The book **Interdisciplinary Horizons: Exploring Knowledge through Academic Research towards Human Development** is a multidisciplinary compilation exploring legal, social, scientific, and cultural issues from a research-oriented perspective. It aims to bridge gaps between disciplines, offering insights into contemporary societal challenges and potential solutions. Emphasis is placed on India's unique contexts, especially in the North-East, while drawing broader global connections.

The chapters cover a range of themes, such as workplace gender discrimination, analyzed through qualitative studies highlighting systemic biases and psychosocial impacts on women. Another critical topic is the intersection of religion and law, discussing the judiciary's role in determining essential religious practices and advocating culturally sensitive legal interpretations. Gender inequality in North-East India is explored, identifying traditional roles and economic disparities as barriers to women's development. The book also delves into cultural hybridization, examining the media's role in reshaping Assamese identity amidst globalization. Gandhian philosophy is revisited as a framework for sustainable development, emphasizing simplicity and ecological harmony.

Scientific contributions include a bibliometric analysis of crocin's potential in colorectal cancer research, showcasing global collaboration trends in oncology. The book also critiques India's data privacy laws against international standards, advocating stronger protections in the digital age.Other chapters address women's roles in environmental conservation, the socio-religious transformation of Indigenous communities, and legal frameworks for intellectual property and dowry-related crimes. Through case studies and critical analyses, the book underscores the importance of inclusive policies and interdisciplinary approaches to human development.

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INTERDISCIPLINARY HORIZONS:
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Dr. Sujata Bhattacharyya
Mrs. Preeta Brahma
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Preface

In an era where interdisciplinary research plays a pivotal role in understanding the complex problems of society, this book stands as a testament to the rich diversity of intellectual inquiry. The chapters presented here are a harmonious blend of legal, social, scientific, and cultural studies, each delving into pertinent issues that affect not only India but the global community at large. Special attention has been paid to topics that explore the unique cultural and political context of North-East India, while simultaneously addressing broader global trends in science, health, and development. This collection aims to bridge the gap between the social sciences and natural sciences, presenting readers with a wide array of articles that not only reflect contemporary issues but also offer solutions that are informed by rigorous academic research. Each contributor has brought their expertise to the forefront, engaging with key debates on gender, legal frameworks, environmental challenges, and emerging scientific inquiries, particularly in the realm of public health and bioactive compounds.

Exploring Gender Inequality and Workspaces

Ms. Sujata Sonowal opens the discourse with her chapter, "Discrimination at Workspace: A Sense of Double Burden," which investigates the social and psychological dimensions of workplace discrimination against women. By exploring how gendered expectations place a disproportionate burden on working women, Sonowal sheds light on the pervasive inequalities in professional environments. The research not only emphasizes the need for policy interventions but also questions societal norms that continue to undermine the economic empowerment of women. Through qualitative interviews and data-driven analysis, this chapter offers a comprehensive look into how systemic discrimination affects the mental well-being and career progression of women.

Ms. Jubilee Sarma Gautam in the paper titled "Importance of Education In Gender Equality In India" highlights the importance of education and the challenge of the long-standing gender stereotypes of societies, fostering attitudes, and fighting against discriminatory practices. This paper discusses the importance of education in achieving gender equality as well as fundamental approaches to education promoting gender equality. Along with that this paper also emphasizes the schemes and policies that provide equal education to all genders.

Miss Ankita Das in her paper **"Online Harms, Offline Consequences: The Judiciary's Role in Protecting Women"** has focused on how the surge in digital connectivity has brought numerous benefits, but it has also given rise to a

concerning phenomenon cybercrime against women. In the vast realm of cyberspace, women often find themselves vulnerable to various forms of malicious activities, ranging from online harassment and stalking to the unauthorized dissemination of personal information. This evolving challenge poses threats to women's safety, privacy, and overall well-being. Referring to cybercrime against women which requires a multi-faced approach, encompassing legal measures, technological safeguards, and societal awareness to create a secure digital environment for all has been thoroughly discussed in this paper.

Addressing Gender Inequality in North-East India

North-East India, with its unique socio-political dynamics, often presents contrasting gender relations. **Ms. Siddika Banu**, in her chapter "Gender Inequality in North-East India: A Barrier Towards Development," tackles this subject by providing a deep dive into how traditional gender roles, combined with economic underdevelopment, contribute to the persistent inequality faced by women. Banu's research focuses on both rural and urban contexts, employing the Gini coefficient to quantitatively assess disparities in education and employment opportunities. The chapter is a call to action, urging policymakers to address these imbalances through targeted development programs.

Ms. Pragati Barman in her paper titled "Tracing the Female Dystopian Universe from Folklore to Female Dystopian Fiction: A Comparative Study of Assamese Folklore and Selected Female Dystopian Fiction" delves deeper into and draws comparisons between the portrayal of women in various folkloristic works of Assamese literature and select dystopian fictions. The object of this paper is to establish the recognition and significance of both female dystopian fiction and folklore in portraying female tyranny in contemporary society. The rationale and mechanism of women's subjugation in patriarchal civilizations constitute another field of study. Analyzing how gender prejudices lead to women's oppression in dystopian societies in a way that is similar to folklore is the main objective of this research. An investigation into how terrible life can become for women is such a dystopian society because they are now struggling for their fundamental rights to safety and gender equality.

Gandhian Philosophy and Sustainable Development

In "Rediscovering Gandhi: Implications of Gandhian Philosophy in Achieving Sustainable Development in India," **Ms. Junu Das** revisits the enduring relevance of Mahatma Gandhi's ideas in today's sustainability discourse.

Gandhi's vision of self-sufficient, village-based economies is juxtaposed with modern sustainable development goals. Das argues that Gandhi's principles of non-violence, simplicity, and ecological harmony offer timeless solutions to today's environmental challenges. By linking Gandhian thought to contemporary issues like climate change and resource conservation, this chapter reaffirms the importance of philosophical approaches in achieving long-term sustainability.

Religion and Judicial Competency

Religious practices and their intersection with law are crucial to understanding India's legal landscape. **Dr. Naseema PK and Yaqoob Murtaza** provide a critical analysis in their chapter, "The Test of Essential Religious Practice and Competency of Judiciary in Deciding It." Their work navigates the sensitive territory of how Indian courts assess what constitutes "essential religious practice," particularly in cases that put personal freedoms against public order. The chapter reviews landmark cases, offering an insightful critique of judicial decisions that continue to shape the religious freedoms guaranteed by the Indian Constitution. It urges a rethinking of the judiciary's role, advocating for a more culturally sensitive approach to legal interpretations of religion.

Cultural Hybridization in Media

Dr. Jintu Gohain's chapter, *"*In the Age of Remix: Media, Society, and Cultural Hybridization in Assam," explores the impact of media on cultural identity in Assam. With the rise of digital platforms, traditional cultural practices are increasingly intersecting with global media influences. Gohain examines how this hybridization shapes societal norms, while also discussing the challenges posed by the commodification of culture. Using examples from Assamese television and online content, the chapter highlights the negotiation between preserving cultural heritage and embracing modernity.

MS. Nisha Rani Das's paper "Tracing the Past In Stone: Unveiling Doyang Dhansiri Valley's Archeological Narrative" This study aims to comprehend recent cultural developments through literary and archaeological evidence, exploring human habitation characteristics in the Doyang Dhansiri Valley. The Methodologies involve secondary data collection, photographic documentation, and on-site participation in excavations. The author refers to sites like Rajapukhuri and Ahom Gaon Namghar revealed sculptures from the late Early Historic to Early Medieval periods, often discovered during construction and preserved due to religious beliefs or community initiatives.

The paper seeks to re-document material evidence, offering insights into the cultural chronologies of the region.

Dr. Bijeta Chetry in her paper titled "An Analytical Study on Customary Laws of Nyishi Tribe of Arunachal Pradesh" has attempted to make an in-depth study of customary laws which has been practiced by the Nyishi tribes of Arunachal Pradesh. The author stated that it is imperative to study the effectiveness of existing customary laws practices and legal administration in the State. The author emphasized various customary practices such as marriage rituals, adoption, maintenance, women's property, succession, offense against the human body, breach of trust and contract, etc. The author suggested that customary laws should be documented and codified in distinct forms so that the tribal people can easily understand them. Discrimination practices should be eliminated to evolve and serve modern society. The author tries to highlight necessary changes for some customary practices according to the changing needs of society with the help of existing legislative processes. The suggestions and recommendations made by the author should be considered by the appropriate authority.

MS. Dhritimoni Mahanta in her work **"**Cultural Memory in the Realm of Naga Knowledge System: Reading *Bitter Wormwood* by Easterine Kire" has attempted to understand the making of cultural memory in the novel *Bitter Wormwood* through multiple intersections of past and present experiences that shaped the story of the novel. The paper has elaborated that each character bears resonance to the struggles of their generations, it can also be taken into account that each stand uniquely convoluted in their positions about the changing times, changing political consciousness, and the interaction of the Centre with the periphery.

The Role of Environmental Conservation

Environmental conservation, particularly the role of women, is explored by Ms**. Bonani Deori** in "A Legal Analysis on the Role of Women in Conserving Wetlands: A Step Towards Sustainable Development Goals." Deori highlights the critical role women play in the management of natural resources, particularly wetlands, which are vital ecosystems for biodiversity. The chapter outlines the legal frameworks that support women's participation in conservation efforts, arguing that gender inclusion is not only a matter of social justice but also essential for the successful implementation of sustainable development goals.

MS. Shabnam Richa Sonowal in her paper "Eco-Criticism, Identity and Ethnicity: A Study of Selected Texts from Northeast Indian Poetry" has mentioned the poetry produced by authors in this part of India which is referred to as northeast Indian poetry. The poets of the Northeast are deeply anchored in their history, people, and homeland. They look to their local environment, myths, customs, civilizations, and folklore for clues about who they are. Due to their proximity to nature and dependence on it for survival, the people living in the area have a strong bond with it. As a result, poets from the Northeast frequently exalt the power of nature in their works. In their poetry, they also express their ecological worries about how nature is deteriorating. This serves as evidence that nature has been overused and abused in the name of progress and civilization. In this study, the object is to read poets from the northeastern region, such as TemsulaAo, Desmond Kharmawphlang, Kynpham Sing Nongkynrih, and Mamang Dai, through an eco-critical lens. The purpose of the paper is to demonstrate how the poets in the area employ metaphors and images from nature to express their northern identity. The study also makes an effort to demonstrate how literature can be utilized to raise public awareness of environmental degradation.

Science and Health: A Bibliometric Analysis of Crocin and Colorectal Cancer

Shifting the focus to the scientific domain, **Ms. Pooja Panchal** presents an insightful bibliometric study in "Unveiling the Link Between Crocin and Colorectal Cancer." Crocin, a bioactive compound found in saffron, has been the subject of increasing interest in cancer research due to its potential anti-cancer properties. Panchal's analysis, which examines over 41,669 research articles, identifies significant trends in how crocin has been studied globally, with a particular focus on its application in preventing and treating colorectal cancer. By visualizing global scientific collaboration networks and analyzing research hotspots, the chapter offers a roadmap for future studies on crocin's therapeutic potential. This is a pioneering effort in integrating bibliometric analysis into oncology research, and it underscores the growing importance of natural compounds in modern medicinelections on India's Act East Policy.

Political science takes center stage in **Dr. Nilmi Konwar's** "Borderland Reflections on India's Act East Policy." Konwar examines how India's Act East Policy, which aims to enhance economic and strategic ties with Southeast Asia, impacts the border regions of North-East India, particularly Myanmar. The chapter critically evaluates the successes and challenges of the policy, offering a nuanced understanding of the geopolitical and economic stakes involved. Konwar highlights how the policy could transform the economic

landscape of North-East India, provided that infrastructural and diplomatic hurdles are effectively managed.

During the Digital Age

In an age of increasing digital surveillance, **Ms. Muskan Sharma** tackles the pressing issue of personal data protection in her chapter "A Critical Analysis of Data Privacy in the Digital Age in India." Sharma critiques existing Indian laws on data privacy, drawing comparisons with international standards like the GDPR. She argues that while India has made significant strides in regulating data through the Personal Data Protection Bill, gaps remain in its implementation and enforcement. Sharma's research is a timely contribution to debates on privacy, surveillance, and the ethical use of digital technologies, particularly in light of India's growing reliance on biometric identification systems like Aadhaar.

Miscellaneous

Ms. Prastuti Mahanta in her paper "Symbiosis of Tradition and Justice: An In-Depth Analysis of Indigenous Legal Regime in Rajanikanta Bordoloi's Mirijiyori" has examined the traditional justice, shedding light on the societal transformation triggered by the imposition of a written legal code. The colonial backdrop adds another layer, portraying the colonizer's perception of the Miri society as lacking in legal structure, prompting attempts to introduce their own legal system. Miri Jiyori, serves as a reflective mirror, urging contemplation on the need for legal reform and the implications of colonial influence on indigenous legal thought.

Ms. Naznin Hasan presents an imminent work on "Legal Frameworks Relating to Dowry Deaths in India" concerning the Dowry deaths of young women who are murdered or driven to suicide by continuous harassment and torture by husbands and in-laws. The reason for which the practice of dowry looms large in Indian society can be attributed to several factors. She explains that the structure and customs of the Indian society thus support the tradition of giving and taking of dowry to a great extent. The legislation of Dowry has lacunas which were modified several times, but the officers do not perform vigilantly for not only the victim of dowry but also the men suffered illegal allegations by the women because of ambiguous nature provisions.

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Contents

DISCRIMINATION AT WORKSPACE: A SENSE OF DOUBLE BURDEN

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Abstract

Women in India stand at a paradox. Although men and women share the same space yet there exists inequality in the status of women, opportunities in decision making, health, education etc. Gender inequality is still a huge issue today, where males are considered superior to females. Traditionally the role and status of women is limited in cooking, cleaning, raising children only. Women play a very prominent role in the social cultural, political and economic aspects of a nation. But the role and status of women have changed and have made their work in every field. After marriage a girl has to play various roles and also to keep maintaining the professional life is a big challenge to all married women. The issue of gender inequality in employment has given rise to numerous policies in advanced industrial countries, all aimed at tackling gender discrimination regarding recruitment, salary and promotion. Yet gender inequalities in the workplace persist. The purpose of this research is to find the psychosocial process involved in the persistence of gender discrimination against working women. Females are discriminated more than males in almost every sector. The impact of gender discrimination on satisfaction, motivation, commitment increases the stress level among the women. Actual ground discrimination still exists in the workplace for females and major contributing factors are gender-based stereotype, prejudices, gender orientation, workload participation, work and family.

Through this study the researcher aims to study about the different factors contributing to discriminatory problems which females are facing and the problems faced by working females when it comes to promotion, work allocation etc.

Keywords

Gender discrimination, Working Women, Work Place, and Double Burden

Introduction

The term "Discrimination" is an unfavorable treatment of anyone based on sex, race, caste, and so on. It is the prejudicial treatment of an individual based on membership in a certain group or category, which is likely to affect its victims' well-being and health negatively. The concept of sexism is not new to mankind

1

and has been a major form of prejudice against individuals. Gender disparity is perhaps the most enduring social anomaly across time. Male members of society are very often made to feel a sense of superiority and power by virtue of them belonging to a particular gender. Gender gap is one of many multi-dimensional measures of discrimination. After Independence in India one of the issues which have attracted the attention of the policy makers was gender issues and concerns. Pokharel, 2008 in her article 'Gender Discrimination: Women Perspective' put forwarded a statement of Waltke which states that "Thank you lord that I was not born a woman; Christian boys are taken to the special room of the church but the girls are not during the name giving ceremony; women are not supposed to be priest or father in temples and church. The situation of the gender discrimination has been worsened with the development of science and technology as it predicts the sex of a fetus before it turns to a baby." Gender based discrimination in different forms starts right after the birth and it continues throughout the life cycle.

Sexism is not something new it has a history to it. Years of continuation of traditional gendered roles among men and women perhaps leads to conditioning and the emergence of sexist attitudes among people. Awareness, sensitization etc. is definitely helping in gradually reducing sexist beliefs among people (Behera, 2017). However no amount of proactive measures to alleviate sexism is enough to eradicate sexism entirely. Even today traces of sexism are commonly found in our day to day lives. It is considered as an obstacle for the achievement of the objectives of equality, development and peace which affects the capacity of women to participate freely and fully in society and in turn brings psychological harmful consequences (Pokharel, 2008). In understanding sexism, it also becomes important to take into consideration the social backdrop or context while trying to interpret sexist attitudes. Sexism does not emerge from nowhere. It has a history to it as well. Such pre-assigned gender roles get normalized in society and become the basis for the building up of expectations from both men and women.

A workplace is one of the major areas where sexism is present both implicitly and explicitly and sexism in this arena can greatly impact careers and how they shape. Workplace discrimination can range from the systematic denial of people's rights on the grounds of their gender, ethnicity, age, sexual orientation or other criteria. Sexual harassment at the workplace enhances the social construction of gender which is reflected within professional relationships to banish women from the apparent masculine space. While talking about sexual harassment at the workplace, the perpetrators are often in a powerful position owing to experience and age, as most are older than the victim and also owing

to the power society has vested in them that they have chosen to control in a much-distorted manner (Guha, 2018).

Over the years women have come a long way when it comes to breaking gender norms and stereotypes and carving out their own spaces in a male dominated corporate culture. Nowadays one sees more and more female representation at workplaces and greater participation by women. However, what one must note here is that while women have been able to move into the corporate space, their struggle for being treated on par with men is not over. There is enough evidence on women being targets of sexist attitudes and prejudiced behavior at their workplaces. The literature concerning workplace discrimination has developed separately from the literature concerning other forms of negative acts that are perpetrated against organizational members, such as workplace violence, bullying, incivility, abusive supervision, and customer verbal abuse (Goldman, 2006). The professional setting is mixed with diverse groups of people and thus it is believed that violence and verbal abuse is significantly very high. It affects the capacity of women to participate freely and fully in society and in turn brings harmful psychological consequences. Moreover, patriarchy reign control by ensuring that women do not have equal access to available resources in the society and have restricted mobility and reduced efficiency which leads to low employment status towards women.

Broadly speaking, perceived discrimination link to decrements in mental and physical well-being of an individual. According to Cortina, 2001 employees who frequently encounter incivilities from others in their organization display greater feelings of psychological distress, including higher rates of depression and anxiety which finally leads to workplace aggression. Interpersonal discrimination may function as a stressor that makes employees more vulnerable to psychological and physical maladies (Gee, 2007). Women who come across mental as well as sexual harassment, bullying, verbal abuse etc demonstrate greater organizational withdrawal, lower job satisfaction. When sexually harassed by customers at work, the women were asked to repress the fact, focusing on the apparent "larger good" that is material profit which is considered to be more important than an individual's dignity. A larger concern that emerged was the victim's fear of being detested from society. How would society perceive them? Would they emerge as an object of speculation and mere sympathy?

Review of Literature

Wood, Braeken, and Niven (2012), mention that the study of discrimination is studied through a variety of sources is managers, co-workers, visitors and patients. Discrimination from all sources was related to well-being, with that

from managers having the strongest effect. The study highlights the importance of differentiating amongst sources of discrimination at work and the salience of organizational justice perceptions in explaining the effects of discrimination from some sources.

Channar, Abbassi, and Ujan (2011), describe the issue of gender discrimination in the workforce and its impact on the satisfaction and motivation, commitment and enthusiasm, and stress levels of employees. According to the author females are discriminated against more than males in professional organizations. Gender discrimination decreases job satisfaction and increases stress level in the employees.

Zeher (2011), states that gender inequality has posited the importance of gender discrimination for women experiences at work. According to the author gender stereotyping and organizational factors contribute to discrimination. The study reveals how gender stereotyping combines with sex composition of workplaces and organizational policies, often through interactional dynamics of discretionary policy usage, to result in discrimination. The findings suggest the importance of cultural, structural, and interactional influences on gender discrimination.

Goldman, Gutek (2006), explores that the research on employment discrimination in organizations. It focuses discrimination on perceptions, charges and lawsuits and discusses the consequences of discrimination. According to the author the consequences of discrimination are best viewed from individual, group and organizational levels.

Plickert and Sterling (2017), states that the influx of women into the legal profession has significantly changed the landscape of legal practice. Despite these advancements, research continues to demonstrate that there are still gender-based issues women have to face in the legal workplace. According to the authors the study describes the difficulties in combining responsibilities of work with responsibilities of families and children that underpin women's employment and earning disadvantages. Logistic regression results show that work schedules significantly vary by gender, parental role and experience of workplace discrimination.

Othman (2015), studies that the Malaysian government has given high commitment in their effort in achieving gender equality by providing education parity, equal employment opportunity and implementing anti discriminating tools and regulations. But despite these efforts the author states that discrimination against women still persists in the workplace especially at the managerial level.

Mathu (2008), states that Gender inequality holds back the growth of individuals the development of nations and the evolutions of societies to the disadvantage of both men and women. According to the author in order to attain equal power status women have to gain a greater control of her own resources and financial independence.

Beauvoir (2012), states that while it is natural for humans to understand themselves in opposition to others, this process is flawed when applied to the genders. She demonstrates how these myths have imprinted human consciousness, often to the disservice of women. According to the author describes woman place in history and provides alternatives of how women should be treated.

Objectives

- To explore the concept of workplace stress and familial responsibilities.

Methodology

The proposed study explores to understand the context of gender discrimination at workplace and its various dimensions of the victim's life in Dibrugarh, Assam. The study will be based on qualitative method, which will provide an in-depth understanding on discrimination women face at workplace and also the responsibilities towards their family. The study is based on both the primary as well as the secondary data. It also incorporates exploratory research method as it tries to explore the past. Some of the techniques that is incorporated in the study are-

(a) Primary Data: Primary technique is basically the collection of data by the researcher. The primary data has been collected through field work using interview schedule that is personal and telephonic which was conducted using an unstructured interview guide with open-ended questions. The study began by identifying participants through key informants followed by participants directing me to other participants. The key informants mainly are working women that includes married mothers, single mothers and adult unmarried women who were randomly selected for the interview. The study is conducted through purposive as well as convenience sampling. Narrative approach is chosen to analyze the data gathered from the field. Anonymity is kept for the sake of confidentiality.

(b) Secondary data: In addition to this primary information, secondary information will also be collected from the published materials, different books, journals, newspapers, internet and other archival materials etc. The data collected were analyzed manually and the pattern of social reality has been

5

outlined in the analysis section. This may require further elaboration of the ideas themes generated in this piece of research to be explored with large set of samples.

Profile of the Respondents

Name	Category	Type of Organization	Tenure of Service in the present organization	Designation
Payal	Respondent	Media House	2years	Field Reporter
Anupriya	Respondent	College	4years	Assist Professor
Neeta	Respondent	Research Institute	4 months	Project Executive
Tarjuma	Respondent	Dibrugarh University	3years	PhD Scholar
Ritushree	Respondent	Bank	3years	Clerk
Sheilja	Respondent	District Court	2years	Computer Operator
Arunima	Respondent	Coaching Institute	2years	Teacher
Zeba	Respondent	BCPL	6years	Civil Engineer
Jasmine	Respondent	Private Organization	2years	Staff
Dr Dipti	Respondent	College	3years	Assistant Professor

Findings/Analysis

The most deep-rooted forms of gender inequality had been built into the structure of traditional Indian society. The unequal dynamics of power in the workplace is demonstrated through the structure and hierarchy of the organization. It is this negation of the presence of a sexual identity, considered inferior which is fuelled by the power structures sows the seeds of exploitation and subjugation. The inferiority or exploitation of women on the basis of sex act as a psychological stress that affects the social condition as well as the professional world. The unhealthy workspace greatly hampers in active participation within the workplace and also as a fundamental member of the society. Working women come across situations where she faces the sense of double burden. In my study, the meaning of double burden is the psychological and physical stress working women come across in their daily life that is equal

6

work in the professional sector compared to men but comparatively receive less respect or discrimination. Also after coming back from workplace the male counterpart get enough time to relax without bothering about the familial duties. Rather the working mother has to maintain the household chores along with maintaining the duties as a mother to her kids. Work life balance is a crucial aspect for working women, as they navigate the intricate intersection of professional responsibilities and family life. Striking a harmonious equilibrium between career ambitions and familial duties is often challenging, yet essential for holistic well-being. Moreover, after maintaining both the duties with utmost affection, women do not receive the amount of respect she deserves rather come across a lot of complaints and suppression. The concept of double burden and gender discrimination is analyzed on the basis of narratives given by the respondents.

Narrative 1

Payal one of my key respondents presently working as a journalist at a Media house narrated how she comes across discrimination in workplace.

"I being a field journalist who have to go and capture incidents at the field come across discrimination regarding any form of work. There is no sort of open discrimination but there is subtle discrimination in terms of project allocation. The better projects would always go to my male counterpart. For example, even when it comes to any form of incident that would highlight the entire news nation, it would always go to the men who are sent to telecast the news from the field. Because of the gender discrimination towards me very often compelled me to resign my job."

Narrative 2

Anupriya another key respondent of my study who is currently working as an assistant professor in one of the college narrated how she come across the sense of double burden.

"It's been 4 years that I have been working in this college as an assistant professor at the department of economics. Being a married working mother of a 6-year-old kid and as a wife had to maintain both my professional and personal life. It becomes tough in some situation. As I am the youngest and the new member of the department I mostly come across situation where I get bullied by my senior colleagues. I have to do all the official works as well as have to do maximum of the classes in a day. Even there are days where I have to do the classes that were allotted to my seniors. In this case I get psychological stress and feel discriminated. Moreover, after coming back from my duty when I have to perform all my familial duties all alone and observe

7

that my husband is relaxing watching TV and not sharing a helping hand to the household chores their comes the situation of double burden."

Narrative 3

Neeta my third key respondent of my research who is currently working as a project executive in an enterprise narrated her opinion towards discrimination at workplace.

"I have been involved as a project executive in this department since 4 months. I was very much satisfied with my work until when I came across situation of workplace discrimination. The job for which I was allotted was as a project executive but it was since last one and a half months that I have to perform all the jobs from being a clerk to a PA of my boss etc. Moreover I have come across situation where I have to face verbal abuse or unhealthy comments from my male counterpart that I could not even reply back to them. This leads to unsatisfied jobs and sleepless nights."

Narrative 4

Tarjuma presently working as a PhD Scholar in Dibrugarh University told me her sense of workplace discrimination and the concept of double burden.

"I being a married woman and together with it continuing my PhD is not that easy. Maintaining my familial duties and also studying and performing my field research are sometimes becomes hectic. But these situations can be tackled if the support from your family is welcoming. But unfortunately there are times where I had to break down because of the discrimination that I face in my workplace. Being a PhD scholar the maximum time I have to be in touch is with my supervisor. My supervisor is very much good in the field research but the only problem I come across is that he sometimes indulges me to do his personal works. This greatly affects my psychological situation and after getting back to my home when I see there are guests present in the home for whom I have to prepare a big fat dinner without any helping hand I get frustrated. There are situations where I burst out my anger to the wrong person and there exists the sense of a double burden to maintain both the professional and personal life. Even after performing all my duties when there is not much respect it literally turns into a disturbed situation and an unhappy life."

Narrative 5

Dr. Dipti currently working as an Assistant Professor in one of the renowned college under Dibrugarh University, found herself torn between the demands of her burgeoning academic career and the desire to spend more time with her growing family.

" I being a dedicated Assistant Professor have to balance research commitments, teaching responsibilities and family obligations become a delicate juggling act. Dealing with both the responsibilities I encounter moments of triumph and challenge. Although research flourished, earning me recognition in my field, but the pressure to publish and secure tenure left me with limited time for family gatherings. I advocated myself for flexible work arrangements, that allows me to attend family events and still meet my academic obligations. Also, I took the support from my colleagues and family for assistance during critical periods, fostering a sense of collaboration. Despite the ongoing struggle, I learned to prioritize tasks, letting go of the guilt that often-accompanied missed family moments. Ultimately, mu journey highlighted the challenges women face in academic journey, shedding light on the need for institutional support and a broader societal shift towards valuing work-life balance."

There are many such similar stories which I came across during my field survey and as such I have analyzed only four narratives which I personally felt the necessary to put it down on my study. Analyzing gender inequality in a wider socio-economic context mirrors the unequal distribution in labor that significantly impacts remuneration. Women continue to be suppressed and controlled by others and their advancement to authoritative positions is brutally subdued. It is so embedded in external power structures that it obstructs women's mobility into the workplace making them gendered spaces. The study aims at providing a platform to those narratives that have been buried of shame, hidden away to prioritize a successful career. The study, looks at discrimination through the eyes of those who have been subjected through the eyes of the Victim.Even a working woman is compensating both her personal and professional life. Because of the psychological stress to maintain both the workplace and personal life better there are situation where women go through psychophysical and emotional breakdown which greatly affects both the sectors.

Conclusion

The study tries to bring into focus the discrimination on the basis of sex that is still prevalent in our advanced society. Even though there is mention in the Article 15 of the constitution to prohibit discrimination on the basis of sex, race, caste, place of birth still sexism continues to exist. While one can say that a lot has changed for the positive in the recent past when it comes to role expectations from women and attitude towards them, a lot is yet to be done. This study looked at sexism from two angles: one from the perspective of men's attitudes towards women and the other from the perspective of women's lived experiences of sexism (Behera 2017). Balancing professional and family life

requires clear priorities, effective time management, and open communication with both work and family members. Stricking a healthy equilibrium contributes to overall well-being and success in both realms.

The study shows that gender role beliefs have a strong impact on sexism as well as the attitudes of male professionals in a workplace and also at home. Thus sexism as a phenomenon gets affected by contextual factors like traditional gender norms that exist in a society. The lived experiences of women suggest that while on one hand there is prevalence of sexist behavior at workplaces on a daily basis on the other hand, women are not very comfortable in opening up about their familiarity of such behavior to people at the workplace for various reasons. If there is to be an effective attempt on trying to lighten sexism from people's attitudes and thereby from workplaces, it must first begin with identifying the root causes of the continuation of sexism among people (Behera 2017). Traditional gender norms must be debunked in order to ensure that men do not develop such prospect that put women into gendered roles. This must be followed by an attempt to ensure that organizations become more open and accepting of women's opinions regarding sexist behavior.

These would be positive steps in the direction of reducing sexism at workplaces. Moreover, the men must treat their women counterpart as equal both in personal and professional life which will bring a balanced and settle life. The men must know to respect women in every possible way.

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THE TEST OF 'ESSENTIAL RELIGIOUS PRACTICE' AND COMPETENCY OF JUDICIARY IN DECIDING IT

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Abstract

What can be termed as an essential religious practice of a particular religion and the role of judiciary in adjudicating matters related to religious practices poses a complex challenge in a diverse and religiously pluralistic society. It is not an easy task to define what is an essential practice in a religion because of the nature that there may be more than one viewpoint on a particular religious matter even within the believers of the religion. Another important question is that whether the judiciary which is constitutionally established to adjudicate upon constitutional, statutory and common law issues is a suitable forum to solve disputed theological questions? If it is important to decide a religious matter, what are those factors which could be taken into consideration while deciding it and how the court will strike a balance between national interest and religious freedom guaranteed under the constitution of India need to be decided. The authors will try to provide a comprehensive understanding of all such issues, to explore the solutions through various tests formulated by the scholars and finally will examine various landmark judgements delivered by the Hon'ble supreme Court of India on religious practices.

Keywords

Essential Religious Practice, Judiciary, Role of the Court, National Interest, Religious Freedom, and Interpretation

Introduction

Religious freedom is a fundamental right enshrined under Article 25 and 26 of the Constitution of India and almost all the constitutions of all modern countries guarantee right to religion (David Law & Mila Versteeg, 2012). Article 25 reads as 'll persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion.' (Constitution of India, 1950) However, the exercise of this right is not absolute but is subject to certain restrictions such as public order, morality and health. Limitation clauses are tools by which scope of religious freedom is narrowed. Therefore, restrictions

can be imposed on the exercise of this right on any of the grounds mentioned above and others. (Constitution of India, 1950)

But the question is how the court will decide when the matter comes to put restrictions on religious practices while faith is a value and a very subjective element that differs from person to person even within the believers of a particular religion. This is where the 'essential religious practice test' comes into the picture which was applied by the Supreme Court of India in various cases. **Shirur Mutt case** (Shirur Mutt, 1954) was the first case in India where this test was applied and recently in the case of **Split Hijab verdict**. (Singh, A 2023) essential religious practice test was again discussed. The authors will discuss in detail some relevant judgments while examining the issues and try to provide a comprehensive solution.

Difficulties in Defining Religion and Religious Practice

Definition by its nature may be inclusive and exclusive. (Thio Li-Ann, 2012) because the words are empty box in themselves due to their nature of having generic as well as fringed meanings. The word 'essential' is also similar to that. When the courts adopt a narrow view as opposed to broader meaning of 'essential' then the definition of religion may end up excluding certain religious practices from the domain of constitutional guarantee. Legal definitions could be used to control the scope of freedom and to determine the range of entitlement.

As **Gunn** rightly observed that legal definitions are not merely descriptive in nature but "*establish rules for regulating social and legal relations among people who themselves may have sharply different attitudes about what religion is and which manifestations of it are entitled to protection.*" (Gunn, T.J., 2003)

In a religiously pluralistic country like India, meaning of religion and its enquiries to determine its scope tends to implicate questions of majority-minority dynamics and dominance. Religious minorities such as Muslims in India may feel themselves aggrieved particularly when judges who are from religiously majority community, apply 'essential religious practice test' to deny their religious practice having constitutional recognition, interject themselves into the theological discussions on a religious practice about which they are not having expertise. And above all, defining religious practices may result in criminalization of such practices (Colew W. Durham, JR & Brett G Scharffs, 2027) or it may be a reason to lose its importance in the community.

Thus, when the matter comes to the assessment of a particular religious practice whether judges should decide it? This poses a critical question of judicial competence in deciding religious matters. This is something about which **Justice Dhulia** also raised concerns in his judgement in case of **Aishat Sifha v. State of Karnataka** (Aishat..Supreme Court, 2022). He explains why the courts should be slow in the matters of determining as to what is an Essential Religious Practice. He says '*Courts are not well equipped to do that for various*

13

reasons, but most importantly because there will always be more than one viewpoint on a particular religious matter, and therefore nothing gives the authority to the Court to pick one over the other' (Justice Dhulia, 2022).

Examining the religious practices on ERP test under limitation clause of Article 25 may result in precluding a religious practice by determining that it falls outside the scope of constitutional guarantee while there may be evidence that such practice has been followed by the believers since long. This we have witnessed in case of Sabarimala Temple and in case of Hijab conflict which we will discuss in details in the following pages. Therefore, it is very difficult to draw a line between what are essential religious practices and what are not. But it should not deprive the people, the religious freedom guaranteed by the Constitution or restrict the scope of it unless the boundaries set by the Constitution are broken.

Secularism, Religion and Judicial Impact

Secularism which is broadly understood as separation of State and religion and which has been recognized as one of the basic structures of the Constitution by the Supreme Court of India in case of Kesavananda Bharati V. State of Kerala (Kesavananda Bharati, Supreme Court 1970) means that there will not be any official religion of the State and the State will not interfere in the religious matters. The religious autonomy has been left to the people to decide and to follow. This is what secularism has been taught us. Therefore, judges should take a hands-off approach to religious questions (Christopher C. Lund, 2014).

This importance shouldn't be overstated because Indian courts that decide religious disputes are civil in nature, not religious ones. Judges may have their own religious beliefs but that doesn't mean they should inject their personal beliefs to decide the religious practices of other religions. Religious courts may legitimately apply internal religious beliefs, but civil courts are created by the Constitution primarily to decide secular, constitutional, statutory, and common law cases. Judges cannot claim to be theological experts on all religions in a country where different religions are practiced in harmony. In addition to this, judges are neither trained nor they have expertise in theology of other religions and that's why judiciary has been heavily criticized by many people for its questionable excursion into theology.

Now, presume that a matter is pending before a court and finally the court determines that this practice is an essential religious practice of such particular religion, then this would be a judicial recognition. The primary duty of a court is to decide constitutional disputes and not to grant judicial recognition to a particular religious practice. (Neo L. Jaclyn, 2018)

In a situation where court has already overburdened and pendency of cases over judiciary is increasing every next day. And as per The Economic Times report published on July 20, 2023, current law minister **Arjun Ram Meghwal** said in the Rajya Sabha in a written reply that over 5.02 crore cases are pending in

various courts and as per (ICMIS) report as on July 1, there are 69,766 cases pending in the Supreme Court. (The Economic Times, 2023).

Due to huge pendency of cases in the court, a purely constitutional matter like abrogation of Art. 370 which consequently led to imposition of restrictions on fundamental rights of the people of J&K and removing of statehood of it, has now been finally disposed of by the Supreme Court in the month of December, 2023 after 4 years of long waiting (In Re: Article 370 of Constitution, 2023) While the seriousness of the matter was so demanding that it must be heard in the first week when matter happened because it was a serious matter of life and personal liberty.

Grounds for Restrictions and Essential Religious Practice Test

Article 25 (1) of the constitution of India guarantees that all persons are equally entitled to freedom of religion but this right is not absolute in nature rather subject to certain restrictions which are also mentioned in the same clause of the Article and those grounds for restrictions are public order, morality and health. In addition to this clause-1, clause-2 of same article says that 'nothing in this article shall prevent state from making any law (a) regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice.' (the Constitution of India, 1950)

This is something where State has been given free hand to impose restrictions on religious freedom or to make laws regulating religious activities and practices if it is required to do so in public interest. Now, the question is if the State is going to impose restrictions or make any such laws which regulate religious activities, how the courts will decide whether a practice is religious or not? And whether the restrictions imposed by the state on religious freedom is justifiable? and how strong public interest should be to justify restrictions? The court applies Essential Religious Practice (ERP) test to examine whether a religious practice is essential or not. To examine the restrictions imposed by the State, court uses reasonable, proportionality etc. test and in the absence of strong government position pertaining to public interest, the court may strike down those restrictions as Kent Greenwalt expressed. (Kent Greenwalt, 1984)

Now, presume that the state is going to impose restrictions on the religious rights of individuals, then instead of compelling applicants to prove their constitutional rights, the state would have the primary evidential burden of justifying the restriction on the right. Whether the restrictions imposed by the State as well as extent of restriction could be constitutionally justified is a typical question. In such cases, court would conduct a balancing exercise to decide whether the restrictions are reasonable. Thus, the court's duty in balancing the national interest in relation to religious freedom and the significance of religious practice becomes a little more challenging. Thus, only very severe objectives like national security could justify governmental

15

restriction when the matter of a significant religious practice is involved. (Gunn, T.J, 2003).

One possible alternative would be to require 'a proportionate correlation between the severity of the infringement on liberty that the restriction imposes and the seriousness of the harm that the State seeks to prevent when imposing the restriction on the freedom of religion.' (Jeremy T. Gunn, 2011). The Court's reasoning further resembled a proportionality analysis as it considers whether the measures had a rational connection to the restriction, whether the means used to violate the asserted right are proportionate to the goal they aim to achieve, and whether the restriction on one's right was justified as one of the restrictions under the constitution of India.

Essential Religious Practice and Indian judiciary

1. **The Commissioner, Hindu Religious Endowments, Madras v Shri Lakshmindar Tirtha Swamiyar of Shri Shirur Mutt (Shirur Mutt, Supreme Court, 1954)**

This case, commonly referred to as the Shirur Mutt case, is a landmark judgment in Indian constitutional law, specifically addressing the issue of religious freedom.

Background of the Case

The case originated in the context of the Madras Hindu Religious and Charitable Endowments Act, 1951, which sought to regulate and control Hindu religious institutions' administration and management. The Shri Shirur Mutt, a Hindu religious institution, challenged the Act, arguing that it violated its fundamental right to religious freedom under Article 25 of the Indian Constitution. The Supreme Court of India, in its judgment delivered in 1954, upheld the right to religious freedom while recognizing the State's authority to regulate and manage religious institutions to prevent maladministration or misuse of resources.

Evolution of 'Essential Religious Practice Test' in India

This landmark judgment in the Shirur Mutt case laid the foundation for determining essential religious practices. The court held that the term 'religion' in Article 25 should be understood in a broad sense, encompassing not only rituals and ceremonies but also the essential practices that are integral to a religion. The State, according to the court, should not interfere with these essential religious practices. The court also held that practices that are essential for the religion are protected under Article 25 of the Indian Constitution while allowing reasonable state regulation to prevent maladministration.

2. **Bijoe Emmanuel & Ors V. State of Kerala & Ors (Bijoe, SC, 1986)**

In this case, the Indian Supreme Court ruled that school children's right to freedom of expression under Article 19 and freedom of religion under Article

16

25 of the constitution of India was violated when they were expelled for refusing to perform the national anthem. Due to their refusal to perform the Indian national anthem three children were expelled from school and they refused because it went against their Jehovah's Witness religious beliefs.

3. Shayara Bano v. Union of India (Shayara, SC, 2017)

The Supreme Court of India declared the practice of instant triple talaq (talaq-e-bid'ah) unconstitutional because it is prohibited in the Holy Quran and is not an essential religious practice in Islam. Court also ruled that triple talaq is not governed by the 1937 Shariat Act. Whereas justice Kurian Joseph observed that 'What is considered wrong in the Holy Quran is not good in Shariat, and what is bad in theology is bad in law'.

4. Indian Young Lawyers Association vs The State of Kerala (Sabarimala SC, 2019)

The Sabarimala Temple case in India gained national and international attention when the Supreme Court declared that the Sabarimala Temple's practice of excluding women of a 'menstruating age' is unconstitutional and thus allowed women of all ages to enter the temple, overturning a traditional practice or religious practice. Supreme Court held that Article 26(b) protection cannot be invoked in this case since discrimination against women entering temples is not a Hindu religious event or custom. As such, it is in no way an essential practice of the Hindu religion. On the other hand, Justice Indu Malhotra gave her dissenting opinion and clarified that the respondents are legitimate because the Sabarimala Shrine's exclusionary practice is a long-standing custom and essential practice. Supreme Court of India has accepted the review petition of this case and now the court is reviewing it.

5. Aishat Sifha V. State of Karnataka (Aishat, SC, 2022)

A two judge-bench of the Supreme Court rendered a split verdict on an appeal against a Karnataka High Court ruling which upheld a state order that enforced a uniform for educational institutions, thereby banning the wearing of hijab for Muslim students. While Justice Dhulia ruled in favor of the appellants, Justice Gupta upheld the Karnataka High Court's ruling. Justice Gupta viewed that 'Secularism, as adopted under our Constitution, is that religion cannot be intertwined with any of the secular activities of the State. Any encroachment of religion in the secular activities is not permissible.' Additionally, he stated that the students should 'wear clothes that promote equality, unity, and public order.'

While on the other hand, Justice Dhulia said, 'are we making the life of a girl child any better by denying her education, merely because she wears a hijab?' He also observed that it does not appeal to my logic or reason that 'how a girl child wearing a hijab in a classroom is a public order problem, or even a law-and-order problem.' He continues to say that a reasonable accommodation

would indicate a mature society which has learned to live and adjust its differences. In paragraph 80 of the judgement, he ruled that 'wearing a hijab should be simply a matter of choice under our Constitutional scheme, nothing more and nothing less." It is a matter of conscience, belief, and expression whether or not it is a matter of essential religious practice. If she wants to wear hijab, even inside her classroom, she cannot be stopped, if it is worn as a matter of her choice.

Deferential Approach

The '**deferential**' approach to defining religion proposed by **Durham and Scharffs** ask how far courts and other State institutions should respect the self-definition of communities. They note that the main takeaway from this strategy is that courts should frequently use self-definition given by the communities as a 'deciding factor' while determining whether a practice is religious or not. Religious scholars and clergies have consistently observed that religious forms and practices vary across as well as within religious traditions in a particular country (Arif Jamal, 2015) There may be some practices guided by the religion which may not be compulsory or obligatory in nature but among the believers, they may have importance of obligatory. Therefore, it is important to take seriously and give a community's self-identification as a religion, as well as its beliefs and practices as religious. (Durham & Scharffs, 2017)

A community's claim and assertion that it is a religious practice which must be upheld by the court, and such practices which flow from that religion must be protected as well. This method is beneficial since it acknowledges a community's self-definition of religion and nature of its religious practices. Under this approach, a court must accept a community's self-definition of the nature of its religious practices unless there is a compelling reason not to do so.

There are other elements that should be taken into consideration in addition to whether a practice is an essential practice of a religion or not. And these are as follows:

1. identifying whether a practice in question is a religious practice,
2. assessing the significance of practice in relation to religion,
3. determining the scope or gravity of any legal or policy prohibition, and
4. examining the conditions under which the prohibition is imposed (Meor Atiqul Rahman v. Fathima, 2006)

If there is a compelling reason not to accept a community's self-definition of the nature of its religious practice, the courts should apply a balancing, reasonable inquiry and proportionality approach to determine whether competing State or public interests outweigh the religious freedom claim. (Titular R.C., 2014) Another situation is that, the deferential approach may require the Court in certain situations to seek the opinions of religious scholars and clergies and rely on them in order to make a decision between conflicting interpretations of religious practices.

18

It should be favored since it would give constitutional legitimacy to religious practices of religions because those practices may have significant symbolic value to the believers of religions and they may hold those practices deeply. It is also important to note that adopting a deferential approach to define religion and religious practices does not mean that all religious practices would necessarily be subject to have greater protection under the Constitution of India. (Neo, J. L., 2018)

Conclusion

From the above discussion, it became clear that what is an essential religious practice in a religion, there may be differences of opinions on that point among the scholars of that religion. It may also happen that a practice may not be obligatory in nature but it may have significant value among the believers of the religion and they may follow it deeply and faithfully. Moreover, courts in India are established to resolve constitutional matters and not to recognize purely religious matters. Therefore, in our humble opinion religious matters particularly what are essential religious practices should be left to the people of religions to decide and in the words of Justice Dhulia, courts are not forum to decide religious matters.

Nonetheless, if the court has to decide a religious matter when the State is imposing restrictions on religious freedom or make laws to regulate religious activities, then there is need to give special training to judges pertaining to the theologies of different religions. In addition to this, the court must apply the balancing of interest approach to determine whether the restrictions are reasonable and what is the significance of religious practice. While balancing conflicting interest, court should focus on 'differential approach' which acknowledges a community's self-definition of religion and nature of its religious practices rather than on essential religious practice test.

As we have witnessed that the Supreme Court of India has applied Essential Religious Practice Test in various cases down the history. Applying for the first time in the case of Shirur Mutt (1954) to recently split Hijab verdict in case of Aishat Shifa v. State of Karnataka (2022) where once again essential religious practice test was discussed but it has not resolved the matter rather the people have heavily criticized Indian judiciary for unnecessarily stepping in to religious matters. Now, as different religious matters are already pending in the Supreme Court of India, like Sabrimala temple judgement review, split hijab verdict, female circumcision -a practice being followed in Dawoodi Bohra community (Supreme Court, 2018)- and so on, therefore, it would be appropriate for the court to apply "differential approach" in order to resolve such underpinning issues.

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GENDER INEQUALITY IN NORTH-EAST INDIA: A BARRIER TOWARDS DEVELOPMENT

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Abstract

Gender inequality not only an issue in developing nations, the entire world is a victim of this problem. Almost 50 percent of the world's population consists of women and they have equal contribution towards economic growth. India is ranked at 108th, according to the Global Gender Gap Report 2018, with 0.665 percent of the gender inequality index. This paper has attempted to study gender inequality in north-east India by applying the Gini coefficient technique. It is a surprising fact that the GII in the North-East is far better than that of India. So, if the government takes proper initiatives and executes the existing programs subject to the removal of gender inequality, it will foster economic growth and development throughout the North-Eastern region of India.

Keywords

Gender Inequality, Educational Gap, North-East India, and Development

Introduction

Gender is a socially constructed definition of women and men. It is determined by the conception of tasks, functions and roles attributed to women and men in society and in public and private life. Equality is the state of being equal, especially in status, rights or opportunities. Gender equality refers to attainment of equal opportunities or enjoyment of some rights by men and women. Gender inequality is therefore unequal treatment to men and women in various aspects of life. A serious matter of concern in today's era is of gender inequality or gender discrimination which is being faced by both men and women from ages, yet women are a serious victim of it. Women are traditionally considered by the society as weaker sex. Even in this 21st century where the world is at the pace of development, yet women had to go through various exploitations and violations in every phase of her life. They are always accorded lower status than men either in work place or at home.

There still exists inequality in women's access to education, health care, physical and financial resources and opportunities in the political, economic, social and cultural field.

Objective of the Study

To compare the inequalities between male and female regarding education and employment in North-East India.

Database and Methodology

The present study is based on secondary data. The data have been collected from various sources such as Census Report of India, 2011, District Information System for Education, 2011-12, Election Commission of India, General Election, 2014, National Family Health Survey (NFHS-4), 2015-16, National Institute of Education Planning & Administration, New Delhi, 2015-16, Fifth Annual Employment-Unemployment Survey, Labor Bureau, Ministry of Labor& Employment, 2015-16 and Handbook on Social Welfare Statistics, 2016.

In order to find the inequality of male and female regarding education and employment, Gini coefficient is used. Basically, Gini is used to calculate income inequality but in this paper education and work-force participation inequality is being calculated by the framework of income Gini.

Step 1: At first, the variables are replaced that is the state-wise population of male and female in the north-eastern region and total number of drop outs in primary level of schooling in each state of north-east have been used for education Gini. And for employment Gini, state-wise population and work-force participation of male and female in the North-Eastern Region have been used. From these variables their respective cumulative proportion have been calculated.

Step 2: The second step is to construct an educational Lorenz curve by plotting the cumulative population and cumulative drop outs at primary level in the horizontal and vertical curve respectively.

Figure 1.1: Lorenz Curve

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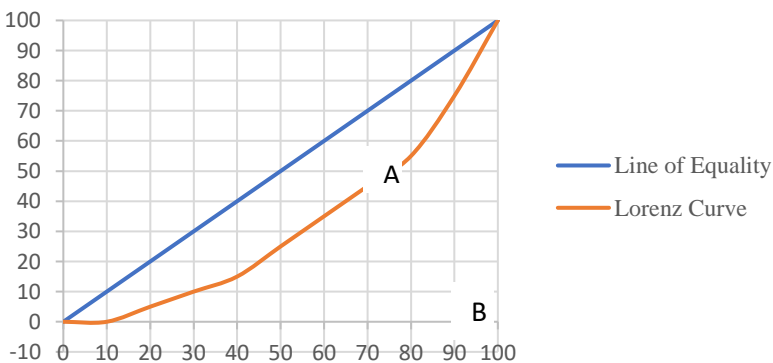
Step 3: In the next step, the area of B and (A+B) have been calculated. And finally, the Gini coefficient of education inequality is given by A/(A+B). The value of Gini lies between 0 (for best, i.e., no inequality) and 1 (for worst, i.e., 100 percent inequality). The same process was used to calculate the employment inequality.

Note*: The inequality Gini of male and female are calculated individually. And, later on, inequality Gini of male and female have been compared to show the level of inequality.

Results and Discussion

The Scenario of Gender Inequality in India

India is ranked at 108th, according to Global Gender Gap Report 2018, with 0.665 percent of gender inequality index. Across 149 countries, India ranks at 142th, in case of Economic Participation and Opportunity of women, 114th in Education Attainment of women and 147th in Health and Survival of women. While in case of Political Empowerment of women it is at 19th among 149 countries. A study published in Lancet Global Health has found that, on average, about 2,39,000 girls under the age of five die each year in India because of the gender due to unwanted child bearing and neglect. A major of these deaths, according to the study, is limited to four north Indian states; Uttar Pradesh, Bihar, Rajasthan and Madhya Pradesh, which accounts for two-thirds (66.7 percent) of the total excess deaths of girls under five. In Uttar Pradesh, excess female mortality stands at 30.5. In Bihar, the rate is 28.5; Rajasthan, 25.4; Madhya Pradesh, 22.1. The worst-affected areas are all rural, agricultural areas with lower levels of education, high population densities, low socio-economic development and higher fertility.

Gender Inequality in North-East India

North-East India comprises of eight states- Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim and Tripura. North-East Region is diverse in culture, tradition and geography. Women in North-East India have been treated equal as men since ages (Das, 2013). They have their freedom to acquire education and health facilities and also to participate in labour market. There also exist matriarchal societies in the region, especially in the state of Meghalaya, which is a distinctive phenomenon witnessed in the Indian context.

A lot of women-centric social evil practices which are commonly practiced in large parts of the country such as dowry, sati, female feticide, honor killing, and child marriage are not prevalent in the Northeast. Even the government has also taken various schemes specifically designed for girls. Despite all these, the

problem of gender inequality still exists in the North-Eastern Region of India as well.

The gender inequality regarding education and employment in North-East India is measured by using the Gini Coefficient method. The Gini Coefficient is used to measure the income inequality. However in this present study, an attempt is made to use this method in a different dimension. (Vinod Thomas, 2001) in their paper used the Gini Coefficient to measure inequality in education by using the dataset as population and average years of schooling. Here the same procedure is being applied in measuring the inequalities regarding education and employment.

But with a slight change in the dataset, that is instead of average years of schooling, drop outs rates at primary level of schooling are used (for education inequality). And for employment inequality, population and work-force participation rates are being used.

Calculation of Educational Inequality in North-East India

States	Male Population	Male Drop Outs (at primary level of schooling)
Arunachal Pradesh	720232	15.38
Assam	15954927	12.47
Manipur	1369764	11.78
Meghalaya	1492668	16.23
Mizoram	552339	8.42
Nagaland	1025706	6.44
Sikkim	321661	5.68
Tripura	1871867	6.2

Table 1.1.: State-wise male population and male drop outs at primary level of schooling in North-East India
Source: Census of India, 2011
District Information System for Education (DISE), 2011-12

After collecting the database, the next step is to calculate the cumulative proportions of the datasets.

After getting the cumulative proportions, in the next step, a Lorenz Curve is drawn with the proportions, taking a cumulative percentage of the male

population on the horizontal axis and cumulative percentage of male drop outs at primary level of schooling on the vertical axis.

States	Cumulative Proportions of Male Population	Cumulative Proportions of Male Drop Outs
	0	0
Assam	68.44916	15.09685
Tripura	76.47976	22.60291
Meghalaya	82.88354	42.25182
Manipur	88.76005	56.51332
Nagaland	93.16049	64.30993
Arunachal Pradesh	96.25040	82.92978
Mizoram	98.62002	93.12349
Sikkim	100	100

Table 1.2: Cumulative Proportions of male population and male drop outs in North-East India

Source: Author's Computation

Figure 1.1: Lorenz Curve for Male Education Inequality in North-East India

The Lorenz curve shows that there is neither perfect equality nor perfect inequality regarding the education of males in North-East India. The actual picture, that is, to what extent there exists inequality regarding the education of males in the North-East will be given by the Gini Coefficient.

26

In the next step, the area under the Lorenz Curve (B) and the area under the Equality Line (A+B) is measured.

The area under the Lorenz Curve, B=2001.073 Area A=2998.927

The area under the Equality Line, A+B= 5000

And finally, by plotting the values in the formula, that is, Gini $=\frac{A}{A+B}$, we get

Gini Coefficient =0.599785

Since, the value of Gini is more than 0.5, it depicts that there exists high inequality in education of male in the North-Eastern regions or North-East, that is the value of Gini is 59.98 percent away from the line of equality.

Now, in the similar way the female education inequality is being calculated.

States	Female Population	Female Drop Outs
Arunachal Pradesh	662379	14.23
Assam	15214345	10.93
Manipur	1351992	12.34
Meghalaya	1471339	14.01
Mizoram	538675	54.51
Nagaland	954895	5.63
Sikkim	286027	2.92
Tripura	1799165	6.16

Table 1.3: State-wise female population and female drop outs at primary level of schooling in North-East India

Source: Census of India, 2011: District Information System for Education (DISE), 2011-12

Now, the cumulative proportions of the female population and the cumulative proportions of the female dropouts are being calculated. Again, a Lorenz curve can be framed with the proportions in order to show the level of inequality regarding female education in North-East India. The proportions are shown in Table 1.4.

Now, from the cumulative proportions we get a Lorenz Curve for female education inequality in North-East India.

States	Cumulative Proportions of Female Population	Cumulative Proportions of Female Drop Outs
	0	0
Assam	68.29063	15.2377
Tripura	76.36631	23.82546
Meghalaya	82.97051	43.35703
Manipur	89.03902	60.56043
Nagaland	93.32513	68.40931
Arunachal Pradesh	96.29827	88.2476
Mizoram	98.71615	95.92918
Sikkim	100	100

Table 1.4: Cumulative Proportion of Female Population and Female Drop-Outs in North East India
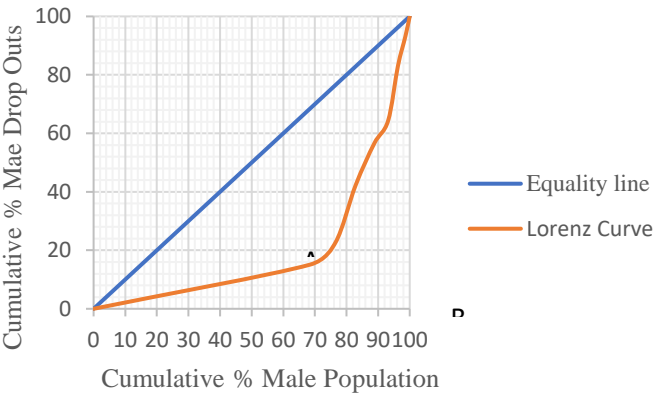Source: Author's Computation
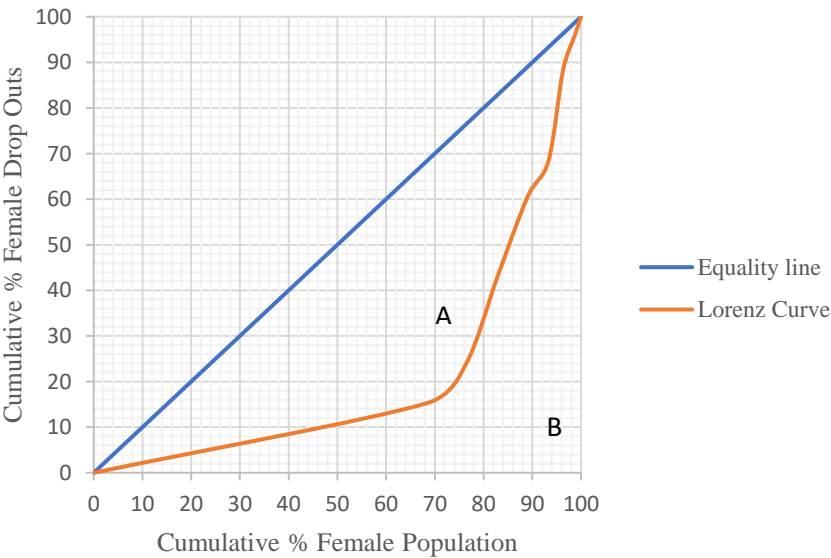
Figure 1.2: Lorenz Curve for Female Education Inequality in North-East India

The Lorenz Curve for female education shows that there is inequality regarding female education in the North-Eastern regions of India. But to show, up to what extent the curve is away from the line of equality, the Gini coefficient will help.

For that the area A and A+B is required.

After calculation we get the following values-

Area A= 2927.117 Area B= 2072.883 Area A+B= 5000

And Gini Coefficient = 0.585423

By comparing both male education Gini and female education Gini, a conclusion can be drawn that though in both the cases there is inequality, yet, the inequality regarding female education is less than that of male education. So, it has been reflected that in comparison to males, females in North-East has better access to education.

Calculation of Employment Inequality in North-East India:

The same procedure as before is being applied, in order to show the inequality between male and female regarding employment in North-East India. Work-force participation rates are taken to indicate the employment level of male and female in North-East India.

States	Male Population	Male Work-force Participation Rates
Arunachal Pradesh	720232	49.06
Assam	15954927	53.59
Manipur	1369764	51.58
Meghalaya	1492668	47.17
Mizoram	552339	52.35
Nagaland	1025706	53.42
Sikkim	321661	60.16
Tripura	1871867	55.77

Table 1.5: State-wise male population and male work-force participation rates in North-East India

Source: Census of India,2011

The cumulative proportions of both male population and male work-force participation rates are calculated, which is shown in Table 1.6., so that a Lorenz Curve can be drawn from the proportions.

States	Cumulative Proportions of Male Population	Cumulative Proportions of Male Work-force Participation
	0	0
Assam	68.44916	12.66604
Tripura	76.47976	25.84732
Meghalaya	82.88354	36.99598
Manipur	88.76005	49.18695
Nagaland	93.16049	61.81281
Arunachal Pradesh	96.25040	73.40818
Mizoram	98.62002	85.78114
Sikkim	100	100

Table 1.6: Cumulative Proportions of male population and work-force participation in North-East India
Source: Author's Computation

From the cumulative proportions in Table 1.6, we get a Lorenz Curve as shown in Figure 1.3.
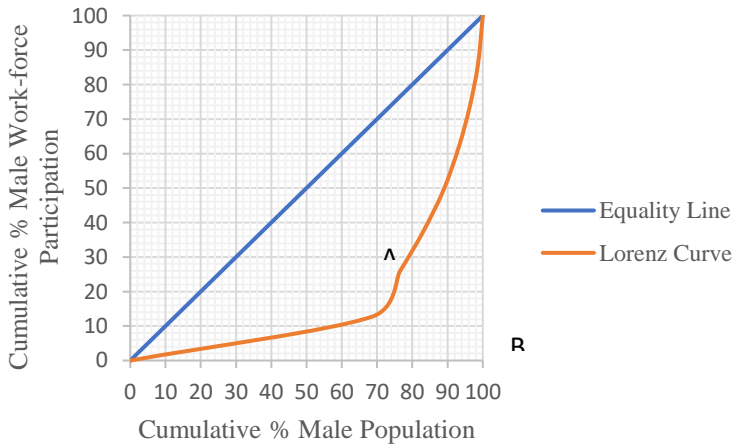
Figure 1.3: Lorenz Curve for male employment inequality in North-East India

Figure 1.3 shows that there is inequality even in case of employment of males in the North-Eastern regions of India since the Lorenz Curve is away from the

line of equality. To what extent there persist inequality will be given by the Gini Coefficient.

