

# academę

ISSN: 2229-6581  
Vol. XX 2018-2019



***Himachal Pradesh University***  
(NAAC Accredited "A" Grade University)  
***UGC-Human Resource Development Centre***  
*Gyan Path, Summerhill, Shimla-5*



Academe  
Vol.XX 2018-2019

**PATRON**

Prof. Sikander Kumar  
Vice-chancellor,  
H.P. University, Shimla  
\*\*\*\*\*

**CHIEF EDITOR**

Prof. Dev Dutt Sharma  
\*\*\*\*\*

**EDITOR**

Prof. Kiran Rekha  
Dr. Joginder Singh Saklani  
\*\*\*\*\*

**EDITORIAL TEAM**

Prof. Rekha Sharma  
Prof. Anita Sharma  
Dr. Naresh Kumar  
\*\*\*\*\*

Opinions expressed in the articles are entirely those of the contributors and do not necessarily reflect the policies of the Human Resource Development Centre, Himachal Pradesh University, Shimla  
\*\*\*\*\*

All correspondence should be addressed to:

Chief Editor, Academe,  
UGC-Human Resource  
Development Centre,  
Himachal Pradesh University,  
Shimla-171005  
Ph. – 0177281364,  
Fax: 01772830102  
email:  
hrdcshimla@gmail.com  
website: www.hrdcshimla.org

**Contents**

Message of Hon'ble Vice-Chancellor  
From Chief Editor's Desk

Articles	Name	Page No.
❖ Legal Education in India vis-a-vis Emerging International and Transnational Trends	Dr. Lalit Dadwal Dr. Kusum Chauhan	7
❖ The Role of Higher Education in Women's Autonomy in Household Decision-making in India A Case Study of Shimla Dist. of HP	Dr. Rajeev Kumar Dr. Dinesh S. Kanwar	13
❖ Awareness About Women's Right	Dr Bhawna Sharma	22
❖ Women's Education in India: The Dawn of New Vistas	Mrs. Banti Ramchiary Mr. Pranab Kalita	30
❖ Innovative Teaching Practices for Active Learning	Prof. Kiran Rekha	36
❖ The Role of Jurist in Protection of Human Right and Education	Dr. Vijeta S. Singh	47
❖ Solid Waste Management in Shimla: A Report	Dr. Anurita Saxena Dr Gaurav Kapoor	53
❖ Status of Women in Indian Society: An Overview with Special Reference to Female Foeticide and Gender Discrimination	Ms. Hemlata Sharma	62
❖ Women Rights	Ms. Raj Kumari	68
❖ Environment in Wordsworth & Kalidas: A Promise and Alarm	Ms. Bharati Sharma	85
❖ Environmental Awareness among Students of Himachal Pradesh University, Shimla, Himachal Pradesh	Dr. Hemant Patidar Dr. Budh Singh Mr. Mundhe S. V. Dr. Radhika M Pathak	90
❖ Honour Crimes: Deterrent in Women Empowerment	Ms. Ritu Sharma	99
❖ सूचना का अधिकार अधिनियम क्रियान्वयन में राज्य सूचना आयोग की भूमिका	डॉ. गोपाल कृष्ण संघाईक	106
❖ पर्यावरण चेतना के वैदिक सूत्र	डॉ. ओम प्रकाश शर्मा	113
❖ निर्मला पुतुल की कविताओं में पर्यावरणीय चेतना	डॉ. नरेश कुमार	118
❖ हिमाचल की कविता में पहाड़	डॉ. सत्यनारायण स्नेही	122

## *Message of Hon'ble Vice-Chancellor*




*It gives me immense pleasure to know that University Grants Commission-Human Resource Development Centre (UGC-HRDC) is bringing out of its New Edition of Journal "Academe".*

*The publications of a Journal is one of the most important activities and contribute towards the all-round development of the University & College Teachers, Research Scholars in the Centre bringing out the best in each one of them and giving them an opportunity to sharpen their talent and skills. It preserves the memories of the participants within its ambits. Moreover, it aids in highlighting various achievements, deliberations and discussions of the Centre taken place during Refresher and Orientation courses.*

*India is the Third World Research Super Power, spending a large amount over higher education, the planning and reform of higher education itself is very difficult problem. No doubt that India faces today a number of problems pertaining to illiteracy, poverty, unemployment, crisis of moral and spiritual values. But in the last few years every individual, a parent, guardian, teacher, administrator or nation is concerned with the problem of student unrest and searching for new innovative measures to involve the young generation.*

*I feel proud to see how the participants from within the state and other parts of the country have handled everything so well and have projected a Professional image, preparing themselves for the practical aspects in their respective institutions such as Universities and Colleges.*

*I extend my good wishes for the forthcoming edition of "Academe".*



(Sikander Kumar)



## *From the Editor's Desk*

*"You cannot believe in God until you believe in yourself."*

-Swami Vivekananda



The above quote of Swami Vivekananda reinforces and reinfuse in us that the purpose of education is not to obtain a degree or earn one's livelihood but much more than that. Everyone of use must understand, we are what our thoughts have made us, so it's for every individual to take care about what they think. Therefore we need to understand our own 'paradigms' and how to make "*paradigms shift*". The word paradigm comes from the Greek and was originally a scientific term. Today it's more commonly used to mean a model, theory perception, assumption or frame of reference. In the more general sense, it's the way we "see" the world-not in terms of our Visual sense of sight but in terms of perceiving, understanding and interpreting. As a student of geography, the best example for our purposes, I see to compare paradigms to the maps. We all know that "map is not the territory" but simply an explanation of certain aspects of the territory. That's exactly what a paradigm is. It is a theory, an explanation, or model of something else. A right map of a place or city would be of a great help to you reaching your destination, yet a map with certain errors shall be ineffective to serve the purpose and will lead to frustration.

The term paradigm shift was introduced by Thomas Kuhn in his landmark book "The structure of Scientific Revolutions". Kulm showed how almost every significant break-through in the field of scientific endeavor is first a break with tradition/old way of thinking and with old paradigms. The great Egyptian astronomer "**Ptolemy**" referred earth as the center of the universe but **Copernicus** created a paradigm shift and a great deal of resistance and persecution as well by placing the Sun at the center. We all know that everything took on a different interpretation thereafter.



In the similar fashion of paradigm shift the whole system of education, teaching and learning is also sifting across the globe. The easier way to understand this broader shift is to understand the **DIKW** hierarchy that refers to data, information, knowledge and wisdom. We understand that data are isolated pieces of information with no meaning or practical application in their own right while information is data that is organized in such a way as to make it meaningful and useful. Knowledge, one step further combines information in such a way as to achieve understanding. This may also be further explained that things can have information, but only people have knowledge. The wisdom, which is the pinnacle of the DIKW hierarchy, is the ability to transfer the knowledge from one generation to other, from one domain to another, the power of foresight, and the integration of ethics and belief in to knowledge systems. In the era of globalization, “ICT” is most obvious common thread that acts as wheel of transitions. The great challenge lies in coordinating people, processes and goods around the world. The rich traditions of Indian culture and education also need to blend with modern technologies while preserving the ethics and cultural values and then it will be certainly in the line of our **Prime Minister Sh. Narendra Modi ji slogan** of “*Vocal for local*”.

The new issue of “**Academe**”, the mouth piece of UGC Human resource Development Centre, HPU Shimla has kept the wheel rolling through the publications of original ideas, critical analyses of education system and assertions for required changes at different levels of education, recruitment and training.

I convey myheartiest wishes to all the contributors of this volume of Academe.



(Prof. Dev Dutt Sharma)

## Legal Education in India vis-a-vis Emerging International and Transnational Trends

**Dr. Lalit Dadwal**

Associate Professor, Department of Laws, H.P. University, Shimla.

**&**

**Dr. Kusum Chauhan**

Assistant Professor, H.P. University Institute of Legal Studies, AvaLodge, Shimla

### **A. Introduction**

In an increasingly interdependent world, with a growing array of economic, political, social, and environmental problems that transcend national borders — individuals cannot meaningfully function as responsible democratic citizens without both greater global knowledge, and the capacities and sensibilities necessary to engage that knowledge critically, and with sophistication. In response to these concerns, significant investments have been made in recent years to expand the place of global perspectives in education sector especially the legal education. Globalization and technological changes has had a profound effect on the legal services marketplace and the desire of graduates to even practice law. Gone are the days where all law graduates wanted to become sole practitioners. The effects of globalization and a strong growth in trade of transnational legal services have created a competitive legal services marketplace for the new lawyers. Arguably the greatest part of the work done by lawyers in the new era is not only done in courts but also in advising clients on important matters and mainly in business affairs. A Law degree has now become a passport to work in a wide range of fields, only one of which is private legal practice. Events are moving very fast and reform in legal education cannot wait any longer. In the context of change ahead, it will be important to devote thought on how to adopt our legal education to modern conditions so that the coming generation may fit in the new society that is envisaged. *Through this paper an attempt has been made to discuss the opportunities and challenges facing legal education in the era of globalization. It also identifies the knowledge and skills that law students will require in order to prepare for tomorrow, and explore pedagogical shifts legal education needs to make inside and outside the class room.*

### **B. Global Professionalism : Emerging Trends**

Globalization has been a subject of debates and discussions from numerous perspectives. There is no doubt that globalization has profound implications for the future of higher education worldwide. Inevitably, the need for raising academic standards, creating a better research environment, developing sound infrastructure, formulating good governance models, creating better career opportunities, and promoting professional advancement of academics are all central issues for formulating the necessary policies for higher education. Many aspects of education including legal education are driven by new market dynamics of demand and supply. Developments have brought paradigm shifts in almost every walk of life from political to economic to social to cultural. Paradigm shifts have in turn posed major challenges and provided greater opportunities not only to economic players but to professionals as well. The old adage remains that law is an

instrument of social engineering, and the addendum is that lawyers are part and parcel of agents of social engineering resulting to change.

Today a lawyer is considered to be a policy planner, business advisor, negotiator among interest groups, expert in articulation and communication of ideas, mediator, lobbyist, law reformer, etc. in addition to the traditional role. These roles demand specialized knowledge and skills not ordinarily available in the existing profession. These roles have moved away from being localized and started moving beyond even national boundaries. As a result a new genre of *glocalised* legal professionals has evolved who while having a firm understanding of local legal scenario, was able to extend its principles to a global context. The growth of multi-national corporations and the growing importance of international trade relationships, and evolving interdependence among states in international relations have generated requirement of legal professionals who can think globally while acting in a local context.

Globalization's influence permeates the economy, the state and civil society, and is felt no less in law than in other fields. After the economic liberalization in the year 1991 the economic scenario of the country has been changed. Today the Governments are more concerned with international issues due to some changes. First, the growth in international trade, travel and communication forces governments to be concerned with protecting their citizens (both corporate and human) abroad, especially with regard to their business dealings. Consequently there has been an increase in the scope and nature of domestic regulation of international interaction with others. An example is the growth of bilateral investment treaties. Secondly, problems of the modern world are increasingly seen as trans boundary in nature, especially pollution and global warming, which refuse to stay within national boundaries. The result has been an explosion in the number of treaties dealing with trans boundary issues. Additionally, international organizations, both governmental and non-governmental, have grown. The processes of international law have expanded with the proliferation of international tribunals, the International Criminal Court, bilateral investment treaties, environmental norms, and human rights treaties. All these arrangements impact on domestic issues.

### **C. Challenges and Opportunities**

In the new millennium due to globalization, the legal arena is also widening. Present era is of specialization and super-specialization in addition to the knowledge of the core law and legal procedures which warrants in-depth knowledge and understanding of specific areas of law, national and international. New fields like cyber law, intellectual property rights, space law, marine law, insurance law, health law and other business law (like project finance, competition law, corporate taxation, infrastructure contract, investment law etc.) are gaining importance which requires specific craftsmanship, analytical skills and research orientation. Lawyering today is probably of higher quality and that law firms are certainly more efficient today. These new law firms primarily engage and specialize in designing equity and loan instruments, writing infrastructure contract, power contract, drafting of project finance contract, finalizing transnational investment, joint venture and technology transfer contracts. There is a discernible shift in the disposition of law firms towards settling disputes through ADR mechanism especially through Arbitrator rather than through adversarial litigation mode of dispute resolution. Globalization has thus expanded the internal and external demand for legal services and has also given rise to situation involving multiple jurisdictions. After liberalization of



India's economy and with flow of foreign investment in number of fields, a number of foreign lawyers started advising their foreign clients on Indian Law. So, a number of law firms/foreign lawyers are working in India in a surrogate manner. The protectionist lawyers can only delay the possible entry of foreign lawyers and law firms in the globalised world.

Over the last few decades the world- witnessed a remarkable change in the way legal services have been and continue to be structured and delivered globally. So, in the current socio-economic scenario, new doors are opened for legal professionals to show their expertise and skills inherited through practice. It is time to cultivate professional relations with counterparts of other parts of world. The entrepreneurs are looking at the professionals who are having the capacities to handle the issues for their benefits. It is only the professional capabilities, which win the clientele. Under these circumstances, Legal education in India must be better aligned with student and market needs.

#### **D. Conclusion and Suggestions**

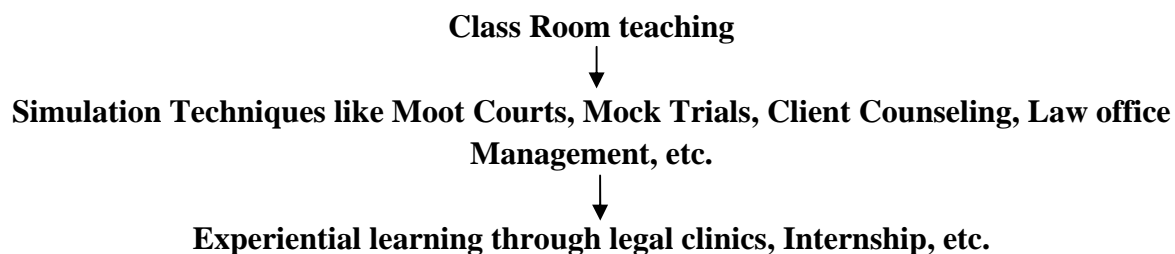
The effect of globalization on legal scholarship has been transformative. In virtually every field of study, there is greater interest in comparative legal study, greater cross-border collaboration among academics, and more extensive engagement in projects abroad. One reason for these developments is that the global integration of the economy, technological innovation, and new ideas about regulation and governance are creating similar pressures on domestic legal regimes and producing similar social problems to which legal regimes must respond. However, we are also in the midst of a cultural shift in which social and political issues are more globally interconnected and law itself has enhanced significance. Questions that we used to think of as primarily issues of politics, policy, culture or economics, for example, are increasingly 'juridified', that is, conceived as legal matters, discussed in terms of rights, and litigated before courts and other tribunals. Such developments make the current efforts to transnationalize legal education both more important and more productive. Keeping in view the challenges of the new order, legal education has far more responsibility in making the legal professional highly skilled, proficient and competitive. The legal education has to respond by imbibing professional excellence and scholarship. It might have to undergo a sort of transformation in order to achieve the same. In order to meet the challenges posed in the changing context on legal profession the following suggestions are proposed, which will help to change the course of legal education in the country so as to enable all the law schools in the country to enable the students to come out of law schools/colleges as professionals who are enabled to think globally while acting locally.

First of all, it is proposed that there should be a Co-ordination committee constituted by the Central Government, with one representative each from Bar Council of India, State Bar Council, Central Government, State Government and University Grants Commission and a judicial member nominated by the Chief Justice of India, which would be the apex body so far as legal education is concerned. This apex body should control all the aspects of legal education and the powers currently vested in Bar Council of India and University Grants Commission should be transferred to this body. The members of the committee should be either lawyers, or legal academics, who have active interest in the state of legal education in the country. The Apex Body will have the power of affiliation of legal education institutions.

Admission norms to law schools should be made strict. An all India entrance test for Law course as suggested by Bar Council of India is a welcome suggestion.

The existing practice rules of Bar Council of India do not allow full time law teachers to take up litigation roles even in legal aid matters, and still they expect the teachers to impart all the requisite skills in law colleges. As in the case of Legal Services Board Act, 1997 of UK, where law teachers are falling within the exempted category, in India also there is a need for allowing law teachers to take up legal practice, either in the form of full time practice or consultancy as appropriate, at least for legal aid purposes. The government can claim a certain percentage of fees earned by the teacher as part of consultancy approval arrangement. The quality of legal education depends upon quality of law teachers. One ominous development in recent years has been to appoint teachers on political and other consideration rather than on merit. This can frustrate all attempts at improving higher education. There is a need for improving the status and service conditions of law teachers to attract talented persons to the teaching profession. Interaction with visiting faculties of various prestigious law universities whether situated in India or abroad can motivate the law students a lot.

So far as the teaching methodology is concerned the learning process should start with class room learning, move towards simulation learning and move further towards experiential learning. In most of the institutions class room teaching occupies 80% of the curriculum with 20 % space given to simulation techniques like moot courts, drafting classes etc. Law teaching should ideally follow the methodology given in the following diagram :



Though the simulation techniques like Moot Courts, mock trials, client counseling sessions, drafting lessons etc would to an extent inculcate these skills, they are no match to the practical issues learned from actual practice of law. Hence Law schools should give preference to experiential learning than to class room teaching. Clinics set up in various subjects should be used as a method to teach law students about the areas of practice. This should be uniformly put to practice in all law schools of the country. Law colleges/Universities should specifically focus more and more on ‘problem solving’, ‘fact investigation’, ‘communication’, ‘counseling’, ‘negotiation’, and ‘litigation’ techniques.

In order to create a tradition of research in law schools and universities there is need to take certain measures like: emphasis on analytical writing skills, introduction of research methodology as integral aspect of the LL.B program, to provide excellent infrastructure (including research friendly library facilities, availability of computers and internet, digitization of case law, access to latest journals and legal databases available worldwide) etc.

Another suggestion is, to improve the examination system. The prevailing examination system may be revised and evaluation methods be developed that test critical

reasoning by encouraging essential analytical, writing and communication skills. The examination should be problem-oriented, combining theoretical and problem oriented approaches rather than merely testing memory. Project papers, project and subject viva, along with examination to be considered as pedagogic methods imperative for improving quality.

The practice of law in a globalised world requires a body of knowledge which is both complex and interdisciplinary. It requires the acquisition of a broad range of new skills and techniques of solving legal problems. To equip lawyers with the needed skills to practice law in a globalised world will require changes in the curriculum. It will require a curriculum which trains lawyers for the practice of law in a dynamic and rapidly globalizing world.

## References

Dyutimoy Mukherjee, "Law Schools and Legal Education in India" as available in <[http://works.bepress.com/cgi/viewcontent.cgi?article=1001&context=dyutimoy\\_mukherjee](http://works.bepress.com/cgi/viewcontent.cgi?article=1001&context=dyutimoy_mukherjee)> (accessed on 16<sup>th</sup> July 2017)

A combination of words Global and local, see Wikipedia article <<http://en.wikipedia.org/wiki/Glocalisation>> (accessed on 16th July 2017)

On the influence of globalization, see, Sherry E. Sullivan & Howard S. Tu, "Developing Globally Competent Students: A Review and Recommendations, 19 J." *Mgmt. Educ.* 473, 473 (1995).

Guzman, Andrew T, "Competing for Capital: The Diffusion of Bilateral Investment Treaties, 1960–2000" 60 *International Organization*, 2006, 811–846, available from: <[http://works.bepress.com/cgi/viewcontent.cgi?article=1013&context=andrew\\_guzman](http://works.bepress.com/cgi/viewcontent.cgi?article=1013&context=andrew_guzman)>.

Blackett, Adelle "Globalization and its Ambiguities: Implications for Law School Curricular Reform" 37 *Columbia Journal of Transnational Law*, 1998, 57 at 62–63.

Convention Establishing the Multilateral Investment Guarantee Agency (MIGA) 1988, United Nations Convention on International Bills of Exchange and International Promissory Notes, 1988.

For example, the International Convention for the Settlement of Investment Disputes (ICSID) provides facilities for conciliation and arbitration of investment disputes between contracting states and nationals of other contracting states in accordance with the provisions of the convention. The convention has been acceded to by a majority of the states in the world.

Comeaux, Paul E & Kinsella, N Stephan, *Protecting Foreign Investment under International Law: Legal Aspects of Political Risk*, 1997, 101.

For example, Declaration of the United Nations Conference on the Human Environment (Stockholm 1972), Convention on International Liability for Damage Caused by Space Objects (1972).

For example, Convention on the Elimination of All Forms of Discrimination against Women (adopted by UN in 1979, entered into force in 1981), See also International Covenant on Civil and Political Rights (adopted by UN in 1966, entered into force in 1976), See further International Covenant on Economic, Social and Cultural Rights (adopted by UN in 1966), entered into force in 1976.

Established by the Rome Statute of the International Criminal Court, adopted in 1998. Available from: <<http://www.icc-cpi.int/nr/rdonlyres/add16852-ae9-4757-abe7-9cdc7cf02886/283503/romestatuteng1.pdf>>.

Report on “Trade in Legal Services, Trade in Services: Opportunities and Constraints” Ministry of Commerce, Government of India, executed by Indian Council for Research on Economic Relations, Chief Coordinator, N. L. Mitra, at p.8 Also see, Deepa Christopher, “Entry of Foreign Lawyees into India : A Competition Law Issue”, *AIR*, 2004, Journal Section, p.328.

Raju Ramchandran, *Professional Ethics: Changing Profession, Changing Ethics*, 2004, pp.90-91.

Law Commission of India “The Legal Education & Professional Training” Report No 184 (2002) p.58 <<http://lawcommissionofindia.nic.in/reports/184threport-PartI.pdf>> (accessed on 1<sup>st</sup> August, 2017).

## **The Role of Higher Education in Women's Autonomy in Household Decision-making in India: A Case Study of Shimla District of Himachal Pradesh**

**Dr. Rajeev Kumar,**

Assistant Professor of Commerce, Government College, Solan  
&

**Dr. Dinesh S. Kanwar,**

Associate Professor of English, Government College, Phagli, Shimla

### **Abstract**

Education is a significant milestone toward achieving women's empowerment as it leads them to self-awareness and enables them to face the challenges of life boldly, besides confronting the troubles and tribulations in their traditional roles. Indeed, education is the most potent tool for women to redeem their position in society. Women's education in India plays a significant role in overall development of the country. It not only helps in augmentation of over half of the human resources, but also in improving the standard and quality of living. Educated women can further help in the process of nation-building by ensuring proper education and guidance for their children, particularly the girl children. The present paper examines the women's perception of empowerment vis-à-vis education and employability through a survey questionnaire on women's household position and decision-making in financial matters and other vital issues of the family and gender equality within Shimla District of Himachal Pradesh. It aims at underscoring the self-awareness of women towards higher education alongside studying the role and impact of education in transforming their lives in the tough terrain of the hills.

**Keywords:** Education, Women's Empowerment, Gender Equality, Decision-making.

## **The Role of Higher Education in Women's Autonomy in Household Decision-making in India: A Case Study of Shimla District of Himachal Pradesh**

Although women constitute almost half of the population of the world, the hegemonic masculine ideology has been denying them equality of opportunity for many centuries across the world. However, the rise of feminist ideas in recent times has led to remarkable improvement in women's socio-political as well as economic conditions. Access to education has been one of the most pressing demands of the movement for the women's rights, which has certainly brought about a significant change.

In India, women's education has been a major concern of both the government and the civil society as educated women can play a very important role in the development of the country. Today, as India is geared up to emerge as one of the most developed nations, women will definitely play a vital role in contributing to the development of the country. Women's empowerment is crucial to the overall growth of a country. In India, this is yet to meet the required level despite many reforms. So there is need to ensure women's participation in the economic growth of the country by educating them. During the Vedic period, women had considerable access to education, which they lost gradually during the medieval ages. Later, under the British regime, there was a revival of interest in women's

education in India. However, it got a major fillip after India got Independence in 1947 and the government took imperative measures to provide education to women.

### **Women's Empowerment**

Empowerment aims at enabling or authorizing individuals who are underprivileged and deprived of their fundamental rights to think independently, to take action and gain control over their destiny and circumstances. Even though women form a half of the human population and are the most vital part of the human race, they top the list of the disadvantaged people in society. Even today, following so many revolutions in knowledge, science and technology, women are marginalized, underestimated and undermined. Even in the present day of fast developing world, women occupy an inferior or subsidiary position in society and remain shorn of their essential rights. It is for this reason that the need for empowering women has been felt.

It is strongly felt that women should be allowed equality with men in matters of education, employment, inheritance, marriage and politics etc. Women have already proved their potential and played an equal part with men in India's struggle for freedom. Women's participation in the revolutionary movement was significant even when they were deprived of the basic human rights in the men's world (Mehta, 2004). It is evident from the long list of Indian women who contributed to the movement for equality. It includes some of the well-known names like Sarojini Naidu, Kamaladevi Chattopadhyay, Vijaylaxmi Pundit, Aruna Asaf Ali, and Rajkumari Amrit Kaur who took up the fight on several fronts (Jha & Pujari, 1998).

### **Women's Empowerment through Education**

Education means modification of behaviour in every aspect: mentality, outlook, attitude and overall personality. Educated women can help promote education of their children, provide them with better guidance, and can also help in reducing the maternal and infant mortality rate through improved nutrition, improved child rearing practice, health care and prevention against lethal diseases. Undoubtedly, education as a means of empowerment of women can bring about a positive change in society. Many educated women have proved it true by attaining pinnacles of success in their chosen fields. Thus women's education in India plays a very important role in the overall development of the country. It not only helps in the development of half of the human resources, but also in improving the quality of life at home and outside (Suguna, 2011).

### **Review of Literature**

Malik and Courtney (2011) have studied how higher education offers empowerment to women in family and financial standing. Kandpal et al., (2012) have probed into community-level female empowerment programmes in India. Hussain and Jadhav (2013) have inferred from their study that higher education of women is the most powerful tool that changes their position in society and family, and very much helpful for taking the right decision. Sharma and Afroz (2014) have found that only literacy is not the ultimate solution of women's empowerment, rather they should be highly educated to know their rights and duties. Singh (2016) has found that there is a positive relationship between education and women's empowerment. He has explored that empowerment of women aims at striving towards acquiring higher literacy level and education, better health



care for women and their children, equal ownership of productive resources, increased participation in economic and commercial sectors, awareness of their rights, improved standard of living and to achieve self-reliance, self-confidence and self-respect among women.

### Objectives of the Study

The present paper aims at studying the impact of education on the status of women. The analysis is based on a survey questionnaire with the following main objectives:

- To study the role of higher education in women's empowerment;
- To understand the self-perception of women in terms of empowerment through education in Shimla District of Himachal Pradesh; and
- To assess the opinion of women respondents in respect of diverse socio-cultural issues.

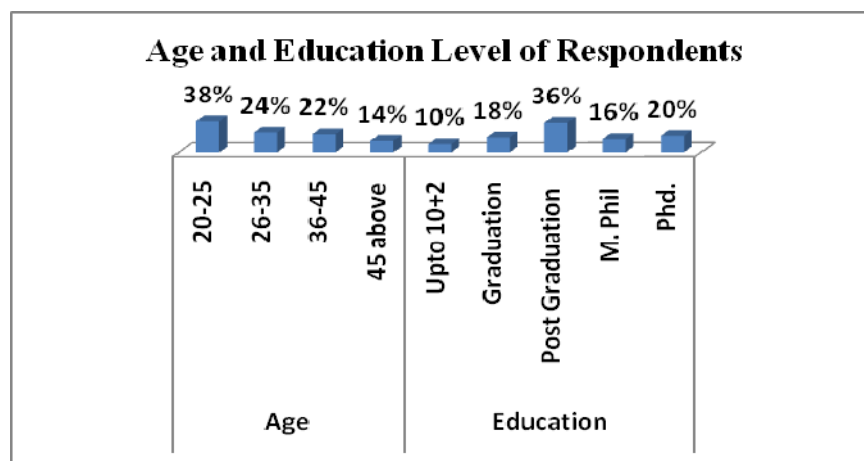
### Research Methodology

The study has been conducted in Shimla district of Himachal Pradesh. The study is based on primary and secondary information. The data for the present study has been collected from 100 women respondents through convenient and quota sampling. The data has been collected with the help of a questionnaire designed according to pre-defined indicators. It includes the factors seeking / raising the information needed to evaluate the impact of education on women's empowerment through decision-making. It includes questions pertaining to individual, household and social levels of women and focus on major aspects of empowerment. The sample includes married as well as unmarried women. The secondary data for the study have been collected from the Report of the Census of India, 2011, besides certain important books and journals. Relevant techniques have been used for the analysis of data presented in the form of tables and charts. The mathematical tools like percentage and simple average have been used as per nature and requirement of the collected data.

### Data Analysis and Interpretation

A primary study has been done in Shimla District of Himachal Pradesh to know self-perception of women in terms of empowerment, which is presented briefly in Table 1.

**Chart-1**



**Table 1: Profile of the Respondents**

Variable	Categories	Number	Percent
<b>Age</b>	20-25	38	38
	26-35	24	24
	36-45	22	22
	45 above	16	16
<b>Education</b>	Upto 10+2	10	10
	Graduation	18	18
	Post Graduation	36	36
	M. Phil	16	16
	Phd.	20	20
<b>Marital status</b>	Married	50	50
	Unmarried	50	50

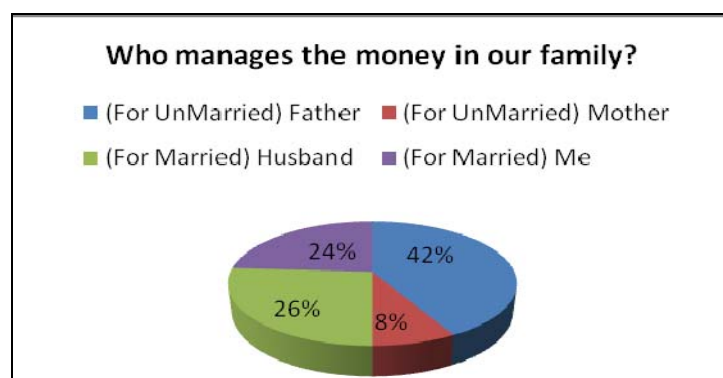
It is evident from Table 1 that the respondents are categorized on the basis of their age, marital status and education level. It reveals that 38 percent women are below the age of 25 years, 46 percent are between 26 and 45 years and the remaining 16 percent are above 45 years. Further, the respondents are categorized on the basis of their education level: 10 percent are below 10+2, 18 percent are up to graduation, 36 percent are postgraduate and 36 percent hold degrees of M.Phil. and Ph.D. The respondents are also categorized on the basis of marital status: 50 are married and 50 are unmarried.

### Aspects of Empowerment

The present study is based on four indicators of empowerment: control over income, decision-making power, respect and position in the household and attitude towards social issues to obtain specific information needed to probe into the perception of women.

#### Aspect I: Control over Income

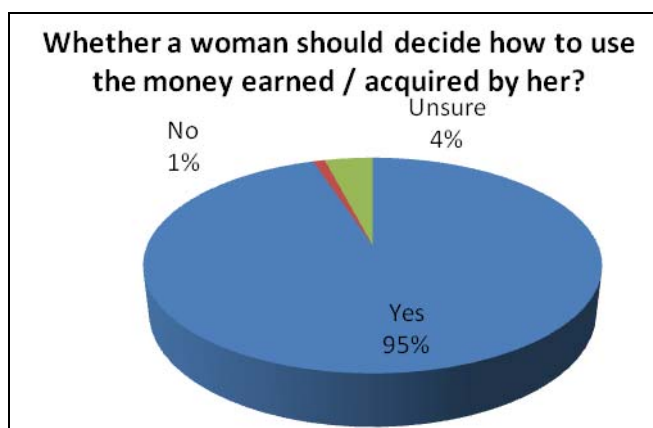
This aspect researches especially the economic possibilities of women. Deepa Narayan says that the extent of control over income depends on the marital status of women. If a woman has control over her family income, the ability to make decisions in favour of themselves increases, so will her empowerment level. (Narayan, 2005). The women respondents have been asked questions on how they are involved in money-related matters.

**Chart-2**

Pie Chart 2 shows that in case of unmarried women, 42 percent state that money is managed by fathers and 8 percent state that it is managed by mothers. Of married women,

26 percent manage the money themselves and 24 percent state that money is managed by their husbands.

