knowledge economy by tapping the potentiality of the existing resources for sustainable economic growth. This paper strives to examine the relationship among Intellectual property rights, innovation and sustainable development goals. Further, an attempt has been made to analyze international and nation development. The research is primarily based on doctrinal method presenting qualitative and qualitative analysis of laws policies and reports. The paper concludes and suggests that there has been remarkable progress in legal policy related to intellectual property rights (IPR) and innovations but the implementation of laws and

policies still a big challenges for realizing sustainable development goals in upcoming future.

Keywords: *Intellectual property rights; Innovation technology; Economic Growth; Sustainable development goals.*

I. INTRODUCTION

The history of human race is itself a history of the application of imagination, or innovation and creativity¹, which had based on existing knowledge to solve the problems faced by people. Intellectual property rights are very vital to building up these innovational capacities². The protection and management of intellectual property rights is still a core issue and will increasingly be in the hands of those who create and convert knowledge into wealth for socio-economic development of the nations in present globalised world.³ As far as the evolution and development of intellectual property rights regime at international level is concerned, it can be broadly divided into three phases. The first phase known as territorial phase in which, different subject areas of intellectual property originated in different places and different time.⁴ The second phase the international period, in which the Paris Convention and the Berne Convention were adopted in 1886. The third phase generally deals with the globalization dominated era, in which the intellectual property rights at multilateral level governed by the TRIPS Agreement⁵. The concept of sustainable development was recognized by the international community in environmental context⁶. After non- achieving the said the Millennium Development Goals in stipulated time framework, the international community again in 2015, developed consensus on Sustainable Development Goals 2030 Agenda with 17 goals. Most of the SDGs are dependent upon the development and diffusion of innovative technologies. Innovation and creativity are not goals in themselves; they are means and tools for creative solutions to development challenges and, being at the heart of the system, have an impact on many of the SDGs⁷. As such, innovation has a direct impact on

¹KAMILIDRIS, *INTELLECTUAL PROPERTY: A POWER TOOL FOR ECONOMIC GROWTH*4 (wipo)(2003).

² OECD, *NATIONAL INTELLECTUAL PROPERTY SYSTEMS, INNOVATION, AND ECONOMIC DEVELOPMENT WITH PERSPECTIVE ON COLOMBIA AND INDONESIA* 3 (oecd)(2014).

³ SHAHID ALI KHAN & RAGHUNATH MASHELKAR, *INTELLECTUAL PROPERTY AND COMPETITIVE STRATEGIES IN THE 21ST CENTURY*, 26, (KLUWER LAW INTERNATIONAL) (2009).

⁴ RAMAKRISHNA B & ANIL KUMAR H.S., *FUNDAMENTALS OF INTELLECTUAL PROPERTY RIGHTS: FOR STUDENTS, INDUSTRIALIST AND PATENT LAWYERS* (NOTION PRESS) (2017).

⁵ peter drahos, *the universality of intellectual property rights: origins and development*

⁶ PHILIPPE CULLET, *INTELLECTUAL PROPERTY PROTECTION AND SUSTAINABLE DEVELOPMENT*, 2005

⁷ Committee on Development and Intellectual Property (CDIP) CDIP/21/10 Twenty-First Session Geneva, WIPO.

zero hunger⁸, healthy lives and wellbeing⁹, clean water and sanitation¹⁰, affordable and clean energy¹¹, decent work and economic growth¹², foster innovation¹³, sustainable cities and communities¹⁴ and climate change¹⁵. At a policy level, innovation can assist in achieving other sustainable development Goals such as no poverty¹⁶, decent work and economic growth¹⁷, life below water¹⁸, and life on land¹⁹. Moreover, certain SDGs are relevant to the settings of an innovation policy framework, notably gender equality²⁰, decent work and economic growth²¹, reduced inequalities²², and responsible consumption and production²³. However, intellectual property rights are directly or indirectly help in to accomplish the sustainable development goals.

In the light of aforesaid development, at international level, the government of India passed and amended many intellectual property rights laws and policies to stimulate a dynamic, vibrant and balanced intellectual property rights system in India to foster creativity and innovation and thereby, promote entrepreneurship and enhance socio-economic and cultural development. Despite the above development, it is still generally observed that the challenges to realize the sustainable development goals remain a daunting task before the governing institutions.

The purpose of this paper is to examine the symbiotic relationship and challenges to the realization of the sustainable development goals in the ongoing intellectual property rights regime in India. The Paper divides into four Parts for making the discussion easier and understandable. Specially, the third part that deals in result and discussions divided into five parts, firstly, talks about the international perspective of Intellectual Property Protection Movement that deals with the historical development and landmark international treaties. Secondly, shows the relationship among the intellectual property rights (IPRs), Innovation and Sustainable Development Goals (SDGs), which deals that how the intellectual property is helpful in the achievement of agenda 2030 goals. Thirdly, in Indian perspective what are the

⁸2030 Agenda for Sustainable Development Goals, SDG 2.

⁹Id SDG 3.

¹⁰Id SDG 6.

¹¹Id SDG 7.

¹²Id SDG 8.

¹³Id SDG 9.

¹⁴Id SDG 11.

¹⁵Id SDG 13.

¹⁶Id SDG 1.

¹⁷Id SDG 8.

¹⁸Id SDG 14.

¹⁹Id SDG 15.

²⁰Id SDG 5.

²¹Id SDG 8.

²²Id SDG 10.

²³Id SDG 12.

laws and policies for Intellectual Property Protection? Fourthly, the report analysis of Global ranking of India. Fifthly, an analysis from 2015-2019 About the Reformation of IP office and IP trend in India.

II. LEGAL MATERIAL AND METHODS

This article has primarily followed the analytical method and has undergone the analysis of different reports to find out the real growth of intellectual property system and India's growth at globally. Mainly based on secondary data has issue from different international and national organizations. Qualitative and quantitative matrix opted to analysis of laws, policies and reports. Limitation of quantitative data is taken from 2015 i.e. after the United Nation Sustainable Development Agenda 2030 came into force till 2019 only. This article is mainly concerned with the economic contribution by intellectual property systems, intellectual property regime, governmental initiatives that are taken for effective implementation of intellectual property laws and related policies.

III. RESULT AND DISCUSSIONS

A. Intellectual Property Protection Movement: An International Perspective

At the beginning of 19th century, the United Kingdom, Intellectual property law emerged under the Elizabethan era in the form of royal favors granted by the King or the lord of the land to the introducers of new techniques²⁴ after that intellectual property was regulated under common law and the Statute of Monopolies enacted in 1623 in patent concerned²⁵. First, credit for patent law goes to the Venetian patent statute of 1474.²⁶ Revolutionary France recognized the rights of inventors in 1791 and the U.S.A. enacted a patent law in 1790²⁷. Statutory forms of trade mark law only make their appearance late in the second half of the nineteenth century, even though trademarks had been in use for much longer.²⁸ The English courts have developed the concept of passing off to protect trademarks. Copyright also follows a same kind of pattern, modern copyright law beginning in England with the Statute of Anne of 1709.²⁹ Basically, the historical segment of Intellectual property is based on the principle of territoriality, the quite that intellectual property rights do not extend beyond the territory of the sovereign which has granted the rights in the first place.³⁰

²⁴ A Brief History of Intellectual Property Law: United Kingdom, WIPO.

²⁵ *Ibid.*

²⁶ CRAIG ALLEN NARD ANDREW P. MORRIS, *CONSTITUTIONALIZING PATENTS: FROM VENICE TO PHILADELPHIA*, (Faculty Publication)(2006).

²⁷ Peter Drahos, *The Universality of Intellectual Property Right: Origins and Development* (WIPO publication)

²⁸ *Ibid.*

²⁹ Background Reading Material on Intellectual Property, (WIPO)(1988).

³⁰ *Ibid.*

The main movement towards serious international co-operation on intellectual property arrived in the form of two multilateral pillars: the Paris Convention of 1883 and the Berne Convention of 1886. The commercialization of intellectual property has been seen when, the TRIPs Agreement, along with the Stockholm Conference³¹ that adopted the revised Berne and Paris conventions and created the World Intellectual Property Organization (WIPO)³², is unquestionably the most considerable signpost in the development of intellectual property in 20th Century³³.

The international movement for institutionalization and protection intellectual property rights has been started with the formulation of the Paris Convention for the protection of industrial property, 1883 and the Berne Convention for the protection of literary and artistic works, 1886. It also had an International Bureau for its administrative work. The international bureaus were united in 1893 to form an international organization called BIRPI (the French acronym is *Bureaux Internationaux réunis pour la protection de la propriété intellectuelle*), and in 1970 it was replaced by World Intellectual Property Organization (WIPO)³⁴ WIPO assists its Member States, particularly developing and least developed countries, upon their request, to produce national IP strategies that encourage and facilitate the effective creation, development, management, and protection of IP at the national level³⁵. After that, the globalization in 1992, intellectual property has played an important role in area of trade and innovation. The TRIPS agreement was adopted at Marrakesh on April 15, 1994, as Annex 1C of the final Act as a result of the Uruguay Round³⁶ and adopted a Multilateral Trade Negotiations that came in to force on 1 January 1995 in the form of TRIPS Agreement.

According to the Director General *Francis Gurry* of WIPO addresses to assembly, as reported³⁷ in the light of looking future, is “*Innovation, which lies at the heart of the mission of intellectual property. Innovation has become a central element of the economic and industrial strategies of a wide spectrum of countries, not just the most advanced technologically. Its fundamental importance has been recognized in the Sustainable Development Goals (SDGs)*”

³¹DANIEL GERVAIS, *THE TRIPS AGREEMENT: DRAFTING HISTORY AND ANALYSIS* 3 (Thomson Reuters(Legal) Limited, 3rd edition,2008).

³²*Ibid.*

³³*Ibid.*

³⁴*Supra* note 27 at 7-8.

³⁵SHAMNAD BASHEER, “*POLICY STYLE*” *REASONING AT THE INDIAN PATENT OFFICE* (Sweet & Maxwell Ltd 2005).

³⁶Surendra J. Patel, *Intellectual Property Rights in the Uruguay Round: A Disaster for the South?*, 24 EPW.

³⁷2017 Address of the Director-General WIPO Assemblies – October 2 to 11, 2017 (*Feb.4, 2021, 10.34AM*)

in SD Goals 9th (Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation)³⁸.

With the technological revolution, IP becomes a global issue; every nation has same challenges i.e. how to ensure that the IP system is developed internationally as a promoter of socio-economic growth while at the same time, making protection simpler and its enforcement more effective.³⁹ But now day's recent challenges before WIPO is to enforcement of intellectual property rights to protect the works of creators and innovators from misappropriation or copying by unauthorized parties. Such protection is in the interests not only of the individual creators but also of wider economic development and consumer interest. WIPO aims to provide assistance to governments and industry in developing effective anti-counterfeiting and piracy strategies. It focuses on awareness-raising, legislative assistance, improved coordination, improving information exchange between right holders and enforcement agencies, and capacity building.⁴⁰

Intellectual property (IP) and innovation is closely related. IP is the driving force⁴¹ for innovation; it is also an effective means to transform the results of science and technology into real productivity as it bridges the innovative outcomes and the markets. Therefore, it is bound to play a substantial role in achieving the SDGs. Development is an instrument to address various global challenges and to assist countries in realizing their goals for economic transition and upgrading, thereby leading them to embark on the path of sustainable development which is fair, open, inclusive and innovative. Technological innovation is a significant force in driving world economic and social development. It is also a powerful means to address challenges in poverty, hunger and climate change. The international community must adhere to the orientation and spirit of innovation, establish new development strategies, develop up-to-date scientific technologies, and explore fresh potential in development to speed up the implementation of the SDGs. In such areas the World Intellectual Property Organization (WIPO) has played a significant role in the implementation of the SDGs. It shall continue to engage in the relevant processes of the UN, in particular those of the Inter-agency Expert Group on SDG Indicators (IAEG-SDG) and the Technology Facilitation Mechanism (TFM)⁴².

³⁸ Envision2030: 17 Goals to Transform the World for Persons with Disabilities, (Feb. 3, 2021, 11.23 AM),

³⁹ SHAHID ALI KHAN & RAGHUNATH MASHELKAR, *INTELLECTUAL PROPERTY AND COMPETITIVE STRATEGIES IN THE 21ST CENTURY* (Kluwer Law International, 2009).

⁴⁰ Recent Challenges for Enforcement of Intellectual Property Rights (Feb. 14, 2021, 01.12 PM)

⁴¹ K.D. Raju, *Interpretation of section 3(d) in the Indian Patents Act 2005: A case study of Novartis*, 8 *IIPR* 27.

⁴² Committee on Development and Intellectual Property (CDIP), CDIP/18/4 Eighteenth Session Geneva, WIPO.

B. Nexus of IPRs, Innovation and Sustainable Development Goals (SDGs)

Creativity and innovativeness is a natural human endeavor that offers an almost limitless resource for creating value for human development. Intellectual property rights secure value added by such creativity and innovativeness such that individuals and enterprises are able to benefit from their creative and innovative activities hence development⁴³. Many of the SDGs are dependent upon the development and diffusion of innovative technologies. Innovation and creativity are not goals in themselves; they are means and tools for creative solutions to development challenges and, being at the heart of the system⁴⁴, have an impact on many of the SDGs⁴⁵. As such, innovation has a direct impact on zero hunger⁴⁶, healthy lives and wellbeing⁴⁷, clean water and sanitation⁴⁸, affordable and clean energy⁴⁹, decent work and economic growth⁵⁰, foster innovation⁵¹, sustainable cities and communities⁵² and climate change⁵³. At a policy level, innovation can assist in achieving other sustainable development Goals such as no poverty⁵⁴, decent work and economic growth⁵⁵, life below water⁵⁶, and life on land⁵⁷. Moreover, certain SDGs are relevant to the settings of an innovation policy framework, notably gender equality⁵⁸, decent work and economic growth⁵⁹, reduced inequalities⁶⁰, and responsible consumption and production⁶¹.

However, intellectual property rights are directly or indirectly help in to accomplish the sustainable development goals. Likewise, though IPR will

⁴³Marshan Simon Cadogan, *Using SDGs to Leverage National Intellectual Property Strategies*(Center for International Governance Innovation).

⁴⁴ India VNR 2020, *Decade of Action taking SDGs From Global to Local*, NITI Aayog(2020).

⁴⁵ Committee on Development and Intellectual Property (CDIP) CDIP/21/10 Twenty-First Session Geneva, WIPO.

⁴⁶ Supra note 8 SDG 2.

⁴⁷*Id.* SDG 3.

⁴⁸*Id.* SDG 6.

⁴⁹*Id.* SDG 7.

⁵⁰*Id.*SDG 8.

⁵¹*Id.* SDG 9.

⁵²*Id.* SDG 11.

⁵³*Id.* SDG 13.

⁵⁴*Id.*SDG 1.

⁵⁵*Id.* SDG 8.

⁵⁶*Id.*SDG 14.

⁵⁷*Id.*SDG 15.

⁵⁸*Id.* SDG 5.

⁵⁹*Id.* SDG 8.

⁶⁰*Id.*SDG 10.

⁶¹*Id.*SDG 12.

not eradicate poverty⁶² but it will provide an opportunity for the poor to participate in the economy and enjoy the benefits of economic growth as a function of ending poverty. The goals that ensuring healthy lives and promoting the well-being⁶³ for all at all ages should have right to health and access to medicines as the 2001 Doha Declaration of TRIPS Agreement on Public Health initiated a range of initiatives to fulfill its mandate. Therefore, to achieve access to affordable medicines and vaccines for all depends on patents on pharmaceuticals and its impact on the price of medicines. While, to ensure access to water and sanitation⁶⁴ for all, intellectual property provides a tool for facilitating technology transfer⁶⁵ through disclosure requirements at the IP protection level. Whereas, to ensure access to affordable, sustainable and modern energy⁶⁶ for all there is need of international cooperation to facilitate access to clean energy research and technology. By supporting technological development and scientific research requires development of the technical infrastructure to facilitate access to knowledge and information for technological and scientific development to build resilient infrastructure, promote sustainable industrialization and foster innovation.⁶⁷ A balanced approach to IP protection and administration ensures that the opportunities created by IP are accessible by all countries and their citizens to enable them participate in the global economy that can help in reduction of inequality within and among countries.⁶⁸ Further, the environment is concerned, to sustainably manage forests, combat desertification, halt and reverse land degradation, biodiversity loss,⁶⁹ WIPO as a policy forum especially the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) in 2000 as well as its knowledge sharing platforms are important policy and information platforms for IP to play a role in the sustainable management of biodiversity.⁷⁰ Sustainable use of biodiversity and safeguarding of genetic resources has long been associated with the wellbeing of local communities and indigenous peoples.

IV. INTELLECTUAL PROPERTY PROTECTION LAWS AND POLICY IN INDIA

Constitutional law being a fundamental law of a country which prescribes fundamental principles to regulate the relations of government and its citizens and which also provides certain method for the administration of

⁶²*Id.* SDG 1.

⁶³*Id.* SDG 3.

⁶⁴*Id.* SDG 6.

⁶⁵CARLOS M. CORREA, *REVIEW OF THE TRIPS AGREEMENT: FOSTERING THE TRANSFER OF TECHNOLOGY TO DEVELOPING COUNTRIES* (Third World Network Malaysia) (2001).

⁶⁶*Supra* note 8 SDG 7.

⁶⁷*Id.* SDG 9.

⁶⁸*Id.* SDG 10.

⁶⁹*Id.* SDG 15.

⁷⁰*Supra* note 4 at 50.

the public affairs of the nation.⁷¹ The scheme of distribution of legislative powers between union and States, under Seventh Schedule of the Constitution of India, which contains some provisions that specifically refer to intellectual property by giving the Parliament the power to enact laws relating to patents, inventions and designs; copyrights; trademarks and merchandise marks.⁷² Furthermore, the Constitution defines other intellectual property rights as subject matter of laws made by Parliament and by the Legislatures of States.⁷³ Copyright and related rights such as broadcasting and other like forms of communication⁷⁴ and rights of public performance⁷⁵ i.e. theatres, dramatic performances, cinemas and cinematography films; also, guarantee the protection to the traditional knowledge and traditional cultural expressions, which reads: “Ancient and historical monuments and records, and archaeological sites and remains, [declared by or under law made by Parliament] to be of national importance.”⁷⁶ Schedule VII also refers to industrial monopolies⁷⁷, price control⁷⁸, commercial monopolies⁷⁹, market and fairs⁸⁰, which are considered main issues relating to intellectual property. The Constitution also includes articles relating to the protection of the indigenous communities i.e. Scheduled Tribes are recognized as groups of indigenous people.⁸¹

The Indian legislature has shown very optimistic approach regarding IP protection by enacting various laws such as, the Patents Act, 1970 (as amended up to Patents (Amendment) Act, 2005⁸² the Copyright Act, 1957 as amended up to 2012,⁸³ the Trade Marks Act 1999 (as amended in 2010)⁸⁴, the Geographical Indications of Goods (Registration & Protection) Act, 1999,⁸⁵

⁷¹P.M.BAKSHI, *THE CONSTITUTION OF INDIA*, 90 (7th, Universal Law Publication, New Delhi)(2006).

⁷²*Id.* 7th Schedule, List- I, Entry- 49.

⁷³*Id.* at Article 246.

⁷⁴*Id.* at 7th Schedule, List I-31.

⁷⁵*Id.* at 7th Schedule, List II-33.

⁷⁶*Id.* at 7th Schedule, List I-67 See also, Md. ZafarMahfoozNomani&FaizanurRahman, *Bio Piracy of Traditional knowledge Related Geographical Indications: A Selected Study of some Indian Cases(Manupatra Intellectual Property Reports)(2016).*

⁷⁷*Id.* at 7th Schedule, List III-21.

⁷⁸*Id.* at 7th Schedule List III-34.

⁷⁹*Id.* at 7th Schedule List III-21.

⁸⁰*Id.* at 7th Schedule List II-28.

⁸¹*Id.* at Part X and Part XVI.

⁸²FEROZ ALI KHADER, *THE LAW OF PATENTS WITH A SPECIAL FOCUS ON PHARMACEUTICALS IN INDIA*(Lexis NexisButterworths , New Delhi,)(2009).

⁸³ELIZABETH VERKEY, *INTELLECTUAL PROPERTY* (1st edition Eastern Book Company, Lucknow, (2015).

⁸⁴*Ibid.* at 153.

⁸⁵*Id.* at 557.

the Semiconductor Integrated Circuits Layout and the Design Act, 2000,⁸⁶ the Protection of Plant Varieties and Farmers' Rights Act, 2001⁸⁷ and some other laws related to economic development of the country have been passed by the government from time to time.⁸⁸

As far as the policy dimension is concern India has different kind of policies related to scientific and technological development from the very beginning. The India's Scientific Policy Resolution, 1958, aims to resolve to "foster, promote and sustain the cultivation of science and scientific research in all its aspects". After that, the technology policy statement, 1983 focused on need to attain technological competence and self-reliance. Then in 2003 Science and Technology Policy brought science and technology together and emphasized the need for investment in R & D. This system was address the national problem as well as creating a national innovation system. Finally, India has declared 2010-20 as the "Decade of Innovation" and in 2013, Ministry of Science and Technology has released Policy on Science, Technology and Innovation.⁸⁹ The Policy inter-alia aspires the 'positioning India among the top five global scientific powers'. The policy goal is the establishment of a strong and viable Science, Research and Innovation system for High Technology led path for India (SRISHTI).⁹⁰ The motto of STI Policy, 2013 is "Science and technology for the people". The STI Policy, 2013 also to⁹¹: promote scientific temper, make careers in science, research and innovation attractive, establish world class R&D infrastructure for gaining global leadership in some select frontier areas of science, position India among the top five global scientific powers by 2020, facilitate S&T-based high-risk innovations through new mechanisms; and Trigger changes in the mindset and value systems to recognize, respect and reward performances which create wealth from S&T derived knowledge. The policy will thus drive both investment in science and investment of science-led technology and innovation in agriculture, manufacturing and services that lead to socio-economic benefits⁹² to a wide cross section of society. Emphasis will be laid on bridging the gaps between knowledge and the economic sectors. The STI

⁸⁶*Id.* at 604.

⁸⁷*Id.* at 515.

⁸⁹ Md. ZafarMahfoozNomani, *Legal Dynamics of India's Science, Technology and Innovation Policy 2013 and Intellectual Property Rights Policy 2016* 155 (*Manupatra Intellectual Property Reports*)(2017).

⁹⁰Press Information Bureau Government of India Ministry of Science & Technology (Feb. 16, 2021, 12:20PM) <http://pib.nic.in/newsite/PrintRelease.aspx?relid=93374>.

⁹¹Mathews P. George, *Introducing Science, Technology and Innovation policy, 2013 – I* (April 18,2021,2:30PM), <https://spicyip.com/2013/01/introducing-science-technology-and.html>.

⁹²*Supra* note 53 at 4.

policy would develop symbiotic relationship with economic and other policies.⁹³

Of late, India realized that, in 21st century, to catalyzed knowledge economy for nation's growth, we need to create public awareness about economic, social and cultural benefits of IPRs among all sections of the society, for this government of India i.e. Ministry of Commerce and Industry set a think tank to prepare the policy. National Intellectual Property Rights Policy has been finalized on 16th May 2016, with the vision to promotes advancement in science and technology, arts and culture, traditional knowledge and biodiversity resources;⁹⁴ and mission statement to stimulate a dynamic, vibrant and balanced intellectual property rights system in India to foster creativity and innovation and thereby, promote entrepreneurship and enhance socio-economic and cultural development,⁹⁵ and focus on enhancing access to healthcare, food security and environmental protection, among other sectors of vital social, economic and technological importance.⁹⁶

It lays down seven objectives, like, *firstly*, to create IPR Awareness⁹⁷ by Outreach and Promotion. To create public awareness about the economic, social and cultural benefits of IPRs among all sections of society and to build an atmosphere where creativity and innovation are encouraged public and private sectors, R&D centers, industry and academia, so, there are need to improve the awareness about the benefits of IPRs and their value to the rights-holders and the public. It focused with the holistic slogan that is "*Creative India; Innovative India*".*Secondly*, Generation of IPRs⁹⁸ to stimulate the generation of IPRs, which facilitate researchers and innovators regarding areas of national priority and the corporate sector to be encouraged to generate and utilize IPRs. *Thirdly*, Legal and Legislative Framework⁹⁹ to have strong and effective IPR laws, which balance the interests of rights owners with larger public interest, because, the existing IP laws in India is fully compliance with the TRIPS Agreement and Doha Deceleration for public health too. Since, India is also rich in traditional knowledge; it should also be protected from misappropriation. *Fourthly*, Administration and Management¹⁰⁰ to modernize and strengthen service oriented IPR administration, by bring all the Intellectual property governance under the aegis of single authority i.e.

⁹³*Ibid.*

⁹⁴ National IPR Policy, 2016, 9

9, (20 Feb, 2021, 11:45AM), <http://dipp.nic.in/policies-rules-and-acts/policies/national-ipr-policy>. See also, IANS, *India's IP policy: A Positive First step for Economic Development* (column: Active Voice) The Business Standard, 16 May, 2016.

⁹⁵ Supra note 94, Mission.

⁹⁶*Ibid.*

⁹⁷Id Objective 1.

⁹⁸Id Objective 2.

⁹⁹Id Objective 3.

¹⁰⁰Id, Objective 4.

Department of Industrial Policy and Promotion (DIPP). Fifthly, Commercialization of IPR¹⁰¹ to get value for IPRs through commercialization by encouraging Entrepreneurship and to connect the investors and IP creators; *Sixth*, Enforcement and Adjudication¹⁰² to strengthen the enforcement and adjudicatory mechanisms for combating IPR infringements by build the capacity of the enforcement agencies including strengthening of IPR cells in State police forces, Measures to check counterfeiting and piracy, to adjudicate on IPR disputes through specialized commercial courts. *Seventh*, Human Capital Development¹⁰³ to strengthen and expand human resources, institutions and capacities for teaching, training, research and skill building in IPRs by developing an increasing pool of IPR professionals and experts in spheres such as policy and law, strategy development, administration and enforcement.

These seven objectives stimulate a “dynamic, vibrant and balanced intellectual property rights system” in India.¹⁰⁴ A strong intellectual property regime is one of the key factors that encourages and incentivizes innovation in a country.¹⁰⁵ This policy shall weave in the strengths of the Government, research and development organizations, educational institutions, corporate entities including MSMEs, start-ups and other stakeholders in the creation of an innovation conducive environment. It will complement the strengths of our substantive laws with transparent, predictable and efficient administrative and procedural mechanisms as also well-informed adjudicatory structure.

In order to implement the intellectual property policy, government of India took initiation of Startup India with aim to build a strong eco-system for nurturing innovation and Startups to drive sustainable growth and generate large scale of employment opportunities.¹⁰⁶ The recent amendments in the patents and trademarks rules has been made with a view to initiatives for startup India program, where, 80% and 50% fee concession is available for patent application and trademark application respectively.¹⁰⁷ And nodal agency also launched the “scheme for facilitating startups Intellectual Property Protection (SIPP) to encourage IPR protection among startups by providing facilitators for filling of applications of patents, designs and trademarks and reimbursement, necessary assistance through e-mails and help desks.¹⁰⁸ Science, Technology and Innovation (STI) are the key drivers for economic growth and human development. For India to march ahead on a

¹⁰¹Id Objective 5.

¹⁰²Id, Objective 6.

¹⁰³Id, Objective 7.

¹⁰⁴ Ibid.

¹⁰⁵ Ibid.

¹⁰⁶Evolution of Startup India Capturing the 5 years story, Ministry of Commerce and Industry, Government of India.

¹⁰⁷Annual report 2018-2019, Intellectual Property Office.

¹⁰⁸ Ibid.

sustainable development pathway to include economic development, social inclusion and environmental sustainability for achieving an “Atmanirbhar Bharat”¹⁰⁹, a greater emphasis will be given on promoting traditional knowledge system, developing indigenous technologies and encouraging grass root innovation.

This is the fifth policy, before this, Scientific Policy Resolution, 1958 (SPR1958), Technology Policy Statement (TPS) 1983, STP2003, STIP2013. With the changing scenario this policy adequately prioritize and strategize in alignment with United Nations – Sustainable Development Goals (UN-SDGs) with realizing the need that there is a need to increase public funding and private investment in R&D, boost existing FTE, build and empower critical infrastructure, improve governance of STI initiatives, intensify global linkages in the STI sector, develop indigenous technologies in key areas such as health, agriculture, energy, environment etc. The Science, Technology and Innovation Policy will be guided by the following broad vision; To achieve technological self-reliance and position India among the top three scientific superpowers in the decade to come. To attract, nurture, strengthen and retain critical human capital through a ‘people centric’ science, technology and innovation (STI) ecosystem.¹¹⁰ To capture the aspirations of a new, future-ready India, by ensuring active participation, shared responsibility and equitable ownership of all stakeholders; transforming the national STI landscape maintaining the delicate balance between fortifying India’s indigenous capacity and nurturing meaningful global interconnectedness.¹¹¹

Recently, ministry has issued consolidated Foreign Direct Investment (FDI) policy 2020¹¹² under the Foreign Exchange Management Act (FEMA) 1999 effective from 15th October 2020 which is considered as a major source of non-debt financial resource for the economic development. FDI flows into India have grown consistently since liberalization and are an important component of foreign capital since FDI infuses long term sustainable capital in the economy and contributes towards technology transfer, development of strategic sectors, greater innovation, competition and employment creation amongst other benefits. Therefore, it is the intent and objective of the Government of India to attract and promote FDI in order to supplement domestic capital, technology and skills for accelerated economic growth and development.

Strong and effective protection of IPRs and increased competence in the administration of IP are important incentives for attracting FDI and technology transfer under certain circumstances.¹¹³ Foreign direct investment (FDI) is one

¹⁰⁹ Draft of Science, Technology, and Innovation Policy 2020, Ministry of Science and Technology, government of India.

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² Foreign Direct Policy 2020, Ministry of Commerce & Industry, Government of India.

¹¹³ Ibid.

of the sources for the economic development in India, where IP system plays an important role to accelerate it. As per the Reserve Bank of India report 2019-2020¹¹⁴, in which Foreign investment in India was in 2015-2016 (US\$ 31,891 million), in 2016-2017 (US\$ 43,224 million), 2017-2018 (US\$ 52,401 million), in 2018-2019 (US\$ 30,094 million) and in 2019-2020 (US\$ 44,417 million), provisional figures provided. As per the aforesaid report¹¹⁵, indicates that the manufacturing sector attracted the highest FDI inflow in 2019-2020 of US\$ 8,153 million, followed by communication services– US\$ 6,838 million and retailer and wholesaler is US\$ 4,914 million. During 2019- 2020, India received the maximum FDI inflows from Singapore (US\$ 12,612 million), followed by Mauritius (US\$ 7,498 million), Netherlands (US\$ 5,295million), Cayman Islands (US\$ 3,496 million) USA (US\$ 3,401million).

V. GLOBAL RANKING OF INDIA: REPORTS ANALYSIS

The contribution of industrial property id strongly contributed in the economic growth of the nation. Therefore, the relation between the innovation and research and development expenditures incurred by the nation is output input of innovation¹¹⁶. Many international and national reports are shows the India's growth level globally.¹¹⁷

The Global Innovation Index (GII) 2020 reports present the global innovation trend and innovation performance among 131 nations with the special theme 'Who Will Finance Innovation?' in such a way to put attention on innovation as to realization of sustainable development goals 2030¹¹⁸. India, globally, 48th rank¹¹⁹ with score 35.59 out of 100, where the top rankers Switzerland scores 66.08 rank, with the most significant progress in their GII innovation ranking over time in the top 50¹²⁰. India ranked #1 with star indication as a new entrant into top 3 innovation economies by region i.e. central and southern Asia. Ranked #3 in top 3 innovation economies by income group¹²¹ i.e. low middle income group after Vietnam and Ukraine among 29 countries. As per the report, the qualities of innovation depend on following indicators that are firstly the quality of local universities is measured through the average score of the top 3 universities in each country in the QS University Ranking, that is, in India the Indian Institute of Technology (Bombay and Delhi) and the Indian Institute of Science, Bangalore. Secondly, patent families filed in at least two offices are used as a proxy of the internationalization of local inventions and only 3% of innovation quality in

¹¹⁴ Annual Report 2019-2020, Reserve Bank of India.

¹¹⁵ Ibid.

¹¹⁶ Deepanwita Chattopadhyay, *Financing Innovation In India: Challenges and Opportunities*, Global Innovation Index 2020, WIPO .

¹¹⁷ Global Innovation Index 2020, Who will Finance Innovation? WIPO.

¹¹⁸ Ibid, Preface.

¹¹⁹ Ibid.

¹²⁰ Ibid.

¹²¹ Ibid.

India whereas, 4% on an average innovation quality score among middle-income economies. Thirdly, the H-index which is the number of citations that locally produced research documents receive abroad, is used to assess the quality of scientific publications that is, an innovation achiever with top positions in the quality of scientific publication globally.¹²²

Research and development is one of the core factors for innovation. In Indian Research and Development (R&D) System, there are variety of funding sources like the Central Government, State Governments and the industry; performers like the national laboratories, universities, in-house R&D laboratories and non-profit organizations; and Department of Atomic Energy (DAE), Department of Space (DOS), Defence Research and Development Organisation (DRDO), Council of Scientific and Industrial Research (CSIR) and Indian Council of Agricultural Research (ICAR) contributed funding sources and performer as well¹²³. As per the research and development statistics report 2019-2020 which published in December 2020 based on survey conducted in 2018-2019 where the data has been taken from 2017-2018. The national investment on R&D activities attained a level of Rs. 1,13,825.03 crore in 2017-18¹²⁴. An estimated to be Rs. 1,23,847.71 crore in 2018-19 which is only 0.7% of Gross National Product. The percentage share of Central Government, State Governments, Higher Education, Public Sector Industries and Private Sector in national R&D expenditure during 2017-18 was 45.4%, 6.4%, 6.8%, 4.6% and 36.8% respectively. State Sector spent Rs. 7,264.81 crore on R&D activities was on development of agriculture and allied areas in 2017-2018 where as Industrial Sector spent Rs. 47,109.13 crore on R&D activities and accounted for 41.4% of National R&D expenditure. India's per capita R&D expenditure has increased to PPP \$ 47.2 in 2017-18 from last ten years.¹²⁵

As per the WIPO IP indicators 2020 Report, the intellectual property (IP) offices of India reported the patent application (63.7%) a large proportion of non-resident filings and largest increases was in India (+7.1%) in resident application in 2019 than in 2018. In trademark, India's annual growth is 3% and Filing for marks relating to the health sector attracted the largest share of applications filed in India (21.6%)¹²⁶ and clothing and accessories featured as the second or third top sector at three offices: China, India and the U.S. For all of the top 10 offices for which data were available, at least one-third of the total design counts were concentrated in just three sectors, although the top three sectors varied between offices i.e. Furniture and household goods, textiles and accessories, and tools and machines accounted 44.4% at the office

¹²² Ibid.

¹²³ Research and Development Statistics 2019-2020, Ministry of Science and Technology, Government of India.

¹²⁴ Ibid.

¹²⁵ Ibid.

¹²⁶ World intellectual property Indicators 2020, WIPO.

of India with annual growth (+5,512) as compared to 2018. In geographical Indication has seen annual growth in India (+67.2%), reported GIs protected via the sui generis system, but did not report any GIs protected through international agreements and it had a number of GIs for handicrafts in force in 2019. In plant variety protection for India, there is no any data provided in that report.

The intellectual property rights are important to creating jobs, saving lives, advancing economic growth, and generating solution to global challenges. To give the solution, U.S. Chamber International IP index published by US Chamber of commerce's Global Innovation Policy Center is working around overall IP ecosystem and nine categories of protection¹²⁷ i.e. patents, copyrights, trademarks, design rights, trade secrets, commercialization of IP assets, enforcement, systemic efficiency, and membership and ratification of international treaties. India stands at 40th rank out of 53 economies with overall score have increased to 38.46% as compared to 36.04% with 36th place out of 50 economies in 2019 reports. The report has found that India has embraced a series of reforms and issued precedential court rules that strengthen IP enforcement, address administrative inefficiencies, and increase penalties for IP infringement. Protection for copyrighted content online, injunctive relief, anti-piracy legislation, or administrative orders to disable access to pirated content provided through copyright-infringing sites.¹²⁸

To cope up with the global digital revolution, Department of Industrial Policy and Promotion, Ministry of Commerce & Industry, drafted National e-commerce Policy 2019¹²⁹, which include the proposal for anti-counterfeiting measures¹³⁰, anti-piracy measures and intellectual property protection. Recently, passed consumer protection e-commerce rules 2020 impose a liability¹³¹ of market place e-commerce entity to take reasonable efforts to maintain a record of relevant information for the identification of sellers who have repeatedly offered goods or services that have previously removed or disabled under the Copyright Act 1957, the Trade Marks Act, 1999.

VI. REFORMATION IP OFFICE AND IP TRENDS IN INDIA: AN ANALYSIS FROM 2015-2019

The Patents (Amendment) Rules implemented in 2016 revised the definition of Startup. The Trade Marks Rules, 2017 have been brought into force from 6th March, 2017 for streamlining and simplifying the trademark procedures and impart following benefits to stakeholders. Number of Forms has been reduced from 74 to 8, One Application Form provided for all types of

¹²⁷ International IP index 2020, US Chamber of commerce's Global Innovation Policy Center .

¹²⁸ Ibid.

¹²⁹ Draft of National e-Commerce Policy, 2019, Ministry of Commerce and Industry, Government of India.

¹³⁰ Special 301 Report 2020, Office of United States Trade Representative .

¹³¹ Rule 5(5), Consumer Protection e-commerce Rules 2020.

trademark applications, Concessions to Startups, individuals and small enterprises provided.¹³² Video conferencing for hearings allowed, Inclusion of Email as a mode of service, Restriction for number of adjournments of hearing to two with the provision that each adjournment shall not be for more than thirty days, Concession of 10% in the prescribed fee for online filing of applications, Allowing expedited processing for the entire trademark prosecution procedure on payment of fees (reduced fee for Individual/Startups/ Small Enterprises), Provision for filing extensions for submission of Affidavit and Evidences have been removed so as to speed up the disposal. The Registration Certificates are automatically processed and dispatched to the designated email-ids of the applicant. The process of renewal has also been automated where renewal request, filled within a prescribed time, gets processed and validity date gets updated. As a result of procedural reforms and reengineering in trademark process, the pendency in examination of trademark applications has been reduced from around 14 months to less than 1 month. Further, in cases where no office objections and no third party oppositions, the registration certificates are issued within 7 months of filing of applications. While, pendency in examination of copyright applications has reduced to less than 1 month, which was 13 months prior to March 2017.

Several necessary steps have been taken to strengthen the functioning of Copyright Office through digitization, re-engineering of registration processes and augmentation of manpower. To increase transparency and stakeholder participation, the Copyright Office has started displaying the applications received during the month and disposal and pendency on the office website. The applicants can also track the status of their application online.¹³³ E-filing facility for new design applications was further upgraded to facilitate better functioning. Pendency in examination of new applications has been brought down to about one month from the filing date. The procedural improvement which includes the reengineering of procedures, incorporating more digital initiatives, improving transparency and user-friendliness, electronic delivery of Certificate of grant for patent to applicant's e-mail has been implemented.

While filing of patent applications increased by 5.67%, number of Annual Report 2018-19 applications examined increased by 41.59%. Post-examination performance also increased substantially, viz., number of grant of patents increased by 17.15 % and final disposal of applications increased by 6.69 % as compared to 2017-18. Domestic filing of patents applications in 2018-19 increased to 33.6 % from 32.5% in 2017-18. During the year, filing of design applications has increased by 2.29% as compared to 2017-18.¹³⁴ Consequently, 43 GI applications were examined and 23 GIs have been registered during the year. GIR has expedited the registration of authorized

¹³² Annual Report 2018-2019, Intellectual Property Office, India.

¹³³ *Ibid.*

¹³⁴ *Ibid.*

users and hence, a total of 3607 authorized users were registered. The filing of copyright applications has been increased by 6.3 % and number of disposal of applications increase by 5.8% during 2018-19 as compared to 2017-18.¹³⁵ During the year 2018-19, the total revenue generated was Rs. 862.93 Crore, which is about 12.1% higher than that of the previous year, while total expenditure was only Rs. 188.31 Crore. The total revenue generated by the Patent Office was Rs. 515.18 Crore, while that of the Designs Office was Rs. 6.05 Crore. Trade Marks Registry generated revenue of Rs. 341.19 Crore.

Table: Data as per the Annual Report from 2015-2019

Year	Patent ¹³⁶			Trademarks ¹³⁷			Design ¹³⁸		
	Filed	Examined	Granted	Filed	Examined	Granted	Filed	Examined	Granted
2015	46,904	16,851	6,326	2,83,060	2,67,861	65,045	11,108	9,426	7,904
2016	45,444	28,967	9,847	2,78,170	5,32,230	2,50,070	10,213	11,940	8,276
2017	47,854	60,330	13,045	2,72,974	3,06,259	3,00,913	11,837	11,850	10,020
2018	50,659	85,426	15,283	3,23,798	3,37,541	3,16,798	12,585	12,661	9483
2019									
Years	Geographical Indications ¹³⁹			Semi Conductor (SCILD) ¹⁴⁰		Copyright ¹⁴¹			
	Filed	Examined	Granted	Filed	Examined	Grant ed	Filed	Examined	ROC
2015	17	200	26	-	-	-	-	-	-
-									

¹³⁵ Ibid.

¹³⁶ Annual Report 2015-2016, 2016-2017, 2017-2018, 2018-2019, Intellectual Property Office, India.

¹³⁷ Ibid.

¹³⁸ Ibid.

¹³⁹ Ibid.

¹⁴⁰ Ibid.

¹⁴¹ Ibid.

2016									
2016	32	28	34	Nil	-	Nil	16,617	16,584	3596
-									
2017									
2017	38	18	25	2	-	Nil	17,841	34,388	19997
-									
2018									
2018	32	43	23	Nil	-	Nil	18,250	22,658	14625
-									
2019									

Years	Filed	Cleared	Under process	Approved	Closure/Withdrawn	Rejected
2015-2016	231	91	125	44	15	1
2016-2017	496	-	-	-	-	-
2017-2018	470	190	211	284	33	9
2018-2019	---	No	Annual	Report	Available	---

Plant Varieties Registry¹⁴²

Years	Application Received	Registration certificate issued
2015-2016	2174	419
2016-2017	3569	629
2017-2018	1187	619
2018-2019	592	184

VII. CONCLUSION AND SUGGESTIONS

From the above discussion, it emerges that the legal frameworks and institutional efforts for the protection and promotion of intellectual property

¹⁴² Annual Report 2015-2016, 2016-2017, 2017-2018, 2018-2019, Protection of Plant Varieties and Farmer's Rights Authority India.

has been a critical concern at international as well as national level over past few decades with the adoption of the TRIPS Agreement, other recent treaties adopted by the WIPO. Further, it is established fact that the present globalized world in which the power of knowledge, innovation and creativity protected by the intellectual property system played a very important role to deals new global interconnected challenges in the area of social, environmental and economic etc, confronted in the years after 2015. As we know an innovation protected by IP law and policy is central driver of economic growth development. In order to increase the productive capacity, employment and decent work, and to eradicate poverty through inclusive, sustainable and equitable economic growth, there needs to be a significant scaling up in support for innovation and its benefits for present and future generations. In response to above global notion and agenda the Indian government has adopted different institutional mechanisms and developed new laws and policy in the context of Sustainable Development Goals, (SDGs) 2030 Agenda. Moreover, there has been remarkable progress in Indian legal provisioning on IPR and Innovations in recent past by the policy makers, but today, the matter of question is an effective implementation of laws and policies are a few challenges continue to exist and become big hurdle to achieve inclusive and sustainable socio-economic development in upcoming future.

In order to drive maximum benefits from the IP system the following suggestions are put forwarded: that the country should encourage the links between R&D institutions, business enterprises and universities. There is need to spend more on R&D expenses in innovation for building an innovative culture and encourage young technocrats to innovate, new, better and cheaper technology. The functioning of national intellectual property offices (Patent Office) need to be reviewed periodically by the government agencies to work in effective manner and process the filed applications expeditiously with less pendency time periods so that inventors are encouraged to register their inventions timely. There is greater need to create awareness about the value of economic, social and cultural importance of intellectual property rights to every sections of society and create linkage between IP and all stakeholders. There is need to identify the existing knowledge resources and the creation of intellectual property by facilitating researchers and innovators. There is an urgent need to make such mechanism so that the benefits of the IPR regime reach all inventors, especially MSMEs, start-ups and grassroots innovators. Every state should establish police departments have specialized cybercrime wings which also deal with online IP crime. Last but not least, teaching of intellectual property should become an essential part of law faculties in universities and colleges, institutions higher learning and in institutes of engineering, management and law for achieving the goals of sustainable development.

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EVOLUTION AND INITIATION OF SOUTH ASIAN ASSOCIATION OF REGIONAL COOPERATION

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South Asian Association of Regional Cooperation (SAARC) was established in 1985. Its major objective is to enhance the economic cooperation among the nations of South Asian region. South Asia as a region can be comprised of the geographical territory till the eight member states of SAARC have extension of their territory. SAARC with particular objective of economic integration at regional level have attempted for many efforts for economic cohesion and development. It has established SAPTA and SAFTA. These are important integrated structures manifesting the SAARC'S economic activities. SAARC has succeeded in many spheres too. It has helped to create many important extra economic structures. It has developed consensus on terrorism, social charters etc but these achievements are diluted when its core objective are found deficient as it is yet to emerge a true regionally integrated economic bloc on the pattern of the EU or ASEAN. Its overall achievements are therefore not in tune to its stated objectives. It is observed that due to certain major shortcomings, SAARC has failed to create any substantial impact upon the regional and global politics. It is observed that as an regional institution SAARC has not succeeded in identifying the issues and evolutionary pattern which could help it to develop on the pattern of European Union and ASEAN. There are many factors which can be ascribed to the non – performance of SAARC. There are many political conflicts in the region. These conflicts have pushed main agenda of SAARC in the negative domain.

The present paper aims to discover the factors which led to the origin of SAARC. It will also explore the major achievement of SAARC. The

present chapter is also focused to find out the major failures of the SAARC so that new growth trajectory could be discovered and proposed to develop it into a successful regional organization.

During the decades of 1970's when ASEAN had been established in South East and European Economic Community had moved towards a successful destination of integration. There emerged a growing realization among the political elites of South Asia that a regional grouping with expressed economic benefits be established. This realization was compounded with several associated factors as the region had lower level of economic status in comparison to the other region of the world. South Asian Countries stood below the genuine quality of life, lower social infrastructure status and were included in the league of the the sub Saharan states.

South Asia has lacked proper social infrastructure, not only the economic infrastructure but also in the social infrastructure as a consequence the low level of education and health have overpowered and defeated the gains in the other fields. This low status have been further constrained by the low level of capital formation in the region, imperfection in the market conditions and low level of trade participation in the international trade by the region. A brief outlook of South Asia during the time of inception of SAARC reveals that "until the late 1980s, the region was one of the least internationally integrated with a low trade to GDP ratio. It has also not been a favoured destination for foreign capital. The reason in part could be the long standing import substituting policies and restrictions on trade and industrial regimes, pursued by the governments of this region and the overt dominance of the state in almost all spheres of economic decision making. There was also a singular lack of emphasis on human and social development. Compared to other developing regions, in particular, East Asia, South Asia in the 1960s and 70s had lower GNP per capita, poor social indicators, and low rates of savings."¹

In this background the political leaders of the region thought about regional integration on the pattern of other regional trading bodies. The credit to visualize such organization goes to the then military ruler and President Ziaur Rahman of Bangladesh, who in the later years of 1970s contemplated this idea in the region although there were less takers of his idea in the region in the initial years. It was due to the reason that South Asia as such had never mediated over an unified, coherent political group. There were many antagonistic thoughts and patterns besides enhanced and sharp political conflicts in the region which had restricted the member states to think in a cohesive manner. Along with it there was no evolution of idea of cooperation among the policy makers in all the countries of the region that economic integration need to be initiated in the region on the pattern of Europe and South East Asia to overcome the problems prevalent in the region. Hence initial idea of Ziaur Rahman was treated with subdued response but was recognized quite revolutionary in nature. Although the unavailability of better economic prospects and poor economic conditions influenced the mind set of

people at large, particularly of the political leaders of the region who were gradually pushed to the wall. In due course of time they gave a thoughtful consideration about unifying economically in the region.

The motivating force therefore in the development of initial thought about SAARC lies in the psychological factor when political elites realized that the region lacked even the basic infrastructure and the economic condition of the people were largely pitiable in nature. As such realization on the parts of political leaders increased they started to think that it was their responsibility to uplift the economic status of their masses.

In addition to this, another factor which caused a swing towards regional economic cooperation in South Asia lied in the changes taking place in the world. The Reaganomics in USA and Thatcherism in United Kingdom had appeared as precursor of new economic structure likely to come into existence in the North America and Europe, followed by Washington consensus. In 1989 Thatcherism was synonymous to the Reaganomics of USA where new President Ronald Reagan was a leading force and had focused upon the free market economy hence Thatcherism and Reaganomics both emerged as the most potent force in synergetic manner to present a new economic world order. The expansion of these economic policies were that it “would reduce the risk of protectionism at home [USA] and abroad.”² This had great meaning for the developing countries as they had to open their economies but were not at a position to exploit the benefits of the free market economy, hence regional cooperation could be one way to deal such developments.

Neo liberal models of economic development were in the offing. This was a start phase of globalization which had its impact on the South Asian region. It was realized by these nations that they will have to learn to live with contemporary realities of globalization and will have to establish a regional infrastructure to deal these developments. “In the contemporary era of globalisation and the inevitability of increasing integration and interdependence among nations, regional cooperation has to be seen as a building block of emerging and changing global economic architecture providing incrementality and value addition to individual countries. Globalisation and regional cooperation are neither mutually exclusive nor alternatives; both are imperatives of our times.”³

Along with this the realization and success of European Economic Community and ASEAN were also predominate factors which led the change of mind of leaders in the south Asian region.

It is true that SAARC idea had originated in the later half of 1970s and crystallizes in the mid of 1980s but before it many other events in the region had propelled for a new thinking at least at the level of intellectuals had been proliferating that regional origination of the economic nature should be established in the South Asia.

In this respect the impact of colonialism on these nations has also been analysed by many scholars. It was discovered that impact of colonialism was much stronger on their economies, hence one way to move out from this state

of affairs was to develop economies at regional level with the model of the integration. All these factors contributed in the generation of thought about regional economic integration. Among these the poor state of countries in the region in economic matters was perhaps the most influential motivating factor for the regional integration.

The bigger and smaller nation states of the region had recognized that “regional partnership, primarily [might] enable the region/sub-region to cooperate better and more purposefully to meet the new and growing challenges of globalisation and to optimise its opportunities, it is a strategic choice. Arguably, smaller nations will need such cooperation more than the larger ones, although for all, at each level of cooperation, benefits and mutual advantage must manifestly occur and be factored into the larger canvas.”⁴

South Asian region is characterized by the shared values and history. Hence its integration should have been a natural event but political rivalries had prevented its such integration. There is no gainsaying the fact that inspite of so many low indices of developments, the region had many positive elements. It had a background support of the shared history, culture. “Its main strengths lie in its centuries old unique and shared culture and civilisation. Its intellectual capital gives it a special identity, core competency and advantage.”⁵

It was therefore a sort of compulsion to these countries to depend upon the regional homogeneity of the cultural values and recognise the hard economic realities and appreciate the fact that “in a globalised world, no country or region can afford not to integrate and become an integral part of the whole; any country or region that chooses to swim against the current faces the danger of drowning; a people who live in the past alone, face the prospect of being bypassed by history; change and renewal, in today’s context specially, are indispensable for survival.”⁶

These realities helped the nation states within the region to move in the zone of the realism and idea of regional integration started to germinate. Each country of the region was pragmatic enough to contemplate about the regional organization in South Asia. The member states were now inclined to establish cohesive economic order for making efforts for economic development at individual level. This was appreciable step as after the decolonization and attainment of the independence for many years no thought was given to this idea of integration by the member states of the region. “The first concrete proposal for establishing for regional corporation in South Asia was made by the Late President of Bangladesh Ziaur Rahman of May 2nd 1980, Prior on this idea of regional corporation in south Asia was discussed in at least three conference. These included the Asia relations conference in New Delhi in April 1947, The Bardung conference in the Philippines in May 1950, and the Colombo powers conference in April 1954.”⁷ But these yielded no results as no country had realized the potential of such integration and the then prevailibg global forces were of different order.

