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Imagination is the highest form of research.

Albert Einstein

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July - 2016

Chief Editor

Dr. Keyur K. Parekh

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In Collaboration with

Shri J. L. K. Kotecha Arts
and

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(Affiliated to Shri Govind Guru University, Godhra)
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EDITORIAL NOTE

We are now publishing the third issue of the second year and we are extremely happy to publish the second issue of July, 2016 of an International Multidisciplinary Referred Journal named *PERCEPTION* under the banner of KESHAV PUBLICATION for providing a platform for research scholars to present their excellent research articles and shed light on the unexplored avenues of knowledge. It is an opportunity for young scholars provided by us by bringing out our Quarterly Journal as an extraordinary guide to research scholars of different branches of knowledge.

The most amazing thing for us is the wide range of subject matter for our journal by the genuine scholars from the academic fraternity across the world. It will prove to be an extraordinary opportunity for elite and knowledge seeking readers. It will be a great exhibition of the level of competence the research scholars possess. Our endeavor will provide the scholars with the variegated stuff. This issue offers research articles in different contemporary fields of knowledge and disciplines such as English Language and Literature, Law, Science, Gujarati Literature etc. It is our humble attempt to bring forth the diverse areas and disciplines under one umbrella. We wish, our sincere efforts will certainly achieve the desired results. We feel proud and honored to welcome all the erudite scholars who have encouraged, advised and helped us in paving the path by enriching and embellishing such an academic enterprise. We are determined to pursue this pleasant endeavor by putting our heart and soul into it and ensure that the journal will celebrate the sustained and resourceful life for a longer period of time. Hope that our knowledge seeking and sharing fraternity will enhance, illuminate and encourage us with their everlasting support.

We are very much hopeful that this issue will accomplish the changing needs and expectations of the diverse classes and components across the globe.

Editors

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The Institution of Marriage in the Rathva Community of Vadodara District

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Abstract:

The word “Rathva” has been derived from the area known as “Rath”. The people living in the “Rath” area in the Vadodara district (Now Chhotaudepur) of the state of Gujarat is known as the “Rathva”. They are basically a tribal community residing in the jungle areas. They normally rely on the natural resources and worship Nature as their God. They believe in Pantheism. Though their cultural is primordial in nature, they are quite modern in their life style. So far as the institution of marriage is concerned, they are unsurpassed. They are extraordinarily open. They believe in widow remarriage. Even today, in many developed communities of the sophisticated society do not permit widow remarriage but this community does. So far as the social and community issues in Indian culture are concerned, this community has its speciality, It has a full proof system of its own pertaining to the institution of marriage.

Keywords:

Rathva	Marriage	Ceremony	Tribal	Community
Natru	Dhari lavavu	Bolavi Lavavu	Badvo	Rit Kari

The eastern area of Vadodara district is hilly. Earlier this area was known as 'Pal,' meaning a diseased area where the land is full of sticky substances and moss is floating in water. The area is hilly and rugged, so after the monsoon much water remains many places. All the more, its climate is not healthy owing to forests. Today this area is known as the 'Rath Area.' The whole area is full of rivers, hills and forests. The hills and forests belong to the Satpuda and Vindhyachalmountain ranges. The Satpuda hills ranges from the northern bank of the river Narmada to Chhotaudepur and the Vindhyachal hills, which are known as 'Ratanmahal'. It is extended from western Madhya Pradesh to the north of Chhotaudepur. These hills range even further to Pavagadh. Rathvas live in

Chhotaudepur, Kawant and Pavi-Jetpuralukas¹ of Vadodara district², and so this eastern part of Vadodara district is known as the 'Rath Area.'

The Orsang is the main river in this area; there are also smaller rivers, like the Aani, Zarvo, Suket, Heran, Uchchh, Bharaj etc. Nearly 150 km. long, the Orsang is the biggest river in the Chhotaudepur area. There is a religious story about it. According to the story of Devi Bhagwat, Vyas's son Shukdev got knowledge during pregnancy and he was born with the placenta and started walking as he was born. The path on which he walked with the placenta and the trail that was made behind him became a river, and it was called the Orsang, which means “with the

placenta.” This river empties into the Narmada River near Chandod in Vadodara district.

The main hills in this area are Vaghasthal, Oriyo, Dholiyo, Tundva, Tudvi, Bharmo, Sanadyo, Nagarfali, Kaliyo, Boliyo etc. Rathvas look upon these hills as similar to devts(deities), and they worship them during different festivals. They pray and make vows. There are some mines of dolomite, limestone and marble in the north and the south which make this area rich in mineral wealth.

Since it is hilly area, the land is not very fertile. There are different kinds of lands such as marvu(Black land), retal (Sandy land), kachlo, goralu, tekru (Different types of lands)etc. The area provides many useful forest products such as wood, mahuda (Madhuca Indica) flowers, doli

(Mahuda seeds), charoli (Buchanania Lanza), timru (Diospyros melanoxylon) leaves, kuvech (Mucuna Pruriens) seeds, wax, honey, gums of different trees, chanothi (Abrus precatorius) etc., all help adivasis (Tribal people) earn their livelihood.

Rathva, Koli, Dhanka, Nayka, Bhil, and Dunga Bhil are the kind of adivasis that live in this area. Among them the Rathva population is the highest in number. In terms of social and religious customs, the Rathvas perform their own specific rituals. The Rathva tribe live with nature. They are not much affected from the impact of city life. Although these people are generally thought to live a common or backward life, their social and religious customs are very impressive.

Marriage Customs:



There are different marriage customs in the Rathva community. Different kinds of marriages are performed in different ways. Marriages are not possible within the same gotra(Dynasty); both the boy and girl must belong to different gotras. Moreover, no relatives of the parents or grandparents are eligible marriage partners. Not only that, but boys and girls of the same village cannot marry each other, for Rathvas believe that a girl from the same village is like a sister, so a boy cannot marry her. Sometimes boys and girls select each other on their own. During fairs, the haat(Local market), marriage celebrations, or



while studying together, this type of selection takes place. In these circumstances, a boy proposes marriage to the girl and gives her paan(A betel leaf with sweet and fragrant material)to eat; if a girl likes the boy, she accepts the proposal and eats the paan. After that, the elders are informed. If there is no objection from either side, the marriage takes place with pomp and gaiety. Traditionally, a boy married at the age of 18 and a girl at the age of 16; now, due to increased literacy, Rathvas do not generally marry before 20 years of age.

1. Arranged Marriage:

When the children became mature, the matter of their marriage is taken up. Information about the eligible marriage partner is sent to surrounding villages and to relatives. After finding a suitor, the marriage is fixed. Formerly, a boy and a girl were not allowed to see each other before the marriage, but nowadays they often insist on seeing or meeting each other before the marriage. In the interior areas even today, however, a boy and a girl cannot see each other before the marriage; if they insist, they are allowed to see each other in the nearby haat. A boy with his friends and a girl with her friends see each other from a distance. Sometimes, it happens that the boy or girl mistakenly think that one of the friends is their intended spouse. They come to know of the mistake at the marriage ceremony, but in most cases, they raise no objection.

Before the marriage, the groom is made to sit on a horse and the procession makes a round through the entire village, accompanied by music from drums and sharnai (a musical instrument) and people are dancing. In the evening chandlo, the present-giving ceremony, takes place, at which relatives and villagers give cash and various other presents. After that, the relatives and villagers enjoy a meal. This entire process is called kharach (Expenditure). When there is a marriage of the girl, the same type of kharach process takes place in the evening. The bride sits with her friends and relatives and villagers give cash and various other presents to her.

Marriages generally take place in the early morning. People from the groom's side reach the bride's village with the jaan, the marriage party. In the Rathva community dowry is given to the bride's family. The belief is that the expenses incurred from the bride's birth to her marriage should be charged to the man who will marry her. Before the marriage ritual, the the dowry

offering takes place, and once the marriage is over, around nine or ten o'clock in the morning, the jaan is seen off. No food is provided for the jaan, but sometimes people are served tea. The Rathva marriage ritual is done by the patel and poojaro, but nowadays, due to the impact of the mainstream community, Rathvas marry according to the Hindu ceremony and call a gormaharaj (Hindu religious priest) for the marriage.

2. Natru:

Natru is a typical word in this community. Those who do not afford to marry with pomp and not able to invest much in the expenditure in the marriage is said to have done Natru. Rathvas are not very well off economically, and so the economic condition of many families is not good. Some families do not have their own land and their sources of income are very limited. They live by hard work and manual labour. Such people cannot afford the expense of a marriage ceremony. In such circumstances when the elders arrange the marriage, it takes place in a very simple manner, even without dowry. Eight to ten people from the groom's side go for the marriage without much pomp and gaiety. This type of marriage is called 'natrejavu.'

3. Bolavi Lavavu:

Widow re-marriage is very much accepted among the Rathvas. If a woman becomes a widow at a very early age, she gets married once again. Once the marriage is fixed, people from the groom's side come and takes the woman back with them. In such marriages, no ceremony takes place; the eight to ten people who go to the widow's house simply bring her back with them. This type of marriage is called 'bolavi lavavu' means bring on call.

4. Dhari Lavavu:

It is a kind of love marriage. Sometimes boys and girls select each other at the fair, haat or during another marriage celebration, but their family

does not allow them to marry or they do not even inform the family of their interests. In such cases, the boy may kidnap the girl. This is called dharilavavu (Bring forcefully) or ghihinlavavu (Bring by dragging). With the help of two to five friends, the boy kidnaps the girl. At that time, even if the girl likes the boy, she conspires that she is being taken away by force. Sometimes if the girl does not agree, but if the boy likes her, she is actually kidnapped by force. If a girl protests, she is beaten, and even if she does not agree, she is picked up by the boy and taken away forcefully.

Because of the kidnapping, animosity is being created between the boy's and girl's villages. A group of people from the girl's village attack the boy's village. All the people in the boy's house run away; otherwise, there is the possibility of a murder. People from the girl's side destroy the boy's house and leave a message concerning the amount of money they want in exchange for the girl. After that, attempts are made by the elders of both villages for the settlement. In a place between the two villages, the boy's and girl's relatives and elders from both of the villages gather. If the girl is ready to live with the boy, then the boy is fined twenty- five to thirty thousand rupees and four to five goats. If the economic condition of the boy is not good enough to cover the fine, the money is borrowed on credit or land is sold to pay the fine. Then the boy and the girl are permitted to live together. There is no marriage ceremony. If the girl does not want to live with the boy, her family brings her back, but the amount of the fine is to be paid; the seeds of enmity that have been sown between the two villages sometimes run for generations. If members of the two villages meet at the fair, haat, on the road, they attack each other.

At times, itso happens that a man will kidnap a married woman that he likes or a woman out of personal revenge. In such cases, the woman's entire village attacks the village of the kidnapper.

If the kidnapped woman is to be returned, the kidnapper has to pay twenty-five to thirty thousand rupees and four to five goats as a fine to the husband of the woman. Only if the fine is paid, will the husband of the woman be willing to take her back; otherwise, he takes further revenge. If the kidnapped woman's husband is not ready to take her back or if the woman is not prepared to go back to her husband, she lives with the kidnapper.

In both of these cases, the compromise that takes place is called tantotodvo or gunobhangvo. If the kidnapped woman starts living with the kidnapper, no ceremony is performed; only the amount of the fine must be paid for the compromise.

5. Rit Kari:

Sometimes, the groom's economic condition is good but the bride's is not. In such cases, marriage takes place very simply. Once the bride comes to her in-laws' house after the marriage, the marriage is performed once again at the groom's house with pomp and gaiety. Two groups are formed in the village; one is the groom's group, and the other is the bride's group. After forming the two groups, the groom and bride get married again with much pomp and gaiety. This is called rit kari (a type of marriage ritual). The total expense of this marriage is borne by the groom's side.



In the Rath area, there is yet another belief about marriage. In three villages of Rath area, Surkheda, Ambala and Sanada, the groom does not come to the bride's place in a marriage procession, nor does a groom from these three villages go to other villages. Instead, the groom's sister goes in his place. If the groom does not have a sister, his "cousin sister" or any girl who lives on his street or in his village may go to marry. If there is a marriage of the girl, the boy's sister comes and marries her, and afterward once again the girl marries with the boy in his village. In the same way, if a boy marries, his sister goes and marries the girl, and after coming home once again the girl marries the boy. If a gharjamai (A man who lives permanently at his father-in-law's house) is to be kept, the boy is brought to the village and the marriage takes place, but instead of being seen off, he is kept in the village. There is a story behind this belief to the effect that the devs of these three villages are unmarried, so no boy can come to these villages to marry or go outside the villages for the same purpose. When the devs were marrying, all of the responsibilities for their marriages were assumed by these three villages' devs. The dev of Surkheda, named Ispaliyo, became vahtaliyo, which means the middleman, Ambala's dev, Bharmo, became the dayo, that is, the advisor, and Sanada's dev, Sunjyo-Sanadyo, became halaty, which means a person who finds proper brides and gives advice. In order for all of the devs to get married, these three remained unmarried and grew old; so to honour them in these three villages, no boy comes to marry or goes outside to get married. Not only that, but if somebody in the surrounding areas goes to get married and his path crosses these villages, the groom takes off his 'sehro' (Marriage turban).

In the Rathva community, the incidence of divorce is negligible. In the initial stage of the marriage, if the groom and bride dislike each other, they get a divorce with the help of the

elders. If, after two or three years of marriage there is no issue, the married couple may also divorce. The total expense of a marriage is to be paid by the groom to the bride. Moreover, a fine has to be paid as decided by both sides. Revenge also takes place in such cases. When a couple is old, there is no possibility of divorce at all.

To surmise, one can say that the institution of marriage is very strong in the Rathva community of the Vadodara district. Though they are called the primitives, they are very much modern in their approach towards the system of marriage. All sorts of provisions including the widow remarriage are available in so called tribal people. They are quite open and fast developing and growing community of the state. With the advent of education and economical growth, they have proved their mettle in every sphere of life with full confidence. They are modern in real sense of the term.

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Paulo Coelho's The Alchemist and Abraham H. Maslow's theory of 'Human Motivation': A Quest for Self-Actualization

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Abstract:

This research paper sheds light on the spiritual implication of positive psychology with reference to one of the biggest literary influences of the 20th century, The Alchemist by renowned Brazilian author Paulo Coelho. The paper endeavors to present Paulo Coelho's perception of human life as presented in his novel The Alchemist. Drawing on the experience of the protagonist 'Santiago' of the novel, an attempt is made to focus on the individual and the universal dimensions of the spiritual quest acquired by Santiago in terms of the "Hierarchy of Human Needs", a theory evolved by Abraham H. Maslow, a renowned American Humanistic Psychologist. It includes five set of needs as Physiological, Safety, Love and Belongingness, Esteem and Self Actualization. These needs are presented in a pyramid form with physiological needs at the bottom and self-actualization at the pinnacle of the pyramid. When the primitive needs are met, the individual progresses to higher levels in the hierarchy towards Self-Actualization – a realization of a person's full potential. It is the 'meta motivation' of people who go beyond the scope of the basic needs and strive for constant betterment. Santiago realizes his potential and fulfills his dream by way of acquiring the treasure but realizes that the treasure lies not as dictated in the dream but back at the start of his onward journey. Thus, the physical journey eventually transforms into a spiritual journey.

Keywords:

Positive psychology	Spiritual	Hierarchy	Cryptically	Potential
Extraordinary power	Self-realization	Primitive needs	Transform	Catalytic

Positive Psychology is the scientific study of the strengths that enables individuals and communities to thrive. The field is founded on the belief that people want to lead meaningful and fulfilling lives, to cultivate what is best within them and to enhance their experiences of love, work, security and recognition. So the focus of positive psychology depends on personal growth. Spiritual as related to positive psychology can be understood as a search for the sacred. Here sacred can be related to God, life

itself or almost any other facet of existence. It simply must be viewed as having transcendently spiritual implications with reference to any individual. So, spiritual well-being is associated with various positive outcomes such as self-actualization. Attainment of the sacred as a personal goal, also calls upon a spiritual striving. This type of striving can bring about an inner transformation.

It is in this context, the present paper intends to analyze The Alchemist (1988) by Paulo Coelho,

a widely acclaimed Brazilian author, in the light of Abraham H. Maslow's well-known theory 'A Theory of Human Motivation', figuring as a chapter in Motivation and Personality (1954) by Abraham H. Maslow. Maslow labels into different categories and describes at length the motivation of people who go beyond the scope of the basic needs and strive for constant betterment. Drawing on the experience of the protagonist Santiago of the novel, here an attempt is made to shed light on the individual quest of Santiago, developing and gratifying various needs in the course of his interactions and encounters with various places, people and situations in the course of his spiritual journey.

Coelho is recognized for his powerful storytelling technique and the profound spiritual insights that he blends effortlessly into his parables. His novels echo the soul of ordinary people who put themselves in exceptional situations to nurture their inner self. Critics have especially praised his poetic, realistic and philosophical style and the symbolic language that speaks to our hearts.

Coelho's *The Alchemist* has achieved the status of a modern classic and it is considered as a timeless story. It will continue to inspire a whole new reader from generations to come. *The Alchemist* unfolds the tale of a boy named Santiago, who has a dream and the commitment to pursue. After listening to "the sign", the boy ventures on a journey in search of a hidden treasure. The treasure symbolically represents wisdom. *The Alchemist* is a stimulating novel, which reinforces that everything is possible as long as the person really wants it to happen. Coelho lays great stress on good omens through the novel. The moral of the story speaks of the "Soul of the World" and that the Earth wants you to be happy. This story tells how each one of us has a single mission, goal or personal legend, though most of us do not realize it. Santiago has the needs which must be followed in hierarchy

viewed in the context of Maslow's Theory. Therefore, in this paper an attempt is made to analyze Santiago's needs in order of hierarchy to reach his ultimate dream, his treasure.

The American Humanist Psychologist Abraham H Maslow proposed a hierarchy of needs or drives in the order of increasing sophistication and decreasing priority or potency. He listed it as physiological needs, safety needs, love and belongingness needs, esteem needs and self - actualization needs. These needs are presented in a pyramid form with physiological needs at the bottom and self-actualization at the pinnacle of the pyramid. When the primitive needs are met, the individual progresses to higher levels in the hierarchy.

The novel begins in terms of a quest to explore literally a treasure hidden in the Pyramids of Egypt. Symbolically, the quest for the treasure becomes metaphoric, emanating from the very dream that Santiago dreams. Interestingly, the same dream gets repeated twice, the vision of the same boy, each time leading Santiago very close to the treasure and each time as he is about to locate the position of the hidden treasure, the dream shatters and Santiago is awakened. Even a cursory reading of *The Alchemist* substantiates a psychoanalytical bearing in its narrative in terms of human needs, emerging from the basic needs termed as Physiological Needs by Maslow.

Maslow considers the physiological needs as prerequisite for the acquisition of motivation. To quote him: "The needs that are usually taken as the starting point for motivation theory are the so-called physiological drives" (Maslow 35). Viewed in this context, *The Alchemist* presents these needs in an interesting way. After having been cheated and rendered penniless by the Arab young man, Santiago at the initial stage of his journey to the Pyramids in Egypt is made to clean crystal glasses in a merchant's shop only to appease his hunger. He throws a forced bargain

at the crystal merchant: "I can clean up those glasses in the window, if you want" and further adds: "In exchange, you could give me something to eat" (Coelho 43). However, his employment there for about a year enables him to earn money enough and thereby paves a way for the higher need – the pursuit of the treasure. Besides, Santiago's physiological needs in the novel are juxtaposed by those of his sheep as Santiago realizes: "All they think about is food and water" (Coelho 10).

After Physiological Needs, Maslow places Safety Needs next in the hierarchy of human needs. He explains: "If the physiological needs are relatively well gratified, there then emerges a new set of needs, which we may categorize roughly as the safety needs..." (Maslow 39). Viewed in this context, the safety needs in *The Alchemist* emerge in terms of Santiago's safety of money and life. As Santiago sets up his journey he stays at the Oasis where he watches a pair of hawks attacking each other and has a vision of armies riding through the Oasis. He simplifies this omen and shares it with the Tribal chieftain to warn him of the war but the chieftain threatens him saying if the prediction fails, they will kill Santiago. Santiago's safety worsens when the chieftain further argues: "But arms cannot be drawn unless they also go into battle. Arms are as capricious as the desert, and, if they are not used, the next time they might not function. If at least one of them hasn't been used by the end of the day tomorrow, one will be used on you." (Coelho 103).

Santiago has to lose his money thrice. First he is duped by the young Arab who tactfully secures money from Santiago and on finding out a suitable time disappears in the crowd much to Santiago's surprise. Secondly, Santiago is made by the alchemist to part with the gold coins just to purchase their lives from the tribal soldiers, as the alchemist explains to Santiago when interrogated by the latter: "Well, what good

would it be to you if you had to die?" (Coelho 135). Moreover, the alchemist further exposes Santiago to the safety risk, by falsely and cryptically telling the chief of the tribesmen that Santiago bears the extraordinary power to transform himself into the wind. This further exposes Santiago into fear – fear of death by the hands of the tribal soldiers if he is not able to transform himself into the wind. The thought of death makes him shiver: "If I'm not able to turn myself into the wind, we're going to die..." (Coelho 136). Thirdly, Santiago's safety endangers as he is robbed off the gold (acquired from the alchemist to make for the money given to the tribal chief) and beaten almost to death by the refugees from the tribal wars while he is frantically engrossed in digging into the dune of the Pyramid. Thus, the safety needs range from the fear of losing money and gold to losing life: "They made the boy continue digging, but he found nothing. As the sun rose, the men began to beat the boy. He was bruised and bleeding, his clothing was torn to shreds, and he felt that death was near" (Coelho 154). The safety needs as applied to *The Alchemist*, may accord themselves significant position as the journey to the Pyramids is death-bound simply because it passes through a harsh geographical condition, inhabited by tribal soldiers engaged in war. The alchemist helps him overcome his fear and as a result Santiago develops much greater courage. At the military camp when the Chief wants to test Santiago, Santiago begins to tremble but the alchemist helps him. So, it is evident that Santiago's ability to overcome his personal fear is a reflection of his own personal growth capable of fulfilling his safety needs under any circumstances.

