

# *Janachintan*

AN ANNUAL JOURNAL OF  
DEPARTMENT OF POLITICAL SCIENCE  
Volume-I. May, 2013



DEPARTMENT OF POLITICAL SCIENCE  
DISPUR COLLEGE  
GUWAHATI-6

# *Janachintan*

‘জনচিন্তন’

*Volume-I. May, 2013*

## **EDITORIAL BOARD**

### **ADVISER**

Dr. Amar Saikia  
*Principal*  
*Dispur College*

Dr. Nandini Barooah  
*Vice Principal*  
*Dispur College*

### **EDITOR :**

Dharitri Thakuria  
*Associate Professor*

### **MEMBERS :**

Indrani Choudhury Mahanta  
*Associate Professor and Head of the Department*

Khagen Ch. Boro  
*Associate Professor*

Kamal Medhi  
*Assistant Professor*

Debashmita Chakraborty  
*Assistant Professor*

*Janachintan : An Annual Journal of the Department of Political Science  
Volume-I. May, 2013*

*The journal 'Janachintan' tries to analyse different issues  
faced by the people of our society.*

**PUBLISHED BY :**

Department of Political Science  
Dispur College  
Dispur, Guwahati-6

**Price : Rs. 75.00 (Seventy five only)**

**Printed by :**  
Girija Printer & Publishers, Dispur, Guwahati-5

**DISPUR COLLEGE**

GANESHGURI, DISPUR,  
GUWAHATI - 6  
www.dispurcollege.com

E-mail : mail@dispurcollege.org

**Sri C. M. Sharma, AES (Retd.)**  
President, Governing Body  
Dispur College, Guwahati-6

**Home Address :**  
H/No-28, Nayanpur  
Japorigog, Guwahati-5  
Ph.: 94353-43934

Ref. No.....

Date...29/04/2013

**Message**



It is my pleasure to congratulate the faculty of Political Science  
Department of Dispur College for their initiative in bringing out the  
maiden issue of "**JANACHINTAN**" the journal of the department.

No doubt this noble endeavour will instill inclination in the  
minds of the teachers and the students towards research activities.

I wish it all success.

*C. M. Sharma*  
29/04/2013  
(C. M. Sharma)  
President, Governing Body  
Dispur College, Dispur



# OFFICE OF THE PRINCIPAL, DISPUR COLLEGE

GANESHGURI, DISPUR,  
GUWAHATI - 6

www.dispurcollege.com

☎: 2340530 (Off.)  
E-mail : mail@dispurcollege.org  
principal@dispurcollege.org

Ref. No.....

Date.....

## Message



Pleased to know that the Dept of Political Science, Dispur College is going to publish a research journal "*Janachintan*" which will encourage research activity of the students and faculties.

(Dr. A. Saikia))  
Principal  
Dispur College, Dispur

## EDITORIAL



*In recent times, the people of our country has to pass through a tough time. In this country, where women are worshipped in the name of Goddess, the violence against women like torture, rape is increasing day-by-day. World leaders including the Secretary General of UNO expressed concerns over the issue of safety of women in India.*

*Some people in our society are losing their values and indulging in some anti-social activities. It is seen that the traditional values like fear of God has lost its importance. People do not hesitate to steal the assets of religious institutions. Moral values like respect for women, law and justice and over all humanism are no longer seen. The society today is facing challenges of sexual brutalities against women, drug trafficking, witch hunting, atrocities against girl child, juvenile delinquency, militant activities, brutalities of armed forces etc. It is to our chagrin that despite being members of the educated class, we are not doing anything for the victims of atrocities. Faced with so many challenges how can we think about health security, self-dependency, women empowerment, a peaceful society for a better livelihood ensuring human development?*

*The most important causes for the rise of several crimes are the loopholes in the judiciary system and the lack of fear to adequate punishment. In our country, the law rarely punishes and the whole judicial investigations are very slow. Our criminal justice system has to be reformed. An independent investigating agency with constitutional status should be constituted to investigate crime impartially, efficiently and speedily. Fast-track courts should be constituted in each district for speedy trial against any type of crime. Besides the legal system, we have the responsibilities to form some defence groups in every locality, schools, colleges and offices. Campaign should be launched to promote awareness against anti-social activities through education in schools and colleges. In this respect, the media can also play an important role in detecting such crimes and to punish the victims accordingly. Values of people should enrich and we should stand-up for ourselves as well as far all.*

*This is our first effort to bring out a journal on behalf of our department and through this volume we want to highlight some problems faced by the people of our country.*

*I extend sincere thanks of Mr. Chandra Mohan Sarma, President of G. B., Dispur College, for his inspiration towards bringing out the journal. I acknowledge my gratitude to Dr. Amar Saikia, Principal and Dr. Nandini Barooah, Vice-Principal of the College for encouraging us in every step. Again, I endorse my gratitude to all the contributors to this volume and the colleagues of my department. Lastly, I tender my apology to all for any unwanted error and omission.*

*Dharitri Thakuria*



## Contents

		Page
1. Vote Bank Politics ..... A Threat to Unity, Integrity and Demographic Changes	Dr. Bilash Ch. Das	7
2. Political Participation of Women in Assam	Dr. Rani Mudiari Deka	9
3. Institutionalised Terror and Human Rights violation A Tale of Armed Forces (Special Power) Act	Indrani Choudhury Mahanta	23
4. Rural Development Programmes and Its Impact	Khagen Ch. Boro	30
5. Women Empowerment and Human Development, In the context of Assam	Dharitri Thakuria	33
6. 'Kudumbashree' and Women's Empowerment	Debashmita Chakraborty	39
7. A Debate On Indian Federalism	Nipan Haloi	42
8. The Neglected Half	Richa Duwary	46
9. ন্যায়পালিকাৰ সক্ৰিয়তাত বাজহুৱা স্বার্থজনিত আবেদনৰ ভূমিকা	নন্দিতা দেৱী	48

\*\*\*

## Vote Bank Politics ..... A Threat to Unity, Integrity and Demographic Changes

Dr. Bilash Ch. Das

The continuous inflow of Bangladeshi national to the North East particularly to Assam becomes a serious national problem which has threatened the unity, integrity and security including the demographic changes in the state. It is not a new but a decades old problem which needs urgent solution. But it is a matter of great concern that realising the seriousness of the problem both the union and state governments have not come forward to solve it once for all. Certainly question comes to everybody's mind why the government have not come forward to solve the problem which has threatened the very existence of our society.

From the beginning of 20th century, Muslim immigrants from East Bengal started coming to Assam and gradually their number swelled to 23% in 1951. The number of immigrants increased from 31 lakh in 1921 to over half million in 1931. During 1930 and 1940, the inflow of immigrants was largely organized and encouraged by the Muslim League government led by Premier Sir Muhammad Sadulla. The motive behind the League was to change religious demography of the state.

Large number of immigrant came to Assam during the fourth tenure of the Sadulla Ministry in the period 1942 to 1945 in the pretext of 'Grow more food' campaign so that the Muslim League could easily capture political power by creating vote bank.

After independence, the congress under the leadership of Gopinath Bordoloi formed the government and began to utilize the immigrants belt as vote bank for getting political mileage. According to census report, the percentage of Muslim population increased from 23% in 1951 to 28.43% in 1971. The census Commissioner C.S. Mullian visualized in 1930 the demographic change in Assam due to entry of land hungry peasants from the eastern part of undivided Bengal adding thus the indigenous Assamese people would be pushed to such a position that they would become a minority segment in Assam's population except in the Sivasagar district.

It is no denying the fact that congress came to power in the state with its vote bank agenda. B.K. Nehru former Governor of Assam in the late sixties along with former Chief Minister B. P. Chaliha had taken up the illegal migration issue but they were

told by Indira Gandhi not to pursue the matter. In his autobiography B.K. Nehru laments that the old congress accorded priority to national interests over party interest but that had been reversed by subsequent congress governments. Demographic aggression from Bangladesh into Assam continues unabated and the situation today is worse than what it was at the time of Sadulla or Gopinath Bordoloi. The real fact is that vote bank politics is working behind the scene which has aggravated the situation.

Despite the cry against foreigners rocking Assam since the fag end of the seventies, the ruling congress that firmly occupied the seats of power in Delhi and Dispur for the greater part of the last three and half decades has apparently dumped the Bangladeshi issue on the back burner seemingly in the interest of politics of the vote bank comprising votes of immigrants. It is a matter of great concern that India has never raised the issue of cross border illegal migration with Dhaka which was revealed by a delegation of 12 Bangladeshi M.P.s who had visited India last year.

It is no doubt that the cause behind the apathetic attitude of both the governments is vote bank politics. The sitting governments fully realized that if foreigners are detected and deported they will lose a chunk of votes received from Bangladeshi and lead to loss of power both in Delhi and Dispur. It is a matter of grief and anguish that our leaders sitting in the corridors of power in Delhi and Dispur have not hesitate to sell their country and state for acquiring power. The congress party has kept the border open for illegal migrants from Bangladesh as part of its vote bank politics putting societies under threat. Due to their politics the culture, language and demographic structure including unity, integrity and security of the nation is under threat. Until and unless, the vote bank politics pursued by union and state governments is discarded immediately, the solution of immigration problem remains to be a far cry.

\*\*\*

The Writer is the Ex. Principal, SBMS College, Sualkuchi

## POLITICAL PARTICIPATION OF WOMEN IN ASSAM



DR. RANI MUDIARI DEKA

*'Gender equality does not imply that all women and men must be the same. Instead, it entails equipping both with equal access to capabilities; so that they have the freedom to choose opportunities that improve their lives. It means that women have equal access to resources and rights as men, and vice-versa'—Power, Voice and Rights 2010, Asia Pacific Human Development Report, UNDP.*

### 1.1: INTRODUCTION:

Gender equality occupies the prime place in the development agenda of almost all the nations. It has been established that the gender equality is one of the pre-requisites for development. Gender equality calls for more involvement of women in the social, economic and political arenas which were considered as forbidden areas for earlier women. The world has witnessed wonderful women political leaders throughout the Indian history. India has got the constitutional and legal provisions for equal accessibility to all kinds of rights and economic opportunities for women. Indian women had exhibited their political consciousness even before independence. Vijoyalaxmi Pandit, Sarojini Naidu, Indira Gandhi, etc. were the icons

of those periods who participated actively in decision making process too even after independence by holding supreme administrative power. This trend has been continuing in an expanding mode till today by a number of audacious women. But, all these have remained at individual or personal realm. Political participation of Indian women is found to be very disappointing if one looks at the percentage of women among the Parliamentarians. "The Constitutional amendments for reservation for women in Panchayats and urban local bodies have brought more than 1 million women into the positions of leadership and governance at the grassroots. Some states have proactively increased the one-third reservation in Panchayats to 50 percent further bolstering

the presence of women in decision making roles. The number of women in the upper echelons of power, however, continues to be very low" (Report of the Working Group on Women Agency and Empowerment, 2011). It passes a negative message towards gender equality and affects the human development index adversely. Assam being a part of the Indian federation holds the same truth. This makes the issue of women's political participation more relevant.