In the last years of 1970's, Ziaur Rahman took serious initiative to create regional economic structure which could serve regional interest of the South Asian region. At this time India Prime Minister Mr. Morarji Desai and many other regional leaders including of Nepal, Sri Lanka also supported this idea. Although initially they might have certain misgivings. The regional economic integration idea of Zia was motivated by the economic factors has been questioned by some scholars. They opined that it was the volatile conditions in the Bangladesh that influenced Zia Ur to float such an idea in order to shift the focus of the people in his country to a larger achievement which in all likelihood could bring positive benefits to these people. "The late Ziaur Rahman championed the cause of regional cooperation in South Asia with a motive to neutralize the growing unrest at home. He also wanted to tap new source of aid and unlucky technical assistance to his people who are dispossessed year after year by the ravage of floods and cyclones."⁸

This is complex effort to identify the true nature and objective of Zia's proposal but it was a diplomatic move by Zia Ur Rahman who also proposed that bilateral relations should also be improved along with neighboring countries and impressed everyone that there was greater need to improve the life standard of the people.

In this background thereafter in 1981, Colombo Sri Lanka organized a meeting for the Foreign Minister of seven South Asian countries. This was first institutional efforts to bring the political decision makers to one point in Colombo. This was a historical development as the region was full of conflict, the assemblage of seven foreign minister discussed many issues. They decided on five major issues. The conclusion of the meet suggested that South Asian states were now keen to come close. India the leading country of the region too was also willing to come out of closed economic environment, "In August 1983, the leaders adopted the proposal which was held in New Delhi. The seven South Asian countries, which also included Nepal, Maldives and Bhutan, agreed on five areas of cooperation, Agriculture and Rural development, Tele communications, Science, Technology and Meteorology, Health and population Actives, Transport, Human Resources Development.

Initial years of pre-SAARC establishment were not quite influential. There were many changes at the global politics. Many problems emerged in the region. These included the conflict between India and Pakistan. Pakistan attempted to create disturbance in its neighbouring country India by creating the proxy war environment. In this time cold war had reached a new phase. Due to intervention of USSR in Afghanistan in December 1979. It had created stress in U.S.A besides U.S.A was now more keen to initiate the star war Programme.

In this background the SAARC discussions were under way hence many reservations among the participating actors in South Asia were reflected. There was impact of the prevailing world order and the complex political environment in South Asia on these deliberations. This was natural because it was quite explicit that South Asian region as such had many complex

relationship pattern among the member states. In this background the conference was not a complete success but yielded some positive points which were accumulated with the concerns of the countries in the later documents. After the discussions “three things followed First SAARC agreed that no member could be required to accept any obligation with in SAARC which was inconsistent with its obligation outside of SAARC. Second SAARC as a whole would not take up any ‘controversial issues’, a euphemism for political issues. Third, decision would be taken by SAARC on the principle of unanimity, not by majority vote. These agreement were reached very early on at meeting of the foreign secretaries and were later incorporated in the SAARC Declaration adopted by the foreign ministers at New Delhi”.

This was not a less achievement at the regional level, keeping in mind the historical realities of the political conflict in South Asia. In this respect the Foreign Minister meet of seven nations in New Delhi in 1983 brought out many important trends .The low quality of life, unemployment and the desires to uplift from vicious cycle of poverty forced them to think about coming together. They realized in intensive manner that industrialization, free trade, economic cooperation was the only solution to come out from this environment.

The realization that together we stand was a truly novel development in the region which got matured in 1985 when the 1st summit of the heads of States and Government of all the seven countries was organized in Dhaka ,Bangladesh on 8th December 1985. The meeting was attended by Heads of States and head of Governments of Bangladesh, Bhutan, India, Nepal, Pakistan, Maldives, Sri Lanka. In this meeting the major point emphasized was to increase the economic cooperation among the members states of region. It was also clearly decided that no country would be involved in raising the political issues during any summit. It means the whole programme of action was to carry on only exclusively economic considerations among the member states. One of the most important achievement in this summit was that charter of the organization was adopted. The adoption of the charter established in clear terms that in South Asia an economic organization had been born. The charter defined that SAARC countries of South Asia had to work significantly for national and collective self-reliance and for the increased cooperation, contacts and exchanges among the countries of the region.

The adoption of charter by the member states of SAARC was an important development. The charter explained the major objectives, the philosophy underlying the establishment of SAARC and the main focus which this organization was likely to take in future.

The accepted charter is quoted here to understand the real focus of the organization. The charter stated that member states were

“1. Desirous of promoting peace, stability, amity and progress in the region through strict adherence to the principles of the UNITED NATIONS

CHARTER and NON-ALIGNMENT, particularly respect for the principles of sovereign equality, territorial integrity, national independence, non-use of force and non-interference in the internal affairs of other States and peaceful settlement of all disputes;

2. Conscious that in an increasingly interdependent world, the objectives of peace, freedom, social justice and economic prosperity are best achieved in the SOUTH ASIAN region by fostering mutual understanding, good neighbourly relations and meaningful cooperation among the Member States which are bound by ties of history and culture;

3. Aware of the common problems, interests and aspirations of the peoples of SOUTH ASIA and the need for joint action and enhanced cooperation within their respective political and economic systems and cultural traditions;

4. Convinced that regional cooperation among the countries of SOUTH ASIA is mutually beneficial, desirable and necessary for promoting the welfare and improving the quality of life of the peoples of the region;

5. Convinced further that economic, social and technical cooperation among the countries of SOUTH ASIA would contribute significantly to national and collective self-reliance;

6. Recognising that increased cooperation, contacts and exchanges among the countries of the region will contribute to the promotion of friendship and understanding among their peoples;

7. Recalling the DECLARATION signed by their Foreign Ministers in NEW DELHI on August 2, 1983 and noting the progress achieved in regional cooperation;

8. Reaffirming their determination to promote such cooperation within an institutional framework.[and]

The objectives of the ASSOCIATION shall be:

Article I

a) to promote the welfare of the peoples of SOUTH ASIA and to improve their quality of life;

b) to accelerate economic growth, social progress and cultural development in the region and to provide all individuals the opportunity to live in dignity and to realise their full potentials;

c) to promote and strengthen collective self-reliance among the countries of SOUTH ASIA;

d) to contribute to mutual trust, understanding and appreciation of one another's problems;

e) to promote active collaboration and mutual assistance in the economic, social, cultural, technical and scientific fields;

f) to strengthen cooperation with other developing countries;

g) to strengthen cooperation among themselves in international forums on matters of common interests; and

h) to cooperate with international and regional organisations with similar aims and purposes

Related to these structures is Working Groups activity. These are also a sort of infrastructure which are responsible for the proper implementation of the programmes as envisaged by the SAARC.

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A QUEST FOR LOVE AND FREEDOM IN TONI MORRISON'S THE BLUEST EYE

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Abstract

Toni Morrison's first novel is *The Bluest Eye* that is set in her native town. Morrison has taken a long time to complete this renowned book. This book is highly discussed about Morrison's pain about racisms on black people. Freedom and love both are beliefs in a society where people create their own race among them. Racism contests among African- American come from cultural ethnicity, color and poverty. Black community in America has been severely impacted by superior communities because of class contests. Morrison has been widely acclaimed after writing her debut novel *The Bluest Eye*. This book is a splendid epitome of racism of a society where people are fighting to get love and freedom from other people. Morrison's book works like mirror of society to figure out brutal discrepancy and slavery of that time in America over black people. Not only Black femininity persecuted based on racism and sex but also severely distracted by class discrepancy which one of the greatest pathetic vibes of black in United States. *The bluest Eye* gravely censures women's life, their lifestyle, search for independence, acceptance and love from the hands of male dominant society. This paper talks about Africans in America who are not human beings but are objects to deal with as half human and half animal. This research paper is a perception to debate African-American black women's life that are fatalities of the detriment at all points in an empire building white American society and from their nearest people.

Keywords: Detriment, Discrepancy, Distracted, Acceptance, Freedom, Censures.

The real name of Toni Morrison is Chole Anthony Wofford which is not that much renowned in the English literature. She was born in 1931 and got the Nobel Prize in 1993. The life journey of Morrison starts in a black family. In 1970 she wrote her first novel *The Bluest Eye* that made her an impeccable writer in the world ranking and her novel gets ranked in top hundred in the world. This novel exhibits the tragedy of black girl named Pecola, her community and the whole female society. Her second novel *Sula* published in 1973 shows the nature of atrocities and this story focuses on two black girls. Her next novel *Song of Solomon* published in 1977 shows the quest for self reorganization. *Tar Baby* published in 1981 illustrates the fight of racism, class and sex. Her best Pulitzer novel *Beloved* elaborates about no human rights for slaves.

The profound issue of her novels is racism, class, superiority, sex and slavery in world, where no human rights for black people in America. For her best writing once The New York Review of Books says, "Toni Morrison is not just an important contemporary novelist but a major figure in our national literature." Morrison has been a famous celebrity and first African-American author to be honored with the Pulitzer Prize along with the Nobel Prize. Her novels show blatantly about the blackness in America that is commanded by white American people. She strives her best to figure out the difference between white and black compared to class, culture, superiority and color. Entertainment Weekly expresses, "{Toni Morrison} has moved from strength to strength until she has reached the distinction of being beyond comparison." Morrison always strives to figure out the difficult life of the black people who are treated as slaves and her other black communities are passing life in a highly underdeveloped decayed condition in their own white America. They are treated not only as slaves but also treated as more than wild animals. Toni uses the word 'Beauty' at various points in this novel but there are many meanings of beauty according to Knight Dunlap who reveals through Alfred Strom that 'Beauty' varies distinctly from race to race, so that such concepts cannot be accurately compares across racial lines, though he acknowledges that darker races sometimes change their standards when influenced by Whites, and some even come to desire White mates-a phenomenon with which we are all too familiar in our century'.(American Dissident Voices Broadcast of October 2, 2004). According to critic Collins that all black women have been targeted by race, sex and class level. Moreover, critics like Warhol and Herndl also say about black femininity that even feminist critics basically accord that the pain of women is actually a fact of life as gender oppression. Simone de Beauvoir explains that women's oppression is anticipated by male society that exhibits women as simply separate from themselves. According to other critics like Kate Millet and Shulamith Firestone the same think that women are different from male which is the profound issue for oppression.

The entire research paper is based on two problems as below:

1. What are the oppressions faced by Pecola and other black characters?
2. What are the solutions they want to get freedom from such problems?

The Bluest Eye exhibits the pathetic result of American vibes on the expanding growth of African American racism. The book blatantly portrays the psychological traumatize of Pecola, who compares to *The Blues Eye*. Pecola Breedlove as the central protagonist fighting for love and independence from her own country and own people. The American society distracts her own identity and ineptitudes her chastity. Pecola belongs to the world where she has to face colorful skin, blond hair, class and as a female. Pecola comes into this world with racial color as an ideology. She keeps a belief in her mind always that black is unpleasant and white is elegant, even her mother thinks that Pecola is really unattractive with ugly black hair when is born. Pecola is brutally raped by her father many times and has been pregnant multiple times, as a result she gives birth to her child multiple times. Pecola is unaccountably tortured in *The Bluest Eye* by her own people and she thinks that all are things happening with me because I am not white and strives,

Each night, without fail, she prayed for the blue eyes. Fervently, for a year she had prayed. Although somewhat discouraged, she was not without hope. To have something as wonderful as that happen would take a long, long time. Thrown, in this way, into the binding conviction that only a miracle could relieve her, she would never know her beauty. She would see only what there was to see: the eyes of other people. (46, 47)

In *The Bluest Eye*, Morrison enunciates the pathetic scenario of persecution and internalized contests. The book shows two black families about Pecola and Macteurs. Both families are living below poverty. In this book, Pecola atrociously suffers as a victim of devil molestation and insults from nearest and dearest ones. Morrison keeps a sympathy for Pecola because of her decent character. Toni especially exposes the calamity of despotism and contravention of destitute children. She strives to find specific reasons for her community to be attacked by racism. According to Toni, Pecola is a child and a child is easily persecuted because the child is unable to defend her rights before oppression. As a child, Pecola has been raped many times by her cruel father. Her father even faced oppression in the society, once he was abolished by his own parents and spent his days at his aunt's house named Aunt Jimmy. He is disregarded by white people and he detests them. Once Cholly loves a girl named Darlene but is interrupted by white people. He later marries Pauline and has children Sammy and Pecola. According to Morrison, Cholly has a great experience about persecutions by white community. He acts in this novel as a defeatist of independence. He fights with his family members and abandons them for social life. As a father, he shows a devil's figure for his wife and daughter. He has been a hopeless and detestable absentee father at his home. He says himself as a free man of his society where he is an epitome to devastate his family even though he has no attention to what his community

looks on his activities. In this novel, Pecola mostly suffers from her devil father who devastates her entire life and later she loses every positive thing in upcoming life. Her father creates a tragic negativity in her mind as a result, she is not able to nurture any of her children and she loses her child one by one. In this novel, her father Cholly Breedlove frustrates in his life because he himself suffered in his childhood,

When Cholly was four days old, his mother wrapped him in two blankets and one newspaper and placed him on a junk heap by the railroad. His Great Aunt Jimmy, who had seen her niece carrying a bundle out of the back door, rescued him. She beat his mother with a razor strap and wouldn't let her near the baby after that. Aunt Jimmy raised Cholly herself, but took delight sometimes in telling him of how she had saved him. He gathered from her that his mother wasn't right in the head. But he never had a chance to find out, because she ran away shortly after the razor strap, and no one had heard of her since. (132)

Morrison strives to expose the persecution of lower class people through American nature and through Pecola. As a result, Pecola wants to get blue eyes to get elegant looks like white. The oppression of society and her own unwanted life from her own people converts her into madness. Pecola is epitome of racism by white culture, where she accords that people value only white and ineptitude black skin. During her school days her friends Maureen Peal and Claudia interrupt Pecola because they think they are half black and half white compared to Pecola. Even one of Pecola's friends says,

"I am cute! And you ugly! Black and ugly black e mos. I am cute!"
(73)

Black women think themselves as black through white eyes and pray to lord to get white color. Geraldine suppresses her black skin which is not contoured to white. She once denied the black skin of Pecola. Beauty is not a color but it is in someone's heart and soul. Pecola as the heroine of this novel represents herself as unresisting and holds a peculiar character. When the novel starts, we see Pecola is a fragile child and impeccably damaged by violence. From beginning to ending she suffers from everyone. Pecola has been a sign of black community and detests herself for ugly color even though everyone instigates her for skin. She continues to live in this society even after losing her fate, mind, reverence and chastity. In this novel, Pecola has been patsy for her unbroken community. Her ugly skin obliges them to be the luckiest community and her muteness gives all people to speak on her. Almost all characters in this novel convince her to be sufferer, once a sadistic named Junior,

Junior was laughing and running around the room clutching his stomach delightedly.

Pecola touched the scratched place on her face and felt tears coming.

When she started toward the doorway, Junior leaped in front of her.

"You can't get out. You're my prisoner," he said. His eyes were

merry but hard. "You let me go." "No!" He pushed her down, ran out the door that separated the rooms, and held it shut with his hands. Pecola's banging on the door increased his gasping, high-pitched laughter. (90)

Throughout this novel Pecola has been awakened with a full of pathetic life, her only mother Mrs. Breedlove does not give her attention and convinces her to work for white. When her own savage father rapes her till to be pregnant then Mrs. Breedlove keeps muteness. According to the reader and Morrison, her parents have tragic lives also; they suffer often in this novel because of skin competition. Her mother is always targeted by white actresses for her skin when she is hectic in movies. However Pecola is paramount sufferer in this novel, mostly for pregnancy and after this enigma there is a line in everybody's mouth is,

"Did you hear about that girl?" "What? Pregnant?" "Yes. But guess who?" "Who? I

don't know all these little old boys." "That's just it. Ain't no little old boy. They say

it's Cholly." "Cholly? Her daddy?" "Uh-huh." "Lord. Have mercy. (188, 189)

Pecola accepts her life full of enigma. She has practically suffered by her master and father like her mother. She embraces the physical and cultural suppression which comes as the result of beauty for black.

Conclusion and Suggestions

This novel is celebrated world's famous novel among the top hundred not only for Pecola's suffering but also for American Civil Rights. It exposes the entire plight of Americans as Africans in their own country. This novel impeccably explains the black vibes with double oppression and here black people do not suffer solely on gender based but also based on race and class. The researcher explains that black characters like Pecola, Pauline, Claudia, Mrs. Breedlove, Junior and Cholly are sufferers as gender based in America at that time. Every black character suffers for his-her different skin and class as culturally. Women are targeted for their gender and men are targeted for their lower class status. Women are considered as passive and men are considered as powerful. Black race can easily be dominated by white race because black race is considered at a lower rate than white. Black people who are below poverty are dominated by affluent black. In this novel, we can blatantly see that there are four types of oppressions such psychological, physical, cultural and social oppression. All characters give importance to beauty but beauty does not mean color, skin or hair unless you are beautiful to others. Heart and soul are always more important than a beautiful body. Morrison uses different styles to readers which do not make them bored for a little for a minute but there is weakness also in this novel. Toni uses in this novel black slang which is difficult to convince of the profound issue. This novel is suggested for those who like colonialism and class conflict. The researcher strives to motivate readers to criticize how black oppressed by their

Kanpur Philosophers ISSN 2348-8301, Vol.7, issue 2(B), K.S.B.M. Page | 223

own country and dearest ones. However, Morrison motivates readers to cry for Pecola, what pain she feels and other characters also. Throughout this novel, Morrison wants to give a heart touching message to all to love and accept ourselves first because nobody will love and give you independence until you are self independent and self lover.

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**FOLKLORE AND CULTURAL PATTERNS
OF TRIBAL SOCIETY:
A CASE STUDY IN ARUNACHAL PRADESH**

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Abstract

Folklore offers us a remarkable glimpse into a particular culture and tradition. Via art, music, festivals, paintings, and a lot more, many of the group express their culture and tradition. To learn about the unknown and unfamiliar things about various cultures and individuals, it is important to study folklore. North-East India has a fusion of people living in a separate period of underdevelopment and, in most cases, without a written history of their own, popularly identified as a tribal. The area offers comprehensive folklore material that can help build up the history of various social groups residing there if systematically and scientifically studied. The element of cultural anthropology that focuses on studying one's own national cultural heritage is defined by folk life. Without possessing any characteristic of folklore, there is no accepted human culture in this world. With this context, the current paper has been framed with the goals of researching the culture and folklore of tribal societies, recognizing the folk life of these tribal groups, and investigating the backwardness of the district's indigenous tribes. The study was conducted to define the cultural beliefs and preferences of tribal people in Arunachal Pradesh State, using a participatory research approach. The goal of this study was to find the pattern of daily contact among the Tribal people. The guiding elements of the society responsible for its growth and development must be understood.

Keywords: Folklore, Culture, Tribal art, Culture heritage, Folk life etc.

Introduction

Culture is a people's community as a living embodiment. The group lends its sense of identity, worth, and self-worth to the collective. Culture may be defined as the lifestyle of a certain civilization. There is also a clear association between antiquity and antiquated traditions, especially when speaking about a sense of culture that has been carried down via word of mouth. Folklore is comprised of the habits, traditions, and superstitions of a particular civilization, subculture, or group, stories, music, traditional belief, fairy tales, and humour. Furthermore, it consists of a diverse range of expressive activities that are commonly shared across certain expressive genres. An English antiquarian, William Thomas, is credited with coining the term "folklore" in 1846. Four different types of topics of study may be included within the category of folklore: artefacts, describing, orally transmitted traditions, and societies and cultures. Carried out (dance or rituals). On the other hand, these sections don't exist in isolation, since an object or feature can occasionally be found to fit into many of these sections. Most typically, people infuse a feeling of locality with folk culture. Although aspects of a folk culture may be replicated from or moved to a foreign locality, the resulting work will retain certain characteristics of its original region of creation. Folklore may be used to establish a community. In general, we look at the tribals' folklore and its role in their tribe's civilization. Our focus is on their art, music, clothing, and other areas. Following that, we see how they help to shape the culture of India. Most of my learning for this subject comes from Indianetzone, "the largest free Encyclopedia in India" (Indianet 2010).

Tribal Art

Tribal and folk art is a large part of the art of India as a whole. It has been in a state of dramatic alteration for a long time. And in addition to the art of classical sculpture, they have thrived. The categories of tribal and folk art may be defined as the categories of people who belong to various socioeconomic strata and who possess a distinctly native flavour. Their lives, their culture, and their tradition are conveyed in the paintings. They are near the natural environment, which is why they possess these characteristics. As a result, they have an assortment of belief systems which allows them to see things from their unique perspective and, further, it influences their artistic output. contemporary gods and tales from the Puranas (Smith 2006).

Tribal and folk art reflect local festivals, deities, and other celebrations, and are tied to one another. It's difficult to eliminate the regional and mystical spirit seen in this section of the animation. A major aspect of tribal and folk art is the style of living that is adapted to moving from place to place. The Pithora paintings of the Rathwa, Bhilals, and Nayka tribes of Gujarat and Madhya Pradesh is a superb example of tribal art in India.

Figure 1. Tribal Art

These paintings convey the community's joy and celebration. Orissa tribal paintings, formerly done as house-hold decoration, but now a commercial art-form made of raw silk fabric with daily life themes. The paintings of Madhubani depict vivid, vibrant deities, most commonly Krishna and his beloved Radha, and various stories related to their legend. They're named after their village of birth. This category of Indian art also includes others such as Phad, Warli, Pithora, Choittora (Indianet 2010 & Das 1979).

Valuable insights into basic human nature and lifestyle among the Indian tribes are provided by Indian Tribal Art. To Mother Earth and its essential components, the Indian tribals pay due veneration and respect. Positive themes and thoughts such as birth, life, harvest, journey, jubilation or marriage often characterize Indian tribal art.

A crucial aspect of the history of tribalism. It's a kind of tribal art that incorporates both vitality and inventiveness. Tribal paintings and sculptures are often considered significant records of a people's cultural past. The Tribals are carving out a niche in the modern art world. The art bestows authority and duty on the tribals to control and steer them. The symbols show the thoughts and feelings of the people in a specific time and place, and these thoughts and feelings are symbolic of the characteristics of that period and society (Indianet 2010 & Staab 2009).

For more than half a century, the discovery of tribal paintings has not transformed the discipline of fine arts. As far as tribal art is concerned, the outputs of art and tribal performances are considered one unified notion. Indigenous Indian tribes have highly distinctive artistic styles. Geographical, social, historical, and customary considerations are all aspects that contribute to the tribals' primitiveness (Smith 2006).

The term "tribal art" refers to an art in which life and fantasy are completely interwoven. It is part of the distinct character of tribal arts to be highly permissive. Her work shows how much she loves her life, as well as retaining her passion and mystery. The most intriguing aspect of India's tribal heritage is tribal art. The world's greatest heritage is tribal art, and it boasts a huge amount of variety, diversity, and elegance (Staab 2009). Tribal art in modern India strives to re-create the timeless, vibrant spirit of Indian tribal life. One may discover wonderful examples of tribal Indian art in several places throughout India. In the Indian tribal art, language is abundant and is always evolving. The people of the nation now consider it an important component of their culture (Indianet 2010).

Modern Indian tribal art seeks to realistically portray the indelible charm and imagination of



Wooden Containers of Arunachal Pradesh

Indian tribal life. An extremely

hard effort has been made by indigenous tribes to maintain their traditional culture alive for thousands of years, including music, traditions, rituals, and art. When they shield their money and immerse themselves in the earth, they are completely at peace with the natural world. A traditional tribal painting, such as an American Indian powwow painting, usually originates in an isolated tribal environment such as the forest or the mountains. Various tribal Indian paintings have fascinating stories behind them, some of them are Saura paintings, Gond paintings, Bondi paintings, Pithora paintings, Warli paintings, Thanka, Patta Chitra, Kurumba paintings, Khovar paintings, and Pichhvai paintings (Indianet 2010).

Contemporary art was inspired by Indian tribal art because of its storytelling style. Tribal art impacted contemporary art around the same time period. And now we'll go on to the following part, where we see the wide range of tribal music styles. the music and dancing rhythms are both an intrinsic part of a tribe's life (Archer 1974).

Tribal Music

Indian tribal music has various modulations that in its traditions have been inimitable. Truly, a variant of house music is considered to be Indian tribal music. The music is often accompanied by drum-beats, with no particular melody present. No prolonged synth sound occurs in such music during a continuous performance. The Indian difference is attributable to the instruments used are not as refined as those used in classical music, because they are of a very robust origin. The musicians themselves typically make tribal musical instruments, making use of materials such as coconut shells, animal skin, etc.



Figure 2. Tribal, Dance and Music

Drum patterns based on musical rhythms are created using intricate and coordinated patterns. When performing an authentic Indian tribal musical session, one may employ a wide range of drum sounds on a given track. many additional approaches include: horsehair violin, duduk, bamboo flutes, santoor, sitar (Bhattacharya 1999).

Strictly speaking, the definition of tribal music in India is vague because songs are defined by their very large sound because of their robustly tribal style.

However, current musical variants are mixed together with poetic chanting and traditional sounds, such as native or tribal music. Strummed tribal music is followed by a medley of musical pieces. Furniture of the Instrument Equipment (Indianet 2010).

As with much of the world's classical music, tribal music is not taught in the same way in India. There are no schools that offer tribal music education, like a finishing school. A learning cycle is passed on from parent to child. People pass along their love of music from one generation to the next. The existing kind is, of course, going to alter in the future. Tribal house music, one form of digitalized instrumentation used in this day and age, has found its way into tribal music as a result.

In contrast to Indian tribal music, which uses an open-group approach to ethnicity, Indian tribal music cannot be examined outside of the social and ceremonial settings of the individuals involved. Traditionally, tribal music has a strong cultural foundation. Realization of the theory is graspable in the realms of musical socialisation, forms of ownership, levels of involvement, and the very essence of specialty. Studying music is an essential aspect of a traditional tribal culture's association process. It is analysed with the myriad standards and behaviours that are aligned with the cultural norms held in high regard by society. Children are taught to play music, i.e., singing, drumming, or dancing, at an early age for most tribes. five or six inches long with three to four blowing envoys and smaller drums to accompany (Indianet 2010 & Knight 1993).

An astonishing degree of diversity is seen among the Indian tribal performing arts. Ethnicity pervades every discussion. Tribal performing arts does not have an extensive set of guidelines or special rules that has to be followed in order to appreciate the intrinsic beauty of it. Many years ago, before the Aryans arrived, people had lived in tribal society in the land. It makes things easy to comprehend when you learn that their ancestral group is based on a desire for culture and tradition. Performing arts may not be the correct phrase, but for them men and women, it was an important part of their existence. It is historically possible to describe living in India as full of slow and easy moments on a daily basis. Something like dance, acting, singing, chiselling out fresh items, the art of carving novelties for the day might be the order. Female members of the tribe in India were among the early pioneers of performing arts, such as painting and drawing. The tribes of India are close-knit, and though they remain diverse, variety thrives in unity (Indianet 2010).

In Indian tribal tribes, performances were organised in a clearing on a similar stage with the same aim: to construct an organised community. However, certain tribal groups still observe this ritual, which is deeply buried in the jungles. Tribesmen are able to move because of the promotion of migration and industrialization, which make it easier for tribesmen to succeed in the broader world. Tribal arts practises are carried out in an impressively defined fashion, and this has inspired cosmopolitan cities as well. In India, people commonly strive to communicate a message by some sort of spectacle

(singing, dancing, performing a theatrical piece, or banging synchronised drums). Indigenous and indigenous-influenced Performing Artistic performers can be identified throughout the tribal communities of India, since their arts traditions are still alive in spite of the pressures of modernization. It is maybe the finest point that can be mentioned here to bear up the fact that whatever transpired or took place in the traditional lifestyles of Indians, traditional Indian performing arts have leapfrogged over to catch the interests of millions now (Indianet 2010).

Folklore and Tribal Communication in Arunachal Pradesh

Arunachal Pradesh is a country rich in cultural and traditional history, featuring the lifestyle of its diverse people. Their folklore-influenced culture affected them. The people of Arunachal Pradesh are entwined in vivid, dynamic cultural legacy via songs, dances, clothing, traditions, and hand gestures. The state of Arunachal Pradesh has around 31 different indigenous groups living there. Several of them have several languages, customs, and traditions in addition to having many of them. The major people of Arunachal Pradesh are the Nyishi tribe. According to the 2011 census, the Nyishi community has around 2.5 lakhs members. Whole, out of the state's 10 million people, there are only 97,968 Asian thinkers, or one-third of the overall population that is in the city. The Tibetan refugees are spread out among six different districts in Northeastern India, including Papumpare, Upper Subansiri, Lower Subansiri, Kurung Kumey, East Kameng, and the Assam districts of Sonitpur and North Lakhimpur.

The state of Arunachal Pradesh has a rich cultural heritage with a tradition of folk art that dates back to generations past. Legends, values, and spiritual teachings are essential to handing along a society's traditions, beliefs, and values. Tribal society has included it for ages. In a tribal society, mythology, history, tradition, and agriculture all tend to blend together. There are several ethnic and indigenous folk arts in Arunachal Pradesh. It tells a lot about the state's culturally rich history. According to Goodenough, folk life may be described as "the portion of cultural anthropology that is dedicated to an examination of one's own national cultural past." The word "tradition" is commonly associated with many cultures across the world. a folklorist's purpose is to respect and learn the existing way of life, as reported by Bringéus (1968). Our testimony needs to be founded on more than our reminiscences. While we must examine what is life, we must also discover what is non-living. In order to identify the normal instance, the ethnologist looks for the normal thing. When observed superficially, ethnology might appear to be become less and less historically significant. But in the study of civilisation, the overall purpose is to explain how custom plays an essential role in society. Historical background is required for an overview of the present state as well as a projection of the future.

Nyi is a phrase that means "a person" and Shi signifies "a person who has achieved a level of civilization," which indicates that an individual can be considered a member of the civilised human race. Nyishi believes they are

direct ancestors of the Abo Tani. As a result, the Nyishi, Adi, Gallo, Tagin, Apatani, and Mishings who belong to the People's Tani Party are known as the People's Tani Party's supporters. Nyishi, by default, are cautious, hopeful, strong, fearless, self-disciplined, direct, and to the point. Men believe that women are responsible for maintaining stability, growth, and prosperity. It is argued that females' status worth grows as a result of an existing 'reciprocal marriage exchange' mechanism in society. Men typically seek counsel from women before to making decisions that might have an impact on their lives and their finances.

Folklore is an important part of the Nyishi culture. Society is founded on stories and tales. The community is dynamic and vibrant. Many intriguing, attractive, and important festivals are celebrated throughout the year. While Nyokum Yullo, Boori Yullo, and Longte Yullo are all festivals, there are differences among them. It is ensured that the entire population is properly safeguarded from all ills by honouring various gods and goddesses, which in turn provides them with sufficient self-sustaining resources, including food grains and livestock. The event serves as a testament to the particular cultures that support it, and helps ensure the continuity of customs, customs, and history. Stories like as the Adi Abhangs and Sherdukpen tales, which are performed at ceremonies, offer an abundance of information about the colourful Nyishiian culture. Only shaman tales from public life are kept from the rest of the population, and they are maintained as traditional knowledge or history (Elwin, 1958). Riddle, nursery rhyme, epic song, and charm works are rare, and no more works on proverbs, myths, and stories, songs, and the like are accessible. A lot of hymns, chanting, and choreographed performances. These few publications are also exclusively on two or three tribes, and oral history from other groups has been completely erased. the Arunachalee people' material existence necessitates oral traditions," Verrier Elwin's Myths of NEFI (1958) and a new book on tribal literature were both published in the year before to Arunachal Pradesh becoming a state of India (1970). The Nyishi tribe is well-known for its rich culture and customs.

Folklore is vital in the transfer of the values, beliefs, and moral precepts of any social group. The extensive historical knowledge of society, tradition, and social activity is included. The informal kind of awareness that may be achieved by observation, imitation, and repetition is called creative awareness. It distributes via word of mouth, including literature and plays, the practises and values that have been passed down. There are three main kinds of folklore: verbal, material, and customary. A picture of a society's active and diversified culture is provided, too. It is maintained alive by the oral tradition passed down from generation to generation. A myth has the most crucial role in keeping cultural and traditional values alive. Although folklore may be diluted in the transmission process, it is retained and imbued with artistic value.

traditional language, folk belief, and traditional language Also known as myth, legend, tale, folktale, fable, anecdote, proverb, riddle, incantation, charm,

blessing, curse, oath, taunt, riddle, play on words, double entendre, send-up, tongue twister, and formula to say hello and goodbye (1965: 3). It also incorporates traditional dress, traditional dance, traditional play (and mime), traditional art, traditional belief (or superstition).

To help draw a distinction between the ordinary spoken language into which they are intermixed, and the specific syntactic and semantic structures that differentiate them, they may be referred to as creative. As a general rule, folklore has some unique traits that set it apart from other areas of culture. However, as a result of the advent of modernity and technology, old customs are transformed in a different shape. To test the new folklore Shape and see how much of a difference it's had on the culture, or it's another bottle of the same wine.

Folklore will pop out wherever people interact informally, on a day-to-day basis, in a person-to-person context. "The basic view among folklorists is that the ability for aesthetic experience is ubiquitous and will manifest itself in various ways in all cultures" (for the shaping of deeply felt values into concrete, apposite form).

They are proud of the unique language that they have developed within the organisation. However, there is a movement away from the Nyishi language, and individuals are now using the international language instead. They feel the mainstream language will help them achieve a better quality of life and a wider range of opportunities. Of the 60 Nyishi groups studied, 32 (or 53.3%) were discovered to constitute distinct tribes. There are 28.3% of the total users of the Nyishi language, and 15.0% of the total users of Hindi. Only 15.0% of users of Hindi are classified as using it as a communication language. In other words, 3.3% of the population speaks a language other than English as a means of communication.

Demographic Outline

As to the preliminary population Census of 2011, the population of a district is pegged at 89,717 with 44,226 males and 45,491 females, whereas in the 2001 Census, the population was 42,518 with 21,117 males and 21,401 females. A 111.01% growth rate in Arunachal Pradesh during the decade 2001-2011 led to a district record decadal growth rate of 111.01%. Tribal populations are most numerous in this district, where they account for more than 97% of the population. According to the provisional 2011 census, the district has a poorly performing 50.67% literacy rate, with 57.28% of males and a pitiful 44.31% of females. A sex ratio of 1029, as well as a population density of 15 individuals per square kilometre, exists. The Km. People: At home among the Kurung Kumey are the valiant Nyishis, the watchful Bangrus, and the wandering Puroiks. As far as the Nyishi tribe goes, they rule the whole territory. The Bangrus tribe, which is located entirely inside the Sarli circuit's western and north-western boundary, is the smallest of the tribes. When it comes to clothing, festivals, etiquette, and practises, they mimic NyishiNysis, and at times, they marry into the family. The Puroiks are restricted to the high hills of the districts of Sarli, Nyapin, and Phassang in the northern, north-western, and

western areas of the district. The Puroiks live amongst the Nyishi and Bangru villages. Grain collection and the hunt for huge animals are their economy's primary sources of income. Very few of them are currently using a sedentary farming method, and that change in their lifestyle is clearly present.

Alternating between Nampam and Nampam (hamlet). Each Nampam averages between 30 to 50 poorly constructed structures. The most underdeveloped indigenous population in Kurung Kumey district are the tribes of Arunachal Pradesh. For a traditional economy, their economy is dependent on agricultural land and forest for non-agricultural commodities. For too long, the tribulations of the indigenous population have remained submerged in a turbulent mix of ignorance, illiteracy, and poverty.

Arunachal Pradesh is an important state. The district's number of pupils who passed the examinations increased the least when the tests were conducted by the CBSE, as found by the AISSE- and AISSCE-administered examinations. Deficiencies and drop-outs among the Kurung Kumey schools may be cited as a key contributing factor to the district's current predicament.

According to Israel, the significant notion of any analysis is that the group serves as the unit of analysis (1998). the analysis is conducted to enlighten the group participants on their viewpoints and desires" literally "in the phraseology of Dorson (1965), " "a background history is crucial when you are investigating a culture, when you are taking an exam, and when you are helping to prepare the future. Understanding the present and forecasting the future requires a comprehensive understanding of the history. Studying folk culture is a means of learning about folklore.

Values of Tribals, culture and culture Practices

Eco-values, as female values, are combined into the culture. Society's caretakers are the country's indigenous people, whose lives are woven together in an intricate tapestry of social customs that recognise the interconnectedness of women and the environment. It has been theorised that tribal people hold to the idea that the earth serves humanity and the entirety of existence. As opposed to other groups, tribes have the belief that they have plenty. What is derived from nature is strictly limited to that which is required. The Barefoot Folk Dance is a dance celebrating the relationship between people and environment. Nature in the forest, in nature, rocks, lakes, and animals all share a belief in the supernatural. The Earth is Mother God, and it cannot be bought or sold. They approached the spot with due reverence. A celebration when they both contribute, no matter what the tribe is, is a unity with nature for tribes. The pioneers of indigenous medicine, as well as being pioneers in the creation of the particular structure of existence, are originators and contributors to indigenous medicine. Tribal people preserve the biodiversity of life by hybridising all kinds of species in food crops, medicinal plants, and animals all over the planet. Western society has come to view tribes as uncivilised and uneducated. The indigenous people have lived in the forest's generous lands for millennia. In order to increase overall progress, they never privatised the system, nor did they damage it in the process. Instead of

envying, their lives are centred on what they truly need. They had no interest in money.

A Culture with No Gender and Class Discrimination

The customary tribal organisation offers equal chances and participation for both men and women. On the earth, women's rights is confined to no other human society. At this moment, it is believed that eliminating all workplace sexism is possible. The right to pick one's own life partners is given to women. Divorce and re-marriage are accepted practises within tribal culture. Thermal dowry is nonexistent. Although both men and women have property rights, they were not the same. The customary culture is established on the foundations of harmony among all living forms. It looks at the interdependence of all living things with the environment. Because of their strong dedication to the community, individuals are acknowledged and promoted only after they accomplish a special task that has been assigned to them. Therefore, because the rites are performed by the Nyub (priests), who execute rituals, the priests who conduct rituals are respected. After the occurrence, the Nampam residents are regarded as if they were equal to anybody else (village). Culture, green lifestyle, and social climate influence a person's outlook.

socio-cultural structure Despite having no written language of their own, tribal people have transmitted their rich culture and customs to the next generation. They speak their own dialects. Children are generally given titles according to family tradition. Many Native American tribes choose to inter their deceased in locations surrounding their houses. Funeral mass (ritual for the dead).

The tunes and dances of several tribes It is important that the indigenous people have a voice when it comes to imparting their cultural values and lifestyle to younger generations. The method through which traditional cultural knowledge is communicated is songs and dances of the tribe. Through word of mouth, the ways of their people are handed from one generation to the next, where elders play a prominent part in the process. Their music and stories are passed down from one generation to the next.

It is vital to take a perspective from multiple angles when conducting ethnographic research in order to learn about a community. Researcher understandings of tribal people's cultural interests have been critical in helping researchers better understand their cultural issues. Due to their significant role in building a thriving culture, tribal people may have problems shifting and adapting to new opportunities. Real measures need to be done to strengthen tribal syllabus and curriculum, which reflect the culture. When it comes to the classroom, there has to be a focus on developing an atmosphere that supports and encourages students' interest in and exploration of new ideas. To maintain healthy participation in both the tribe and the larger global society, you will need a strong command of language. Cultural practises embedded within linguistic exchanges which encourage learners to recognise and appropriately use their position in the universe can be developed via practise and preparation. There are a multitude of facets in tribal culture that contemporary

people must follow. Virtues and values can be used in the broad environment of today.

Conclusion

The usefulness of folklore in transmitting societal values, beliefs, and spiritual teachings can be seen in almost every civilization. Throughout history, it has always been part of human civilisation, and more particular, of tribal communities. A tribal group has mythological, historical, heritage, and cultivation characteristics. Arunachal Pradesh's folk and tribal art is basic, ethnic, and colourful. It tells you a lot about the rich cultural legacy of the state. Folk life encompasses the examination of one's own national cultural history in cultural anthropology. All known human societies, whether in the past or now, have elements of mythology. This research was constructed in this manner: it is focused on studying the past and present culture of the Kurung Kumey district's tribal communities, with three separate aims: I to examine the history and folklore of the tribal groups, and (ii) to analyse the cultures of these tribes, and (iii) to see how far behind the rest of the country's tribes are. In order to have a clearer picture of tribal people's culture and wants, the work was done using a participatory style, which let participants collaborate on developing ideas. He conducted exhaustive interviews and conducted extensive study on indigenous people's everyday behaviours. While doing an audit of the industry, the key evidence is acquired.

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WORK LIFE BALANCE OF DISABLED WOMEN – AN EMPIRICAL STUDY

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Abstract

Work-life balance means different things for various individuals because all of us have distinct life engagements: "The balance is a highly personal issue in our ever-on world and only you can decide what life's best for you. Work-Life Balance (WLB) is a critical component of an individual's ability to live a healthy life. WLB management for women is a bit greater in comparison with males who have important tasks at home. Women with disabilities work in numerous professions and play their role in both professional and personal lives. In the current living styles of the metro metropolis, it is vital to analyse the elements of WLB among disabled women. The main elements of the WLB in this quantitative study have been the labour of impaired women.

Key Words: Work-Life Balance, WLB, Disability, Women, Employment

Introduction

"We need to do a better job of putting ourselves higher on our own 'to-do list."

—Michelle Obama, Former First Lady of United States of America.

The need for the job is classically quoted by the former First Lady of the United States of America as a great example for the balancing of work and personal life.

A healthy work-life balance means that employees will be happier when they come to work. This, in turn, helps reduce stress and the chances of burnout are the two common health issues in the workplace. Generally, Chronic stress occurs when employees are continuously stressed and Burnout happens when an employee suffers too much stress over a long period.

There are the role of the state and the question of how to deliver family-friendly policies that provide an equitable set of work-family incentives, benefiting both those who value an early start on paid employment and those who prefer to invest more time in childrearing and domestic life (Neil Gilbert, 2008).

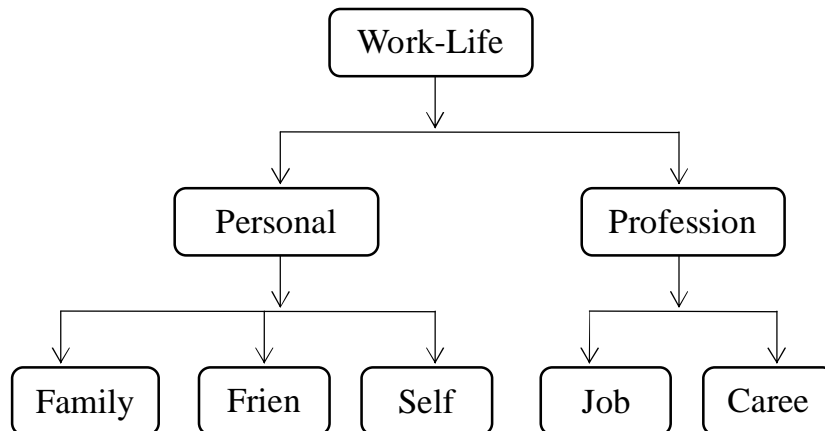
Collaboration at multiple levels. If people are not enabled to collaborate with others in ongoing reflections and actions, they are – to use the words of Robert Reich quote – left to grapple 'alone and in the dark. None of this is easy. Challenges of harmonising paid work with the many parts of life touch on factors ranging from market structures, mentalities and constraints to deep identity anxieties and assumptions. Working through these challenges involves confronting many taboos and questioning seemingly unquestionable wisdom at multiple and connected levels of society. If social justice, well-being and sustainability are valued, then, working towards more optimal changes is increasingly important and requires our final C (Richenda Gambles, Suzan Lewis and Rhona Rapoport, 2006).

‘Corporate Social Responsibility (CSR) perspective – emphasizing the broader social goals of organizations – is the means of bringing the moral arguments to the fore in the private sector so that there is less concern with measuring the precise and short-term impact of WLB policies on performance and productivity. Within CSR is the idea that organizations have responsibilities towards a range of stakeholders, not simply shareholders, including employees, families and the wider community. WLB policies could be one internal lever to promote reconciliation between the rights of various stakeholders (Judith Glover and Gill Kirton, 2006)

Research should examine how employed parents socially construct the work-family interface.

Specifically, research using qualitative techniques such as in-depth interviews should examine the subjective experience of conflict and facilitation and how work and family roles are socially constructed that contribute meaning to the lives of employed parents

in urban sub-Saharan Africa. This form of grounded research will help conceptualize and develop indigenous measures of conflict and facilitation components of work-family balance (Samuel Aryee 2005).



In the areas of job satisfaction, there is substantial quantities of literature on the work-life balance of women are available and but disabled women is quite less. As a result, a quick review is to emphasise what has already been done and reported on the subject of the work-life balance of women and disabled women.

Dr B. Vijayalakshmi and T.Navaneetha (2013) within their study on the Work-life balance of women school operating in academic establishments: problems and issues ended that operating women bear severe stress as they struggle to balance their domestic life and skilled life. continued work struggling would lead to poor performance in the institution moreover as domestic life. operating women endeavoured to boost the lifetime of each their relations as well because their students. during this task, if they were neglecting their health and mind, both the family as well as the institution would suffer.

In their study on Work-Life Balance of Women in India, **Andukuri Raj Shrivanthi, Sagar Deshmukh, and N. Deepa (2013)** found that work/life programmes have the potential to significantly improve employee morale, reduce absenteeism, and retain organisational knowledge, particularly during difficult economic times. Human resource professionals must comprehend the essential concerns of work/life balance and advocate work/life initiatives if companies want to save money. Working women are classified based on their age (25-35, 35-45, and beyond). The organisation focuses on the 25-35 age group since women at that age have greater obligations at home and work.

S. Vijayakumar Bharathi and E. Padma os (2016) in their study explained the Determinants of Work-Life Balance of ladies staff in info Technology corporations in Asian country reveals from among the constructs, namely, personal and skilled foils and challengers and SM involvement, the foremost impactful elements influencing the WLB are the non-public enhancers, similar to regular exercises, yoga and meditation, correct sleep and diet and following of hobbies, whereas the professional enhancer of labour from home and versatile timings hold the upmost position because the methods to keep up a

healthy WLB. Personal challenges, such as too little time for self, inadequate look after the elders additionally the kids reception and feeling of depression or hypertension, represent the elements that heavily impact WLB.

Maria Bletsou (2016) in her study on incapacity and Work-Life Balance: A Case Study of ABC University complete that the findings don't indicate any important distinction within the use of work-life balance practices between the disabled and also the non-disabled population in the university. Of the non-disabled population just one worker explicit that she isn't functioning from home and whereas among the disabled population, four workers use it regularly. Therefore, in each group, the foremost enticing versatile arrangement was home working. it was doable that the disabled people's ought to use on equal footing did not allow them to request versatile operating arrangement over their non-disabled co-workers. Out of the disabled employees, just one participant, who works as a time unit authority responded that he felt enlightened regarding the working practices that were being offered and only one person explicit that she was all right informed around incapacity issues.

Brewster, S., Duncan, N., Emira, M. and Clifford, A. (2017) in their study on Personal sacrifice and company cultures: career progression for disabled workers in educational activity complete that Some participants were already engaged in leadership or aspired to such roles. several reported positive experiences however aboard these, a spread of barriers were conjointly known as well as lack of acceptable attitudes and support, inadequate coaching and development and, crucially, the competitive corporate culture that might impact their health and work-life balance.

The study conducted in the Chennai metropolitan city. The exploratory research design was adopted. The present study based on primary data and data were collected through a structured interview schedule was used to collect the socio-demographic information, and work-life balance of disabled women in the area of Factors consider while looking for a job, Current job Profile, Family life and family responsibilities interfere in performance job and Job responsibilities interfere in family life. The researcher interacted with persons with disability in Chennai metropolitan city. While interviewing the respondents, the researcher introduced herself, explained the study and purpose of the interview.

Sample Size

The researcher used a convenient sampling approach to collect 120 samples. The research will take place from the first week of February to the second week of March 2021. The researcher gathered primary data from handicapped women who worked in Chennai using a questionnaire. The study's wide focus is on handicapped women's work-life balance, which covers factors to consider while looking for a job, current job profile, family life and family obligations interfering with workplace performance, and workplace duties interfering with family life. Simple percentage and mean methods were used to examine the results.

Demographic Profile

Age	No. of Respondents	Percentage (%)
Below 25	23	19.17%
26-35	47	39.17%
36-45	39	32.50%
46-55	7	5.83%
Above 55	4	3.33%
Total	120	100.00%

Table – 1

The demographic data of people with disabilities are shown in Table 1. A total of 120 Locomotor women with disabilities were interviewed for this study. The age profile of the respondents is as follows: 23 (19.17 per cent) were under 25 years old, 47 (39.17 per cent) are somewhere between 26 and 35 years old, 39 (32.50 per cent) would be between 36 and 45 years old, 7 (5.83 per cent) are between 46 and 55 years old, and 4 (3.33 per cent) over 55 years old.

Factors consider while looking for a job

Factors	Below 25	26-35	36-45	46-55	Above 55	TOTAL
Salary/Wages	3.13	2.66	1.64	1.29	1.00	2.28
Location of workplace	1.35	3.26	2.92	3.71	3.75	2.83
Holidays	2.96	3.09	3.10	1.14	1.00	2.88
Interest in job	3.09	2.72	3.28	1.71	1.25	2.87
Career development prospect	3.61	2.23	1.95	1.14	1.25	2.31
Flexible working hours	3.26	2.00	1.21	1.00	1.00	1.89
Leave Arrangement (Casual, Academic, Sick, Maternity/ Parental etc.)	1.87	1.64	2.36	1.29	1.25	1.88
Training opportunities	2.26	1.57	1.28	1.00	1.00	1.56
Job security	1.39	2.28	2.87	3.29	4.00	2.42
Friendly Environment	3.13	1.87	2.28	3.29	3.50	2.38

Table – 2

The following 4 point scale was adopted for the Factors consider while looking for a job.

1	Not Important
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2	Quite Important
3	Important
4	Very Important

Table 2 illustrates the mean values of the factors considered by impaired women while seeking work. The average pay/wage recorded was 2.28, which is a little higher than average. However, this factor varies by age group: 3.13 for those under 25, 2.66 for those between 26 and 35, 1.64 for those between 36 and 45, 1.29 for those between 46 and 55, and 1.00 for those above 55. The mean value of workplace location is 2.83, which is close to significant. However, this factor varies by age group: 1.35 for those under 25, 3.26 for those between 26 and 35, 2.92 for those between 36 and 45, 3.71 for those between 46 and 55, and 3.75 for those over 55.

Holidays have quite a mean value of 2.88, which is near to significant. However, this factor varies by age group: 2.96 for those under 25, 3.09 for those between 26 and 35, 3.10 for those between 36 and 45, 1.14 for those between 46 and 55, and 1.00 for those above 55. The mean value of employment interest is 2.87, which is close to significant. This factor, however, varies depending on the age group: 3.09 for under 25 years, 2.72 for 26-35 years, 3.28 for 36-45 years, 1.71 for 46-55 years, and 1.25 for above 55 years.