After a fair fulfillment of physiological and safety needs there comes a stage of the new needs of love and belongingness. According to Maslow, human being needs friendship, intimacy, affection and love from workgroup,

family, friends and romantic relationship. Maslow observes the craving of a human being for love and belongingness: "He will hunger for affectionate relations with people in general, namely, for a place in his group or family, and he will strive with great intensity to achieve this goal. He will want to attain such a place more than anything else in the world and may even forget that once, when he was hungry, he sneered at love as unreal or unnecessary or unimportant" (Maslow 43). Viewed in this context, Santiago also needs friends and a beloved to fulfill his needs. Being a shepherd he travels extensively and makes friends at different places. "The sheep were at the gates of the city, in a stable that belonged to a friend. The boy knew a lot of people in the city. That was what made traveling appeal to him – he always made new friends..." (Coelho 15). In the desert Santiago finds his soul mate Fatima and discovers that love is the core of existence and creation. He is fascinated: "At that moment, it seemed to him that time stood still, and the Soul of the World surged within him. When he looked into her dark eyes, and saw that her lips were poised between a laugh and silence, he learned the most the most important part of the language that all the world spoke – the language that everyone on earth was capable of understanding in their heart. It was love." (Coelho 88). He also proposes her at the second meeting: "I want you to be my wife. I love you" (Coelho 91). His relationship with Fatima fulfills his need for love and makes him a better human being. As a woman of desert Fatima has patience and courage to wait for her man. She says: "Some do come back. And then the other women are happy because they believe that their men may one day return, as well I used to look at these women and envy them their happiness. Now, I too will be one of the women who wait" (Coelho 94). So the availability of Fatima is a positive sign towards Santiago's fulfillment of love needs that bear a catalytic effect through the process of his highest quest. Interestingly, Santiago

encounters two different girls at two different points of time; the merchant's daughter and later Fatima. But his love for Fatima is more tenacious and rewarding. He realizes that his love for Fatima "would enable him to discover every treasure in the world" (Coelho 90).

Next comes Esteem Needs. They include a desire for recognition, appreciation, respect and acceptance from others. Satisfaction of these leads to the feeling of self confidence, worth and a satisfaction of being necessary and useful in this world. To quote Maslow: "All people in our society (with a few pathological exceptions) have a need or desire for a stable, firmly based, usually high evaluation of themselves, for self-respect, or self-esteem, and for the esteem of others" (Maslow 45). Viewed in this context, Santiago seems to have a great yearning for esteem. In the Oasis when Santiago interprets the sign (omens) to the chieftain of the Oasis, he wins an appreciation from the chieftain and also an offer to become the counselor of the Oasis as his interpretation turns correct and he gets fifty pieces of gold as a token of appreciation. "The tribal chieftain called for the boy, and presented him with fifty pieces of gold. He repeated his story about Joseph of Egypt, and asked the boy to become the counselor of the oasis" (Coelho 108). Even when he transforms himself into the wind called Siman, the soldiers in the military camp show a high degree of esteem for him.

At the top of the hierarchy of needs is the Need for Self-Actualization. Maslow describes self-actualization needs as realizing personal potential, self fulfillment, seeking personal growth and peak experience. To quote Maslow: "What a man can be, he must be. He must be true to his own nature. This need we may call self-actualization" (Maslow 46). Viewed in this context, Santiago's journey to the treasure is driven by his inner urge, prompting him to sell his sheep. Later cheated, he is forced to become a servant to earn money enough to continue his

further journey again to part with the money, and again to continue the journey with the gold given by the alchemist, eventually to be robbed and beaten. Viewed in the context of Maslow's theory, the journey to the Pyramids no longer remains a physical journey but transforms itself into a spiritual journey – self realization. Significantly, each character in the novel behaves not as a human being but also as a message, an impetus or a medium to the attainment of Santiago's self-realization. Santiago's repetition of the unfinished dream twice, belief in the dream, the old woman's interpretation of dream as the languages of God, her readiness to read his dream only on condition Santiago promises her to give one-tenth of the treasure, if he finds it, followed by the old man's cryptic remark, are highly motivational: “And, when you want something, all the universe conspires in helping you to achieve it” (Coelho 21). And the old man's readiness to tell Santiago how to find the hidden treasure only after having received one-tenth of Santiago's sheep, the crystal merchant, later the alchemist advising Santiago to listen to the voice of his heart, drive away fear from the tribal soldiers, objects like Urim and Thummim, Fatima and eventually the refugees from the war, all join together to lead Santiago to his self-actualization.

Significantly, Santiago's encounter with the leader of the refugees from the tribal wars brings

about Santiago's self-actualization. Providentially, the recurrent dream of this leader, coinciding with that of Santiago in terms of time but a complete reversal in terms of the place of treasure back in Spain –exactly the starting point of Santiago's journey, and on his return, Santiago's success to find it, symbolically, reflect that self-actualization is synonymous with self-sufficiency and contentment within ones available resources.

The surprise ending in which Santiago learns that his treasure lies not at the Pyramids, as his dream has foretold but back at the abandoned church where his journey began, has powerful implications about the importance of looking into the roots and foundation of one's lives, voyaging outward to find the way back home. So, Maslow's observation that when one achieves self-actualization, it becomes a source of happiness and satisfaction, the journey for the desired objects and their realization gives its pursuer a sense of fulfillment, is exemplified through Santiago's quest culminating in his self-actualization.

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Ravana and Faustus: A Comparative Study

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Abstract:

The present paper critically attempts to make a comparative study of Ravana, the demon king of Lanka, figuring in Tulsidas' *Shriramacharitamanasa* and Faustus, the protagonist in Christopher Marlowe's *Doctor Faustus*. The study is interesting as it allows to draw a great similarity between Ravana and Faustus. Born of noble descent, the highly knowledgeable, the ten-headed Ravana, demeans himself by way of abducting Sita, the wife of Lord Rama. Similarly, Faustus demeans himself when tempted by the devil he renounces both God and his noble profession as a doctor, sells his soul to the devil in exchange of luxuries, boundless power of necromancy and literally becomes a demon. Ravana is advised and requested to return Sita to Lord Rama. He is even warned against the dire consequences. But his arrogance deters him from doing so. Faustus in a like manner is also advised to go back to the God, seek divine forgiveness and forsake the black magic. He is also warned against God's heavy wrath but he remains engrossed in glorifying the devil, consequently bringing his eternal damnation. Swollen with pride and arrogance both Ravana and Faustus derive pleasure in humiliating others. Ravana develops a great fascination for Sita. Faustus' fascination for Helen is lustfully awesome. Ravana is killed by Rama for his sinful deeds and Faustus meets eternal damnation.

Keywords:

Boundless power	Adamant	Arrogance	Benedictions	Insatiable
Sexual gratification	Prototypes	Damnation	Demoniac	Disobedience

Ravana, the demon King of Lanka and Faustus, the protagonist of Marlowe's play *Doctor Faustus* seem interestingly prototypes of each other. It is evident that Marlowe's *Doctor Faustus* does not in any way indicate the influence of Ravana of the *Ramayana* or the *Shriramacharitamanasa* nor do Marlowe's critics establish it. Though, besides other sources, scholars have established the English translation of the German prose narrative *Historia von D. Johann Fausten* as the primary source of *Doctor Faustus*, the character of Ravana seems to run parallel to that of Faustus in a variety of ways.

The former, learned in all the branches of knowledge (the ten-headed as Ravana is rightly called), in defiance of his wisdom, invites divine wrath by stealing Sita, the consort of Lord Rama and the latter barter his soul to the devil for boundless power, knowledge, luxuries and sexual gratification in sheer defiance of the position acquired by him through his rigorous study and practice of medicine as a doctor. Bewitched by the charms of Sita, Ravana is adamant to make her his wife. Significantly, both Ravana and Faustus are swollen with pride and regard themselves as invincible. Both are

warned to shun their arrogance and overweening pride, turn to God and seek forgiveness. But swollen with pride and lust, both ignore the warning only to meet eternal damnation. The parallels can also be extended further in terms of the misuse of their strength.

Essentially, there is a great similarity between Ravana and Faustus. The themes of sin, redemption and damnation are common to both. Ravana commits his first sin the very moment he steals Sita, the consort of Lord Rama, despite his noble ancestry, wisdom and benedictions obtained from the Lords; Shiva and Brahma. It is evident from the words of Angad, one of the emissaries of Lord Rama:

Uttam kul pulasti kar nati. Shiva Biranchi pujehu bahu bhanti.

Bar paaihu kinhaihu sub kaja. Jeetaihu lokpal sub raja (Prasad 592).

(Meaning as mentioned in the text: Of noble descent, the grandson of Pulastya (one of the mind-born sons of Brahma) you worshipped Shiva and Brahma with every rite, won boons from them, accomplished all your objects and conquered the guardians of the eight quarters and every earthly sovereign).

Similarly, Faustus commits his first sin the very moment he speaks disrespectfully of the knowledge of medicine acquired by him through a rigorous study. Obviously, he is disrespectful of Goddess Lakshmi. It is a blasphemy. He defies Goddess Lakshmi as he determines to reject his profession; the very boon conferred upon him by the Goddess and agrees to sell his soul to Mephistophilis, a demon and by doing so degenerates himself into a demon. His demoniac propensity exemplifies itself when he sells his soul to the devil for the promise of magical power, boundless knowledge and sexual gratification. His farewell to medicine is also demoniac:

Wouldst thou make men to live eternally,
Or, being dead, raise them to life again,
Then this profession were to be esteemed.

Physic, farewell. (Marlowe 67)

Faustus' rejection of medicine and acceptance of necromancy deaden his conscience. He is led to fancy:

All things that move between the quiet poles
Shall be at my command: emperors and kings
Are but obeyed in their several provinces,
Nor can they raise the wind or rend the clouds;
But his dominion that exceeds in this
Stretcheth as far as doth the mind of man
A sound magician is a mighty god.

(Marlowe 68-69)

First there is the idea of sin, which Christianity and Hinduism both define as act contrary to the will of God. Faustus commits the ultimate sin when he makes a pact with Lucifer and not only he disobeys God but consciously renounces obedience to Him. Ravana also commits the ultimate sin when he abducts the wife of Rama and refuses to return her despite Rama's repeated appeals and even threats. Swollen with his pride and arrogance he underestimates Rama, the very incarnation of Lord Vishnu. The other important thing common in both Christianity and Hinduism, is that even the worst deed can be forgiven through the redemptive power of God. However terrible Faustus's pact with Lucifer may be, the possibility of redemption is always open to him. Similar is the case of Ravana, though he abducts Rama's wife, the possibility of his redemption is always open to him if he restores Sita to Rama. All that he needs to do theoretically is to ask God for forgiveness.

Ravana's defiance against the God becomes a major concern of Mandodari (Ravana's wife), Vibhisana (Ravana's brother), Prahasta (Ravana's son) and also the emissaries sent to Lanka by Lord Rama. Mandodari attributes this

act of Ravana as sinful and blasphemous. She advises Ravana to restore Sita to Lord Rama and atone for this sin through the worship of Lord Rama:

Ramhi saunpi Janaki nai kamal pad math.

Sut kahun raj samarpi ban jae bhajia raghunaath
(Prasad 582).

(Meaning as mentioned in the text: Bow your head before Rama's lotus feet and deliver up Janaka's daughter to him; then entrust the kingdom to your son and, retiring into the woods, worship Raghunatha).

Similarly, Vibhishana advises Ravana:

Tahi bayaru taji naea matha.
Prantaratibhanjan raghunatha.

Dehu nath prabhu kahun vaidehi. Bhajhu
Ram binu haitu sanehi (Prasad 561).

(Meaning as mentioned in the text: Giving up enmity with him, bow your head to him, for Raghunatha relieves the distress of those who seek refuge in him. Surrender Videha's daughter to the Lord, O king, and adore Rama, the disinterested friend of all).

In a similar manner Prahasta advises Ravana to restore Sita. And Prahasta adds if Ravana does so, he will be forgiven by Rama and it would also bring him glory:

Yeh mat jou manahun prabhu mora. Ubhai
prakar sujsu jug tora (Prasad 584).

(Meaning as mentioned in the text: In either case, my lord, if you accept my advice, you will be covered with glory in the world).

Swollen with power and arrogance as Ravana is, he dismisses the advice of all. Moreover, he scornfully retorts Prahasta:

Sut son kah duskanth risai. Asi mati sath kaihin
tohi sikhai (Prasad 584).

(Meaning as mentioned in the text: The Ten-headed asked his son(Prahasta) in a fury, "You fool, who has taught you such wisdom?).

The Good Angel and the old man in Doctor Faustus seem to perform exactly the same task that Mandodari, Vibhisana, Prahata and the emissaries of Lord Rama do in the Ramacharitamanasa. The Good Angel warns Faustus against the evil consequences:

O Faustus! Lay that damned book aside,
And gaze not on it lest it tempt thy soul,
And heap God's heavy wrath upon thy head.
Read, read the Scriptures: that is blasphemy
(Marlowe 69).

The Old Man also warns Faustus:

O stay, good Faustus, stay thy desperate steps!
I see an angel hovers o'er thy head,
And with a vial full of precious grace,
Offers to pour the same into thy soul.
Then call for mercy and avoid despair
(Marlowe 137).

But Ravana, fancying himself invincible dismisses all suggestions. Underestimating the strength of Lord Rama, he boasts:

Varun Kuber Pawan Jam Kala. Bhujbal
jiteun sakal digpala.

Dev danuj nar sab bus morein. Kawan
hetu upja bhay torein (Prasad 583).

(Meaning as mentioned in the text: I have Subdued by the might of my arm not only Varuna (the god presiding over the waters). Kubera(the god of riches), the wind-god. Yama (the god of punishment), and all the other guardians of the quarters, but Death himself. Gods, demons and men are all in my power; what cause can have arisen for your fears, then?).

Similarly, Faustus also boasts of his power and capacities:

Had I as many souls as there be stars,
I'd give them all for Mephistophilis.
By him I'll be great Emperor of the world,
And make a bridge thorough the moving air,

To pass the ocean with a band of men:
 I'll join the hills that bind the Afric shore,
 And make that country continent to Spain,
 And both contributory to my crown.
 The Emperor shall not live but by my leave,
 Nor any potentate of Germany.

(Marlowe 80)

Faustus's aversion to go back to the Christ conforms his demoniac stature. Susan Snyder comments: "The morality upswing demands only a change of heart; but Faustus loses his freedom to change as he hardens into the constricting mold of proud despair. It is his pride (like Lucifer's before him) that initiates the despair – and it is, of course, this same pride that gives him heroic stature in the tragic context: that is, in human terms rather than divine" (Snyder 567). Faustus draws himself very close to Ravana as he matures into power. Like Ravana he misuses his power to humiliate others. Ravana humiliates Angad and Hanumana at his palace in Lanka, uses abusive words for them and even for Lord Rama. Demons are mischief-mongers. To satisfy his vanity, Ravana sets the tail of Hanumana on fire. Similarly, Faustus delights himself in humiliating Benvolio, a night at the court of Charles V. he further transforms through his black art Benvolio and his friends, apparently into demons by growing horns on their heads. Next, the parallel between Ravana and Faustus can also be drawn in terms of their uncompromising nature. Both are adamant. They are neither to be influenced nor transformed through humble appeals and advice as greed, gluttony, arrogance and lust always overshadow their conscience. Ravana's infatuation for Sita finds equivalence in Faustus's lust for Helen, the most beautiful legendary woman. His overwhelming praise for Helen marks his insatiable lust as he sees heaven in Helen's lips and voluptuously feasts on them:

"Sweet Helen, make me immortal with a kiss"
 (Marlowe 139).

Thus, the characters of both Ravana and Faustus centre upon the theme of overreach. The prologue to Doctor Faustus reminds one of the Greek myths of Icarus, the man who flies so high and reaches near the Sun only to find that his wings get melted. He falls into the sea and drowns. A similar fate awaits Ravana and Faustus in their pursuit of overreaching their capacities. Thus, disobedience to the God both in Hinduism and Christianity is a sin and leads to the divine wrath. And the vices like greed, lust, disbelief in God, attainment of worldly power and luxuries lead to eternal doom. Ravana the invincible is eventually killed by Lord Rama, for abducting Sita, and also for not complying with Rama's appeals to restore Sita. Similarly, Faustus also receives eternal damnation for willfully surrendering himself to the devil in exchange of the demoniac powers in sheer negligence of the divinity. Thus, the evil, howsoever powerful it may be, is always conquered over by the good.

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Social-Media, Higher-Education and More Bad-News for Indian Academic Discussions

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Abstract:

The present paper provides an analysis of a social media discussion on the Superiority and Scientific Nature of language. Apart from the detailed analysis of the discussion, the paper also tries to provide why such discussions are of no use as long as Indian Academic issues are concerned. The paper uses the model of Critical Discourse Analysis provided by Fairclough, taking language as a form of social practice. The problems discussed are multifaceted ranging from considering one's language superior to degrading others' and their opinions on the basis of Glorious Past. Such a discourse once again proves that Social-networking sites have become the platforms for developing networks and self-advertising only, and not fruitfully used to develop a good discussion platform.

Keywords:

Language	Scientific	Discourse	Superior	History
Social-media	Linguistic	Imperialism	Social Practice	Nature of Language

Introduction:

India has been facing lot of upheavals from all the various directions and dimensions. The developing countries should have their investments in various forms of sciences and scientific researches. Of course, India has spent like anything in the field of education, but the academic developments are really in poor conditions, especially when we talk about the academic personnel who are holding the key positions and who bear the responsibility to educate the future generations of the country. The universities have got the best syllabi, and due to internet and open libraries the best and most recent research is available to the enthusiastic learners. The critical aptitude of the modern educated youth is but way away from

scientific understanding of the matters. Their zeal is still blinded by 'the great history' of the nation, claiming that all the solutions are available in our 'golden history' without any reason or proof. Just like, accepting the faith in some cult and believing that whatever it says is the Truth beyond any doubt.

The present paper is an evaluation of discussion on a Social Networking site. The discussion is among the three personnel: the admin of the page, on which the discussion took place and two other 'enthusiastic scholars' defending the scientific nature of an Indian language. The charm of the discussion lies in the fact that both the defenders are quite dubious about the true nature of language. Neither of them has any systematic training in linguistic analysis or the science of

language. They opt themselves to be qualified to comment and later to fight for their comments just because they have degrees in Hindi Literature and the concerned language is their first language.

The first section of the paper below discusses basic assumptions and methodological stand. Second section evaluates the text – the actual discussion that has taken place on the social networking page (the text is available in appendix). Third section discusses the problems with the social networking sites, and the concept of 'scholarship' and the differences among the debate, discussion and conflict. Fourth section talks about the absence of more valued voices which could have taken part in the discussion. Fifth section presents the general conclusions.

1. Approach and Methodology:

Present paper follows the Critical Discourse Analysis as an approach to understand the conversation as developed by Fairclough (2001: 01-108). The objective is to study three separate forms of analysis: analysis of language texts, here, the written language; analysis of discourse practice, i.e. the processes of text production and interpretation of discursive events as instances of socio-cultural practice, in the present case, expression on the social media. This particular instance of discourse is governed by Social conditions of production and interpretation, in the present case; they are Social Media discussion, which is also governed by Indian norms of discussion. How the participants see this opportunity on social media? Do they develop any fruitful discussion with reference to the given post? What are the conclusions they have drawn and what are the linguistic strategies they have employed? In the process, we will try to decipher the Frame of a particular participant in the discourse. We will try to understand their process of construal.

2. Discussion:

The text is taken from the facebook page, The Language Institute. The actual post, which is about the creative nature of English language, and the availability of synonyms and homonyms in it, is not included here. The post was written in a little humorous manner, not to degrade, but to make it appealing. The text includes the comments made on the post. There are three people discussing here: Dr. X, Mr. Y and Ms. Z, in which Dr. X is a lady who has obtained the doctorate in Hindi Literature and working as an Assistant Professor of Hindi in a reputed University, Mr. Y is a Linguist by training and administrator of this facebook page. Ms. Z also has the Master's Degree in Hindi Literature. Both Dr. X and Ms. Z are native Hindi Speakers and Mr. Y is native Gujarati speaker. The topic of the discussion in these comments is the scientific nature of Hindi language: Dr. X and Ms. Z are of the opinion that Hindi is the scientific language as opposed to English and European languages. Mr. Y is of the opinion that 'no language' is scientific by nature; they could be, at best, techno-friendly.

2.1 Selection of Language:

Dr. X makes a comment in English, but from fourth comment onwards she uses Hindi, while Mr. Y uses English throughout, and all the comments of Ms. Z are in Hindi. This selection of language is a very crucial aspect here, primarily for the sake of inclusiveness of the discussion. Dr. X wants to comment against the English and all the other major languages of the world. Her first comment, which is in Hindi, is categorical; it says that 'only' Hindi is the solution of all the problems, the completely scientific language. We will discuss the notion of 'scientific language' and 'problems' later. This comment is made in Hindi, which automatically excludes many potential comments in favor of English and many other international languages as they will not be able to understand the

comment. Second important factor, the selection of Hindi establishes her as a strong supporter of Hindi language on an open forum. After that, her two replies to Mr. Y are in English, followed by all her comments in Hindi, except one or two words in two comments. This serves one more purpose; Hindi text can attract Hindi speakers and supporters. But, she is not very successful.

Mr. Y uses English throughout the discussion. Again there can be multiple motives. As opposed to the Hindi use, English can have better readership here; the discussion can reach larger number of readers and probably more people can participate in the discussion. One more purpose could be to establish English's superiority, but this motive can be denied based on the content of the comments. Third motive could be to establish the personal intellectual superiority through English language as English is normally 'but falsely' associated with intelligence. Ms. Z uses Hindi throughout except a word 'phonetics style', as she has joined in to support the 'scientific' nature of Hindi language, her selection of Hindi is quite understandable.