By measuring the areas under the equality line, the following results are acquired:

The area under the Lorenz Curve, B=1812.508 Area A=3187.492

The area under the Equality Line, A+B= 5000

And finally, by plotting the values in the formula, that is, Gini $=\frac{A}{A+B}$, we get

Gini Coefficient =0.637498

Now to show the female inequality in North-East India regarding employment, the same steps are being followed.

States	Female Population	Female Work-force Participation Rates
Arunachal Pradesh	662379	35.44
Assam	15214345	22.46
Manipur	1351992	38.56
Meghalaya	1471339	32.67
Mizoram	538675	36.16
Nagaland	954895	44.74
Sikkim	286027	39.57
Tripura	1799165	23.57

Table 1.7: State-wise female population and female work-force participation rates in North-East India
Source: Census of India, 2011

The cumulative proportions of female population and female work-force participation are shown in Table 1.8.

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States	Cumulative Proportions of Female Population	Cumulative Proportions of Female Work-force Participation Rates
	0	0
Assam	68.29063	8.221986
Tripura	76.36631	16.85031
Meghalaya	82.97051	28.80990
Manipur	89.03902	42.92565
Nagaland	93.32513	59.30373
Arunachal Pradesh	96.29827	72.27734
Mizoram	98.71615	85.51451
Sikkim	100	100

Table 1.8: Cumulative Proportions of female population and work-force participation in North-East India
Source: Author's Computation

The Lorenz Curve for female inequality in North-East India regarding employment is shown in Figure 1.4.
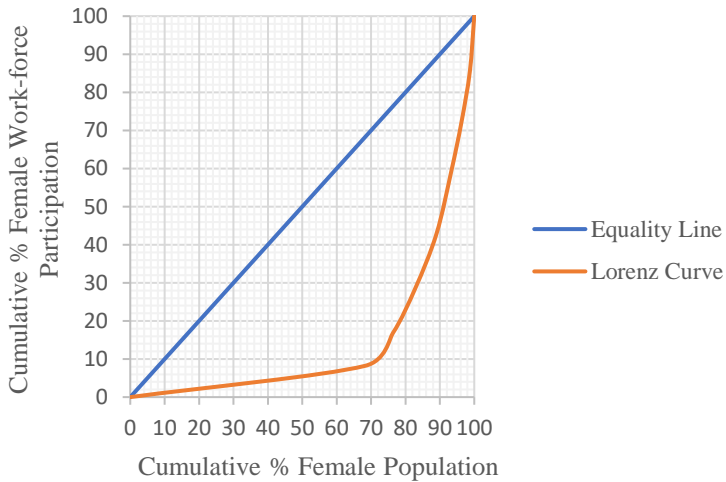
Figure 1.4: Lorenz Curve for female employment inequality in North-East India:

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The Lorenz Curve in Figure 1.4. shows that there is female inequality regarding employment in North-East India.

The areas under the equality line are given as:

Area A= 3525.046

Area B= 1474.954

Area A+B= 5000

And Gini Coefficient= 0.705009

By comparing both male employment Gini and female employment Gini, it is clear that though there is inequality regarding male employment in North-East India, yet the inequality of female is higher than that of male.

It can be concluded that the female has a better performance regarding education, but they have less scope than male in getting a job despite of their education qualifications. So, it is found that gender inequality is ruling even in the North-Eastern states of India, regardless of the equal status they have been provided since ages.

Suggestive Measures

Based on the above discussion here are some of the suggestive measures which bring about gender equality in North-East India.

As we have found that, despite the low inequalities of female education in NER than male, the inequality of female employment is high, it depicts a clear picture that the employment opportunities are not adequate in this region. It is suggested that, on one hand, the government should create more employment opportunities for the people in North-East, altogether the people must be self-concerned about getting employed in various unorganized sector in the economy or engaged themselves in some skill works, rather than blaming the government.

The government has proposed various schemes specifically for women in recent years, but the proper implementation and execution of these schemes is also of utmost importance.

Moreover, more institutions and small-scale industries, proper transportation and banking facilities must be made available, so that poor infrastructure may not become the reason for the females in getting employment. Even proper lessons regarding gender equality must be provided from school itself.

Above all, the mindset of the people must be changed and even the traditional customs and rituals which become a reason behind gender inequality must be

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phase out. And the government must take various awareness programs subject to gender inequality.

Conclusion

Gender inequality is a serious issue both in developed and developing nations. Various efforts have been made by the government as well as the common mass to curb this problem, yet this problem is not vanished completely. Even in regions like North-East India, where women have been provided equal status as male since ages[1], has to face this problem. From the above analysis, it can be concluded that the women in North-East are in a better position than men regarding education. But they are in lowest position regarding employment. The main reason behind this is the traditional customs and rituals that the women have to face here. According to (Buongpui, 2013),the status of men and women in the society is culturally determined. Women in North-East are socialized from early age towards the household responsibilities. They consider themselves as subordinate to men because the economic, political, social and cultural institutions are mostly controlled by men. The women here always try to preserve these traditional customs, which results in lower status of women. Gender equality will gain its name, only if those traditional customs, which are becoming a barrier for women in achieving their actual status in the society, are phased away. In this regard, if the government take proper initiatives and execute the existing programs subject to the removal of gender inequality, it will foster economic growth and development throughout the North-Eastern region of India.

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IN THE AGE OF REMIX: MEDIA, SOCIETY AND CULTURAL HYBRIDIZATION IN ASSAM

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Abstract

The most visible proponent of conventional wisdom perspective on cultural globalization is political scientist Benjamin Barbar, who formulated his theory about the globalization of culture as to how globalism and tribalism are reshaping the world. A section of perspectives on the globalization of culture, somewhat reminiscent of cultural imperialism in terms of the nature of the effect of media on culture but somewhat, different in its conceptualization of the issue is the view that the media contribute to the homogenization of cultural differences across the planet. Another perspective on globalization of culture is cultural hybridity or hybridization. This view privileges an understanding of the interface of globalization and localization as a dynamic process and hybrid product of mixed traditions and cultural forms. It does not give prominence to globalization as a homogenizing force nor does it believe in localization as a resistive process opposed to globalization. Here question arises have transnational media made cultures across the globe hybrid by bringing into their midst foreign cultural elements or have cultures always been to some extent hybrid, meaning that transnational mass media only strengthened an already existing condition.

Hybridization has been used in communication and media studies and appears to be a productive theoretical orientation as researchers in international media studies attempt to grasp the complex subtleties of the globalization of culture. In the debate about cultural hybridity Argentinean Mexican cultural critic Nestor Garcia Canclini advocates a theoretical understanding of hybrid cultures.

His analysis is both broad and incisive, covering a variety of cultural processes and institutions such as museums, television, film, political cartoons and visual art. Firstly, this paper is a theoretical attempt to understand the impact of global media connectivity on hybridization of the cultures of Assam and secondly its focus is to explain the emerging digital trend of cultural norms by taking up the cultural contents of the private satellite television news channels of Assam.

Keywords

Cultural Hybridization, Media Imperialism, Media and Culture, and Cultural Policy

Introduction

The role of media in the hybridization of culture is a contested issue in international communication theory and research. It is argued that audiences across the globe are heavily affected by media messages. In most of the literature in international communication, there are minor differences between 'Media Imperialism' and 'Cultural hybridization' and it treats the former as a category of the later. Grounded in an understanding of media as cultural industries, cultural hybridization is firmly rooted in a political-economy perspective of international communication process and effects. But the concept of cultural hybridization and its association with media's influence needed more impartial and rationalistic interpretation and analysis, as the contemporary media technologies have created a steady flow of transnational images of cultural exchange that connect audiences worldwide.

Early theories of media influence commonly referred to as Hypodermic Needle theories believed that media had powerful effects over its audiences. Since then, the debate about media influence has undergone an ebb and flow that has prevented resolution or agreement among researchers regarding the level, scope and implications of media influence. Nevertheless, key theoretical formulation in international communication clung to a belief in powerful media effects on cultures and communities. At the same time, a body of literature questioning the scope and level of influence of transnational media has emerged. While some scholars within that tradition have questioned cultural hybridization without providing conceptual alternatives, others have drawn on an interdisciplinary literature from across the social science and humanities to develop theoretical alternatives to cultural hybridization.

Media, Society and Cultural Hybridization

International communication has been an active interlocutor in the cultural hybridization debate because media and information technologies play an important role in the process of cultural globalization. The media are undeniably one of the engines of cultural globalization. The size and intensity of the effect of the media on the hybridization of culture is a contested issue revolving around the following questions-

  i.   Did the mass media trigger and create the Hybridization of culture?
  ii. Is the hybridization of culture an old phenomenon that has only been intensified and made more obvious with the advent of transnational media technologies?

The question about the relationship between media and the hybridization of culture is difficult to answer. One perspective on the hybridization of culture,

reminiscent of cultural imperialism in terms of the nature of the effect of media on culture but somewhat different in its conceptualization of the issue, is the view that the media contributes to the homogenization of cultural differences across the planet (Moran, 1998). One of the most visible proponents of conventional wisdom perspective on cultural globalization is political scientist Benjamin Barbar[2] who formulated his theory about the globalization of culture as how globalism and tribalism are reshaping the world. The most prominent theory on globalization of culture is cultural hybridity or hybridization. This view privileges an understanding of the interface of globalization and localization as a dynamic process and hybrid product of mixed traditions and cultural forms. This perspective does not give prominence to globalization as a homogenizing force nor does it believe in localization as a resistive process opposed to globalization. Hybridization has been used in communication and media studies and appears to be a productive theoretical orientation as researchers in international media studies attempt to grasp the complex subtleties of the globalization of culture (Rogers, 1986). In the debate about cultural hybridity Argentinean Mexican cultural critic Nestor Garcia Canclini[3] advocates a theoretical understanding of hybrid cultures. His analysis is both broad and incisive, covering a variety of cultural processes and institutions such as museums, television, film, political cartoons and visual art.

Question arises as to whether transnational media has made cultures across the globe hybrid, by bringing into their midst foreign cultural elements or have cultures always been to some extent hybrid, implying that transnational mass media has only strengthened an already existing condition. There is no final answer to this, due to the theoretical complexity of the issue.

But it recognizes that global media and information technologies have substantially incurred contacts between countries both in terms of intensity and of the speed with which these contacts occur (Rothkopf, 1997). So, it is reasonable to assume that transnational media intensifies the hybridity in cultures across the globe; and that the globalization of cultures through the media is not a process of complete homogenization, but rather one where cohesion and fragmentation co-exist.

Global media connectivity and hybridization of the culture

The relative determination of social life by economic, political, or cultural factors follows the question of how the media in particular affect and respond to their various social contexts. The distinctive, reflexive function of media may

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[2] An American political scientist and author best known for his book "Jihad vs. McWorld" 1995.
[3] An Argentine born anthropologist known for his theorization of the concept of hybridity of culture.

be summed up first as "Contextualization". The media relates issues and events in the world to each other and allow audiences to contemplate and perhaps act upon such relations with reference to a specific level or domain of social reality. Second, the media can serve to "re-contextualize" those events and issues, indicating a range of alternative perspectives and interpretations (F.Lechner & J. Boli, 2009). The many changes in modern media are affecting our society. Media entertainment and advertising are influencing the way, people think and feel. As technology advances and media sources increase advertisement, it affects our modern culture more than ever because media is considered a window for learning and a window to the world. Every culture has its own norms and values. It makes one the members of that particular culture, of who they are, and what they feel connected to? One of the aspects of culture is social interactions between people of the world where the importance of media lies. Media is responsible for influencing a major part of our day-to-day life. Media can contribute to a transformation in the cultural and social values of the masses by bringing about a change in the attitudes and belief of the people (Jensen, 2002). The modern media in the globalized world and the persuasive nature of the content presented over it, influences the thoughts and behavior of the people. It just takes a few seconds to reach a new idea from this part of the world to that part.

Culture, Technology, and the Digital World

The systematic application of knowledge to practical tasks in industry is called technology. It can be understood from two perspectives: first, the hardware approach which focuses on means of mechanizing or automating the collection, processing and dissemination of information; second, the software approach or process approach which refers to the programs and institutions that form part of media messages (Tomlinson, 1999). By both approach, media technology plays significant role as agent of cultural hybridization.

The arrival of satellite television networking system broke the principle of national sovereignty of broadcasting space and made it difficult and ultimately impossible to offer effective resistance to television transmission and reception from outside the national territory (Varies, 2007). The result is that such technology can be used as an instrument of domination as the big media can always package whatever they want for the small media to watch, read, and assimilate.

Two important theoretical perspectives in the study of the role of media technology as instruments of cultural imperialism are:

- Technological determinism theory.
- Information diffusion theory.

Technological determinism is a technology-led theory of social change. Here technology is seen as "The Prime Mover" in history. It interprets technology as the basis of society in the past, present and the future. In its most extreme form, the entire form of society is seen as being determined by technology. New technologies transform society at every level, including institutions, social interaction, and individuals (Eagleton, 2000). So, according to this perspective a wide range of social and cultural phenomena are seen as shaped by technology; human factors and social arrangements are considered secondary. On the other hand, the information diffusion theory explains how innovations are introduced and adopted by various societies and communities.

This perspective often provides easy gateway to media imperialism because the innovations being transferred are done through the mass media including the media technology (Thomas, 2002). When two different cultures meet, an interface occurs resulting in forms of cultural contact, cultural relativism, and cultural transfer. At this stage, media can be used as a tool of manipulation because the distribution of cultural values and rate of influence is relatively conducted by media technologies.

Media and the Trends of Cultural Hybridization

Three main modes of cultural imperialism through media are-

- Market economy.
- Transfer of ideologies.
- Media imperialism.

The concept of market economy factor implies that the expansion of efficient and low-cost transmission technologies has been driven by commercial motives and has fueled demand for imports. It has also stimulated new audiovisual production industries in many countries that look for new markets (Tomlinson, 1991). The argument here is that when those broadcast materials are sold, they are sold along with their cultural colorations embedded in them, through language, cinematic experience, and contextualization. The second mode is transfer of ideologies. Every race has its own unique way of life. However, the advancement in communication technologies has created a platform for the exchange of information between societies. As the exchange continues, ideologies equally change from one society to another. Pathetically the presence of uneven rate of exchange of ideologies leads to the domination of one ideology over another ideology.

The most critical mode is the third one, achieved through media portrayals. This is the fulcrum of media imperialism. The debate on media imperialism emerged because of cries of developing nations on absolute control of media by the

developed nations in 1970s (Straubhaar & D. Joseph, 1991). Media imperialism is the process whereby the ownership, structure, distribution, or content of the media in any one country are subject to substantial external pressures from the media interests of any other country. This trend of media imperialism can be referred to as media formation model because the actual export of media content is probably the most visible form of cultural imperialism.

Theory Vs Reality in Assam

The early stage of cultural hybridization focused on nation-state as primary actors in international relations. They imputed rich industrialized and western nation-state with intentions and actions by which they export their cultural products and impose their socio-cultural values on poorer and weaker nations in the developing world. This argument was supported by several studies demonstrating that the flow of news and entertainment was biased in favor of industrialized countries (Appadurai, 1996). This bias was clear both in terms of quantity, because most media flows were exported by western countries and imported by developing nations, and in terms of quality, because developing nations received scant and prejudicial coverage in western media.

These concerns led to the rise of New World Information Order (NWIO) debate, later known as the new world Information and Communication Order (NWICO) debate. Although the debate at first was concerned with news flows between the north and the south, it soon evolved to include all international media flows which made the international media landscape more complex and therefore widened the scope of the debate about international flows of information and entertainment programs (Harris, 1997). This debate was launched during the 1973 general conference of the UNESCO in Nairobi, Kenya. During the conference, strong differences arose between western industrialized nations and the developing countries. The first group insisted on the "Free flow of information" doctrine advocating 'free Trade' in information and media programs without any restrictions. The second group concerned with the lack of balance in international media flows, accused western countries of invoking the free flow of information ideology to justify their economic and cultural domination (Gerbner, 1994). They argued for a "Free and Balanced flow" of information but later on, the entire discussions resulted in the de facto fall of the global media debate of cultural imperialism.

A second stage of research identified with cultural imperialism has been associated with calls to revive the NWICO debate. What differentiates this line of research from earlier cultural imperialism formulations is its emphasis on the commercialization of the sphere of culture (Schiller, 1992). And now there is a deliberate focus on transnational corporations as opposed to nation states, and

41

on traditional capital flows, as opposed to image flows. But it is hard to separate the power of transnational corporation from that of nation-states and it is also difficult to distinguish between capital flows and media flows. Therefore, the evolution of the debate is mainly a redirection of emphasis rather than a paradigm shift.

The end of the cold war as a global framework for ideological, geopolitical, and economic competition calls for a rethinking of the analytical categories and paradigms of thought. Making the world more fragmented, the end of the cold war ushered in an era of complexity between global forces of cohesion and local reactions of dispersal. In this complex area, the nation-state is no longer the sole or dominant player, since transnational transactions occur on sub-national, national, and supranational levels (Robertson, 1992). Conceptually, globalization appears to capture this complexity better than cultural imperialism. According to John Tomlinson, globalization replaced cultural imperialism because it conveys a process with less coherence and direction.

Therefore, the above discussions on the waves of development of the theoretical ideas associated with cultural hybridization focuses on information and technologies, as the facilitator of cultural hybridization. Taking these core ideas to examine the level of cultural hybridization, the role of the media in the sphere of culture comes to the forefront. The development of satellite television channels has brought about drastic changes in the means of communication unknown to few, decades ago. The commercially driven media houses as an industry with more profit-oriented actions are now a major influence in people's day to day life. Based on media workings on Assam specially focusing on the contents of the Private satellite televisions of Assam related to the field of culture, certain features can be outlined. The cultural section of the news channels are much lower character in terms of quality and priority compared to news and current affairs information. Different surveys and reports have shown the programs containing cultural elements are at the bottom of the viewer's ratings, because these programs get telecasted on unattractive time slots where the level of viewers are generally lower. The reality shows related to music and dance are just copying of ideas and concepts from the national and international media channels. The trend of telecasting programs based on contents from different online sources like YouTube or other blogs and websites are now a common feature of all the private television news channels of Assam.

Recommendations

The political heritage of transitional countries includes the notion of culture as an activity representing the state. In media practice, this means that the major media mostly promote those cultural activities which directly represent the state

and its national cultural identity: staging historical themes in which the national and cultural are unified, representative exhibitions favoring a concern for heritage over the promotion of contemporary cultural products. Following are the certain recommendations-

i. Media should have the aim of bridging the gap between the 'high' and the 'low' cultures. Here high and low implies the elite and the common masses culture.

ii. Strategy should be created of media openness to new segments of the public rather than closing in to narrow specialist groups.

iii. State authority should create strategy of improved criteria and raised standards in promoting cultural content in high-circulation media and news broadcasts which include culture reports.

iv. Government should support cultural projects which have no recognizable commercial value refusing to engage in futile competitions with the commercial market.

v. Media should promote a dimension of the new in culture in relation to existing culture.

vi. Administration in the field of culture at national and local level and in individual cultural institutions should comprise of professionally trained staff, qualified to communicate with the media.

vii. Every cultural administration or cultural institutions should have a clear strategy of media actions.

Conclusion

It has become fashionable in some international communication circles to discuss cultural imperialism and cultural hybridization as a monolithic theory that is lacking subtlety and increasingly questioned by empirical research. No doubt cultural hybridization does have some weaknesses, but it also continues to be useful; perhaps the most important contribution of cultural hybridization is the argument that international communication flows, processes and effects are permeated by power.

Nevertheless, it means that the concept of globalization has in some ways replaced cultural imperialism or cultural hybridization as the main conceptual umbrella under which much research and theorizing in international communication have been conducted.

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Rediscovering Gandhi: Implications of Gandhian Philosophy in Achieving Sustainable Development in India

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Abstract

Gandhian philosophy is deeply rooted in the ideals of maintaining harmony and peace with the nature for human survival. The basic ideals of Gandhian philosophy is based on non-violence, peace, just distribution of resources and reasonable utilization rather than exploitation of natural resources. He favored for individual liberty for self-development and argued against all forms of social discriminations. Sustainable development, on the other hand relies on inter-generational and intra-generational equity striving for a balance between economic development and environmental protection. The Sustainable Development Goals (SDGs) became the roadmap for achieving sustainable development. However, both the concept of sustainable development and SDGs became popular only in the later half of the 20th Century while Gandhian philosophy existed much before. The paper attempts to highlight the interlinkages between the Gandhian principles and the SDGs portraying the existence of the ideals of sustainable development much before the term actually originated to depict the visionary abilities of Gandhi. It has been attempted to highlight that emerging global ecological issues are deep rooted in our past and solutions were available in the form of philosophies and ideals of visionary people like Mahatma Gandhi. However, those ideals lacked adequate recognition in the policy discourse on time and as a result the humanity is witnessing the scenario of natural devastations and destructions. Therefore, it is necessary to inculcate the core principles of Gandhian philosophy in the policy framework as soon as possible.

Keywords

Ecological Balance, Gandhian Philosophy, Just Distribution of Resources Sustainable Development, and Sustainable Development Goals (SDGs)

Introduction

The origination of the concept of 'Sustainable Development' has been regarded as one of the significant developments of the late 20th Century (Tanase, 2012). Such a concept has been framed for mitigating the serious issues of

45

development, particularly the conflicts between traditional economic development and environmental protection through inter-generational and inter-generational equity (Wirth, 1994). Sustainable development in the words of Gunderson and Holling, "*requires increase both in adaptive capacity and in opportunities for improvement of economic, social and ecological systems* (Daptardar, 2021). For achieving sustainable development, 17 Sustainable Development Goals (SDGs) with 169 targets were set at the global level demanding policy framework and their implementations at the local levels across the globe (Sustainable Development Goals, 2021). The contemporary phase is therefore striving towards achieving these SDGs by the end of 2030. However, the issues that were decided to be mitigated during this phase got generally recognized after the scientific advancements have proved before humanity that if significant actions are not taken, then the survival of the planet Earth might not sustain for future generations (Ebi, 2003). But the question lies that whether such realizations really occupied prominence during the late 20ᵗʰ Century or were felt even much before by intellectual personalities like Mohandas Karamchand Gandhi (Mahatma Gandhi, the father of the nation, India)? And if such issues were realized and accordingly solutions were thought upon even before the origins of the term 'Sustainable Development' then what are the implications of such concerns and solutions on the present initiatives of India in achieving sustainable development? The aim of this article is therefore to ascertain the implications of the Gandhian Philosophy which provided major concerns upon the issues much before the initiation of the concept of 'Sustainable Development for mitigating much of the contemporary issues.

An abstract of the Gandhian Philosophy

Mahatma Gandhi was a Lawyer by Profession but became a global leader who struggled for civil and political rights of the marginalized and discriminated sections of the human population across the globe in general and in India in particular. He is famous for his struggle against apartheid in South Africa and the imperial British Rule in India. He propounded the ideals of non-violent movements for achieving independence from imperialism and liberty from inhuman conditions not only politically but also socially, culturally, and economically at that time when almost the entire humanity was witnessing massive bloodshed in the name of power struggle for freedom movements. In short, his ideals are capable of influencing every institution of the society that makes them relevant for mitigating even most of the contemporary issues of the human society which were not even realized during that phase of colonialization and imperialism (Mohandas Karamchand Gandhi, 2021).

Gandhi's philosophy on development was also very unique compared to most of the then-existing theories of development. He supported for human beings

46

to be at the center of development but shall be possessed with moral responsibilities of maintaining the ecological balance and rational utilization of natural resources. He remarked that "*the objective should not be to build the islands of prosperity in the ocean of poverty, but to raise the level of standard of living and to combat poverty*" (Thakkar, 2021). Gandhi's philosophy of 'Sarvodaya' enumerated the concept of egalitarian society by demanding welfare of all human beings as a requirement of social development. His vision was to maintain such mechanisms that could satisfy all the basic needs of humanity eliminating all forms of discrimination for maintaining better standards of livelihood and human dignity (Rathi, 2021). The ideology of Sarvodaya treats every individual within society as a trustee of the wealth generated collectively by such a society which emphasizes just distribution of resources avoiding concentration of resources at individual levels (Rathi, 2021). The notion of distributive justice holds good in this vision and Gandhi thereby promoted the ideals of welfare state and development of all. He believed that holding individuals as trustees of collective wealth will make the development eco-friendly where preservation of nature will be given paramount consideration for maintaining the sustainability of the resources across generations.

Gandhi's ideology of 'Swaraj' emphasized self-sufficiency and self-rule. He believed in swaraj at local levels. For attaining such swaraj, he advocated the mechanism of local self-governments and decentralization of power at all levels. He further promoted his support for building up capabilities and empowering every individual as a proper human being so to make such individual eligible enough to rule himself/herself through his/her acute potentials (Rathi, Gandhian Philosophy of Sarvodaya and its Principles, 2021).

He also fought against many social evils including gender and caste-based discrimination and supported women's education and encouraged women's participation in all social activities (CV, 2021). He opined that education to a girl child means education to two families and also held that girl education is the backbone of the nation's future development (Sharma, 2021). He even suggested education to be such that is capable of developing a sound soul within a sound body and argued that education shall be for all-round development of an individual and emphasized on value education. His motive behind such a vision was to make each citizen of the nation individually self-sufficient which again had greater social significance (Mahatma Gandhi and his views on education, 2021).

Gandhiji even implemented his vision through various movements that although were initiated for making India free from British Rule, such movements had several other influencing outcomes. For instance, Gandhiji's

Dandi Yatra symbolized the rights of human beings over natural resources against the greed of certain inhuman legacies. He made an evergreen statement, "*Earth has enough resources for everybody's needs but not for anybody's greed*" (The Relevance of Gandhi in the Capitalist debate, 2021). Gandhiji much before felt the need for water harvesting which got reflected in his speech in a prayer meeting in Delhi in 1947 and his suggestions hold good even today. Greater evidence is the recommendations on water harvesting by the Swaminathan committee in 2008, the Green Party's acknowledgment about the influences of Gandhiji's suggestions in their policies in Germany, etc (The Relevance of Gandhi in the Capitalist debate, 2021).

He realized that for a better society greater compromise with luxury and material values are required. He always preached for containment of the emotional attachments of the humans over material wellbeing and sophisticated performances of one's responsibilities for judicious distribution of natural resources and preservation of nature to avoid allegations from future generations for destroying the planet. He led a simple life in 'ashramas' along with his disciples with minimum modern facilities to symbolize his strength of adjusting to maximum requirements through minimum resources for utilization (Tiwari, 2019).

In Hind Swaraj 1909, Gandhi expressed his fear of the unprecedented modern industrialization and propounded his version of reasons for the need of establishing a harmonious co-existence between nature and humans (Mukherjee, 2009). For this purpose, Gandh favored active public participation in all decision-making and implementation processes, self-reliance, decentralization of local industries, and transfer of labor-intensive technology for having a meaningful life. He denied civilization based on material values striving for the fulfillment of material desires and multiplication of wants rather accepted the adherence to moral responsibilities and limitation of desires filled with greed as the values of civilization. He gave more priority to duty than rights which could shift the notions of development from consumption-based models to conservation-based models (Mukherjee, 2009). In 1911, Gandhiji propounded the phrase 'Ecology of Nature' that highlighted his concerns regarding the harmonious existence between humans and nature based on equity, justice, and coexistence of all cultures and civilizations. He was able to view the consequences of Western patterns of industrial development in the forms of global warming and climate change and thereby suggested India to refrain from such patterns of development for a better future (Moolakkattu).

Gandhiji realized the current issues of pollution, mass unemployment, displacement, depletion of natural resources, etc. much before. He expressed many times his disagreements on the process of urbanization since in his

48

opinion such processes shall lead to the death of Indian villages and the small and cottage industries which will in return produce massive unemployment, significant pollution, and a large-scale unprecedented displacement. He, therefore, held that villages were the medium of achieving individual swaraj and self-sufficient economy on the principles of conservation and protection of the ecosystem. Further, he acknowledged the devastating impact of violent wars and the production of missiles upon the ecosystem and advocated for peace and non-violent methods for addressing disputes between nations. He was influenced by the ideologies of Jainism that regards nature as a living entity and commands humanity to respect the diverse forms of life for maintaining purity (Gandhi's views on village development). Such ideologies framed Gandhiji's vision of 'Satya and Ahinsa' through which he encompassed all living beings as having spiritual existence worthy of being respected. He once remarked that the civilization of a nation can be better assessed from the manner it behaves with its animals.

From the above discussion, it becomes clear that Gandhiji's philosophy encompassed social, economic, political, and environmental dimensions that reflected the concerns faced by the present and to be faced by the future in the past itself. His ideologies introduced innovative mechanisms for ensuring just distribution of resources amongst the present generation by taking into consideration the need of the future generation. He prioritized the development of individuals as the development of society and governance by the locals as a sovereign democracy. He viewed all humans as equal and explained the true manner for respecting nature as a living entity, thereby making scope for conservation and preservation of nature. His ideologies even provided for capacity building and transfer of simple technology capable of increasing human productivity without compromising with the handicrafts that represent not only the village economy for self-sufficiency but also possesses cultural and environmental significance.

Meaning of the term 'Sustainable Development'

The *Silent Spring,* a book written by Rachel Carson in 1963 led to huge concerns globally for maintaining ecological balance. Subsequently, several worldwide scientific investigations reported massive degradation of the world ecosystem. All these led to the emergence of environmental movements across national borders which made the United Nations General Assembly adopted two resolutions calling for global actions on the issue of environmental protection. As a result, in 1972 United Nations Conference on Human Environment (Stockholm Conference) became the first-ever international conference in human history on environmental concerns that adopted the Stockholm Declaration which laid the foundation for Sustainable Development.

However, the concept of Sustainable Development was yet to be discovered. It was only in 1987, that the Brundtland report first came out with the definition of Sustainable Development. Later in the United Nations Conference on Environment and Development (Earth Summit) in 1992, further action plans were adopted to reconcile human policies and actions towards theachievement of sustainable development (History of Sustainable Development, Sustainable Development Commission).

Sustainable Development has emerged as a dynamic concept whose scope is increasing to date with diversified interpretations from various angles. However, from the very first definition, as provided by Bratland Report, it means a development that enables humanity to satisfy its basic needs without compromising with the abilities of both the present and the future generations to meet such needs. If a literal interpretation of this concept is made then it appears that sustainable development as a concept considered development only as a medium of satisfying needs through utilization of available resources. But, the internal meaning of the concept provides that such development includes three basic elements, - sustainable economy; favorable socio-political conditions for securing healthy livelihood for all human individuals, and environmental protection for maintaining the ecological balance (Gupta).

Sustainable Development and its Nexus with Gandhian Philosophy

Sustainable Development provides an inverse relationship between the protections of the environment to that of exploitation of Natural Resources while enhancing country-specific goals of development (Schwarz, 2005). Similarly, Mahatma Gandhi realized the need of protecting the environment for human survival, and his vision was clear that when certain motives can be achieved without exploiting a definite number of resources then such exploitation shall be avoided. This vision becomes clear from his action when one of his disciples brought oranges on a motorcycle during Gandhi's Dandi Yatra, Gandhiji refused to accept the oranges by saying that when one could cover a distance by walking then that person should avoid the motorcycle (Dhruva, 2019). This was a simple statement made many years before the origin of the concept of sustainable development but meant the same thing as has been provided by the concept.

Sustainable Development ensures equilibrium between the various socio-economic elements and the elements of natural capital (Tanase, The Fundamentals of Sustainable Development, 2012). It provides important to demand reconciling environment with development by starring a course between the needs and relaxing their conflicts. And Gandhiji with his statement that Earth has enough resources to satisfy all human needs but not to satisfy

human greed provided scope for such equilibrium between human needs and available resources. He led a simple life and symbolized 'Charkha' as a medium of survival which gave significance to work culture and his favor to small handicraft industries compared to large scale modern industries showed that how he visualized social and economic development in harmony with the ecosystem (Henderson, 2011).

Since economic development is just a means and not an end, it is important to realize that the ultimate goal lies in the sustenance of human society for which inter-generational equity is appreciated by this concept of Sustainable Development (Taylor, 1994). Mahatma Gandhi similarly, emphasized equal distribution of resources avoiding concentration of resources at the hands of limited individuals. He favored local self-governance and swaraj at individual levels. His vision supported women's education, eliminating human-made discriminations, judicious utilization of resources, a self-sufficient village economy, and self-reliance. All his methods envisaged a mechanism where education would bring all-round development of individuals irrespective of any caste, gender, race, or religion-based discriminations, enabling such individuals to govern themselves and making them self-reliance capable of participating in the decision-making process, small scale handicraft industries to be promoted at all village levels, shaping the production to generate collective wealth, allowing scope for self-rule and self-sufficiency and innovating and accepting technologies that are simple for human utilization and non-destructive as per ecological concerns. In short, he argued that the present generation shall remain duty-bound with their moral obligations to avoid allegations from future generations. Such a vision of Mahatma Gandhi provided scope for both intergenerational and intergenerational equity much before the concept of sustainable development originated (Taylor, 1994).

It has been witnessed that the conventional models of economic development have depleted the existing Natural Resources to a manner that if such development is not restricted then it might ultimately bring an end to human existence. But at the same time it is also argued by scholars that if economic exploitation of a particular resource is reduced to nil then such resource will probably lose value for mankind and as such might not be conserved for which it might get extinct due to several reasons (Victor, 2006). Thus, the concept of Sustainable Development focuses on the efficient utilization of Natural Resources for better economic growth rather than restricting economic growth in totality. Similarly, Mahatma Gandhi's actions also showed that he never restricted human utilization of natural resources, since his Dandi Yatra symbolized his struggle for the realization of the rights of humans on salt which is a natural resource. On the other hand, his simple lifestyle symbolizes those

resources that shall be utilized for meeting the basic needs but shall not be exploited for satisfying human greed. In the like manner, resources shall be utilized for a nation's development rather than exploiting them by ignoring the potential values of such resources.

Sustainable Development Goals

It has been discussed that after the origin of the concept of Sustainable Development, United Nations Conference on Environment and Development in 1992 adopted several action plans for achieving such an ambitious development. And later in the Johannesburg Conference, all the achievements so far made regarding this concept were analyzed and an action plan for implementation of the strategies was discussed. (Plan of Implementation of the World Summit on Sustainable Development) Subsequently in 2012, at Rio+20 a proposal for SDGs were proposed and finally, in July 2014 the UN General Assembly accepted the report on the post-2015 Agenda which marked the end of Millennium Development Goals and the beginning of Sustainable Development Goals to be achieved by 2030 (Caballero) on the ground that there are no alternatives to this Agenda since there is no alternative planet to Earth where humanity can settle after the destruction of our planet (Secretary General's Remarks to the press at COP22, UN , 2016).

The 17 SDGs are as follows:

1. To eradicate poverty
2. To eliminate hunger
3. To ensure good health and well being
4. To ensure quality education
5. To secure gender equality
6. To provide clean water and maintain adequate sanitation facilities
7. To provide affordable and clean energy to all
8. To ensure work and economic growth
9. To promote industry, innovation, and infrastructure
10. To reduce inequality
11. To ensure sustainable cities and communities
12. To provide for responsible consumption and production
13. Climate Action
14. To provide adequate measures to protect life below water
15. To provide adequate measures to protect life above land
16. To build an institutional framework for maintaining peace and justice
17. Partnership to achieve the goal

All these goals collectively are expected to raise the human civilization to a level that would successfully be able to secure healthy living and protection of

the ecosystem for future generations to live in (What You Need to Know - Feeding the World Today and in the Future).

Analysis of the Sustainable Development Goals on the lines of the Principles of Gandhian Philosophy

SDG 1 speaks about the eradication of poverty; however, it was found that the population residing in absolute poverty has reduced by 10% in 2015 compared to 2010. But the rate of such reduction is decreasing and the gap between the rich and the poor is increasing (The Sustainable Development Goals Report 2019). Mahatma Gandhi much before realized such issues and therefore his ideals provided for the establishment of a self-sufficient economy whereby the individuals shall have at least minimum resources to live a basic standard of; life. He always rejected the concentration of wealth and argued for just distribution of wealth generated collectively (Gupta).

SDG 2 provides for removing hunger but it was found that 1 out of 9 people in the world were undernourished in 2017 and a significant increase in the number of people living in hunger was seen which rose to 821 million in 2017 from 784 million in 2015. 149 million children below the age of 5 years were reported stunted in 2018. Addressing the issues of hunger and malnutrition in India, Gandhiji criticized market-oriented economic theories way back (Gupta). He was of the opinion that 'swaraj' of individual shall mean liberty of the individual to decide and make opinions of his/her choice and to develop in such a manner that he/she becomes eligible with adequate production and purchasing power to satisfy his/her needs in the manner he/she decided. Production of resources and removing shortages of resources shall be addressed at the local community levels and the governance at the higher levels shall only remain as a supporter. His vision provides that a strong community shall not allow its individuals to stay in hunger and suffer from malnutrition while strong nations shall not be so weak to allow hunger to persist (Kent, 2010).

Goal 3 provides for better health and wellbeing and in this regard, the world was witnessing steady progress where the mortality rates fell from 42 deaths per 1000 in 2015 to 39 deaths in 2017. The neonatal mortality rates also declined by 41% in 2017 as compared to 2000. Similarly, as regards infectious diseases like HIV, Tuberculosis, etc. the mortality rates were decreasing but the pace of decreasing was still far below the expected level (Nath, 2021`). Further, due to pandemics recently, the world has witnessed the strength of its health sector including India which could be held to be on the negative side (Nath, 2021`). Mahatma Gandhi had his own views on health and hygiene. He opined those diseases are caused due to breaking of the laws of nature which even have been proved at present during the pandemic. He believed in naturopathy and

also strongly disregarded the theories of purity and sanctity behind the causes of diseases and always promoted medical and scientific research. Even during his lifetime, he suffered from several medical issues but still was able to regain his strength. Many medical scientists also visited and consulted him on various medical issues and concerns (Sharma D. C., 2019).

SDG 4 provides for better education. This goal provides for minimum education to all and highlights the importance of education. However, even in 2015, it was found that 50% of the children in the world were devoid of the proficiency level of reading and mathematics (Nath, 2021`). Gandhiji viewed education as one of the most important essences of a nation's development and argued that education shall aim for the all-around development of a healthy mind within a healthy body. In *Harijan,* 1937 Gandhiji stated that "*by education, I mean an all-round drawing out of the best in child and man's body, mind and spirit. Literacy is not the end of education nor even the beginning. It is one of the means whereby man and woman can be educated.*" He further explained literacy as a means for attaining education, while in many cases literacy is assumed to be the measuring rod for justifying a nation's development in the educational sector. His concept of education was much broader and he established a relation value and spiritual education on one hand and scientific and mathematical education on the other hand (Gupta). To him, education shall be of such a nature that awakens the soul of an individual spiritually, creates a sound body physically, and develops the mind intellectually.in the Wardha Conference on Basic Education in 1937, Gandhiji highlighted the issues of education in India and suggested mother-tongue to be used as a medium of instruction for avoiding the gap between highly educated and the ignorant, extension of primary education to at least seven years, construction of State Universities, etc (Gandhi's views on education). In short, Gandhiji developed a scheme for increasing the quality of education that included a majority of the targets set under Goal 4 for Sustainable Development.

Goal 5 speaks about gender equality and It was reported that in 90 countries women were found to be working on an average for three times higher than their male counterparts in domestic activities. However, women's representation in national parliaments increased by 19% in 2019 as compared to 2010 but it was still below expected levels. It was even found that out of 39% of world employment being occupied by women only 27% were able to reach managerial positions in 2018 (Realizing gender equality: A greater challenge with climate change). India was not an exception to this rather India is traditionally known for its patriarchal nature. Gandhiji knowing the height of gender inequalities prevailing across the globe generally and in India

particularly remarked that women were superior to men as regards their moral and spiritual strengths and also opined that women have greater responsibility and a major role to play in a nation's development since they are the custodian of the future generations (Mondal). Gandhiji always argued for the empowerment of women and his views included much of those indicators that are today considered for measuring gender equality of a nation. On October 17, 21929, Gandhiji remarked in *Young India,* that women shall not suffer any legal disability that is not suffered by men and both are perfectly equal. In Harijan, he stated that "*Sexual equality does not translate into occupational equality despite the absence of a legal bar. Women instinctively recoil from a function that belongs to men. Nature has created sexes as complements of each other. Their functions are defined as are their forms*" (Nandala).

SDG 6 speaks about clean water and sanitation. It shall however be admitted that globally there has been progress made in this regard. But still, clean water and sanitation remain a major problem in India for which *Swachh Bharat Abhiyan* has been launched by the present Modi-led Government (Boruah, 2021). Gandhiji always argued for clean and healthy living and he led a very disciplined life. His lifestyle itself was very inspiring as a result of which the entire scheme of Swachh Bharat Abhiyan is campaigned on the name of Mahatma Gandhi (Boruah, 2021).

Goal 7 provides access to clean and affordable energy to all by 2030. However, to date, 3 billion populations across the globe are living with improper energy access and unhealthy cooking systems. Mahatma Gandhi's philosophy always revolved around the utilization of renewable sources of energy and he led a majority portion of his life without utilizing electricity. He consistently disfavored modern means of energy production during his lifetime and supported clean energy sources (Schwarz, 2005).

Goal 8 provides for decent work and economic growth. Due to the pandemic at the present stage of human civilization, huge unemployment and unstable working conditions are expected to emerge as new contemporary challenges for the post-Covid-19 world. It is mainly because of the modern structure for maintaining economic growth and the models of production and consumption (Gupta). Gandhiji way back realized such issues and his 'Charkha' as discussed earlier symbolized a solution to such issues. He always desired all the individuals to be self-sufficient and morally responsible for generating collective wealth through a healthy work culture and then just distribution of such collective wealth. He favored local self-sufficiency and self-employment which if followed won't have led to such a situation at present (Gandhi's views on village development).

Goal 9 provided for industry, innovation, and infrastructure. Gandhiji too, motivating the development of small-scale handicrafts industries and innovative technologies that are simple and can easily be applied by the masses but are eco-friendly (Gandhi's views on village development).

SDG 10 provided for reducing inequalities. The parameters under this goal witnessed that in 92 countries around 40% of the population at the bottom level experienced an increase in the growth rate that was even higher than the overall national average from 2010-2016 but they received less than 25% of the overall income. Further, in majority of the areas, a huge proportion of income was going to the top 1% earners. The number of donations received by the developing countries in the year 2017 from OECD and other providers was estimated to be $414 billion. All these facts highlight the extent of economic inequalities prevailing globally (The Organization for Economic Co-operation and Development (OECD)). In India too, such inequalities prevail to a larger extent. Gandhiji always favored the generation of collective wealth through the labor of individuals and judicious distribution of resources. Besides economic disparities, he also fought against caste-based discrimination and even it was him only who gave the term *Harijan* to the discriminated sections of the Untouchables population in India. He started his life as a leader while fighting against apartheid in South Africa. Thus, his entire life was mostly devoted to man-made discriminations (The Organization for Economic Co-operation and Development (OECD)).

SDG 11 speaks about sustainable cities and communities. However, it was reported that 9 out of 10 people living in modern cities are living below the basic standards prescribed by World Health Organization. Realizing the effects of urbanization, Gandhiji never supported it. He was always in favor of village lives and held that urbanization would kill the self-sufficient villages of India. As regards communities are concerned, he supporter greater autonomy in decision-making at all community levels and he propounded *swaraj* at individual level. He stated that it was the responsibility of the communities to look after the individuals and the higher level of government shall support such communities. He favored the decentralization of power (Daptardar, 2021).

SDG 12 provided for responsible production and consumption. Today, the world is suffering from scarcity of resources due to irresponsible production and consumption patterns of humanity (Dhruva, 2019). Mahatma Gandhi's words that Earth has sufficient resources to satisfy human needs but not to satisfy the greed itself shows the relevancy of his vision. He led a simple life symbolizing sustainable utilization of resources and rational consumption of them. He used 'Charkha' and other handicrafts symbolizing that each

individual can become a unit of production of a society, and each family can possess the potential of being a small industry.

SDG 13 provides for Climate Action. The world is undergoing severe challenges due to climate change and unprecedented industrial development, deforestation, wars, nuclear weapons, etc. were the main reason for such climate change (Plan of Implementation of the World Summit on Sustainable Development). Gandhiji never supported the western model of industrial development and as discussed earlier he regarded nature as a living entity thereby supporting afforestation. He preached non-violence and ahimsa as a medium of dispute settlement avoiding nuclear weapons and wars.

SDG 14 and 15 provided for adopting adequate measures for ensuring the safety of life below water and life above land respective (Tiwari, 2019). Gandhiji's vision even holds good for these goals also, since he viewed nature as a living entity and held that each element of nature shall be protected and safeguarded as they are also the creation of the Almighty. His assessing a country's civilization by observing the manner a country treats its animals; itself shows the relevancy of his vision for achieving these goals (CV, 2021).

SDG 16 provides for peace, justice, and strong institutions and Gandhiji devoted his entire life fighting for justice for marginalized sections (Nath, 2021`). Most of the modern-day legislative institutions are based on the ideologies of Mahatma Gandhi and various provisions of the Constitution of India enumerates Gandhi's vision of justice and equality.

Goal 17 highlights the need of making partnerships for achieving the above goals. However, this goal emphasizes liberalizing trade for increasing financial assistance thereby calling for international cooperation. But Gandhi viewed international cooperation differently. "*His approach offers the positive accents of peace-building and the comprehensive scope of human security. International cooperation is thus a summation of conflict resolution, peace-building, and comprehensive human security in which the individual thrives in a collective that is based on the principles of Panch yama*" (Goal 17: Revitalize the global partnership for sustainable development).

Conclusion

The above discussion is made to justify the relevancy of Gandhi's vision at the contemporary phase and to assess the implications of such a vision. The article was written with an attempt to highlight that Gandhi's views, if were implemented sincerely the moment they were recognized, then much of the present-day issues could have been solved. Further, the issues that are being faced today were realized much before by him, and accordingly, the

suggestions that he made are now being taken into consideration at the global level. However, much is still required to be done both at policy levels and the implementation levels. More researches shall be done on his vision and practical interpretations shall be figured out through policy formulations.

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Interdisciplinary Horizons: Exploring Knowledge through Academic Research towards Human Development

Tracing the Past in Stone: Unveiling Doyang Dhansiri Valley's Archaeological Narrative

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Abstract

The Kacharis once held away over the upper course of the Brahmaputra for nearly a decade, boasting a prosperous dynasty marked by imposing ramparts, watchtowers, and warlike constructions. However, their reign succumbed to fragmentation with the arrival of the Ahoms, prompting their retreat to the hilly areas. Noteworthy the emergence of the "Deopani School of Art" which might during the early part of their ruling period. In the Brahmaputra valley, archaeological sites predominantly align with the Early Historic to Late or early Medieval periods. The Doyang Dhansiri Valley in the Golaghat district revealed human civilization traces from the 4th century CE through the Nagajari inscription. Although limited potsherds hinder chronological understanding, the region showcases rich sculptural art dating back to the 8th-9th century CE. The area was under systematic exploration at the initiative of H.N. Dutta from the Directorate of Archaeology, Assam, that led to periodic excavation in proceeding years. Archaeological remains indicate the presence of an independent state in parallel with Pragjyotisha-Kamarupa. Iconographic features and widespread brick remain also characterized the archaeology of the region. However, confusions persist on the earliest evidence of occupation, with minimal surface findings of potsherds. This study aims to comprehend recent cultural developments through literary and archaeological evidence, exploring human habitation characteristics in the Doyang Dhansiri Valley. Methodologies involve secondary data collection, photographic documentation, and on-site participation in excavations. Revisiting sites like Rajapukhuri and Ahom Gaon Namghar revealed sculptures from late Early Historic to Early Medieval periods, often discovered during construction and preserved due to religious beliefs or community initiatives. The ongoing research seeks to re-document material evidence, offering insights into the cultural chronologies of the region.

Introduction

Literature said the Kacharis reigned for almost a decade towards the upper course of Brahmaputra from the Dikhu River to the Kolong River which included the valley of the Dhansiri River, a tract now forms the Dima Hasao subdivision (Gait, 1926). They exerted dominion over the upper reached of the Brahmaputra for nearly a decade, presiding over a prosperous dynasty characterized by substantial ramparts, watchtowers, and martial constructions. The zenith of the region's cultural efflorescence is encapsulated in the distinctive "Deopani School of art," an exclusive artistic development that might during the reigning period of the Kacharis. However, their once unified rule met disintegration with the advent of the Ahoms, compelling the Kacharis to disperse and seek refuge in the hilly enclaves during the early half of 16th century after a series of conflicts began to start between them from 1490 CE. This fracturing marked the termination of an era marked by grandeur and socio-political stability. If we consider the Brahmaputra valley, most of the reported sites falls between the period Early Historic to Late or beginning of medieval period as far material evidences. The Doyang Dhansiri valley of Golaghat district towards the upper course of the main river gave the evidence of human civilization during the period of 4[th]c CE through an inscription found from Sarupathar area (Nagajari inscription). This fragmentary stone inscription was assigned to the fifth century CE on palaeographical grounds by D.C. Sircar. This inscription is a royal land grant charter and records the name of name of Mahattara Brahmadatta and a locality called Dibumukkhada (Baruah, 2001). Later on, a number of brick structures ramparts and brick postholes were found across the whole Doyang Dhansiri Valley. The number of potsherds recovered are however limited, with most collected via surface clearance operations in protected sites. This hampers our understanding on establishing chronologies for the archaeological remains. The area is however rich in sculptural art, which are stylistically dated to 8th-9th c CE. So, if we go through the evidences of materials, the Kacharis were not the first inhabitants of the area but later developed an independent society and that was towards the Early medieval period.

The Doyang-Dhansiri Valley (Map 1) is an elongated alluvial plain of the shape of an arch. It is suurounded by Naga hills in the east and south-east, Mikir hills in the west and the Barail range in southwest. It constitutes the present district of Golaghat, part of the district of Karbi-anglong, and the state of Nagaland. Physiographically, the valley has an undulating landscape. The Dhansiri is the main river system with its principal tributary Doyang. The population consists of Tibeto-Burman people, mostly represented by the Kacharis, the Kalitas, Koches, Karbis, Mishing, Chutias, Kaivartas, and Ahoms (Dutta, 1997).

Map 1: The location of Doyang Dhansiri Valley (Pic Curtesy: Google Earth, dated 31.01.2024)

The exploration of this area starts with the initiative of Directorate of Archaeology, Assam under the guidance of H.N. Dutta who has discovered a number of sites which are subject for excavation from time to time. Dutta embarked upon an idea of existence of an independent state in that region parallel with Pragjyotisha-kamarupa in ancient Assam (Baruah,2001). Baruah (2002) placed this region a separate cultural-political zone from the growing political entity of 4th century CE, Pragjyotishpura, that remains in advancement in later periods too. The valley was included in the archaeological map of India by late 19th century with the pioneering works of Godwin Austen, who has recorded the monolithic remains at Dimapur, Nagaland, that falls on the southern point of the valley. The archaeological remains thus determines the extend of the area. Further work on this particular valley was done by Pranab Sharma as a part of his doctoral thesis essentially on the early settlements of Dhansiri-Doyang valley. Through regional perspective he mentioned various facts which are related both with socio economic and religious developments of the area. His exploratory review was that most of the settlements are located near the main river or ancient channels of main river or their tributary. Though no scientific dates are present from sites and materials related therein and therefore, Sharma (2007) made a cultural chronology of the valley both from inscriptional and sculptural evidence in corroboration with literary texts. The notion of seeing the archaeology of that region must be through the iconographic features and the remains of bricks all over the area. Though there are some confusions regarding the finding of one inscription as earliest

evidence of occupation, no other material remains to conclude the data. Even surface finding of potsherds is very minimal though the excavations carried out by the state department of archaeology reveals bricks structure with the presence of a little number of potsherds. So, as per the material evidence collected earlier and re-documented in the present study, an objective is implemented to understand the development of cultures in a very recent past by going through both literary and archaeological evidences and to understand the basic characteristics of human habitation in this particular valley along with its relationship with the material culture. The methods used to study the area is basically secondary data collection and photographic documentation of existing iconographic features. The set of evidence has been collected from a field visit to all the documented sites, along with village-to-village survey. The author also engaged in an excavation initiative conducted by the Directorate of Archaeology, Assam, aimed at comprehending the cultural milieu of the Doyang Dhansiri Valley. Notwithstanding, in adherence to official protocols and permissions, this article refrains from detailing specific excavation findings.

The Archaeological Remains

Explorations as a part of the current research was undertaken to re-document the material evidence with a view to ascertain the cultural chronologies of the region. The areas near Rajapukhuri or the King's Pond; Ahom Gaon Namghar, Alichiga Tengani and Rangmai stream of Dhansiri River were revisited. As already mentioned, the area is devoid of ceramics but sculptures found here belong to late Early Historic to Early Medieval period. Most of them are accidental discoveries, recovered during the construction of houses and ponds. In such cases, the locals have preserved them in their own houses owing to their religious beliefs. In a few cases, religious houses have been built to preserve them as a community initiative. Except that of sculptures, good number of bricks remains with different architectural appearance also retrieved from the area in present explorations. The sculptures documented throughout this investigation are undergoing thorough examination, involving a meticulous analytical description that delineates their appearance details. Additionally, a comparative analysis is being conducted, juxtaposing these sculptures with the iconographic details prevalent in neighbouring geographical regions. To begin with, the Surya sculpture, that has been documented is one of the unique one. The sculpture was made of sandstone (figure 1), with seven horses and two of his consorts; Usha and Pratusha. It has been recovered near the site Alichiga tengani of Doyang Dhansiri Valley and is kept in a Namghar or religious house by the villagers. Another Surya figure (figure 2), documented from the same religious house with his two consorts, standing on a pedestal. Same type of

sculptures has been recovered from Mundesvari hill, Shahbad districts (West doorway of Siva temple). The sculpture may be tentatively dated to late 7th century CE. A nearest modern temple near Alichiga tengani housed a number of Vishnu sculptures, having a most polished version of the entire area. This Vishnu image (figure 3) made of stone, holding a Lotus, a Wheel, Mace, and conch. Another Vishnu image (figure 4) has been found by the villager during digging up for house construction, has the similar '*Ayudhas*' as figure 3 has, but the polishing of the sculpture is little bit poorer in quality. Similar sculpture has been found in the wall of Matangavapi temple, Bakraur, Gaya. These sculptures may be tentatively dated to the Pala period. There was also a female sculpture (figure 5), discovered from the nearest area of Alichiga tengani, possibly of Parvati. An almost similar one has been recovered from Mundesvari hill, Shahbad district. Another female sculpture (figure 6), elongated, nude and little bit ornamented, has been recovered from the region, which is little different one from the other female sculptures.

Figure 1: The Surya Sculpture   Figure 2: The Surya Sculpture   Figure 3: The Vishnu Image

Figure 4: The Vishnu image   Figure 5: The Parvati Sculpture   Figure 6: The Female sculpture

Discussion

Numerous scholarly endeavours have been undertaken in the Doyang-Dhansiri Valley region, commencing with the exploratory initiatives of Dutta, and

extending to the ongoing excavations conducted by the Directorate of Archaeology, Assam. Despite the extensive body of work, a conclusive determination of the region's earliest chronological evidence remains elusive. According to Dutta (1990), sculptures unearthed from the Deopani area of Golaghat are stylistically dated to the 7th to 8th century CE, exhibiting characteristics of classical art and undergoing a decline concurrent with the ascendancy of the East Indian school of Medieval Art (EISMA). However, Asher (1980) placed the Deopani Sculptures belonged to 9th century CE. Nonetheless, the absence of a definitive scientific conclusion regarding the region's antiquity underscores the complexity and ongoing nature of archaeological investigations in this locale. In addition to the prevalence of stone sculptures, the architectural vestiges within the region predominantly manifest in brick constructions, abundant across the landscape. The abundant presence of bricks extends to various nooks and corners, with instances where modern residences have been erected atop the remnants of ancient structures, noteworthy are the recurrent findings of brick post holes in multiple areas, as well as the discovery of brick bats adorning mounds within open fields. These structural remnants collectively allude to a vast expanse under the sway of a singular cultural entity, suggestive of a potential dynastic rule or a remarkably progressive societal milieu.

The comparative analysis of the stone sculptures in the preceding writing of this article contributes significantly to understanding the artistic and cultural connections, as well as potential influences and variations, between the sculptures of the Doyang Dhansiri Valley and those from neighbouring regions. The sculptures have similarity with the sculptures from Mundesvari hill, Shahbad districts and Matangavapi temple wall, Bakraur, Gaya as mentioned earlier which according to Asher (1980) was politically part of Magadha but its art remained distinct. The tentative dating of these sculptures provides a chronological framework for the artistic developments in the region, aiding in the reconstruction of cultural narratives and artistic evolution. Furthermore, according to Asher again (1980), the historical isolation of Assam, particularly the Brahmaputra valley, persisted for an extended duration, rendering it largely inaccessible from other regions in Eastern India. It was during the reign of Bhaskaravarman that this geographical seclusion was mitigated, facilitating direct contact with the eastern part of the Indian subcontinent. This newfound connection engendered opportunities for cultural interconnectedness and sculptural evolution, catalysed by the establishment of novel relationships between two hitherto distinct geographical regions. The temporal context of Bhaskaravarman's rule thus emerges as a pivotal juncture that not only diminished geographical isolation but also fostered cultural interchanges and

artistic developments, marking a transformative phase in the historical trajectory of the Brahmaputra valley. Nevertheless, corroborating the earlier assertions made by Baruah (2002) and Dutta (1997), the Doyang Dhansiri Valley reveals evidence of a highly prosperous society. This societal affluence potentially existed within the administrative ambit of pragjyotishpura or maintained a distinct political foundation, predating the ascendancy of the Kacharis and persisting throughout their rule and into the era of the Ahom kings.

Acknowledgements

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SAME SEX MARRIAGE IN INDIA: KNOWING THE POSITION OF HOMOSEXUALITY, SAME-SEX MARRIAGE ACCORDING TO INDIAN LEGISLATION

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Abstract

In India, same sex marriage is viewed as a new topic that is capturing the interest of the Indian culture at large. The term homosexuality, while appearing simple, represents a broad notion that is not foreign to Indian civilization or the Indian subcontinent, as homosexuality has been in this society from the time of the Vedas. The notion of homosexuality was accepted in society until the British enacted the IPC in 1860, which criminalized homosexuality under Section 377. The law states: "Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal shall be punished with imprisonment for life or with imprisonment of either description for a term which may extend to ten years and shall also be liable to fine." This provision of the IPC has been in effect since 1860, even though various studies have shown that 'homosexuality' is a natural type of human sexual activity. In 2018, 70 years after our country's independence, the Supreme Court of India issued its decision in the case of Navtej Singh Johar v. Union of India, which partially decriminalised Section 377 of the IPC. Despite being granted this freedom, the LGBTQA+ group still continues to struggle for their basic rights because they encounter several forms of discrimination in society. They are also denied their fundamental rights provided by the Indian Constitution since society refuses to acknowledge them as a part of it owing to homophobia. The Supreme Court recently given judgement on the legality of same-sex marriage in the case of Supriyo Chakraborty & Anr. v. Union of India. This study work seeks to comprehend the notion and limits of homosexuality. The researcher aims to clarify the state of homosexuality and same-sex marriage in India in line with various Indian regulations, as well as the road forward.

Keywords

Homosexuals, Same Sex Marriages, Legalize, Criminalized, Sexual Behaviour, Decriminalized

Introduction

 "Equality means more than passing laws. The struggle is really won in the hearts and minds of the community, where it really counts."- Barbara Gittings

Marriage has always been considered as a holy institution in society, whether modern or historical, that every individual wishes to be a part of throughout their lifetime. Marriage is regarded as the most beautiful tie between two people, particularly in India. The Oxford Dictionary defines marriage as "the condition of being a husband or wife; the legal relationship between two persons married to each other matrimony." Because the major impediments to the development of this concept were gradually overcome throughout time, the concept of marriage as an institution evolved as well. In today's world, the term cohabitation is frequently used to allude to marriage, which indicates that the act of cohabitation, when conducted by a couple, should be sufficient to confirm the basic legitimacy of the two people's marital status. However, when the concept of equality is applied, such a modern conception, despite having such a lively appearance, stays immobile. The LGBTQA+ community continues to struggle and remain worried about the legitimacy of same-sex marriage, and battle for their basic fundamental right to marry a person of their choice as well as securing the validity of such weddings under Indian law.

Research Methodology

The current study is based on a doctrinal approach, and the data and information have been derived from primary and secondary sources to conduct a thorough analysis of the right of homosexual couples to have their marriage solemnised in accordance with Indian laws and have their basic fundamental rights guaranteed to them by the Indian Constitution secured. Statutes, rules, schemes, circulars, expert committee reports and court decisions are among the key sources. For this study, secondary sources of information such as books, commentaries, dictionaries, encyclopaedias, legal reports, newspapers, journals and websites are used.

Literature Review

In India, same-sex weddings offer a broad and growing viewpoint on this crucial social and legal problem. Scholars and academics have looked at a variety of topics, such as historical viewpoints, legal frameworks, cultural and societal attitudes, and the influence on health and well-being. Studies in the past have revealed the presence of same-sex partnerships in ancient Indian writings and customs, offering information on the acceptance of varied sexual orientations and gender identities prior to colonial impact. However, colonial-

era regulation and Victorian morality placed a constraint, marginalising homosexuality in Indian culture.