Career growth prospect does have a mean value of 2.31, which is somewhat higher than significant. This factor, however, varies by age group: 3.61 for those under 25, 2.23 for those between 26 and 35, 1.95 for those between 36 and 45, 1.14 for those between 46 and 55, and 1.25 for those beyond 55. Flexible working hours have a mean value of 1.89, which is close to being fairly significant. This factor, however, varies depending on the age group: 3.26 for under 25 years, 2.00 for 26-35 years, 1.21 for 36-45 years, 1.00 for 46-55 years, and 1.00 for above 55 years.

The average value of Leave Arrangement (casual, academic, sick, maternity/parental, etc.) is 1.88, which is close to being highly significant. However, this factor varies by age group: 1.87 for those under 25, 1.64 for those between 26 and 35, 2.36 for those between 36 and 45, 1.29 for those between 46 and 55, and 1.25 for those above 55. Training opportunities have a mean value of 1.56, which falls between not significant and highly significant. However, this factor varies by age group: 2.26 for those under 25, 1.57 for those between 26 and 35, 1.28 for those between 36 and 45, 1.00 for those between 46 and 55, and 1.00 for those above 55.

The mean value of Job security is 2.42 which is quite important and important. However, this factor varies upon the different age groups viz 1.39 for below 25 years, 2.28 for 26-35 years, 2.87 for 36-45 years, 3.29 for 46-55 years and 4.00 for above 55 years age profile. The mean value of Friendly Environment is 2.38 which is a little above to quite important. However, this factor varies upon the different age groups viz 3.13 for below 25 years, 1.87 for 26-35

years, 2.28 for 36-45 years, 3.29 for 46-55 years and 3.50 for above 55 years age profile.

Current Job Profile

Factors	Below 25	26-35	36-45	46-55	Above 55	TOTAL
Salary / Wages	2.22	2.30	2.79	3.57	3.75	2.57
Location of workplace	2.30	2.72	2.21	3.00	2.75	2.49
Holidays	2.04	2.81	2.51	3.57	3.75	2.64
Interest in job	1.91	2.47	2.56	3.00	3.00	2.44
Career development prospect	2.22	2.66	2.79	3.29	2.75	2.66
Flexible working hours	1.83	2.85	1.69	3.14	3.25	2.31
Leave Arrangement (Casual, Academic, Sick, Maternity/Parental etc.)	2.30	2.72	2.72	3.43	3.50	2.71
Training opportunities	2.96	2.30	2.05	3.14	3.50	2.43
Job security	1.52	1.98	2.82	3.86	4.00	2.34
Friendly People	2.13	3.11	2.85	3.57	4.00	2.89

Table – 3

The following 4 point scale was adopted for the Current job Profile

1	Poor
2	Satisfactory
3	Good
4	Very Good

The mean values of the Current Job Profile for handicapped women are shown in Table 3. The average pay recorded was 2.57, which is somewhat higher than Satisfactory. This factor, however, varies depending on the age group: 2.22 for under 25 years, 2.30 for 26-35 years, 2.79 for 36-45 years, 3.57 for 46-55 years, and 3.75 for above 55 years. The mean value of work location is 2.49, which falls in between adequate and good. This factor, however, varies depending on the age group: 2.30 for under 25 years, 2.72 for 26-35 years, 2.21 for 36-45 years, 3.00 for 46-55 years, and 2.75 for above 55 years.

Holidays have a mean rating of 2.64, which is between adequate and good. However, this factor varies by age group: 2.04 for those under 25, 2.81 for those between 26 and 35, 2.51 for those between 36 and 45, 3.57 for those between 46 and 55, and 3.75 for those beyond 55. The mean value of job interest is 2.44, which is in between adequate and excellent. However, this factor varies by age group: 1.91 for those under 25, 2.47 for those between 26

and 35, 2.56 for those between 36 and 45, 3.00 for those between 46 and 55, and 3.00 for those above 55.

Career development prospects have a mean rating of 2.66, which is in between adequate and good. This factor, however, varies depending on the age group: 2.22 for under 25 years, 2.66 for 26-35 years, 2.79 for 36-45 years, 3.29 for 46-55 years, and 2.75 for above 55 years. Flexible working hours have a mean rating of 2.31, which is slightly above satisfactory. This factor, however, varies depending on the age group: 1.83 for under 25 years, 2.85 for 26-35 years, 1.69 for 36-45 years, 3.14 for 46-55 years, and 3.25 for above 55 years.

The average value of Leave Arrangement (casual, academic, sick, maternity/parental, etc.) is 2.71, which is close to satisfactory. However, this factor varies by age group: 2.30 for those under 25, 2.72 for those between 26 and 35, 2.72 for those between 36 and 45, 3.43 for those between 46 and 55, and 3.50 for those above 55. Training opportunities have a mean value of 2.43, which is in between adequate and good. This factor, however, varies depending on the age group: 2.96 for under 25 years, 2.30 for 26-35 years, 2.05 for 36-45 years, 3.14 for 46-55 years, and 3.50 for above 55 years.

Job security has a mean rating of 2.34, which is slightly above good. This factor, however, varies depending on the age group: 1.52 for under 25 years, 1.98 for 26-35 years, 2.82 for 36-45 years, 3.86 for 46-55 years, and 4.00 for above 55 years. Friendly Environment has a mean rating of 2.89, which is close to good. However, this factor varies by age group: 2.13 for those under 25, 3.11 for those between 26 and 35, 2.85 for those between 36 and 45, 3.57 for those between 46 and 55, and 4.00 for those above 55.

Factors	Factors consider while looking for a job (Mean Value)	Current Job Profile (Mean Value)	Expectations Vs Reality
Salary / Wages	2.28	2.57	Little higher
Location of workplace	2.83	2.49	Little lower
Holidays	2.88	2.64	Little lower
Interest in job	2.87	2.44	Little lower
Career development prospect	2.31	2.66	Little higher
Flexible working hours	1.89	2.31	Higher
Leave Arrangement (Casual, Academic, Sick, Maternity/Parental etc.)	1.88	2.71	Higher
Training opportunities	1.56	2.43	Higher

Job security	2.42	2.34	Little lower
Friendly People	2.38	2.89	Little higher

Table – 4

Family life and family responsibilities interfere in the performance of job

Factors	Below 25	26-35	36-45	46-55	Above 55	TOTAL
Family matters reduce the time you can devote to your job	1.57	4.00	3.90	2.00	1.75	3.31
Family worries or problems distract you from your work	1.57	4.57	3.38	2.00	1.75	3.37
Family activities stop you from getting the amount of sleep you need to do your job well	1.65	3.81	3.72	2.14	1.75	3.20
Family obligations reduce the time you need to relax or be by yourself	3.30	3.04	3.85	3.14	3.25	3.37

Table – 5

The following 5 point scale was adopted for Family life and family responsibilities interfere in performance job.

1	Strongly Disagree
2	Disagree
3	Undecided
4	Agree
5	Strongly Agree

In the case of impaired women, Table 5 demonstrates that the mean values of family life and family duties interfere with workplace performance. Family concerns restrict the amount of time you can commit to your career, according to the mean value of 3.31, which is somewhat higher than Undecided. However, this factor varies by age group: 1.57 for those under 25, 4.00 for those between 26 and 35, 3.90 for those between 36 and 45, 2.00 for those between 46 and 55, and 1.75 for those above 55.

Family worries or problems that distract you from your job has a mean value of 3.37, which is somewhat higher than Undecided. However, this factor varies by age group: 1.57 for those under 25, 4.57 for those between 26 and 35, 3.38 for those between 36 and 45, 2.00 for those between 46 and 55, and 1.75 for those beyond 55.

Family activities prevent you from receiving the amount of sleep you need to execute your job successfully, with a mean score of 3.20, which is somewhat higher than Undecided. This factor, however, varies depending on the age group: 1.65 for under

25 years, 3.81 for 26-35 years, 3.72 for 36-45 years, 2.14 for 46-55 years, and 1.75 for above 55 years.

Family duties diminish the time you need to relax or be alone, with a mean score of 3.37, which is somewhat higher than Undecided. This factor, however, varies depending on the age group: 3.30 for under 25 years, 3.04 for 26-35 years, 3.85 for 36-45 years, 3.14 for 46-55 years, and 3.25 for above 55 years.

Job responsibilities interfere in family life

Factors	Below 25	26-35	36-45	46-55	Above 55	TOTAL
Your job reduces the amount of time you can spend with the family	4.17	2.68	1.72	4.43	4.25	2.81
Problems at work make you irritable at home.	4.04	2.49	2.31	1.86	1.25	2.65
Your work involves a lot of time away from home	4.61	2.38	2.38	4.57	4.50	3.01
Your job takes up so much energy you don't feel up to doing things that need attention at home	3.61	3.72	3.00	4.29	4.75	3.53

Table – 6

The following 5 point scale was adopted for Job responsibilities that interfere in family life

1	Strongly Disagree
2	Disagree
3	Undecided
4	Agree
5	Strongly Agree

In the case of impaired women, Table 6 demonstrates that the mean values of job duties conflict with family relationships. The job's mean value affects the amount of time you can share with family, as stated by 2.81, which is close to Undecided. This factor, however, varies depending on the age group: 4.17 for under 25 years, 2.68 for 26-35 years, 1.72 for 36-45 years, 4.43 for 46-55 years, and 4.25 for above 55 years.

Problems at work make you irritable at home, according to the mean value. 2.65, which is halfway between disagree and uncertain. However, this factor varies by age group: 4.04 for those under 25, 2.49 for those between 26 and 35, 2.31 for those between 36 and 45, 1.86 for those between 46 and 55, and 1.25 for those over 55.

The mean value of your employment entails a significant amount of time away from home, which is recorded as 3.01, which is Undecided. This factor, however, varies depending on the age group: 4.61 for those under the age of 25, 2.38 for those

between the ages of 26 and 35, 2.38 for those between the ages of 36 and 45, 4.57 for those between the ages of 46 and 55, and 4.50 for those above the age of 55.

The mean value of your job consumes so much energy so that doesn't seem equal to completing activities at home that demand attention assessed as 3.53, which is between Undecided and Agree. However, this factor varies depending on the age group: 3.61 for those under the age of 25, 3.72 for those between the ages of 26 and 35, 3.00 for those between the ages of 36 and 45, 4.29 for those between the ages of 46 and 55, and 4.75 for those above the age of 55.

Major Findings

1. The salary/wages and Career development prospect factors are a little higher side when compared to they were looking for job (expectations) and current job profile(Reality).
2. The Location of the workplace, Holidays and Interest in job factors are a little lower side when compared to they were looking for job (expectations) and current job profile(Reality).
3. The Flexible Working Hours, Leave Arrangement (Casual, Academic, Sick, Maternity/Parental etc.) and Training opportunities factors are higher side when compared to they were looking for job (expectations) and current job profile(Reality).
4. Considering all factors (10 Nos), the overall high rated work-life balance found in the age group of above 55 years women with the mean value of 3.43, the age of a group of 46-55 years is second in a row with the mean value of 3.36, the age of a group of 26-35 years are third in a row with the mean value of 2.59, the age of a group of 36-45 years is fourth in a row with the mean value of 2.50 and lastly, the age of a group of below 25 years are fifth in a row with the mean value of 2.14.
5. Family life and family responsibilities do not interfere in performance job for the age group of below 25 years and above 55 years disabled women.
6. Family life and family responsibilities interfere in performance job for the age group of 26-35 years and 36-45 years disabled women.
7. Job responsibilities have interfered in family life job for the age group of below 25 years, 36-45 years and above 55 years disabled women.
8. Job responsibilities have not interfered in family life job for the age group of below 26-35 years and 36 - 45 years disabled women.

Conclusion

The study found that impaired women had a decent work-life balance despite physical hurdles and movement limits. They encounter difficulties, struggles, failures, and economic hardships in various activities such as movement, education, entertainment, and barriers to visiting open places from a young age, which sharpens their mental strength during their professional life and helps them deal with difficult situations in their lives. Disabled women's employment is a vital source of money for them, and they wished to keep their work with their best efforts. This qualitative study is on a small scale, and the findings are limited to the specific area and kind of job of impaired women. It is a tiny initiative to identify the Work engagement of impaired women, and a future large-scale study by researchers in the domain of WLB of Impaired

women will result in policy reforms for disabled women at work by policymakers.

It is not simple to strike a balance between work and the rest of your life, and having a disability might make it much more difficult. We recognise that while employees with disabilities contribute to improved mental and bodily health as well as a higher quality of life, they can juggle even more than their disabled colleagues. Often there are a lot of conflicting duties, such as a spouse, children or older parents that rely on you to provide self-care, especially for disabled employees. This entails scheduling free time and taking part in activities that promote healthy physical and mental well-being, including the management of disabilities. You might feel more satisfaction by spending time on your own.

This research reveals that daily lives seem to be more stressful for disabled persons than for their disabled counterparts. The former are sometimes concerned about the possible effects on their jobs of impairment. In addition, people with disabilities might cope with pressures such as difficulties accepting changes in their functioning, or worried about a decrease in health due to secondary disorders or ageing.

In addition, the support of employees with impairments may be lower than that of disabled individuals, a crucial resource in managing work-life matters. Though the study has been underway for almost four decades on the notion of work-life balance, we have just recently begun to comprehend it, especially as it is relevant for people with disabilities.

During this study, ideas were provided that people with all abilities can successfully negotiate work and life. Eat a nutritious diet and relax a lot. Exercise periodically. Take this as instructed if you have been prescribed medication. Also, if you have an aid such as a cane or wheelchair, utilise it to preserve energy to provide your interests more outside the workplace. In the last analysis, you might feel more peaceful, more alert, activities such as yoga and meditation. These proposals can assist you on the job and influence your personal life positively. Identify family and friends who can provide you with a listening ear after a tough day at work, or who can lend a hand in completing household chores. To maintain these relationships, be willing to return the favour when your family and friends need you. It's hard to feel balanced if you treat everything as equally important. Determine what responsibilities are most critical both at work and at home. Whenever possible, do these tasks during the times that you have the most energy. If you are uncertain as to which tasks are critical, ask your employer and family to help clarify priorities. Don't be afraid to delegate tasks; you need not do it all yourself. Finally, remember that not everything has to be done perfectly; good enough is often good enough. One of the greatest strategies to ensure a sense of balance between working and living is to make permitted breaks during working days. Sometimes disabled workers may feel harder to work than their disabled counterparts and hence may refuse breaks. All staff, with and without impairments, can, nonetheless, benefit from workplace breaks.

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IMPACT OF ONLINE SHOPPING ON CONSUMERS-AN EMPIRICAL STUDY OF ENTERTAINMENT PRODUCTS IN AYODHYA CITY

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Abstract

The present scenario before production of goods and services, the study of consumer behavior is very essential because customer mind is a black box, no marketers exactly read what is going on in the mind of customers? Therefore the topic impact of online shopping for consumers explores the shopping patterns of customers. The objectives are impact of age, gender and monthly income of the customer's online shopping of entertainment products. Various literature has been studies related to online shopping some of them mentioned in the literature review. The research mainly focuses on online shopping of entertainment products. Described as well exploratory research used in the study. The convenience sampling technique is used in research. Sample size is 250 were collected through a structured questionnaire. The data are analyzed through using SPSS and various statistical tools. Finding were derived from the analysis and required suggestion of online shopping of entertainment products are given.

Keywords- Online Shopping, Consumer Behavior, entertainment Products.

This is the age of the digital revolution, in which digital technologies are dominating in each and every business, online shopping is one of them, every customer wants to purchase products from their own house, because it provides a tension free environment. The digital buying, is the process for buying of form the company who sale it on digital platform. Therefore the enhance of the internetthe companies are focusing on the customers who have

purchased online products regularly. Entertainment products like, smart phones, music, sports and video games that attract the mind's of customers towards the entertainment products and provide delight and pleasure to them. There are many online players in the Indian markets like Amazon, Flipkart, Snapdeal etc. that offer different variety of entertainment products to their customers and satisfied his need and want. Most of the customers purchase video games, sports products, smart phones and music system, though the online mode because online shopping safe their time and cost and also provides a huge number of discounts to in comparison to physical shopping. But some of the customers think that online shopping is not safe. A customers need to depend on digital buying to ensure the entertainment products will accommodate their requirements. In the event that the entertainment products offer a variety products to their customers and they can analyze the products before purchasing. The market size of online shopping of entertainment products increases day by day and in future it will cover near about 60% markets of India. The basic problems of online shopping are poor connectivity of network, lack of knowledge, digital payment and digital literacy that creates the hindrances among customers, but overall all digital process of buying of goods are good for the customers. Therefore, we can say that the future of the market will be online shopping because nowadays the customers have not time to go to market and purchase products for their entertainment. Every type of products are available on the internet and companies attracting customers by offering varieties of promotional tools to change the negative attitude of customers into a positive attitude before purchasing. This study explored the buying behavior of customers towards the online shopping of entertainment products.

Literature Review

Koufaris (2002) “Distinguished that both shopping pleasure and saw helpfulness (site) emphatically anticipate the expected to re-buy on the web. Despite what is generally expected, Lee and Lin (2005) discovered shopping happiness can build the aim of new clients however doesn't impact clients to return. Truth be told, the web store which uses esteem added systems in the internet searcher and giving clients a difficult encounter may expand clients' shopping delight. Moreover, if there are all the more frequently clients back to the web store, their shopping pleasure, then, at that point be controlled by their association with the item (Marios Koufaris, Kambil, and LaBarbera, 2001)”

Chang, Cheung, and Lai (2005) “Studied categories of variables, which drive online shopping activity. In their study, they divided the features into three broad categories. Perceived characteristics of the web sales channel are the first one which includes risk, online shopping experiences, advantage, service quality, trust. The second category is a website and product features which are risk reduction measures, site features, and product characteristics; and the last group is consumer characteristics. Various types of features, demographic variables, consumer shopping orientations, consumer innovativeness and

Kanpur Philosophers ISSN 2348-8301, Vol.7, issue 2(B), K.S.B.M. Page | 250

psychological variables, computer, Internet knowledge, and usages drives consumer characteristics”.

According to Monsuwe, Delleart and Ruyter (2004), “There are five external factors to understand consumer’s intention to purchase on the internet which is the consumer personality, situational factors, product characteristics, previous online shopping experiences and the trust in online shopping. Consumer’s trait includes their demographic factors such as age, income, gender and educational level will lead them to have the intention to shop online. For age factor, consumers that are aged under 25 has more potential to shop online because of their interest in using new technologies to search for product information and compare and evaluate alternatives” (Wood, 2002).

Above study has described the various factors affects behavior of customers of online shopping.

Type of Research- exploratory as well as descriptive

Study Area- Ayodhya City

Sampling Technique-Convenience Sampling

Sample Size-250

Primary Data- Through Structure questionnaire

Secondary Data-Webistes, Magazines, Books etc.

Statistical Tools- Frequency Distribution, Percentage, Cross Tab, Chi-square

Software used- SPSS

Data Analysis and Interpretations

Hypothesis Testing

H₀₁: There is no significant relationship between Age and online shopping of entertainment products

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
Age * online shopping for entertainment products	250	100.0%	0	0.0%	250	100.0%

Count		online shopping for entertainment products					Total
		Smart Phone	Video Games	Sports	Music	Others	
Age	21 -35 years	43	26	34	21	25	149
	36-50 years	18	6	5	8	10	47
	51-60 years	1	0	2	1	0	4
	Below 20 years	10	14	9	10	7	50
Total		72	46	50	40	42	250

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	14.050 ^a	12	0.048
Likelihood Ratio	15.021	12	0.030
N of Valid Cases	250		

a. 5 cells (25.0%) have expected count less than 5. The minimum expected count is .64.

Interpretation- From the above table-3, it is clearly shown that the test of Chi square value is 14.050 and the probability value (p) is 0.048. It indicates that the p value is less than the significance value 0.05, hence we reject the null hypothesis "H₀₁: There is no significant relationship between Age and online shopping of entertainment products", Therefore, we can conclude that there is a significant role of age for online shopping of the entertainment products.

H₀₂: There is no significant relationship between Gender and online shopping of entertainment products

Table-4 Case Processing Summary						
	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
Gender * online shopping for entertainment products	250	100.0%	0	0.0%	250	100.0%

Table-5 Gender * online shopping for entertainment products Cross tabulation							
Count							
		online shopping for entertainment products					Total
		Smart Phone	Video Games	Sports	Music	Others	
Gender	Female	35	16	23	9	9	92
	Male	37	30	27	31	33	158
Total		72	46	50	40	42	250

Table-6 Chi-Square Tests			
	Value	Df	Asymp. Sig. (2-sided)
Pearson Chi-Square	14.003 ^a	4	0.007
Likelihood Ratio	14.451	4	0.006

N of Valid Cases	250		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 14.72.			

Interpretation- From the above table-6, it is clearly shown that the test of Chi square value is 14.003 and the probability value (p) is 0.007. It indicates that the p value is less than the significance value 0.05, hence we reject the null hypothesis "There is no significant relationship between Gender and online shopping of entertainment products", Therefore, we can conclude that there is a significant role of gender in online shopping of entertainment products.

H₀₃: There is no significant relationship between Monthly Income and online shopping of entertainment products

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
monthly Income * online shopping for entertainment products	250	100.0%	0	0.0%	250	100.0%

Count		online shopping for entertainment products					Total
		Smart Phone	Video Games	Sports	Music	Others	
Monthly Income	21-40 K	0	0	0	1	0	1
	21-40 K	19	7	13	15	16	70
	41-60 K	10	4	1	4	2	21
	61-80 K	3	2	2	3	0	10
	81 K -1 Lac	4	0	1	1	1	7
	Above 1 Lac	2	3	4	1	1	11
	Below 20 Thousand	34	30	29	15	22	130
Total		72	46	50	40	42	250

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	29.935 ^a	24	0.187
Likelihood Ratio	31.590	24	0.137
N of Valid Cases	250		

a. 24 cells (68.6%) have expected count less than 5. The minimum expected count is .16.

Interpretation- From the above table-9, it is clearly shown that the test of Chi square value is 29.935 and the probability value (p) is 0.187. It indicates that the p value is greater than the significance value 0.05, hence accept the null hypothesis “H₀₃: There is no significant relationship between Monthly Income and online shopping of entertainment products”, Therefore, we can conclude that there is no significant role of monthly income for online shopping of entertainment products.

Conclusion

Due to tough competition in online shopping of entertainment products the marketers should try effective marketing and promotional strategies for entertainment products. Because digital promotion plays a major role to rebuild the attitude of customers towards the online purchasing of entertainment products. In my first objective impact of the age of online shopping of entertainment products has approved that indicates younger customers purchase more online products in comparison to other customers. In our second objective the impact of gender on online shopping of entertainment products also approved that indicates that male customers purchase more online in comparison to female. In our last objective the impact of monthly income on online shopping of entertainment products has not approved it indicates that higher monthly income people don't purchase online shopping of entertainment products. But is mostly seen that higher income people purchase more online products. There may be others reason for not purchase online shopping of entertainment products due to lack time, busy with their own business etc.. Therefore, we can conclude that impact of online shopping for consumers have greater impact for entertainment product like smart phones, video games and sports.

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**MERGER OF BANKS AND THEIR FINANCIAL PERFORMANCE:
AN ANALYTICAL REVIEW**

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Abstract

The financial sector's success is critical to the growth of any economy. However, the banking sector in India has been plagued by inefficiency, a high rate of bankruptcy, a high rate of distress, susceptibility to systemic financial crises, and macroeconomic instability throughout the years. This research looked at the impact of mergers and acquisitions on the performance of Indian commercial banks, with a focus on State Bank of India (SBI), ICICI Bank, HDFC Bank, and Kotak Mahindra Bank. The study used secondary data from the bank's annual reports and statements of accounts to apply the Capital, Asset, Management, Earnings, and Liquidity (CAMEL) criteria. The study used a pair sample t-test to assess the bank's performance before and after mergers and acquisitions during a ten-year period, from 2008 to 2018. The findings revealed that mergers and acquisitions had a more favorable and substantial impact on private commercial bank performance than public banks.

Key Words: -Merger,CAMEL, Indian Banks, Financial Performance

INTRODUCTION

Any country's banking sector is the engine that drives its economy. It is the economy's primary mover since no economic activity can run successfully without sufficient money, which the banking sector provides in large amounts.

Banks, as a result, play a major role in any nation's economy and should be given more attention than any other kind of economic unit.

The banking sector is critical to the Indian financial system, contributing about 7.4% of India's GDP in 2019. Banks are regarded as the backbone of the Indian economy's growth and development. Public Sector Banks, Private Sector Banks, Foreign Banks in India, and Co-operative and Regional Rural Banks are the four types of banks in India. It is expected that Indian banks would be able to handle significant inflows and outflows of different financial resources. A robust banking system that has been restructured is required to manage the entry and outflow of financial resources. The banking industry in India is considered to be the fastest expanding, and the soundness of the banking system has been critical to the country's economic growth. To adapt to the changing environment, the bank may pursue strategies such as consolidation, mergers, and acquisitions (M&A).

With the opening up of the Indian economy and the adoption of liberalization, privatization, and globalization in 1991, there was a paradigm change in the operations and functioning of the financial sector in general and the banking sector in particular. This resulted in a large number of M&A studies, not just in India but across the globe. In addition, the Government of India and the Reserve Bank of India have begun mergers and acquisitions in the Indian banking industry in the hopes of gaining economies of scale and making the banking sector more competitive an effort to improve the competitiveness and effectiveness of Indian banks in the global market

Today, the banking sector is one of India's fastest-growing industries. It has evolved from a slow commercial entity to a thriving industry. This industry has seen phenomenal development, and as a result, it has become one of the most popular banking locations for foreign investors. Mergers and acquisitions are accelerating a relatively new component in the Indian banking sector. It will allow banks to attain world-class status and provide more value to stakeholders.

The goal of this research is to use the CAMEL model to assess the impact of mergers and acquisitions on the financial performance of merging commercial banks in India from 2008 to 2018, with a focus on four institutions: State Bank of India (SBI), HDFC Bank, ICICI Bank, and Kotak Mahindra Bank.

Merger: - A combination of two or more firms in which the assets and liabilities of the selling firm(s) are absorbed by the buying firm. (Sherman & Hart, 2006)

CAMEL MODEL: -CAMEL is a ratio-based methodology for assessing the performance of banks using a variety of ratios. The term CAMEL stands for five aspects of bank safety and soundness.

(C) = Capital

Adequacy

(A) = Assets

(M) = Management

(E) = Earnings

(L) = Liquidity

Capital Adequacy: -It is a critical criterion for a bank's ability to preserve and maintain stakeholders' trust, as well as avoid insolvency. The capital adequacy of a financial organization is determined by its development goals, interest and dividend policies, risk management capabilities, and economic climate. Capital adequacy measures a bank's overall financial health as well as management's capacity to satisfy extra capital requirements. The Reserve Bank of India (RBI) requires banks to maintain a minimum Capital to Risk Weighted Assets Ratio (CRAR) of 9% on an ongoing basis for credit risk, market risk, and operational risk, compared to 8% in BASEL guidelines.

Asset quality- It covers the quality of an institutional loan, which represents the institution's profits. It is a measure of a bank's ability to withstand a loss of asset value, since asset impairment puts the bank's solvency at risk. The amount of non-performing assets, adequacy of provisions, asset distribution, and other factors are used to evaluate asset quality. The kind of debtors a bank has is determined by asset quality.

Management Efficiency- It refers to the management's capacity to guarantee the institution's safe operation while adhering to all required internal and external rules. It shows management's capacity to respond appropriately to financial stress as well as regulate and minimize risks associated with the institution's everyday operations.

Earning Quality- It reflects an institution's capacity to maintain quality and remain competitive in the future, as well as its potential to increase future profits. Profitability, growth, stability, net interest margin, net worth level, and the quality of the institution's current assets are all factors in determining earnings quality.

Liquidity position- It is a measure of a financial institution's short-term solvency, or its ability to get adequate money by expanding liabilities or converting assets to cash at a fair cost. Banks must exercise caution in hedging liquidity risk while also ensuring that a significant portion of money is placed in higher-returning assets, allowing them to earn profit while still providing liquidity to depositors. Cash investments are the most liquid of a bank's assets. A high liquidity ratio shows a bank's financial strength.

Merger and Acquisition in the Indian Banking Sector from FY2008-2018

S.No	Transferee Bank	Transferor Bank	Date of Merger
1	StateBankofIndia	StateBankofTravancore (SBT)	March 31, 2017
2	StateBankofIndia	StateBankofBikaner and Jaipur(SBBJ)	March 31, 2017
3	StateBankofIndia	StateBankofHyderabad (SBH)	March 31, 2017

4	StateBankofIndia	StateBankofMysore(SBM)	March 31, 2017
5	StateBankofIndia	StateBankofPatiala (SBP)	March 31, 2017
6	StateBankofIndia	BhartiyaMahilaBank(BM B)	March 31, 2017
7	KotakMahindra Bank	INGVyasaBank	March 31, 2015
8	ICICIBank	Bankof Rajasthan	August 13, 2010
9	HDFCbank	CenturionBankofPunjab	February25, 2008

Review of Literature

Using the CAMEL Approach, Anderibom et al. (2015) investigate the impact of mergers and acquisitions on the performance of commercial banks in Nigeria, with a focus on United Bank for Africa (UBA) Plc. The research relies on secondary data gathered from bank financial records. The author employs a paired sample t-test to compare pre- and post-merger data. According to the findings, M&A had a favourable and substantial impact on the performance of Nigerian commercial banks. Brahma Chaudhari (2010) used the CAMEL method to compare SBI and ICICI. According to the findings, both SBI and ICICI have met the necessary standards and are profitable. ICIC bank, on the other hand, has outperformed SBI in terms of profitability and managerial efficiency. Dr. (Mrs.) PrashantaAthma and A. Bhavani's (2017) study Trends in Mergers in the Banking Sector in India: An Analysis found a substantial difference between mergers in the private and public sectors, suggesting that public sector banks dominated the merger situation. Kalaichelvan K (2011) investigated the impact of mergers on liquidity, operational performance, and profitability, and found that private banks performed better in the pre-merger period than in the post-merger period, while public sector banks performed much better after the merger. S. Devarajappa (2012) investigated the different reasons for mergers in the Indian banking sector. Financial metrics such as Gross Profit Margin, Net Profit Margin, Operating Profit Margin, Return on Capital Employed, Return on Equity, and Debt Equity Ratio were also used to compare pre- and post-merger financial performance of combined banks. Finally, the research concludes that the merger event had a beneficial impact on the banks. Kaur & Kaur (2010) investigated the effect of bank mergers on cost efficiency throughout the post-liberalization period, from 1990-91 to 2007-08. Parametric and non-parametric tests were used to compare the efficiency of the public and private sectors. The average cost efficiency of public sector banks throughout the whole research period was determined to be 73.4 percent for public banks, and 76.3 percent for private banks. It

was discovered that merger programmes had been effective in the Indian banking industry to some degree. It was proposed that the government should not encourage mergers between strong and troubled banks in order to protect the interests of distressed bank depositors, since this would have a negative impact on the asset quality of the stronger banks. Makkar (2013) conducted a comparative study of Indian commercial banks' financial performance. From 2006-07 to 2010-11, the research looked at a sample of 37 banks (22 public sector banks and 15 private sector banks). The top performing bank, according to the research, was IDBI Bank, which was followed by Kotak Mahindra Bank and ICICI Bank. The poorest performance was Dhanalaxmi Bank, which was followed by J&K Bank and Karnataka Bank Ltd. The t-test revealed that there is no significant difference between the two bank groups in terms of management, liquidity position, and market risk sensitivity. The research found that although there is no statistically significant difference in the financial performance of public and private sector banks in India on average, there is still a need for public sector banks to improve overall to strengthen their position in India's competitive market. Using the CAMEL model, Jagjeet Kaur and Dr. Harsh Vineet Kaur (2016) examined the performance of the public sector bank from 2004 to 2014. The findings revealed that Bank of Baroda is in top place, followed by PNB, while the Central Bank of India is in lowest place. According to the CAMEL model, Bank of Baroda and PNB were the most stable banks, followed by Indian bank and IDBI banks. SBI and Canara bank were rated as having a middling performance. The performance of Union Bank, Bank of India, Syndicate Bank, and CBI was deemed below average. Dr. JeelanBasha.V (2018) investigated the Comparative Performance Analysis of Selected Banks Using the Camel Model, looking at the performance of six banks from 2013 to 2017. According to the research, Canara bank performed the best among sample banks throughout the study period based on the average consistency of the CAMEL model. For the data gathered from 2007 to 2011, Aspal and Malhotra (2013) used the camel model and used tests like ANOVA, f test, and arithmetic test to evaluate the financial performance of Indian public sector banks' assets. They came to the conclusion that the topBank of Baroda and Andhra Bank are two of the best performing banks due to their high capital adequacy and asset quality, whereas United Bank of India is the poorest performer due to managerial inefficiencies, low capital adequacy, and poor asset and earning quality. The Reserve Bank of India is in last place, followed by the United Commercial Bank of India and the Bank of Maharashtra. Purohit and Bothra (2018) use CAMEL criteria to compare the performance of SBI and ICICI Bank. They come to the conclusion that ICICI Bank has to enhance its capital adequacy and asset quality, while SBI needs to improve its managerial efficiency, earning quality, and liquidity. Meghana (2015) conducted a

comparative research on the financial performance of India's public sector banks using the CAMEL model. Based on their financial features, this research will examine the financial situation and performance of the Bank of Baroda and the Punjab National Bank in India. The purpose of this research is to assess the relative performance of Indian banks. Public sector banks were utilized in this research. According to the findings, the adequacy ratio, asset quality, management, profits, liquidity, and bank size all have a statistically significant role in explaining bank failure in public sector banks. Using the event research technique, Anand and Singh (2008) examine five mergers in the Indian banking industry to determine the returns to shareholders as a consequence of the merger announcements. Their research shows that merger announcements in the Indian banking sector result in a favorable and substantial increase in shareholder wealth for both bidder and target institutions. Deepak Sahni and Soniya Gambhir (2018) assess the effect of mergers and acquisitions on the financial performance of selected commercial banks in India. A case study of Centurion Bank of Punjab Ltd and HDFC Bank Ltd is used as a case study. For assessing financial performance before and after mergers and acquisitions, the research use the Camel method and the T-Test. Most of the measures relating to capital sufficiency, earnings quality, and asset quality fared well in the research, while most of the ratios linked to management quality (i.e. business per employee and profit per employee) and liquidity ratios did not.

Smaller banking companies are shown to be less efficient and riskier than bigger banking organisations, according to the research. While a single bank and its branch may be successful, the combined assets, processes, and technology platforms of the corporate parents will minimise risk and extend credit in ways that a single bank cannot.

OBJECTIVES

It is suggested that the current research be carried out in order to achieve the following goals:

1. To assess the impact of mergers and acquisitions among State Bank of India , HDFC Bank, ICICI Bank, and Kotak Mahindra Bank between 2008 and 2018.
2. Using the CAMEL (Capital Adequacy, Asset Quality, Management Quality, Earning Quality, and Liquidity) Model, assess the financial performance of chosen commercial banks before and after the merger.

METHODOLOGY

Source of Data: The study relies on secondary sources such as selected banks' annual reports, research papers, and so on.

Sample Selection: In India's banking sector, many mergers have occurred between different banks for various reasons. All commercial banks that engaged in merger activity between 2008 and 2018 were included in the research.

Data analysis tools: In the framework of CAMEL model, financial ratio

analysis tools are utilized to assess the performance of the banks. T-score The Hypothesis is tested using statistical tools to see whether there is a significant change in the performance of the selected banks before and after the merger.

Table-2: Banks' performance ratios (CAMEL)

	Banks	SBI Bank		Kotak Mahindra Bank		ICICI Bank		HDFC Bank	
		Pre	Post	Pre	Post	Pre	Post	Pre	Post
	Ratio	FY15-16	FY17-18	FY13-14	FY15-16	FY09-10	FY11-12	FY07-08	FY09-10
C	CAR	13.12%	12.60%	18.80%	16.34%	19.40%	18.50%	13.60%	17.44%
A	Net NPA	3.81%	5.73%	1.08%	1.06%	2.12%	0.73%	0.47%	0.31%
M	ROA	0.46%	-0.19%	1.80%	1.20%	1.13%	1.50%	1.32%	1.53%
E	PBT(In Billion)	138	-155	31	23	53	88	23	43
L	IDR	31.97%	38.45%	49.37%	38.26%	53.28%	61.16%	47.29%	37.85%

1) Table-2 shows that the pre-merger CAR of SBI, Kotak Mahindra Bank, and ICICI Bank was 13.12 percent, 18.80 percent, and 19.40 percent, respectively, and that the post-merger CAR of SBI, Kotak Mahindra Bank, and ICICI Bank was 12.60 percent, 16.34 percent, and 18.50 percent. Whereas, the CAR of HDFC Bank before the merger was 13.60 percent and increased to 17.44 percent after the merger, indicating that the merger enhanced the bank's capital adequacy performance. Both ratios (before and after) are greater than the usual ratio recommended by Basal II and the RBI. As a result, all four banks were able to meet the minimal CAR requirement. It demonstrates that the banks were properly capitalised before to the merger and thereafter.

2) As shown in Table-2, SBI's pre-merger ratio of Net NPAs to Net Advance was 3.81 percent, but after the merger, it increased to 5.73 percent owing to a rise in non-performing assets. While the pre-merger ratio of Net NPAs to Net Advance at Kotak Mahindra Bank, HDFC Bank, and ICICI Bank is 1.08 percent, 2.12 percent, and 0.47 percent, respectively, the post-merger ratios are 1.06 percent, 0.73 percent, and 0.31 percent. In terms of asset quality, the NPA-to-total advances ratio for State Bank of India is the greatest compared to other banks, indicating that SBI banks have a greater inability to recover their loans than all other banks. As a result, I believe that, with the exception of SBI Bank, all other banks improved their asset quality performance following merger.

3) Table-2 indicates that the pre-merger Return on Assets ratio (ROA) of SBI and Kotak Mahindra Bank was 0.46 percent and 1.80 percent, respectively, which decreased to (0.19) percent and 1.20 percent, respectively, after the merger. While the pre-merger Return on Assets ratios of HDFC Bank and ICICI Bank are 1.13 percent and 1.32 percent, respectively, the post-merger ratios are 1.50 percent and 1.53 percent, respectively. After merging, HDFC Bank and ICICI Bank enhanced the performance of the bank in terms of managerial capacity.

4) Table-2 shows that SBI and Kotak Mahindra Bank's pre-merger profit before tax (PBT) was Rs.137740574 and Rs.31237154, respectively, and that their post-merger PBT was Rs.155282416 and Rs.22724535, respectively. Whereas, the pre-merger Return on Assets ratios of HDFC Bank and ICICI Bank are Rs.53453218 and Rs.22806300, respectively, while the post-merger ratios are Rs.103919499 and Rs.42891365, respectively. As a result, I believe that the merger enhanced HDFC and ICICI Bank's earning efficiency.

5) As shown in Table-2, the pre-merger ratio of SBI and ICICI Bank's investment deposit ratio (IDR) rose following the merger, going from 31.97 percent and 53.28 percent to 38.45 percent and 61.16 percent, respectively. Kotak Mahindra Bank and HDFC Bank, on the other hand, show a decrease following the merger, falling from 49.37 percent and 47.29 percent, respectively, to 38.26 percent and 37.85 percent. As a result, I believe that the merger enhanced SBI and ICICI Bank's liquidity efficiency.

Hypothesis Testing :-

Pre and after merger financial ratios were computed and compared to determine whether there were any significant statistical changes in financial performance using a paired sample t-test at a 5% level of significance.

95 percent confidence level (0.05) (2 tailed). The combined company's results are displayed in the table below.

Table3:Paired SamplesT-testof ICICIBank

		Mean		MeanDifference	STDEV		T-Value	P-Value
		Pre	Post		Pre	Post		
C	CAR	0.148	0.285	-0.137	0.029	0.242	-1.235	0.285
A	NetNPA	0.015	0.014	0.001	0.006	0.009	0.341	0.750
M	ROA	0.011	0.017	-0.005	0.001	0.002	-4.557	0.010
E	PBT	43.430	131.121	-87.691	9.575	28.802	-8.197	0.001
L	IDR	0.459	0.548	-0.089	0.047	0.069	-1.801	0.146

The Null Hypothesis has been rejected based on the results of the t-test (95 percent significance level) we obtained in Table 4. The post-merger Return on Assets (ROA) and Profit before Tax (PBT) of ICICI Bank have a level of significance of P = 0.010, 0.001, respectively, which is less than the p-value 0.05. Whereas the P values for the Capital Adequacy Ratio, Net NPA, and Investment Deposit Ratio are 0.285, 0.750, and 0.146, respectively, all of which are higher than the 0.05 threshold of significance, the Null Hypothesis is accepted. As a result, it can be inferred that the merger primarily affects Return on Assets (ROA) and Profit before Tax (PBT), and that other criteria

did not result in substantial changes in the financial situation following the merger.

Table4:PairedSamplesT-testofHDFCBank

		Mean		Mean Difference	STDEV		T-Value	P-Value
		Pre	Post		Pre	Post		
C	CAR	0.124	0.166	-0.042	0.009	0.005	-7.335	0.002
A	NetNPA	0.003	0.002	0.001	0.001	0.001	1.550	0.196
M	ROA	0.014	0.018	-0.004	0.001	0.002	-3.049	0.038
E	PBT	13.742	80.287	-66.546	6.107	33.391	-5.451	0.006
L	IDR	0.533	0.366	0.167	0.064	0.018	5.553	0.005

Table 4 shows the post-merger Capital Adequacy ratio, Return on Assets, based on the findings of a t-test (95 percent significance threshold).

Null Hypothesis has been rejected for HDFC Bank's Return on Assets (ROA), Profit before Tax (PBT), and Investment Deposit Ratio (IDR) with a level of significance of P = 0.002, 0.038, 0.006, 0.005, respectively, which is less than the p-value 0.05. Null Hypothesis is accepted since the Net NPA P value is 0.196, which is higher than the 0.05 threshold of significance. As a result, only Net NPA is unaffected by the merger, whereas other criteria resulted in substantial changes in the financial situation after the merger.

CONCLUSION

During the process of evaluating bank performance, our research discovered that private sector banks performed better than public sector banks such as SBI. Only ICICI Bank and HDFC Bank gained inorganic growth after the merger, whereas the State Bank of India (SBI) and Kotak Mahindra Bank lost it. However, Kotak Mahindra Bank seems to be regarded as better than SBI.

Overall, it can be stated that ICICI Bank's performance after the merger and acquisition is the best, followed by HDFC Bank, SBI, and Kotak Mahindra Bank. While Kotak Mahindra Bank's PBT is negative, it is at least better than SBI's.

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VIOLENCE AGAINST WOMEN: A STUDY OF AMRITA PRITAM'S NOVEL PINJAR

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Woman has been the victim of different types of violence in all the ages. Violence against women can be of mental or physical nature and can be inflicted at individual, interpersonal or collective levels in social political, religious or domestic domain some causes of violence against women are sexual harassment, forced marriages, victims of rape, male child preference and suspicion.

In any upheaval when sectarian passion are aroused or violence reign supreme whether it is caste or communal violence or inter-state wars, women often became the worst victims of rival groups. (Iqbal p. 211) The increasing incidents of abductions and attacks on the women during the 1946-1947, undoubtedly, reflected the attempts to expose the most protected aspects of the other's honour and self-identity. Like the gender aspects of the partition, the experience of women as both victims of survivors of violence is absent from standard historical accounts. Urvashi Butalia has rightly observed that 'historians have paid little attention to the experience of women during the partition. (Butalio pp. 4-5) A resounding silence surrounds the questions of women during and after partition. It may seem a truism to say this but it bears remembering that at least half of million who were dislocated, killed or uprooted were women.

The orgaics of violence, abduction and rape the mutation and disfigurement of living and dead, the forcible recovery of women all this

ripped apart the very fabric of society. The story of partition, the uprooting and dislocation of people was accompanied by the story of the rape, abduction and widowhood of thousands of women on both sides of newly formed borders. While men belonging to the other community were killed, women were not let off in a show of compassion, instead, they abducted. Thus only the form which the violence took differed. (Bahri p. 220)

Violence, towards women during the partition was an assault not only on her body, but on her family her culture and her nation, a display of the wounded, an admission of violation were tantamount to an admission of public defeat for the community : whose women had been violated. The widespread collapse of law and order in 1947, was attended by of collapse of moral values, or perhaps in some cases an intensified expression of normal immoral behaviour, so that large number of men lost their sense of humanity and deliberately trampled on the virtues of women whose only crime was that they belonged to the different religious community.

Pinjar by Amrita Pritam, one of the best novels written under the backdrop of partition of 1947, is a saga of pain and pangs experienced by women during pre and post partition period. It tells of women's abduction, dislocation and loss of identity. Here Pritam has closely observed the dark and violent atmosphere of partition. The novel Pinjar means a skeleton in Punjabi is the best description and picture of the torments, struggles, violence, murders and rapes and so on. The division of India into two states India and Pakistan was a dark time in Indian history.

Amrita Pritam's novel Pinjar narrates the gendered experience of trauma and suffering of partition. The novel is an exact picture of the violence against women during partition of India in 1947. It portrays the plight of women; their struggle and suffering due to the perpetrators of violence either, in the name of culture, religion or societal norms.

It is a story of abduction of a young girl Puro by a man (Rashid) of a rival religion in order to avenge the family enmity. It is a saga of Puro's journey of transformation from Puro to Hamida, her loss of identity and her agony. The novel is a critique of the society at large which considers the woman as a property to be usurped and used according to its wish, as Menon and Dhaawn rightly observed that : "(The) material, symbolic and political significance of abduction of women was not lost ... on the women themselves ... their communion or on ... governments. As a retaliatory measure, it was simultaneously as through the appropriation of its women." (Menon 13)

The novel highlights the women's sufferings, exploration and sacrifices because of their dislocation and abduction during partition. The novelist critically explored the ways in which the destiny of its protagonist Puro eventually becomes the fate of thousands of women at the time of partition.

The novel centers on a Hindu girl, the woman protagonist, Puro. It is a tale of her abduction, migration, marriage, loss of dreams and experience. On the other hand, the novelist highlights the Muslim protagonist Rashid, a lover of Puro abducts her and forcibly married with her. The partition time is the dark episode in the people's life in general and women in particular. Puro, a Hindu girl betrothed with a neighbouring village Hindu boy, Ramchand. Puro, the girl, haunted to see Ramchand, the husband. But unfortunately she became the victim of partition and kidnapped by Rashid. Rashid, a Muslim by religion who secretly loves Puro one day finds opportunity, abducts her and marries. Partition time was such time in which the Muslim and Hindu people fought with each other.

During Partition the people, though they may be Hindu, Sikh and Muslim feel pride in taking revenge against the opposite religious women. It was such a worst time in which only women suffered a lot. During these days if somehow they manage to run away and back to their families; family members have not accepted them. Some thinks that once the girl violated (Kidnapped) then who will marry with her. Puro somehow manages to run away from Rashid but her family members won't accept her. The people also think that if they allow her or accept, the Muslims will kill all the family members. Puro got no support at home, instead parents has closed the door. Finally Puro has no option except Rashid, the abductor, she returns to Rashid. Meanwhile Lajjo, Ramchand's sister and wife of Trilok, Puro's brother kidnapped by Muslims. Puro somehow manages to free Lajjo from the Muslims with the help of Rashid, her husband.

The partition of India highly concentrates on the lives of women and their struggle, anger, loss and so on. It is the partition in which women are suffered at all levels. It also centers on the patience and sacrifice of women. It is also about hatred and affection, love and sorrow, loss and gain of women. Puro, the representative of all rural women of the time and her helplessness and pity on her fate is nothing but the 'Skelton', no thought and no movement.

The novel centers on the Gujrat district and the surrounding villages like Chhatoani & Rattoval. The novel Pinjar covers a span of decade from 1935 to 1947. The novel centers on the life of a Hindu money lenders of the village - Chhatoani. The routine of the people was sound and a young girl of the family named Puro was engaged to Ramchand. Ramchand was a son of a Hindu Money lender of a neighboring village Rattoval. Puro and Ramchand newly engaged dreams of their future life. Puro desires to see Ramchand and tries her best to meet him by standing on the road which goes to Rattoval. At the same time country is divided and both the villages of Puro and Ramchand's fall in Pakistan territory. The novelist focuses on the situation before and after partition. The novelist bitterly satirizes the political leaders and their decision of separation of Hindu and Muslim. The very decision transformed into communal riot and the nation lost the very principles on which it stands. Though the villages full with Muslim population, but before partition the

villages dominated by Hindu money lenders. The situations reversed during partition and Muslims dominated the villages. The innocent girl like Puro kidnapped and forced to marry with Muslim. The girl/women once kidnapped means she was polluted, if she wished to come back, she can't.

Lajjo is the girl who has also experienced the same like Puro. Each opposite community abducts the women. Sometimes the people loots and kidnaps the group and women are in their journey to refugee camps. Women have no safety during partition and men were helpless. As a result these communities feel proud to violate opposite community women. The novel also highlights the extreme violation of women. The people before partition were happy among each other, living unanimously and in humanity. The partition changed the minds of the people and in the fortnight became the enemies of each other. The people of both Hindu and Sikh at one side and Muslim on the other during these days the people abducts the women and force them to walk / parade naked throughout the villages. The novel highlights the large scale of women molestation during partition. During these days women were not safe at any places, even in refugee camps also. The refugee camps were called the safe places for women and it is said that they were fully protected by military guards. But the reality was different, the novelists narrates the situations at the refugee camps as follow;

There was a refugee camp in the adjoining village set up for the Hindus and Sikhs. The camp was guarded by the military. But daily the Muslim hooligans would come and take away young girls from the camp at night and bring them back next morning. (Pritam 56)

Thus, women became the worst sufferers during partition. The abducted women subjected to mass rape and sometimes they paraded naked and finally the so called refugee camps were also not safe for them. Lajjo also experienced the same and finally Puro succeeds to free her. Lajjo finally joins the family. On the other hand Puro prefers to stay in Pakistan with Rashid. Puro caught in marriage bond and love of Rashid towards her doesn't permits her to go to India. The novel Pinjar is about the fate of women and social abuse. The partition is not the only incident responsible for the pain and suffering of women but there are so many issues since the beginning. The novel highlights the darkest incident in the history in which only women suffered.

The partition of India and the communal riot between Hindu and Muslim gave birth to their past memories. Puro or Lajjo's abduction by Rashida is out of family fend beside communal hatred between Hindu and Muslim. The partition highlights the earlier feud between Hindus and Muslims. The Shaikhs and Sahukars of the village Chhatoani were not on good terms. It has a story, once the so called Sahukar to whom the family of Puro belongs, has attacked on the Shaikh family for a small reason. The same attack resulted into destroy the

honour of Shaikhs, the sister of Rashida's father was abducted and kept at Puro's house for three nights. The partition was the proper time to take the revenge and Rashida abducts Puro, as woman for woman. The woman, though she may be Hindu or Muslim, men use them as an entity of honor killing or a way of taking justice. Puro couldn't understand the situation or the reason behind her abduction. On the situation Rashida clears his intention behind the abduction as follow;

It was my love and the prodding of the Shaikh clan that made me do this. But I cannot bear to see you so sad ... If the Hindus want to keep their heads on their shoulders, they had better stay quiet. (Primta-103)

Rashid got the proper opportunity to clear the old dispute. Puro became the victim of it. Rashida couldn't forget that they both belong to different religions and enemies of each other.

The Muslims domination or upper hand in the village is the other reason behind the Puro's abduction. So the Hindus in general and Puro's parents in particular don't dare to take her back. Puro has to marry with Rashida but she cannot easily accustom to the Muslim ways of life. The novelist narrates the pathetic condition of Puro and her double identity

In her dream, when she met her old friends and played in her parents' home, everyone still called her pooro. At other times she was Hamida. It was a double life: Hamida by day, Pooro by night. In reality she was just a Skeleton, without a shape or a name.