**Chart-3**



Pie-chart 3 shows that majority of women (95 percent) are confident of their capability to use the money earned / acquired by them.

### Aspect II: Decision-making Power

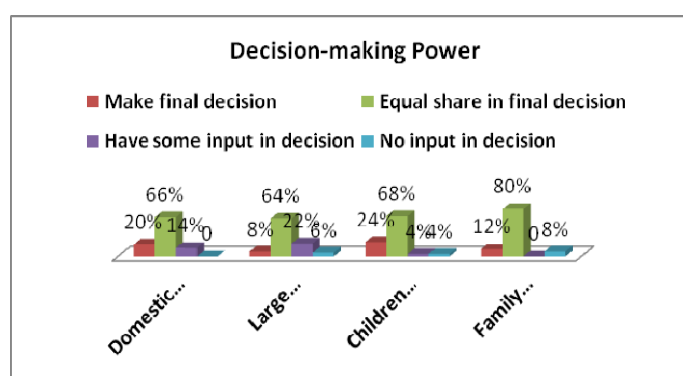
The respondents have been asked questions about their participation in decision-making for general household expenses, land/property and children's education, etc.

**Table 2: Women's Perception Regarding Decision-making Power**

Decision	Make final decision	Equal share in final decision	Have some input in decision	No input in decision
Domestic Expenditures	20%	66%	14%	-
Large Purchases	8%	64%	22%	6%
Children's Education	24%	68%	4%	4%
Family Planning	12%	80%	-	8%

From Table 2, it is gathered that the majority of married women reveal that in case of important decisions i.e. domestic expenditure, large purchases, children education and family planning, women participate equally and share their opinion and views with their husbands to take final decisions.

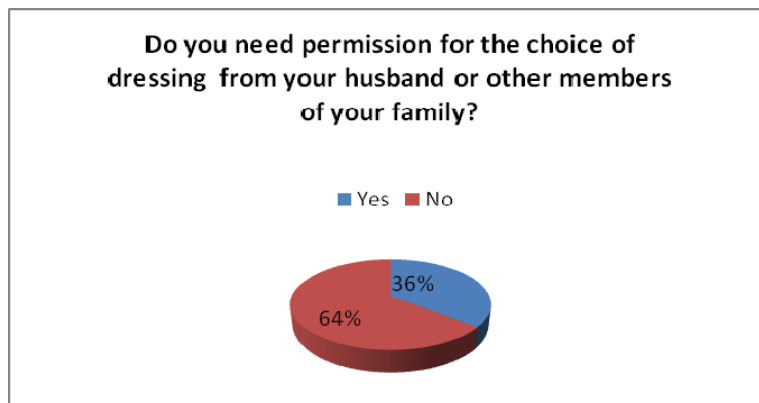
**Chart-4**



### Aspect III: Respect and Position in the Household

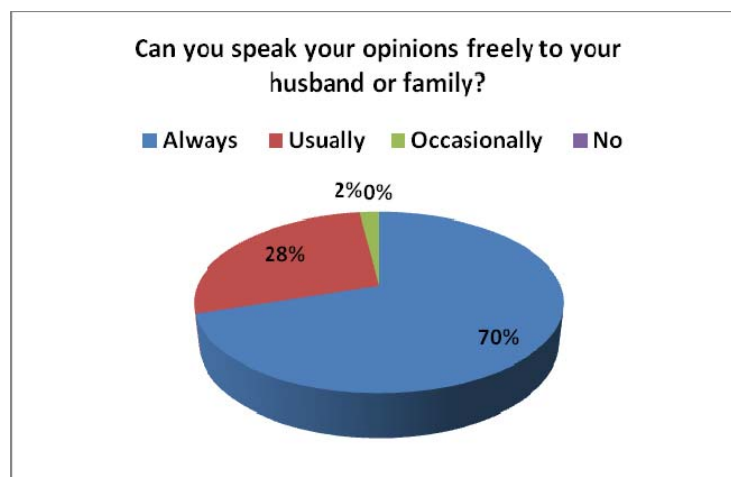
It pertains to women's own response and attitude of family members on issues of mobility, dressing and men's participation in household work.

**Chart-5**



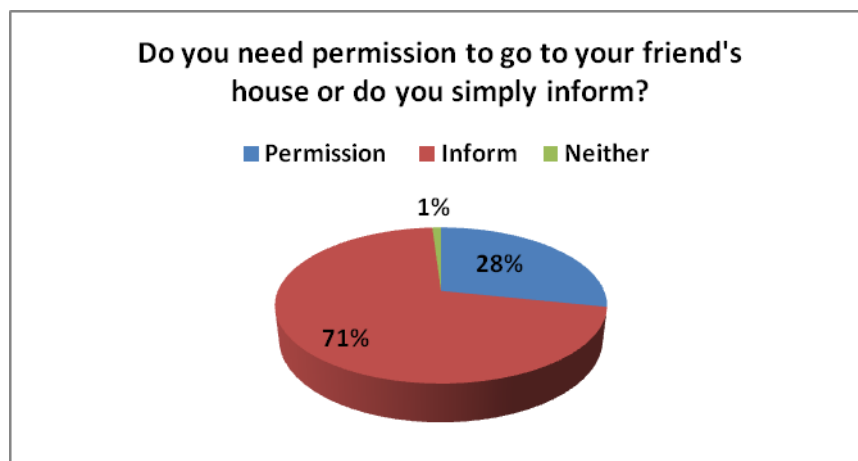
In response to this question, 36 percent women believe that they have to take permission from their husbands or family members even about which dress to wear. [see Chart 5]

**Chart-6**



Furthermore, 70 percent women divulge that they always share their opinions/views freely with their husbands/family members. [see Chart 6]

**Chart-7**

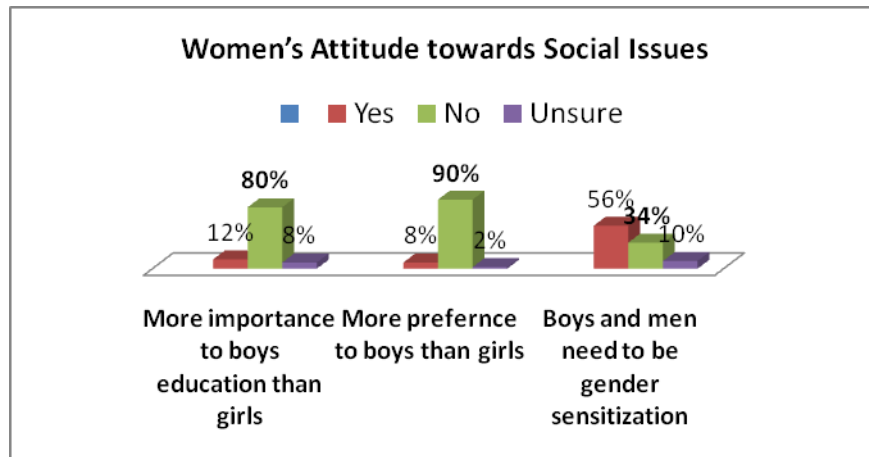


It is found that 71 percent of educated women reveal that they have to just inform their husbands or family members when they are going to their friend's house while 28 percent have to take due permission from their husbands or family members. [see Chart 7]

#### Aspect IV: Attitude towards Social Issues

This aspect inquires into the participants' ideas and expectations about their future. The participants have been asked questions on various issues like girl education, gender bias and gender sensitization.

Chart-8



80 percent women reveal that equal importance should be given to girls and boys in education. 90 percent women feel that they should be treated on a par with men. 56 percent women state that men should be gender-sensitized. [see Chart 8]

#### Findings

The present research reveals that education plays a momentous role in empowerment of women. Educated women can manage finances of their family and can have their preferences and choices in using or spending the money according to their needs and requirements. They feel empowered to choose between their likes and dislikes freely. Educated women can take important decisions about their lives, careers, marriages and ways of life independently. They find themselves self-assured of participating in family decisions for domestic expenditure, large purchases, children's education and family planning. Educated women feel confident enough to challenge the tough circumstances of life boldly. They can speak up their minds to others and can share their feelings and opinions with their spouses, family members, friends and others. They find themselves capable of winning the confidence of their spouses and other family members through education. Educated women show a great deal of wakefulness for their fundamental rights to education, health, shelter, food, clothing etc. and they find themselves emboldened to fight against every form of discrimination against them in society. They can claim their right to equal opportunity with their men counterparts as bona fide citizens of India.

## **Conclusion**

In all, without empowering women, economic development of a country is not possible. In order to have smooth development of the country as well as society, emphasis should be given on gender equality irrespective of caste, creed, class, status and education. Nonetheless, it has been noticed that education is the most powerful tool to redeem the position of women in society. The role of female education has already been realized in the society and also in economic and political spheres of life to a considerable extent through various governmental schemes alongside individual efforts. Education has certainly enhanced self-awareness, self-confidence, self-reliance and self-respect of women. It is realized that an educated female can contribute significantly to the socio-economic development of the nation.

Finally it is concluded that in all the aspects of empowerment including control over income, decision-making power, respect and position in household and attitude towards social issues, women's perception of the role and impact of education in their lives is positive. It means that an educated woman finds herself empowered through education. However, it is quite unfortunate that women's literacy rate in India is still lagging behind that of men, which needs to be pondered over seriously and overcome with collective effort of the government and the public.

## **REFERENCES:**

- Hussain, Farha, Jadha and Jadhav (2013). Role of Higher Education in Women Empowerment: A Study. *International Journal for Administration in Management, Commerce and Economics*. 1 (1), 85-90. Available from: <<http://www.ijamce.org/pdf/8-issue1-vol1.pdf>> [Accessed 25th January 2017].
- Jha, U. & Pujari, P. (1998). *Indian Women Today*. Vol I, New Delhi: Kanishka Publishers and Distributors.
- Kandpal, E., Baylis, K., & Arends-Kuenning, M. (2012). Empowering Women through Education and Influence: An Evaluation of the Indian Mahila Samakhya Program, IZA Discussion Paper No. 6347.
- Malika, S., & Courtney, K. (2011). Higher Education and Women's Empowerment in Pakistan. *Gender and Education*, 23(1), 29–45. Available from: <<https://curve.coventry.ac.uk/open/file/7a520a75-284b-8401-8916-bd8aaba40959/1/Higher%20education.pdf>> [Accessed 15th January 2017].
- Mehta, A. (2004). *Progressive Women and Political Identity*. New Delhi: Kanishka Publishers and Distributors.
- Narayan, Deepa (2002). *Empowerment and Poverty Reduction: A Sourcebook*. Washington, D.C., The World Bank. Available from: <<http://siteresources.worldbank.org/INTEMPowerment/Resources/486312-1095094954594/draft.pdf>> [Accessed 29th March 2017].



- Sharma, Rupali and Afroz Zia (2014). Women Empowerment through Higher Education. *International Journal of Interdisciplinary and Multidisciplinary Studies*, 1(5), 18-22. Available from: <[http://s3.amazonaws.com/academia.edu.documents/32832113/EmpEdu.pdf?AWSAccessKeyId=AKIAIWOWYYGZ2Y53UL3A&Expires=1493563043&Signature=6zgnYzkJnqFNJTGuXIXbAQzZfps%3D&response-content-disposition=inline%3B%20filename%3DWomen\\_Empowerment\\_Through\\_Higher\\_Educati.pdf](http://s3.amazonaws.com/academia.edu.documents/32832113/EmpEdu.pdf?AWSAccessKeyId=AKIAIWOWYYGZ2Y53UL3A&Expires=1493563043&Signature=6zgnYzkJnqFNJTGuXIXbAQzZfps%3D&response-content-disposition=inline%3B%20filename%3DWomen_Empowerment_Through_Higher_Educati.pdf)> [Accessed 20th February 2017].
- Singh, K. (2016). Importance of Education in Empowerment of Women in India, *Motherhood International Journal of Multidisciplinary Research and Development* .1 (1), 39-48. Available from: <<http://motherhooduniversity.edu.in/images/papers/Khushboo%20Singh.pdf>> [Accessed 29th March 2017].
- Suguna, M. (2011). Education and Women Empowerment in India, *International Journal of Multidisciplinary Research*. 1 (8), 198-204. Available from: <[http://www.zenithresearch.org.in/images/stories/pdf/2011/Dec/zijmr/15\\_VOL%201\\_ISSUE8\\_ZEN.pdf](http://www.zenithresearch.org.in/images/stories/pdf/2011/Dec/zijmr/15_VOL%201_ISSUE8_ZEN.pdf)> [Accessed 20th February 2017].

## **Awareness about Women's Rights: An Empirical Study**

**Dr. Bhawna Sharma,**

Assistant Professor, Dept. of Political Science, H.P. University, Shimla, H.P.

The movie *Pink* is a 2016 Indian courtroom drama social thriller which every man, every youngster, every 16-year and above child should watch with parents. It is not preachy. It has a strong subject while being a commercial film. The reason behind the title “Pink” for the movie is bust the myths associated with the colour pink, that it is a favourite colour of girls and linked with Barbie dolls but rather conveys that, women want that they should have the freedom and libretto speak and walk freely whenever they want. Women are wise enough to tackle situations and it teaches girls to go to a police station, and lodge protest against the wrong doings they may have faced. This movie spread awareness about laws. This movie tells women about Zero-FIR. Zero FIR is a FIR filed in any police station irrespective of place of incident or jurisdiction and the same FIR can be transferred to the police station under whose jurisdiction the incident happened. It is usually seen that in crime against women instead of protecting victim police administration and most of the people in society begin to favour criminals. This is the existing feudal mindset of a majority of people, where men and women are judged by a different yardstick. This film exposes double standards, mirrors harsh reality and make emotional or sensitive person to think about plight of women.

### **Introduction**

India has enacted a number of progressive laws to address gender-based violence. Data from the National Crime Records Bureau suggests that violence against women is increasing. Two-thirds of all women are subjected to violence. Rape is reported every 30 minutes in the country, making it one of the fastest growing crimes in the country. However, conviction rates for cases involving violence against women remain very low. India's poor performance on women's empowerment and gender equality is reflected through many indicators. In many parts of the country, sex ratio has dropped to fewer than 850 females per 1000 males. India is ranked 131 out of 187 countries as per the 2016 Global Human Development Report.

This is general perception that women are far behind males in every field of life. But this is not the truth, this was old mentality. Women have proved that they can excel in every field; from earth crust to space. The funny thing is that few people have not moved forward from old mentality. Obviously it will take time.

According to Confederation of Indian Industries, which is a premier business association, the numbers of skilled and efficient women are increasing in India and it is also observed that females are better than males for service sector in India. Among Graduates 38% females and 34% males are eligible for service sector.

According to Oxfam International, whose aim was to work together for greater impact on the international stage to reduce poverty and injustice, India is on second rank from bottom among G-20 countries in reference of women's participation in workforce.

According to World Economic Forum report, India is leaving its women behind. The country ranked a lowly 108 out of 144 in the global gender gap report released on 2nd November, 2017. Last year, it stood at 87.

Overall, several of our neighbours are far better than India.

Country	Overall rank
Bangladesh	47
Maldives	106
India	108
Sri Lanka	109
Nepal	111
Bhutan	124
Pakistan	143

Within the country itself, there is wide regional disparities.

Indrani Mazumdar who is associated with Centre for Women's Development Studies, says that in future job opportunities for women will decrease. There are only 18% females in government jobs.

Human rights principles and obligations are laid out in the Universal Declaration of Human Rights and made more specific to women's rights in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), covering their rights in society and at work place. There are number of provisions to integrate women into development.

### **The Status of Women**

A few enlightened Indian thinkers such as Raja Ram Mohan Roy, Swami Dayanand Saraswati, Ishwar Chandra Vidyasagar, Swami Vivekananda, Achary Vinoba Bhave, Savitribai Phule, Rabindranath Tagore etc. have worked for the upliftment of women in India. For instance, the Raja Ram Mohan Roy is known for efforts made for The Bengal Sati Regulation of 1829, which banned the Sati practice. The Widow Remarriage Act of 1856 was the result of Ishwar Chandra Vidyasagar's movement for improving the conditions of widows. Current Scenario on Women Empowerment based on the ideas championed by our founding fathers for women empowerment, many social, economic and political provisions was incorporated in the Indian Constitution. Women in India now participate in areas such as education, sports, politics, media, art and culture, service sector and science and technology. But due to the deep- rooted patriarchal mentality in the Indian society, women are still victimized, humiliated, tortured and exploited.

Women are the target of varied types of violence and discriminatory practices done by others not in our country but all over the world. 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, pardapratha, female infanticide, wife burning, sexual violence, domestic violence, acid attacks, sexual harassment at work place and other varied kinds of discriminatory practices; all such acts consist 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. Pt. Jawaharlal Nehru has said that you can tell the condition of a nation by looking at the status of its women.

Though to eliminate these ill practices and discrimination against women various constitutional and legal rights are there but in reality there is 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, cultural 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.

There are number of Laws and provisions for the protection and betterment of women such as from domestic violence, dowry cases, sexual harassment and other such wrong doing. There are legal and constitutional provisions for empowerment of females such as reservation of women in legislative assembly, reservation in education and jobs and on such issues voices has been raised from time to time in society and or at national level. Government also plays an important role in security for women in houses, offices, factories, school, colleges etc.

“There is no chance for the welfare of the world unless the condition of woman is improved. It is not possible for a bird to fly on only one wing. There is no hope for that family or country where there is no estimation of women, where they live in sadness. For this reason, they have to be raised first.”  
– Swami Vivekananda

In modern era Women rights are the cornerstones of any civilization – as only women rights can ensure the freedom, justice and peace in the society along with development. So they find a special mention in case of India – the cradle of the most ancient and largest civilization of the world.

Talk of women rights is necessary in India which is the largest democracy of the world. India has the foremost responsibility to inculcate the respect for women rights in its government agencies and citizens.

Moreover, India is the second most populated country of the world. It is believed that by 2050, India will be the most populous country on this earth. So, ensuring women Rights in India will automatically lead to grant women Rights to a larger section of the

world population. This is the reason that the condition of women Rights in India has attracted the eye of the world in general and women Rights protection agencies in particular.

Indian Government has duly recognized the importance and urgency of women Rights. Just at the dawn of independence, by recognizing the rich diversity of caste, religion, language culture, economic and social factors, India has taken all necessary – constitutional, legal and practical measures to protect the human dignity.

### **Constitutional Framework**

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, Directive principles of State Policy 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; **Liberty** of thought, expression, belief, faith and worship; **Equality** of status and opportunity and **Fraternity** assuring the dignity of the individual and the unity and integrity of the Nation; thus, it treats both men and women equal.

### **Fundamental Right**

Fundamental **Rights** are enshrined in Part 3<sup>rd</sup> of the Constitution .The policy of women empowerment is well established in the Fundamental Rights for instance:

- Article 14 Equality before Law ensures 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 action in favour of women.
- Article 16(2) provides for equality of opportunity for all citizens in matters relating to employment or appointment to any office. There should be no discrimination on the basis of sex.

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

### **Directive Principles**

Directive principles of State Policy are enshrined in Part 4<sup>th</sup> of the Constitution. It 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 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 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendment of 1993, a very important political right has been given to a woman which is a landmark in the direction of women empowerment in India. With this amendment women were given 33 percent reservation in seats at different levels of elections in local governance i.e. at Panchayat, Block and Municipality elections. In some states this proportion has been exceeded up to 50 percent such as in Rajasthan, Himachal Pradesh. This provided a golden opportunity for the formal involvement of women in the development of the country through political process at the grass root level. This kind of participation of women is a kind of silent revolution.

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 Protection of Women Rights in India**

Some specific laws which were enacted by the Parliament in order to fulfill Constitutional obligation of women empowerment are:

- 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.

In our country Muslim personal law governs legal relations in all matters regarding marriage, divorce, maintenance, child custody etc. of Muslim women. Earlier, it was thought that government and political parties retain personal law for reasons of political expediency. The government doesn't want to interfere with personal matters of minority



communities. Fortunately, the declaration of triple talaq as unconstitutional by Supreme Court in August 2017 is a remarkable decision.

There is nothing permanent except change. As we have studied in our junior classes that nothing in this world is static and everything keeps on changing. But to take change in desired direction, awareness is essential.

Nathaniel Branden was a Canadian-American Psychotherapist and writer known for his work in the Psychology of self-esteem. He was the father of modern self-esteem movement. One of his famous Quotes is “The first step toward change is awareness, the second step is acceptance”

So, to be aware about their rights is the basic condition for females to protect themselves from injustices, social inequities and economic disadvantages. If they are not aware about their rights then how they can be benefited or can know moral pressures concerning the relief, remedy and prevention of injustices to women. To know that how much aware our young generation, a project was planned.

In the present project/survey work I am interested in knowing the awareness of women rights among female scholars of HPU. Through this project, I want to explore how women can invoke legal rights to operate legal and political systems for the remedy of legal injustices, social inequities and economic disadvantages from which they suffer. If they are not aware of the rights they have. To conduct this survey project steps taken in the sequential manner.

### **Objective of the study**

The objective for this study decided: -

1. To know the level of awareness about Women’s Rights in female scholars.
2. To know the level of political, educational and administrative understanding about Women’s Rights in female scholars.

### **Scope of the study**

The scope of the study is limited to female Scholars of Himachal Pradesh University. The study had its respondents from the students of social science and applied Sciences.

### **Methodology**

The present study is an empirical study keeping in view, the nature of study it was decided to carry on this study based on survey method through field investigation. It is descriptive in nature. It is quantitative research; multi-layered random sampling technique is used. At the end analysis is done.

### **Sample**

To conduct the present study small sample size of 30 respondents was taken. Fifteen respondents were from social science and rest fifteen respondents were from applied sciences. Sampling technique was purposive and equal representation was given to students of both streams. The students were from departments of Political Science and Computer Science of Himachal Pradesh University. The exclusion of male scholars was done intentionally as this was apprehended that their inclusion may affect the results.

### **Sources of Data Collection**

The study used both primary as well as secondary sources. Data collection was done with the help of primary source. To collect data, questionnaire was used. The primary data collected through field investigation from the respondents have been used in the present study primarily. However, to provide theoretical framework to the study, it was essential to use secondary sources. Various books of different authors were consulted on the subject under investigation.

### **Tools of Data collection**

For collection of data a questionnaire was framed. To extract relevant and meaningful information in limited time period both close ended questions were framed. After that, questionnaire was distributed among the respondents to get the information regarding the study undertaken.

### **Tabulation of the Data**

The data collected was tabulated under various heads of tables. Data was analyzed by using simple method of tabulation.

### **Interpretation of the Data**

The data collected was analyzed and interpreted accordingly and conclusions were drawn from what the data suggested.

### **Limitations of the study**

One of the major limitations of the study was budget and time constraint due to which small sample was taken for the study and the number of respondents was also limited.

### **Findings**

1. Awareness about political rights is very high in students and surprisingly it is equal among the students of both Political Science and Computer Science.
2. 80% students of Political Science and 66.66% students of Computer Science believed that mental, Physical and Sexual harassment in addition to gender discrimination is the part of women's life.
3. 80% students of Political Science and 73.33% students of Computer Science believe that Graduate women were better than graduate men for service sector while shamed their high confidence level.
4. Surprisingly 100% awareness among students of Political Science is observed regarding Right to free aid.
5. Surprisingly 100% awareness among students of Computer Science is observed regarding Right to Zero FIR Right to No sexual harassment
6. 80% students of Political Science and 73.33% students of Computer Science believe that Job opportunities have decreased for women.
7. 100% students believed that number of efficient and genius women have increased day by day in India.

8. 86.66% students of Political Science and 100% students of Computer Science believed that women role is effective in the process of decision making in politics and Administration.
9. Satisfaction level with practical perspective of civil society and popular government towards women rights are highly different in both the groups.
10. 33.34% students of Political Science and 80% students of Computer Science agree with practical perspective of civil society and popular government towards women rights.

## **Conclusion**

Each respondent participated and contributed significantly. Level of awareness is very high in the female students about Women Rights of Himachal Pradesh University, while that shows they are moving ahead in the direction of Women Empowerment. This success story doesn't end here even our educated society and government has toiled up to empower women. But still domestic protection of women right is usually the first line of defence for women. Earlier the women's group working to reform discriminatory laws and practices are dismissed by many people 'as misguided elite women aping western concepts'.

Earlier this situation was compounded by a general lack of awareness among women about the law and the lack of opportunities for them to meet and discuss their legal status and map out strategies.

Men of justice temperament will be satisfied that the rights they enjoy silence time immemorial must be available to their wives, daughters, sisters and mothers. We should respect that women have distinctive characteristics, their innate capacities, their needs, their wishes and their rights. The results of the present study raises hope for all of us that we are moving in the direction from the world's largest democracy to the world's best democracy.

## **References:**

- Groves, D (September 14, 2016). Amitabh Bachchan Thriller Set To Clash With Horror Movie Starring Emraan Hashmi. Forbes. Retrieved 12 August 2017.
- Human Development Reports 2016  
 <<https://wheebox.com/wheebox/resources/IndiaSkillsReport.pdf>>  
 <[https://www.oxfam.org/sites/www.oxfam.org/files/file\\_attachments/the\\_g20\\_and\\_gender\\_equality\\_en.pdf](https://www.oxfam.org/sites/www.oxfam.org/files/file_attachments/the_g20_and_gender_equality_en.pdf)>  
 <<https://qz.com/1119312/wef-global-gender-gap-report>>  
 <[https://wheebox.com/static/wheebox\\_pdf/india-skills-report-2017.pdfpg-46](https://wheebox.com/static/wheebox_pdf/india-skills-report-2017.pdfpg-46)>  
 <[www.azquotes.com/quote/10599](http://www.azquotes.com/quote/10599)>  
 <<http://www.picturequotes.comquote-521155>>  
 <[http://www.azquotes.com/author/1819-Nathaniel\\_Branden](http://www.azquotes.com/author/1819-Nathaniel_Branden)>  
 Human Rights of women national and international perspective, Chapter. Women's International Human Rights Law: The Way Forward by Rebecca J. Cook. Publisher: University of Pennsylvania Press, USA pg.18

## **WOMEN'S EDUCATION IN INDIA: THE DAWN OF NEW VISTAS**

**Mrs. Banti Ramchiary**

Assistant Professor of English, Barama College, Barama, Dt.–Baksa, ASSAM

**&**

**Mr. Pranab Kalita,**

Assistant Professor of Philosophy, Barama College, Barama, Dt.–Baksa, ASSAM

### **Abstract**

Education is one of the most important human rights and also a key which opens the door to life by widening one's vision. It is essential for everyone but it is principally eminent for women. Women education is not only an aid in the development of human resources but also is of great importance in empowering women to achieve their goals in different spheres of life. In the 21<sup>st</sup> century modern competitive world, the necessity and urgency of higher education for women has remained a great force in the society. None can ignore and deny the equal socio –economic opportunity for women. The present paper is focuses on women's education in India and its importance and need in the present day scenario.

### **Introduction**

In the age of globalization, literacy provides a status to the citizens and education plays a crucial role in shaping the character and qualities of people. The Universal Declaration of Human Rights (1948) also addressed both the equality and equity issues. Education is one of the most important human rights and also a key which opens the door to life by widening one's vision. It is essential for everyone but it is principally eminent for women. The CEDAW Committee on Economic, Social and Cultural Rights highlighted that "Education is both a human right in itself and an indispensable means of realizing other human rights. As an empowerment right, education is the primary vehicle by which economically and socially marginalized adults and children can lift themselves out of poverty and obtain the means to participate fully in their communities. Education has a vital role in empowering women....."<sup>1</sup> Women education is not only an aid in the development of human resources but also is of great importance in empowering women to achieve their goals in different spheres of life. In every five year plans, women's education is incorporated as the major programme for the development of women. Education for All (EFA) programme and other many educational programmes are providing various facilities to enhance the education for women. The endeavor of the present paper is to focus on women's education in India and its importance and need in the present day scenario.

### **Methodology**

The present paper is descriptive and theoretical based on secondary data. The data is taken from different research journals, research papers, relevant books and websites.

## **Objectives of the Paper**

The objectives of the paper are –

1. To focus on the importance of education in the life of every woman
2. To focus on different tables highlighting the growth of women education
3. To analyse the need of women education in the present scenario

## **Women Education**

Education not only shows the path of change in inequalities but also functions as a means of improving their status within the family and the society at large. Women education in India has been a major preoccupation of both government and civil society as educated women play a very important role in the development of the country (Raw, 2001). All over the world, the movement for improving women's status has always emphasized education as the most significant instrument. The rethinking on women's issues started when United Nations declared 1975-85 as women's decade. The National Policy on Education 1986 is remarkable which has incorporated a separate section on "Education for equality" for the development of education in the country which states that "the new policy will lay special emphasis on the removal of disparities and to equalize educational opportunity by attending to the specific needs of those who have been denied equality so far."<sup>2</sup>

In the 21<sup>st</sup> century and modern competitive world, the necessity and urgency of higher education for women has remained a great force in the society. None can ignore and deny the equal socio –economic opportunity for women. Noted Educationist Dr. S. Radhakrishnan (1948) said, "There cannot be educated people without educated women. If general education has to be limited to men or women, the opportunity should be given to women. From them it would most surely be passed on to the next generation." The Commission on the higher education for women, University of Madras in 1979 rightly observed that for women and men, college education is necessary for character formation, ability to earn, creative self expression and personal development.

## **Historical Background**

According to Buddha, women's spiritual capacities were equal to men's. "Buddhism began as a religion that treated women as equal to men in their capacity for personal spiritual development." During early Vedic period women had access to higher education and enjoyed high status but gradually they lost their rights in the late Vedic period. It is seen that during Islamic invasion, the restriction was prevailed in the freedom and rights of women. The practice of Sati became quite widespread because of the ill treatment meted out to widows. This period also witnessed the exclusion of women from both economic and religious spheres. Women education in the medieval period deteriorated with the introduction of Purdah system and also the status of women had deteriorated due to the customs and conventions of different religions. During this period the Bhakti movement tried to restore women's position. Women had access to education but education for women was not common at every level. Only few girls of rich and famous families could achieve the basic and religious education. However, there was a revival of interest in women's education in India. In the British period, a changing atmosphere was prevailed and much importance was given on women's education. Eminent persons of the society not only emphasized on women education but took

initiatives to provide education available to women in India. Various movements were launched to make women of the country literate. India's Independence brought a positive change in the field of education (Chandra, 2007). The Constitution of India guarantees the right to equality to all Indian women without discrimination. The Government has taken various measures to provide education to all Indian women. This made a significant and dramatic change in the status of women as it is a sign of concern for the development of a nation.

### **Importance and need of women education for empowering women**

Women's education has been considered the first and foremost necessity to enlighten the women as active participants in the process of development and change (Gupta, 2000). The lack of education is the root cause for women's negligence and disparities in society. Even though the education system has developed so rapidly in India still in rural areas the growth of women's education is very low. This means that education is not available to all equally. But the Constitution of India confers on women equal rights and opportunities in all fields. The University Education Commission (1948-49) has rightly observed the need and importance of women's education:

There cannot be an educated people without educated women. If general education had to be limited to men or to women, that opportunity should be given to women, for then it would most surely be passed on to the next generation. General education is very important not only for men but also for women; because it is the education that makes men's or women's living interesting and intelligent. It also makes a person good, useful and productive citizen of the society.

Almost all five year plans have laid emphasis on women's education to remove the obstacles of women and to provide educational opportunities to women. "It was during U.N. Women's Development Decade (1975-85) that major emphasis was given to women's status. International bodies such as UNICEF, UNESCO, UN and various Non Governmental organizations (NGOs) have been playing a major role in this regard." The NPE (1986) and The Programme of Action for 1992 on women empowerment also advocated that education can be an effective tool for women's empowerment. Despite commissions and committees on women education, the Constitution of India makes specific provisions for the education of women (Pandya, 2008). Article 6(1) of the Constitution provides that there shall be equality of opportunity for women not only in the field of education but also in the field of employment. In recent years, women have made a remarkable progress in their life styles and their living conditions. Education creates modern outlook women which in turns strengthens their claim for better status in the society.

Gradually the literacy rate of women in India has increased.