## **1.2 : QUEST FOR IDENTITY AND RELEVANCE OF POLITICAL PARTICIPATION :**

Once upon a time women were considered as the property of the community. The area of their activities was confined within the household campus. Time has changed. New ideas have emerged. New concepts have been developed which helped bringing changes in to the lives of women all over the world. Earlier, he was the master and she was the slave. Now, attempts have been made everywhere to balance the gender role.

Still women are found to be absent in performing their gender role in the society. It is rather ironical that the mother by performing the duty of bearing and giving birth to her babies gives them the identity of human being, but, she has to struggle to establish her own identity as human being. She is the creator of man, but her identity belongs to someone else. Before marriage she belongs to her father, after marriage she becomes her husband's

belongings and in old age she has to take shelter of her son. Thus, she loses her own name, forgets her own aspiration and works for her family unconditionally. The values of her contributions in household activities are not recognised. Child bearing and rearing, cooking food, taking care of every members of the family, washing, cleaning, looking after the household affairs, helping children in their studies and other such household activities done by women are not included as economic activities and thereby not valued properly. After doing so many household works the women's identity remains as mere house-wives. The national income does not count the household works of women and thus excludes them from the arena of economic activities. Women are supposed to perform all their necessary activities within the campus of their house. Even if they are allowed to work outside their home, they are not paid equal wage with their male counterpart. Thus, they have to struggle for an economic identity. Both at home and in the society women's interests are the last to get attention. They have less access to education, health facilities and other socio-economic opportunities, because of which they can not stand firmly for their rights. They have least scope to prove themselves in the field of politics. A traditional mentality prevails everywhere, which makes women's identity at crisis. Low level of political participation keeps women far behind in exercising their rights and power as a human being. Under such

background, political participation can work not only as a mere medium of women empowerment; rather as a strong ladder through which women can regain their lost identity. Thus, political consciousness and active participation gains the utmost relevancy in course of the journey towards building women's own identity. The World Bank has, therefore, observes it rightly that "For women to push for reforms, and for their voices to be transformative, they need to be heard where decisions are made- in parliaments, legal institutions, formal professional associations, governments, land boards, zoning and planning committees, and the like. This voice can be achieved either by their participating in these decision making institutions- as say, parliaments, judges, board members or police officers – or by shaping the context for (men's) decisions"( WDR-2012).

## **1.3: GENDER INEQUALITY IN ASSAM :**

The same story is shared by the women of Assam too. Inequality persists in almost every sphere of socio-economic and political life. The National Human Development Report, 2001, published by the Planning Commission of India estimated the Gender Equality Index (GEI) to measure the gender equality among the states of India. Assam was placed at the 29<sup>th</sup> position among the 32 states and union territories showing a GEI of 0.575 against all India average of 0.676. This indicates that the gender inequality in Assam is more than the all India average. The GEI measures income, health and educational

attainment of women. Similarly, Gender-related Development Index (GDI) was estimated to be 0.537 for Assam by the same Report. Like GEI it also shows the inequities of income, education and health facilities. Both the measurement neither exhibit the status of women in governance or the level of political or economic participation nor reflect the discrimination done towards women in the society as a whole or at individual level. Gender Empowerment Measure (GEM) is estimated to show the intensity of political and economic participation, but as stated by the Assam Human Development Report "... calculating the GEM for India and its states is more difficult...it is difficult to calculate the number of women holding professional and managerial positions.... estimating their income share is not easy... judging women's political agency on the basis of their representation in political bodies is hazardous, as women standing proxy for men is quite common"(AHDR, 2003).

## **2.1 : WOMEN'S POLITICAL PARTICIPATION : AN INTERNATIONAL OVERVIEW :**

The World Development Report team of 2012 of the World Bank has found that "women do vote, but they do not enter or progress in formal political institutions as much as men"(WDR-2012). Even after so many attempts made for reducing gender gaps world wide women political participation has not marked up to the expectation level which is considered as



an important component of gender equality. Table 1. shows this scenario:

**Table 1 :**  
**Percentage of Women In**  
**Parliament**

Country	1990	2010
World	13	19
High income country	12	23
Middle income country	13	17
Low & Middle income	13	18
India	5	11
Pakistan	10	22
China	21	21
Rwanda	17	56
Sweden	38	45
Norway	36	40
Finland	32	40
Netherlands	21	41
France	7	19
US	7	17
UK	6	22
Iraq	11	25

Source: World Development Report, 2012

The above table explains the weak representation of women in parliaments which are known as the highest body of all kind of decision making except a few country. India's position is not satisfactory at all. It is worse than its neighboring countries like China or Pakistan. In case of several countries the change during the period of 1990-2010 is very encouraging. But India does not exhibit such a cheering picture. The situation in some other countries is even worse than India. For

example, in countries like Saudi Arabia and Yemen the participation of women in parliaments is zero.

It has been again observed that even though the women managed to make their entry in to the sphere of politics, they have been elected to the highest cliff of the administration, they are not included in to the highest decision making bodies. Even women like to treat themselves as different from their male counterpart because of which they remain in the lower stratum. "When women enter the political arena, they tend to remain in the lower rank and to cluster into sectors perceived as 'female'. It can make a difference only when women have access to key- decision making bodies" (WDR-2012).

## 2.2: CAUSES FOR LOW POLITICAL PARTICIPATION:

"Political power is the strongest weapon to empower women, but it is in the sector of politics that women all over the world are lagging far behind men. This is due to the fact that the state machinery had been a creation of man and since its inception, women were kept outside it" (Baruah, S.L., 2003). Political participation depends on the political systems. When there was no democracy, there was least scope for people to participate in active politics or in administrative decision making. However, people's political awareness is required whatever may be the character of the ruler or ruling system. History tells that women were excluded

from politics everywhere. It was the general view of the ancient society that women's areas of activity should not reach politics. Women were considered to be suitable for household activities only by the great thinkers and philosophers like Plato, Aristotle, Locke, etc. Even in the 19<sup>th</sup> century, women had to fight for their voting rights. Still it is believed that men are better political leaders than women. Such attitude of the people makes women invisible in active politics. However, there exist a lot of factors in this regard. Factors responsible for women's scanty involvement in active politics can be categorized as social, political, economic and other factors.

Social factors along with others include the traditional social outlook. In patriarchy, male dominates not only in the family affairs but rules every step of social life also. In such system, the ideology develops in everybody's mind is that women should look after the household matters and men should remain in outer world's activities including politics. "even in the matriarchal societies like those of the Khasis and the Garos, women till recent past were not allowed to participate in politics. 'if the hen crows, society will be doomed', so goes a Khasis proverb" (Baruah, S.L., 2003).

Thus, women are considered as the second sex, hence, inferior to men; therefore, can not handle tough tasks of administration. As all are habituated in such activities, women themselves hesitate to enter in politics. Even today mass women are not found in taking part on political

discussions. Even the educated women do not find interest in political discussions. Most of the men do not want to break the old tradition, hence, do not allow their wives or daughters to enter in to politics. On the other part, women too do not want to sacrifice their family lives and children in the name of doing politics. Of course there are some exceptions. But they are very few. It may be the result of division of labour among the man and women for the family, but, anyway it is a bias policy that goes against gender equality. Thus, political inclusion of women is hindered by ideological outlook of the people.

Education remains as a determining factor of any kind of role to be played by man or woman in the outer world. Lack of education and awareness always stands as barriers to political entry of women. In a less developed country where rate of women illiteracy is comparatively higher, political participation of women is less. Women are less aware about the day to day affairs of the other parts of the world. They do not move around like their male counterparts. Therefore, they build less social bonding which is a necessary capital for contesting election.

The participation also depends on the prevailing political environment. By nature women are more sensitive and sentimental though they are much more tolerant. They found the field of politics too hard to face. Active politics seek hundred percent involvements, which the family maker women find difficult to conquer. Now –a-

days, politics are rather referred as dirty game, which women do not like to play, especially, when anti-social and immoral acts have become the part of it. Political power is defined as the muscle power or the power of money and property. Women by nature are not interested in such things.

Political parties are also responsible for women's entering into politics. Most of them all over the world believe that women possess less capability as leader and they will not be able to influence the voters. Besides, constitutional restrictions on women becoming head of the state still exist in some countries. The existing electoral system also plays a decisive role.

There are economic factors also. In our existing system, the number of women headed family is very limited. The property of the family generally belongs to the male members. Women hardly have any access to physical or financial resources. Though the law has been passed for property right of the daughter, generally, woman can not even think to spend her entire income to contest in election. In modern world every educated woman manages their home as per their own direction. In other words they are efficient home maker, still, they hesitate to accept the political leadership. Now-a-days, elections are too expensive, unless the family or the party does not support financially, it becomes difficult for women to contest in election. Rampant corruption in politics is another factor which makes women disinterested for entering in to the arena politics.

Politics is a full time affair. It requires strong social networking. Social networking can not be developed in one day. Thus, time element has been identified as a great hindrance in women's political entrance. It is observed that in developed countries, women are too busy with their economic activities and in developing countries they are to spend lot of time in household works, hence, get inadequate time to develop social network for politics.

The Working Group on women's agency and empowerment constituted by the government of India observes in regards to women participation in PRIs "women face social, economic and various other forms of institutional barriers to entering PRIs and even in performing their duties as elected representatives. Important limitations to women's participation include the terms of inclusion, the rules of decentralization, gender-based division of labour, the policy of rotation of seats, etc. Social barriers such as lack of education, oppressive patriarchal and cast structures, lack of respect of women in PRIs, physical violence in public and domestic spheres, local politics based on caste/class/ religious dynamics also affects the participation of women adversely" (Report of the Working Group, GOI, 2011).

### **3.1: ASSAMESE WOMEN'S POLITICAL PARTICIPATION IN EARLY DAYS:**

Assam has witnessed a few women in the periphery of politics throughout the Assam history. "Raj Tarangini,"- the history book of the 12<sup>th</sup> century talks about princess

Amritprabha of Pragjyotishpur, who after marrying the king of Kashmir became the queen of Kashmir and took part in decision making. The names of Sati Joymati Konwari, Mula Gabharu, Rani Sadhani, Rani Phuleswari, Rani Ambika, Rani Sarveswari, etc. are also worth mentioning here. They basically belonged to the royal families. During the period of Ahom Rule, they exhibited their empowerment through their activities in the field of politics. However, it is believed that "History generally records the achievements of men; as men write it the actions of women are ignored. Women also do not care to keep records or celebrate the achievements of women" (Mahanta Apama, 2008). This kind of negligence and ignorance of women about their own power and dignity keeps them away from the arena of politics even today.