The legal environment around same-sex weddings has undergone significant changes. The historic decision in Navtej Singh Johar v. Union of India decriminalised consensual gay activities, laying the groundwork for future legal arguments and advancement. Ongoing debates centre on the constitutionality of recognising same-sex weddings, which draws on the Indian Constitution's ideals of equality, non-discrimination and privacy.

In India, cultural and societal viewpoints impact support or opposition to same-sex weddings. Traditional values, religious views and society standards all have a part in shaping attitudes towards LGBTQ+ people. While there is increasing awareness and support from numerous sources, issues like as stigma, discrimination and the need for society acceptance remain. The impact of legalising same-sex weddings on the health and well-being of LGBTQ+ people is also being studied. Mental health outcomes, access to healthcare and the value of social support networks for same-sex couples have all been studied. This type of research underlines the potential benefits of legalising same-sex marriage in terms of lowering health inequities and improving general well-being.

Overall, it reveals the intricate interaction of historical, legal, cultural and social variables in developing the discourse in India surrounding same-sex weddings. It emphasises the importance of more research and activism in order to develop a more inclusive society that respects and recognises the rights of LGBTQ+ people.

Homosexuality and Same Sex Marriage: An Historical Aspect

Homosexuality and same sex marriage as a concept can be traced back to time immemorial, as according to various conclusive clinical research tests, homosexuality can be proven as a normal and natural form of human sexual conduct, which has existed in society since the time relationships and marriages were established.

To assess the future of homosexuality and same-sex weddings, we must first explore these concepts from their historical perspectives. To have a better understanding of the legal situation of homosexuality in India, we must separate the perspective that Indians have acquired from what is widespread in Western culture and explore each of them independently. Thus, we divide the discussion in two parts that is:

1. Indian Perspective
2. Western Perspective

1. **Indian perspective:** Although Indian culture has remained accepting and open towards homosexuality and same-sex couples in the society, its perspective has shifted with the passage of time. Following the British takeover of the Indian subcontinent in 1858, the crown proposed a legislation to regulate criminal conduct in the region, which they dubbed the Indian Penal Code 1860. Section 377 of this legislation dealt with same-sex couples, criminalising them for having a connection with someone of the same sex as them and invalidating any such marital status. After being passed in India, this rule altered people's attitudes about same-sex couples and homosexuality in society. Section 377, having set a precedent, progressively became the cause of increased prejudice in Indian society against homosexuality.

Since that time, gay couples and even individuals who are homosexual have felt uneasy in society. During the 1980s and 1990s, incidents of LGBTQA+ community protest against such legislation or suicide cases progressively became the norm in India. Despite being aware of such events, the administration was adamant against making any changes to the rules governing same-sex weddings and homosexuality in India. A couple named Lalita and Mallika were said to have committed suicide since their relationship was not acceptable in society and they were not permitted to be together even though they were both in love with each other.

 Reports of such suicide situations are common even in the twenty-first century since marriage between a couple of the same sex or gender is not fully recognised, even after the Supreme Court of India decriminalised section 377 of the IPC in 2018.

2. **Western Perspective**: In Western society, marriage has traditionally been seen as an institution for the goal of procreation rather than love and cohabitation, and hence couples of the same sex were often kept in the dark and were not acknowledged as members of society. Even in India, homosexuality was criminalised due to colonial domination. Reproduction gained significance in society with the rise of Judeo-Christian philosophy, which prohibited any sort of unnatural relationship or sodomy between the same sex and the opposite sex. The Buggery Act of the 16th century was the most devastating legislation criminalising homosexuality or sodomy with the death sentence. Following that, equivalent sanctions were enforced in all of the British colonies, thereby legalising homosexuality on a worldwide basis.

The Netherlands was the first country to legalise same-sex partnerships in 2001. Following that, 34 countries also legalise the same-sex marriage, including Argentina, Canada, France, New Zealand and the United Kingdom.

Another example of a court legalising homosexuality and same sex marriage is the Supreme Court of the United States, which ruled in favour of same sex marriage in 2015 and accorded all same sex marriages and same sex unions the status of equality. This decision came to be seen as a precedent in the role of same-sex marriage and gay acceptance in the United States of America.

Same Sex Marriage According to the Constitution of India

In India, the constitutional legality of same-sex weddings has been the subject of heated legal and societal dispute. To investigate the validity of recognising same-sex marriages, scholars and legal professionals reviewed constitutional principles and basic rights. Equality, non-discrimination and the right to privacy are key fundamental elements that underpin arguments in favour of such recognition. Article 14 of the Indian Constitution protects the right to equality, and supporters believe that denying same-sex couples the right to marry amounts to sexual orientation discrimination. Article 15 forbids discrimination on a variety of reasons, including sex and supporters think that sexual orientation should be added. Article 21, which protects the right to life and personal liberty has been construed to include the freedom to select one's partner and live with dignity, regardless of sexual orientation. The historic decision in *Navtej Singh Johar* v. *Union of India* decriminalised consenting gay conduct, signifying a substantial step towards recognising LGBTQ+ persons' rights. The constitutional validity of same-sex marriages in India is being investigated as legal and societal attitudes evolve, with an increasing recognition of the principles of equality, non-discrimination and personal liberty as foundational to the argument for legal recognition and protection of same-sex unions.

Article 14: Class legislation is banned under Article 14 of the Constitution, although fair classification for legislative reasons is not. The objective of such categorization must be considered when establishing reasonableness under Article 14. If the goal is illogical, unfair, or unjust, the categorization must be considered unreasonable.

Article 19 of the Constitution outlines the fundamental rights given to the citizens of the country. It is a well-established constitutional law principle that a person's collection of fundamental rights separates them from other creatures. Article 19 of the constitution guarantees inhabitants a good level of coexistence. Same sex marriage also breaches these basic freedoms granted by Article 19 of the constitution. The major right that has been breached is Article 19(1)(a), which pertains to the "right to freedom of expression and expression." While same-sex couples have a link of love and compassion, they are unable to show

that love and compassion in public since marriage is still illegal, which remains a barrier to societal acceptance.

Marriage according to the Special Marriage Act 1954

The Special Marriage Act of 1954 is a significant piece of law in India that establishes a legal framework for interfaith and inter-caste weddings, as well as marriages between people of the same gender. Under the Special Marriage Act, same-sex marriage is a significant step towards establishing equality and non-discrimination in the institution of marriage. Unlike other personal laws in India, the Special Marriage Act of 1954 permits persons to marry regardless of religion or caste. It recognises the freedom to select a life partner based on personal choices and assures that love and companionship are not limited by society conventions or biases. Same-sex couples, like heterosexual couples, can enter into a formal union by this act, guaranteeing their rights and providing acknowledgment to their love.

Section 4, which establishes the conditions relating to solemnization of special marriage. This is an important section of the Special Marriage Act dealing to same-sex weddings. It stipulates that both participants must be of legal age, capable of consenting and not in the degrees of forbidden connection. This condition assures that the partnership is voluntary and that the participants regardless of gender have the ability to choose their partner.

Section 5 of the legislation specifies the procedure for marriage solemnization. Both parties must send written notification to the Marriage Officer of the district in which at least one of them has resided for a certain amount of time. The notification is subsequently made public and any complaints are sought. Following the end of the notice period, the marriage officer performs the marriage ceremony, ensuring that all legal criteria are met.

The legislation also calls for the employment of Marriage Officers, who are in charge of registering and solemnizing weddings. These officials play an important role in enabling same-sex weddings by offering assistance, issuing certificates and ensuring the couple rights are safeguarded.

Furthermore, regardless of sexual orientation married couples have numerous rights and obligations under the Special Marriage Act. It acknowledges their legal position, inheritance rights and duties to one another. Same-sex couples who marry under this statute have the same legal rights and privileges as heterosexual couples, including the ability to adopt children and inherit property. However, it is crucial to highlight that throughout India, especially under the Special Marriage Act, the recognition and acceptability of same-sex weddings has developed over time. The statute has not been modified to

particularly address same-sex weddings. The recognition of such unions is based mostly on progressive interpretations of constitutional rights and major judicial decisions.

Finally, the Special Marriage Act of 1954 establishes a legal framework in India for same-sex weddings, allowing individuals to exercise their freedom to marry the person of their choice, regardless of gender. It recognises the fundamental concept of equality and works to remove prejudice in the marriage institution. While hurdles and public opposition may remain, the legislation represents a significant step towards inclusion and the protection of same-sex couples' rights.

Role of Judiciary

The National Legal Service Authority v. *the Union of India*. (2014)5 SCC 438 is a major ruling by the Supreme Court of India that deemed transgender individuals to be a 'third gender' and thus allowed them the freedom to identify their gender. Because of their deviance from traditional norms, transgender people are frequently denied their rights and subjected to physical and emotional assault. They have been marginalised, excluded from numerous social, religious and political activities, and so forth. This decision is a significant step towards gender equality. There were long discussions and variants of legislation proposed, culminating in 2019 with the Transgender Persons (Protection of Rights) Act, 2019.

Naz Foundation v. *Government of the National Capital Territory of Delhi*, 2010 CrLJ 94 the Naz Foundation India, a non-governmental organisation dedicated to HIV/AIDS intervention and prevention has filed a public interest litigation in the Delhi High Court challenging the constitutionality of Section 377 of the India Penal Code which makes any unnatural sexual act, defined as sex other than heterosexual intercourse is illegal. The first writ petition was rejected by the Delhi High Court in 2004 due to a lack of a cause of action. On civil appeal, however, the Supreme Court of India overturned the decision and directed the Delhi High Court to examine the plea on the merits. The Delhi High Court ruled that Section 377 of the Indian Penal Code is unconstitutional because it criminalises consensual sexual acts between adults in private, which violates Articles 14, 15 and 21 of the Constitution. However, the Supreme Court overruled the Delhi High Court's decision, holding that those who engage in carnal intercourse in the ordinary course and those who engage in carnal intercourse against the order of nature are classified differently, and those in the latter category cannot claim that Sec.377 suffers from the vice of arbitrariness and irrationality. Sec.377 simply defines a specific offence and prescribes the punishment that can be given provided the trial is conducted in

compliance with Code of Criminal Procedure, 1973 provisions. As a result, Section 377 is free of constitutional flaws. Regardless of this decision, the responsible legislature is allowed to explore the appropriateness and propriety of removing Section 377 of the Indian Penal Code from the statute book or amending it. When the Supreme Court overruled the Delhi High Court's decision, it dealt a huge blow to the LGBTQI community.

Justice (Retd.) K. S. Puttaswamy v. *Union of India* (2017) 10 SCC 1, in this case Supreme Court granting the right to privacy as a component of the Right to Life and Liberty under Article 21, this decision declared that privacy is an essential aspect of a human's life and that it applies to all persons, regardless of gender or sex. In the decision, Justice Chandrachud stated that the LGBTQ community should be guaranteed to privacy, notably autonomy and independence from governmental intervention. A specific note was made in the context of the right to select one's own partners, sexual freedom and autonomy. "The right to privacy and the protection of sexual orientation are at the heart of the fundamental rights guaranteed by Articles 14, 15, and 21 of the Constitution," the Supreme Court remarked.

In *Navtej Singh Johar* v. *Union of India* (2018), dancer Navtej Singh Johar filed a petition contesting Section 377 of the Indian Penal Code on the grounds that it violates his constitutional right to privacy, freedom of expression, equality, human dignity, and protection from discrimination. According to the court, criminalising consensual sex between adults in private violates the right to privacy. Sexual orientation is an intrinsic element of self-identity and to reject it would be a violation of the right to life. As a result, Section 377 of the Indian Penal Code was partially decriminalised, allowing consensual sex between two adults of any gender.

Supriyo Chakraborty & Anr. v. *Union of India* (2023) SC 900, in this case the Supreme Court of India refused to extend legal recognition to gay weddings, stating that it is a matter for the government to determine. However, all of the justices on the bench agreed that the Union of India, as stated previously, should form a committee to explore the rights and entitlements of people in gay unions without formal recognition of their relationship as a marriage.

The Court also unanimously declared that LGBT couples had the right to cohabit without fear of violence, coercion, or interference, but declined to issue any directives legally recognizing such partnerships as marriages.

Suggestions

With the current situation in India regarding the issue of homosexual couples in mind, if the administration grants homosexual couples the legal right to

marry, this decision will be seen as very useful as it will benefit many sectors of society.

As stated in different decisions, the essential goal of marriage is no longer restricted to procreation and the legalisation of same sex weddings will contribute to this. The homosexual couples who are unable to conceive would look forward to adopting children from orphanages, which will allow those orphans to have and have a brighter future after being adopted to a nice family.

Conclusion

The majority of people in India do not tolerate same-sex relationships. This is because many people feel that their various faiths and cultures have taught them that these partnerships are unnatural or unholy for our society. As a result, there is a well-established system of discrimination against the LGBT community. Same-sex marriages are not explicitly prohibited in India, but there is no law that makes it plain that it is allowed to marry. Even though the Indian government has not publicly recognized them, same-sex marriages have occurred on occasion. Many religious scholars believe that such relationships were common in ancient Indian society and that the scriptures do not prohibit them. However, because of post-colonial changes in how society sees culture, many people are unaware of this fact, leading many to assert that such alliances are foreign and against Indian culture.

As of present, same-sex unions in India are not legally recognized by the government. There are no alternatives to marriage. The study's thesis is that same-sex marriage is not socially or legally recognized in India. Gay people's rights are being violated. They are unable to integrate into Indian society since they are barred from participating in the marriage institution, which is highly prized there.

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Eco-criticism, Identity and Ethnicity: A study of Selected Texts from Northeast Indian Poetry

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Abstract

The states of Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, and Tripura are the eight states that make up Northeastern India. It is a beautiful, multi-ethnic country with lots of hills, valleys, woods, rivers, waterfalls, and other natural elements. The poetry produced by authors in this part of India is referred to as northeast Indian poetry. Poetry from the Northeast has a distinct style. The poets of the Northeast are deeply anchored in their history, people, and homeland. They look to their local environment, myths, customs, civilizations, and folklore for clues about who they are. Due to their close proximity to nature and dependence on it for survival, the people living in the area have a strong bond with it. As a result, poets from the northeast frequently exalt the power of nature in their works. In their poetry, they also express their ecological worries about how nature is deteriorating. This serves as another evidence that nature has been overused and abused in the name of progress and civilization. This study aims to read poets from the northeastern region, such as TemsulaAo, Desmond Kharmawphlang, Kynpham Sing Nongkynrih, and Mamang Dai, through an eco-critical lens. The purpose of the paper is to demonstrate how the poets in the area employ metaphors and images from nature to express their northern identity. The study also makes an effort to demonstrate how literature can be utilized to raise public awareness of environmental degradation.

Keywords

Ecology, Eco-criticism, Identity, Ethnicity, Northeast Indian Poetry

Introduction

The northeast region of India encompassing the eight states- Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim and Tripura is an amalgamation of cultures and languages. It's a multi-ethnic land of scenic natural beauty with an abundance of hills, valleys, forests, rivers, waterfalls, wetlands etc. The region is home to numerous tribal communities with their diverse culture and beliefs. Despite being from diverse ethnicities, the writers

of the region share a common sense of rootedness towards the land. The literary works of writers from the North-east often reflect sense of loss and longing for their rich cultural heritage. The writers often try to locate and revive their lost identity through their word nets. Their poetry is often infused with ecological consciousness. According to N.D. Chandra and Nigamananda Das, Indian English poetry from North-east India "is rich in enshrining various aspects of the ecology, of the region," and that the poets of the region "celebrate the ecological glory of the region and their ecological awareness." Their poetry reacts to "the ruthless act of deforestation and oppression upon the Mother Nature in various ways by destroying the serenity of the nature, obliterating the natural environment, killing rare birds and animals and distorting the landscape and biodiversity" (Chandra & Das, 2007, p. 35).

Eco-criticism as a literary theory has emerged in the mid-1990s. This genre of literary criticism tries to study and view ecological concerns in literary works. In the words of CheryllGlotfelty, "eco-criticism is the study of the relationship between literature and the physical environment" (Glotfelty& Fromm, 1996, p. 18). The social and economic life of the natives of north-east are inseparably connected to their natural surroundings. They are often termed as 'ecosystem people' due to their affinity with nature. Thus, nature and landscape are the predominant themes of north-east Indian literature.The works of north-east poets celebrate the biodiversity of their region and at the same time criticize irresponsible and anthropogenic human activities that are continually ruining not only the landscape and ecosystem of their region but also the global biosphere in general.

Objective

This paper explores the poetry of northeastern writers of diverse ethnicities like TemsulaAo, Desmond Kharmawphlang, Kynpham Sing Nongkynrih and Mamang Dai and attempts to read these poets from an eco-critical perspective. It uses the doctrines of eco-criticism as a literary tool to examine the attitudes of the natives towards the environment, man- nature relation and how rapid development and acts of modernization have impacted the land and the people of the region. The paper aims to analyze how the poets of the region assert their northeastern identity by incorporating nature imagery, myths and folklores in their poetry. The paper also tries to show how literature can be used as a means to spread awareness about environmental degradation.

Methodology

The poems selected were closely and critically examined with an aim to find out the voices of concern and consciousness for nature and its elements. This

paper uses secondary sources like books, journals and internet resources to obtain the data required for research.

Discussion

Among the many northeast poets writing in English, four poets from different major ethnic groups in Northeast India have been selected within the purview of this paper. These poets namely Desmond Kharmawphlang (b. 1964), Kynpham Sing Nongkynrih (b. 1964), Mamang Dai (b. 1957 and Temsula Ao (b.1945-d.2022) belong to the Khasi, Adi, and Ao Naga tribes respectively.

The north-east of India has a nature centric cultural heritage. The northeastern poets are rooted in their land and people, their past. They strive to find their identity in the nature, myths, traditions, cultures, and folklores of their region. To the indigenous people of the land, nature is an integral part of their life, to which they are inextricably bound.

TemsulaAo's writings flourish with images and themes drawn out of Naga folk culture. Her poems are often laced with an aura of mysticism. She explores the creation myth of the AoNagas in the poem "Stone- People from Lungterok." According to the Ao-Nagas, their forefathers had emerged out of six stones called Lungterok.

> LUNGTEROK,
> The six stones
> Where the progenitor
> And forebear
> Of the stone-people
> Born
> Out of the womb of the earth. (Ao, 2013,
> p.109–11)

Likewise, as an alternate history of her people, in the poem "Birthplace" Dai mentions the origin myth of the Adi tribe. Here, she reiterates the tribal belief according to which we all are the children of nature. Thus, kinship of man extends to other species.

> We are the children of the
> rain
> of the cloud woman,
> brother to the stone and
> bat…
> …

> The first drop of water
> gave birth to man. (Dai,
> 2004, p. 1-3;16-17)

The inhabitants of the north-east region have a close association with nature as they live amidst nature and depend on it for sustenance and survival. For the natives, nature is their God, their means of living and everything else. Therefore, the northeastern poets often glorify the might of nature in their poetry. In "Stone- People from Lungterok," Ao highlights the reverence held by the natives for nature and its elements.

> The worshippers
> Of unknown, unseen
> Spirits
> Of trees and forests,
> Of stones and rivers,
> Believers of soul
> And its varied forms,
> Its sojourn here
> And passage across the water
> Into the hereafter.(Ao, 2013, p.109–111)

In the "Egret River" she talks about the interdependence between human beings and nature. She reiterates the fact that humans have to depend on nature for survival and sustenance.

> Now I know
> The forest is my home, the mist my breath.
> Sun and snow land call me north again. (Ao,
> 2013, p. 21-25)
> Ao portrays the majesty of nature in the poem
> "Lesson of the Mountain." Human beings are
> just tiny specks of dust on the face of the
> mighty nature.
> Standing there
> You become aware
> Of a loftiness
> In the sky And an expanse In the horizon
> Beyond the reach
> Of the highest mountain. (Ao, p. 35-42)

Similarly, Dai talks about the power of the elements of nature in her poem "The Balm of Time."

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Whispering, the fatal wind appoints
everything. Staking a claim a twig or a fern
will foretell destiny. (10-12)
…
the rain knows how the life of man can be
measured in the span of a song. (Dai,2008, p.
26-28)
In the "River Poems," Dai acknowledges the
close relationship between man and nature in
their tribal culture:
Without speech we practiced a craft, leaving
imprints on sky walls linking the seasons
coding
the trailing mist, in silent messages across the
vast landscapes. (Dai, 2004, p. 13)

The Northeastern poets often express their concerns over nature's eroding state in their poems. This reiterates the fact that in the name of modernization and development, nature has been exploited and used to the maximum limit. Human's desire to dominate over nature has resulted in the destruction of the ecosystem.

Desmond Kharmawphlang in "Letter to dear friend" addresses the topic of land degradation due to uranium mining. In the poem, he speaks of the corruption of the politicians and the impact of development on the environment of his home state Meghalaya:

When you write next,
I may have some interesting things to report –
may be about the advent of
acid rain or even the disappearance of some
villages for the mining of a
rare mineral. (Paranjape, 1995, p.31)

In the poem 'My Name is U Lei Shyllong,' Kharmawphlang laments over the gradual loss of traditional beliefs and man's rampant destruction of nature's bounty. The Khasi hills which were once held sacred were now robbed of its lush greenery.

My name is U Lei Shyllong,
Lord Protector of this land
....
Men no longer call me these
days and without

Shame or consideration,
Strip me bare of my
Green raiments; voluble men
speaking words that ooze fat
when burnt but chokes in the
throat when eaten, have
even sold bits of me. And
now I stand guard, with a
monstrosity planted deep
in me to watch over this
land like a single evil
eye.
The hills have been stripped of its vegetation.
(Kharmawphlang, 1990, p. 5–6)

Kharmawphlang laments that "The hills have been stripped of its vegetation" and what is left is a barren land. The humans have destroyed the land for selfish gains. They have gradually lost the reverence and beliefs of the past.

Similar concerns are shown by Kynpham Sing Nongkynrih in the poem "A Day in Sohra". He worries about the changing landscape of the Khasi hills due to deforestation:

The wind rules the land, howling like a
maniac,
for where are the trees to temper its wild
laughter
into romantic wooing?(Nongkynrih, 1992, p.
30)

He mourns for the beautiful landscape of the past which was untainted and unspoiled. He laments that the present-day Cherra was devoid of the lush greenery and that it was 'going bald':

And this is Cherra, with shreds of the
beautiful past,
but going bald all the time.
(Nongkynrih, 1992, p. 30)

The poem "Kynshi" by Nongkynrih deals with the burning issue of deforestation. He mourns for the hills devoid of their green cover.

Inevitably, however, here too,
time has left its ugly wounds.
Pines like filth are lifted from

woodlands in truckloads.
Hills lose their summer green, Blasted into
rocks, into pebble and sand
and the sand is not spared.
(Nongkynrih, 2011, p. 43-45)

Nongkynrih laments over the ecological degradation of the land due to the destructive activities of human kind. He points out the harm caused to land by the locals through jhum cultivation where a vast area of land is burnt to clear the vegetation for cultivation. In 'A Day in Cherrapunjee: I', he says:

I can see old trees like old men die
off every winter.
Young ones are put to the flame, or are not
bothered to be
born.(Nongkynrih,1992, p. 24)

He accuses the miners and 'foolish' locals of the hills for destroying the ecology of the region through activities like mining and unsustainable cultivation techniques:

The barren hills that bear the pockmarks of
miners
and a foolish people that burn and cut at will,
look
as unremarkable as half-naked little brats.
(Nongkynrih,1992, p. 24)

In a similar vein, TemsulaAo's poem 'Lament for Earth' talks about the ecological degradation in the Naga Hills:

Alas for this earth
Thus ravaged
Stripped of her lushness
And her sap
Her countenance
Furrowed and damaged
Like a fading beauty
Touched by age
Her substance
Exposed and crumbling
To the first touch
Of the rain and wind
And flaking away

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To silt into the ocean
And sand into the desert,
Leaving her
Old and decrepit
Before her time. (Ao, 1988, p. 45–47)

Ao tries to make a connection between violence inflicted on nature with the violence faced by women by personifying nature as a woman in this poem. It has been observed that indigenous people are the ones to be most affected from environmental degradation owing to their reliance and connection with nature. It is a threat to their cultural identities and way of life.

Conclusion

The poetry of northeast India is diverse. Their poetry is imbibed with mythical references and a sense of longing. Their poetry explores the myths and folklores of the region with an attempt to assert their ethnic identity. Their writings echo their constant efforts for reviving and restoring the culture and tradition of their native land. These poets namely Desmond Kharmawphlang, Kynpham Sing Nongkynrih, Mamang Dai, and TemsulaAo serve as a medium to bring back their glorious past of their native land. The poetic works of northeastern poets tend to highlight how industrialization and developmental activities are gradually robbing the region of its natural way of life. The natives of the region are dealing with challenges to their natural surroundings due to mining, deforestation and indiscriminate poaching of wildlife. They are also facing the risk of losing their ethnic, linguistic and cultural identity on the face of modernity. The poems by the writers discussed above reflect their concerns over the ecological degradation of their land. These poets strongly raises their voice against the obliteration of nature on one hand and on the other, emphasizes on its preservation with care by creating eco-consciousness through their poetry. Their contribution in reviving the lost culture and tradition of their region is immense.In conclusion, it can be said that while the world is distraught with ecological crisis, eco-centric poetry of the north-east Indian poets celebrate the power of nature, lament over the atrocities done to the natural surroundings and at the same time warn and aware the masses to be eco-conscious and eco-friendly and urge them to adopt sustainable methods for a better future.

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Unveiling the Link Between Crocin and Colorectal Cancer: A Comprehensive Bibliometric Study

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Abstract

Colon cancer or colorectal cancer is one of the leading causes of mortality, and most commonly is a manifestation of acquired genetic mutations. It can be defined as a malignant tumor of the digestive tract, with a high incidence and recurrence rate. The aim is to conduct a thorough bibliometric study to assess the body of research on "To assess the link between Crocin and Colon Cancer in Adults." Through this analysis, we aimed to identify and analyze the key trends, research patterns, and knowledge gaps related to the use of Crocin as a potential treatment or preventive measure for colon cancer in the adult population.

A bibliometric analysis was conducted to assess the role of Crocin in Colon cancer among adults (19-59 years old). Data were retrieved from two databases (Lens and Dimensions) and a search strategy with specific keywords was employed. The retrieved documents were subjected to a validated search strategy, and bibliometric analysis was performed, followed by visualized analysis using VOS viewer 1.6.19 to identify scientific collaboration networks and research trends.

A total of 41669 documents from the Lens (1069 documents) and Dimensions (40600 documents) databases were selected for analysis. Out of a total of 41669 research articles, 57% of the research articles were primary studies, and 9% were literature reviews. Iran published the highest number of publications focusing on link between crocin and colon cancer. The other top-ranking countries include the United States of America, the United Kingdom, France, and China. In the last two decades, the emerging hotspots for crocin and colon cancer research included "bioactive components and anti-proliferative effects", "antioxidant potential of plant derivatives" and "phytotherapy".

This is the first thorough bibliometric analysis of the Effect of Crocin on Colon Cancer in Adults on a global level. Investigations of the association between crocin and colon cancer is emerging and will be expanded in the future.

However, according to the recent trends on nutrition, genetics, and therapeutic care in oncology, interesting areas of research can potentially emerge.

Keywords

Colon Cancer, Crocin, Adults, Metastasis, Natural Compounds, and Anti-proliferative

Introduction

Colorectal cancer poses a significant global health challenge and ranks as one of the leading causes of cancer-related morbidity and mortality worldwide (Bray et al., 2018). As researchers seek innovative strategies for prevention and treatment, there has been a shift in focus towards natural compounds with potential anti-cancer properties. Crocin, a bioactive carotenoid found in saffron (Crocus sativus), has attracted attention due to its diverse pharmacological effects including anti-diabetic, anti-cancer, anti-inflammatory, and antioxidant activities. (Bisti et al., 2014; Hosseinzadeh et al., 2019).

Despite the increasing attention towards the potential chemopreventive properties of Crocin, there is a notable absence of a systematic assessment of its association with colorectal cancer in adults through bibliometric analysis in the existing literature. Bibliometric analysis, serving as a means for both quantitative and qualitative evaluation of research trends, becomes instrumental in revealing patterns and pinpointing gaps in the current body of literature (Aria & Cuccurullo, 2017). This analytical approach offers valuable insights into the scope, impact, and global distribution of research pertaining to Crocin and colorectal cancer.

The aim is to address this gap by conducting a thorough bibliometric analysis, exploring the scientific context related to Crocin and its potential link with colorectal cancer in adults. By scrutinizing publication trends, influential contributors, citation patterns, and thematic clusters, this research seeks to provide a thorough overview of the current research status in this domain. The insights obtained have the capacity to guide future research pathways, aid evidence-based decision-making in healthcare, and enhance our understanding of the role that natural compounds play in cancer prevention.

Methods

Data Sources:

In the execution of this bibliometric analysis, we employed the Lens and Dimensions Databases. The utilization of three databases became imperative to overcome the limitations associated with relying on a single database for bibliometric indicators and literature mapping. Furthermore, we included grey

literature in the gathered data. The selection of Lens and Dimensions was necessitated by technical constraints that hindered the export of files from the SciVerse Scopus database and restricted access to the Web of Science. These databases were considered comprehensive as they encompassed papers that were otherwise inaccessible in Scopus and Web of Science. This choice facilitated data export, mapping, and statistical analysis. The retrieval of literature, the chosen publication period spanned from 2000 to 2023.

Goal Definition:

The primary objective is to evaluate Crocin's role in colon cancer among adults (19-59 years old). The study aims to characterize and comprehend the scientific production dataset related to Crocin and colon cancer, utilizing scientometric indices. Bibliometric and/or scientometric indicators facilitate the identification of dynamics and/or expansion in a specific field, supporting strategic decisions for various research institutions.

Search Strategy:

Employing keywords like "Crocin" and "Colon cancer" and their synonyms, the focus was on understanding the therapeutic role of Crocin in scientific research. The study concentrated on papers containing terms such as "Saffron*," "Crocus sativus*," "Natural product*," and "Colon cancer*," limiting the search to the period between 2000 and 2023. The asterisk (*) in the search query facilitated document retrieval with variations of keywords like Crocus or Crocin.

Validation of the Search Strategy:

The search query was meticulously refined to retrieve highly cited publications accurately. Established methods were employed to check for missing data and false-negative results by comparing the retrieved output to the actual research output. Emphasizing keyword use in titles minimized false positives, proving to be a reliable approach, though acknowledging the potential for false positives in a title/abstract search.

Bibliometric Analysis:

Utilizing advanced search and the "analysed" function, relevant results were saved as .csv and .txt files. The findings included co-citation analysis, keyword co-occurrence analysis, citation analysis and bibliographic coupling analysis, document types, journal names with impact factor, funding agencies, country names, institution names, and document citations.

Visualized Analysis:

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For identifying global scientific collaboration networks and research trends, VOS viewer 1.6.19, a web tool visualizing data on terms in titles and abstracts, was employed. The nodes in VOS viewer maps, differentiated by size and color, represented the frequency of occurrence and associations with other nodes sharing similar colors.

Results

A total of 41,669 research articles were analyzed for the bibliometric study. Figure 1 and 2 illustrates the trend of increasing publications over the past twenty years.
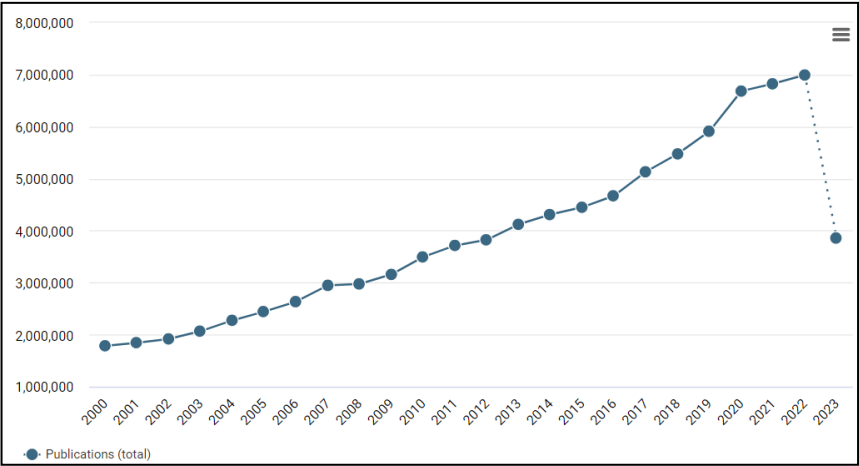
Figure 1 – Evolution of Publications Over Time (Source: Dimensions)
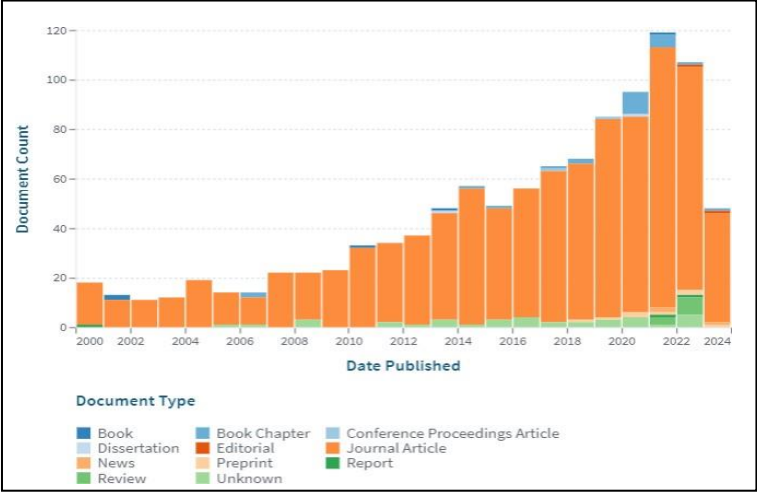
Figure 2 – Evolution of Publications Over Time (Source: Lens)

Interdisciplinary Horizons: Exploring Knowledge through Academic Research towards Human Development

Contribution of countries to global publication: Iran leads in total publications with 186, followed by the United States of America with 168, the United Kingdom with 107, India with 81, and China with 79. Only six countries have publications exceeding 60, while others fall within the range of 1 to 35. This lower range includes 20 countries, each with only one published document in this research area. Figure 3 presents a word cloud illustrating global contributions, Figure 4 displays a corresponding map. Figure 5 showcases a network visualization of the global contribution extracted from the Dimensions database, highlighting Iran, China, and France as the top three contributors.

Figure 3 - Word Cloud of Global Trends (Source: Lens)
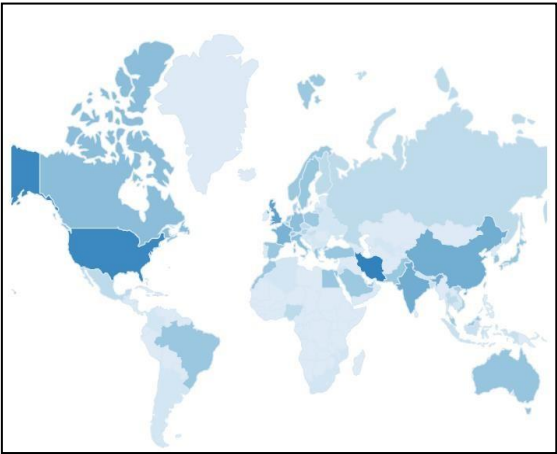
Figure 4 - World Map Representation of Global Trends (Source: Lens)

Interdisciplinary Horizons: Exploring Knowledge through Academic Research towards Human Development
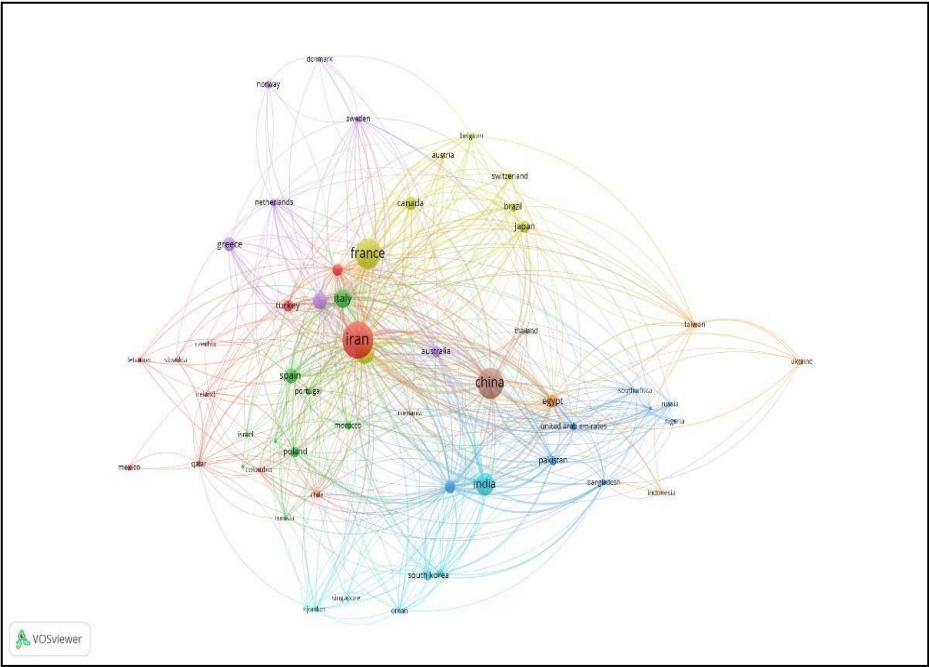
Figure 5 - Network Visualization of Global Trends (Source: Dimensions)

Affiliation Analysis: The top ten affiliations with the highest publications were related to saffron consumption and colon cancer.. The Dimensions database analysis provided a field-wise categorization of these institutes, presented hierarchically in Table 1.

Institute	Field	Country	Documentcount
Mashhad University of Medical Sciences	Crocin, Medicine,Pharmacology, Chemistry, Biology	Iran	88
Tarbiat Modares University	Crocin, Pharmacology, Chemistry	Iran	28
Islamic Azad University	Crocin, Medicine,Pharmacology, Chemistry	Iran	40
Birjand University of Medical Sciences	Crocin, Medicine, Pharmacology,Biology	Iran	16
AstraZeneca	Medicine, Pharmacology,Biology	U.S.	22
French Institute of Health and Medical Research	Medicine,Biology	France	19

Illumina	Biology	U.S.	10
United Arab Emirates University	Crocin	UAE	6
Tehran University of Medical Science	Chemistry	Iran	5

Journal Analysis: The graph depicted below illustrates that Springer Science and Business Media LLC produced the highest number of papers concerning the connection between saffron and cancer, followed by the American Association for Cancer Research and MDPI AG. Figure 6 provides a visual representation of this information.
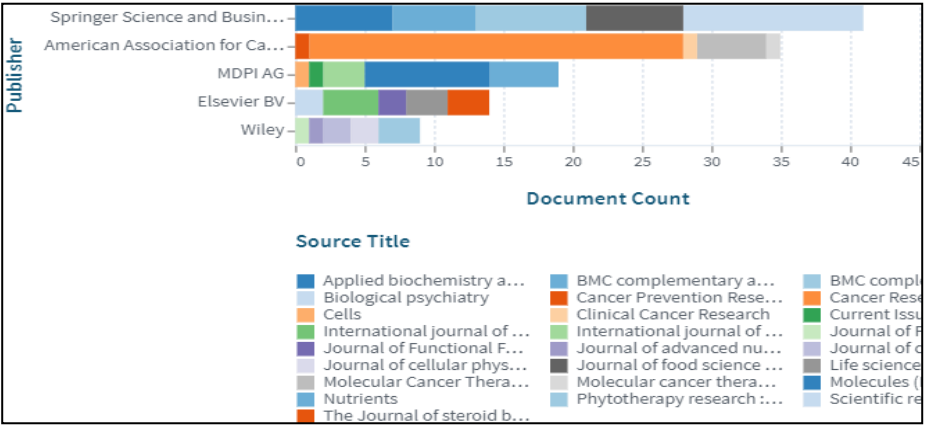
Figure 6 - Journal Analysis

Research Hotspot Analysis: To grasp trends, topics, ongoing advancements, and future outlooks in research indicated by articles on crocin and colon cancer, we employed VOSviewer software. This tool allowed us to examine the distribution of co-occurrence terms within the titles and abstracts of 1,069 papers from the Lens database and 40,600 papers from the Dimensions database.

Discussion

The bibliometric analysis conducted in this study offers valuable insights into the research landscape concerning Crocin and its correlation with colon cancer in adults. The results illuminate the geographical distribution of research efforts, noteworthy contributors, and principal journals in this field.

Iran emerges as a notable contributor, leading in overall publications related to Crocin and colon cancer. This aligns with previous research highlighting Iran's

substantial involvement in saffron-related studies (Hosseinzadeh et al., 2019). Iran's prominence in this research can be traced back to its historical use of saffron in traditional medicine and a heightened emphasis on exploring its potential therapeutic properties.

The identification of leading affiliations through the analysis provides vital insights into the institutions propelling progress in the field. Particularly noteworthy are Springer Science and Business Media LLC, the American Association for Cancer Research, and MDPI AG, which emerge as prominent publishers disseminating information on the connection between saffron and cancer. This underscores the global collaborative efforts and diverse publishing platforms contributing to the dissemination of research findings.

The application of VOSviewer software for co-occurrence term analysis reveals crucial research hotspots. This method aids in identifying trends, subjects, and emerging themes within the extensive literature on Crocin and colon cancer. Acknowledging the distribution of co-occurrence terms in titles and abstracts has the potential to guide future research endeavors and highlight potential gaps in the current body of literature.

Although this bibliometric analysis is thorough, it is crucial to recognize certain limitations. Relying on specific databases and omitting others, such as SciVerse Scopus and Web of Science, may affect the comprehensiveness of the findings. Furthermore, concentrating on the period from 2000 to 2023 might overlook earlier influential works. Subsequent research endeavors could consider a broader timeframe and include alternative databases for a more comprehensive analysis.

The outcomes of this study hold significance for researchers, policymakers, and healthcare practitioners. Grasping the worldwide distribution of research endeavors and pinpointing key contributors can enable collaborative initiatives and strategic resource allocation. The insights derived from research hotspots can steer the formulation of targeted interventions, potentially advancing the approaches to prevent and treat colon cancer with the utilization of Crocin.

Conclusion

In summary, this bibliometric analysis provides a comprehensive perspective on the current state of research concerning Crocin and colon cancer. The disclosed geographical, affiliation, and thematic patterns enhance our understanding of the field, providing valuable insights for researchers and stakeholders interested in the potential therapeutic efficacy of Crocin in combating colon cancer.

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BORDERLAND REFLECTIONS ON INDIA'S ACT EAST POLICY

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Abstract

Since it will be crucial in tying the rest of India's economy to the thriving economies of Southeast Asia, Northeast India is no longer a burdensome peripheral region. One of the key elements needed for India's Act East Policy to succeed is Myanmar. Along with a lengthy maritime boundary, it shares a common land boundary with several Northeastern Indian states, including Arunachal Pradesh, Manipur, Mizoram, and Nagaland. The Act East Policy of India, its interactions with Myanmar, and its effects on Northeast India, particularly along the India-Myanmar border, will be the main topics of this paper. The study will additionally examine the prospects and obstacles linked to the idea of establishing a connection between Northeast India and the wider geo-economic domain.

Keywords

Northeast India, Act East Policy, and Borderland

Introduction

The Look East policy can be understood as an attempt by India to establish its global footprint in the post-Soviet world order, with Northeast India offering the necessary room to carry out the goals. The goal of India's "Act East" policy is to give its Asia Policy more energy and direction. The concept of the "Look East" Policy, which was intended to represent a paradigm shift in the nation's post-reform economic interests, failed to recognize the significance of Northeast India and was long ignored (Chaube, 1999). Since it will be crucial in tying the rest of India's economy to the thriving economies of Southeast Asia, Northeast India is no longer a burdensome peripheral region.

ASEAN remains a fundamental element of India's Act East Policy. In India's Matrix of Ties with ASEAN States, Myanmar in particular holds a unique place (Das & Thomas, 2016). As it shares a long maritime boundary and a common land boundary with states in India's Northeast, including Arunachal Pradesh, Manipur, Mizoram, and Nagaland, Myanmar is a crucial element in the success of India's Act East Policy. Northeast India can gain from the Look (Act) East

96

policy (henceforth AEP) if it integrates economically with the economies of Southeast East Asia, which is essential for the region's growth. Although the policy's baggage has a lot of potential, there are also many obstacles to overcome.

The Northeast of India gained prominence as a result of the country's "Look East" turned "Act East" policy, which links India with Southeast Asia via Myanmar. The Northeastern Region Vision 2020, provided a fresh perspective on the AEP. Northeast India has historically been disadvantaged by its landlocked location and isolation, but with the implementation of the AEP, the region is no longer burdensome and will play a crucial role in linking the rest of India with the rapidly expanding economies of Southeast Asia. Because of its close proximity to Southeast Asian countries and shared socio-cultural heritage, the region would serve as the focal point of the AEP. Geography has now become an opportunity, as the opening up of the landlocked Northeast has paved the way for infrastructural and connectivity projects (Gogoi, 2020).

With a focus on its immediate neighbors, India's open economic policy began to encourage external trade by the 1990s. It also directed its Look East policy to establish connections with several East and Southeast Asian nations by virtue of its Northeast's shared cultural heritage. In order to explore the potential of the Northeastern region's geoeconomics as a "gateway," the State shifted toward a strategy of cultural diplomacy. As a result, it repositioned the area to "prepare" for an environment that is favorable to trade, investment, and entrepreneurial growth (Haokip, 2015).

As the process of globalization through "crossborder market" access that can lift people out of poverty and economic backwardness and bring in prosperity and instill entrepreneurial freedoms and skills, North East India is poised to benefit from India's growing relations with South East Asia, according to India's former External Affairs Minister Pranab Mukherjee.

The region offers unlimited tourism opportunities, rare flora and fauna, natural scenic beauty, unique performing arts, and varied cuisine and handicrafts. On July 2, 2008, the Prime Minister released the North Eastern Region Vision 2020, a document which identifies various challenges as well as the strategies required to bring about peace and prosperity in the North Eastern Region by 2020. But the vision for the Northeast India in the context of the Look East Policy has never been concrete and is still in the process of formation. As it has been observed, Look East Policy never provided any concrete road map for India's Northeast, though notional attempts were made through other platforms to locate the region in this policy frame. There is a strong logic for Northeast India to being considered in such 'notional attempts' of the policy framework

owing to geographical proximity and strong ethno-cultural resemblance and the 'economic linkages' which existed in the pre-colonial period (Bhattacharya, 2018). A policy like this should have strong domestic roots and must emerge from below and the communities of India's Northeast which have been deprived of development and have been victims of injustice, should be prioritized in the Look east cum Act East Policy (Bhaumik, 2015). Despite of the immense potential of the region it is lagging due to various factors such as lack of infrastructure, insurgency and proper policy implementation owing to corruption and so on.

Views from the Border Region

Bangladesh, Bhutan, China, and Myanmar encircle North East India, which is made up of eight states- Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Tripura, and Sikkim. Arunachal Pradesh, Manipur, Meghalaya, and Nagaland, the four northeastern states, share a 1643 km border with Myanmar. Myanmar shares close historical, economic, and cultural ties with the Northeast region of India, in addition to its proximity. One of the key elements needed for India's Act East Policy to succeed is Myanmar. The experience of development in the borderlands is different from the mainland. Being a sensitive and contentious area in border, various security measures sometimes lead to human insecurity (Gellner, 2013). People cannot move freely; their social, economic and political rights are constricted. The sense of alienation, deprivation and exclusion makes them perpetually a vulnerable community within the nation-state.

The policy has the power to turn the tables and benefit the borderlands enormously through its connectivity projects and emphasis on border trade, as a means of economic expansion. The state of Manipur is regarded as the gateway to Myanmar. The state shares a 398 km long international boundary with Myanmar and is now focusing on development and hoping that projects including under the central government's 'Act East' policy, which aims at improving relations with the country's eastern neighbours, will help combat some of the persistent challenges in the state which has been battling inadequate amenities, drug abuse and a decades-long insurgency.

The state especially in the border areas face the challenges of poor road connectivity which might be solved through proper implementation of connectivity and development projects and Act East policy come as a ray of hope (Das & Purkayastha, 2000). The international Tedim road passes through the border village Behiang of Churachandpur district of Manipur, which is yet to meet the standards. The road holds great importance as it connects India and

Myanmar and provides opportunities to increase socio-cultural, economic as well as political ties of both the countries with each other.

Much of the border trade of North East Region and Myanmar happens through Moreh of Manipur because of its good infrastructural facility. After Moreh, Behiang is regarded as the second gateway of Manipur to Myanmar. A border haat (market) is proposed to be established in Behiang village of Manipur along the India-Myanmar border for cross border trade which is expected to boost the economy of the border. It will increase cross border trade and curb the issues of illegal transactions to a great extent. Though there is a proposal to set up border haat, it may not necessarily lead to the improvement in cross border trade unless the transport and communication infrastructure of the region is improved; and even if border haat is opened at present, the borderlanders do not have any tradable products to exchange in the border haats. The border areas will remain economic corridors, and the borderlanders will become mere wage earner or head pullers without benefitting much from the border trade carried out in the border haats, if established. The region has remained unexplored for a long time due to the predominance of insurgents and poor connectivity with the rest of the state. Indeed, almost all the border regions along India-Myanmar has been facing similar challenges in their way of development and reaping the benefits of various policies and programmes including the Act East Policy. The border landers can be active stakeholder in the cross-border trade, as medicinal plant, handloom, handicrafts-based industries have enough scope to develop and stand tall in the cross-border trade. Various resource-based products such as mineral, agricultural, horticultural, forest resources, floriculture may be exported. This will be a boost to the economic development and empowerment of the local communities along and across the border. Awareness and Capacity building of local people in the borderland is the main concern. Creation of hospitable climate for investment is another major concern in the region for further realisation of the benefits extended by AEP. People living in border areas have to be ready to trade, prior to infrastructure development in order to ensure that the border trade benefits the local stakeholders.

Conclusion

The chance is to fortify the historical, cultural, and physical ties that have been hindered or lost as a result of different political and security barriers. Cooperation between the two sides will aid in reducing the insurgency problems that prevented further exploration of the area. It will handle the difficulties presented by cross-border connectivity while opening up new opportunities. Opportunities include commerce and trade across borders, trade in services, etc. For the benefit of all parties involved in the region, more action-

oriented policies as well as a new vision document within the framework of India's Northeast Act East policies must be formulated. (Pattnaik, 2016)

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A Critical Analysis of Data Privacy in Digital Age in India

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Abstract

The globe has experienced an unparalleled upsurge in technical progress in the 21st century, resulting in the digital revolution of almost all facets of our existence. As we accepting the advantages and efficiency that the digital era offers, data privacy becomes a more serious concern. The digital realm can be described by a complex network of linked platforms, devices, and applications that all perform a part in the generation and sharing of huge amounts of personal data. This article explores the concept of "right to privacy" in digitalized world. The article also analyses the existing legislation for data privacy and its effectiveness for protecting the right to privacy in digital India.

Keywords

Data Privacy, Article 21, Cyber Fraud, Information Technology Act 2000

> *"Data protection is not just about protecting data but protecting people."*
>
> *- Stewart Room*

Introduction

The development of technology has been extremely beneficial to humans. Nevertheless, many of our liberties are currently at danger due to the advancement of technology. As the technology advances and involves data that is actively gathered and utilised in the marketplace, the right to privacy is becoming increasingly important concern. Therefore, the Hon'ble Supreme Court (SC) in 2017 recognized "right to privacy" as a fundamental right under article 21 of the Indian Constitution of India *(Justice K.S. Puttaswamy (Retd.) & Anr. Vs. Union of India & Ors., 2024).* In the words of the SC, "the right to privacy is protected as an intrinsic part of the right to life and personal liberty under Article 21 and as a part of the freedoms guaranteed by Part III of the Constitution". The "right to privacy" has interpreted in many ways. According to black law dictionary "right to privacy" means "various Rights recognized as inherent in the concept of ordered liberty." *(Data Protection Laws in India | Personal Data Protection, 2022).* In other words, this right means the people

has a freedom to protect right to fundamentally choose how they want to live their lives and interact with their families, other people, and their interpersonal connections and activities (*Data Protection Laws in India | Personal Data Protection*, 2022). Therefore, right to privacy is closely related to the protection of data which in this technological and globalized world, has become very difficult to achieve. The process of going digital has led to the emergence of several criminal practices, including data fraud, cyber harassment, and so on. For instance, when user provide their private information to websites and for login in any applications like true caller, WhatsApp etc. for business and interaction, the data often be misused. There is no express legislation in India, that govern acquisition, archiving, surveillance, recording, accessing, processing, dissemination, maintenance, etc. of personal data. Further, the right to privacy is also recognized internationally as human right under article 12 of Universal Declaration of Human Rights, states "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks." (*Article 12 of the Universal Declaration of Human Rights*, 2024). In other words, everyone has a liberty not to get interfered with his/her privacy, and not to be permitted to defame his/her reputation in society.

For securing the "right to privacy" Article 17 of International Covenant on Civil and Political Rights 1966 (ICCPR), stated "No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation" (*Freedom from Interference with Privacy, Family, Home and Correspondence or Reputation*, 2023) and Article 8 of the European Convention of Huma Rights 1950 (ECHR), states that "everyone has the right to respect for his private and family life, his home and his correspondence" (*Article 8: Respect for Your Private and Family Life | EHRC*, 2021), also get adopted internationally. Although the various international conventions consensus about data privacy and data protection, still there is no universal definition of privacy.

In India, Information Technology Act of 2000 was enacted to deals with cyber fraud, cybercrime, and the webs of e-commerce, it's provisions is widely related for curbing the crimes under the cyber space, which is extensively linked with Data Protection and Privacy *(Renuga, n.d.).*

The Judiciary also play very crucial role in protection the personal data in digital India. When it comes to making decisions in matters involving the violation of an individual's fundamental rights as guaranteed by PART III of the Indian Constitution, the judiciary is always extremely perceptive and sensitive.

Research Methodology

The researcher uses a non-empirical or doctrinal research methodology that collects information from secondary sources. The secondary sources consisting of books, journals, research papers, and courtroom judgments will be used to assist the claims made on this research paper.

Research Objective

To analyse the data protection in digital world and to understand the data protection laws in India.

Data Protection and Laws in India

In India, Information Technology Act (IT Act) was enacted in 2000 to provide legal recognition for transactions carried out by means of electronic data interchange and other means of electronic communication, commonly referred to as "electronic commerce" (*MINISTRY of LAW, JUSTICE and COMPANY AFFAIRS (Legislative Department)*, n.d.). As per the section 2(1)(o) of the IT Act define "data" as "means a representation of information, knowledge, facts, concepts or instructions which are being prepared or have been prepared in a formalised manner, and is intended to be processed, is being processed or has been processed in a computer system or computer network, and may be in any form (including computer printouts magnetic or optical storage media, punched cards, punched tapes) or stored internally in the memory of the computer" (*Section 2(1)(O) in the Information Technology Act, 2000*, 2024). Further, section 66E of IT Act, constitutes the offence of violation of privacy, that is whosoever, intentionally captures, transmits or publishes the image of any person without the consent, shall be punishable with imprisonment which may extend to three years or with fine up to Rs. 2 Lacks or both *(Privacy and Data Protection in India: An Analysis - International Journal of Law Management & Humanities, 2021).* Moreover, section 66C of IT Act, constitutes the offence of fraudulently using the password of any person, as today the computer resource of any person contains his/her private data which is expected not be observed or recorded by an anonymous individual without permission, if he does so, it shall be punishable with imprisonment with may extend to three years or fine up to Rs. 1 lacks *(Privacy and Data Protection in India: An Analysis - International Journal of Law Management & Humanities, 2021).*

The volume of data generated has increased due to India's drive towards digitalization, widespread usage of the internet, and a wide range of applications on devices for a variety of uses (Rai, n.d.). It is clear that data generation has benefited people and improved their efficiency while also contributing to the advancement of society. Unfortunately, data generated is not

safeguarded and is frequently exploited, infringing on an individual's right to privacy. As discussed the issue of right to privacy was discussed in Puttaswamy case (*Justice K.S. Puttaswamy (Retd.) & Anr. Vs. Union of India & Ors.*, 2024), that challenged the validity of the "Aadhaar Card Scheme" required the people to submit their biometric data for the identity card which would be mandatory for access to government services and benefits. It was contended that this scheme violates the right of the people under article 12 of the COI. This case entertained by 9 judge bench on July 2017. The SC decide the case while taking reference of various cases like M.P. Sharma v. Satish Chandra (*M. P. Sharma and Others vs Satish Chandra, District ... On 15 March, 1954*, 2024), and Kharak Singh v. State of Uttar Pradesh (*Kharak Singh vs the State of U. P. & Others on 18 December, 1962*, 2024), and held that the Constitution guaranteed the right to privacy as an intrinsic part of the right to life and personal liberty under Article 21. With the advancement of technology, it is very easier to infringe the "Right to privacy" or access someone data and share with third party, this may cause cybercrime or fraud like identity fraud, steal credit card or other financial record etc. Therefore, there is need to enact strict regulation to govern all this technological threat to data protection. In India, there is implied legislation which govern the technological threat to data like Information Technological Act of 2000 (Amended in 2008), Indian Contract Act of 1872 and Indian Constitution. Under section 43A of IT Act, stated "Where a body corporate, possessing, dealing or handling any sensitive personal data or information in a computer resource which it owns, controls or operates, is negligent in implementing and maintaining reasonable security practices and procedures and thereby causes wrongful loss or wrongful gain to any person, such body corporate shall be liable to pay damages by way of compensation to the person so affected" and section 72A of IT Act states "Save as otherwise provided in this Act or any other law for the time being in force, any person including an intermediary who, while providing services under the terms of lawful contract, has secured access to any material containing personal information about another person, with the intent to cause or knowing that he is likely to cause wrongful loss or wrongful gain discloses, without the consent of the person concerned, or in breach of a lawful contract, such material to any other person, shall be punished with imprisonment for a term which may extend to three years, or with fine which may extend to five lakh rupees, or with both" of the IT Act was inserted in 2008 for the protection of data, states that there is liability of the body corporate if there is any infringement of data.

Issues Related to Data Privacy

The Digital Personal Data Protection Act of 2023, was recently passed to allow for the processing of digital personal data in a manner that acknowledges both

the need to process such data for legitimate purposes and for matters related or incidental thereto, as well as the right of individuals to protect their personal data *(Ministry of Electronics and Information Technology, Government of India | Home Page, 2023)*. In this Act, the personal data share by the consent of the person but while obtaining consent, a company does not have to disclose who all the data will be shared with and for what purposes (Sarvesh Mathi, 2023). Further, government has a broad power to exempt itself **demand information from companies, and retain data for an unlimited period can result in mass surveillance** (*Section 36 in the DIGITAL PERSONAL DATA PROTECTION ACT, 2023, 2023).* **In another words, the DPDP Act of 2023's section 2(t) specifies "personal data" as "any data about an individual who is identifiable by or in relation to such data," which the government can retain for an unrestricted period of time, regardless of whether the original purpose for which it was obtained has been fulfilled.** A data protection law must safeguard and balance peoples' right to privacy and their right to information, which are fundamental rights flowing from the Constitution. Unfortunately, this Act fails on both counts (Bhardwaj, 2023). In a researcher opinion, this Act is not sufficient to protect the personal data in this technological advancement age or digital world.

Additionally, millions of Indian personal records were accessed and made available on the dark web in 2022 using the True Caller programme. An investigative study published in the Economic Times claims that vast amounts of personal data, including the phone numbers and email addresses of Truecaller subscribers, are for sale on dark web and private internet forums (Shweta Ganjoo, 2019). While the personal data of the 140 million users of the mobile app may be acquired for up to 25,000 Euros (about Rs. 19.45 lakh), the personal data of Indian users, who make up 60–70% of the user base, can be purchased for roughly 2,000 Euros (roughly Rs. 1.55 lakh) (Shweta Ganjoo, 2019). So, the personal data is becoming the basic income source to earn their livelihood for those who illegally share data with third party other than authorized person. Moreover, many business cooperation's are alleged to have been conducted in India wherein a person data is exported by oversees companies (Boruah & Das, 2021).

As per the report on 31 October 2023, there is a massive data breach that involves over 80 crore Indian citizens was surfaced by an American cybersecurity agency called "Resecurity". It claimed that data of around 81.5 crore Indian citizens was being sold on the dark web by a person with an alias 'pwn0001' (Sharma, 2023). In other words, the crucial data information such as Aadhar and passport details along with names, phone numbers and address set on sale on the dark web. There are many instances where the personal data

security is at stake in this digital world. Therefore, there is need to enact strict laws to govern such type of instances or crime by using digital platform or harm the privacy of the individual.

Need of Specific Privacy Law

Right to privacy has made leaps and bounds in the world of digitalized India, however, there always exists the possibility that things could go in harm's way if there ever was a security breach. Despite of having existing legal framework and efforts made by the government safeguard "right to privacy" in context of personal data protection are not efficient enough to protect the data in this digital world. Moreover, there is certain loopholes in existing framework like IT Act etc. There are several reasons for which there is need of specific laws for the protection of data.

Firstly, the amendment in IT Act in 2008, introduce that insert section 48A and 72A of the Act could not make any new alterations to the original IT Act because whatever comments are given by the Standing committee to the Ministry of Parliamentary affairs, they are just received by them further no application is made. Further, the proposed amendment does not deal with the matter of data protection such as handling of sensitive personal data, what safeguards should one adopted in the process of collecting data, processing of personal information, etc. In researcher opinion, the recent DPDP Act is also sufficient for protecting the data in developing country or technological developing India. This kind of insecurity of personal data is becoming the threat for the person privacy and the data may be used for the further cyber fraud. Secondly, Rule 4 of the Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules, 2011, stated that the Private sector service provider (i.e. a body corporate) like Vodafone India Limited, Bharti Airtel Limited are required to issue its privacy policy on its websites. However, few State-owned sectors are alleged to have not published their privacy policy on their websites. Thus, there is no availability of any statement about the privacy policy on their website which indicates a weak approach of service providers towards data protection, and thus the question arises as to the enforcement of the principles. At last, there is no legal framework to deal with the issue of cross-country flow of information.