Puro, thus caught in trouble and not happy with Rashida. Though she is with Rashid physically but heartily she thinks of Ramchand. Puro still hopes of her better life and Ramchand will come and take her away. Being a woman and an object, she experienced a lifeless and senseless life like a Skeleton. In the course of time Puro gives birth to a child (son) and Rashida and feel family be came joyful and feel triumphant. On the other hand Puro failed or loosed everything.

The partition was thus, the worst experience for all, though he / she may Hindu, Muslim or Sikh. Beside women exploitation, there was a great loss of the properties (farms, houses and businesses). Puro one night sees a horrible dream of loss, violence and burning of the villages. A dream came true and the very next day tremendous communal flare up in the village. Trilok, Hamida's brother burns the Rashida's Crop. And the inhuman atrocities began throughout the Sub-continent. The houses and properties of Hindus and Sikhs put on fire and destroyed.

The novelist, Amrita Pritam juxtaposes the two natures at one side Puro and on the other Rashida. Rashida changed his nature in the course of time beyond imagination and became a very kind and considerable man. The very nature of Rashid compels Puro to compromise with him and accept him as a partner. On

the part of Rashid it is the triumph of human kindness and goodness that makes him to adjust with Puro and help the other victims like Lajjo.

The novel Pinjar is thus an excellent novel written by Amrita Pritam. It is a tale story of women exploitation and their fate. During partition women became the object and women like Puro, Kamoo, Taro and so on have to experience the chaotic situation. The women and their overall world-love, emotions and feelings like mere Skeleton, without flesh and blood. Thus, Puro became the representative of all suffering women.

Pinjar / The Skeleton is a saga of helplessness of women and the struggle for survival of the individual amidst the socio-political and cultural forces. It is also about a tragic tale of conflicting loyalties which is resulted as a horrifying appearance or nothingness (no life -no flesh) metaphorically. The loss of dream will and desire means death and death means the Skeleton. It is such type of loss not only destroys one's identity but also security and a purpose of living. A Skeleton means a sense of absurdity in existence, and a frame of bones without flesh and blood.

The novelist has portrayed the character of Puro as a masiah or an incarnation. Though Puro has gone through various pains and sufferings but stands as a support or light for other girls like Lajjo. At the very beginning she changes the mind of Rashid and he stands beside her to help the needy, suppressed and oppressed. She helps such grief - stricken girls of the village exploited by both Hindu and Muslim families. By her service and sacrifice, Puro wins the heart of everyone. She forgets herself / her identity that she is a Puro or Hamida and her own life like a Skeleton. As a social reformer Puro socializes both the communities as easily as possible. Puro burns in rage when she hears the abduction of girls. Puro knows that such girls will be thrown out or forced into unwanted marriages and enslaved for the whole life like her. In her socializing activity she succeeds in locating Lajjo and rescues her from the abductor. Puro gets the first and last opportunity to return to India. Puro rejects the offer and accepts the fate.

Pritam aptly represents in Skeleton that how women become a victim of oppression. "Feminist epistemology; and philosophy; of science studies the ;ways in ;which gender ;does and ;ought to ;influence our ;conceptions of ;knowledge, the ;knowing subject;, and ;practices of ;inquiry and ;justification. ;It identifies ;ways in ;which dominant ;conceptions and ;practices of ;knowledge attribution;, acquisition;, and ;justification systematically ;disadvantage women ;and other ;subordinated groups;, and ;strives to ;reform these ;conceptions and ;practices so ;that they ;serve the ;interests of ;these groups; ;" (Anderson). ;The characters ;of Amrita ;Pritam tell ;tales of ;gender, ;racial and ;ethnic complications ;shedding light ;on the ;challenges faced ;by victims ;of war ;but the ;focus of ;this paper ;is the ;feminist aspect ;of Amrita ;Pritam's work ;and the ;application of ;the Situated ;Knowers Theory ;to her ;novel and ;various Female ;characters. ;Furthermore, ;as Situated ;Knowers, ;the characters ;of Pritam's ;have knowledge ;regarding the ;social

oppression, subjugation and extreme conditions faced by women but they acquire the status of survivors. One of the largest forms of aggression of one community over the other has usually been physical attack on women. These acts have been perceived as acts of dishonoring the whole community. There has been the notion of the protection of the "honor" of the women in each of the communities that women were forced to either commit suicide to obstruct the humiliation of getting sexually assaulted and dishonored, or they were actually murdered. Various writers describe the sexual aggression suffered by women, their bodies injured and disfigured. Ironically, male members chosen to kill women of their family or community in order to safe guard their self respect. Women were idolized as epitome of honor although she was neglected in family and family decisions but she was an easy target for sexual assault and bringing dishonor to particular family or community. It is evident from Pritam's writing that her real strength was in the genuineness and realness of her experience and the demanding sincerity of her voice to speak truth and nothing but truth. But above all, she had given voice to the long muted and muffled voice of the war victim woman seeking her human dignity.

Woman has been the victim of different types of violence in all the ages. Violence against women can be of mental or physical nature and can be inflicted at individual, interpersonal or collective levels in social political, religious or domestic domain some causes of violence against women are sexual harassment, forced marriages, victims of rape, male child preference and suspicion.

Amrita Pritam heaves a feminist voice through the speaking women characters of her novel *Pinjar* /skeleton author describes the agony of women during partition despite of their religion. The novel shows that communal hatred was mainly and deeply rooted in the minds of Hindus and Muslims. The novel is a saga of the sorrow and compassion of women of both sides. Author appropriately draws the woman dilemma and frustration in the novel through various incidents. The story also represents the canvas of manipulate partition and consolidate political power. The female characters in *Skeleton* make vigorous statement about plight of victims of war on both sides. Pritam in her novel illustrated through various incidents, how women had to go through a substantial amount of atrocities, hardships and how their identities were thrashed. *Skeleton* highlight the suffering of their female protagonists, their journey through war and adjustment post war.

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UNDERSTANDING DEENDAYAL UPADHYAYA'S VISION OF INDIA THROUGH GANDHIAN PERSPECTIVE

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Abstract

This paper attempts to reflect on the ideas of Deendayal concerning the future of India. It also reiterates the points of convergence between Deendayal's thought with that of Gandhi's dreams of India. The contribution of Deendayal in the making of India as an independent Nation free from any discrimination on religion, caste, creed, colour, etc. needs to be understood in the light of the contemporary debate on nationhood. The paper consists of three parts. The first part expounds Deendayal's ideas of India as put forward in his lectures 'Integral Humanism'. The second part is a reflection on Deendayal's *Dharmarajya* along with Gandhi's *Ramrajya*. The third part points out the convergence between Deendayal and Gandhi with regard to the vision of India.

Keyword: *Dharmarajya*, Integral humanism, *Ramrajya*, *Sarvodaya*, and Trusteeship

I

Deendayal Upadhyaya was a visionary. He had a deep concern about the future of post-independent India. As he noted, "What would be the face of the new Bharat (India) after independence? In which direction were we to advance?" (Vasant, 2002:2). He was unsatisfied with the direction the country was heading. He felt that the country was moving towards the Western way of life, threatening the age-old rich cultural heritage of the country. His primary consideration was to preserve, protect and promote the rich cultural heritage of the country. He advocated that our people should take pride in their rich

heritage and unique distinctiveness rather than blindly following other ways of life. According to Deendayal, independence would be meaningful only when our people exercise their human creativity while remaining deeply rooted to their cultural and social ethos. He emphasized that one should systematically examine, “scrutinize and improve upon them, wherever possible before accepting” (Vasant, 2002:9) any ideology or socio-economic political doctrines. The reasonableness and rationality must be the main guiding factors. As the saying goes that ‘one should cut the cloths according to his own size’, before one embraces the Western way of life and value one should see whether this would be suited to the Indian way of life and whether this would really bring progress in the true sense of the term, whether we would be able to achieve happiness and prosperity. While stressing that preservation of national identity is fundamental for the progress and development of a country, he stated that one of the ways in which our country could advance is through the preservation of our national identity. When we are aware of our national identity, we could recognize and develop all our potentialities (Vasant, 2002:5). He considered the neglect of national identity as “the basic cause of the problems facing Bharat” (Vasant, 2002:5). In this regard, he particularly emphasized that people’s representatives have a leading role to play in the material and spiritual progress of the country.

He was critical of the Western standards and the identification of Westernization with progress and development. He drew a distinction between Western way of life and Western science. He stated that Western way of life and its values are not suited to the Indian soil. Westernization is not synonymous (Vasant, 2002:6) with progress. He was deeply critical of unthoughtful imitation of the West at the cost of utter disregard of the indigenous culture. He was optimistic about the possibility of the Bharatyia (Indian) culture emerging as the main driver for the attainment of common human goals and for the spiritual progress of mankind. While he was totally against blind imitation of the Western cultures, he appreciated Western science considering it as universal and worthy to be learnt. He, in fact, applauded the advancement brought about by Western science and technology and opined that one must suitably adopt them to overcome modern day challenges; and use them to reshape our lives. Considering the several positive aspects associated with Western culture and science, he advocated for reconciliation of our cultural ideals with that of the Western ideals of Socialism, Liberalism and Democracy and thereby sought to evolve an integrated and holistic approach towards life. Thus, the focus was given on the overall integral development of man and enrichment of human society by syncretic union of the indigenous moral and spiritual values with those of the advancement brought about by Western science and technology. Imbibing these principles in our thought process was the key to successfully encountering new and varied challenges in our lives. He, therefore, favoured a thoughtful reconciliatory model, a synthetic approach whereby while we strongly strive for preservation of our country’s rich moral and spiritual

culture, we must also be receptive to the new opportunities brought about by the Western science and technology.

According to Deendayal, the distinctiveness of Indian culture is the integrated view of life. He stressed that life is an integrated whole and all the activities are integrally related to each other. The basic unity of life underlying the differences is explained by the four fold aspirations of man (*Purusarthas*) – *Dharma*, *Artha*, *Kama* and *Moksha*. *Dharma* is of primary importance. He considered human beings as an organic entity composed of body, mind, intellect and soul – any socio-economic and political philosophy must take into consideration these diverse aspects of man for both individual and social well-being. He further stressed that the body is truly the primary instrument to discharge the responsibilities that *Dharma* enjoins. The fundamental difference between our position and that of the West is that whereas they have regarded the body and the satisfaction of its desires as the aim, we regard the body as an instrument for achieving our aims. The satisfaction of our bodily needs is not the sole aim of all our efforts (Vasant, 2002:19-20).

As noted by Deendayal, here in Bharat, we have placed before ourselves the ideal of the four-fold responsibilities of catering to the needs of body, mind, intellect and soul, with a view to achieve a level of all-round perfection (Vasant, 2002:42). It regulates *artha* and *kama*. *Dharma*, *Artha* and *Kama* are mutually complementary and integrally related to each other. Each of them is essential for the attainment of *Moksha*, which does not merely mean denouncing the worldly life but self-perfection and self-reliance in the world.

The concept of a balanced life, integrated view of life, a complete human being is to consider an individual as comprising of body, mind, intellect and soul “as not limited to singular ‘I’ but is also inseparably related to the plural ‘We’” (Vasant, 2002:22). He pondered over the thought of advancing human society through the concept of integral human beings. This integrated view of life is, in fact, a characteristic of Indian culture. Accordingly one must widen the horizon and think of the group as social beings and eventually of the whole mankind. The true meaning of freedom lies in the freedom to be in harmony with others for which an integrated balance personality is essential, “the freedom to summon one’s inherent physical, mental, emotional and spiritual powers in the service of one’s own self and of others” (Chaturvedi, 1993). As such, he subscribed to the idea of unity in diversity and the expression of unity in various forms as the central thought of Bharatya (Indian) culture (Vasant, 2002:14). He emphasized mutual co-operation as sustaining man’s life and relationship and criticized mutual conflict as “a sign of cultural regression” (Vasant, 2002:14), “a symptom of degradation” (Vasant, 2002:14).

II

Deendayal gave top priority to determination of national identity. In fact, he even considered determination of national identity as more important than our country’s independence. Building up a national identity was critical to bring about unity in a country like ours that is inhabited by people of diverse cultures. What determines the national identity? What is his concept of

Nationhood? What constitutes the national identity – the living force that binds the differences into one nation? Deendayal considered *dharma*, which is basically grounded in the Vedic thought, as the binding force of diverse cultures that exist in our country. *Dharma* being essentially Hindu in character, one pertinent question that naturally arises is whether this subscription amounts to creation of a Hindutva? Does this imply that Hinduism is an all-encompassing religion that is inclusive in its world view? Does Hinduism treat diversities, in terms of religion and culture, equally or does it assimilate them under its all unifying umbrella? If it treats all religions and cultures equally, then why are there instances of religious intolerance and violence in the form of demolition of mosques, attacking of Christian missionaries, Godhra riots and so forth. If it is assimilative in its character, then there are issues of recognizing and bringing the diversities together under a democratic framework such that the diversities could be harmonized.

Deendayal also put forward the idea of establishing a *Dharmarajya* with the intention of binding the diverse cultures into one nation, in a sense using it as a unifying life force. What is a *Dharmarajya*? Whether the concept of *Dharmarajya* is a *rajya* based on moral principles, which is the essence of all religions, not centered on any specific religion? Are they religion based moral principles or the Hindutva ideals, which many alleged it to be? If they are Hindutva ideals, then the natural question that arises is how *Dharmarajya* can harmonize the interests of different cultures and safeguard the nation's unity?

India, being a land of diverse cultures and varied ways of life and belief systems, requires a non-sectarian model. His conception of *Dharmarajya* is founded on the Vedic principles but Indian culture and social life does not mean an imposition of old age tradition which is free from shallow interpretation of *dharma* as religion. One needs to examine it thoroughly so as to avoid any misconception of equating India to the ideology like Hindutva which is exclusively confined to one religion in particular.

Deendayal was very clear about his notion of *Dharmarajya*. When he talked of *dharma* he did not mean it in the sense of religion. In his lectures he said that *dharma* and religion are different. "Religion means a creed or a sect; it does not mean *dharma*. *Dharma* is very wide concept. It is concerned with all aspects of life. It sustains the society. Even further, it sustains the whole world. That which sustains is *dharma*" (Vasant, 2002:32). Thus, for Deendayal, *Dharmarajya* did not mean a theocratic State (Vasant, 2002:36-37) but a State that is based on *dharma*, as the moral principles, the sustaining force, the regulative, co-ordinative and integrative principles. It should not be taken in the sense of religion as based on certain creed, sect or system of rites and ceremonies. Thus, for Deendayal, *Dharmarajya* was not synonymous to Hindutva. The real nature of Indian civilization, the distinctiveness of Indian consciousness is not necessarily confined to one specific religion. The Indian civilization is not a product of one system of thought. It is a product of syncretisation of various socio-cultural ethos and values that have taken place over the ages. There are diversities and differences. The differences are to be

accepted and harmonized. Differences are phenomenal and are at the practical level. Underlying the diversities there is unity, the sense of oneness, the essential unity, and the spiritual oneness which has been taught by the Vedic aphorism – “Reality is one while the seers speak of it differently”.

Deendayal’s thought was inspired by the four-fold aspirations of life and his concept of integral man was essentially founded on these aspirations of life. According to him, *dharma* is the supreme, which constitutes the soul force, the binding force of society. It is *dharma* that sustains society. Thus, he insisted on the idea of *Dharmarajya*, a State founded on *dharma*. Deendayal stressed on the underlying philosophical meaning of *dharma*. He wished to apply this principle for the good of the individual and the harmony of the Nation. For man is integral in a nation's progress. He clearly stated that *dharma* is nothing to do with religion. *Dharma* is the universal moral principles and is not confined to any specific religion. It allows the freedom to worship any religion and belief systems that one chooses. He viewed that the State has the responsibility to maintain an atmosphere in which every individual can follow the religion of his choice and live in peace. He emphasized the primacy of *dharma* in all affairs. Here neither the king nor is the State Supreme. “In our socio-political set-up the king and the State were never considered supreme” (Vasant, 2002:42). The State is basically to protect the Nation and maintain conditions such that the ideals of the Nation could be translated into reality. State is not the Supreme. It is an institution that exists to ensure law and order, stability in the society. Thus, Deendayal rightly considered the primacy of *dharma* in all affairs of life.

Deendayal wanted to construct socio-political and economic programmes in conformity with the traditional Indian value system taking into account the scheme of *Purusartha*. According to him, the clearest expression of the Indian consciousness, its underlying life force (*Chiti*) finds its full expression in *dharma*. His vision of the future India lies in *Dharmarajya*. He believed that this would bring harmony to individuals and society. It would also maintain the integrated and interdependent social units.

Keeping in view the above philosophy, Deendayal laid out the political and economic contents of his vision of India (Vasant, 2002:51-52) in the following ways:

- Assurance and further increase of minimum living standard
- Contribution to world progress
- Develop appropriate technology
- Protect culture and other life values of India
- Free healthcare and free education
- Decentralization and self-reliance.

He strongly advocated that all policies and programmes should be people-centric by taking into account of the people’s goodness (the ultimate goal of his concept of *antyodaya*). He felt that when the government is run based on the principles of *dharma*, there would be unity and discipline. It would generate trust and confidence in the public mind that the country could move

“towards the cherished dream of all round development in the lives of our countrymen” (Vasant, 2002:10).

By advocating establishment of a *Dharmarajya*, Deendayal basically inherited Gandhi’s vision of a new society. Deendayal’s *antyodaya* is quite similar to Gandhi’s *sarvodaya* in the sense that both strived for the good of mankind and human society. Gandhi’s *sarvodaya*, the Trusteeship concept, reconstructive programmes for socio-economic political development of the country and focus on decentralization and self-reliance are all reflected in Deendayal’s thoughts and policies as evident in his political and economic content of his vision of India as discussed above. Gandhi intended to establish *Ramrajya*, a state based on moral authority, truth, justice and non-violence. *Ramrajya* is Gandhi’s concept of an ideal democratic republic which he formulated in his scheme of Panchayati Raj. It is a kind of Government founded on the principles of truth and non-violence. Gandhi said “by *Ram raj* I do not mean Hindu raj, I mean *Ram raj*, divine raj, the kingdom of God” (Manisha, 2002:109). It does not mean here the historical Rama of the Ramayana as such. For Gandhi Rama symbolized justice and equity, truth and charity (Manisha, 2002:110). It basically refers to the lofty principles of religion which should guide every individual and the different political, economic and social systems existing under it (Manisha, 2002:110).

III

The ideas led down by Deendayal in his *Integral Humanism* had certain convergence with Gandhi’s thought as expounded in his *Hind Swaraj*. One fundamental difference between Gandhi’s *Hind Swaraj* and Deendayal’s *Integral Humanism* is that the former was written prior to India’s independence at the time of British Rule, while the latter was presented in the form of a series of four lectures, seventeen years after India’s independence. *Integral Humanism* contains Deendayal’s apprehensions for the future of India. He felt that, despite becoming an independent sovereign, democratic, republic, the mindsets of the people of India were still guided by Western lifestyles, neglecting the country’s rich cultural heritage and ethos. Chaturvedi Badrinath has succinctly observed Deendayal’s apprehensions for the future of India in the following lines “He makes some obvious criticisms: that Indian politics has turned into a free hunting ground for the unscrupulous, the opportunists, and the unprincipled; that the disorder of today is caused, first of all, by the lack of knowledge as regards the goal and direction of the national life; and complete disregard for Indian consciousness. His aim, however, is not to compile a list of all that is wrong with Indian polity today. Rather, his concern is to battle with that one fundamental error of perception in which all the ills of Indian society originate” (Chaturvedi, 1993). This exactly echoes Gandhi’s apprehensions concerning the future of India. Both the thinkers lauded the importance of service, sacrifice, integrity, commitment on the part of people’s representatives rather than focusing solely on mere “gains in elections or in positions of power” (Vasant, 2002:5) as the motivating factors to win people’s trust. Both of them dreamt of an all-inclusive, forward looking

independent India which shows reverence and equal respect to all ways of life.

Gandhi had a vision of a kind of government run by the representatives of the people who have contributed to the growth of the country and who have firsthand knowledge of the actual problems facing by the people. He visualized a government which can safeguard the interest of the minorities and promote justice, equality and respect for all human beings. Deendayal intended to work towards the actualization of this vision of Gandhi.

Gandhi considered service to humanity as the highest form of religion. He visualized a new society, non-exploitative with freedom and prosperity for all, the ideal village republic. Like Gandhi, Deendayal also believed in self-government (*Swaraj*) and visualized for India a decentralized polity and self-reliant economy with the village as the base. Both emphasized on self-reliance in economy, agricultural, balanced life and man making process. Both of them had a deep concern for the Indian Nation and its social, political, economic and cultural problems. Both remained deeply rooted in the traditional values and were critical of the Western way of life.

To conclude, we may say that Deendayal's thought is in a way a corollary of Gandhi's view as expressed in his *Hind Swaraj*. It is an elaborate formulizing approach with a socio-political and economic praxis which is required today. Gandhi's broadmindedness, dedicated selfless sacrifice, real concern for country's well-being and people oriented constructive policies and programmes that encompassed all mankind are also reflected in the life and work of Deendayal.

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CULTURAL HERITAGE TOURISM IN BUNDELKHAND REGION: CHALLENGES & OPPORTUNITIES

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Abstract

In today's scenario culture has become a major source of tourism. India is a land of art, culture, and heritage and it has always been famous for its rich cultural diversity. Indian rich cultural heritage attracts millions of tourists every year. India has registered massive growth in heritage tourism in the last few decades. But still, there is a lot to explore and it has immense possibilities for cultural and heritage tourism. The purpose of the paper is to highlight the archeological sites of the Bundelkhand Region of Uttar Pradesh. Effective promotion of heritage tourism will provide a boost to the financial system of the Region. Since the study area i.e. Bundelkhand region, is considered to be socio and economically backward region owing to its geographic location and topography but rich and glorious past, promoting heritage tourism can prove a significant tool for the up-liftment of the rural population in the general and overall development of the region in particular. In this research paper, an effort has been made to explore the ways and means to expand and endorse heritage tourism in the so-called socio-economically backward Bundelkhand Region in central India.

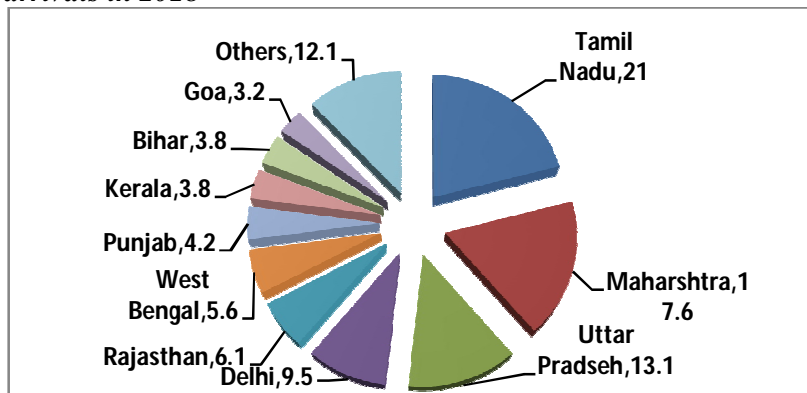
Keywords: Cultural & Heritage Tourism, Bundelkhand, Opportunities, Challenges

1 Introduction

At this time, the tourism industry is the rapidly growing industry. Many countries of the world are trying to attract more tourists and they have been

increasing the tourism business. In the continent of Asia, China has obtained great achievement in the field of tourism. According to U. N. W. T.O., China ranks first in Asia and fourth in the top 10 international tourist arrival countries in the world. China has secured its place after France, the United States of America, and Spain. India is also a developing and second-most heavily populated country after China. We need to learn ways and means to expand the tourism business from China. However, The Ministry of Tourism; Government of India has made quite a lot of important efforts to attract and encourage International tourists and domestic tourists as well. According to the Ministry of Tourism, there has been a rise of 3.3 percent in FTV (foreign tourist visits) in the year 2019 and a 7.4 percent rise in overseas trade wages in comparison to the year 2018. India recorded over 720 thousand foreign tourist arrivals into the country in June 2019. E-visas became a popular choice for foreign nationals choosing to visit India and rose as the top choice for travelers. Over one million tourists have opted for the e-tourist visa in June 2019. According to the World Economic Forum's (TTCI) Travel & Tourism Competitiveness Index," India ranked 34th in 2019 from 65th in 2013. However, the increase of foreign tourist visits to India reduced to 2.7 percent in the period of January to October 2019, according to the Economic Survey 2019-20 by Economic Times and the trend of slow down is not only in India but it has happened globally from 7.1 percent in 2017 to 5.4 percent in 2018. India received 28.87 million foreign tourists and 1854933384 domestic tourist visits in the year 2018. Tamil Nadu received 6074345 foreign tourists in 2018 and it is the most visited destination by both domestic and international tourists. Maharashtra received 5078514 foreign tourists and the second most visited state in India. The third most popular tourist state destination in India is Uttar Pradesh, it received 3780752 foreign tourists. After Uttar Pradesh Delhi has 2740502 foreign tourist visits, Rajasthan has 1754348 foreign tourists, West Bengal received 1617105, Punjab has 1200969 foreign tourist arrivals, Kerala has 1096407, Bihar received 1087971, and Goa has 933841 number of foreign tourist visits.

Figure 1: Major States or UTs in India in % share of international tourist arrivals in 2018



Source: Annual Report 2017-18 Ministry of Tourism, Government of India

Uttar Pradesh is the home of a large number of heritage monuments and historical sites. Taj Mahal is the most visited historical monument and attracts a huge amount of tourists in Uttar Pradesh.

As the area of the study Bundelkhand region, is located in central India. The area of Bundelkhand is geographically & culturally very rich. The region covers the area of Uttar Pradesh and Madhya Pradesh both states. There are total 13 districts, 7 districts - Jhansi, Lalitpur, Banda, Mahoba, Jalaun, Hamirpur, and Chitrakoot are the part of U.P. and 6 districts - Datia, Tikamgarh, Chhatrapur, Panna, Sagar, Damoh covers the area of M.P. Khajuraho, located in Chhatrapur district and Orcha is in Tikamgarh district, both are the world-famous tourist destinations. Khajuraho is just like a paradise for tourists interested in history, art, and culture. This city of temples built with stoneware stones is world-famous and also the UNESCO's World Heritage Site. Khajuraho is well connected by air to Delhi, Varanasi, Agra, and Kathmandu, Khajuraho Airport is situated at a distance of Three km from the city. It is also well-connected by rail and road. All types of hotels and tourist facilities are available here. Apart from Khajuraho, Orcha is also a famous tourist spot with international and domestic tourists, a large number of tourists visit the famous Jahangir Mahal. It is the main attraction and a symbol of the friendship of the Bundelas (the rulers of Bundelkhand) and the Mughal ruler Jahangir. The glorious Ram raja temple is also a very important and historical site; it is the only temple in India where Lord Rama is worshiped as the king. A large number of tourists visit Orcha and Khajuraho, while there are many other beautiful and picturesque rural and historical places that can be promoted for heritage tourism in the region.

The data has been gathered through secondary sources. The researcher personally visited some areas like Kalinjar, Jhansi, Baruasagar, Samthar, and Datia, while the secondary data has been gathered by different international and national journals, books and websites of the "Ministry of Tourism, Government of India" and Uttar Pradesh.

Literature Review

Richards, (1996a) has explained culture as a way of life and the products of particular or individual culture. While (Shore 2006) describes culture as the sum of substantial and rational products that people create as in a limited intellect, it indicates the admiration of art, literature, language, etc. Richards (1996a:24), has given the well - acknowledged theoretical meaning of cultural tourism, The action of human beings to cultural attractiveness over from the regular set of home and whose purpose is to collect new knowledge and experiences to please their cultural requirements. (Mckercher & cros, 2012) define cultural tourism as a primary and leading tourism activity in which a destination's cultural or heritage assets are presented for the utilization of tourists. The writers indicate that through cultural tourism, the tourist has an opportunity to knowing the place and heritage and also can build up enhanced perceptive of the local traditions and ritual. The cultural tourism can promote the new opinions and point of view in the tourist by viewing back the cultural

past. Cultural attractions attract enormous tourists attracted to heritage and the arts play a significant role in tourism at all levels. (Chabra, 2010)

“Heritage might contain relations to art, history, structural design, lifestyles, science and landscape” (McCain and Ray, 2003). According to the definition of heritage approved by UNESCO (1972) in the World Heritage Convention, “the heritage is divided into four categories such as cultural heritage, the scientific, anthropological value’ or ethnological and natural heritage cultural heritage described as ‘a monument, group of buildings or historical site, archaeological and artistic. Natural heritage labeled as wonderful physical, biological and geological features; habitats of endangered plants or animal species and areas of worth on aesthetic or scientific reasons or from the viewpoint of preservation”. The connection between cultural and heritage tourism is so strong. Heritage tourism usually comes underneath the knowledge of cultural tourism and it is a mainly distinguished and extensive type of tourism and also surrounded by the extremely matured form of travels (Timothy & Boyd, 2008).”Heritage tourism is mostly apprehensive with the cultural heritage of the ancient times, or the solid cultural means generally enclosed in old monuments, museums, and landscapes or served and illustrated in specific heritage areas” (Richards, 2000). Singh, (2012) described cultural heritage as a unique resource of dignity for the citizens of that particular country and the emblematic existence that combines the cultural traditions and history of a country. Hasan & Jobaid (2014) define heritage tourism, as visiting historical and archeological sites to acquire knowledge or entertainment. Sangeetha (2012) classified heritage tourism as industrial heritage, religious tourism, colonial heritage, urban renewal, traditions and it is a very worthwhile segment.

According to Silberberg (1995) cultural and heritage tourism is a means of financial growth and that increase accomplish over appealing guests from other areas, these travelers are inspired completely by a concern in the scientific, creative, historical, and heritage gifts of a society, group, area, and organization. This type of tour pays attention to recognizing cultural environmental, with landscapes, performing arts and the visual, customs, ethics, events, and special lifestyles.

According to the “Advisory Council on Historic Preservation”, (2002) Cultural and heritage tourism is particularly paying attention to cultural environments, performing arts and visual, extraordinary styles of living, traditions, ethics, and events with landscapes. The Cultural and heritage tourists spend additional cash and stay longer than other types of tourists so it is an important economic development tool.

According to Weiler and Hall, (1992) in today’s scenario culture has been rediscovered and it has turned into an essential marketing tool to draw attention of tourists specially who have interested in heritage. The culture and heritage contain extensively granted to the demand of tourist destinations. Hollinshead (1999) described cultural heritage tourism as the highest increasing section of the tourism business as there is a tendency towards a

boost business with tourists. This tendency is obvious in the increasing number of tourists who search for history, culture, adventure, archeology and communication with the local population or community”.

Cultural Heritage Tourism in Bundelkhand Region: Opportunities

If a person is a heritage lover, then there can be nothing better than to visit Bundelkhand. The region has India’s finest architectural monuments. Some of them are very famous like Khajuraho temples and Jahangir Mahal (Orcha), while many are untouched. The region has lots of potential for heritage tourism development. The area of the Bundelkhand region of Uttar Pradesh and Madhya Pradesh can play a vital role to promote “heritage tourism” in India. The cultural and heritage tourism in Bundelkhand can provide an opportunity for the tourists to experience the culture in depth by visiting various historical and culturally significant destinations, heritage monuments, participating in fairs and festivals. The foreign and domestic tourists who are interested in heritage tourism would take part in visiting the heritage monuments, Museums, Fairs & Festivals, etc.

5.1 Architecture and Monumental Heritage

The list of some major sites located here are as follows: -

- Kalinjar Fort, Banda
- Jhansi Fort
- Garh kundar Fort, Tikamgarh
- Rampura & Jagmanpur Fort, Jalaun
- Baruasagar Fort & Jarai ka Math, Baruasagar
- Todi Fatehpur Fort, Jhansi
- Samthar Fort, Jhansi
- Fort of Datia, Datia
- Panna National Park, Pandava Falls & Caves, Diamond Mines, Panna

5.2 Religious Heritage

Some of the famous and historic religious places are listed below:-

- Dashavatar Temple, Deogarh
- Varaha temple, Deogarh
- Jain Temple, Lalitpur
- Gupta Temple, Deogarh
- Jain temples in Deogarh fort
- Sun Temple, Mahoba
- Chandela Temple, Jhansi
- Kalinjar Fort of temple, Banda

5.3 Traditional Arts and Crafts

Some famous handicrafts are also available in various districts of the region, like – Bundeli Miniature paintings, wall paintings, the famous Shajar stone (dendritic agate) of Banda, Clay Toys, Brasswares of Mahoba, Moonj basketry, etc.

5.4 Music and Dance

Hori or Phag songs (sung in spring season), Kajri songs (sung in the monsoon season), Alha songs (celebrating the heroic exploits of mythologized historical figures Alha and Udal, who fought on the side of the Chandelas in the war against Prithviraj Chauhan), the Rai dance (performed by women dancers) and Diwari (Diwali) dances (performed during Diwali), etc. are some famous folk songs and folk dances of Bundelkhand.

Cultural heritage tourism development in Bundelkhand Region: challenges

The annual tourist traffic in Bundelkhand is increasing but it is not satisfactory. The numbers of foreign tourist visits are very low in comparison to domestic tourists owing to the lack of proper tourist facilities. For example, the number of FTVs (foreign tourist visits) in Kalinjar is only 427 in 2019 which is very less; because there is neither any facility of transport nor any arrangement for night stay here. Tourists have to arrange private vehicles to reach the Kalinjar fort.

Table 1: Tourists arrival in some districts of Bundelkhand Region

TOURIST PLACE	2017			2018		
	INDIAN	FOREIGN	TOTAL	INDIAN	FOREIGN	TOTAL
JHANSI	4701629	140959	4842588	7695150	142897	7838047
JALAUN	1401440	4059	1405499	4201025	4308	4205333
DEVGARH	1042809	7405	1050214	2178763	8392	2187155
CHITRAKUT	6687393	4410	6691803	6796416	4696	6801112
KALINJAR	703527	409	703936	708684	414	709098
MAHOBA	1211174	1565	1212739	1214644	1576	1216220

*Source: India Tourism Statistics, State/ UT Tourism Departments *Provisional*

International tourists visit only Orcha and Khajuraho, while there are many other beautiful and captivating historical sites. By developing such historical sites, the means of employment will not only get a boost, but this cultural heritage would also be preserved and protected. Maintenance is essential for the existence of these historical marvels in the region. These historical sites are on the verge of extinction owing to the absence of proper tourist amenities like accommodation, transportation and safety issues. Some of the major issues and problems associated with the tourism industry of the region are as follows:

- Challenges in planning, implementing and regulating regulations in the built environment of ASI (Archeological Survey of India) protected monuments
- Absence of legislation and national policy for heritage protection and management

- Poor management and administration
- Lack of Public and Private sector partnership
- Lack of sound marketing strategy
- Poor maintenance of heritage sites
 - Lack of adequate Master Plan
- Lack of information system for tourists
- Absence of basic sanitary facilities at tourist destinations
- Lack of professionally trained tour guides
- Absence of Light & Sound Shows

The economic condition of the region is not very satisfactory. The region mostly suffers from the problem of drinking water due to being a plateau area and less rainfall every year. Drought has a direct impact on agriculture and animal husbandry, crops get destroyed due to less rainfall and there is also an issue of green fodder shortage for cattle. The poor farmers, who sow the crop by taking loans, are forced to commit suicide. The region also lags behind its per capita income as compared to other regions. Another major issue of the area is the lack of means of employment. The job opportunities in this region are very less. After getting a higher education, the youth have to migrate for jobs. “The area suffers from numerous limitations, primarily high susceptibility of natural calamities and poor infrastructural development that has ended farming efficiency very low and livelihood unsure. The area is characterized as drought-prone and resource-poor from a cultivation point of view. The small farmers and landless laborers are the worst exaggerated, mainly through drought time. Migration towards cities is the only way for them for ensuring their livelihood”. (Chavan et al., 2016)

Recommendations

In India, most of the ancient monuments are in shamble conditions. India has the largest share in “cultural heritage tourism”. This is so important to identify the rich cultural legacy so that they can be preserved and transformed into the next-generation (Kumar, R.B. 2009). Followings are some suggestions for enhancing the “cultural heritage tourism” in the area of Bundelkhand:

- Renovation and enhancement are essential for these historical buildings and monuments located here.
- The arrangement of appropriate transportation services is another major requirement of the region.
- Reinforcement of hotels, restaurants, shopping, and mementos.
- Enhancement of services like tour operators, tourist offices and internet services.
- Development of special occasions and festivals like arts and crafts, ethnic heritage and dance.
- Development of locally made and themed handicrafts business.
- Arrangement of multi-lingual programs and signboards.
- Training and education of the residents in consumer service.
- Building community involvement and support.

- Marketing, branding, and boosting the cultural heritage spots and events and connected tourism services as well.
- Development of a blueprint for roads, hotels, and amenities and cultural activities.
- Supporting cultural programs performed by locals.
- Designating an organization and an entity to hold direct accountability for cultural and heritage tourism.
- Creating strategic partnerships between governments, nonprofit organizations, private firms and establishing tourism guidelines, cooperate and coordinate with others.
- Providing support for small budget organizations.
- Negotiating package preparations such as itineraries and support services.
- Monitoring, conducting impact assessments and tourism impact surveys and obtaining feedback from tourists for assuring product quality.
- Development of investment policies for sustaining investments in cultural and heritage tourism.
- Administration requires identifying programs and finances to reinforce cultural and historic sites, provide money for government-owned, nonprofit and private operated programs and train the staff. (Rosenfeld, R. 2008)

Conclusion

The tourism business is thriving in almost all countries in the world today. India is also trying to boost the Indian tourism industry and is also achieving success, but there are still many such historical places, which we can call backward in terms of tourism. Bundelkhand has all the factors and capabilities of heritage tourism development with its rich cultural history. The region is backward in comparison to other areas, despite the immense potential of heritage tourism; due to lack of the proper tourist facilities. The annual tourist flow is very less in comparison to other regions. Adequate measures need to be taken by the administration and non-administrative organizations to rectify this situation. If tourist facilities will be increased and promoted in all these places, it will give a big boost to international tourism as well as domestic tourism. In the Bundelkhand region, heritage tourism can produce a significant contribution to the economy, there will be immense employment opportunities in the region and the government will also earn foreign exchange. According to the “United Nations World Tourism Organization”, (2007) International tourism is a significant aspect of the stability of expenditure in most of the countries and the world’s leading export earner. The rich cultural heritage of the region required to be protected and conserved for future generations. Proper development, preservation, and adequate publicity will ensure the development of this area and the conservation of these historical sites also. However, this period of the Corona epidemic has greatly affected the tourism industry, the epidemic has broken the back of the tourism industry but we

hope that the situation will definitely improve. The improvement may be time-consuming, but let's hope, when the virus will be controlled, the tourism industry will witness key increase. People definitely will be looking ahead to walk around once again as it has been so long time of no international travel.

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THE NEXUS POINT BETWEEN IPR AND COMPETITION LAW: EMERGING ISSUES

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Abstract

The Competition law, 2002 provides the legal framework and tools to ensure competition policies. In the review of the anti-competitive effects to licensing contracts containing exclusivity otherwise restrictive clauses, the role of competition law tactic in observing abusive of market influence in correlation with the apply of[IPRs] is especially significant. Regardless, depending on the specific contractual arrangements and market conditions, the transmit of patented technology may result in too much and unnecessary competition limitations. Patent pools are mixture of IPRs that are subject to cross-licensing, whether they are transmitted directly from the patentee to the licensee or through a medium such as a joint venture created particularly to manage the patent pool. Cross licensing is the exchange of IPRs amid two or more people. But the licensed technology is replaced rather than complimentary in nature, it may be a hurdle to competition. Here is a distinction amid a "legal monopoly" & "economic monopoly," the former falling under the jurisdiction of intellectual property rights and the latter under the jurisdiction of Anti-trust law. There should be responsibility of Antitrust authorities to ensure that a dominant position never automatically provide monopoly; rather, it is the abuse of such a dominating position that will result in Antitrust law violations. It makes an impression that both legislation premised on different perspective with opposite goals. The latter

seeks to create monopolies by protecting rights of individual while former seeks to prevent monopoly by attacking on anti-competitive behavior, antitrust, abuse of dominant position and regulation of merger and acquisition. Licensing contract, patent pool, cross-licensing and technology transfer are the issue which required to be checked by these laws but in different magnitude in the prevailing market conditions. In this research paper, it has been tried to analyse the nexus between Intellectual Property law and Competition law in cogent manner.

Key words: IPR, Patent pool, Grant back, Block booking

I Introduction

The legal system that grants a structure for the current economy includes competition law (CL) and intellectual property laws (IPLs). The goal of IPL is to create monopolies, but the goal of competition law is to avoid monopolistic behavior. On the one way, it is vital to create monopolies through IP legislation in order to encourage innovation and invention; on the other way, it is critical to maintain market competition. Because both IP and CL share the same core aims of improving consumer welfare and stimulating innovation, they can be considered as complimentary rather than antagonistic.¹ IP protection encourages innovation and technical dissemination, which is a significant basis of market rivalry in and of itself, and hence promotes competition.² Competition agencies that take a solely short-term perspective of competition could exacerbate the problem. However, such authorities are increasingly adopting a dynamic perspective, particularly in the so-called high-tech industries, where intellectual property rights (IPR) can play a critical role in the competitive progression.³ Copyrights, trade secrets, trademarks, Patents, and other unique kinds of protection are used to safeguard the inventions and creativity. As a result, IPRs define the parameters within which rivals can use their right

has been persistent litigation between Competition Commission of India (CCI) and Patentees over the manner of exercise of their rights. In India, the Competition Act of 2002 emphasizes the importance of intellectual property rights.⁴

II The nexus area connecting the IPLs and CL

i) Licensing contracts

“CL approach is particularly essential in assessing the anticompetitive consequences of licensing contracts⁵ featuring exclusivity or restrictive provisions, as it monitors abusive exploitation of market dominance in relation

⁴ S.3 of the Competition Act prohibits anti-competitive agreements, S. 3(5) lays down that this prohibition shall not restrict “the right of any person to restrain any infringement of or to impose reasonable conditions, as may be necessary for protecting any of his rights” enjoyed under the statutes relating to the above mentioned IPRs.

⁵Regulating the transfer or exchange of rights to the use of intellectual property.

with the exercise of IPRs.”⁶ It is widely accepted that IP licensing has typically beneficial impacts. It fosters the dissemination of technological innovation and understanding, as well as their use by enterprises with a competitive advantage. When technologies are employed in a coordinated manner, manufacture could be prepared more competent and manufactured goods quality may be enhanced.

ii) Technology Transfer

Nonetheless, Depending upon individual contractual arrangements & market situation, the transfer of patented technology may result in disproportionate and needless competitive limitations. Four commonly utilized forms of contractual constraints are analyzed for their pro-competitive and anti-competitive effect is listed this way:

- a) geographic exclusivities,
- b) exclusive dealing,
- c) tying requirements, and
- d) grant-back requirements⁷

iii) Patent Pools

Patent pools (PPs) are collections of IPRs that are subject to cross-licensing, whether the rights are transmitted directly from the patentee to the licensee otherwise by a means, for instance a joint venture, created particularly to run the PP. PPs have both pro- and anti-competitive implications. When a licensor makes patented technology available to licensees, it usually results in pro-competitive benefits. “When patents are utilized to shield invalid patents or when patents that are not complementary and would compete against them other, PPs can have anti-competitive effects (ACEs).”⁸

iv) Tying-agreements

A 'tie in' are a business deal wherein the supplier of one product, the tying product, stipulations the sale of that product on the customer buying a subsequent product, the tied product, from the seller or a specified 3rd party. Licensing firms are known to use tying arrangements as one of their standard practices. Tying is considered illegal in and of itself, or it can be examined using the "rule of reason" loom.⁹

v) Grant-backs

Many companies demand that their licensees return any improvements made to the subject matter to them. As a result, grant-back clauses have an impact on decreasing the licensee's incentive for invest. The licensee must give the licensor his or her enhancement for free. Accordingly, the licensee decides not to invest his assets into improving the technology, which hinders innovation

⁶ I. Govaere, *The Use and Abuse of Intellectual Property Rights in E.C. Law* (Sweet & Maxwell, London ,3rd edn., 1999).

⁷ Massimiliano Gangi, “Competition policy and exercise of Intellectual Property Rights”,

⁸ Jayant Kumar and Abir Roy, *Competition Laws in India* 219(Eastern Law House, Calcutta, 2nd edn, 2014).

⁹ Vinod Dhall, *Competition Law Today: Concepts, Issues and the Law in Practice*129 (Oxford University Press, New Delhi, 1st edn., 2007).

by lowering the licensee's own motivation to do so. As a result, grant back provisions tend to control the licensee's engagement in whichever form of technology advancement because he must return any kind of product improvement. This discourages people from trying new things and, as a result, innovation and technological advancement are stifled.¹⁰

vi) Crossing of License

Crossing of license is the exchange of IPRs amid two or more number individual. Proviso the licensed technology is alternate sooner than complimentary in nature; it may be a barrier to competition. Reduced innovation, increased pricing, and production cutbacks are the ACEs of cross licensing, which are about to occur at what time cross license occurs among competitive businesses, in which matter the rival businesses would not exist & they would combine to build market influence. The goal of CR (competition regulation) is to prevent efforts to exploit an [intellectual] asset away from the limits set by means of IPRs.¹¹As a result, there is an intrinsic conflict amid CLs & IPRs, especially if CLs prioritize static market access while IPRs promote dynamic competition incentives. However, when properly structured, the two regulatory regimes work together to strike a good balance between the demands in favor of innovation, TT¹² & information dissemination. The current connection amid the two systems is marked via accommodation rather than antagonism. Both present a different approach for achieving the equal goal.¹³

vii) Refusal to supply license

The purposes of the IP system and CL are harmonizing under licensing law. For a limited time, the holder of IPRs has the exclusive right allowed by law. As a result, while the right holder can restrict others from utilizing it, he cannot block the creation and application of greater technology. This is demonstrated by the fact that IP encourages market competitiveness. The problem occurs when a patented technology's denial prevents a novel product from entering market & is deemed Anticompetitive.¹⁴

The European Court of Justice applied a rigorous interpretation of the conditions for compulsory licensing of IP in the suit of *IMS Health Gm/bH and Co. v. N.D.C. Health GmbH and Co.*¹⁵ The court has meticulously incorporated three conditions that must be met before such a rejection may be declared an “abuse of dominant position” (ADP). These are:

- a. [refusal] to license prevents the formation of a innovative product with potential customer demand,

¹² Technology transfer.

¹³ Debra A. Valentine, “Intellectual Property and Antitrust: Divergent Paths to the Same Goal” (Federal Trade Commission, 5 March 1996)

¹⁴ Tu Thanh Nguyen, *Competition Law, Technology Transfer and the TRIPs Agreement*, (Edward Elgar; 2010).

¹⁵ Case C- 418/01, *IMS Health* [2004] ECR I-5039.

- b. that it is "unjustified," and
- c. that such denial eliminates secondary market competition.

viii) Circumstance in price-fixing licensing agreement

“The question into a price-fixing licensing agreement is whether the patent holder has complete control over the manufacture, make use of, and trade of its patented manufactured goods, as well as the power to inflict the stipulation that its sales be at prices set by the licensor and subject to alter at its will. According to the courts, a term is legal if the terms of sale are customarily and fairly fitted to ensure monetary compensation for the patentee's monopoly. It's worth noting that one of the most precious aspects of patentee's exclusive right is the ability to benefit from the cost at which the thing is put up for sale.”¹⁶

ix) Booking of Block

The put into practice of rental fee for one motion movie to an exhibitor on the stipulation that the exhibitor also rents additional features from the similar enterprises is known as block booking.¹⁷ The problem begins when every copyrighted movie block booked was a only one of its kind product, with every movie differing in theme, artistic performance, stars, audience appeal, and so on, and the other party had a 'monopolistic' position in each tying product due to its copyright, attempting to impose an appreciable restraint on free competition in the tied product.¹⁸ There were also issues at what time TV stations were compelled for agree to not needed films, denying alternative distributors' access and preventing them from selling to the stations.

III Provision for Anti-competitive behaviors under Patents Act, 1970

The Patents law¹⁹ (PL) grants for remedies for instance compulsory licensing and revocation for non-working, as well as the possibility of the Patentee abusing his or her rights, and the Competition Commission's jurisdiction is eliminated.²⁰ S. 140²¹ of the Act addresses the problem of abuse of dominance

¹⁶ V.K. Ahuja, *Law relating to Intellectual Property Rights* 112 (Lexis Nexis, Nagpur, 2nd edn., 2011).

¹⁷Block booking is a system of selling multiple films to a theater as a unit. Block booking was the prevailing practice among Hollywood's major studios from the turn of the 1930s until it was outlawed by the U.S. Supreme Court's decision in *United States v. Paramount Pictures, Inc.* (1948).

¹⁹ The patents Act, 1970 (Act 39 of 1970).

²⁰ Mansee Teotia and Manish Sanwal, "interface between competition law and patents law: a pandora box"

²¹ The Patents Act, 1970 (Act 39 of 1970).S.140. Avoidance of certain restrictive conditions-

- (1) It shall not be lawful to insert—
 - i) in any contract for or in relation to the sale or lease of a patented article or an article made by a patented process; or
 - ii) in licence to manufacture or use a patented article; or
 - iii) in a licence to work any process protected by a patent, a condition the effect of which may be—
 - a. to require the purchaser, lessee, or licensee to acquire from the vendor, lessor, or licensor or his nominees, or to prohibit from acquiring or to

by elaborating on the conditions that may not be included in a contract for the sale or purchase of a patented object. In India, the Competition Act was passed in 2002. The two provisions (ss.140, 141²² of the PL) were not repealed even after the CL was enacted. The objective of the legislation appears to be to give authority to the Controllers rather than the Competition Commission.

Any restrictive or unjust provisions of a license agreement could, according to S. 140 of the Patents Act, be contested by initiating a civil complaint to declare the agreement null and void. Competitors, on the other hand, elected to file complaints with the Competition Commission against the patentee, effectively removing the dominant player (patentee) from the market. As a result, the Patentee is less likely to invest in research and development, and other competitors are less likely to invest. As a result, the foregoing notion would be incompatible with the main goal of the CL & PL.

The PL expressly states²³ that when exercising powers under chapter, general considerations must be taken into account. The simple reading of S. 83,²⁴ as well as other provisions in this chapter, provides the sense that the legislature plainly intended to give the Controller powers to evaluate, among other things, whether any conduct adopted by the patentee is anti-competitive. Clause (f) of S 83 further states that “*that the patent right is not abused by the patentee or*

restrict in any manner or to any extent his right to acquire from any person or to prohibit him from acquiring except from the vendor, lessor, or licensor or his nominees any article other than the patented article or an article other than that made by the patented process; or

b. to prohibit the purchaser, lessee or licensee from using or to restrict in any manner or to any extent the right of the purchaser, lessee or licensee, to use an article other than the patented article or an article other than that made by the patented process, which is not supplied by the vendor, lessor or licensor or his nominee; or

c. to prohibit the purchaser, lessee or licensee from using or to restrict in any manner or to any extent the right of the purchaser, lessee or licensee to use any process other than the patented process,

to provide exclusive grant back, prevention to challenges to validity of Patent & Coercive package licensing, and any such condition shall be void.

²² Supra note 20, s.141. Determination of certain contracts-

- 1) Any contract for the sale or lease of a patented article or for licence to manufacture, use or work a patented article or process, or relating to any such sale, lease or licence, may at any time after the patent or all the patents by which the article or process was protected at the time of the making of the contract has or have ceased to be in force, and notwithstanding anything to the contrary in the contract or in any other contract, be determined by the purchaser, lessee, or licensee, as the case may be, of the patent on giving three months notice in writing to the other party.