**Table – 1**  
**Literacy rate in India**

<b>Year</b>	<b>Persons</b>	<b>Males</b>	<b>Females</b>
1901	5.3	9.8	0.7
1911	5.9	10.6	1.1
1921	7.2	12.2	1.8
1931	9.5	15.6	2.9
1941	16.1	24.9	7.3
1951	16.7	24.9	7.3
1961	24.0	34.4	13.0
1971	29.5	39.5	18.7
1981	36.2	46.9	24.8
1991	52.1	63.9	39.2
2001	65.38	76.0	54.0
2011	74.04	82.14	65.46

Source: Census of India (2011)

The following points are identified according to the table:

- In pre-independence time, the literacy rate of women was in a very poor state in comparison to the literacy rate of men.
- During the five decades (1901-1941) the literacy rate of women has risen from 0.7% to 7.3% whereas, the literacy rate of men has risen from 9.8% to 24.9% .
- During the post independence period, the literacy rate of women has increased at a faster pace than the literacy rate of men.

**Table – 2**  
**India's Literacy Distribution in 2011**

<b>Gender</b>	<b>Male</b>		<b>Female</b>		<b>Total</b>	
<b>Item</b>	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>
Total	623,700,000	51.5%	586,500,000	48.5%	1,210,193,422	100%
Literate	444,203,762	82.1%	334,250,000	65.5%	778,453,762	74.0%
Illiterate	179,496,238	17.9%	252,249,642	34.5%	431,745,880	36.0%

Source from: (RGCC, 2011, p.128)

It is a noticeable fact that great progress has been made in promoting women's education; but according to the table, the 34.5% illiteracy rate in 2011 means that 252,249,642 women are unable to read or write in India today. By observing the above table, it becomes evident at no point could the literacy rate of women match that of men. Since Independence, there has been a phenomenal growth in the number of women students enrolled in higher education. The data in the following table shows that the growth has been particularly faster in the last two decades.

**Table - 3**  
**Women Students per Hundred Men Students**

Year	Total Women Enrolment (000s)	Women enrolment per Hundred men
1950-1951	40	14
2015-2016	13466	90

Source: UGC Annual Report 2015-16

**Table – 4**  
**Gross Enrolment Ratio in Higher Education (18-23 years)**

Sl. no	State	All Categories			SC			ST		
		Male	Female	Total	Male	Female	Total	Male	Female	Total
1	Andaman & Nicobar Islands	22.3	24.7	23.5	----	-----	-----	11.0	13.6	12.3
2	Andhra Pradesh	34.7	26.9	30.8	18.6	22.4	25.5	27.4	19.8	23.4
3	Arunachal Pradesh	28.8	28.5	28.7	-----	-----	-----	34.4	33.2	33.8
4	Assam	16.2	14.7	15.4	17.5	16.0	16.8	20.8	18.0	19.3
5	Bihar	15.8	12.6	14.3	11.4	7.1	9.3	13.4	11.2	12.3
6	Chandigarh	48.4	70.4	57.6	28.6	37.8	32.7	-----	-----	-----
7	Chhatisgarh	15.7	14.6	15.1	15.6	13.8	14.7	9.5	9.1	9.3
8	Dadra & Nagar Haveli	7.8	11.3	9.1	17.3	30.4	22.9	7.6	5.7	6.6
9	Daman & Diu	4.6	9.2	5.7	23.1	27.7	25.1	15.2	12.6	14.0
10	Delhi	43.0	48.2	45.4	30.2	28.6	29.5	-----	-----	-----
11	Goa	25.0	30.9	27.6	27.7	26.7	27.2	17.3	24.1	20.6
12	Gujarat	22.9	18.3	20.7	27.7	23.1	25.5	13.4	13.0	13.2
13	Haryana	25.9	26.4	26.1	17.3	16.7	17.0	-----	-----	-----
14	Himachal Pradesh	29.6	35.5	32.5	20.0	22.3	21.1	30.8	32.7	31.8
15	Jammu & Kashmir	23.5	26.2	24.8	13.6	17.9	15.7	10.2	8.8	9.5
16	Jharkhand	16.2	14.8	15.5	13.1	10.6	11.9	10.2	10.8	10.5
17	Karnataka	26.3	25.9	26.1	19.3	18.0	18.7	16.9	15.1	16.1
18	Kerala	26.6	35.0	30.8	16.4	28.5	22.4	13.6	19.2	16.5
19	Lakshadweep	4.1	10.2	7.1	----	-----	----	2.2	4.7	3.4
20	Madhya Pradesh	21.1	17.9	19.6	17.0	13.8	15.5	9.8	7.4	8.6
21	Maharashtra	31.9	27.6	29.9	31.9	27.0	29.6	18.1	11.4	14.7
22	Manipur	35.3	33.1	34.2	57.8	47.8	52.8	20.9	18.5	19.7
23	Meghalaya	20.4	21.1	20.8	55.3	44.3	50.1	15.7	18.4	17.1
24	Mizoram	25.2	23.0	24.1	192.6	96.7	158.0	25.6	23.5	24.5
25	Nagaland	14.2	15.6	14.9	-----	-----	-----	13.5	14.8	14.1
26	Orissa	21.5	17.8	19.6	16.5	12.9	14.7	10.7	8.2	9.4
27	Puducherry	44.2	42.1	43.2	33.2	31.7	32.5	-----	-----	-----

28	Punjab	25.8	28.5	27.0	17.7	18.4	18.0	---- -	-----	-----
29	Rajasthan	21.8	18.5	20.2	16.7	13.4	15.2	16.9	13.5	15.2
30	Sikkim	36.7	38.5	37.6	36.2	22.5	29.1	20.0	28.8	24.5
31	Tamil Nadu	46.3	42.4	44.3	34.6	34.2	34.4	36.4	27.3	31.8
32	Telangana	39.3	33.4	36.3	38.1	34.2	36.1	39.2	28.7	33.9
33	Tripura	19.9	14.0	16.9	18.0	11.3	14.6	12.9	9.1	10.9
34	Uttar Pradesh	24.2	24.9	24.5	20.3	20.7	20.5	33.5	27.7	30.6
35	Uttarakhand	33.6	32.9	33.3	23.8	23.2	23.5	40.3	36.8	38.6
36	West Bengal	19.1	16.2	17.7	14.2	11.5	12.8	10.6	8.4	9.5
	All India	25.4	23.5	24.5	20.8	19.0	19.9	15.6	12.9	14.2

Source- AISHE 2015 -16

According to the above table it is seen that in India the Gross Enrolment Ratio in Higher Education is 24.5% which is calculated for 18-23 years of age group. As compared to the national GER of 24.5%, GER for female population is 23.5%, 19.0% is for scheduled castes whereas; it is 12.9% for scheduled tribes.

In spite of being aware of her position, women can't transform the situation due to lack of education. Therefore, it is the urgent need of the hour that special attention should be given on women's education as well as women's empowerment.

### Conclusion

In the modern competitive world, education is indispensable and education of women has been an urgent need for their rights so that they can actively take decisions and make their positive efforts towards society and country. Despite various efforts made by the Indian Government, the large gap between male and female literacy rates in India still persists. Women should be encouraged. It is however felt that Instead of giving women a secondary position in society, they should be given equal status and make them realize their own potential and it is only possible by educating women.

### References

- Emphasis added. Committee on Economic, Social and Cultural Rights, General Comment 13, the right to education (Twenty-First session, 1999) U. N. Doc E/C.12/1999/10(1999) at para.48.
- National Policy on Education, 1986, part iv, para.4.1, pp.6
- Gupta, N. L. (2000) *Women Education through the Ages* Concept Publishing Company, New Delhi.
- Rao, R. K. (2001) *Women and Education* Kalpaz Publications, Delhi.
- Pandya, R. (2008) "*Women in changing India*", Serials publications, Delhi
- Chandra U. (2007) *Human Rights*. Law Agency Publications, Allahabad.

## **INNOVATIVE TEACHING PRACTICES FOR ACTIVE LEARNING**

**Dr.(Mrs.) Kiran Rekha,**

Professor, UGC-HRDC, H.P. University, Summerhill, Shimla, H.P.

### **Abstract**

During present era of information and communication technology, there is a dire need to focus on human skills for taking help of the machines to engage students and bring a thorough modification in behavior for better academic results. Consistent learning is the key to growth that happens during active learning exercise organized with participants of the Orientation Programmes. During Active Learning sessions, each one of them shares the unique strategies applied in their classroom to mold students into active learners. The entire house adds more to their existing teaching skills by listening to the effective techniques practised by their colleagues, thus resulting into powerhouses of talent. The workshop is successful for up skilling the participants and revisiting their curriculum to become efficient in teaching learning management in higher education system. The teachers need to know the level and expectations of the learners for meaningful study of the subjects in a receptive & supportive environment. Active learning likewise can help faculty accomplish several goals, including improving classroom climate, providing opportunities to interactive contents and creating space for reflection on learning.

### **Introduction**

The education system has teachers in central place to play the important role of shaping the future of a nation. The educated society leads towards development and awakened masses that are aware of constructive application of knowledge. To bring that maturity in younger generation, teacher's position has always been considered sacred and second only to parents since ancient times. They are the ones who help in inculcating values so that the world keeps on the right direction while moving on the way to progress. In higher education, teachers have to play multiple roles of facilitator, counselor, guide and mentor during this era of modern technology. While teaching courses, the faculty needs to make lectures to be up-to date with technology so as to engage students in the their classes along with providing more flexibility in delivering the contents. There seems a growing consensus that teacher's excellence involves active learning pedagogies for quality education (Schwill et.al. 2007). The faculty is required to update the methods of sharing the knowledge with the learners to cope up with today's fast growing world. Instead of having control on thinking of the students, the teachers once have full faith in their capabilities (Fleming, 2003), learning outcomes are always positive and encouraging for both the stakeholders.

Innovative pedagogy includes modification in learning environment by making it more learners-oriented after assessing their level of knowledge. Dynamic search for effective tools of information sharing must lead to enhanced student participation so that there can be better collaboration in order to have exchange of ideas and knowledge. Teachers also develop certain mechanism to evaluate whether students have understood the contents and find the classes beneficial and valuable. Learning is an active process,

facilitated through group participation which can only take place in a social context. Massingham and Herrington's (2006) study reports that the teaching procedures used in the class are the most influential factors for determination of student attitudes towards learning. Instead of passive, teacher centered instruction and individual learning more emphasis is given to learner centered approaches leading to comprehensive active learning. The new methods of engaging the students in active/rational approaches of problem solving, discussion, collaboration, authentic contexts and action oriented assignments ultimately make them think more freely for themselves. With new thoughts learners are always prepared to find answers, make the right decisions, have a voice and become catalyst for idea integration process (Bruner, 1996) and alteration.

For learning thoroughly students must perform more than just listening: they need to read, write, discuss and be engaged in problem solving etc. learning is not a solo race rather, it is a team effort which depends on collaboration and co-operation amongst students (chickering & gamson, 1987). Several studies have shown that students prefer strategies promoting holistic learning to traditional lectures. Spring (2006) opined that active learning methodologies are considered a means for preparing students to have influential presence in the society. Innovative pedagogy with latest infrastructure, directly mediate to educational impact of teaching-learning mechanism (Alexander, 2008). Teachers need to cope with challenges of changing time so as to develop new skills and competencies with focus on fundamental ability to verbalize, write, listen, interact and share knowledge effectively. To provide appropriate opportunities for professional and career development, the National Policy on Education (NPE) 1986, proposed academic staff orientation scheme to organize course for teachers as in-service training and continuing education for fulfilling their roles and responsibilities effectively. University Grants Commission initiated this scheme named as academic staff college/Human Resource Development Centre for organizing specially designed courses meant for higher education teachers.

### **Methodology and Teachers Experiences**

In any learning situation, the process of learning may be active or passive. In passive situation, students work on a routine and closely defined task. Active learning leads to deep, long lasting and thorough modification in behavior.

During Orientation Programmes held in Human Resource Development Centre, Himachal Pradesh University, Shimla, a workshop on 'Active Learning' is organized regularly as one of the important teaching skill development input to teacher participants from colleges and universities of the country. Essential components emphasizing the students' expectations and the teachers' pedagogical innovations are as follows:

1. Searching for academic & personal meaning
2. High priority on skills
3. Students share greater responsibility
4. Nurturing creativity
5. Looking beyond immediate frame of reference

After introduction of the active learning process the participant teachers are asked to write unique examples of class room teaching when their passive students happily become the active learners. During the later part of the workshop, the participants are asked to share their individual and exclusive experiences with the entire house. This

provides a great educating opportunity for the teachers to know from their colleagues, the techniques and styles of captivating the students in academic activities throughout the duration of subject learning. Some of the selected samples of innovative practices in college and university teaching are given under subject wise headings as follows:

- I      The ***Education*** teachers administer interesting teaching activities during specific situations so as to capture the attention of their students in order to have interactive class environment:
- ❖ Academic game method is applied while teaching education psychology by taking students intelligence test and all of them like to participate actively. Eagerness to know their IQ scores becomes important, so much that they forget the preparations for sports day, annual function, event celebration etc. in the class room.
  - ❖ During the late evening class the teacher tries to create active learning by general discussion on entire day's work, then step by step involve the learners in the topic under study and hence task is accomplished in a happy class climate.
  - ❖ Focus of the teacher remains on the skill development of the learners through different assignments meant for assessment and improvement of their writing, drawing, presentation and discussion abilities. While completing the task given, students learn on their own to the extent of unforgettable experience for future application in academics.
  - ❖ Pyramiding teaching method is applied so as to discuss general and current issues before taking the students towards learning of subject topic. During this technique 4-5 groups are selected from the class for discussion, sharing, feedback & comments on general awareness of the related subjects before taking students actively to the real topic of the curriculum.
  - ❖ The physical education teacher first identifies the unique capabilities of the player students and then distributes the practical work accordingly for better results. Along with sports, recreational field activities also act as stimulus variation to retain enthusiasm throughout the teaching learning period.
- II      The teachers of ***English*** literature practise following strategies to include active learning during their daily teaching process designed to leave a lasting impact on the learners:
- ❖ Exercise of creative writing is given to the class which is checked and later tips are given for improvement of students' writing skill.
  - ❖ Active involvement of students is ensured through story telling methods, daily life interesting examples and use of black- board frequently.
  - ❖ Encouraging the learners to get connected to the character or the situation under study so as to get prompt responses and group discussion to the satisfaction of the teacher.
  - ❖ Assignment distribution after giving basic information of the topic to make students curious to find details on their own and discuss in the class with full enthusiasm.
  - ❖ During teaching of drama, students are asked to deliver the dialogues to imbibe the different features of the character with independence to have their own creative expressions as a result they all understand the play in a better manner.

- ❖ Mixed groups of the active and average students are made so that all are included in subject projects, discussions, enactment of scenes with equal sharing so as to harness full potential of the class.
- III The **Hindi** literature teachers make use of a number of ways to reach their goal of making every student active in the theory classes:
- ❖ During preparations for annual function of the college, the teacher takes the class out- side in the playground with permission of the principal. The students became anxious and curious with the change and side by side learn actively with help of blackboard only and the teacher also enjoys chalk and talk a lot.
  - ❖ To make the teaching – learning process successful the teacher leaves one important question unanswered before closing of the lecture. This makes the students curious to find the answer & they keep on thinking about the probable answers during the next class thus becoming interactive enough be active learners.
  - ❖ Some topics e.g. communication and public speaking are also taught in a practical manner so as to make it simple and easy to understand. Roles of news readers, anchors and experts etc. are given to groups of students for enacting a given current situation. Students become so active & enthusiastic that they start using language of DD1, Aajtak, NDTV etc. to the wonder of the teacher.
- IV The **Sanskrit** teachers give chance to their students for recitation of some portion of the text by rotation then explain the details creatively for active class environment:
- ❖ If sometime there is lack of attention then few minutes are devoted to discussion on favorite topics before teaching the complex topics thus making learning easy for the students, understanding.
  - ❖ Inter-and intra- subject examples can create curiosity and deep interest in the topic successfully. This technique is used by teachers for related ‘Granthas’ , enough to attract students towards the subject relevance in modern times.
  - ❖ The teachers also feel elated by questions asked and so they prefer that the theory class converts into healthy discussion. Thus the activity helps to grasp the ideas to the level of encouragement of the learners.
  - ❖ Once the teacher knows about the restlessness if any in the class, that can be remove first, by asking the cause. Situational out of box thinking for giving probable solution before delivering the talk on subject topic can have students’ full focus on studies.
- V The teachers of **Economics** make use of under mentioned inspiring techniques most often for creating active learning in their classes:
- ❖ Taking a case study from a real life incidence motivates the students to participate in class room actively. Discussing case study for sharing of knowledge and experience is useful to understand the concepts and it also helps to rationalize the applicability of theory in real world situations.
  - ❖ During teaching of budget the teacher takes example of his own daily pocket money expenditure so as to make it easy to follow. The learners also plan their own budge for the amount they get as pocket money on daily or weekly basis.

- ❖ Teacher asks their students to check practically the law of price and demand as consumers, e.g. they prefer to purchase the commodities when there is sale of upto 50% off. This way proving that demand is more when prices are less comparatively with interesting & relevant example.
- ❖ Use of teaching aids helps to make the students attentive in the class room, besides this also encourages the teachers. Information sharing from internet and other sources in advance makes the class interactive with students' active participation.

VI The teachers of **Law** make use of social activities to motivate the students to be present attentively in the class for thorough learning:

- ❖ Small general exercise is given to the students in between the subject discussions to assess their attention. A teacher identifies most of them by their names but if some names are not remembered, she tells them to participate regularly so that they can become part of the active group and to her surprise that worked successfully.
- ❖ Some quality time is devoted by the teacher to have personal talk with the students so as to know about their aims and expectations and in such conversation, value to time is told, empathetically. The class is counseled properly so that all can become active subject learners instead of participating in unnecessary campus activities.
- ❖ The teacher asks the students to read news papers and articles related to Law and its application so as to remove their fear from the subject. He also persuades the entire class to have field visits and file PIL against violation of rules and court orders in public places, to gain confidence in application part of the laws.
- ❖ The entire class is divided into groups; playing roles of petitioner, respondent, witness and observers to run a mute court. In due course the teacher completes the chapter in a creative manner by way of making the learners participate in the drama of court proceedings.
- ❖ To engage the students in the contents, the teacher asks each one to write one sentence related to the topic on the board. Finally after discussion, the result is that the entire period is actively utilized in a participative way by a little motivation from the teacher's side.
- ❖ The topics like family laws can be easily related to the provision of law in daily life. Students become eager to know the legal solution of day to day problems people face in society, and so they are encouraged to remain involved and active throughout the entire lecture by their skilled teacher.

VII The **Management** teachers tend to modify their teaching style according to the topic and current situation of the class.

- ❖ To teach Human Resource Management, there is a practice or tool usually applied, known as Role Playing. A group of students chosen from the class are given any business issue related to decision making and problem solving. The teacher asks to undertake various roles which help in building decision making abilities of the whole class.
- ❖ The teachers involve the students in learning by having discussion on any 'case study'. This motivates the class to have practical learning as much as possible and the students remain engaged in academic activities interactively.



- ❖ Various exercises are given by the teacher to explain importance of non-verbal communication including variety of visuals, mute plays etc. These help the learners to identify and experience the importance of body language in effective communication skill, necessary to excel in academics.

VIII The teachers of **Commerce** apply the following strategies to keep their class participative during the teaching-learning process:

- ❖ To make the topic of Portfolio Management interesting the teacher asks the class about various investment schemes beneficial for a family and their parents financial planning. The students share lot of examples during coming days and also have practical experience of making some investments on their own behalf.
- ❖ While teaching Factoring in financial Services, the teacher decides to conduct a Role Play activity. To demonstrate different types; one group of students act as customers and others become agencies to make the entire class interactive and learn thoroughly.
- ❖ The teacher introduces the main concept of companies with a list of names and directs the students to collect related information of types & ownership within a given time slot. Later the topic is consolidated in the class with additions and more explanation given by the teacher.
- ❖ Simulation exercise on stock Exchange is performed by the teacher while teaching Financial Markets & Services. The entire class is divided into groups of 6-7 students in each to perform activities of trading and allocation of shares to different investors from other investors or companies.
- ❖ During educational tour also teacher tries to cover some theory topics when the group is free, after visits during evenings. Topics of Business Ethics, Trade Environment etc. can be easily completed in such non-formal and stimulating learning interactions.

IX The **History** teachers have to tell the students about the importance and relevance of the subject during present times to get lessons from the past for improvement of the future:

- ❖ The teacher tells in class that history is the record of past events and it helps the nation to take direction from these and not to repeat old mistakes, this develops reasonable liking for the subject among the students.
- ❖ Outlines of Maps are drawn on the blackboard by the students as directed by the teacher and this makes them involved and feel the interest in learning by doing and contributing to teaching-learning.
- ❖ Visit to state museum creates enthusiasm in the class when teacher explains the historical happenings by showing antique priceless collections. The students become curious to know more about art, culture, scripts, incidents, coins etc.
- ❖ Some of the incidents of the history are simplified by the teacher through present times similar examples. The class becomes participative by inter subject comparison of the identical situations and thus students become the active learners.

- X In **Political Science** classes the teachers incorporate daily political changes with the topics under study to make the students get absorbed in learning as follows:
- ❖ Many teachers share the strategy of group formation in large classes to discuss topics like Indian Politics and J & K Politics or Comparative Indian and UK Politics. Current subtopics are divided among the groups and they come prepared next day with full co-ordination. The teacher consolidates students, ideas and give the final conclusion in the vibrant environment of the class.
  - ❖ Quiz and Debate competitions are organized in the class on current national politics and comparison with international political scenario that make all the students participate and remain active learners during these exercise.
  - ❖ Counseling regarding time management, field visits, district council visit, youth parliament organization, conference and seminars etc are the better learning activities experienced by the teachers. To make the class learn by doing along with addition of many human values e.g. co-operation, caring and sharing in a disciplined manner, including all relevant new practices that motivate both the students and teachers.
- XI The **Chemistry** teachers usually relate the subject to variety of products in use and chemical processes happening in day to day life along with talks on general ethics and addition of humor so as to instill learning among receptive students in a conducive class climate:
- ❖ The teacher tries to remove fear of the topic under study by inviting the students on the board to derive the chemical equations, make diagrams, solve numericasl etc. and as a result students remain attentive and participative.
  - ❖ Use of smart class room for teaching of Resource, Bond formation, Chemical structures and derivations effectively with the help of visuals can arouse interest enough to create active learning, as shared by the teacher in one of the examples.
  - ❖ During practical classes the teacher starts experiments with routine usable products like pH value measurement of soaps, shampoos, milk, cold drinks and water which leads to creation of eagerness that stays there forever leading to better and long lasting learning of the subject.
- XII The teachers of **Physics** apply variety of methods for encouragement of participation by their students to learn the subject thoroughly:
- ❖ The teacher takes numerical problems related to some routine/daily difficulties of life to the class. The students understand the significance of derivations necessary for solving many day to day problems of the physical world hence they get immersed in subject learning whole heartedly.
  - ❖ Time management is life management when told to the students then the topic of 'Theory of relativity' was taught to the fully focused class in serious teaching learning environment by developing the willingness first among the learners.
  - ❖ During computation physics the students are given instructions from simple to complex operations. In application part they start programming by themselves and finally become efficient through learning by practice.

- ❖ The teacher asks students to think some creative idea to observe newton's rings easily during a laboratory experiment. One day after a while they came up with a very simple and innovative idea and fixed a web camera to the telescope & projected the view on screen to make the rings clearly visible for the class.
- XIII The **Botany** teachers find that the students become very active when they are taken to field visit for study of the plants in their natural habitat:
- ❖ The teacher takes the class to botanical garden to assess whether the description of plants is grasped thoroughly. The curious students get engaged to identify the plants on the basis of characteristics taught in the classroom in details with the economic importance.
  - ❖ Student oriented teaching learning process is adopted by the teacher so as to make the class interactive. Discussion sessions by group formation, black board writing, presentation by students & use of Ppt. presentations help the class to follow the morphology and mechanism promptly.
  - ❖ The topic of 'Taxonomy' taught theoretically is confirmed by observing the plants during educational field visits. The samples of the plants are studied, collected and preserved enthusiastically by students to make herbarium as practical assignment.
- XIV The teachers emphasize the role of **Biotechnology** in the food industry in advance to make the class receptive to learn the subject with full attention:
- ❖ The complex topics of biochemical reactions and tough kinetics of fermentation become challenging to the teacher therefore to generate the interest of entire class she starts discussing about beverages and health. Once the students become participative these topics are completed efficiently in an interactive atmosphere to the level of satisfaction of the teacher as well the students.
  - ❖ The teacher uses Ppt. presentations, charts, diagrams models and draws flowcharts during the theory classes. Later the students also follow these techniques while giving their seminar presentations on selected subtopics effectively to the wonder level of their teacher.
  - ❖ The students are motivated by the teacher to go through the reviews of latest discoveries by scientists on the concerned topics during library period. This creates awareness among the students to know more about the technology behind the biological processes.
  - ❖ During annual function of the college most of the students want to participate and contribute, so when they come to the teacher for help and guidance, he always inspires them to organize a 'Science exhibition'. This makes the students elated and enthusiastic to share their working models for explanation of important bioactivities to the observers of diverse backgrounds.
- XV The **Mathematics** teachers first assess and check the knowledge level of the students then initiate discussions and calculations/derivations from simplest topics:
- ❖ The teacher understands the unwillingness and unrest among the learners through putting himself in their shoes by going back to his student life. Therefore he has informal talk to know the difficulty in topic undertaken and once it is sorted out then only the remaining chapter is completed in a relaxed and receiving class.

- ❖ The entire class is kept attentive by intermittent questions asked by the teacher so as to get feedback about how much the students are following in each and every step. Story telling is also adopted so as to come out of the expected seriousness of the subject and then going from easy to complex steps.
- ❖ To have regular interaction with the entire class the teacher changes the seats of the students most often. Once the environment becomes subject friendly the students develop affinity for mathematics and start finding joy in learning.

XVI The teachers of **Zoology** make the practical classes more creative where they are able to apply number of innovative ideas to keep all the students actively involved:

- ❖ During experiment of taking RBC count, the teacher divides the class of 60 students into 12 groups. Then he demonstrates the procedure to one of the member of each group. Then this member demonstrates the experiment to others and as a result RBC count was done successful by the entire class with the help and supervision of their teacher.
- ❖ The students are asked to bring hand written charts for the animal classification to be studied in the laboratory next day. The teacher takes them to the lab for identification of specimens/ slides and to her surprise they explain and discuss about morphological and anatomical features effectively.
- ❖ Step by step demonstration and instruction once given by the teacher clearly, the students follow that without need of assistance to complete the project work to take the absorbance of extracts at different wavelengths in a spectrometer during the practical of biochemistry.
- ❖ The teacher uses physical exercise of the students to teach Blood Pressure in Physiology, to make the class active and interested in the experiment. Students measure their B.P. while sitting in the class and again after climbing 60 stairs of the science block and usually find a huge difference in the values/ reading obtained because their B.P. elevates with exercise.
- ❖ Use of projectors, power point presentation to show the enlarged photographs of rare species, creates interest among the students. Teachers also take them to the field for observation of birds, insects and some animals in natural habitat & in addition collection of insects is also done to make the insect box for Entomology practical.

XVII The **Computer Science** teachers make the subject easy for understanding by introduction of the topic with its use in real world situations:

- ❖ When the topics of Data Mining and Data Warehousing discussed by the teacher, the class is involved in active and thorough learning. He asks each student to take a set of random data to implement the algorithm in the classroom.
- ❖ The teacher tells the class about the emerging trends in computer science explaining its importance in daily life. Some additional syllabus topics are also discussed to retain the attention of the students like crypto currency, computer forensics along with awareness about Coffee tool used.
- ❖ The practicals are more important in the subject therefore teacher motivates the class to complete the theory in the laboratories by working on programming. The

students once find the computer operations joyful, they prefer to go to labs on their own after theory classes get over.

XVIII The teachers of *Journalism and Mass communication* focus on providing social situations to the class for applying the knowledge in live programme sets:

- ❖ After theory discussion the teacher divides the class into groups on the spot for the preparation of diverse programmes e.g. F.M. show, live news session, radio discussion and interviews etc. The live performance is imitated by the students enthusiastically side by side getting a great learning experience.
- ❖ To break the monotony of the theory topics, semester syllabus and co-curricular activities are also discussed by the teacher. Ppt. presentations, role plays, skits & debates related to the subject are organized weekly where students share some responsibilities and their skills get developed to disperse duties as the efficient professionals.

### **Discussion and Conclusion**

Effective teaching in higher education leads to promote the development of higher order learning process enriched with numerous activities. Various examples of active learning indicate that teachers are working hard to modify their teaching techniques for making their students the integral part of educational activity (Kiran Rekha, 2012). The present study shows the reflections on helping students learn by the faculty by promoting their engagement and active role in the entire teaching-learning process. Getting the students involved in their learning can be a challenge before the teachers which they overcome through practising creative pedagogy. Instead of feeding with readymade content in lectures, now the teachers give assignment to the students, the answer to which they have to find on their own individually and collectively (Barrows and Tamblyn, 1980). A variety of tools to address multiple intelligence and human senses facilitate multidimensional two way communication are required to strengthen the learning environment which can constantly engage the learners (Gardener, 1993). Visual based instructions using audio visuals, films, 3D graphs enhance the productivity of active learning mechanism (Bonwell & Eison 1991). It is ensured from the study that VARK (Visual, Aural, Read/Write, Kinesthetic) learning input attempts to create an active learning environment. Teachers along with the traditional educational system, incorporate opportunities for students to ask questions, intentionally allow them for wondering and exploration. Stinson and Milter (1996) suggest that the selected topic issues should reflect real life circumstances and be contemporary to facilitate the process of learning by performing. The learners in due course take the responsibility of their own learning catalysed by inspiration from their teacher.

## References

- Alexander R.J. (2008) Towards Dialogic Teaching, Rethinking Classroom talk, <[www.robinaalexander.org.uk/dialogicteacing.htm](http://www.robinaalexander.org.uk/dialogicteacing.htm)>.
- Barrows H.S. and Tamblyn R.M. (1980) problem-based learning. An approach to medical education. Springer Publishing Company.
- Bonwell C.C. and Eison J.A. (1991) Active learning: Creating Excitement in the classroom. Eric clearing House Education, Washington D.C., George Washington University.
- Chickering A.W., Gameson Z.F. (1987) Seven Principles for Good Practice. AAHE Bull 39, P.P. 3-7.
- Fleming N. (2003) Establishing Rapport: Personal Interaction and learning, Idea Paper No.39, Manhattan, K.S.: Centre for Faculty Evaluation and Development, Kansas State University.
- Kiran Rekha (2012) Active Learning Strategies to Enhance Quality of Teaching. 'Academe Vol. XV', UGC- Academic Staff College, Himachal Pradesh University, Shimla.
- Kiran Rekha (2017) Human Resource Development Centre for Enrichment of Higher Education. Academe Vol. XIX, UGC-HRDC Himachal Pradesh University, Shimla.
- Massingham, P. and Herrington, T. (2006) Does Attendance Matter? Performance and Attendance, Journal of University Teaching & Learning.
- Stinson J.E. & Milter R.G. (1996) Problem-Based Learning in Business Education: Curriculum Design and implementation Issues New Directions in Teaching in Higher Education, <<http://www.ouwb.ohiou.edu/stinson/PBL.html>>
- Sander P. Stevenson, K., King M & Coates, D (2000) University Students: Expectations of Teaching, Studies in Higher Education, 25, PP309-23.
- Spring J. (2006) Pedagogies of Globalization: The Rise of the Educational Security State. Mahwah, N.J. Lowrence Erlbaum Associates.
- Schwill J. Dambele M. Schubert J. (2007) Global Perspective on Teacher Learning: Improving Policy and Practice. Paris, UNESCO, international Institute for Educational Planning, P.P. 1-140.