By analyse the above lacunas or loopholes in the existing legal framework, it can be said that there arises a need for a specific law on Privacy and Data protection immediately. Further, it also becomes essential to have a comprehensive data protection law due to vast increase in customer service amongst corporate entities which acquire various personal information of their customer. However, such increase in various information technologies, web

services, internet in the global space, and increase in BPO (Business process outsourcing) operators, it becomes paramount to have stringent law on data protection that could deal with both the flow of data across national borders as well as to provide adequate safeguards for protecting the flows of data.

Conclusion and Suggestion

As a result of various court interpretations, the right to privacy has developed into a fundamental right in India. However, if we analyse the present circumstance, we will discover that globalisation has led to a significant technological advancement. It is evident that technology is influencing our lives and that it has greatly benefited us, but it has also become a threat as a result of the many problems that have arisen as a result of technology's advancement and that directly affect our privacy, such as cybercrimes, data theft, misuse of data, etc.

In order to access any kind of website or other specialised apps like Twitter, TrueCaller, etc., users currently disclose their personal data to third parties, regardless of whether they can be government agencies or private companies. Therefore, the sharing of such personal information may increase the risk of data theft or misuse of data because in India there is a lack of adequate Data Protection Laws. But impliedly there are certain laws like, the IT Act, Criminal Law, Intellectual property law, etc. deals with data protection. Such information may be considered a "Breach of Privacy" if it is unlawfully disclosed or utilised by a third party. Furthermore, a number of legal loopholes were found in the current legislation. For instance, internet service providers and data processors are exempt from liability for data processing violations if they have proof that the data was processed without their knowledge. As a result, strict data protection laws are required to safeguard private information.

As previously said, the Supreme Court confirmed privacy's legitimacy as an inherent Fundamental Right under Article 21 of the Constitution. The data protection and privacy are fundamentally interlinked, and constitute a very crucial and most sensitive space in the legal world at present times. However, just having this opinion is insufficient because everyone has rights and should be aware of their alternatives, including the ability to file a complaint with the Higher Authority if their rights are violated. They could leave unaddressed if they were unknown. Therefore, only when a person is well-known for their rights can they grow or lead a dignified life. Data privacy must now be taken into account, while personal privacy was formerly the sole factor to be considered. As a result, the government needs to set up an accurate system that can educate them and encourage them to act.

In addition, lawmakers should establish laws, rules, or regulations that guarantee the security of the data gathered. Only those with the necessary authority and for the benefit of the public welfare should be able to access the database where the information is kept. The strict security measures should be implemented to make it hard for even specialists to access data. Furthermore, the only authorities who need to be held more responsible are those who gather, analyse, and keep data. Furthermore, each regulation must include a provision about penalties, such as financial penalties and imprisonment, that are severe enough to make someone who is not authorised reconsider handling personal data. A few experts have proposed switching to smart cards, which would be an optional replacement for the collection of biometric data. Because biometrics allow for the recognition of persons even in the case that they refuse to be recognised, smart cards that require pins will require the conscious cooperation of citizens during the identification process. Smart cards cannot be used to identify any specific person once they are disposed away. Implementing smart cards would eliminate, or at least reduce the danger created by terrorists and criminals. Foreign governments may use the biometric database to identify Indians.

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Interdisciplinary Horizons: Exploring Knowledge through Academic Research towards Human Development

THE QUEST FOR INDEPENDENCE VALIDATES TORTURE AND TORMENTS: A CRITICAL STUDY OF STRUGGLE AND SUFFERINGS OF THE NAGAS IN EASTERINE KIRE'S *BITTER WORMWOOD*

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Abstract

Easterine Kire, a renowned author hailing from Nagalandis endowed with an extraordinary power to showcase the unheard, unsung and wounded hues and cries of her countrymen who are trampled under the nexus of exploitation and marginalization. As a realistic writer, Kire depicts the Naga society without an ounce of idealization or romanticization believing that 'art is a social phenomenon. 'The ethnocentric and hegemonic atrocities of the mainlanders compel the Northeasters' to be the victims of 'othering', 'alienation', 'subjugation' etc. Set against the backdrop of Naga struggle for independence, this novel is an ardent reflection of subaltern historiography. The novel starts with the protagonist Mose, an old man, witnessing a murder in the market of Kohima in the year 2007. Kire uses the trope of flashback to revive and reconstruct the shared memories of the past. The novel faithfully reckons the gross sufferings and the intense struggles of the Nagas' through the eyes of Mose, who matures witnessing the grim realities i.e. genocide, brutalizing penury, raping of women, flaming of houses, blazing fields and granaries, torture of the Indian Army and their compulsion to join the underground at a very tender age. Drawing primarily on Michel Foucault "Surveillance" and Louis Althusser "Repressive State Apparatus" theory this paper attempts to argue that the Nagas quest for a sovereign state validates the act of torture, assists the state in terrorizing and paralyzing thereby conquering the polysemic voice of the ordinary Naga people.

Keywords

Alienation, Exploitation, Genocide, Othering, Subaltern

Introduction

Easterine Kire is a woman of the voice of the voiceless. Written from a 'commoner's point of view', *Bitter Wormwood* authored by Kire set in a territorialized terrain of the Naga hills exposes stark social realities, brutalizing human conditions, labyrinth of violence etc. The Indian government in this novel is not shown only as a giant, tormenting entity, but are superior force which are the site of exploitation, violence, terror etc. where there is no room for the 'Others' voice. As a social realist, the watertight compartmentalization of the mainlanders and the dichotomy of the savaged and civilized, dark and bright, educated and non-educated, first world and the third world etc. often finds expression in the works of Kire. The nudging of the North-eastern to the periphery in every aspect say for cultural, social, political, economic is a major concern in her writings. The natives of the north east are often considered as most wretched since past where the mainstream believe that universal category of the idea "Man" only confines to them.

The objective of this paper is to examine Easterine Kire's *Bitter Wormwood* and explore the predicaments of the ordinary Naga people whose lives were completely overturned by the freedom struggle. Moreover, it also analyses the challenges and the widespread feeling of being neglected by the centre and of alienation from the 'mainland' a sentiment often expressed publicly.

Statement of the Problem

This paper attempts to argue that the Nagas quest for a sovereign state validates the act of torture, assists the state in terrorizing and paralyzing thereby conquering the polysemic voice of the ordinary Naga people.

Discussion

Set against the backdrop of Naga struggle for independence, Kire's Bitter Wormwood is written from a commoner's point of view. As a realistic writer, Kire depicts the Naga society without an ounce of idealization or romanticization believing that 'art is a social phenomenon'. The novel starts with the protagonist Mose, who is an old man, witnessing a murder in the market of Kohima in the year 2007. The incident leaves him dumbfounded and triggers off a trail of thought of the past. Kire uses the trope of flashback to revive and reconstruct the past through shared memories of the past. The novel faithfully reckons the gross sufferings and the intense struggles of the Nagas' through the eyes of Mose, who matures manifesting the grim realities i.e. racial killing or genocide, brutalizing penury, inanition, raping of women, flaming houses, blazing fields and granaries, torture of the Indian Army and their compulsion to join the underground at a very tender age. The stirring insight of

the Indo-Naga conflict in the novel lays down the Nagas' to accommodate in the category of the 'wretched.' The Hegelian concept of the master/slave dichotomy often finds expression in this novel by drawing a parallel between the Indian government who wants Nagaland to be a part of India and the Nagas' who stand apart with the sovereign government.

Nagaland the home to diversified tribe, gifted with distinctive richness in terms of identity, ethnicity, and culture etc, had been secluded from the rest of India owing to its difficult terrain and inconvenient connectivity. The notion of nation is not geographical but a cultural construct from the widely acclaimed rules and norms of nationhood and like all the indigenous communities, the Nagas explain how they have their own identity. Due to the distinctiveness of the Naga people, the Britishers' after annexing India kept Nagaland isolated from the rest of the country. In order to enter into Nagaland the mainland people had to take a special permission and cross the Inner Line Permit, a boundary created by the British. India after attaining its Independence in 1947 from the clutches of the British Raj, the Nagas too hoped that they would be granted independence but of no vain.

The political and historical facts appear in the form of conversation between Mose and his friend Neituo. Their conversation reveals how the Naga struggle for independence did not begin with violence. It began with a faith in talks hoping that their request for a separate Naga nation be granted.The cumbersome effort of submitting a memorandum to the then Prime Minister of India, Jawaharlal Nehru by the Naga National Council (NNC) (1946), pleading for the establishment of a separate Naga state was rejected by Nehru. The rejection led to the formation of an armed wing of NNC, named as the Naga Federal Army (NFA) in 1952. Representation in the form of signature sent by the Naga National Council to the then Prime Minister for a free Nagaland indicates the continued presentation of demands in a peaceful manner. The NNC had written to the British House of Lords before Indian Independence.

On the contrary, violence was loosed upon the Naga people. Their peaceful protests met violent reprisals. In 1963, the Indian government created the state of Nagaland, but the insurgency of NNC continued. In 1975, the Indian government in order to exemplify and justify their Repressive State Apparatus (RSA) passed the controversial Armed Forces Special Powers Act which gave the military sweeping powers to deal with insurgency which resulted in extrajudicial killings and torments. Abductions, beatings, rapes, random arrests became the order of the day. There are many instances of the locals being imprisoned by the Indian government for demanding an independent Nagaland, "the Indian government has taken Zapuphizo prisoner for saying that Naga people want independence" (Kire, 2011, pp.62). "Curfews became the order of

113

the day. Four young men from the Tsutuonuomia clan were arrested for breaking curfew. They were jailed for a week…When released, the men had ugly black and blue bruises" (Kire 66). The then PM paid no heed even after getting the copy of Naga plebiscite. Rather he shouted, "Whether heaven falls or India goes to pieces and blood runs red in the country, I don't care. Nagas will not be allowed to become independent" (Kire 73).

Even before the eve of Independence the Nagas encountered enormous torments from the Japanese force itself which displaces them and finally culminated in their identity crisis. The novel takes us on a journey from the year 1937 when Mose was born. Mose's father died when he went to cut a tree for their rituals. To escape Japanese invasion in 1943, Mose, his mother and grandmother along with the clans' people, seek refuge in another village called Rukhroma.

Moreover, the idea of surveillance is perpetuated in the novel, where the trope has been used as an act of discipline or subjugation. The women did not entertain working in the fields under the gaze of the Indian Army. Vilau herself says, "I came back early because there were a lot of army trucks parked above us on the road…We are afraid of the soldiers" (Kire, 2011, pp.65). Moreover, women did not dare to loiter in the fields after they had finished for the day. Their daily ways of life were somewhat got disturbed by the intervention or invasion of the outsiders. Even Mose got no ease in running his shop after he left the Underground. Unusual visitors often come to his shop and drench him with unnecessary questions without buying anything and keep track of his shop and his visitors.

Apart from all the other problems faced by the Mose's community one major predicament was the disruption of education. Schools got closed due to elections. In the novel too education got hampered directly or indirectly for Mose and Neituo. The stalking of Armies on their way to school, the socio-economic conditions, the death of Khrienou who was shot dead all broke down Mose's moral to continue his education. "Mose has not finished school in 1954. His grandmother had been killed at the end of his school year. He didn't have the heart to study for his final exam (Kire 90). The students coming from the rich families were taken to Shillong by their parents and others who couldn't afford to do that stayed on letting their education to disrupt.

The murder of Khrienou by the random bullet firing on the civilians didn't call into question the soldier who was freed from the wrath of prosecution as he was protected by the Assam Maintenance of Public Order Act 1953, which empowered a soldier to "shoot and kill, in case it is felt necessary to do so in maintaining of public order" (Kire, 2011, pp. 84).Torture became the order of

the day for the Nagas'. The discourse of fear and pity flows in their conscience. Unable to bear the ravages of cold-blooded murder and torments of their community Mose and Neituo joined the Underground. But life in the Underground was rigorous too. There was dearth of food, shelter, ammunition etc. but their burning desire to fight the injustice against their people was the only lining that kept them moving. The Undergrounds' didn't territorialize themselves to a limited space but their deterritorialization is sought when their members are caught and "others would break up camp and flee elsewhere to avoid detection and capture" (Kire, 2011, pp.105). But the villagers suffer mostly in these operations. The army by using their repressive state apparatus targeted the village elders and tortured them. The village closest to the Underground camps are set in fire, the granaries smouldered and the dwellers find their niches in woods.

 The Undergrounds as well as villagers starved, all arms and ammunitions are seized. In short, people are ripped away from their basic needs. As the story progresses an incident finds reflection where Mose's wife chided him for being outside during firing. "There was no curfew on, but the town was very still" (Kire, 2011, pp.25). Even after years of Mose coming out of the underground, he was not free from the clutches of fear. Threatening letters with the demeaning epithet of 'traitors' were received by the former Underground members. The election of 1952, is a crystal-clear reflection that shows how the voice of the general public was tarnished and they out of their anxiety bow down to the police. During the Election Day, abruptly some policemen accompanied by some soldiers assembled at the village council. The policeman forced the villagers to put thumbprints on little pieces of paper and put it in a box. One of the policemen hit a man who refused to do so and automatically after the reflex everyone did as they are ordered to do so. The Truth that validates the whole incident was really a constructed and conspired one.

The wounds of the common people remained unheard by the 'men in power'. The brutalities whipped amongst the people through Surveillance and RSA colonized their minds with trauma. As per Cathy Caruth, the remembrance of events is more traumatic than the actual events and trauma is not only about the wound of the self but also the wound of the other. One day Mose saw the Bihari shopkeeper lying on the ground, being thrashed left and right by the soldiers. When Mose went to save him a bullet pierced his heart and he embraced death wracking disaster upon his family. Moreover, the Bihari pan seller was distraught by the incident and he would wail sitting beside Mose grave as "Baba amikarnamorise, aya Baba morise" (Kire, 2011, pp.299). It is not only the Nagas who were traumatized by the atrocities whipped upon them by the

outsiders. As mentioned by Himmat, the soldiers posted in Nagaland always felt traumatized by being alienated.

Conclusion

To sum up, the stirring insight of the Indo-Naga differences in the novel lays down the Nagas' to accommodate in the category of the 'wretched.' The Hegelian concept of the master/slave dichotomy often finds expression in this novel by drawing a parallel between the Indian who treats Nagaland as an alienated part of India who tries to subjugate, marginalize and exploit them culturally, socially, politically and economically. The poignant narrative employed by Kire is a crystal-clear remembrance of conflict zones and militarized spaces, hijacked by Colonialism and repressed by the State of India, thereby neglecting the existential identity of the Naga being.

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A Legal Analysis on Role of Women in Conserving Wetlands: A Step Towards Sustainable Development Goals

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Abstract

Wetlands are regarded as vital natural resources that function as open systems, engaging with other ecological systems like groundwater tables and rivers, thereby enhancing the overall environment. Despite their global significance under legal frameworks, wetlands face challenges from increasing industrialization, deforestation, urbanization, waste disposal, and overpopulation. Consequently, ensuring the preservation and effective management of wetlands becomes a crucial imperative for building a resilient future.

Since human species are dependent to natural resources, women specifically have definite acquaintance with the nature. Regarding the wetlands conservation in rural as well as urban areas women contribute in various sectors such as decision making in public interest, monitoring water management in local levels, providing environmental awareness among communities and full participation to understand the socio-economic value of this unique ecosystem.

This research paper seeks to modestly analyze the pivotal role played by women and their contributions to the practical conservation and management of wetlands. Recognizing women's substantial involvement in achieving sustainability, the study places emphasis on Sustainable Development Goal 5 within the context of wetlands conservation. Additionally, the researcher aims to spotlight the legal aspects pertaining to the rights and responsibilities of women on both international and national levels.

Keywords

Wetlands, Women, Conservation, Goal 5, SDGs, Legal Dimension

Introduction

"Leadership is not a person or a position. It is a complex moral relationship between people, based on trust, obligation, commitment, emotion, and a shared vision of the good."

__Piyushi Dhir

Since an immemorial period, the human society and environment is knotted and their bonding is inseparable. The relationship of women with environment is an integral part in the pursuit of Sustainable Development. Women have an uninterrupted connection with environment while doing their day-to-day activities. As women perform certain family and social obligations which are closely related to environment, thus they have in-depth knowledge on sustainable agricultural practices, conservation of soil, water management, effective treatment for trees and plants and other natural resources. The vital role of women needs to be properly recognized to make a culture of environment conservation and preservation for ensuring the availability of the needs of present as well as future generation. During the period of 1975 to 1985 the role of women towards environment protection made a milestone which is known as United Nations Decades for Women. Women are responsible to convey their knowledge and information regarding environment to the future generation. Moreover, women as a mentor also play role in managing households, upbringing of children and thus they are capable to teach consumptions culture such as preventing excessive use of water, reduction of electricity consumption, and re-use of plastic containers instead of disposing those materials.

One of the most productive natural resources of Mother Earth is wetland which has multiple significant features such as water purification, storm water reservoir, carbon storage, nutritious soil and many more. In present scenario wetlands have been confronting threats due to urbanization, industrialization, natural disasters and climate change. Wetlands store an enormous amount of carbon in its soil. If this unique ecosystem continues to degrade it will release carbon to the atmosphere which would lead climate change. The degradation of wetlands would not only cause climate change but it would also affect the entire biodiversity and human being as well. Thus, conservation and management of wetlands has become an important matter within the realm of sustainable development in international as well national perspective. Moreover, the relationship between women and wetlands is considered as an integral part of attaining sustainable tomorrow as women play crucial role in conserving wetlands from grass root levels. The Agenda 2030 of Sustainable Development Goals has also highlighted the role of women towards protection and conservation of natural resources along with eradication of poverty to achieve sustainable development. Women, particularly in rural areas perform crucial role in managing and conserving water resources. The adverse impacts of climate change and other natural disasters in wetlands mostly affect the women and girl. Likewise, women also have to face negligence and

disappointment while raising their voice in decision-making. In the recent UN Water Conference of 2023, a Water Action Agenda has adopted and it aims to co-create and plant the seed of promoting and supporting women to take the leadership position in their contribution towards environment protection and climate change resilience as well.

Therefore, this research paper makes humble attempt to analyze the significant role of women as a leader in conserving wetlands with special focus on Goal 5 of Sustainable Development Goals which denotes gender equality. Along with analyzing Goal 5 in relation to wetlands conservation, this paper also gives emphasis on existing legal frameworks relating to environment and women as well in international and national perspective. Although there is no specific legislation regarding the women's role in protecting environment as a whole, but most of the environmental legislations acknowledge the crucial role of women. Moreover, the gist of Sustainable Development and its 17 Goals are also discussed in this research paper in the context of women's role in wetlands conservation.

Objectives of the Study

The main objectives of the concerned study are as follows:

1. To analyze the Goal 5 of Sustainable Development Goals in the context of women's role in conserving wetlands.
2. To explore the significant role of women towards conserving and managing wetlands in achieving a sustainable future.
3. To study the legal frameworks relating to women's right in international as well as national perception.
4. To understand the importance of wetlands conservation in order to give emphasis on contribution of women towards resilient future.

Research Methodology

The research entitled *"A Legal Analysis On Role Of Women In Conserving Wetlands: A Step Forward Towards Sustainable Development Goals"* is based on the Doctrinal method of research. The researcher has chosen the secondary method of data gathering, encompassing sources such as books, articles, journals, newspapers, news reports, policies, research papers and internet resources as well. The study applies descriptive as well as exploratory methodologies to construct the analysis, and it is characterized by a qualitative approach.

Women's Role in Conserving Wetlands: Special Focus on SDG 5

Most of the major historic civilizations were found in nearby areas of wetlands. The historic evidences portray the contribution and significance of wetlands

towards livelihood of human being. Wetlands are one of the most unique natural resources of the Mother Earth. Although wetlands cover only 6% area of the Earth still, approximately 40% of the plants and other species are reliant on wetlands. Wetlands are those area where the level of water is equivalence with the surface of the lands or land is roofed by water. As wetlands are unique ecosystem, they have certain socio-economic value along with numerous functions. Wetlands aid in trapping waste from land and filter the water before it enters the large waterbodies. Wetlands are capable of storing enormous carbon naturally and it also sequestrate the carbon emissions. Another important feature of wetland is that its soil is rich in nutrients which help aquatic lives to survive and also contribute as source of livelihood. The freshwater and nutrients of the wetlands can create suitable environment for growing crops. The natural beauty of wetlands automatically attracts a lot of tourists. Along with tourism, wetlands also provide recreational activities. Moreover, wetlands as home to enormous species of plants which also help to prevent the erosion of soil. Wetlands are also considered as storm water reservoir that helps to control flood. Last but not the least wetlands play vital role in combating climate change as it stores carbon in its soil. Since globalization has taken place, this unique ecosystem has been facing threats due to industrialization, urbanization, anthropogenic pressure, commercial use of lands, exploitation of land for industrial, agricultural purpose and disposing of solid waste. The degradation of wetlands is one of the major environmental issues in the present scenario which may lead vulnerability in achieving a sustainable future. The need of conserving wetlands is the key to accomplish sustainable development as well as pollution free environment.

The multifarious aids and services of wetlands are indispensable in achieving the Sustainable Development Goals. The SDGs set a determined agenda to eradicate poverty and attain sustainable development by the year 2030. To achieve this goal, wetlands play vital role by providing support in sustainable fisheries and community-based tourism which provides aid to the smaller households that headed by women. However, although wetlands are considered as provider of freshwater but due to urbanization, industrialization and other human activities 64% of these significant ecosystems have disappeared. Therefore, the only international wetland convention i.e. Ramsar Convention aims to conserve and wise use of wetlands throughout the world. The Strategic Plan 2016-2024 of Ramsar Convention has recognized the contribution of wetlands in achieving Sustainable Development Goals including Goal 5 which denotes for gender equality and Goal 6 that deals with clean water and sanitation. Since collection and management of water in local areas of many regions is practiced by women, thus their empowerment and active

participation is an important requirement for fruitful conservation of wetland and water management.

The Sustainable Development Goals were adopted by United Nations in the year 2015 as universal action to eradicate poverty and pollution to provide peace and clean environment to everybody. SDGs set 17 Goals including 169 targets to make a blueprint towards an enhanced and more sustainable future. The main objectives of SDGs are to make economic growth; provide environmental protection and increase active participation of human in social events. The 17 Sustainable Development Goals are as follows:

- Goal 1: No poverty
- Goal 2: Zero hunger
- Goal 3: Good health and well-being
- Goal 4: Quality education
- Goal 5: Gender equality
- Goal 6: Clean water and sanitation
- Goal 7: Affordable and clean energy
- Goal 8: Decent work and economic growth
- Goal 9: Industry, innovation and infrastructure
- Goal 10: Reduce inequality
- Goal 11: Sustainable cities and communities
- Goal 12: Responsible consumption and production
- Goal 13: Climate Action
- Goal 14: Life below water
- Goal 15: Life on land
- Goal 16: Peace, justice and strong institutions
- Goal 17: Partnerships to achieve goals

Although SDGs set 2030 agenda, but Goal 5 is still least appreciated and unrealized goal in relation to water management and wetlands conservation. In global platform women are largely responsible for collection of food, agricultural practices and water collection and management. Since women are considered as head of the households, they have different kinds of access and practices to control over natural resources and knowledge about how wise use and conservation can give better shapes in sustaining wetlands. However, in ground reality the knowledge of women and their significant role in the context of wetlands conservation and management is largely unrecognized till the date. Moreover, the social stigma and economic norms are also another obstruction for women in taking part in decision making.

Among 9 targets of SDG 5, target 5.7 specifically states that *"undertake reforms to give women equal rights to economic resources, as well as access to*

ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws." To fulfill this precise target of Goal 5 in the context of wetlands conservation and management first women should be given position of leadership to make control over wise use of wetlands and its water management. Women can also contribute in patrolling for any harmful activities in nearby areas of wetlands. As women are expert in managing households, they are also capable of making strategy in promoting eco-tourism among locals and outsiders as well. Moreover, by achieving Goal 4 i.e. quality education women and girls can be empowered in giving awareness and environmental education to the communities and society as a whole regarding significant characteristics of wetlands and importance of its conservation for a better future. The interlink between gender equality, empowerment of women and wetlands conservation have been occupying a major place within the jurisprudence of environmental law as well as the realm of Sustainable Development. Therefore, the issues of women relating to their empowerment and rights over natural resources should be taken care off as soon as possible to attain a sustainable tomorrow.

Sustainable Development

In the early 1970s, the expression 'Sustainable Development' was used at Cocoyoc Declaration on Environment and Development. Since then this concept has become trademark of international organization which are committed in achieving environmentally benevolent or constructive development. The gist of Sustainable Development is an incorporation of development and environmental requirements. It is a necessary policy and strategy in economic growth and social development without damaging natural resources and quality of environment.

Further, in the year of 1972 the concept of Sustainable Development received incentive in the 'Magna Carta' Stockholm Declaration on Human Environment. In the awake of Stockholm Declaration, the 1972 amendment to the Indian Constitution was also passed which incorporated Article 48A. The Declaration was followed by the World Conservation Strategy of the International Union for the Conservation of Nature (IUCN) 1980 that devised the term Sustainable development for the first time. Later, the notion of Sustainable Development was introduced by Brundtland Report as 'Our Common Future' and this report set out a modern definition to the term Sustainable Development'. It means the development that meets the needs of the present without compromising the ability of future generations to meet their own needs. The Brundtland Report was published in the year 1987 by the World Commission on Environment and Development which described how Sustainable Development could be

122

achieved. The principle of Sustainable Development aims to secure balance between developmental activities for the benefits of people and environmental safeguard for the present as well as well future generations.

The evolution of Sustainable Development is based on the assumption of co-existence of two conflicting concepts i.e. development and environment. However, from a pragmatic point of view, social, economic and ecological aspects of sustainability are not distinguishable. There are two basic needs that are emphasized by principle of Sustainable Development. The former one is need for socio-economic development and latter one is need of limitation in imposing pressure on environment's capabilities to cope with the present and future necessities. The fundamental objectives of Sustainable Development are as follows:

1. To maintain production of goods and services for development and efficiency
2. To conservation and management of natural resources
3. To maintain and enhance the quality of life by adopting the principle of equitable distribution of wealth and material resources.

Principles of Sustainable development

The balance between development activities and environmental protection could be prosperous if the salient principles of Sustainable Development are followed strictly. The notion of Sustainable Development has extended its scope in the aspects of economic growth, development, environment protection and preservation of natural resources. However, some of the principles of Sustainable Development are picked out from Brundtland Report, Rio Declaration and Agenda 21. They are as follows:

1. Inter-Generational Equity:

The Stockholm Declaration of 1972 emphasizes the principle of inter-generational equity through its first and second principles. Inter-generational equity asserts that every generation has the entitlement to enjoy the advantages derived from both cultural and natural resources passed down by preceding generations, and it carries the responsibility to safeguard this heritage for the benefit of future generations. The primary goal of this principle is the preservation of biodiversity and renewable resources.

2. Use and Conservation of Natural resources:

To attain essential requirements in a manner that ensures long-term viability, it is imperative to exercise caution in utilizing natural resources, promoting their conservation, and safeguarding them for future generations. Adhering to a sustainable approach in the utilization of these resources is not only a practical

necessity but also a moral obligation for humanity. The current generation bears the responsibility of averting the overexploitation of natural resources.

Principle 8 from the Rio Declaration emphasizes that, to achieve sustainable development and enhance the quality of life for all, nations should curtail and eliminate unsustainable production and consumption patterns while encouraging suitable demographic policies. Meanwhile, Principle 23 of the 1992 Declaration asserts the need to protect the environment and natural resources of people facing oppression, domination, or occupation.

3. Environmental Protection:

The protection of environment is very basic concept of Sustainable Development. To fulfill the aim of Sustainable Development most of the nations have already implemented environmental legislations within their territory. The outcome of development will be undermined if adequate measures are not taken properly to protect the environment. On the other hand, without development the natural resources will be deficient in case of needed investments and environment protection will fail.

4. The Precautionary Principle:

The Rio Declaration of 1992, in its Principle 15, introduces the precautionary principle, emphasizing that States should extensively employ a precautionary approach to safeguard the environment, based on their capacities. When faced with potential threats of significant or irreversible harm, the absence of complete scientific certainty should not be a justification for delaying cost-effective measures aimed at preventing environmental degradation. The precautionary principle seeks to prevent any activity or substance that poses a potential threat to the environment, even in the absence of conclusive scientific evidence of harm.

5. The Polluter Pays Principle:

As per the Supreme Court of India's interpretation, the polluter pays principle signifies that the party responsible for environmental harm bears absolute liability. This encompasses compensating pollution victims and covering the expenses incurred in restoring environmental degradation. Consequently, this principle is an essential component of Sustainable Development. The Rio Declaration of the Earth Summit acknowledges the polluter pays principle in its Principle 16.

6. Obligation to Help and Co-operate:

The concept of being accountable for assistance and collaboration was integrated into Principle 9 of the Rio Declaration. Environmental issues extend

beyond the concerns of individuals or specific groups; their repercussions impact the entire human population and the global environment. Consequently, addressing environmental challenges necessitates the indispensable requirement of assistance and collaboration from all sectors.

7. *Eradication of Poverty:*

During the 1972 Stockholm Conference, Indira Gandhi, the former Prime Minister of India, asserted that among the various challenges posed by pollutants, poverty stands out as the most severe. The Brundtland Report similarly emphasizes the significance of addressing poverty, as it diminishes people's ability to utilize resources sustainably, thereby exerting undue pressure on the environment.

8. *Public Trust Doctrine:*

The public trust doctrine asserts that specific natural resources such as air, water, and forests hold paramount importance for the public and should not be treated as privately owned assets. According to this doctrine, the government is mandated to safeguard these natural resources, ensuring that the public at large can derive benefits from them. It places constraints on governmental bodies and their administrators, prohibiting the exploitation of natural resources for personal gain, as these resources are deemed to be the collective property of humanity.

Legal Frameworks relating to Women in the Context of Environment Protection

A. International Prospect

The right of women is also equivalent to other human rights. According to Universal Declaration of Human Rights as all human beings are born free and equal, they are entitled to have rights and dignity without any discrimination of race, colour, sex, language, religion and birth of place. While talking about rights of women in the context of environment protection, the Magna Carta of environmental law, the Stockholm Declaration 1972 although has progressive and innovative attitude, but it does not make any perspicuous provision for women, girls or gender. It is clearly subsumed the women, girls or gender within the category of men as mentioned in its several principles. However, women were certainly given right to be representative of the State in the process of drafting the Stockholm Declaration. Such as former Indian Prime Minister Indira Gandhi who delivered a bold speech on behalf of developing countries.

Further, in the year 1992 the Rio Earth Summit and the Rio Declaration which took great initiative in giving explicit recognition to the women as they are vulnerable to degradation of environment and they also play vital role in

protecting the environment. Principle 20 of the Rio Declaration has stated that women have leading role in managing environment and its development. Therefore, to achieve sustainable development the engagement and leadership of women is indispensable. Moreover, out of three United Nations Conventions adopted by Rio Declaration, two of them i.e. the Convention on Biological Diversity and the Convention to Combat Desertification have made references to the urgent need of co-operation and participation of women in ground reality.

The United Nations General Assembly in the year 1979 adopted the Convention on the Elimination of Discrimination against Women which comprehends the extensive role of local or rural women as savior of economic crisis to their families. While playing lead role women also largely contribute to the welfare of environment and its ecosystem through their activities. Later in 1985 United Nations Women's Conference was held in Nairobi which was considered as first international forum for giving importance to gender equality and involvement of women in achieving sustainable development.

In the year 1992, an inter-regional United Nations workshop was organized by China where the role of women in the realm of environment and sustainable development was the main theme. A report was prepared based on the discussion of the workshop where it was stated that *"In order to make the planet earth green, peaceful and prosperous, the women of China are prepared to work together with women of the world, regardless of what social system they are from, their ethnic origins, religion, and creed, for the common interest of mankind and its future."* This workshop led the Fourth World Women's Conference later which was hosted by more than 17,000 delegates from 189 governments and 30,000 participants. The Fourth Conference made explicit acknowledgment of the requirement of women's effective participation in decision making on the issues of environment, gender inequality and attaining sustainable development.

In the event of 25th anniversary of the 4th World Conference on Women and adoption of Beijing Declaration and Platform for Action (1995), the Beijing Declaration in the year 2020 articulated the commitments of states to strengthen the efforts of gender perspective contribution into environmental issues. Along with focusing the vulnerability confronting by women and girls, this Declaration also emphasized the significant role of women as leadership in decision-making regarding environmental matters. One of the Conventions under Rio Declaration, the Convention on Biological Diversity also encourages the dynamic role of women in conservation and sustainable use of biodiversity and urgent need of women active participation at all levels to make policies relating to biodiversity conservation and their effective implementation.

Although in international platform an enormous initiatives have been taking to take forward the matter of gender equality and women's role in environmental issues, still there is a long way to go to achieve gender equality in effective worldwide environmental law.

B. National Prospect

Approximately 50% of Indian population is women, but the sex ratio of India is disproportionate. Women are still differently treated as compared to men. This difference has been seen since ancient time where although women were worshiped as goddesses but at the same time they were treated as slaves. Therefore, in most parts of India women and girl child are still deprived from quality education and active participation in social events. Due to the deprivation a huge percentage of women are not aware about freedom, independence and legal rights till today. However, the living document the Constitution of India has brought certain changes for women. Some of the Articles of Indian Constitution that guarantee gender equality are as follows:

• Article 14 ensures the equality of all individuals before the law and guarantees equal protection under the laws.

• Article 15 prohibits the discrimination of any citizen based on race, caste, religion, gender, or customs.

• Article 16 grants every citizen equal opportunities for employment in public offices.

• Article 39A mandates States to foster justice through equal opportunities and provide free legal aid to ensure justice for all citizens.

• Article 42 instructs States to establish provisions for fair and humane working conditions, including maternity relief.

• Article 51A outlines the duty of every citizen to reject practices that demean the dignity of women.

Numerous specific legislations have been enacted to ensure the protection and rights of women, including acts such as The Equal Remuneration Act, 1976, The Dowry Prohibition Act, 1961, The Special Marriage Act, 1954, The Medical Termination of Pregnancy Act, 1971, and The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. In addition to legislation, the Indian Government has implemented various national and regional policies to advance women's empowerment, including the National Policy for Women Empowerment 2001, The National Commission for Women 1992, Beti Bachao, Beti Padhao 2015, Support to Training and Employment Programme for Women 1986, and Ujjawala Scheme 2007.

Despite the initiatives taken by legislators and the government at the national level to provide legal protection and promote women's empowerment, there are still significant gaps and loopholes in addressing women's roles and rights in the context of environmental protection. This research paper has previously highlighted the essential but often overlooked contributions of women in grassroots-level environmental protection. Unfortunately, these contributions are frequently underappreciated and lack adequate acknowledgment from society, further compounded by a deficiency of legal support for their initiatives.

Though women are treated in an inappropriate manner since ancient time but while going back to the pages of history it can be witnessed that women raised their voice for the protection of environment by themselves and along with the men of the society. Some of the major milestones are as follows:

- Bishnoi Movement, 1700
- Chipko Movement, 1973
- Silent Valley Movement, 1978
- Jungle Bachao Andolon, 1982
- Appiko Movement, 1983
- Narmada Bachao Andolon, 1985
- Green Belt Movement, 1977

Conclusion

The remarkable role of women towards environment protection has been seen since time immemorial. The contribution of women is not only limited to the environment. They are capable to bring changes and development in every sector through their hard work and determination. However, in the era of globalization women still have to prove their capabilities in work places, education institutions, political platforms and even in the houses. This is the reason why the empowerment of women has become one of the most discussed and important concern of 21st Century in international, national and regional level. Directly or indirectly women empowerment has immense contribution in achieving sustainable development too. The whole concept of women empowerment embraces the increase of success and happiness for the family and society as well where women engage themselves to make difference in every segment and it also helps to create a sustainable future.

As this research paper is limited within the issues of women's role in conserving wetlands with special focus on Goal 5 of SDGs thus, the researcher analyzes the relevant legislations in international as well national perspective which helps to figure out the ambiguities of women's legal rights within the context of protection of women. To achieve accomplishment and fulfill the

targets of SDG 5 i.e. gender equality first women need to be legally protected in proper manner. If women and girls are vulnerable towards their safety and societal position then the outcome of it would affect the environment and society as well. In the era of development and growth the protection and conservation of the most dynamic natural resource wetlands is also necessary to combat with global climate change and other natural disasters. Likewise, to conserve the wetlands the involvement of women and their customary practices is necessary. Moreover, along with focusing legal frameworks and Sustainable Development Goals there is also a need of spread awareness regarding environment and women's role to achieve a sustainable tomorrow.

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DYNAMIC FAITH TRADITIONS: A SOCIOLOGICAL EXPLORATION OF THE KARBI TRIBE'S OLD INDIGENOUS RELIGION AND NEW SANSKRITISED RELIGIONS

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Abstract

Religion has always accompanied mankind since time unknown and it has guided action and has been a major source of meanings, thoughts, inspirations and also controversy in human society. Religion as an institution is found in every society and has always been an important element of influence on social life. It embodies beliefs and ideologies which reflect the culture of the society and it uncovers the socio-cultural aspects of society.

Among the Karbi tribe of Karbi Anglong, there are myriad religious beliefs and practices and although the majority of the tribe came under the fold of Hinduism, the religious beliefs and practices is a mixed practice of worshiping of nature, indigenous Gods and Goddesses along with Hindu Pantheons. The aim of the present paper is to look at the indigenous religious practices of the Karbi tribe which have continued to play a major role in the organisation of their society and to also look at the changes that this tribe has undergone in its culture and socio-religious organisation due to orthogenetic and heterogenetic factors. One of the major influences on them is the influence of great Hindu Tradition which has resulted to formation of new Sanskritised religions amongst the tribe. Thus, the paper is an attempt to reflect the dichotomy between the little tradition and great tradition.

The main objective of this paper is to understand the beliefs and practices pertaining to Karbi Indigenous religion and the Sanskritised religions of the tribe. The present research is exploratory in nature and data is collected from both primary and secondary sources. Primary data were collected using open ended interviews and observations while for secondary data- relevant literature such as books, e-books, articles and journals were thoroughly studied.

Keywords

Tribe, Indigenous Religion, Sanskritised Region, Beliefs and Rituals

Introduction

Religion has always accompanied mankind since time unknown and it has guided action and has been a major source of meanings, thoughts, inspirations and also controversy in human society. Religion as an institution is found in every society, be in primitive or modern society and it has always been an important element of influence on social life. Religion embodies various beliefs and ideologies which reflects the culture of the society as religion is an aspect of culture that conforms to the conditions of culture of a particular society and it uncovers the socio-cultural aspects of a society (Hunt, 2005). To Malinowski, religion is the permanent source of moral control which is believed to maintain the social order in society and that it helps one to endure 'situations of emotional stress' by opening up escapes from such situations by way of doing rituals (Malinowski, 1925). For Geertz, religion helps people to interpret phenomena which are beyond their understanding which otherwise would create chaos in their world (Geertz, 1973). According to Durkheim, "A religion is a unified system of beliefs and practices relative to sacred things, that is to say, things set apart and forbidden – beliefs and practices which unite into one single moral community called a Church, all those who adhere to them" (Durkheim, 1976, p. 47). Scholars have offered different interpretations for the term "religion" but there is little consensus on what it really means. Nonetheless, religion can be defined as belief in God and super natural power by means of which people attempt to cope with the eventualities of life. Among the Karbi tribe, the religious lifeworld is surrounded by myriad beliefs and rituals surrounding around indigenous deities involving propitiation and supplication. Although, the Karbi tribe is a homogenous tribe, it would be wrong to assume that they have homogenous religious beliefs and practices. Changes in their religious lifeworld can be observed which is visible in the ways of doing rituals and also in their way of life. However, to first understand these changes, it become relevant to become familiar with the tribe in question i.e., the Karbi tribe.

The Karbi is one of the major ethnic tribe of Assam and are scattered all around North-East India. However, they are in majority in the district of Karbi Anglong of Assam. Although, the majority of Karbi tribe are Hindus as per official record, the integration in the mainstream Hinduism had its own short comings as the tribe identify themselves more with their indigenous religion then the Hindu religion and as such the model of Hindu structure is not applicable on the tribe. However, Ghurye calls tribe as 'Backward Hindus' who are not able to fully integrate into the Hindu fold as they still retain their tribal creeds and organisation (Ghurye, 1963). Nonetheless it is important to remember that the Karbi tribe do not have the caste structure or caste hierarchy which is the very

core of Hinduism. And thus, using the label of calling tribe as 'Backward Hindus' does not fit or applicable to Karbis. Besides, even though there may be Hinduisation of tribe but this does not lead the tribe to cease to be a tribe for there can be multiple identities, for example, a tribe can be Hindu or Christian and yet it will still be a tribe (Oommen, 2011). As mentioned earlier, the Karbis of Karbi Anglong are mostly Hindus as per official record. According to 2011 census report, 80.10% of the Karbi population are Hindus and 16.50% are Christians (District Census Handbook, 2011). However, in the past the Karbi tribe were not always Hindus in the Census record. The Census identified the tribe as 'Animist' till 1931 with 99% of the total Karbi tribe population as following 'Animism' and only 0.82% identified as Hindus (Teron, 2011). However, 1961 Census noted a sweeping change in the religious composition of the Karbi society where 75.11% of the Karbi population was identified as Hindus and there was no category of Animist, yet, there was a new category "Mikir" which got added in the Census record where 14.24% of the population were listed under it and 10.28% as Christians (ibid.). The process of Hinduisation of the tribe in the official record of the Census of India by omitting the earlier category of 'animist' shows the power that an official record can have over a group which can result in changing the very religious identity of the tribe.

However, even though the categorisation of the tribe came under the fold of Hinduism, the religious beliefs and practices of Karbi tribe is a mixed practice of worshipping of nature, ancestor and indigenous gods and goddesses along with Hindu Pantheons. They have one traditional god Hemphu, in particular which they revered the most and utter his name in every religious occasion. Majority of the sections called themselves as '*Honghari*' instead of Hindu. They sacrifice pig, goat, and fowl in their worships. They don't have any temples for their traditional gods nor do they worship any idols (Bhattacharjee, 1986). Prafulla Nath, researcher who worked on Karbi Culture, stated that "there are differences of opinions about their affiliations with institutionalized religions, particularly with Hinduism and a relatively recent emic perspective of some of the Karbis is that they were actually the followers of their own distinct type of animism which had nothing to do with Hinduism or any other such big institutionalized religions" (Nath, 2015, p.154).

The present study therefore becomes enticing to understand this very dichotomy of great tradition and the little traditions that encompasses in the Karbi religious lifeworld.

Objective

There are mainly two objectives of the present paper

1. To highlight the difference in beliefs and practices between the Indigenous religion and Sanskritised religions of the Karbi tribe
2. To find out the causes of change in their religious lifeworld

Methodology

The present paper is a product of both primary and secondary research. The present paper relied on qualitative research method to comprehend the nature of religious identity and affiliation of the Karbi tribe. The research was carried out by undergoing fieldwork and relied on observations, open-ended interview methods to gather information. Additionally, secondary sources of data collection were obtained by reviewing relevant literatures such as books, journals, E-materials etc. which were referred in order to supplement the research. The ethnic tribe under study is the Karbi tribe and the survey was mainly conducted in Diphu town of Karbi Anglong District.

Observations and Findings

Durkheim (1912/1976) have emphasized on the importance of religion and how religion is the expression of the society itself. He states that religion is always associated with sacred, which is set apart and forbidden. He noted that religious phenomena fall into two categories of beliefs and rites and that all religious belief, be it simple or complex, display a common feature of segregating the world into two distinct precinct- sacred and profane. His core argument is that religion is represented by collective representation. Taking Durkheim's understanding of religion, an attempt is made to understand the religious lifeworld of the Karbi tribe

Religious Lifeworld

'The lifeworld, as a bedrock of any society, present and preserves a set of values and norms that are self-evidently real. Before anything could be known of such a society, there are unexamined grounds of this reality' (Schutz, 1989). The Karbi religious lifeworld is laden with the belief in many gods and goddess and myriad rituals. The Karbi have numerous gods and goddess and believes that these Karbi deities are found in all the spaces of the universe, be it in the deep forest, in the mighty river, in the sky and in all the environment around us. The Karbi believes that in each and every natural phenomenon, a deity resides. So, they propitiate the gods and goddesses that resides in the natural phenomenon by sacrificing fowls, goats and pigs. In each and every ritual, the sacrifice is deemed necessary to appease the God.

According to Bhattacharjee, the Karbi Gods can be divided into two classes and accordingly these are - Gods to be supplicated and Gods to be propitiated (Bhattacharjee, 1986, p. 133). While the supplication is exercised for general

well-being and happiness, the propitiation is resorted to avoid dangers and prevent illness (ibid.).

In other words, there is a belief that there are two categories of Gods in the Karbi Pantheon and this view is supplemented by B.S. Rongpi who noted that there are gods who resides in heaven who blesses and protects the Karbi. These categories of deities do not harm them and so must be supplicated and then there is another category which lives amongst the human and have the tendency to afflict harm on the people if not propitiated (Rongpi, 2012, p. 114). The tribe calls the first category of god as "Arnam" and to the second category; they refer to as "Hi.i". The term Hi-i and Arnam denotes demon and God respectively. Both the above-mentioned categories enjoy equal status in Karbi society and both Hi-i and Arnam are propitiated and revered.

According to Teron, the reverence of both the Arnam and Hi-i in Karbi ritual denotes the existence of inherent duality and unity in the Karbi folk religion and this very unity and duality of the negative and positive forces and the equating balance between both forces is what constitutes the philosophical basis of Karbi folk religion (Teron, 2011, p. 58). The dialectical dualism of Arnam and Hi-i surrounds the various religious rites and rituals of their folk religion.

The Old Indigenous Religion and Sanskritised religions: Within the Karbi tribe, there are various religious belief systems and practices. The old indigenous religion is taken as the point of reference to differentiate the other religious faiths and practices that are observed among the tribe.

Aronban (The indigenous religion): The tribe refers to the indigenous religion as 'Aronban' which in their language, literally means 'old religion' as opposed to the many other new religious faiths (Aron Kimi) among the Karbis that have surfaced in later times. It was observed that there is no consensus among the Karbis on about the name of the indigenous religion. There were group of respondents who called the indigenous religion as 'Hemphu-Mukrang' after the Supreme God Hemphu and Mukrang, while others called 'Hemphuism' as the indigenous religion of the Karbi and then there were those who claimed 'Barithe' as the indigenous religion as being named after the Great God Barithe- the Creator of the Universe. And most recently, the tribe called it as Aronbarim. Majority of the respondents, however, stated 'Honghari' as their indigenous religion which literally in their Karbi dialect means animism. No matter the differences of opinions in the naming of the *Aronban* (indigenous religion) among the tribe, it was found that all the respondents agreed upon how the indigenous religion is different from *Aronkimi* (new religion) or other religious practices of the tribe.

The line of distinction which was made to demarcate the indigenous religion from the other religious faith, which is also prominent among the tribe, was the presence of the practice of animal sacrifices and offering of the horlang, local alcoholic beverage to the deities in the rituals and religious practices. There is a particular term that the tribe uses to highlight the religious rituals which involves animal or fowl sacrifice and also offering *horlang* (local alcoholic beverage) to the deities and the term that describe this ritual is '*sekarkli*'. It is in the indigenous religion of the tribe where the worship of hundreds of Karbi traditional deities (*Arnam*) and also including the worship of demons (*Hi-i*) are observed. The use of Horbong (bottle gourd to store local wine) in the *sekarkli* (religious ritual), *Jambili Athon* which is a totem-pole in *Chomangkan* (funeral ceremony) and *Bongkrok* (bottle gourd) in *Adam Asar* (marriage ceremony) is indispensable in the indigenous religion of the tribe.

Lokhimon-the Sanskritised Religion: Lokhimon religion (or what the tribe usually calls Aronkimi so as to refer to new faith) is a religious faith among the Karbis which is practiced by the believers and followers of His Holiness Kurupo Lokhon Engti Hensek who is believed to be an avatar of Lord Vishnu of Hindu Pantheons. Although, this religious faith is influenced by Hindu ritual practices, as there are practice of ritual 'Jogya' which is the use of the fire cauldron during the performance of the rituals, the chants and mantras are recited in their indigenous Karbi dialect instead of Sanskrit thus showing the interaction between the little and the great tradition.

While among the old religion of the Karbis, there is no temple for the deities as they worship the nature and at the time any religious ritual a temporary alter '*adovan'* is built which is a higher ground made of mud, the Lokhimon religion, on the other hand, have temple dedicated to their God Lokhimon. One distinctive feature of the temple of the Lokhimon is the prominent structure of the temple which resembles the *shankha* (conch). The relevance of these symbolic structure, according to the respondents, is to commemorate Lokhimon i.e., the avatar of lord Vishnu whose vehicle was Cobra snake and the conch is also considered as Vishnu avatar. The use of conch as their symbol in the temple shows the influence of Hinduism in the Karbi society following the Lokhimon faith. Use of conch and the ringing of bells in the temple is predominant in the temple of Lokhimon. However, there is no practice of idol worship among the Lokhimon and instead a single earthen lamp is placed inside the temple. Offerings to God is made where flowers and fruits like banana, apple, sprouts are offered instead of offering any blood sacrifice. Also, horlang (alcoholic beverage) which is seen as very divine offering to God in case of the old religion, is seen as a sin and hence, not offered to the Lokhimon God. Thursday is seen as auspicious day for the Lokhimon followers and on that day, the

followers visit the temple to worship their God and also atone for the sins that they might have committed on other days. So, on that day, they observe a dietary restriction where the followers are expected to abstain from consuming any form of meats and instead practice vegetarianism.

Bhoktitom Dhorom (the Sanskritised religion with totemic symbol): Bhoktitom Dhorom is a Hindu religious sect in Karbi religion and it was founded in July 2005 by priestess Ambika Tokbipi. Unlike other religious divisions among the Karbi tribe, this sect is headed by the priestess instead of a priest. The followers of this sect, pay their obeisance by propitiating the totem '*Bong*' (bottle gourd). The symbol of their religion is the totem 'bong'. There is a temple dedicated to propitiating the totem and it is located in Diphu Town of Karbi Anglong District of Assam. At present, any activities associated with the observance of religious activity, or initiating any prayer meetings or mass gathering for the religious purposes are organized by the Bhoktitom Trust Authority of the temple. This sect was started by the priestess herself and she is believed to have blessed by the God Longsang Mukrang who is lord Siva in Hindu pantheons.

This sect of religion of the Karbi tribe is Hinduised and Sanskritised. This Karbi religious sect is different from its parent religion in the sense that there is no practice of animal sacrifice to propitiate the deities as the ideology of this religion holds that everything in the universe- be it plants, animals, humans, birds etc. are divine creation of God and thus to inflict harm to God's holy creation is considered as a sin. This is the reason; the priestess preaches to all her followers to abandon the practice of animal sacrifice to God because God do not demand life. Instead, the propitiation of deities takes place by offering of fruits or even vegetables and rice. Offering of wine is also a prohibited and thus, it is not offered to the deities in this faith. The followers of this sect do not participate in the common community festival (Rongker) as it involves sacrifice of animals to the deities and instead a household ritual- Hemphu Donme Lakha is observed which involve chanting the holy name of the supreme God Hemphu and singing his praise.

Continuity and Change

It was observed from the present study that in most of cases, the changes in the religious lifeworld of the Karbi tribe involved orthogenetic and heterogenetic sources of change. Orthogenetic factors involving rationalisation, globalisation, modernisation in the Karbi cultural tradition, ethos and values were responsible in bringing out the changes in the indigenous religion of the Karbi which paved its way to the emergence of new Sanskritised religion. The religio-cultural change and religious mobility could be mapped by looking at some accounts of

the respondents which was gathered during the fieldwork. One of the respondents informed the researcher that he has converted to Lokhimon when he was 18 years old because he felt that the belief system of the old religion was very vast as compared to the religious belief system of Lokhimon which according to him suited his life. While another respondent stated that the ritualistic practices in Bhoktitom religion is simple and do not involve animal sacrifice and instead offering of flowers and fruits is practiced which according to him do not take a toll on his economic capacity to offer the animal or fowl to deities, as he comes from economically poor family. The resulting consequence of the changes that is brough about in the religious lifeworld of the Karbi tribe is visible not only in the rituals that are conducted while venerating the deities but also in the food one can eat and one should not, and the colour of cloths they wear during the rituals have great meaning which needs to be further explored.

Conclusion

It would not be incorrect to assume that the type religion which the tribe practices in everyday life has its own fair share of impact on their personal life for it has a direct effect on the choices they make in food, in selection of their spouse and also in the items that is offered during rituals of birth, marriage and death ceremonies. Thus, it could be subsumed with the view given by Hunts (2005) about religion in everyday life that in the era of globalisation, there is post modernisation of religious faith which creates situations which demands and promotes a resurgence in religiosity among the people thus making it relevant to look at the new religious forms and discussing the covert form of religions.

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An Analytical Study on Customary Laws of Nyishi Tribe of Arunachal Pradesh

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Abstract

Customary laws are custom based law that developed from the ground of a community and are an important unwritten code. The customary laws of Nyishi are intrinsic to their identity and part and parcel of their culture and tradition. It is not written or codified law but memorized by knowledge and experience of elder person of the community. A tribal society is a type primitive society which exists from a long period and existing physical environment determines their economic, socio-legal and cultural activities. The rapid development of administrative centers has established new institutions and processes that lead to interference in the practices of their unwritten customary laws. Till now the Nyishi tribe practices their customary laws in spite of the formal legal system of the Indian constitution. Therefore, it is imperative to study the effectiveness of existing customary laws practices and the legal administration in the State.

Keywords

Customary Laws, Nyishi Tribe, Institution, and Administration

Introduction

The North-East region of India is a plot of amalgamation of different culture and ethnic groups of different tribes inhabited here. Only three States covered the area when India became independence in 1947. The princely States were Manipur and Tripura while a large area called Assam province came under the direct British rule. After a decade of independence four new separate States were constituted out of the Assam province. As a result of that, the State of Arunachal Pradesh became a separate State in 1975. The State of Arunachal Pradesh is situated at the extreme North-Eastern part of Union of India in the trans-Himalaya region between latitude of 26^0 28 and 29^0 33 North and longitude 91^0 31and 97^0 30 East. The area of the State is 83743 sq. kms. It is bounded by international boundary length of 1928 kms out of which 157 kms with Bhutan, 1030 kms with China, 441 kms with Myanmar and inner line boundary with Assam is 618.5 kms , 58.6 kms with Nagaland.

Interdisciplinary Horizons: Exploring Knowledge through Academic Research towards Human Development

The State is the home of many flora and fauna and a bio-diversity hotspot in the world. The people of Arunachal Pradesh are governed by their social controlling mechanisms like traditions, customs and customary laws. It is dominant by the tribal population with several ethnic groups of tribe. Each group of tribe has their distinct custom and customary laws, socio-economic and cultural pattern, belief-faith and tradition. They have used their traditional political institution or village council like *Make (Aka), Kebang (Adi), Bulyang (Apatani), Abbala (Idu Mishmi), Ngothrn (Nocte), Nagajowa (Wancho), Tsorgen (Mongpa), Mokechap (Kamti), Khan gpong/khaptongwa (Tangsa).* The Akas follows matrilineal society and rest of the others follows patriarchal society. Most of the tribes do not have their script and follows oral centuries except Monpas, Membas, Kampti and Kambas. They follow indigenous faith like Donyi Pol but now a day's many people converted to Christian, Buddhism, Hinduism and Vaishnavism.

The majority of tribal population of Arunachal Pradesh is of Nyishi tribe. They prefer living secluded, they dislike the idea of outside interference in their independent social order . Since the origin of human being some uncodified laws are enforced by tribal people to lead a disciplined life. The Nyishi tribe abides by their age old customary laws right from their origin. If any dispute arises in a family or society in general the village council called *Nyelee* plays a pivotal role to settle their disputes by punishing as per the verdict given by the *Nyelee* members. The rapid development of administrative centers has established new institutions and processes that lead to interference in the practices of their unwritten customary laws. Hence, this study is needed to investigate and understand the problem.

Origin and Nature of Nyishi Tribe

A tribal society is a type primitive society which exists from a long period and existing physical environment determines their economic, socio-legal and cultural activities. Hunting and gathering food, cultivation and conducting community work. They have their distinct cultural, language, linguistic, religious and historical identity. The Nyishi tribe is largest tribe having a population of 249,824 (2011 census) of Arunachal Pradesh. The term Nyishi has been derived from the word *Tha Nyi* and *Sshi Nyi* which means human. The tribe belongs to Mongoloid stocks and speak Tibeto-Burman group of language. *Aabhu Thyani* was the fore father of the Nyishi. *Thyani* share the universe as member of families and there were many generation of *Thyani. Dopum, Dodum, Dollu* are the major clans inhabited in the district of Papum Pare, Lower Subansiri, Upper Subansiri, Kurung Khumey, East Kamang, West Kamang, Khera Dadi and some other parts of the Arunachal Pradesh.

The Nyishi people still practices their age old tradition, and governed by custom and customary laws through traditional legal institution to regulate them. Their traditional institution is called *Nyelee* which worked as village council to settle their disputes *(Yallung)*. *Nyelee* means formal gathering of people and such *Nyelee* consists of expert person called *Nyagam Aabhu* and *Nyub Aabhu.* The *Bhaghu Aabhu, Nyegham Aabhu* refers experts to their customary law and has capacity to give judgments. The *Nyelee* solves the problem of theft, murder, rape or any disturbance to people and society in general. Both the accused and offender is given a chance to defend himself and count their point by placing *khotar*(a small bamboo stick). After hearing both the parties the *Nyelee* member discussed and pronounced the sort of punishment and compensation.

Generally, there is no codified punishment system in their customary law. They prescribe standardized compensation for various crime considering the nature and grievousness of crime and ability of the offender to pay the compensation. Decisions of the *Nyelee* member are respected and binding among them. The disputes resolution mechanisms of the Nyishi tribe have some important advantage. They solved any problem in an amicable manner so that people have no longer revenge. These types of social mechanism and method prevail in the Nyishi society.

Objectives of the Study

The present study has been carried out with the following objectives:-

1. To find out nature and status of customary laws of Nyishi tribe in AP
2. To study the different type of customary laws prevail in their society.
3. To find out the impact of political development on customary legal system.

Research Methodology

The present study is based on doctrinal Method of Research. The doctrinal method of research requires in depth study of relevant books, reported cases to find out fact-situations of the subject matter and researcher judiciously analyses the data and information by studying relevant literature. Through this study it has been tried to investigate the ancient practices of customary laws of Nyishi tribe of Arunachal Pradesh. The Methodology adopted in this paper is secondary sources of data collection; and analyzed qualitatively. Secondary sources are materials collected from various research articles published in this area, relevant books, different journals, unpublished research work, past research work in the related field and using of internet etc. In this study descriptive analysis has been carried out and the findings have been represented textually.

Customary Laws of Nyishi Tribe

The origin of customary laws lies in habits that grew into customs. Custom is a social phenomenon. Customary laws are custom based law that developed from the ground of a community and are an important unwritten code. Legislation is often codification of customary laws. Customary laws are nothing but a repeated practice of an act or habit by a particular group of person generation by generation since their origin. It is not written or codified law but memorized by knowledge and experience. As a matter of fact customary laws as unwritten laws introduce uncertainty, conflict and confusing elements in it. The presence of customary laws cannot be denied because the will of the community and public experience prove them. The formal laws consider and recognize the customary laws after legal or administrative units recognize it. Till now the Nyishi tribe follows their customary laws in spite of the formal legal system of the Indian constitution. The customary laws of Nyishi are intrinsic to their identity and part and parcel of their culture and tradition. Customary laws are mandatory and enforceable that binding out of fear of supernatural being from whom the law originated and who can punish its violation. Customary laws of Nyishi are discussed under the following headings:-

Customary Laws Affecting the Human Body

The Nyishi people are very strict to the indicted person who affects the human body or whoever causes any violence or social disturbance due to his act or omission. The tribe uses their customs to define various crimes affecting the human body. Such customs are:-

a. ***Mengio Yallung or Nye mengnam.***

The *Mengio Yallung or Nye mengnam* custom is relating to the murder or homicide. *Nye mengnam* means intention and therefore whoever causes death by doing any act with the intention of causing death is amount to sanction by the *Nyelee* after examination of intention, fact and circumstance of case.

b. ***Mingtanam.***

The *Mingtanam* relates to attempt to murder and therefore whoever does any act with such intention or knowledge, and under circumstances his act may cause death then he would be guilty of attempt to murder and would be liable to pay compensation.

c. ***UngeneMeghenam.***

The *UngeneMeghenam* relates to injury or hurt to the human body and therefore whoever causes bodily pain, disease or infirmity to any person, the *Nyelee* after deciding the grievousness of the hurt impose the quantum of penelaties.

d. Dudu Yullung domapresamnam.

The *Dudu Yullung domapresamnam* relates to wrongful restrain and therefore whoever voluntarily obstructs any person so as to prevent that person from proceeding in any direction in which that person has a right to proceed, the *Nyelee* after justify all the reason and detail examination of the act impose penalties if finds guilty.

e. Dudu Yullung domapresamnam natung tumnam.

The *Dudu Yullung domapresamnam natung tumnam* relates to wrongful confinement and therefore whoever wrongfully restrains any person in such a manner as to prevent that person from proceedings beyond certain circumscribing limits, the *Nyelee* decides the quantum of penalties after giving equal right to hear and present the case to both the parties.

f. Madding marebnan .