India's freedom movement brought a number of Assamese women out to the field of politics. Prominent among them were Kanaklata Baruah, Bhogeswari Phukanani, Rebati Lahan, Khahuli Lahon, Kumali Neog, Amalprabha Das, Puspallata Das, Indira Miri, Rajabala Das, Chandra Prabha Saikiani, Renuka Devi Barkataki, Usha Barthakur, Bonily Khongmen, Mavis Dunn, Anowara Taimur, etc. who dared to come out from the traditional workplace and show their political awareness and responsibility towards the wellbeing of the motherland. Kanaklata was shot dead by the British army along with some others. Chandra Prabha Saikiani, founder of the Assam Pradeshik Mahila Samiti (1926) is a well known figure of the empowerment

struggle of Assamese women. Amalprabha went to the jail in 1941 during the war of satyagraha. After returning from jail she involved in the quit India movement and worked throughout the villages. In 1943, she had been jailed again for one year. Later, she was appointed as the chairperson of Basic Education Board. Indira Miri, the renowned figure of Assam's education sector became the chairperson of Social Welfare Board. Puspallata Das was an active political leader of that time. She was a dynamic fighter of India's freedom struggle. She was jailed for several times. She was a Member of Parliament and a distinguished orator of her time. She became the chairperson of Khadi and Gramodyog Board. She was conferred the prestigious Padmabhushan award by the government of India. Renuka Devi Barkataki is still active in her socio-political life. She was also a freedom fighter and associated with several organizational activities of then All India Congress party. She was elected to the Lok Sabha for two terms and worked as state minister of Education, social welfare, culture, youth and women welfare. She was also an elected member of the State Legislative Assembly. Usha Barthakur was the first lady MLA to the first Assam Assembly after independence. Mavis Dunn of undivided Assam was the lady member of 1937. Another eminent lady Bonily Khongmen was elevated to the post of honourable Deputy Speaker of undivided Assam Assembly. After her no other ladies than two, viz., Renupama Rajkhowa and Pranati Phukan have excelled to this prestigious

post of Deputy Speaker. Assam has yet to witness a lady Speaker in the house. No lady Governor has been appointed till date. Anowara Taimur has represented both at state and centre and got the honour of being the only lady chief minister of the state for a certain period.

Besides their political lives, all the above cited ladies were great the crusaders of women empowerment movement of our state. Besides them there were a handful of unnamed women personalities who were involved with the freedom movement and contributed towards the political field. Women in Assam are also found at a mass

scale in several socio-political movements. Women were the winning force of many successful protests witnessed by the state from time to time.

### 3.2: PRESENT STATUS OF POLITICAL PARTICIPATION :

Factors that obstructed women involving in active politics through out the world history have become influential in case of Assamese women too. From the very beginning women have become able to occupy few seats both at the Parliament and state legislative assembly. Table.2 shows the trend.

**Table. 2 :**  
**Assamese women in General Election in India.**

Elections	No. of seats available	Female contestants	Female elected	% of female to total seats	% of female members in Lok Sabha	% of female members in Rajya Sabha
1	2	3	4	5	6	7
1952	10	2	1	10	4.4	7.3
1957	10	2	2	20	5.4	7.5
1962	12	3	2	16	6.8	7.6
1967	14	2	1	7.14	5.9	8.3
1971	14	3	1	7.14	4.2	7.0
1977	14	3	2	14.28	3.4	10.2
1980	14	2	0	0	7.9	9.8
1984	14	1	0	0	8.1	11.4
1991	14	8	0	0	5.3	9.7
1996	14	9	1	7.14	7.2	15.5
1998	14	3	1	7.14	7.2	9
1999	14	9	2	14.29	7.9	6.1
2004	14	6	0	0	9.0	7.8
2009	14	11	2	14.29	8.2	11.4

Source : Compiled from data collected from the Election Department, Govt. of Assam & Gender Statistics Assam 2008-09, Govt. of Assam.

Columns 6 and 7 refer to the percentage of Indian women as a whole to the Lok Sabha and Rajya Sabha respectively. Column 5 which shows data for Assam's women is not very far from the all India average. Nevertheless, the trend has not improved from the very beginning. In 1957, there were only 2 elected female candidates from Assam to the Lok Sabha which remained the same even today. The number of contestants was however only 3 in that year. For several years there were no female representatives from Assam. Gradually, the number of contestant has shown a little increase but the table reflects that the trend is not very cheering. However, it also depends on the political

parties. The parties may not want to provide scope to their female members. This may be because of their male ego or may be because they do not possess faith on the women candidates to become state representative in the Parliament. In case of Rajya Sabha the participation of Assamese women is found to be much more meager. Till now, only two women from Assam have made it to the Upper House of the Parliament. At present, there is only one women member to the Rajya Sabha.

The situation does not differ much in case of the state level elections also. Table-3 displays this.

**Table. 3 :**  
**Women in Assembly Elections of Assam.**

Year	No. of Assembly seats	No. of Contestants	No. of female contestants	% of female contestants	No. of female elected	% of female to total seat
1952	108	458	6	1.3	1	0.9
1957	105	312	6	1.9	5	4.7
1962	105	409	4	0.9	4	3.8
1967	144	492	6	1.2	4	3.2
1972	126	522	12	2.3	0	0
1978	126	648	1	2.3	1	0.8
1983	109	471	3	0.6	2	1.8
1985	126	1153	29	2.5	5	3.9
1991	126	160	50	5.5	5	3.9
1996	122	1029	17	1.7	6	4.9
2001	126	916	55	6.0	10	7.9
2006	126	997	70	7.0	13	10.3
2011	126	961	85	8.8	14	11.1

Source: www.eci.nic.in



The table shows a rising trend of female contestant and elected member of females, especially from 2001 election. But, the figure is still too negligible. Such a small percentage of women contestants reflect the unwillingness of women towards active politics. Thus it is obvious that number of women representative in the councils of minister is also very small. The following table.4 shows this:

**Table. 4 :****Women In Assam's Council of Ministers**

Year	No. of Cabinet Minister	No. of Women Cabinet Minister	No. of State Minister	No. of Women State Minister
1985	21	1	10	-
1991	18	1	19	1
1996	25	1	9	-
2001	20	2	16	3
2006	19	2	-	-
2011	15	2	4	-

Source: Gender Statistics 2008-09, Govt. of Assam

Thus it shows women representation in decision making process is very weak in the state. In that case, the voices of nearly half of the population remained unheard. It spares huge scopes for several women issues to remain unaddressed.

Though women are not interested in offering their candidature for members of the Parliament or members of the Legislative Assembly, they are very much keen to cast their votes. It is worth

mentioning here that in Assam, women got their voting right for the first time in 1930 during the British Rule along with some other provinces like Bihar and Orissa. Some other counterparts like Bombay, Madras, Punjab, Bengal etc. got the women voting rights in early hand. Data published by the Election Commission of India shows that in 1962, altogether 51.05% electors participated in Assam's Assembly Election and the percentage of female votes were 42.05. In 2011, the female votes were counted to be 74.94%, where as 75.92% votes were polled altogether. This implies that the women are conscious about their political rights from the very beginning and it exhibits a rising trend. The trend of voting of women that was observed by the team of World Development Report- 2012 has been found to be true in case of Assam also. But, in several cases it is monitored by the political observers that females follow their male family members in casting their votes. This does not really reflect their empowerment. This happens especially in case of uneducated or illiterate women and in rural areas where nearly half of the females are still illiterate. Again, nearly 80 % of the population belongs to the villages. Therefore, strong awareness motivational programmes are necessary for women so that they can exercise their political rights in true sense.

**3.3 : ASSAMESE WOMEN****IN PANCHAYATI RAJ INSTITUTIONS:**

The 73<sup>rd</sup> and 74<sup>th</sup> amendments Indian Constitution provide reservation of seats for

women at Local Self Government. The amendments look for reservation of one-third seats for SC and ST women. Again it makes a provision of not less than one-third membership reservation and not less than one-third of the offices of Chairpersons reservation for women. Thus, it has created a positive atmosphere for more political participation for Indian women. "India witnessed the world's largest experiment in local democracy triggered by the 73<sup>rd</sup> and 74<sup>th</sup> amendments to the constitution. The reservation of one-third seats for women has resulted in more than 1 million elected women leaders in decision making positions at grassroots levels. With the reservation already increased to 50 % in several stages, e.g., Bihar, Chattishgarh, Madhya Pradesh, Kerala, Rajasthan and a Constitutional amendment to this effect in the process, the Panchayats will have great potential for women's empowerment and their contribution to gender sensitive good governance"- (XII Five Year Plan Report of the Working Group Women's Agency and Empowerment- Ministry of Women and Child Development, Govt. of India).

To incorporate the amendments the government of Assam introduced the Assam Panchayati Raj Act, 1994 by replacing the earlier act of 1986. The earlier act too had a provision of 33% reservation for women candidates in each of the three tiers of Panchayati Raj Institutions. This provision has cleared the entry path for the women at grassroots level. Assam has

witnessed more than 33% elected women representatives after the amendment. Table no.5 indicates this :

**Table.5 :****Number of elected women member In Assam as on 2006**

	Gram Panchayat	Anchalik Panchayat	Zila Parishad
Total no. PRIs	2223	188	20
Total no. of member	22898	2148	390
Women members	8977	791	135
% of women to total	39.2	36.8	34.6
% of women at all India level	36.7	37.1	36.8

Source: Compiled from Gender Statistics, Assam

These numbers are very encouraging as they indicate a better future for women in decision making process. Even in urban local bodies the number of woman representative is increasing. However, these are the data that give quantitative indication only. This may not refer to qualitative participation of women. Several studies reveal that women participation in PRIs is not a effective participation as these are not quality participation. First, in many cases it has been noticed that a woman candidate files her nomination just to give the proxy of their husband or son or male member of the family. Just to fulfill the

norms of reservation only the name of the female member of the interested family is used. All the works are done by the male in disguise. Even after winning the seats meetings are not attended by most of the women members. Instead, their male proxy uses to take part in the decision making process. A study conducted by professor of the University of California, Berkeley, reveals that 85% of the women, four years after adoption of the 73<sup>rd</sup> amendments said that they had not participated in any panchayat meetings, 90% had not attended any party meeting, 82% had not connection with bureaucrats and 87% had not any connection with the party leaders.

Secondly, in some cases women members raise the complaint that they are not given the chance to speak according to their wish. The male members use their dominating role and never treat the female members as their equivalent. Thirdly, some of the members do not show any interest to the rules and regulations and do not like to follow the instructions laid down by the constitutional amendment. They are not aware at all even about their own power and capacity entrusted by the law. In that case, the very objective of the constitutional provision for the empowerment of women ends in fiasco. Existence of such loopholes can not be denied in Assam's PRIs also. Perhaps this will take time to extract out the juice of the fruit of political reservation for women.

#### 4.1: CONCLUSION:

At the very outset women's struggle for rights and equal opportunities was a protest and demand based struggle of the women's organizations of some countries only. At present we can observe it throughout the world. Now, the movement has two dimensions with two distinct faces. One face represents the courageous women who are ready to fight for the right of women in every sphere of life including equal political status with their male counterparts. They want to be the equal partner of the men in each and every walks of family and social life. They never hesitate to raise their voices whenever and wherever the rights of women are violated. The celebration of International women day of 8<sup>th</sup> March every year commemorates such extra ordinary crusades overcome by the world women groups under the leaderships of some strong women personalities. It is because of the continuous efforts of such women fighters only the UN and other international organizations have formulated policies for gender development. Governments of several countries were forced to adopt women friendly policies.

The second face belongs to the authority representing governments of several countries and organizations like the United Nations Organisation, World Bank, etc. they are also trying to make provisions both legal and social for more political participation by the women. The

emergence of CEDAW (Convention on Elimination of All forms of Discriminations Against Women), the Beijing Platform Action, UNIFEM (United Nations Development Fund for Women), DAW (Division for the Advancement of Women), Declaration of the Millennium Development Goals, etc. are some of the attempts made at international level to challenge the status quo of women's position in the society. But, surprisingly the Millennium Development Goals do not address any specific point for women's political participation. Again, the World Bank's latest agenda which is named as 'global agenda for gender equality', where it has identified five priority areas, does not pinpoint any specific area for enhancing women's political participation.