2.2 Argumentation:

2.2.1. Questions:

The process of argumentation is divided into questions and answers, here. Pragmatically speaking, an answer should be followed by a question. But, in actual communication this ideal situation is hardly met. First we start with the questions raised by Ms. Z. She has placed one question in her very first comment, "If Sanskrit is accepted, then why not Hindi?" Her question is self-reflective and not in the fashion of genuine question. She adds a line with the question, "I also agree with Dr. X." Thus, her question comes with two presuppositions: 1. Sanskrit is a 'Scientific Language' and 2. If Sanskrit is accepted as a scientific language, then Hindi must be accepted as a scientific language too. And her statement, accompanying the question,

also states that at least one more person agree with Dr. X apart from her, and hence she uses 'also' (भी) in Hindi. She accepts the scientific nature of Hindi language on the basis of the analogy with Sanskrit. She starts with a winning statement without any evidence or argumentation; she maintains the same position in remaining comments as well, without querying about others' positions or arguments.

Next, let us check the questions raised by Mr. Y. His first question comes in the very first comment he places, "And which Hindi you are talking about?" This question comes as an elicitation to more information from Dr. X, as she says that Hindi is the solution to all the problems. Here, the primary presupposition is that there are varieties of Hindi language, and the claimer needs to be specific about which Hindi she proposes to be the solutions to all the problems. But, the question is waived; there is no answer to the question available in the entire discussion. The second question is, "First of all, tell me what do you understand by scientific?" This question is raised in response to Dr. X's claim, 'Hindi is Scientific', with an expectation of some definition of science with reference to language. This question is a beginning of the said debate, but the question remains unanswered in first attempt. Hence, Mr. Y asks the same question again, "Yet, I ask you again, what do you mean by 'scientific'?" Mr. Y uses 'Yet' here, because in the accompanying comment (Comment No. 8) he has put his argument against the notion of 'Scientific Language'. We will go to the details of it later. Still the question is unanswered, and again he asks in comment No. 14, "What do you understand by Scientific?" This time there is some answer, but not as logical or scientific as needed. In the next comment to this question, Mr. Y elaborates and asks, "That is why I am curious to know your scientific understanding of 'scientific'?" (Comment No. 15) And later, in a reply to Mrs.

Z's claim of Sanskrit being a scientific language, Mr. Y asks a rhetorical question, "Who said that Sanskrit is a Scientific Language?" which obviously remains unanswered. And in the second last comment, he asks, "Can you think of anything better than that?" where 'that' refers to Dr. X's emotional views on scientific Hindi without any logical evidences.

Now, let us have a glimpse at the questions raised by Dr. X, who played a pivotal part in this discussion. Her first question comes in her fourth comment, it is in Hindi, directly addressing Mr. Y, "On what basis you declare Hindi an unscientific language?" This is the only question she has raised throughout the discussion, though she is not seeking any answer. The question is actually a doubt on the previous comment.

2.2.2 Argumentation and Cohesion:

The term cohesion refers to the elements which make a text a text in its entirety. In the words of Halliday&Hasan (1976: 04), "The concept of cohesion is semantic one; it refers to relations of meaning that exist within the text, and that define it as a text." All three discussants use different tactics to connect and make the text a unitary entity. We will go line by line this time, so that we get through the process. For the sake of convenience, the comments are numbered.

The very first comment, by Dr. X, starts with demonstrative pronoun 'these', referring back to the post which is about the ambiguous nature of English language and issues of pronunciation. She refers it as 'problems'. Second sentence in the same comment refers back to Hindi language, with the help of pronoun again, mentioned in the first sentence. And last sentence in the comment uses textual cohesion of 'Hindi' and 'language'. Interestingly it develops yet another collocation, 'Scientific language', which is the central cohesive term throughout discussion, here, in the text. The second comment, by Mr. Y, replies to the first comment of Dr. X, but in more of generalized

terms. In first line, he uses the deictic 'this' connected with the word 'prejudice', referring to the Dr. X's claim that her language – Hindi - is without 'problems' and 'scientific'. In second sentence, 'we' is used to further the generalization of his comment, and to follow the more polite manner of not to target the interlocutor. In this line, he uses 'it' to refer back to 'prejudice'. And in the fourth sentence, he specifically uses two words, which directly and unambiguously connect his comment to that of Dr. X – 'Hindi' and 'you'. His last sentence is a direct question with a presupposition that there are varieties of Hindi, and which variety, according to Dr. X, is the solution to all the 'problems'.

The next comment, comment No. 3, of Dr. X is deliberately left incomplete, "I don't agree..." But, it is not clear with which idea she doesn't agree. There are three statements in the previous comment, and we are not sure with which one she doesn't agree, or probably she doesn't agree with any of them. But, it is quite certain that she has flaunted the question of the previous comment. In reply to this, Mr. Y's comment No. 4, begins with pronoun and lexical cohesion of 'agree – disagree' connecting with the previous comment of Dr. X. This comment makes a general statement regarding the disagreement, and a sarcastic advice is added to 'learn language scientifically'. Comment No. 5 by Dr. X comes as a challenge. It begins with a sarcastic 'Thank u', accompanied by reinforced 'I'm learning that's why telling' and then challenge, 'Topic need to be debated' with a categorical conclusion, 'Hindi is scientific.' Comment No. 6 by Mr. Y proceeds in the same manner, with categorical sarcastic remark, 'If you are taught "Hindi is scientific", then no need to learn wrong things.' And then challenge is accepted, "Always ready to debate" and puts the question to proceed in debate, "First of all, tell me what do you understand by scientific?" The replying

comment No. 7 is in Hindi, as mentioned above; the shift in language has multiple connotations. The comment doesn't answer the question, rather it questions, 'On what basis you declare Hindi as unscientific? Explain it first.' This is clearly a personal interpretation as it is not mentioned in Mr. Y's comments anywhere that 'Hindi' is unscientific. And this could also be a technique to buy the time for developing an answer for the previous question. It is very important to know what one means by 'scientific' and 'language' when one is discussing the 'scientific nature of a language'. Noteworthy thing, in the comments by Dr. X is, she doesn't talk in generalized terms, her readings are Hindi centric and personal and hence her comments are personal and language specific. While Mr. Y talks about 'Language', she constantly talks about the hyponym 'Hindi', possibly because, she considers Hindi as a superior language and cannot be generalized with other languages of the world. Her attitude towards Hindi will be reflected more clearly in her later comments.

In response to this, comment No. 8 by Mr. Y makes it clear that his concern is language 'in general', his objection is not against only Hindi being scientific. And then he puts one Linguistic tenet proposed by the father of modern linguistics to support his idea, "Language is arbitrary"(Saussure 2011 :68) and taking this as a stepping stone, he adds that 'language can be techno-friendly' but not scientific. And again he asks the unanswered question in comment No. 9. He uses the synonym to tie the discussion, technical and scientific are near synonyms, though cannot be used interchangeably. Mr. Y associates language with technology, disassociating it from scientific. And again he uses auxiliary verb 'can' suggesting a possibility, unlike stative verb 'is' as used by Dr. X.

Comment No. 10, by Dr. X, comes as a 'correction' and not as an answer. She rightly corrects the Saussurian dictum, 'Language is

arbitrary', and she says that only 'sound-system' of a language is arbitrary, according to her statement, the rest of the linguistic systems are Iconic. Her statement comes with a clear marker, that too, in English, "Let me correct..." and then her above statement is in Hindi. She continues in comment No. 11, giving a personal remark, 'Since you are a linguist, you can generalize if you want to but I will talk about Hindi.' Once again, she emphasizes that the specific language is different, and may be superior, to other languages. She clearly flaunts the idea, or probably she is unaware of the truth that all the languages of the world have the same underlying grammar and can be explained with the help of similar rules. She makes even more categorical claim in comment No. 12 saying, "as long as the scientific nature of a language is concerned, it is a typical characteristic of Hindi language." The claim is not supported by any evidence whatsoever.

The support comes in comment No. 13 by Dr. X which says, "Hindi is developed from Sanskrit and hence to understand the scientific nature of it one needs to look at Ashtadhyayi and Nirukta and remove the western spectacles." This comment comes with two presuppositions about language and one about the discussant. This comment states that the scientific nature of Hindi is different from the concept of Science as understood by Western world. Second presupposition is that Sanskrit is inherently a scientific language and hence everything descended from Sanskrit has to be scientific. It also implies that the discussant is biased by western studies hence he needs to learn eastern sciences to understand the scientific nature of Hindi. It comes also with supposition that discussant doesn't know anything about Eastern Linguistic tradition. One more interesting aspect of this comment is, she uses the same metaphor which is used by Right Wing Politicians of India to criticize the opposite party leader. Comment

No. 14, by Mr. Y is the same old question, emphasizing the fact that the question is not yet answered. And in comment No. 15, he elaborates that Ashtadhyayi is a book written by a human being about the grammar of Sanskrit language. A well-written grammar book is not a criterion for a language to be a scientific language. He then adds an instance saying that Wrenn and Martin Grammar book or Oxford Dictionaries are not the proof of English's being scientific. And again he reiterates the question about 'definition' of scientific. In next comment, he also enquires about the sources from which Dr. X is making her claims.

Finally Dr. X offers four definitions of science in comment No. 17, and here, use of Hindi becomes a necessity for her. She differentiates 'science' and 'विज्ञान' (Hindi word for Science), and she claims that 'science' and 'विज्ञान' are as different as 'religion' and 'धर्म' (Hindi word for Religion), this is her first definition of science, there is no explanation how these two are different or similar. Second definition says, "Science means special knowledge, and not discipline or skill." Third definition says, "The development of knowledge is the science." And the fourth one says, "Logical criticism and/or explanation of anything is science." In reply to this, Mr. Y further asks, "Can you establish Hindi as scientific on the basis of your own and personal definitions of science?" Here, 'you' clearly refers to the other interlocutor, but more importantly 'your own and personal definitions' is an interesting usage here, because this statement makes it clear that the sentences provided in the name of definitions of science by Dr. X do not meet any characteristics of scientific definition. Yet it is still impossible to prove the Hindi to be scientific with the help of these made-up definitions.

Comment No. 19, by Dr. X says, "I will tell you tomorrow how Hindi is scientific." Interestingly,

Hindi is a pro-drop language, plus writer drops the object also. In such case, one has to depend on coherence of the text. This comment also begs for time, indirectly. If a person can write this comment, one can surely write the actual answer. At this juncture, in comment No. 20, Ms. Z enters supporting Dr. X. She says, "If Sanskrit is accepted (as a scientific language), then why not Hindi? I, too, agree with Dr. X." Her entering statement is itself wrong. Based on previous comments, she has, somehow, concluded that Sanskrit is a scientific language, and based on her, equation earlier mentioned by Dr. X – Hindi is descended from Sanskrit, she makes the claim that Hindi, too, is scientific. This time Mr. Y directly calls it a 'nice joke' and asks "Who said that Sanskrit is a Scientific Language?" in comment No.21. Note that, he shifts to past tense in this comment, and in reporting statement he uses the form for proverbs and truths without change in the original structure, i.e. 'Sanskrit IS scientific.' and not 'Sanskrit WAS scientific.'

Next comment by Dr. X, is actually a conversation with Ms. Z, clearly and deliberately excluding the third discussant from the dialogue. She begins with clear reference to Ms. Z, and expects her to explain the matter to discussant, Mr. Y. She says, "Ms. Z, prove Hindi scientific... linguistic... with logic." This was a kind of order to the new discussant. And then, she continues, "Our Etymology and Grammar are very ancient and logical. European scholars have learned it from us just in last century. We should see and understand from Indian perspective and not theirs. It is a matter of regret that Indian people don't want to learn from Indian tradition." This is a very interesting comment, rather statement, it is about Mr. Y, indirectly, but not addressed to him, in fact, he is not even mentioned. It has come as a conversation between Dr. X and Ms. Z. She says 'our Etymology and Grammar' and not 'Hindi's Etymology and Grammar', 'learned it from us

just in last century' not from 'Indian Grammatical tradition', thus transforming the discussion in terms of 'Us vs. Them' not in terms of 'correct vs. incorrect'. Because the moment 'Us and Them' enters, everything connected with 'Us' becomes correct and doesn't require any evidences, and everything connected with 'Them' turns wrong, except, only, 'They' follow and agree with 'Us'. For evidential and scientific discussion on this identity issue of 'Us vs. Them' reader can check *Us vs. Them: Understanding Your Tribal Mind* by David Berreby (2005).

One more important typical Indian way of proving the point is going back to ancient roots and history, which is also clearly used here. One more important aspect is that she has maintained the position that she is concerned with Hindi only, and hence generalization must be avoided (cf. comment 11 and 26). But, here she talks about the ancient grammatical tradition which is basically Sanskrit, there is no such rich tradition available for Hindi as such, and European scholars have learnt from the Sanskrit-Prakrit tradition and not from Hindi tradition. Interestingly, her generalization is not a problem. She also fails to remember that Europeans also have their own grammatical tradition, going back to the time of Socrates, Plato and Aristotle; they have taken the insight from Indian tradition without any inhibition and ego to improve their understanding of grammar and study of language. But, an Indian can't do the same; if he tries to learn from other traditions, he/she will be categorized as Dr. X is trying to do here.

Comment No. 23, by Mr. Y, is a kind of adaptation for the convenience of discussion, in which he says that he would prefer to post in main timeline instead of answering personally, so that both the other participants can read it directly. In comment 24, he continues, and states quite explicitly about his understanding of Indian Grammatical Tradition, more specifically

– Astathyayi. He addresses both and expresses his impressionistic view that they have not read the Astathyayi based on their 'arguments'. He further adds that it is a scientific or more accurately techno-friendly description of a language, the word DESCRIPTION is written in capitals to emphasize. He specifically writes that scientific description doesn't make a language scientific. And again adding further, he provides information regarding Ashtadhyayi. In next comment, No. 25, he continues the distinction between the description and the actual language. And he advocates that scientific understanding is important, but claiming that a 'specific' language scientific is misleading, especially, when such claims come without any solid evidences and just circumlocutions.

Comment No. 26 by Dr. X is decisive one, which is an extension of her earlier comment (No. 23). Here, she again reiterates 'Hindi' and removes the generalized discussion of Language. To look more planned and scientific, she uses the numbers to her comments, separating in terms of topic. The first one as mentioned above is, 'she is concerned with Hindi only.' The second one is her justification for the definitions of science she provided earlier. Her justification is that the 'so called' definitions are given by some Hindi scholars in Hindi books, but she fails to recognize the fact that there is no separate 'scientific' tradition of Hindi available, and I have my personal doubt to consider the names suggested by her as scientist or social scientists. They are more like grammarians, or to be more precise, commentators of old grammar books, adding little or no new insight of their own. Her third comment here says that her comment on scientific Hindi was not over earlier as she was busy. She adds that she would provide answer with proof, at the same time she said that Mr. Y would not believe as he is prejudiced. This is the point which makes this comment important, calling others prejudiced is also a prejudice, but in these words she literally ends the discussion.

If she wants to prove something, she should have said it here instead of making allegation. Again the old trick of 'Us vs. Them' is in action.

Mr. Y, in comment No. 27, repeats what he has told earlier. He says that Panini, Patanjali, etc. have given descriptions of a language and he makes the point again that description is not the same as language. Good description doesn't mean good language. Scientific description doesn't mean scientific language. Then he adds specific words about Hindi; he says that if the Hindi scholars whom Dr. X has mentioned have maintained a position that Hindi is scientific then their understanding of the language is also 'faulty'. He continues in comment No. 28 and puts few words about his understanding of language. He emphasizes the fact that language is developed by 'socio-cultural' aspects of a group that uses it and hence, according to him, it cannot be scientific. In comment No. 29, he adds few words about the comment on him being prejudiced. He says that 'correct understanding' is prejudice then he is happy with it. He also adds that 'scientific understanding' is open to new evidences, he would like to believe her point if she could prove it with some data.

It appears that Dr. X is waiting for some such comment, as she immediately responds with "Discourse is over..", she meant to say, "Discussion/Debate is over.." Rest of the things in comment No. 30, are in Hindi. She repeats the same argument that Mr. Y is prejudiced and hence not accepting the superiority of Hindi based on the Scholars of Hindi she has cited. The names she has mentioned are grammarians and commentators of the grammar. The linguists and serious researchers of Hindi language are completely missing from her list of Scholars. She also adds that she is proud of the heritage of knowledge that she bears. She says that the entire world is ready to learn from this source of knowledge, yet Indians are not ready to learn from it. Thus, finally she quits without providing

a single word that can be counted as a proof for her argument. And yet she blames the 'other' for not understanding and accepting Hindi as a scientific language.

In comment No. 31, Mr. Y replies but can't convince. He uses the imperative construction, "Prove yourself." He adds that just declaring oneself great, doesn't make anyone great. He says that he has put a conditional sentence for the Hindi scholars that Dr. X has mentioned, but he is also aware of the fact that she wouldn't understand or ignore it. He says that the scholars she has mentioned are grammarians trying to provide best possible descriptions of the language. Good descriptions cannot make any language scientific. He ends with a question if she could think anything better than that. But, at this juncture, he seems to be aware of the fact that Dr. X is not going to answer, as she doesn't have any answer; and hence he has used somewhat rude language.

The comment No. 32 comes from Ms. Z. And she clearly talks about the script. She says, ideal script is one which is scientific. She says that the typical characteristic of 'it' is that it is written in the same way as it is spoken. Having separate symbols for short and long vowels is an achievement, according to her. She also says that many educational institutes have started teaching Hindi in 'Phonetic Style'. This 'scientific language' doesn't have a word for 'phonetic style', as Ms. Z uses English words in her Hindi comment. Mr. Y replies in terms of the difference between the 'language' and the 'script'. He, first of all, accepts the claim made by Ms. Z that the script is one of the best, and he adds that the script is called Devnagari which is used by many languages other than Hindi. He says that 95% of world's languages do not have script; script is not an essential characteristic of a language to be a language. At the same time he reminds her that the discussion is on 'Scientific language' and not on 'script'. After this comment

there has been no comment from anyone on the timeline of this post.

Thus, the discussion here moves from the illogical English to Hindi as a solution, from scientific Hindi to superior tradition, from Hindi scholars to scientific script. The dominant discussant, Dr. X, specifically avoids the generalized discussion of Language, but continuously talks about Sanskrit to defend Hindi. Neither of the discussants mentions any scholarly views or references (with an exception of Saussure's dictum by Mr. Y).

2.2.3 Problems with the Discussion:

The discussion taken place here is rather long for a social media discussion. But, there seem to be some problems which make the discussion nothing but futile. Mr. Y is eager to discuss, but waits for the others to start, continue and provide the meat for it. He might have some good point to put forward but he is more of a reactionary and provides only what is necessary or less as a reply to the previous comment. For the other two discussants, the problem is of theoretical nature. There appears to be some basic problems in their understanding of language as reflected in their comments:

1. They seem to believe that only Hindi has Linguistic or Linguistics of Hindi is different from the others.

Dr. X and Ms. Z might not be aware that what they normally recognize as “भाषाविज्ञान” is a well-developed discipline, known as Linguistics. Linguistics is normally defined as 'the scientific study of Language' and all the different languages are studied with real data at hand. The Linguistics they have studied under the subject Hindi (they are normally offered a paper/course of approximately 44 hours a semester) is more of the translation of Sanskrit Phonetics and Grammatical tradition in Hindi and etymology. But, it is surely an achievement of their teachers to make them believe that this is THE linguistics

and it is unique to Indian tradition, more specifically – Sanskrit tradition. No doubt, Sanskrit tradition has played pioneering role in the development of modern linguistics. But, today the Linguistics studies have grown into something very different and advance. But, the most important aspect that Linguistic teaches is that all the languages are equal, there is no superior or inferior language. Similarly, there is no 'more' scientific or advanced language or a primitive language. The language develops as per the needs of its users. As Pinker (2002: 23-24) explains, “Boas showed that languages of primitive peoples were not simpler than those of Europeans; they were just different. Eskimos' difficulty in discriminating the sounds of our language, for example, is matched by our difficulty in discriminating the sounds of theirs. True, many non-western languages lack the means to express certain abstract concepts. They may have no words for numbers higher than three, for example, or no word for goodness in general as opposed to goodness of a particular person. But those limitations simply reflect the daily needs of those people as they live their lives, not an infirmity in their mental abilities.”

2. They believe that whatever is written by the scholars of Hindi language, irrespective of sources, is correct, undeniable and unchangeable, which also implies that the language Hindi is also static.

As long as language is living and used by the people in day-to-day communication, it is in the state of flux; it is changing constantly. New words are added to the language, some old words are discarded, especially by the speakers of the language, if not by the printed texts and dictionaries, some words achieve newer meanings, etc. are characteristics of the languages which are used by the people. But, in the discussion, the criteria of the superiority of Hindi, is based on the books of the Hindi scholars. Obviously, such a claim comes with the

belief that the language remains the same across the time. The scholars referred to in the discussion were working before some 20-30 years, and if their works are based on some scientific analysis of the linguistic data, the conclusions would have been different today. Yet, the notion of 'scientific' has been offered on the basis of comparison between Hindi and English word and not with any proper definition. The basic notion of any discussion is to prove the point with the help of the data, and if newer data arises, newer conclusions should be accepted. But, as we have seen here in the discussion, the points are made but no evidence has been put forward. If the language has been proved scientific by the scholars of Hindi language, then they must have given some evidences to make such a categorical statement. For the discussant, it is quite easy to take up the evidence and put forward to put her point. But, that never happens.