The *Madding marebnan* relates to the using force to another person and therefore whoever uses such force to change motion or cessation of motion to that person, then the victim may free to appear before the village council for remedy.

g. Reedumnam or redumbulen medingmarebnam

The *Reedumnam or redumbulen medingmarebnam* relates to using criminal force and therefore whoever intentionally uses force without consent of that person in order to commit any offence or causes injury, fear, annoyance or will cause *injury*, fear, and annoyance to that person shall be liable for punishment as decided by the village council.

h. Reejap recrapnam or reejereparnam

The *Reejap recrapnam or reejereparnam* relates to assault and therefore whoever makes gesture, or any preparation with intention or knowledge to use or will use force to another, then the person guilty of committing assault and liable for penalties as per decision of village council.

i. Bonam or Natung tummnam

The *Bonam or Natung tummnam* relates to kidnapping and therefore whoever takes or entices any person without consent of that person or his/ her guardian, and then the person is liable for punishment as per the decisions of *Nyelee*.

j. Nye Puknam and Nye rehnam

The *Nye rehnam and Nye Puknam* relates buying and selling. Buying and selling is free in Nyishi tribe due to absence of specific custom any person can buy or sell a person and become a slave because of debt or capture during raid.

k. *Tubli yoonam or yali yulla*

The *Tubli yoonam or yali yulla* relates to offence of rape. In the Nyishi tribe a person guilty of committing rape whoever having intercourse with a women with or without consent does not matter, commits rape if the women is not his legal wife. Penalty is imposed on the guilty person based on the married, unmarried and engaged of the party.

l. *Reemanam and nyakuu reekamanam.*

The *Reemanam and nyakuu reekamanam* relates to inhuman and unnatural offence. The Nyishi tribe considers an offence unnatural or inhuman where a human being committing any act of intercourse against the order of nature and is liable as per decision of the village council.

Customary Laws on Marriage

The Nyishi tribe considers marriage as religious sacraments and a bond between a men and women. The Marriage provides social reorganization to the couple live together and procures children to continue their family tree. The tribe practices omen examination to check the marriage whether the relationship will good or bad. The parties to the marriage exchange various gifts to each other, like *sabbe* (Bos-frontals), *eggi* (cloth), *adding* (meat), *oryak* (sword), *oppo* (wine) from the boy side and *tasing* (beads of different variety), tallus or maze(bell of worth), coze(bangle), huhie (disc of different value), *domping* (tiara), rungbing (ornament for ear), *sapping* (mithun) are given from the girl side. The priest of Nyishi tribe performs mantra called *changtum pahi* to include the bridge in new family by performing a ritual of killing small animal by her. They have solemnized their marriage in different form. Following are the types of marriage prevail in Nyishi tribe:-

a. Lineage or continuation of marriage from mother's family.
b. Arranged marriage.
c. Forced marriage.
d. Levirate marriage; when a women marriage her husband's brother after the death of her husband.
e. Capture marriage; when a woman is forced and raped to become wife of a man. It was happened at old age as mark of prize for war victory after killing the relatives of the woman.
f. Widow inheritance; in this type of marriage a widow have right to extend her dead husband's family by tied to marriage with any one male person from late husband's family who choose to her to marry.

g. Child marriage; in Nyishi tribe also child marriage is used to practice where the guardians of two minor decides to give marriage their children in future days.

Customary Laws on Breach of Marriage

Breaking of marital bond and differences between the husband and wife are usual in the Nyishi society. The *Nyahang nyalu* (Divorce) is very rare in Nyishi tribe. However, it is penalized if someone found guilty of such offence. The Nyishi has following way to dissolve a marriage for both the parties:-

a. *Heenam tunam or jagnam panam* (cruelty by husband or relative of husband) : if the husband or any member or relatives of husband of women subject such women cruelty or torture whether mental or physical harassment may not tolerate by the women or her family. Such incident may break their marriage tie.
b. *Nyahang anye aum nanam* (polygamy): polygamy is usual and a lawful practice among the Nyishi tribes. Husband can marry easily one or more women during the life of first wife or after her death. Their custom favours polygamy as sign of well economic status of the person.
c. *Nyalu aneye aum nanam* (polyandry): The *Nyishi* custom goes against polyandry and it may lead to dissolution of marriage which may impose penalty to the male partner.
d. *Hangmi nyalu or tumba nyeme* (widow or widower remarriage): In the Nyishi society widow or widower though both have right to remarry. Some condition is imposed on the widow like she will first have to choose one from deceased husband's family and if she looks other than the deceased husband's family; the male partner will be liable to pay compensation. On the other hand widower also has the same right to remarry from her wife's family and he is free to remarry anyone in the absence such member.
e. *Nyahang nyalu yoming sumanam* (termination of cohabitation): The Nyishi tribe uses to penalize both the parties if they are found guilty of *Nyahang nyalu yoming sumanam.* If the termination is from the husband side then he bound to pay compensation of *sabbe* (mithun) to the wife family. On the other hand if it is from the wife side then the wife family is bound to pay *teeka nyaka* (valuableornaments) to husband's family.

Customary Laws relating to Guardianship

The Nyishi tribe is governed by customary law of *kachum tape bua* (guardianship) to look after person or property. The kachum *tape bua* protects the property of minor or unsound mind or who are away from the property in

146

special circumstances by appointing a guardian. Generally sons or daughters have to look after their old age parents but in absence of them near relative may look after the aged person. The relative who takes care of old age person is capable to inherit his property. In case of minor boy or girl, the guardian who takes care of them, will have take care their guardian at old age and inherit their property.

Customary Law on Adoption

In the Nyshi tribe adoption is legally practice though they may solemnize more than one marry. Where a couple has no child of their own then they may adopt any children preferably from father lineage.

Customary Law on Succession

In the Nyishi tribe there is no established custom for succession. It is totally depend upon the owner of the property to decide portion and distribute the moveable or immovable property among their sons or daughters. If the owner dies without divide the portion of the properties then they may equally distribute among them. If no family member alive, then nearest blood relatives will have right to inherit the deceased person's property.

Customary Laws on Nuisance

Any disturbance whether public or private in Nyishi society is governed by customary law of *adikakuu* (annoyance). The *meanam* (cheating) is considered as nuisance and whoever commits cheating is liable to pay compensation to the person who is being cheated. The *reesam rayan nam* (mischief) is unlawful among the tribe and whoever commits such wrongful damage or loss to the person or property is liable to compensate the damage. The *lusup lasap* (trespass) is not allowed in the Nyishi society. Whoever enters into the property of another person is liable to punish as decided by the village council. The *rumhamnam* (defamation), if any person defames others reputation is liable to punish in the Nyishi society. The *benglaknam* (abetment) is unlawful, whoever instigates any person to do an illegal act or thing against any other person is liable to punish by the village council. The *pathinam* (intimidation), whoever threats another person's life or property to do some act or to prevent from doing something which that person is entitled to do, is liable to punish as per quantum of damage imposed by village council. The *reeji repanam* (insult), whoever in the Nyishi society intends to make insult of another person is liable to punish by the village council.

The *nuur nyepingnam* (conspiracy) is punishable in the Nyishi society, whoever enters into an agreement to do an illegal act is punished by the village council strictly.

Customary Laws on Breach of Contract

The Nyishi tribe enters into contract whether it may be oral or written to perform any act or condition for job or payment or delivery of goods in day to day life and failing of which is amounting to breach of contract.

Customary law relating to breach of trust

The Nyishi tribe is governed by *mangyang* (breach of trust). If a trustee willfully misappropriate a thing which has been lawfully delivered to him in confidence or dishonestly converted to his own or disposed without the knowledge of the owner is liable to punish by the village council.

Customary Laws on Social Responsibility

The Nyishi tribe respect their customs and social obligations (*reeguknam*). Each and every people in the society help each other during their difficult situations. Exchange of labour on principle of reciprocity for house construction (*namryegunam*) or agricultural activities (*rango ryegunam*), common hunting (*keru or soruruknam)*, community fishing (seepkarnam), divert the water direction (*subu panam*)

Customary Laws relating to Demarcation

The Nyishi society uses demarcation (*dapo ponam*) process in certain occasion like marriage, *maze* (precious ornaments). This demarcation indicates territory or agreement or notice of a marriage or *maze* (Hina, 2013). The preset of Nyishi performs *Nyokum yullow* as a sign of happening of something and erects *dapo.* In the *Nyeme dapo* (marriage related demarcation) *dapo* is demarcated on the way when bride is taken to groom's house at the same time *maze dapo* also performs only for the high value ornaments.

Exceptions under Customary Laws

The customary law of Nyishi tribe does not apply to some categories of person. It provides *Tungu kyagu nee* (exceptions) to some extent. Such person includes *Hami* (children), Childs are not liable for any illegal act unless or until he or she commits a heinous crime. A parent of such criminal child is liable for the act of his or her child to pay compensation to the victim. The Nyishi tribe exempts children and women from punishment. The act of a woman (*Nyame*) is treated as minor act and her guardian is liable to pay compensation for anything wrong done by her.

An unsound mind person (*pacha dama*) is also exempted from severe punishment and his or her guardian is vicariously liable for wrongful act of the person. The drunken person (*tangkum dariak bua*) or person under compulsion (*nye reemunam*) is also exempted to some extent if the act or omission is not

grievous in nature. The Nyishi customary law exempted a person who commits an act due to voluntary consent (*reeka or mattun*) of another person. An act is done to prevent greater damage or loss to the other person or his property (*suhao ngabseh ngam anyo meanam*). Such act is also exempted from punishment under the Nyishi customary law. Their customary law forgives any accidental act (*reepreelapnam*) of a person but right to decide concession is on the victim person. The act of god *(seer darhee nam)* unless or until the involvement of human being is proved is not punishable under the customary laws of Nyishi tribe.

Impact of Administrative Units

The constitution 73rd and 74th Amendments are giant steps in regard to community conservation based on the customary law. This Amendment paves the way for self-rule local government. Under Article 243G, the State Governments are required to devolve power and authority to enable them to function as institution of self-rule local government in the matters of 11th Schedule of the Constitution. The Panchayats (Extension to Schedule Areas) Act of 1996 mandates that states shall not make any law under part IX of the constitution which is inconsistent with customary law, social and religious practices, and traditional management practices of community resources.

The Assam Frontier (Administration of justice) Regulation 1945 recognized the authority of the village councils to protect indigenous legal system but also recognizes appointment of Gaonburah and **Kakotis**. The village heads and **Katokis** has played significant role in settling disputes among the tribes. The real impetus of growth of political institution was the enactment of North East Frontier Area (Administration Regulation) Act of 1954 that paves the way for constitution of different administrative units. The promulgation of North East Frontier Agency Panchayat Raj Regulation in 1967 includes the local tribal people in political participation and political evaluation of Arunachal Pradesh after becoming the 24th State of Indian Republic in 1987.

The Panchayat Raj marked a departure from the tribal scheme of things and custom, but nevertheless it was in consonance with the tribal spirit of basic democracy, and the Indian ideal of integration without imposition. Development of new administrative units has created chair for the political interpreters i.e. Gaon Burahs, president of Gaon panchayat etc. Such encouragement in the expansion of administrative centers leads to interference in the administration of justice through customary laws of the local tribal people. After the beginning of the electoral politics introduces political institution; and Anglo Saxon legal system which has enormous impact on operation of customary legal system. Till the Nyishi tribe has great emotional

attachment to their aged old traditional customary legal system, despite introduction of Anglo Saxon legal system.

The Katokis are appointed by the Deputy Commissioner of concerned district to assist the Magistrate. Generally gaonbura solves any disputes in the Nyishi society without any assistance from the political interpreter except some special cases notified by the Magistrate and the Nyelee issued the katoki is required. The *katoki* is required as an umpire so that Nyelee cannot take any bias decision. If any dispute is unable to settle by the Nyelee, it will go to the court with a copy of unsettled case authenticated by the local Magistrate.

The Nyishi tribe respects the decision of Nyelee despite the coming of new judicial mechanisms. Though the power of the village council headed by the gaonbura is recognized but in some cases the Katokis interferes the authority of the village council. Sometime the Katokis are empowered to settle the matter without the local Magistrate and they may become corrupt and misuse the power. Due to double allegiance they face challenges. They want to preserve their rights from not being neglected by strengthening their traditional institution. On the other hand, dynamics of the interface with the formal system have changed their customary traditions. Centralized administrative institutional control and complete bureaucratic hold on the rigid forest legislation and customary laws offers little space for participation of tribal people. Ignorance of the relevance of conservation oriented customary laws at the administrative and judicial levels are of the major constraints on the revival of customary laws.

Findings of the Study

After an overall assessment of the present work the study finds following results:

1. The Nyishis are governed by their customs and customary laws that transmitted from generation to generation since their origin. Till now the Nyishi tribe follows their customary laws in spite of the formal legal system of the Indian constitution
2. Rapid political development gives birth of administrative centers and new legal system that exerted their age-old traditional practices, custom and customary laws.
3. Introduction of the decentralized political institution in the Arunachal Pradesh during 1960s to 1970s has enormous impact on the customary laws of the Nyishi tribe.
4. Though the power of the village council headed by the gaonbura is recognized but in some cases the Katokis interfered the authority of the village council.

5. During last few decades the number of civil and criminal activities increases and is going beyond the control of existing customary laws.

Suggestions

The researcher has studied various aspects of the customary laws of Nyishi tribe of Arunachal Pradesh. In due course of the study this researcher has passed through many issues dealt so far and following corrective action may be considered for suitable directions, if necessary.

1. Customary laws should be documented and codified in distinct form so that the tribal people can easily understand. Discrimination practices should be eliminated to evolve and serve the modern society.
2. The cases tried in village council should be written and made it published before public.
3. The Nyishi tribe should be encouraged to use Alternative Dispute Resolution Forum and should be widely published so that local people have the option to access through the forum to avoid discriminatory practices.
4. Effort must be made to women representation in institution of village council so that they can engage in the consultation and documentation of the customary laws.
5. The Nyishi tribe should be made aware that they can go to formal judicial system in case they are dis-satisfied with the decision of customary institution.

Conclusion

The constitution of India guarantees protection to the schedule tribe in order to let them develop according to their own genus. Article 13 of the Indian Constitution treats customary law along with other branches of law. These customary rights having the force of law can be taken judicial notice by court under section 57 of the Indian Evidence Act 1872. An immemorial custom is not merely an adjunct of ordinary law but is also its constituent part. Therefore, communities need to regain their die out customary practices and control over natural resources not only for the protection of ecosystem but also to continue existence of human cultural diversity. Revival of community customary practices conducive to community conservation. During last few decades the number of civil and criminal activities increases and is going beyond the control of existing customary laws. Sometime the Katokis are empowered to settle the matter without the local Magistrate and they may become corrupt and misuse the power. Therefore, the government should check the effectiveness of existing customary laws practices and the legal administration in the State.

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TEMSULA AO'S 'SONG-BIRD'— A REAFFIRMATION OF A LOST AO-NAGA ORAL TRADITION

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Abstract

One of the most prolific writers of North East India, Temsula Ao's poetry represents the outgrowth of impressions that are shaped, ordered and reconciled by the external stimuli of the society and harmonized by her imagination. Her poetry evokes a picture of the life of an individual in the North East. In many of her poems, she attempts to bring to the reader's attention the significance of the once predominant oral tradition of the Nagas. The recurrent tone of the narrative voices in her latest book of poems 'Songs Along the Way Home' appears to be markedly more introspective than in the earlier ones. This paper attempts to explore Ao's poem 'Song-bird' as a reverberation and a reaffirmation of the lost oral tradition in the light of the Naga context.

Keywords

Imagination, Naga, Narrative, North East, Oral Tradition, Society

Introduction

An Ao-Naga by birth, Temsula Ao's poems and stories reflect the traditions, cultures, beliefs and practices of the Ao tribe of Nagaland, a tribe that possesses a bountiful cultural archive. Yet, she is not merely a regional writer-informant; and although she extensively draws from her locale, her questions are humanitarian and universal. Nature, beauty, love, time and death are often observed as recurrent themes in her poetry. She also talks of issues concerning colonialism, identity, cultural and moral decadence, and the modern existential crisis – issues that are of universal concern.

In the ancient and pre-literate world of tribal societies, oral tradition played a significant role as chronicles of history and a source of knowledge and wisdom. It guided and influenced the people in all aspects of their lives. The Naga culture and its oral history flourished without a written script of their own. Yet the people possessed an effective medium of communication and records and they have been preserved for many centuries through the oral tradition which is

153

based on deep-rooted foundations. Any oral narrative of traditional history, origin and migration of a people (individual, clan, tribe etc.), formation of a village, events of festivals, war or peace are transmitted by word of mouth from one generation to another through poetry, songs, ballads, stories, prayers, tales or as public oration.

The Poet and the Song-Bird

In the poem 'Song-bird' from her sixth book of poems, 'Songs Along the Way Home', she distinctly expresses the realisation of a lost tradition. The protagonist is a little song bird who has woken up to "an eerie void" -- a kind of lifelessness created by towering heights of modernization and development. The poet almost becomes the Song-bird herself, being alarmed by the pervading "great silence" of the morning. This silence becomes suggestive of the attitude towards oral tradition in societies with a long history of literacy and written tradition.

Oral tradition is an intricate phenomenon that configures its own means and ways of expression and conveyance. It represents self-identity and upholds religious practices, customary laws, ethical values and social organisations. While being a wealthy repository of the historical, mythical and legendary past, it furnishes instances for the subsistence of a contemporary social order. It also articulates dissent and protest and simultaneously asserts concern over redress and reform. In oral cultures, 'memory' acts as an instrument of not only linking the present with the past but the complete tradition of orality continues because of a revived memory by which folk narratives are retold. Memory thus becomes a dynamic potency for continuation of culture and hence gets manifested in culture. Storytelling as a practice has been a medium for handing down cultural values, beliefs and practices to the younger generation in most tribal societies of Northeast India. Oral narratives can be in the form of verse or prose that are generally performed by singing. Each narrative has a sense of novelty in whatever form it is rendered. Further, it imbibes within itself a spirit that the narrator helps to lead to the explanatory context. The explanatory contexts bestow the logical, moral and causal attachments between the world in which these narratives are generated and what they "narrate" about that world. Through these myths, stories, legends and proverbs other intangible cultural upshots get distributed. Esther Syiem argues, "Folktale is the repository of cultural values that inform the present and invests it with a living sense of tradition" (2005:29). Some variations in the tales may appear especially when the same tale is narrated by different people or in different places, yet the content stays the same. These tales are replete with profound social meanings and maintain an intimate relationship with the tribe's ways of life and tradition. It holds the people together as a distinctly identifiable tribal group whose lives

are still regulated to a great extent by the legacy of those folktales from their oral tradition (Ao 2004:9). Oral tradition thus plays a significant role in maintaining cordial relations among various tribes and with the neighbouring communities.

Northeast India is a wonderful mosaic of tribal culture and beliefs. The poetry from Northeast consists of paradoxical realities of bloodshed and love, myth and violence, cultural and political dilemmas of the past and present. While these narratives talk of contemporary evils, they hark back to their myths and legends and the resultant poetry reveals a "complex terrain of everyday negotiations where nature and politics, the physical and the cultural, are inextricably engaged" (Subramanian). Poetry from this region reflects protest against the homogenisation of a nation where regions are marginalised and oppressed as the 'other' within the nation-state. As such, the poets from this region constantly examine the nature of these causes and try to give voice to their concern for the increasing deterioration that seems to benumb the region. A major issue in this region is the search for 'identity', a quest for self-assertion, which has a "highly emotional content including a feeling of age-long deprivation" (Sen, 2002). The richness of this region lies in its vibrant cultures and traditions, its rituals, dances and folklore, "the way of life of the masses is still rooted in the traditional social base, - group solidarity and group consciousness for collective endeavour and welfare ..., creativity is collective and participating. As a result, folklore is still a major component of the living culture of the people of the region. It has been growing and absorbing new elements" (Bhattacharjee).

Describing the "hybridization of culture" as a result of colonialism and the advent of Christianity, Ao writes, "We borrowed their minds/Aped their manners/Adopted their gods/And became perfect mimics." The powerful language reminds one of Chinua Achebe's magnum opus, Things Fall Apart(1958). Although the contexts and the mode of writing appear different, the concerns are very much similar.

When the Nagas embraced Christianity, worship of nature contained in its songs, myths, legends, folktales, folksongs and proverbs began to be considered a pagan practice. According to Robin S. Ngangom and Kynpham Sing Nongkynrih,"the literary legacy of the missionaries can be said to be double-edged. While, on the one hand, they gifted the tribes with a common literary heritage, on the other, they made them deny the existence of their own literatures in their rich oral traditions and taught them to be ashamed of whatever is theirs, as something pagan and preposterous"(X-xi). It is in this manner that Ao writes about the present with "no song-birds' melodies to greet the morning" indicating the loss of vital aspects of their tribal ancestry. Ao

155

states how the indigenous peoples themselves appear to be in an unseemly hurry to disregard their age old cultural practices and ape their new 'masters'. In her poem, the little Song-bird 'wonders' as she is unable to find any of her "song-mates" and encounters 'a vast aloneness'. The bird's many attempts to find her companions in order to re-sing an old tribal song and her continued failures simplify the poet's disillusionment amidst inexorable urbanisation. She is 'frantic' as 'the growing fear' keeps choking her every time she makes an attempt to sing the old refrain that she believes every other nostalgic would know. The poet's heart too is 'stricken' just as the heart of the song-bird; the bird is no longer a song-bird, just as the 'proud' and self-respecting Naga has now become an Indian citizen. The old refrain remains suggestive of the strong "rootedness"; an attachment to the land, culture and times which the poet finds missing in the new songs:

But there is no soul in the new songs
no harmony trilled in the voices,
no joy glinted in the eyes
and no rythm frolicked on the feathers.

These new songs are nothing more than 'pathetic travesties' and symbolise the diminished splendour of a bygone era. The poem thus becomes an outburst on conflict of dual identities-- the rooted tribal and the modern Indian, as 'the former song-mates turned to total strangers'.

The loss of history, territory and intrinsic identity can begin simply by forgetting. Not doing something, and in this case, not remembering will have serious consequences. Perhaps Ao is responding to this clarion call as she writes at the beginning of the poem how the bird, the poet and the reader get 'instantly alarmed'. This self-confessed story teller and songwriter exhorts her listeners not to discard one's essential identity by re-awakening olden songs and stories, and articulating it to a new discourse. For the poet, the "most important contribution of orality towards such studies is in the sphere of political insights to traditional village politics, which is providing room for synthesis of modern political concepts within the traditional framework." Ao brings forth the Naga context, in which the prescient past was erased and replaced by a dominant alien worldview. This state of being removed from their history and the need for restoration of the past is what is represented in the poem. This reminds one of subaltern literature in which themes such as suppression, oppression, marginalisation, gender discrimination etc. are reflected. In the poems of Ao, one finds these expressions, echoing the oral narratives, songs, myths, culture, history and tradition of the Nagas. The picture of the contemporary society devoid of the native ethos is bemoaned by the poet:

In the surreal surroundings,
she spies her former mates
strutting on glittering bars inside gilded cages
trying to sing their old songs!

The society that exists now is symbolic of a new literate tradition which set aside the oral tradition preceding it. The song-bird, in search of a long lost tradition, arrives to encounter a dismal situation:

Her old world has vanished;
Free-songs forsaken, song-birds' abandoned,
and former song-mates turned to total strangers
strutting and screeching in bonded splendours.

Jayanta Mahapatra, an eminent Indian poet says, "the miseries of contemporary dilemmas are apparent" in the poetry of North East India. This is specifically reflected in its persistent search for "identity". Most of the poets from North-East feel threatened that "outsiders" may swamp their identity, tradition and culture. This fear surfaces in their poetry and they blame them for distorting their culture:

They dislodged me from my moorings
They tore me from her side
They chipped and chiselled
They gave me altered dimensions" (Temsula Ao, 2013)

Using the chipped monolith as an image, Ao describes how the ways of the hill people have been changed by the "outsiders", who come from far off land to influence them. She feels that her own people were denied their real selves.

Poetry from Northeast India presents two contradicting worlds: the 'natural/ spirit world' and the 'human world' and a poet like Temsula Ao manoeuvers poetry through these two paradoxical worlds with dexterity. She articulates the contradictions and speaks about them in order to make sense of the senselessness around them where "tradition rubs shoulders with modernity, folk rhythms jostle uneasily with the western pop, virgin forests stand a mute testimony to the debauchery of urban life, and recalcitrant nativism co-exists with the 'otherness' of the outsiders" (Nayar, 2003). However, against all odds, Ao believes in survival and celebration of life. Firmly rooted in the land, her poetry has an engaging universality that disseminates itself amongst all her readers.

Conclusion

Temsula Ao's poetry draws extensively from the indigenous archives of the Ao-Naga community. Her poems are replete with images and allusions to the

myths and lores of her culture. But, despite the context being local, her concerns are universal. She talks of violence, cultural loss and environmental degradation. She also speaks of womanhood and the dominance of patriarchy. Her works provide scopes for post-colonial, feminist, and eco-critical readings from transnational perspectives and do not merely reiterate the typecasting ascribed to the region. The same perhaps can be said of most, if not all, contemporary women writers of North East India.

Given the current trends of cultural, racial and gendered fetishism, perhaps a terminology such as 'North East Literature' adds to the perceptibility and 'saleability' of literature of the region, and shapes it as commercially feasible. But, when categorized within such fabricated spaces, literature seems to remain confined within and subjugated by the varied essentialisms imputed to the region. In her foreword to 'These Hills Called Home', Ao says, "Our racial wisdom has always extolled the virtue of human beings living at peace with themselves and in harmony with nature and with our neighbours. It is only when the Nagas re-embrace and re-write this vision into the fabric of their lives in spite of the compulsions of a fast moving world, can we say that the memories of the turbulent years have served us well". In a similar tone, through the image of the song-bird, the poet expresses her deep concern for a present that appears confused, owing to a heterogeneous clutter of identity, ethnicity and nationalism. In a society where man is often governed by creed, greed, region and religion, the poet in Ao is hurt when things seem to go wrong; and some of the resultant poetry becomes an echo of a wounded heart. Nevertheless, her poetry reiterates that the strategy of love is still relevant and powerful in the battle against hate, irrespective of the medium one uses to convey it. Temsula Ao is a poet of the marginalized – a poet who sings because she cannot stop singing of the untold miseries of a great culture.

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Importance of Education in Gender Equality in India

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Abstract

Education is a vital tool in the process of human development, serving as a foundation for empowering individuals and transforming societies. Education is not only about developing our knowledge and skills but it also influences individual to challenge the long standing gender stereotypes of societies, fostering attitudes, and fight against discriminatory practices. By providing equal educational opportunities to all genders, societies can make a gender inclusive environment where individuals belonging to different gender can flourish together, contribute and benefit equally. Education empowers women and girls to make informed decisions, enables them to take stands for their rights, and make them confident to take equal responsibilities. It will create a way for economic growth, improved health outcomes and the reduction of poverty. The role of education in promoting gender equality is multifaceted and significant. Education can influence the overall development of an individual as well as the nation. The inequality exists in every society across the world can only remove through proper education. Though Indian constitution has different laws for equality among different gender but in reality inequality still exist in our country. This paper discusses the importance of education in achieving gender equality as well as fundamental approaches of education promoting gender equality. Along with that this paper also emphasizes on the schemes and policies that provides equal education to all gender.

Keywords

Gender, Empowerment, Gender Inequality, Gender Discrimination, and Stereotypes

Introduction

In the rapidly shifting world today, gender equality is one of the most important goal that's need to be promoted for the overall development of one society. Gender equality is a fundamental human rights and education plays a pivotal role in promoting gender equality by empowering individuals, challenging long standing gender stereotypes of societies, creating gender inclusive

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environment, fighting against discriminatory practices and promoting equal opportunities. Regardless of any gender, education is a fundamental right for everyone. However, in many societies girls and women face obstacles for accessing education due to cultural norms, poverty, discrimination, child marriage etc. By providing equal education for all gender, we can remove inequality from society and individual can show their potential in any field belonging to any gender identity.

Gender equality is a crucial factor for achieving peaceful societies, human development, sustainable development and global socio-economic development. Gender equality is about equal rights, responsibilities, and opportunities for all individuals belonging to any gender identity. When both men and women get equal chance to contribute in the workforce, education, and decision-making process, it leads to more progressive as well as innovative ideas and socio-economic development of a nation.

Gender disparity in Indian society is a long term problem. Individual belonging to different gender are expected to behave according to their gender roles. In Indian patriarchal society women are subjugated than men. Women are more likely to be engaged in low paid or unpaid job, informal work, have less access to healthcare and are more vulnerable to exploitation and gender based violence. Constitution of India as well as government of India grants many laws and schemes for equality of all gender in Indian society. But because of various socio-economic factors gender inequality is still exist in India. So, India needs to improve more gender inclusive curriculum to develop gender equality of the nation.

Objectives

i)   To know about the importance of education in gender equality.

ii)   To understand some fundamental approaches of education contributes to gender equality.

iii)   To find out various schemes and policies promoting education and gender equality in India.

Methodology

The study is qualitative in nature. Data has been collected from secondary sources like research articles, government reports and different websites.

Gender Inequality in India

Gender inequality is deep rooted in Indian society from the beginning. It is a challenge for women to get equal rights and responsibilities in a patriarchal society like India where men always have superior position in every dimension. Discrimination against girls and women is found even before from her birth in

the form of female foeticide and after birth it is practiced in the form of female infanticide (Kohli, 2017). This discrimination starts before birth and continue throughout their lives. India is a country with diverse socio-cultural norms and values and socialization of each gender depends on the culture of that particular society where the individual belongs to. Individual have to follow different roles, status, norms according to their gender. In Indian society men always holds the superior position in the power structure. The gender stereotypes prevails in Indian society treat women as weak and inferior than men make inequality among both gender. Women are most likely seen as a care taker or nurturer of family and only men have the ability to take decisions in Indian society. Despite the constitution of India grants various laws for equality of men and women, some deep rooted gender discrimination against women still exist in our society.

India has been ranked low on various indicators that measures gender equality of a country including economic opportunity and participation, educational achievement, health and survival, political empowerment and legal protection. India has been ranked 127 out of 146 countries in the latest Global Gender Gap report of 2023 released by the World Economic Forum. Though India has made progress from 135 ranks (2022) to 127 but there is still need to take various measures to reduce the gap to get equality among all gender. However, the main barrier of inequality is the conservative value, beliefs and norms of Indian society can only remove through proper gender-neutral education system.

In recent time, women in India prove themselves in every sector from office work to politics, science and technology etc. Women have challenged the stereotypes against them and work hand in hand with men for the socio-economic development of the country. During Covid-19 pandemic also many women worked as a frontline worker. Even after struggling against the discriminatory socio-cultural norms and stereotypes, women in India have not yet achieved an equal position to men.

There are many causes of gender inequality in Indian society; some of the most common causes are mentioned bellow;

i)   Illiteracy: In India, Illiteracy significantly contributes to gender inequality and it limited women's opportunities in all sphere of life. Educational deprivation of girls and women in India make them lack of skills and knowledge for socio-economic participation of society and take informed decision about their own lives. Despite of many educational reforms in the country girls and women are still deprived of proper education. According to 2011 census the literacy rate of females and males are 64.63% and 80.9%

respectively. People have to remove their traditional mindset and give attention to girls and women education for reducing the gender gap of Indian society.

ii) Patriarchal setup of the Indian society: Men in India hold all the rights and power in the home, community and state. In patriarchal societies, women are subordinate than men which refers to the lesser status, lack of access to resources and decision making of women in society. Sociologist Sylvia Walby defines Patriarchy as "a system of social structures and practices in which men dominate, oppose, and exploit women" (Walby, 1990). Although due to educational development, modernization and urbanization the mindset has been changing but patriarchy is still practiced by a lot of households in India even today.

iii) Poverty: As a developing country, India is still trying to develop their economic condition in global level. A large section of people in India still live below poverty line. Poverty is one of the main contributors of gender inequality in India. Despite the prevalence of education in rural area people prioritize the education and wellbeing of boys over girls as sons are traditionally seen as breadwinners for the family. This results in lower attainment of girls, limiting their future employment opportunities and economic independence.

iv) Socio-cultural norms and practices: As a patriarchal society, traditionally people prioritize boy child over girl child. Even today many people in India want boy child rather than a girl child. Sons are valued more in terms of socio-economic, political as well religious consideration.

v) Child marriage: Child marriage is a huge issue in Indian society where mostly girls are forced to get married in very early age. From the childhood girl have to learn household work as they have to take care of her family. Because of so many burden at very early age its affect the physical health of them. However, the number of child marriage decrease now a days but its not totally disappear.

Need of Gender Equality in India

Gender equality in India is important to building a more inclusive and prosperous society. It's is not only about ensuring fairness and justice for women, but also about the development of all individuals belonging to the society. When women of one nation gets equal rights, access to education, employment, equal opportunities and leadership then it will benefit the whole nation. This equality leads to more economic growth, improved health and

163

educational outcomes for families, and reduce gender-based violence. It also promotes a more balanced representation in decision-making processes, both in the public and private sectors which leads to more effective governance. Furthermore, gender equality is crucial step in challenging the deep rooted traditional, conservative stereotypes of Indian society and changing them for the betterment of the nation. In essence, achieving gender equality in India is essential for the nation's overall development and global standing.

Achieving gender equality in India is equally essential to breaking the cycle of poverty. When women are empowered economically, they are most likely to invest in their families, resulting in improved nutrition, health, and education for their children. This will helps in lifting households out of poverty. Moreover, gender equality promotes intellectual diversity and innovation, essential in a rapidly changing global landscape. By providing equal opportunities for women in science, technology, engineering, and mathematics (STEM) fields, India can harness a wider range of talents and perspectives, driving forward scientific and technological advancements. Additionally, gender equality can lead to more sustainable development, as women often play a crucial role in managing natural resources. In short, advancing gender equality is a multi-faceted effort with far-reaching benefits, extending beyond individual rights to encompass economic, social, and environmental progress for the entire nation.

Importance of Education in Gender Equality

Education holds a transformative power in promoting gender equality, serving as a foundational pillar for breaking down deep rooted stereotypes and empowering individuals across gender spectrums. Individuals are exposed to diverse perspectives and learn the importance of equality, respect, and inclusion through the lens of education. It challenges traditional narratives and roles ascribed to genders, encouraging a more equitable participation in all spheres of life. By integrating gender equality into educational curriculum and promoting inclusive teaching practices, schools become arenas where future generations are nurtured to value and uphold the principles of equality and justice. Men and women both are the two sides of one coin. No society can be developed by ignoring the development of one gender. The process of human development will only successful through the development of all individuals belonging to different gender. Contribution of each gender in crucial for the progress of one nation. Education of both the gender is important for developing the understanding between them two. An educated man can understand the situation of women and treat them equally. They don't think women are lesser than them in any sector. Gender socialization based on traditional values make men believes that women are born only for doing

household work and taking care of the family member. Education makes them to realize that women have the equal ability and power to take any important decision and work equally in any sector like them. However, women have more burden and responsibilities to look up to both family and work together.

The empowerment derived from education is profound, especially for women and girls. Women and girls have historically faced barriers to accessing education and economic opportunities. Education provides them critical thinking and knowledge, enabling them to make informed decisions about their lives, careers, and health. This empowerment extends beyond the individual and impacting families and communities. Educated women are more likely to participate in the workforce which contributes to the economic growth of the society. They also advocate for the rights and education of their children and continuing a cycle of empowerment and opportunity. Moreover, the role of education in gender equality is essential for societal progress and sustainable development. It creates the foundation for more inclusive societies, where decisions and policies reflect the needs and voices of all individuals belonging to any gender. Educated populations have better ability to tackle challenges, from health crisis to economic instability with innovative and inclusive solutions. In sum, education is not merely a tool for personal development but a cornerstone for building gender-equitable societies that can develop and adapt to the challenges of the modern world.

Fundamental Approaches of Education promoting Gender Equality

There are several fundamental approaches offering by education for promoting gender equality:

    i)   Ensuring Accessible Education: Education is the fundamental rights for every individual. However, in many societies girls and women face obstacles to get education because of poverty, cultural norms, stereotypes and discrimination. Making education accessible to all, regardless of any gender is a fundamental approach. This includes removing financial, cultural, and physical barriers to schooling for girls and boys alike.

    ii)   Promoting Inclusive Curriculum and Pedagogy: Developing curriculum that includes gender-sensitive content and employing pedagogical methods that encourage participation from all genders equally is crucial for educational institution to develop equality among gender. This approach aims to challenge stereotypes and promote a culture of equality from a young age.

    iii)   Promoting Safe and Supportive Educational Environments: Creating safe spaces for learning, free from violence and

harassment, is essential for equal growth of both men and women. This includes implementing policies that protect students and educators from gender-based violence and discrimination.

iv) Challenging Stereotypes: Education challenges and breaks gender stereotypes which promote gender inequality. Through gender inclusive environment educational institution can reduce gender bias, promote empathy and respect among different gender. This helps to develop more fairer and inclusive nation.

v) Promoting Gender Equality at Work: Education empowers individuals with different skills and knowledge which enables women to access better employment opportunities and leadership positions. Education also challenges traditional gender biases and make a gender inclusive work place environment. It raises awareness about the importance of diversity and equal treatment which leads to make policies that support gender equality in professional sphere.

vi) Encouraging Leadership and Decision making: Supporting girls and women to take on leadership roles within educational settings and beyond serves as a fundamental approach to develop gender equality and empower future generations. Education helps individuals to participate in decision making process at different levels including, social, economic as well as political sphere. Education helps women to raise their voices and make sure that their voices are on counts in the development of policies and programs.

vii) Integrating Gender Equality into Education Policies: Ensuring that gender equality is a central goal of educational policies and practices. This can include measures like gender reservations, scholarships for girls, teacher training on gender sensitivity, and monitoring and evaluation mechanisms to assess progress towards gender equality.

These fundamental approaches are interlinked and collectively contribute to utilizing education as a powerful vehicle for achieving gender equality. These approaches address both the direct and indirect factors that influence gender disparities in education and beyond and aiming to create an equitable society where individuals of all genders have equal opportunities to learn, grow, and contribute.

Government Schemes and Policies for Education and Gender Equality

Government of India has implemented various schemes and policies to promote education and gender equality. Some of the key initiatives include:

166

- Sarva Shiksha Abhiyan (SSA)
- Rashtriya Madhyamik Shiksha Abhiyan (RMSA)
- Beti Bachao, Beti Padhao (Save the Daughter, Educate the Daughter)
- Mid-Day Meal Scheme
- Right to Education Act (RTE)
- Sukanya Samriddhi Yojana
- National Scheme of Incentive to Girls for Secondary Education
- Samagra Shiksha Abhiyan
- Pradhan Mantri Balika Samriddhi Yojana
- Udaan Scheme
- Pradhan Mantri Ujjwala Yojana
- Women helpline Scheme
- One stop centre scheme
- Swadhar scheme
- Nari shakti puraskar

The objective of these schemes and policies is to develop a system where individual has equal access to quality education irrespective of their gender. Furthermore, these schemes ensure proper elementary education, higher education, financial support, safe and secure environment for girls and women which create a holistic environment for women empowerment. These programs and initiatives reflect India's commitment to improving educational outcomes and promoting gender equality, though challenges in implementation and effectiveness continue to be addressed.

Suggestions

- Develop and implement a curriculum that is inclusive and free from gender biases. Also ensure safe and secure learning environment.
- Provide training for teachers and educators on gender sensitivity, bias recognition and inclusive teaching practices.
- Encourage male participations in traditionally female dominating fields like nursing or teaching.
- Providing scholarship and financial assistance to promote the education of girls and gender minorities, particularly in regions where they are less likely to receive education.

Conclusion

The impact of education on gender equality cannot be overlooked. It's more than just a pathway to knowledge and skills but a powerful agent of change. Education challenges the deep-rooted gender stereotypes that have long dictated roles and expectations, enabling both men and women to break free from traditional confines. When we educate individuals equally, we empower

them not only as learners but as active and equal participants in society. This empowerment extends beyond the classroom into various aspects of life, including economic growth, health, and democratic participation. The benefits of gender equality in education are far-reaching which influence everything from individual self-esteem to global socio-economic development. By ensuring that everyone regardless of gender has access to quality education and we're not just transforming individual lives but also reshaping the future of our global community.

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LEGAL FRAMEWORKS RELATING TO DOWRY DEATHS IN INDIA

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Abstract

The Dowry deaths are the deaths of young women who are murdered or driven to suicide by continuous harassment and torture by husbands and in-laws. The reason for which the practice of dowry looms large in the Indian society can be attributed to several factors. Dowry is looked upon as a status symbol in several states in India and most girls accept it for fear of being humiliated without it. Upon refusal or inability to provide dowry, the family of the girl also stands to face the gravest censure and disgrace. The structure and customs of the Indian society thus support the tradition of giving and taking of dowry to a great extent.

To eradicate the rampant social evil or dowry from the Indian society, Parliament In 1961 passed the Dowry Prohibition Act, which applies not merely to Hindus but all other communities and this act has been amended twice i.e. on 1984 and 1986. But these were not able to curtail the occurrence of such an evil in the society. So in 1983 a new penal provision on cruelty against women (section 498-A) has been introduced to the Indian Penal Code. In 1986 section 304B on any unnatural death of a woman within seven years after marriage and section 113B on forced suicides of women within seven year period after marriage were added to IPC.s

The Act of Dowry has lacunas which were modified several times, but the officers are not performed vigilantly for that not only victim of dowry suffered but also the men suffered illegal allegation by the women because of ambiguous nature provisions.

Keywords

Legal Frameworks, Dowry Deaths, Cruelty, and Unnatural Deaths

Introduction

Marriage is one of the principal tool used in expansion of family but having said that the institution of civil marriage has under gone monumental changes in the last few decades. Yet one of the longest standing evils associated with marriage in the Indian society from a woman's points of view is the dowry system. It is a custom that is prevalent in almost all the section of our society in one form or the other. The root of a host of social evil against women, the tradition of presenting dowry is the crudest expression of the male dominance

in the society. It is now regarded as a compulsory custom of girl's parents to provide a considerable amount of cash, electronic appliance and gold in the form of jewellery movable or immovable properties to the groom and his family at the time of marriage.

The origin of the custom lies with parents trying to assure financial stability for their daughters, however in current scenario it has transformed into parents paying up for their assurance of well being of their daughters. The cash and the jewellery that a bride obtain at the time of her marriage form her parents home is often referred to as streedhan and in theory it is the property of the girl, but in reality it is generally regarded as their rightful due by the groom's family. The amount to be paid to the groom as dowry has no fixed standard, the principle greatly depends on the groom's profession or social status and is often perceived as the groom's family as the compensation of efforts they have made to educate their boy. Therefore one may define this custom as the unquestioned idea that the bride's family is inferior and helpless in standing with the groom's family irrespective of her status standards or qualities. As a result of which the girl's family are bound to be on their best behavior and offer lavish and expensive gift in order to please the boy's family.

Thus the idea of pleasing the boy's family is so ingrained in the mind of the large no of Indians that they either practically ruin themselves financially that in order to pay appropriate sum to the chosen groom or they end up by selecting gender biased abortion or female infanticide so as to ignore financial burden. This exploitative system that has converted the custom of given gift and well wishes in to a compulsory demand for money, respect and subjugation is one of the major contributing factors behind the growth of the Indian society where being a woman each still considered to be a burden of the family.

If parents of moderate economic class cannot meet the dowry demands, their daughters remained unmarried or even if they manage to give a dowry they get into having debts. Demands for more dowries after marriage have become a source of conflict between families of the boy and that of the girl. When the demands are not met, brides are harassed, torture, burnt alive or they even commit suicide.

Thus the issue of dowry is a matter of great concern as it endangers and threatened the live of women. The system of dowry in India is lowering the status of women to a great extent.

Having said that, now in 21st century the concept of cruelty which was earlier exercised by the husbands on married women, nowadays took a new colour and situation is vice-versa. At the time of introduction of the section it instilled some hope and optimism in the hearts of the woman and her family as it was seen as

an 'armour' to combat against the brutality of the male members of the society nevertheless with the passage of time it became transparent that the provision of Section 498A IPC, 1860 left a host of loopholes which seemed to become a powerful 'weapon' if falls on evil hands.

Definition of Dowry Deaths

Dowry Deaths is a new offence was inserted in the Indian Penal Code by virtue of section 304B. The provisions as contained in section 304B, is a new offence of and is a substantive provision (Dewan, 1996).

Dowry deaths, murder, suicide are all are burning issues of today's society. The development of black evil "DOWRY" prevailed almost every section of the society. Married women were humiliated, tortured, ill treated by in-laws families or by husband. A newly married bride leaves her parental home for matrimonial home. She leaves behind suit memories there with the hope that she will see a new world, full of love in her grooms' house. She leaves her surname, Gotra and maidenhood there. She expects not only to be a daughter in law but a daughter in fact. But the alarming situation of Dowry broken her dream. And day by day in-laws become out laws. Attack her with a terrorist name "DOWRY" and it is spread in every possible direction (Kamlesh Panjiyar vs. State of Bihar, 2005).

The evil of Dowry has unfortunately spread like an epidemic in our country. The parliament has amended the IPC in 1983 and inserts section 498A which provide punishment to the husband or relatives of the husband for committing cruelty to the wife. And also inserted section 304B in the IPC and punished those who are responsible for Dowry Deaths.

Section 304B of Indian Penal Code stated that, 1) Where the death of a woman is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within seven years of her marriage and it is shown that soon before her death she was subject to cruelty or harassment by her husband or any relative of her husband for, or in connection with any demand for dowry, such death shall be called 'dowry death' and such husband or relative shall be deemed to have caused her death. 2) Whoever commits dowry death shall be punished with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life (Myneni, 2015).

Legal Frameworks Relating to Dowry Deaths

Protection of young married women against harassment and cruelty on account of dowry is responsibility of Government. Social organization and media may also effectively contribute by developing awareness regarding this issue and mobilizing the support of society against this panic situation. It is very

important that all human being have to fight together to end this social crime forever to bring new happy horizon in life of married women. In view of the increasing number of dowry deaths, guidelines have been laid down by the Government of India for examination of The Indian Penal Code (I.P.C.), Criminal Procedure Code (Cr .P.C.) and Indian Evidence Act (I.E.A.) are amended as per the criminal law (Second Amendment) Act, 1983 and was approved by President of India to deal effectively with cases of dowry deaths and also the cases of cruelty to married women by their in laws.

Dowry related Offence against Women under IPC

Dowry deaths : Section 304B of the Indian Penal Code states that if a woman dies within seven years of marriage by any burns or bodily injury or it was revealed that dowry then the death of the woman will be considered as a dowry death. Punishment for dowry death is a minimum sentence of imprisonment for seven years or a maximum sentence of imprisonment for life.

Section 304 B of IPC - Says where death of a women is caused by bums or bodily injury or died under abnormal circumstances within seven years of her marriage and it is shown that soon before her death she was subjected to cruelty or harassment by husband or by his relative with regard to demand of dowry. Such death shall be called "Dowry death" and such husband and his relative shall be deemed to have caused her death (Mishra, 2016).

In the case of *Satvir Singh and Others v. State of Punjab and another* apex court held that the harassment or cruelty to which the women is subjected should not be at some time with the demand to dowry rather it should be "soon before her death" (Satvir Singhand Others v. State of Punjub and another, 2001).

Cruelty to Women (Section. 498-A IPC)

The term cruelty defined in explanation to 498- A IPC shows that cruelty is of two types being any willful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health, whether mental or physical. The second part of the explanation defines cruelty as harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property valuable security or is on account of failure by her or any person related to her to meet such demand (Dewan, 1996).

In *Madhuri M. Chitnis v. Mukund M. Chitnis* it was held that the meaning and definition of cruelty given in Section 498-A is not vague. The ordinary dictionary meaning of cruelty does not apply to *Section 498-A,* which has been inserted in the statute with the purpose of meeting a social challenge to save the

married woman from ill-treatment and to ensure that woman live with dignity in their matrimonial homes. The sole constituent, the Court held, of an offence under Section 498-A IPC is willful conduct. Willful contemplates obstinate and deliberate behavior on the part of the offender for it to amount to cruelty. Thus, *mens rea* is an essential ingredient of the offence. Where a married woman was subjected to a series of malicious and vexatious litigation, wherein she was humiliated and tortured through the execution of search warrants and seizure of personal property, it amounted to cruelty and harassment punishable under Section 498-A IPC (Madhuri M. Chitnis v. Mukund M. Chitnis, 1991).

Dowry Prohibition Act, 1961-

The Dowry Prohibition Act is an Indian Law. This Act was levied to prevent giving or receiving any form of dowry (Lisha). This overview includes the amendments made in 1984 and 1986 for e.g. expanding the definition of dowry to include before or any time after marriage; making the offence non-bailable; putting the burden of proof on the person who takes the dowry ; ensuring that the dowry is transferred to the woman, if received by someone else; and that it goes to her children or parents if she dies within 7 years of marriage; enhancing the penalty; appointment of Dowry Prohibition officers and an Advisory Board.

Indian Evidence Act,1872-

To make the Amendments in the IPC more effective, amendment in the Evidence Act, 1872 was considered to be necessary. Thus, *section 113-A* and Section *113-B* was added. Section 113-A speaks about Presumption as to abetment of suicide by married women. Section 113B of Indian Evidence Act states that if it is shown that soon before the death of a women such woman subject to cruelty or harassment for, or in connection with any demand for dowry deaths under section 304B IPC (Pratyush, 2019).

Code of Criminal Procedure,1973-

Section 174 and section 176 deals with the investigation and enquiries related to the causes of unnatural deaths by police and magistrates respectively. In 1983 the amendment makes mandatory for the police to send the body for post-mortem examination if the death of woman occurred within seven years of marriage in a matter of suicide or any dubious matter. It also empowers executive magistrate to inquiry into the death of a woman in similar circumstances (Pratyush, 2019).

Misuse of Dowry Laws

There are many laws and legislation passed in India to protect the bride from extreme harassment and pressuring by her husband or by the in-laws for seeking dowry which is unquestionable which is done extensively in many parts of the

country. The exercise of dowry abuse is increasing in India. Dowry system in India is one of the most ill-practise followed for a very long time. Initially dowry was a crime against married women who were forced to bring money and wealth with them after getting married to the husband house. . Brides were beaten up and force to do so, which even led to their death. Strict laws are made by government against the people who committed this heinous crime but as time evolve many women started women misusing this laws and a false case against her husband and in-laws which would lend the entire family and the husband into the jail and under investigation. Most often in today's scenario it is been seen that the anti-dowry law are more misused than used and it's high time now that some serious law is put into this matter.

The Supreme Court has said that women are increasingly misusing the tough anti-dowry laws as harassing against the husband and in-law. The judges said that the law was enacted to help women but it was being used "as a weapon by disgruntled wife".

The court has ordered the police a nine point checklist before arresting any one on dowry complaint.

Conclusion

 It can now be inferred that the Government of India in conjunction with the guidance of the Judicial Body of the country have been reasonably successful in laying down most reasonable, co-operative, supportive provisions and laws to protect the interest, life and dignity of women and provide justice to victim's sufferings from harassment, cruelty and dowry deaths. Still certain stringent corrective measures need to be adopted to eradicate or at least curb this notorious issue of dowry demand from our country but most importantly, it requires public will and commitment to shun away from this social and materialistic evil greed for dowry.

Dowry is deeply prevalent in many communities and many parts of the country. This is a well-known fact that law always fails in removing social evils as there are three important things- Law-making, Effective implementation of law and Co-operation of people necessary for removing any evil.

Some of the preventive measures which will help us to decrease this evil are:-

Fear of Law: People openly demand dowry in spite of it being considered as a crime. This is mainly because there is no fear of law. The existing laws are not implemented strictly and the cases filed take a long time for the verdict. There have been incidents where the police were being insensitive. A deep change has to come within the judicial system of the country.

Women Empowerment: The key to this is education. If women are to be independent, financial independence is a must. Parents should invest well in the girl education than saving up money for the dowry. Also, all women must learn to fight for their rights and protest against these evils. God helps those who help themselves.

Enforcement of Laws: Only introducing acts and amending sections is never enough to fight against social evils, it also requires proper implementation and ruthless enforcement of laws. Lack of proper investigation often leads to the harassment against whom the litigation is filed. The Government needs to ensure a zero- tolerance policy for such offenders and ensure implementation of the law through systematic changes.

Learn to Say No: In some cases, it is the parents and family and not the boy who demands the dowry. Under such circumstances, the guy has to convince his parents to opt out. In order to stop dowry, we all shall learn to say no to down under any circumstances and situation.

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NEO-VAISHNAVISM AND SANGHATIS: EXAMINING THE SATRA INSTITUTION IN MEDIEVAL ASSAM

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Abstract

The religious history of Assam since the ancient past has always been interesting for its alterations and adaptations. Many religious faiths and identities had made inroads into the region time and again. While the ancient ruling dynasties draw their lineage from the boar incarnation of Vishnu this changed with the disintegration of the Pala kingdom. In the medieval period Assam witnessed the emergence of all the major sects of Hinduism primarily Saktism, Shaktism, Vaishnavism etc. In this paper, I have tried to focus and explore the emergence of the Vaishnava sect in Assam and its modifications with time prioritizing its philosophy and ways of operations. The paper also intends to try and understand the reasons behind shift from the egalitarian and democratic notion of Neo-Vaishnavism towards a rigid and elite religious faith in the later period of time.

Because of the complicated political environment, religious unification in medieval Assam was a slow and drawn-out process. At the start of the medieval period, the smaller tribal principalities had no interest in gaining more territory or in showing favor to any particular religion. They engaged in more small-scale battles, primarily for infiltration and supplies. There was no attempt to create hegemony or dominate the other tribes. The arrival of the Ahoms, who were keen to found their kingdom and conquer the tribes in order to unite the region, altered the character of politics. They established suzerainty over the entire region with the aid of their military force, hereditary prowess, administration's follow-up policies, and a novel type of land relationship coupled with a sophisticated form of production.

A pivotal time in Assamese history occurred during the 13th and 16th centuries. Among the main causes were conflicts between various tribal princes, political instability, the lack of centralized government, and the contestation of various

theological elements coupled with animosity toward one another. The tribes frequently disagreed on things like trade, borders, and other matters. In addition to causing property and human casualties, these battles had a negative impact on the general public. Notwithstanding this, the tribes coexisted as neighbors, with their boundaries established by agreement. Due to the lack of resources available to the common people, it was difficult for them to afford the highly ritualized type of worship that Brahmanical Hinduism organized. Tribal forms of devotion included animal and bird sacrifices, among other offerings, and were sanctioned and encouraged by Brahmanical Hinduism. These intricate forms of devotion came with a burden in the shape of offerings and expectations. At this point, Neo-Vaishnavism's emergence captured the attention of the general public, and over time, many of them were discovered to be gravitating toward its doctrine. While there were several additional factors contributing to Neo-Vaishnavism's appeal, its simplicity and lack of devotion to elaborate rituals was a major one.

According to Maheswar Neog and Amlendu Guha, the small traders and weavers were responsible of the advent of Neo-Vaishnavism. Initially, with the support of the Bhuyan community the Neo-Vaishnavite movement started out in places where there was no direct control of the ruling class. The trading community being out there and relatively independent from closed and conservative confines were able to facilitate them to expand and Neo-Vaishnavism was able to create a new social order in return. (Neog, 1965)

Sankardeva's Neo-Vaishnavism emerged at a time when there was instability due to the fragmented political condition during the 15th century. It was also the time when there was a subsistence level agrarian economy, along with a highly ritualized form of worship comprising animal and human sacrifices, which led to a crisis of resources for the masses. Vaishnavism appealed to people with its teachings of non-violence and its emphasis on Bhakti rather than rituals as a means to reach God, but the process of acceptance was very slow. According to S.L.Barua, socio-economic conditions at the time made the acceptance and expansion of Vaishnavism possible. (S.L.Barua) A tremendous transformation in the religious sphere happened in Assam with the introduction of Vaishnavism. Primary propagator and Guru being Sankareva Vaishnavism in a very short span of time was embraced by a greater section of the population for various inherent reasons. The major groups of people were rural peasantry, petty traders and recently Hinduised indigenous and ethnic communities as well as the Non-Hindus. The usage of vernacular language was one of the prime reason for its quick and effective popularity among the masses. The expansion of the Bhakti movement in Assam was wider not because Assam needed it or the older religious traditions needed revival but because the time and

environment was suitable enough for the religion which was much simplistic in nature.

The Satras and Naamghars were the two prime institutions which helped the faith in reaching out to a large section of population. The *Satra* was first established by Sankardeva himself, similar to the Buddhist Viharas or the Maths found in Central and Northern India. These were residential institutions for the monastic communities to reside and practice the faith. (Neog, 1965) These institutions, later on, became the primary centers of importance for the propagation of Vaishnavism. The *Satras* immensely boosted the process of inclusion of tribes and people from the lower social order. The huge amount of land under the *Satras* helped the Vaishnava preachers to include more people into their fold. Moreover, the declaration of the Ahom king that *bhaktas* of the *Satras* would no longer be regarded as paiks boosted the process of conversion into Vaishnavites.

The Satras began to spread widely about the middle of the seventeenth century. The locations of the Satras were carefully selected with consideration for the resources, food, and water available. The primary goal was to construct the Satras close to the communities so that the Vaishnava preachers could engage with the people, share their religion, and carry out the duty of converting them. (Neog, 1965)

Developed and spread by Sankardeva (1449–1568) and Madhavdeva (1489–1596), the fundamental idea was to create an egalitarian religion that placed more of a focus on liberal ideas and straightforward forms of devotion and less emphasis on caste hierarchy, Brahmanical conservatism, and orthodoxy. In Neo-Vaishnavism, Lord Vishnu held a prominent role; yet, it differed from Vaishnavism in other regions of India in that it explicitly rejected the primacy of Brahmins as leaders of state.

As Neo-Vaishnavism gained traction throughout time, it was clear that tribal societies were drawn to concepts that resonated with them. The implementation of Satras, or Vaishnava monasteries, by Madhavdeva and his followers following the passing of their guru Sankardeva, although first introduced by Sankardeva, was crucial to the spread of the religion. There were just 100 Satras till the middle of the 17th century, according to H.K. Barpujari (H.K.Barpujari, 1990). After that, they began to expand quickly, surpassing the 700 mark in the Brahmaputra valley in a relatively short amount of time. (P.K.Bhattacharya, 1991)

A larger segment of Assamese society was attracted to and convinced to adopt the faith by the remarkable organizational structure of the Satras. Every little task was meticulously distributed among the group's members, greatly boosting

the organization's efficiency. S.N. Sharma claimed that Assamese Neo-Vaishnavism's strong organizational structure and Satra institution set it apart from other Bhakti groups, such as Bengal's Chaitanya movement. (S.N.Sarma, 1966)

Under the direction of the guru, a vast network of Satras toiled diligently to make it easier for tribal people to become *saranias,* or members of the Vaishnavite community. The procedure was straightforward: the newcomer had to seek religious refuge under a guru, or *sarana*. Additionally, the tribes' upward mobility was facilitated and ultimately assisted in joining the caste system by giving up some tribal rituals and accepting some Hindu customs.

The Satra institution's operations were divided into two primary sections. The dissemination of ek saran naam dharma was one of the main purposes of the Satras. In the *Darrang Rajvamsavali,* author Surya Khari also frequently discussed the fundamental subtleties of Vaishnavism, echoing the principle that underpins Vaisnavism: "Krishna ha eek dev, Krishna bina nai keu." Even though the Koch Kings supported Shaivism and Saivism, Vaishnavism had a significant impact on the Koches' kingdom. (P.K.Bhattacharya, 1991) The ultimate truth, according to Assamese Vaishnavism ideology, was Krishna, and a devotee may obtain the grace of God Krishna himself and be freed from all sins by chanting his name. According to the Sastras, great families would have ministers, saints will have saints, rich people will have riches, poor people will be poor, and thief families will be thieves. Surya Khari further emphasized this point in *Darrang Ramvamsavali*. (P.K.Bhattacharya, 1991) These were teachings offered in the Vaishnavite households and spaces like the Satras and Naamghars and was to enlighten people to choose the path of liberation.

In essence, the purpose of these establishments was to assist in the entrance of new members and to give guidelines for behavior and dedication that the novices were expected to adhere to. The agency was also supposed to organize a number of religious holidays and celebrations. The villages' social harmony was maintained, education was imparted, decisions were made, and justice was served in the event of social or religious disputes. The land grants given by the monarch and the religious donations given by the followers provided the majority of the institution's funding. In addition, the sporadic contributions from followers and enthusiasts made a big difference in its growth.

In the name of the guru, the disciples' excess crop was donated from their homes. In addition to receiving financial donations, the Satras were endowed with material goods and manpower, which made it necessary for the ruling class to monitor the Satras and its operations. It was important to prevent the establishment of a parallel government, as the ruling class often saw it as a

challenge. Madhavdeva and Damodardeva, two well-known followers of Shankardeva, deserve the true credit for the Satras' widespread appeal. They contributed to the Satra institution taking on a distinct form. In addition to systematizing the prayer sessions and creating the necessary preparations and regulations to ensure their efficient operation, Madhavdeva rebuilt Barpeta Satra and established it as a permanent center. Damodardeva was recognized for systematizing the Satra's management and function distribution among various functionaries. (Neog, 1965)

The Brahma Sanghati by Damodardeva, the Purusha Sanghati by Purusottama Thakur, the Kala Sanghati by Gopaladeva, the Nika Sanghati by Mathuradas, and the Padma Ata were the four sects of Vaishnavism. The name Kala Samhati was first used in a Kaljhar Satra created by Gopaladeva, a pupil of Madhavdeva. Gopaladeva, acknowledged by the Mayamara community as the first guru, was the teacher of Anniruddhadeva. Unlike the other Satras, he relied on a more democratic approach in an attempt to elevate the downtrodden. With clear hierarchical distinctions and royal sponsorship, the other Satras, led by Brahmins and upper castes, were becoming wealthy. (S.L.Barua)

Because of the greater concentration of followers from the Brahmin community, the Brahma Sanghati upheld the faith in the name, which was a symbol of the Brahmanical traditions. The Nika sanghati placed greater emphasis on asceticism than ceremonies, but the Kala sanghati rejected all forms of Brahmanical practice in favor of a more democratic approach and emphasized the Guru's primacy. Aniruddhadeva treated his disciples equally, with the majority of them being members of lower socioeconomic classes. Because of its liberal stance and genuine democracy, the Satra was therefore well-liked by a wide range of groups.