The provisions of this section shall be without prejudice to any right of determining a contract exercisable apart from this section.

²³ The patent Act 1970 (Act 39 of 1970) cha. XVI, s. 83-General principles applicable to working of patented **inventions**.—Without prejudice to the other provisions contained in this Act, in exercising the powers conferred by this Chapter, regard shall be had to the following general considerations, namely..... that patents are granted to make the benefit of the patented invention available at reasonably affordable prices to the public.

²⁴ Supra note 20.

person deriving title or interest on patent from the patentee, and the patentee or a person deriving title or interest on patent from the **patentee does not resort to practices which unreasonably restrain trade** or adversely affect the international transfer of technology;”. S. 83 (f) makes use of a term “**Unreasonably restrain trade**”, however the PL is silent with regard to what would constitute an unreasonable restraint of trade. Upon careful review, we may find that S. 4 of the CL which deals with abuse of dominant position wherein, it defines “**limit or restrict**” under clause (b) of Section 4. It does not, however, provide a definition for the term "restraint." The terms restrict, limit, and restrain are not interchangeable, and each term has its own inherent scope and meaning. It's important to remember that a patentee has a negative right, which allows it to exclude competitors. Another problem with S. 83 is that it is silent about the appropriate forum for determining which of the patentee's activities might constitute an unreasonable restraint of trade. “the PL²⁵ provides guiding principles which the Controller shall keep in mind²⁶ while deciding terms and conditions of compulsory license and provides²⁷ “*that in case the licence is granted to remedy a practice determined after judicial or administrative process to be anti-competitive, the licensee shall be permitted to export the patented product, if need be*”.

This provision²⁸ deals with anticompetitive conducts that are determined to be anti-competitive by a judicial or administrative method; though, the relevant provision does not specify which administrative body will determine if the activity is against competition. As a result, a Controller under the PL is well authoritative to decide whether or not an act is against competitive conduct. The PL, on the other hand, does not specify the competent authority to exercise this power, resulting in a conflict.²⁹

IV Conflict among CL and Patents Law

The provision of the CL that deals with IPRs is S. 3(5),³⁰ which states that the CL does not apply to any arrangement relating to stopping infringement of patent rights. Section 3(5)³¹ of the stated statutes establishes a safe harbor. As a result, only reasonable conditions can be imposed by a patentee. The Indian courts are applying the provision broadly and without providing a satisfactory explanation of what constitutes reasonable or unreasonable behavior. Furthermore, the Competition Act declares that the Competition Act³² has precedence over all other laws. In *Competition Commission of India v. M/s Fast Way Transmission Pvt. Ltd. and Others*,³³ the Courts discussed the

²⁵ *Supra* note 20, s. 90.

²⁶ *Id.*, s. 90

²⁷ *Id.*, s. 90(1) (ix).

²⁸ *Ibid.*

²⁹ *Supra* note 21.

³⁰ *Supra* note 5.

³¹ The Competition Act, 2002 (Act 12 of 2003).

³² *Id.*, S. 60.

³³ [2018 4 SCC 316].

significance of Section 60,³⁴ stating that “Section 60 then gives the Act overriding effect over other statutes in case of a conflict between the Act and such statutes to effectuate the policy of the Act, keeping in mind the economic development of the country as a whole” Furthermore, s. 62³⁵ expressly states that the Competition Act "must be in addition to and not in derogation of the provisions of any other legislation for the time being in force," indicating that the Competition Act is intended to be in addition to other laws.

VI Suggestions

The Patents Act of 1970 has a number of flaws, and the Controller's role in relation to the Competition Commission is still unclear. S. 140 of the Patents Act must be revised to clearly designate the adjudicatory authority that will determine what constitutes anti-competitive behavior. Similarly, provisions of the CL, such as S.3(5), must be modified since there is an inherent flaw in recognizing what constitutes acceptable behavior and what constitutes outrageous behavior.

VII Conclusion

In today's economy, IPR &CL play harmonizing roles in achieving the crucial goal of consumer welfare protection. IPR encourages innovation, which in turn increases market competitiveness. The actuality that these two areas of law are at odds with one another necessitates some sort of resolution. By condemning monopolies, CL maximizes social benefit, whereas IPL does the same by granting temporary monopolies. IPL should allow for economically significant monopolies. Otherwise, CL, which doesn't prohibit the only existence of monopolistic power but does prohibit specific exercises of or attempts to achieve it, could be allowed to encroach on the monopoly. As a result, proper use of monopoly power is required to defend consumers' interests; otherwise, competition legislation would undoubtedly stifle monopolistic market behavior.

³⁴ *Supra* note 32.

³⁵ *Supra* note 32.



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**COMPARISON OF COMPETITIVE ANXIETY LEVEL OF MALE
KABADDI PLAYERS AT DIFFERENT LEVELS OF ACHIEVEMENT**

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ABSTRACT

The purpose of present study was to compare sports competitive anxiety level of male Kabaddi players, 60 male players were selected from C.S.J.M. University, Kanpur and affiliated colleges by simple random sampling. The sample consisted of 30 male inter-collegiate and 30 male north zone inter university Kabaddi players. The psychological variables of competitive anxiety were assessed by administrating (SCAT) Sport competitive anxiety questionnaire. The data was computed and analyzed using descriptive statistics and 't' test in order to compare the significant difference between inter collegiate and inter-varsity male Kabaddi players. The level of significance was set at 0.05. The result indicated that there were no significant differences among Kabaddi players as the obtained 't' value (0.83) was less than the tabulated 't' value (2.00).

Key words: *Competitive anxiety, achievement level, Male players.*

Research reports on the role of anxiety in sports are conflicting as well confusing due to inconsistent dimension and method of assessment but within the past few years, coaches and physical educators are interested to find the level of anxiety of players. Anxiety is both an affective and a pleasurable emotional reaction in which autonomic nervous system and glandular system play a crucial role. Review of research literature stated that the threshold of optimum anxiety level differ from athlete to athlete and situations to situation "Cratty" 1989 adds "Conditions within the athlete combined with his or her cognitive evaluation of the threat of competition and with the objective nature of competition itself work together to produce anxiety in athletes".

Now a days interest encompasses both , some degree of activation and an unpleasant emotional state. Anxiety is recognized as the main factor that reduces athletes performance in sports. It is a negative emotion that affects

perception in sports competitions and this lead to majority of athletes to consider anxiety as debilitating toward performances, which may result in decrease in a performance and even drop-out athletes from sport. Coaches and physical educator focused on strategies for managing anxiety by various method but prior to managing strategies its need to know level of anxiety of their players. The purpose of this study was to compare the sports competitive anxiety of inter-college and inter-university male Kabaddi players. It was hypothesized that there would be no significant difference in competitive anxiety level between the selected Kabaddi players at different levels of achievement.

By applying simple random sampling, a total 60 male Kabaddi player (30 inter collegiate and 30 North zone inter university) were selected from C.S.J.M. University, Kanpur. The age of the subjects ranged from 18 to 25 years. The SCAT questionnaire developed by Rainer Martens was used.

Results and Discussion:

The statistical analysis of data pertaining to the study on two levels of inter-collegiate and inter-university players was computed by descriptive statistics and analyzed by applying 't' test. The level of significant was set at 0.05. The statistical analysis of competitive anxiety of Kabaddi players at different levels of achievement has been presented in Table-1.

Table-1 : Comparison of Means of Competitive Anxiety between Inter Collegiate and Inter University Level male Kabaddi Players

Levels of achievements	Mean	Standard deviation	Mean difference	Standard Error	't' Ratio
Inter-Collegiate Kabaddi Players	19.367	2.122	0.537	0.77	0.83*
Inter-university Kabaddi Players	18.79	3.208			

* Not Significant at 0.05 Level $t_{0.05} (58) = 2.00$

Table-1 reveals that the calculated 't' value of 0.83 was less than the tabulated 't' value of 2.00. It means, there is no significant difference in the level of competitive anxiety between inter-collegiate and inter-university male Kabaddi players.

Conclusions:

The result indicated that there was no significant difference in the anxiety levels of male Kabaddi players at different levels of achievement.

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INDIA NEPAL RELATIONS AND THE CHINA FACTOR

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Nepal has strategic importance for China and India. Being located between two regional powers, Nepal has acted as buffer state. A strong, stable and prosperous Nepal is in interest of both, China as well as India. Nepal shares open border with India. China's quest to increase its influence in South Asia, to become superpower and Tibet factor, bring it close to Nepal. India and China both have provided prominent place to Nepal in their foreign policy. Nepal, being aware of its geostrategic importance, has followed policy of balance with its two powerful neighbours in order to protect its interests. In the recent years, the growing strategic proximity between Nepal and China has raised Indian Concerns. The growing convergence between China and one of its most important neighbour (Nepal) is a cause of concern for India. Infact, China's growing influence in entire South Asia has changed the regional power dynamics. In this backdrop, it becomes necessary to evaluate India's relations with Nepal in Comprehensive manner.

From Special Relationship to Policy of Equidistance

India and Nepal have unique relationship. They are traditionally bound by geographical, historical, economical, cultural and Social ties. These factors have played key role in shaping formal and informal relations between both Countries, The long open border, association of Nepalese leaders including BP Koirala and K P Bhattarai with India's Independence struggle, strong people

to people contact on both sides of border, Common way of life, Religion, strong Cultural relations, long standing economic ties have facilitated their close interaction.

British rule provided the kick start to Indo Nepal relations. Britishers focused their attention towards Nepal due to economic and security interests. The bitter relationship between Britishers and Nepal culminated into Anglo Nepal war , with Treaty of Sugauli (1816) , Britishers tightened their grip over Nepal but never made it a colony. Nepal's monarch allowed Gorkhas to be part of British Indian army and finally, in 1923 sovereignty of Nepal was recognized and it is from here that relationships between both countries changed in substantial manner.

Independent India decided to establish good relations with its close neighbours. Pt. Jawaharlal Nehru was well aware of importance of neighbourhood, keeping in mind the importance of Nepal as protector of India's interest in Himalayan area, India established "Treaty based Relations" with Nepal. On 31st July 1950, Treaty of Peace and Friendship was signed between India and Nepal. This treaty served as bedrock of bilateral relations with provisions for respecting each other's territorial integrity and sovereignty, special treatment of each other's citizens and appreciation of Indian security concerns (import arms and ammunitions from India, article 5). Thus the "Special Relationship" was established, but some viewed the 1950 treaty as means adopted by India to control Nepal, soon after anti Indian sentiments began to grow up in Nepal. In 1950s Conflict emerged between monarchy and Nepali congress bringing king Tribhuvan to India amidst political turmoil and 1951 Delhi agreement was viewed as intervention in Nepal's political process. Politically stable Nepal was in Indian interest, this led to increase of Indian activities which gave birth to anti Indian sentiments inside Nepal.

The other important development in this phase was the emergence of China factor in Indo Nepal relations. In 1955 diplomatic relations between China and Nepal were formally established and in same year Bandung Conference was organised where Nepal realised its geostrategic importance and decided to diversify its foreign relations. King Mahendra and his PM Tanka Prasad Acharya tried to cultivate close relations with China. In 1957 Chinese PM in his Nepal visit emphasized "ethnic similarity" between both countries. It is from here, the beginning of Nepal China relations took place. By the end of 1960s Nepal made "principle of equidistance" as the basis of its foreign policy. Nepal tried to maintain balance between its two powerful neighbours in order to protect its interests. It was reflected in the neutral stand adopted by Nepal during 1962 India China war. Thus the Indo Nepal bilateral relations started with tone of "Special Friendship" in 1950s and by the end of 1960s moved towards conflict zone. Chinese presence became a permanent fact from here on.

The Growth of Mistrust and Zone of Peace Proposal

The initial years of 1970s were very important in terms of India's relations with its neighbourhood, Independence of Bangladesh in 1971, May

1974 Pokhran explosion and developments in Sikkim in 1974 projected India's image in negative manner. The Small Countries in the region saw these events as threat to their Security and Independence. Big Brother syndrome gripped the small nations of region. The fear of insecurity developed in regional countries, Nepal was also not bereft of these developments. Nepal was psychologically troubled and in this backdrop, Nepal declared itself as "zone of peace".

The Zone of Peace proposal served as watershed moment in Indo Nepal relations, this idea was first proposed in 1973 NAM Algiers conference. King Birendra declared Nepal as zone of peace in 1975. It diminished Indian influence in Nepal. Unlike China, which supported this proposal, India was reluctant to accept it. It was not in interest of India. India was well aware of Pakistan and China's regional aspirations. India knew that this proposal will disturb regional security architecture, thus to deal with this proposal, India declared that whole South Asia be declared as Zone of Peace along with this, India also increased its economic assistance to Nepal.

By diversifying its foreign relations, developing close ties with China and declaring itself as Zone of Peace, Nepal showed its desire to pursue independent foreign policy and to reduce its dependency on India. India supported Nepal's policy of independence and neutrality but not at cost of its own interests. Thus by the end of 1977, mistrust grew among nations. India's perception as negative big brother took a toll on bilateral relations which went downhill further.

The years 1977-80 saw some improvement in Indo Nepal relations. Janta Party government under Prime Minister Morarji Desai started improving the relations with neighbouring countries. Atal Bihari Vajpayee (Foreign Minister) proposed the concept of Genuine Non Alignment. Equal neutrality principle with great powers, Non Interference in internal matters of neighbours and to be flexible in foreign policy were emphasised under it. Several high level exchanges took place. The Foreign Minister Atal Bihari Vajpayee went on Nepal visit. Morarji Desai also went to Nepal. Nepal's king visited India. Charan Singh Government also embarked upon the same path. The trade treaty for five years and the transit treaty for seven years were concluded. Nepal got access to Calcutta port. These Positive developments overshadowed the earlier events as removal of B.P.Koirala as Prime Minister by King Mahendra and subsequent demand by Indian leaders as Jai Prakash Narayan to release Nepalese leaders from political arrest, this was treated as intervention in internal affairs leading to derailment of relations. To tackle this, India took resort to economic diplomacy, therefore by the end of decade, with some hiccups, overall relations were getting normalised.

During the Indira Gandhi tenure, India Nepal relations were not very positive. Mrs. Gandhi was a Pragmatic leader. The Zone of Peace issue emerged as major irritant during her first tenure, this issue remained as point of conflict in her second tenure as well. Several agreements took place between India and Nepal during this period. King Birendra visited India but

personal bonhomie did not develop between the two leaders. King Birendra was unhappy with the protocol which he received during his India visit. In 1981, President Neelam Sanjeeva Reddy tried to develop trust between both countries during his Nepal visit but Nepal was adamant on zone of peace issue, thus India Nepal relations were not very positive during this period. Nepal was acting contrary to Indian interests and core issues also remained unresolved.

Economic Blockade

Following the assassination of Mrs Indira Gandhi on 31 October 1984, Rajiv Gandhi came to power, his government had very different priorities. The Internal Security was under threat. India was infested with terrorism in Punjab and Kashmir. China was making inroads into Nepal, therefore, to contain China's growing influence in neighbourhood and to prevent Nepal's territory being used by terrorists to harm India were the important objectives of Indian foreign policy. Rajiv Gandhi started improving the bilateral relations with Nepal, he adopted Economic Diplomacy approach. India provided financial aid to develop industrial and infrastructure base of Nepal. India has been the most important development partner of Nepal and since start India had helped Nepal in its path of development.

The visit by Nepal's monarch in 1985 and Giani Zail Singh (Indian President) Nepal visit in 1986 set the relations on right tone. No Outside interference should take place in Nepal, was recognised by both the sides. The year 1987 saw the establishment of India Nepal Joint Commission. The constitution of institutional mechanisms reflect the progress and consolidation in bilateral ties. Cooperation in use of water resources, illegal cross border trade were focused in its first meeting. the improvement in relationships was however halted in 1989.

In the year 1989, Indo Nepal trade and transit treaties lapsed. The transit points on border were closed, differences arose between both the countries on signing of new treaties. Nepal demanded more benefits in light of its geographical constraints and change in military and political conditions imposed upon it by the original treaties. The differences aggravated further when Nepal purchased arms from China without consulting India, a clear violation of 1965 Arms agreement and also when it demanded work permits from Indian citizens living in Nepal. These developments took the relations at low ebb. India refused to review the treaties on Nepal's terms of condition. The resultant economic blockade created disastrous impacts within Nepal. Nepal faced shortage of essential commodities, price rise and weakening of Nepalese currency, later on India extended the treaty terms on its own but this whole episode brought catastrophic changes in bilateral relations.

The non renewal of treaties on Nepal's conditions and economic difficulties due to blockade projected very negative image of India within Nepal. To reduce its dependency on India, Nepal started to diversify its relations. Nepal started to improve its relations with other countries, particularly Pakistan, Bangladesh and China. The Foreign minister of Nepal,

made frequent visits to these countries. Nepal adopted anti Indian stand in these visits which was not favourable for India and moreover, Nepal internationalised this issue. In Belgrade conference of NAM held in 1989, King Birendra indirectly targeted India and raised issues of smaller states. it was a major diplomatic initiative of Nepal. To diffuse the tension, PM Rajiv Gandhi met king Birendra directly. Nepal softened its stand. but conflicts persisted. on one hand Indo Nepal relations declined and on other hand China Nepal proximity increased.

In start of 1990s, movement for genuine democracy aroused which transformed political landscape of Nepal. it created ground for the return of normalcy in bilateral relations. India supported democratic movement in Nepal and with adoption of new constitution in 1990, Nepal heralded an era of multi party democracy. King was made constitutional Monarch. India respected desires of Nepali people. In June 1990 the blockade was removed and all transit points were opened. In the coming years, with efforts of Narsimha Rao government, the relations moved in Positive direction. Narsimha Rao emphasised on the economic dimensions of foreign policy. Cooperation on use of river resources (Mahakali river treaty), Dam and Bridge construction, more access to Indian market, economic assistance, connectivity(railway line till raxaul) were provided more attention. The Core issues as renewal of the treaties and Nepal's enhanced relations with China, the Big Brother syndrome etc. lingered upon.

Gujral Doctrine was another milestone in Indo Nepal relations. The Peaceful regional environment is very important for India, but perceptions of India as Big Brother with might was disturbing regional stability. To allay fears of regional countries, I K Gujral proposed Gujral Doctrine. "To give without reciprocity" was its objective. India applied the principles of Gujral Doctrine with neighbouring countries its application was made in Nepal during Shri I K Gujral's visit in 1997. various agreements in civil aviation sector, for promotion of trade and investment, tourism sector, electricity trade were concluded. The transit route to Bangladesh was provided to Nepal. Nepal's demand for removal of Indian forces from Kalapani was accepted if the area was proven to be under Nepal's Sovereignty however a Joint Working Group was to settle the issue and its conclusions would be acceptable to both countries. By dispelling the fears about India's large size and economic power, Gujral Doctrine brought relations on positive track. but, this improvement was short lived.

End of Monarchy and China's Increasing Influence

The anti Indian activities on Nepal's territory had increased. Hijack of IC814 plane coming from Kathmandu proved that ISI and anti Indian groups were active on Nepal's territory. Maoist influence was also increasing inside Nepal. The Maoist groups are more inclined towards China and decry India's intervention in Nepal. Political instabilities culminated with end of monarchy in 2008. During this phase India adopted the policy of non interference in the internal affairs of Nepal. Nepal's monarchy and Nepali congress had been

traditional supporters of India. In spite of this, India provided no support to monarchy in its weakening phase, any intervention from India would have fomented already existing anti Indian sentiments.

The relations changed substantially after 2008, following the dismantling of monarchy based political structure, Unified Communist Party of Nepal(maoist) led by Pushpa Kamal Dahal (Prachand) formed government in Nepal. Chinese economic, strategic and cultural presence increased remarkably, By breaking the convention, PM Dahal made his first foreign visit to China. after that, he visited India in 2008. The communist government demanded revision of 1950 Indo Nepal treaty because it limits Nepal sovereignty and autonomy in there opinion. The treaty was opposed on the ground that it imposes unequal obligations. In 2009 revised trade treaty was initiated in which Indian market was opened substantially for Nepal. BIPPA(Bilateral Investment Promotion and Protection Agreement) was signed in 2011 to increase investment, but with the increased role of China, traditional primacy of India has been challenged. After 2008, China has initiated many connectivity and infrastructure projects inside Nepal. The extension of Tibetan railway line till Nepal border, building Araniko highway, Kodari depot construction etc. are done by China.

Neighbourhood First and Madheshi Blockade

In 2014 next phase of relationships started. the new government under Prime Minister Narendra Modi gave highest priority to India's immediate neighbourhood. Under "Neighbourhood First" Policy , India is committed to strengthen the relations with neighbouring countries. PM Modi invited heads of SAARC countries to his oath taking ceremony and made his first foreign visit to Bhutan this highlights the importance of neighbouring countries.

PM Modi made two visits to Nepal (August and November 2014). These visits broke the lull in relations as it was first visit by Indian PM in 17 years. PM Manmohan Singh made no visit to Nepal in his long tenure. The green shoots of revival appeared. PM Modi addressed Nepal's parliament. India strengthened development partnership by announcing 1 billion US dollar soft loan, economic assistance for energy, infrastructure and irrigation projects. India also agreed to review 1950 treaty, both nations committed to respect each other's sovereignty and territorial integrity and also agreed that their soil will not be used against each other respectively. various agreements as in hydropower sector, Power trade, Agriculture and Health sector, Sister cities(Janakpur-Ayodhya, Lumbini-Bodhgaya), Tourism sector etc. were concluded in these two visits.

In April 2015, a high magnitude earthquake created havoc in Nepal. The rescue operations under name of "Operation Maitri" was launched by India. India provided immediate assistance to Nepal, relief material and material assistance(about 67 million US dollar) was immediately made available by India, but the role played by Indian media during this phase was highly criticised by Nepalese leaders and citizens, In spite of this, increased engagement and assistance brought relations on positive track.

Soon, the warmth in bilateral relations dissipated. Political landscape inside Nepal is highly turbulent. Nepal has witnessed several waves of political instabilities. since 1950, several constitutions have been adopted and two constituent assemblies have been convened, with the promulgation of new constitution in September 2015, sourness appeared in Indo Nepal relations. The new Constitution was unacceptable to people of Indian origin living in Nepal (Madhesis, Tharus). Madhesis live on India Nepal border and they have ethnic conflict with people of upper Nepal. Madhesis found the new constitution discriminatory. Separate Madhesi province, delimitation of the constituency on basis of Population, proportional representation and re demarcation of federal structure were demanded by Madhesis.

India got trapped in domestic politics of Nepal. Madhesis blocked transit routes between India Nepal in their protest. The entry of essential commodities and fuel was halted. Nepal had to face shortage of food, petroleum, pharmaceutical products. people living in upper Nepal were worst hit due to this. Nepal argued that blockade was imposed by India as India was against to Nepal's new constitution. China was the first country to support Nepal's constitution. India was concerned about the new Constitution on the ground that aspirations of Madhesis were not recognised in it. anti Indian sentiments increased inside Nepal. India however denied all allegations, but Madhesis protest, unofficial blockade and India's concern about new constitution gave rise to anti Indian feelings, this whole episode increased the bitterness in relations. The last minute intervention by India in the constitution making process frustrated Nepal. Nepal realised the dearness of heavy dependence on India and since then, Nepal started to strengthen and consolidate its partnership with China.

Nepal China Proximity

China was making inroads into Nepal since 1955. After 2008, ideological closeness with the Maoists brought China and Nepal more close to each other. In 2015 China supported Nepal's constitution and stood for sovereignty of Nepal. To reduce its dependency on India, Nepal also started to improve relations with China. The five month long blockade in Terai pushed Nepal to find alternative route for trade and transit, this facilitated close strategic partnership between Nepal and China. Nepal signed Transit and Transport agreement with China in 2016 ending India's monopoly. In 2017 Nepal became part of BRI (Belt and Road Initiative) to give boost to connectivity. Nepal also supports "one China policy".

China is making consistent efforts to reduce India's sphere of influence. China is now largest investor in Nepal. China is second largest trading partner of Nepal after India. In the field of development assistance too, China is surpassing India. Since start India has been major participant in Nepal's economic development. India assistance in air services (construction of Tribhuvan airport), Highways, Irrigation, water supply, communication has been crucial in development of Nepal. now, this scenario is undergoing change. China has dismantled India's monopoly in Nepal's telecommunication

and infrastructure projects. China is also investing in the hydroelectric potential of Nepal. In this way China is emerging as an important ally of Nepal. This growing partnership is cause of concern for India as it undermines security and other strategic interests of India.

Nepal is also trying to balance India by cultivating close ties with China. Nepal's support for China's SAARC membership, increased Defence relationship (as both held their joint military exercise), growing trade and cultural relationships are its manifestations.

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**GENDER JUSTICE: A FEMINIST JURISPRUDENTIAL
PERSPECTIVE IN INDIA**

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Abstract

"Woman" is a troublesome term, in feminism and in law(Richard Rorty,1989)".The category is neither consistently nor coherently constituted in linguistic, historical, or legal contexts. Yet the framework through which women have sought and gained improvements in their legal, economic, and social status depends upon the ascription of meaning to the term.

The role of constitutions in ensuring gender justice is being recognized in modern times. It is most appropriate that the supreme law of the land should meaningfully address the woman question and respond to the challenges by stimulating the whole legal system towards a greater concern for, and protection of women.

During each time period drastic changes and revolution has happened in the field of feminist jurisprudence in India.Each strain of feminist jurisprudence evaluates and criticizes the law by examining the relationship between gender, sexuality, power, individual rights, and the judicial system, as a whole the paper focuses on each of the time period giving critical evaluation to the changing facet of Feminist Jurisprudence and it's locus in Indian Laws.

Keywords: *Women, Feminist Jurisprudence, Indian Constitution, Equality, Gender Justice*

INTRODUCTION

This paper tries to initiate an approach towards the issues accompanying gender justice. It bases its studies on the bifurcation of man and woman as categories and argues that a common justice measurement for both the genders could be rendered useless. As an attempt, this paper draws an equilibrium between Rawl's theory of Justice and the Kantian reasoning in order to scrutinize women empowerment laws coupled with the societal influence and the results it bears to the empowerment, autonomy and justice system.

Rawlsian theory justifies the extension of support of the law to the vulnerable, weak or to the disadvantaged group in order to bring them at par with the well-off group (Rawls, J. 1971/2005).

The philosophy of Feminist jurisprudence began in 1960s rests upon the ideas of political, economic and social equality of sexes. It is mainly based on the belief that law has always been cardinal in women's historical servitude.

Feminist Jurisprudence takes a two-way path. Firstly, it explains the presence of law in the women's former servitude status. Whereas, in the second way, the feminist legal theory takes its course and analyses the change of women's status by the way of amendment(s) to both the law and gender approach.

The importance of gender-neutral laws have been highlighted by the feminists quite often with the help of different approaches. Sectors like employment, divorce, reproductive rights, rape, domestic violence, and sexual harassment have reaped benefits from the analysis and insight for feminist jurisprudence.

To trace the roots of development of feminist jurisprudence around the world it was a slow paced movement which gained momentum with the passage of time, The word feminist jurisprudence was first used by Anna scale during the celebration of a party and conference held in 1978 to celebrate the twenty-fifth anniversary of the first women graduating from Harvard Law School

People like Raja Ram Mohan Roy, Ishwar Chandra Vidyasagar and others were responsible for genesis of the entire idea of Feminism in India, where they drove the masses towards acceptance and advocacy of the idea of Feminism (Bharati Ray, Social Scientist 1991).

The banner of Feminism was later carried out by extraordinary women of the Indian society who started the movement termed as Feminism.

Patchworks of feminism are visible in various parts of India. In parts of Kerala, matriarchy marked its presence when allotment of property to the daughters of the family was made possible right at the grass root level. The 19th century Bengal also witnessed the rapid progress made by the women on the notion presented by Raja Ram Mohan Roy. Women also entered the male-dominated careers of law, social work, authorship, teaching, et cetera. (Bharati Ray, Social Scientist 1991). The First Phase of Feminism in India from 1850-1920 viewed the eradication of all the orthodox and conservative measures

against the women like abolition of Sati, ban on child marriage coupled with the historic incorporation of Widow's Remarriage Act 1856.(Chandrachud on Transformative Constitution & Feminism), All the measures enacted thus brought a social transformation, which ultimately acted as a base for the subject of Feminist Jurisprudence in India. The second phase ranging from the years of 1920- 1980 saw a massive women participation for the Indian movements, where they expressed their opinions to quash the forces of patriarchy in the society.

The trumpet for the Third Wave of Indian Feminism was blown when Rebecca Walker said, "I am the Third Wave" for a magazine in the year 1992. The initial focus of the movement centered on the issue of inter- sectionality and voicing of opinions against kinds of harassments. To ensure promotion and protection of rights of the women, the National Commission for Women was formed in 1992, which took cognizance of the Trans- rights too. The Third wave accepted all kinds of notions that were considered a taboo or derogatory from all kinds of ideas, aesthetics, race and language. The prime example being the pride march, the Trans- feminism movement, sex- positivity and post – modern feminism which encouraged the promotion of gender- neutral laws with the inclusion of the LGBTQ+ community.

PATERNALISTIC APPROACH

In the space of constitution and Indian legislations, one can see the presence of patriarchal approach, with the help of which they domineer the virtuous of women and serve them with justice. For example, the Indian Penal Code written by Lord Macaulay in the year 1860 has been painted with patriarchy at various instances and showcases the male- centric format of the society. Historically speaking, laws which highlighted the male- centric values can be traced back to 5th century C.E. where Manusmriti(Chandrachud on Transformative Constitution & Feminism) has outlined the roles and responsibility of men and women.

It won't be a *faux* statement to say that women in today's time are subject to moral slavery. The increase of male dominance and the patriarchy has led to the positioning of women as a rank lower than the men (Chandrachud on Transformative Constitution & Feminism). Surprisingly, the issue of vulnerability of women has not witnessed a paradigm shift even in the era of globalization and liberalization. However, it won't be wrong to say that no country in its sense of constitutional morality will ever witness progress in the socio- economic sector until the dilemma of women is not taken cognizance of or provided solutions for.

The pattern of wave-by- wave gender equality movements supported by the feminists have attempted to formally remove the institutionalized discrimination. However, the movements failed to clear the fog of the core masculine mindset present in the subconscious of people. Unaware of the fact, women's dignity is often vulnerable to various indignities and prejudices. The malady sometimes pounces with tight-fisted monstrosity giving a free play to the inferior legacies of nature in a man thereby creating the whole concept a

mockery, threatening the entire edifice. Society needs to move with time and has to accept the changing trends (S. Harding, 2004).

Legal positivism is one of the prime grounds on why the people don't raise contentions with respect to a law and accept it as it is. This is the prime impetus of the presence of the legal positivism in the fundamental legal theory. Comprehending a simple equation that seeks for equality of rights is not the answer when the entire system is commanded by the male counterparts finding solutions for the women (George D. Pappas, 2006).

LIBERAL FEMINISM

The concept of contemporary liberal feminism dates back to the 18th century, where it stresses upon the creation of the legal and political rights of women equal to men. This concept propagates freedom of individual, freedom from the conservative male authoritative concept and an end to gender-based differentiation. Furthermore, this notion of Liberal Feminism is often seen as contrary to the idea of socialist feminism and radical feminism. The Liberal Feminism we see today is a convergence of ideas including that of an equality feminism, social feminism, equity feminism but at the very same time taking its inspiration from the roots of Nordic state feminism.

An important principle propounded by this philosophy is individualism. This essentially means that an individual ascertains the freedom to execute any actions without being a subject to interference from the others. Liberal feminism pivots around the women's potential to sustain their equality through their own actions and choices. The liberal feminists shift the onus of blame to the customary and legal obstructions which detour women's entrance in the public world. The theorists often contest the fact that for the law to be gender blind, no constraints or special treatment should be provided on the grounds of gender. Hence creating their prime focus on the practical reforms, policies and laws in place which ensures equality.

WOMEN EMPOWERMENT WITH REFERENCE TO INDIAN LEGISLATION

Empowerment in its true sense embodies the granting of social, economic or political power to the individual/individuals. The primary aim of women empowerment is to provide equal opportunities for women as well. Furthermore, it acts as a medium for women to explore their personal potential. The legal framework is enacted in such a fashion that it grants political power and asserts women's economic stronghold by the way of education and social progress.

After an immense hardship and discrimination faced by women from time unknown, the Indian social reformers along with the British heavily relied on our legislations to eradicate social stigma which had an adverse impact on women and their status. With passage of time and an ineluctable need of the hour for social transition, some of the legislation were enacted abolishing sati-pratha, preventing child marriage, permitting remarriage for Hindu widow, and preventing female infanticide. Even Post- Independence, this reliance on legislation continued majorly for achieving the constitutional mandate of

equality in almost all the facets of life namely, equality of sexes, equality in employment opportunities, prohibition of discrimination on grounds of religion, race, caste, sex, place of birth, Justice - Social, Political and Economic - for all and so on (Jaising, I. (2004).

Once Jawaharlal Nehru, while acknowledging the need for legislations earnestly maintained that “legislation cannot by itself normally solve deep rooted problems. One has to approach them in other ways too, but legislation is necessary and essential so that it may give that push and have that educative factor as well as the legal sanctions behind it”(Parliament Report on Dowry Prohibition Act 1961).

The year of 1950 witnessed an array of legislations, circling around the rights of women workers coupled with Family Law of the Hindus namely Hindu Marriage Act, Hindu Minority Guardianship Act, Hindu Succession Act, Hindu Adoption and Maintenance Act. For women workers, there were few special provision in statutes like The Factory Act, Mines Act, Plantation Act and so on. The main aim for the enactment of such legislations was to ensure that the women are provided with humanitarian conditions to work in by prohibiting certain activities that might hamper the health of the women workers. One of the most popular women- centric legislation was The Maternity Benefit Act passed in the year 1961. This Act, however failed to be recognized as a fundamental right and was rather given space in the Directive Principles of State Policy.

Contradictory to the *motive* of passing of such women- centric legislations, a report by the Committee on the Status of Women in India (CSWI) highlights that the legislations fail to reach its desired results and the women continue to enjoy their rights, only in the imaginary world and not the real world. The government constantly fails to comprehend the need for setting up of a mechanism to give education to the women in India, especially in rural India, clutched in the shackles of patriarchy.

The constitution of our country proves to be a major participant in the protection of the women’s rights by disallowing all and every kinds of discrimination, thus ensuring gender justice. The supreme law of the land, The Constitution of India takes into cognizance the problems and challenges faced by the women in this country. Though the legislations try to infuse a change in the society, but one mustn’t forget that Rome wasn’t built in a day.

The draftsman of our constitution, DR. B.R. Ambedkar ensured that the women who were oppressed in the past, don’t face the wrath of gender-inequality once again and made sure that the focus of people changed post-independence.

The very idea of Indian Constitution has been kept safe in the Preamble, which in turn showcases the ideals and aims of the people. It begins by saying -We, the People of India give to ourselves the Constitution. Here the source of the constitution is thus traced to the people i.e. men and women of our country irrespective of their caste, community, sex, or religion. The prime intention of the constitution makers was to make the justice system at par for everyone.

Furthermore, the Preamble also accommodates the idea of equality of status and opportunity to all citizens by integrating equal rights for both the genders. Though the freedom struggle has been witness to a tremendous women participation like that of Bhikaji Cama, Dr. Annie Besant, Vijaya Lakshmi Pandit, Aruna Asaf Ali., Pritilata Waddadar, Rajkumari Amrit Kaur, Sucheta Kriplani, Kasturba Gandhi, Muthulakshmi Reddy, Durgabai Deshmukh, Sarojini Naidu, Rani Lakshmi Bai and so on, it is not wrong to say that women don't have a playing level field equal political rights compared to men. If we talk about Constitutional Assembly, there were only 7 women members who contributed immensely but the number gradually decreased. Their representation in Lok Sabha is also far below the expected numbers (Towards Equality, 1974).

The most notable move by the legislature of our country in order to infuse social justice in our country was the codification of some of the personal laws present in our country which pose to be a hurdle for social justice. On the other hand, the Criminal Justice system in India is molded in such a manner that the gender-neutral laws have worked contrarily to women, as some cases the burden of proof is imposed on the prosecutor, like that of dowry and rape. At the same time Pro women legislations are used as a shield to hide the crimes done by the women against men. Proper drafting and implementation of gender neutral laws are still a dream in spite of various directions of the court for the same (Towards Equality, 1974).

Part III of the Indian Constitution is often regarded highly in the eyes of justice and law, especially Articles 12- 35. It was the Constitution makers, who were aware of the discriminatory practices faced by the different sect of the society. Hence, they made sure that certain provisions are in place that help the women and children. Article 14 (MP Jain, 2010) of the Constitution emphasizes on Right to equality whereas Article 15 (MP Jain, 2010) prohibits any sort of discrimination on the ground of religion, race, caste, sex or place of birth faced by citizens of India. Article 15(3) also entitles state to make special provisions for women and children. It is no surprise in comprehending the fact that any and every kind of women centric legislations which has its place in the Indian Penal Code is merited as per Article 15(3) of the Indian Constitution. One is not as well alien to the fact that when the article hadn't seen the light of the day, the conditions of the women in the society during the 1950s, were pathetic as compared to what it is now. Taking power from the movements all around the world and the nation, the Indian woman is now capable of making her own decisions, be it of any kind. Hence, no longer an 'abala'.

The major problem lies in the interpretation of the Indian Constitution and other legislations. It is true that male dominance and patriarchy has turned out the societal vision and has considered women a subordinate gender. However, the Constitution of our country has considered the women as the weaker section of the society. The approach followed by the constitution should've been more liberal in nature, i.e. the women were a weaker section who needed

assistance in their way of progress. It is completely dependent on how the law is interpreted. The wrong interpretation of the same is seeing the women as a weaker sex in today's time just because the constitution has termed this (MP Jain, 2010)

In the landmark case of *Bodhisattwa Gautama v. SubhraChakraborty*, the court duly noted that there is a need for laws which will end the practices of dominance pertaining in our country due to the patriarchal system. In this case it was held that 'Unfortunately, a woman, in our country, belongs to a class or group of society who are in a disadvantageous position on account of several social barriers and impediments and have, therefore, been the victim of tyranny at the hands of men' it was held that certain laws help to soothe the position of women in the society and further they are very much constitutional valid as they come under the legitimate title of positive discrimination which is fundamentally the rule of equal protection.

The sole intent for the insertion of DPSP in the Indian constitution was to strike a balance between the two factors, individualism and socialism. The framers took due cognizance of the women from the modern era. That is the reason why Article 39(a) and Article 39(d) talks about gender equality. Not just that, Article 51 A (e) invited the duty of every citizen to not commit any and every kind of practice(s) that might hamper the dignity of women.

The need for gender-neutral laws is a matter of urgency. No one is alien to the fact that the Constitution has tried to protect the women of our country. As a result, the women have come so far and have been marching with men, not just in the army, but also in the other spheres too. Sadly, one of the spheres includes that of the world of crime.

CONCLUSION

The very first task the law should take up is the removal of the unwanted opinions and hurdles placed on both the genders and address the injustices individually instead of formulation of such regulations which are uniform in nature for both the genders. As noticeable as it may get, the current legislations and policies have failed to address the issue of gender justice coupled with infusion of the concept of women empowerment in its most positive sense.

The current approach of a continuous increase in the *quota* for women in each and every sphere or formulating women-centric laws will not do justice to the entire notion of gender-justice jurisprudence. Rather, it will only allow in the degradation of the paternalistic approach and secure the free-will concept to the women. The necessary element for social engineering is the eradication of social conditioning. The need of the hour is not to make laws and then not wink an eye to it, rather a continuous monitoring has to be done with respect to the women-companionable law(s). All this will ensure having gender-neutral laws promoting gender-neutral values and gender-neutral institutions and removing stereo-typed gendered roles for men and women. The very Indian society's patriarchal influence infested in the minds of many has put the women on the victim stand of the social atrocities. The entire notion of laid-

back philosophy which has spawned from the flawed interpretation has bestowed uncountable harm and should be dealt with utmost severe fashion. When we talk about the protection of women, one must understand that the nature of Constitution shouldn't be rigid. Rather, it should be subject to continuous and harmonious changes in accordance with the pertaining social and technological developments. Gender auditing will be essential that needs to be continued, even if the aims of equity and agency have thoroughly guided the original procedure of framing(Helen Irving, 2008). The notion of Constitutional interpretation which has been attuned to continuous promotion and protection of gender- equality would invite constant commitment of joint-purpose and current context.

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**DIGITAL DIPLOMACY:
A TRENDING CONCEPT IN TECHNOLOGY WORLD**

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Abstract

We live in a world which believes to secure relation by peaceful way. International relations are in existence since ages with the help of mediation, discussion and negotiation, managed by an entity called a Diplomat. A diplomacy is a requisite part of global affairs, which helps to connect and maintain international relations. In pandemic world the diplomacy which seems to be picking up pace is Digital Diplomacy. E-diplomacy is not a virgin concept, it is evident since ages. Today social media platform like Twitter, Face-book have dominant impact on world electoral decisions. Many world leaders follow each other creating digital relations on network like twitter through which they informally maintain their political relations. It is one of the easiest ways to connect the world digitally. Considering lack of resources there are third world countries which are finding it hard to adapt to these changes. This paper will examine the concept of digital diplomacy. Further it will examine the opportunities and challenges faced by these media offer for diplomatic activities and also will throw light on the concept of digital immunity through the prism of international law.

Key-words: - Diplomacy, Digital Diplomacy, Digital Immunity, International law, International Relations.

Humanity has witnessed two world wars. Their effects have been colossal. If there is something that countries over the world have learned from world wars

is that war can never be a solution to anything especially in this nuclear era. However big the issue countries have resolved their conflicts via dialogues over the years. The most recent example been the Israel-Gulf dialogue. The artifact that facilitates countries and bring them on a talking table is diplomacy. Diplomacy over the years have evolved and proved to be a vital tool for countries to showcase their point of view to the world. The pandemic has brought a paradigm shift to the way diplomacy is practiced. World leaders most often than not make their views heard virtually. This form of diplomacy is termed as digital diplomacy and countries over the globe seem to have welcomed this with open hands.

Foreign policy and diplomacy have been changing. Diplomacy evolved constantly since ancient period. There are constant changes in diplomatic practice. In the world of evolution of technology our phones are wireless, our cars are keyless, our TVs are cableless and our money is cashless so, this evolution can't leave the blank space for diplomacy. Now International Political relations are experiencing new trend i.e.,digital or cyber diplomacy.This may be true in case of developed country but there still are third world countries which are finding it hard to adapt to these changes, considering lack of resources at their disposal.

When we look at the historical evolution of diplomacy, it is focused on sending and receiving states and formalising bilateral and multilateral agreements on the most diverse of issues. The modernisation of the postal service and the invention of the wireless telegraph, later telephones and fax helped for fast communication but didn't stop actual meetings till the widespread of emails on Internet to observe a more prominent effect on diplomacy. This paper explores the concept of digital diplomacy. Before reaching to above mentioned concepts, paper discusses the concept of diplomacy with the non-stop journey since ancient era to 2020-2021 pandemic world. Also, how traditional diplomacy turned into public diplomacy and how public diplomacy merged into digital diplomacy. The Vienna Convention on Diplomatic Relations, 1961 give specific provisions of diplomatic immunity and paper raises the question about the active role of said convention. Further, paper discusses the importance of cyber law to protect the misuse of e-diplomacy. Hence, this paper enlightens the area of international relations with digital diplomacy.

Diplomacy is not a new concept; it has existed since long. In ancient times diplomacy was a tool for bilateral relations between two kingdoms. In very several ways in Ancient periods kingdoms established their diplomatic relations with other kingdoms for co-operation and trade. Marriage between two kingdoms was common practice to establish diplomatic relation. Messengers and envoys were considered sacred and inviolable. According to history, the ancient Greek and Rome history talk about the fundamentals of diplomacy. Ancient Rome mainly engaged in diplomatic activities (R.Roussou,2016). Greek was one of the first countries to establish state relations with the neighbours, this set an example across the world to explore

diplomacy concept. There are footages of early diplomatic affairs during posts renaissance period, a permanent and full diplomatic system, reporting and privileges were established. Renaissance diplomacy was developed in Italian cities. States established relations on two important elements i.e., no supremacy power and resolving disputes in peacefully. This was the early stage for the journey of diplomacy over the world.

Ancient India have had different and sophisticated diplomacy practice, which is narrated in glorified scripture of Indian literature i.e., Kautilya Arthashastra. It also gave detailed rules regarding its practices, duties of envoys and diplomatic immunities. Second World War was one such event, every nation was directly indirectly affected. The updates mainly were received through old time WWII radio shows. And in 1945, Emperor Hirohito announced on radio that Japan's surrender and end of war (T. Aalen, N. Polmar, Atlantic, 2002). The traditional media very mainly played a role of digital diplomacy then and connected a world easily.

Diplomacy is familiar under international law since it gets legal sanctioned under sources of international law. The sources of international law are often confused with that of "causes" or "factor". The sources of international law are the facts in the historical development in world community by which common consent of the family of nations is made manifest. Such consent gives rise to sources of international law may be either express if given directly by an express declaration or an implied.

Succeeding League of Nation, United Nations was form in 1945. In the beginning of 21st century, small states were technologically weak, with uneducated elites for establishment of modern diplomatic practice. The large colonies gained independent and side by side small states also got independence, hence there were difficulty to form a diplomatic relation between these sovereign countries. Very few newly independent states had foreign ministry and relied on their regional powers. The significant growth in numbers of states created a growth of diplomacy. One of the main branches of United Nations i.e., International Courts of Justice, its statues Article 38 recognises the sources of international law. The international custom is one of the sources of ICJ, which developed the diplomacy in practice. Custom is older source of international law. It cannot be confused with usages; it is always in legal sense which is more than habit or usage. International custom emerges when a clear and continuous habit of doing certain actions and custom is an international habit of action that has received full legal recognition. According to Starke, usage is a twilight stage of custom, customs begins where usage ends (G. Singh, 2015). Such practice is working since ages and now world is connecting under shed of said practice. So, the customary rule of international law is developed through diplomatic relations of states.

Considering customary source of international law, the aspect of diplomatic immunity over the years led to the formation of the Vienna Convention on Diplomatic Relations and its provisions clearly marked the progression of

custom into settled law. This is essential tool to settle international law which provides specific rules and control over the world. Where almost every country is a party, which provides diplomatic protections and practices under international law. It provides a complete framework for establishment, completion and termination of diplomatic relations. The cornerstone of diplomatic law gives essential protections to diplomats in executing their missions effectively without any speed-breakers and ensure that host country could not apply domestic law to take to persecute diplomat in local court. Traditional diplomacy encourages state to state relations and engages the officials of the states for formal dialogues. Basically, traditional diplomacy is territorial. Old or traditional diplomacy is mostly conducted on bilateral basis and maintains envelope secrecy. The traditional diplomacy reflected ideas like acquisition of territory, resolving issues peacefully and so on. With changes in the politics, economy, trade across world, diplomacy also has undergone many changes, it is not limited between two states but has spread across group of states, typically negotiated multilaterally under the umbrella of organisation like United Nations. Public diplomacy also called as Peoples Diplomacy which is, related to dialogues between states is not restricted to territories. Government sponsored efforts in communicating directly with foreign publics, where nations try to influence public of host country through various inspiring words, educational and entertaining approaches. The main focus of public diplomacy is to impress the outlook of the foreign people.

A science fiction is becoming science fact. Innovations have ability to make our life easier and convenient. Transferring money meant writing out and signing a paper which has now shifted to a one button game and other things are now invented in modern era i.e., Digital era. 21st century is the era of digitalisation. The world has changed, this is the most transformational time in human history, everything that is to be disconnected is now wired. Around the world, billions of public use social media every day. Our love for media is not just changing the way we do business it also changing the way we are governed, the way we live in society. Facebook, largest social media platform on the earth along with other social platforms like Twitter, WhatsApp, Instagram, LinkedIn, You-tube have other than one billion users. Civic participation has tremendously involved in social media, it allows citizen to be the source of idea, initiatives in an easier way. Now world expect more and more leader to embrace to give transparent government to the society. It is easier for them to interact with their constituency. Since 2020, novel corona has changed our life in many different ways, as we mainly shifted to social media. We barely step out but social media is now habitual residence of our home, we are connected a world with transparency. We can name this world as Digital world, Cyber world or E-world.

Innovation is the creation of product and process that allow for the continuous realisation of the future. The agenda of 21st century is not to throw old practice of diplomacy but to reshape the traditional diplomacy to account for the networks and the technologies. In current period railways, invention of telegraph permitted fast communications between states. Further, development of airways, IT- Information Technology added speed movement and communication in diplomacy practice. Technology has had a massive impact on the course of diplomatic events and international politics. *“When people think of digital diplomacy, they think of government tweeting. It is not what it is. That is public diplomacy”-Jared Cohen (Jared Cohen,2017)*

Twitter and Facebook are new tool of propaganda for the government, one way conversation where government say exactly the same in old way, now they do it with tweet. The pandemic, has shaped the world in various ways. Even diplomacy has been affected, meetings, summit have been conducted on video platforms, government and other foreign organisation has been connected closely on social media. Technology is dramatically changing the fundamental nature of diplomacy. In United Nations, where General assembly meeting is held once in very year, where media was not allowed to attend, such meeting has been conducted through digital platform in pandemic era. The stubborn system is now changing towards relaxation, it becomes more open and flexible.

Twitter diplomacy, twi-diplomacy is trending in modern world. World leaders' tweet about policy or any event, which is then followed by reply of other world leaders in reply of counter question, debate, discussion against the tweet and then finally leading towards the shaping of public opinion. This famous platform is largely driven by popularity of social media to discharge diplomatic functions. Despite network effects, twitter diplomacy may increase tension, conflicts between the states. In 2018, Canadian Government tweeted and criticised the Saudi Government arresting activities and demand for immediate release, on reply Saudi government retaliated by expelling Canada ambassador to Saudi Arabia and, ceasing flights to Canada. Such tweet created rift between Canadian and Saudi government. Such uncensored tweets may spoil diplomatic relations. Irrespective of governments, social media guidelines are very important to maintain diplomatic relations. U.S. government has social media guidelines, these guidelines also apply to foreign-facing representatives of country including head of the state. Even in India, government is concerned about social media and online platforms. The New Information Technology Rules 2021 have guidelines regarding regulating social media and online content. Twitter allows the world leaders to reach broader audience but, government must rethink about their social media rule and guidelines to stop misinterpretation, if any government fails to do so it will affect the peaceful conduct of international relations. The world is facing strange diplomacy measure because of “New world disorder”. The European Union had applied travel sanction on US citizens. Australia restricted exports from China to criticise China, India also banned trading and Chinese

applications to oppose. UN Secretary General concluded that, World was not able to face together Covid 19 coordinated way (P. Hare, 2020). United Nations accepted new -tele i.e., digital diplomacy, it was a great option to the state to maintain relations and give an acknowledgment on interaction which is made in 2020. United nations formed to maintained peace and security, now to float relations it is a need to accept digital diplomacy.

Cyber diplomacy is now developing by increasing strategic diplomacy with other countries. Since last decade Cyber law is playing active role. It is a tool which solve the problems from cyber space. Cyber diplomacy is an effort to push governments around the world to work together to develop cyberspace policy. It is having borderless infrastructure under the state sovereignty. Now, the immunity of diplomats under cyberspace is extended to nation state, where states have separate infrastructure to deal cyber-attacks cases.