## **The Role of Jurist in Protection of Human Right and Education**

**Dr. Vijeta S. Singh**

Assistant Prof., S.S. Maniyar Law College, Jalgaon, Maharashtra

The expression human rights cover every aspect of human dignity. Right to live with human dignity includes all the finer graces of human civilization. The essence of human rights is the dignity and worth of the human person. Human right as a significant constituent of the rule of law for good governance is faith, which must not be shaken. Human rights are those minimal rights which every individual must have against the state or other public authority by his being a “member of human family”, irrespective of any other consideration. Human rights education cannot be ensured without effective judicial system, economic and social rights won't be progressively implemented without education in human rights. Human rights education is the route for the progress of the global village in new millennium. It is clear that general education is different from human rights education. Justice J. S. Verma the former chairman of National Human Right Commission worded that, there is need of creating awareness about basic human rights so that they are not violated. Increasing awareness about human rights is necessary for an aware person not only ceases to be potential human right violator but instead becomes potential human rights protector.

If we try to find the source of Human Rights Education in Indian History Human rights have always occupied a place of paramount importance in India's rich legacy because India believed in the principle, “Vashudhaiva-kutumbakam”, i.e. welfare of all. Justice Rama Jois eloquently sums up this legacy, post independent India has finer contribution of higher Judiciary in application and education of human rights. Justice Krishna Iyer reiterated dualism and asserted that the positive commitment of the State Parties ignites legislative action at home but does not automatically make the Covenant an enforceable part of the ‘Corpus Juris’ in India, hence constitutional interpretation in India has been strongly influenced by the Declaration. In the judgement given in the Chairman, Railway Board and others v. Mrs. Chandrimadas, the Supreme Court observed that the Declaration has the international recognition as the Moral Code of Conduct having its own quality to protect human life with dignity.

Education is critical for economic and social development. It is crucial for building human capabilities and for opening opportunities. The importance of education was fully recognised by justice Balkrishnan has created additional right under Article 21-A of Indian constitution, the fabulous contribution done in the mode of Right to Education as fundamental right of every person in India, the ultimate objective behind this excellent contribution is to promote human right education.

**Keywords,** Human Right Education, Judiciary, Fundamental Right, Promotion etc...

### **Introduction:**

Respect for Human Rights is a part of rich Indian heritage based on the concept of “Vasudhaiv Kutumbkam,” an Indian philosophy. The expression ‘human rights’ cover every aspect of human dignity. Right to live with human dignity includes all the finer graces of human civilization. Mahatma Gandhi has stated that it has always been a

mystery to me how men can feel themselves honored by the humiliation of their fellow beings. Human rights conceived as the inalienable rights of all members of the human family, which are inherent in human existence. The concept of human rights is based on the dignity and worth of the individual. Human rights are essential for realization of the true potential of every human being.

Human rights are invisible and inter dependent. There is no difference in human rights they are same all over the globe. Human rights being a birth right are, therefore, inherent in all the individuals irrespective of caste, creed, religion, sex and nationality. These rights are essential for all the individuals as they are consonant with their freedom and dignity and are conducive to physical, moral, social and spiritual welfare. They are also necessary as they are created in an environment in which people can develop their full potential and lead productive and creative lives in accordance with their needs and provide suitable conditions for the material and moral upliftment of the people. Due to their immense significance to human beings, human rights are also sometimes called as fundamental rights, basic rights, inherent rights etc., hence its most important to spread awareness about the human rights, these rights must be educated to society viz a viz education which is one of the basic elements of success. Kofi Anan, the former secretary general of United Nations said that education is the peace - building by another name. Education is the most crucial investment in human development, and is an instrument for developing an economically prosperous society, for ensuring equity and social justice. Considering this view, the Indian judiciary has played very important and significant role with the use of judicial activism tool.

### **What is Education:**

*A man without education is equal to animal.* The Education is special manifestation of men; it is the treasure, which can be preserved without fear of loss. It secures material pleasure and happiness; it is the teacher of teacher; it is God incarnate. It secures honour at the hands of state, not money. Learning is excellence of wealth that none can destroy. "To man naught else affords reality of joy". The fundamental purpose of education is the same at all times and in all places. Education is to transfigure the human personality in a pattern of perfection through a synthetic process of the development of body, enrichment of mind, the sublimation of the emotions and illumination of the spirit. Education is a preparation for living and life, here and hereafter. Only education is source of eradication of illiteracy which exists in a depressing measure, victories are gained, peace is preserved, progress can be archived and development is possible only by education.

### **What is Human Right Education:**

Human right education is education about human rights. The ultimate goal of education for human rights is empowerment, giving the knowledge and skill to take the control of their own lives and decisions that affect directly or indirectly. Such as ...

- Teaching people about International law or about human rights violations.
- Teaching people how to respect and protect rights, is teaching for human rights.



- Human rights education is all about helping people to develop to the point where they understand human rights and where they feel that they are important and should be respected and defended.
- The activities give skill, knowledge and attitudes which they will need to work towards a world free of human rights violations. These aspects are encapsulated in each of the activities by participative, interactive and educational methodology. Participative methodology has been founded by human rights educators to be the most efficient and most powerful way to develop skill and attitudes as well as knowledge, in both children and adults.

### **Importance of Human Rights Education:**

Wealth without work, pleasure without conscience, knowledge without character, commerce without morality, science without humanity, worships without scarifies and politics without principles similarly is life without education. What is important is high ideals and not noble birth. No caste, no equality, no superiority, no inferiority all are equal. Identify yourself with others – as they do, this feeling and thoughts can be imbibed amongst human beings only with the teaching and learning of human rights education.

Ignorance is constant threat to human rights – it breeds discrimination, intolerance and prejudice. If we are serious about human rights, we must address ignorance in all its forms. The best way to do this is through education. Education is natural enemy of ignorance. It promotes understanding, compassion and tolerance, it changes attitude and it is the basis upon which a genuine and lasting respect for human rights is founded. Education protects human rights much more effectively than any punitive and legal regime. Human rights are about the lives, the liberties and the dignity of all human beings. It is the duty of all of us to ensure that these rights are respected, preserved and promoted highly.

### **Role of Indian Judiciary:**

It is recognized that mere declarations of human rights are not sufficient. They must be specifically enforced otherwise they will remain only as “Paper Decrees” or “Paper Tigers”. For this purpose, proper mechanism for the enforcement is required. In order to get the fruits of the constitution and all other International instruments, we must build an effective and efficient enforcement of the rights guaranteed under the constitution, for this there is need of human rights education which can ultimately be achieved by getting education. Post independent India has finer contribution of higher Judiciary in application and education of human rights. Justice V R Krishna Iyer reiterated dualism and asserted that the positive commitment of the State Parties ignites legislative action at home but does not automatically make the Covenant an enforceable part of the ‘Corpus Juris’ in India hence constitutional interpretation in India has been strongly influenced by the Declaration. In the year 1963 first time in the case of *Kharak Singh* it is stated by Hon’ble supreme court that “Life” Means more than animal existence and further in the judgement given in the *Chairman Railway Board and others v. Mrs. Chandrimadas*, the Supreme Court observed that the Declaration has the international recognition as the Moral Code of Conduct having its own quality to protect human life with dignity. The Supreme Court has evolved the new “compensatory Jurisprudence”,

“Judicial activism” and “Public Interest Litigation” in order to relieve the sorrows of the common man, but more is required to be done.

Art. 26 Universal Declaration of Human Rights 1948, provides that everyone has right to Education. Education shall be free, at least in the elementary and fundamental stages. Considering the importance and object of this UDHR declaration the framers of Indian constitution were of the view that right to education should exist in India, but at that time position was different, so they had put it under Art. 45 of Indian constitution which is Directive Principles of state policies.

First time the question of right to free and compulsory education was raised in the case of *Mohini Jain v State of Karnataka*, in the year 1992, the two judges bench of supreme court held that the right to education at all levels is fundamental right of the citizen under Art. 21 of the Constitution, the right to education flows directly from the right to life. The right to education is concomitant to the fundamental rights enshrined under part III of the constitution. But the supreme court was asked to examine the correctness of the decision given by the court in *Mohini Jain* in the case of *Unnikrishanan J.P v State of A.P* the supreme court constituted five judges Bench by 3-2 majority, partly agreed with the *Mohini*’s case decision and held that right to education is fundamental right under Art. 21 of the constitution as it directly flows from “right to life”. As regards its content the court partly overruled the *Mohini Jain*’s decision and held that the right to free education is available only to children until they complete the age of 14 years, after that the obligation of the state to provide education is subject to the limits of its economic capacity and development. The obligation created by Arts. 41, 45 and 46 can be discharged by the state either by establishing its own institutions or by aiding, recognizing or granting affiliation to private institutions.

After 52 years of the enforcement of Indian constitution, of late in the year 2002, the parliament has made the right to education, free and compulsory for the children of the age of 6 to 14 years by Constitution in 86<sup>th</sup> Amendment. This amendment has inserted Art. 21A and clause (k) in Art. 51A with the substitution of Art. 45 of the Constitution. Art. 51A (k) provides fundamental duties to the parents or guardian to avail opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years.

Education is critical for economic and social development. It is crucial for building human capabilities and for opening opportunities. The importance of education was fully recognized by former chairperson of National Human Right Commission and former justice of supreme court K.G. Balkrishnan has created additional right under Article 21-A of Indian constitution, the fabulous contribution done in the mode of Right to Education as fundamental right of every person in India, the ultimate objective behind this excellent contribution is to promote human rights education, but still the object of judiciary was failing somehow because due to poverty children used to go for work to secure food for themselves, it became difficult to maintain the star object of Right to Education, and without education life with dignity is impossible, that is why National Program of Nutritional Support to primary education in 1995-96 made provision of Midday Meals and it was presumed that due to Midday Meal at least child labour will reduce and children will be attracted by schools to get education.

### **The Indian Judiciary Recognized the Importance of Education:**

With the help of judicial activism Indian Judiciary has contributed a lot towards education which may help to meet out the human rights as follows.

- Education is the most important function of the state and local Government, compulsory school attendance, loans and great expenditure for education demonstrate recognition of importance of education. It is required in the performance of public responsibilities, even services in the Armed forces.
- It is the foundation of good citizens.
- It is the principle instrument in child's professional training and helping him to adjust normally to his environment.
- Education is an investment made by the Nation in its children for harvesting a future crop responsible for a well-functioning society.
- Moreover, educated child would understand righteousness which reduces the crimes in society.

### **Conclusion:**

After great fight and new challenges accepted by Hon'ble Supreme Court, with regard to protection and promotion of human rights and education for life with dignity, Supreme court has given guidelines under Art. 21-A the State Shall Provide free and compulsory education to all children of the age of six to fourteen years in such a manner as the state may by law, determines. That is why Right to Education Act, 2009 was enacted with the object of Human rights education and avail life with dignity to coming generations. In the case of *Avinash Mehrotra vs Union of India* supreme court held that Right to education includes safe education. Further in case of *State of Tamil Nadu vs K. Shyam Sunder* Supreme Court instructed the right of child should be extended to have quality education without discrimination on the ground of child's economic, social and cultural backgrounds. Though there are several Legislations and Judicial pronouncements for promotion of human rights education but unless and until we the people won't try from bottom of our heart no law can educate us hence active participation with great desire of people is essential for Human Rights Education. Education is path of Human Rights, it teaches rights, duties, ethical moral behavior, virtuous and righteous conduct. Human Rights Education is boon for society to make a strong welfare state.

**References:**

- Sreenivasulu N.S, *Human Rights Many Sides of Coin*, Regal Publications, 2008.
- Kandikar S.A. & Ashok Yende, *Human Rights Laws*, Arti & Co.2012.
- Justice A. D. Mane, *Lectures on Human Rights*, Hind Law House, 2007.
- Malik K P & Kaushik C. Rawal, *Law and Social Transformation*, Allahabad Law Agency, 2009.
- Seervai H. M., *Constitution Law of India*, Fourth Edition.
- Jain M.P, *Indian Constitution*,
- Baxi P.M., *The Constitution of India*, Thirteenth Edition.
- <<http://education.nic.in/cd50years>>.
- Mohini Jain vs State of Karnataka, (1992)3 SCC666: AIR 1992SC 1858.
- Unnikrishanan J.P. vs State of A.P (1993) 1 SC 645: AIR 1993 SC 2178.
- Avinash Mehrotra vs Union of India, (2009) 6 SCC389: 2009 AIR SWC 2589.
- State of Tamil Nadu v K. Shyam Sunder, (2011) 8 SCC 737: AIR 2011 SC 3470.
- Art. 21-A, Inserted by Constitution (86<sup>th</sup> Amendment) Act, 2002.
- Art. 51-A(k), Inserted by Constitution (86th Amendment) Act, 2002.
- Census of India, 2011.

## **Solid Waste Management in Shimla: A Report**

**Dr. Anurita Saxena**

GM, HPKVN Shimla

**&**

**Dr Gaurav Kapoor**

Assistant Professor of Zoology, Govt Women's College, RKMV, Shimla

### **Abstract**

Management of Municipal Solid Waste is an essential and obligatory function of any Urban Local Body (ULB). Solid waste management includes the entire process of dealing with solid waste, beginning with the collection from the primary source to ultimately disposing it off hygienically, so that it may not be a nuisance or create any harmful effect on the nearby community. Solid waste management involves management at waste generation level, storage at the source of generation, primary collection, street cleansing, temporary storage at the locality level, regular and periodic transportation of this temporarily collected waste to disposing sites and treatment plants. The present paper aims to study the Solid Waste management system of Shimla city. Shimla is a very popular tourist destination with a sizable number of tourists, visiting here as well as a number of people coming from nearby areas for work. From a small number of twenty thousand today's Shimla has now reached to more than 3 lakhs permanent and floating populations. It also has a difficult topography and extreme weather conditions. In an all India Survey conducted by the Central Urban Development Department in 2011 Shimla was ranked as 292<sup>nd</sup> in the cleanliness index. However, in a similar survey conducted by Central Urban Development in 2016 Shimla was ranked as the 27<sup>th</sup> cleanest city in India. The main purpose of this study was to analyse how the Municipal Corporation in Shimla has overcome its challenges and limitations and managed its solid waste in an effective manner, especially as per Municipal solid waste Management and Handling rules -2000 and succeeded to a large extent in improving the general cleanliness of the city; However much can still be achieved.

**Key Words:** Solid Waste, Collection, Disposal, Management, Municipal Corporation.

### **Introduction**

Government of India has launched various initiatives through Ministry of Urban Development for ensuring effective solid waste management at Urban Local Body (ULB) level. The 74th Constitutional Amendment Act (1992) based National Urban Sanitation Policy (NUSP, 2006) provides draft framework for the states to develop its own state sanitation strategy and city sanitation plan (CSP) based on respective peculiar conditions. Urban Infrastructure Governance (UIG) component of Jawaharlal Nehru National Urban Renewal Mission (JnNURM) gave impetus to achieve overall urban hygiene within a city. The JnNURM programme and the Urban Infrastructure Development Scheme for Small and Medium Towns (UIDSSMT) provide the much needed financial support to the budget deficit ULBs for infrastructure development whereas capacity building initiatives for ULBs are also exercised through MoUD support. Now the financial support under the AMRUT and SMART City projects is being also received/expected on annual basis on

various components including Solid Waste which shall help in improvement of the environment of Shimla.

### **Methodology**

The present case study being contemporary in nature and related to day-to-day environmental issues, both Primary and Secondary Data were included and analysed in the present paper.

*Primary Data* – Interview of the officials of Municipal Corporation, the State Pollution Control Board, District Administration and Scientists of State Council for Science, Environment and Technology (SCSET). Interview the workforce engaged by the MC. Visit the dumping/processing sites and gather pictorial evidences.

*Secondary Data* - Consult the published report on Shimla solid Waste Management; especially by TEERI and SCSET, as well as published papers by individuals.

### **Study Area**

Discovered in 1819 by the British, Shimla has evolved from a small hill settlement to one of the popular tourist destinations in India. Part of Himachal Pradesh was carved out of the erstwhile Punjab State in 1966 and Shimla became the capital of a newly formed state of Himachal Pradesh in 1971. The topography of Shimla is characterised by rugged mountains, steep slopes and deep valleys. Shimla is located at an altitude of 2130 meters above sea level and is situated in the Central Himalayas at 31.4<sup>0</sup> to 31.10<sup>0</sup> North latitude and 77.5<sup>0</sup> to 77.15<sup>0</sup> East longitudes. It experiences cold winters during December – February, with temperatures ranging between below freezing point to 13°C. The summers (May – June) are mild with temperatures varying from 20- 30°C. The monsoon period extends from June to September and records moderate rainfall. As per Census (2011), Shimla is the only Class I City in the State of Himachal Pradesh with a total population of 1,69, 758 persons. The total area under the jurisdiction of Municipal Corporation Shimla (MCS) also has increased after merger of New Shimla, Totu (including some parts of Jutog) and Dhalli areas to 35.00 sq km. At present, MCS is divided into 25 wards covering urban core and urban fringes.

### **Solid Waste Management In Shimla**

**Waste Generation:** The daily waste generation in Shimla City is approximately 93.0 MT. This depicts that waste generation per capita per day is 350 gm/capita/day in the city. The collection of the waste through door to door collection and community bins is approximately 70-75 MT.

### **Functionaries**

Solid Waste Management is an essential and obligatory function of the Municipal Corporation Shimla (MCS) and The State pollution Control Board is the Regulatory Body. The Health Department of MCS is also involved in developing a sound municipal waste management system through proper collection, transportation, treatment and disposal of solid waste in a planned and phased manner. After much experimentation Municipal Corporation Shimla through the Himachal Pradesh Municipal Corporation Act, 1994 enacted Door to Door Garbage Collection Bye-laws in 2006. The enforcement of these

bylaws is ensured by the Shimla Environment, Heritage Conservation and Beautification (SEHB) Society's door to door garbage collection initiative. Waste processing and treatment facility is operated on a public private partnership (PPP) by M/s Elephant Energy Pvt Limited and secured landfill facility is also proposed to be developed on PPP model. The street cleaning, however, is the direct responsibility of MCS. The MCS has deputed almost 100 sweepers to sweep the roads of the city. To maximize the cleanliness of the tourist spots and commercial areas are being swept twice a day as told by MCS officials.

The overall monitoring and supervision of the work of SEHB is carried out by MC Shimla and the Himachal Pradesh State Environment and Pollution Control Board (HPSPCB) in a regulatory role. The duties and responsibilities of the various stakeholders include door to door collection of MSW, segregated storage of the waste at secondary storage and collection points, treatment of MSW and disposal at a designated dumping site. (See Table 1).

Table 1: Roles and Responsibilities for Solid Waste Management:

Sr. No.	Functional Element of MSW	Responsible Agency/organization	Monitoring Authority
1	Collection	SEHB Society	MC Shimla/SEHB Society
2	Transportation	Health Department MC Shimla	MC Shimla/HPSPCB
3	Processing and Treatment	M/s Elephant Energy Pvt Limited	MC Shimla/HPSPCB
4	Cost recovery and Recycling	M/s Elephant Energy Pvt Limited	MC Shimla/HPSPCB
5	Disposal	Scientific disposal yet to evolve	MC Shimla/HPSPCB

### Storage and Collection System

#### Primary storage and Door- to - door Collection system by SEHB society

The SEHB Society is responsible for the door to door collection from households under the supervision of Commissioner (President) and Corporation Health Officer (Member Secretary). Each household/commercial establishment or educational institute and other institutes handover garbage to SEHB Society. The society has provided two coloured bins – yellow and green to households/commercial establishments/ institutions. For primary storage and segregation of garbage. The yellow bin is for non-biodegradable waste and green bin is for biodegradable waste storage within the establishments. The establishment can be debarred from civic amenities like disconnection of water, electricity and other basic amenities for not giving waste to authorised garbage collector of SEHB Society.

As per MCS record, 86 % of the residential population is covered under door to door waste collection system, followed by 14% population dependent on the community bins for waste disposal. They have deployed 514 collectors through SEHB Society for the Door to Door collection of Garbage. The garbage collectors are provided personal protective equipment. They are also provided with Gum Boots, Rain Coats, Masks &

Hand Gloves. Besides regular health check ups are carried out. They are given EPF contribution and also have Insurance through the MC. The woman workers are assigned with clusters close to their homes. Married couples are kept in the same ward operations. Vaccination drives are conducted from time to time for workers.

This initiative met with immediate success due to micro-planning, administrative prudence, financial sustainability, legal provisions and the acceptance amongst the end users. The SEHB Society has made significant efforts in management of its human resources. The efforts of the SEHB Society are appreciated at national level and it has been awarded by “Skoch-Order of Merit” India’s best for 2013 for implementing door to door garbage collection scheme in difficult terrains.

#### **Challenges:**

The door to door collection cannot be done daily, because of shortage of staff and weather conditions. The system for segregation at household level is still not well established and needs a lot of support from the community, the SEHB Society workers as well as the Municipal Staff. The outsources staff of SEHB is not under much control as they are very quick to leave their jobs in search of better avenues, also as they are not on permanent jobs they tend to take up other jobs and try to cut short their time with MC. Most of the collection is on foot because of topographic challenges and the garbage collectors after reaching the main road do not usually wait for the pickup truck and leaves it by the road side.

#### **Remedial Measures:**

The MCS tries to monitor the workers as much as they can and give many incentives to their workers to improve their work conditions. Various pilots for improving primary collection and segregation of waste have been conducted with help from external development agencies like GIZ and European Union. However the new plant at Bhariyal does not really require segregation of the garbage because of the new technology installed. The informal waste recovery and recycling mechanism also exists within municipal limits. The recyclables extracted at the household level earn incentives for the garbage collector through this informal mechanism.

#### **Secondary Storage and Collection System**

Other than Door –to- door collection the MC has also placed Community bins for citizen to throw their Garbage. It has placed 96 dumper containers, 102 litter bins and approximately 40 manual bins. The frequency of clearing of these bins varies from daily, alternate day, twice a week or even once a week depending on the area. These concrete bins and dumper containers are placed at convenient locations for the residents to access and dispose their waste in an appropriate manner. MCS efforts to extend 100% ward level door to door garbage collection are supported by declaring the ward as dumper free.

#### **Challenges**

The cleaning of the bin in bad weather is a challenge. If they are not cleaned then they are littered by monkeys and stray dogs. The concrete bins get damaged very fast and look very ugly. Sometimes the MSW is found sliding down the hillslopes.

#### **Remedial Measures -**

The MCS is in process of replacing this conventional system of secondary storage with wire mesh structures which makes secondary storage of waste inaccessible to monkeys, dogs and other scavengers.



## **Transfer and Transport**

The ward level routing and loading plan has been developed by MC Shimla with help of GIS. The route and waste collection points are plotted at the ward level map. The collection vehicles run on a predefined and optimized route. The routing and loading plan for waste transportation is shared with each vehicle and exercised in coherence with door to door garbage collection. Manual loading is practiced at primary level. The MCS has deployed 7 dumper placers, 2 compactors, 6 tippers and 25 pickups. They also have 39 drivers and 24 Supervisors, 5 Sanitary Inspectors, 38 Sanitary Jamadars. The design, dimensions and the capacities of the vehicles have been given due consideration for plying on narrow municipal roads on the hilly terrain.

## **Challenges**

The biggest challenge, however, is how to align the timings of the D2D collectors and the pickup vans? The topography of Shimla makes it difficult to ply pickup vans on all roads. The Waste disposal plant is at one end of city and carrying litter all through the town is hazardous and not very aesthetic.

## **Remedies**

MCS officials try to align the timings through GIS and phone calls. The smaller pick-ups are used for narrow lanes and the garbage collected through these is transferred in the compactors and then transported to the new commissioned treatment plant. MCS has set up a waste transfer station at Darni ka Bagicha where discharged treatment facility was in operational earlier. This transfer station supports the optimizing of the routing and loading activities of the city. MCS also propose to install the chute systems for directly putting up the waste in collection vehicle in inaccessible areas to the accessible areas, where from this can be transported through the vehicle fleet to the Waste to Energy Plant at Bhariyal.

## **Processing and Treatment of Municipal Solid Waste:**

Municipal Corporation Shimla made its best efforts in implementation of the MSW Rules. For the processing of the MSW, MC Shimla has taken the following steps:-

**Composting Plant at Darni-Ka-Bagicha:** Municipal Corporation Shimla established its first scientific waste processing and treatment unit based on Controlled Aerobic Technology with Norwegian assistance in 2001 at the Darni-ka-Baghicha at the foothill of the Central Shimla which later created nuisance for the public and tourists due to its ill-functioning. The Hon'ble High Court of Himachal Pradesh issued directions for shifting of this plant from Darni-Ka-Bagicha, Lalpani Shimla to some other suitable place.

**Composting & RDF Plant at Bhariyal:** As per the directions issued by Hon'ble High Court of Himachal Pradesh, the Government of Himachal Pradesh decided to set up a new treatment and disposal facility outside the municipal limits on Public Private Partnership (PPP) model. The proposal faced acute resistance from the nearby villages and matter was finally put up to the National Green Tribunal which gives clearance later for setting up the facility in 2012. The new waste treatment facility based on Composting & RDF Technology was commissioned at Bhariyal in June, 2013 after successful trial run through M/s Hanjar Biotech Energies Pvt Limited, who was charging a tipping fee of Rs. 150/- per MT (Rs. One hundred fifty only per MT) of solid waste processed with the increase of 8% every year. The scope of work under the project at Bhariyal includes design, development, construction, operation and maintenance of municipal solid waste

processing facility with aerobic in-vessel compost unit along with material recovery facility and leachate management system. The plant was equipped with weighbridge and mechanized separation of the MSW fraction. The financial viability of the project had to be ensured by sale of the compost, RDF material to the nearby cement manufacturing units and payment of processing charges. The concession agreement signed between MC Shimla and private operator was for a period of 20 years. However this plant not operated properly by the Project Proponent and a large quantity of the MSW was accumulated at the plant site, approach road to plant and as well as at the nearby area proposed for Landfill Site.

**Waste to Energy Plant:** Again with the intervention of Hon'ble National Green Tribunal vide its Orders dated 1<sup>st</sup> October 2015; the solid waste processing plant was taken over by MC Shimla on 5<sup>th</sup> Oct, 2015. Then, after floating the tenders, the work for setting up of Waste to Energy plant (70-100 MT/Day capacity) based on Gasification Technology (with a total investment of INR 42 Crores) has been awarded to M/s Elephant Energies Pvt Limited (EEPL) on PPP mode. It is expected that the plant shall generate 1.7 – 2.5 MWH of electricity from processing of the MSW. MC Shimla has executed a “Waste Concession & Land Access” agreement with EEPL for 20 years. Similarly the Power Purchase Agreement (PPA) has been executed between EEPL & HPSEB Ltd.

#### **Further, efforts on Decentralised mode of treatment of MSW:**

A: Bio-Gas Plant at Lalpani Sewerage Treatment Plant: Since the sabji mandi waste and bio-degradable waste generated from bulk generators like hotels contain more moisture and has low calorific value, this waste needs to be treated separately. MC Shimla has taken pro-active action and has been setting up 1.0 Ton/Day Bio-Gas Plant on Pilot Basis under the European Union funded project. The Bio-Gas so generated shall be used at the sewerage treatment plant itself. By treating such waste in decentralised mode, this shall further enhance the efficiency of the W2E plant at Bhariyal. The plant is expected to be set up in August 2017. The successful operation of this can be replicated at many more places generating bulk waste.

B: Waste Reduction Center at HIPA: MC Shimla is also in the process for setting up of WRC at HIPA for composting of the Bio-degradable waste through mechanised composting on Pilot basis under the European Union funded Project. The successful operation of this, can be replicated at many more places generating bulk waste.

The decentralised mode of treatment shall reduce the transportation cost of MSW.

#### **Disposal**

Scientific disposal of the inert material generated from the treatment facility is at planning phase. Rejects from the processing unit are currently being landfilled in a part of the proposed Landfill Site adjoin the W2E Plant at Bhariyal. Funds have been secured for the implementation of secured landfill adjoining the treatment plant from the Ministry of Urban Development in 2012. The stipulated time for the construction and operation of the sanitary landfill is estimated as two years. The Engineered Landfill Site /disposal facility is proposed to be developed on Public Private Partnership (PPP) model. The scientific disposal of the municipal waste will mitigate the environmental hazards associated with open dumping.

### **Complaint Redressal – An effective Initiative**

The complaint redressal system within MC Shimla is a centralized three way approach which highlights some of the good initiatives taken by the authorities. This system is supported in English, Hindi and Pahari (Himachali) languages. A dedicated Complaint Cell in the office of the Corporation Health Officer has been created, wherein citizens can get their complaints lodged. Contact details of all officials related to SWM are available on the official site of MC Shimla. A consumer can lodge complaint anytime during the office hours telephonically on or by visiting the ward level office or by submitting a written complaint. Complaints can also be lodged through the e- smadhan portal or through e-mail available on MCS websites.

After the complaint is registered, officials first cross check whether there is actually a problem in the area and then complaints are routed to the concerned sanitary inspector for further action. The concerned official has to report the status of complaints within 24 hours otherwise complaint is reviewed by the higher level officials based on the hierarchy. The Chief Sanitary Inspector and Office Superintendent are accountable for the complaint redressal mechanism at MC Shimla and SEHB office respectively. Majority of the complaints are redressed through this formal mechanism.

A Swachata helpline number – 01771916 - has also been widely notified under the system and complaints can be made on the dedicated landline numbers. The complaint and ward level supervisors contacts are displayed in public area of the respective wards and also published in the local newspaper from time to time.

#### **Some Other Initiatives**

Swachata Vahan – It's an on call vehicle for people and for areas and localities which require special garbage collection

A Citizen's charter in this regard is also prepared by Health Department.

Shimla City has successfully banned usage of plastic in the form of plastic carry bags with thickness less than 75 microns consequent to the HP Non-Biodegradable Garbage (Control) Act, 1995 and latest Notification on Plastic Waste (Management & Handling) Rules, 2011.

MC Shimla through Himachal Pradesh Non- Bio- degradable Garbage (Control) Act, 1995 has also made a provision of fine ranging from Rs. 500 to Rs. 5000 for creating nuisance by littering of garbage.

### **Disposal**

Scientific disposal of the inert material generated from the treatment facility is at planning phase. Rejects from the processing unit are currently being landfilled in a part of the proposed Landfill Site adjoin the W2E Plant at Bhariyal. Funds have been secured for the implementation of secured landfill adjoining the treatment plant from the Ministry of Urban Development in 2012. The stipulated time for the construction and operation of the sanitary landfill is estimated as two years. The Engineered Landfill Site /disposal facility is proposed to be developed on Public Private Partnership (PPP) model. The scientific disposal of the municipal waste will mitigate the environmental hazards associated with open dumping.

## **Conclusion**

Shimla city witnessed large scale urban expansion in the last one decade. The municipal limits have expanded tremendously putting extra load on the existing infrastructure. The city has gradually improved SWM infrastructure through various MoUD programmes. In the last three years technical expertise has been brought in by private sector, development organizations and capacity building measures of MoUD. MSW (M&H) Rules, 2000 enforcement is ensured through High Court interventions, stringent byelaws and public participation results in improved aesthetic value and environmental health of the city. Monkey menace problem is reduced to much extent.

It was experienced that realistic data on the population and waste generation are prerequisite for planning sound sanitation system. These data management and SLB reporting capacities of within the city need to be strengthened. The routing and loading plan has to be reworked for optimal use of the transfer station. Stringent monitoring can be deployed by using technological options like global positioning system for vehicular movement, radio frequency based system for effective door to door garbage collection and use of geographical information system (GIS) remote sensing for future proposals. Management of the PPP contractual obligation is still a challenge. The technical capabilities of human resource MC Shimla is low in this regard and needs immediate capacitating measures. Sanitation being a state subject, it is pertinent that the state government needs to take a holistic view towards solid waste management. Capacity building measures, state specific technological options, up scaling of the best practices to the other ULBs will be helpful for attaining desired outcomes. A state level solid waste management strategy is recommended to strengthen and empower ULBs for providing sustainable solid waste management services in efficient way. Information exchange workshops and communication plan targeting behavioural change should be steered at state and ULB level in coordination.

It can easily be concluded that due to relentless efforts made by MCS, Shimla city, according to the recent Survey conducted by Urban Development Ministry, now ranks 29<sup>th</sup> cleanliest city in India. It was ranked 292<sup>nd</sup> in year 2011. Even the citizens of Shimla city feel that Shimla is much cleaner than before and shall improve in times to come.