India being the member of the international community like the UN or the World Bank has designed a number of women friendly policies and formulated both legal and socio-political framework to implement those. It has established the National Women Commission in 1990 by adopting an act. Provisions are kept for gender mainstreaming in India's five year plans. The reservation of women bill has been passed by the Rajya Sabha in 2010, but yet to clear by the Lok Sabha. Therefore it is still a pending bill. This women's reservation bill (108th Amendments of Indian Constitution) seeks to reserve 33% seats for women in the Lok Sabha and state legislative assemblies and to maintain the constituency on rotation basis. It was

expected that the bill if enacted will be able to bring a new dimension towards the gender role in India by breaking male domination in the arena of politics. The government of India has also constituted a number of institutional arrangements to augment the journey of women empowerment. A national policy on empowerment of women has been declared in 2001. India's 12<sup>th</sup> five year plan approach paper includes several proposals including pursue of gender responsive budgeting for inclusion of more women in the governance so that the decision making process can be shared equally by male and female. A number of suggestions have also been forwarded for removing barriers to women's participation both at political and socio-economic spheres. Several attempts have been made by the government to make them women politically active. But these are not enough for quality participation.

Women's political exclusion not only makes it difficult to solve several women related issues but brings an atmosphere of injustice by barring women to take part in decision making. It goes against the human rights. Women can address each and every issue related to women by increasing their collective power through political participation. But, at the same time it is also equally true that politics is not everybody's business. Hence, mere reservation can not break the iceberg. A comprehensive plan is to be prepared by

defining each and every issue associated with political participation and pragmatic measures to be implemented at different levels. Neither the government nor women group alone can do the job successfully. It requires a proper blending of individual, government, agency and non-government organizations.

(Reprinted)

#### References:

1. Baruah Girish & Borpujari Hira, Glimpses of Women's Empowerment in India, Dibva Prakashan, 2003.
2. Mahanta Aparna, Journey of Assamese Women, Publication Board, Assam, 2008.
3. Mazumder, Rinita, Feminist Economist, Anustup Prakashan, 2010.
4. Prasad, Shweta, (ed.), Women in India- Trials and Triumphs, Viva Books, 2011
5. Sharma, Neeta & Barkataki, Arindam, (ed) Women issues and Perspective, ADP College, Nagaon, 2011
6. Assam Human Development Report, 2003, Government of Assam, 2003
7. Gender Statistics, Assam, 2008-09, Directorate of Economics & Statistics, 2010
8. Report of the Working Group on Women Agency and Empowerment, Ministry of Women and Child Development, Government of India, 2011.
9. World Development Report, World Bank, 2012.
10. [www.assamassembly.govt.in](http://www.assamassembly.govt.in)
11. [www.eci.nic.in](http://www.eci.nic.in)

\*\*\*

The Writer is the Associate Professor, Deptt. of Economics, Dispur College

## INSTITUTIONALISED TERROR AND HUMAN RIGHTS VIOLATION A TALE OF ARMED FORCES (SPECIAL POWER) ACT



Indrani Choudhury Mahanta

The Armed forces (special power) Act (AFSPA) of 1958 is one of the most draconian legislation that the Indian parliament has passed in its 60 years of parliament history. Under this act, all security forces are given unrestricted and unaccounted power to carry out their operations, once an area is declared disturbed. Even a non commissioned officer is granted the right to kill based on mere suspicion that it is necessary to do so in order to maintain public order.

The AFSPA gives the armed forces wide power to shoot, arrest and search all in the name of aiding civil power. It was first applied to Assam and Manipur and was amended in 1972 to extend to all the seven states in the North-Eastern India – Assam, Manipur, Tripura, Meghalaya, Arunachal Pradesh, Mizoram and Nagaland. It was later extended as the armed forces (J&K) special power at 1990 in July.

The AFSPA has been bone of contention since its inception. The enforcement of the AFSPA has resulted in innumerable incident of arbitrary detention, torture, rape and looting by the security personal. What is so objectionable about AFSPA? How is it responsible for causing Human Right violation? Is this acceptable as a means of conflict resolution? The issue concerning the right of Indian state vis-à-vis the right of indigenous people of the North East India is also discussed as the very continuity of AFSPA has been debated in this context.

#### AFSPA VS RIGHT TO LIFE - A DEMONSTRATION OF STATE RIGHT

Article 21 of the Indian constitution guarantees right to life to all people. It reads, "No person shall be deprived of his life and personal liberty except according to the procedure established by law". Procedures established by law means a fair, just and



reasonable law which has been loyally interpreted and remained a part of Indian jurisprudence since the 1978 case of Meneka Gandhi. This decision over rules the 1950 Gopulan case which had found that any law enacted by parliament met the requirement of procedure established by laws.

In the context of above, the AFSPA reveals its draconian character as it violates the spirit of Article 21 undermining the basic rights of people. The most objectionable part lies in sec. 4 of the Act. This reaction sets out the powers to the military stationed in a disturbed area. These powers are granted to the commissioned officer, warrant officer or non commissioned officer. Only a jawan does not have these powers. Sec. 4 allows the armed forces to use force for a variety of reasons.

Under the powers of sec. 4(a), the army can shoot to kill for the commission or suspicion of the commission of the following offences - acting in contravention of any law or order for the time being in force in the disturbed area prohibiting the assembly of five or more persons, carrying weapons or carrying anything which is capable of being used as a fire arm or ammunition. To justify invocation of their provision, the officer need only be "of the opinion that it is necessary to do so for the maintenance of public order and only such due warning as he may consider necessary".

Under sec. 4 (b) of the Act, the army can destroy property if it is an arms dump,

a fortified position or shelter from where armed attacks are made or are suspected of being made, if the structure is used as a training camp or as hideout by armed gangs or absconders.

Under Sec. 4 (c), the army may arrest anyone without a warrant who has committed or suspected of having committed or of being about to commit, a organisable offence and use of any amount of force necessary to affect the arrest.

Under section 4 (d), the army can enter and search without a warrant to make an arrest or to recover any property, arms, ammunition or explosive which are believed to be unlawfully kept on the premise. This section also allows the use of force necessary for the search.

Under sec. 5 of the Act, the persons arrested under AFSPA must be handed over by the military to the nearest police station with the least possible delay. Since there is no definition in the act of what constitute the least possible delay. The arrested person may be detained by the armed forces for long periods of time, thereby, denying him judicial protection from arbitrary arrest granted under act 22 of Indian constitution.

Sec. 6 of the act provides legal immunity to army officers for their actions. There can be no prosecution suit or any other legal proceeding against anyone acting under the law except the case where central government accords permission. This section leaves the victims of the armed

forces abuse without a remedy.

Taking recourse to the above mentioned sections of the AFSPA, the armed forces are allowed to retaliate with powers which are grossly out of proportion with the offence. It goes without saying that the use of force must account to minimum level of proportionality. But the lack of clarity which cast shadows on the meaning of various clauses of AFSPA makes it a tool of wide interpretation, as pointed out by the UN Human Rights commission. Since assembly (in sec 4 (a)) is not defined, it could well be a lawful assembly. Such as a family gathering and since weapons (in sec 4 (a)) is not also defined it includes a stone. Thus, this lack of clarity allows the armed forces to use excessive forces beyond the level of proportionality. There have been numerous instances where the act has been misused by the armed forces to abuse their power in North East India. The killings of individuals by the security forces on mere suspicion have been routine affairs in states like Assam, Manipur, and Nagaland.

To illustrate the misuse of power by armed forces, the gruesome killings that took place in Kohima on 5<sup>th</sup> March, 1995 may be cited. On that occasion, the Rastriya Rifles (National Rifles) mistook the sound of a tyre burst from their own way convoy as a bomb attack and began firing indiscriminately in the town. The Assam Rifles and the CRPF, which were camped two kms away heard the gunshots and also

began firing. The firing lasted for more than one hour, leading to the death of seven innocent civilians, 22 were seriously injured. Among those killed two girls were aged 3, one half and one 8 years old. The injured also include 7 minors. Mortars were used which otherwise is prohibited in civilian area even under army rule.

The operation of AFSPA also denies the people access to Act 14 that guarantees equality before law. Since the jurisdiction of AFSPA is limited only to some parts of India (areas declared as disturbed), the people residing there are denied the protection of the right to life, and also the right to seek judicial redress. This in term denies them of equality before law as the residents of non disturbed areas enjoys this right granted under Indian constitution. This leaves the residents of the North East to live under virtual army rule. They live under a virtual but undeclared state of emergency and are given no remedy for the injustice they suffer at the hands of the armed forces.

#### **CONTINUATION OF AFSPA- A CASE OF JUDICIAL IMPROPRIETY**

The continuation of AFSPA demonstrates the lack of judicial detachment. In other word, it exemplifies a defense on the part of judiciary to the executive as the apex court failed to play a proactive role to protect the constitutional right of the people.

An instance of judicial impropriety may be cited in this context. In Indrajit Baruah vs. state of Assam case, the Delhi High

court while upholding the constitutionality of AFSPA observes "If to save thousand lives one life is put in peril or if a law ensures and protects the greater social interest then such law will be a wholesale and beneficial law although it may infringe the liberty of some individual". The verdict of Delhi high court in fact sanctions blanket power to the armed forces to kill, the way International Humanitarian laws (IHL) allows collateral damage in armed conflict (albeit avoiding disproportionality), the court in that instance allow collateral damage in the form of deprivation life and liberty of the people. In fact, the court showed its defense to the legislature demonstrating a law of judicial independence.

#### **Accession vs. demand for Secession: A proposition on the issue of self determination**

UNHRC raised numerous questions about the validity of AFSPA. It questioned the constitutionality of the act under Indian law. While responding to it the Attorney General of India relied on the sole argument that the AFSPA is a necessary measure to prevent the secession of the North Eastern states. He said that response to secessionist activities in the North East had to be done on a war footing. He argued that the Indian constitution in Act 355 made it obligatory on the part of the central government to protect the states from internal disturbance. Hence arise the need to promulgate AFSPA.

The genesis of secessionism in North

East should be found in its historicity. Through the centuries the North east had its access to south, south East and central Asia, rather to the mainland India. Its political, economic and socio-cultural systems always had live with South East Asia. The mighty Hindu and Muslim empires that ruled the Indian sub-continent never extended beyond the east of river Brahmaputra River. The mode of accession of some of the states of North East states to India in the aftermath of British's departure raised controversies. For Example- after the departure of the British, the kingdom of Manipur was reconstituted as a constitutional monarchy on modern lines by passing the Manipur constitution Act, 1947. Election was held under the new constitution. A legislative assembly was constituted. In 1949, Mr. V.P Menon, a senior representative of the Govt. of India, invited the king to a meeting at Shillong. Upon his arrival the king was allegedly forced to sign the merger agreement. The agreement was never ratified in the Manipur Legislative Assembly. The assembly was then dissolved and Manipur was kept under the charge of a chief commissioner. There were protests but the Indian state successfully suppressed any opposition. The merger of Nagaland tells same story. At the beginning of 20<sup>th</sup> century, the Nagas came together under the single banner of Naga National Council (NNC), aspiring for a common homeland and self governance.