Diplomacy also plays centric role in cyberspace to ensure long-term stability. In 2013 many countries like U.S., China, Russia gave a consent that International law, including United Nations' Charter should applies in cyber space (C. Painter, 2018). Very recently in February 2021 the U.S. introduced Cyber Diplomacy Act 2021. Its aim to promote international leadership on cybersecurity, with immunity of diplomats. In 2017, considering the importance of Information technology and Cyber Security, one of the largest Global Conference on Cyber Space (GCCS) which was hosted by India, where India was keen to promote Cyber Diplomacy. Even in countries like Southeast Asia, ASEAN also slowly developing a cyber security which is require for commitment and collaboration. Through the cyber diplomacy, all platforms will be utilized in promoting approach of collaboration and cooperation with bilateral, multilateral and regional framework. (F. Temur, 2017). The diplomatic immunity under international law provides to a representative of states who goes on diplomatic work on another state's jurisdiction is not liable for any criminal prosecution and some extend civil prosecution at the land of host country. Cyber diplomacy is borderless activities but it plays vital role in developing international relations. Now countries like U.S., Russia India are developing their domestic law where immunity of diplomats under cyber space will be protected.

Conclusion

Diplomacy is deep rooted bridge between two states. which is not only art of negotiation and discussion of national issues at international fronts but also an art to accept new things, act beyond negotiations to maintain political relations. Traditional diplomacy made senses back then, where diplomacy took place by hand over wax seal paper with formal communication. Over the years diplomacy has evolved and so has the medium of communication which is changed since several years and if diplomatic communication doesn't change then it becomes outdated. Digital / cyber diplomacy is the new trend in a world. In 2020 pandemic situation world was freeze, way of communication by all means were restricted. Travelling, summits, conferences, meetings are

conducted in one room through electronic media. The new trend of Twi-diplomacy is running like a horse, by accepting a situation, world is now adopting technology zone greatly. Digital diplomacy has strong international implications which require commitments and collaborations. It is also fundamental for confidence building between countries. Hence, in the view of Vienna Conventions on Diplomatic Relation 1961, states are taking forward steps to introduced domestic laws on cyber immunity of diplomat. The states like U.S., Russia, India have started making laws, passing bill on cyber diplomatic law which will help diplomats to enjoys the diplomacy without any hurdles and also to maintain international political relations. A web -based online tools are always helpful to the public and government. Where people can learn new things, get new information, share new idea which made transparency and such transparency we are experiencing in governments activities, which will be helpful to maintain state democracy.

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POST PANDEMIC EFFECTS ON EDUCATION AND MENTAL HEALTH OF STUDENT'S IN INDIA

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Abstract

The amalgamation of the technology and the education system was a challenging task as there were several factors in play but even after several efforts, important aspects such as the state of mind of the students (irrespective of the age), availability of sources, and many more similar areas were not given sufficient attention. These shortcomings have come forth in the light of the lockdown imposed on account of the COVID-19 pandemic. COVID-19 has acted as a catalyst to boost the process of shifting from the traditional teaching methods to the modern online teaching/learning methods. With the fear of COVID-19, the level of stress has increased substantially and amidst this, the pressure of maintaining scores and giving exams while keeping in mind their safety has become one of the biggest challenges for students as well as the schools and colleges. This paper is dedicated to analyzing the impact of COVID-19 on a student's mental health and its intensity with respect to his or her education and other incidental factors. An online survey was conducted to study the impact on the mental state of senior secondary, undergraduate, and graduate students.

INTRODUCTION

Education is the base and can be a defining element of a person's life. It enriches and improves the quality of life for a person. It exposes a person to several diverse opportunities and helps in successfully achieving goals in life. In the month of March 2020, the State Governments declared the closure of all educational institutions until further notice due to the widespread of this deadly virus whose origins were traced back to Wuhan, China. It was declared as a global pandemic in the same month by the World Health Organization (WHO). A sudden interruption in the academic session caused panic amongst the students. Amidst these situations, the educational institutions shifted their mode of teaching from offline classroom teaching to online teaching. Online teaching mode was not preferred by the institutions before the pandemic as they favored the traditional methods of teaching. In a way, COVID-19 acted as a catalyst to bring the change that was not expected to occur anytime soon. The far-flung reach of this virus made the institutions think on their feet and draw up a plan that had to operate efficiently for a long time.

Due to online classes, students spent hours on digital platforms on a stretch, these changes had some ancillary harms on the student's physical and mental health. Deranged routine, increased screen time, and sitting in one place for a long-duration caused postural issues and led to several other associated physical problems.

Many students are yet not acquainted with the electronic devices and software used for learning online and bandwidth is also a factor that was not taken into consideration while conducting classes. inadequate and inefficient communication with the teachers or professors were the reasons why the students were not able to grasp the concepts as efficiently as they did during an offline class. On one hand, the shift was long due but there were issues that have yet not been catered. Besides all the issues, the distance and staying at home, not being able to connect with the outside world in person led to more stress and frustration amongst students. Some students are not able to interact with teachers during online classes. Students cannot meet their friends because schools are physically closed, and lack of interaction and certainty has brought about more fear. It may have a long-lasting impact on

how well they were able to grasp the concepts. Even after acknowledging the effect on the mental health of the students, remedial measures have not been taken to address their grievances. In this study, we will analyze the impact of online learning on student's learning and mental health.

Students in college, especially, are often recognized as a psychologically vulnerable population and they are the most affected by COVID-19 as there is a high level of uncertainty regarding their academic performance, career, and social life during college among other concerns that students may usually have. Blending technology with the traditional methods and to result in a solution that caters to the needs of forty million (approximately as of Financial Year 2019) students in the country is a complex work. A viable blend of learning environments is crucial in bringing out innovative educational changes and planning approaches for utilizing technology in teaching and learning. In order to formulate the plan, examining the learner's characteristics and background must be considered. The design features and learning outcomes are another two factors that can help in defining the effectiveness of the plan.

The blended environment involves the benefits of traditional teaching methods and aspects of online learning. Educational institutions are responsible for noting the factors that make the implementation of that plan more impactful. A researcher concluded that in their study they found out that the learners have a high potential to explore and learn more because of the online learning tools. They have developed self-regulation and have expanded their level of data construction and made space for analytical skills. The findings in several studies have advocated for online learning methods. The students have the ability to access, understand and evaluate the resources needed to learn conveniently and critically. Institutions of learning have installed the Learning Management System (LMS) along with other digital platforms in order to enable effective learning using technology in this developing world. The process of transformation began years ago; it's only with the COVID-19 outbreak and the pandemic-induced lockdown that pushed the process. The increased pace of the process was expected to lead to some amount of friction. It has

built up psychological distress among students. The students were said to be in a vulnerable state as they were forced to stay at home accompanied by altered food and sleep patterns, fear of getting infected, lifestyle changes, aggravated financial situations, and reduced contact with friends. It is of grave importance to create awareness about the infection but continuous flow of information and updates can potentially affect the mental health of the students as their attention would be more diverted towards the surroundings and less on their academics.

It has been noticed that the screen time has gone up drastically as students are spending more time online and on social media. Prior to lockdown only 30% of the people were using social media for more than 2 hours per day but as soon as the lockdown began, the percentage shot up to 66.7%. Approximately 3% of the people were relying on online resources for educational purposes but during the lockdown this percentage went up to 33.3%. The lockdown has had a direct influence on the physical activity of the students and ultimately affecting their mental health.

There are students who cannot afford a computer or a laptop and hence, it becomes even more challenging for them to encash on the benefits of online classes. Besides that, personal financial tensions can disrupt the education of students. Providing the technological knowledge and internet to the people living in the remotest and the poorest region of the country might continue to be a challenge due to weak connectivity with the urban area but it will not be impossible. Instructors/teachers require longer hours and more energy while conducting online classes at the same time, the students have to sit for longer hours than usual. It means that they will have less time for recreational activities. With little or no time where students go outside due to the risk of getting infected and spending most of the day on screen with insufficient activity.

Online education methods have grown rapidly over the years. The growth and progress have been fueled with the help of improvement in internet connectivity, advanced technology, and a thriving market. Online education methods are now likely to reshape, refine and restructure to offer knowledge in better ways. A researcher found that one of the issues that is causing all of the negative impacts is that there is no sense of community in an

online environment that is usually present in the traditional offline setup. (Sun & Chen, 2016)

A study has brought this into light that the students often feel that the online learning tools can supplement their experience of the traditional (offline or in-classroom) learning methods but cannot completely substitute it in the long run. As they consider that learning in classroom has face to face interaction and lesser distractions are there and hence, they prefer to learn in the conventional way. In addition to the aforementioned factors, the students feel disconnected and detached from the class during online classes, making it beyond their reach to connect and understand the concepts. (Khattar, Jain, and Quadri, 2020)

According to a study, the psychological implications such as depression, anxiety, and stress among the university students because of COVID-19 were absolutely high. Prior medical issues increased the chances of depression for students. The government and personal organizations and the health care providers have services for those who are going through any form of psychosocial and psychological problems but these problems are required to be addressed at the roots. The lockdown had been imposed owing to the situations i.e. the rising COVID-19 cases, which did impact the education along with the mental health of students by creating an environment of fear and uncertainty. There have been cases of false news leading to people being misinformed and causing further chaos amongst the general public. These news and notices have proved to cause negative impact on the young minds of our nation. (Jain and Agarwal, 2020). These situations might get better but nothing can be anticipated as of now. The financial and health risk will continue to increase and while the information that people can avail is sufficient, the opportunities and the facilities that people, especially students, need may not be. In some aspects, the health of the students has deteriorated and it may continue to decline if the required measures will not be taken on time. The ways or solutions that students may find out to deal with the situations include social media and electronic devices, making them over-reliant on the gadgets and the repercussions include feeling of uncertainty, anxiety and depression. Hypotheses for this study are formulated to evaluate the efficiency of online

teaching/learning amongst students and the effect of the pandemic on the mental health of the students. The hypotheses are as follows:

Hypothesis Number	Null Hypothesis (H0)	Alternative Hypothesis (H1)
Hypothesis 1	The academic performance of students has not been affected due to learning through digital platforms.	The academic performance of students has been affected due to learning through digital platforms.
Hypothesis 2	Students could not understand the concepts taught during the online class.	Students understood most of the concepts taught during the online class.
Hypothesis 3	Students could not understand concepts and interact before lockdown.	Students understood concepts and interacted better before lockdown.
Hypothesis 4	Students did not have to drastically alter their study pattern and routine.	Students had to drastically alter their study patterns and routine.
Hypothesis 5	Peer-to-peer learning was not adversely affected.	Peer-to-peer learning was adversely affected.
Hypothesis 6	Classes conducted during lockdown did not cause stress and frustration amongst students.	Classes conducted during lockdown caused stress and frustration amongst students.
Hypothesis 7	Students did not feel depressed for not being able to communicate with their friends.	Students felt depressed for not being able to communicate with their friends.
Hypothesis 8	Students did not get distracted while learning through digital platforms.	Students often got distracted while learning through digital platforms.

All school and university students who live in India and have studied through digital platforms or used online learning management systems during the lockdown period.

To extract the sample from population of students in India using the digital platform for educational purposes, convenience combined with the snowball sampling technique was used to select a sample of 450 students.

Primary data was the main source of data and was collected for the study. The data collected was from the school and university students who attended the online classes during the lockdown through a questionnaire. The questionnaire consists of close-ended Likert questions related to the objects of the study. Cronbach's alpha was calculated to check the internal consistency of the data. For descriptive analysis, visualization tools were used. For inferential statistical analysis in this study, Chi-square's test of independence was used to find out the relationship among independent and dependent variables and for testing the hypothesis. The data collected from the students was done using the ordinal scale and hence, a non-parametric test of Chi-Square was considered for analyzing the hypotheses. The sample selected for the study is experimental i.e., a test sample.

For testing the internal consistency of the data collected, Cronbach's alpha was calculated. Cronbach's alpha for the study was 0.7711. Cronbach's alpha above 0.6 is considered reliable and acceptable. Hence, the data collected from the study population is acceptable and consistent as per the test conducted. Out of 450 respondents, 54 percent of the same were female, and the remaining 46 percent were male respondents.

The data was collected from the students in Higher secondary and college (including Undergraduate and Post-Graduate students) from various streams. An overwhelming response was from the undergraduate students at approximately 44 per cent, 32 per cent of the respondents were students and the remaining responses were received from the post-graduate students.

When online learning or learning through digital platform is being considered, it is important for the students to be well versed with the online learning tools and they should be aware of the ways to handle the same. Anything otherwise could be an

issue. It was noted from the data that 28 percent i.e., 126 respondents were not very well acquainted with the online learning tools which could have led to the disruptions while studying or attending classes through online platforms.

Out of 500 respondents, 115 student respondents did not have the required devices and software to attend their classes through a digital platform. It is the basic requirement for a student to learn using the digital platform. Lack of available resources can not only be a hindrance in learning but also lead to frustration amongst the students.

Further, the hypotheses were tested using the Chi-square test of independence which helped in knowing if the variables were related and if any relationship existed between the said nominal variables. The results of the Chi-square test are as follows:

The confidence level usually considered is 95 percent which means the alpha value is 5 percent i.e., 0.05. The critical value of the χ^2 where α is less than or equal to the 5% significance level and degree of freedom, as calculated based on the sample size, at 2 is 5.991. If the value calculated is below the critical value of the table it means that the difference between the observed value and the expected values of the sample extracted from the population and it was not substantial, and considering the reliability of the data, the hypotheses stand. In contrast to this, if the critical value is lower than the calculated value it will mean that the result does not support the hypothesis.

From the results of the Chi-square, the following null hypotheses have been accepted:

1. The academic performance of the students has not been affected due to learning through the online platforms.
2. Students were not able to understand the concepts taught during the online classes.
3. Students were able to grasp the concepts and interact with their professors/teachers better before the lockdown.
4. Students did not feel depressed due to being isolated and not being able to communicate with friends.
5. Students did not get distracted during the online classes.

To summarize, even though the performance of the students did not significantly get affected, they faced challenges while

understanding the concepts during the online classes and they prefer to learn the way they used to do before the pandemic i.e. the traditional way of learning. Understanding concepts is crucial for the learning process and it was missing during the online classes, causing further challenges for the students to tackle with.

The following hypotheses were rejected against the alternative hypotheses:

1. Students did not have to drastically alter their study pattern and routine.
2. Peer-to-peer learning was not adversely affected.
3. Classes conducted during lockdown did not cause stress and frustration amongst students.

The aforementioned hypotheses were rejected and hence, it can be said that the students had to dramatically change their schedules and the way they approach their studies. It can be a reason that has contributed towards the deteriorating mental health of students during the lockdown. Peer-to-peer learning is a crucial part of learning but it was affected due to the closure of schools during the pandemic and staying in isolation. One of the major limitations of the study is that the respondents volunteered and therefore, there are possibilities that the data produced from this study may not fully represent the general population of school and college students. There are chances that the respondents may have a biased view on the subject and their profiles varied. A rough shift to online learning mode has caused issues and this study has analyzed the same. The minute factors that have led to stress and anxiety among students need to be further assessed.

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**A STUDY OF DISASTER MANAGEMENT ON OUTBREAK
OF CORONA VIRUS IN INDIA WITH SPECIAL
REFERENCE TO MAHARASHTRA**

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Abstract

his research paper emphasizes on the most recent topic of the year that is the outbreak of Corona Virus all over the world. Disaster Management has become utmost vital aspect in order to reduce or avoid human losses by making appropriate provision in terms of medical assistance and care. The researcher has focused on the study of Disaster Management which is implemented in India due to the sudden widespread of the deadly disease named Corona Virus (COVID-19).The aim and objectives of the researcher is to get an insight into the Disaster Management and its implementation in India with special reference to Maharashtra state. The researcher also aims at knowing the precautions and rules and regulations followed by the Maharashtra government and the citizens themselves to safeguard the people from the pandemic disease.

Research Methodology comprises of primary and secondary data. Primary data consists of 10 questionnaires collected from various people via Google forms (as making use of internet sitting at home) where the opinions of the people in terms of the Disaster Management has been recorded and analyzed. Simple Random Sampling Technique has been used for collection of the data. The sample size of --- is selected. Theoretical Framework includes theory and articles on Disaster Management, its implementation, corona virus and its effects and consequences, the precautions to be taken to reduce the spread of

the deadly virus. Data Analysis has been represented in the forms of tables, bar-graphs, histograms and 3D pie-charts. Interpretation will be written in detail based on the data analysis of the respondents. Suggestions are drawn keeping into consideration the opinions of the respondents with respect to the Disaster Management practiced by the Maharashtra Government. Conclusion has been drawn from the opinions and suggestions taken from the respondents and from the researcher's point of view.

Keywords

Disaster Management, Corona Virus, Maharashtra Government, pandemic disease.

Introduction

India is one of the risk prone countries in the world. Floods, droughts, landslides, tsunamis, cyclones, hurricanes, earthquakes, pandemic diseases are among the hazards which can hit the country. These hazards endangers millions of lives and can cause huge breakdown with regards to financial conditions, infrastructure, agriculture and economic factors of a country. The Government of India do possess provision for national emergency for disaster management and some of the states such as Maharashtra has disaster management plan. Many Indian states lack in many resources and are not prepared for the emergency disaster. Disaster Management has become the most crucial in the present scenario due to the sudden outbreak of corona virus (COVID-19) which originated from the city of Wuhan, China. The pandemic disease has captured the whole world and threatened the lives and well-being of the people all over the globe.

A disaster is not restrained by social, political, geographical boundaries. When it arises, it influences all. The effect of such calamities however does not remain restricted to just physical aspects but outstrips beyond it and affects the socio-economic conditions of affected persons and places. Over the past, India has consciously followed a paradigm change over disaster management from a relief-centric approach to the new holistic one, covering all facets of disaster management. Any approach to disaster management should take into account that a single death in every tragedy is more than a loss of a human life, impacting the whole family and disrupting the world around them. However, the earthquake and tsunami in Japan (March 2011) is a terrible reminder that disasters remain a threat for mankind given the best preparedness and highest levels of response. Therefore the challenge before us is to aim for higher levels of awareness, preparedness, efforts to mitigate and mechanisms to respond.

The outbreak of COVID-19 has threatened the whole world around. It is an infectious disease which is caused due to corona virus which originated from Wuhan city in China. Its superfast spread has captured the whole world where about more than 29 lakhs people are suffering from this pandemic disease and around 2 lakhs people died due to this disease. Most of the countries are strictly following disaster management. They have lockdown their countries, not a single person is allowed to move out of the house only in case of emergency, air transport and road transport has been stopped. The nationwide

lockdown was announced by PM Narendra Modi to prevent the fast spreading novel coronavirus which is legally based on Disaster Management Act 2005.

Disaster Management Act

The Disaster Management Act provides the administrative mechanism for taking steps to resolve these accidents, and enables the government to use funds set up for this purpose. This will usually involve events such as an earthquake, storm, or explosion, rather than a disease. However, on 14 March, the home ministry declared the coronavirus outbreak to be a "notified tragedy," thereby putting the Disaster Management Act provisions into effect. The Disaster Management Act was invoked by the Center to order states to impose a lockdown and limit public movement. Section 10(2)(1) of the Act requires the National Executive Committee to provide advice to governments on steps to be taken by such governments. In this respect, the Union home secretary, who is the chairman of the National Executive Committee, transferred authority to the Minister for Health of the Union. The legislation also gives the government access to the National Disaster Response Fund, the State Disaster Response Fund and the District Disaster Response Fund, which is important.

Sections 51 to 60 of the Act provide for punishments for specific offences. Those found to hinder any officer or employee from carrying out their duties will be jailed for a period that could stretch to one year or be fined, or both. However, if such an act of obstruction leads to life loss or imminent danger, then the offender can be imprisoned for up to two years. Often used is the Disaster Management Act to reign in the spread of fake news, which has been on an overdrive since the epidemic began. Section 52 of the Act specifies that individuals can be jailed for up to two years knowingly making false statements to seek compensation from the State. Section 54 specifies that anyone spreading a "false warning" shall be imprisoned for one year. Section 58 of the Act further states that if an offense is committed by a "business or corporate entity," the person who was in charge at the time of the offense is held responsible. The Act provides structures for administrative, legal, political, and cooperation at the national, state, district, and local levels. Both organizations are not identical systems, and function closely together.

Institutional Framework under the Disaster Management Act

1. National Disaster Management Authority (NDMA)

The NDMA, as the apex disaster management agency, is headed by the Prime Minister and is responsible for setting strategies, plans and guidelines for DM (and coordinating their execution and implementation to ensure timely and efficient disaster response). It will approve the Central Ministries / Departments' National Disaster Management and DM plans. NDMA has the power to allow the appropriate departments or authorities to make emergency procurement of rescue and relief provisions or supplies in a threatening situation or disaster.

2. The National Executive Committee (NEC)

The National Executive Committee (NEC) includes the Union Home Secretary as Chairperson and the GOI Secretaries in Agriculture, Atomic Energy, Security, Drinking Water Supply, Environment and Forests, Finance (Expenditure), Health, Electricity, Rural Development, Science and Technology, Space, Telecommunications, Economic Planning, Water Management and the Chairman of the Chiefs of Staff Committee Integrated Military Personnel as Leaders. Secretaries in the Ministry of Foreign Affairs, Earth Sciences, Human Resource Development, Mining, Shipping, Road Transport & Highways and Director, NDMA will be special invites to the NEC meetings.

3. State Disaster Management Authority (SDMA)

The SDMA, led by the chief minister, would set out policies and proposals for DM in the state at the state level. It will organize the execution of the state plan, inter alia, in compliance with the guidelines laid down by the NDMA.

4. District Disaster Management Authority (DDMA)

As the case may be, the DDMA will be headed by the District Collector, Deputy Commissioner or District Magistrate, with the local authority's elected representative as the Co-Chairperson. DDMA will serve as the District-level planning, coordination and implementation body for DM and will take all appropriate steps for DM purposes in compliance with the NDMA and SDMA guidelines.

5. National Disaster Response Force (NDRF)

The Disaster management Act, 2005 made the legislative provisions for the creation of the National Disaster Response Force (NDRF) for the purpose of specializing in natural and man-made disaster response. The Force must function under the general superintendence, guidance and control of the National Disaster Management Authority (NDMA) according to Section 45 of the Act, and NDRF, under the direction and supervision of the Director General. Because of Section 44(i) of the Act, which specifies NDRF as a specialist body, the body is slowly emerging as the NDMA's most noticeable and vibrant multidisciplinary, multi-skilled, high-tech force capable of dealing with all forms of natural disasters and man-made. The Act has required the creation of a National Disaster Response Force (NDRF) for the purposes of specialized response to a threatening disaster situation or both natural and man-made disasters / emergencies, such as those of chemical, biological, radiological and nuclear origin.

6. National Institute of Disaster Management (NIDM)

The nodal national responsibility for the development of human resources, capacity building, training, research, documentation and policy advocacy in the field of disaster management has been entrusted to the National Institute of Disaster Management established under the Disaster Management Act 2005. Upgraded from the Indian Institute of Public Administration's National Center for Disaster Management on 16 October 2003, NIDM is gradually moving forward to fulfill its goal of making India resilient to the disaster by establishing and fostering a culture of prevention and preparedness at all

levels. The NIDM has capacity building as one of its major responsibilities in collaboration with other research organizations, along with training, study, documentation and the creation of a national knowledge base at the level. It will network with other institutions based on expertise and function within the NDMA's broad policies and guidelines. A literature review is a compilation of academic sources relevant to a particular subject or study issue (such as books, journal articles, and theses). This is sometimes written as part of a thesis, thesis or study paper to link the dissertation to established knowledge.

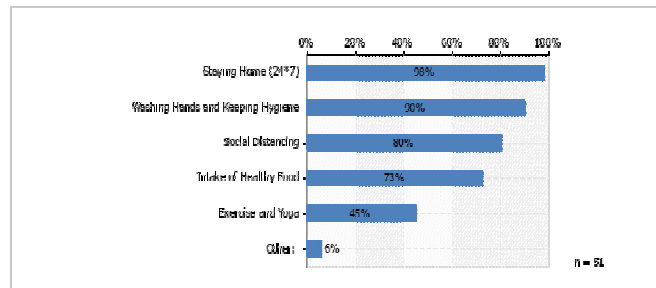
A research design is the collection of methods and procedures used to collect and analyze the variable measurements defined in the problem study. This research paper has used a descriptive survey method where simple 10 questionnaires have been distributed via mails and whatsapp making use of the google forms. A research design is the collection of methods and procedures used to collect and analyze the variable measurements defined in the problem study. This approach focuses more on the research subject's "what," rather than the research subject's "why." The methodology used for analysis is primary as well as secondary data. The primary data is collected by distributing the questionnaires among people of Maharashtra. 10 Questions related to the study objectives are formulated with a view to obtaining adequate information. Secondary data from different sources, such as literature review from research papers and PhD thesis, online books, and some articles, are being analyzed. Research design is descriptive and quantitative in nature where survey is performed by data collection and the information will be implemented using bar graphs and pie charts in a simple graphical pattern. Sampling is one of the most important aspects which indicates the research's effectiveness. Sampling method which is used is convenient sampling method. A convenience sample is a type of non-probability sampling method in which the sample is taken from an easy to contact or reach group of people. Sample size selected is 50 people.

Data Analysis and Interpretation

Q1	Q1. Are you aware about the outbreak of corona virus (
	Answers	Frequency	Percent	Valid	Cumulative
	1 (Yes)	50	98%	100%	100%
	2 (No)	0	0%	0%	100%
Valid	Valid	50	98%	100%	

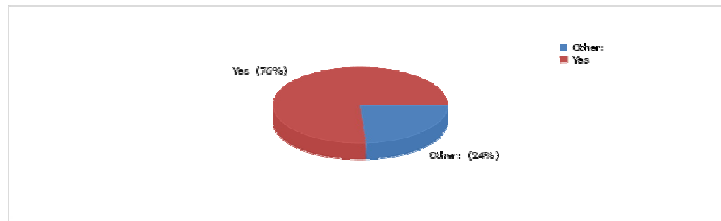
Q2	Q2. If yes, then what measures are you taking to follow the rules and regulations given by the Maharashtra Government							
	Subquestion	Units					Counts	
		Frequency	Valid	% - Valid		% -	Frequency	%

Q2a	Staying Home (24*7)	50	51	98%	51	98%	50	25%
Q2b	Washing Hands and Keeping Hygiene	46	51	90%	51	90%	46	23%
Q2c	Social Distancing	41	51	80%	51	80%	41	21%
Q2d	Intake of Healthy Food	37	51	73%	51	73%	37	19%
Q2e	Exercise and Yoga	23	51	45%	51	45%	23	12%
Q2f	Other:	3	51	6%	51	6%	3	2%
	Total valid		51		51		200	100%



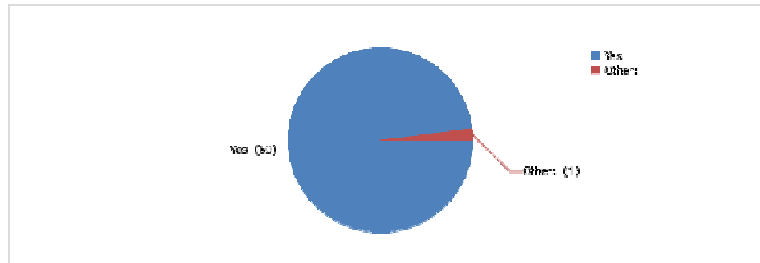
Interpretation:98% of people are staying at home as a precaution to fight against the corona virus. 90% people wash their hands after every hour to keep hygiene. 80% of the people if they move out for some necessary work follow social distancing. 73% of the people are having healthy food which can keep them fit whereas very few 45% of people are doing exercises and yoga to build their immunity.

Q3	Q3. Do you think whether Maharashtra is seriously following the guidelines of disaster management to face the outbreak of corona virus?				
	Answers	Frequency	Percent	Valid	Cumulative
	1 (Yes)	38	75%	76%	76%
	2 (Other:)	12	24%	24%	100%
Valid	Valid	50	98%	100%	



Interpretation:75% of the respondents are of the opinion of that Maharashtra is truly following the guidelines of Disaster Management to face the outbreak of corona virus. Some respondents say that some people are not following the guidelines seriously especially in the societies where children play and do not follow social distancing.

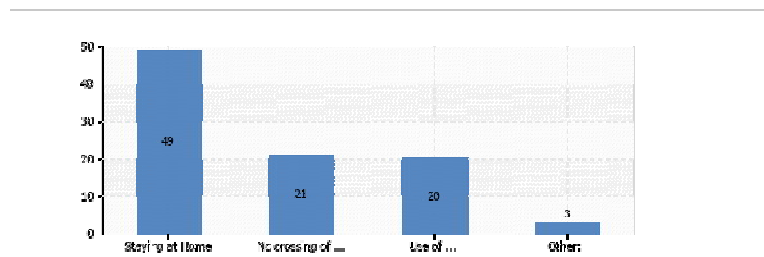
Q4	Q4. Do you support the decision of the Government of lock-down?				
	Answers	Frequency	Percent	Valid	Cumulativ e
	1 (Yes)	50	98%	98%	98%
	2 (Other:)	1	2%	2%	100%
Valid	Valid	51	100%	100%	



Interpretation:98% of the respondents support the decision of the government of lockdown. This concludes that lockdown is the best option to lower the effect of corona virus.

Q5	Q5. Which is the effective way to control the outbreak of corona virus?							
	Subquestion	Units					Counts	
		Frequen cy	Valid	% - Valid		% -	Frequen cy	%
Q5a	Staying at Home	49	51	96%	51	96%	49	53%
Q5b	Use of appropriate mask	20	51	39%	51	39%	20	22%

Q5c	No crossing of borders	21	51	41%	51	41%	21	23%
Q5d	Other:	3	51	6%	51	6%	3	3%
	Total valid		51		51		93	100%



Interpretation:96% of people opine that staying at home is the best way to control the spread of corona virus. 39% of people feel that using appropriate mask will be helpful. 41% of respondents say that restricted movement between the borders will help reduce the spread of the disease.

Major Findings and Conclusion

The researcher has observed that almost all the people are aware about the outbreak of corona virus and its consequences. Majority of respondents think that staying at home, social distancing and washing hands and keeping hygiene will prevent corona virus from spreading. It is observed that there are some people who do not stay at home and do not follow social distancing which may cause problem in near future. Majority of respondents has opined that Maharashtra government is strictly following the guidelines of Disaster Management Act 2005. Still we find that there are people who are breaking the laws of lockdown. Almost all the people respect the decision of the Maharashtra government with regards to the decision of lockdown. Majority of the respondents feel that staying at home and using appropriate mask while moving out is the most effective way to stop corona virus. Most of the respondents feel that Maharashtra government has made appropriate provision for quarantined people while some feel that if the number of people increase taking into consideration the population of Maharashtra it will be difficult to manage it. Most of the respondents feel that police department is playing a better role in the period of lockdown. Some feel that police department should not discriminate people.

It has been noticed that the cases of COVID-19 has been increasing in Maharashtra. As of 25 April 2020, the State reported a total of 7,628 cases including 323 deaths and 957 recoveries. Due to negligence of people, it is increasing day by day. On March 13, Maharashtra's government declared the outbreak an epidemic in the towns of Mumbai, Navi Mumbai, Pune, Pimpri-Chinchwad, and Nagpur, and invoked provisions of the 1897 Epidemic

Diseases Act that allowed it to forcibly hospitalize anyone with suspected symptoms. Thackeray has announced that the number of research laboratories and their capacity will increase, as will the size of quarantine facilities. Thackeray announced on 22 March that Section 144 would be enforced in the kingdom, with effect from 23 March, putting the capital into a lockdown. Many areas in the state, where many confirmed cases were registered, were sealed off to avoid the spread of disease. The lockdown has impacted the education sector, tourism, transport business, migrant workers and economy of the country. Prime Minister Narendra Modi, speaking to the country on 14 April 2020, declared that the national Lockout that was to end on 14 April 2020 has now been extended to 3 May 2020. Maharashtra government is trying their level best to stop the spread of COVID-19.

The outbreak of corona virus all over the world has definitely impacted the daily routine and lifestyle of the people. The economy has drastically come down due to sudden stop in the production of manufacturing sectors and service sectors. The transport industry is facing a tremendous loss. There are also some pros of corona virus that companies today more than ever understand that their company will remain alive by encouraging their workers to work from home and keep us happy and secure. A huge plus to work from home is it's perfect for the environment. Reducing CO2 emissions from daily commutes alone greatly increases air quality. Working from home has the ability to reduce over 300 MILLION tons of carbon emissions per year, according to The Climate Group. Thus, COVID-19 has changed the whole world in a different way. When the corona will vanish totally, we will be able to see an altogether different world.

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A STUDY OF IMPLICATIONS OF DIGITALIZATION ON THE WORKFORCE

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Abstract

Digitalization has become inevitable to sustain in the digital wave, it is necessary to know what digitalization is. Present article is an attempt to look at the different aspects of digitalization as suggested by the different studies. The studies have thrown light on the aspects of digitalization which have affected the life of the employees. The changes in the traditional setup of job roles and the emergence of the new jobs by digitalization are discussed in the work. The role of the organizations to address the challenges posed by digitalization is analyzed further along with the responsibilities of human resources management. The work is aimed to uncover the effects of digitalization on the employees and understand the implications of digitalization on the mankind.

Keywords Digitalization, Digital Transformation, Employees, Human Resource Management, Organizations

Introduction

The digits 0 and 1 are now ruling our lives. The digitalization has not left any aspect of our lives, where it has not made its impact.

The digital transformation of our lives has its own challenges though. Any change will always have a resistance to it. It is the human tendency to oppose change and leave the comfort zones. The digitalization has transformed the job roles, created new opportunities and it has also made many jobs obsolete (Vogelsang et al., 2019). The humans had to adapt to this changing scenario to survive in this new world of technology. Learning new skills and technologies is now inevitable to everyone (Sorko et al., 2016). Digital literacy is now the need of the hour. The impact of digitalization on the workforce is inevitable. The study of these impacts is necessary to delve further to make digitalization even better for the workforce. Some major aspects suggested by previous studies are taken as a base to know how digitalization is making an impact on the mankind.

A study has suggested the classification of employees with respect to digitalization. The traditional setup of work environment, comprising of an office space in the time slot of 9 am to 5 pm is modified by digitalization (Ens et al., 2018). The new Nine to Five employee does not necessarily need an office to work. The employee can choose the comfort of his home and stay connected to the office through digitalization (Ala-Laurinaho et al., 2018). The very need of an office space or formal work environment has been wiped out by the technology. Any convenient place with a conducive environment for work is adequate for the work. This trend of work from home has now become a norm in the new age work culture. They have the advantage to avoid the daily commute to the workplace and back home. The stress and resources involved in the commute are completely taken care of by the technology (Marler & Fisher, 2013). The same resources could be invested in other productive projects. This being the bright side of the new Nine to Five employee. The grey side of this type of employees includes the need of being constantly available for work. There are no certain time boundaries for such employees, and they need to be in continuous touch with their work. There is a sense of their freedom being threatened (Gilson et al., 2015). These employees need to juggle between their personal and professional lives. As the same space is their home and workplace, they need to acquire the skill to transit between their personal and professional roles.

Uncertain working hours and physical inactivity takes a toll on their well-being. Spending both professional and personal lives in the same environment induces boredom and affects the emotional well-being. The effects are seen on their work performances as well. The next type suggested by the study is the travelling elite. These types of employees are always on the road to their work assignments. They spend their major portion of time in hotels and commute. They need to be at the projects carried out at different physical locations. This causes a disconnect to their personal lives. As they are in transit for work, digital connect with their family is the only option for them. Connecting on phones and video calls is the medium to live with their family (Okkonen et al., 2019). The continuous travel does not allow them to work upon their personal lives. Having a me time is a bleak possibility for such employees. Like the new Nine to Five workers, issues related to the physical and emotional well-being start to crop up.

The gig workers are the third type of digital employees classified by the study. These are the workers who take up the contract jobs. The drivers of the ride sharing services of Uber and Ola are the examples of Gig workers. These workers are not the employees of the organizations. They take up the job at their convenience and perform the work. The freelance photographers, designers, programmers, and coders are the gig workers who take up the work according to their expertise. However, they are not permanently affiliated with the organizations. The gig workers have the flexibility to accept the work as per their will. The drivers of ride sharing companies need to have their vehicles and the required gadgets to work with the organizations. The drivers have the luxury to be on the work or not, accept the ride or not. But they need to invest their resources in the vehicles and the digital accessories required to be on the work. The gig employees as are not the employees of the organizations, they do not get any benefits, the employees of an organization would get. The benefits like social security, medical facility and insurance rendered by an organization to the employees, must be managed by the gig workers by themselves. These gig workers as such do not have any supervisor over them, but the supervision in the form of the ratings

is present. The customer ratings and the feedbacks constitute their performance appraisal. The gig workers need to be on their toes to have the adequate ratings and feedback from the customers. Also, there is cutthroat competition to get the work. To get the work, the gig workers need to be always available for the work. The long working hours and the robotic supervision in the form of ratings take a toll on the well-being of these employees (Okkonen et al., 2019). The need to invest in the digital accessories, constant availability to get the work and the feeling of being on their own with no organizational support as such, are some of the grey shades of the gig circle. Also, the gig workers need to be constantly adaptive to the changing working conditions and customer requirement. These efforts too must be supported by the workers itself with no cooperation from the organizations, as they are not their employees. Thus, new form of employment is emerging in the gig economy, owing to the availability of expertise and digitalization despite the ill effects on the gig employees. The support of the government is needed for the betterment of the gig workers (Muro et al., 2017). Support in terms of social insurance and security is needed to support the gig employees (Behrendt et al., 2019). This would help them to have a backing behind them and the feeling of being everything yourself would be minimized. The process of implementing digital technologies in organizations is a challenge owing to the obvious resistance to change. Digital transformation requires the support of people both from inside and outside the organization (Cijan et al., 2019). As it is not mere implementation of the digital solutions, it impacts the entire work culture of the organization. This makes it inevitable for the organization to take the related people in confidence to enable digital transformation. The first step to embrace technology is the proper introduction of the technology to people. Making them know what the technology is and the correct way to handle the technology is required to make the people comfortable. The implementation of training modules for the digital transformation is one of the first steps towards digitalization (Fischer & Pöhler, 2018). The training modules need to be designed as per the learning abilities of the employees. This is easier said than done but implementing training modules for the sake of it would not do

any good to the staff and so to the organization. As everyone is different than the other and with different job roles, customized training modules is a must to be effective. As per the Technology Acceptance Model (TAM) two factors affect the acceptance of any technology which are Perceived Usefulness (PU) and Perceived Ease of Use (PEOU) (Venkatesh et al., 2003). Other factors like the demographics, social impact and attitudes contribute to these factors.

The Perceived Usefulness highlights the need to educate the staff about the utility of the technology. The advantages when well explained, it would reduce the resistance to digital transformation. The Perceived Ease of Use must be dealt by apt training modules. Tailored training programmes can effectively address the apprehensions of the employees towards the digitalization. As digitalization impacts the entire work culture, the management needs to respond to these changes as well. The leaders are now digital leaders instead of just leaders. The traditional styles of leadership would not prove to be effective in the new environment. Instead responding to the digital challenges collectively with the team is required. Changes in the organizational structure too is needed to respond effectively to digital transformation (Ala - Laurinaho et al., 2018). The traditional setup of department may not be conducive to the digital environment. The homework is must to know the implications of digital transformations on the organization's prospects. The impact on the external stakeholders needs to be analyzed as well to assure substantial returns on investments in digitalization. To summarize, the impact of the technology on the people involved in the organization's work realm needs to be thoroughly looked upon. This task needs to be accomplished by the organization's management and the human resources people.

Digitalization makes information available in huge quantities from all around the available corners. The reliability and validity of this information is always in question. Though digital aids are available to process, analyze and make decisions with respect to the available information, a final human touch is surely needed. Putting this information to use is now the task of humans. As

numerous possibilities are evident because of huge information, it creates an overload on the humans. As the processing capabilities of humans are limited with fatigue coming into play, this overload does more harm than good to the humans (Vial, 2019). No doubt, digital aids are in place to process the huge information, but everything cannot be taken care by the technology. At the end, humans have their last say even in the presence of advanced technologies. As extra burden of handling large quantities of information is entrusted upon the employees, it affects their efficiency and productivity (Urbach et al., 2017). This affects the overall performance of the unit. The aspect of information overload needs to be addressed by defining job roles and job descriptions in tune with the demands of the technology.

Work Life Balance Disruption

As digitalization has redefined the demands of the jobs, the resources required to cater to these demands are not fulfilled in that proportion. The JD-R theory suggests that the GAP between these job demands, and resources creates stress (Demerouti, 2020). It is necessary to look upon the balance of these job demands and resources to minimize the negative effects of digitalization on the workforce. Stress has been reported by employees due to extensive use of the digital infrastructure affecting their well-being. Strain on eyes, back problems, anxiety issues, feeling of insecurity, emotional instability, and hypertension are some of the health concerns arising out of improper use of digital technologies. The constant need to be ready for work and uncertain work schedules does not allow the humans to spare time for themselves and their families. The lack of quality time has cascading effect on the family members too making the situation even more complicated. The humans tend to lose touch with the humans and living more into the virtual world of digitalization. The solution tends to be in the hands of humans by employing the technology in way conducive to the well-being of the mankind and not the other way round.

Digitalization and Job Insecurity

Digitalization has brought in pace, efficiency, and accuracy. The technology has replaced the monotonous and routine tasks of human effectively. The clerical work in offices is now efficiently

carried out with less workforce through various Softwares. The digitalization has replaced numerous job of low skilled workers through automation. The factories and offices are now routinely employing the digital tools to get their work done. Humans are now sparingly required to perform these routine jobs. As digitalization is eating up these low skilled or monotonous job, it has spread a sense of insecurity among the low skilled workforce (Zeike et al., 2019). The labors need to be digital literate to be employable. The traditional 9. To 5 jobs are tremendously altered by digitalization. Acquiring digital skills is imperative for humans to earn their bread and butter. This insecurity is a kind of propelling force to get molded and be ready for the new job roles. There seems to be no option but to embrace technology to live in the new world of technology.

Generation X and Y

Digitalization growing its roots deep into our lives has an impact on the employees in all the levels. Studies have elaborated the approach of the generation X and Y when it comes to accepting the change due to digitalisation (The Economist Intelligent Unit, 2016). The generation has the expertise and experience with them. According to the JD-R theory, these are their resources which keep up with their job demands (Xu et al., 2020). However, the job demands have changed drastically in the backdrop of digitalization. And these resources are inadequate for the generation X employees to match their job demands (Gordon et al., 2018). The generation X seems to resist the change in the form of digitalization (Michalcea, 2017). The additional load of acquiring new digital skills makes it a roadblock for the digital transformation. The Generation X is the backbone of the organization's system and it is imperative that they mould themselves with the new digital transformation. The Generation Y and the millennials on the other hand are in proximity to the digital environment since their birth or early age. Some of the digital skills are acquired by the generation Y in their school days and the technology is no new to them when they are employed in the digital systems. As the organizations cannot do away with the rich experience and traditional expertise of the generation X and the digital connect of the generation Y and the millennials, a right mix of these aspects is the need of the hour.

This has posed a challenge to the Human Resources managers to achieve the synchronization of these generations (Chadhuri and Ghosh 2012). A constant dialogue between these generations is the key to achieve the coordination between them. The flow of knowledge from both the generations and the acceptance of the same would make the digital transformation a smooth affair. The cooperation between them would make the situation easy in terms of implementing the technologies in the traditional systems.

The role of HRM is not limited to implement training related to digitalization. It has a larger role to play by looking into the details of designing the job roles and responsibilities in digital environment. The proposed solutions to address the digitalization concerns include, motivation, redefining organizational structure and the leadership patterns (Cijan et al., 2019). As humans would help find a solution to the problems of humans, the HRM is the gateway to build a solid foundation to embrace digitalization. Taking cue from the theories of Technology Acceptance Model, JD-R Theory and AMO (Abilities, Motivation and Opportunities) Theory, HRM could propose unique solutions to the challenges posed by digital transformation in the organization.

Digitalization has opened door to numerous opportunities for the mankind. A quick reach to all the corners of the world and offering possibilities to reduce the transport efforts because of digitalization, have contributed to the reduction of carbon footprints. Digitalization has helped to reduce wastage by proper allocation of resources by making available the required sets of information. Digitalization has made E - Commerce a reality. Improved efficiency and accuracy in the operations field has made optimum allocation of resources possible (Beier et al., 2017). It has made possible to depend less on the paper for maintenance of records and in turn saving the environment. This in all has contributed to sustainability of the nature. Digitalization has significantly contributed to the healthcare system. Thus, serving for the sustainability of the mankind as well.

Conclusion

Digitalization has been around us for a few decades changing our lives and is to stay further with us redefining the ways we live. A look on the different aspects of digitalization and its implications

on the workforce highlights the need to rethink on the implementation of digitalization. The technology needs to be used for the workforce in a more humane way to negate its negative effects on humans. Though digitalization has improved the human lives many folds, a look on the dark side was inevitable for the betterment of the workforce. A deep insight in what is going wrong or what may go wrong in the future while implementing the digital technologies could help to build the right solutions to our problems. The work is an attempt to look back at the studies on digitalization and try to find a new dimension of digitalisation. Understanding digitalization and finding an apt way to implement it is the key to sustainable growth of mankind in the digital world, is what the study discovers.

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**MALE RAPE VICTIMS:
A SELECTIVE REVIEW OF LITERATURE.**

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Abstract:

Recently there are abundant of studies conducted on female rape victims. Present article examines the issue of male rape which is being ignored largely in the growing literature. In Indian scenario male rape is considered as taboo, male is not considered as victims of rape. On the other side male are considered as perpetrators and the definition of rape under section 375 of Indian Penal Code also revolves around the paradigm of male perpetrator and female as rape victims. This article will provide a selective review about the myths of male rape and its effect on the victims. Every offence under law shall have some or the other side effect on the victim, same is the case with male rape victims. This work will focus on the issue which is hidden from the society, veiled under ignorance and misconception. The article explores the problems faced by such victims and the probable causes of them being silent victims. Such victims are aware of the reactions against them, fear of homophobic reactions, blaming game, not being man enough to protect oneself, are few causes for non-disclosure of crime to family or society. There is need that Indian Criminal justice system moves beyond the traditional approach of female rape paradigms. This is an attempt made by the researcher to explore beyond the traditional paradigm of male as perpetrator

from the prospective of male rape victims. Suggestions are discussed from the lens of male rape victims based on literature review of selected literature.

Key words: hegemonic masculinity, male rape, stereotype, silent victims, myths.

Introduction:

Since 1970, feminist has worked and published frequently on the problems faced by female rape victims (M. Davies.2002). The development in this locale has taken its own time; there are different support systems that provide help for these victims. At International level there are various conventions signed for the betterment of female like *The convention on the elimination of all forms of discrimination against women (CEDAW)*. Rape is one of the heinous crimes, it affects the victims physically, morally, and psychologically also. In India rape is defined under Section 375 of IPC which is gender specific, now the question is, whether this crime is gender specific or gender neutral? Present articles explore selective literature to find the answer of this question. It is found in various researches that male can also be sexually victimized. There are various myths revolving the concept of male rape victims (MRV). Hegemonic masculinity is also one of the reasons behind these myths. Male rape is a hate crime; the perpetrators are equated as ghost who hunts such victims (Javaid.2019). As rightly said by Barack Obama (President USA, September 2014) that laws won't be enough unless we change the culture that allows the assault to happen. He also highlighted about the secondary victimization of such victims due to negative reactions they faces in the society (Gravelin CR,2019).

Sexual assault of adult male:

There has been a significant increase in research which examines the causes of female rape victims. Rape as a phenomenon revolves around the paradigms of female victim and male a perpetrator. This article will investigate sexual victimization of male along with different myths regarding male rape in the society. Some Research examined the problems faced by male victims during the court proceedings (P.Rumney, 2001). In UK male rape was legal recognised in 1994 since then there has been a significant increase in the offences recorded of male rape. With reference to Indian criminal justice system the struggle is still on to amend rape law under IPC so that it could fit to all the genders. Child rape is recognised in India and is protected under *The protection of children from sexual offences act (POCSO Act)*, does it mean that child when becomes adult won't be protected by law? The question remains unanswered. There are various UN conventions to which India is signatory which talks about achieving gender equality like *Millennium development goal*. Sexual exploitation and violence are regarded as gender specific, connected with feminism; the society ignored the perception to look towards sexual violence from the angle of male victimization. Rape as a phenomenon is always looked from the angle where a male is a perpetrator and the victim are always female or girls, because it is unpinning on the social norms deeply rooted in patriarchy. Females are always treated as vulnerable

and unequal in power as they were instruments in the hands of male. With the development of feminism, it is been observed that the prospective of the society towards females has drastically changed. In the meantime, the hidden fact of male rape is peeping. Relatively little or no attention was given towards male to improve his behaviour towards female and in the context of male themselves being victims of sexual violence. There are number of mis-concepts with regards to sexual desire and muscularity of male. Male as a member of society is set free as compared to female whose behaviour is controlled through customs, their virginity, family honour and many different aspects based on morality. It is observed that Western nations have moved towards gender neutral definition of rape laws for instance under United States legal system rape is gender neutral as amended in January 2012 so as to cover both the genders as victims and offenders (Michelle Lowe. 2017). The amendment gradually also brought the change of recording the accurate crime of rape against male. Canadian legislation has also replaced the definition of rape by amendment in 1983 to sexual assault which is now a gender neutral law.

Influence of hegemonic masculinity on male rape:

Male rape is an act of physical violence which also has effect on psychology and emotions of male victim inflicted by a male or female without the consent of victims. It includes cheating such victims and manipulating them to participate forcibly in sexual act. Such forcibly acts includes intentionally touching in a sexual manner by a male or female along with unwilling non-consensual penetration act. Hegemonic masculinity is the base to investigate male rape victims and responses of the society towards them (Javaid. 2017). Male rape is a violent behaviour which is not committed for the sake of pleasure but to show the power. According to social construction masculinity male are authoritative, physically strong, and superior (Javaid. 2016). Real men are expected to have sex only with female and not against the norms of the society. Gender expectation from male rape victims is to have sexual intercourse with female and not to be self-victimized. The idea of male being raped by a female or any other male goes against the gender expectation. Due to which such victims are been ignored and are not taken seriously. Cultural stereotype is that the females are passive physically and sexually whereas male are active and aggressive sexually, therefore male rape victims contradict this cultural stereotype. Sexual violence has nothing to do with gender, sexual orientation of the victim or the physical strength of the victims. Female are socially constructed as vulnerable and physically weak therefore this gender can only be victimized and cannot be the perpetrator, in other words it means that male may be ill eligible to be tagged as victim.

Myths of male rape and its effects:

There are certain common male rape myths in the society; rape myth is nothing but a false belief in the society about male rape. Rape myths were first connected with female rape victims, which explained various, believes which laid the foundation for sexual violence towards female. There are unique sets

of myths traditionally in context of rape, like rape is all about sex; victims themselves are responsible because of the negligence or their appearance, victims makes false allegations for revenge. Perpetrators are known to victims and therefore they are responsible for inviting them into their lives.

Similarly there are many faulty beliefs pertaining to male rape victims like such victims are homosexual, they are blamed for not fighting back and protecting themselves, male rape victim has lost his manhood and may become homosexual, erection during sexual assault indicates that the victim enjoyed the event and therefore it's not a rape.

Studies have revealed that there are victim blaming statements and the victim should have shown more resistance towards their attackers (J.Bateman&C.Wathen. 2015). Studies have further show that individuals who believes in myths are themselves engaged in committing sexual violence and victim blaming. These myths have indirectly supported the crime of rape by defending perpetrators and victim blaming. The negative effects of myth are evident in the society as the victims are traumatized. This ultimately discourages the victim to report the cases of sexual assault.

Male rape myths contributed in following manner: there is lack of law to tackle the problems of male rape survivors, there is lack of services to help such victims, lack of medical facilities to provide first aid to such victims. Myths have acted like barriers in the treatment of male rape survivors.

Taking into consideration the physical and psychological disturbance faced by such male rape victims they also deserve to receive compassion and sensitivity that is offered to females..