The disciples of this *Satra* regarded their Guru to be the Supreme being, and there was no other prime deity other than the Guru, which was not seen to be followed by any other *Satra,* although Gurus were respected by disciples. The character of Guru was immensely valorized in this *Satra,* for which the disciples would take the decision or order of the Guru as a landmark, and they would never go against the will of their Guru. (S.L.Barua) However, due to complete neglect, conflicting interests, and internal power struggles among his followers, Sankardeva's egalitarian vision of an Assamese society never materialized after his passing, and as a result, Neo-Vaishnavism broke up into a number of sects.

Thus, Sankardeva's restricted and unheeded attempt to unite all the tribes and groupings and create an egalitarian society regardless of birth and class persisted.

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Examining the Obstacles to Educational Inclusion Encountered by Scheduled Caste Individuals: A Case Study of Tipling Puranaghat Village in Dibrugarh District, Assam

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Abstract

India is home to a significant population of Scheduled Castes (SC). The Indian constitution allocates special assistance for the improvement of these SC communities, who face considerable challenges due to their impoverished socio-economic conditions. The government has undertaken various initiatives to address the problems faced by these individuals. However, despite swift efforts on paper, the actual material conditions of the SC population in India do not align with the standards of the broader mainstream society.

This research aims to investigate the real conditions experienced by the SC population in a specific area concerning their inclusion in education. The selected area is Tipling Puranaghat Village, part of Tipling Gaon Panchayat in the Tengakhat Revenue Circle of the Dibrugarh District, Assam. A purposive sampling technique was utilized to select 100 families from the village, and data were collected from the heads of these households. The study focuses on the educational status of the parents in the area, revealing insights into the numbers of students at various learning levels and the dropout rates. Additionally, it discusses the quantity and educational status of differently-abled students in the region. The research also sheds light on the socio-economic status of individuals and its impact on education. The anticipated outcome of this study is to uncover the facts about the challenges faced by Scheduled Caste students in the process of inclusion in education. It is expected that these findings will assist policymakers in charting an effective path to address these challenges and promote inclusivity in education for the Scheduled Caste community.

Keywords

Educational Inclusion, Scheduled Caste, Tipling Puranaghat, and Differently-abled Students

Introduction

India harbors a substantial populace affiliated with the Scheduled Caste, a demographic often deemed disadvantaged in terms of their involvement in the mainstream developmental endeavors, including education. The 2011 census report underscores the Scheduled Caste's presence, constituting 16.60% of the nation's total population, amounting to 201,378,372 individuals[1]. Notably, the literacy rate within this demographic stand at a meager 66.07%[2], trailing far behind the national gross literacy rate of 74.04% recorded in the same census[3]. In Assam, the total population of SC community people was 2,231,321, which is 7.15 of the total population.[4]

These statistics vividly underscore the marginalized status of the Scheduled Castes. Grounded in reality, influential figures such as Mahatma Gandhi and B. R. Ambedkar advocated for the implementation of tailored policies to uplift this segment of the population. Over the years, the nation has embarked on various initiatives aimed at improving the circumstances of the Scheduled Caste. In 1960-61, the central government established the Debar Commission to address educational challenges faced by SC/ST students. The commission highlighted the inadequacies in meeting the needs of this demographic and proposed recommendations, including specialized facilities for SC/ST students.

The Kothari Commission in 1964 recommended organized planning and the establishment of new institutions to cater to the educational needs of the Scheduled Caste. Subsequent actions were charted through the 'Programme of Action-1992' by the central government. Additionally, the Sarva Shiksha Abhiyan (SSA) mission introduced new projects to ensure the inclusion of the Scheduled Caste in primary and upper primary education. The Right to Education Act-2009 bestowed constitutional rights upon every child, regardless of caste or community, to be part of the national educational system.

Apart from the above, various commissions and bodies have been established in India to study and address the educational status of Scheduled Castes (SC) communities, aiming to uplift and empower them. These entities play a crucial role in assessing challenges, formulating policies, and implementing initiatives

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[1] Literacy rate of India - Population census 2011. (n.d.). Census 2011 India. https://www.census2011.co.in/literacy.php
[2] Ibid
[3] Literacy rate of India - Population census 2011. (n.d.). Census 2011 India. https://www.census2011.co.in/literacy.php
[4] Scheduled caste (SC) population in India. (n.d.). Census 2011 India. https://www.census2011.co.in/scheduled-castes.php

to promote education among SC populations. Here are some notable commissions and bodies:

Kaka Kalelkar Commission (1953): Formed to examine the condition of Scheduled Castes and recommend measures for their advancement, including in education.

Mandal Commission (1979): Investigated social and educational backwardness, providing insights into the status of SCs and other marginalized groups.

National Commission for Scheduled Castes (NCSC): Constituted to safeguard the rights and interests of Scheduled Castes, including issues related to education.

National Institute of Educational Planning and Administration (NIEPA): Engages in research and policy planning for educational development, with a focus on marginalized communities.

University Grants Commission (UGC): Implements various schemes and initiatives to promote access to education for SC communities in higher education institutions.

National Council of Educational Research and Training (NCERT): Develops inclusive educational materials, ensuring representation and sensitivity to the needs of SC students.

National Human Rights Commission (NHRC): Advocates for the protection and promotion of human rights, including the right to education for SC communities.

These commissions and bodies collectively work towards identifying barriers, formulating policies, and monitoring their implementation to enhance the educational status of Scheduled Castes in India. Their efforts contribute to creating a more equitable and inclusive educational landscape for all.

The National Education Policy (NEP) 2020 emphasizes inclusivity and equitable access to education for all, including Scheduled Castes (SCs). The NEP aims to address historical disparities and ensure that marginalized communities, including SCs, have equal opportunities in the education system. The NEP advocates for inclusive education, promoting diversity and ensuring that educational institutions accommodate the needs of students from all backgrounds, including Scheduled Castes. It encourages a more holistic and flexible approach to learning. The policy emphasizes the importance of early childhood education, aiming to provide a strong foundation for all children, including those from marginalized communities. This focus on ECCE is

expected to benefit SC students by enhancing their readiness for formal schooling. The NEP suggests the creation of Special Education Zones in regions with a high concentration of marginalized communities. These zones are intended to provide additional resources and support to ensure quality education for students from these backgrounds. To address economic barriers, the NEP encourages the provision of scholarships and financial support for students from underprivileged backgrounds, including SCs. This helps in reducing the financial burden on families and promotes access to higher education. The policy encourages the incorporation of diverse perspectives and contributions of different communities, including Scheduled Castes, in the curriculum. This approach aims to create a more inclusive and culturally sensitive learning environment.

Despite these concerted efforts, the participation rate of the Scheduled Caste in the educational process remains disconcertingly low. Therefore, an endeavor has been undertaken to unveil the underlying reasons for the inadequate engagement of the SC population in the educational system, focusing on a SC-dominated village in the District of Dibrugarh.

Significance of the Study

The Scheduled Caste people of India are still deprived from getting proper education. After aforesaid and other different efforts from the government since independence, the mentioned population has not showed satisfactory progress in participation in the educational system. Hence an extensive study on a SC dominated area may unveil the reality behind the lacuna of the system. A SC inhabiting area i.e. Tipling Puranaghat area under Tipling Gaon Panchayat of Tengakhat Revenue circle of Dibrugarh District of Assam is selected for the present study. Tipling Purana Ghat village of Dibrugarh has substantial population of Schedule Caste. Schedule Caste (SC) constitutes 29.65 % of total population in Tipling Purana Ghat village. The selected area is considered as a significant area, because it is situated only 5 k.m. away from Oil Township Duliajan. The Oil Township Duliajan consists of numbers of quality educational institutions from primary to higher level. In comparison to the neighboring Oil Town, the said village reflects very poor participation in the educational process, specialy in the case of the SC population. Hence the study may be quite significant in establishing the present condition of the education of the SC population of the nation.

Objective

- To examine the educational background of parents within the Tipling Puranaghat Village, belonging to the SC community families of

Tipling Gaon Panchayat, situated under the Tengakhat Revenue circle in Dibrugarh District, Assam, India.

- To investigate the educational status of students enrolled across various academic levels in Tipling Puranaghat Village, part of Tipling Gaon Panchayat, under the jurisdiction of the Tengakhat Revenue circle in Dibrugarh District, Assam, India.
- To assess the circumstances surrounding students who have discontinued their education in Tipling Puranaghat Village, a constituent of Tipling Gaon Panchayat, falling under the Tengakhat Revenue circle in Dibrugarh District, Assam, India.
- To scrutinize the educational status of differently-abled individuals residing in Tipling Puranaghat Village, located within Tipling Gaon Panchayat, under the administration of the Tengakhat Revenue circle in Dibrugarh District, Assam, India.
- To explore the socio-economic standing of residents in Tipling Puranaghat Village and its influence on the realm of education.

Methodology

Approach: In alignment with the study's objectives and the type of data required, the current research employed the descriptive survey method.

The descriptive survey method serves as a research strategy employed to acquire information regarding the characteristics, behaviors, and opinions of a given population. This approach involves the systematic collection of data from a sample that is representative of the broader population under scrutiny. Researchers utilize questionnaires, interviews, or observations to gather information in a methodical manner. The principal objective is to offer a comprehensive account of the features associated with a particular group, situation, or event currently under investigation. Descriptive surveys frequently employ quantitative research methods to gauge variables and scrutinize patterns. Structured questionnaires with closed-ended queries are commonly designed to elicit specific responses from participants. Statistical tools and techniques are often applied to analyze the data collected through descriptive surveys. Valuable for pinpointing trends, patterns, and correlations, descriptive surveys can be either cross-sectional, collecting data at a specific point in time, or longitudinal, gathering data over an extended duration. Common data collection methods include face-to-face interviews, telephone surveys, online questionnaires, and mailed surveys. Crafting unbiased and clear survey questions is imperative to obtaining reliable responses. Descriptive surveys deliver a snapshot of the prevailing conditions within a given context. They can utilize probability or non-probability sampling methods, with the former offering an equal chance of inclusion to every member of the population and

the latter selecting participants based on convenience or specific criteria. In summary, the descriptive survey method furnishes a structured and systematic approach to amassing valuable information, aiding in the understanding and depiction of diverse aspects related to a population or phenomenon.

Population: The study encompasses all households in Tipling Puranaghat village, under the revenue circle of Tengakhat of Dibrugarh District, totaling 148 households, out of which the SC population is 209.

Sampling: A purposive sampling technique was employed to select a representative sample of one hundred (100) samples for the study. Data were gathered directly from the heads of these selected families.

Instruments: An intricately designed interview schedule was utilized to capture information on various aspects such as the educational qualifications of family members, socio-economic status, the presence of differently-able individuals, and their educational background.

Analysis of Data

Educational status of the parents of Tipling Puranaghat Village: The investigation brings to light the inadequate educational credentials held by the village parents. Table-I below illustrates the current educational landscape in Tipling Puranaghat village.

Educational Qualification	Mother (in %)	Father (in %)
Lower Primary	22	21
Upper Primary	32	31
Secondary	25	17
Higher Secondary	18	22
Graduate	2	8
Illiterate	1	0
Total Number of individuals	100	99

Table-I: Educational status of the parents of Tipling Puranaghat Village

Table-I shows the educational status of parents of Tipling Puranaghat area under Tipling Gaon Panchayat of Tengakhat Development block of Dibrugarh District. It is clear from table-I that 22% of mothers of that village have completed only Lower Primary education, 32% have completed Upper Primary education and 25% have completed Secondary education. However, only 18% got the opportunity to achieve Higher Secondary level of education. Only 2 mother belonging to ST community of the said village were found graduate.

Moreover, 1% of mothers are illiterate in that village. Thus, it reveals that the educational qualifications of the mothers of Tiping Puranaghat village are not satisfactory.

The following bar graph reflects the trend of the educational status of the parents:
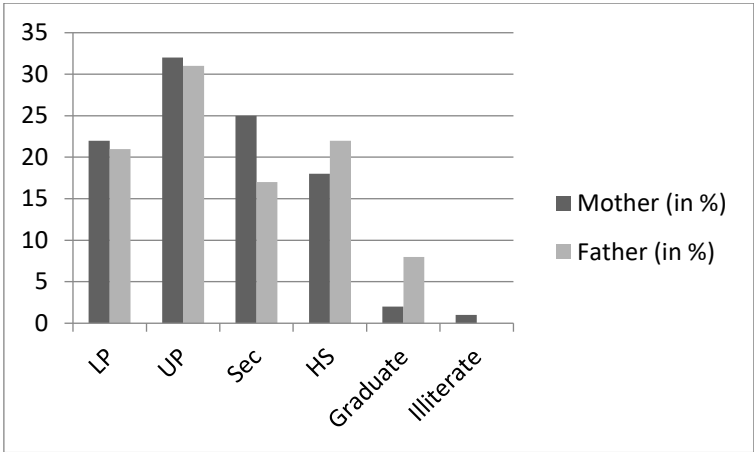
Figure-I: Educational status of the parents

From figure-I, it is clear that the numbers of illiterate mothers are more than the fathers and the mothers of the area are getting less opportunity to get the education at higher level, where a few numbers of father gets the opportunity.

Education Status of the Children of Tipling Puranaghat Village:
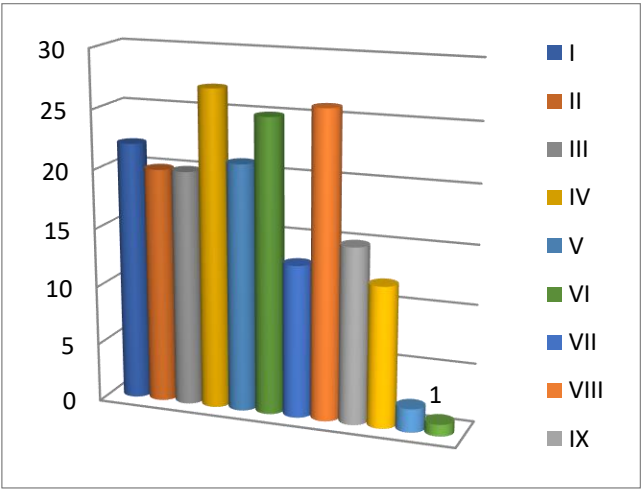
Figure-II: Number of Students studying in different Classes

188

From the survey, it comes to light that the children of the area are regularly attending the neighbouring schools. From the survey, it is also found that 22 student are studying in class-I, 20 in Class-II, 20 in Class-III, 27 in Class-IV, 21 in Class-V, 25 in Class-VI, 13 in Class-VII, 26 in Class-VIII, 15 in Cass-ix, 12 in Class-X, 2 in Class-XI, and 1 student is studying in B.A. 1ˢᵗ Year. From fig-II, it is clear that the rate of participation in different classes is fluctuating as the standard of learning is higher.

- **The Drop Out students of Tipling Puranaghat Village:**

In this survey, the investigator found that numbers of children has been dropped out in various stages of learning due to several reasons. It was found that 9 students has been discontinued their education at class-II, 5 in Class-III, 4 in Class-IV, 12 in Class-V, 12 in Class-VI, 7 in Class- Class-VII, 18 in Class-VIII, 10 in Class- IX, 6 in Class-X and 3 students has left their study in Class-XII. The following bar graph shows the trend of drop out student in this area:
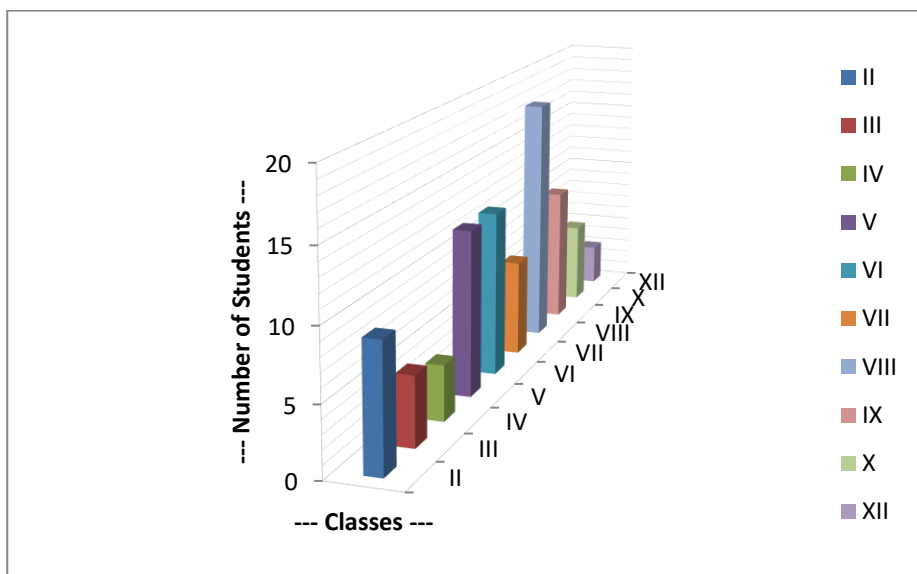
Figure-III: Number of drop out Students in different classes of Tipling Puranaghat Village

The figure-III reveals the trend of drop out students of Tipling Puranaghat village. They discontinue their education before completion of their secondary education. A majority (18) of students don't get the opportunity to complete the primary level of education.

Hence the declining rate of participation in the higher level of education is often reflected in the area.

189

- **Differently Abled Students:**

In the course of the current investigation, it was discovered that the region is home to several differently-abled children. Among this group, two were identified as hearing-impaired, one with oral disabilities, and two with visual impairments. Notably, one hearing-impaired child and one partially visually impaired child attend the nearby school designed for typically developing students. However, the parents of these children express dissatisfaction with the services provided by these schools. During interviews, they lamented the absence of specialized provisions for their children, highlighting the lack of special care in these mainstream schools. Moreover, the students in this category face challenges in accessing proper medical assistance, primarily due to a lack of awareness among their family members.

- **Educational Environment of Tipling Puranaghat Village:**

The region possesses moderate educational infrastructure, with two Assamese medium Lower Primary (L.P.) Schools in proximity to the village. However, these schools face challenges as their infrastructures are substandard. Students in the area face a choice for their upper primary or secondary education. Some opt for Tipling Ghat High School, located approximately 4 kilometers away, while others choose Naharkatia High School, requiring them to cross the Burhidihing River using small boats. Additionally, a few families prefer private schools. Tipling Ghat High School is the preferred choice for most students. The village experiences significant challenges during the monsoon season due to massive erosion caused by the Burhidihing River. Many students are occupied with ensuring their families' safety, and incidents of boat accidents, particularly in 2009 where five students lost their lives near Bamungaon village, contribute to a norm of student absenteeism during the rainy season.

In Tipling Purana Ghat village out of total population, 188 were engaged in work activities. 84.04 % of workers describe their work as Main Work (Employment or Earning more than 6 Months) while 15.96 % were involved in Marginal activity providing livelihood for less than 6 months. Of 188 workers engaged in Main Work, 21 were cultivators (owner or co-owner) while 10 were Agricultural labourer.[5] Despite improvements in the financial conditions of several families, government policies aimed at enhancing education have not proven effective in the village. The survey reveals that around 57% of households struggle to provide a dedicated space for their children's regular study at home. Surprisingly, not a single parent claims that their child follows a consistent study routine at home. When discussing their children's education,

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[5] Tipling Purana ghat village population - Tengakhat - Dibrugarh, Assam. (n.d.). Census 2011 India. https://www.census2011.co.in/data/village/291681-tipling-purana-ghat-assam.html

parents express more interest in encouraging them to secure employment in Oil India or engage in income-generating activities after a certain age, rather than emphasizing the continuation of their education.

Findings of the Study

The investigation into the educational status of parents in Tipling Puranaghat Village reveals several key findings.

- Educational Credentials of Parents: The study highlights inadequate educational qualifications among village parents. Table-I showcases the educational status of mothers and fathers, with a notable disparity in attainment levels. A mere 2% of mothers have attained a graduate degree, while 1% are illiterate.
- Parental Educational Disparities: Figure-I, representing the educational status of parents, indicates a higher prevalence of illiteracy among mothers compared to fathers. Mothers also face limited opportunities for higher education.
- Children's Education Attendance: Figure-II illustrates the number of students attending different classes in the village. The data suggests fluctuating participation rates in various classes, indicating challenges in sustaining education at higher levels.
- Dropout Trends: The survey identifies dropout patterns in different classes, revealing a significant number of students discontinuing education before completing secondary education. Figure-III indicates higher dropout rates, particularly before completing primary education.
- Differently-abled Students: The study identifies differently-abled children in the area, including those with hearing, oral, and visual impairments. Challenges faced by these students include limited access to specialized provisions in mainstream schools and inadequate medical assistance.
- Educational Environment Challenges: Tipling Puranaghat Village faces challenges in its educational environment, with substandard infrastructure in nearby schools. The choice for upper primary and secondary education poses difficulties, and the region experiences disruptions during the monsoon season, affecting student attendance.

Conclusion

Overall, the study emphasizes the need for targeted interventions to improve the educational landscape in Tipling Puranaghat Village, addressing disparities, dropout rates, and challenges faced by differently-abled students.

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Tracing the Female Dystopian Universe from Folklore to Female Dystopian Fiction: A Comparative Study of Assamese Folklore and Selected Female Dystopian Fiction

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Abstract

One thing that becomes evident from studying folklore from various societies is that, regardless of races or demographics being a woman was never easy in any civilization. But things might get worse for them if dystopia appears in the so-called modern society of the twenty-first century. The present research delves deeper into and draws comparisons between the portrayal of women in various folkloristic works of Assamese literature and select dystopian fictions. The principal aim of the study was to establish the recognition and significance of both female dystopian fictions and folklore in portraying female tyranny in contemporary society. The rationale and mechanism of women's subjugation in patriarchal civilizations constitute another field of study. Folklore is largely responsible for the idealised and restrictive positions that women occupy. From the beliefs, proverbs, and folktales, we can chart the physical attributes, behaviour, and attention of women on childbearing, home management, and domestic responsibilities. Breaking through social conventions, women started to fight for their rights in the 18th and 19th century. Although not completely successful, they have made some progress in their mission. Many places in the world still have people who feel obligated to treat women in the traditional way. Contemporary feminist dystopian fiction writers explore the darker side of society in an effort to confront this type of possibility, which emerges when social and political forces within a nation's dominant governments spiral into chaos. Analysing how gender prejudices lead to women's oppression in dystopian societies in a way that is similar to folklore is the main objective of this research. An investigation into how terrible life can become for women in such dystopian society, considering the fact that they are now struggling for their fundamental rights to safety and gender equality.

Keywords

Folklore, female Dystopia, Women, Representation, Dystopian Fiction

Introduction

Englishman William Thoms was the first to coin the term "folklore" in 1846. His word encompasses expressions like manners, traditions, observation, superstitions, proverbs, ballads, and overlooked cultural conventions. Hence, it suggests an oral tradition that a specific group of people share. It encompasses all beliefs, customs, dances, marriages, rites and rituals, lore, and other cultural practices that are passed down from generation to generation or from one person to another by imitation and spoken word. In many parts of the world, folklore becomes recognised as an academic field because of Thoms' contribution. We can also locate some really good folkloristic studies in India, such as *Jataka, Panchatantra*, and *Kathasaritsaga.* "The Indian equivalent of folklore, 'lokayana' coined by Suniti Kumar Chatterji, express the real scope of folklore as it signified a way of life (yana) of a people (lok) (Jadav 7)". In this scenario, Assam is not an exception. Historically, Assamese society was formed by the migration of individuals from different tribes and languages into Assam. Assamese folk-literature's foundation was laid by these people's ideas, feelings, customs, and rituals. The various dimensions of folk-life and the beliefs that govern society are embodied in folklore. "Besides suggesting rules for conduct, folklore also drives home the need for holding up to scorn those who depart from socially accepted norms, and eulogizing those who follow them, exemplifying the standard bearers of values and goals of community" (Jadav 28). Women in our society are often subjected to restrictions and social norms that limit their potential. These norms are deeply ingrained in our culture and are reflected in the language we use. Assamese folklore often embraces or reflects stereotypical ideas about women in terms of their representation. It's possible to argue that the themes found in Assamese folklore represent the perspectives of the Assamese people. According to the culture's perspective, women have always been depicted in Assamese folklore as submissive figures. Assamese proverbs, folktales, customs, and belief systems all contribute to the perpetuation of these harmful ideas. Folklore's portrayal of women in contemporary society is frequently linked to their involvement in household chores, family welfare, childbirth, and similar activities. Gender stereotypes about women, including behaviour expectations, roles in the home, the distinction between good and evil women, and physical attributes, are all products of a society that is biased against women. And a large portion of this architecture can be attributed to folklore of every community.

> The word folklore denotes expressive forms, process, and behaviours that we customarily learns, teach and utilize or display during face to face interaction and that we judge to be traditional (a) because they are based on known precedents or models (b) and because they serve as

> evidence of continuities and consistencies through time and space in human knowledge, thought and feeling (George and Jones 1).

In large part, how things or ideas are represented in a society shapes its cultural ideology and stereotypical conventions or ideals. These representations give rise to social constructions of ideas and beliefs that are progressively embraced by society's members and become an essential component of the customs and beliefs of a specific group within society. In other words, we can say that 'representation' is the main cause of naturalization of the socially constructive norms or ideas in a society. Our understanding of gender and womanhood also comes from such represented ideology. In a patriarchal society women are always represented as the 'Other', while men are represented as the 'One'. In our society, the duality of males as 'subject' and women as 'object' has existed since very early times. And the social construction of stereotypes associated with womanhood is what leads to such representations of gender formation. In her book *The Second Sex* Simon de Beauvoir quoted that "one is not born, but rather becomes, a woman". The theory put forth by Beauvoir in her work, which has since gained traction in the field of gender studies, is that gender identity and development are socially created rather than innate. Certain gender-specific responsibilities were created for women by the stereotypes around gender identity. Patriarchal systems and ideals permeate every aspect of women's lives, enslaving them in every aspect of society. A variety of folklore genres, including folktales, proverbs, folkcustoms, and folkbeliefs, make evident how ingrained conventions and traditions in society impacted women. It demonstrates how women are required to submit to men at all times and to passively acknowledge patriarchal society's domination. Even before there was written literature, gender politics were prevalent in our society, and folk-literature was a vehicle for expressing people's thoughts, ideas, customs, and cultures. Oral transmission of these representations occurs from generation to generation, and after a few decades, they find their way into written literature as well, becoming an essential component of a society's culture and belief system.

The realization that women could have the same political and economic rights as men began to dawn on them around the turn of the 19th century. Women are now aware of the unfair treatment they receive, have worked hard to eliminate this unfairness, and are starting to demonstrate under the banner of feminism. Eliminating discrimination against women is the goal of feminism, which encompasses the intellectual and ethical study of human beings from the standpoint of women. The philosophy of feminism calls for men and women to have equal rights in terms of politics, decision-making, careers, and childrearing. It is made up of several political, cultural, and social groups that

aim to provide men and women equal rights. Feminists expanded the case for suffrage in the 19th century by arguing for equal rights to education, political and civil rights, and the ability to vote for all people, regardless of gender. It focuses more on problems such political rights, education, and employment equality. Although feminism has existed since antiquity, it wasn't until the 17th century in England that it took on an organised shape. A number of political philosophies, including liberal, Marxist, socialist, radical, and ecofeminist feminisms, were developed during the second wave of feminism in opposition to men's mistreatment of women in their personal lives. Establishing a fair society, defending liberty and freedom, establishing a society without classes, and establishing a society that is gender neutral are all fundamental themes of feminism. Nowadays, gender equality is recognised in a lot of countries, and women have a lot more social obligations globally. The emergence of feminism allowed women to reclaim their rights and transform their unfavourable perception. Women may perform significant positions just like men, as demonstrated by feminism. Feminists have succeeded in leaving a lasting legacy by fighting for justice, freedom, liberty, and gender equality to be established in all cultures as well as for female liberation.

In a world where gender equality and safety are still major issues, even in developed countries, it is crucial to examine the situation for women in dystopian societies. This study seeks to shed light on the challenges women face in such societies, where they are often assigned restrictive roles and systematically repressed. By analyzing certain dystopian science fiction works, we can better understand the implications of such societies and the importance of fighting for gender equality and safety for all. According to feminist beliefs, from the beginning of time, "the androcentric character of patriarchy inherently [has confined] women to the fringes of society" (Gilarek 221). The traditional propensity to emphasize women's subordination and reproductive control in order to support masculine notions of superiority may be the source of this ideology of male dominance. Women's strength and independence threaten this cult's reliance on patriarchal authority and traditional standards, which in turn encourages men's bigotry and animosity towards women. Even while women now enjoy a great deal more independence, there is a persistent concern that this freedom may be restricted or that we will return to the dystopian society depicted in folklore, where women are denied access to all opportunities. Writing about the fear of returning to those dystopian times in the latter half of the 20th century, some authors created novels that are meant to act as warnings against political passivity and indifference as well as a reminder that progress towards women's equality may eventually be halted. Science fiction with a strong female lead is becoming increasingly popular. Dystopian fiction has

been a popular tool for Middle Eastern and Asian writers to draw attention to the subjugation of women in their regions, while Western novelists use it to examine what would happen if the hard-won gains for women's equality are undone. Women have long been writing and publishing dystopian fiction. Octavia Butler, Ursula K. Le Guin, Angela Carter among others are some notable pioneering individuals in the fields of fantasy and science fiction utilised the genre as a structure to explore gender identity and its limitations. Using the theoretical framework of science fiction, the recent surge in feminist dystopian literature expands on this body of work by reflecting on the past and projecting contemporary issues onto the future.

An imagined future civilization that maintains repressive social control while creating the appearance of a utopian society is referred to as a "dystopia". Through their worst-case scenarios, dystopias critique governmental systems, cultural norms, and current practices. Many works of utopian literature served as the inspiration for dystopian fiction. The name "Dystopia" was coined as a result of Utopia, which encouraged imaginative minds to envision a society that may be the reverse of the idealised one and gave rise to numerous groundbreaking and fantastic works that created a new genre. Feminist dystopia emerged as a subgenre of the dystopian genre in the latter half of the 20th century, pushing the boundaries of science fiction even farther. A fictional dystopia is one that depicts oppressive, forbidden society and the noble goal of stopping the terror they inspire. Inevitably, dystopia acknowledged the contemporary social and political issues. For this reason, women's oppression is a common theme in many dystopian novels. It is reasonable to fear the female dystopian cosmos that pervaded traditional culture which was reflected in a number of folk genres. This is because women may fear that this may be the possible representation of women in the future society, rather than the one they currently inhabit. This paper will attempt to conduct a comparative study between the representation of women in folk genres and the envisioned, dreaded portrayal of women's conditions in female dystopian science fiction. The following texts have been chosen for the purpose of this study and will be compared to some Assamese folklore: Joyce Carol Oates' *Hazards of Time Travel*, Christina Dalcher's *Vox*, Bina Shah's *Before She Sleeps*, Leni Zumas' *Red Clocks*, Jennie Melamed's *Gather the Daughters*, Sowmya Rajendran's *The Lesson*, and Margaret Atwood's *The Handmaid's Tale*.

Compared to most other kinds of information, folklore unquestionably conveys the vast cultural diversity of a culture better. To convey their deep understanding of the folk's daily lives, artistic intellectuals as well turn to various folkloric elements as the perfect media. Generation after generation, Assamese folklore has been strongly associated with the beliefs and views that

it has represented in society. Understanding the relationship between women and folklore is crucial if we are to comprehend the ways in which women are portrayed in it and how it plays a significant role in defining and portraying womanhood in society. Folk music, stories, proverbs, and slang, are a few examples of these folkloric expressions or genres. Assamese people, particularly those living in rural areas, are frequently observed incorporating various traditional idioms into everyday conversation. They frequently use proverbs, well-known sayings, and other traditional expressions to wrap up their claims and arguments. Proverbs go by several different names in Assamese, including phakora-jojana, patantar, prabachan, and prabaad. The study of Assamese proverbs can reveal ideological preconceptions about gender roles and women, as well as the behavioural expectations of men and women in the patriarchal traditional Assamese society. Women are viewed as the "other" and have a subordinate role in all societies. In a patriarchal society, a woman is viewed as the inferior and should limit her activities to the home, while a man is viewed as the "One" and should continue to be the head of the household. One of the Assamese proverbs that implies women are less valuable than men is-

"Lao jimanei dangar hauk,

sadai patar talei"

(The size of the gourd is immaterial; it will always be under the leaves.)

Here the 'gourd' metaphorically indicates to women and 'leaves' indicates men. This proverb represents women as subordinate to men.

Women's position is always considered next to that of men. According to a patriarchal society the development of women has no meaning at all. Another proverb in this context is-

"Lora dhan chowali patan"

(Boys are like the paddy; girls are the blighted corn.)

-society always places men in a higher position to that of women. This proverb represents women as of no worth. As if it is always the men who are of some worth. Women are shown as inferior in this proverb. Thus, proverbs by representing such idea spread a ideology where women have to be dominated by the patriarchal society.

It is expected of women to conform to patriarchal conventions and not challenge these constructed stereotypes. Social and ideological prejudices of women always depict them as submissive, and women are never encouraged to rebel against them. Furthermore, those who dare to violate the rules will face

consequences or social exclusion. The dystopian science fiction book *Hazards of Time Travel* by Joyce Carol Oates imagines an exact identical situation. In *Hazards of Time Travel*, Joyce Oates investigates concerns that women's liberties may be overturned in a way that borders on literalness. As stated in the above proverb "Lao jimanei dangar hauk, sadai patar talei," the novel opens in a future dictatorial America in which men are expected to have greater intelligence than women. The story revolves around a teenager who is detained for treachery when she questions the authority structure at school. She is punished by being transported back in time to 1959 Wisconsin, where she receives new instructions to become more submissive according to the traditional structure of patriarchal society.

Vox, written by Christina Dalcher, is another dystopian novel in which an ultraconservative ruling party seizes control and enacts laws forcing women to become submissive housewives. Girls are no longer taught to read and write, and women are not permitted to work, run for office, or even just be themselves. It is a dystopia where the environment is oppressive and terrifying. This story is dealing with some really grim subjects. The story takes place in a dystopian future-day America where men rule over all other members of society with complete tyranny and penalise any kind of difference. When *Vox*'s protagonist, Dr. Jean McClellan, awakens, she finds that women in America have lost access to fundamental human rights like freedom of speech, employment, and education. In this dystopian story, women are made to put on wristbands which shock them when they utter more than a certain number of words each day, thereby silencing their distinctive voices. It is easy to feel Jean's displeasure at not being able to express her actual feelings and thoughts, which is a fair picture of the kind of marginalisation that many women experience when their rights are denied. This condition is comparable to the one that has already been shown in folk genres from different nations. The notion that women should remain confine to the household chores is also reflected by some Assamese proverbs. Women who are remain inside the house and expert in womanly activities are praised as ideal women in society. One such proverb is-

"Giri jai porot

Tiri thake ghorot"

(The husband works outside and the wife works inside the house.)

The proverb indirectly intends to convey the concept that women's roles are limited to the home. They shouldn't pursue careers in the social, educational, political, or economic spheres. One way to put this is that patriarchal agents aim to keep women from learning about their rights and organising against the oppressive authority by keeping them from engaging in intellectual activities.

In this way, the women are compelled to stay in their confinement and are prohibited from organising to resist oppression. Reading Christina Dalcher's dystopian book *Vox*, in which the authorities try to literally suppress the voices of women by forcing them to wear shock-causing wristbands if they utter in excess of their daily word restriction, is the perfect example of this conventional thinking. This dystopian novel blatantly displays the fear of returning to the traditional society (which is also a female dystopian world) that is portrayed in several traditional tales.

"Tiri, miri, bhatou kowa

Ei sari sajat nopowa"

(Little is known about women, miris, parrots, and crows.)

This proverb represents women as dubious, who can't be trusted easily. We can sense a power structure in this proverb, by which society tries to push women into a position which is inferior from all sides. Even in case of faith women are not equal to men. They are viewed as being weak, careless, and untrustworthy by nature. Women should therefore be restricted to their homes and limited to performing household activities. Vox also made such a narrow definition of women, stating that they should be restricted to the home and not participate in other activities such as learning for themselves or participating in political discourse, among other things.

Childbirth, running the home, and taking care of everyone are the main characteristics of being a woman. It is always expected of good women to fall within these categories. Women who behave differently are labelled as evil. Folktales of different community vividly depict such differences in gendered roles. Assamese folktales are no different in this regard. As an illustration, we can be informed by the folktales found in Lakshminath Bezbaruah's *Burhi Air Sadhu* (Grand Mother's Tale). Bezbaruah's use of tales in the book serves as an excellent illustration of how folktales reflect society. The stories frequently include women and stereotypical ideas of what it means to be a woman. These folktales suggest that giving birth, raising children, and taking care of the home are the fundamental characteristics of the ideal woman. "Mekurir Jiyekar Sadhu," also known as "The Tale of the Cat's Daughter," is a well-known folktale in this genre. In this tale we see despite already having two wives, the merchant saved a girl and took her home as a wife for himself. The merchant is then reported to have begun to love the new wife more than the previous two. This caused the other two wives to revolt against the new one. The merchant and the cat's daughter were deceived by the two older wives into believing that the merchant had given birth to a pumpkin and a piece of log in order to exact retribution. And without questioning a thing, the merchant believed his older

wives and threw the cat's daughter out of the house. The merhant's conduct demonstrates that fertility is seen as one of the primary characteristics of ideal women. When the merchant believed she had given birth to inanimate items rather than a real kid, she no longer fit into the category of ideal women and was forced out of her home. This demonstrates the status of women in a conventional civilization and how they lived in a female dystopian universe.

A number of contemporary dystopian books also examine how a woman's ability to produce children might determine how valuable she is viewed by society and speculate on what might occur if childbearing were controlled by the government. One such feminist dystopian novel is *Red Clocks* by Leni Zumas, which takes place in a future America where abortion has been outlawed and embryos are given the rights to existence, freedom, and ownership. The narrative tracks five radically different women as they negotiate these obstacles and the perennial issues of parenthood, belonging, and individuality. The manner that male politicians deny women their rights just because they believe that women shouldn't have them is what connects *Red Clocks* to traditional folklore. Similar ideas are at the heart of Bina Shah's book, *Before She Sleeps*, a fiction set in a totalitarian nation in the southwest region of Asia that follows the story of a mutation in genes brought on by nuclear war that results in a terrible form of cervical cancer that kills many thousands of women. In an attempt to increase the population, women are made to marry many times and are compelled to take fertility medicines. Similar to many traditional and tribal societies, Shah in her dystopian novel envisioned a society that values women as valuable assets or reproduction tool but not worthy of equality and respect. This dystopian novel explores the fear of returning to the lives of women in traditional oppressive societies or female dystopias, highlighting patriarchal practices such as women's solitary confinement, sex selection, and dominance over women's bodies in horrifying ways.

Conventional wisdom holds that women should be educated to be wives up until they reach a certain age, at which point they must get married, settle down with a spouse, and raise a family. Jennie Melamed used this idea as the basis for her dystopian novel *Gather the Daughters*, which transports the reader to a society where women are subject to severe regulation and have very little influence. *Gather The Daughters* addresses the problem of female sexual assault in our culture by alternating between the stories of three girls and one lady, each of whom is developed believably and endearingly. They receive training to be wives up until the point at which they are required to get married, settle down with a spouse, and raise a family until they are deemed useless. Another one, *The Lesson* by Sowmya Rajendran is set in a dystopian future India which explores the institutional, widespread violence that women

201

experience. The destiny of women is predestined to become perfect mothers and wives who will bear the ideal male offspring for the country. Individuals who stray from this path receive guidance and correction, and those who refuse to change are punished. The anxiety of existing in a female dystopian planet where women are simply reproductive tools and where forced convention is seen as women's fate is what these two dystopian novels aim to portray. Women ought to be free to select their own paths in life, including marriage and parenthood, as fellow human beings. But having children and getting married at the ideal age are seen as women's inescapable fates. This shouldn't be the case, yet people's stereotypes of women's life are deeply rooted in society, and these stereotypes can also be seen in our ages-old folklore. There are numerous proverbs in the Assamese language that correspond to the situation depicted in these two works, in which women are seen as nothing more than objects, with marriage being their sole fate and option. Among them are-

"Jome nileu niya; jowaye nileu niya"

(Women dying at the hands of their son-in-law and the Hindu deity Yama are the same things)

"Ji-ti lokar; po-ti bukur"

(Sons are one's own, but daughters belong to others.)

It shows how society perceives women's fates. It is commonly assumed that women's destiny are wholly dependent on marriage. If a lady experience difficulties after marriage, is unhappy with her in-laws, or is punished, her parents will no longer accept responsibility. They believed that it was the fate of women. The belief held was that women dying at the hands of their son-in-law and the Hindu deity Yama are the same things. Women are regarded as the property of others from birth and must be given away by their families to marry into other families. Conversely, since the girl is from a different family, she is not treated as though she belongs to the in-laws'. All that is regarded as own is the son. Because women are portrayed as having this condition as their fate, people prefer having male offspring.

As to the analysis of critics like Margaret Atwood, the dystopian framework can effectively tackle the issue of gender roles being unequal. In Atwood's dystopian novel The Handmaid's Tale, women are divided into groups based solely on their capacity for procreation. To fight the deception of youth and endless abilities, Atwood thinks the dystopian genre should be utilised to present old age, further highlighting the disparity between men and women and their gender roles. Men view old age as an opportunity to keep on existing with women's traditionally feminine role of procreation. Although Gilead is

portrayed in The Handmaid's Tale as a fortress of sovereigns on the outside, its interior is a frightening and inaccurate portrayal of utopian society. Here, women are oppressed and denied the right to reflect or even speak. Since elite women are not fertile, women of lower class are allocated the responsibility of bearing children exclusively. "We were the people who were not in the papers. We lived in the blank white spaces at the edges of print. We lived in the gaps between the stories" (Atwood 57)- this statement emphasises how women's spaces, speech, physical beings, and ambitions are devalued in a misogynistic and authoritarian society where women are commodities instead of human beings. As demonstrated by Commander Fred, the rich men are also sterile; yet, considering that he is a man, no one could come forward before him and the community and speak such truths because society in general is dominated by men. This terrifying dystopian worlds serve as a caution that things could turn very badly as "male egos and female bodies; male persons and female animals: these are the extremes of which an ideology of male supremacy is capable" (Patai 258). The Handmaids must embrace assault, devaluation, and enslavement along with monthly rape trauma. They're obligated to carry on forced conceptions and sexual abuse as illuminating occurrences. Aunts can reprimand them and force them to be more submissive by shocking them with electricity-powered prods. *The Handmaid's Tale* serves as a reminder that while masculine desires are regarded as uncontrollable, the significance of women is strongly correlated with their ethical behaviour. A male-dominated society "drives home the point that women's sexuality is unnatural, but also sets up a disturbing dynamic in which women are expected to be responsible for men's sexual behavior" (Valenti 108).

Conclusion

While discussing dystopias, which can be found in both fiction and real-world scenarios that exhibit dystopian characteristics we can notice that "women can suffer two times: first, because of political/authoritarian power, secondly through a male/sexist oppression" (Di Minico 71). The comparison between female dystopian fiction and folklore presented above demonstrates how gender and socioeconomic disparities, as well as the absence of women's voices, are evident in both genres. Women lack voice in conventional patriarchal culture. It was expected of them to be quiet and bear all of their hardships without raising any complaints. The novel *Vox* mentions the forced wearing of wristbands to silence women, which is a fitting dystopian metaphor for the real situation of women in conventional patriarchal society, where they are denied the ability to express their emotions. Basically, all of the dystopian novels written for female readers serve as warning tales, suggesting that if the current advancements in women's freedom and equality were to somehow cease

to exist, what type of dire circumstances may arise? In order to do this, the author envisions a future in which everything is in catastrophic decline. People can better envision a terrifying and dehumanising society by reading works of female dystopian fiction. Therefore, dystopian literature can provoke readers to reconsider the social and political landscape of the present and, in certain cases, even motivate action. Folklore is a conservative and dystopian world where women are forced to live against their will and in accordance with patriarchal society. If we examine contemporary female dystopian fiction, we find that the settings and portrayals of women are comparable to those found in folklore, where women were traditionally viewed as objects to be subservient.

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AN OVERVIEW OF THE LEGAL DIMENSIONS OF INTELLECTUAL PROPERTY RIGHTS

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Abstract

Intellectual Property Right is exclusive right granted by Government of India for protecting the originality of the work of an inventor. Simple intellectual property right is intangible creation of human mind. Intellectual Property Right includes Patent, Trademark, Trades crates, Industrial design, Layout design and Copyright oriented rights. Intellectual right is important for maintaining the quality, safety, efficacy of any pharmaceutical product and services. It is certification authority and standard authority for certification and identification of product in would wide market. The intellectual property right is the rights given to people over the creation of their minds. They usually give the creator an exclusive right over the use of his/her creations for a certain period of time. Intellectual property refers to creations of the mind, inventions in artistic, literary, scientific and industrial field. It is important for the protection of invention of inventor and maintaining the quality as well as standard of work of inventor. The present review describes The basic concept in IPR, Objectives in IPR, Type of IPR (Patents, Trademarks, Copyrights And Related Rights, Geographical Indications, Industrial Designs, Trade Secrets, Layout Design For Integrated Circuits, Protection of New Plant Variety), Duration of Intellectual Property Rights, Concept Related Patents (Types of Patent, Tangible And Intangible Property, Novelty, Non-Obviousness, Utility, Anticipation, Prior Art, Global Perspective Of Patent System, Role Of International Organization, Indian Patent Act 1970, Patentability, Patent Infringement, Commercialization, Patent Licensing), Applications of IPR.

Keywords

Patent, Copyright, Trademark, Integrated Circuits, Patentability, Infringement, Commercialization, and Novelty

Introduction

Intellectual Property Rights are legal rights, which result from intellectual activity in industrial, scientific, literary & artistic fields. These rights Safeguard creators and other producers of intellectual goods & services by granting them

certain time-limited rights to control their use. Protected IP rights like other property can be a matter of trade, which can be owned, sold or bought. These are intangible and non-exhausted consumption.

Basic Concept of IPR

Intellectual property is an intangible creation of the human mind, usually expressed or translated into a tangible form that is assigned certain rights of property. Examples of intellectual property include an author's copyright on a book or article, a distinctive logo design representing a soft drink company and its products, unique design elements of a web site, or a patent on the process to manufacture chewing gum. Intellectual property rights (IPR) can be defined as the rights given to people over the creation of their minds. They usually give the creator an exclusive right over the use of his/her creations for a certain period of time. Intellectual property (IP) refers to creations of the mind: inventions, literary and artistic works, and symbols, names, images, and designs used in commerce. (Savale and Savale, 2016)

Objectives of IPR

Intellectual property Right (IPR) is a term used for various legal entitlements which attach to certain types of information, ideas, or other intangibles in their expressed form. The holder of this legal entitlement is generally entitled to exercise various exclusive rights in relation to the subject matter of the Intellectual Property. The term intellectual property reflects the idea that this subject matter is the product of the mind or the intellect, and that Intellectual Property rights may be protected at law in the same way as any other form of property. Intellectual property laws vary from jurisdiction to jurisdiction, such that the acquisition, registration or enforcement of IP rights must be pursued or obtained separately in each territory of interest. (Chopra & Kumar, 2014) Intellectual property rights (IPR) can be defined as the rights given to people over the creation of their minds. They usually give the creator an exclusive right over the use of his/her creations for a certain period of time. (Zafar, 2020)

Types of IPR

- Patents
- Trademarks
- Copyrights and Related Rights
- Geographical indications
- Industrial designs
- Trade secrets

- Layout design for integrated circuits

- Protection of new plant variety

Patents

A patent is an exclusive right granted for an invention, which is a product or a process that provides a new way of doing something, or offers a new technical solution to a problem. It provides protection for the invention to the owner of the patent. The protection is granted for a limited period, i.e. 20 years. Patent protection means that the invention cannot be commercially made, used, distributed or sold without the patent owner's consent. A patent owner has the right to decide who may - or may not - use the patented invention for the period in which the invention is protected. The patent owner may give permission to, or license, other parties to use the invention on mutually agreed terms. The owner may also sell the right to the invention to someone else, who will then become the new owner of the patent. Once a patent expires, the protection ends, and an invention enters the public domain, that is the owner no longer holds exclusive rights to the invention, which becomes available to commercial exploitation by others. (Chopra and Kumar, 2014) All patent owners are obliged, in return for patent protection, to publicly disclose information on their invention in order to enrich the total body of technical knowledge in the world. Such an ever-increasing body of public knowledge promotes further creativity and innovation in others. In this way, patents provide not only protection for the owner but valuable information and inspiration for future generations of researchers and inventors. (Saha and Bhattacharya, 2011)

Trademarks

A trademark is a distinctive sign that identifies certain goods or services as those produced or provided by a specific person or enterprise. It may be one or a combination of words, letters, and numerals. They may consist of drawings, symbols, three- dimensional signs such as the shape and packaging of goods, audible signs such as music or vocal sounds, fragrances, or colors used as distinguishing features. It provides protection to the owner of the mark by ensuring the exclusive right to use it to identify goods or services, or to authorize another to use it in return for payment. It helps consumers identify and purchase a product or service because its nature and quality, indicated by its unique trademark, meets their needs. Registration of trademark is prima facie proof of its ownership giving statutory right to the proprietor. Trademark rights may be held in perpetuity.

The initial term of registration is for 10 years; thereafter it may be renewed from time to time. (Saha and Bhattacharya, 2011)

Copyrights and Related Rights

Copyright is a legal term describing rights given to creators for their literary and artistic works. The kinds of works covered by copyright include: literary works such as novels, poems, plays, reference works, newspapers and computer programs; databases; films, musical compositions, and choreography; artistic works such as paintings, drawings, photographs and sculpture; architecture; and advertisements, maps and technical drawings. Copyright subsists in a work by virtue of creation; hence it's not mandatory to register. However, registering a copyright provides evidence that copyright subsists in the work & creator is the owner of the work. Creators often sell the rights to their works to individuals or companies best able to market the works in return for payment. These payments are often made dependent on the actual use of the work, and are then referred to as royalties. These economic rights have a time limit, (other than photographs) is for life of author plus sixty years after creator's death. (Saha and Bhattacharya, 2011)

Geographical Indications

GI are signs used on goods that have a specific geographical origin and possess qualities or a reputation that are due to that place of origin. Agricultural products typically have qualities that derive from their place of production and are influenced by specific local factors, such as climate and soil. They may also highlight specific qualities of a product, which are due to human factors that can be found in the place of origin of the products, such as specific manufacturing skills and traditions. A geographical indication points to a specific place or region of production that determines the characteristic qualities of the product that originates therein. It is important that the product derives its qualities and reputation from that place. Place of origin may be a village or town, a region or a country. It is an exclusive right given to a particular community hence the benefits of its registration are shared by the all members of the community. (Saha and Bhattacharya, 2011)

Industrial Designs

Industrial designs refer to creative activity, which result in the ornamental or formal appearance of a product, and design right refers to a novel or original design that is accorded to the proprietor of a validly registered design. Industrial designs are an element of intellectual property. Under the TRIPS Agreement, minimum standards of protection of industrial designs have been provided for. As a developing country, India has already amended its national legislation to provide for these minimal standards. The essential purpose of design law it to promote and protect the design element of industrial production. It is also intended to promote innovative activity in the field of industries. The existing

legislation on industrial designs in India is contained in the New Designs Act, 2000 and this Act will serve its purpose well in the rapid changes in technology and international developments. India has also achieved a mature status in the field of industrial designs and in view of globalization of the economy, the present legislation is aligned with the changed technical and commercial scenario and made to conform to international trends in design administration. This replacement Act is also aimed to enact a more detailed classification of design to conform to the international system and to take care of the proliferation of design related activities in various fields. (Saha and Bhattacharya, 2011)

Trade Secrets

It may be confidential business information that provides an enterprise a competitive edge may be considered a trade secret. Usually these are manufacturing or industrial secrets and commercial secrets. These include sales methods, distribution methods, consumer profiles, and advertising strategies, lists of suppliers and clients, and manufacturing processes. Contrary to patents, trade secrets are protected without registration. A trade secret can be protected for an unlimited period of time but a substantial element of secrecy must exist, so that, except by the use of improper means, there would be difficulty in acquiring the information. Considering the vast availability of traditional knowledge in the country the protection under this will be very crucial in reaping benefits from such type of knowledge. The Trades secret, traditional knowledge are also interlinked / associated with the geographical indications. (Saha and Bhattacharya, 2011)

Layout Design for Integrated Circuits

Semiconductor Integrated Circuit means a product having transistors and other circuitry elements, which are inseparably formed on a semiconductor material or an insulating material or inside the semiconductor material and designed to perform an electronic circuitry function.

The aim of the Semiconductor Integrated Circuits Layout Design Act 2000 is to provide protection of Intellectual Property Right (IPR) in the area of Semiconductor Integrated Circuit Layout Designs and for matters connected therewith or incidental thereto. The main focus of SICLD Act is to provide for routes and mechanism for protection of IPR in Chip Layout Designs created and matters related to it. The SICLD Act empowers the registered proprietor of the layout-design an inherent right to use the layout-design, commercially exploit it and obtain relief in respect of any infringement. The initial term of registration is for 10 years; thereafter it may be renewed from time to time. Department of Information Technology Ministry of Communications and

Information Technology is the administrative ministry looking after its registration and other matters. (Chopra and Kumar, 2014)

Protection of New Plant Variety

The objective of this act is to recognize the role of farmers as cultivators and conservers and the contribution of traditional, rural and tribal communities to the country's agro-biodiversity by rewarding them for their contribution and to stimulate investment for R & D for the development new plant varieties to facilitate the growth of the seed industry. The Plant Variety Protection and Farmers Rights act 2001 was enacted in India to protect the New Plant Variety; the act has come into force on 30.10.2005 through Authority. Initially 12 crop species have been identified for regt. i.e. Rice, Wheat, Maize, Sorghum, Pearl millet, Chickpea, Green gram, Black gram, Lentil, Kidney bean etc. India has opted for sui- generic system instead of patents for protecting new plant variety. Department Agriculture and Cooperation is the administrative ministry looking after its registration and other matters. (Chopra and Kumar, 2014)

Duration of Intellectual Property Rights

1. Term of every patent will be 20 years from the date of filing of patent application, irrespective of whether it is filed with provisional or complete specification. Date of patent is the date on which the application for patent is filed.
2. Term of every trademark registration is 10 years from the date of making of the application which is deemed to be the date of registration.
3. Copyright generally lasts for a period of sixty years.
4. The registration of a geographical indication is valid for a period of 10 years. (Chopra and Kumar, 2014)
5. The duration of registration of Chip Layout Design is for a period of 10 years counted from the date of filing an application for registration or from the date of first commercial exploitation anywhere in India or in any convention country or country specified by Government of India whichever is earlier.
6. The duration of protection of registered varieties is different for different crops namely 18 years for trees and vines, 15 years for other crops and extant varieties.

Concept Related Patents

Types of Patents

1. Utility Patent: If you have a new, useful invention that is not obvious to others in the field of invention, you may qualify for a utility patent.

Interdisciplinary Horizons: Exploring Knowledge through Academic Research towards Human Development

Utility patents are grouped in five categories: a process, a machine, a manufacture, a composition of matter, or an improvement of an existing idea. Often, an invention will fall into more than one of the categories. For instance, computer software can usually be described both as a process (the steps that it takes to make the computer do something) and as a machine (a device that takes information from an input device and moves it to an output device). Regardless of the number of categories in which an invention falls, only one utility patent may be issued on it. Among the many types of creative works that might qualify for a utility patent are biological inventions; new chemical formulas, processes, or procedures; computer hardware and peripherals; computer software; cosmetics; electrical inventions; electronic circuits; food inventions; housewares; machines; and magic tricks. If you acquire a utility patent, you can stop others from using, selling and importing the invention. A utility patent last for 20 years from the date that the patent application is filed. (Prakash et al., 2018)

2. Design Patent: If you create a new and original design that ornaments a manufactured device, you may qualify for a design patent. Design patents are granted for any new or original Ornamental design for an article of manufacture. A design patent protects only the appearance of the article and not the article itself. An inventor can easily register both a utility patent and a design patent. A design patent is granted for product designs—for example, an IKEA chair, Keith Haring wallpaper, or a Manolo Blahnik shoe. You can even get a design patent for a computer screen icon. There are strings attached to a design patent, too. As noted, the design must be ornamental or aesthetic; it can't be functional. Once you acquire a design patent, you can stop others from making, using, selling and importing the design. You can enforce your design patent for only 14 years after it's issued. (Prakash et al., 2018)

3. Plant Patent: The least-frequently issued type of patent are plant patents granted for any asexually or sexually reproducible plants (such as flowers) that are both novel and nonobvious. This may include cultivating different types of plants to create mutants or hybrids and also newly found seedlings. This patent protects the owner by keeping other individuals or businesses from creating the type of plant or profiting from the plant for at least 20 years from the date of the application. (Saha and Bhattacharya, 2011)

Tangible and Intangible Property

Property is an external thing that can be owned or possessed. Property can be divided into two categories: tangible and intangible. The word tangible refers

to something that has a definable physical form that can be felt or touched. The word intangible refers to something that cannot be perceived by the senses. Tangible Property In law is, literally, anything which can be touched, and includes both real property (or, in civil law systems, immovable property) and personal property (or moveable property), and stands in distinction to intangible property. In English law and some Commonwealth legal systems, items of tangible property are referred to as choses in possession (or a chose in possession in the singular) (Saha and Bhattacharya, 2011). However, some property, despite being physical in nature, is classified in many legal systems as intangible property rather than tangible property because the rights associated with the physical item are of far greater significance than the physical properties. Principally, these are documentary intangibles. For example, a promissory note is a piece of paper that can be touched, but the real significance is not the physical paper, but the legal rights which the paper confers, and hence the promissory note is defined by the legal debt rather than the physical attributes. (Jain et al., 2010). A unique category of property is money, which in some legal systems is treated as tangible property and in others as intangible property. Whilst most countries legal tender is expressed in the form of intangible property ("The Treasury of Country X hereby promises to pay to the bearer on demand."), in practice bank notes are now rarely ever redeemed in any country, which has led to bank notes and coins being classified as tangible property in most modern legal systems. Tangible property consists of real property and personal property. Real property is property that does not move, such as land and the things that are attached to or built on that land. Personal property is property that can be moved or any other tangible property that can be owned. Personal property is also called chattels. Chattels that are attached to the land and that cannot be removed without damaging the land are called fixtures. Examples of fixtures are built-in bookcases and ceiling fans. Intangible Property Intangible property consists of property that lacks a physical existence. Examples of intangible property include checking and savings accounts, options to buy or sell shares of stock, the goodwill of a business, a patent, and spousal love and affection. Also known as incorporeal property, describes something which a person or corporation can have ownership of and can transfer ownership of to another person or corporation, but has no physical substance. It generally refers to statutory creations such as copyright, trademarks, or patents. It excludes tangible property like real property (land, buildings and fixtures) and personal property (ships, automobiles, tools, etc.). In some jurisdictions intangible property are referred to as choses in action. Intangible property is used in distinction to tangible property. It is useful to note that there are two forms of intangible property - legal intangible property (which is discussed here) and competitive intangible

212

property (which is the source from which legal intangible property is created but cannot be owned, extinguished, or transferred). Competitive intangible property disobeys the intellectual property test of voluntary extinguishment and therefore results in the sources that create intellectual property (knowledge in its source form, collaboration, process-engagement, etc.) escaping quantification. Generally, ownership of intangible property gives the owner a set of legally enforceable rights over reproduction of personal property containing certain content. For example, a copyright owner can control the reproduction of the work forming the copyright. However, the intangible property forms a set of rights separate from the tangible property that carries the rights. For example, the owner of a copyright can control the printing of books containing the content, but the book itself is personal property which can be bought and sold without concern over the rights of the copyright holder. In English law and other Commonwealth legal systems, intangible property is traditionally divided in pure intangibles (such as debts, intellectual property rights and goodwill) and documentary intangibles, which obtain their character through the medium of a document (such as a bill of lading, promissory note or bill of exchange). The recent rise of electronic documents has blurred the distinction between pure intangibles and documentary intangibles. (Ramya and Ghose, 2019)

Novelty (New Invention)

Novelty is a patentability requirement. An invention is not new and therefore not patentable if it was known to the public before the date of filing of the patent application, or before its date of priority if the priority of an earlier patent application is claimed. The purpose of the novelty requirement is to prevent the prior art from being patented again. Relationship between Novelty and non-obviousness to understand the relationship between novelty and non-obviousness (inventive level), the starting point should be a definition of the concepts. Some elementary and imprecise notions can be assumed at this stage, without yet attempting to examine the matter in depth. It can be said that an invention is new (novel) when it differs from the prior art. (Shukla, 2020)

Non-Obviousness (Inventive Step):

The inventive step and non-obviousness reflect a general patentability requirement present in most patent laws, according to which an invention should be sufficiently inventive i.e., nonobvious in order to be patented. In other words, the non-obviousness principle asks whether the invention is an adequate distance beyond or above the state of the art. The expression inventive step is predominantly used in Europe, while the expression non-obviousness is predominantly used in United States patent law (Zafar, 2020). The expression

inventiveness is sometimes used as well. Although the basic principle is roughly the same, the assessment of the inventive step and non-obviousness varies from one country to another. For instance, the practice of the European Patent Office (EPO) differs from the practice in the United Kingdom.