The NNC submitted a petition to Simon

commission in 1929 demanding self governance. The Naga leader was strongly against the Indian rule over their people once the British pulled out of the region. Under the Hydari agreement signed between NNC and British administration, Nagaland was granted protected status for 10 yrs, after which the Nagas would decide whether they should stay in the union or not. However, shortly after the departure of the British, independent India proclaimed Naga territory as an integral part of the new republic amidst vehement protest. The NNC organized a mass movement proclaiming Nagaland's independence. The Govt. of India arrested the Naga leaders which were followed by an armed struggle that still continues with large casualties on either side. No doubt, the AFSPA is a byproduct of this conflict.

The above accounts demonstrates the dubious design of the Indian state to hold its sway over the hilly terrain of the North East India, continuously crushing the popular uprising through the forceful imposition of draconian act like AFSPA. The justification of imposing AFSPA as suggested by the Attorney General does not hold any valid ground.

Following independence the Indian state embarked on a policy of assimilating the plural ethnic societies of the North East into the common fold of Indian nationalism. The tribes of the north-east also faced changes at all levels of their social existence due to the impact of modernization. They were

tossed between two mutually incompatible situations - a particularistic political culture and a diffused universalistic social order, which led to the deepening of ethnic cleavages and have transformed the tribal latent social conflict into open political conflicts. The response of the Indian state to resolve this conflict was erroneous as it relied on a militaristic solution. The dissatisfaction of the tribals with the system was labeled as secessionism and invited state repression.

The perception of New Delhi about the north-east is also myopic as it holds the entire region as a universal whole and talks of integration and assimilation as literal synonyms. However integration and assimilation make different connotation. While integrating unites all without destroying their separate identities, assimilation obliterates different eco-social system and ethnic differences. Hence assimilation is a word not lived by tribals of the north-east. Also they are not yet ready to submerge their individual identity to pan-Indian identity. Does that make enough sense to impose act like AFSPA?

#### **Non-Governmental Organization's Assessment: Call for the repeal of AFSPA.**

The continuation of AFSPA has drowned criticism from a wide variety of sources, especially from the NGOs.

The Human Rights watch's 16 page report, "getting away with murder: 50 years of the Armed Forces Special Powers Act",



describes how AFSPA has become a tool of state abuse, oppression and discrimination.

A report by the Institute for Defense Studies and Analysis points to multiple occurrences of violence by security forces against civilians in Manipur since the passage of the Act, and declares that the Act has resulted in large-scale violation of the citizen's right under Art. 14, 19, 21, 22 and 25 of the constitution.

The Asian centre for Human Rights was also critical about AFSPA, designating it as a piece that stands out for its misuse and because of the provisions that give the security forces power that go against the basic principles of rule of law.

In spite of wide criticism of the AFSPA from various operators, the central government is not yet ready to repeal the act. In 2005, the Jeevan Reddy Committee reviewed the working of AFSPA and recommended for its repeal. Going into the question of institutionalizing the illegal methodologies adopted under AFSPA, a member of the Jeevan Reddy Committee, Sanjay Hazarika, said that one of the key question is the prolonged imposition of the Act, 50 years of militarization is far too long and clearly exposes the lack of resolves, insecurity and failure of the government of India in handling the political questions of the region. The act must be repealed and there is no further argument on it. He further said that, "a new set of legal structure is needed and mutual understanding evolved

to ease the problem and undo the damage done to the Indian Army which is seen as a villain of the State."

The Prime Minister of India time and again has given assurances that AFSPA will be repealed and the process is on. However, Mr. A.K. Anthony, defence minister of India has recently categorically stated that the armed forces require special powers to counter terrorism in north-east and Jammu and Kashmir. "As long as their presence is necessary they need special provisions. They cannot function without special powers", he stated. This clearly demonstrated the government stand on AFSPA.

#### CONCLUSION:

It goes without saying that AFSPA should be repealed without wasting more time. This draconian act assumed the character of a Frankenstein and its abusive nature is responsible for causing more harm than any good to anyone. Moreover, the AFSPA has failed to contain, let alone resolve the insurgency problem in the north-east. On the contrary, it is instrumental in aggravating the problem. The act need not be replaced by another act as there is no dearth of adequate laws to deal with insurgency situation. The lawful Activities (Provision) Act of 1967 as amended in 2004 is adequate enough to deal with all insurgent group and their unlawful activities.

Though civil societies in the states of North-East are actively engaged to voice

its protest against the continuation of AFSPA, it's time to direct their concern against prevailing judicial inaction to invalidate the Act. The inaction of supreme court, apart from directing the armed forces to respect 'do's' and 'don'ts' issued by army authorities in its controversial judgement on the controversial validity of AFSPA, should

be repudiated.

The question remains whether we need a strong/authoritarian Indian State or a democratic regime where people's wishes are accommodated. If the former is desired let AFSPA continue. If sanity is desired, let it be repealed immediately.

#### References :

- 1) An analysis of Armed force special power act 1958- by the Asian centre for Human Right PUCL Bulletin, March 2005
- 2) India: Repeal Armed Force Special Power ACT 50<sup>th</sup> Anniversary of law allowing shoot to kill and other serious abuse- Human Right Watch
- 3) Manipur and Armed Force (Special Powers) Act 1958 - Institute for Defense studies and analysis
- 4) Armed forces(Special Power) Act, 1958
- 5) [www.hrdc.net/sahrdc/resources/armedforces.htm](http://www.hrdc.net/sahrdc/resources/armedforces.htm)

\*\*\*

The Writer is the Associate Professor & HOD of the Deptt. of Political Science, Dispur College



## Rural Development Programmes And Its Impact



Khagen Ch. Boro

The concept of "Rural Development" in India is old as the coming into being of a social life that is the emergence of a settled social life. As a matter of fact, rural development is closely associated with the Indian administrative ethos, since the beginning of a well-settled society. It is interesting to note that the ever since the memory or written record goes: man has been seeking to make things for his use and betterment.

Rural Development involves raising the socio-economic status of the rural populations on a sustainable basis through optimum utilization of social resources both natural and human. While external help is necessary and appreciated, rural development can be achieved only when the rural people actively participate in the development process. Rural development is a comprehensive and multidimensional

concept and it denotes overall development of rural areas with a view to improve the quality of life of the rural poor.<sup>1</sup>

The World Bank defines Rural Development as a "Strategy to improve the economic and social life of specific group of people. The rural poor including small and marginal farmers and tenant and landless".<sup>2</sup> Rural development is a process of change culminating into improved quality of living for rural people.<sup>3</sup>

From the above discussion it reveals the fact that the concept of rural development is an elastic one and different scholars look at it from different angles. However the development of rural areas means not only the aggregate development of the area, but also development of the people living in those areas. The objectives of development include sustained employment and greater equity in the

1. Sagar Mondal

2. World Development Report 2004, The World Bank, Washington D.C.

3. K. S. Singh

distribution of the benefits of growth. Rural development includes the development of agriculture and allied services, village and cottage industries, crafts, socio-economic infrastructure, community services and all the development of human resources in rural areas. Looking it from this angle, rural development involves extending the benefits of development of the poorest among those who seek livelihood in the rural areas.

The essence of development is not in "providing but promoting" the rural sector. The rural population should know how to sustain itself financially and gain economic independence. Therefore, the stress of rural development is on self-reliance. At the same time, rural development should result in greater access of the rural population to goods and services.<sup>4</sup>

In the context of India, we cannot possibly talk about rural development unless we present here what Gandhiji had said about it. He said, "India lives in villages". If that be true, which is, we cannot possibly think of the development of our country without rural development. That is the crux of the concept of rural development.

There is enough literature of rural development programmes and achievement of democratic decentralized administration system. A number of scholars have undergone empirical and field survey on the democratic decentralized administrative system with

the basic concept of rural development as well.

Hushiar Sing, in "Administration of Rural development in India (1995)" discusses the various aspects of rural development such as administrative agencies, strategies and approached etc.

S.R. Moheswari, in Rural Development in India, a public approach (1985)" has given the idea about the history of community development programmes up to the Panchayati Raj system.

P.C. Goswami in the book " Problems of Rural Development in North East India (1989)", is of the opinion that the state of North East are comparatively backward than the other parts of India. The book emphasizes that there is an urgent need of various rural development programmes for the development of North East India.

H.H.Das, in "Introduction to Panchayati Raj and Community Development in India (1990)", emphasized the growth and development of Panchayati-Raj system in India.

Vasant Desai in the book "Rural Development in India (2000)", deals with all the aspects of rural development. This book is an authoritative document regarding the effective implementation of rural development programmes.

N. Sivana in "Panchayati Raj Reforms and Development (1990)" has a advanced, a bold step regarding the centralized planning and development programmes.

D.Paul Chowdhury in "New Partnership

4. Vasant Desai.

in Rural development (1978)" expresses his view that B.D.O is the chief Co-ordinator of all the rural development programmes. He also pointed out that the village level workers and all extension officers are under the direct supervision of V.D.O.

From the overview of the existing literature, it appears that most of the studies deal in most cases with Panchayati Raj Institutions. There has been a lot of focus on rural development programmes. Rural development should naturally get the highest priority in the administration of the country, if democracy has to be successful in a meaningful way.

Rural development is a vast idea. It encompasses so many aspects, that it probably will be just impossible to warp them up in a nutshell. Therefore, we should concentrate on a particular area for our study, as a sample for rural development all over the country, because the rural condition all over the country is practically the same with certain local variation. Through our study and investigation we can highlight the position and drawbacks of rural development in Assam.

Through the concept of rural development has been defined by various scholars in different ways, we have an

attempt to analysis the concept of rural development in the context of Indian situation, particularly in the context of the socio-politico situation of assam. The general impression about rural development programme is that it is a government imposed programme and the people are normally apathetic to it.

But the different steps taken by the Indian Government for rural development are not properly implemented for rural people's benefit. Rural Development is meant essentially for the rural poor. So, we should be very concern whether the rural poor have been genuinely benefited or not. Our region remains one of the highly underdeveloped, ethnically sensitive and Politically disturbed regions of India. Various development projects initiated by the centre and state governments have been unattended, unaddressed and unuseful for people of the region. However, the people continue to contest the centrality of the centre from this peripheral region. Most important matter is to be very much aware to the various plans and programmes of the Indian government and its implementation for the rural people of the country through Panchayati Raj system.

\*\*\*

The Writer is the Associate Professor, Deptt. of Political Science, Dispur College

## Women Empowerment and Human Development, In the context of Assam



**Dharitri Thakuria**

Women Empowerment is a process, which enables women to establish self control, autonomy and confidence in a situation of oppressive society. Self-depending and economic liberty are the main resources for empowering women. Deprivations of all forms, inferioritization, limits of choices, lack of confidence among women are some basic obstacles of women empowerment. It creates threats to gender security. There is the need for removing the obstacles, otherwise it may debar women from leading a life of their choice and stop them from developing their capabilities to the fullest. So, women empowerment is a development in the context of women's life, which enables her rising capacity for leading a complete human life. There are several components of human development like equity, sustainability, production, freedom, etc. Women empowerment is another one essential component to promote human development.