3. They believe that script and language are one and the same.

Hindi is a language which uses Devanagari as a script. Many of the languages descended from Sanskrit have used Devanagari as a script. But, most of the people, while arguing about some of the Indian languages, talk about language having most iconic script; that is, phonetically most trustworthy one. But, they do not realize that the same script is used by other languages. Part of the problem is our language teaching practices; we start teaching any language by teaching the alphabets, i.e. the script of the language. Because of this obvious reason, most people associate the language with script. But when a person who claims to be well-versed with linguistic studies and on the basis of which claims the superiority of a language, doesn't understand that the difference is indigestible. Even in case of Sanskrit, or any other language, proposing it to be a superior language because of the script, is not a valid point, because language is essentially spoken, script is a later development wherever

script is available. There is no language in the world in which script and speech developed simultaneously. As Pinker (2002: 54) puts, 'spoken language has been a feature of human life for tens or thousands of millennia whereas written language is a recent and slow-spreading invention.' One more point to note here is that a language develops by usage, script is invented; language is a natural phenomenon, while script is not, it is man-made or artificial. Thus, arguments coming from the background of better script are not actually arguments for a 'superior or scientific' language.

4. They think that Hindi is a superior language as it is descended from Sanskrit.

This belief prevails among many Indian speakers of different languages. The presupposition of this belief is: Sanskrit is a superior language. Or to put in Indian way, Sanskrit is divine language as it is the language of Hindu scriptures. For a time being let's accept that Sanskrit is a superior language. So, Hindi, as it is descended from it, is also a superior language. Then, what about many other languages like Gujarati, Marathi, Bengali, Punjabi, etc. which have also descended from Sanskrit. Do these languages have lost their superiority in the process of development? What is so unique about Hindi that it stands out as superior? Or is Hindi superior like all the other superior languages descended from superior language Sanskrit? As Historical and Comparative studies of the languages have proved that most of the languages have descended from Sanskrit, Greek and Latin: the Indo-European branch of the languages. According to these scholars Sanskrit, Latin and Greek are sister languages descended from common source, termed as Proto-Indo-European. Now, there is no evidence as such that proves that sister Sanskrit is superior to Sister Greek and Sister Latin. And we accept that they are also as superior as Sanskrit, then by the

analogy of Hindi, English will also become a superior language. But, this entire exercise of proving Hindi or English superior is futile, because languages do not come in competition to one another; it is the speakers who compete. Languages are all equal; all are equally useful and important for their respective users.

But the Myth of Sanskrit as a superior language deserves few words here. Many scholars come with the argument that the Grammatical and Etymological studies of the Sanskrit proves it to be a scientific language, as no other language has been studied with such depth and precision. (In the present discussion Dr. X also uses this argument, and the scholars she cites also, more or less, support the similar claims.) But, no language becomes scientific on the basis of its description. If I ask you whether water is scientific or non-scientific? There is a scientific description available for water, H₂O. Can you claim, based on this description, that water is scientific? This is just a description, a necessary idealization to study it scientifically. It doesn't make it scientific or non-scientific; rather it makes it an object of scientific analysis/study. Same is the case with language. Sanskrit has been described very effectively, so is English. In fact, English is the best studied language as long as Linguistics is concern. It doesn't make them scientific; they are objects of scientific analysis.

5. They believe that there is only one Hindi, without any regional and/or social varieties.

When the Hindi scholars argue to establish Hindi as a solution to their 'perceived' problems, they forget to mention which Hindi they are talking about. Part of the problem is, we are taught as if there is only one Hindi spoken all over the places. The myth of Homogenous Hindi is a big problem for the lesser known/accepted varieties of Hindi. There are classes and regions which use different varieties of Hindi, which are not acknowledged and to some extent persecuted in favor of 'so called' standard variety. These

smaller varieties haven't been studied well, with a folk notion that they don't have grammar or they are diversions to established grammatical patterns. Dr. X is asked about 'which variety' of Hindi in the second comment by Mr. Y. The question is never answered. Primarily because, they believe that there is only one Hindi, and deny all other social, regional and temporal varieties; because accepting such varieties deteriorates their notion of 'one, pure Hindi', and it could weaken their arguments in favor of 'scientific language'. As a social scientist, we need to understand the history and development of languages. The standardized variety is not God-given, rather it is established by human efforts for academic or official purposes.

6. Taking a text for a language.

The chunk of English text, Dr. X reacts to, is a small essay about idiosyncrasies and creativity of English language. It is not the English language. This is just a small example of English constructions. Dr. X has generalized that construction into English language. This is a deliberate generalization to denounce English and place Hindi in order to brag about its superiority. No specific groups of sentences are equal to a language; language can produce infinite number of newer sentences by using various combinations of its words. The entire discussion doesn't mention the text, or any specific aspect of the text.

2.2.4 Plight of Discussion on Social Media:

The present text was taken from a post on the face-book page - The Language Institute. It was posted on July 7, 2015; the post has reached 235 users till date. 5 users have liked the post and 1 user has shared it. The last comment on the post was made on July 13, 2015 by the admin of the page. 175 users have liked the page. Thus, this post is seen by at least 230 users, though only three have commented on it, including the admin of the post. This indicates the fact that social

networking sites are not a reliable place for discussion, because people can always opt out of it without making any positive or negative impact on the level of discussion. People normally 'Like' it; at times, read it. The extremists prefer to comment destructive comment or the comments which normally digresses the topic at hand. Like in the present post which was an essay just for fun, one get comments completely breaking the point of the post. There are more than 100 language experts and/or trained linguists who have seen the post and comments, but they have preferred to bypass the discussion, neither favoring nor opposing either view.

The social media is a good place for discussion. But, many people are there for pleasure and networking instead of serious discussions. The primary goal of social media is the networking and therefore taking stand in a serious discussion might damage their network. This is one of the most important things one has to remember while evaluating the discussion of social media, because most of the people are here to develop network and not to destroy. This could be one of the reasons that many people avoided to comment on the discussion, in spite of their better knowledge than that of the discussants. Second point to note is that people try and avoid long texts on internet. People are more into short texts of one or two lines, because most people hurriedly check their mails and notifications on internet.

3 Conclusions:

A face-book post which was just meant for a fun accelerated a discussion on the superiority and scientific nature of a language. But, the post exposes more than it reveals. First and foremost thing is, it defines the level of discussion on the platform of social media especially in Indian context. The post is not actually discussed at all. There are three discussants out of which two believe that Hindi is a scientific language and is a

solution to the 'problems' that English is suffering from. The remaining one discussant asks for the arguments for their belief, which he never gets. In the name of arguments, previous two discussants pointed out the 'rich' historical tradition of Sanskrit language.

The rules of the discourse which should have been observed for the successful discussion were flaunted in the entire discussion. None of the questions were answered following any norms of conversation. Most of the responses were irrelevant to the point. The responses were more like "you are wrong because I am right" kind, without direct connection to what they are proposing; propagating and using myths of superiority. And this Superiority claims are unquestionable too. If Hindi is "completely scientific language" (translating the words of Dr. X from comment 1) because it is descended from Sanskrit; by this argument more than half of the languages spoken in India become scientific. But, more important point that the discussant ignores to take seriously is that language is something that cannot be scientific or non-scientific; rather it can be described scientifically. Such a claim equals to the claim that the society that uses language Hindi is more scientific than the societies that don't. But, as discussed and studied quite well in anthropology that the cultures are different, there is nothing superior or inferior to them. Same is the case with languages; they are different and developed as per the need of the users.

More worry-some part of the discussion is the absence of voice from other potential discussants. This also implies the Indian mentality of staying on-lookers rather than actively participating and solving a problem. Such an ideology of mouthing for one linguistic variety and making the others inferior is also a case of linguistic imperialism (Phillipson 1992: 50-57). It is a matter of great despair and disappointment that after years of fruitful

linguistic research and many world renowned Linguists from India, the higher education especially university education suffers from such an ignorance about the nature of language.

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APPENDIX

Dr. X: इन सभी समस्याओंका निजात हिंदी अपनानेमें है। वहाँ कोई ऐसी उलझन नहीं। पूर्ण वैज्ञानिक भाषा। [1]

Mr. Y: Every native speaker of any any language goes with this prejudice. We really need to come out of it and understand the limitations of our languages that we use. There is no scientific language. And which Hindi you are talking about? [2]

Dr. X: I don't agree... [3]

Mr. Y: Your disagreement doesn't change the fact. Please try and learn language scientifically. Learning is good at any age. [4]

Dr. X: Thank u. I m learning thats why telling. Topic needs to be debated. Hindi is scientific. [5]

Mr. Y: If you are taught "Hindi is Scientific" then no need to learn wrong things. Always ready to debate. First of all, tell me what do you

understand by Scientific? [6]

Dr. X: आप किस आधार पर हिंदीको अवैज्ञानिक घोषित कर रहे हैं? पहले स्पष्ट करें। [7]

Mr. Y: I said "There is no scientific language" (check my first comment), not just Hindi. The foundational assumption with language is, it is Arbitrary (Ferdinand de Saussure, and many more) and moving from this position language can be techno-friendly due to technical developments of certain types. But, saying 'Language is Scientific' is indigestible. [8]

Mr Y Yet, I ask you again, What do you mean by "Scientific"? [9]

Dr. X: Let me correctभाषा स्वयंमें यादृच्छिक नहीं किन्तु भाषाध्वनि - प्रतीकोंकी यादृच्छिक व्यवस्था है। [10]

Dr. X: आप भाषाशास्त्रके अध्येता हैं इसलिए आप समग्र भाषाओंका सामान्यीकरण करना चाहेंतो करें किंतु मैं हिंदीकी बात करूंगी। [11]

Dr. X: जहाँतक भाषाकी वैज्ञानिकताका प्रश्न है, हिंदीकी वैज्ञानिकता उसकी एक विशेषता है। [12]

Dr. X: हिंदीका विकास संस्कृतसे हुआ है इसलिए उसकी वैज्ञानिकताको समझनेकेलिए अष्टाध्यायी एवं निरुक्तको देखना होगा पश्चिमी चरमको उतारकर। [13]

Mr. Y: What do you understand by Scientific? [14]

Mr. Y: Astathyayi (or anyother such book) is yet another Grammar book (albeit a well written) by a human, it cannot be a criteria to make any Language Scientific. It's like saying that Wrenn and Martin and Oxford Dictionaries are so well (scientifically) written, and hence English is a scientific Language. That is why, I am curious to know your scientific understanding of "Scientific". [15]

Mr. Y: I would also love to know the sources which make the claims of Hindi being a Scientific Language. [16]

Dr. X: 1. Science और विज्ञान उसी तरहसे अलग हैं जैसे religion और धर्म।

2. विज्ञानका अर्थ है विशेष ज्ञान नकि शास्त्र अथवा कौशल।

3. ज्ञानका विकासही विज्ञान है।

4. किसी चीज़का तर्कसंगत (कारण-कार्यमूलक) विवेचन – विश्लेषणही विज्ञान है। [17]

Mr Y Can you establish Hindi as Scientific on the basis of your own and personal definitions of Science. [18]

Dr X हिंदी किस प्रकार वैज्ञानिक है..... कल बताऊंगी। [19]

Ms. Z: यदि संस्कृत स्वीकार्य है तो हिंदी क्यों नहीं? हमभी Dr. Xजीसे सहमत हैं। [20]

Mr. Y: nice joke. Who said that Sanskrit is a Scientific Language? [21]

Dr. X and Ms. Z, हिंदीकी वैज्ञानिकता... भाषाविज्ञान... तार्किकतासे प्रमाणित करो। हमारा निरुक्त एवं व्याकरण बहुत प्राचीन एवं तर्कसंगत है। यूरोपीय विद्वानोंने अभी पिछली शताब्दीमें हमसेही सीखा है। हमें उनकी दृष्टिसे नहीं बल्कि भारतीय पद्धतिसे देखना और समझना चाहिए। बड़ा अफसोस होता है जब भारतके लोग भारतीय ज्ञानपरम्परासे नहीं सीखना चाहते। [22]

Mr Y I am writing in time line instead of replying you personally, so that both of you can read it directly. [23]

Mr. Y: From both of your arguments, one thing is clear that you haven't ready Astathyayi. It is a scientific (or more accurately techno-friendly DESCRIPTION of language - Sanskrit. It doesn't mean that it becomes scientific. Another important thing, is it describes Syntactic and Phonological levels of Sanskrit language, the other levels, such as Morphological, Social, Pragmatic, Discursive, Textual, etc. are untouched. [24]

Mr. Y: Description of a language and a language are two separate things. Description may or may

not be scientific. The entire work in Linguistic has begun with the Scientific descriptions of Languages. India might be the first one in descriptions, but the scientific footing developed by Westerners. The Educated Indians are still thinking that the Language was scientific, and doesn't care in providing descriptions of Languages scientifically, this is the difference. [25]

Dr. X 1: मैं हिंदीकी बात कर रही हूँ।

2 विज्ञानकी परिभाषा मेरी अपनी नहीं है। आप भाषाविद्किशोरीदास वाजपेयी, भोलानाथ तिवारी तथा कामताप्रसाद गुरुको पढ़ सकते हैं पुष्टिके लिए।

3 मेरी बात कल पूरी नहीं हुई थी। कल मैं थोड़ा व्यस्त थी। आपको सप्रमाण उत्तर मिलेगा। धैर्य रखिए लेकिन मुझे पता है कि आप स्वीकार नहीं करेंगे क्योंकि आप पूर्वाग्रहसे ग्रस्त हैं। [26]

Mr. Y: I repeat again, Description of language is not Language. Panini, Patanjali, etc. have provided excellent descriptions of language. The Hindi writers you have mentioned also have provided descriptions of Hindi language. If in that descriptions they have said that "Hindi is Scientific Language", then their understanding is also faulty. [27]

Mr. Y: Language is Social, Language is cultural means it is developed by the socio-cultural aspects of the group that uses it. And hence it cannot be Scientific. [28]

Mr. Y: If you think correct understanding is prejudice, I am happy with it. But Scientific understanding changes with better and newer data. I will be happiest to believe you if you can prove with the data. [29]

Dr.X Discourses: is over क्योंकि आप स्वयंको हिंदीके उन भाषाविदोंसे अधिक विद्वान्समझ रहे हैं जिनका मैं सन्दर्भ दे रही हूँ फिर मेरे आगेके सन्दर्भ निरर्थक जाएंगे। आपका पूर्वाग्रह एवं विद्वत्ता आपको सुबारक। मुझे मेरी ज्ञान-विरासत पर गर्व है। आज पूरा विश्व जिस ज्ञान – स्रोतको टटोल रहा है हम भारतीय उसे समझनाही नहीं चाहते। [30]

Mr. Y: Prove yourself, Just saying we are great will not make us great. I have put a conditional sentence for your great Scholars, if you can understand it. They were just Grammarians, trying to provide best possible description of Hindi Grammar. Can you think of anything better than that? [31]

Ms. Z: आदर्श लिपि वही मानी जाती है जो वैज्ञानिकभी होती है। इसकी विशेषता यही है की जैसा बोला जाता है वैसाही लिखा जाता है। दूसराकि महाप्राण ध्वनियोंके लिये स्वतंत्रचिह्न है। आज कई शैक्षणिक संस्थानोंमें हिंदीको phonetics style में पढ़ाना प्रारम्भ कर दिया गया है। [32]

Mr. Y: You are absolutely right. Devnagari is one the best scripts and Hindi, like many other languages use Devnagari as a script. But, the question here is of SCIENTIFIC LANGUAGE and not of Script. Remember the script used in Hindi Language is Devnagari, and it is used by many other languages as well. Writing system of the language is not an essential characteristic of the Language. 95% of the languages of the world do not have Script or Writing system. [33]

A Study of the Values of Tribal Students Residing in the Central Gujarat

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Abstract:

Majority part of Panchmahals and some parts of Vadodara district are covered by the people from Tribal communities. These parts are the most backward areas. As a result, these people are deprived of many facilities. But they have retained their own values. The values deal with one's own principles and standards from which we judge what is right and wrong behavior. Values in education must bring in several new concepts which are linked to the quality of human life and go beyond simple growth. They deal with a love and respect for each other. These are the values that will bring about a better humanity, one in which we can live healthy, productive and happy lives in harmony with nature. They are Pantheist in real sense of the term.

Keywords:

Tribal	Values	Philosophy	Celibacy	Philosophy
Benevolence	Education	Culture	Literacy	Life style

Having been born as human beings and endowed with the rare gift of reasoning and spiritual awakening we have to ignore our lives and put Satya, Dharma, Shanti, Prema and Ahimsa into practice. This message or line of thinking was proclaimed in different ages by our great prophets like Krishna, Mahavira, Buddha, Sages like Sankara, Kabir, Guru Nanak, Sri Ramakrishna, Swami Vivekananda and the modern thinkers like Gandhi, Tagore and Aurobindo.

The concept of value varies with different approaches and schools of philosophy.

- In Jain philosophy, value is celibacy, asceticism and control of senses.
- In Buddhist view, thought liberation and service of sentiment beings of the world is the value.
- Sankhya advances a theistic and evolutionary concept of value.

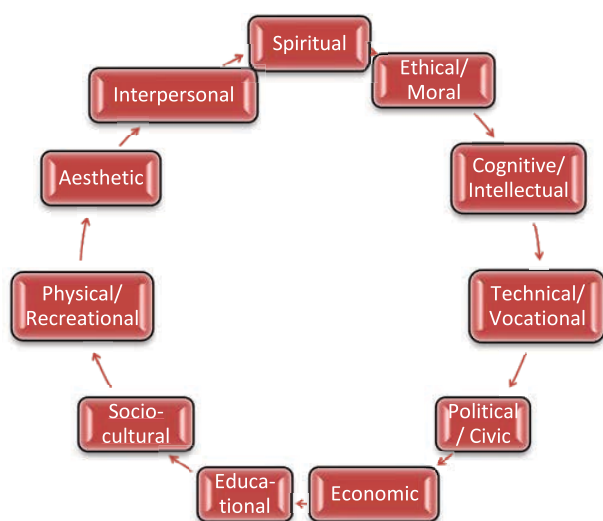
- In Rigveda, value means to make a man self-reliant and selfless.
- According to Upnishads, value is that whose end product is salvation.
- According to Charvaka School, value-conception is hedonistic and epicurean. Value is happiness and happiness is value.

In the central Gujarat Tribal people's Life value is self-discipline, self-perfection and self-fulfillment. Tribal people's Value is perfection, it is a medium of self-discovery and an instrument of progress. The concept of Tribal people's value is both absolute and relative in its implications. Value is highest liberation and medium towards better living.

Types of Values:

Schwartz (2005) details the derivations of the ten basic values. Each of the ten basic values can be characterized by describing its central motivational goal:

1. Self-Direction. Independent thought and action; choosing, creating, exploring.
2. Stimulation. Excitement, novelty, and challenge in life.
3. Hedonism. Pleasure and sensuous gratification for oneself.
4. Achievement. Personal success through demonstrating competence according to social standards.
5. Power. Social status and prestige, control or dominance over people and resources.
6. Security. Safety, harmony, and stability of society, of relationships, and of self.
7. Conformity. Restraint of actions, inclinations, and impulses likely to upset or harm others and violate social expectations or norms.
8. Tradition. Respect, commitment, and acceptance of the customs and ideas that traditional culture or religion provide the self.
9. Benevolence. Preserving and enhancing the welfare of those with whom one is in frequent personal contact (the 'in-group').
10. Universalism. Understanding, appreciation, tolerance, and protection for the welfare of all people and for nature.



There are many different ways of cutting the values cake, of course, so there is bound to be overlap in any categorization. So talk about 'domains of value' is a convenience; not a fixed set of exclusive categories.

These days when social, moral, cultural and spiritual values are disintegrating, when religion is loosening its hold, when power and knowledge are being misused for vested interests, when nations do not trust one another, when black marketing, corruption, indiscipline, violence are fast spreading, it is essential that education should be value oriented. Only value oriented education can promote individual and social welfare, love, peace, good will and understanding.

Plato in *The Republic*, is the willingness to use one's knowledge and skills to solve the problems of society. Education must imbue children with a proactive social conscience. Society is the empowering context for individuals. No one can become fully human or attain dignity and fulfillment outside the web of relationships and responsibilities presupposed in society. True education equips individuals to live creatively, responsibly, and peaceably in a society and become agents of change for a better society. Improvement of the quality of education has always been the key concern for education.

In 21st century, quality value education has been defined in more pragmatic terms. It has become synonymous with employability, preparation for the world of work, less and less consideration is given to the subject of education i.e. individual student and his/her full development as a human being. Quality of value education should not be considered in fragmented terms but in a more holistic and expanded manner not in terms of number of years of schooling but the quality aspect of the development of the individual; the formation of the whole persons and full flowering of the human being and character building.

Aims of Value Education:

The aim of value education in the central Gujarat is linked with the fundamental question of what education itself is meant for. From individual's perspective, the purpose is to enable students achieve personal fulfillment for success in life and work. From societal perspectives, education aims to prepare young people to contribute to the society/nation and world around. In neither case however, education is to be perceived as an outcome but as an experience in itself, which will enable student to live safe, healthy and fruitful life and become Responsible citizens who make positive contributions to the society.

These days, in 21st Century, technological evolution contributes to globalization of knowledge-based education, which has changed human lifestyle. Such continuous changing condition in daily life situations jeopardizes our inner homeostasis and results into tremendous stress-related-immune-deficient disorders, where values are left far behind. In fact, there is gross erosion of values of individual to keep pace with the society in order to fulfill one's desire to be at the top. The erosion of human values of truth, co-operation, nonviolence, peace, love, and respect for parents, elders, authority and hard work is leading to the decay of moral and social fabric of society at a speed never witnessed in the history of civilization.

Our stress is too much on standards of living and not on standards of life. Though the problem of decreasing values extends to the whole range of human activities, education field is regarded as the proper place to inculcate positive values.

The Indian culture is deeply rooted in spiritual and ethical values, unless these values find their way into the life of students, education will lose its significance and will not fulfill its aim. Though we have made progress in knowledge but still we are not above the levels of our past generations in ethical and spiritual life. In some, we have declined from their standards. Today we

have been successful in making professionals but not the human beings.

The main aim of value education in the central Gujarat is to reform attitude and behaviour, to promote healthy lifestyle, to shape the high moral character and to develop refined personality of younger generation, who can prove them as the best citizen of a nation.

What is Tribal?