## **References**

- Asnani, P. U. (2006). Solid Waste Management. In India Infrastructure Report. New Delhi: 3i Network, Oxford University Press.
- Census (2011), Available at: <<http://www.census2011.co.in/facts/topstaterural.html>>
- Chauhan, A. and Pirta, R. S (2010). Public opinion regarding human-monkey/Conflict in Shimla, Himachal Pradesh. Journal of Human Ecology 30 (2):105-109
- City Sanitation Plan of Shimla (2011), Available at: <<http://www.shimlamc.gov.in/page/City-Sanitation-Plan.aspx>>
- GIZ (2012). Environment fiscal reforms in India, where and how?, Available at <<http://www.igep.in/e48745/e49028/e49480/>>
- Goel, S (2008), Municipal solid waste management in India: a critical review. Environment Science and Engineering 50 (4):319–328.
- <<http://himachal.nic.in/Polyban/act.htm>>

- Municipal Solid Waste Management Plan (2012), Available at:  
<http://www.shimlamc.gov.in/file.axd?file=2012%2f6%2fMSWM+Plan.pdf>
- NUSP (2006), Available at: <<http://www.urbanindia.nic.in/programme/uwss/NUSP.pdf>>
- Plastic Waste (Management & Handling) Rules (2011), Available at:  
<<http://moef.nic.in/downloads/public-information/DOC070211-005.pdf>>
- SAR (2013), Sectoral assessment and situation analysis report, unpublished report by  
Directorate of urban development, Himachal Pradesh
- Solid Waste (Management & Handling) Rules, 2016
- State Environment Report (2007), retrieved on 21 july 2019 at:  
<<http://himachal.nic.in/environment/pdf/SOER.pdf>>
- The HP Non-Biodegradable Garbage (Control) Act (1995), Available at:
- The Municipal Solid Waste (Management and Handling) Rules (2000), Available at:  
<[www.envfor.nic.in/legis/hsm/mswmhr.html](http://www.envfor.nic.in/legis/hsm/mswmhr.html)>
- World Bank (2006), Improving management of municipal solid waste in India: Overview  
and challenges, World Bank.

## **Status of Women in Indian Society An Overview with Special Reference to Female Foeticide and Gender Discrimination.**

**Hemlata Sharma**

Assistant Professor, Department of English, Govt. College, Bilaspur, H.P.

### **Abstract**

Equality is the backbone of every democracy which paves the way to social justice and human rights. Since independence India is thriving to remove gender discrimination. Though many efforts have been made but still much has to be done in this field. The present paper tries to highlight the status of women in India and discrimination against women especially female foeticide. The development of science and technology has paved the way for sophisticated sex determination techniques in the womb and after sex determination, the female child is killed in the womb which is called female foeticide. The decreasing child sex ratio(0-6 years) right from 1961 to 2011 gives clear indication that girl child is continuously missing from the Indian society thus creating a thought provoking situation for all. The main cause of female foeticide and gender inequality is patriarchal system in India leading to desire for a son. Girls are generally considered liability and boys as assets. To remove the menace of female foeticide and gender discrimination laws of land should be implemented effectively. It is required that Govt. should work to remove poverty and more employment opportunities should be provided to women. People should report the matter to police or competent authority if there is any information about female foeticide and to this effect evidence should also be given in court of law so that offender could be put behind bars.

### **Introduction:**

Equality is the backbone of every democracy which paves the way to social justice and human rights. The preamble of Indian Constitution manifests equality of status and of opportunity in all fields. Article 14 of Indian Constitution guarantees to every person "equality before the law or the equal protection of the laws within the territory of India." Article 15 and Article 16 of Indian Constitution prohibits gender discrimination. Since independence India is thriving to remove gender discrimination. Though many efforts have been made but still much has to be done in this field.

In India women are still subjected to inequalities in family, in the community and also in the workplace. While reasons and results may vary from place to place, discrimination against women is widespread. It is hard fact that Indian traditional culture and religious practices and beliefs are detrimental to women e.g. 'sati pratha,' 'parda pratha,' preference for male child. Equality between man and woman can only be achieved if the efforts are directed towards addressing and correcting above situational imbalances. It is this broader view of equality which has become the underlying principle and final goal in the struggle for recognition and acceptance of equality between man and woman. In the present scenario the worst picture of gender discrimination is seen in the form of female foeticide, even though the practice has been declared illegal but it is still secretly carried out.

Many writers have also highlighted gender discrimination in their writings. Rashmi Bajaj, a bilingual poet, critic and an academic based in Haryana projects the feminist vision. She exposes gender bias in the social practices and institution of marriage. She gives expression to a woman's desire to live a full human life and how that desire is defeated in the male-dominated society. She has highlighted the evil of female foeticide in her poem "My Lament" where the speaking voice is unborn female child who is destroyed in the womb:

### My Lament

Thank you  
So much, Mom!  
For saving me  
From a Life  
Full of all woes  
by killing me  
In your womb...  
My lament  
Is just One\_  
Even this decision  
Was NOT  
Your OWN!

The unborn child is a victim of violence but she thanks her mother for saving her from the endless suffering she would have experienced in her life as a woman. The poem is thus a sad comment on the difficult life of women in general in our country. How can a community uphold and honour a value system which is based on preference for non and discrimination against the girl? The present paper tries to highlight the status of women in India and discrimination against women especially female foeticide.

### **Demographic Study of Women in India**

As per 2011 census the literacy rate in India is 74.04%. The male literacy rate is 82.14% and female literacy rate is 65.46%. It is clear that females are lagging behind as far as education is concerned. From 1961 to 2011 in the seven censuses the female literacy rate has remained below the male literacy rate. After 69 years of independence we have not achieved much in the field of women education and there is a need to do a lot more in this sphere.

As far as sex ratio is concerned its situation is worse than literacy rate. As per census 2011, there are 940 females per 1000 males and female child per 1000 male child from 0 to 6 years is 914. Following table will help to understand the clear picture from 1961 to 2011:

Census year	Sex ratio per 1000 males	Child sex ratio (0-6 years) per 1000 male children
1961	941	976
1971	930	964

1981	934	962
1991	929	945
2001	933	927
2011	940	914

From the above table we see that the average sex ratio of female has not increased from 941 and worse is the fact that the child sex ratio from 0-6 years is in decreasing order i.e. in 1961, it was 976 girl child per 1000 male children whereas in 2011 it came upto 914 girl child per 1000 male children.

It is a hard fact that if this situation continues it will create social imbalance and consequently will give rise to severe social problems like polygamy, purchasing of brides from poor areas, female trafficking, kidnappings and increase in assault and sexual offence against women.

### **India-From Infanticide to Foeticide:**

Killing of female child is not new for Indian culture and society. It is prevalent since ancient times in the dominating patriarchal set up. Earlier due to non availability of scientific techniques people used to kill female child on her birth called infanticide. The development of science and technology has paved the way for sophisticated sex determination techniques in the womb and after sex determination, the female child is killed in the womb, called female foeticide. What is shocking is that one of the main propagators of this practice is from the so called noble profession i.e. medical professionals. The family members who propagate such practices are equally responsible for the same. Some of them try to justify this act by saying that it is better that a girl child is not born at all than to ill-treat and deprive her from her rights after her birth. This argument/justification is highly misconceived as to stop cruelty, ill-treatment and violence against women, it is not justified that the girl should be killed in the womb before her birth. There are other ways and laws to stop cruelty and violence against women. The decreasing child sex ratio (0-6 years) right from 1961 to 2011 gives clear indication that girl child is continuously missing from the Indian society thus creating a thought provoking situation for all. If this situation continues the days will not be far when brides will not be available for marriage of sons to continue so called lineage and scion. In fact female foeticide is the cruelest form of violence against women. Earlier it was supposed that higher incidents of female foeticide used to happen among rural, poor and uneducated people, but at this point of time the practice is more prevalent among urban, affluent and educated people.

### **Factors responsible for female foeticide and gender discrimination:**

It is sheer mockery if we say that illiteracy is the main reason for female foeticide because in the present scenario it is seen that educated people are opting for this gruesome act. The main cause of female foeticide and gender inequality is patriarchal system in India leading to desire for a son. Girls are generally considered liability and boys as assets. Women are considered as weaker sex, therefore are subjugated and marginalized. The discrimination and inequality against women can be seen almost in every religion and at various levels in society whether in the so called safe walls of house or outside the house.



Poverty and prevalent dowry system are also among the leading factors for this social evil. The obsession for son under family pressure especially from the elderly women is also the cause of female foeticide. Generally it is seen that for this cruel act a woman is the enemy of the woman. Religious superstitions e.g. only son can perform the last rites and karma, also contribute to this cruel act. Last but not the least technological advances in medical science is also the reason for female foeticide whereby sex of foetus can be determined in prenatal period.

### **Legal provisions to stop sex determination and curb female foeticide:**

Before 1994 there was no national law to prohibit sex determination and curb female foeticide except general provisions of section 312 to 316 IPC. In 1994 parliament enacted the Pre-Natal Diagnostic Techniques Act 1994. In the year 2003 this act was amended and renamed as The Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994, in short PC & PNDT Act (herein after referred as the Act). This legislation was made with the intention to curb and prohibit the abhorrent practice of sex determination and sex selection with ultimate goal to stop female foeticide. The disturbing sex ratio of census 1991 and consistent campaign on this issue by civil society groups led the parliament to enact the Act of 1994. But census of 2001 again showed drastic fall in sex ratio for 0-6 years age group which forced the parliament to sharpen the teeth of the Act of 1994, hence the Act was amended in the year 2003. The new Act was drafted after intense deliberation among all the stakeholders i.e. the State, the medical professionals and civil society groups. It is the first major attempt to regulate medical technology in India.

### **Main Provisions of PC & PNDT Act:**

- The complaint under the Act can be filed by
  - a. The appropriate authority or any officer authorized on his/her behalf by the central Govt. or the State govt. or any officer authorized by the appropriate authority.
  - b. A person who has given the appropriate authority a notice of not less than 15 days of alleged offence and of his/her intention to make a complaint to the court.
  - c. Any social organization who has given the appropriate authority a notice of not less than 15 days of alleged offence and of its intention to make a complaint to the court.
- The sex determination is an offence under section 6 and Section 22 to 28 of the Act.
- The Act also prohibits advertisements relating to sex determination in any way whether it is scientific or traditional.
- Section 27 of the Act provides that offences under this Act shall be cognizable, non-bailable and non-compoundable.
- Metropolitan Magistrate or Judicial Magistrate of Ist class is empowered to try the offences under the Act.

- Every person who is main offender, conspirator or abettor of the crime under this Act is liable to be punished; he may be a doctor, person of paramedical staff, family member or mother herself.
- The person who commits offence of sex determination under the Act shall be punished with imprisonment for a term which may extend to three years and with fine which may extend to ten thousand rupees, however on any subsequent conviction under section 23 of the Act the imprisonment may extend to five years and fine may extend to fifty thousand rupees. However keeping in view the present day scenario and value of rupee, the fine amount is too low as compared to the gravity of the offence. In my view the govt. and Parliament should consider this issue and fine amount should be enhanced.

No doubt stringent provisions have been made under the Act to regulate the pre conception and pre natal diagnostic techniques but still a lot more is required to be done to achieve the objective of the Act.

### **Remedial measures to curb the menace of female foeticide:**

To remove the menace of female foeticide and gender discrimination laws of land should be implemented effectively. It is required that Govt. should work to remove poverty and more employment opportunities should be provided to women. Proper education to girl child should be the priority and school dropouts and early marriages should be abhorred. Govt. should act affirmatively by providing security for parents and financial aid should be granted to girl child. The schemes such as '*Beti Bachao Beti Padhao*', '*Beti Ek Anmol Rattan*' and '*Ladli*' are the good steps taken by the govt. to save the girl child. Govt. should launch awareness programmes to make the women aware about their rights and about the ill effects of female foeticide and abortion. To make woman stand on her own feet, she should be imparted skill and training through various vocational courses. Education to female children should be free and compulsory. Medical professionals should work to counsel their patients on the importance of female child and impact of low sex ratio. People should report the matter to police or competent authority if there is any information about female foeticide and to this effect evidence should also be given in court of law so that offender could be put behind bars.

### **Conclusion:**

Just think when there will be no girl child on earth who will be there to nurture the world. We cannot deny that only the women are producer, nurturer and preserver and without her there is no existence of the world or society. In this world of 21<sup>st</sup> century it is shame for us that technology is being used to eliminate the existence of girl child that too in connivance with so called noble professionals i.e. doctors. Although stringent laws have been made and dying efforts have been done to raise the sex ratio but the fruitful result will only be achieved when the change takes place within ourselves. At last I would like to quote:

“Girls Are The Spirit Of Our Nation, Save Them And Stop Their Exploitation. Let Your Daughter Grow, Be Her Friend Not Her Foe. Life Is Beautiful and Fulfilling If Supported By Your Mother, Sister, Wife and Daughter. So Save The Girl Child.”

**References:**

<[http://www.academia.edu/2371196/FEMALE\\_FOETICIDE\\_AND\\_GENDER\\_INEQUALITY\\_IN\\_INDIA](http://www.academia.edu/2371196/FEMALE_FOETICIDE_AND_GENDER_INEQUALITY_IN_INDIA)>.

Bare Act of PC and PNDT Act 1994.

Pankaj K. Singh and Girija Sharma, *Ripples on the Sands of Time* 2013.

Anubha Rastogi, *The Little Handbook on PC and PNDT*.

<<https://www.thefreshquotes.com>>.

Census of India 1961 to 1951.

## **Women Rights**

**Raj Kumari**

Assistant Professor of Sociology, S.V.Govt. College Ghumarwin, Dist. Bilaspur, H.P.

### **Abstract**

The universality of human rights and their validity in a given local context have often been contested through relativist discourses that brand them as foreign ideas incompatible with local culture. However, the Special Rapporteur in the field of cultural rights has warned against discourses that disregard the fact that culture is not static and changes over time.

These rights are provided under international human rights law, including articles 2.3 (right to a remedy) and 26 (equality before the law) of the International Covenant on Civil and Political Rights. The right to an effective remedy is relevant for the realization of all human rights, and is to be enjoyed on the basis of equality, without discrimination of any form such as on the basis of sex or gender. The Human Rights Committee, in its general comment No. 31 (2004), explained that for the right to an effective remedy to be fulfilled, reparation has to be provided to the victim of a human rights violation. The Convention on the Elimination of All Forms of Discrimination against Women requires State parties to establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination (art. 2 (c)).

In connection with the increased attention of the international community to women rights in the last decades, the international society has become aware of the specific challenges women have to face. A number of studies in this field have been undertaken by humanitarian and human rights organizations, such as the International Committee of the Red Cross (ICRC) or the United Nations Development Fund for Women. It is important therefore to bring attention to these issues and create awareness of the rights women have in these circumstances as well as present possible means to improve their situation.

**Key Words:** - Women Justice, Human Right, Law, Women Security, Peace Building.

### **Introduction**

Since women constitute half the world's population and are entitled to all human rights on an equal basis with men, this publication does not aim to cover every human rights issue which touches women's lives. The focus here is on: public and political life, sexual and reproductive health and rights, the right to an adequate standard of living, violence against women, migration, conflict and crisis, and access to justice. Across these, education and the family context are particularly pertinent and are addressed throughout.

### **Global Commitments**

Women's rights have been at the heart of a series of international conferences that have produced significant political commitments to women's human rights and equality. Starting in 1975, which was also International Women's Year, Mexico City hosted the World Conference on the International Women's Year, which resulted in the World Plan

of Action and the designation of 1975–1985 as the United Nations Decade for Women. In 1980, another international conference on women was held in Copenhagen and the Convention on the Elimination of All Forms of Discrimination against Women was opened for signature. The third World Conference on Women was held in Nairobi, with the Committee on the Elimination of Discrimination against Women having begun its work in 1982. These three world conferences witnessed extraordinary activism on the part of women from around the world and laid the groundwork for the world conferences in the 1990s to address women's rights, including the Fourth World Conference on Women held in Beijing in 1995. In addition, the rights of women belonging to particular groups, such as older women, ethnic minority women or women with disabilities, have been also addressed in various other international policy documents such as the International Plans of Action on Ageing (Vienna, 1982 and Madrid, 2002), the Durban Declaration and Programme of Action (2001) and the World Programme of Action concerning Disabled Persons (1982).

### **Women's Security Needs**

Women's security is related to the recognition and application of their human rights. Importantly, all case studies included in this publication have applied a broad interpretation of security, which recognizes that there is a continuum of insecurity that exists both before and after peace agreements have been signed. Insecurity encompasses not only the threat of violence from armed forces but also a more general interruption of daily life, often affecting women as individuals and as members of a marginalized community. Women are at risk of sexual violence at the hands of armed forces because of both their gender and their ethnic and religious-minority status. Gender-based violence violates women's fundamental human rights and constrains their freedom of movement and their ability to participate in local-level political practices, as the risk of sexual and gender-based violence has at times prohibited women from travelling outside their communities, where there is a strong correlation between experiences of insecurity and women's involvement in decision-making processes. In this way, it highlights how women's experiences of insecurity before, during and after conflict differ in many aspects from those of men because of gendered socio-economic spheres and structural violence and inequalities. Examples of vulnerabilities associated with inadequate or restricted access to education, employment and health services were provided.

### **Women's Human Rights**

The abuse of women's human rights can serve to incentivize both individuals and state and non-state actors to engage in conflict. The experiences of marginalized women of sexual or gender-based violence at the hands of government forces were cited as motivating factors for joining armed groups; the abuse of women's human rights under the regime was used as justification for international armed intervention. Thus, the denial of human rights leads to marginalization and experiences of insecurity, which, based on the case studies reviewed here, is a driver of conflict. It is clear from all the case studies that women from marginalized communities are particularly vulnerable to human rights violations and suffer the greatest abuse and discrimination both within and outside their communities. Gender-based violence against minority women is related to women's human rights, as well as to the lack of recognition of the collective rights of people who

are marginalized as a result of their ethnic or religious identities. In this way, it is clear that women are impacted by violence in very specific and gendered ways, and that this violence is related to their status as members of minority groups. Women's experiences of violence cannot be divorced from their identity as members of ethnic and religious-minority groups.

### **Objective**

- This study highlights a variety of ways that ensuring women's access to justice requires that women enjoy their right to equality before the law, that procedures are in place to guarantee nondiscriminatory access to justice and that women have effective access to remedies when their rights have been violated. These rights are provided for under international human rights law, including articles 2.3 (right to a remedy) and 26 (equality before the law) of the International Covenant on Civil and Political Rights.

### **Why the Need for Special Protection of Women Rights**

Women in India, as well as elsewhere, are affected by conflicts in various ways due to their role in society. Discrimination, that women often have to face in times of peace, gets reinforced in war as the community becomes militarized. Masculinity values, such as domination, aggression and assertiveness, are closely intertwined. In patriarchic societies men enjoy control over women's productive power, reproduction, sexuality and/or mobility as well as over property and other economic resources. It is very common that women are restricted to their homes and have to ask for permission to leave their house. They are also frequently denied ownership and inheritance of property. In fact, women themselves are commonly seen as the **property of men**. The control of men over women's lives becomes even higher in times of conflict due to the symbolic value afforded to womanhood.

### **Women Rights: A Focus on India**

#### **Article I**

- ❖ For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

#### **Article 2**

- ❖ States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:
  - (a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;
  - (b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

- (c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;
- (d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;
- (e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;
- (f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;
- (g) To repeal all national penal provisions which constitute discrimination against women.

### **Article 3**

- ❖ States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

### **Article 4**

- ❖ 1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.
- 2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

### **Article 5**

- ❖ States Parties shall take all appropriate measures:
  - (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;
  - (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

### **Article 6**

- ❖ States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

### **Article 7**

- ❖ States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

- (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
- (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
- (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

#### **Article 8**

- ❖ States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

#### **Article 9**

- ❖ 1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.
- 2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

#### **Article 10**

- ❖ States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:
  - (a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;
  - (b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;
  - (c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;
  - (d) The same opportunities to benefit from scholarships and other study grants;
  - (e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;
  - (f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;
  - (g) The same opportunities to participate actively in sports and physical education;
  - (h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.



## **Article 11**

- ❖ States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:
- ❖ 1. (a) The right to work as an inalienable right of all human beings;  
(b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;  
(c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;  
(d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;  
(e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;  
(f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.
- ❖ 2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:
  - a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
  - (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
  - (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;
  - (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.
- ❖ 3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

## **Article 12**

- ❖ States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.
- ❖ Notwithstanding the provisions of paragraph I of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

### **Article 13**

- ❖ States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:
  - 1) The right to family benefits;
  - 2) The right to bank loans, mortgages and other forms of financial credit;
  - 3) The right to participate in recreational activities, sports and all aspects of cultural life.

### **Article 14**

- ❖ States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.
- ❖ States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:
  - (a) To participate in the elaboration and implementation of development planning at all levels;
  - (b) To have access to adequate health care facilities, including information, counselling and services in family planning;
  - (c) To benefit directly from social security programmes;
  - (d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;
  - (e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;
  - (f) To participate in all community activities;
  - (g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;
  - (h) To enjoy adequate living conditions, particularly in relation to housing, sanitation;
  - (i) Electricity and water supply, transport and communications.

### **Article 15**

- ❖ States Parties shall accord to women equality with men before the law.
- ❖ States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.
- ❖ States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

- ❖ States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

#### **Article 16**

- ❖ States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:
  - (a) The same right to enter into marriage;
  - (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
  - (c) The same rights and responsibilities during marriage and at its dissolution;
  - (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
  - (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
  - (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;
  - (g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;
  - (h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.
- ❖ The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.
- ❖ The wounded and sick, as well as the infirm, and expectant mothers, shall be the object of particular protection and respect.

#### **Article 17**

- ❖ For the purpose of considering the progress made in the implementation of the present Convention, there shall be established a Committee on the Elimination of Discrimination against Women (hereinafter referred to as the Committee) consisting, at the time of entry into force of the Convention, of eighteen and, after ratification of or accession to the Convention by the thirty-fifth State Party, of twenty-three experts of high moral standing and competence in the field covered by the Convention. The experts shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution and to the representation of the different forms of civilization as well as the principal legal systems.
- ❖ The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

- ❖ The initial election shall be held six months after the date of the entry into force of the present Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.
- ❖ Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.
- ❖ The members of the Committee shall be elected for a term of four years. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these nine members shall be chosen by lot by the Chairman of the Committee.
- ❖ The election of the five additional members of the Committee shall be held in accordance with the provisions of paragraphs 2, 3 and 4 of this article, following the thirty-fifth ratification or accession. The terms of two of the additional members elected on this occasion shall expire at the end of two years, the names of these two members having been chosen by lot by the Chairman of the Committee.
- ❖ For the filling of casual vacancies, the State Party whose expert has ceased to function as a member of the Committee shall appoint another expert from among its nationals, subject to the approval of the Committee.
- ❖ The members of the Committee shall, with the approval of the General Assembly, receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide, having regard to the importance of the Committee's responsibilities.
- ❖ The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

#### **Article 18**

- ❖ States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect:
  - (a) Within one year after the entry into force for the State concerned;
  - (b) Thereafter at least every four years and further whenever the Committee so requests.
- ❖ Reports may indicate factors and difficulties affecting the degree of fulfillment of obligations under the present Convention.

#### **Article 19**

- ❖ The Committee shall adopt its own rules of procedure.
- ❖ The Committee shall elect its officers for a term of two years.

#### **Article 20**

- ❖ The Committee shall normally meet for a period of not more than two weeks annually in order to consider the reports submitted in accordance with article 18 of the present Convention.
- ❖ The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee.

#### **Article 21**

- ❖ The Committee shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.
- ❖ The Secretary-General of the United Nations shall transmit the reports of the Committee to the Commission on the Status of Women for its information.

#### **Article 22**

- ❖ The specialized agencies shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as they fall within the scope of their activities. The Committee may invite the specialized agencies to submit reports on the implementation of the Convention in areas falling within the scope of their activities.

#### **Article 23**

- ❖ Each High Contracting Party shall allow the free passage of all consignments of medical and hospital stores and objects necessary for religious worship intended only for civilians of another High Contracting Party, even if the latter is its adversary. It shall likewise permit the free passage of all consignments of essential foodstuffs, clothing and tonics intended for children under fifteen, expectant mothers and maternity cases.
- ❖ Nothing in the present Convention shall affect any provisions that are more conducive to the achievement of equality between men and women which may be contained:
  - (a) In the legislation of a State Party; or
  - (b) In any other international convention, treaty or agreement in force for that State.

#### **Article 24**

- ❖ States Parties undertake to adopt all necessary measures at the national level aimed at achieving the full realization of the rights recognized in the present Convention.

#### **Article 25**

- ❖ The present Convention shall be open for signature by all States.
- ❖ The Secretary-General of the United Nations is designated as the depositary of the present Convention.
- ❖ The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.
- ❖ The present Convention shall be open to accession by all States. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

#### **Article 26**

- ❖ A request for the revision of the present Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.
- ❖ The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

#### **Article 27**

- ❖ Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults and public curiosity. Women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault. Without prejudice to the provisions relating to their state of health, age and sex, all protected persons shall be treated with the same consideration by the Party to the conflict in whose power they are, without any adverse distinction based, in particular, on race, religion or political opinion.
- ❖ The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.
- ❖ For each State ratifying the present Convention or acceding to it after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.

#### **Article 28**

- ❖ The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.
- ❖ A reservation incompatible with the object and purpose of the present Convention shall not be permitted.
- ❖ Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General of the United Nations, who shall then inform all States thereof. Such notification shall take effect on the date on which it is received.

#### **Article 29**

- ❖ Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.
- ❖ Each State Party may at the time of signature or ratification of the present Convention or accession thereto declare that it does not consider itself bound by paragraph I of this article. The other States Parties shall not be bound by that paragraph with respect to any State Party which has made such a reservation.

- ❖ Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

**Article 30**

- ❖ The present Convention, the Arabic, Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited with the Secretary-General of the United Nations.

**Article 38 -5**

- ❖ Children under fifteen years, pregnant women and mothers of children under seven years shall benefit by any preferential treatment to the same extent as the nationals of the State concerned.

**Article 50**

- ❖ The Occupying Power shall not hinder the application of any preferential measures in regard to food, medical care and protection against the effects of war which may have been adopted prior to the occupation in favour of children under fifteen years, expectant mothers, and mothers of children under seven years.

**Article 76**

- ❖ Women shall be confined in separate quarters and shall be under the direct supervision of women.

**Article 85**

- ❖ Whenever it is necessary, as an exceptional and temporary measure, to accommodate women internees who are not members of a family unit in the same place of internment as men, the provision of separate sleeping quarters and sanitary conveniences for the use of such women internees shall be obligatory.

**Article 89**

- ❖ Expectant and nursing mothers and children under fifteen years of age, shall be given additional food, in proportion to their physiological needs.

**Article 97**

- ❖ A woman internee shall not be searched except by a woman.

**Article 98**

- ❖ The amount of allowances granted by the Power to which they owe allegiance shall be the same for each category of internees (infirm, sick, pregnant woman, etc.) but may not be allocated by that Power or distributed by the Detaining Power on the basis of discriminations between internees which are prohibited by Article 27 of the present Convention.

**Article 124**

- ❖ Women internees undergoing disciplinary punishment shall be confined in separate quarters from male internees and shall be under the immediate supervision of women.

**Article 132**

- ❖ The Parties to the conflict shall, moreover, endeavor during the course of hostilities, to conclude agreements for the release, the repatriation, the return to places of residence or the accommodation in a neutral country of certain classes of internees, in particular children, pregnant women and mothers with infants and young children, wounded and sick, and internees who have been detained for a long time.

### **Legal Obstacles**

- Discrimination in the law and existence of legal systems unfairly biased in favour of men (e.g. the absence of prohibition of serious offences such as marital rape);
- Lack of implementation;
- Criminalization of victims and fear of prosecution (e.g. victims of rape may be prosecuted for illegal sexual intercourse or adultery);
- Lack of preparation programs;
- Lack of consent as an element of proof in cases of rape;
- Legally sanctioned impunity (in peacetime, through amicable settlements (financial agreement or marriage) provided for in the law, or in conflict situations through amnesty);
- Disproportionate and non-detering penalties (e.g. in some countries the minimum penalties for rape are lower than those for theft).

### **Accessibility**

- ✓ Pressure within family and society (in connection with the social ousting that admitting rape brings along in some societies);
- ✓ Fear of police (police officers can be involved in violence against women themselves, or can harass women after they have reported a sexual offence);
- ✓ Lack of support;
- ✓ Lack of protection and shelter;
- ✓ Lack of financial autonomy (a serious obstacle to accessing justice because they cannot pay for the medical exam, the legal fees or even transportation to go back and forth to the courthouse);
- ✓ Lack of physical access;
- ✓ Lack of qualified staff, logistical support and efficient organization of judicial system;
- ✓ Lack of effective access to medical assistance;
- ✓ Unawareness of their rights.

### **Effectiveness**

- Criminal justice processes are often lengthy, complicated, re-traumatizing, and expensive;
- Discriminatory attitudes of law enforcement and judicial authorities (failure to investigate complaints);
- Consideration of domestic violence as a private matter;
- Encouragement of amicable settlements in rape cases, either by financial arrangements or through the marriage of the perpetrator with the victim;
- Consideration of a woman's word as less trustworthy than a man's;
- Lack of political will;
- Corruption in the judicial system.



## **Recommendations**

### **Take Women's Peace Movements and Reconciliation Efforts Seriously**

As they may create opportunities for sustainable peace, women have played important roles in promoting reconciliation and in rebuilding societies. The considerable experience of women rescuers and the women's movement in building alliances needs to be utilized in order for peace and reform processes to succeed.

### **Include Women's Voices and Concerns in the Public Agenda**

To understand, recognize and address gendered drivers of conflict, women from marginalized communities need to be involved in setting the public agenda, including negotiations for political settlements, from the very beginning.

### **Recognize and Address Human Rights Violations Perpetrated by Military Personnel Stationed in Ceasefire Areas, as well as In Areas of Active Conflict**

Sexual violence targeting women and girls living in conflict areas must be identified and addressed, and transitional justice processes need to include these instances of violence.

### **Recognize and Address Gender-Based Violence Experienced by Women after Conflict and in the Home**

Gender-based violence occurring ostensibly after a conflict must be identified and addressed.

### **Collect Information on Violations Committed Against Women**

To generate evidence for legal actions and policy reforms.

### **Reform or Enact Gender-Sensitive**

Laws to ensure that women do not suffer from gendered structural and direct violence.

### **Enact Laws that will Enable the Inclusion of Women at all Levels of Decision-Making**

Legal frameworks, including the constitution, electoral processes and other initiatives, need to ensure the participation of women from marginalized groups in decision-making processes, for example through the use of positive-action policies.

### **Guarantee an Independent Judiciary**

In order to strengthen women's access to justice.

### **Establish an Independent Ombudsperson's Office**

To assess and address instances of gender-based discrimination.

### **Ensure that Gender is Mainstreamed in Reform Processes**

In order to be representative and therefore legitimate and sustainable processes, electoral systems, service-delivery policies and constitution-building processes should take into account the rights of marginalized women.

### **Recognize and Support Women's Leadership Opportunities**

By identifying and developing locally led women's networks, including women's peace networks, community conflict-resolution mechanisms and civil society initiatives, thereby capitalizing on the change in gender roles that conflict often provokes.

### **Utilize Existing Structures for Conflict Resolution**

Understand that these evolve incrementally and are not fixed or static. National and local processes for conflict resolution need to be connected.

### **Support Locally Led Multi-Ethnic Women's Movements for Peace and Conflict Resolution**

The capacity of women's networks needs to be strengthened so that they can influence the design and execution of policies and interventions.

### **Protect and Include Women Peace Builders**

To ensure that they can continue their work in a safe and sustainable way.

### **Develop Post-Election Support for Women**

Such as training, in order to build more permanent roles for women within their communities after reform processes have been initiated.

### **Include Women's Security Needs in Discussions on Reform and Development**

Peace and reform processes should take into account women's experiences and address security issues affecting women both as individuals and as members of a marginalized community.

### **Analyse the Effects of International Interventions and Reform Initiatives on Women from Different Ethnic, Religious and Class Backgrounds**

Inequalities are structured around multiple identities, and unless this is recognized and addressed, outcomes will be flawed.