The UNDP (United Nations Development Program) defined human

development in its 'Human Development Report' in 1990. Human Development Report (HDR) defined it as a process of enlarging people's choices. It is an extension of the basic needs of all people irrespective of rich and poor within nation-states and among nation-states. Human development is a development paradigm that is about much more than the rise or fall of national income. The concept of human development has evolved an environment in which people can develop their full potential, productive and creative lives with their needs and interest. Human development is much more than economic growth.

The famous economist of Pakistan, Mahbub ul Haq defined human development as greater access to knowledge, better nutrition and health services, more secure livelihoods; security against crime and physical violence; satisfying leisure hours; political and cultural freedoms in the sense of participation in community activities. According to him, the objective of



development is to create an enabling environment for people to enjoy long, healthy and creative lives. Renowned economist, Nobel laureate Amartya Sen viewed that development requires the removal of major sources of unfreedom – i. e, poverty, tyranny, poor economic opportunities, systematic social deprivation, neglect of public facilities, intolerance or over activity of repressive states. The earlier model of development signified the rise of GNP (Gross National Products) and Per Capita Income. But the new concept is broader in the sense that the paradigm of development includes the attainment of social goods such as health, education, opportunities, freedom, security, decision making power etc. So, the development of one country also meant the human development of that country.

Human development and women empowerment are reinforcing each other. Because empowering women we can contribute to human development through household and community activities. At the same time, progress in human development is expected to promote empowerment of women with various beneficiaries, i.e., health, nutrition, education, socio-economic security, freedom, availability of employment, a decent standard of living, etc. The UNO considered eight main aims of development (MDG -Millennium Development Goals) in 2000 and one of those aims was the gender equality and women empowerment. It is said that human development becomes unjust and discriminatory if most women are excluded from its benefits. The world

community is now concern to the gender equality and development of women. However, today's women are living in an insecure environment and hindrances with disturbing in her way of progress. In such a situation, regarding human development, empowerment of women should be prioritized and insecurities should be removed.

We have observed that in some cases, high level of human development in terms of HDI (Human Development Index) is not linked with highly empowered women or GDI (Gender Development Index). Many countries having high HDI are having low GDI. It shows that there is a gap between men and women in achievement of human development. It is viewed that empowerment of women is essential for the alleviation of poverty, to uphold the human rights and for the sustainable human development. Already various studies have been done on gender issue and its relationship with empowerment. Human Development Report (1995) of UNO gave special importance on women empowerment.

It is necessary to study about women empowerment in the state of Assam in relation to human development. Human Development Report (2003) of Assam highlighted the inequality in the achievement between men and women of Assam in different spheres of life. It was also viewed that poverty, illiteracy, deprivation, violence and lack of political participation were the main issue of concern for women of India. It is same in the case of Assam also.

Empowering women in India is yet more difficult. Because in this vast country, different communities are living with a long history of injustice and discrimination towards women as a whole. The movement for empowerment of women in Assam is almost as old as the freedom movement of this part of the country. In 1926, some women attended the Dhubri session of the Assam Sahitya Sabha under the leadership of Chandraprabha Saikiani and announced the formation of the Asom Mahila Samiti. Later it was established as Asom Pradeshik Mahila Samiti. After three years of its formation, Tezpur District Mahila Samiti was established. Under the banners of these two samitis, the movement for empowerment of women in Assam was started. Women of Assam had played bold and strong roles in the freedom movement of our country. Not only in politics, at present, women of Assam has shown excellence in different fields.

Despite these, majority women are living in a position of deprivation, ignorance, exploitation, negligence in Assam, because

of which they are compelled to lag behind their counterparts. The gender gaps in work participation is considerably high in Assam is as bad as Bihar and Orissa. Assam's position in this aspect is the worst among the Northeast states. There is the lack of economic empowerment among the women of Assam due to the absence of awareness to acquire basic knowledge and information regarding their rights, advantages and facilities. Of course, the educated women belonging to the middle and upper middle classes to some extent are becoming aware of their rights and facilities. But women belong to the lower class and rural areas are still not aware of their rights. It is very much important to awaken the womenfolk of our society and make them aware of their genuine rights for their empowerment and also for the human development. For this female literacy rate in Assam must be high. Though the increasing rate in female literacy is satisfactory, still it is not in equal position with the male literacy.

**Literacy Rate in Assam 1951-2011**

Year	Person	Male	Female
1951	18.53	28.01	7.58
1961	32.95	44.28	18.62
1971	33.94	43.72	22.76
1981	—	—	—
1991	52.89	61.87	43.03
2001	63.25	71.28	54.61
2011	73.18	78.81	67.27

Source : Provisional Population. Census of India, 2011



India's Human Development Report, 2011 indicates that Assam ranks third in the rate of progress in Human Development Index among all major states of the country. It also states that Assam has achieved 33.1 percent progress for the period of 1999 – 2008 reflecting the main components of human development vis-a-vis education, health and percapita income. However, Assam was lagging behind the national average in education index; it has shown little improvement now. On the basis of this report, we cannot say that Assam's position in Human development is very much successful. Still Assam is in seventh position regarding poverty among states of the country. Till now 40% people of Assam are living below poverty line (BPL).

Employment is another one indicator to measure the level of women empowerment. In Assam, employment of women for their economic self-reliance is very poor. In the area of employment, performance of most of the upper Assam

districts is well than the districts of lower and central Assam. Generally, we have seen that employment status is related with literacy rate. The low literacy districts of Assam have shown poor performance in employment. The percentage of women employee in the government services of the state is very poor. It was 16% in 2006. Employment of women in government services are seen mostly among the urban women. Rural women are still backward in doing government services. However female participation rate in services is higher in Assam than India. Rural – urban gap in respect of employment is observed in Assam and India. There is minor differences in case of rural employment of Assam and India, but regarding urban female employment rate is almost same.

There is a slight increase in the female work participation rate both in rural and urban areas as we have seen in the following table :

**Work Participation Rates by Sex (1972 - 2005)**  
(in percent)

Year	Rural		Urban	
	Female	Male	Female	Male
1972 - 73	31.8	54.5	13.4	50.1
1987 - 88	32.3	53.9	15.2	50.6
1996 - 97	29.1	55.0	13.1	52.1
2000 - 01	28.7	54.4	14.0	53.1
2004 - 05	32.7	54.6	16.6	54.9

Source: National Sample Survey Organization

Another table has shown the difference between the literacy rate of Urban and Rural Assam (Acc.to the Census Report of 2011) in 2011 :

	Urban	Rural
Male	91.84%	76.51%
Female	85.71%	64.09%

As the literacy rate in rural Assam is poor, female workforce participation is also less. The economic condition of those rural women is not well. Women are in disadvantageous position in the area of education and employment. For upliftment of women literacy rate and to guarantee of employment, government of India has introduced various schemes in co-operation with some NGOs. Besides this, social mobilization of the rural women in Assam provides a suitable framework for development. By catering the needs and aspiration of poor women and engineering social change for their self-reliance, social mobilization can empowered the rural women. A large number of SHGs (Self Help Groups) in the rural area of Assam have been developed from 1999 through social mobilization process. Social capital is built for social mobilization and it has created a markable development for socio-economic development of rural women in Assam. Women of Assam are coming forward to build some organisations and Self Help Groups for their socio-economic development. Several SHGs have become the platform for women regarding their

development. The Govt. of Assam has sponsored some schemes for the development of poor women in villages. Rearing of duck and product diversification of handloom are sponsored by the Govt. for economic empowerment of women. Looms are a part of the household in the villages of Assam and weaving is integral to rural life, but it is not expanded on a commercial way. Next to agriculture handloom is another major income generating activities for rural poor in Assam. Though there are various schemes introduced by the Govt., it is a matter of concern, whether the actual beneficiaries enjoy the benefits of those schemes.

In conclusion, we should say that for the empowerment, women themselves should be very much alert for their rights and liberties. To be empowered, interest should come from one's heart. The women class must realize about their subordinate status and should do some efforts for emancipation. For that, the change of mindset of both male and female is necessary. Awareness amongst the women can be developed not only by formal education but by organizing some awareness programmes in several areas. The student's community specially can take initiative for such programmes in village areas. For the implementation of several schemes, the Govt, NGOs and the SHGs should work hand in hand. To reduce violence and injustice against women, value education is also necessary. It should be introduced in our curriculum. We want



to conclude by saying that women should play great role to punish those who want not be treated as commodities in our to establish the idea of commoditization of society. The laws of the government should women in our society.

### References:

1. "Women and Political Participation in India," - Women in Indian society, - New Delhi , NBT. — Neera Desai and Usha Thakkar.
2. Human Right and Women of North East India ,— A .Mahanta — Centre for Women's Studies, Dibrugarh University.
3. Human Security in North East India : Issues and Policies — Edited by Akhil R. Dutta.
4. "Women : Striving in an Unequal World " in Assam. — Human Development Report, 2003.
5. Status of Women — Human Development Report , 2011.
6. Human Rights — Nilotpal Deka.
7. Women —Marriage, Family ,Violence and Divorce. — Bela Rani Sharma.
8. Politeia , Annual Journal of NEIPSA , Volume XIX , 2010-2011.
9. Nari Sabalakaran — Dr. Lina Deka.— Amar Akham (Daily Assamese News Paper) , 10<sup>th</sup> March.
10. Resource Handbook ; Self Help Group — North Eastern Development Finance Corporation Ltd.
11. Kurukhetra; A Journal on Rural Development , Vol. 56 , No.3, January , Ministry of Rural Development , Govt. of India.
12. "Women's Empowerment in India and it's States : Evidence from the NFHS ," - Economic and Political Weekly , Vol. 39 ,N. 7 , 2004 — S. Kishor and K.Gupta.
13. UNDP "Human Development Report " 2010.

\*\*\*

The Writer is the Associate Professor, Deptt. of Political Science, Dispur College

## 'Kudumbashree' and Women's Empowerment



Debashmita Chakraborty

'Kudumbashree' is the state Poverty Eradication Mission of the Government of Kerala, based on the core tenet of women's empowerment, coupled with a resolve towards the alleviation of poverty at the community level. Literally meaning 'prosperity of the family', the Kudumbashree Mission, launched on 17th May, 1998, has been taking small but significant steps towards full realization of women's human rights in the state of Kerala. In the process, it is setting up an outstanding precedent for the rest of the states of the country to follow, in particular, and, in general, for South Asian, African and other such societies, which are even today beset with a plethora of issues affecting women's development in these regions.

Women's empowerment is one of the foremost demands of the feminist movement, women's rights movement and the advocates of human rights around the world. The Universal Declaration of Human Rights established a human rights framework based on three criteria -

universality, inalienability and indivisibility. If we look at women's rights from the standpoint of 'indivisibility', it is important to note that civil and political rights of women cannot be protected without first ensuring their economic rights. The Kudumbashree Mission is therefore, playing a laudable role by making the women at the grassroots economically self-dependent, thereby preserving and promoting their dignity, giving them the opportunity to become active participants in the decision making process, and by raising societal awareness about the immense impact that women's regular social and cultural activities have on the upliftment and development of society.