The term “**Tribes**” refers to a cultural and historical concept. It is used in terms of folk urban continuum along which different groups are classified, given a certain order of material culture and stage of technological growth and classified as tribes. **According to Oxford Dictionary” tribe is a group of people in primitive or barbarous stage of development acknowledging the authority of a chief and usually regarding themselves as having a common ancestor”.**

For Verrier Elwin, the word 'Tribe' has been derived from the Latin root, the middle English term “**Tribuz**” meaning the three divisions into which the early Romans were grouped, came to evolve into the modern English tribe. Similarly, various authors have described the tribes by different nomenclature. As Dr. Ghurye named them 'Backward Hindus', Das and Das renamed them as 'Submerged humanity', few named them Aborigines, Primitive Tribe, Adivasi, Vanyajati, Vanabasi, Adimjati, Pahari, etc.

In the Constitution of India, the term tribe has not been defined clearly, only the term '**Scheduled Tribes**' is explained as “**the tribe or the tribal communities or parts of or groups within tribes or tribal communities**” which the President may specify by public notification (Article 342) According to ILO Convention 107 (1957) the tribals or aborigines have been defined as the tribals or semi-tribal groups of the Independent countries deprived socially or economically and having their own customary laws/conventions.

Characteristics of Tribal

Bhil Adivasi, Tribal India Lifestyle: Bhils are primarily an Adivasi people of Central India. Bhils are also settled in the Tharparkar District of...

Banjara Adivasi, Tribal India Lifestyle : Distribution The origin of Banjara community is stated in the area between Bikaner and Bahawalpur, Pakistan. After the f...

Bhil Meena Adivasi, Tribal India Lifestyle : Bhil Meena people The Bhil Meena (also spelled Bhil Mina) are a tribal group found in the state of Rajasthan, India. In anc...

Meena Adivasi, Tribal India Lifestyle : Meena people The Meena caste—whose name is also transliterated as Meenanda or Mina—is found mainly in the Rajasthan region of Indi...

Garasia Adivasi, Tribal India Lifestyle : Garasia people Garasia is a scheduled tribe living in the forest areas of the states of Rajasthan and Gujarat. They are divided in...

Dhanka Adivasi, Tribal India Lifestyle : Dhanka people The Dhanka are an Adivasi

group in India. They number slightly over 400,000 people. Over half of the Dhanka live...

Damor Adivasi, Tribal India Lifestyle : Damor people The Damor are an ethnic community found in the state of Gujarat in India. They are also known as Damaria. Origin ...

Pateliya people, Tribal India Lifestyle: Pateliya people The Pateliya is a scheduled tribe found in the state of Rajasthan in India. History and origin The ter...

Garasia Adivasi, Tribal India Lifestyle : Garasia people Garasia is a scheduled tribe living in the forest areas of the states of Rajasthan and Gujarat. They are divided i...

❖ Population of Gujarat - Census-2011

The 2011 Census is the 15th decennial Census of India since 1872 when the first systematic Census was conducted throughout the country as per uniform pattern. This will be the 7th successive exercise conducted after Independence. The most important is that first time Caste base Census is included in the Census 2011.

Population	%	Males	Females	Literacy	Rural Population	Urban Population
60,439,692	4.99	31,491,260	28,948,432	78.03	31,740,767	18,930,25

• Literacy in Dahod District

Average literacy rate of Dahod in 2011 were 58.82 compared to 45.15 of 2001. If things are looked out at gender wise, male and female literacy were 70.01 and 47.65 respectively. For 2001 census, same figures stood at 58.88 and 31.28 in Dahod District. Total literate in Dahod District were 1,007,171 of which male and female were 599,035 and 408,136 respectively. In 2001, Dahod District had 588,074 in its district.

• Literacy in Panchmahals

In 2011, Panchmahals had population of 2,390,776 of which male and female were 1,226,961 and 1,163,815 respectively. In 2001 census, Panchmahals had a population of

2,025,277 of which males were 1,044,937 and remaining 980,340 were females.

Comprehensive / Excessive (Prabalata) for Tribal

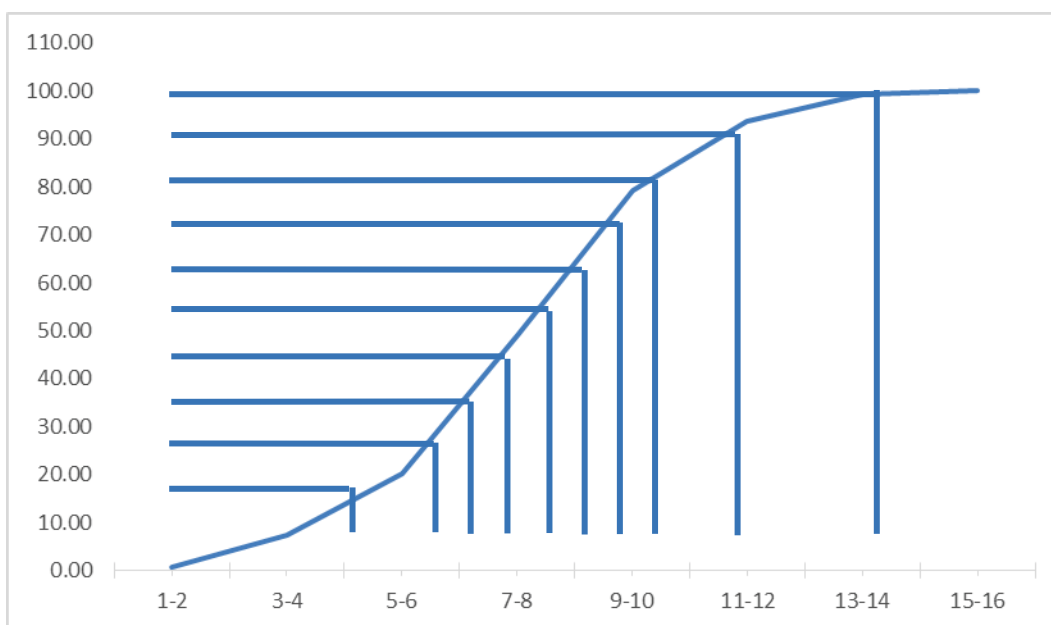
No.	Values	Nos. of Students	Mean	SD
1	Aesthetics	400	7.12	2.34
2	Economic	400	6.74	2.54
3	Knowledge & Science	400	10.18	2.55
4	National / Political	400	8.40	2.24
5	Religious	400	9.42	2.03
6	Social	400	9.2	61.94

Frequency Distribution Scores of Tribal Students on Prescribed Values

Score	f	x'	fx'	fx' ²
1-2	15	-4	-60	240
3-4	161	-3	-483	1449
5-6	305	-2	-610	1220
7-8	695	-1	-695	695
9-10	724	0	0	0
11-12	349	1	349	349
13-14	133	2	266	532
15-16	18	3	54	162

Frequency Distribution of Scores of Prescribed Values for Tribal Students

Score	<i>f</i>	<i>cf</i>	<i>cf</i> %
1-2	3	3	0.75
3-4	27	30	7.48
5-6	51	81	20.20
7-8	116	197	49.13
9-10	121	318	79.30
11-12	58	376	93.77
13-14	22	398	99.25
15-16	3	401	100.00



Percentile Rank of Scores of Tribal Students on Prescribed Values**Percentage of Statement-1 for all value**

Values ↓	Priority →	1	2	3	4	5	6
Aesthetic		4.17%	20.83%	21.67%	23.33%	22.50%	7.50%
Economic		19.17%	10.00%	25.00%	20.83%	12.50%	12.50%
Knowledge & Science		25.00%	25.83%	15.00%	9.17%	13.33%	11.67%
Political		5.83%	21.67%	23.33%	5.83%	12.50%	30.83%
Religious		22.50%	16.67%	5.00%	26.67%	10.83%	18.33%
Social		23.33%	5.00%	10.00%	14.17%	28.33%	19.17%

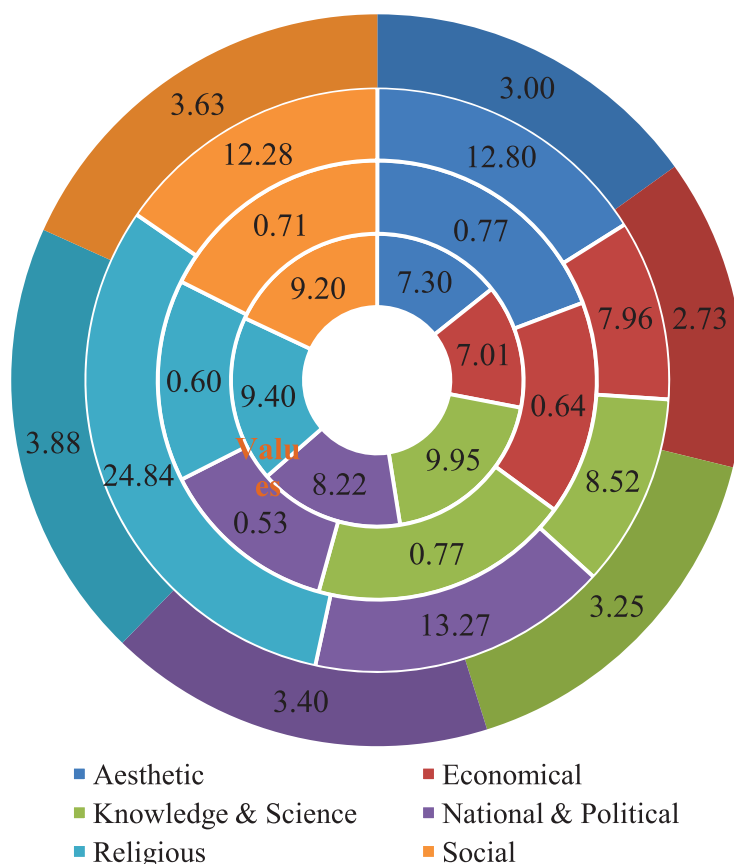
Significance of mean differences of various values between Tribal parents & their children

Values	Name of Values	Sample Group	Nos.	Mean	SD	SEd	t-value	Significant
1	Aesthetic	Students	400	7.30	2.35	2.10	2.05	S
		Parents	70	3.00	17.55			
2	Economical	Students	400	7.01	2.60	2.17	1.97	N.S.
		Parents	70	2.73	18.09			
3	Knowledge & Science	Students	400	9.95	2.54	2.51	2.66	S
		Parents	70	3.25	21.01			
4	National & Political	Students	400	8.22	2.29	2.19	2.20	S
		Parents	70	3.40	18.31			
5	Religious	Students	400	9.40	2.07	3.07	1.80	N.S.
		Parents	70	3.88	25.67			
6	Social	Students	400	9.20	1.99	2.87	1.94	N.S.
		Parents	70	3.63	24.02			
	Total	Students	400	8.51	2.56	5.96	0.87	N.S.
		Parents	70	3.32	49.82			

Whole group mean score of Students, Parents & chi square score of Teachers for all values

No.	N	Group	Aesthetic	Economical	Knowledge & Science	National & Political	Religious	Social
1	400	Students	7.30	7.01	9.95	8.22	9.40	9.20
2	120	Teacher (25)	0.77	0.64	0.77	0.53	0.60	0.71
3	120	Teacher (27)	12.80	7.96	8.52	13.27	24.84	12.28

On the source of, the doughnut diagram shows the distribution of mean scores of all the prescribed values of all the Students, Parents & chi square scores of teachers on Tribal traditions and values of Tribal students residing in Central Gujarat.



Graphical Presentation of whole group mean score of Students, Parents & chi square score of Teachers for all values

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An Analytical Study of Legal Aid in Indian Scenario

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Abstract:

India is a developing country. The development in the industrial sector is very much appreciable, but still this progress in the field of industrialization, marketing, finance, etc. cannot hide the indispensable drawbacks of our society like population explosion and illiteracy. These drawbacks, coupled with environmental and social hinges results in increase in poverty and lack of food for people. Humanism, which is the source and strength of legality, is writ large in the theme of legal services to the poor in that part of our planet where backwardness and indigence have struck the hardest blows through the legal process itself on the lowly and the lost. Pre-British India had practiced “constitutional monarchy” and the days of the Hindu and Muslim rulers had witnessed unsophisticated methodology of dispensing justice to the poor, inexpensively and immediately. In short, justice to the citizens-high and low-has been an Indian creed of long ago.

Keywords:

Humanism	Constitutional	Monarchy	Explosion	Illiteracy
Unsophisticated	Legal Aid	Quasi-Judicial	Perjury	Directive Principles

India is a developing country. The development in the industrial sector is very much appreciable, but still this progress in the field of industrialization, marketing, finance, etc. cannot hide the indispensable drawbacks of our society like population explosion and illiteracy. These drawbacks, coupled with environmental and social hinges results in increase in poverty and lack of food for people.

Humanism, which is the source and strength of legality, is writ large in the theme of legal services to the poor in that part of our planet where backwardness and indigence have struck the hardest blows through the legal process itself on the lowly and the lost. Pre-British India had practiced “constitutional monarchy” and the days of the Hindu and Muslim rulers had witnessed unsophisticated methodology of dispensing justice to the poor, inexpensively and

immediately. In short, justice to the citizens-high and low-has been an Indian creed of long ago.

After Independence schemes of legal aid was developed under the aegis of Justice N.H. Bhagwati, then of Bombay High Court and Justice Trevore Harris of Calcutta High Court. The matter of legal aid was also referred to the Law Commission to make recommendations for making the legal aid program an effective instrument for rendering social justice. Coming up with recommendation in its XIV report, under the leadership of leading jurist M.C. Setalvad, the Commission opined that free legal aid is a service which should be provided by the State to the poor. The State must, while accepting the obligation, make provision for funds to provide legal aid. The legal community must play a pivotal role in accepting the responsibility for the administration and working of the legal aid

scheme. It owes a moral and social obligation and therefore the Bar Association should take a step forward in rendering legal aid voluntarily.

These would include representation by lawyers at government expenses to accused persons in criminal proceedings, in jails, and appeals. The Commission also recommended the substitution in Order XXXIII, Civil Procedure Code of the word 'pauper' with 'poor persons'. Acting on the recommendations of the Law Commission, the Government of India in 1960 prepared a national scheme of legal aid providing for legal aid in all courts including tribunals. It envisaged the establishment of committees at the State, District and Tehsil level. However due to the inability of States to implement the scheme because of lack of finances the scheme did not survive.

Accepting this recommendation in the 1976, Article 39-A was introduced in the Directive Principles of State Policy by 42nd Amendment of the Constitution. With the object of providing free legal aid, the Government of India had, by a resolution dated 26th September, 1980 appointed a Committee known as "Committee for Implementing Legal Aid Schemes" (CILAS) under the chairmanship of Chief Justice P.N. Bhagwati to monitor and implement legal aid programs on a uniform basis in all the States and Union Territories. 'CILAS' evolved a model scheme for legal aid programs applicable throughout the country by which several legal aid and advice Boards were set up in the States and Union Territories.

It was in the above backdrop that the Parliament passed the Legal Services Authorities Act, 1987, which was published in the Gazette of India Extraordinary Part II, Section I No. 55 dated 12th October, 1987. Although the Act was passed in 1987, the provisions of the Act, except Chapter III, were enforced with effect from 9.11.1995 by the Central Government Notification S.O.893 (E) dated 9th November

1995. Chapter III, under the heading "State Legal Services Authorities" was enforced in different States under different Notifications in the years 1995-1998.

Legal Aid under Legal Services Authority Act, 1987:

According to Section 2(1) (a) of the Act, legal aid can be provided to a person for a 'case' which includes a suit or any proceeding before a court. Section 2(1) (a) defines the 'court' as a civil, criminal or revenue court and includes any tribunal or any other authority constituted under any law for the time being in force, to exercise judicial or quasi-judicial functions. As per Section 2(1)(c) 'legal service' includes the rendering of any service in the conduct of any case or other legal proceeding before any court or other authority or tribunal and the giving of advice on any legal matter.

Legal Services Authorities after examining the eligibility criteria of an applicant and the existence of a prima facie case in his favour provide him counsel at State expense, pay the required Court Fee in the matter and bear all incidental expenses in connection with the case. The person to whom legal aid is provided is not called upon to spend anything on the litigation once it is supported by a Legal Services Authority.

Under The Legal Services Authorities Act, 1987 every citizen whose annual income does not exceed Rs 9,000 is eligible for free legal aid in cases before subordinate courts and high courts. In cases before the Supreme Court, the limit is Rs 12,000. This limit can be increased by the state governments. Limitation as to the income does not apply in the case of persons belonging to the scheduled castes, scheduled tribes, women, children, handicapped, etc.

Functions Under The Legal Services Authorities Act, 1987:

Functions of the Central Authority - According to Section 4 of the said Act, the

Central Authority shall perform all or any of the following functions, namely :-

- Utilize the funds at its disposal and make appropriate allocations of funds to the State Authorities and District Authorities;
- Take necessary steps by way of social justice litigation with regard to consumer protection, environmental protection or any other matter of special concern to the weaker sections, of the society and for this purpose, give training to social workers in legal skills;
- Organize legal aid camps, especially in rural areas, slums or labour colonies with the dual purpose of educating the weaker sections of the society as to their rights as well as encouraging the settlement of disputes through Lok Adalats;
- Encourage the settlement of disputes by way of negotiation, arbitration and conciliation;
- Undertake and promote research in the field of legal services with the special reference to the need for such services among the poor;
- provide grants-in-aid for specific schemes to various voluntary social service institutions and the State and District Authorities, from out of the amounts placed at its disposal for the implementation of legal services schemes under the provisions of this Act'.
- Develop, in consultation with the Bar Council of India, programmes for clinical legal education and promote guidance and supervise the establishment and working of legal services clinics in universities, law colleges and other institutions;
- Take appropriate measures for spreading legal literacy and legal awareness amongst the people and, in particular, to

educate weaker sections of the society about the rights, benefits and privileges guaranteed by social welfare legislations and other enactments as well as administrative programmes and measures;

- Make special efforts to enlist the support of the voluntary social welfare institution, working at the grass-root level, particularly among the Scheduled Castes and the Scheduled Tribes, women and rural and urban labour; and
- Co-ordinate and monitor the functioning of (State Authorities, District Authorities, Supreme Court Legal Services Committee, High court Legal Services Committees, Taluk Legal Services Committees and voluntary social service institutions) and other legal services organizations and give general directions for the proper implementation of the legal services programmes.
- Lay down policies and principles for making legal services available under the provisions, of this Act;
- Frame the most effective and economical schemes for the purpose of making legal services available under the provisions of this Act.
- To do all things necessary for the purpose of ensuring commitment to the fundamental duties of citizens under Part IVA of the Constitution;
- Monitor and evaluate implementation of the legal aid programmes at periodic intervals and provide for independent evaluation of programmes and schemes implemented in whole or in part by funds provided under this Act

Entitled Persons for Legal Aid:

Criteria for giving legal service are prescribed under the Section 12 of the said Act. Every

person who has to file or defend a case shall be entitled to legal services under this Act if that person is –

- A person under circumstances to the underserved want such as being a victim of mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster; or an industrial workman; or in custody, including custody in a protective home within the meaning of clause (g) of Section 2 of the Immoral Traffic (prevention) Act, 1956 (104 of 1956), or in a juvenile home within the meaning of clause (j) of Section 2 of the Juvenile Justice Act, 1986 (53 of 1986), or in a psychiatric hospital or psychiatric nursing home within the meaning of clause (g) of Section 2 of the Mental Health Act, 1987 (14 of 1987); or in receipt of annual income less than rupees nine thousand or such other higher amount as may be prescribed by the State Government, if the case is before a court other than the supreme Court, and less than rupees twelve thousand or such other higher amount as may be [prescribed by the Central Government, if the case is before the Supreme Court.
- A member of a Scheduled Caste of Scheduled Tribe;
- A women or a child;
- A victim of trafficking in human beings or beggar as referred to in Article 23 of the Constitution;
- A person with disability as defined in Clause (i) of Section 2 of the person with Disabilities (Equal Opportunities, Protection of Rights and Full Participation)' Act, 1995

Not Entitled Persons for Legal Aid:

Also, there are factors for disentitlement from getting legal aid - As per rules, the following

persons are not entitled to the legal aid unless the Chairman of the Committee approves it as a special case :

- A person charged with perjury;
- A person charged with contempt of court proceeding or any incidental proceedings thereto;
- Proceedings wholly or partly in respect of defamation or malicious prosecution or any incidental proceedings thereto;
- Proceedings in respect of economic offences and offences against social laws, such as, the protection of Civil Rights Act, 1955, and the Immoral Traffic (Prevention) Act, 1956 unless in shc cases the aid is sought by the victim:
- Proceedings relating to any election.
- Proceedings in respect of offences where the fine imposed is not more than Rs. 50/-

The legal aid is also denied where the person seeking the legal services :

- If a formal party to the proceedings, not materially concerned in the outcome of the proceedings and his interests are not likely to be prejudiced on account of the absence of proper representation ;or
- Is concerned with the proceedings only in a representative or official capacity.

In the above two circumstances even Chairman cannot sanction legal aid as a special case.

CONCLUSION:

Thus legal aid to the poor and weak person is necessary for the preservation of rule of law which is necessary for the existence of the orderly society. Until and unless poor illiterate man is not legally assisted, he is denied equality in the opportunity to seek justice Thus it is the need of the hour that the poor illiterate people should be imparted with legal knowledge and should be educated on their basic rights which should be done from the grass root level of the

country. Because if the poor persons fail to enforce their rights etc. because of poverty, etc. they may lose faith in the administration of justice and instead of knocking the door of law and Courts to seek justice, they may try to settle their disputes on the streets or to protect their rights through muscle power and in such condition there will be anarchy and complete dearth of the rule of law. Thus legal aid to the poor and weak person is necessary for the preservation of rule of law which is necessary for the existence of the orderly society. Until and unless poor illiterate man is not legally assisted, he is denied equality in the opportunity to seek justice.