### **Utilize the Status of Women's Human Rights as a Marker of Progress towards Peace and Democracy**

Gender-equality indicators must be developed and utilized to assess the success of reform initiatives or the lack thereof.

### **Recognize Women's Decisions in Choosing to Participate in or Support Armed Struggle or Violence**

Women involved in the conflicts covered in this publication assert political agency in choosing to support violence. However, their participation—and recognition of their work—is typically restricted by gendered notions that relegate women's involvement to the private/non-political sphere. In order to prevent further conflict, it is imperative that women's political agency be taken seriously.

### **Ensure the Disarmament, Demobilization and Reintegration (DDR) of Female Perpetrators of Violence**

Women who participate in auxiliary roles must be identified and included in DDR processes, including those who do not take up arms and those without rank who nevertheless participate in the armed forces. Participation in DDR processes must not be contingent on access to weapons or military rank.

### **Conclusion**

As the problems faced by women in conflict situations are very closely intertwined with their position in times of peace, it is essential that the latter is addressed simultaneously. The social status of women must be uplifted not only in law but mainly in daily life. Efforts must be made to bring more attention to the heinous crimes committed against them and to the available remedies. Most importantly, awareness must be raised among them as well as in the society about their rights and their needs.

### **In general**

- Spread awareness among women about their rights, provide them with literacy programmes, legal and support services;
- Spread awareness of the rights of women in the society – for example through radio and theatre;
- Support women groups as means for dissemination of knowledge on women rights and an important part of rehabilitation programmes for victims of violence;
- Involve men in programming activities to secure their support, promote community based programmes;
- Ratify important human rights treaties, such as the Convention against Torture, the Refugee Convention.

## References

- Asian Centre for Human Rights. (2008) *Internally Displaced People in India: An unequal share of the scraps*.
- Bjarnegard, Elin and Melander, Erik. (2013) "Revisiting Representation: Communism, Women in Politics, and the Decline of Armed Conflict in East Asia. *International Interactions: Empirical and Theoretical Research in International Relations*, 39/4, pp. 558–74."
- Gardam, J., Charlesworth, H. (2002) Protection of Women in Armed Conflict.
- Global Gender Gap Report. ( 2010) World Economic Forum.
- Goswami, Roshmi. (2000) Women and Armed Conflict – Ground Realities from North East. Paper presented at WISCOMP Symposium.
- Kaur, Sumiran Preet. (2009) Conflict of Nowhere People.
- Manchanda, Rita. (2008) *Kashmiri Women and the Conflict: From Icon to Agency*.
- Navnita Chadha. (2006) *Gender, Conflict and Migration*. New Delhi: Sage.
- Ranvijay. (2010) Violent Conflict in India: Issues of Contention.
- SAHRDC. (2001) No Refuge: The Plight of Conflict-Induced Internally Displaced Persons in India.
- Sanajaoba, Noarem. (2006) Human rights in armed conflict areas, Standard setting and binding obligations.
- Seth, Rukmani. (2010) Custodial Torture and Its Remedies.
- Shahid, Mohammad, Singh, Krishna Kumar, (2008). Indian democracy and women's human rights.
- UNDP. (2002) Gender Approaches in Conflict and Post-Conflict Situations.
- UNIFEM. (2007) Women Building Peace and Preventing Sexual Violence. A Review of Community Based Approaches.
- Unrepresented Nations and Peoples Organization (UNPO). (2011) Secretariat, 'Intersectional Discrimination, Multifaceted Problems: Minority Women, Violence and Peace building', Issues paper prepared for the 4th Session of the UN Forum on Minority Issues.
- UN. (2014) Special Representative on Children and Armed Conflict. Sexual Violence.

## Environment in Wordsworth & Kalidas: A Promise and Alarm

**Bharati Sharma**

Assistant Professor of English, S.S.D.P.C. Girls (P.G.) College, Roorkee,  
Distt. Haridwar, Uttarakhand, India

Our saints since antiquity have observed this ritual at every religious ceremony so that the ecosystem can be peaceful, the environment can be balanced because when the surroundings are balanced, the forests, green vegetation, animals, birds and human beings, all will be happy, the earth will be prosperous. But we are going towards wrong direction and have disrupted the whole system. That's why the civilization today is facing global warming as a result of human interference in the environment with water, air, sound and plantation etc. Green clean and prosperous earth must be the environment. Clean and green means:

Sujalam Sufalam malayaj shitalam sasyashyamalam prthvi

सुजलां सुफलां मलयज शीतलां शस्यश्यामला पृथ्वी

and prosperous earth means the prosperity and well being of animals and birds, insects and all living and non-living things. In the words of Webster:

Environment is the sum total of all external conditions and influences effecting the life and development of organisms.

The question is of remedy and the best remedy is to produce awareness for environment in society. The rest, blossoming and progress, is possible only when the Science and literary world join hands with the feeling of intimacy and moral liability for environment. There should be a call back to Indian culture.

Since antiquity the literature has been the torch bearer of the present. Literature is not only the means of entertainment; therein lies that lively power or energy in the hidden form that provides efficiency to the present to cull the right direction. It is a well known fact that from French Revolution to Russian Revolution, from American war of independence to Indian Freedom Fight, literature was performing the prominent role in all crises and disasters. All the different dimensions of literature whether story-teller, poet, novelist, critics, not only live the life of their age but also give creation to new history.

Thus if literature is prone to beauty at the extremity, it is also prone to future at the priority.

Our religious scriptures celebrate five basic elements of universal creation. They are as follow: Earth, the source of all seeds, water, the first creation of the creator, Fire, which conveys (to the gods) the oblation offered according to customary rites, Ether, which has sound for its quality and which pervades the universe, Air, by which creatures possess breath.

The literary men not only in the East but also in the West have glorified these five elements in their own way. Our Vedic saints accepted nature as mother and said:

Mata bhumi aham putroprathviya

माता भूमि अहम् पुत्रे पृथ्वीया

In Vedas too, the importance of trees has been mentioned and attached with religion so that man must not spoil nature. At that time trees were said to be the residing place of Gods. In Indian culture we worship different plants and trees like anwla, tulsi,

vata, peepal because they secure human life. For example, the holy basil plant is the only plant that exhales oxygen during day and night. First of all, let us observe the approach of great poet Kalidas who has always expressed himself with the background of nature.

Each of his works particularly *Rtusamhāra* and *Meghaduta* reverberates with nature. Sakuntala is a daughter of nature. Nature is her mother and so she has affection for every tree, for every creeper and for every sprout. She will not drink water without herself watering the trees. She has “shoadar sneha” for trees. She can forget herself but not the *Navamalika* creeper. Before leaving the hermitage, she embraces the Vanajyotsna creeper and leaves it under the care of the friends.

Even nature has the same deep affection for Sakuntala. At the departure of Sakuntala, the peacocks give up their dance. The deer throws away the half eaten morsels of darubha grass and trees shed tears in the form of leaves. The affection between nature and Sakuntala is so deep that Kanva first requests nature to allow Sakuntala to go to her husband’s place.

Patum na prathamam vyvsyati jalam

Yushmā s wapi teshu yā .

Nā dette pryamandanapi bhavtam snehen ya pallavam.

Addye vah kusum Prasutisamaye Yasyā bhavyutsavah.

Seyam Yati Shakuntala patigrham sarvernugyā yatā m.

पातुं न प्रथमं व्यवस्यति जलं युष्मास्वपीतेषु या  
नादत्ते प्रियमण्डनापि भवतां स्नेहेन या पल्लवम् ।  
आद्ये वः कुसुम प्रसूतिसमये यस्या भवप्युत्सवः  
सेयं याति शकुन्तला पतिगृहं सर्वैरनुज्ञायताम् ॥

Thus we find nature, not as working against the human life, but as working in perfect harmony with it. This blending of nature and human feeling is complete, and it is impossible to think of one without the other.

In the galaxy of literature the matter, charm and beauty of nature i.e. environment is inevitable. No piece of literature remains untouched with this beauty. Now let us give a recall to the great laureate of Nature William Wordsworth who pays his tribute to the air and earth which is the breath of all universe and highlights the great influence of nature:

One impulse from the vernal wood,  
May teach you more of man,  
Of moral evil and of good,  
Than all the sages can

Wordsworth feels that all natural objects such as rocks, plains, earth, heaven, glades and bowers exercise a very healthy influence on man and supervise his growth. The idea is based on the teachings of the French philosopher Rousseau: “If a child were allowed to satisfy his natural curiosity and encourage follow his own intuitions, he would

develop into a better man than child in situated in the artificial atmosphere of educational institutions.”

Man's environment around him decides the environment of his mind. With Wordsworth solitude fills the mind as the Reaper's song is filling the valley in the same way as *pranava akshar 'Om'* always makes a reechoing sound in a man's sensitive soul (Antaratma):

Behold her, single in the field,  
Yon solitary Highland lass!  
Reaping and singing by herself ....

(“Solitary Reaper”)

We know this fact but we are somewhere losing our sensitivity and sensibility due to our thoughtless youth. We somewhere got a lapse in our journey from sensuous to spiritual. “The Daffodils” provides blessings to the man:

They flash upon that inward eye  
which is the bliss of solitude:  
And then my heart with pleasure fills,  
And dances with the daffodils

Almost all the poems of Wordsworth deal with a celestial light in nature which is something different from ordinary earthly, scientific light:

...it is a light of the mind, shining even in darkness ‘by night or day’.

Wordsworth too celebrates and cull calmness and tranquility and last but not the least, the celestial light out of the nine elements of ecosystem like earth, ether, water, fire, air, sun, moon, medical plant, and vegetations. In so many poems Wordsworth has shared with us how vividly he sees, hears and feels with joy the rose, the stars, the water and the sunshine.

There was a time when meadow, grove, and stream,  
The earth and every common sight  
To me did seem.  
Appareled in celestial light...

He speaks of the sunshine as a ‘glorious birth and sings about the life-giving power of sun: “The sunshine is a glorious bith...” The poet poeticizes ‘Nature’ at dance during spring season. He sees the manifestations of joy by birds and lambs. Even the falling water, blowing air and all the earth is a speech-sound for Wordsworth: In “Tintern Abbey” he found in Nature the anchor of his purest thoughts, the guide and guardian of his heart:

So build we up the Being that we are;  
Thus deeply drinking-in the soul of things,  
we shall be wise perforce.  
The Excursion, BK. Iv I 208-66

The poet in his age was supposed to see the fears, threats of nature or environment which we are facing today. He conveys it in the poem, *Strange Fits of Passion Have I Known*, through the soft and innocent experience of the lover who feels a strange fear as he gets a sudden disappearance of the moon upon which his eyes were fixed during his journey towards the belonged. The disappearance of the moon brings into the lover's mind an apparently irrational fear that Lucy may be dead.

What fond and wayward thoughts will slide.  
Into a Lover's head!  
If Lucy should be dead.

If we look more carefully at the poem we will feel that foolish thoughts and fear of the lover is justified in the present scenario when our Lucy, what can be the suffering humanity is facing natural disaster. Recently, we have seen the continuous downpour, the crisis of Sunami, flood, famine in different parts of Globe. Here again I quote.

I told her this; her laughter light  
Is ringing in my ears  
My eyes are dim with tears.

The slow descent of the moon- 'near, and nearer still' – towards Lucy's cot suggests the approach of a threat. But still the lover remains unaware, as the present age is.

In another poem 'The Daffodils' Wordsworth talks about the blessings of nature to a man entangled in the 'fretful stir unprofitable' of the materialistic world, Nature brings the soothing touch of tranquility and restores to him his inner peace. But the joy offered by nature is not merely instant; nature can bless a responsive heart with perpetual joy. In *Tinturn Abbey*, Wordsworth revives the memory of the beauteous forms of nature seen earlier, he becomes conscious not only of a sense of present pleasure but also of.

Pleasing thoughts

That in this moment there is life and blood for further years.

The Daffodils also the poet says that whenever he is in 'vacant' or pensive' mood, the daffodils flash upon his inward eye.

And them my heart with pleasure fills,  
And dances with the daffodils.

Thus we see that Wordsworth makes breeze the symbol of poetic creativity. The joy offered by the daffodils represents the joy, the harmony that abides in nature and that can produce a tranquilizing effect on a man's mind:

The waves beside them danced; but they out-did the sparkling waves in glee.

Here the waves dancing along with the daffodils illustrate the principle of sympathetic identification with the spirit of joy pervading the universe. The poet's heart dancing with the daffodils signifies the permanence of joy offered by nature and the participation of human beings in that joy. This interpretation of the poem based on an analysis of the symbols used in it clearly shows how much wealth of meaning lies hidden under its deceptive simplicity. Thus Wordsworth personified nature in his poem and invested natural objects with a living, thinking and feeling power. Nature, we learn, acts both as an 'impulse' and as a 'law' to the child- it will force to rekindle and restrain.

At the climax it can be said that though the situation is really alarming, let us adopt P.B. Shelley's approach which he has depicted in '*Ode to the West Wind*'.

O wild west wind, thou breath of Autumn's being, Thou, from whose unseen presence  
the leaves dead.

Are driven with living uses and odours plain and hill. Wild spirit, which art moving  
everywhere; Destroyer and preserver, hear, oh, hear.



Thus nature has always been a preserver but it also can be a destroyer if we do not have a check upon us. The need is to put a restraint upon undue interference in environment.

At last, it seems that through his nature poetry Wordsworth talks about a universe of blessedness and love which emerges in the realm of mind after a man's intimate encounter with nature in form of the nine elements which complete environment.

..... in all things

He saw one life and felt that it was joy.

## References

The Yajurveda : 36ए17 ऊँ द्यौः शान्तिरन्तरिक्षं शान्तिः पृथिवी शान्तिरापः शान्तिरौषधयः शान्तिः ।  
वनस्पतयः शान्तिर्विश्वदेवाः शान्तिर्ब्रह्म शान्तिः सर्ववंगं शान्तिः । शान्तिरेव शान्तिः शान्तिः सा  
मा शान्तिरेधि ॥

Quoted from *Paryavaran Cetana*, Monthly Magazine, June 2007.

Quoted from *Paryavaran Chetana*.

*Abhijnanasakuntalam*; Kalidas, iv, 9.

"Three Years She Grew in Sun and Shower," Complete Works, William Wordsworth.

Lines from Rousseau.

Solitary Reaper, *Complete Works*, William Wordsworth, 1-3.

"The Daffodils," *Complete Works*, William Wordsworth.

M.H. Abrams, William Wordsworth.

"Ode on Intimations of Immortality."

*Ibid.*

The Excursion, B.K. IV, 208-66.

*Strange Fits of Passions Have I Known. Complete Works*, William Wordsworth.

*Lucy Poems.*

"The Daffodils," William Wordsworth.

*Ibid.*

*Ibid.*

*Poetical Works*, V. 385, 11. 251 -2 my italics

## **Environmental Awareness among Students of Himachal Pradesh University, Shimla, Himachal Pradesh**

**Dr. Hemant Patidar,**

Asstt. Prof. of Geography, Dr. Harisingh Gour Vishwavidyalaya, Sagar, M. P.

**Dr. Budh Singh,**

Asstt. Prof. of Education, Dr. Harisingh Gour Vishwavidyalaya, Sagar, M. P.

**Mr. Mundhe Shashikant, V.,**

Asstt. Prof. of Economics, Siddharth College of Commerce, Mumbai, Ms.

**Dr. Radhika Mohan Pathak,**

Asstt. Prof. of Philosophy, North Maharashtra University, Jalgaon, Ms.

### **Abstract**

In the present century the world population has grown over seven billion leading to a high demand of resources. Environmental degradation has been considered as one of the biggest problem, we humans are encountering. Efforts are being made at the local, regional, national and international level to educate the masses to protect the environment. Environmental education has also been part of the curriculums in schools and higher education. Yet, it has been observed that people do not have adequate knowledge and awareness about the environment. Therefore, this study is an attempt to examine the level of environmental awareness and factors associated with environmental awareness (EA). on a sample of 50 students of HPU. The 'Independent Sample t-test' and 'One way ANOVA' techniques have been applied hypotheses. The results reveal that there exists a minimum level of environmental awareness among students. The level of environmental awareness varies across genders, residential backgrounds and parental educational levels although insignificantly. But in case of differential academic streams the awareness among students varies significantly. The study highlights an important issue of global to local importance. This study may be useful to future researchers and may have some policy implication for future researches in this field.

**Keywords:** Environmental awareness, Environmental Degradation, Conservation.

### **Introduction**

India is one of the fastest growing countries in the world during 1995 to 2010 (World Bank, 2010). The rapid growth of population resulted in increased economic activities, which in turn resulted into increased demand for energy and consumer goods, which finally led to environmental degradation. It is a conventional belief that the environmental degradation will automatically be resolved as the country grows economically, since it would enable the economy to afford environmental friendly technology as well as pro-environmental regulations and policies (Sivamoorthy M. et al., 2013).

Several studies have indicated that many developing countries already equipped with environmental policies, legal frameworks and economic instruments, which are regarded as highly sophisticated by international standards (Hubar et al., 1998) still face the worsening of environmental conditions. Deterioration of earth spheres, depletion of

natural resources and increasing pollution in the surroundings area the aspects that require immediate attention all over the world (Kiran R., 2015). Most of the developed and developing countries, including India, have the necessary legal and economic framework to protect and conserve its environment. India has adopted various international and national strategies such as environmental education, environmental friendly products, unloading of petrol, Solar Energy Commission, Prohibition of smoking in public places etc, to resolve many environmental issues. But, the major problem is not the lack of legal and economic framework to protect the environment, but also lack of participation among general public in pro-environmental behavior. In short, the environment can be protected and conserved more effectively by spreading its awareness in the society including government, general public and the scientific community. A certain level of environmental accountability has become part of cultural norms after 1970 realizing the importance of the nature and its non-replenishable resources. Consciousness and conservative attitude towards environment has spread in majority of people belonging to all sectors of society who worry and discuss frequently these irreversible changes (Kiran R., 2015).

India has a large number of young people. Therefore, priority must be given for creating awareness among the students through college curriculum, mass media, campaign, competition, voluntary work, and so on. The environment not only concern with ecological aspects, but it also affects the livelihood options for marginalized groups. As environmental issues are becoming more and more complex and need to take action becomes more urgent, college and university students need to be equipped with appropriate skills that can help them to make better decisions and choices (Joseph, et al, 2004).

### **Literature review**

Environment is the sum total of all living and non-living elements that surround us. The entire biotic life of the planet earth depends upon the healthy environment. Environmental awareness research has been conducted in order to gauge the level of knowledge individuals have about the environment, how much they are learning, what level of concern they have, and what kind of eco-conscious actions they are demonstrating. Several surveys have been conducted seeking information as to how individuals' actions indicate such knowledge as well. MacDonald and Hara (1994) found that males cared more about the environment than females, and family income did not have any correlation with this result. The authors concluded males were more politically and scientifically aware of the environment's condition and human impact than females (MacDonald and Hara 1994).

Wahab et al., (2010) in his there study revealed that males were shown to be more knowledgeable about environmental issues than females. Fliegenschnee (1998) in his study found that women usually have a less extensive environmental knowledge than men but they are more emotionally engaged, show more concern, show more concern about environmental destruction, believe less in technological solutions, and are more willing to change. MacMillan et al. (2004) in his there study reported that an introductory class about the environment had positive results in moving students toward more eco-centric mindsets and more sustainable lifestyles. In another study, conducted in China, Wong (2003) found that students were quite conscious of environmental issues and able to rank issues from most to least threatening. However, many students were not optimistic about the future of

the environment. Moreover, studies among students younger than college level indicated that students were gaining most of their environmental knowledge from television.

Aini Mat et al., (2007) observed that education was not necessarily changing student's actions and students needed to be able to connect the concept of 'environment' to their actual surroundings and where they lived. Fisman (2005) in his study tried to examine the effects of an urban environmental education program on children's awareness of their local biophysical environment. He found that there is a significant positive effect of the program on students' awareness of the local environment and on their knowledge of environmental concepts. Moreover, he concluded that improvements in environmental knowledge were not associated with the children's socioeconomic status but among the students living in high socioeconomic neighborhoods'. Sivamoorthy M. (2013) studied the environmental awareness and conservation practices among college students. This study revealed that the level of awareness is high among all the respondents but at practice level there is difference between genders i.e., males practicing more than females.

In view of this it becomes very imperative to make the students aware of environmental issues. In With regard" University, the governmental and non governmental bodies are actually engaged in the environment protection, the state government and the central government will get an idea about its ongoing programmes about environmental conservation. Thus, the present study is an attempt to assess the level of the environmental awareness in Himachal Pradesh University, Shimla.

### **Objectives:**

The present study aims to meet the following objectives:

1. To know the level of environmental awareness among students
2. To examine the environmental awareness among students across genders, residential backgrounds, academic streams and parents' educational background.

### **Hypotheses**

The present study attempts to test the following hypotheses:

1. There is no difference in environmental awareness between male and female students.
2. Students from rural and urban residence have same level of environmental awareness.
3. Students of all academic streams have uniform environmental awareness.
4. There is no difference in environmental awareness among students with parents' differential educational backgrounds.

### **Methodology**

Sample this study is based on primary data collected from Himachal Pradesh University students during September, 2017. A sample of 50 students has been drawn by using simple random sampling technique. A structured questionnaire was used for data collection having all dimensions of environment and conservation methods. Parametric statistical techniques such as Independent sample t-test and one way ANOVA have been applied to test the hypotheses. Besides, the level of environmental awareness among students has been measured. First, an awareness level index has been calculated based on principal component analysis (PCA) techniques. Second, the environmental awareness

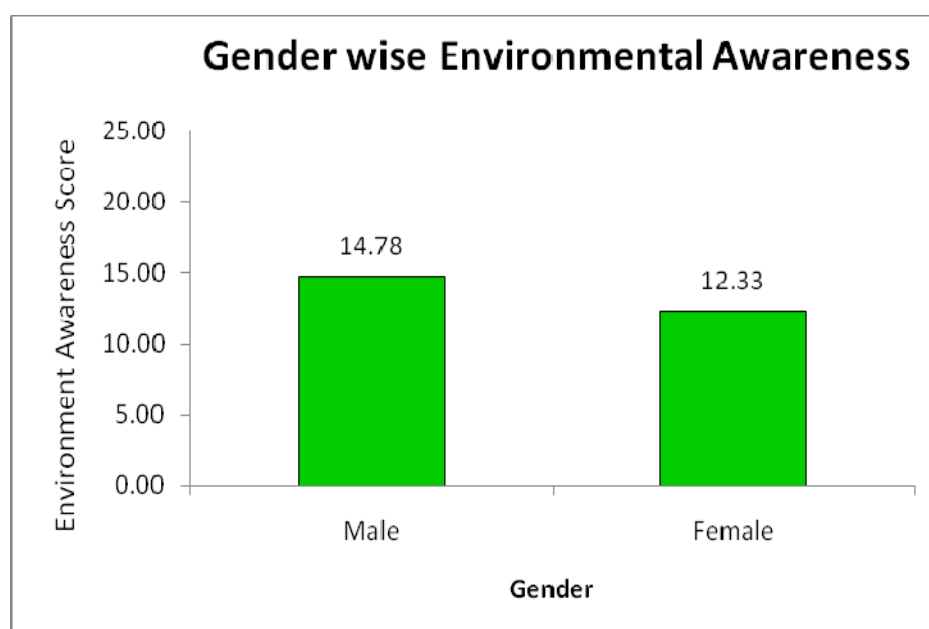
level has been grouped in to high (above mean + 1SD), moderate (mean + 1SD to Mean - 1SD) and low awareness level (Mean -1SD). The entire analyses have been done on SPSS 16.0.

### Study area

Himachal Pradesh University is located on Summer Hill, which is located 5 km west to Shimla Ridge at an elevation of 2,123 meters on the outskirts of Shimla City, the state capital of Himachal Pradesh. It is located, at 31° 7' North latitude and 77° 8'. It is a part of the seven-hill cluster. The university has a picturesque location. Approximately seven thousand students are studying in this university in 2017.

### Results And Discussion

The results reveal that the average environmental awareness score among students is 13.46 at 25 scales. There is no significant difference on environmental awareness between male (14.78) and female students (12.33). Likewise, students from rural background have slightly higher awareness score (13.73) than to students belonging to urban areas (12.69). But it varies across academic streams. The highest awareness is among Science students (17.90), followed by Commerce and Management Students (15.71) and Law students (12.50). The lowest environment awareness is in students of Humanities, Social Science and Arts. The educational background of the parents is generally found important to influence the awareness among students. In this study, fathers' education has been taken as a variable. Students whose fathers are having education up to secondary (13.88) and graduation and above (14.28) have higher awareness than primary level (10.38). (see figure-3 for details)



**Fig. 1**

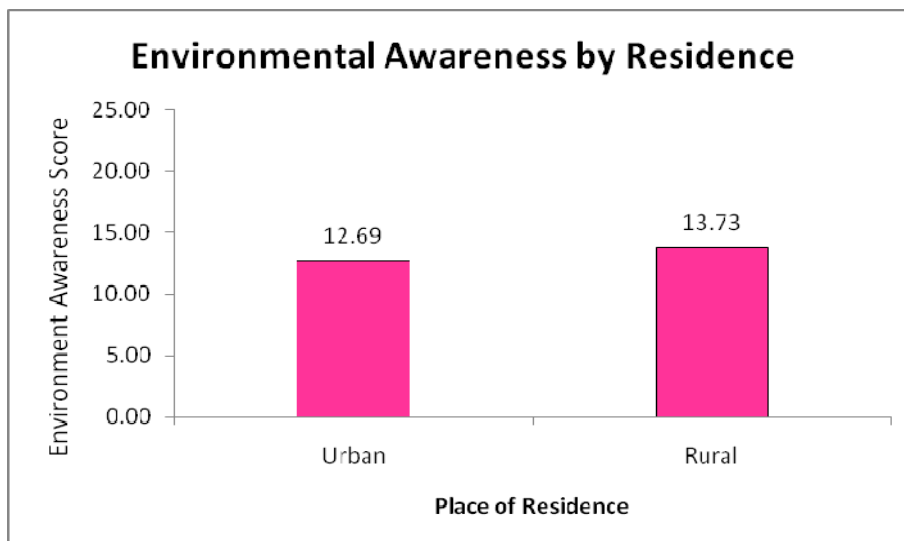


Fig. 2

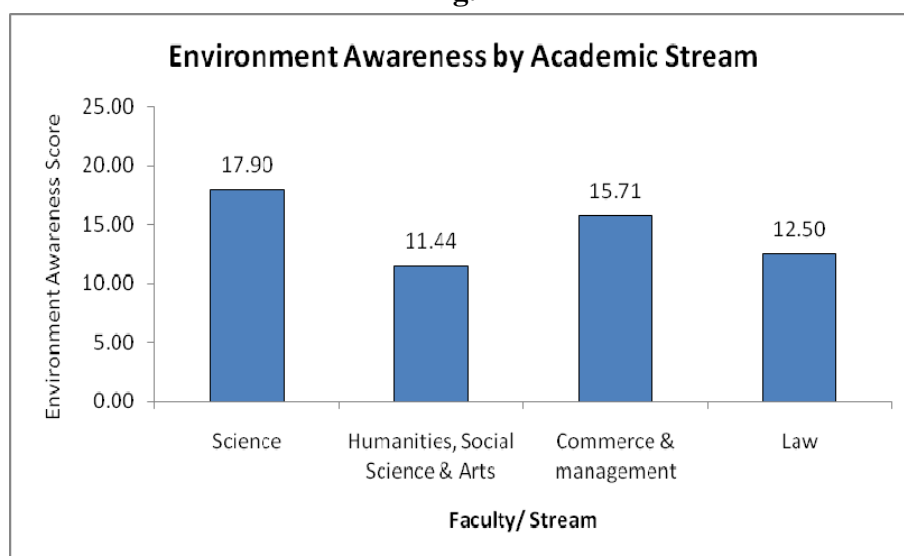


Fig. 3

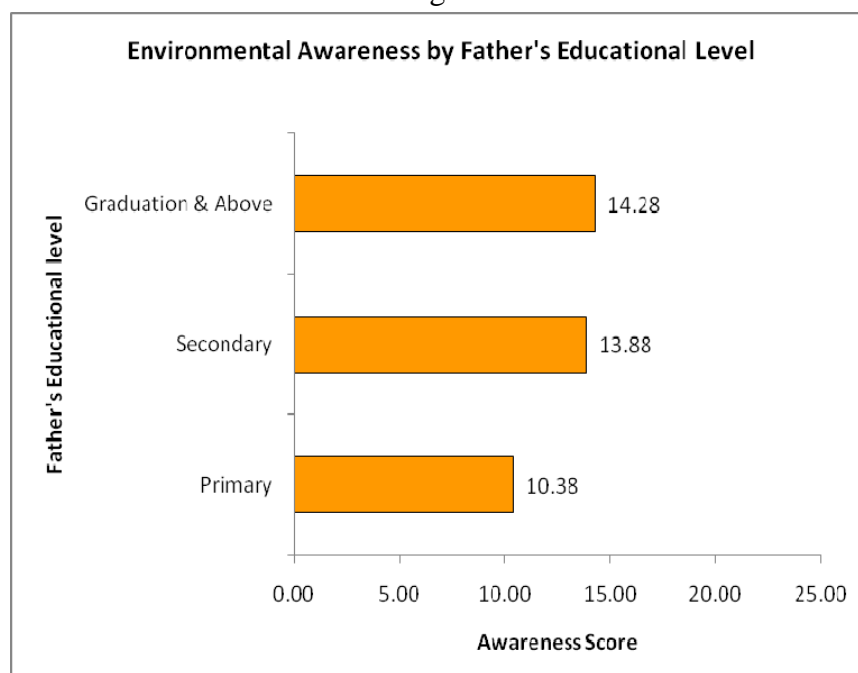


Fig. 4

Nearly 18% students have low, 66% have moderate and 16% students have high level of environmental awareness. Male students (21.7%) have higher level of high awareness than to just female students (11.1%). However, there is almost equal percentage of male (65.2%) and female students (66.7%). Likewise, 18.9% rural students have high level of awareness than just 7.7% urban students. Contrary to this, 76.9% urban students have moderate students than to 62.2% rural students have moderate level of awareness. Science students have moderate (70%) and high level (30%) awareness. 29.6%, 63% and 7.4% students from Humanities, Social Science and Arts stream respectively have low, moderate and high level of awareness. Like science students, there is no student belonging to commerce and management faculties have low level of awareness. Nearly 57% and 43% students of this faculty have moderate and high level of awareness. Unlike to all above faculties, law students have only low (16.7%) and moderate level (83.3%) of awareness. 37.5% students whose fathers are educated up to primary level have low level of awareness, while 62.5% students have moderate level of awareness. 20.8% students whose fathers are educated up to secondary have high level of awareness.

The first hypothesis i.e.,  $H_0$ : There is no difference of environmental awareness between male and female students' is proved here applying Independent Sample t test (table 1). The computed t value i.e. 1.798 is lower than, the critical value 1.96, so the null hypothesis is accepted at 0.05 significance level and, hence, it is concluded that there is no difference in environmental awareness between male and female students.

Table 1: Descriptive statistics of the male and female students in environmental awareness

	Gender	N	Mean	Std. Deviation	Std. Error Mean
Environmental Awareness among Students	Male	23	14.78	5.099	1.063
	Female	27	12.33	4.532	.872
	Total	50	13.46	4.908	.694

#### Independent Samples t Test

Levene's Test for Equality of Variances		t-test for Equality of Means					
Equal variances assumed	F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference
	.107	.745	<b>1.798</b>	48	.078	2.449	1.362

The second hypothesis i.e.,  $H_0$ : There is no difference in environmental awareness between rural and urban students has been also tested by applying Independent Sample t-test. Since the computed t value i.e. -.652 is lower than the critical value i.e., 1.96, the null hypothesis is accepted at 0.05 levels and it is concluded that there is no difference between students of rural and urban residence (table 2).