The question, here, may arise as to why Kerala? If we look at the human development indicators across India, Kerala is found to fare the best in a vast majority of them, including female sex ratio, child sex ratio and female literacy. Infact, in the realm of women's development, the state presents a model for the rest of the country

to follow. However, what is ironic is that women's empowerment, by means of their assimilation in the workforce has been rather low in the state. Female unemployment in Kerala is considerably high, both in the urban and rural areas. Further, women are mostly employed into the unorganized sector and, hence, outside the safety - net of government sponsored welfare measures, many a times facing persecution at the workplace. The Kudumbashree Mission was there fore initiated to increase women's participation in the workforce, develop economic self-reliance and entrepreneurial capabilities among them, thus ensuring that they assume more leadership roles.

Kudumbashree utilizes the provision provided in Swarna Jayanti Shahari Rozgar Yojana (SJSRY). Two components of SJSRY, namely, the Urban Self-Employment Programme (USEP) and the scheme for Development of Women and Children in the Urban Areas (DWCUA) provide scope for an alternative strategy to reach out to the poor and achieve financially sustainable growth. Apart from entrepreneurship initiatives, Kudumbashree also empowers women through awareness classes and leadership training.

The programme covers more than 50% of the households in Kerala and has been constructed around three strong pillars - microcredit, entrepreneurship and empowerment. It gives recognition to the many myriad skills that women have developed traditionally and by linking these

otherwise neglected traits of women to the economy, offer them the opportunity to commercialize their work and make a living from it, in the process giving a major boost to their social status. Buoyed by the upliftment in their standard of living and their social standing, women develop the courage and conviction to initiate innovative projects and even to actively participate in the political affairs of their respective villages. The programme, today, has therefore, joined the league of a number of other such women empowerment schemes initiated worldwide, like Nobel Laureate, Dr. Muhammad Yunus's 'Grameen Bank' initiative in Bangladesh, the United Nations Development Fund (UNDP) sponsored Japan Women in Development Fund etc.

Kudumbashree, has today developed into the largest women's movement in Asia. It has received some prestigious awards like 'We, the people' award from the UN, the Prime Minister's Award for Excellence in Public Administration and a few others. What is heartening to note is that the programme does not merely aim at restricting women to traditional agro-based and cottage industries, rather they are being increasingly assimilated into the fold of ICT (Information and Communication Technology) through training in software, hardware and other related areas.

It can, therefore, be rightly said that Kudumbashree today stands tall as a role model for societies around the world, which aim to bring a paradigm shift in women's

role and accord them the social respect they rightfully deserve. In the process, it is making immense contributions to the achievement of the Millennium Development Goals (which specifically include women's empowerment). Further the philosophy underlying the 73rd and 74th Amendment Acts of 1992-93 is also being materialized in the truest sense by the mission, it is beautifully summed up in the Kudumbashree logo itself, that of three violet flowers with green stems, where violet signifies women's emancipation and green stands for prosperity.

#### References :

1. [www.kudumbashree.org](http://www.kudumbashree.org)
2. [www.kerala.gov.in](http://www.kerala.gov.in)
3. 'The Economic Times : Issue of February 19<sup>th</sup>, 2013

\*\*\*

The Writer is the Assistant Professor, Deptt. of Political Science, Dispur College

## A Debate On Indian Federalism



Nipan Haloi

Federalism is a form of government in which political power is divided between the central and the regional (state) government so that each of them within its own sphere is dependent of the other. We know that India has two sets of governments, one at the centre and other in the states and this is an important feature of federal government. Besides this, there are some other features as well, which can prove that India has a federal form of government.

Federalism in each country has its own characteristics depending upon its historical evolution. The makers of the Indian Constitution had improvised the classical model of federalism to suit the Indian Constitution. Article - I of the Constitution describes her as a 'Union of states'. This means, India is a union comprising of various states which are integral parts of it. The states can not break away from the union. They don't have the right to secede from the union. The founding fathers of our constitution inherited the highly centralized bureaucratic state from the British but

adopted a federal system of government for ethnically diverse Indian society. They thought that this system would be suitable for India and optimize the values of unity of the nations and the identity of various sub-national groups forming the structure of federation. The makers of the constitution introduced a federal system with a strong centre. The creation of a strong centre developed controversy among eminent jurists and political scientists regarding the true nature of Indian federation. Paul H. Appleby, has characterized it a 'extremely federal' and K.P. Mukherjee has said it as 'unfederal', 'Unitary'. Between these two extreme positions there is middle-roader, Prof. K.C. Where, who calls it 'quasi-federal'. The Supreme Court of India also described it as a federal structure with a strong bias towards the centre.

Although the word federation is nowhere used in the Indian Constitution, all the structural features of a federal government were incorporated. The Indian Constitution provides for dual system of

government. Consisting a federal or union government and a number of state governments and distributes powers between the two levels of government. The Central government works for whole country and the state governments look after the states.

The constitution of India has distributed powers between the central government and the state governments. The seventh schedule of the constitution contains three lists of subjects, which show how division of power is made between two sets of governments. Both the governments have their separate powers and responsibilities.

The constitution is regarded as the "supreme organic law of the land". No law can be made which will go against the provisions of the constitution. Both the Union and states derive their powers from the constitution and are subject to it. Like a real federal country the supreme court of India is the highest court of justice. It has the responsibility to guard the distribution of powers and maintain and protect the supremacy of the constitution. Bi-cameral legislature is the another element of federalism, which is also available in India. The Indian parliament, i.e., the legislature has two houses - the Lok Sabha and the Rajya Sabha. Like a normal federal country, Indian constitution is also rigid in the sense that no provision relating to the federal structure can be amended without the consent of the states. Thus we have observed that some features of a federal

form of government has been included in the Indian Constitution. Though India is in constitutional theory, a federation, there are some other features which indicate India as an unitarian country.

In a true federal state, citizens are given dual citizenship. First they are the citizens of their respective provinces or states and then they are the citizens at the federation. In India however the citizens enjoy single citizenship i.e. Indian citizenship or citizenship of the country as a whole. Regarding division of powers, powers should be divided equally between the Central and state governments. The size and importance of Union list is more than the state list. Moreover, the Centre has priority in the concurrent list and the residuary powers are vested with the centre, not as in America with the states. Importantly the Centre has the power to legislate on the subjects of State List also. Thus the distribution of powers has a central bias in our country.

There are several other features in our country which constitute the hallmarks of a unitary system. For example - the power of the centre to create new states and to revise the boundaries of states or to eliminate a state; a single constitution for the Union and the states, except the state of Jammu and Kashmir; a single integrated hierarchical judicial system and common All- India services.

According to Granville Austin, Indian federation should be characterised as 'Cooperative federalism' which is the



distinctive feature of most federations today, including the United States.

The constitution of India is not strictly rigid. It can be amended by the Indian parliament very easily. Also on many subjects the parliament does not need the approval of the state legislature to amend the constitution.

By far the most important exceptions to the operation of federation are the emergency provisions in part XVIII of the constitution. The constitution of India has given emergency powers to the President under which the President can proclaim National Emergency (article 352), State emergency (article 356), Financial emergency (article 360). When the President makes a proclamation of 'emergency' the Central Government will work as if it is a unitary government. During the operation of any type of emergency, the Central Government acquires the power to give directions in all matters relating to states. Moreover, Article, 356 of the Constitution virtually negates the principle of federation. This is a coercive power by which the Centre can exercise and dismiss a duly elected state government if the later fails to run its function according to the central directions.

In normal times also the central Government has various means and avenues of control over the states. It has the power to appoint and dismiss the Governors of states. The President has the power to appoint the judges of the High Court and members of State Public Service

Commission. Prior sanction of the President regarding state legislation is the another intervention over the state administration. The Veto Power of the President in respect of some bills are reserved by the Governors.

The major tension in Indian federal system is the dominant role of the centre over the states as guaranteed by the constitution. The framers of the constitution wanted to blend the need of a strong central government more powerful than the state governments. They thought the necessity of a strong centre for adequate local autonomy to build a modern nation in a society of enormous diversities of religion, language, races, caste etc. In order to maintain unity and integrity among the various linguistic, religious, ethnic groups of people, a strong centre was thought to be necessary. Again to perform the vast responsibility of a modern welfare state and for the economic development of a newly independent country, a strong centre with sufficient resources and authority was essential. Further to establish India, in the international forums, the central government needed to be powerful.

Though India is a federal in character, but it is more or less unitary in nature. As for example during 1970s Prime Minister Indira Gandhi had imposed emergency making the centre all powerful with no state power at all violating the basic fundamental principles of federation. The government of India have always shown dominance over the federal units or the states since the

time of independence with the single-party dominated political system. Again the Rajya Sabha unequally represents the state (Manipur, Mizoram, Nagaland, Tripura, Goa, Sikkim, Arunachal Pradesh have only one representative while Uttar Pradesh has the largest representation of 34 seats) Many communities all over the country have no chance of representation in the central government and for this they are lagging behind in the path of development. This has created chaos in those areas specially in the north-east in recent times. The financial relations between the Centre and States have come to be contrary to the expectations of the Constitution makers. The overwhelming

financial power of the Centre has been used in such a way that the states have come to depend more and more on central grants to carry on their development and welfare activities. The founding fathers of the Constitution made a neat distribution of powers between the centre and states. But there are certain constitutional provisions which emphasize hegemony of the centre at the expense of state autonomy. In conclusion, we can mention the line stated by D.D. Basu - "The constitution of India is neither purely federal nor purely unitary but is a combination of both. It is a union or composite state of novel type."

#### References :

1. Indian Government And Politics - Prakash Chander
2. Indian Government And Politics - J. C. Johari
3. Modern Indian Political Thought - S. P. Verma
4. National Movement And Constitutional Development of India - Dr. R. N. Aggarwala
5. Indian Government And Politics - D. C. Bhattacharyya
6. Indian Government And Politics - Hans Raj

\*\*\*

The Writer is the student of II<sup>nd</sup> Semester, M.A. (G.U), Deptt. of Political Science, Ex. Student of Dispur College



## The Neglected Half



Richa Duwary

The movement for women's rights arose in the early 19th century as an offshoot of abolitionism, the anti-slavery movement that declared each human being to be a self-owner. As with other abolitionists, the early feminists were individualists who drew inspiration from the American Declaration of Independence and its principles of individual rights and responsibility. With this vision of individualist feminism, liberty for women boldly explores a wide range of issues that confront the modern woman, including self-defence, economic well-being and employment, sex and abortion, the family, technology, and much more.

"Liberty for Women" is an eye-opening book that vividly charts a new feminism for the 21st century in a highly lucid, provocative, and inspiring way. "Choice" is the key, and every woman's choices and expressions of self-ownership must be equally and legally respected, from housewives to CEO's. Only then can a meaningful debate arise over which choices may be the best ones for women to make freely.

Women's rights are entitlements and freedoms claimed for women and girls of all ages in many societies. In some places

these rights are institutionalized or supported by law, local customs and behaviour, whereas in others they may be ignored or suppressed. They differ from broader notions of human rights through claims of an inherent historical and traditional bias against the exercise of rights by women and girls in favour of men and boys.

Issues commonly associated with notions of women's rights including the rights to bodily integrity and autonomy; to vote (suffrage); to hold public office; to work, to fair wages or equal pay; to own property; to education; to serve in the military or be conscripted to enter into legal contracts; and to have marital, parental and religious rights.