Utility (Usefulness of Patent Application)

A Patent on New Invention both are useful and existed from other different product is known has Utility of Patent. In a world where obtaining value for money has become even more important than in the past, it may be useful to look for alternatives to the traditional way of doing things.

For some types of invention, use of a petty patent or utility model as a means of protection may be a useful alternative to patent protection in many countries. Obtaining protection this way is often much less expensive than proceeding through the traditional patent route and, as noted below, in several countries has an advantage in its own right. Until the 1990's, utility model protection was regarded as being something of a curiosity in the intellectual property world. It is true that the Washington revision of the Paris Convention in 1910 had recognized utility models as a species of industrial property right, but in his 1975 book on National and International Protection of Patents, Trademarks and Related Rights, Dr. Stephen Ladas listed as having this form of protection only in Brazil, Germany, Italy, Japan, the Philippines, Poland, Portugal, South Korea, Spain and Taiwan.

Since then, however, many countries have adopted protection of this type or some other form of "second tier" protection for useful articles or other invention Utility criteria In considering the requirement of utility for patents, there are three main factors to review: operability of the invention, a beneficial use of the invention, and practical use of the invention. (Dogra and Gupta, 2012)

Anticipation (Disclosure of the Claimed Invention by Another)

In patent law, anticipation refers to the prior invention or disclosure of the claimed invention by another, or the inventor's own disclosure of the claimed invention by publication, sale, or offer to sell prior to the inventor's application for a patent. In other words, if someone else has known about or used the invention before the patent applicant applies for a patent, that patent applicant will not be entitled to a patent.

Anticipation is a ground for invalidating or rejecting a patent because it means that the claimed invention lacks novelty. Patent invalidity based on lack of novelty, or anticipation, requires that the invention was known or used by others before it was invented by the patentee. (Dogra and Gupta, 2012)

Prior Art (State of the Art or Background Art)

Prior art (state of the art or background art), in most systems of patent law, constitutes all information that has been made available to the public in any form before a given date that might be relevant to a patent's claims of originality. If an invention has been described in the prior art, a patent on that invention is not valid. Information kept secret, for instance, as a trade secret, is not usually prior art, provided that employees and others with access to the information under a non-disclosure obligation. With such an obligation, the information is typically not regarded as prior art. Therefore, a patent may be granted on an invention, although someone else already knew of the invention. A person who used an invention in secret may in some jurisdictions be able to claim "prior user rights" and thereby gain the right to continue using the invention. As a special exception, earlier-filed and unpublished patent applications do qualify as prior art as of their filing date in certain circumstances. To anticipate the subject-matter of a patent claim, prior art is generally expected to provide a description sufficient to inform an average worker in the field (or the person skilled in the art) of some subject matter falling within the scope of the claim. (Kannan, 2010)

Global Perspective of Patent System

In the United States, patent infringement lawsuits filed by non-practicing entities continue to rise. A non-practicing entity (NPE) is an entity that does not manufacture products themselves and broadly includes universities, individual inventors, research institutions and speculators who purchase patents from others. According to Patent Freedom, based on the largest patent holdings, the top 5 NPEs are Intellectual Ventures, Inter digital, Round Rock Research LLC, Wisconsin Alumni Foundation and Rock star Consortium LLC. Some refer to many or all NPEs as patent trolls‖ arguing these patent holders wait until another party brings a product to market and then jump out from under a bridge‖ to a demand a toll (namely, a license fee and/or royalty). We at the BRIC Wall Blog thought it would be interesting to examine patent troll activity in countries other than the U.S. and Europe. In this post, we examine patent troll activity in Australia, Brazil, Canada, China, India, Japan and Russia. (Mrudula and Durga, 2010)

Indian Patent Act 1970

History of Patent Acts in India: In India the grant of patents is governed by the patent act 1970 and rules 1972 which is operative in the whole of India. 1856 Act for protection of inventions on the basis of British law of 1852 1859 Patent monopolies called exclusive privileges (14 year) 1872 Patents and Designs Act. In 1883 Protection of Inventions Act 1888 Inventions and Designs Act 1911-

1947 Modern patent era by Patents and Designs Act. First time an authority call Controller General of Patents appointed 1959 Justice Ayyangar's report 1967 Patent Act bill introduced in the Parliament 1970 The Patents Act passed by the parliament 1972 The Patents Act-1970 came into force on April 20, 1972 1994 Amendment by ordinance to include Exclusive Marketing Rights (EMR's) 1999 Amendment passed by the parliament. New patent amendment bill referred to select committee 2003 2005 Patents Act 1970 with second amendment comes into force Patent Act 1970 (2005 Amendment) comes in to force from 1-1- 2005 Purpose of getting a patent to enjoy the exclusive rights over the invention. The patent is to ensure commercial returns to the inventor for the time and money spend in generating a new product. (Rout, 2018)

Patentability

The context of a national or multilateral body of law, an invention is patentable if it meets the relevant legal conditions to be granted a patent. By extension, patentability also refers to the substantive conditions that must be met for a patent to be held valid. The patent laws usually require that, for an invention to be patentable, it must be: 1. Patentable subject matter, i.e., a kind of subject matter eligible for patent protection 2. Novel (i.e. at least some aspect of it must be new) 3. Non-obvious (in United States patent law) or involve an inventive step (in European patent law) 4. Useful (in U.S. patent law) or be susceptible of industrial application (in European patent law. Usually the term "patentability" only refers to substantive conditions, and does not refer to formal conditions such as the "sufficiency of disclosure", the "unity of invention" Or the "best mode requirement". Judging patentability is one aspect of the official examination of a patent application performed by a patent examiner and may be tested in post-grant patent litigation. Prior to filing a patent application, inventors sometimes obtain a patentability opinion from a patent agent or patent attorney regarding whether an invention satisfies the substantive conditions of patentability. (Pachauri et al., 2022)

Patent Infringement

Patent Infringement Patent infringement is the commission of a prohibited act with respect to a patented invention without permission from the patent holder. It occurs when someone violates the patent rights an inventor has in his invention by making, using or selling the invention without the patent owner's permission (or if the patent has been licensed), in a way not permitted by the license. Types of Patent Infringement Direct Infringement It directly states that the third party has willfully or intentionally stole the technology from the inventor without his prior permission. It occurs when someone directly makes,

uses or sells the patented invention within the United States. (Mishra and Shukla, 2020)

It can include manufacture patented technology; use patented technology; offer patented technology for sale; sell patented technology; import patented technology; pass off the patented. Indirect Infringement It refers to the unfair practice that does not give a clear indication that the patent is bought and sold in the market. It occurs, for instance, when a device is claimed in a patent and a third party supplies a product which can only be reasonably used to make the claimed device. It can include Sell parts that can only be realistically used for a patented invention; sell an invention with instructions on using a certain method that infringes on a method patent; license an invention that is covered by another's patent; sell material components that have been especially made for use in a patented invention and have no other commercial use. Basic Features of Patent Infringement Objects of Infringement The patents must be valid Infringement behavior The infringers must infringe with the purpose of operation or production Violation of legal rules The behavior is carried out without the permission of patentees Possible Consequences of Patent Infringement A huge barrier for independent innovation; Great challenge to the social civilization and sanctity of the law, A damage to the economic laws and law of value, An illegal behavior that destroys the fair and orderly market competitive order. (Singh and Sharma, 2022)

Revocation of Patent (Opposition) (Cardwell and Ghazalian, 2012)

- Revocation: Request to revoke a granted patent.

- Opposition: Right to oppose grant of a patent.

- Revocation means "cancellation" Revocation of an offer means its withdrawal by the offer or.

- An offer may be revoked at any time before the offeree accepts it.

- Revocation of an offer after acceptance will be ineffective. If it is to be effective, it must be communicated before the dispatch of the letter of acceptance.

- Section 5 lays down "a proposal may be revoked at any time before the communication of its acceptance as against the proposer". An offer is made irrevocable by acceptance. Revocation may be express or implied. For example, Mr. Suresh proposes to Mr. Anil that he will sell his Bajaj scooter. Mr. Suresh can revoke his offer before Mr. Anil posts his letter of acceptance.

Commercialization

Definition of Commercialization

The process by which a new product or service is introduced into the general market. Commercialization is broken into phases, from the initial introduction of the product through its mass production and adoption. It takes into account the production, distribution, marketing, sales and customer support required to achieve commercial success. As a strategy, commercialization requires that a business develop a marketing plan, determine how the product will be supplied to the market and anticipate barriers to success. (Das, 2009)

IP Commercialization

Monetizing IP through Licensing and Patent Sale, in line with the value enhancement of Intellectual Property, IP Commercialization has become a more relevant topic than ever before. According to a recent study, the value of a company largely consists of their IP Assets which sometimes even make up 80% of a company's value. However, companies often do not possess proper knowledge about the real value of their patent portfolio. In addition, companies and individuals often have missing knowledge of optimal IP commercialization methods. Basic Guidelines for a Potential IP Commercialization If inventors or companies decide for a better commercialization of their IP assets, they should first make some basic estimations about their IP commercialization possibilities (Das, 2009). This includes the reach and validity of the patents as well as the economic sector of the protected innovations and its potential growth prospects. If the patent secures a competitive edge for a company, it is of especially high value for potential IP commercialization. Sometimes it is even possible that a patented innovation represents a strong competitive edge for a company. Furthermore, cases of patent infringements are proof of a high patent value as well. In general, if a patent is highly demanded then there are also good prospects for stronger IP commercialization. While internal use of patents is a key method of commercializing them, sale and licensing can lead to an even more profitable outcome. Often the case is that companies own patents of high market value which they had to invest heavily in research. However, some of those patents are often not key to the core business or by their owners. In such cases in particular IP commercialization makes a lot of sense for patent owners, since this can turn into a profitable business for them. In doubt, companies should consult an IP specialist. (Nurani, 2013)

Munich Innovation Group Supports Successful IP Commercialization

Although IP commercialization has become an attractive option it is not an easy task to manage, and requires some proficiency. In Germany in particular and Europe in general, Munich Innovation has emerged as a market leading company, renowned for working exclusively success-based. This means that you can monetize your patent based on a fully contingent revenue share

agreement and with absolutely no costs to you in case of no market interest. (Nurani, 2013)

Patent Licensing

Patent licensing Monetizing patents with regular patent licensing revenues Inventors who hold a granted patent have mainly two opportunities of patent monetization. They could either sell the intellectual property rights of their patent to an interested firm or enter in a patent licensing agreement. A Patent licensing agreement allows the inventor to regularly receive patent licensing revenues. Depending on the patent portfolio, patent licensing can sometimes be a more lucrative agreement than the definitive sale of the intellectual property rights. (Nurani, 2013)

Basic Guidelines for Patent Licensing

Basically, inventors who hold granted patent have the opportunity to enter in two kinds of patent licensing agreements. If the patents of the inventor are currently infringed by a product on the market, the inventor can enter in a backward patent licensing agreement, in order to receive backward patent licensing revenues for the years in which the product was using the patent without a patent licensing agreement. Backward patent licensing agreements require both marketing and technical analysis in order to identify the potential infringing products and to establish the infringements. If there are no products currently infringing the patent on the market then the inventor has the opportunity to enter in a normal patent licensing agreement with a firm which would be interested by his technology. Patent licensing agreements also require both marketing and technical analysis in order to identify the potential buyer and to sell the technology. (Nurani, 2013)

Licensing of Intellectual Property Rights; A Vital Component of the Business Strategy of Your SME: You may be interested in starting a new business, expanding an existing business (extending your territory or the nature of business) or improving the quality of the goods or services of your SME and thereby its market position. In many situations, licensing of intellectual property rights is an effective tool for achieving these business goals. A licensing agreement is a partnership between an intellectual property rights owner (licensor) and another who is authorized to use such rights (licensee) in exchange for an agreed payment (fee or royalty). A variety of such licensing agreements are available, which may be broadly categorized as follows. 1. Technology License Agreement. 2. Trademark Licensing and Franchising Agreement. 3. Copyright License Agreement. In practice, all or some of these agreements often form part of one single contract since in transfers of this nature many rights are involved and not simply one type of intellectual property

right. You may also come across licensing agreements in other circumstances, such as, during a merger or acquisition, or in the course of negotiating a joint venture. All of these mechanisms either on their own or in combination will provide your SME, as a licensor or licensee, a wide variety of possibilities in conducting business in your own country or elsewhere. As an intellectual property owner and a licensor, your SME can expand its business to the frontiers of your partners' business and ensure a steady stream of additional income. As a licensee, your SME can manufacture, sell, import, export, distribute and market various goods or services which it may be prevented from doing otherwise. In the international context, a formal licensing agreement is possible only if the intellectual property right you wish to license is also protected in the other country or countries of interest to you. If your intellectual property is not protected in such other country or countries then you would not only not be able to license it, but also you would have no legal right to put any restriction on its use by anyone else. (Saha and Bhattacharya, 2011)

Applications of IPR

Intellectual property right is a government right is granted by government of India for maintaining the quality and standard of drug or drug related product or services. Intellectual property right is important to maintain the quality, purity and safety of drug products. Intellectual property right is important for determination of product stability and safety. Intellectual property right is applicable for industrial, Pharmaceutical, analytical, chemical, drug development, drug synthesis and Manufacturing industries. Intellectual property right is applicable for companies, industries, Business and marketing. Intellectual property right is applicable for industrial, scientific, literary, artistic field. Intellectual property right is applicable of NDA, ANDA and INDA analysis of Drug Product or Pharmaceutical Formulations. Intellectual property right is applicable for testing, analysis, characterizing, the drug properties and drug quality. Intellectual property right is exclusive right is granted by government of India for protection of invention of inventor. It is applicable for Protection of originality or novelty of work of author has a function of copyright. It is act has certification as well as identification mark for identification of product in would wide market has function of trademark. It is important for maintaining protection of patent or business-oriented data has function of Trade secrets. It is applicable for Maintaining the utility, designing and Novelty of Patented data. It is applicable for determination of law of Indian system or Indian legal system. It is important for determination simple ornamental or industrial designing and Layout oriented semiconductor devices. It is Applicable for determination of Anticipation of data as well as Patent data under prior art or not is conducted by IPR. It is having important application

for Indian Patent act 1970, and also determination of Amendment of patent act in 1999, 2002, 2005 and 2006. It is applicable for determination of Patent filling and Patent Granting Processes. It is applicable for determination of Patent Revocation and Patent Infringements. It is applicable for determination of Commercialization and Patent Licensing Processes. (Saha and Bhattacharya, 2011)

Conclusion

Intellectual Property Right is Government Right is granted by the Government of India. Intellectual Property right is concerned with intellectual activity in industrial, scientific, literary & artistic fields. These rights Safeguard creators and other producers of intellectual goods & services by granting them certain time-limited rights to control their use. The rights given to people over the creation of their minds. They usually give the creator an exclusive right over the use of his/her creations for a certain period of time. It is exclusive right is granted by government for protection of Novelty as well as Originality of Patent oriented Data and Maintaining Quality, Safety, Efficacy and Standard or Certification of drug, Any Product and Services.

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Symbiosis of Tradition and Justice: An In-Depth Analysis of Indigenous Legal Regime in Rajanikanta Bordoloi's *Miri Jiyori*

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Abstract

The indigenous legal regime within a novel refers to the unique and culturally embedded system of laws, justice, and governance portrayed within fictional society created by the author. This concept often reflects the customs, traditions, and cultural values of a specific community or group depicted in the narrative. In the context of literature, particularly novels, authors may choose to explore indigenous legal systems to provide insights into the complexities of societal structures, power dynamics, and moral codes within a specific cultural setting. Rajanikanta Bordoloi's *Miri Jiyori* unfolds a captivating narrative within the Miri society, a community steeped in rich customs, traditions, and culture. This research paper will delve into the indigenous legal regime depicted in the novel, exploring the complex web of power, control, and judicial administration that governed this society. The Miri legal system deeply rooted in tradition contrasts sharply with modern ideas of judiciary administration. The novel, *Miri Jiyori* a poignant social commentary, unveils a society bereft of contemporary legal frameworks. Instead, the Miri people rely on their traditional notions of justice and control. However, the indigenous legal thought becomes a victim within its own cultural context, particularly evident in the draconian measures taken for seemingly trivial matters, such as matters of love between individuals. The legal system, unwavering in its adherence to societal norms, denies individuals the basic rights to autonomy and choice. The paper will try to examine the traditional justice, shedding light on the societal transformation triggered by the imposition of a written legal code. The colonial backdrop adds another layer, portraying the colonizer's perception of the Miri society as lacking in legal structure, prompting attempts to introduce their own legal system. *Miri Jiyori,* serves as a reflective mirror,

Interdisciplinary Horizons: Exploring Knowledge through Academic Research towards Human Development

urging contemplation on the need for legal reform and the implications of colonial influence on indigenous legal thought.

Introduction

The rich tapestry of Assamese literature is adorned with masterpieces that not only narrate tales of love and tradition but also serves as windows into the cultural background of the bygone eras. Amongst these literary gems stands *Miri Jiyori,* an Assamese novel written by Rajanikanta Bordoloi in 1894. This novel unveils a poignant narrative embedded in the then-contemporary Mising society, unraveling a series of customs, traditions, and the vibrant life along the banks of the river Subansiri. Banikanta Kakati has observed that Rajanikanta Bordoloi's *Miri Jiyori* foregrounds a tribal (ethnic) community for the first time in the Assamese novel integrating an ordinary folklife (*Aspects of Early Assamese Literature*). Kakati's observation in 1953 underscores the novel's groundbreaking nature, emphasizing its role in integrating the everyday experiences and cultural nuances of this ethnic group into the literary fabric of Assam. In the words of Satyendra Nath Sarma, *Miri Jiyori* is a piece of raw gold fetched from the river Subansiri. (*Asomiya Sahityar Samikhatmak Itibritta*).

An Analysis of the Novel

At its core, *Miri Jiyori* is a social novel intricately woven around a simple love story. However, its significance transcends the confines of romantic plotlines, as it delves into the multifaceted aspects of the Mising society's culture and traditions. Bordoloi, a Sub-Deputy Collector, drew inspiration from the colorful life of the Misings during his tenure in North-Lakhimpur, and the novel became a milestone in Assamese literature. This research paper embarks on a comprehensive exploration of *Miri Jiyori,* delving into its historical and cultural dimensions. Within the backdrop of the novel, Bordoloi artfully captures the essence of Mising traditions, notably the Marong Ghar and Nara Singa Bihu. Bordoloi's literary contributions extend beyond mere storytelling; he emerges as a master craftsman who, through his novels, artistically sketches a panoramic picture of contemporary Assamese society. While the majority of his novels fall into the historical genre, *Miri Jiyori* and *Khamba Thoibir Sadhukatha* stand out as social novels, providing a unique lens into the fabric of Assamese life. As a pivotal figure in the historical narrative of Assam's literary evolution, Bordoloi crafted a narrative that not only unveils the vibrancy of Mising customs and traditions but also serves as a nuanced exploration of an indigenous legal regime within the novel's societal framework. This research

paper embarks on a compelling journey through the pages of *Miri Jiyori* delving into its narrative intricacies and shedding light on the portrayal of legal structures in the Mising society. Beyond the realms of a simple love story, the novel provides a captivating lens through which to examine indigenous legal thought prevalent in the depicted community. As we unravel the layers of the narrative, the paper aims to discern how legal norms, justice systems, and societal order are intricately woven into the fabric of Mising life. From matters of love to broader societal norms, the legal framework becomes a silent yet potent protagonist, shaping the destinies of characters within the novel. Furthermore, the research will explore instances where the indigenous legal system intersects with matters of personal choice, particularly in the realm of love and relationships. The novel presents a society where strict adherence to traditional norms governs individual's freedom to choose their life partners. The legal consequences of deviating from these norms, as vividly depicted by Bordoloi, become a focal point of analysis. The paper will also touch upon the lasting impact of *Miri Jiyori* in the landscape of Assamese literature, emphasizing its enduring significance more than a century after its publication. By delving into the legal dimensions of the novel the paper aims to provide a nuanced understanding of how legal norms are portrayed, questioned, and reshaped within the Mising society. In doing so, it contributes to a broader discourse on the role of indigenous legal systems in literature, offering insights into complexities of justice, tradition, and societal transformation within the framework of this Assamese masterpiece.

In the intricate world of the Miri society portrayed in *Miri Jiyori,* culture emerges as an unwritten constitution, a guiding force that shapes the lives of its individuals. The societal rigidity, both culturally and socially, becomes a central theme, profoundly impacting the characters and their pursuit of love and autonomy. The heroine, Panei, stands as a poignant example of the cultural and social constraints prevalent in the Miri society of the late Nineteenth century. Dominated by her parents and constrained by societal norms, Panei finds herself deprived of her basic rights. The narrative unveils a society where the wishes of lovers are disregarded in the name of caste, serving as a potent weapon of control wielded by parents and the community at large. During this period, it was commonplace for a Miri girl like Panei to be bound by the choices made by her parents regarding marriage; as Panei's father Tamed says:

"A strange thing to suggest! Who ever heard of asking a daughter for her opinion before her marriage." (Bordoloi, 34)

The rigidity of societal expectations dictated that parental decisions superseded individual desires. The lovers, Panei and Jonkie, found themselves entangled in a struggle against prevailing norms, where the pursuit of their union required

overcoming deeply rooted cultural barriers. This societal structure unveils a stark absence of counterbalance, a concept inherent in modern legal principles that ensures equity, justice, and fairness. In the absence of a legal framework that safeguards individual rights and choice, the characters in *Miri Jiyori* grapple with a system where cultural traditions take precedence over personal autonomy. The struggle of the lovers reflects not only a battle for their right to love but also a broader challenge to the deeply ingrained societal norms that suppress individual agency. The absence of counterbalance serves as a poignant commentary on the limitations imposed by cultural rigidity, where the pursuit of love becomes a subversive act challenging established norms.

The practice of bride price, as depicted in *Miri Jiyori,* emerges as a societal custom with profound implications for the lives of the characters, particularly the lovers, Jonkie and Panei. This cultural norm, wherein the groom's family is obligated to provide money or goods to the bride's family, transcends economic transactions; it becomes a powerful determinant of romantic unions and societal hierarchies. The narrative portrays the grim consequences for lovers ensnared in the web of bride price. In instances, where the groom's family is unable to meet the financial demands imposed by the bride's family, the lovers find themselves at the mercy of a system that devalues their love. The inability to pay the bride price becomes a barrier, leading to heartbreaking separations and the abandonment of romantic aspirations. The societal pressure exerted by both families underscores the oppressive nature of this custom, reinforcing traditional power dynamics and societal expectations. The example of Jonkie's poverty preventing him from paying the bride price, as he realizes:

"Your parents are unlikely to give you in marriage to me. I am all alone. I do not have any money either." (Bodoloi, 27-28)

While the affluent Komud succeeds in doing so, serves as a poignant illustration of the unwritten laws governing the Miri society. Economic disparity becomes a determinant of marital alliances, with the wealthy wielding greater influence in matrimonial decisions. At one point of the novel, Panei's mother Nirama remarks:

"…can't you know? He is a son of Gam; there is also a lot of wealth. You will be happy if you go to him." (Bordoloi, 46)

This exemplifies a broader pattern in the Miri worldview, where power, control, and judiciary administration flow from family headship through the clan to the traditional arrangements. Within the family structure, the novel portrays an unequal distribution of power, with the father holding the position of the headship and the mother relegated to a secondary role. It is exposed when Tamed directly discourages the idea of Panei's mother who gives a thought

226

regarding the marriage of Jonkie and Panei: "We have no son. He will be a son to us."(33) But Panei's father prefers another suitor, Komud, son of the local village chief. This power dynamic extends to the village level, where economic wealth and the ability to exert control determine leadership. The societal framework in *Miri Jiyori* mirrors a landscape of inequality, where justice is concentrated in the hands of powerful groups, denying individuals their fundamental rights. The denial of individual rights, particularly the right of lovers to choose their partners freely, becomes a central theme in the narrative. The oppressive grip of societal norms, reinforced by the practice of bride price, creates a formidable barrier to autonomy. The lovers' pleas to break free from orthodox customs go unheard, and attempts to elope are met with forceful opposition, further highlighting the unequal power structures embedded in Miri society. The novel provides a compelling exploration of how economic disparities and societal norms converge to shape matrimonial decisions, perpetuating inequality. The novel becomes a reflection of a society where the distribution of power is unequal, justice is elusive for the powerless, and traditional arrangements perpetuate these disparities. The economic determinates of marital decisions not only affect the lives of individuals like Jonkie but also contribute to a broader narrative of a society where economic privilege translates into social and legal advantage.

Rajanikanta Bordoloi's nuanced portrayal of the native culture in *Miri Jiyori* reflects a deep-seated commitment to authenticity, presenting both the strengths and shortcomings without reservation. In particular, the incidents that unfold within the courtroom provide a striking binary construction, offering a critical lens through which to examine the mockery of the legal system prevalent in Miri and, by extension, Assamese society. The courtroom scenes unravel a stark contrast between the babus' attitudes and the serious problems faced by the characters. Bordoloi skillfully exposes the frivolity within the legal proceedings, where the court demonstrates a greater interest in the traditional Bihu dance than in addressing the substantive issues at hand:

"First, a Babu called out, "What's wrong with you?" then another Babu started saying "Oh, this girl came to our district last year and danced Bihu, didn't she?" One of the Babus called out, "Oh, this is that Miri who performed pepa. What's wrong with you?" (Bordoloi, 65)

 This deliberate binary construction highlights the disconnection between the legal system and the genuine concerns of the individuals seeking justice. The lack of a standardized court system in Miri society becomes evident through the courtroom's inability to address matters effectively. The court's disregard for the severity of the issues faced by Panei underscores a systematic failure, turning the legal proceedings into a farcical representation of justice. The

227

mockery lies not only in the court's misplaced priorities but also in its inability to safeguard the individual rights of those seeking protection. One poignant incident in the novel involves Tamed, Panei's father, going to the extreme of permitting Komud to compromise Panei's virtue:

"Enough of provoking words. To-night itself I shall hand you over to Komud by force. When he will violate you, you'll submit." (Bordoloi, 54)

Tamed's disturbing logic, rooted in cultural norms, exemplifies the court's failure to comprehend the gravity of the situation. Instead of upholding justice and protecting individual rights, the court becomes complicit in perpetuating societal norms that undermine the autonomy and dignity of individuals. The court's skewed priorities are further accentuated when, despite a decision in Panei's favor, the villagers and her parents disregard the court's ruling:

"Some of the old men said, "Miri works according to her own customs. She should have gone wherever her parents gave her." (Bordoloi, 66)

This defiance reveals a profound distrust in the efficacy of the legal system, indicating that even when there is a semblance of a court or written law, its authority is undermined by societal attitudes and cultural practices. The courtroom, far from being a bastion of justice, becomes a symbolic space where decisions are made but often ignored or overridden by prevailing societal norms. In the broader context, Bordoloi's critique extends beyond Miri society to underscore broader issues within Assamese society. The mockery of the legal system portrayed in the novel resonates with a deeper societal reluctance to adhere to legal decisions. This skepticism rooted in cultural practices and ingrained attitudes, challenges the effectiveness of a legal framework that lacks widespread acceptance and respect. By showcasing the court's misplaced priorities, failure to protect individual rights, and societal defiance of legal decisions, the novel invites readers to reflect on the complex interplay between culture, Justice and the efficacy of legal systems within native traditions.

The tragic fate of Jonkie and Panei, subjected to inhumane punishment by the Gasi Miris, unveils a disconcerting aspect of the indigenous legal system as portrayed in the novel. The punishment meted out to be the lovers raises profound questions about justice, societal norms, and the arbitrary nature of legal decisions within the cultural context of the Miri society. Their act of love, motivated by genuine affection, is not a crime in the conventional sense. However, the brutal consequences they face challenge the very foundations of justice within the indigenous legal framework. The Gasi Miris, acting as both accusers and enforcers of punishment, wield an unchecked authority that surpasses any semblance of a fair and just legal process. The punishment of Jonkie and Panei transcends the boundaries of justice and morality. Nailing

them together, a grotesque and brutal act, serves as a severe form of retribution that lacks any proportional relationship to perceived transgression:

"…They are paired together. They are both tied up by arrowhead through the neck. Two arrowheads in both hands. …one on the chest, one on the waist." (Bordoloi, 95)

This harsh punishment reveals a disturbing disconnect between the alleged 'crime' of the lovers and the excessive cruelty of the consequences imposed upon them. In the indigenous legal system portrayed in the novel, there is a notable absence of a formalized and standardized legal process. The arbitrary nature of the punishment, driven by societal norms and the whims of those in power, underscores the limitations of a legal system that lacks clear principles and safeguards for individual rights. The Gasi Miris' adamant refusal to consider the lovers' appeal or hear their pleas reflects a disregard for due process and resilience on vigilante-style justice. The echoes of **natural law theory** linger within the narrative, suggesting an innate connection between the Miri society's legal system and universal moral principles. Morality, often intertwined with justice, forms the bedrock of legal systems in many societies. It serves as a guiding principle to ensure fairness, equity, and respect for individual rights. The absence of a moral compass among the Gasi Miris is evident in their propensity for violence and arbitrary decision-making. Instead of adhering to a principled legal framework, they rely on their own subjective judgments, guided by a collective mindset that values tradition over individual lives. The **'Mel'**, a traditionally arranged gathering, becomes a makeshift courtroom where decisions are rendered without nuanced understanding of the matters at hand. The **'Mel'** encapsulates the shortcomings of the indigenous legal system portrayed in the novel. Rather than a forum for reasoned deliberation, it becomes a platform for impromptu judgments, often influenced by communal biases and preconceived notions. In the legal **positivism** that underlies the novel's cultural fabric, the source-based validation of laws become a critical lens through which we examine the Miri society's legal structure. The **'Mel'** emphasizes the importance of cultural rituals in determining the validity of legal decisions. Yet, it also challenges us to question the adequacy of such processes in ensuring justice in complex scenarios. The Gasi Miris decisions, made without a comprehensive understanding of the depth of each case, reflect a lack of procedural justice and a disregard for the intricacies of individual lives:

"Bebegam's mind is steadfast. They do not hesitate to kill people without cause; they are the ones who, when they fight over a sheep or a pig, they go one house to another and cut off people and dragged women and children…" (Bordoloi, 92)

In contrast to modern legal system that upholds individual rights and ensures a fair and impartial process, the Gasi Miris' methodology reveals a system where morality is subsumed by communal norms and where violence and arbitrary decision-making take precedence. The author, Rajanikanta Bordoloi, strategically employs this tragic episode to comment on the flaws and inadequacies within the indigenous legal system. By depicting a punishment so disproportionate to the perceived crime, he draws attention to the lack of a structured legal framework capable of ensuring fairness, equity, and the protection of individual rights. Furthermore, the brutality inflicted on Jonkie and Panei serves as a narrative device to question the societal norms and cultural practices that endorse such extreme measures. The novel prompts reader to critically examine the ethical and moral foundations of the Miri society's legal system, encouraging a broader reflection on justice, punishment, and the cultural conditioning that influences such decisions.

Conclusion

Concluding the discussion, we have to acknowledge that *Miri Jiyori,* with its exploration of the indigenous legal systems within the Miri society, unfolds as a rich tapestry woven with complexities, reflecting not only the societal norms of the time but also challenging our understanding of justice and morality. Throughout our discussions, several key themes have emerged, offering insights into the intricate dynamics of the indigenous legal framework depicted in the novel. The Gasi Miris, acting as both enforcers of justice and arbiters of morality, bring forth a paradigm where cultural traditions and communal norms supersede the structured legal processes often associated with justice. Their approach marked by violence, arbitrary decision-making, and a lack of moral considerations, points to the limitations inherent in a legal system that relies on immediate communal consensus rather than nuanced ethical principles. As we reflect on the theme of indigenous legal systems in the novel, it becomes evident that the novel serves not only as a mirror reflecting the societal norms of its time but also as a provocation, inviting readers to question and critique prevailing notions of justice and morality. The Gasi Miris, with their stark departure from conventional legal principles, prompt us to reconsider the very foundations of justice is built. Sociological jurisprudence weaves its way through the fabric of *Miri Jiyori,* urging us to examine the symbiotic relationship between law and society. The novel becomes a social tapestry, depicting how legal systems influence and are influenced by the cultural and societal contexts in which they exist. Utilitarianism, as a guiding principle seeking to maximize overall happiness, emerges as a subtle undercurrent within the narrative. The tragedy of Jonkie and Panei, with its profound implications for the happiness and well-being of the community, invites readers to

contemplate the utilitarian aspects of legal decisions within the Miri society. Within the overarching framework of literary theory, *Miri Jiyori* transcends its role as a mere narrative, becoming a canvas upon which legal and literary theories converge.

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ANALYSIS OF MHD STAGNATION-POINT FLOW OF CASSON FLUID THROUGH A POROUS MEDIUM IN PRESENCE OF VISCOUS DISSIPATION AND JOULE HEATING

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Abstract

The present problem deals with a steady, incompressible, electrically conducting MHD stagnation point flow in a porous medium. The outcomes of viscous dissipation, activation energy and Joule heating are considered. Here, we utilized MATLAB bvp4c method to solve the governing equations. The result of various physical parameters on velocity, temperature, concentration profile and shear stress are analyzed via graphs and table. Observation revels that magnetic parameter reduces the fluid velocity, however enhances the shear stress. Eckert number increases the temperature of the fluid, but chemical reaction parameter diminishes the fluid concentration.

Keywords

MATLAB Bvp4c, MHD, Joule Heating, and Activation Energy

Introduction

MHD is the science of motion of how electrically conducting fluid moves in magnetic fields and it is a most imperative interdisciplinary field. The pumping of materials that are challenging to pump with conventional pumps is one of the essential applications of this phenomenon. Mohyud-Din et al. [1] and Wu and Xu [2] investigated in heat and mass transfer on MHD flow of nano fluids. In daily life, non-Newtonian fluids are acknowledged as the key consuming fluid. Among non-Newtonian fluids, Casson fluid is one of the most significant fluids. Arthur et al. [3] studied on the flow of Casson fluid through porous medium in presence of chemical reaction and magnetic field.

In this problem we extend the work of Abdelmalek et al. [4] by accumulating the consequences of joule heating and viscous dissipation in a porous medium.

Mathematical Formulation

Here, we consider a 2-D incompressible MHD stagnation point flow of Casson fluid over a stretched sheet in porous medium. X-axis is reserved through the sheet and Y- axis is occupied normal to it. The flow is progressed through the sheet with velocity $u = \delta x$, where δ is stretching rate constant. The effect of Joule heating and viscous dissipation are deliberated. The governing equations for the considered fluid model (following Abdelmalek et al. [4]) are

$$\frac{\partial u^*}{\partial x^*} + \frac{\partial v^*}{\partial y^*} = 0,$$

(1)

$$u^* \frac{\partial u^*}{\partial x^*} + v^* \frac{\partial u^*}{\partial y^*} = \nu \left(1 + \frac{1}{\beta}\right) \frac{\partial^2 u^*}{\partial y^{*2}} + u_e \frac{du_e}{dx} + \frac{\sigma B_0^2 (u_e - u^*)}{\rho} + g \left[\beta_T (T - T_\infty) + \beta_C (C - C_\infty)\right]$$

$$- \frac{\nu}{P_1}(u^* - u_e),$$

(2)

$$u^* \frac{\partial T^*}{\partial x^*} + v^* \frac{\partial T^*}{\partial y^*} = \alpha^* \frac{\partial^2 T^*}{\partial y^{*2}} + \frac{\mu}{\rho C_p}\left(1 + \frac{1}{\beta}\right)\left(\frac{\partial u^*}{\partial y^*}\right)^2 + \frac{Q_0 (T^* - T_\infty)}{\rho C_p} + \frac{\sigma B_0^2}{(\rho C_p)_f}(u^* - u_e)^2$$

$$+ \frac{16\sigma_1 T_\infty^3}{3k^* (\rho C_p)_f} \frac{\partial^2 T^*}{\partial y^{*2}},$$

(3)

$$u^* \frac{\partial C^*}{\partial x^*} + v^* \frac{\partial C^*}{\partial y^*} = D \frac{\partial^2 C^*}{\partial y^{*2}} - K_c^2 (C^* - C_\infty)\left(\frac{T^*}{T_\infty}\right)^m \exp\left(\frac{-E_A}{K^* T^*}\right).$$

(4) Boundary conditions are

$$u^* = u + u_{slip}, \text{ where } u_{slip} = A^*\left(1 + \frac{1}{\beta}\right)\frac{\partial u^*}{\partial y^*} + B^*\left(1 + \frac{1}{\beta}\right)\frac{\partial^2 u^*}{\partial y^{*2}},$$

$$v^* = -\frac{D}{1 - C_f}\frac{\partial C^*}{\partial y^*}, \quad k\frac{\partial T^*}{\partial y^*} = -h_s T^*, \quad -k_2 \frac{\partial C^*}{\partial y^*} = h_2 (C_f - C^*) \text{ at } y^* = 0,$$

$$u = u_e = cx, \quad T^* = T_\infty, \quad C^* = C_\infty \text{ as } y^* \to \infty.$$

(5)

The similarity variables and dimensional parameters are

233

$$\eta = \sqrt{\frac{c}{v}} y^*, \ u^* = \delta x^* f'(\eta), \ v^* = -\sqrt{cv} f(\eta), \ \theta(\eta) = \frac{T^* - T_\infty}{T_\infty}, \ \phi(\eta) = \frac{C^* - C_\infty}{C_f - C_\infty}, M = \frac{\sigma B_0^2}{\rho c},$$

$$G_R = \frac{g\beta_T (T_f - T_\infty) x^{*3}}{v^2}, \ G_R^* = \frac{g\beta_C (C_f - C_\infty) x^{*3}}{v^2}, \ u_e = cx, \ R_e = \frac{u_e x^*}{v}, \ L_1 = \frac{G_r}{R_e^2}, \ L_2 = \frac{G_r^*}{R_e^2},$$

$$\Lambda = \frac{T_f - T_\infty}{T_\infty}, \alpha = \frac{k}{\rho C_p}, \ \Pr = \frac{\alpha}{v}, \ Q_c = \frac{Q_0}{c\rho C_p}, R = \frac{16\sigma_1 T_\infty^3}{3kk^*}, \ Ec = \frac{u_e^2}{C_p T_\infty}, \ Sc = \frac{v}{D}, \ E = \frac{E_a}{k^* T_\infty},$$

$$P = \frac{v}{P_1 c}, \ K_E = \frac{K_c^2}{c}, \ A_1 = A^* \sqrt{\frac{c}{v}}, \ B_1 = B^* \frac{c}{v}, \ \gamma = \frac{h_s}{k}\sqrt{\frac{v}{c}}, \ \lambda = \frac{\delta}{c}.$$

(6)

Using (6) in (2)-(4), obtain following equations

$$\left(1 + \frac{1}{\beta}\right) f''' + f f'' - f'^2 + 1 + (M + P)(1 - f') + L_1 \frac{\theta}{\Lambda} + L_2 \phi = 0,$$

(7)

$$\frac{(1+R)\theta''}{\Pr} + f\theta' + Q_c\theta + MEc(1 - f')^2 + Ec\left(1 + \frac{1}{\beta}\right) f''^2 = 0,$$

(8)

$$\phi'' + Scf\phi' - ScK_E\phi(1+\theta)^m \exp\left(\frac{-E}{1+\theta}\right) = 0.$$

(9)

Boundary conditions are

$$f(0) = \frac{S_1}{Sc}\phi', f'(0) = \lambda + A_1\left(1 + \frac{1}{\beta}\right) f''(0) + B_1\left(1 + \frac{1}{\beta}\right) f'''(0), \ \theta'(0) = -\gamma(1 + \theta(0)),$$

$$\phi'(0) = -Bi_m(1 - \phi(0)),$$

$$f'(\infty) = 1, \ \theta(\infty) = 0, \ \phi(\infty) = 0.$$

(10)

The coefficient of local skin friction can be defined as

$$C_f = \frac{\tau}{\rho u_e^2 / 2}, \text{ where } \tau = \mu\left(\frac{\partial u^*}{\partial y^*}\right)_{y^*=0} \text{ is the shearing stress.}$$

234

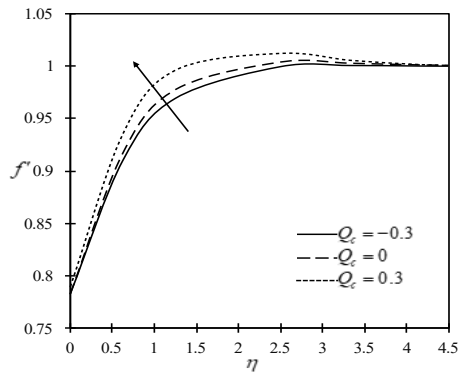i.e., $\dfrac{1}{2} C_f \, \mathrm{Re}^{\frac{1}{2}} = f''(0)$.

Results and Discussion

In the present problem the leading equations are solved by MATLAB bvp4c technique. The effects of various parameters like magnetic parameter (M), porous parameter (P) and heat source/sink (Q_c) parameter on velocity profile is expressed in Figs. 1-3. Figure 1 demonstrates that magnetic parameter decreases the fluid velocity due to resistivity force i.e., Lorentz force. Figure 2 shows that porous parameter reduces the velocity boundary layer, because increasing porous parameter raising the fluid viscosity or reduces the permeability of porous medium. Figure 3 shows that impact of heat source/sink parameter from $Q_c = -0.3$ (heat sink) to $Q_c = 0.3$ (heat source) through $Q_c = 0$ (neither source nor sink). From this figure we obtain that this parameter enhances the fluid velocity. Figure 4 and Fig. 5 shows that Eckert number (Ec) and heat source/sink parameter enhances the temperature of the fluid. Figure 6 elucidates that chemical reaction parameter (K_E) reduces the concentration of the fluid. Figure 7 depicts that how Schmidt number (Sc) effects on concentration profile. It is perceived that increasing Schmidt number reduces the concentration of the fluid. From Table 1 it is observed that shear stress amplifies for Casson parameter, magnetic parameter and porous parameter, but reduces for radiation parameter and Eckert number.
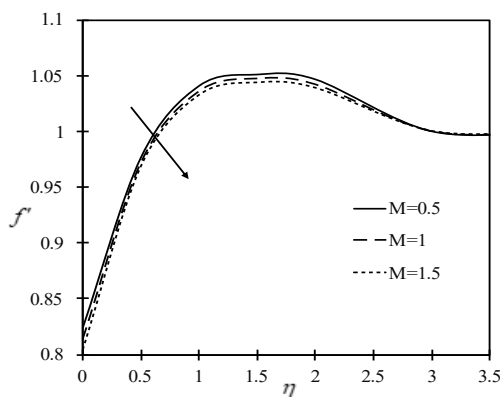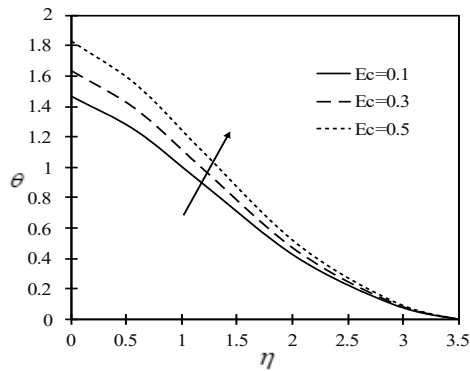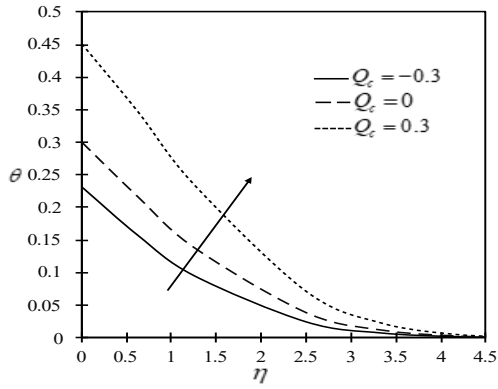

Figure 1: Impact of M on velocity f'.
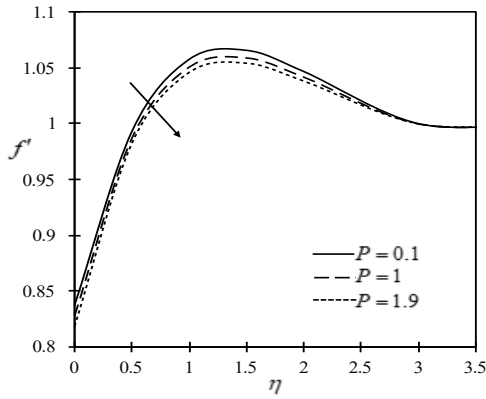
Figure 2: Impact of P on velocity f'.
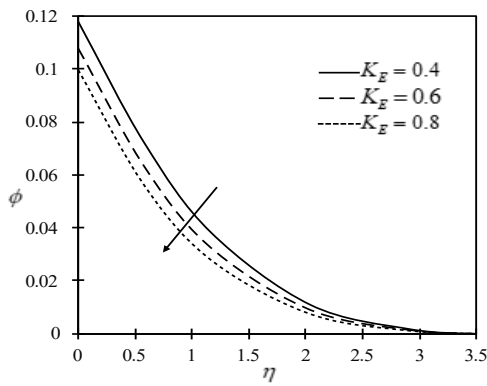

Figure 3: Impact of Q_c on velocity f'.

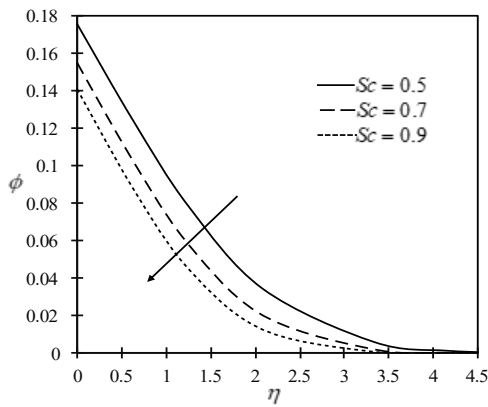
Figure 4: Impact of Ec on temperature θ.

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Figure 5: Impact of Q_c on temperature θ.

Figure 6: Impact of K_E on concentration ϕ.

Figure 7: Impact of Sc on concentration ϕ.

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TABLE 1: Numerical values of shear stress, $f''(0)$ for different parameters.

β	M	P	R	Ec	$f''(0)$
0.5					0.1242
0.7					0.1475
0.9					0.1648
	0.4				0.1272
	0.5				0.1301
	0.6				0.133
		0.4			0.5793
		0.6			0.5856
		0.8			0.5921
			0.7		0.5667
			0.8		0.5597
			0.9		0.5551
				0.1	0.1865
				0.3	0.1429
				0.5	0.1166

Conclusion

The imperative remarks are given below:

- Magnetic parameter, porous parameter reduces the fluid velocity, but enhances for heat source/sink parameter.
- Eckert number and heat source/sink parameter raises the temperature profile.
- Chemical reaction and Schmidt number reduces the concentration of the fluid.
- Shear stress raises for Casson parameter, magnetic parameter and porous parameter, but reduces for radiation parameter and Eckert number.

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Effect of Mercuric Chloride on Enzyme Activity of Acid and Alkaline Phosphatase in Various Tissues of *Anabas Testudineus* (Bloch 1792)"

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Abstract

Heavy metals are considered as devastating environmental pollutants that causes serious pollution of water bodies affecting aquatic inhabitants. Heavy metals, as environmental stressors, may alter the tissue biological parameters in fishes. *Anabas testiduneus* was exposed to 0.05 ppm sub lethal concentration of mercuric chloride to examine its effect on Acid phosphatase (ACP) and alkaline phosphatase (ALP) of the fish. $HgCl_2$ was found to induce the activity of both the enzymes. The specific enzyme activity was found to be highest in control sample followed by gradual decrease on day 7th and a sharp increase in activity is observed on day 14th followed by gradual increase on up to treatment day 21(in all the four tissues). Among the four tissues Liver is showing the highest ACP activity.

The ALP activity was found to be highest in control sample followed by gradual decrease on day 7th in kidney and muscles (not in liver and gills) and increase on the 14th day followed by gradual decrease on upto treatment day 21(in all the tissues).

Keywords

Heavy Metals, Mercuric Chloride, Enzyme Activity, *Anabas Testiduneus,* and Tissues

Introduction

Fishes are major part of the human diet due to high protein content, low saturated fat and sufficient omega fatty acids. This is an alternative food and source of income for a large population of people of Assam. This part of North East India is blessed with a large number of beels, ponds and lakes and fairly widespread moderate to heavy rainfall. The contamination of the freshwater bodies with a wide range of pollutants has become a matter of concern over the last few decades (Canli *et al.,* 1993). Detoriating water quality is a growing

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concern in Assam as many new industries are located along the bank of the river Brahmaputra.

The natural aquatic ecosystems have been extensively contaminated with heavy metals released from domestic, industrial and other man made activities (Conacher *et al.,* 1993). Along different toxicants of the river water, heavy metal are getting importance for their non degradable nature and often accumulates in the tropic level (Akter *et al.,* 2008). These heavy metals are detrimental to the aquatic inhabitants, including fishes (Dickman and leung, 1998). All heavy metals are potentially harmful to most organisms at some level of exposure. The release of increasing quantities of heavy metals and their salts into terrestrial and aquatic environment and their accumulation in living systems endangers their life. Due to feeding and living in the aquatic environments fishes are particularly vulnerable and heavily exposed to pollution because they cannot escaped from the detrimental effects of the pollutants.

Mercury, lead and arsenic are the top three toxic pollutants of environmental concern (Horacio *et al.,* 2006). Recently the World Health Organization (WHO) has ranked mercury as one of the 10 chemicals of major public health concern worldwide (WHO, Mercury and Health, 2013). Mercury (Hg) is a naturally occurring metal derived from several processes, such as weathering of the earth crust, soil erosion, geological activities and its content in the environment can vary between different regions (Lui G Chi *et al.,* 2013). Mercury has drawn the attention of scientific community since the 1950s when the first evidences of dangerous environmental effects have been reported thus prompting politics and regulation to limit mercury emissions (Wiener, 2013). Mercury is a highly hazardous pollutant exceedingly bioaccumulative and is commonly found in the environment in several forms- elemental, inorganic(iHg) and organic, all of which are toxic (Sharma *et al.,* 2007) however, the principal natural and anthropogenic emissions of mercury exits as inorganic forms (Weiner,2013). With regards to mercury pollution, particular attention has been paid to aquatic environment, and mercury is considered as priority hazardous contaminant for fishes and wildlife. Moreover, due to their tendency to bioaccumulate and biomagnify through the food chain, mercury compounds represent substances of very high concern for human health. It has been demonstrated that exposure to mercury, both inorganic and organic, may cause serious damage in both human and experimental animals (Clarkson, 2013).

In aquatic environment, heavy metals in dissolved form are easily taken up by aquatic organisms either from ingestion of contaminated food via alimentary tract or through gills and skin and after absorption, metals are then transported

241

through bloodstream to organs and tissues where they are strongly bound to sulfahydryl groups of proteins causing changes in the structures and function of many proteins (Viarengo and Nott,1993). Because of this ability, there is a tendency for them to be fixed in tissues and not to be excreted and accumulates in their tissues. Fishes accumulates pollutants preferentially in their fatty tissues like liver, muscles and the effects become apparent when concentrations in such tissues attain a threshold level. Accumulation of heavy metals in fishes for long periods, results in irreversible damages, such as neurological impairments and lesions, behavioral and cognitive changes and ataxia, in addition to its effects on individual growth rates and on reproduction. Necrosis and fibrosis of renal tubular lumen was reported earlier in the chronic mercury exposed *Clarius batrachus* Kidney. At very low concentrations mercury reduces the viability of spermatozoa, reduce egg production and affect the survival rate of developing eggs and fry. Fishes are located at the end of the aquatic food chain and accumulates metals and pass them to the human beings when these fishes are consumed and this Biotransformation of mercury and methy mercury formation constitute a dangerous problem for human health(Khansari Emami et al., 2005). These toxic metals keep on circulating in food chain moving from one trophic level to another. Accumulation of heavy metals in fishes leads to biomagnifications in the food chain. Since heavy metals bioaccumulates inside fishes so they have been widely used as bioindicators of pollution by metals. Muscle tissues of fish is the most frequently used for analysis because it is a major target tissue for metal storage and is the main edible part of the fish.

After going through most of the literature review papers it was found that maximum of the work on effect of heavy metal on enzyme activity of Acid phosphatase and alkaline phosphatase was done at international and national level but very few work has been done at regional level.

The study carried out, it is very important to have a more definite and clear understanding of the effects of a given pollutant on an aquatic ecosystem. These contaminated fishes can be used as an ideal and reference organism for monitoring the intensity of pollution in water bodies as they are consuming by a large percentage of human population. The water bodies of Assam provide a highly productive ecosystem to many of the organism, among one of them are fishes. If the accumulation of the metals in these organisms exceeds than its threshold level then this can cause the death of fishes and because of these many of the indigenous fish species would eliminate from the environment. Fishes serve not only as food and natural resources on which human society depends, but are also the live hood for a majority of population.

This can be sustained only if the aquatic system on which fishes survive are not contaminated.

Objectives

To study the effect of Mercuric chloride on activity of alkaline phosphatase (EC 3.1.3.1) and Acid phosphatase (EC 3.1.3.2) in four different tissues (Liver, kidney, muscles and gills) of *Anabas testudineus.*

Materials and Methods

Collection of the Samples:

Almost same size of live fish samples were collected from a local fish market of Chowkidingee, Dibrugarh. Fishes were transported to the laboratory in large buckets with proper covering and frequent agitation. The experiment was conducted in the Department of Life Sciences, Dibrugarh University.

Acclimatization of the test samples On arrival at the laboratory, the fishes were immediately released into a large aquarium of 50L capacity and it was acclimatized for 7 days. The fishes were not fed during the period of acclimatization and only healthy fishes were chosen for the experiment.

Treatment:

A treatment dose of 0.05ppm/L of Mercuric Chloride ($HgCl_2$) was prepared and added in the aquarium containing 20L of tap water. The healthy fishes were then introduced into this heavy metal solution which acts as experimental/treated. The effect of Mercuric Chloride ($HgCl_2$) on the experimental fishes were observed for 21 days. Another group with fishes without any $HgCl_2$ treatment acts as Control.

Extraction of Enzymes:

Samples were taken out from the aquarium at a periodic interval of 7 days and killed by keeping the samples in Refrigerator at a temperature of -20°C. Dead fishes were taken out after 30 minutes and dissected to take out the liver, kidney, muscles and gills.

0.2g of each tissue were weighed and 10% homogenate was prepared in 0.025M Sucrose solution. The homogenate was fractionated in cold centrifuge at -4°C at 600×g for 10 minutes. The clear supernatant was collected and diluted to 10 times. The diluted sample was directly used for the assay of enzyme activities.

Preparation of Standard Curve (P-Nitrophenol):

0.1, 0.2, 0.3, 0.4 and 0.5 ml of standard p-nitrophenol was added in a series of test tubes. The volume was made 1ml by adding required amount of distill water then 2ml of NaOH was added.

The absorbance was recorded at 405 nm, a standard curve was prepared by taking optical density (O.D) along Y axis against concentration along X axis and value of 1 O.D was calculated.

Assay of Acid phosphatase:

The assay mixture contained 1ml of substrate solution (5.5 m M p-nitrophenyl phosphate, citrate buffer, PH-5.7) and 0.1 ml of diluted enzyme extract. The mixture was incubated at room temperature for 30 minutes. The reaction was stopped by adding 2 ml of NaOH (0.4 N) and the absorbency was recorded at 405nm. The enzyme activity was measured in terms of micromoles of p-nitrophenol formed per mg of protein per minute(μM/mg/minute).

Assay of alkaline phosphatase:

The assay mixture contained 1ml of substrate solution(5.5 m M p-nitrophenyl phosphate, Tris buffer, PH-10.5) and 0.1 ml of diluted enzyme extract. The mixture was incubated at room temperature for 30 minutes. The reaction was stopped by adding 2 ml of NaOH (0.4 N) and the absorbency was recorded at 405nm. The enzyme activity was measured in terms of micromoles of p-nitrophenol formed per mg of protein per minute(μM/mg/minute)

Estimation of Protein:

Preparation of chemicals:

- Standard BSA: 250μg/ml of standard BSA solution was prepared.
- Protein Reagent: 4% Na_2CO_3 solution was prepared in 1N NaOH. 2% $CuSO_4$ and 2% Na^+-K^+tartarate solution was prepared. All the three solutions were mixed in a ratio of 100:1:1.
- Folin-Ciocalteu Reagent: Commercially available Folin and Distilled water were mixed in a ratio of 1:1 and used as Folin reagent.

Preparation of Standard protein (BSA) Curve:

0.2, 0.4, 0.6, 0.8 and 1.0 ml of standard BSA was added in a series of test tubes. The volume was made 1ml by adding required amount of distilled water. 5ml of Protein Reagent was added to each tube and incubate for 10 mins. Incubation was followed by 0.5ml of Folin reagent and kept 30 mins in dark. The absorbance was recorded at 660nm, a standard curve was prepared by taking optical density (O.D) against concentration and value of 1 O.D was calculated.

Protein Estimation:

1.0 ml of diluted sample extract was taken and 5ml of Protein Reagent was added to it and incubated for 10 mins. Incubation was followed by 0.5ml of Folin reagent and kept 30 mins in dark. The absorbance was recorded at 660nm

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and the amount of protein present in sample was calculated in mg of protein/gram of wet tissue weight.

Calculation of Protein concentration: Calculation of protein was done with the help of linear regression obtain from standard curve of BSA(250µg/ml).

Y=a + b X   where Y is the optical density and X is the Concentration of proteins.

Specific Activity: Specific Activity of both Acid Phosphatase and Alkaline phosphatase was calculated by the formula-

<div align="center">

Activity of Enzyme (µM/g/min)

Protein Content (mg/g)

</div>

Statistical Analysis: ANOVA was performed using SPSS 16.0 and the values of standard error was obtained. Also, significant difference among the variables was obtained at p=0.05.

Result

The specific activity of ACP was found to decrease after the treatment of $HgCl_2$ with respect to untreated fish(control). The enzyme activity was found to be highest in control sample followed by gradual decrease on day 7th and a sharp increase in activity is observed on day 14th followed by gradual increase on upto treatment day 21(in all the four tissues).

In Liver, the specific activity of ACP, showed decrease in activity on 7th day (0.00073±0.00003) compared to control (0.00110±0.00000) followed by a sharp increase on 14th day (0.00103±0.00016) and gradual increase in activity was observed on 21st day (0.00120±0.00003)

In Kidney, the specific activty of ACP, showed decrease in activity on 7th day (0.00046±0.00003) compared to control (0.00050± 0.00000) followed by sharp increase on 14th day (0.00070±0.00003) with gradual increase in activity was observed on 21st day(0.00123±0.00000)

In Muscle, the specific activity of ACP, showed decrease in activity on 7th day(0.00040±0.00000) compared to control (0.00116±0.00003) followed by sharp increase on 14th day(0.00183±0.00008) Gradual increase in activity was observed on(21st day(0.00195±0.00000)

In Gills, the specific activity of ACP, showed decrease in activity on 7th day(0.00081±0.00003)compared to control(0.00187±0.00004) followed by sharp increase on 14th day(0.00090±0.00001) and gradual increase in activity was observed on 21stday(0.00118±0.00001)

The specific activity of ALP was found to decrease after the treatment of $HgCl_2$ with respect to untreated fish(control). The enzyme activity was found to be highest in control sample followed by gradual decrease on day 7th in kidney and muscles (not in liver and gills) and increase on the 14th day followed by gradual decrease on up to treatment day 21(in all the tissues).

In Liver, the specific activity of ALP, showed decrease in activity on 7th day (0.00571 ± 0.000252) compared to control (0.0067 ± 0.0002) followed by gradual increase on 14th day (0.0074 ± 0.000874). Sharp decrease in activity was observed on 21st day (0.0060 ± 0.000153)

In Kidney, the specific activity of ALP, showed decrease in activity on 7th day (0.003233 ± 0.000033) compared to control (0.003767 ± 0.000033) followed by gradual increase on 14th day (0.001767 ± 0.000644) Sharp decrease in activity was observed on 21st day (0.001533 ± 0.000033)

In Muscle, the specific activity of ALP, showed decrease in activity on 7th day (0.0004 ± 0) compared to control (0.001133 ± 0.000088) followed by gradual increase on 14th day (0.000733 ± 0.000033). Sharp decrease in activity was observed on 21st day(0.000533 ± 0.000033)

In Gills, the specific activity of ALP, showed decrease in activity on 7th day(0.001333 ± 0.000033)compared to control(0.001933 ± 0.000033) followed by gradual increase on 14th day(0.002667 ± 0.000066) .Sharp decrease in activity was observed on 21th day(0.0014 ± 0).

Discussion

Sublethal doses of Mercuric Chloride produce severe biochemical abnormalities in Liver, kidney, gills and muscles. Different tissues and organs have different activities and metabolic rates and therefore their responses to the same toxicant may be different. Higher concentrations of toxicant in aquatic environment cause adverse effect on aquatic organism, particularly fishes at cellular or molecular level and ultimately it leads to disorder in biochemical composition. Any stressful condition alters the biochemical composition. The change in metabolic rate leads towards the change in biochemical composition hence, the change in biochemical composition is an indicator of stress of chemical or physical nature in the surrounding which mainly affects protein contents.

In the present study, Mercuric Chloride induce pronounced biochemical changes *in Anabas testudineus* indicating altered metabolism. The test samples were treated with 0.05ppm $HgCl_2$ for 21days.