Rape in general is treated as a hate crime, young gay or men are made prey of this offence to show the power of the perpetrator. Lifestyle of gay is also considered one of the causes as they are expected to have lots of sex. As a result, many rape survivors question their gender, sexual identity. Such victims also blame themselves for not been able to protect themselves, live up to the expectation of being a tough male, tough enough to protect oneself. This is also one of the reasons because of which such victims don't easily open and seek help from others. Therefore, it's been advocated that such male victims should be given the same support as that of female victims.(M.Davies, P.Rogers& J.Bates.2008).

Aftermath on Male rape victims:

Researches have shown that sexual victimization of male is directly connected with the lifestyle they lead, as this is the actual reason which exposes them to the perpetrators. Earlier researches have shown that gay and bisexual men are more vulnerable as victims in comparison to heterosexual men (Davies, 2002). Earlier researches conducted on women as victim of rape was based on various parameters like age, their lifestyle, vulnerability etc. as correlates of trauma (Frazier &Schauben, 1994). Frazier found in his research that there was a difference in the aftermath of male and female as rape victims. His study revealed that male rape victims were more aggressive and disturbed as compared to female victims. The conclusion drawn in his study was that male

victim's reaction through anger was a masculine way to deal with the post-rape trauma. Kaufman et al. believed few male rape victims has shown a controlled reaction towards their victimization, which was suggested the result of socialization, as men as supposed to be inexpressive towards their emotions (Kaufman et al., 1980). Subsisting such emotions has result in long term problems making them psychologically instable and helpless. A male rape victim after their victimization develops great sense of them being vulnerable and becomes more precautious or changes their day-to-day activities to avoid such victimization. Their victimization ultimately changes their perception towards them; they have the feeling of self-blame for not being able to fight back or to protect them (Mezey& King, 1989). Research has shown that the aftermath of such incidence is that such victims often get confused as to their sexual orientation. For heterosexual victims this may be their first homosexual experience. Their victimization may lead to a question as 'Am I gay?' due to which I am being victimized. Such heterosexual victims face difficulty in having relationship with their wife's, as they have encountered male rape which is disgusting for them. Gay victims also face problem as to their sexual orientation. Earlier the sex which they enjoyed is now a punishment for them (Garnets, Herek, & Levy, 1990). Sexual affliction is common among male rape victims which may continue years after their victimization (Mezey& King, 1989). This may result in issues in their existing relationship from prospective of victims as well as the partners of such victims. Research conducted by Keane, Young, Boyle, and Curry (1995) revealed that 44% of male rape victims faces problem in their sexual relationships. The research also suggested that such victims also fear to re-create the assault playing the role as victim or the perpetrator. Such victims develop thinking of losing their masculinity which results in violent behaviour towards their partners. Feeling of anger, revenge against the perpetrators or against the society is a common aftermath of male rape victims. The cause behind this is self-blame or blaming the perpetrator for being insensitive and cruel towards victim (Walker, 1993).

Attributes of male rape victims:

Researches have shown various characteristics of assault like, the location where the assault was committed, number of perpetrators involved, type of assault committed etc. Majority of assaults were committed in the house of perpetrators from this it may be concluded that the perpetrators are known to the victims. Study conducted by Walker (2005) suggested that few assaults are also committed in the vehicle where lift is offered to such victims. The victims have admitted that once the lift is offered, the perpetrator asked for sex in return of money, which was rejected by the victim, ultimately the victim was assaulted on the back seat of the car orally and anally. Such victimization was also committed on streets, workplaces, toilets, spa etc. (Walker, 2005). Violencelike kicking, punching is used as weapon in maximum cases of male rape victims, whereas there is use of real weapons also like knife, gun etc. Such victims have experienced anal bleeding, major bruises caused by weapons used during assault, broken bones, burns of cigarettes etc. The

research conducted by Walker (2005) also revealed that majority of victims did not seek help of doctors under the fear to disclose the assault to doctors. They were not comfortable to share their experience with friends and relatives also. Victims have revealed that during assault they faced homophobic comments made by the perpetrators, in few cases the perpetrators intended to show the act as consensual. This ultimately results in long term side effects on psychology and behavioural pattern of the victims. Such victims suggested that they should also be offered support like that of female victims. Society and the law enforcement agencies should act more responsible and extend their hands of support and sympathy towards such victims.

Conclusion:

Male rape is an issue which is under veil of ignorance, giving example of countries like UK, USA, Canada etc., these countries do recognize victimization of male as rape victims which can be gathered from their literature. Looking especially into Indian law, Indian law is gender specific. Male is treated as strong who cannot be raped, therefor in Indian society male rape is a taboo, a myth. There is very little research conducted in India in context of male rape. Awareness among the society is an essential, as law is normative science; it changes according to the need of the society. Firm legislation is another necessity; a platform needs to be established through which such victims can be supported. There must be a 24x7 helpline number to help them. The counsellors and law enforcement officers should be trained to be sensitive towards such victims. Hegemonic masculinity and stereotypes in the society needs to be changed. In academics researches need to be conducted to understand the side effects of this crime.

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**THE CONCEPT OF COMPOSITE CULTURE
AND UNIFORM CIVIL CODE IN INDIA**

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Abstract

India is renowned for its rich composite culture. There have been various factors that have contributed to the composite culture of India. The culture, traditions and beliefs have undergone social and as well as legal transformation. However, often the cultures and practices which are guided by traditional customs of different religious groups have found to be gender discriminatory. The concept of Uniform Civil Code aims to do away with this discriminatory policy of various religious groups and implement a uniform policy as far as religious and their gender policies are concerned. Many a times the judiciary has played an important role of mediator between religion and the constitution by applying the uniform civil code but there has been no unanimous implementation of the same because of the strong deep rooted religious customs.

Keywords: uniform civil code, judiciary, composite culture

Introduction

For a successful administration of justice Warren Hastings

¹⁷⁸ considered that it would be proper to apply the native law to the people of India and not the English law. He believed that the imposition of foreign law to the Indian would be unsuccessful. Thus, for the administration of justice in Bengal, Bihar, and Orissa he prescribed the Hindu law to the Hindus and the Muslim law to the Muslims. The Supreme Courts of the presidency towns also followed this policy.¹⁷⁹

Later realising the importance of the applicability of the personal laws to the people Cornwallis also supported this concept, which was on the other hand necessary to ensure the stability of the British rule in India. He too insisted the importance of the shastras and the Koran. Thus, in the beginning the policy of tolerance in religious matters and adoption of native institutions became effective in order to win over the Indians. Though the policy of Warren Hastings proved beneficial for the British in order to establish their control over India and the Indians but later it invited many problems. Though the applicability of personal laws and the preservation of the shastras and Koran was emphasised, at the same time it was forgotten that the English judges had no knowledge of these personal laws and thus the problem in administration of justice was bound to occur. Thus, the administration of justice became difficult for the following reasons:

- 1) The judges had no knowledge of Arabic and Sanskrit language.
- 2) The Hindu literature was too wide.
- 3) The original religious books were misinterpreted.

Thus, in order for the administration of Justice it became inevitable for the English Judges to take help of the religious experts like the pandits and the qazi's for the interpretation of these personal laws. However the first Law Commission was appointed in 1834 and it was required to devote its attention to the problem of uncertainty of the substantive civil law which was applicable to the Christians, Anglo-Indians and Armenians. As it involved personal laws of various communities it became very difficult and complicated task for the Commission. There was no *lex loci* or law of the land for persons other than Hindus and Muslims in the Mofussil while the Presidency Towns had *lex loci* in English law. After careful study and consideration, the Commission on 31 October, 1840 to the government. The Law Commission recommended that an Act should be passed making the substantive law of England the *lex loci*, i.e. the law of the land outside the

¹⁷⁸. He was the Governor General of Bengal from 1774-85. He brought about judicial reforms by establishing the Diwani and Faujdari Adalats and the Sadar Diwani Adalats.

Presidency Towns , which shall be applicable to all except Hindus and Muslims. The main recommendations of the Commission¹⁸⁰ were as follows

- (1) Such laws of England were applicable to the conditions of the people of India and not inconsistent with the Regulations and Acts in force in the country were to be extended over the whole of British India outside the Presidency Towns and all persons other than Hindus and Muslims were to be subject to them
- (2) All questions concerning marriage , divorce and adoption concerning persons other than Christians were to be decided by the rules of the sect to which the parties belonged.
- (3) There was to be a college of Justice at each of the Presidency towns with the judges of the Supreme Court and Sade Courts as members.

It can be said that the Commission's proposal was to make the English law the *lex loci* of the areas outside the Presidency towns. The *lex loci* report of the Indian Law Commission was sent to all the Presidencies in India for opinion. The progress in the direction of the *lex loci* was halted. In due course it was realised that there were many objections to the recommendations of the Commission. In the meantime the Directors of the company ordered that no law to be passed for the declaration of the *lex loci*, and thus the matter remained pending. British Policies of Religious differentiation and the diversities in it leads to sentimental tension between different communities. A glaring example of this was the partition of India and the events subsequent thereto. It can never be forgotten that the British policy of imperialism was to "divide and rule" India and in order to achieve the purpose they would at times fan anything which might make a difference between the two communities much wider. The British rulers thus lost no opportunity in inserting even newer wedges like the " communal ward". Thus, when the Indian leadership failed to settle down the communal issue of the country , the British prime minister Ramsay Mc.Donald , announced his own formula of solving the communal problem of India. On 16 August ,1932 he announced the communal award. According to the award, right of separate electorate was not only given to the Muslims of India but was also given to all the minority communities in the country. The award was not popular with any Indian party. Muslims were not happy with the ward as it had reduced their majority in Punjab and Bengal to minority. Yet they were ready to accept it. On the other hand the Hindus refused to accept it. For them it was not possible to accept the untouchables as minority. They organised the Allahabad Unity Conference in

¹⁸⁰.Under the Chairmanship of Andrew Amos.

which they demanded for the replacement of separate electorates by joint electorates. The Congress also rejected it and Gandhi protested against it. He signed the Poona Pact¹⁸¹ with Dr. B.R. Ambedkar, the leader of the untouchables. Thus the British made every possible endeavour to divide India into as many fragments as possible on the basis of its religious diversities, which have so far been responsible for its unity and integrity. The diversity of India which has kept it united for so long was now in danger because it was now a plaything in the hands of the British which found it most convenient to use the most sensitive and sentimental issues as a shield to protect their rule in India. In September 1939 when the second world war broke out the British government without consulting the Indian leaders declared India as a belligerent nation. The working committee of the Congress resented the act and declared that such issues of war and peace must be left for the Indian people to decide. The committee asked a clear statement from the British about their war aims and in regard to democracy and imperialism.

The British in 1940 gave a general assurance based on the complexity of the Indian people and in particular referred to the lack of unity and consequently their inability to divest themselves from the welfare and good government of the people of India. Consequently Congress Ministries in eight provinces resigned. Jinnah was most happy on the resignation of the Congress Ministries and soon after the introduction of provincial autonomy in 1937 he began to preach the two nation theory. He infused the idea of perpetual separation and hostility between the Muslims and the Hindus. Later in the elections Congress won absolute majority in some provinces. The members of Muslim League were in hope that they would be invited by the Congress to form a coalition government. However the Congress told the Muslim League that they should cease to operate as a separate group. As observed by Penderel Moon this was a fatal error, the prime creation of Pakistan. But in circumstances it was a very natural one.¹⁸² Rejecting this offer Jinnah declared “Muslims can expect neither justice nor fair play under Congress government.” All hopes of communal peace had been wrecked. Thereafter the idea of merging the union on frontier province, Baluchistan, Sindh and Kashmir as Muslim state was propagated and thus the two nation theory gained momentum.

¹⁸¹. According to the pact the idea of separate electorates for the depressed classes was abandoned, though seats for them were reserved in the Central Legislatures.

¹⁸²..Kulsheshtra V.D., Landmarks in Legal and Constitutional History of India, 2013, p 403.

The Mountbatten Plan¹⁸³ of June , 1947 contained two essential proposals. The one that is worth mentioning here was that the partition of India was inevitable. The seeds of communalism that the British has sown in the Indian soil grew into giant trees bearing not fruits or flowers but thorns of hatred and distrust between the two communities. These thorns penetrated deep into the spirit of unity and integrity of India and finally resulted into the partition of India. The existence of the two communities together with harmony was now only a dream and consequently in August 1947 though India became as an independent nation free from the chains of slavery of the British at the same time India stood partitioned into two nations, Pakistan and India.

Codification of Personal laws

Since there were no codified laws , it became inevitable for the British judges to take help of the pandits for imparting justice. Though the pandits were experts in religious matters they failed to satisfy the judges in providing help to them in course of justice. The Hindu literature was wide and moreover it had ethics , morals all mixed up. This confuses the judges and despite taking help from the pandits they found themselves helpless in governing the judicial matters. Sir Jones of the Supreme court wrote a letter in this regard to Cornwallis stating that ‘ he could no longer be at the mercy of the pandits who deal out Hindu law as they please. The situation of law at that time was such that there were conflicting decisions on the same point. This created uncertainty of law. Thus , it was thought that it would be better to translate the Hindu law into English. In due course many English scholars produced work on Hindu law. Besides by now the English judges were able to understand the Indian languages , customs and traditions. The judges therefore by now had themselves become capable to draw inferences from the personal laws. With the dismissal of the pandits and the inferences drawn by the judges in personal capacities , emerged the very idea of codification of Hindu law. “ VivadrathaSetu” ,meaning a bridge between different opinions, an original work on Hindu Code was prepared. This was then translated into Persian and then in English ,under the title of “ A Code of Gentoo Laws” and it covered principles regarding every matter. The word Gentoo is derived from the Portuguese word, Gento or a Gentite, which came to mean ‘ native of India,’¹⁸⁴ thus the word Gentoo was for the first time legally recognised by Warren Hastings. He took the

¹⁸³. It laid down the detailed principles for the partition of the country and speedy transfer of political powers in form of dominion status to the newly formed dominions of India and Pakistan. Its acceptance by the Congress and the Muslim league resulted in the birth of Pakistan.

¹⁸⁴.Kulshstra, V.D. Landmarks in the Indian Legal and Constitutional History, 2011. p. 649.

initiative to investigate the principles of the “Gentoo religion” and to explore the customs of the Hindus.

Warren Hastings therefore invited some famous Brahmins , who were learned in the study of Shastras, from all parts of the kingdom at Fort William in Calcutta. Apart from this many ancient and modern authoritative books were also collected. They finally prepared a code of Gentoo laws in Sanskrit. Later on it was translated into Persian and then again into English.¹⁸⁵ Thus in defeminising matters related to Hindu personal law , the Privy Council played an important role, as wherever the Privy Council rendered a decision it became binding on al courts to follow it in future. Just like the help of the pandits were taken in imparting justice in matters relating to Hindu law, the help of qazi’s were taken in ascertaining matters related to Muslim law. The qazi’s too were not lawyers but religious teachers who often interpreted the religious text as per their will.

The British judges soon realised that they were nothing more than a puppet in the hands of the qazi’s. These religious texts were often open to more than one interpretations and this led to uncertainty and confusion. Thus, the very purpose of the courts to impart justice was defeated for they were left at the mercy of the religious heads. The Muslim literature , like the Hindu literature were wide and scattered. Slowly the apprehensions regarding these qazi’s grew and eventually their offices were dispensed with. With the passage of time the judges themselves interpreted the laws since they were now capable of understanding the traditions and customs on the Indian societies. Once the British judges began to understand the personal law of the Muslims and the offices of the qazi’s were discontinued the preparations for the codification of personal law of the Muslims began. Foremost Fataw-e-Alamgiri ,under the authority of Aurangzeb was translated. Later ‘Hedaya’ was translated. Thereafter many works on Muslim law were published. Macnaghten, Sir William published works on Muslim law.

Lord Cornwallis¹⁸⁶ supported the concept of Warren Hastings in regard to personal laws. According to him in suits regarding succession , inheritance , marriage and caste Muslim law would apply to Muslims and Hindu law to Hindus. However soon this principle gave way to conflicts. The Hindu law for instance did not provide for the dissolution of marriage or divorce. The shastras considered marriage as a bond of life. There were cases where a

¹⁸⁵.Nathaniel BrasseyHalhed, translated it into English.

¹⁸⁶.He was the governor general of Bengal from 1786-93. He was the first person to codify laws.

Hindu woman would embrace Islam and then demand for dissolution of marriage. It was for the court to decide whether this rule of Muslim law would apply to Hindu marriage. In *Ayeshabibi v. Subodh Chandra Chakrabarty*¹⁸⁷ the court applied the Muslim law on a Hindu marriage and dissolved it. This led to great resentment between the two communities. Yet another conflict that arose in regard to the applicability of personal laws was that the two major sects (Hindu and Muslim) were further divided into sects and sub-sects. Apart from these sects the Sikhs, Jains, Buddhists, were not considered Hindus. They were governed by English law because of failure of having any personal law. The other conflict that arose was with regard to the applicability of the laws to the tribes of Khojas, Cutchi, Menons, and Vohras. They were Muslim by religion but followed Hindu customs. Thus, on the basis of the major religious sects the personal laws too were divided into two major parts that is the Hindu law and the Muslim law, however with regard to other groups it gave way to many conflicts. Nevertheless, efforts were beginning to be made for the codification of these personal laws so that the conflicts could be pacified to some extent and thus the rule of the British on India and on its people could be maintained.

With this the British started the trend of codification of laws. 'The Digest of Hindu law' was the first step to change the traditional rules that the British colonizers disliked. Attempts to reform Hindu law by legislation thus commenced. For a long time the interpretation of Hindu law was the monopoly of the British courts, from those situated in India to the Privy Council that used the texts of Mitakshara and Dayabhaga (the two schools of Hindu law). Accordingly a number of new acts were enacted which could be said to be the transplants of English nations in Hindu law. Thus, a number of enactments like the Caste Disabilities Removal Act, 1850, The Hindu Widow Remarriage Act, 1856, The Hindu Inheritance (removal of disabilities) Act, 1928, The Hindu Law of Inheritance (amendment) Act, 1929, The Hindu Women's Right to Property Act, 1937 were enacted to bring reform and to give relief to those who were not happy with the ancient laws of the shastras. Again, in 1941 The Hindu Law committee was appointed to look into the comprehensive legislation concerning all Hindu laws. The committee ceased to operate after sometime due to war but it was again revived in 1944 under the chairmanship of B.N Rau. The recommendations passed of the Rau Committee resulted in the enactment passed to regulate marriage, guardianship and adoption. These were The

¹⁸⁷.ILR 1945, Cal. 405

Hindu Marriage Act,1955 , The Hindu Succession Act,1956 , The Hindu minority and guardianship act, 1956 , The Hindu adoption and maintenance act,1956. But on the other hand concerning Muslim private law the attitude of the British was more cautious for a long time. It was at the end of the 19th century that the question of intervention of the British was raised The problem was of Muslim endowments and the decision first came from the Calcutta High Court. The decision was not to recognise a familial waqf. These decisions were much criticised who denounced the misunderstanding of Muslim law. Much decisions and debates were held under Jinnah , the new Muslim member of the Imperial Council about the advantages and disadvantages regarding the intervention of the British. Finally in 1913, MussalmanWaqf Validating Act, was enacted validating familial endowments only for the future. Thus, in summary, the British Favoured the codification of personal laws for the following reasons:

1. Codification would bring simplicity and certainty into the system. It would result in bringing forth the legal propositions and principles in short and simple language from the mass of undigested law.
2. Codification thus dispenses with vast amount of legal literature .
3. It renders uniformity to personal laws throughout the country.
4. On points of difference among schools and sub schools of the personal laws the view which would be acceptable as the most liberal and best suited to the circumstances and social needs would be accepted and adopted.
5. To satisfy the legitimate wants , aspiration , and needs of the people, codification was the only weapon.
6. By codification, the result of uncoordinated , piecemeal legislation was avoided. Thus, confusion was removed.

Enactment of the Constitution of India

The enactment of a Constitution for the land was the biggest challenge. What the British had left behind was a wounded golden bird and now the Indians themselves were entrusted with the responsibility to embalm the golden bird so that she could once again soar high in the sky in the coming era. Therefore with much care and caution, research and deliberations the Constitution was enacted which aimed at building a strong and consolidated nation so that the history enslavement and partition could not repeat itself.

The Preamble to the Constitution of India reads as following:

we, the people of india, having solemnly resolved to constitute india into a [sovereign socialist secular democratic republic] and to secure to all its citizens: justice, social , economic and political; equality of thought ,

expression , belief , faith and worship; And to promote among them all fraternity assuring the dignity of the individual and the [unity and integrity of the Nation].....”

India is a land of religions. There exist multifarious religious groups in the country but the Constitution stands for a secular state of India. The word secular was not originally present in the Preamble. It was added to the Preamble by the 42nd Constitutional Amendment in 1976. Even before 1976 , the concept of secularism was very much embedded in the Indian Constitutional Jurisprudence. However the need to insert it expressly in the Preamble was felt necessary so as to spell out the high ideas of secularism and the compulsive need to maintain the integrity of the nation which are subjected to considerable stresses and strains and vested interests have been trying to promote their selfish ends to the great detriment of the public good. Thus there is no official religion on India. That is to say that the State does not recognise any specific religion. On the other hand the Constitution of India has given full freedom of religion to its citizens in form of fundamental rights and it also guarantees such freedom of worship and religion as well as it condemns at discrimination on the ground of religion. The State does not identify itself with or favour any particular religion. The State is enjoined to treat all religions and religious sects equally.¹⁸⁸

The Supreme Court has also declared in the case of *KeshvanandBharti*, that secularism is the basic feature of the Indian Constitution.¹⁸⁹ The court has made an attempt to clarify that secularism is not to be confused with religious or communal concepts of an individual or group of persons. It means that the State shall have no religion of its own. Persons belonging to different religions live along the length and breadth of the country. Each person , no matter what religion he follows must get the assurance , that he is under the protection of law to profess , practice and propagate his religion. Recognizing this concept Prof. M.P. Jain observes “ religion cannot be mixed up with secular activities of the State and fundamentalism of any kind cannot be permitted to masquerade as political philosophy to detriment of the larger interest of society and basic requirement of a Welfare State.”¹⁹⁰

Thus the Court has declared that secularism is fundamental law and an unalienable segment of the country’s political system.¹⁹¹ Thus , the State acts like a mother whose duty is to protect its children and nourish them and

¹⁸⁸ . Jain M.P, Indian Constitutional Law, 2011. p.15.

¹⁸⁹ .*KeshvanandaBharti v.State ofKerela*, AIR 1973 SC p. 1461.

¹⁹⁰ . Jain M.P, Indian Constitutional Law, 2011. p.16.

¹⁹¹ . *State of Karnataka v Praveen BhaiThogadia*, 2004 4 SCC p. 225.

on the other hand it is the duty of the children to abide by the rules and regulations of the mother under whose care and protection they flourish. It is said that a man is his best judge but one cannot deny that since a child is born and he leans to walk, from the time he learns to live right till the end no matter how grown up he is, he always needs the care and protection of a mother so that he feels secure. Similarly that State grants protection to its citizens and in return expects us to abide by its ideal and build a strong and consolidated nation. It would be noteworthy to mention what Dr. B. R. Ambedkar has said in this regard, on 25 November, 1949, before the Constitution of India was finally adopted. It gives us eternal guidance as to how the citizens should conduct themselves in free India. The independence was lost by treachery in the past, in this regard he said: Will history repeat itself? It is his thought which fills me with anxiety. This anxiety is deepened by the realisation of the fact that in addition to our old enemies in the form of castes and creeds we are going to have many political parties with diverse and opposing political creeds. Will Indians place the country above their creed or will they place creed above the country? I do not know but this much is certain that if the people will place creed above country, our independence will be put in jeopardy a second time and probably be lost forever. This eventuality we must all resolutely guard against. We must be determined to defend our independence with the last drop of blood. \if we wish to maintain democracy not merely in form, but also in fact what must we do? The first thing in my judgement we must do is to hold fast to constitutional methods of achieving our economic and social objectives.where constitutional methods are open there can be no justification for these unconstitutional methods. The methods are nothing but the Grammar of Anarchy and the sooner they are abandoned the better for us.”¹⁹²

Article 44 of the Constitution reads as under:

“ the State shall endeavour to secure for all the citizens a uniform civil code throughout the territory of India.”

India as we know is better described as a nation where one finds unity in diversity. Thus, the object behind Article 44 is to effect an integration of

India by bringing all communities on the common platform on matters which are at present governed by diverse personal laws but which do not form the essence of any religion. This article therefore aims at introducing a uniform personal law for the purpose of national unity and consolidation.

It proceeds on the assumption that there is no necessary connection between religion and personal law in a civilised society. While the

¹⁹². Rajaram, Kalpana, A Brief History of Modern India, 2013. p. 15

Constitution guarantees the freedom of religion under Article 25, it at the same time seeks to divest religion from personal law, social relations and laws governing inheritance, succession and marriage just like it has been in countries like Egypt and Turkey. The idea is not to encroach upon the religious liberties for Article 25 (2) already guarantees such right.

Article 25 (1) of the Constitution reads as following:

“ Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate any religion.” It would also be appropriate to throw light on Article 29 of the Constitution of India in this regard which reads as following: “ any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same.”¹⁹³ The directive to secure a uniform civil code had originated as a suggestion from M.R.Masani, for its inclusion amongst the fundamental rights. However the fundamental right sub-committee decided by a majority of 5:4 that the provision was outside the scope of fundamental rights. It was again pressed for its inclusion and finally found a place in the Directive Principle of State Policy. The minorities sub-committee which examined the report of fundamental rights committee wanted that its application should be entirely voluntary. The Muslim member had pleaded that all civil laws connected with religious beliefs and practices (in particular personal laws related to succession, inheritance, marriage and divorce) should not be touched by the State as it would violate the freedom of religion and its practice. These arguments were however rejected after a spirited defence put up by Dr. B.R.Ambedkar and K.M. Munshi. It was pointed out by them that freedom of conscience and its practice covered a secular activity which was the subject of social reform and welfare.¹⁹⁴ Therefore to do away with the multiplicity of laws that were prevalent among various religious groups this article was enacted. It was a preventive measure undertaken by the framers of the Constitution, so that once again the unity and integrity of the nation could not be out at stake by dividing the people on religious lines. Thus, to see India as one, strong, united and consolidated nation this article was enacted. Article 44 talks about a uniform civil code but it fails to define primarily, what is a civil code. Though from its context and other provisions of the Constitution, relevant in this behalf, its meaning can be made definite. The word ‘civil’ is used in various senses. In the present context it refers to what is known by the expression civil law, which means the law (substantive as well as procedural) relating to the private

¹⁹³. Article 29 (1) of the Constitution of India.

¹⁹⁴. Hidayatullah, M, Constitutional law of India, Vol I. p. 702

rights of citizens in relation to each other and is to be distinguished from public law, such as International law, Revenue Law or Criminal law where one of the parties is the State. Civil law would relate to various aspects of personal relations, such as contract, property, marriage and inheritance and the like. This was the meaning of civil code as given by one of the authors of the Constitution, ShriAllahdi Krishna Ayyar in the Constituent Assembly.

This view can be further clarified if we examine certain Entries in List III, i.e the Concurrent List of Schedule VII of the Constitution, such as 5,6,7,8,9,10,12,13, which refer to marriage and divorce, adoption, wills and succession, joint family and partition, transfer of property, contracts, actionable wrongs, bankruptcy and insolvency, trust and trustees, evidence and civil procedure.

It may be argued that instead of bringing in a uniform civil code the personal laws may be reformed according to the present day need of the society. Thus, the State has to opt for either of the two options:

- 1) To formulate a common civil code applicable to every citizen of India and to replace by its provisions all the heterogeneous personal laws prevailing in the country, or
- 2) To reform by legislation the traditional personal laws of all the religious communities with a view to adopting them to modern social requirement.

In order to make a proper appreciation of the attitude of various communities towards these two options, it is necessary to determine their actual implications. However adoption of any of the two alternatives would mean an abolition of a large no of laws already prevalent in the society which may be grouped as under:

- (1) Codified Hindu laws applicable to all Indians who are not Muslims, Christians, Parsi or Jew.
- (2) Codified Hindu laws applicable to Hindus only
- (3) Codified laws of sectarian nature applicable to Jains and other communities akin to Hindus
- (4) Un-codified laws applicable to Hindus, Jains, Buddhists, and Sikhs
- (5) Statute law relating to Muslims
- (6) Traditional Islamic laws of the various schools prevalent in India.
- (7) Codified laws applicable to Christians.
- (8) Codified laws applicable to Parsi.
- (9) Local customs and usages of various communities which, not adversely effected by the provisions of the above mentioned enactments and have still have the force of law.

The second alternative is to retain the existing system under which each religious community is governed by its own personal law. By removing from each of them the unsatisfactory elements, conflicting with the ideals of the Constitution. The scope of personal laws of these groups is not identical. The concept of certain institutions like marriage of one community is totally different from each other

Thus, opting for any one of the alternatives have to be brought about with great care and caution for where on one hand the application and implementation of uniform civil code is opposed by some religious communities on the other hand it cannot be said that reform of personal law would also be welcome. Hence a middle way has to be sought, so that the society gets rid of the unwanted elements from the personal laws and at the same time uniformity is brought about, but with harmony.

Conclusion

K. M. Munshi, while supporting the cause of uniform civil code observed “our first problem and the most important problem is to produce national unity. But there are many factors and important factors which still offer serious dangers to our national consolidation and it is very necessary that the whole of our life so far as it is restricted to secular sphere must be unified in such a way that as early as possible we may be able to say well we are not merely a nation because we say so but also in effect by way we live, by way our personal law, we are a strong and consolidated nation.”¹⁹⁵

After India became independent and at the time when the Constitution of India was being framed, the urge for evolving a common uniform code had been uppermost in the minds of the members of the Drafting Committee of the Constitution and this idea was given the form of Article 44, Part IV of the Constitution. Taking an insight into the country's past and the governance of its people, it has been experienced that the rulers came and left the country, undoubtedly after remaining cautious so as not to create an impression that in any way they wanted to deal with the people's way of life by imposing totally foreign notions to such a degree which would have been inexpedient and injudicious for a proper and efficient administration. The desirability of adopting a common civil code arises primarily from the viewpoint of achieving unity in a

¹⁹⁵. Imam, Mohammad.. Minorities and the law, 1972. p. 241

society which knows little about the limits of its people , race , languages , cultures.

The existence of vast cultural groups belonging to different religious sects was thought would hamper the spirit of common brotherhood and unity of India. India had just emerged as an independent country and had freed itself from the chains of slavery of the British raj. The deep wounds of the partition of India had marred the very spirit of unity and the spirit of communalism was on its height. In order to embalm the deep wounds of partition and to prevent the future fragmentation of the nation , consolidation of national feeling and unity was the need of the hour. The partition of India, as a result of the British policy was the most bitter experience India had had and therefore to achieve national unity, became the most important object of the framers of the Constitution.

The phenomenon of different personal laws for different religious groups was a legacy of the British rule as is a result of their policy of divide and rule. During the British rule though the progressive section of the Indian people clamoured for reforms in personal laws but the British rulers were not prepared for it and were not even willing to listen to such demand. It was therefore natural for free India to stipulate for a uniform civil code and thus proceeded to enact Article 44 of our Constitution as one of the Directive Principles of State Policy. The Preamble of the Constitution records the solemn resolve of the people to secure all citizens “ equality of status and opportunity” and justice, social , economic and political. Article 15¹⁹⁶ prohibits discrimination on grounds of religion, race or caste. Article 14 guarantees ‘equality before law and equal protection of laws within the territory of India to all the persons.’

Thus, efforts were made to strive for a uniform civil code so that despite the disparities, the people all over the vast territory of the country were governed by a common law in fields family , divorce , marriage , inheritance , guardianship , adoption , succession and the like. However it is unfortunate that the question of uniform civil code has been dragged into the communal politics. Also it is to be noted ,that it is merely a Directive Principle of State Policy and is thus, only of persuasive nature rather than compulsive authority¹⁹⁷. Moreover the Constituent Assembly did not provide any time limit for its implementation. It was for this reason that some of the members of the Constituent Assembly wanted Article 44

¹⁹⁶. Article 15(1)- The State shall not discriminate against any citizen on grounds only of religion , race , caste , sex , place of birth or any of them.

¹⁹⁷. Article 37- The provisions contained in this part shall not be enforceable by any court.

to be included in Fundamental Rights so that they become enforceable by the courts. M.R. Masani , RajkumariAmritKaur , Hansa Mehta and B.R. Ambedkar strongly supported this view.

Thus, learning from the experience from the past and to preserve the future it was felt that the existence of harmony amongst the heterogeneous groups in the society was very necessary and to ensure the same, efforts were made to enact and implement Article 44 of the Constitution. However, in late 1980's an old woman had knocked the doors of justice for she felt that she was wronged by the way her husband had divorced her. The matter in due course reached the Supreme Court, where the judges upheld her right to maintenance, indicating the Bench's reference to the need for enacting a uniform civil code, since after all it was a part of Directive Principle of State Policy enshrined in the Constitution which the nation was duty bound to implement in due course. In the same case of Shah Bano Begum¹⁹⁸ it was observed:

“ it is also a matter of great regret that Article 44 of our Constitution has remained a dead letter . It provides that the State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India. There is no evidence of any official activity for framing a common civil code for the country. A common civil code will help the cause of national integration by removing desperate loyalties to the laws which have conflicting ideologies. We understand the difficulty involved in bringing persons of different faiths and persuasion on a common platform; but a beginning has to be made if the Constitution is to have any meaning.”In *JordenDeingdeh v.S.S.Chopra*¹⁹⁹; it was observed:

“time has come for a complete reform of the law of marriage and make a uniform law applicable to all people irrespective of religion or caste.”Dr. B. R. Ambedkar pointed out “ we have in this country a uniform code of laws covering almost every aspect of human relationship. We have a uniform and complete Criminal Code. I can cite innumerable examples which would prove that the country has practically a civil code, uniform in its content and applicable to the whole country”Thus, when visionaries like Ambedkar agree upon bringing in a uniform civil code it is well evident that the implementation of uniform civil code was the need of the hour. The same has been emphasised time and again by the courts from time to time so that the diversities and disparities prevailing between different religions do not hinder and hamper the peaceful and harmonious existence of the people and do not prove to be a bane for the unity of the country.

¹⁹⁸.Mohd.Ahmed Khan v. Shah Bano Begum 1985 2 SCC p.556

¹⁹⁹.*JordenDeingdeh v.S.S.Chopra* AIR 2003 SC p. 2902

Dr.TahirMahmood²⁰⁰ has made a powerful plea for framing a uniform civil code. He says “ in pursuance of the goal to secularism , the State must stop administering religion based on personal laws.”

The need of the uniform civil code is also felt for few other purposes, namely, to preserve the composite culture and to achieve gender justice.

In the previous chapters we have seen how India has emerged as a land of composite cultures. The coming of people from all over the world to India brought with them their traditions , beliefs , habits ,which eventually gave rise to different cultures. People came, stayed and left the country but their traditions and cultures were left behind. Slowly with the passage of time these cultures became part and parcel of the Indian culture.

India is a vast country and is also referred to as a land of unity and diversity. Here at a distance of few meters the habits, languages, customs and thus cultures changes. People belonging to different groups and cultures have their own distinct ways of living. However, though there existed people from various religious groups governed by their own cultures and personal laws but it is worth mentioning that though there were people of different religious groups ,instead of having innumerable personal laws as innumerable the religious sects and sub sects were present, the life of the people and their personal laws thereof were broadly divided into two main category, the Hindus and their personal laws and the Muslims and their personal laws. The Hindu law on a wider scale governed the Buddhists , Jains , Sikhs etc. though there was a broad categorisation into two laws yet their traditions , customs , practices , usages were very different from each other. Thus, their cultures were different from each other. Thus, despite the partition of India , the cultural unity of India is a remarkable feature , so is the existence of the composite culture in the country.However it was felt necessary that in order to preserve the unity among the various cultural groups and in the interest of the consolidation of the national feeling, it would be justified to do away with the differences that prevailed in the personal laws and bring about a uniform civil code for the entire country to preserve its composite culture. By enacting article 44, it was aimed to preserve the composite culture by the unification of various laws and thus to prevent fragmentation.

Culture consists of beliefs , traditions , practices and there was a wide difference between the two groups regarding their customs , practices in the fields of matrimony , adoption , succession , inheritance to name some. Thus, the uniform civil code aimed at bringing in the similarities among

²⁰⁰.Dr.TahirMahmod, Muslim Personal Law, 1997. p. 200

the two groups in the fields named above regarding which the disparities were wide.

In matrimony laws, it was essential to achieve a uniform civil code. For example, the introduction of monogamy in Hindus and allowing polygamy in Muslims has created a discrimination in State Policy. Supporting monogamy and emphasising the ability of the State to legislate with respect to it the Supreme Court has held in *Narasu Appa case*²⁰¹: “Marriage is undoubtedly a social institution, an institution in which the state is vitally interested. Introducing monogamy among the Hindus is a measure of social welfare and reform.”

Such discrimination of the State policy in which only monogamy is allowed in one religion but polygamy can be carried out in the other religion can easily be removed from bringing in the uniform civil code.

On the other hand some people advocate to have a uniform civil code in matters relating to adoption. This is necessary to safeguard socially, economically, and legally children who are being given in adoption. Unless such law is applicable to all the citizens irrespective of their religion the future of millions of children who are abandoned and destitute is in dark. Again, the conversion from one religion to another is a contentious issue and there is need to bring about uniformity in the law of conversion. The Law Commission has also suggested the need for the enactment of a uniform civil code applicable to all conversions from one religion to another. The Committee on Status of Women in India, 1971 in its report had observed “the absence of a uniform civil code....is an incongruity that cannot be justified with all the emphasis that is placed on secularism, science and modernisation. The continuance of various personal laws which discriminate between men and women, violates the fundamental rights and the Preamble to The Constitution, which promises equality of status to all citizens. It is also against the spirit of national integration and secularism. Our recommendations regarding amendments of existing laws are only indicators of the direction in which uniformity has to be achieved.”²⁰²

In India various social evils exist like ill treatment of widows, polygamy practiced by men, dowry, child marriages, purdah system. Several women's group have argued for the implementation of a uniform civil code that would bring the women of the nation at par with men. For women who constitute almost half of the population of India, a uniform civil code will help in removing various social evils by bringing gender equality. Same committee had suggested to bring about various reforms in various fields touching the life of a female. They suggested reforms to be brought

²⁰¹. *State of Bombay v. Narasu Appa Mali*, AIR 1952 Bom. 84

²⁰². <http://wcd.nic.in/tender/hlcwtdtd23012013.pdf>

in laws relating to matrimony , inheritance , adoption ,settlement of disputes in criminal cases etc.If a uniform civil code is enforced it will , apart from removing the aforesaid social evils, also provide them equality and justice in courts of law, irrespective of their religion in matters pertaining to marriage , divorce , maintenance , custody of children and adoption. A uniform civil code will prevent the enactment of multifarious laws, each dealing with a specific topic.Though India does not have uniform civil code yet the legislature has from time to time made efforts to codify personal laws to bring about gender equality. In the absence of a uniform civil code a number of enactments have to be brought about, each dealing with specific matters to cover various aspects of personal relations. Hindu law has been codified in respect of marriage²⁰³ , succession²⁰⁴ , minority and guardianship²⁰⁵ , maintenance and adoption.²⁰⁶

Enactment of Special Marriages Act, 1954 , is a good progress in the direction of achieving uniform civil code.In Murlidar case²⁰⁷ the court ruled in favour of elimination of all forms of discrimination against women and stressed that it was a part of basic structure of the Constitution of India. Again in various cases like that of Mary Roy case²⁰⁸ , Sarla Mudgal case²⁰⁹ , Vishakha case²¹⁰ the courts have insisted in bringing in a uniform civil code and ruled in favour of bringing women at par with men and removing of gender inequality.It is for the people of the nation , its government and the judiciary is to decide that a successful nation is one in which equality among all its citizens prevails and where there is no discrimination between its people on the basis of religion , caste and gender.

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²⁰³.The Hindu Marriage Act, 1955.

²⁰⁴.The Hindu Succession Act,1956.

²⁰⁵. The Hindu Minority and Guardianship Act,

²⁰⁶.The Hindu Adoptions and Maintenance Act,1956.

²⁰⁷. (1996) 8 SCC 525.

²⁰⁸. Mary Roy v. State of Kerela , 1986 2 SCC p.209.

²⁰⁹. Sarla Mudgal v. Union of India, 1995 3 SCC p. 635.

²¹⁰. Vishakha v. State of Rajasthan,1997 6 SCC p.241.

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STEM EDUCATION IN INDIA: THE SHIFT NECESSARY IN CURRICULUM

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Abstract: Today, children are more familiar with technology than any prior generation but just being familiar with technology is not enough. Students, now need a solid foundation in [Science, Technology, Engineering and Mathematics \(STEM\)](#) to compete in careers where technical knowledge, problem-solving, and relationship-building are essential elements of the field. For a developing economy as ours, STEM-related careers are increasing and demand for skilled workers and professionals is also increasing. Hence it is imperative that instead of a multi-disciplinary approach to school curriculum, an integrated approach such as STEM is implemented in school curriculum from an early stage. There are several arguments in favour of including STEM in the curriculum apart from a concern of national productivity. There is a need to move towards an interdisciplinary approach that is more relevant to the students from a multi-disciplinary approach. STEM helps to solve several of the environmental problems faced every day and promotes twenty-first century skills necessary to be inculcated through school curriculum.

Back in 2001, the National Science Foundation introduced the acronym "STEM", standing for Science, Technology Engineering, and Math. In the decades that followed, educators and schools adopted and expanded efforts to embrace STEM related education.

STEM education became popular in the U.S. and elsewhere. STEM education in one form or another has been around for decades, however, educational administrators are recognising its importance. STEM education, was originally called Science, Mathematics, Engineering and Technology (SMET) (Sanders, 2009) and was an initiative created by National Science Foundation (N.S.F), U.S.A. There is a pressing need at this juncture to explore implementation of STEM education in elementary schools and research its impact on development of 21st century skills. STEM was introduced early in the 21st century as a way to refer to careers and for curriculum centred on science, technology, engineering and mathematics-by helping students of all ages to develop the 21st century students. They will need to be successful and to play an effective role in the future workforce.

Top four skill areas needed to succeed in 21st century-

1. Critical thinking and problem solving
2. Communication
3. Collaboration
4. Creativity and innovation

STEM brings together four critical disciplines to create an inclusive learning environment that encourages all students to participate, collaborate and solving the problems.

What is STEM?

Although STEM concepts historically were being implemented in many aspects of the business world, for example, Thomas Edison or Henry Ford, or Steve Jobs (in recent times) and other inventors, it was not utilized in traditional educational settings. The use of STEM was used in engineering firms to produce revolutionary technologies such as the light bulb, automobiles, tools or a mobile phone or gadget etc. Many innovators had not much education, but used STEM principles to produce some of the most important technologies in history (Butz, et al, 2004). Although history has played and continues to play a part in STEM Education, there are many variations and opinions of what STEM Education is and how it should be taught.

STEM Fields:

The 4 strands of STEM: Science, Technology, Engineering and Mathematics have been important disciplines of all students' academic careers; particularly science and mathematics. They are defined as:

Science: The systematic study of nature and behaviour of the material and physical universe, based on observation, experiment and measurement and the formulation of laws to describe these facts in general terms.

Technology: The branch of knowledge that deals with creation and use of technical means and their interrelation with life, society, and the environment drawing upon such subjects as industrial arts , engineering, applied science and pure science.

Engineering: The art or science of making practical application of the knowledge of pure sciences, as physics or chemistry, as in construction of engines, bridges, buildings, mines, ships and chemical plants.

Mathematics: A group of related sciences, including algebra, geometry and calculus concerned with the study of the number, quantity, shape and space and their interrelationships by using a specialized notation.

STEM can have different meaning to different people. For example, if a student is majoring molecular biology, they will enter the STEM work force as a scientist. They may or may not be exposed to technology, engineering or mathematics that specifically pertains to their field, but chances are they will be exposed in some way shape or form. Therefore, integration in terms of STEM may or may not occur, however it must be noted they are within a STEM field.

Why is STEM necessary in our curriculum?

Today, children are more familiar with technology than any prior generation but just being familiar with technology is not enough. Students, now need a solid foundation in STEM to compete in careers where technical knowledge, problem-solving, and relationship-building are essential elements of the field. For a developing economy as ours, STEM-related careers are increasing and demand for skilled workers and professionals is also increasing. Hence it is imperative that instead of a multi-disciplinary approach to school curriculum, an integrated approach such as STEM is implemented in school curriculum from an early stage. The school subjects offered to students like mathematics, science, arts do not excite students because the explosion of knowledge experienced in real life are far removed from the subjects they study in school. There is need to integrate twentieth century skills like designing, using computational mathematics into school subjects like science and mathematics for the following reasons :

1. Integration is seen in real life, subjects are not compartmentalised
2. There is a need to move towards an interdisciplinary approach that is more relevant to the students from a multi-disciplinary approach.

In US, out of 315 STEM schools, in the academic year (2007-2008), 86% of these schools were students of grades 9-12, while 3 to 4% were for elementary schools. It is being argued there to start STEM education early, because children are natural scientists, engineers and problem solvers. They like to touch, taste, create, discover and explore. But students loose interest in science by grade 8. So, they lack the confidence to believe that can do science or STEM.

De Jarnette (2012) suggested that STEM education at elementary level can help foster an interest in STEM subject areas. Students are likely to take up STEM fields in higher education then. The pace of technological advancements in the world is unprecedented. This has created huge opportunities for economic growth and social benefits for India's large population. To achieve these benefits India needs to develop and grow experience in the inter-related fields of STEM.

A large amount of research has concluded that an interdisciplinary or integrated curriculum provides students with a relevant, comprehensive and more stimulating experience in the class room (Bybee, Powell and Ellis, 1991, Furner and Kumar, 2007) .An integrated approach to STEM education can inspire students' future success and interest in STEM education.

If we see STEM education scenario in India, some schools are promoting STEM education in some of their students (because of sheer number and paying capacity all students do not have access to the labs) through robotics and ATAL tinkering labs or STEM as projects organised through private players. Few international schools have organised national level competitions such as robotics or LEGO to promote STEM education in their school curriculum.

It will be a good opportunity to implement STEM curriculum in elementary school curriculum and observe whether the twenty first century skills of collaboration, Critical thinking and problem solving, Communication and Creativity and innovation are developed in the students.

This educational initiative was to provide all students with critical thinking skills that would make them creative problem solvers and more employable in the workforce. It is perceived that any student pursuing STEM education would have greater advantage in the STEM field even if they did not go to college. (Butz,et al,2004).In our country, where a large percentage of students do not have access to higher education, students would have necessary skills under STEM education (As per Census,2011 data, of the population attending any educational institute in the country,Graduate and above accounted for 4.5%)

We are facing problems of severe environmental degradation and sustainable environment is a major issue. The ability to attract students to STEM will pave way for innovations in the areas of sustainable development and success of innovation economy in our country. The implementation of STEM education can connect students with opportunities in STEM fields.

Moreover, STEM education can be implemented easily and with benefits in formal, non-formal and informal approaches since it has the practical aspect. For students, finding a disconnect in the present curriculum and real life, STEM offers emerging technologies and markets closer to classroom and creativity and innovation.

Knowledge is expanding fast and so much is known to man by this time because of discoveries in science, technology, computational mathematics, robotics etc. The Internet of Things(IOT), 3 D Printing, Artificial Intelligence, nano-technologies, cloud computing-Rising technologies.

Comprehensive STEM education is required to bring effective solutions to issues like Climate Change, inland water transport, infrastructure development, cyber security and use of block chain technology. There has to be a clear shift towards integrating knowledge and skills in the right proposition for specific jobs in order to bring out the intense capabilities of students. STEM education should also focus on resolving local and regional problems.

Several steps have taken by the government to promote research and desk initiatives, such as:

1. Launch of the programme “Innovation in Science Pursuant for Inspired Research (INSPIRE).
2. Establishment of 10 Indian Institutes of Science Education and Research (IISER) new IITs and 16 Central Universities
3. New fellowships and scholarship (like Kishore Vaigyanik Protsahan Yojana (KVPY) and new mission (Biotech Mission) (1998) and Nano Mission (2002)

4. Opening the Private sector for university research level of education.

Most of our institutions can be referred to as islands of excellence.

Creativity and innovation are the driving force of any progressive society. In the field of science and technology, we are dependent in developments taking place in developed countries. Leading educational experts, the world over, have realized that STEM education is the need of the hour. Does it hold relevance for India? We have the highest number of the students, but the gap between skills of the students and the industry is huge. Lack of academic Infrastructure, innovative and interactive course methodology, qualified teachers etc. are the reasons we lack innovative and creative workforce. STEM education is emerging as futuristic education. STEM education generates quality educators, scientists, engineers and researchers capable of handling real life problems that awaits solution in India. What differentiates STEM from conventional streams of education system is the fact that it does not advocate teaching- learning through text books, but instead creates students interest their innovation and practical applications to daily STEM activities involves hands on and minds-on training.

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**THE EMANCIPATED IN CHITRA BANJERJEE DIVAKARUNI'S
NOVEL, *BEFORE WE VISIT THE GODDESS***

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ABSTRACT:

Women in the past were bound by Patriarchal laws and society was a reflection of the practices in vogue. Marginalisation was not the disease of the poor and outcaste but women too. Changing perspectives and creating the spark of awareness through powerful portrayals were many feminist women thinkers like Mary Wollstonecraft, Simon Beauvoir, Thomas Sarah Grimke, to name a few. Divakaruni has contributed to this growing awareness by powerfully wielding the pen. Through the protagonist Sabitri, Divakaruni showcases the journey of an individual from enslavement to emancipation.

Key words: enlightened, empowerment, emancipation, marginalization, patriarchal domination.

Transitioning from the Pre Vedic to Post Vedic period witnessed a sea of change in women's position in society. The introduction of Manu's code of law

influenced and resurrected the patriarchal values that lay dormant. Simon Beauvoir in his novel, *The Second Sex* rightly states, “one is not born, but rather becomes, a woman” (Beauvoir 293). Manu’s law validates Simon Beauvoir’s statement mentioning that, “The father guards her during virginity, the husband guards her in youth, the sons guard her in old age; the woman is never fit for independence” (iii).

Reawakening the minds of people and projecting women as enlightened, empowered, and emancipated is Divakaruni’s novels. Her association with organizations like Daya, Pratham and Maitri have greatly influenced her writing and validates her pragmatism as a writer. Her novels vividly showcase her desire for women to stop living in the virtual third space and rise above self to build family, community and nations, creating a self-constructed identity. Identity therefore as Thapan believes, “is not a finished product, it is rather a social construction (...). The representation of identity therefore is an ongoing process, since immigrant identities are continually transformed by the journey, the subjectivities being recomposed in different spices and sites of experience” (Thapan29).