Millions of women throughout the world live in conditions of object deprivation and attacks against their fundamental human rights for no other reason than that they are women. For instance, if we take the case of Morocco, it becomes evident that there is an urgent need to enact a meaningful law on domestic violence and repeal the penal code provision that in practice has allowed men accused of raping or having sex with minors to avoid prosecution if they wed their victims.

Raising awareness of what is happening to women around the world today is a vital step towards improving their situation. Somehow some members of certain societies have convinced themselves that it's 'ok' to kill women if they are perceived to bring to their families a sense of 'dishonor'. Millions of women and children are living their lives as slaves. 'Temple Prostitution' in India is an example of sex slavery disguised as a religious tradition. Many women around the world are forced into arranged marriages at extremely early ages. Many of these girls die or are severely injured from early pregnancies. Although the strict family planning laws have been relaxed, forced late-term abortions are still taking place in China today. In some countries, women are not allowed to leave their homes unless accompanied by either their husband or their fathers. There are limitations with regard to who they can speak to, touch, or even look at. In India and many other developing countries, boys are valued more highly than girls. Girls are less likely to help support their families economically, and when a girl enters into marriage, her parents must pay dowry to the husband's family in addition to paying for the wedding. The boy's family gains wealth, while the girl's family often spirals into debt. Facing this dilemma, many families kill or abandon daughters after birth. An estimated 39

million women and girls are 'missing' in India alone due to infanticide and sex-selective abortions.

All women must wake up and see what is happening around the world and they all should step forward and protest against the harassments of which they are the sufferers. They must fight to secure equal rights and freedoms. Various attempts have been made for bestowing equal rights and liberty to women in the international sphere. In 1948 the UN issued its Universal Declaration of Human Rights which protects "the equal rights of men and women", freedom from discrimination on ground of sex and addressed both the equality and equity issues. The UN General Assembly adopted a Convention on the Political Rights of Women in 1952, and another on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1979. Thus under the banner of UNO, several steps were taken to ensure equal rights and freedoms to women of the World as a whole. Besides, each country has some constitutional and legal provisions for the protections of the freedoms of women. We can't gain a successful result from those national and international efforts, until the mind sets of people in our society are changed. We should reform our attitude towards women for their protection and upliftment.

### References :

1. R. J. Cook : Human Rights of women : National and International Perspective. Philadelphia, University of Pennsylvania Press, 1994.
2. Dr. Anuradha Dutta : Aspects of Women Empowerment, Journal of Political Science, G.U. Vol. 3, August - 2003.
3. Neelotpal Deka : Human Rights : Perspectives and Challenges.
4. Issues of the Assamese Women's magazine - Priyo Sakhi, Oct. 2004 and Feb. 2005

The Writer is the student of B.A. 3<sup>rd</sup> Year, Deptt. of Political Science, Dispur College

## ন্যায়পালিকাৰ সক্ৰিয়তাত ৰাজহুৱা স্বার্থজনিত আবেদনৰ ভূমিকা



নন্দিতা দেৱী

বৰ্তমান সমাজত ন্যায়পালিকাৰ সামাজিক দায়বদ্ধতা বহুগুণে বৃদ্ধি পাইছে। সামাজিক সচেতনতা বিৰাজ কৰা পৰিবেশ এটাই চৰকাৰৰ অবিবেচিত কাৰ্য আৰু সিদ্ধান্ত আৰু যিকোনো ধৰণৰ অন্যায়ৰ পৰা পৰিত্ৰাণ পাবৰ বাবে জনসাধাৰণে একগোট হৈ জনস্বার্থ গোচৰ (Public Interest Litigation) তৰিবৰ বাবে ন্যায়ালয়ৰ কাষ চাপিবলৈ উৎসাহিত কৰে। এনে গোচৰসমূহৰ ক্ষেত্ৰত উচ্চতম ন্যায়ালয়ে কঠোৰ স্থিতি গ্ৰহণ কৰে আৰু ন্যায়ালয়ৰ সিদ্ধান্ত বা ৰায়ৰ কাৰ্যকৰীকৰণ অতি গুৰুত্ব সহকাৰে লয়।

পৰিবেশ সুৰক্ষাৰ ক্ষেত্ৰতো উচ্চতম ন্যায়ালয়ৰ ভূমিকা উল্লেখনীয় বুলি ক'ব পাৰি। পৰিবেশ প্ৰদূষণ সম্বন্ধীয় দিশত উচ্চতম ন্যায়ালয়ে ভাৰতীয় তেল শোধনাগাৰ, কেন্দ্ৰীয় পেট্ৰোলিয়াম মন্ত্ৰণালয় আদিক বিশেষভাৱে সজাগ কৰি তুলিছে।

আমাৰ দেশৰ কাৰ্যপালিকাৰ ক্ষমতা যথেষ্ট বৃদ্ধি হৈছে। তাৰ লগে-লগে ন্যায়পালিকাৰ ভূমিকাও শক্তিশালী হোৱাৰ প্ৰয়োজন আহি পৰিছে। কাৰ্যপালিকাৰ স্বেচ্ছাচাৰিতা নোহোৱা কৰিবলৈ ন্যায়পালিকা নিৰপেক্ষ আৰু শক্তিশালী হোৱা অতি প্ৰয়োজন। প্ৰয়োজন সাপেক্ষে সচেতন নাগৰিক আৰু সামাজিক অনুষ্ঠানসমূহে সমাজৰ হিতৰ বাবে মাজে-সময়ে ৰাজহুৱা স্বার্থজনিত আবেদন একোখন দাখিল কৰি প্ৰকৃত ন্যায়

বিচৰা দেখা যায়। উদাহৰণ স্বৰূপে - গ্ৰাহক সুৰক্ষা আইন, পৰিষ্কাৰ-পৰিচ্ছন্নতা ৰক্ষা কৰাৰ বাবে দিল্লী চৰকাৰে লোৱা প্ৰচেষ্টা, ডাক বিতৰণৰ ক্ষেত্ৰত সৃষ্টি হোৱা অনাৱশ্যকীয় পলম আদিৰ ক্ষেত্ৰত উচ্চতম ন্যায়ালয়ে পদক্ষেপ গ্ৰহণ কৰি এই বিষয়বোৰক মীমাংসা কৰা দেখা যায়। দেশৰ কাৰ্যপালিকাই গুৰুত্ব নিদিয়া কিছুমান কাম ন্যায়পালিকাৰ সহায়ত কাৰ্যকাৰী কৰা হয় ৰাজহুৱা স্বার্থজড়িত আবেদন একোখনৰ দ্বাৰা। এখন গণতান্ত্ৰিক দেশৰ কাৰ্যপালিকাই এইবোৰ দিশত প্ৰথমেই প্ৰধান ভূমিকা গ্ৰহণ কৰি আগভাগ ল'ব পাৰিব লাগিছিল যদিও স্বাধীনতা লাভৰ পিছতো এইখন গণতান্ত্ৰিক দেশত সেয়া দেখা নগ'ল। বৰ্তমান কিছুমান সচেতন ব্যক্তি আৰু স্বেচ্ছাসেৱী সংগঠনৰ হেঁচাতহে ন্যায়পালিকাই কিছুমান দিক্ - নিৰ্ণয়কাৰী সিদ্ধান্ত লোৱা দেখা যায়। গতিকে এইবোৰৰ পৰা এটা কথা স্পষ্ট হৈছে যে ন্যায়পালিকাৰ সক্ৰিয়তা এতিয়া ভাৰতীয় গণতন্ত্ৰত সঘনে প্ৰয়োজন হৈ পৰিছে। দেশৰ বিভিন্ন খণ্ডত ঘটি থকা বিত্তীয় কেলেংকাৰী আৰু সেইবোৰত চৰকাৰৰ মূৰব্বী আৰু বিভাগবোৰ জড়িত হৈ পৰিছে। এনে পৰিপ্ৰেক্ষিতত চৰকাৰৰ গা এৰা নীতি, দুৰ্নীতি আৰু অনুসন্ধানমূলক কাৰ্যৰ গাফিলতিবোৰৰ বাবে দেশৰ জনসাধাৰণক সুৰক্ষা দিয়াত চৰকাৰ ব্যৰ্থ হৈছে। ফলত সাধাৰণ নাগৰিকে ন্যায়পালিকাৰ শৰণাপন্ন হ'ব লগা হৈছে।

এইক্ষেত্ৰত বিভিন্ন স্বেচ্ছাসেৱী সংগঠন আৰু সচেতন নাগৰিকসকলে 'তথ্য জনাৰ অধিকাৰ' আইন (RTI- Right to Information Act.) খনৰ পিছতে ব্যৱহাৰ কৰিব পৰা দ্বিতীয় অস্ত্ৰ হ'ল ৰাজহুৱা স্বার্থজড়িত আবেদন (PIL)। এই আবেদনৰ ভিত্তিত ন্যায়পালিকাই কম দিনৰ ভিতৰত তাৰ উপযুক্ত আৰু যুক্তিসন্মত ৰায় দিবলৈ বাধ্য।

গণতান্ত্ৰিক ৰাষ্ট্ৰ এখনত কাৰ্যপালিকাৰ নিষ্ক্ৰিয়তা দেখিলেই সমাজ সচেতন ব্যক্তি বা সংগঠনবোৰে দেশত সংঘটিত দুৰ্নীতি আদিৰ পৰা পৰিত্ৰাণ পাবলৈ ন্যায়পালিকাৰ শক্তিৰ সহায় ল'ব লাগে। আমাৰ দেশৰ ৰাজনৈতিক বাতাবৰণ সঠিক নোহোৱা বাবে

কাৰ্যপালিকা, বিধানমণ্ডল আৰু প্ৰশাসন ব্যৱস্থাৰ ওপৰত জনসাধাৰণৰ আস্থা লাহে-লাহে কমি গৈছে। এনে পৰিপ্ৰেক্ষিতত সাধাৰণ নাগৰিকে সুবিচাৰ পাবৰ বাবে ন্যায়পালিকাৰ ওচৰ চাপিব লগা হয়। অৱশ্যে বৰ্তমান জনমতৰ হেঁচাতহে ন্যায়পালিকা অধিক সক্ৰিয় হ'বলগীয়া হৈছে। ন্যায়পালিকাই যদি ইয়াৰ সক্ৰিয় ক্ষমতা স্বাধীনভাৱে প্ৰয়োগ কৰে তেনেহ'লে ই জনগণৰ বাবে মংগলজনক হ'ব। ইয়াৰোপৰি ন্যায়পালিকাৰ সিদ্ধান্তৰ প্ৰতি কাৰ্যপালিকা আৰু বিধানমণ্ডলৰো সম্পূৰ্ণ সমৰ্থনৰ প্ৰয়োজন, অন্যথা জনসাধাৰণে ইয়াৰ উচিত ফল লাভ কৰিব নোৱাৰে।

\*\*\*

লেখিকা- দিশপুৰ মহাবিদ্যালয়ৰ ৰাজনীতি বিজ্ঞান বিভাগৰ স্নাতক দ্বিতীয় শাৰ্মাসিকৰ ছাত্ৰী।



# *Janachintan*

AN ANNUAL JOURNAL OF  
DEPARTMENT OF POLITICAL SCIENCE

Volume-I. May, 2013



DEPARTMENT OF POLITICAL SCIENCE  
DISPUR COLLEGE  
GUWAHATI-6