Table 2: Descriptive statistics of the rural and urban students in environmental awareness

	Place of residence	N	Mean	Std. Deviation	Std. Error Mean
Environmental Awareness among Students	urban	13	12.69	4.070	1.129
	rural	37	13.73	5.194	.854

### Independent Samples t Test

	Levene's Test for Equality of Variances		t-test for Equality of Means				
	F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference
Equal variances assumed	1.088	.302	-.652	48	.518	-1.037	1.592

The ANOVA test has been applied to test the third hypothesis i.e.  $H_0$ : Students of all streams have the same level of environmental awareness. The results reveal that the calculated F value i.e., 6.408 is higher than the table value of 4.26 at 0.05 significance level. Hence, this analysis also rejects the null hypothesis of no difference in the awareness level among students of different streams and thus it is concluded that there is a difference in the level of environmental awareness among the students of different disciplines (table 3).

Table 3: Descriptive statistics of students of different stream in environmental awareness

Academic Stream	N	Mean	Std. Deviation	Std. Error
Science	10	17.90	3.755	1.187
Humanities, Social Science & Arts	27	11.44	4.466	.860
Commerce & Management	7	15.71	4.499	1.700
Law	6	12.50	3.619	1.478
Total	50	13.46	4.908	.694

### ANOVA

Environmental Awareness among Students	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	347.925	3	115.975	6.408	.001
Within Groups	832.495	46	18.098		
Total	1180.420	49			

The fourth hypothesis i.e.,  $H_0$ : Students with differential fathers' educational level have the same level of environmental awareness, has been shown to be accepted on the units that the calculated value of  $F$  is 1.994 that is lower than the table value of 4.26 at 95% confidence level (significance level =  $p < 0.05$ ) and it could have arisen due to chance. This analysis accepts the null hypothesis of no difference in the environmental awareness among students of differential parental educational level and thus it is concluded that there is no significant difference in the level of environmental awareness among the students with differential parental educational levels. (see Table 4 per details)



Table 4: Descriptive statistics of students of differential parental educational background in environmental awareness

Fathers' educational level	N	Mean	Std. Deviation	Std. Error
primary	8	10.38	5.317	1.880
secondary	24	13.88	5.042	1.029
graduation	18	14.28	4.240	.999
Total	50	13.46	4.908	.694

#### ANOVA

Environmental Awareness among Students	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	92.309	2	46.154	1.994	.148
Within Groups	1088.111	47	23.151		
Total	1180.420	49			

### Conclusion and Suggestions

In the era of increasing population and rapid economic growth, the environmental sustainability has become important. Environment is highly fragile and its conservation and management is very essential. In these days, environment is becoming a part of academic curriculum worldwide. Considering the significance of environmental awareness and knowledge, this study has been undertaken. The results of this study reveal that Himachal Pradesh University students has a minimum level of environmental awareness. Male students have slightly higher level of environmental awareness, although insignificant ( $p < 0.078$ ), than female students. Likewise rural students have also slightly higher level of environmental awareness (although not significant,  $p < 0.518$ ), than urban students. To the contrary students from different academic streams have differential level of environmental awareness. Students of science stream have significantly better awareness than to students of humanities, social sciences and arts. The education of parents (here only fathers' education has been taken as a variable) is found to influence the awareness level but not significantly. The study finally concludes that students' academic streams have some association with their environmental awareness. But other factors are indifferent. All these findings urge the basic need to make some efforts to enact some programmes for promoting environment at awareness and friendly approach to safeguard the pristine environment.

This study also puts forward some suggestions. Environmental studies should be the part of curriculum from class 1<sup>st</sup> as compulsory paper with practical approach of instruction. There should be an interdisciplinary approach to environmental studies and that should be taught equally to humanities, commerce and other stream students. Strict implementation of National Literacy Programme along with Environmental literacy should be ensured to all citizens. Celebration of special day like world Environmental Day, Wildlife Day, World Water Day, Forest Conservation Day, Ozone Day, etc., should be promoted among students and common people.

## References:

- Wahab, S. A. A. and Abdo, J. (2010). The effects of demographic factors on the environmental awareness of omani citizens. *Human and Ecological Risk Assessment*, 16: 380–401.
- Aini M, Said, Nurizan Y, and Fakhru'l-Razi Ahmadun (2007). Environmental comprehension and participation of Malaysian secondary school students. *Environmental Education Research* 13, (1) 17-31. doi: 10.1080/13504620601122616.
- Fisman, (2005). The effects of local learning on environmental awareness in children: An empirical investigation. *Journal of Environmental Education* 36,(3) 39-50. doi: 10.3200/JOEE.36.3.39-50.
- Fliegenschnee, M. and Schelakovsky, M. (1998). *Umweltpsychologie und umweltbildung: eine einführende anthropologische und ökologische Betrachtung* (wien, facultas universitätsverlag).
- Huber, Jack and Ronaldo D.M (1998). *Instrumentos de mercado para la política ambiental en América Latina y Caribe: lecciones de once países*, Discussion Paper, No. 381 S, Washington, D.C., World Bank.
- Joseph, L. A., Victoria, E. A., Campbell, A. B. and Louie, R. (2004). Teaching students to make better decisions about the environment: lessons from the decision sciences, *Journal of Environmental Education*, 36(1), 33–44.
- MacDonald, W.L., and Naoto Hara. (1994). Gender differences in environmental concern among college students. *Sex Roles* 31, (5/6) 369-374. doi:10.1007/BF01544595.
- McMillan, E. E., Tarah, and Karen.. (2015). Impact of a university-level environmental studies class on students' values. *Journal of Environmental Education*, 35, (3): 19-28. doi:10.3200/JOEE.35.3.19-27.
- Rekha, (2015). Effects of biological and psychological diversity on awareness of environment among teachers, *Academe*, Vol. 18. pp. 7-9.
- Sivamoorthy M., Nalini R, .Kumar S.C, (2013). Environmental awareness and practices among college students *International Journal of Humanities and Social Science Invention* Volume 2 (8).
- Wong, K.K (2003). The environmental awareness of university students in Beijing, China. *Journal of Contemporary China*, 12, (36) 519. doi: 10.1080/10670560305472.

## Honour Crimes: Deterrent in Women Empowerment

**Ritu Sharma**

Assistant Professor of English, Rajkiya Kanya Mahavidyalaya, Shimla

### Abstract

Women empowerment aims at making women aware about their rights and giving them status at par with that of men. Both the genders can be viewed as opposite sides of the same coin which are meant to complement each other. Globally, a number of steps have been taken towards women empowerment. The raging debate for ending the practice of triple talaq amongst Muslim community and 'Beti Padhao Beti Bachao' initiative of the government of India, are welcome steps towards women empowerment. In this endless list of steps for empowering women, the practice of Honour crimes stick like a blot. The end to this age old practice, which has taken demonic proportions globally, will be a corrective step in empowering women. In view of the prevalence of cases where women are the victims, Honour crimes which include even killing in the name of honour can be defined as premeditated murder or crime against a girl or a woman, committed by male agnates in the name of restoring the family's social reputation. Whether it was the case of Fadime Sahindal who was killed in the name of family honour, as given by Unni Wikan in her book *In Honor of Fadime: Murder & Shame* or that of Mukhtar Mai, a simple and ordinary Pakistani tribal woman, who has given an account of her fight against gender discrimination and violence against women in her autobiography, the major thrust has been on the women empowerment by ending abuse of women in the name of family or community honour. The honour killing of Samia Sarwar, an educated girl who was born and brought up in an affluent family, as brought out in *Honour Killing: Dilemma, Ritual, Understanding* by Amir H Jafri, is also a pointer towards giving women their due rights, as also enshrined in the Constitutions of various countries. This paper proposes to highlight the retaliation of women against gender discrimination by seeking an equal space and status for themselves based on some real situations highlighted by above mentioned authors. The various deterrents in women empowerment like lack of education and awareness of rights amongst women, prevalence of patriarchy, lack of political will and pressure from family or community for women to live within the domain as prescribed by the community, will also be taken into account. The need of the hour is to address all these issues on priority.

**Keywords:** Honour killing, deterrents, women empowerment, gender discrimination, social reputation.

Gender discrimination and women empowerment are two important aspects which are used interchangeably to highlight the plight of women in our modern society. In spite of tall claims from all those in power around the globe, gender discrimination which has different manifestations, is going on unabated. Statistics in support thereof are evident to show the skewed sex ratio in India and many parts of the world. Female foeticide; practice of triple talaq; priority in giving quality education; selection for jobs; importance in sports; right to select life partner of one's own choice; right to dress up as per one's own

choice are some of the areas where gender discrimination is all too evident to be ignored. If we see the example of India, number of initiatives have been taken by various governments that have been in power. Making education compulsory for a girl child upto a particular level, reservation in jobs for women in various areas and even for contesting elections, are some of the steps in this direction. Various campaigns like 'Beti Padhao Beti Bachao' are a welcome step towards women empowerment. The raging debate to end the practice of triple talaq, which is totally unfair to women, is an important indicator that things are now moving in the right direction as far as empowering women is concerned. One such area which I intend to focus through this paper is honour related crimes against women. In spite of the various steps already undertaken to empower women, honour crimes still exist like an eyesore. The larger issue involved in the present paper is the study of honour crimes against women in a predominantly patriarchal society where religious, cultural practices and traditions are given importance over the rights of an individual. The important questions which need to be answered are finding out the panacea for ending honour related crimes against women and what steps are required to be taken to empower women?

Honour is considered as the value of a person not only in his own eyes, but also in the eyes of his society in which he lives. It has been conceptualized in different ways in different societies. One such perception is that it is dependent on behaviour of others and this behavior is required to be controlled. Thus, honour of an individual is linked with the honour of the family, the community and the society in which he lives. Accordingly, in most of the societies in Asia and Africa, more stress is given to family and community honour, which the people in these areas believe must be protected at any cost. Because of this, honour is viewed as a social value which is not determined by self but recognized by others. Baker, Campbell, Schneider and Kressel in their studies have tried to analyse the meaning of honour. In general, it is found that for males and females, the qualities which are required to be 'honourable' are different. For men, it is the honour which is at stake and if it is felt that his honour is being violated then required action is to be taken to restore it otherwise the men are not considered to be honourable. In case of women, shame is considered to be complimentary of honour. She is expected to live within the shackles of this shame, which the society has prescribed for her. Since this practice of honour crimes is going on unabated in various societies for times immemorial, it is deeply rooted in their culture and traditions. This in turn has resulted in these societies becoming predominantly patriarchal. These patriarchal societies firmly believe that they have the right to control the behaviour of their women by imposing restrictions on what they should eat, what they should wear, how they are expected to meet people of other sex, where and how they should be educated and so on. They are also not given the right to marry the person of their choice and are not allowed to seek divorce even from an abusive husband. If women dare to break and come out of these shackles, patriarchy considers it an infringement on its right and a blow to its honour, for which it tries to curb it with violence and force. This is mainly to send across a message to women to remain within the confines of the boundary set for them by the patriarchal society. Sometimes, they even go to the extent of killing women, which has been given the name of 'honour killing.' Lang, Nauta, Human Rights Watch have given their own definitions of honour killing. Based on definitions given by them, one can consider it to be the killing of a female member of the family by the male agnates - brothers, fathers or cousins, for restoring the so-called family

or community honour, which the male agnates believed had been tarnished by any action of their female relative. This action is considered to be against the norms set up by the patriarchal society. There is a fear in the minds of the male members that if they do not take such action, they would be a subject of scorn in the society. Thus, even though they do not want to harm or kill their dear ones yet because of societal pressures, they are being forced to take such extreme steps.

The paper highlights the problem of honour crimes and how these are deterrent in women empowerment, I have mainly focused on three books, *In Honor of Fadime Murder & Shame* by Unni Wikan; *Mukhtar Mai - In the Name of Honor*, translated by Linda Coverdale and *Honour Killing Dilemma, Ritual, Understanding* by Amir H. Jafri besides some other books and articles.

In the book, *In Honor of Fadime Murder & Shame*, Fadime belonged to a Kurdish immigrant family that was living in Sweden for almost two decades. Being brought up in Sweden, where women enjoyed greater liberty, she had tried to break the shackles of the patriarchal boundaries. She had a relationship with a Swedish man, Patrik, which resulted in her being exiled from her community. Her community was against her right to marry a man of her own choice. She resented against the decision of her family and the community, for which she was expelled from the community. She again dared to defy this decision by returning from exile to meet her family and speaking on the issue publicly. In the eyes of her own Kurdish community, her refusal to abide by this decree of expulsion from the community and going public was considered to have brought disrepute and dishonour to her family and community. This prompted them to take corrective action so as to remove the stain that had stuck to her family and community by this act of hers. Her father had no choice but to kill her under the community pressure. However, even in her death, Fadime became a symbol of freedom loving people who defied the decree of exile from the community and spoke to the media and even in the Parliament to highlight the agony of women in her community. She had to pay the price with her life. Being an educated person, she spoke against the system of her community so that she could save other girls in her situation. In the words of Unni Wikan, "She wanted inclusiveness and rejected segregation. She wanted integration, not marginalization." Although in the process, Fadime lost her life, but she opened the gates for a debate on the rights of women thereby bringing to fore the issue of women empowerment.

In the autobiography of Mukhtar Mai, *In the Name of Honor*, Mai as a simple and ordinary Pakistani woman, gives an account of her experiences wherein she became a victim of the ancient tribal justice system. She was gang raped by order of the village tribal council for an offence committed by her brother, in support of which there was no proof. In spite of being poor and illiterate, she went ahead with her fight against gender discrimination and violence against women. As per the tribal custom, after the horrific rape, any woman would have killed herself. But Mukhtar Mai defied the customs and although illiterate and powerless, she showed tremendous courage and took her rapists to court. With the help of media and various national and international Non Governmental Organizations, her case gained wide popularity and international fame. She became the first woman in her country to reclaim her honor by fighting back against a barbarous tradition. In the process the compensation money she got through court orders from the rapists was utilized by her to start a school in her village. Through her own experiences,

she believed that the only way to fight feudal attitudes and gender discrimination was to educate women.

*In Honour Killing Dilemma, Ritual, Understanding* by Amir H. Jafri, the high profile murder of Samia Sarwar has been highlighted. She came from an elite family. Her father was president of Lahore's chamber of commerce in Pakistan and mother was a Western trained gynaecologist. Her only fault was seeking a divorce from her husband, a medical doctor, on grounds of domestic violence and his habitual drug abuse. In spite of narrow thinking about women in her country, she set an example for others to emulate by raising her voice against brutalities on women. Although Samia had to pay the price for this with her life, she gave an impetus to women rights in her country as her death was widely discussed in various forums including the country's Senate and a need was felt by all to bring legislations for women empowerment.

From the study of various books covered in the paper, a number of factors can be attributed to honour related crimes. Foremost among these are lack of education and awareness amongst masses, particularly women. Uneducated people do not respect women and girls of their families and do not have any respect for the law of the land also. This makes them kill the weak female members whom they consider a burden. As most women are not educated they are not in a position to support their families and are a burden for the family. A female child is considered to bring disrepute to the family in times to come so sometimes, the child and the mother are killed in the name of honour. Inter-religion or inter-tribal marriages also lead to honour related crimes. Rich and influential families in tribal areas frame their own regional rules and laws for their benefit, and for their personal benefit resort to crimes, which they give the colour of honour.

From the above studies it can be inferred that although education and awareness are important factors in ending honour crimes yet these are prevalent even amongst the most educated people who are aware about their rights. The perfect example of this is the case of Samia Sarwar and Fadime Sahindal. Both were educated and even showed courage to approach the highest echelons of power and judiciary for protecting their rights, but their efforts went in vain for their own individual cause. On the other hand, Mukhtar Mai who was uneducated and became a victim of the informal tribal laws set up by the influential tribes of her village, has highlighted the importance of education and awareness based on her own experience. In her case, it was lack of education and awareness about the laws which led her to become a victim of the tyranny of village landlords. This clearly establishes, that depending upon place and circumstances, the factors responsible for honour crimes vary. Even if a woman is subjected to rape, or seeks divorce from her husband in spite of valid reasons, it is considered to have brought shame and dishonor to her family and the community. Further, if a woman expresses her desire to choose a marriage partner or marries a partner of her choice, where majority of marriages are arranged by parents, this is considered as an act of defiance. They are thought to have brought shame to their guardians who resort to violence to restore their honour. Also with more women becoming aware about their rights, they have shown reluctance to comply with the decision or traditions. This has led to backlash from men apprehending loss from control which result in honour related crimes. One thing is clear from above discussions that the age old culture and traditions, still stick in the minds of the people and they are not ready to do away with the draconian practices which are predominantly responsible for honour crimes. To add to above, the laws are biased. The government has not been able to

take effective measures to end honour killings. The Police and the Judiciary also have a discriminatory attitude. The biggest culprit is the society which put so much pressure on the families that they are left with no other option but to resort to killing of their loved ones.

Another important aspect as visible from the studies is that with the emergence of global economy and migration of people to other countries in search of livelihood, as people carry their culture and traditions to their host countries also, honour crimes have now taken global dimensions.

If we talk about India, the reasons for honour related crimes are somewhat different from those in middle-east and African countries. Here the main factor responsible for honor crimes is marriages within the same gotra or lineage, particularly in parts of North India. Also inter-caste and inter-religion marriages result in honour related crimes. In some areas of Haryana, Rajasthan, Punjab and Uttar Pradesh, if a person marries someone from the same gotra or lineage, the village council of the area (khap pachayats) as per their own whims and fancies declare the couples as social outcasts and even declare them as brothers and sisters. The families of these couples also resort to their killings in the name of honour. To add to the woes of such young couples, lack of political will on the part of political parties to interfere in the working of village councils with a feeling that their interference may affect the vote bank, has made matters worse. However, there have been many instances where couples have defied the orders of these kangaroo courts or Khaps and married within the same lineage or gotra and even resorted to inter-caste and inter-religion marriages. In many of these cases, women have taken the lead to defy the dictates of their community. Although in many cases, the results have been killing of young girls and even boys yet the defiance shown by these young girls in particular and support now pouring in from politicians, judiciary, human rights groups and even ordinary citizens have brought to fore the need to end gender discrimination and empower women to take their own decisions and lead their life.

To conclude, from the insight gained out of the above texts, it is very important to highlight the various factors and remedial measures such as the role of education and awareness amongst women as well as masses. Right to education gives women access to information about their rights under the law, particularly, the right to live their own life and access to justice. If the masses are educated and made aware about the negative impacts of honor crimes, and positive impacts of women empowerment, such incidents will not take place. The role of social campaigns to give a boost to women empowerment is equally important. Women empowerment, in fact, should be an important indicator of good governance. The governments should lay more and more stress on women safety and empowerment. Gender violations should be dealt with more harshly, the justice delivery system should be quick and effective. No leniency should be shown if honour crimes are attempted to be given the colours of culture and traditions of various communities. If we take the case of India, various initiatives taken by the government like 'Beti Padhao Bet Bachao' campaign, talks with various stakeholders to end triple talaq and other such draconian practices will definitely give a boost to women empowerment by ending honour related crimes. Women should also not hesitate to speak out against atrocities being meted out to them by male agnates. However, one important aspect is that no country can implement any legislation on a society which is obsessed with its age old culture and traditions, whether these are right or wrong. The need of the hour is to bring about a

change in the mindset of people so that they are able to step into the shoes of the aggrieved and understand their plight. This will help curtail gender discrimination and empower women by giving them their rightful place in the society.

## References:

- Ahlawat, Bijendra. "Honour Killing: Villagers help accused escape custody." *The Tribune* December 16, 2010: 7.
- Baker, N V, Gergware, P R, Cassidy M A. "Family killing fields: Honour rationales in the murder of women." *Violence against women*, 1999. 164-184.
- Banke, Siddarth. "Violence Against Women: Issue Of Honour Killing." October 29, 2008. Web. November 20, 2010. <[http://www.legal\\_serviceindia.com/article/1243-Violence-against-woman---Issue-Of-Honour-killing.html](http://www.legal_serviceindia.com/article/1243-Violence-against-woman---Issue-Of-Honour-killing.html). Legal Service India.com/>.
- Campbell, J K. *Honour, family and patronage: A study of institutions and moral values in Greek mountain community*. Oxford University Press, London. 1964.
- Chugh, Anjali. "Honour Killings in India." January 7, 2009. Web. November 20, 2010. <[http://www.EzineArticles.com/?expert=Anjali\\_Chugh](http://www.EzineArticles.com/?expert=Anjali_Chugh)>.
- Dagar, Renuka. "Triple talaq & injustice." *The Tribune* June 14, 2017:7.
- Fisk, Robert. "Searching for honour in murder." *The Tribune* September 19, 2010: 12.
- Husseini, Rana. *Murder in the Name of Honour*. Oxford: Oneword Publication (Oxford). (2009).
- Jafri, Amir. *Honour Killing: Dilemma, Ritual, Understanding*. New York: Oxford University Press. 2008.
- Jindal, Rajendra P. "Out-of-box measures to curb female foeticide." *The Tribune* June 14, 2017:7.
- "Honour killings: North India wages a vicious war against love." *Times of India* July 1, 2010.
- "Honour Killing: Teenager killed by stepfather." *The Tribune* June 30, 2010. <[http://www.en.wikipedia.org/wiki/Honour\\_killing](http://www.en.wikipedia.org/wiki/Honour_killing). Web. December 16, 2010>.
- <[http://www.en.wikipedia.org/wiki/Human\\_Rights\\_Watch](http://www.en.wikipedia.org/wiki/Human_Rights_Watch). Web. December 16, 2010>.
- "India: Prosecute Rampant Honour' Killings". Human Rights Watch. (2010). July 07, 2010. Web. November 15, 2010. <<http://www.hrw.org/en/news/2010/07/16/india-prosecute-rampant-honour-killings/>>.
- "Jordan Parliament Supports Impunity for Honour Killing". Human Rights Watch Press Release. January 2000, Washington, DC. Web. November 15, 2010.
- Khafagy, Fatma. Expert paper on "Violence against Women: Good practices in combating and eliminating violence against women." Expert Group Meeting Organized by UN Division for the Advancement of Women in collaboration with UN Office on Drugs and Crime from 17 to 20 May 2005, Vienna, Austria. Web. November 16, 2010.
- "KhapPanchayats and Honour Killings in India." Web. November 20, 2010. <[http://www.jeywin.com/blog/the-evil-of-honour-killing-in-india/Jeywin\\_blog.2009/](http://www.jeywin.com/blog/the-evil-of-honour-killing-in-india/Jeywin_blog.2009/)>.
- Lang, S D. *Sharaf politics: Construing male prestige in Israeli-Palestinian society*. Harvard University, Cambridge. 2000.



- Manav, Sushil. "Another honour Killing? Couple found dead in Sirsa village." *The Tribune* September 26, 2010: 7.
- Maurya, Manoj. *A Blind Truth Some untold stories of Honour Killing*. Power Publishers, Kolkata, 2011.
- "More than 1000 honour killings in India every year: Experts." *Times of India* July 4, 2010.
- Negi, S. "India has over 1,000 honour killings a year." *The Asian Age* June 24, 2010.
- Onal, Aysha. *Honour Killings: Stories of Men who killed*. Chicago & London: Saqi Books. 2008.
- Pal, Arun. *Honour Killing: Culture Dilemma and Ritual*. Ansari Publishers & Distributors, New Delhi. 2012.
- Rai, Bali. *Killing Honour*. Corgi Books, Random House Group, London, 2011.
- "Reigning in Khaps. Hastens Laws on Honour Killings." *The Tribune* July 10, 2010.
- "Relatives with Blood on their Hands." *The Tribune* September 19, 2010: 13.
- Singh, Birender Pal. "Honour Killings: Make the State accountable." *The Tribune* February 13, 2011: 12.
- "The Truth About Honour Killings." *The Tribune* September 19, 2010: 13.
- Therese Cuny, Marie. *In the Name of Honour A Memoir* Mukhtar Mai. Trans. Linda Coverdale. London: Virago Press, 2007.
- Wikan, Unni. *In Honour of Fadime: Murder and Shame*. Chicago & London: The University of Chicago Press, 2008.

सूचक दल व/कदक व/कफु; ए फØ; कलु; उ एजकT; ल पुक वक; क्स ध  
हकफेदक

मकØ xकs ky d".k l १ककबद

एसोसिएट प्रोफेसर, लोक प्रशासन, रूस निदेशालय शिक्षा विभाग, शिमला, हि. प्र.

सूचना का अधिकार सरकार की कार्यप्रणाली में पारदर्शिता सुनिश्चित कर लोकतांत्रिक व्यवस्था को सुदृढ़ करने की दिशा में एक अहम कदम है। यह अधिनियम जनता को अधिकार सम्पन्न बनाकर राष्ट्र विकास में नागरिकों की अधिक भागीदारी निभाने में मील का पत्थर माना गया है। सरकार में व्यापक गुप्त संस्कृति को खुलेपन में परिवर्तित कर भ्रष्टाचार पर लगाम लगाना इसका मुख्य उद्देश्य है। इस अधिनियम को सफल बनाने में सूचना आयोग व जनसूचना अधिकारियों की भूमिका अहम है। अधिनियम में केन्द्रीय व राज्य सूचना आयोग को पर्याप्त शक्तियां दी जाती हैं, जिसकी मदद से अधिनियम का प्रभावी क्रियान्वयन किया जाए।

लोकतांत्रिक देशों में यह अधिकार लोक सशक्तिकरण का एक महत्वपूर्ण साधन है। नागरिक वांछित सूचना प्राप्त कर प्रत्यक्ष रूप से सरकारी कार्यों व प्रक्रियाओं की जानकारी प्राप्त कर सकता है। विभागों में हो रही अनियमितताओं व कार्यों में अकारण देरी का पता लगाकर भ्रष्टाचार व भ्रष्टाचारियों पर लगाम लगाने में सार्थक है। इस अधिनियम के माध्यम से ऐसी शासन प्रणाली सृजित हुई है जो नागरिकों को लोक प्राधिकारियों के नियंत्रण में उपलब्ध सूचना को सुलभ करती है। इसके अन्तर्गत नागरिक लोक प्राधिकारी के पास उपलब्ध या नियंत्रण में उपलब्ध सूचना को मांग सकता है। इस अधिकार में लोक प्राधिकारी के पास या नियंत्रण में उपलब्ध दस्तावेजों की प्रमाणित प्रतियां प्राप्त करने, रिकार्ड, कृति व दस्तावेजों का निरीक्षण करने तथा सामग्री के प्रमाणित नमूने लेने का अधिकार निहित है।

दलनह; Ø जकT; ल पुक वक; क्स ध "कफDr; क

अधिनियम की धारा 18 एवं 19 के तहत केन्द्रीय तथा राज्य सूचना को विभिन्न शक्तियां दी गई हैं जिसके तहत आयोग किसी व्यक्ति की शिकायत व अपील प्राप्त कर उसकी जांच करता है तथा धारा 20 के अन्तर्गत सम्बन्धित अधिकारी के खिलाफ कार्रवाई कर सकता है। अधिनियम के तहत इसके प्रभावी क्रियान्वयन के लिए जनसूचना अधिकारियों का प्रावधान किया गया है जो कि आवेदक को निश्चित समय सीमा अर्थात् 30 दिन के अन्दर सूचना प्रदान करता है। निश्चित समय सीमा में सही सूचना न उपलब्ध करवाने पर राज्य व केन्द्रीय सूचना आयोग सम्बन्धित अधिकारी के विरुद्ध कार्यवाही कर सकता है। जहां अधिनियम की धारा 20 के अन्तर्गत किसी शिकायत या अपील का विनिश्चय करते समय राज्य सूचना आयोग की यह राय है कि राज्य लोक सूचना अधिकारी ने किसी युक्तियुक्त कारण के बिना सूचना के लिए

आवेदन लेने से मना किया है या धारा 7 की उपधारा 1 के अधीन निश्चित समय में सूचना नहीं दी है या जानबूझकर गलत, अपूर्ण या भ्रामक सूचना नहीं दी है या मांगी गई सूचना को जानबूझकर नष्ट कर दिया है या सूचना देने में बाधा डाली है तो ऐसे विषयों में आयोग सम्बन्धित अधिकारियों पर अधिकतम 250000 रु का जुर्माना लगा सकता है। इसके अतिरिक्त ऐसे अधिकारी के विरुद्ध उसे लागू सेवा नियमों के अधीन अनुशासिक कार्यवाही की सिफारिश भी कर सकता है।

jkT; Lrj ij l ipuk dk vf/kdkj vf/kfu; e] 2005 dk fØ; kko; u

भारत में सूचना का अधिकार अधिनियम, 2005, 12 अक्टूबर 2005 को लागू हुआ तथा विभिन्न सार्वजनिक प्राधिकरणों ने अधिनियम के कुछ प्रावधानों के अनुसार तुरन्त कार्यवाही आरम्भ कर दी थी। प्रथम चरण में जन सूचना अधिकारी, सहायक जन सूचना अधिकारी तथा अपीलीय अधिकारी को नामित करना तथा धारा 4(1)(बी.) के अन्तर्गत प्रकटीकरण करना था। जनसूचना अधिकारियों तथा सहायक जनसूचना अधिकारियों ने सूचना आयोग के पहले ही आवेदकों का आवेदन प्राप्त करना आरम्भ कर दिया था। हिमाचल प्रदेश सार्वजनिक प्राधिकरणों में अक्टूबर 2005 से मार्च 2014 तक प्राप्त सूचना का अधिकार आवेदन व प्रथम अपीलों का विवरण निम्न सारणी में किया है—

आवेदनों व प्रथम अपीलों का विवरण(2006–2014)

Ok'kZ	dy i klr vkondk dh l a[; k	Tku l ipuk vf/kdkjh }kjk jnn fd, x, vkonu	i fke vi hyka dh l a[; k
2006–07	2654	119	127
2007–08	10105	283	267
2008–09	17869	259	338
2009–10	43835	442	706
2010–11	55463	701	1220
2011–12	72191	840	1381
2012–13	61202	1396	1332
2013–14	63722	1074	1716

स्त्रोत: हिमाचल प्रदेश राज्य सूचना आयोग वार्षिक रिपोर्ट

विवरण यह दर्शाता है कि विभिन्न सार्वजनिक प्राधिकरणों में पिछले नौ सालों के दौरान प्रथम वर्ष से नौ वर्ष तक 2654 आवेदनों की अपेक्षा 63722 आवेदन प्राप्त हुए। इस प्रकार इन आवेदनों में 24 गुणा बढ़ोतरी हुई। तथ्य दर्शाते हैं कि नागरिकों में हर वर्ष इसके प्रति जागरूकता व रुचि बढ़ी है। देखने में आया है कि अनपढ़ व गरीब नागरिकों ने भी बढ़-चढ़ कर हिस्सा लिया है। आयोग के ध्यान में ऐसे कई आवेदक आए हैं जिन्होंने जनहित में सूचना प्राप्त कर भ्रष्टाचार का पर्दाफाश किया है। जन सूचना अधिकारी द्वारा आवेदनों को खारिज करने में प्रति वर्ष कमी आई है तथा

अतिरिक्त प्रथम अपीलें कम दायर हुई हैं। जन सूचना अधिकारियों का रुख भी इन वर्षों में सकारात्मक रहा है। आयोग के कुछ निर्णय भी अहम रहे हैं। यद्यपि कुछ फैसलों को उच्च न्यायालय में चुनौती दी गई।

हिमाचल प्रदेश राज्य सूचना आयोग द्वारा वर्ष 2006 से वर्ष 2014 तक प्राप्त अपीलों का विवरण निम्नलिखित है:-

Ok"kbkj f'kdk; rka o vihyka dk fooj.k

Ok'kZ	dy vih ya	vih ya	dy f'kdk; ra	fuf.kr f'kdk; ra	dy vihya o f'kdk; ra	fuf.kr f'kdk; rs a o vihya	vihya o f'kdk; rka dh ifr'krk
2006-07	32	24	52	47	84	71	3.2
2007-08	167	129	139	105	293	234	2.0
2009-09	222	199	238	221	388	420	2.0
2009-10	293	276	462	418	715	674	1.6
2010-11	317	277	547	526	803	803	1.4
2011-12	491	379	791	622	1221	101	1.7
2012-13	539	429	862	767	1120	1196	1.8
2013-14	780	522	138	119	713	641	1.1