Hence in this area we have a huge number of laws in the form of judgements as well as legislations but they have just proven to be a myth for the masses due to their ineffective implementation. Thus the need of the hour is that we need to focus on effective and proper implementation of the laws which we already possess instead of passing new legislations to make legal aid in the country a reality instead of just a myth in the minds of the countrymen.

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Gujarat State Human Rights Commission: Constitution, Function and the Role of Human Right Protection

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Abstract:

Human Rights" under the Act in Section 2 (d) is given as follows:- "human rights', means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India", Human beings are rational beings. They by virtue of their being human possess certain basic and inalienable rights, known as human rights. They are essential for all individuals as they are consonant with their freedom and dignity. They are also necessary as they provide suitable conditions for the material and moral uplift of the people. The Gujarat State Human Rights Commission functions as per the provisions of the Protection of Human Rights Act, 1993.

Keywords:

Freedom	Dignity	Liberty	Equality	Covenants
State Commission	Violations	Council	Legislative	Sue motto

“Begin with duties of a man and rights will follow spring follows winter”

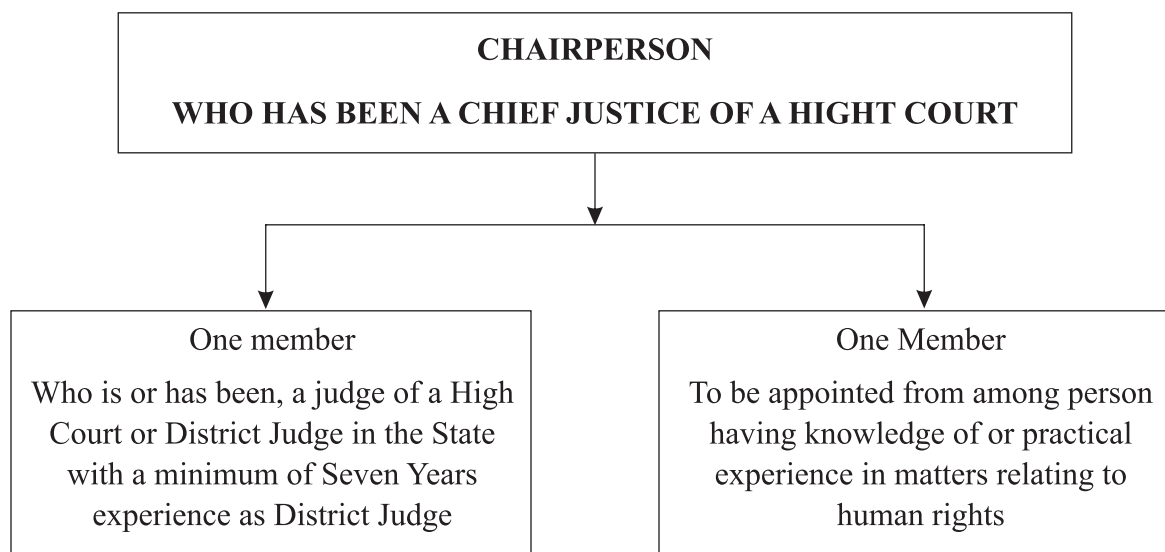
-M.K. Gandhi

Human beings are rational beings. They by virtue of their being human possess certain basic and inalienable rights, known as human rights. They are essential for all individuals as they are consonant with their freedom and dignity. They are also necessary as they provide suitable conditions for the material and moral uplift of the people. The Gujarat State Human Rights Commission functions as per the provisions of the Protection of Human Rights Act, 1993. "Human Rights" under the Act in Section 2 (d) is given as follows:- "human rights', means the

rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India",

Constitution of state Human Rights Commission:

A state government may constitute a body to be known as the (name of the state) Human Rights Commission to exercise the power conferred upon, and to perform the function assigned to, a state commission under this chapter. The State commission shall with effect from such date as the state government may by notification specific consist of

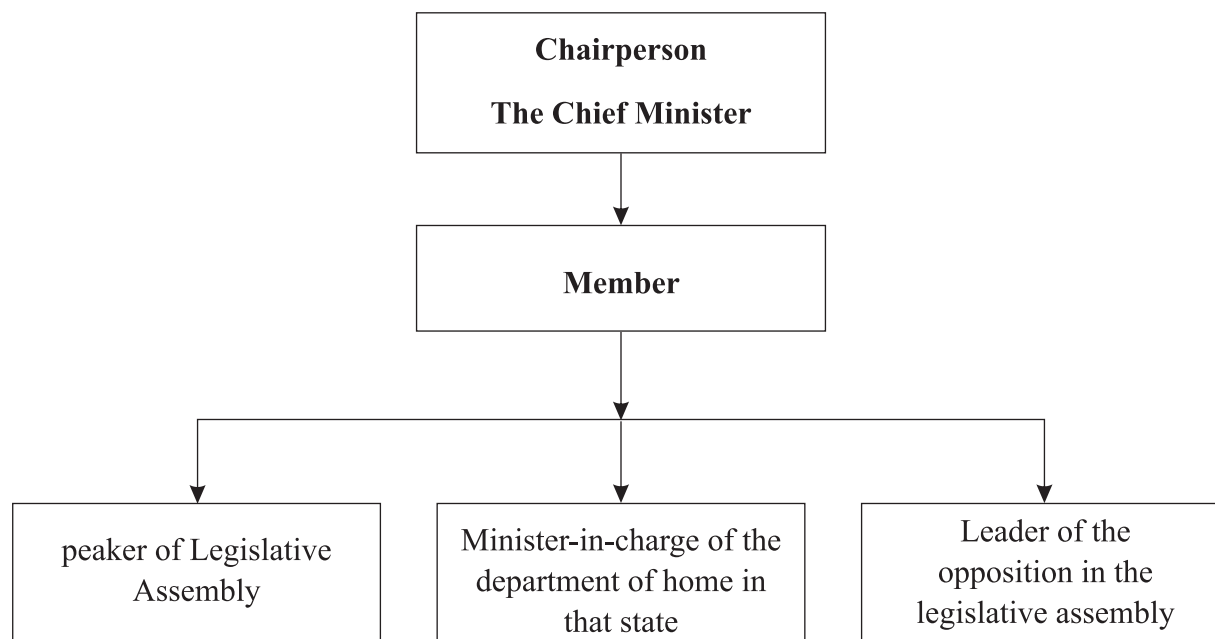


There shall be a secretary who shall be the chief executive officer of the state commission and shall exercise such power and discharge such function of the state commission as it may delegate to him.

Appointment of chairperson and member of state commission:

According to under sec. 22 (1) the chair person and member shall be appointed by the governor by warrant under his land and seal.

Provided that every appointment under this sub-section shall be made after obtaining the recommendation of a committee consisting of:



Provided also that no sitting judge of a High Court or a sitting district judge shall be appoint except after consultation with the chief justice of the High Court of the Concerned state.

Function of the Commission:

The function of the commission are laid down under section 12 of the Act which are as follows:-

- a) Inquire, sue motto or on petition presented to it by a victim or any person on his behalf⁸ [or on a direction or order of any court], into complaint of—
 - i. Violation of human rights or abetment thereof; or
 - ii. Negligence in the prevention of such violation, by a public servant;
- b) Intervene in any proceeding involving any allegation of violation of human rights pending before a court with the approval of such court;
- c) Visit⁹, notwithstanding anything contained in any other law for the time being in force, any jail or other institution under the control of the State Government, where persons are detained or lodged for purposes of treatment, reformation or protection, for the study of the living conditions of the inmates thereof and make recommendations thereon to the Government;]
- d) Review the safeguards provided by or under the Constitution or any law for the time being in force for the protection of human rights and recommend measures for their effective implementation;
- e) Review the factors, including act of terrorism, that inhibit the enjoyment of human rights and recommend appropriate remedial measures;
- f) Study treaties and other international instruments on human rights and make recommendations for their effective implementation;
- g) Undertake and promote research in the

field of human rights; Spread human rights literacy among various section of society and promote awareness of the safeguards available for the protection of these rights through publications, the media seminars and other available means;

- h) Encourage the efforts of non-governmental organizations and institutions working in the field of human rights;
- i) Such other function as it may consider necessary for the promotion of human rights.

The procedure adopted by the state commission:

The commission has notified own regulations and guidelines "Gujarat State Human Rights Commission (Procedure) Regulation 2006". These Regulations dated 22.12.2006 (Annexed as Annexure 3A) and Guidelines dated 24.12.08. Under Section 10(2). 'The commission while inquiring into the complaints of violations of human rights may call for information or report from the Central Government or any State Government or any other authority or organization subordinate thereto within such time as may be specified by it provided that, if the information or report is not received within the time stipulated by the Commission, it may proceed to inquire into the complaint on its own; if, on receipt of information or report, the Commission is satisfied either that no further inquiry is required or that the required action has been initiated or taken by the concerned Government or authority, it may not proceed with the complaint and inform the complainant accordingly; without prejudice to anything contained in clause (i), if it considers necessary, having regard to the nature of the complaint initiate an inquiry.

Powers of the Commission and Procedure followed:

The State Commission has the powers relating to inquiries u/s 13 and the steps after the inquiry under Section 18. Considering the above provisions of the law, the Complaints/petitions are received from the petitioners from all over the State, they are first being registered in the Inward register of the office of the Commission and the receipt for the same is given to the concerned petitioner on the spot. Thereafter, such applications are scrutinized under the concerned petitioner on the spot. Thereafter, such applications are scrutinized under the provisions, rules prescribed under the Human Rights Protection Act, 1993 and if prima facie breach of such Human Rights is found in it, the Public authorities of the concerned Departments, Sections, Authorities, Offices, Boards, Corporations are called for the submit an independent clear report within 21 days in normal circumstances, and if it is not submitted within the prescribed time-limit, and procedure followed as per section 17 and 13, the State

Commission takes further action and as per the provisions of section 13 (5), the state commission procedure prescribed in the Civil Procedure Code as a Court. A preliminary hearing is done and the party can be summoned and the concerned Officer can be issued summons to remain present and the petition is admitted, the case and may initiate for further detailed inquiry. The commission can also take action as per section 18 after adopting procedure as per sections 13 and 17.

Procedure for petitions:

After receiving the report from the concerned competent authority on the applications, petitions received in the State Commission, it is scrutinized and thereafter State Commission takes final decision and if there is any lapse in the case at any stage right from inception to conclusion, under the Protection of Human Rights Act, suggestions, instructions, recommendations are sent to State Government or to the competent authorities as well as intimation sent to the concerned petitioner.

Complaints received / processed till 30th June, 2016:**Complaints:**

Number of Complaints	Total
Number of Complaints received	28058
Number of Cases disposed off	27734
Number of cases under Consideration	324

Suo-Motu Cases

Number of Suo-motu cases	Total
Number of Suo-motu cases taken up by commission	1139
Number of Suo-Motu Cases disposed off	1002
Number of Suo-Moto cases under consideration	137

Custodial Death Cases

Number of Custodial Death cases	Total
Number of Custodial Death Received	455
Number of custodial death disposed off	420
Number of custodial death cases under consideration	35

Table No. 1
Statement showing Number of Cases Received, Disposed and Pending cases from 2006-07 to 2014-2015

No.	Year	Cases received	Cases disposed	Pending Cases
1	2006-07	610	565	45
2	2007-08	1420	1172	248
3	2008-09	2260	1812	448
4	2009-10	2992	2122	870
5	2010-11	3077	3077	0
6	2011-12	2989	2987	2
7	2012-13	3361	3340	21
8	2013-14	3705	3639	66
9	2014-15	3390	3066	324
	Total	23,804	21,780	2024

A data collected as per annual report of Gujarat state human rights commission.

Table No. 2
Gujarat State Human Rights Commission
Subject wise and Head wise Progressive Statement of petitions received up to the year 2010-11^{vii}

Major Head / Subject	Subject Code	Year wise Petitioners received					
		2006-07	2007-08	2008-09	2009-10	2010-11	Total
Children	100-01 to 100-05	4	8	1	3	6	22
Health	200-01 to 200-03	5	2	13	22	22	64
Jail	3300-01 to 300-08	10	11	43	23	8	95
Judiciary	400-1 to 400-02	3	7	18	22	12	62
Mafia/ Underworld	500-01 to 500-03	22	58	142	168	209	599
Labour	600-01 to 600-06	10	12	20	22	16	80
Discrimination against Minority / SC/ ST	700-01 to 700-02	36	37	50	142	129	394
Police	800-01 to 800-21	163	394	602	910	1002	3071
Pollution/Ecology and Environment	900-01 to 900-04	10	16	12	22	27	87
Refugees/Migrants	1000-01 to 1000-03	1	0	0	0	0	1
Religious/Community/Race	1100-01 to 1100-06	7	6	16	12	7	48
Service matter	1200-01 to 1200-03	55	118	306	343	289	1111
Women	1300-01 to 1300-12	50	117	155	205	200	727
TADA/PASA	1400-01 to 1400-03	2	1	8	5	7	23
Miscellaneous	1500-01 to 1500-04	232	654	874	1093	1143	3996
(Land/Family, etc.)							
Total		610	1441	2260	2992	3077	10380

Table No. 3

Gujarat State Human Rights Commission

Subject wise and Head wise Progressive Statement of petitions received up to the year 2014-15^{viii}

Major Head / Subject	Subject Code	Year wise Petitioners received					
		2010-11	2011-12	2012-13	2013-14	2014-15	Total
Children	100-01 to 100-05	6	3	9	6	3	27
Health	200-01 to 200-03	22	20	23	35	12	112
Jail	3300-01 to 300-08	8	17	36	30	25	116
Judiciary	400-1 to 400-02	12	14	13	12	11	62
Mafia/ Underworld	500-01 to 500-03	209	261	479	558	697	2204
Labour	600-01 to 600-06	16	32	29	23	19	119
Discrimination against Minority / SC/ ST	700-01 to 700-02	129	91	111	109	59	537
Police	800-01 to 800-21	1002	943	911	954	823	4676
Pollution/Ecology and Environment	900-01 to 900-04	27	30	13	28	26	124
Refugees/Migrants	1000-01 to 1000-03	0	0	2	0	0	2
Religious/Community/Race	1100-01 to 1100-06	7	2	6	6	3	24
Service matter	1200-01 to 1200-03	289	228	256	250	236	1259
Women	1300-01 to 1300-12	200	216	239	277	273	1205
TADA/PASA	1400-01 to 1400-03	7	8	8	4	9	36
Miscellaneous (Land/Family, etc.)	1500-01 to 1500-04	1143	1124	1226	1413	1194	6019
Total		3077	2989	3361	3705	3390	16522

It is cleared from the above table No. 3 that maximum cases question from miscellaneous category (family, land etc.) of which numbers are 6019, then on second place 4679 case regarding police, then 2204 cases regarding mafia under-world and the lowest numbers of cases are 2 relating to refugees and migrates from all the received complaints between the years 2010-11 to 2014-15 by the State commission.

Numbers of the received cases from year 2010-11 to 2014-15 has stability.

Table No. 4

Details of the Cases Financial Year wise registered and Disposed of Gujarat State by National Human Right Commission

S. No.	Financial Year	No. of Complaint Registered	No. of Complaint Disposed
1	2006-07	856	970
2	2007-08	1963	237
3	2008-09	Not Available	2907
4	2009-10	1288	1479
5	2010-11	1433	1555
6	2011-12	1108	1074
Total		6,648	10,022

Source : Data Collected as per the Annual Report of National Human Rights Commission from Annual Report 2006-07 to 2011-12

Table No. 5

Gujarat State Human Rights Commission

Progressive Statement of work done in the cases from 2010-11 to 2014-15^{ix}

District/City	2010-11			2011-12			2012-13			2013-14			2014-15			Total		
	Red	Disp	Pend	Red	Disp	Pend	Red	Disp	Pend	Red	Disp	Pend	Red	Disp	Pend	Red	Disp	Pend
Ahmedabad City	784	784	0	713	713	0	821	818	3	890	873	17	826	756	70	4034	3944	90
Ahmedabad Rural	131	131	0	127	127	0	121	117	4	130	122	8	107	98	9	616	595	21
Mehsana	95	95	0	91	91	0	102	101	1	127	126	1	117	112	5	532	525	7
Rajkot City	68	68	0	99	98	1	100	99	1	131	131	0	88	78	10	486	474	12
Rajkot Rural	90	90	0	103	103	0	98	98	0	152	152	0	115	112	3	558	555	3
Bhavnagar	146	146	0	165	165	0	155	152	3	212	207	5	201	179	22	879	849	30
Surat City	136	136	0	145	145	0	173	173	0	194	189	5	210	190	20	858	833	25
Surat Rural	39	39	0	26	26	0	35	35	0	35	35	0	34	31	3	169	166	3
Vadodara City	78	78	0	74	74	0	109	108	1	125	124	1	92	84	8	478	468	10
Vadodara Rural	53	53	0	41	41	0	64	64	0	62	62	0	73	70	3	293	290	3
Kheda	81	81	0	70	70	0	133	133	0	125	124	1	105	98	7	514	506	8
Banaskantha	151	151	0	126	126	0	145	145	0	133	132	1	133	116	17	688	670	18
Sabarkantha	118	118	0	114	113	1	101	101	0	129	127	2	99	93	6	561	552	9
Jamnagar	125	125	0	136	136	0	135	133	2	140	135	5	123	108	15	659	637	22
Junagardh	110	110	0	120	120	0	136	136	0	133	132	1	106	98	8	605	596	9
Kutch	68	68	0	70	70	0	62	62	0	54	53	1	46	42	4	300	295	5
Surendranagar	68	68	0	64	64	0	57	57	0	78	77	1	72	66	6	339	332	7
Amreli	82	82	0	57	57	0	59	58	1	98	97	1	101	89	12	397	383	14
Valsad	53	53	0	26	26	0	34	34	0	40	40	0	47	41	6	200	194	6
Bharuch	48	48	0	54	54	0	67	67	0	60	60	0	47	42	5	276	271	5
Panchmahals	73	73	0	87	87	0	91	89	2	116	116	0	107	94	13	474	459	15
Gandhinagar	205	205	0	152	152	0	193	192	1	198	191	7	204	184	20	952	924	28
Dangs	9	9	0	10	10	0	5	5	0	8	8	0	17	16	1	49	48	1
Dahod	40	40	0	53	53	0	70	69	1	58	57	1	54	46	8	275	265	10
Navsari	26	26	0	22	22	0	39	39	0	37	36	1	21	17	4	145	140	5
Narmada	16	16	0	45	45	0	24	24	0	36	33	3	33	24	9	154	142	12
Anand	88	88	0	74	74	0	117	117	0	117	115	2	68	68	5	464	457	7
Pattan	74	74	0	79	79	0	73	72	1	59	58	1	61	50	11	346	333	13
Porbandar	7	7	0	19	19	0	18	18	0	14	13	1	12	12	0	70	69	1
Tapi	15	15	0	27	27	0	24	24	0	14	14	0	17	17	0	97	97	0
Aravalli	0	0	0	0	0	0	0	0	0	0	0	0	5	4	1	5	4	1
Botad	0	0	0	0	0	0	0	0	0	0	0	0	16	11	5	16	11	5
Mahisagar	0	0	0	0	0	0	0	0	0	0	0	0	10	8	2	10	8	2
Devbhumi Dwarka	0	0	0	0	0	0	0	0	0	0	0	0	9	6	3	9	6	3
MORbi	0	0	0	0	0	0	0	0	0	0	0	0	3	2	1	3	2	1
Gir Somnath	0	0	0	0	0	0	0	0	0	0	0	0	9	8	1	9	8	1
Chhota Udepur	0	0	0	0	0	0	0	0	0	0	0	0	2	1	1	2	1	1
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	3077	3077	0	2989	2987	2	3361	3340	21	3705	3639	66	3390	3066	324	16522	16109	413

It can be concluded from the above mentioned table that 16109 complaints out of 16522 complaints received to Gujarat State Human Right Commission for last 5 years (from 2010-11 to 2014-15) were disposed of by the Gujarat State Human Right Commission and remaining 413 cases are pending.

Most members of complaints 4034 from Ahmadabad city. On second place 952 complaints from Gandhinagar, on third place 879 complaints from Bhavnagar were received by St. commission and lowest number of complaints was 2 from Chotta Udaipur between the years 2010-11 to 2014-15.

Conclusion:

It is cleared from the above mentioned circumstances that the State Commission is disposing received complaints with active diligence by the balance / combination and stability between of received that complaints and their disposal indicates that state commissions work skill, awareness regard Human Right shows responsibility in respect of public.

"The Real Swaraj will come not by the acquisition of authority by a few, but by the acquisition of capacity by all to resist authority when abused".

- Mahatma Gandhi

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An Analytical Study on Euthanasia in Indian scenario

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Abstract:

Euthanasia is controversial since from years. Some people consider it as an act of sin or merciful act, some are having opinion that it is a form of murder. Euthanasia has also been judged on the basis of morals i.e. considering it as an act of humanity. Euthanasia is also termed as physician assisted suicide (PAS) or physician aid in dying. The arguments supporting legalization of euthanasia and/or physician-assisted suicide are substantial. Proponents perceive PAS as an act of humanity toward the terminally ill patient. They believe the patient and family should not be forced to suffer through a long and painful death, even if the only way to alleviate the suffering is through suicide. According to the proponents of PAS, it becomes ethical and justified when the quality of life of the terminally ill patient becomes so low that death remains the only justifiable means to relieve suffering. Opposition to legalization of PAS and/or euthanasia has come from numerous different perspectives. Physician in their profession takes an oath to do any effort to protect their patients from the death, in their medical capacity. Thus, the possibility that a physician may directly hasten the death of a patient – one whom the physician has been presumably treating in an effort to extend and improve life – contradicts the central tenet of the medical profession. Somewhere PAS is also demanded by those families who are financially not sound to bear heavy expenses of medical bills of the patient and to get rid from this situation they ask for mercy killing. The research paper is broadly concerning combined study of both aspects of euthanasia.