“Educated men would never make educated women but educated women would make educated men”, opines Thomas S Grimke. Likewise, the mother of feminism, Mary Wollstonecraft renowned for her book of essays titled, *A Vindication of the Rights of Women*, a liberal feminist, focusing on women and women rights also stressed the need for women to be educated. For through education would come enlightenment, empowerment and emancipation. This enlightenment thought is also shared by the young Malala Yousafzai, a victim diasporic in the United Kingdom. The latter in her address at the United Nations proclaims, “Let us pick up our books and our pens, They are our most powerful weapons. One child, one teacher, one book and one pen can change the world”. Divakaruni, an immigrant herself strongly gives voice to Malala and Mary’s views in her novels. She expresses her desire for women to be educated, independent and empowered to empower others, the power as stated by Mary Wollstonecraft, “I do not wish them to have power over men; but over themselves” (Wollstonecraft131)

The novel, *Before We Visit the Goddess*, is a revelation of the transformational journey of Sabitri from enslavement to emancipation. Sabitri, one of the protagonists of the novel hails from a priestly family. Her mother, Durga is very famous for her delicious concoction of sweets. As a young girl, patriarchy demanded that she should help her mother in the kitchen. However, Durga, a victim of patriarchy determined to protect her daughter from such social evils. At an opportune time, she bravely shares Sabitri’s dream with Leelamoyi, the wealthiest lady of the village. Sabitri is challenged to prove her academic excellence, which she does and finds herself at the Mittir’s. Having migrated from

the village to the city. Initially she is filled with gratitude and focuses on her goal, though marginalized at times. She works very hard, spends her free time in the library and on borrowed textbooks to help her excel. As shared with Tara,

Granddaughter, people look down on a woman without education. She has few options. To survive, she is forced to put up with ill treatment. She must depend on the kindness of strangers, an unsure thing. I do not want that for you – (BVG8)

Although liberated from poverty, she is enslaved by the power of her dreams. The simple hearted Sabitri misunderstands empathy, as a reciprocation of love and falls into the love trap of Leelamoyi's son. This leads her on the path of destruction. She basks in this newly found love until discovered by Leelamoyi. A retrospection of her vain behaviour exemplifies this "The first opportunity that appears, you grasp it to pull yourself up. You don't check to see if it can bear your weight" (BVG16). Sabitri belonging to a lower caste is unable to challenge the rich Leelamoyi and her son to prove her innocence. Abandoned by the Mittirs, she resorts to deceit. She takes refuge with the empathetic Math professor, Bijan to complete her studies, takes advantage of his love for her, and gets married to him to fulfill her desire for revenge.

Her moment of enlightenment as philosopher Emmanuel Kant comments, "is the possibility whereby man philosophically acquires the status and capacities of a rational and adult being" (Kant 30), seeps in after seven long years. A wealthy and well established Sabitri visits Leelamoyi seeking revenge. On the contrary, the meeting results in exorcising the demon within her. This redefining moment helps shape Sabitri's destiny for a while. The changing landscape from Kolkatta to Assam helped in shifting both the geographical and psychological barriers. As a devoted wife and mother of two, she now accompanies her husband Bijan, to all social gatherings. Regardless of the devotion, her inner peace and joy did not last for long.

A victim of tragedies, the death of her husband in a fire accident and son to malaria, she decides to forge a new identity for herself. As a lonely widow she wins the lawsuit that she filed against her husband's company. This equips her with the required motivation and inspiration to prove herself to society and find freedom and purpose in life. Sabitri's enlightenment is best, described by Sudha's analogy in *The Vine of desire*, "Indian grass looks more delicate- that starting new – green colour – and yet it survives in spite of droughts and cows and all the weeds that try to choke it" (VOD176). The enlightened Sabitri moves further ahead towards empowering herself. Lack of education forced her to retrace her path and earn her living as a sweet maker like her mother. This reinforces the significance of women's education.

Empowerment to liberate oneself, she begins anew as an entrepreneur, successfully launching 'Durga Sweets'. Her secret admirer Bipin sacrifices his job

as the assistant manager of purchases in Philips International to take up his position as an accountant and trusted friend in Durga Sweets. The success of Durga Sweets is further portrayed by the presence of the educated Bipin, the backbone of the shop. Empowered people believe that they are in control of their lives, are responsible for the people around them and their lives too. Divakaruni through the character of Sabitri rationalizes the importance of education as a tool for empowerment and emancipation. Marginalised by Leelamoyi and society, an experienced Sabitri cautions her daughter to focus on her studies. This is well described in Sabitri's admonishing words to her daughter, Bela, "You'll regret it all your life if you tie yourself down to someone so quickly. First finish your studies. That's the only thing you should be thinking of now. Do you want to be dependent on someone else for every expense?" (BVG97).

Divakaruni reemphasizes the power of education through all her characters in the novel. Albeit she discreetly highlights the significance of male support in women's emancipation. History repeats itself, now it's Sabitri's daughter Bela who advises her daughter Tara stating that all the problems that she experienced in life was a result of her dropping out of college. Dr. Venkatachalapathi, speaking to Tara also reiterated the importance of education imploringly, "go back to school, Amma. Don't give up" (BVG 134). Now, as the successful owner of Durga Sweets, Sabitri also shares her secret life story with Tara, to protect her granddaughter from the misery of victimization and marginalization. She believes that "without education, a woman has little chance of standing on her own feet. She will be forced to watch from the sidelines while others enjoy the life she has dreamed about-" (BVG5).

True emancipation is like holding a mirror to oneself and liking what one sees despite the ordeals faced. As Sabitri's breath prepares to leave her body, the words of wisdom she dispenses in her letter to her granddaughter at the time of her death is a revelation of her awakening, simultaneously empowering her daughter and granddaughter.

One day in the kitchen at the back of the store, I held in my hand a new recipe I had perfected, the sweet I would go on to name after my dead mother, I took a bite of the conch – shaped dessert the palest, most elegant mango colour. The smooth, creamy flavor of fruit and milk, sugar and saffron mingled and melted on my tongue. Satisfaction overwhelmed me. No one could take it away. That's what I want for you, my Tara, my Bela. (BVG 208)

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-CHALLENGES OF PEASANTS IN MAHARASHTRA

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Abstract

The article discusses the broadly defined Challenges of Peasants in Maharashtra. *Analyzing the* basic explanation for agrarian problems and facing other issues the peasants elaborately discussed during this article. During a backward country like India, capitalism and capitalist land relation substitute the way of modernizing and mechanizing agriculture and creating alternative employment opportunities without which agrarian problems cannot be solved and rural uplift achieved. We cannot bring back an end to the problems and misery of peasants and therefore way the question of alleviating their plight, of solving the burning problems of their lives is inextricably linked up with the task of anti-capitalist socialist

revolution. Therefore, determining the Challenges of Peasants in Maharashtra is theme of this article.

Key Words:-Peasant, Maharashtra, Politicization, Movements.

Introduction:-

This article presents a review of Challenges of Peasant in Maharashtra. Peasants as a social category was a crucial component in any agrarian society. That they had survived through a number of political, social and economic changes within the society. However, the imposition of the tenure system by the colonial rulers brought a special degree of hardship to the peasants. The pre-colonial system was also unfair and repressive towards the peasants. During the period between 1990 and 2010, the years of life lost on account of farmer suicides enlarged by 12%. During the same period, India moved from the 20th to the eighth position in the global index of life lost due to suicides. Earlier, governments had informed varying records, from 5,650 farmer suicides in 2014 to the highest number of farmer suicides to 18,241 in 2004. The farmer's suicide rate in India had extended between 1.4 and 1.8 per 100,000 total populations, over a tenyear period through 2005, however, the numbers in 2017 and 2018 showed an average of more than ten suicides daily. There are allegations that states manipulating the data on farmer suicides, hence the real numbers could be even higher.

[India](#) is an agricultural country with about 70% of its people depending directly or indirectly upon agriculture. In year 2017 Agriculture had 15.4% share in economy in India. In year 2020 around 41.49% of total labors are associated with agriculture. Farmer suicides account for 11.2% of all suicides in India. Activists and scholars have offered a number of conflicting reasons for farmer suicide.

British colonial rule out India caused major transformations in virtually every area of Indian social and economic life. Its impact on the agricultural society was very pivotal. It divided the agrarian society into the landlords, working peasants and workers. After Independence, the Indian government joined to a number of the problems caused by the colonial rule, while other problems have persisted, a minimum of some areas. This unit will give a summary of a number of the most movements and their impact on the society and community.

The aim of this paper is to focus the Challenges of Peasant Worker in Maharashtra. This research paper is additionally written for people who doesnot have an in depth knowledge of the problems within Challenges of Peasant in Maharashtra. As such, these debates are presented in how that doesnot assume an in depth prior knowledge on the part of the reader, while additional readings are provided for those that have the preference and time to pursue.

“A peasant is a man or woman of the land, who has a direct and special relationship with the land and nature through the production of food and/or other agricultural products. Peasants work on the land themselves, relying above all on family labor and other small-scale forms of organizing labor”.

Farmer may be a one that is engaged in agriculture, raising living organisms for food or raw materials. This is often how of life that has been the dominant occupation of citizenry since the beginning of civilization. People that depend upon agriculture are differentiated in terms of their relationship with the land like owners of the land, absentee landlords, supervisory agriculturists, owner cultivators, share-croppers, tenants, and landless laborers. Generally and in local language, they are referred as “Kisans”. Consistent with Doshi and Jain rural sociologists have given different classification of peasants. Some rural sociologists have taken the ownership of land for peasant categorization. However, there’s no single categorization of the peasantry. The classification varies from situation to situation. Accordingly, the classification is mentioned below:

1. Rich Peasants: Peasants who own above 15 acres of land.
 2. Small Peasants: Peasants who have land between 2.5 and 5 acres.
 3. Marginal Peasants: Farmers who have land which is a smaller amount than 2.5 acres.
 4. Landless Peasants: These peasants are the one who are not having any type of land and goes to others who are having the agricultural land to earn their livelihood by working as manual laborers. They work as sharecroppers and sub-tenants.
- Additionally to the classification of sociologists, there are economists who have classified peasants into 1. Landlords, 2. Rich peasants, 3. Middle class peasants, 4. Poor peasants and 5. Agricultural peasants. However, in any classification of peasants land tenancy and land size play a vital role. Thus, both these combined together play a crucial role in defining the criteria for peasant classification.

Politicization of the Peasantry:-

The political behavior of the peasantry is usually supported on the factors, which are the integrated segments of the agricultural society. The agricultural society is dominated by the landlords and therefore the rich peasants at the top and the landless and poor peasants at rock bottom of the social hierarchy. There is no unity or commonality among the exploited sections of the peasantry as they are divided among themselves and led by their masters. Most frequently they are engaged in political competition among themselves.

The factor, which is most dominating, features a large following which commonly receives many reciprocal benefits. Another group is that the middle peasants who are free from the landlords but often find themselves in struggle with them. Broadly there appears to be two groups in peasants. The main characteristic of one group is that the relationship between masters and their dependents while the other group are predominantly those regarding the landholders.

The poor peasants are the smallest amount militant class of the peasantry. They are those who are liberated from the servile mentality very quickly. Things are

harder within the case of the peasant as he is totally dependent upon his master. It is only the center peasants who are more aggressive in character and may generate motivation to peasant revolution. In rural areas, the land reforms and agricultural policies are not properly implemented. Land reforms benefited the minute and marginal farmers but not the landless.

Additional, the mechanization and commercialization and state-sponsored rural development programs helped the rich and middle-class peasants. Therefore, the amount of landless agricultural laborers, unemployed got increased. At this stage, the agricultural poor realized the necessity for a collective action so as to fight against injustice and also against the state that does not protect their rights.

Most of the time, the peasants demand higher wages and improvement in working conditions. These movements were organized by the kisansabhas and the agriculture units of communist parties. The most purpose of these movements is to try to enhance the economic conditions of all those that earn their livelihood laboring in agricultural fields and related work. The support extended by the political parties is essential as most of those movements lack resources also as organization.

Thus, it is impossible for any organization to require a stand on economic and political issues that cut across various areas and cultural divisions. During a state where the peasant movement is strong, it obviously suggests that there is complete domination of landlords. One result is that lack of religion in self-governing process.

Due to unpredictable weather and poor rainfall crops are destroyed in Maharashtra. The Economic Survey of Maharashtra has projected a negative agriculture growth at 8.3% for fiscal year 2017-18 on account of reduced production of food-grains, pulses and cotton crops. Droughts, insufficient pricing policies and poor water management have hit agriculture within the state. The assembly of cereals, pulses, oilseeds and cotton is expected to decrease. The land under cereals, pulses and oilseeds has reduced by 42%, 6 % and 60%, respectively over the previous year. As per the survey, the land under Rabi crops is 31% less over the previous year. Nearly 37% of the villages in Maharashtra may get a 'drought like' tag as they need reported low crop production. The government has come up with various steps to contain things but they are insufficient or irregular.

There exists a strong connection between size of farm and average farm income. Field Crops typically have lower incomes compared to Horticulture, Milk, Grazing Animals, forestry and other farm activity. Farm level produce sale price instability and unpleasantly which affects small, medium, large and entrepreneurial farms differently. Maharashtra farmers are among most hardworking, adoption of scientific inputs is high, basic support infrastructure have much improving over the years and still high levels of strain.

Small average farm size, lack of balanced market based Farm structure, Produce price volatility and lack of Commercial farming. In Maharashtra Infrastructural investment is not unique but most Indian states share an equivalent. In 2013 minimum of 3,146 farmers committed suicide in Maharashtra, hence it shows the newest data of the National Crime Records Bureau (NCRB). Since 1995 that brings the entire number of farmers taking their own lives within the Western Indian state to 60,750. Maharashtra's record finds no mention within the media. After 2004 the image within the state got a tons worse. From 2004 to 2013 on an average, 3,685 farmers within the state took their lives per annum. Meanwhile, Maharashtra's 3,146 numbers reflects a decline of 640 farm suicides as compared to the 2012. After all the large five states in farm suicides have recorded declines in 2013 relative to the last year. Andhra Pradesh claims a fall of 558, Chhattisgarh- 4, Madhya Pradesh-82 and Karnataka-472. In 2010, 15,963 farmers in India committed suicide, while total suicides were 134,599. In 2012, the state of Maharashtra, with 3,786 farmer's suicides, accounted for a few quarter of the all India's farmer suicides total 13,754. From 1995 to 2013, a complete of 296,438 Indian farmers committed suicide.

During the period of 1995 to 2013 farmers' suicides within the state of Maharashtra

1995	1996	1997	1998	1999	2000	2001	2002	2003	---	Total
1083	1981	1917	2409	2423	3022	3536	3695	3836	---	23902
2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
4147	3926	4453	4238	3802	2872	3141	3337	3786	3146	36848

In Maharashtra over 15,000 farmers have committed suicide between 2013 and 2018. Out of the total 15,356 farmer suicides for the period of the six year, 396 cases were reported from 1 January 2019 to 28 February 2019. So far, the government has provided ex-gratia to 102 families out of 396 suicide cases, according to RTI activist Shakeel Ahmed.

Issues and Challenges of Peasants in Maharashtra:-

A number of the Challenges of Peasants in Maharashtra are mentioned below.

- ❖ In Maharashtra, Agriculture is an unorganized activity.
- ❖ Large number farmers are small and economically unworkable.
- ❖ Increasing Middlemen and manipulation of farmers.
- ❖ Government programs do not reach to the bottom level farmers.
- ❖ High indebtedness and excessive interest rates.
- ❖ Real estate mafia and persistent fall in agricultural prices.
- ❖ Intensified agrarian crisis and unabated peasant suicides.
- ❖ Rapid increase in landlessness and land inequality.
- ❖ Unprecedented land grab and dispossession of the peasantry.
- ❖ Loot of resources and Attack on forest rights.

- ❖ Increase corporatization of agriculture area
- ❖ Acute human tragedy amidst drought, floods and government apathy;
- ❖ Rural employment and attack on MNREGA.
- ❖ Increased liability of girls in agriculture.
- ❖ Notification restricting cattle trade and other sector.

The Main Demands of the Peasants Are:-

- ❖ Ensure remunerative prices for the peasants as per Swaminathan Committee recommendations and timely public procurement.
- ❖ Implement debt waiver for poor peasants and agricultural workers.
- ❖ Pass Comprehensive Central legislation for agricultural workers.
- ❖ Implement MGNREGA altogether rural areas and amend the Act to hide urban areas as also
- ❖ Implement Redistributive land reforms to farmer.
- ❖ Stop forcible land acquisition of farmer.

Peasant Movements:-

Peasant movements are imperative variants of social movements. These movements are often categorized in terms of their ideological orientation, sorts of grass root smobilization, and orientation towards change as ‘radical’ and ‘institutionalized’ to analyses their dynamics. A ‘radical peasant movement’ is viewed as a non-institutionalized large-scale collective mobilization initiated and guided by radical ideology for rapid structural change in peasant society. An ‘institutionalized peasant movement’, on the opposite hand, is one where institutionalized bulk mobilization is initiated by recognized bodies for a gradual change within the selected institutional arrangement of society. It has been witnessed that peasant movements, however, are not individually radical or reformative, rather one could also be an extension of another through transition over a period oftime which the method of transformation of those movements from ‘radical’ to ‘institutionalized’ directly affects the method of latest collective identity formation of the peasantry.

Conclusion:-

The monsoon does have a really impact on agriculture. But it is by no means the most reason for the farmer suicides. The concentration of suicides by farmers in certain parts of Maharashtra is a complex issue. And with the majority of these suicides occurring amongst crop farmers, the problemsof debt, hyper-commercialization, exploding input costs, water-use patterns, and severe price variation and price volatility, come far more to the forefront. These facts serve to clarify the huge response to the peasant struggles in Maharashtra in recent years. Maharashtra has the tarnished distinction of being the most important ‘graveyard of farmers’, accounting for giant number peasant suicides within the same period. A results of multiple factors like landlessness and unemployment also because of

the breakdown of the general public distribution system and the health care system.

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IMPACT OF LEADERSHIP STYLES

ON THE EFFECTIVENESS OF CORPORATE GOVERNANCE

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ABSTRACT

Corporate governance is a way of governing an organization effectively, and it requires the leadership of an organization to develop and implement effective systems in order to accomplish that. In order to achieve maximum benefit out of corporate governance and leadership, they have to work together in a symbiotic relationship. A corporation's leadership style greatly affects the corporate governance practices that it values.

The research paper tends to understand the relationship between corporate governance and leadership and its underlying importance in all ways that the organizations must understand so that corporate entities can be guided on these two fundamentals that determine the success of any entity.

Keywords: Leadership style, Corporate Governance, Stakeholder

INTRODUCTION -

Different people and corporate entities have different definitions of success to which they connect with and hence work upon different measures to achieve them. With changing times, measures of success have also evolved beyond traditional financial measures to embrace sustainability and environmental factors to the triple bottom line (Elkington, 1997, cited in Hubbard, 2006, p.179). **Corporate governance** is the system of rules, practices and processes by which a **company** is directed and controlled. **Corporate Governance** refers to the way in which companies are governed and to what purpose. It identifies who has power and accountability, and who makes decisions.

It actually is a toolkit that helps the management to run the organization smoothly in sync with vision, mission and goals of the organization. Corporate governance index thus incorporates all those gears that control the decision making process of the management, securing the interests of the shareholders and stakeholders at the same time, in turn running the engine of the business successfully. This paper tends to understand the relationship between corporate governance and leadership and its underlying importance in all ways that the

organizations must understand so that corporate entities can be guided on these two fundamentals that determine the success of any entity.

As a response to crisis situations, entities tend to adopt corporate governance principles as a means of strengthening leadership. Consequently, there is a sense of desperation rather than a commitment to better practice. This lack of expertise means they are unable to handle corporate governance issues effectively. Their leadership style may also have contributed to their failure to create an effective corporate governance structure. According to the ZimCode, good corporate governance provides companies with the ability to engage stakeholders without losing sight of their own interests. Gabrielle O'Donovan defines corporate governance as an internal system of policies, processes, and people focused on meeting the needs of shareholders and other stakeholders, through the management of activities, including the directing of them, acting objectively, accounting for their actions, and having the highest sense of ethics.

Despite this, leadership is rooted in personal characteristics and hence impacts the uniqueness of individual's leadership style. If dark personalities exist, the ability of leaders to make informed or balanced decisions will be impeded, as leaders make decisions that benefit the mselves more and not the organization (Van Velsor and Leslie, 1995, cited in Khoo and Burch, 2008, p. 95

it is interesting to explore how the different leadership styles can shape the success of organization . Hence, the research topic for this study is **Impact of LEADERSHIP styles on the effectiveness of corporate governance** The purpose of this study was to contribute to the limited extant literature based on the assessment of the two constructs of corporate governance and leadership based on the following research objectives

1. To investigate the impact of leadership style on the effectiveness of corporate governance

2. To identify links/limitations of corporate governance and leadership

To investigate the impact of corporate governance and leadership on organisational success

- To identify links/limitations of corporate governance and leadership

- To identify links/limitations of corporate governance and leadershCorporate governance is a way of governing an organization effectively, and it requires the leadership of an organization to develop and implement effective systems in order to accomplish that. In order to achieve maximum benefit out of corporate governance and leadership, they have to work together in a symbiotic relationship.

Corporate governance is effective when leadership provides motivation and impetus. As a key function, it is responsible for establishing a corporate culture that uses effective governance to achieve corporate objectives.

Corporate governance is embedded in a culture that encourages the behaviors that are required and deemed fit for achieving success at professional fronts. It can be reasonable to measure how much leadership influences corporate governance by analyzing the leadership styles encountered in corporations. Leadership can be listed as situational, transactional, or transformational, depending on the power exchange and how it is utilized to secure outcomes. Various committees may deliberate on the adoption of corporate governance principles, which may delay or hamper their actual implementation. Positively, corporation that embrace principles that are owned by their employees are capable of more than ticking off boxes. In addition to feeling valued, employees who contribute to the decision-making process are well on their way to contributing immensely at work. A charismatic leader tends to inspire and impact comparatively more people than someone who follows another style of leadership. Under such leadership, a company can maintain a high level of corporate governance because the culture encourages individuals to work towards improving the system. Leadership that is known to reap rewards for all its players in the company can be described as this style. Leadership increases both productivity and efficiency by motivating employees and keeping them informed and visible.

In understanding the relationship between their success and the success of the corporation, they work together for the company's success. As opposed to being impediments to achieving corporate success, they see corporate governance principles as a means to that end. Leaving a charismatic leader in a corporate setting has a very detrimental effect on the business. The candidate may find it difficult to achieve the same level of respect as the previous leader, even though mentorship is encouraged. There is a risk that corporate direction could be lost. Corporate governance will be derailed if it is not properly regarded. It is usually difficult for the replacement to fully integrate into the organization, which can have negative effects on company morale and culture.

Among all forms of leadership, transformational leadership serves the most purpose. Strategy is at the core of it. Rather than focusing on each individual task, leaders delegate smaller tasks to their teams in order to achieve goals. Employees are motivated to think beyond their own self-interests to contribute to the good of the company.

Employees are supported along the way by it being able to focus on individual needs, promoting intelligence, communicating high expectations and supporting new and creative ways of approaching older issues. Followers are encouraged to be more innovative and creative in order to achieve group goals. Their vision is driven by willingness to take risks and sensitivity to the

needs of their followers. It is an aspect of the charismatic leader's leadership style that he allows creativity and innovation. Director-level executives that are hired, assessed and, sometimes, fired for the corporation are looked for three things. There is no substitute for competency. Leaders are defined as individuals with capabilities, and we evaluate them on their intelligence, business, people, and strategic capability. It is crucial to be committed. Aspirations for leadership reflect how well individuals are prepared to make the sacrifices needed to succeed, just as engagement indicates how committed they are to the role. Character counts more than anything else.

Leadership depends on how it perceives and analyzes the situations in which it operates. Competencies are used in accordance with each individual's character. Their decisions, and the subsequent implementation and assessment of their decisions, are shaped by the ability to perform their duties, the commitment to the company and their character. Recruiting, selecting, evaluating, and retaining directors should adhere to the same criteria regardless of their specific competencies. Due to its limited understanding and difficulty in describing, we concentrated on leadership character in this research. Making good decisions requires a high level of character. It impacts what information executives, board members, and other stakeholders seek out, how they interpret information, how they communicate information, and how they implement council directives among numerous other elements of governance.

The directors of a board must have open, sophisticated, and critical discussions, but with respect; they must also be willing to collaborate and courageous enough to express their views. Moreover, they should look at the long run while concentrating on the shorter-term results, and exercise good judgment. Character has everything to do with these behaviors. During the course of research, we met a number of corporate professionals and discussed and intrigued upon their view points regarding the relationship that exists between the leadership styles and the effectiveness of corporate governance.

Over the preceding decade, participants identified character defects or weaknesses as key to the building of financial leverage, as well as the subsequent financial meltdown. They also identified leadership characteristics as a distinguishing factor between the companies that thrived during the meltdown and those that failed or suffered significant losses. Leadership and governance issues related to character were identified by participants in this research project. They included:

- An exaggerated sense of self-confidence that generated Behaviors that resulted in recklessness or excessive risk-taking
- In some cases, there was a lack of transparency and integrity
- Slightly disinterest in critical issues
- Failure to account for huge risks associated with enormous compensation
- Irresponsible and imprudent decision-making

- Lack of respect for individuals which impeded effective teamwork
- Hypercompetitiveness among the leaders leading the major financial institutions
- Transgressions of their financial responsibilities toward shareholders and society at large.

Several contributory reasons for the excessive build-up of leverage on financial markets which led to the subsequent meltdown were identified as a result of these character elements as well as many others

Conclusion -

Neither corporate governance nor leadership can ensure long-term organisational success. Corporate governance deviation and unethical behaviour has led to loss of trust in leadership which necessitates keeping them in check. Thus it is the need of the hour to form authentic (matured) relationships inextricably linked to achievement of organizational goals and performance (Larker & Richardson, 2007), prudent corporate governance effectiveness via board effectiveness is brought about through relationships (how board works both within and beyond the boardroom with leader in action undertaking all the necessary steps & imbibing most effective leadership style apt for that particular organization hence by satisfying & motivating to achieve success & profit for employees, organization & its all involved stakeholders and the behaviour (Yukl, 2012) of individual board members. The board must work with management (CEO) to form matured, quality relationships of high levels of respect, trust and mutual obligation through leader-member exchange to achieve long-term, sustained organisational success (West & Meyer, 1998, p.397, cited in Daily 2002, p.396). Values are especially important as millennials tend to trust authentic leaders in touch with their values, supporting the need to build quality relationships in organizations (Mayo, 2017, cited in Crainer & Dearlove, 2017, p132). Whilst transformational leadership yields high organizational performance through changing values and behaviours, mission, strategy and culture (Hayes, 2018), transformative leadership brings about organizational success through relationships that truly touch the hearts and souls of others (Kouzes & Posner, 2003, cited in Caldwell et al., 2012, p. 182).

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**A STUDY OF TAXATION FRAUDS PLAGUING OUR SOCIETY & THE
ROLE OF TAX PRACTITIONER'S IN THEIR DETECTION AND
MINIMIZATION**

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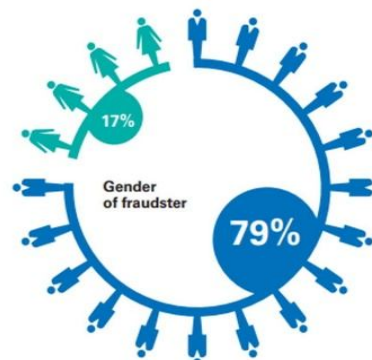
The Fraudster Fraud is an intentional deception to secure illegal gain that destroys corporate reputations, requires millions and ruins lives. It is a difficult economic and moral burden. Personality of fraudster: A fact accepted by all forensic investigators is that if you intend to catch a fraudster you have to think like him and to identify him. It is not possible to fight the unknown. The Dark Triad Auditors from across the globe have a profiling on the characteristics of a person who may perform fraud. It may help them detect the danger of fraud and quantify it. The FBI believes psychopathy is a major forensic concept for understanding white collar crimes. Epstein and Ramamoorti (2016) have found three aberrant, deviant kinds of personality that may influence financial reporting fraud risk. The fraudulent traits have been characterized by narcissistic, Machiavellian and psychopathic attitudes. Narcissism indicating excessive type of egocentrism, Machiavellianism indicating manipulation of others, arrogance and selfishness and Psychopathy reflecting antisocial behaviour, selfishness, stubbornness and rudeness.

Table 1. Frauds in India

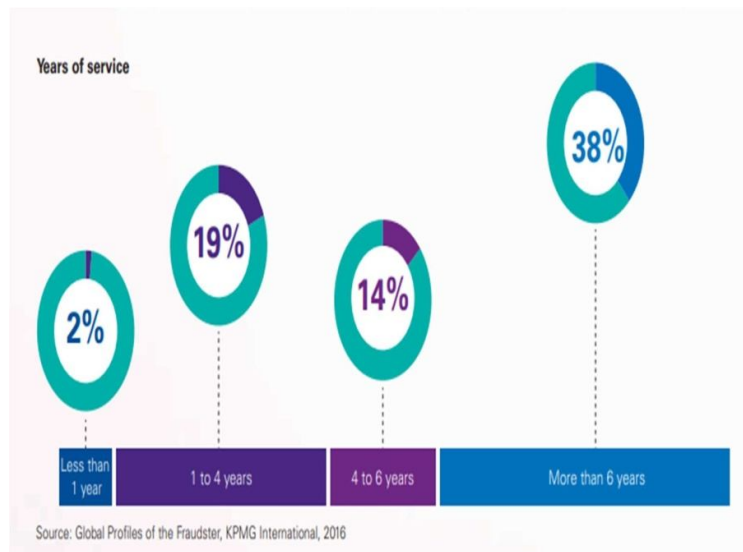
Sr No.	Name of the Scam	Nature of Industry	Year	Fraud Perpetrators	Modus operandi	Money Involved (in crores)
1	Hashad Mehta	Capital Market and Asset Management	1992	Managing Director	Harshad Mehta led to rise in Stock Market by Trading in Shares at Premium.	4000
2	C.R. Bhansali	Capital Market	1992-1996	Managing Director	Established Finance company and collected money from public and transfer money to Co. that never existed.	1200
3	Cobbler Scam	Co-operative Society	1995	Promoter	Availed loan of Crores of Rupees and created fictitious Co-Operative societies	600
4	Virendra Rastogi	Trading Company	1995-1996	CEO	Exported the bicycles by heavily invoicing the value of goods	43
5	Abdul Karim Telgi	Printing	2000	Promoter	Involved in Fake stamps Papers	171
6	UTI	Mutual Fund	2000	Chairman, Executive Director, Stockbroker	UTI issued 40000 Shares which were purchased for about Rs.3.33 Crores	32
7	Ketan Parekh	Capital Market	2001	Managing Director	Took loan of Rs. 250Crore from the Bank Whereas maximum limit was 1.5 crore	1500
8	Dinesh Dalmia	Information Technology	2001	Managing Director	Rs.1.30 crore shares are unlisted in Stock Exchange. Dalmia resorted ill legal ways to make money through partly paid up shares.	595
9	Satyam Computers	Information Technology	2009	Auditor, Director, Manager	Accounting Entries has been hugely inflated involving about Rs.100 Crores.	8000

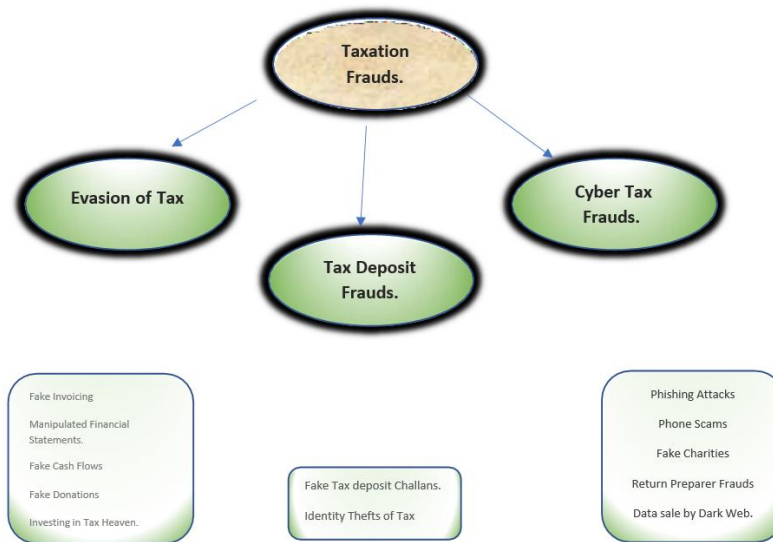
(Gupta and Gupta 2015)

KPMG (2016) also created the global profile of the fraudster. KPMG surveyed their Forensic professionals about the fraudsters profile. A detailed questionnaire was also done with the fraudsters to analyse the gender and the age intensity on the frauds. As per the conclusion of the research the fraudster is a male in the ages of 36 and 55. The survey also says that 45% of female perpetrators were between the age



TYPESOFTAXATIONFRAUDS

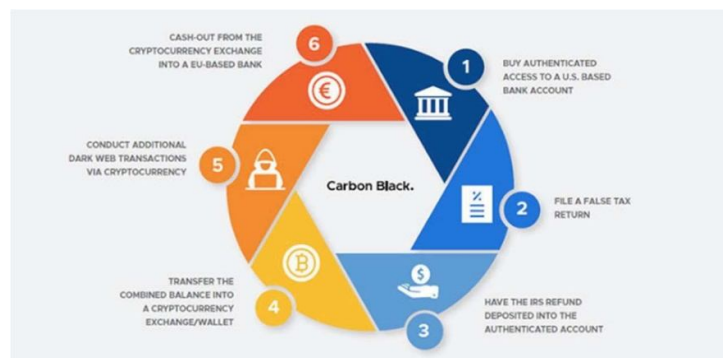




Kenney & McCafferty, P.C.(2011) a tax consultant company has listed that off-shore accounts are used to hide their income and assets. With an intent to evade tax investors make massive investments in foreign jurisdiction which fall in the category of“TaxHeaven”.According to the study the concept of tax shelters refers to those investments which allow reduction in tax liability example investments in pension funds and real estate. Babcak (2015), The researcher underlies the fact that a tax fraud occurs when the intention of the person is fraudulent and deliberate. Various forms of tax frauds have been elaborated in the study. Gravelle (2015) identifies the most prevalent techniques of corporate tax optimization, including: debt allocation and profit reduction, transfer pricing, contract production and regulations on tax relief for foreigners. Tax Employment Fraud Companies often hire individuals using non-employment agreements, do not pay taxes and fees as per law, pay in cash to avoid taxation. In many instances, the employer presents false tax return papers, does not submit or notify workers about tax return documentation. After raiding the Delhi business firms that was under its hawala scrutiny, the income tax authorities have uncovered the suspected tax evasion to Rs 1,000 crore. According to Deputy Chief Minister Manish Sisodia the Delhi government in 2019 unearthed a cyber-tax deposit fraud totaling Rs 262

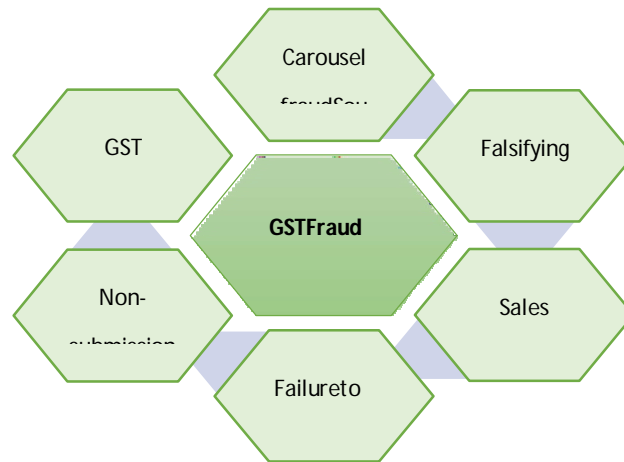
Research in 2019 shows that identity theft is becoming easier, cheaper and more prevalent via the darkweb. Scary

domain “the dark web”. In a summary of the findings Carbon Black detailed in the report which found these scary statistics with specific numbers showing the low cost to get sensitive data with a price tag starting from \$0.19 to \$62. The data ranges from social security numbers, Names, birth dates and other personal information. A hacker can purchase confidential data at cheap prices to file false returns, claim refunds and the no tou using crypto currency. The most shocking revelation of the report shows that even access to a US based bank account can also be purchased via Darkweb.



MEASURES TO FIGHT TAX EVASION

Babcak (2015), The researcher has observed the problem in the context of European Union and is of the opinion that no country within the boundary can handle this problem alone. It needs a coordinated and multilateral process. The concept of tax fraud includes within its jurisdiction the concept of Tax evasion. Bohac (2015) The author has included the terms tax avoidance and tax evasion within the preview of tax fraud. The research clearly proposes to cover the fraud under the umbrella of criminal law as the activity of tax fraud is an illegal activity committed intentionally with a clear intention of concealing income to reduce tax liability.



SUGGESTION AND RECOMMENDATIONS

1. The government should consider reduction of tax rate and simplifying the tax structure.
2. An expert committee should be constituted to enquire in to all existing control and licensing and permit system with a view to eliminate those controls which are not required or are not effective.
3. Regulatory controls should be enforced to regulate donations to political parties as this is being used for the purpose of money laundering and claiming exemption.
4. The government and tax officials should aim at improving the relationship and gaining the confidence of the taxpayers.

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FUTURE OF I.C.T. IN TEACHINGS OF ENGLISH LANGUAGE AND LITERATURE

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Abstract

It is widely perceived that speaking English is important in the global world. English is an international language in the sense that it helps in interlinking the people in other countries of the world. The recent revolutionary developments in ICT have changed our world into what is called a 'knowledge society' where information is more globally shared and freely accessed than ever before. Such advances affect all aspects of education and particularly our approach to teaching and learning of English. The study titled 'Role Of ICT (Information And Communication Technology) In Teaching Of English Language And Literature' discusses at length the application of ICT in teaching of English Language and its importance. Contemporary teaching approaches and techniques of foreign languages depend on the usage of various organizational systems and policies that help in such a growth. The way teachers organize these strategies and the way they perceive the individual steps connected with the organization of strategies may essentially influence the eventual efficiency of the strategies and the consequent development of speaking skills, which is proven from the study. The usage of ICT in communicative English classrooms ranges far from addressing the fundamental results of syllabus and permit students to turn into a skilled and proficient users of English. Research recommends that integrating ICT into the English curriculum could advance the reading, writing, listening and speaking skills of beginners. Moreover, enhancing their creativeness and freedom in

learning by means of reflection and collaboration. As a collaborative and interactive medium, ICT provides students a chance to discover the language of texts even more innovatively and develop as speakers, writers and readers for an ever-widening range of purposes in the 21st century of our technological age. It is the need of the hour to utilize fully all the possible advantages of ICT in the field of English language education in India. The novel progresses in science and technology offer openings to build well-designed, learner-centred, interactive, affordable, efficient and easily accessible and meaningfully spread learning environments. So in this era of ICT revolution, ICT Assisted Communicative Language Learning has great prospects as it enhances the learner's cognitive process and enables authentic communication in English. The present study will open up the whole new paradigm of teaching second language effectively. It will try to enhance the learning and teaching of English and literature through ICT approaches. It will prove to be important approaches for learning English communicative Skills.

Keywords: *English language, Teaching, ICT, literature, role, importance*

Introduction

English is the most widely used language in the history of our planet. It has been noted that the ration of English speaking people on the earth is 7:1. More than 50% of books all over the world are provided in English and further to add to it, emails being the most commonly used medium of communication are written in English language up to 67%. The reason why English is so widely used is that it has the most extensive and expressive lexical resources. (G. B. Purni, 1997)

English Language in India has many dimensions with reference to its usage other than just an official language. English as a tool of communication gained the importance of being official language in the areas of higher education, administration, banking and legal procedures. Many remarkable efforts have been found with a view to improving the standard of English as a language of communication, but unfortunately, one could not find the noticeable development because of one or the other reason as compared to advanced countries (Ahmed, 2015). Further, learning of English language has not been made mandatory by the most of curriculum. As a result of that Indian Education System could not create and maintain the same interest of learning or teaching of English language. ELT pattern is required to be reevaluated in reference to its curriculum and pedagogy to overcome the hurdle of academic growth.

In the present era, English Language in India has two different dimensions to deal with: on the one side, interest and incline of parents towards admitting their children in the English medium schools have resulted in to the vital importance of English as a second language. Further, the mobile technology and social media have played a chief role in making people English literate as one of the motivational tools for learning a second language. The other side of the coin is the latest survey carried out with reference to technical students of India which was published in the Economic

Times says that most of the students still today struggle in communication skills that has developed as one of the hurdles for getting employed. However the technical education is a four years course taught in English medium, students fail to perform in English during their placement process. This is a serious problem which requires the attention as much research has been carried out on finding the problems and not the solutions to the same.

The present research study deals with one of the very important fields in which the Information and Communication Technology plays an instrumental role. The research study addresses some major concerns in English language teaching in India, where English is treated as a foreign language till day. The research study investigates about the use and practices of ICT tools in English language teaching in colleges and institutions. It happens that our students usually lack exposure to an authentic English Learning Environment, material sources, and possibilities for engaging with the culture of the language that is being taught. Most of the times, the textbooks which are suggested prove to be insufficient to provide authentic types of English used in real contexts. In such situations the students may have low motivation in learning and using English for real purpose.

ICT and Language Learning

Information Communication Technology (ICT) is the demand of the time. ICT has a revolutionary role in modern communication. In each field, the use of ICT has boomed for digital literacy. In India particularly, we are in a transition phase, moving from conventional to innovative and that is why the older generation is yet not ready to cope up with this rapid shift. In the field of education too, the same is the situation. For most young teachers, it is more comfortable to use ICT compared to the older ones. Government is also taking many such initiatives where through training and upgrading people's skill this gap between users and non-users of technology can be reduced. ICT helps to make the globe easy to reach, easy to access. Anyone sitting in any corner of the world can generate, share and retrieve any sort of information through just one click. ICT enables to share social, cultural, economic and scientific knowledge worldwide.

Television, cell phone, internet, video conferencing, teleconferencing, digital database are examples of ICT being used at each and every walk of life. We are living in the age of 'Information Revolution' and ICT being a powerful tool brings rapid upgrades and updates in the society. The field of education is also not an exception. Every discipline, every subject does have its digitally stored bulk of information worldwide which is open to easy access. So far as language learning is concerned most school going kids are now very much aware of using the mobile phone and tablets to learn and to play with. Language learning has always remained a common stratum for each and every person as per one's own need and requirement and ICT has entered into this phase too. Today, many software and applications are available for learners of different age groups, starting from school children to adult learners.

The imperative for English is not only in India, but has been fueled globally with the advent of information and communication technology, especially through the internet. The use of English has been stimulated by these sources since the means of communication and interaction via these tools is English. The ICT tools provide a genuine resource for the learning of English. The sources like emails, blogs, discussion forums, chatrooms, newsgroups and social networking spaces provide opportunities and exposure to English language across the globe. They provide real-world English language learning contexts, cultures, texts, materials and activities. It offers opportunities to learners for motivating and exciting learning atmosphere, encouraging self-dependence and also provides space for using English for a range of purposes. The sources under ICT offer the students new processes of reading and writing practices where the learners encounter multiple modes of texts along with images, pictures and audio and video material. The learners can depend on various sources to seek information; they can club these sources to interact and communicate in English with their peers and with native or non-native English speakers. In these ways the tools under information and communication technology can provide different teaching-learning experiences enhancing English language teaching and learning following communicative and constructive teaching approaches.

Role of ICT in Language Learning

Alessi and Trollip (2001) points out that the application of technology to the process of learning, especially for general learning activities like presenting information, guiding the learning, practicing and assessing learning has wonderful outcomes. ICT offers a number of advantages like: it saves time; enhances learning; it is innovative, interesting and can accommodate more students. ICT motivates students and develops independent learning strategies in them. ICT supports language learning in a number of ways. ICT extends children's experiences and literary skills. It encourages the learner to express their ideas, thoughts and feelings effectively and add to students' understanding and pleasure (Chin, 20004).

ICT can help a language teacher to establish a better rapport with students. ICT helps to deliver content in the same way delivered through a lecture. Improved eye contact can be developed when the student switch between technology and teacher. Points can be better illustrated with visually appealing examples. Above all, absentees can benefit greatly as the resources are accessible after the class. Communication technologies like videoconferencing, digital video and interactive white boards will motivate language learners, especially foreign language learners. Face to face interaction with native speakers improves learners' confidence in listening and speaking in the target language. It raises their cultural awareness too. Most of the language teachers adopt 'Lecture Method' for teaching. Though this continues to be most familiar method, there are many inherent problems with the method of teaching.

Most often lectures reduce to monologues and students remain as passive learners. No matter, how interesting the topic may be, attention span of students always wane after about fifteen to twenty minutes. Introduction of ICT to lectures can add great value to language teaching and learning experience. ICT devices offer an alternative way to teach language without rote learning it. It motivates the learner and makes language learning a pleasant experience. Though all teachers may not yet have access to modern teaching facilities, the use of Virtual Learning Environment (VLE), e-learning provision and audio-visual presentation is increasingly widespread in educational institutions. When literature and research stress the significance of ICT in language teaching, yet teachers do not feel confident yet in exploiting ICT to support their teaching.

Most of them are sceptic of its benefits. The difficult task for teacher is to give up the control over students as ICT equips learners with independent learning strategies. Many teachers fear ICT will replace the role of teacher. They prefer to be “technophobes and point out that technology is unreliable and its benefits are not worth the cost or effort” (Chin, 2004).

They recoil at the idea of supporting their teaching by using ICT by arguing that to apply these skills to teaching, one need to be a technical wizard. Perhaps, the biggest problem for teachers when considering the adoption of ICT is confidence and self-belief. Hence, the investigator found relevance in such a study focused on the attitude of English Language Teachers towards the use of ICT in teaching. Though all schools (in India) aim to provide IT education to students right from elementary level, more systematic and unified efforts happen at secondary level.

Features of Information and Communication Technology

Because of the outstanding features of ICTs, rapid growth can be seen in their use. The features of ICT sources that appeal the users are:

Speed: The information from ICT tools can be accessed quickly from around the world using search engines. Complex calculations, comparisons, collection of data and statistics can be processed in no time. They can be written using text applications and can be sent within a few seconds through Emails or in the form of SMS using cell phones. This way communicating with people living in any corner of the world becomes possible at a faster speed.

Capacity: Large quantities of images, sounds and text can be stored and retrieved in computers, mobile phones, iPods, Digital photo frames and other such devices. For any information resources can be downloaded through the Internet, data can be stored in CD-ROMs, pen drives. Not only this but we can also edit and alter the stored matter. Large amounts of information can be efficiently processed in sequence.

Automation: Different ICT tools like computer and recorders can be used to record, sort and represent data to investigate possible solutions to most of our problems. We can adapt and amend templates while the technology carries out the calculations, process information. Children can use ICTs for

basic applications like start and stop video clips and animations, 'cut and paste', combine texts and images and also work through features like spell check and grammar correction.

Communicability: When it comes to sharing our ideas and opinions, ICT is the best source today. We can convey our point of views, ideas using different platforms. If children are made to work using various ICTs, they can work together to share ideas and develop their social interactive skills through online debates and exchange of ideas with their partners. People maintain various blogs based on their interests. Various blogs, those of political, social, educational and many more help to share one's ideas with the world. Same is the use of social networking sites. Social networking sites like Face book, LinkedIn, WhatsApp, Skype are used popularly. People not only share their ideas but also share moments of their lives with the world. Through these sites we can make friends and be in touch with them who are actually separated geographically with each other.

Replication: One can use ICT tools like CD-ROMs, websites, other stored material as many times as we want to. We can also create a number of copies of the stored material. This can be done for any number of times till we understand the matter.

Accessibility: One can use word processor or related software to record our initial ideas and draft the thoughts before constructing a more formal response. We can also review and refine our work, evaluating the effectiveness of our choices to ensure greater decisions. This can be done using the edit and undo tools which help to make changes. As we use edit and undo tools to rectify the mistakes, the same way we can create sounds and also change the pitch, tempo, tone or texture to meet the requirements. We can import pictures that can be adapted by changing colors, pattern, and shape to recreate images.

Interactivity: We can share and express our ideas and thoughts using the ICT tools. People from diverse areas read these messages and we receive the feedback. This leads to interaction among people. This virtual interaction can be practiced at work places, offices, business world and educational settings. Children when work on projects using ICT tools, they receive feedback. They can learn different techniques to respond to randomly generated questions. They can solve problems, deciding for the best way to present their solutions and refine their approaches to achieve greater precision. They can create new situations and problems of their own. This is to test and confirm their hypotheses.

Non-linearity: Presentations have become a part of our work whether in schools, colleges or other work places. In this case use of ICTs play an important role. This helps in terms of gathering information from various sources, navigate in different ways to find relevant data. We can move in different sections of text and realign the work done. We can capture pictures and images and improvise it in the presentations. Anyhow we have choices based on reasoning for the different options that are available.

Multi-modality: By using ICT tools like computers and mobile phones we can watch online videos as virtual demonstrations, lessons and we can also upload videos from different websites. We can build our own websites incorporating diagrams, symbols, text, pictures and sound. We can also view video clips, stopping the videos at different places and annotating it. Children can also create their own videos using handheld video cameras to record and communicate performances. They can also share these videos, evaluate their performance and get suggestions for improvement as feedback of their work.

Purposes of ICT in ELT

Computer has become so much a part of our lives now that educationists identify computer literacy as one of the tools required for survival in the world today. The purposes of ICT in ELT are as explained:

- To search for information Students and teachers have access to vast amounts of data and texts either through CDROMs or on the Internet. Where CD-ROMs give access to information under specific heads such as prepositions or Shakespeare, the Internet allows one to access huge bodies of information, texts and ideas about teaching. For example, readymade lesson plans to teach various topics are available on the Net. The use of CD-ROMs or the Internet becomes useful only when the users know how to search for information, and what to look for. Without these two skills, the use of ICT to search for information becomes confusing and ineffective.
- To produce a piece of writing, the problem most teachers face when it comes to writing is the reluctance on the part of students to edit their work before submitting it. Perhaps this is because the teacher is seen as a 'correction machine' or because students find it tedious to rewrite whole chunks of writing. A computer is a great help here because the draft can be revised with regard to its punctuation, spelling, grammar and even organization of the complete piece of writing without much trouble. The skills that the students learn in their computer class can be transferred directly to a computer-assisted writing class.
- To improve presentation skills of students Presentation skills, that have a wide range of application in our lives today, have become a very important part of the curriculum even at the school level. Using computers to make presentations helps as learners become aware of how different functions available in the basic word processor can affect a text (italics, text sizes, font sizes, underlining, etc.) or how different programs, such as power point, can be used.
- Use of Internet and emails in ELT It has been predicted that by 2050, letter-writing as the world knows it today will become obsolete and that nearly 70% of the world's population will be

using Internet and emails. The computer is becoming more and more central to our work and also in our private lives. The importance of computers in ELT can be seen in the number of publications that have come out in the past ten years on topics such as 'Using computers to teach English' and 'using the Internet to teach English'. It has been said that English Language Teaching is a skill-based subject and not a content-based one. Similarly, in the teaching of English, the skills of using the language are more important than the content, and the English teacher has to lay the unique role of the one imparting these skills.

Future of English in ICT Age

As the world is in transition, so is English language itself taking new forms. English has transformed considerably in the 1500 years of its usage, replicating various contact patterns with other languages and the shifting communication needs of its society. Today, English is deliberated a universal language because it is mostly employed for communication in the digital world. With computers playing a main role in teaching of English today, the future of English in ICT era is a matter of discussion. Apparently English language possess an undeniable position in the world and the status of English can be estimated to continue same during the approaching decades. The effect of English on developments of 'Communications Technology' with English extensively observed as having expected the status of an international language now. This is what makes it such an impeccable tool for English Language Teaching (ELT). Ubiquitously English is at the foremost edge of scientific and technological development, novel thinking in education, economics and management, new literatures and entertainment genres. These offer growth to new vocabularies, grammatical forms and methods of writing and speaking. The language might develop in usage and diversity, however at the same time it may reduce in its relative worldwide prominence.

Conclusion

Literally speaking, Information and Communication Technology is fundamental to life in our modern technological society. This research proved to be the handy resource for effective teaching of English using various ICT approaches. There was a paradigm shift with the introduction of blended learning which made the second language teaching learning as easy, simple, direct, natural and interesting as that of first language. In conclusion, Information and Communication Technology has a positive impact on teaching of English language. It has the potential to change the present day scenario of English teaching. It can make students proficient in the language, developing good communication skills through effective and efficient teaching in the classroom and encouraging extended learning practices. Therefore it is recommended that the teachers of English should try and incorporate ICT tools discussed in the research study which will definitely elevate the level of teaching the language of English. Thus ICTs must be incorporated with the intention of satisfying the purposes through applications and through

necessary commitment with the technology in which its usage will combine and prolong students' learning.

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