An increase in the level of ACP was found in Liver and Kidney (figure:). Increase in the activity of ACP due to oxidative stress is a characteristic of

tissue damage (Biber *et al*,1981). ACP is a marker enzyme of lysosomes which hydrolyses the ester linkage of phosphate and helps in autolysis of the cell after its death(Novikoff,1961) . It has been suggested that hyperactivity of ACP indicates proliferation of lysosome in the attempt to sequester the toxic metal(Gil *et al*.1992) . Autophagy is a process of bulk degradation of toxic protein aggregate and damaged organelles, in which protein of the cytoplasm are sequestered into double membrane vesicles known as autophagosomes and they fuse with the proliferated lysosomes to form single membrane autolysosomes, ultimately the content of the autolysosomes are degraded by ACP And recycled for Energy utilization. High activity of ACP can be correlated with an active glycogen metabolism with phosphorylation of stored glycogen.

The activity of ALP was found to decrease on day 21 with respect to control in gills and liver (figure:) exposed to the sublethal concentration of $HgCl_2$.The inhibition may be due to altered membrane permeability which is brought about by the binding of the heavy metal ions present in $HgCl_2$ to the enzymes configuration. Furthermore, the inhibition of ALP phosphatase activity may have hampered glycogen and lipid metabolism and disrupted the transfer of these catabolites of the hepatic cells(Jignara Delela,et al-1980). In the liver, the inhibition of enzyme may be due to disruption in the membrane permeability of the hepatic cells which ultimately affects other function of the liver(Dalela *et al.,*-1980). Again,decrease in ALP activity may be taken as an index of hepatic parenchymal damage and hepatocytic necrosis (Onikienko,1963). Inhibition of ALP reflects alteration in uncoupling of oxidative phosphorylation.

Conclusion

From the above experiment, it can be concluded that the specific activity of ACP increases after the treatment of heavy metals and the specific activity of ALP decreases after the treatment of heavy metals. This increase in activity is due to utilization of the gluconeogentic pathway to produce glucose for overcoming the stress condition. The increase in activity of these enzymes can lead to imbalance of various metabolic pathways.

The available literature reveals the toxic effect of mercuric chloride on fish body by causing alterations in metabolic pathways.

The release of Mercuric chloride in water bodies must be controlled as the accumulation of these toxins can be easily transferred to higher toxic level causing bio-magnification. The bioaccumulation of these heavy metals can cause severe health hazards as they are consumed by a large population and thereby causing economic loss.

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Tables and Figures

Table 1: Concentration of Protein in Control and treated groups in the four different tissues
(Liver, Kidney, muscles and gills) of *Anabas testudineus*.

TREATMENT	LIVER	KIDNEY	MUSCLES	GILLS
CONTROL	30.21	109.78	11.05	6.88
7TH DAY	17.60	40.41	21.21	12.29
14TH DAY	24.46	32.09	17.65	12.59
21TH DAY	28.24	43.71	16.22	9.15
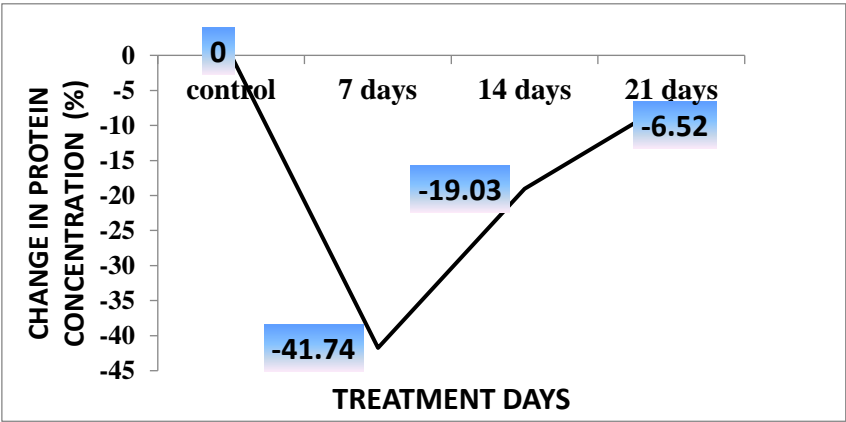
Figure 1: Change in protein concentration (%) in treated group with respect to control in the liver of *Anabas testudines* after treatment.
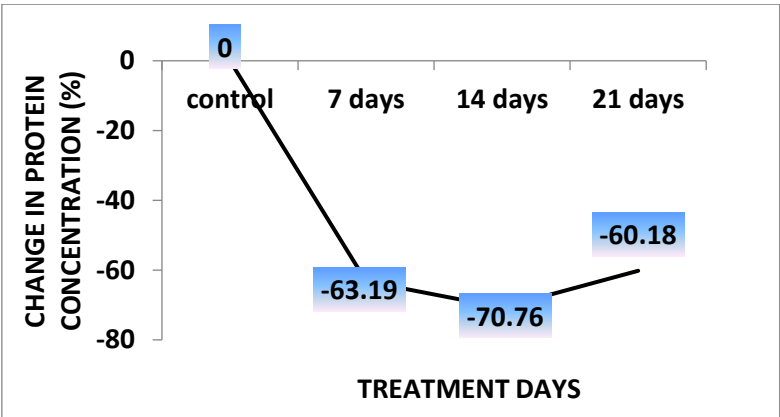
Figure 2: Change in protein concentration(%) in treated group with respect to control in the Kidney of *Anabas testiduneus* after treatment.
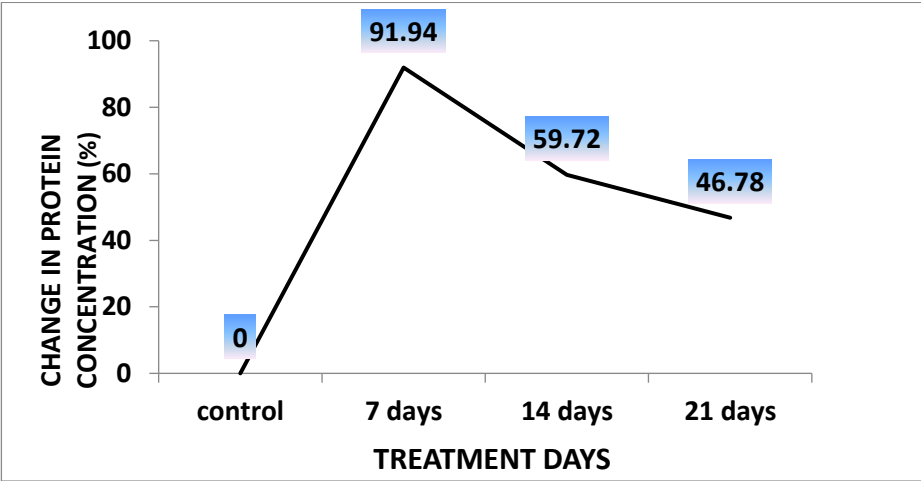
250

Figure 3: Change in protein concentration(%) in treated group with respect to control in the Muscles of *Anabas testiduneus* after treatment.
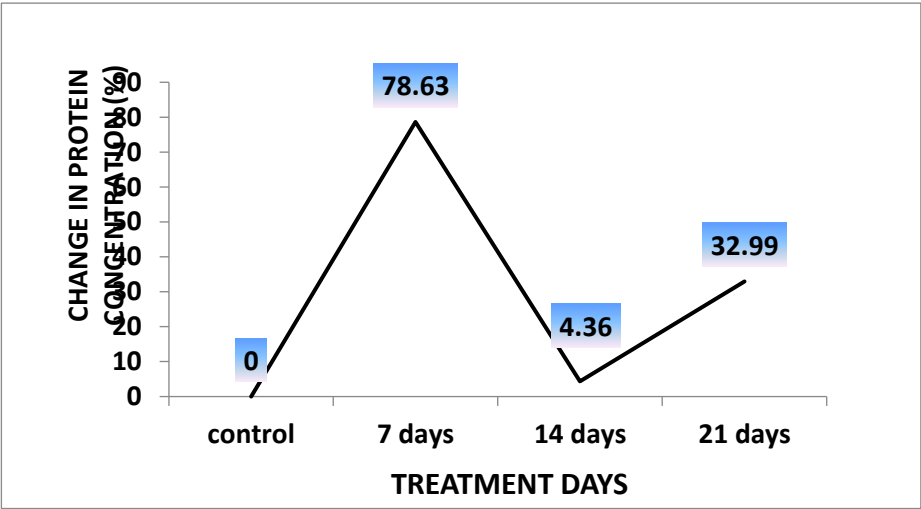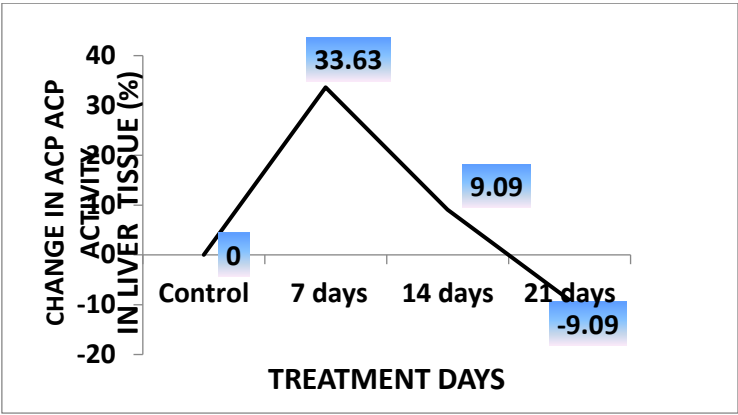

Figure 4: Change in protein concentration(%) in treated group with respect to control in the Gills of *Anabas testiduneus* after treatment.

Table 2: Specific activity of Acid Phosphatase(ACP) in Control and treated groups in the four different tissues(Liver, Kidney, muscles and gills) of *Anabas testudineus*.

TREATMENT	LIVER	KIDNEY	MUSCLES	GILLS

|				
CONTROL	0.0011 ± 0	0.00050 ± 0 [d]	0.00116 3*10⁻⁵ [g]	0.0018 ± 4*10 [k]
7TH DAY	0.00073 3*10⁻⁵ [b]	0.00046 ± 3*10 [d]	0.00040 ± 0[h]	0.00081 3*10⁻⁵ [l]
14TH DAY	0.0010 1*10⁻⁴ [c]	0.00070 ± 0 [e]	0.0018 ± 8*10 [i]	0.00090 1*10⁻⁵ [m]
21TH DAY	0.0012 3*10⁻⁵ [a]	0.0012 ± 3*10⁻⁵	0.0019 ± 0 [j]	0.003± 1*10⁻⁵ [n]

*Different letters indicates the significant difference of enzyme activity within the group at p = 0.05

Figure 5: Change in specific enzyme activity of ACP(%) in treated group with respect to control in the liver of *Anabas testiduneus* after treatment.
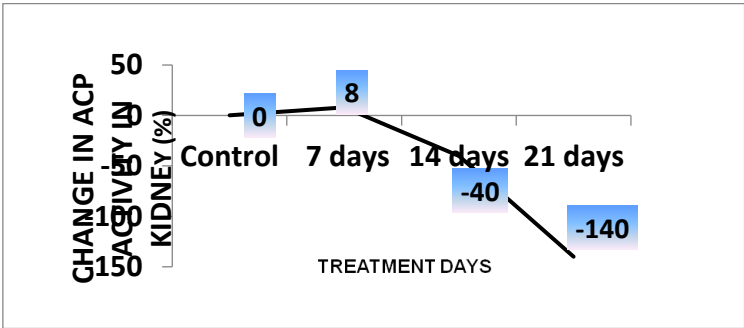
Figure 6: Change in specific enzyme activity of ACP(%) in treated group with respect to control in the Kidney of *Anabas testiduneus* after treatment.
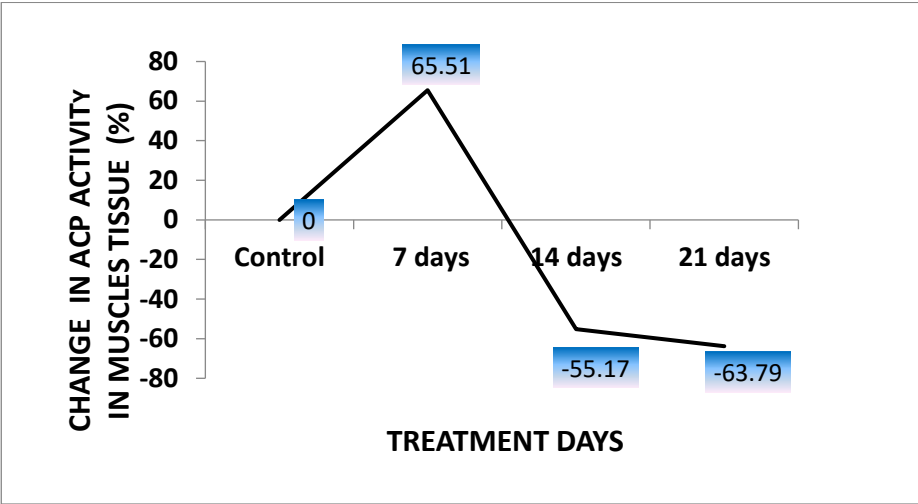
Figure 7: Change in specific enzyme activity of ACP(%) in treated group with respect to control in the Muscles of *Anabas testiduneus* after treatment.
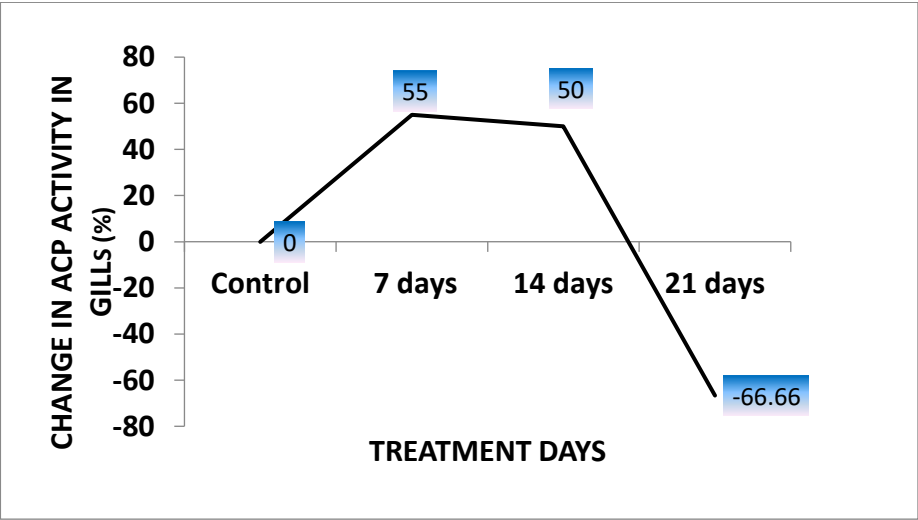

Figure 8: Change in specific enzyme activity of ACP(%) in treated group with respect to control in the Gills of *Anabas testiduneus* after treatment.

Table 3: Specific activity of Alkaline Phosphatase(ALP) in Control and treated groups in the four different tissues(Liver, Kidney, muscles and gills) of *Anabas testudineus*.

TREATMENT	LIVER	KIDNEY	MUSCLES	GILLS
CONTROL	$0.0067 \pm 2*10^{-4}$ ^{a}	$0.0037 \pm 3*10^{-5}$	$0.0011 \pm 8*10^{-5}$	$0.0019 \pm 3*10^{-5}$
7TH DAY	$0.0057 \pm 2*10^{-4}$ ^{a}	$0.0032 \pm 3*10^{-5}$	0.0004 ± 0 ^{g}	$0.0013 \pm 3*10^{-5}$
14TH DAY	$0.0074 \pm 8*10^{-4}$ ^{a}	$0.0017 \pm 6*10^{-4}$	$0.0007 \pm 3*10^{-5}$	$0.0026 \pm 6*10^{-5}$
21TH DAY	$0.0060 \pm 1*10^{-4}$ ^{b}	$0.0015 \pm 3*10^{-5}$	$0.0005 \pm 3*10^{-5}$	0.0014 ± 0 ^{m}

*Different letters indicates the significant difference of enzyme activity within the group at p=0.05.
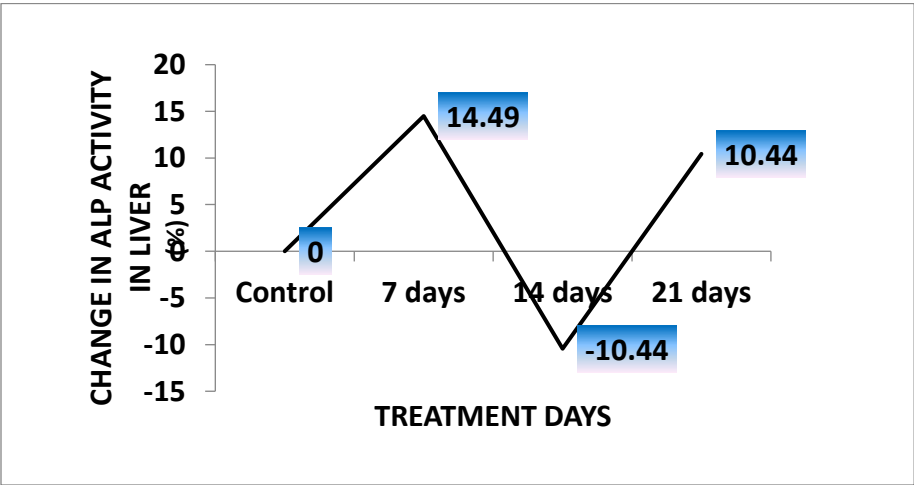
Figure 9: Change in specific enzyme activity of ALP (%) in treated group with respect to control in the liver of *Anabas testiduneus* after treatment.

Figure 10: Change in specific enzyme activity of ALP (%) in treated group with respect to control in the Kidney of *Anabas testiduneus* after treatment.
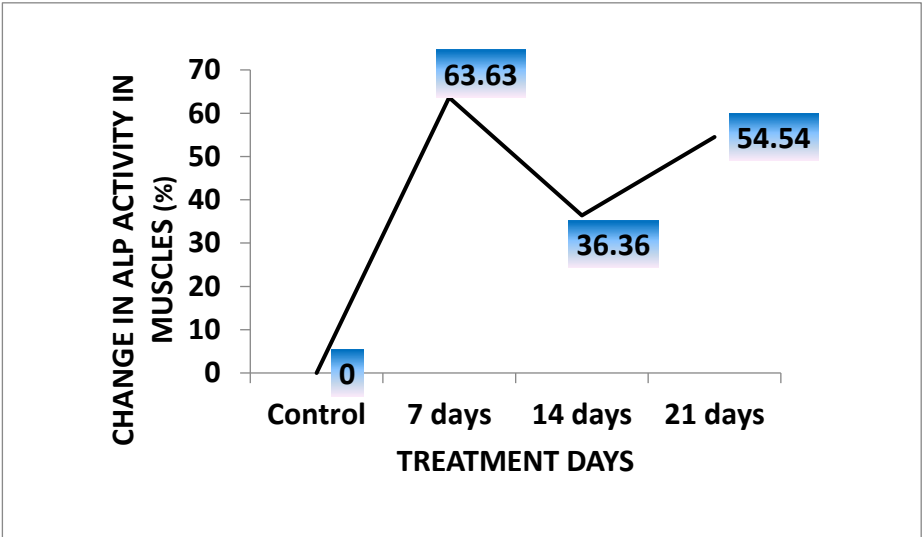
Figure 11: Change in specific enzyme activity of ALP in treated group with respect to control in the Muscles of *Anabas testiduneus* after treatment.

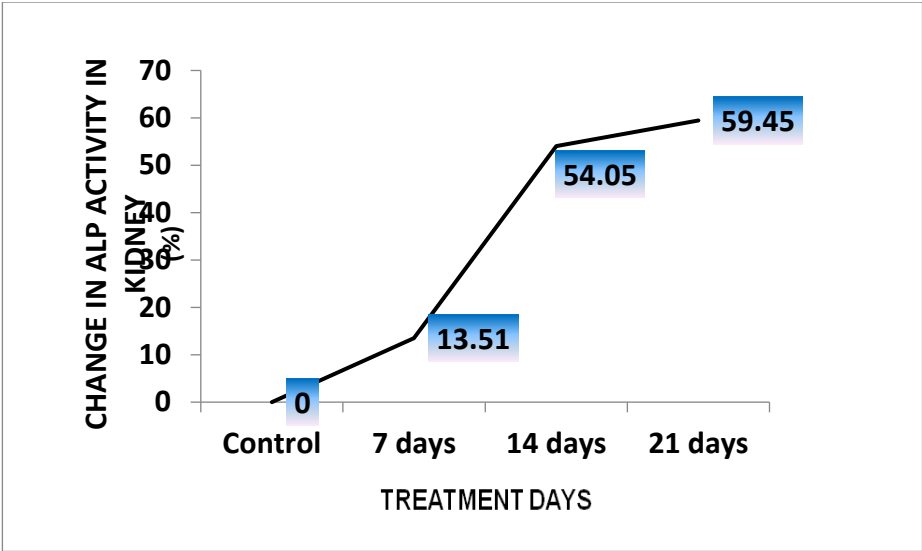Interdisciplinary Horizons: Exploring Knowledge through Academic Research towards Human Development

Figure 12: Change in specific enzyme activity of ALP (%) in treated group with respect to control in the Gills of *Anabas testiduneus* after treatment.

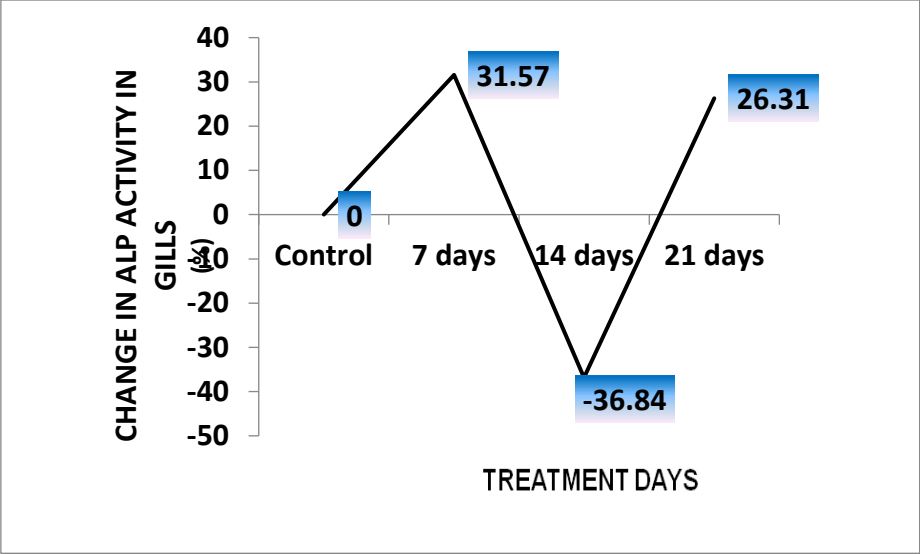Interdisciplinary Horizons: Exploring Knowledge through Academic Research towards Human Development

Cultural Memory in the Realm of Naga Knowledge System: Reading *Bitter Wormwood* by Easterine Kire

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Abstract

The Naga cultural practices and cultural expressions are distinctive to their indigenous origin. Indigenous culture and tradition, of which story telling is a central element helps people engage in tracing a capacity to reunite with the earlier generations of storytellers and listeners while merging into the legacy that has been upheld since generations. Easterine Kire is one such storyteller who commemorates the struggles of her tribe and her state with shared social responsibility for both the state and her people. The novel *Bitter Wormwood*, apart from recollecting the Naga struggle of Independence is a source of cultural memory passed down to the protagonist Mose from his mother and grandmother which he later on passes on to his grandson Neibou. Artifacts that hail cultural significance in the novel or posits as a great source of preserving cultural memory also works as a catalyst the not only signaled enlightenment at multiple levels but also shares hints of nearsighted freedom. Freedom at the personal and community level meant completely different inclinations to the characters of different generations in the novel forming a unique embodiment in the shared social reality. While cultural memory is a unison of community consciousness it is also laying down the alternate history of the Naga people in its multiplicity. The paper will attempt to understand the making of cultural memory in the novel *Bitter Wormwood* through multiple intersections of past and present experiences that shaped the story of the novel. When each characters bears resonance to struggles of their generations, it can also be taken into account that each stand uniquely convoluted in their positions in relation to the changing times, changing political consciousness and the interaction of Centre with the periphery.

Keywords

Community Consciousness, Cultural Memory, Generation, Indigenous, Knowledge System

Cultural Memory is the culmination of lived through experiences of a community that finds expression in their cultural practices and traditional

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beliefs. Being an embodiment of symbolic heritage and an expression of multiple lived experiences, cultural memory as Jan Assman would put is a "textuality of the past" defined by its "distance from the everyday". Cultural Memory focuses on the collective shared knowledge that has been preserved in the form of "texts, images and rites" (Assman 128) meant for reuse. Cultural Memory of a community bears multiple realities under a shared social reality where the ideas of belongingness and we feeling thrives to create a meaningful knowledge system. Fretted by lived through experiences indigenous culture and tradition forms the basis of cultural expressions in the writings of the Anglophone writers. Memory acts in a nuanced way to understand the history of a particular tribe passed down from generations in the form of folk tales, legends, stories, myths, customs and practices. Although culture in the simplest sense of the term means any kind of undertaking that is followed by a particular group of people almost in the similar vein, memory when cojoined with culture begs to differ from the popular definition. The meaning resides in the fragments of symbolic modes of expression mostly oral where one weaves together a mosaic of fragmented memories of a particular moment of acute historically proliferation in the past.

> Memory culture is the way a society ensures cultural continuity by preserving, with the help of cultural mnemonics, its collective knowledge from one generation to the next, rendering it possible for later generations to reconstruct their cultural identity. References to the past, on the other hand, reassure the members of a society of their collective identity and supply them with an awareness of their unity and singularity in time and space - i.e., a historical consciousness - by creating a shared past. (Holtorf 611)

Cultural Memory inevitably becomes significant for the indigenous communities for whom the past experiences of trauma, conflict, killings, torture, brutality and violence becomes a tool for the reconstruction of their indigenous identity. Coming from a place of common suffering it also be a process of documenting the past that needed to be examined and analyzed by the generations that follows. The same is true to the role of Easterine Kire as a writer who documents the multifaceted voices of Naga people bearing views that are different from the mainstream appropriation of Naga history. Documenting the experiences in a fictionalized manner is a for the matter a modern way of storytelling that challenges the readers to explore the multiple realities in opposition to the popular homogenized narratives that are being hailed as absolute truths for this part of the nation. The periphery negotiating different armed operations, internal conflicts, while making space for securing their heterogenous and uniquely structured identities are found at constant strife

258

with the Centre. The cultural changes and negotiations, the spread of English education along with the need for preserving one's own cultural heritage runs core to preserving the people's memory while the author documents the experiences of the communities. Keeping this in view, Kire in the Author's Introduction of the novel *Bitter Wormwood*, rightly states that

> This book is not meant to be read as a history textbook…This book is not about the leaders and heroes of the Naga struggle. It is about the ordinary people whose lives were completely overturned by the freedom struggle. Because the conflict is not more important than the people who are its victims. (Kire 6)

In an attempt to preserve the Cultural Memory, the focus should vehemently be shifted from a single homogenous identity assertion to heterogenous cultural expression where multiple versions of truth and realities help reconstruct indigenous identity. When Cultural Memory attunes literature from a separate premise which understands

> … that literature is not a closed system, but a part of the principal meaning-making processes of a culture, interacting with other symbol systems, then an analysis of literary stagings of memory can provide information about a culture's predominant memorial concepts. (Neumann 335)

The novel *Bitter Wormwood* then becomes "an exploration of unintentional and implicit ways of cultural remembering" and Kire becomes the stimulus that endows the characters with artifacts of cultural memory that has to be religiously transmitted and critically analyzed. The novel is attributed with myths and indigenous practices with stances of education and enlightenment that has touched the frontiers by that time of the past.

The novel begins in the midst of the civil unrest in Kohima that sprouted out of the long history of Naga freedom Movement. The protagonist Mose, around whom the entire novel revolves has reached the autumn of his life. In the novel, Mose becomes the mouthpiece witnessing, participating and negotiating for the sake of his community in the violent upsurge of unprecedented freedom struggle demanding a separate statehood from the mainland India that has been thwarting the region for several decades. Mose's intricate connection to the movement initially as a spectator of inexplicable violence, to being a participant in the Naga freedom movement as an underground insurgent resisting violence with violence and finally as a progenitor and preserver of cultural memory struggling to bridge the broad gap that has distanced the mainland from the region documents the entire struggle for Naga independence.

> … Mose continued to be a respected elder in the community. Young men sought him out to listen to his stories. His peers desired his counsel when it came to land disputes and other clan disputes. (Kire 11)

Losing his father to an unfortunate tragedy of being crushed by a tree that has been ceremoniously chosen for the festival to celebrate a new gate for the clan, Mose becomes responsible for the two women in the household, his mother and his grandmother. Fleeing the Japanese invasion in their village, Mose witnessed life in the hard way with regular interrupting in his studies which would either result from frequent shutting down of school or shifting of school location with invasion. But shades of enlightenment grew brighter with his growing interest in owning a radio which resulted from his classroom experience of listening to the radio in one of their classes. Radio in Mose's household transforms into a source of precipitating knowledge of the world into the remote interior becoming part of their daily schedule. He began learning English and gradually acquainted himself will all kind of news both national and international especially the political news. The news of partition, nation building, followed by the relentless killings on both side of the border and ultimately the death of Gandhi reopened the ground for Naga consciousness.

> "Before he died, this great man met a group of Nagas. He asked how he could help them. The men said they wanted independence from India. Gandhi told them they had every right to it… Gandhi's death is a loss not only to India but to the Nagas and to the whole world" (Kire 48)

Marking the beginning of Naga freedom movement, the period after saw the rise of marches, curfews, protests followed by relentless killings and atrocities with the imposition of Assam Maintenance of Public Order Act 1953 which empowered a soldier to "shoot and kill, in case it is felt necessary to do so for the maintenance of public order" (Kire 73). The strong urge of resistance infuriated the vigor of joining the Underground Army in Mose immediately after the unfortunate killing of his grandmother while working in the field. With it began the fight for liberation that lasted for several years.

Materials that hold memory of the community's early struggle came down to Mose immediately after the death of his grandmother who has carefully curated important papers that bore a letter containing signatures of twenty men asking for a separate Nagaland dated 1929, the year of Simon Commission, and government documents from his grandfather's service to the British government. Even though Mose's grandmother Khrienuo was illiterate, she made a conscious effort to preserve the documents which becomes an

"unintentional and implicit way of cultural remembering". (Erll and Nunning 2)

> "The letter is dated 1929…oh, it is the Simon Commission, ofcourse!" exclaimed Mose. "Mother, our people have been asking to be independent from 1929, imagine that!" (Kire 76)

"Time expand into memory spaces of retrospective contemplativeness" (Assman and Czaplicka 129) when Neibou decided to go through his grandfather's papers and sort them out the same way Mose underwent after the sudden killing of his grandmother. Sabunuo, Neibou's mother and Mose's daughter who has been the witness to her parents' role as front runners working from the Underground Army in the Naga Separatist movement made a conscious attempt to pass down the papers as kind of heirloom which she was already acquainted with. She asking Neibou to carefully look through the papers hints at the seriousness that comes with responsible inheritance of cultural memory passed down through generations. Neibou found letters from his great grandfather addressing various members of the House of Lords, applications addressing to the British Parliament "asking for Naga Hills to be returned to a sovereign status" (Kire 229), the Hydari Agreement and letters to the Secretary General UN clearly stated the right of the Nagas to acquire complete freedom immediately after the Burmese independence. Apart from these official documents, Neibou also found a journal belonging to Mose. The journal was a meticulous record of significant dates and events underlined in red ink. Neibou identified some of the dates from his understanding of history. Plebiscite Day, Naga Independence Day, Naga Republic Day. But the thirst for reaching the depth of it remained unsatiated which now remains open for Neibou's interpretation with the death of his grandfather.

Neibou's curiosity and furthering intent to understand the age-old Naga struggle took a manifold stride when he found paper cuttings and picture showing a crew of the Naga Underground Army. Along with exploring ways of cultural remembering, artifacts bearing cultural memory becomes evidence of the shared memory of the community's shared struggle. It has become a way of reclaiming one's identity and an effort to educate the future generations about the multiple realities of the same struggle that developed with time which Neibou himself mentions in the novel

> A psychoanalyst had stated that some races were preoccupied with documenting because it satisfied a deep sense of legitimacy, Diaries, journals and bibliographic writings were all quoted as examples of this search for legitimizing oneself. The races most interested in documenting were those emerging from oral cultures. Certificates were

of great value to them. Birth certificates, land pattas, applications, letters, these were all filed to be duly presented if any doubt as to the legitimacy of their claims arose. (Kire 231)

The letters, journals and documents of official interest that Khirenuo and Mose carefully preserved becomes the "second level of cultural memory" referring to the "symbolic order, the media, institutions, and practices by which social groups construct a shared past" (Astrid 5). The three generations that the novel encompass has different levels of interaction with the mainland that essentializes their struggle. When Mose's grandmother is a witness to effects of Second World War and the coming of Japanese soldier and the shift in their lives that resulted from the imposition of Assam Maintenance of Public Order Act 1953, she becomes a chronicler of the struggle rummaged by time. Secondly, Mose, his interaction and understanding of the politics of struggle began early with the coming of the radio which in a way shook their peaceful lives. His immediate role in the freedom struggle as a part of the Underground Army and as an inheritor of the evidences of the Naga struggle from his grandfather's days and grandmother's oral narrations resonates a second level interaction with the mainland. The third level of interaction develops with Neibou, Mose's grandson who is a student of Shri Ram College of Commerce of Delhi University, which made him face to face with the world outside of Kohima. His interaction with people from the mainland and the meeting of Rakesh who later on becomes his best friend and Himmat, his grandfather, who served the Indian army and posted in Nagaland during the Naga resistance ushered in an entirely new outlook of Nagaland from an outsider's perspective trying to understand the conflict that defines this periphery. These interactions provide a heterogenous perspective with multiplicity that neither allows the conflict to define the region nor becomes a mouthpiece dictating the cultural memory.

> Myth, religious memory, political history, trauma, family remembrance, or generational memory are different modes of referring to the past. Seen in this way, history is but yet another mode of cultural memory, and historiography its specific medium. (Erll and Nunning 7)

Struggles driven by multiple realities affects and shapes the memory of the characters that not only dwells on the making of one cultural history but also plays a major role in preserving the cultural memory of an indigenous community.

In this novel *Bitter Wormwood*, Kire becomes the mouthpiece of the Naga struggle and attempts to open grounds that reduces the friction resulting from interaction with the mainland. By playing the role of a storyteller herself, she

projects the multiple realities that requires a heterogenous understanding. Rather than defining Nagaland by conflict she tries to redefine the region by giving voice to the character Neibou who speaks on their behalf saying "… we fight wars in order to protect ourselves, not to force our will on others". (Kire 237) Neibou, the third generation of Mose's family projects an alternate reality that exists sideways besides the killings, torture, brutality and strife. By opening up communication and not limiting oneself to a particular narrative, the cultural artifacts that different characters preserved for the future generations such as the letters, documents and the journal posits an important vantage point in the process of regeneration and preservation of cultural heritage and cultural memory.

It can be concluded that cultural memory is an important tool of documenting a community's history and collective identity in relation to the changing times, changing political consciousness and the interaction of Centre with the periphery. Cultural memory becomes a vehicle of change and a catalyst of transforming the convoluted past by creating an alternate history of the people that are part of the process of reconstruction fretted with turmoil resulting from their long-standing struggle.

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ONLINE HARMS, OFFLINE CONSEQUENCES: THE JUDICIARY'S ROLE IN PROTECTING WOMEN

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Abstract

In an era dominated by digital interactions, the escalating incidence of cybercrime against women has become a pressing concern. The surge in digital connectivity has brought numerous benefits, but it has also given rise to a concerning phenomenon cyber crime against women. In the vast realm of cyber space, women often find themselves vulnerable to various forms of malicious activities, ranging from online harassment and stalking to the unauthorized dissemination of personal information. This evolving challenge poses threats to women's safety, privacy, and overall well-being. Addressing cyber crime against women requires a multi-faced approach, encompassing legal measures, technological safeguards, and societal awareness to create a secure digital environmental for all. Cyber crime against women poses a significant challenge globally. Understanding and combating cybercrime against women necessitates a comprehensive strategy that includes legal interventions, technological safeguards, and societal awareness, aiming to create a safer and more inclusive digital landscape. Perpetrators often exploit technology to target women, creating an environment of fear and insecurity. This form of crime can have severe emotional and psychological consequences. Common offences include online harassment, stalking, and non-consensual sharing of intimate content. The judiciary systems response involves adapting existing laws to address cyber threats and ensuring swift and effective legal action. However, challenges persist, such as the need for specialized cyber crime units, awareness programs, and international cooperation to combat these offenses and protect women's digital safety. Additionally, fostering a supportive online community can help empower women to report incidents and seek assistance.

Keywords

Cybercrime, Cyber law, Internet, Online Privacy, and Information Technology

Introduction

Cybercrime refers to criminal activities carried out using computers, networks, and digital technologies. Cybercrime against women is a growing concern in

the digital age, encompassing various forms of online harassment, stalking, revenge porn, and financial fraud. The anonymity provided by the internet often emboldens perpetrators, making it essential to address the unique challenges and consequences faced by women in the online space. This issue raises critical questions about online safety, privacy, and the need for effective legal measures to protect women from digital threats. The digital landscape provides anonymity to perpetrators, making it imperative to address these issues effectively. The government and law enforcement agencies are working towards enhancing cyber security measures, awareness campaigns, and legal frameworks to combat and prevent cybercrimes against women. Despite these efforts, continued vigilance and education are crucial to creating a safer online environment for women in India. Information Technology solutions have paved a way to a new world of internet, business networking and e-banking, budding as a solution to reduce costs, change the sophisticated economic affairs to easier, speedy, efficient, and time saving method of transactions. Various criminals like hackers, crackers have also found ways and measures to interfere with the internet accounts and have been successful in gaining unauthorized access to the user's computer system and stolen useful data. The most common cybercrime committed against women are cyber blackmail, threats, cyber pornography, posting and publishing of obscene sexual content, stalking, bullying, defamation, morphing, and the establishment of fake profiles. Debarati Halder and K. Jaishankar further define cybercrime from the perspective of gender and defined "cybercrime against women" as "Crimes targeted against women with a motive to intentionally harm the victim psychologically and physically, using modern telecommunication networks such as internet and mobile phones". (Paranjaypee.V, 2010)

Cybercrimes can be defined as: "Offences that are committed against individuals or groups of individuals with a criminal motive to intentionally harm the reputation of the victim or cause physical or mental harm, or loss, to the victim directly or indirectly, using modern telecommunication networks such as Internet (networks including chat rooms, emails, notice boards and groups) and mobile phones" Cyber-crime involves the use of internet and computer. It threatens an individual's privacy by disclosing or publishing their personal or confidential information online with the aim of degrading their reputation and causing them physical or mental harm either directly or indirectly. Women are generally the targets of these offenders because they are inexperienced and lack knowledge of the cyber world, thereby falling prey to the technological fancies. (R.K.Chaubey, 2009)

The Evolving Landscape of Online Harms

The landscape of online harms continues to evolve with technological

advancements which include:

- **Deep fakes-** The rise of sophisticated AI- generated content poses a threat, enabling the creation of realistic but fake images and videos, leading to potential misinformation, harassment, or manipulation.
- **Disinformation Campaigns:** State and non-state actors exploit social media platforms to spread false narratives, manipulate public opinion, and interfere with political processes.
- **Extremist Content:** Online platforms serve as breeding grounds for the dissemination of extremist ideologies, recruitment efforts, and the coordination of harmful activities.
- **Algorithmic Bias:** Biased algorithms on social media platforms may reinforce stereotypes, discrimination, and inequalities, affecting marginalized groups.
- **Cyber Security threats:** Growing incidents of ransom ware attacks, data breaches, and other cyber threats pose risks to individuals and organizations, compromising privacy and security.
- **IOT Vulnerabilities**- the Proliferation of Internet of Things (IOT) devices introduces new potential attacks vectors, raising concerns about privacy and security breaches.
- **Online Child Exploitation**- The Internet Facilities the distribution of explicit materials involving minors, demanding increased efforts to combat child exploitation online.
- **Privacy Concerns**- The collection and misuse of personal data by tech companies and malicious actors contribute to privacy concerns, necessitating improved regulations and user awareness.
- **Cyber Bullying Amplifications:** Social media platforms can amplify the impact of cyber bullying, leading to severe psychological and emotional consequences or victims.
- **Virtual and Augmented Reality Risks**: As VR and AR technologies advance, these are concerns about new forms of harassment, invasion of privacy, and potential psychological impacts.
- **Harassment through e-mails**: Harassment via email includes black mailing, threatening and constant sending of love letters in anonymous names or regular sending of embarrassing mails. (Fatima, 2010)

Real- World Consequences of Cyber Crime against Women

Cybercrime against women can have severe real-world consequences, impacting their safety, well-being, and overall quality of life. There are various

aspects they are-

- ➤ **Personal Safety**- Cyber harassment or stalking can escalate to physical threats, compromising the physical safety of women.
- ➤ **Psychological Impact**- Constant online abuse may lead to anxiety, depression, and other mental health issues, affecting a women's overall well-being.
- ➤ **Social Isolation**- Women who experience cyber bullying may withdraw from online and offline social interactions, leading to social isolations and a diminished sense of well-being.
- ➤ **Financial Consequences**: Cybercrimes such as identity theft or online scams can result in financial losses, affecting women's economic stability and independence.
- ➤ **Legal Consequences**- Victims may need to navigate legal processes to address cybercrimes, which can be time- consuming and emotionally draining.
- ➤ **Impact on Career**: Negative online experiences can impact a women's professional life, potentially affecting job opportunities, promotions, or career advancement.
- ➤ **Health Issues**- Prolonged exposure to online abuse can lead to stress-related health problems, further compromising a women's physical health. (Singh, 2010)

Judiciary's Role in Safeguarding Women

The judiciary plays a crucial role in safeguarding women against cyber crime by interpreting and upholding laws that protect the rights. It ensures that laws related to cybercrime, including those specifically aimed at promoting women, are effectively enforced. When women become victims of cyber crime, such as Online Harassment, stalking, or identify theft they can seek legal course through judiciary. The judiciary provides a platform for women to report cybercrimes and seek justice. It ensures that cases related to cybercrime against women are handled with fairness and sensitivity. Various aspects of Judiciary role in safeguarding women are-

- ➤ **Interpretation and Enforcement of Cyber Laws-** The judiciary interprets and enforces laws related to cyber crime, ensuring that legal frameworks adequately address offences against women in the digital realm.
- ➤ **Protection of Online Privacy:** Courts upholds women's right to online privacy, adjudicating cases related to unauthorized access, hacking, or the dissemination of private information.
- ➤ **Addressing Online Harassment**: The judiciary addresses causes

267

of online harassment, cyber bullying, and stalking, ensuring that legal measures are taken to protect victims and hold perpetrators accountable.

- ➤ **Punishing Cyber Stalking and Threats-** Judicial intervention is crucial in cases of cyber stalking and online threats, providing legal remedies and consequences for those who engage in such behavior.
- ➤ **Handling Non-consensual Sharing of Intimate Content**: The judiciary addresses cases of revenge porn or non- consensual sharing of intimate content, imposing legal consequences on offenders and providing redress for victims.
- ➤ **Identity Theft and Fraud:** Courts address cases of identity theft and online fraud, ensuring that legal actions are taken against those involved in such cybercrimes that may affect women.
- ➤ **Legal Remedies for Online Defamation**- The Judiciary plays a role in providing legal remedies to safeguard the reputation and well-being of women.
- ➤ **Legal Precedents**- Judicial decisions in cyber crimes cases set legal precedents, influencing how similar cases are handled in the future and contributing to the development of cyber jurisprudence.

Despite its pivotal role, challenges such as the evolving nature of cyber threats and the need for continuous legal adaptation pose ongoing challenges. Courts must stay abreast of technological advancements and work collaboratively with law enforcements agencies, legislators, and relevant stakeholders to effectively safeguard women against cybercrime. (Duggal, 2016)

Role of Judiciary in Cyber Space

The Judiciary plays a significant role in the realm of cyberspace, where digital transactions, communications, and interactions occur. As technology advances, legal frameworks often face challenges in adapting to the evolving nature of cyber activities. The Judiciary serves as a critical component in interpreting and applying existing laws, addressing cybercrimes, protecting digital rights, and establishing precedents to navigate the complex legal landscape of cyberspace. This introduction sets the stage for exploring the multifaceted role of the judiciary in shaping and safeguarding the legal dimensions of the digital world.

1. **State of Tamil Nadu vs. Suhas Kutti**, It was the first conviction case under the Information technology Act, 2000. Indian court firstly convicted for the offence of cybercrime. The judgment was pronounced in the year 2004, within the seven month after filling the FIR, which brings the conviction for the cybercrime. The Honorable Judge of the Additional

Chief Metropolitan Magistrate has passed the order of conviction. In this case, the victim was a divorcee who constantly harassed by annoying phone calls presuming that she would solicit them because of a massage posted on yahoo message group followed by forwarding emails. The massage was extremely obscene, defamatory and annoying. The accuse turn out to be her family friend and interesting in marrying her. The accused held guilty of offences under Section 469, 509 IPC and 67 of IT Act 2000. The accused had convicted and sentenced for the offence to undergo RI for 2 years. Under section 469 IPC to pay fine of Rs.500/-and, for the offence u/s 509 IPC sentenced to undergo 1 year Simple imprisonment and to pay fine of Rs.500/-, and for the offence u/s 67 of IT Act 2000 to undergo rigorous imprisonment for 2 years and to pay fine of Rs.4000/- All sentences to run concurrently. (Suhas katti v. Tamil Nadu, 2004)

2. In **Ritu Kohli's case**, In 2001 first time cyber stalking's case had been reported in India. Manish Kathuria was stalking an Indian lady, Ms. Ritu Kohli by illegally chatting on the web site, www.mirc.com using her name; and used obscene and obnoxious language, and distributed her residence telephone number, invited people to chat with her on the phone. As a result, Ms. Ritu Kohli was getting obscene calls from various states of India and abroad, and people were talking dirty with her. In a state of shock, she called the Delhi police and reported the matter. The police registered her case under Section 509 of the Indian Penal Code, 1860 for outraging the modesty of Ritu Kohli. But Section 509 refers only to a word, a gesture or an act intended to insult modesty of a woman. But when same things are done on Internet, then there is no mention about it in the said section. This case caused alarm to the Indian government, for the need to amend laws regarding the aforesaid crime and regarding protection of victims under the same. So in 2008 Indian legislature has amended the IT Act 2000 and made provisions for cyber stalking. The IT Act, 2008 does not directly address stalking. But the problem is dealt more as an 'intrusion on to the privacy of individual' than as regular cyber offences which are discussed in the IT Act, 2008. Hence the most used provision for regulating cyberstalking in India is Section 72 of the IT Act, 2008. (Manish Kathuria v. Ritu Kohli, 2001)

269

3. **Avinash Bajaj vs. State (N.C.T) of Delhi,** the famous Bazee.com case, the CEO Avinash Bajaj was arrested for an advertisement by a user to sell the DPS sex scandal video. The video was not uploaded on the portal, despite that Avinashwas arrested under Section 67 of the Information Technology Act.It was subsequent to this case that the Intermediary guidelines were passed in 2011 whereby an Intermediary's liability would be absolved if they exercised due diligence to ensure obscene content is not displayed on their portal.36 The court granted bail to Mr. Bajaj subject to furnishing two sureties of Rs.1 lakh each. The court ordered Mr. Bajaj to surrender his passport and not to leave India without the permission of the court. Court also ordered Mr. Bajaj to participate and assist in the investigation. (Avinash Bajaj v. State(NCT)of Delhi, 2004)

4. **Fatima Riswana v. State Rep. by ACP., Chennai & Ors AIR 2005 712,** both the public prosecutor and counsel for the petitioners applied to the court for transfer to another (male) judge, to save the district lady judge from embarrassment of having to view certain CDs that are part of the evidence. The order for transfer was passed and the justification for this was that the "said trial would be about the exploitation of women and their use in sexual escapades by the accused, and the evidence in the case is in the form of CDs. and viewing of which would be necessary in the course of the trial, therefore, for a woman Presiding Officer it would cause embarrassment. (Fatima Rizwana v. State Rep.By A.C.P. Chennai& Ors, 2005)

5. **Shreya Singhal vs. Union of India, criminal no 167 of 2012**, in this case, S.66A of the Information Technology Act 2000 (inserted vide amendment in 2008) was struck down by the Supreme Court as 'unconstitutional.' The court took this historic decision after the petition alleged that the said provision is extremely vague and it is being misused grossly for curtailing freedom of speech in the cyber space in India. But while it is accepted that the provision may be a draconian law, could the Supreme court use this opportunity to re-frame and reproduce the provision for regulating certain types of speech which may be termed as 'bad talk' in the internet? It may be noted that in India cyber bullying and trolling, online gender harassment, smishing and vishing are becoming rampant. The court could have considered the Therapeutic

Jurisprudential value of S.66A to recreate a better law. (Shreya Singhal v. Union of India, 2015)

Cyber Legislation in India

India has various cyber legislation acts, including the Information Technology Act 2000, and amendments like the Information Technology (Amendment) Act 2008. These laws address issues related to electronic transactions, data protection, and cybercrime. Some of the key aspects:

1. Information Technology Act, 2000: Enacted to provide legal recognition for electronic transactions and facilitate e-governance, this act covers a wide range of cyber-related issues.
2. Amendments (2008): The Information Technology (Amendment) Act, 2008, brought significant changes, including the introduction of new offences such as cyber-terrorism, increased penalties for certain offences, and the establishment of the Indian Computer Emergency Response Team (CERT-In).
3. Data Protection: While the IT Act addresses aspects of data protection law. The Personal Data Protection Bill, 2019, is currently under consideration.
4. Offences: The Legislation covers offences such as unauthorized access, data theft, identity theft, and the spread of malicious code.
5. Digital Signature: The act recognizes digital signature as legally valid, providing a legal framework for electronic transactions.

Cyber Appellate Tribunal (CAT): The act established the Cyber Appellate Tribunal to hear appeals against the decisions of adjudicating officers. (Myneni, 2019)

Challenges in Legal Enforcement

Enforcing cyber legislation in India faces several challenges:

1. Jurisdictional Complexity: The borderless nature of the internet makes it challenging to define jurisdiction, especially when cybercrimes involve entities or individuals operating across different regions.
2. Technological Advancements: Rapid technological changes often outpace legislative update, making it difficult for laws to keep up with emerging cyber threats and techniques.
3. Public Awareness and Reporting: Lack of awareness about cyber

271

threats and reporting mechanisms can result in delayed responses and difficulties in tracking and prosecuting cybercriminals.

International Cooperation: Coordinating efforts with other countries to combat cybercrime requires effective international cooperation, and differing legal frameworks can complicate collaboration. (kashyap)

Conclusions

To sum up, combating cybercrime against women demands a concerted effort across legal, technological, and societal domains. The judiciary plays a crucial role in protecting women by enforcing laws against online harassment, ensuring fair justice and promoting awareness to deter such behavior. But in changing scenario various kind of new developments at cyberspace lead to different kinds of cybercrimes and which are unnoticed. So in India needed such cyber judges who can easily handle and fairly justified cybercrimes. Apart from that social awareness and advancement regarding individual's cyber rights is very poor, which need of the time to create awareness among society so all the Constitutional machinery has to try their level best for the social awareness regarding cybercrimes and to take measurements to curbing the cyber issues and cybercrimes.

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The Fringes of Right and Wrong – Looking at the Idea of Morality and Law through Selected Literary Works

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Abstract

Looking towards the structure of a general human society, it can be safely argued that human beings have long been inclined towards the governance by common codes of conduct, thriving towards equilibrium. Communities have derived for themselves mediums of social, economic as well as political models for the general functioning and sustainability of lives. Integral to these fundamental structures are some rules (and laws) that govern every definable structure of a civilization's existence. With time, as humans progressed, more subjective and objective perceptions developed, these rules came be more and more structured which led to our current state of understandings about social rules and laws. Considering modern history of legal frameworks, this field has been highly interdisciplinary while incorporating numerous perceptions from various epistemological and ontological backgrounds ranging from medieval theology to modern rationality, redefining it at every stage of evolution to cater the needs of specific cases where a broad general framework fails to answer some fringed questions.

Keywords

Law, Morality, Literature, and Interdisciplinarity

This article attempts to problematize the general perceptions about legal understandings when it comes to generalisability of strictly defined boundaries. In doing so, it focuses on one of the major aspects of epistemology, interdisciplinarity. In achieving so, the primary focus of this article has been the analysis of some of the classics of non-fiction as well as fiction which inherit the problems of a strictly general legal framework. Furthermore, by analyzing the tension within such genres the article tries to shed light towards some of the probable hairline shortcomings of fundamental ideas or principles regarding legal frameworks in modern societies, while evaluating them as well as trying

to counter-question the scope and limitations of such understandings in a broader scope of moral and ethical horizon

Throughout the history of human civilization, the rule of law has been a product of the broad and popular ideology of the time. To explicate, in medieval theocentric world the letters inscribed in *holy* scriptures are considered as righteous and moral. As the rate of literacy was negligible, religious institutions held legal powers considering God (mostly Earth) as the center of the Universe. Any claims otherwise were condemned and deemed as heresy. The methods of justice were fundamentally different from that of today's understanding – let alone *just* on moral and ethical grounds. Then with the shift towards rationality, ideology shifted towards *humanism* and celebration of human intellect and ability to reason. There we witness a shift from God to Man that dictated the terms of the Universe. The Pope took a rhetorical back seat while rationality and reason took a leap ahead. The rule of law adapted accordingly and so did the process of serving justice. Methods and conducts of law began to be scripted as fundamental rules – objectivity and truth took the center stage where justice became to be vested upon. Pure reason took over the morality of actions. In modern times, the concept of law and justice is more of an institutionalized idea. With civil justice becoming practices of courtroom proceedings and every code of conduct written down as strict rules or guidelines, fundamentals of legal system have changed dramatically. While we contemplate the basic principles of such ideas – our understandings have become more and more interdisciplinary in nature. Concentrated within the bounds of history, philosophy, logic, psychology, sociology and so far and so forth, we try to understand the basic framework of legal judgments. Within these spectrums of analysis, literature of a period also plays an important role in acknowledging and often commenting on legal judgments – if not critiquing such moral propositions. In this chapter, we shall try and look at a few works of literature that when looked at from a certain angle provide some interesting insights upon legal actions. Perhaps about the intersectionality of truth of a time and literature is put best by Patricia Waugh, "Epistemologically, this is what philosophers refer to as correspondence theory of truth, where literature 'reflects' either the world or the vision and ideas in the mind of the writer" (Waugh, 19). We all can acknowledge that literature does not emerge in a social vacuum – it reflects as well as comments upon the nature of things. Let us consider a few literary pieces as examples to further understand the discourse they put about in relation to society and moral judgments and what implications they exert in a broad context.

The first literary piece of work we shall consider for this enterprise is written in 1931 by George Orwell. It is an essay which was published in the British

magazine The Adelphi. It is an account drawn from Orwell's experience as a serving British official in Burma during the colonial regime as he mentions in the essay itself. Now the primary question that arises with text of consideration is – why an essay? Despite Orwell's other works of fiction like *1984* that provide a serious critical commentary on the idea of law, workings of surveillance and reality of modern tactics for maintaining law and order in a society. Well, the idea behind such selection is based on two fundamental assumptions – discourses of law, judgments and its intersection with social fabric should be understood objectively; an essay provides the fundamental ground for objective analysis. The second assertion being, while dealing with broad topics like morality and justice – the interdisciplinarity grows exponentially; this selection limits that aspect and centers the arguments on somewhat similar plane. Now moving on to the text, Orwell's essay provides an account of the hanging (capital punishment) of a prisoner in a Burmese prison. With a detailed account of other prisoners and cells the focus moves on to the appearance of the man to be hanged, the anxious Superintendent and the Head Jailer along with Orwell himself as he watched the man being marched to the gallows. But what strikes a reader, apart from the sketchy details is the deliberate omission of the reason or rather the crime the convict had committed for which he had been sentenced. The focus is rather on the characteristics of the prisoner as a *man*, an ordinary man with ordinary features. "At each step his muscles slid neatly into place, the lock of hair on his scalp danced up and down, his feet printed themselves on wet gravel" (Orwell, 29). Orwell questions the morality and justification of capital punishment. Within all possible understandings, theological, legal and every consideration out there – it is an offence to take a life. As quoted in the VI Commandment – "thou shalt not kill". Reflecting upon this the righteousness of taking a life is reflected upon as –

> It is curious, but till that moment I had never realized what it means to destroy a healthy, conscious man. When I saw the prisoner step aside to avoid the puddle, I saw the mystery, the unspeakable wrongness, of cutting a life short when it is in full tide. This man was not dying, he was alive just as we were alive. All the organs of his body were working – bowels digesting food, skin renewing, nails growing, tissues forming – all toiling away in solemn foolery. (Orwell, 29-30)

The basic proposition of such arguments is based on humanism and the fundamental understanding of humanist ideals of celebrating life. Conforming to this, Orwell here deliberately leaves the reason that the prisoner is condemned with – solely to draw the focus towards the act to taking a life. To put it simply – he questions how justice done to an individual can be as same

as the supreme injustice itself; here in our case taking a life. On whatever grounds that we may try to justify it.

Reasoned within the humanist grounds against capital punishment as a method of catering to justice has seen its fair share of arguments on several grounds. With this account, Orwell puts forward the idea of the human consciousness and the fundamental nature therein. The basic tenets of being human, the ability to foresee reason – "His [prisoner's] eyes saw the yellow gravel and the grey walls, and his brain still remembered, foresaw, reasoned – reason even about puddles" (Orwell, 31). This brings in another dimension to the argument – the core of human existence: consciousness. As we dive deeper into the discussion, the further we travel towards the inner dwellings of what constitutes a *man* we continue to understand that it is not merely flesh and blood that makes it, rather there's a deeper connection between *stimuli* (the environment) and the *response* (the reactions). It is within this level of understanding we can assert that these are fundamental essences and are universal to human experience. Thus, morality demands that we consider uniformity while dealing with all of humanity as logic states that every individual is same as another. To conclude our discussion on this text and move on to the next we shall look at yet another comment made by Orwell,

> He and we were a party of men walking together, seeing, hearing, feeling, understanding the same world; and in two minutes, with a sudden snap, one of us would be gone – one mind less, one world less (Orwell, 33).

Now moving on to the realm of fiction – time and again, the state of the social spectrum has been commented on and critiqued with the help of fiction. One often remembers Mr. Shakespeare and his plays when the matter is stirred. He deals with the state of social, political, economic, and often judicial and moral standards of his times through his plays. – in his words, "when law can do no right, let it be lawful that law bar no wrong:" (King John, III.I.189). Such propositions comment upon the fundamental frameworks of legal grounds. For our discussion, let us consider another very prominent author, J. M. Coetzee, and his novel *Waiting for the Barbarians*. This work of fiction deals with the complexities of tension between a capital and one of its frontier lands – the intricate workings of justice system in the fringes and the implication of surveillance and interrogation techniques for truth-finding. The novel features the character Old Magistrate who is at the prime of his life and administrating a borderland for the Empire, where disturbing news of an imminent Barbarian attack unsettles the Empire. Subsequently an investigating officer, named Colonel Joll was sent from the Empire to confront the pressing matter. This officer, being young and temperament holds certain assumptions that Coetzee

highlights; he claims, "There's a certain tone, a certain tone enters the voice of a man who is telling the truth. Training and experience teach us to recognize that tone" (Coetzee, 7). As we consider this claim, it is often that we witness such claims across our daily lives where we come across strong affirmations that one can arrive at the truth by mere assumptions. Such implications have several derogatory outcomes, but when it comes to practices of policing and legal judgments – the effects are even more demeaning. Coetzee here critiques one of the major hindrances of legal judgments – assumption or reasonable doubt. The workings of reasonable doubt create several loopholes in any legal system and are often exploited. Malpractices in interrogation for truth is one of the most prominent aspects of this loophole, Colonel Joll, the investigator claims that –

> I am speaking of a situation in which I am probing for the truth, in which I have to exert *pressure* to find it. First I get lies, you see – this is what happens – first lies, then pressure, the more lies, then more pressure, then the break, then the truth. That is how you get the truth. (Coetzee, 8)

This type of assumption has some major implications that hinder the path to truth that we shall consider. Firstly, the investigating officer (here Mr. Joll) resorts to excessive physical pressure on the prisoner that leads to the risk of life. This type of exercises lies often in the borders of what is allowed and not allowed morally, as well as legally – which then again is permitted on grounds of reasonable doubt as the practitioner had grounds to believe that the detainee had reasons to hide the truth. We can understand the basic implications of such practices as to why methods like this can not be considered to objectively attain at the truth. Furthermore, humanist discourses often stand against the exertion of physical pressure during interrogation for truth. Which leads to another similar implication to what we discussed earlier – where the border lies? Where should one mark a boundary of right and wrong in the pursuit of *truth*?

Throughout our discussion about the implications of morality, truth, legality of actions and workings of these intricate systems, we considered two of the fundamental sides of literature – non-fiction and fiction. These are but a few points of view among many others to consider – the possibilities are endless. To narrow down the plane we can attempt to bring in the philosophical doctrines of Immanuel Kant as he argues in *The Critique of Pure Reason*. He claims that "…. the *concepts* of pure understanding, when applied to the forms of *sensibility*, give rise to principles of *judgment*, … but the inferences of pure reason performed without the limits of sensibility give rise only to metaphysical illusion" (Kant, 21). This is perhaps one of the very fundamental nature – where sensibility constitutes the core of moral judgments. Thus advocating sensibility

over determinism, Kant enriches the paradigm of morality and in turn introduces a standard for the basis of moral justice.

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