Keywords:

Passive Euthanasia	Physical assisted	Suicide	Mercy killing	Hasten
Voluntary Euthanasia	Euthanasia	Death	Good death	Handicap

Introduction:

At the extreme ends of disagreement, some schools of thoughts are of the opinion that euthanasia, also known as physician assisted suicide or physician aid in dying is a merciful act of dying. At the other end, there are opponents of euthanasia who believe that this method is a form of murder. The term euthanasia was derived from the Greek words “eu” and

“thanatos” which means “good death” or “easy death”. It is also known as Mercy Killing. Euthanasia literally means putting a person to painless death especially in case of incurable suffering or when life becomes purposeless as a result of mental or physical handicap. The purpose of life is to be happy and to make others happy if possible, to grow old gracefully and to die with dignity. So the question of euthanasia arises on three occasions.

1. At the beginning of life (at birth)
2. At the end of natural life (terminal stage), and
3. When a person is severely impaired as a result of brain damage (unforeseen mishap).

At Birth:

- a. In case of physically and mentally handicapped infants.
- b. Decision rests on the parents or on the doctors aided by the law of the land.
- c. The decision should be based on quality of life the child can expect and its consequent impact on the parents, society and the resources of the State and also care of the child after death of the parents.

At Terminal Stage:

- a. The dying conscious patient can give his own consent or decision as to continue or not the ongoing treatment if he wishes to.
- b. No moral obligation on doctors to preserve life at any cost.

Unforeseen Mishap:

- a) When a person is severely impaired as a result of brain damage either due to violence, poisoning or natural causes where the brain suffers from hypoxic brain damage from which it cannot recover irrespective of the treatment given his life can be SUSTAINED by artificial means but only IN A STATE OF SUSPENDED ANIMATION.
- b) This gives rise to the confusion whether the treatment is prolonging LIFE or DEATH!!
- c) In such cases he may be allowed to die in comfort and with dignity (Such a step would also save the resources of the State for more rational uses).

Types of Euthanasia:

Euthanasia can be classified—

1. On the Basis of Consent:

a) Voluntary euthanasia:

Voluntary euthanasia - that is, with those instances of euthanasia in which a clearly competent person makes a voluntary and enduring request to be helped to die. In other words Euthanasia conducted with consent is termed voluntary euthanasia.

b) Involuntary euthanasia:

The term involuntary euthanasia is used to describe the killing of a person who has not explicitly requested aid in dying. This term is most often used with respect to patients who are in a persistent vegetative state and who probably will never recover consciousness. Euthanasia conducted without consent is termed involuntary euthanasia. Involuntary euthanasia is conducted where an individual makes a decision for another person incapable of doing so.

c) Non-voluntary euthanasia:

Instances of euthanasia where a person is either not competent to, or unable to, express a wish about euthanasia and there is no one authorised to make a substituted judgment (in which case a proxy tries to choose as the no-longer-competent patient would have chosen had she remained competent) — in the context of considering the claim that permitting voluntary euthanasia will lead via a slippery slope to permitting non-voluntary euthanasia.

2. On the basis of procedural decision:

a. Active Euthanasia:

Active euthanasia involves the use of lethal drugs or chemicals to kill. It's a method which has faced a lot of controversy. A euthanasia machine is used for the purpose of active

euthanasia. It means a positive merciful act to end useless sufferings and a meaningless existence. It is an act of COMMISSION for example by giving large doses of a drug to hasten death.

b. Passive Euthanasia (letting-die or aid in dying):

- i. It implies discontinuing or not using extraordinary life sustaining measures to prolong life.
- ii. Act of OMISSION such as failure to resuscitate a terminally ill or incapacitated patient (e.g. a severely defective newborn infant).

Other methods include disconnecting a feeding tube, not carrying out a life-extending operation or not giving life-extending drugs etc. 'Letting die' ...means to give way to an ongoing inner-organism process of disintegration, without supporting or substituting vital functions. Therefore, the extubation [removal from a ventilator] of an incurably ill patient, though a physical action with subsequent death, is not killing in its proper meaning...The extubation does not produce the effect of death; it only influences the time of its occurrence. Calahan in 1992 has aptly illustrated this difference of causality: The lethal injection kills both the ill as well as the healthy person; the discontinuation of life-sustaining treatment, however, only causes the death of the mortally ill, whereas on the healthy it would have no effect at all."

Arguments Supporting Legalization of Euthanasia:

The arguments supporting legalization of euthanasia/physician-assisted suicide (PAS) are substantial. Proponents perceive PAS as an act of humanity toward the terminally ill patient. They believe the patient and family should not be forced to suffer through a long and painful death, even if the only way to alleviate the suffering is

through suicide. According to the proponents of PAS, it becomes ethical and justified when the quality of life of the terminally ill patient becomes so low that death remains the only justifiable means to relieve suffering. Lack of any justifiable means of recovery and the dying patient himself making the choice to end his life are conditions which make euthanasia more justifiable. To the advocate for PAS, legalization of PAS is a natural extension of patient's autonomy and the right to determine what treatments are accepted or refused. Arguments in favor of legalization of PAS are typically premised on the assumption that requests for PAS are "rational" decision, given the circumstances of terminal illness, pain, increased disability, and fears of becoming (or continuing to be) a burden to family and friends. Given the possibility that these symptoms and circumstances may not be relieved, even with aggressive palliative care and social services, the decision to hasten one's death may seem rational. Proponents of euthanasia also criticize the "artificial and impractical" demarcation drawn by the court and the religious organizations between active and passive euthanasia. Withdrawal of life support, the classical form of "passive" euthanasia, actually involves taking an "active" step to hasten the death of a terminally ill patient and it is the patient's consent which lends legitimacy to the act. If, following consent of a similar nature, a physician administers a lethal dose of injection, there is no reason why this act should be considered as illegal or immoral. Moreover, the desire to include one's physician in carrying out a decision to end one's life can be viewed as an extension of the natural reliance of terminally ill patients on their physicians for help with most aspects of their illness, as well as reasonable mechanism to ensure that they do not become more disabled and burdensome to their family or friends by attempting suicide unsuccessfully (causing a persistent vegetative state or

increased disability). Another argument raised by proponents of legalization is that merely knowing that one can control the timing and manner of death serves as a form of “psychological insurance” for dying patients. In other words, knowing there can be an escape from the suffering of illness may alleviate some of the stress associated with the dying processes. It may be (as argued by some proponents of PAS) that many individuals with a terminal illness desire the option to end their lives if certain possible conditions arise, even though the likelihood that they will utilize this option is small.

Arguments Opposing Legalization of Euthanasia:

Opposition to legalization of PAS and/or euthanasia has come from numerous different perspectives. This guideline is best exemplified in the Hippocratic Oath which states, “I will prescribe regimen for the good of my patients according to my ability and my judgment and never do harm to anyone. To please no one will I prescribe a deadly drug, nor give advice that may cause his death.” Thus, the possibility that a physician may directly hasten the death of a patient – one whom the physician has been presumably treating in an effort to extend and improve life – contradicts the central tenet of the medical profession. From a mental health perspective, professional psychiatric and psychological training reinforces the view that suicide should be prevented at all costs. Several studies have supported this connection between mental disorder (e.g., depression) and interest in PAS, suggesting that suicidal ideation in terminally ill patients is a manifestation of undiagnosed, untreated mental illness. Consequently, physician compliance with a suffering patient's stated wish for PAS may circumvent the provision of appropriate psychiatric care. Similar arguments have been made regarding pain and physical symptoms,

suggesting that requests for PAS may be evidence of inadequate palliative care. In spite of the fact that improperly managed physical and/or psychiatric symptoms may underlie a patient's wish for hastened death, physicians may unknowingly participate in PAS designed to alleviate precisely these symptoms that possibly could be managed with better palliative care, as opposed to providing proper medical management, if PAS is legalized. Opponents of PAS additionally posit that individuals of lower socioeconomic classes or other disenfranchised groups will be “coerced,” either directly or indirectly, into requesting PAS as a means of resolving the difficulties posed by their illness. Family members may subtly suggest that death, since inevitable, would be preferable if it occurred sooner rather than later because of the social and financial burdens involved in caring for terminally ill family members. Physicians may view PAS, perhaps because of their own unrecognized feelings (counter transference), as the appropriate and preferable response to a terminal illness and resulting disability. Thus, physicians may be particularly poor at recognizing “irrational” requests for PAS because of their belief that they would not want to live in a condition similar to that of their patients. An even more frightening possibility is that physicians or other health care providers might recommend PAS as an option because the alternative – providing adequate palliative care – is too expensive or difficult to obtain. Thus, patients with poor health insurance or limited financial resources may be “coerced” into requesting PAS by poorly managed or untreated physical and psychological symptoms, perceiving their only options to be either continued suffering or death. Several studies have demonstrated inadequate recognition and treatment of both psychological and physical symptoms, with symptoms such as depression and anxiety going largely unrecognized in many medically ill patients. According to a recent

review of palliative care in Canada, only 5% of dying patients in Canada receive adequate palliative care. These and related studies are often cited by opponents of legalization for PAS/euthanasia as evidence that legalization is premature until all dying patients and their families have access to skilled and effective palliative care service. In response to these concerns, legislators proposing guidelines for PAS have incorporated several mechanisms to minimize the risk that PAS, if legalized, will be misused.

These guidelines includes:

- (1) A voluntarily request for assistance in dying on the part of the patient,
- (2) Evidence of a terminal illness, and
- (3) Documentation by the primary physician of the reason for the request and efforts made to optimize the patient's care.

Opponents, however, suggest that these limitations are more arbitrary than scientific, and they argue that the legal and medical communities will eventually end up on a “slippery slope,” where euthanasia is ultimately legalized as an acceptable practice for a wider patient population, including non-terminal, non-voluntary patients.

The Law in India:

Passive euthanasia is legal in India. On 7 March 2011 the Supreme Court of India legalized passive euthanasia by means of the withdrawal of life support to patients in a permanent vegetative state. The decision was made as part of the verdict in a case involving Aruna Shanbug (Aruna Ramchandra Shanbaug v. Union of India, 2011 (3) SCALE 298 :MANU/SC/0176/2011), who has been in a vegetative state for 37 years at King Edward Memorial Hospital. The high court rejected active euthanasia by means of lethal injection. In the absence of a law regulating euthanasia in

India, the court stated that its decision becomes the law of the land until the Indian parliament enacts a suitable law. Active euthanasia, including the administration of lethal compounds for the purpose of ending life, is still illegal in India, and in most countries.

Prior to the Aruna Shanbaug judgment, like almost in all other countries, euthanasia had no legal status in India. The practice of euthanasia was a clear act of offence, either a suicide or assistance to commit suicide or a murder. The previous judgement of Supreme Court declared that:

Right to DIE is not included in the Right to LIFE under Article 21 of Indian Constitution. Article 21 is a provision guaranteeing protection of life and personal liberty and by no stretch of imagination can imply 'EXTINCTION OF LIFE'. 'Right to life' is a natural right embodied in Article 21 but suicide is an unnatural termination or extinction of life and therefore not compatible and inconsistent with the concept of 'right to life'.

Supreme Court of India on Suicide, Euthanasia, Assisted Suicide, Abetment of Suicide, Stopping Life Support Treatment (Prior to Aruna Shanbaug Case):

The Supreme Court had occasion to discuss the issues of suicide, euthanasia, assisted suicide, abetment of suicide, stopping life sustaining treatment in Gian Kaur vs. State of Punjab (1996(2) SCC 648 17): The Court held that ending a person's life unnaturally is surely a violation of human rights. A human has a right to live a life on his own terms but that doesn't allow him to end his life as when he wants. This life has been given to him by God and thus, it should end naturally. Euthanasia is illegal in India. If a doctor tries to kill a patient, the case will fall under Section 300 of Indian Penal Code, 1860. but this is only so in the case of voluntary euthanasia in which such cases will fall under the

exception 5 to section 300 of Indian Penal Code, 1860 and thus the doctor will be held liable under Section 304 of Indian Penal Code, 1860 for culpable homicide not amounting to murder. Cases of non-voluntary and involuntary euthanasia would be struck by proviso one to Section 92 of the IPC and thus be rendered illegal. Euthanasia and Suicide were clearly defined in the case *Naresh Marotrao Sakhre v. Union of India* (1995 Cri L J 96 (Bom).) J. Lodha stated- "Suicide by its very nature is an act of self-killing or self-destruction, an act of terminating one's own act and without the aid or assistance of any other human agency.

Euthanasia or mercy killing on the other hand implies the intervention of other human agency to end the life. Mercy killing is therefore not suicide and an attempt at mercy killing is not covered by the provisions of Section 309. The two concepts are both factually and legally distinct. Euthanasia or mercy killing is nothing but homicide whatever the circumstances in which it is performed." The question whether Article 21 includes right to die or not first arose in the case *State of Maharashtra v. Maruti Shripathi Dubal* (1987 (1) Bom CR 499). The Bombay High Court held that 'right to life' also includes 'right to die' and Section 309 was struck down. The court stated in this case that right to die is not unnatural; it is just uncommon and abnormal. Also the court mentioned about many instances in which a person may want to end his life. This was upheld by the Supreme Court in the case *P. Rathinam v. Union of India* ((1994) SCC 394.) Interestingly in *P. Rathinam's* case, even when a Division bench affirmed the view in *M.S Dubal v. State of Maharashtra* that the "right to life" provided by the Constitution may be said to bring into its purview, the right not to live a forced life, the plea for legalising euthanasia was rejected. It was held that as euthanasia involves the intervention of a third person, it would indirectly amount to a person abetting the killing

of another, which would fall under Section 306 of the I.P.C. In *Naresh Marotrao Sakhre v. Union of India*, Lodha J. affirmed that "Euthanasia or mercy killing is nothing but homicide whatever the circumstances in which it is performed." In the case of *Gian Kaur v. State of Punjab* it was held by the five judge bench of the Supreme Court that the "right to life" guaranteed by Article 21 of the Constitution does not include the "right to die". The court held that Article 21 only guarantees right to life and personal liberty and that the right to die is not included in it. This leads us to conclude that any act that involves unnatural termination of life- e.g. - an attempt to suicide or an abetment to suicide or assisted suicide or euthanasia, is illegal. The high level of credibility accorded to the sanctity of life in India is evident from the fact that even an attempt to suicide is punishable.

As the Supreme Court referred to some of the provisions of the Indian Penal Code, 1860 in that connection, we shall refer to those provisions.

Sections 107, 306 and 309 of the Indian Penal Code, 1860:

Section 306 of the Penal Code which refers to 'abetment of suicide', reads as follows:

"Section 306: If any person commits suicide whoever abets the commission of such suicide, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall be liable to fine."

Section 107 defines 'abetment of a thing' as follows: "A person abets the doing of a thing, who First: Instigates any person to do that thing; Secondly: Engages with one or more other person or persons in any conspiracy for the doing of that thing, if an act or illegal omission takes place in pursuance of that conspiracy, and in order to the doing of that thing; or Thirdly: Intentionally aids, by any act or illegal omission, the doing of that thing.

Explanation 1: A person who by willful misrepresentation, or by willful concealment of a material fact which he is bound to disclose, voluntarily causes or procures, or attempts to cause or procure a thing to be done, is said to instigate the doing of that thing.

Explanation 2: Whoever, either prior to or at the time of the commission of an act, does anything in order to facilitate the commission of that act and thereby facilitates the commission thereof is said to aid the doing of that act.”

Section 309 of the Code makes 'attempt to commit suicide' an offence and it states as follows: “Section 309: Whoever attempts to commit suicide and does any act towards the commission of such offence, shall be punished with simple imprisonment for a term which may extend to one year or with fine or with both.” Thus, 'attempt to commit suicide' is an offence which may result in imprisonment (for a term which may extend to one year) or with fine or with both. While dealing with sec 309, it is necessary to refer to two important decisions of the Supreme Court of India where, in the first case in *P. Rathinam vs. Union of India* (1994(3)SCC 394) a two-Judge Bench of the Supreme Court struck down sec 309 as unconstitutional and in the second case in *Gian Kaur vs. State of Punjab* (1993(1)All ER 821): a Constitution Bench overruled the earlier judgment and upheld the validity of sec 309. In both the judgments, the provisions of Art 21 of the Constitution of India which guarantees that no person shall be deprived of his life or personal liberty except according to procedure established by law, were interpreted. It was held in both cases, that, in any event, sec 309 did not contravene Art 14 of the Constitution of India. The first case of *P. Rathinam* was overruled in the second case, *Gian Kaur*. But, it is necessary to state that in *P. Rathinam*, sec 309 'attempt to commit suicide' was alone in question whereas in the second case, *Gian Kaur*, the question was

about the validity of both sections 306 (abetment of suicide) as also sec 309 (attempt to commit suicide). In *Gian Kaur*, the appellants who were convicted under sec 306 for 'abetment of suicide' contended that if sec 309 dealing with 'attempt to commit suicide' was unconstitutional, for the same reasons, sec 306 which deals with 'abetment of suicide' must be treated as unconstitutional. But, the Supreme Court upheld the constitutional validity of both sec 306 and sec 309. In *Gian Kaur*, the Supreme Court made it clear that 'Euthanasia' and 'Assisted Suicide' are not lawful in India and the provisions of the Penal Code 1860 get attracted to these acts. But, the question is whether there is anything in *Gian Kaur's* case upholding sections 306 and 309, which either directly or indirectly deals with 'withdrawal of life support'?

Supreme Courts' Decision in Aruna's Case (2011):

The case of *Aruna Ramachandra Shanbaug*, is the first case in India which deliberated at length on 'euthanasia'. The Supreme Court, while making it clear that passive euthanasia is permissible in our country as in other countries, proceeded to lay down the safeguards and guidelines to be observed in the case of a terminally ill patient who is not in a position to signify consent on account of physical or mental predicaments such as irreversible coma and unsound mind. It was held that a close relation or a 'surrogate' cannot take a decision to discontinue or withdraw artificial life sustaining measures and that the High Court's approval has to be sought to adopt such a course. The High Court in its turn will have to obtain the opinion of three medical experts. In that case, *Aruna Shanbaug* was in Persistent Vegetative State (PVS for short) for more than three decades and the Court found that there was a little possibility of coming out of PVS. However, the Court pointed out that she was not dead. She was abandoned by her family and was being looked

after by staff of KEM Hospital in which she worked earlier as staff nurse. The Court started the discussion by pointing out the distinction between active and passive euthanasia and observed that “the general legal position all over the world seems to be that while active euthanasia is illegal unless there is legislation permitting it, passive euthanasia is legal even without legislation provided certain conditions and safeguards are maintained”. The distinctive feature of PVS, it was pointed out, is that brain stem remains active and functioning while the cortex has lost its function and activity. The Supreme Court addressed the question when a person can be said to be dead. It was answered by saying that “one is dead when one's brain is dead”. Brain death is different from PVS. Reference was made to American Uniform Definition of Death, 1980. Then it was concluded: “Hence, a present day understanding of death as the irreversible end of life must imply total brain failure such that neither breathing nor circulation is possible any more”. After referring extensively to the opinions expressed in Air dale case, the Supreme Court stated that the law in U.K. is fairly well-settled that in the case of incompetent patient, if the doctors act on the basis of informed medical opinion and withdraw the artificial life support system, the said act cannot be regarded as a crime. The question was then posed as to who is to decide what the patient's best interest is where he or she is in a Persistent Vegetative State (PVS). It was then answered by holding that although the wishes of the parents, spouse or other close relatives and the opinion of the attending doctors should carry due weight, it is not decisive and it is ultimately for the Court to decide as *parens patriae* as to what is in the best interest of the patient. The High Court has been entrusted with this responsibility, following what Lord Keith said in Airdale case. The Supreme Court referred to the dicta in the Court of appeal decision in J. (A minor) (Wardship: medical treatment), that the

Court as a representative of sovereign as *parens patriae* will adopt the same standard which a reasonable and responsible parent would do. The same is the standard for a 'surrogate' as well. But, there is no decision making role to a 'surrogate' or anyone else except the High Court, as per the decision in Aruna's case.(Aruna Ramchandra Shanbaug v. Union of India, 2011(3) SCALE 298:MANU/SC/0176/2011)

Coming to Indian Law on the subject, it was pointed out that in Gian Kaur's case, the Supreme Court approvingly referred to the view taken by House of Lords in Airedale case on the point that Euthanasia can be made lawful only by legislation. Then it was observed: “It may be noted that in Gian Kaur case although the Supreme Court has quoted with approval the view of House of Lords in Airedale case, it has not clarified who can decide whether life support should be discontinued in the case of an incompetent person e.g. a person in coma or PVS. This vexed question has been arising often in India because there are a large number of cases where persons go into coma (due to an accident or some other reason) or for some other reason are unable to give consent, and then the question arises as to who should give consent for withdrawal of life support”. Then, it was observed: “In our opinion, if we leave it solely to the patient's relatives or to the doctors or next friend to decide whether to withdraw the life support of an incompetent person, there is always a risk in our country that this may be misused by some unscrupulous persons who wish to inherit or otherwise grab property of the patient”((1996) 2 SCC 648)

Then Supreme Court explained the doctrine of 'Parens Patriae'. The Supreme Court then observed that Article 226 of the Constitution gives ample powers to the High Court to pass suitable orders on the application filed by the near relatives or next friend or the doctors/hospital staff seeking permission to

withdraw the life support to an incompetent patient. The procedure to be adopted by the High Court has been laid down in paragraph 134 (p. 522) as follows: “When such an application is filed, the Chief Justice of the High Court should forthwith constitute a Bench of at least two Judges who should decide to grant approval or not. Before doing so the Bench should seek the opinion of a committee of three reputed doctors to be nominated by the Bench after consulting such medical authorities/medical practitioners as it may deem fit. Preferably one of the three doctors should be a neurologist; one should be a psychiatrist, and the third a physician. For this purpose a panel of doctors in every city may be prepared by the High Court in consultation with the State Government/Union Territory and their fees for this purpose may be fixed. The committee of three doctors nominated by the Bench should carefully examine the patient and also consult the record of the patient as well as taking the views of the hospital staff and submit its report to the High Court Bench. Simultaneously with appointing the committee of doctors, the High Court Bench shall also issue notice to the State and close relatives e.g. parents, spouse, brothers/sisters etc. of the patient, and in their absence his/her next friend, and supply a copy of the report of the doctor's committee to them as soon as it is available. After hearing them, the High Court bench should give its verdict. The above procedure should be followed all over India until Parliament makes legislation on this subject.

Conclusion:

The principle of sanctity to human life which is an integral part of Art. 21, the right to self determination on a matter of life and death which is also an off shoot of Art. 21, the right to privacy which is another facet of Art. 21 and incidentally the duty of doctor in critical situations – all these considerations which may seem to clash with each other if a disintegrated view of Art.21 is

taken – do arise. A fair balance has to be struck and a holistic approach has to be taken. That is what has been done by the Law Commission of India in its 196th Report and the Supreme Court of India in the very recent case of Aruna Shanbaug. The landmark decision of House of Lords in Airedale's case has charted out the course to recognize and legalize passive euthanasia even in the case of incompetent patient. In Air dale, as seen earlier, the principle of best interests of the patient was pressed into service to uphold passive euthanasia in relation to incompetent patients and this in turn opened the doors for judicial determination for granting approval. “The best interest calculus generally involves an open-ended consideration of factors relating to the treatment decision, including the patient's current condition, degree of pain, loss of dignity, prognosis, and the risks, side effects, and benefits of each treatment.”

Whether legislation necessary?

The path breaking judgment in Aruna Ramachandra and the directives given therein has become the law of the land. The Law Commission of India(The 17th and the 19th Law Commission of India in their 196th and 241st report respectively have both suggested introducing a Bill to enact law to make passive Euthanasia legal) too made a fervent plea for legal recognition to be given to passive euthanasia subject to certain safeguards. The crucial and serious question now is, should to the Government be recommended to tread a different path and neutralize the effect of the decision in Aruna's case and to suggest a course contrary to the law and practices in most of the countries of the world? As said earlier, there are no compelling reasons for to do so. Our earnest effort at the present juncture should only reinforce the reasoning adopted by the Supreme Court. On taking stock of the pros and cons, it is better to maintain the legal status quo as stated by the Supreme Court and legalize Passive

Euthanasia, while laying down affirmative laws to overlook its bonafide and effectuate implementation.

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Women Empowerment and Laws

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Abstract:

In this research paper, I am going to critically analysis the position of women empowerment and its relationship with the laws of land. As why we talk about women empowerment only and not men empowerment ? Why women need empowerment and not men? Women make almost 50% of the total population of the world. Then why this substantial section of the society needs empowerment ? They are not in minority so as to require special treatment. Biologically speaking also, it is a proven fact that female race is superior to male. In such condition, we cannot say that our country would be a developed in the future without empowering its half population means women. If we want to make our country a developed country, first of all it is very necessary to empower women by the efforts of men , government , laws and women too. For that purpose there are certain laws are there and implemented in each and every spheres of life for securing the rights of women and to grant the protection, equality in society. Basic motto is to is empowering the women to take their own decisions for their personal dependent. Empowering women is to make them independent in all aspects from mind, thought, rights, decisions, etc by leaving all the social and family limitations. It is to bring equality in the society for both male and female in all areas. Then the question arises that why we are discussing the topic 'Women Empowerment', cause it is not the term but the content of it that matters.

Keywords:

Empower	Environment	Empowerment	justice	food, nutrition
Harassment	security	safety	shelter	fundamental duties

Introduction:

“You can tell the condition of a nation by looking at the status of its women”

- Pt. Jawaharlal Nehru

Why we Need women Empowerment?

Need for empowerment arose due to centuries of domination and discrimination done by men over women; women are the suppressed lot. They are the target of varied types of violence and discriminatory practices done by men all over the world. India is no different. India is a

complex country. We have, through centuries, developed various types of customs, traditions and practices. These customs and traditions, good as well as bad, have become a part of our society's collective consciousness. We worship female goddesses; we also give great importance to our mothers, daughters, sisters, wives and other female relatives or friends. But at the same time, Indians are also famous for treating their women badly both inside and outside their homes.

Indian society consists of people belonging to almost all kinds of religious beliefs. In every religion women are given a special place and every religion teaches us to treat women with respect and dignity. But somehow the society has so developed that various types of ill practices, both physical and mental, against women have become a norm since ages. For instance, sati pratha, practice of dowry, parda pratha, female infanticide, wife burning, sexual violence, sexual harassment at work place, domestic violence and other varied kinds of discriminatory practices; all such acts consists of physical as well as mental element.

The reasons for such behaviour against women are many but the most important one are the male superiority complex and patriarchal system of society. Though to eliminate these ill practices and discrimination against women various constitutional and legal rights are there but in reality there are a lot to be done . Several self-help groups and NGOs are working in this direction ; also women themselves are breaking the societal barriers and achieving great heights in all dimensions: political, social and economic.

But society as a whole has still not accepted women as being equal to men and crimes or abuses against women are still on the rise. For that to change , the society's age-old deep-rooted mind set needs to be changed through social conditioning and sensitization programmes.

Therefore, the concept of women empowerment not only focuses on giving women strength and skills to rise above from their miserable situation but at the same time it also stresses on the need to educate men regarding women issues and inculcating a sense of respect and duty towards women as equals. In the present write-up we will try to describe and understand the concept of Women Empowerment in India in all its dimensions.

What is Women Empowerment:

Women empowerment in simple words can be understood as giving power to women to decide for their own lives or inculcating such abilities in them so that they could be able to find their rightful place in the society.

According to the United Nations, women's empowerment mainly has five components:

- Generating women's sense of self-worth;
- Women's right to have and to determine their choices;
- Women's right to have access to equal opportunities and all kinds of resources;
- Women's right to have the power to regulate and control their own lives, within and outside the home; and
- Women's ability to contribute in creating a more just social and economic order.

Thus, women empowerment is nothing but recognition of women's basic human rights and creating an environment where they are treated as equals to men. It is making women powerful so that they can take their own decisions regarding their lives and well being in the family and society. It is empowering women to make them able to get their real rights in the society.

Women Empowerment in India:

Historical Background:

From ancient to modern period, women's condition-socially, politically and economically- has not remained same and it kept changing with times. In ancient India, women were having equal status with men ; in early Vedic period they were very educated and there are references of women sages such as in our ancient texts. But with the coming of famous treatise of Manu i.e. Manusmriti, the status of women was relegated to a subordinate position to men. All kinds of discriminatory practices started to take from such as child marriage, devadashi pratha, nagar vadhu system , sati

pratha etc. Women's socio-political rights were curtailed and they were made fully dependent upon the male members of family. Their right to education, right to work and right to decide for themselves were taken away. During medieval period the condition of women got worsened with the advent of Muslim rulers in India; as also during the British period. But the British rule also brought western ideas into the country.

A few enlightened Indians such as Raja Ram Mohun Roy influenced by the modern concept of freedom, liberty, equality and justice started to question the prevailing discriminatory practices against women. Through his unrelenting efforts, the British were forced to abolish the ill-practice of Sati. Similarly several other social reformers such as Ishwar Chandra Vidyasagar, Swami Vivekananda, Acharya Vinoba Bhave etc. worked for the upliftment of women in India. For instance, the Widow Remarriage Act of 1856 was the result of Ishwar Chandra Vidyasagar's movement for improving the conditions of widows.

Indian National Congress supported the first women's delegation which met the Secretary of State to demand women's political rights in 1917. The Child Marriage Restraint Act in 1929 was passed due to the efforts of Mahammad Ali Jinnah, Mahatma Gandhi called upon the young men to marry the child widows and urged people to boycott child marriages.

During freedom movement, almost all the leaders of the struggle were of the view that women should be given equal status in the free India and all types of discriminatory practices must stop. And for that to happen, it was thought fit to include such provisions in the Constitution of India which would help eliminate age-old exploitative customs and traditions and also such provisions which would help in empowering women socially, economically and politically.

Constitution of India and Women Empowerment:

India's Constitution makers and our founding fathers were very determined to provide equal rights to both women and men. The Constitution of India is one of the finest equality documents in the world. It provides provisions to secure equality in general and gender equality in particular. Various articles in the Constitution safeguard women's rights by putting them at par with men socially, politically and economically.

The Preamble, the Fundamental Rights, DPSPs and other constitutional provisions provide several general and special safeguards to secure women's human rights.

Preamble:

The Preamble to the Constitution of India assures justice, social, economic and political; equality of status and opportunity and dignity to the individual. Thus it treats both men and women equal.

Fundamental Rights:

The policy of women empowerment is well entrenched in the Fundamental Rights enshrined in our Constitution. For instance:

- Article 14 ensures to women the right to equality.
- Article 15(1) specifically prohibits discrimination on the basis of sex.
- Article 15(3) empowers the State to take affirmative actions in favour of women.
- Article 16 provides for equality of opportunity for all citizens in matters relating to employment or appointment to any office.

These rights being fundamental rights are justifiable in court and the Government is obliged to follow the same.

Directive Principles of State Policy:

Directive principles of State Policy also contains important provisions regarding women

empowerment and it is the duty of the government to apply these principles while making laws or formulating any policy. Though these are not justifiable in the Court but these are essential for governance nonetheless. Some of them are:

- Article 39 (a) provides that the State to direct its policy towards securing for men and women equally the right to an adequate means of livelihood.
- Article 39 (d) mandates equal pay for equal work for both men and women.
- Article 42 provides that the State to make provision for securing just and humane conditions of work and for maternity relief.

Fundamental Duties:

Fundamental duties are enshrined in Part IV-A of the Constitution and are positive duties for the people of India to follow. It also contains a duty related to women's rights:

Article 51 (A) (e) expects from the citizen of the country to promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of women.

Other Constitutional Provisions:

Through 73rd and 74th Constitutional Amendment of 1993, a very important political right has been given to women which is a landmark in the direction of women empowerment in India. With this amendment women were given 33.33 percent reservation in seats at different levels of elections in local governance i.e. at Panchayat, Block and Municipality elections.

Thus it can be seen that these Constitutional provisions are very empowering for women and the State is duty bound to apply these principles in taking policy decisions as well as in enacting laws.

Specific Laws for Women Empowerment in India

Here is the list of some specific laws which were enacted by the Parliament in order to fulfill Constitutional obligation of women empowerment.

- The Equal Remuneration Act, 1976.
- The Dowry Prohibition Act, 1961.
- The Immoral Traffic (Prevention) Act, 1956.
- The Maternity Benefit Act, 1961.
- The Medical termination of Pregnancy Act, 1971.
- The Commission of Sati (Prevention) Act, 1987.
- The Prohibition of Child Marriage Act, 2006.
- The Pre-Conception & Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994.
- The Sexual Harassment of Women at Work Place (Prevention, Protection and) Act, 2013.

Above mentioned and several other laws are there which not only provide specific legal rights to women but also gives them a sense of security and empowerment.

Internal Commitments of India as to Women Empowerment:

India is a part to various International conventions and treaties which are committed to secure equal rights of women.

One of the most important among them is the Convention on Elimination of All Forms of Discrimination against Women (CEDAW), ratified by India in 1993.

Other important International instruments for women empowerment are: The Mexico Plan of Action (1975), the Nairobi Forward Looking Strategies (1985), the Beijing Declaration as well as the Platform for Action (1995) and the Outcome Document adopted by the UNGA Session on Gender Equality and Development &

Peace for the 21st century, titled "Further actions and initiatives to implement the Beijing Declaration and the Platform for Action". All these have been whole-heartedly endorsed by India for appropriate follow up.

These various national and International commitments, laws and policies notwithstanding women's situation on the ground have still not improved satisfactorily. Varied problems related to women are still subsisting; female infanticide is growing, dowry is still prevalent, domestic violence against women is practiced; sexual harassment at workplace and other heinous sex crimes against women are on the rise.

Though, economic and social condition of women has improved in a significant way but the change is especially visible only in metro cities or in urban areas; the situation is not much improved in semi-urban areas and villages. This disparity is due to lack of education and job opportunities and negative mind set of the society which does not approve girls' education even in 21st century.

Government Policies and Schemes for Women Empowerment:

Whatever improvement and empowerment women have received is especially due to their own efforts and struggle, though governmental schemes are also there to help them in their endeavour.

In the year 2001, the Government of India launched a **National Policy for Empowerment of Women**. The specific objectives of the policy are as follows:

- Creation of an environment through positive economic and social policies for full development of women to enable them to realize their full potential.
- Creation of an environment for enjoyments of all human rights and fundamental freedom by women on equal basis with men in all

political, economic, social, cultural and civil spheres.

- Providing equal access to participation and decision making of women in social political and economic life of the nation.
- Providing equal access to women to health care, quality education at all levels, career and vocational guidance, employment, equal remuneration, occupational health and safety, social security and public life etc.
- Strengthening legal systems aimed at elimination of all forms of discrimination against women.
- Changing societal attitudes and community practices by active participation and involvement of both men and women.
- Mainstreaming a gender perspective in the development process.
- Elimination of discrimination and all forms of violence against women and the girl child.
- Building and strengthening partnerships with civil society, particularly women's organizations.

The Ministry of Women and Child Development is the nodal agency for all matters pertaining to welfare, development and empowerment of women. It has evolved schemes and programmes for their benefit. These schemes are spread across a very wide spectrum such as women's need for shelter, security, safety, legal aid, justice, information, maternal health, food, nutrition etc., as well as their need for economic sustenance through skill development, education and access to credit and marketing.

Various schemes of the Ministry are like Swashakti, Swayamsidha, STEP and Swawlamban enable economic empowerment. Working Women Hostels and Creches provide support services. Swadhar and Short Stay Homes provide protection and rehabilitation to women in difficult circumstances. The Ministry

also supports autonomous bodies like National Commission, Central Social Welfare Board and Rashtriya Mahila Kosh which work for the welfare and development of women. Economic sustenance of women through skill development, education and access to credit and marketing is also one of the areas where the Ministry has special focus.

Conclusion and Suggestions:

In conclusion, it can be said that women in India, through their own unrelenting efforts and with the help of Constitutional and other legal provisions and also with the aid of Government's various welfare schemes, are trying to find their own place under the sun. And it is a heartening sign that their participation in employment-government as well as private, in socio-political activities of the nation and also their presence at the highest decision making bodies is improving day by day.

However, we are still far behind in achieving the equality and justice which the Preamble of our Constitution talks about. The real problem lies in the patriarchal and male-dominated system of our society which considers women as subordinate to men and creates different types of methods to subjugate them.

The need of us is to educate and sensitize male members of the society regarding women issues and try to inculcate a feeling of togetherness and equality among them so that they would stop their discriminatory practices towards the fairer sex.

For this to happen apart from Government, the efforts are needed from various NGOs and from enlightened citizens of the country. And first of all efforts should begin from our homes where we must empower female members of our family by providing them equal opportunities of education, health, nutrition and decision making without any discrimination.

Because India can become a powerful nation only if it truly empowers its women.

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Cages of Drugs and the Young Birds: Indian Drug Laws and Social Measures

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Abstract:

Increasing trends of drugs and alcohol in Indian youth sets an alarm for the society to buckle up for some strong actions. Mere blaming law and authority for every negative consequence does not discharge us from our social responsibility. When the Constitution itself indicates that the set of rules provided under it are “to the people, for the people and by the people” then how social responsibilities can be bifurcated Protection the next generation from menace of drug is more a social problem than a legal one. More social initiatives must be encouraged to go hand in hand with legal framework. The present study analyses existing laws and gives emphasis on social efforts in way to control drug abuse, especially by the adolescents.

Keywords:

Cage	Bird	Youth	Amendments	Narcotics
Drug	Abuse	Controlled	NDPS act	Measures

“The youth of Nation are trustees of posterity”

- Benjamin Disraeli
(British politician and author)

A recent survey by an NGO in India revealed that 63.6% of patients coming in for treatment of drug addiction were introduced to drug at a young age below 15 years. According to another report 13.1% of people involved in drug and substance abuse in India, are below 20 years. Heroin, opium, alcohol, cannabis and propoxyphene are the five most common drugs being abused in India. An emerging trend about child drug abusers is the use of cocktail of drugs through injections, and often sharing the same needle, which often increases the risk of HIV infection. The youngsters who, at times, had access to high quality drugs, start using volatile

substances easily found in corner stores such as cough syrup, pain killer ointment, cleaning fluids, and whitener etc.(1)

Past Picture;

India is a country with very strong influence of drugs on its past. India's response to drug flows along an extraordinary spectrum- of tradition and modernity; of widespread availability and stringent enforcements; of tolerance and prohibition; of production for medical use to lack of medical access to opiates.(2)

Historically, the term “narcotics” was used for drug known as opiates. Opium, morphine, codeine and heroin are the most important opiates alkaloids- compound, extracted from the milky latex contained in the unripe seedpods of opium poppy. By late 20th century, the legal

definition of narcotic drugs had been expanded to include such non- opiate addictive drugs as cocaine and cannabis [1]. In India, cannabis has been consumed for spiritual, medicinal and recreational purposes, since the classical era. Post colonization, the British attempted to regulate it through excise laws that licensed cultivation and imposed taxes on sale of hemp. (3) At the time of independence, gained in 1947, narcotics were a heavily regulated commodity as 'dangerous' substance, medicinal product, as well as goods subject to excise tax.(4) But India took a long way to introduce a specific legislation pertaining to narcotic drugs and controlled substances. India, being a party to United Nations three conventions [The 1961 Single Convention on Narcotic Drugs (1961 Convention), The 1971 Convention on psychotropic Substances (1971 Convention) and The 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988 Convention)], passed The Narcotic Drugs and Psychotropic Substances Act, 1985 (The NDPS Act) abruptly to come over international pressure. The NDPS Act replaced The Opium Act and Dangerous Drugs Act.(5) The Drugs and Cosmetics Act, 1940, however, continued to apply.(6)

The NDPS Act, 1985 and Amendments:

The NDPS Act came into force on 14th November 1985, in order to provide adequate penalties for drug trafficking, implementation of international conventions and to enforce control over psychotropic substances. This act broadly covers three classes of substances:

1. Narcotic drugs
2. Psychotropic substances (7) and
3. Controlled substances.

(As are used to manufacture narcotic drugs and psychotropic substances)

The NDPS Act prohibits cultivation, production, possession, sale, purchase, trade, import, export, use and consumption of narcotic drugs except for medical and scientific purposes in accordance with law.(8)

In year 1989, the NDPS Act underwent the first set of amendments by introducing mandatory minimum sentence of 10 years imprisonment, restriction on bail, bar on suspension and commutation of sentences, forfeiture of property, trial by special courts and mandatory death sentence for certain repeat offenders. These changes seem to have been influenced by international, regional and domestic developments- namely, signing of the 1988 convention deliberations at The South Asian Association for Regional Cooperation (SAARC)(9). This harsh and inappropriate sentencing structure compelled another amendment and then, in 1988 The NDPS (Amendment) Bill was introduced and the amendments were finally adopted by notification dated 19th October, 2001. This time a 'change' in the quantity involved was the basis "small", "commercial" and "intermediate" terms with their elaborations were brought into notice. Year 2014 came with the third amendment in NDPS Act. One of the reasons for this amendment was case Indian Harm Reduction Network (IHRN) VS. Union of Indian, dated 6th December 2010, in which court held that section 31A of NDPS Act is violative of Article 21 of constitution, as it provides for mandatory death penalty. The notification dated 1st May 2014, included following main points-

- Creation of new category of "essential narcotic drug".(10)
- Allowing for establishment of legally binding treatment standards and evidence based medical intervention.(11)
- Making the death penalty discretionary for a subsequent offence involving a certain

quantity of drugs under section 31A. The court will have the alternative to impose imprisonment for 30 years under section 31.

- Enhancement in punishment from six months to one year imprisonment for small quantity of offences.(12)

Discussion:

It's quite a disruptive fact that we are lending towards increasing development but our core is deteriorating. Youth are the pillars of country and if the pillars are corroded the country will devastate (13). According to a study published in 2008 by CHILD LINE INDIA FOUNDATION. In India 20 million children in a year and nearly 55,000 children a day are drawn into addiction, whether it be drugs, alcohol or tobacco. [2] The menace of drug and alcohol has woven itself deep into the fabric of our society. Peer pressure, adolescent immaturity and irresponsible parenting is the three-headed monster luring the youth towards addiction and a life of suffering and regret. (14) Even though the NDPS Act, in its provisions for imposing higher punishments than the minimum, specifically mentions a factor to be considered that if the offence is committed in an educational institution or social services facility or in an immediate vicinity of such institution or faculty or in other place to which school children and students resort for educational, sports or social activities than the court may, impose a punishment higher than the minimum term of imprisonment or amount of fine. (15) But mere legal provisions will not work until its backed by social responsibilities. People often fear or neglect to provide information to authorities just to save themselves from legal troubles.

Suggestions and Conclusion:

The old saying "Prevention is better than cure", may seem idealistic but it demonstrate a mindset that Indians need to adopt.

According to **Shri Abhay Singh Bhati** (16)

"... developing countries with a brigade of youth demands complete social awareness. In the era of 'twitting' per minute thoughts and 'following' every activity of celebs', society requires 'social hero' to compel the generation to say NO to drugs ... law is not the solution to every problem, but society is. We need more of Swami Vivekananda, Lord Mahaveer, Gautam Buddha and Mahatma.

Only the spirituality of Indian tradition has the super power to heal the wounds of drugs".

- Inclusion of moral values to education,
- Providing rehabilitation and proper treatment to addicts,
- Creating awareness among people regarding consequences of drug addiction by the means of T.V, cinema, films, drama, street plays, voluntary organization etc.,
- Providing socio-cultural programmes, including essay, debate, exhibition etc. in educational institutions [3],
- Providing healthy and attractive alternatives to drug abuse to cure first time users (17) etc. are few measures which could work to keep adolescents away from drugs.

In conclusion, no legislation could work until the society support. Although, the problem is almost impossible to curb completely but at least all round efforts should be made to ensure safety and prosperity of our young birds.

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