स्रोत: हिमाचल प्रदेश राज्य सूचना आयोग वार्षिक रिपोर्ट

उपरोक्त विवरण के अनुसार वर्ष 2006-2007 में कुल 84 अपीलों और शिकायतें राज्य सूचना आयोग में प्राप्त हुई जो कि कुल आवेदन पत्रों 2654 का लगभग 3.2 प्रतिशत है। सार्वजनिक प्राधिकरणों में वर्ष 2007-2008 के अन्तर्गत अपीलों और शिकायतें कुल प्राप्त आवेदनों का 2 प्रतिशत थी तथा 2009-2010 के अन्तर्गत भी यह कुल प्राप्त आवेदनो का 2 प्रतिशत थी। वर्ष 2009-10 के अन्तर्गत इन अपीलों और शिकायतों में कमी आई है जो कि कुल प्राप्त आवेदन का लगभग 1.6 प्रतिशत है। वर्ष 2010-2011 के अन्तर्गत 803 अपीलों और शिकायतें अपील कर्ताओं से प्राप्त हुई तथा सार्वजनिक प्राधिकरणों में कुल 55463 आवेदन प्राप्त हुए हैं, जो कि कुल प्राप्त आवेदनों का लगभग 1.4 प्रतिशत है। वर्ष 2011-12 में इन अपीलों और शिकायतों की प्रतिशतता बढ़कर लगभग 1.7 प्रतिशत हुई। वर्ष 2012-13 के अन्तर्गत 1120 अपीलों और शिकायतें अपील कर्ताओं ने प्राप्त की तथा कुल 61202 आवेदन सूचना के अधिकार के तहत सार्वजनिक प्राधिकरणों में प्राप्त हुए हैं। राज्य सूचना आयोग द्वारा प्रदेश सरकार के सार्वजनिक प्राधिकरणों से वर्ष 2013-14 के दौरान सूचना का अधिकार अधिनियम के तहत प्राप्त आवेदनों की रिपोर्ट का विश्लेषण करते हुए पाया कि कुल 63,722 आवेदन अधिनियम के अन्तर्गत प्राप्त हुए जिनमें से मात्र 1074 मामलें जन सूचना अधिकारियों द्वारा अस्वीकृत किए गए। नामित अपीलीय प्राधिकारियों के पास 1716 प्रथम अपीलों दायर हुई तथा 43 शिकायतें व 670 द्वितीय अपीलों आयोग में प्राप्त हुई। इतनी कम

मात्रा में प्राप्त प्रथम अपीलों तथा आयोग के पास दायर कम शिकायतों व द्वितीय अपीलों से यह साबित होता है कि राज्य में विभिन्न सार्वजनिक प्राधिकरणों के जनसूचना अधिकारियों के प्रत्युत्तर से आवेदक आमतौर पर संतुष्ट रहे। शुरु के वर्षों में यह पाया गया था, कि लोग जनसूचना अधिकारियों के कार्यों से सन्तुष्ट नहीं थे। स्वाभाविक रूप से नियमित प्रशिक्षण का योगदान महत्वपूर्ण रहा है।

vf/kfu; e ds i Hkkoh fdz kUo; u ea l eL; k, a

केन्द्र व राज्य स्तर पर अधिनियम के क्रियान्वयन में कुछ समस्याएं लागू होने के 10 साल के पश्चात भी विद्यमान हैं। अधिनियम की धारा 4(1)(अ) और (ब) में अपेक्षाकृत कम काम हुआ है। आयोग के निदेशों के बावजूद भी सार्वजनिक प्राधिकरण रिकार्ड व्यवस्थित व कम्प्यूटरीकरण में असफल रहे। अधिनियम क्रियान्वयन में मुख्यतः निम्नलिखित समस्याएं आई हैं—

1. अधिनियम के प्रावधानों की जानकारी का अभाव।
2. अव्यवस्थित रिकार्ड।
3. नागरिकों में जागरूकता की कमी।
4. अभिलेखों व दस्तावेजों का रख रखाव कार्यालय नियमावली के अनुसार नहीं।
5. जनसूचना अधिकारियों के चयन में निर्धारित मापदण्डों की कमी।
6. सूचना आयुक्त के रिक्त पद न भरना।
7. अधिनियम में प्रथम अपील अधिकारियों को अस्पष्ट व अपर्याप्त शक्तियां।

vf/kfu; e ds i Hkkoh fdz kUo; u ea j kT; l p u k v k; k x d h l l r f r; k a , o a  
l p k o

अधिनियम की धारा 25(1) के अर्न्तगत राज्य सूचना आयोग द्वारा सौंपी गई रिपोर्टों में, राज्य सरकार के अधीन विभिन्न सार्वजनिक प्राधिकरणों को सूचना के अधिकार को सुचारू तथा प्रभावी क्रियान्वयन करने के लिए कुछ सिफारिशें की गई थी। राज्य सरकार द्वारा कुछ संस्तुतियों पर कार्रवाई की गई है तथा कुछ संस्तुतियों पर राज्य सरकार के स्तर पर कार्रवाई अपेक्षित है।

1 0; ofLFkr o fof/kor f j d k M % &

आयोग द्वारा अपनी प्रथम रिपोर्ट से सातवीं रिपोर्ट में सूचना का अधिकार अधिनियम, 2005 की धारा 4 (1)(अ) के उपबन्धों को कार्यान्वयन करने के लिए समयबध कार्यक्रमों को अन्तिम रूप देने के लिए संस्तुति की। प्रत्येक सार्वजनिक प्राधिकरण समस्त रिकार्ड को व्यवस्थित, विधिवत, रूप में इस क्रम से रखे जिससे इस अधिनियम के अर्न्तगत सूचना की प्राप्ति सरल हो तथा सुनिश्चित किया जाए कि समस्त रिकार्ड जो कम्प्यूटरीकरण के लिए उपयुक्त है उसे समुचित समय तथा संसाधनों की उपलब्धि के अनुसार, कम्प्यूटरीकरण करवा दिया जाए ताकि नेटवर्क के माध्यम से देश की विभिन्न कम्प्यूटर पद्धतियों द्वारा ऐसे रिकार्ड को प्राप्त करने में सरलता होगी। राज्य

सूचना आयोग की सिफारिशों के बावजूद भी इस विषय पर क्रियान्वयन नहीं किया गया है। समयबद्ध तरीके से इस संस्तुति पर जनहित में कार्य करने की जरूरत है।

## 2 fjdKMZ dk dEl; Wjhdj .k%&

आयोग द्वारा अपनी प्रथम रिपोर्ट से सातवीं रिपोर्ट में सूचना का अधिकार अधिनियम, 2005 की धारा 4(1)(ब) के उपबन्धों को कार्यान्वयन करने के लिए संस्तुति की गई थी, लेकिन ज्यादातर सार्वजनिक प्राधिकरणों की वेबसाइट देखने पर पता चलता है कि सार्वजनिक प्राधिकरणों ने इस पर कार्यवाही नहीं की है। प्रशासनिक सुधार विभाग ने विभिन्न विभागों को सूचना जारी की है लेकिन ज्यादातर विभागों ने इन निर्देशों का पालन नहीं किया है।

## 3 l gk; d o tul puk o vl; vf/kdkfj; k dks i f' k{k.k.%&

आयोग द्वारा अपनी प्रथम रिपोर्ट में अधिनियम तथा हिमाचल प्रदेश सूचना का अधिकार अधिनियम, 2006 के उपबन्धों को कार्यान्वयन के लिए सहायक जनसूचना अधिकारियों को प्रशिक्षण देने के लिए विशेष कदम उठाए। राज्य में अधिकतर सहायक जनसूचना अधिकारियों जो कि ग्रामीण विकास विभाग, शिक्षा विभाग तथा अन्य उच्च विभागों द्वारा नामित किए गए हैं की संख्या को ध्यान में रखते हुए ज्यादा प्रशिक्षण कार्यक्रमों को आयोजित किया जाना चाहिए। प्रशासनिक सुधार विभाग को चाहिए कि अधिनियम तथा हिमाचल प्रदेश सूचना का अधिकार नियम, 2006 के उपबन्धों को कार्यान्वयन के लिए ठोस कदम उठाएं।

## 4 fjdKMZ o nLrkostk dk fujh{k.k.%&

प्रशासनिक सुधार विभाग ने चतुर्थ रिपोर्ट से आठवीं रिपोर्ट द्वारा विभिन्न कार्यालयों में अधिक निरीक्षण करने के लिए आग्रह किया गया था, जिससे यह निश्चित किया जा सके कि सूचना का अधिकार अधिनियम, 2005 के उपबन्धों का कार्यान्वयन प्रभावशाली तरीके से किया जा रहा है। यद्यपि संस्तुतियों का कार्यान्वयन करने के लिए कई विभागों को प्रशासनिक निर्देश दिये गए हैं। रिकार्ड का निरीक्षण करना आवश्यक है, इससे आवेदनों तथा प्रथम अपीलों को समय पर निपटाया जा सकता है। इस प्रकार के कदम आयोगों में आने वाली शिकायतों तथा द्वितीय अपील की संख्या में कमी लाने के लिए सहायक होंगे। परिणामस्वरूप प्रशासनिक सुधार विभाग द्वारा सभी विभागों को यह निर्देश जारी करने चाहिए कि वे सूचना का अधिकार अधिनियम व विनियम को अपने नियमित निरीक्षण कार्यक्रमों में सम्मिलित करें व इसे अपने क्षेत्रीय कार्यालयों के सामान्य निरीक्षण का हिस्सा बनाना सुनिश्चित करें।

## 5 Ldwy i kB; dækes l puk dk vf/kdkj "kkfey djuk%&

पांचवीं से आठवीं रिपोर्ट में यह सिफारिश की गई थी कि माध्यमिक कक्षाओं में सूचना का अधिकार, अधिनियम, 2005 तथा हि. प्र. सूचना का अधिकार अधिनियम, 2006

के उपबन्धों पर एक अध्याय बना कर उनके पाठ्यक्रम में सम्मिलित किया जाए। यह कदम सूचना का अधिकार अधिनियम, 2005 के उद्देश्यों और उपबन्धों की जानकारी प्रदान करने का स्थाई माध्यम निमित्त हो सकता है।

#### 6 सूचना का अधिकार अधिनियम, 2005 के उद्देश्यों और उपबन्धों की जानकारी प्रदान करने का स्थाई माध्यम निमित्त हो सकता है।

राज्य सूचना आयोग द्वारा छठी और आठवीं वार्षिक रिपोर्ट में यह संस्तुति की गई थी कि सूचना का अधिकार अधिनियम, 2005 की धारा 2 के अनुसार नागरिकों को सार्वजनिक प्राधिकरण द्वारा किये गए कार्यों का निरीक्षण करने का अधिकार है, लेकिन हिमाचल प्रदेश सूचना का अधिकार नियम 2006 में निरीक्षण करने हेतु फीस लेने का तथा प्रक्रिया का कोई प्रावधान नहीं, ताकि सूचना लेने वाला निर्धारित शुल्क देने के उपरान्त राज्य के सार्वजनिक प्राधिकरणों द्वारा किए गए कार्यों का निरीक्षण कर सके। इसलिए राज्य स्तर पर नियम में संशोधन कर इसका प्रावधान किया जाना चाहिए।

#### 7 सूचना का अधिकार अधिनियम, 2005 की धारा 2 के अनुसार नागरिकों को सार्वजनिक प्राधिकरण द्वारा किये गए कार्यों का निरीक्षण करने का अधिकार है, लेकिन हिमाचल प्रदेश सूचना का अधिकार नियम 2006 में निरीक्षण करने हेतु फीस लेने का तथा प्रक्रिया का कोई प्रावधान नहीं, ताकि सूचना लेने वाला निर्धारित शुल्क देने के उपरान्त राज्य के सार्वजनिक प्राधिकरणों द्वारा किए गए कार्यों का निरीक्षण कर सके। इसलिए राज्य स्तर पर नियम में संशोधन कर इसका प्रावधान किया जाना चाहिए।

सातवीं और आठवीं रिपोर्ट में यह संस्तुति की गई थी कि प्रशासनिक सुधार विभाग द्वारा सार्वजनिक प्राधिकरणों को नोडल अधिकारी निदेशालय स्तर पर नियुक्ति करने के निर्देश दिए गए हैं, जो कि सरकार आयोग तथा जन सूचना अधिकारियों के बीच सम्पर्क का कार्य कर सके तथा सूचना का अधिकार अधिनियम, 2005 की धारा 25 के प्रावधानों के अनुसार रिपोर्ट भेज सके। अधिकतर विभागों में नोडल अधिकारियों का चयन तो किया परन्तु रिकार्ड व्यवस्था और उसके कम्प्यूटरीकरण के लिए कुछ विशेष नहीं किया गया।

#### 8 सूचना का अधिकार अधिनियम, 2005 की धारा 2 के अनुसार नागरिकों को सार्वजनिक प्राधिकरण द्वारा किये गए कार्यों का निरीक्षण करने का अधिकार है, लेकिन हिमाचल प्रदेश सूचना का अधिकार नियम 2006 में निरीक्षण करने हेतु फीस लेने का तथा प्रक्रिया का कोई प्रावधान नहीं, ताकि सूचना लेने वाला निर्धारित शुल्क देने के उपरान्त राज्य के सार्वजनिक प्राधिकरणों द्वारा किए गए कार्यों का निरीक्षण कर सके। इसलिए राज्य स्तर पर नियम में संशोधन कर इसका प्रावधान किया जाना चाहिए।

अधिनियम के क्रियान्वयन के लिए अभिलेखों का सही रख रखाव महत्वपूर्ण हैं। जनसूचना अधिकारी आवेदक के अनुरोध पर निश्चित समय पर अव्यवस्थित रिकार्ड के कारण सूचना देने में असमर्थ रहते हैं। सातवीं और आठवीं रिपोर्ट में यह संस्तुति की गई थी कि आयोग द्वारा यह पाया गया कि विभागों द्वारा अभिलेखों या नास्तियों का रख रखाव कार्यालय नियमावली के अनुसार नहीं किया गया है जबकि नास्तियों का विषयवार, टिप्पणी सहित और पत्राचार भाग को अलग से नास्ति में रखा जाना चाहिए। यहां तक कि अभिलेखों का वर्गीकरण स्थाई एवं समयवार तथा पारदर्शिता के तौर पर नहीं रखा गया है। सूचना का अधिकार अधिनियम की धारा 4(1)(अ) और (ब) तथा कार्यालय नियमावली के अनुरूप नास्ति सूची पंजी तथा गार्ड फाईल का रख रखाव नहीं किया गया है। जिस कारण सूचना प्राप्त करने वाले को सूचना देरी से प्रदान की जा रही है। अतः प्रत्येक विभाग को यह सुनिश्चित करने के निर्देश दिए जाएं कि कार्यालय नियमावली के अनुरूप निश्चित समय सीमा के भीतर अभिलेखों का रखरखाव किया जाए।

हिमाचल प्रदेश राज्य सूचना आयोग ने नई पहल के तहत सूचना प्रौद्योगिक का प्रयोग कर अधिक से अधिक सूचना राज्य सरकार की वेबसाइट पर उपलब्ध करवाई है। इससे आयोग में प्राप्त प्रत्येक पत्र को पारदर्शिता तथा तुरन्त निष्पादन करने में सहायता मिलती है। राज्य सूचना आयोग में दायर अपीलों तथा शिकायतों की सूची तथा लिए गए निर्णयों के अतिरिक्त इस वेबसाइट पर राज्य सरकार के अधीन प्राधिकरणों व सहायक व जनसूचना अधिकारियों के नाम उपलब्ध है। आयोग द्वारा अपीलों व शिकायतों, जनसूचना अधिकारियों तथा लोक प्राधिकारियों से प्राप्त पत्रों के पंजीकरण को कम्प्यूटराईज्ड किया गया है। आवेदकों की सुविधा के लिए मण्डल स्तर पर समय-समय पर अपीलों व शिकायतों की सुनवाई की जाती है। अधिकार के प्रति नागरिकों में जागरूकता लाने के लिए आयोग ने विभिन्न विभागों व प्रशिक्षण संस्थानों के साथ मिलकर कार्यशालाएं आयोजित की जिसमें जनप्रतिनिधि महिला व युवक मण्डलों, प्रतिनिधियों तथा पत्रकारों को अधिनियम के प्रावधानों व आवेदन करने की प्रक्रिया के बारे में जानकारी दी।



# i ; kbj .k pruk ds ofnd l #=

MkKvke i dk'k 'kekZ

सह आचार्य संस्कृत, राजकीय महाविद्यालय, शिमला-4

प्रकृति सृष्टि की सुन्दर रचना है। पृथ्वी, जल, तेज, वायु और आकाश इस सुन्दर प्रकृति के महत्त्व तत्त्व है। इन्हीं तत्वों से इस सुन्दर ब्रह्माण्ड की संरचना हुई है। इस ब्रह्माण्ड में चांद-तारे सुन्दर हैं। सूर्य की सप्त रश्मियां सुन्दर हैं। अनेको आकाश गंड. गाएं मनमोहक हैं। ग्रह-नक्षत्रों की छटा भी देखने योग्य है ब्रह्माण्ड की पृथ्वी गह भी सुन्दर है। पृथ्वी पर पेड़-पौधे, नदी-नाले, झरने, जीव-जन्तु तथा पर्वतों की श्रृंखलाएँ भी सुन्दर हैं। प्रकृति की इस संरचना में बौद्धिक दृष्टि से सबसे सुन्दर है मानव सृष्टि। मानव सृष्टि एवं अन्य जीव सृष्टि अपने आप में एक पूर्ण ब्रह्माण्ड भी इन्हीं पांच तत्वों का समन्वित रूप है। ये पांचों तत्व पर्यावरण में महत्वपूर्ण घटक हैं। ऋषियों ने इन्हीं घटकों के महत्त्व को समझा और मन्त्रों के माध्यम से पर्यावरण चेतना के वैदिक सूत्र मानव समुदाय के समक्ष रखे। ये सूत्र मन्त्रों में वैदिक स्तुतियों के रूप में निबद्ध हैं। यहां इन्हीं सूत्रों का विवरण सिद्धान्तों के अनुरूप प्रस्तुत किया जा रहा है।

पर्यावरण चेतना के इन सुन्दर प्राकृतिक सिद्धान्तों के पथ पर अग्रसर मानव ने अपनी विकास यात्रा आरम्भ कर विभिन्न सभ्यताओं, संस्कृतियों और जीवन दर्शन के सिद्धान्तों को जन्म दिया। सृष्टि के मानव रूपी इस श्रेष्ठ प्राणी ने प्रकृति की ही गोद में अपनी आंखें खोली और विकास का पथ चुना है। आज इस विकास ने जहां कई वैज्ञानिक सुविधाएं प्रदान की हैं, वहीं प्रदूषित चिन्तन, उपभोक्तावादी संस्कृति और स्वार्थ ने प्राणी जगत के अस्तित्व को ही संकट में डाल दिया है। यह संकट पर्यावरण में पनपते प्रदूषण के कारण समक्ष आ रहा है। वस्तुतः पंचभौतिक तत्वों में बढ़ता प्रदूषण, उपभोक्तावादी सिद्धान्त, बढ़ती हुई जनसंख्या, स्वार्थ और प्रदूषित चिन्तन के कारण पर्यावरण में गंभीर असंतुलन, खड़ा हो गया है। पर्यावरण में असंतुलन पैदा करने वाले ये सभी घटक प्रदूषण के भस्मासुर हैं। ये भस्मासुर प्राणी जगत को प्रदूषित चिन्तन से शीघ्र ही भस्मसात कर देंगे। प्रदूषित और स्वार्थ के परिणाम आज आधिभौतिक, आधिदैविक और आध्यत्मिक आपदाओं के रूप में दिखाई देने लगे हैं।

प्रकृति की इस अलौकिक सृष्टि में असंतुलन पैदा करने वाले इन भस्मासुरों के प्रदूषित पक्षों को वेदों के पर्यावरण सम्बन्धी सूत्रों के माध्यम से चेतना प्रदान कर फैलने से रोका जा सकता है। पर्यावरण के ये सूत्र वेदों में सर्वत्र विद्यमान हैं। इन सूत्रों में शब्द गाम्भीर्य है और समाज में सहज ही चेतना प्रदान करने की भी क्षमता है। वस्तुतः ये सूत्र शरीर रूपी ब्रह्माण्ड और ब्राह्मा ब्रह्माण्ड की प्रकृति को समझने में सक्षम हैं। ऋषियों ने सृष्टि की प्रकृति के अनुरूप पंचभौतिक तत्वों के सूक्ष्म विज्ञान को समझा और साधना के बल पर इस सूक्ष्म विज्ञान के सिद्धान्तों को सूत्रों में पिरोकर जनमानस के परिवेश के साथ स्थापित कर जीवन दर्शन का हिस्सा बनाया। यही सूत्र वर्तमान पीढ़ी के लिए पर्यावरण सम्बन्धी चेतना प्रदान करने में मील का पत्थर साबित हो सकता है।

यहां कमशः जीव के शरीर रूपी ब्रह्माण्ड और जड़ ब्रह्माण्ड के घटक पृथ्वी, जल, तेज, वायु और आकाश इन पांच तत्वों से सम्बन्धित कुछ वैदिक सूत्रों को प्रतीक रूप में उद्धृत किया जा रहा है।

सर्वप्रथम पृथ्वी तत्व की चर्चा करें। पर्यावरण के लिए वेदों में प्रकृति और सृष्टि जैसे शब्द प्रयुक्त हुए हैं। इस प्रकृति अथवा सृष्टि का पहला घटक तत्व है। पृथ्वी। वेदों में पदे-पदे पृथ्वी तत्व को सुन्दर और मानवापयोगी बनाने के लिए ऋषियों की प्रार्थनाएं विद्यमान हैं। पर्वतों को उपत्यकाओं, तलहटियों और नदियों के संगम स्थलों का पर्यावरण शुद्ध और शान्त होता है। ऋषियों द्वारा वेदों की ऋचाएं ऐसे ही शुद्ध और शान्त वातावरण में रची गईं। पृथ्वी पर पैदा होने वाले मानव और अन्य जीव का पृथ्वी तत्व के साथ कैसा सम्बन्ध हो, इस संदर्भ में अथर्ववेद में एक मन्त्र विद्यमान है। इस मन्त्र में सूत्र रूप में ऋषि कहता है— 'माता भूमिः पुत्रोऽहं पृथिव्यां' अर्थात् पृथ्वी मेरी माता है और मैं प्राणी इसका बालक हूँ। पृथ्वी के प्रति यह भाव पर्यावरण चेतना के लिए एक महान संदेश प्रदान करता है। यही मनुष्य की पंचभौतिक प्रकृति और ब्रह्माण्ड की पंचभौतिक प्रकृति के परम्पर सम्बन्ध का भी यह पहला महत्वपूर्ण सूत्र है। प्राणी जगत का जीवन इसी महान सूत्र से प्रारम्भ होता है। इसी प्रकार एक अन्य सूत्र की भी बात करें। इस सूत्र में पृथ्वी पर जीवन वसर करने तथा मानव की अपनी मर्यादाओं और सीमाओं की भी चर्चा की गई है। पृथ्वी पर बढ़ती जनसंख्या प्रदूषण का एक कारण है। यजुर्वेद के एक मन्त्र में जन-जन को यह संदेश दिया गया है कि बहुत संतान वाला दुःख पाता है— 'बहुप्रजा निऋतिमाविवेश'। आज की पीढ़ी पृथ्वी को मात्र उपभोग की वस्तु मानती है, जन्मदात्री नहीं। यही संवेदनहीनता प्रदूषक भस्मासुरों की जनक है।

अब पर्यावरण के दूसरे घटक जल की बात करें। वैदिक साहित्य में 'जल ही जीवन है' का संदेश सर्वत्र उपलब्ध होता है। अथर्ववेद में जल को अमृत और औषधीय गुणों से युक्त कहा गया है। इसी वेद में यह संदेश भी दिया गया है कि जल सब रोगों से मुक्त करता है। इसीलिए ऋषि प्रार्थना करता है कि जल सब के लिए कल्याणकारी हो 'शन्नोदेवीरमिष्टय आपो भवन्तु पीतये' ....। वस्तुतः जलों में वर्षा का जल पर्यावरण का विशेष शोधक होता है इसी उद्देश्य से पर्जन्य सूक्त में मेघ को सम्पूर्ण विश्व को आनन्द प्रदान करने वाला कहा गया है।

जल अमृत है और जल को प्रदूषण से मुक्त कैसे रखा जाए, इस भाव की चेतना प्रदान करने के लिए तैत्तिरीय आरण्यक में ऋषि संदेश देता है कि जल में मल मूत्र का त्याग न करें— 'नाप्सु मूत्र पुरीषं कुर्यात्'। इस अमृतमय जल से पृथ्वी पर वनस्पतिया, औषधिया तथा हरे-भरे वन अस्तित्व में आते हैं। यही कारण है कि वेदों में स्थान-स्थान पर वनस्पतियों, औषधिया और वन्य पेड़-पौधों की प्रार्थनाएं और स्तुतियां उपलब्ध होती हैं। शतपथ ब्राह्मण ग्रन्थ में यह संदेश स्पष्ट रूप से उपलब्ध होता है कि औषधियां प्रदूषकों का अवशोषण करती हैं। अथर्ववेद में कई शक्ति प्रदायक पौधों के नाम उल्लिखित हैं। अश्वत्थ को तो अथर्ववेद में 'देवसदनः' कहा गया है। अमृतमय जल के प्रति चेतना प्रदान करने वाले इस प्रकार के अंशुसूत्र वेदों में उपलब्ध होते हैं। जल देवता वरुण की स्तुति पर्यावरण चेतना का ही एक महत्वपूर्ण सूत्र है।

अब तीसरे तत्व तेज की चर्चा करें। तेज तत्व मानव शरीर और सम्पूर्ण ब्राह्मण्ड का महत्वपूर्ण घटक है। तेज अर्थात् उर्जा मानव जीवन के लिए प्राणदायी है। मानव समुदाय में आज परस्पर संघर्ष इस उर्जा तत्व के कारण पनपता जा रहा है। वैदिक ऋषि इस उर्जा तत्व को कल्याणकारी और सर्वजन सुखाय मानते थे। उर्जा के महान घटक सूर्य की प्रार्थनाएँ वेदों में विशेष रूप से उपलब्ध होती हैं। वस्तुतः ऋषियों ने तेज तत्व के महान उन्नायक सूर्यदेव को स्थावर – जगम सृष्टि की आत्मा माना— ‘सूर्य आत्मा जतगतस्तस्थुषश्च’। अन्धकार को दूर करने वाले सूर्यदेव की स्तुतियाँ पर्यावरण के तेज तत्व के संरक्षण, भरण और पोषण के प्रति कई सन्देश प्रदान करती हैं। प्राचीन दिशा में सूर्य से पूर्व स्वर्णिम उषा अन्धकार को दूर करती है। उषा मानव प्रकृति को सन्देश देती है कि अन्धकार मृत्यु है और प्रकाश जीवन। सूर्यदेव की वेदों में कई रूपों में स्तुति की गई है।

सूर्यदेव के सविता स्वरूप की स्तुति करते हुए ऋषि कहा है कि सविता देव जल और पृथ्वी तत्वों का शोधन करता है। वह कृमियों का नाश करता है और संसार की वृद्धि और जीवों का पोषण करता है। इसीलिए ऋषि वेदों में इस उर्जा तत्व के महत्व को स्तुतियों में पिरोकर छोटे-छोटे सूत्रों में जन-जन तक पहुँचाने का महान कार्य करते रहे। ये महान सूत्र आज भी पर्यावरण के महान घटक तेज तत्व के प्रति चेतना प्रदान करने में सक्षम हैं।

जीव की सांसे पर्यावरण के चतुर्थ घटक वायु पर निर्भर है। अब इस चतुर्थ तत्व पर विचार करें। वेदों में उल्लेख आया है कि वायु ने ही प्राण रूप में शरीर में प्रवेश किया। इसी कारण वायु को देवता कहा गया है। वायु का प्रदूषण अन्य प्रदूषणों से ज्यादा घातक है। सांसों के बिना जीवन संभव नहीं है। आयुर्वेद के ज्ञाता चरक ऋषि ने वायु तत्व की संवेदनशीलता को जांचा, परखा और वायुप्रदूषण को रोग का कारण माना है। चरक ऋषि कहते हैं कि ऋतु विपरीत, अत्यन्त निश्चल, वेगशाली, कर्कश, अत्यन्त शीतल, अधिक गर्म, अत्यन्त रूक्ष, क्लेद का उत्पन्न करने वाला, अति भीषण, शब्द करने वाला, विपरीत वायु रोग का कारण होता है। वायु प्रदूषण का सबसे अधिक प्रभाव पौधों पर होता है और पौधे वायु प्रदूषण के पति अधिक संवेदनशील होते हैं। वायु प्रदूषण से वनस्पति जगत को क्षति होती है।

वायु तत्व की संवेदनशीलता को देखते हुए ही वेदों में वायु भेषज गुणों से युक्त माना गया है। ऋग्वेद में उल्लेख आया है कि ‘हे वायु। तुम अपनी औषधी ले लाओ और यहीं से सब दोष दूर करो, क्योंकि तुम ही सब ओषधियों से युक्त हो’। वायु तत्व के प्रति चेतना प्रदान करने वाला यह महत्वपूर्ण सूत्र है। वायु शोधन के कई महान सूत्र वेदों में निबद्ध हैं। इन्हीं सूत्रों में वायु प्रदूषण से बचने के कई संदेश भी विद्यमान हैं। वायु तत्व की अनुकूलता के साथ ही प्रकृति के पंचम घटक आकाश तत्व के गुणों के प्रति चेतना प्रदान करने के अद्वैत से भी वेदों के कई सूत्र और संदेश निबद्ध हैं। आकाश को प्रदूषण ध्वनि से जुड़ा है। आज ध्वनि का प्रदूषण आकाश तत्व की सुन्दरता पर प्रश्नचिह्न खड़ा कर रहा है। आकाश के प्रदूषण को कोलाहल कम करके रोका जा सकता है। इसीलिए ऋग्वेद में ऋषि संदेश देता है कि— ‘हम मौन धारण करके प्रसन्न

रहे और वायु की अनुकूलता के आधार से रहे। मौन से शक्ति का संचय होता है। अथर्ववेद में उल्लेख आया है कि यदि बोले तो मधुर वचन बोले— 'वाचां वदामि मधुमत'। मौनभाव धारण करने वाला मुनि वायु का मित्र होता है।

वायु और आकाश तत्वों में प्रदूषण को कम करने के उद्देश्य से वेदों में ध्वनि के गुणों और यज्ञ के पक्षों का साधने की बातें भी कहीं गई हैं। सामवेद का गायन और वेद मन्त्रों के स्वरपाठ नाद ब्रह्म की प्रकृति के स्वरूप को रेखांकित करते हैं। ध्वनि में फैलते प्रदूषण को रोकने के लिए वेद मन्त्रों के गायन की तरह मधुर गीतों के गायन की बातें सर्वत्र कही गई हैं। आज का गीत और संगीत नादब्रह्म की सुन्दरता को कुरूपता में बदल रहा है। ध्वनि प्रदूषण के प्रति चेतना प्रदान करने के लिए वेदों के ये संदेश चेतना प्रदान करने में सहायक हैं। इसी प्रकार वायुशोधन के लिए भी वैदिक ऋषियों ने ब्रह्मयज्ञ, अग्नियज्ञ, भूतयज्ञ, पितृयज्ञ और अतिथियज्ञ की बात कही है। ये यज्ञ वायुशोधन के लिए आज भी कारगर हैं। ऐसी असंख्य स्तुतियां वेदों में विद्यमान हैं जो वायु और आकाश तत्वों को प्राणी जगत के लिए अनुकूल बनाने के लिए चेतना प्रदान करने की क्षमता रखती हैं।

वैदिक शान्ति पाठ भी पर्यावरण चेतना के अपने आप में महान सूत्र हैं। शान्ति पाठों में पर्यावरण के सभी घटकों से सम्बन्धित चेतना के संदेश विद्यमान हैं। ऋषि प्रकृति अथवा सृष्टि के प्रत्येक तत्व का स्तुतिगान करने के पश्चात् शान्तिपाठ करते हैं। ये संदेश हैं— 'द्युलोक हमारे लिए शान्तिकारक बने, अन्तरिक्ष हमारे लिए शान्तिकारक बने, जल हमारे लिए शान्तिकारक बने, औषधियां हमारे लिए शान्तिकारक बने, सभी प्रकृति देव हमारे लिए शान्तिकारक बने'

ॐ द्यौः शान्तिरन्तरिक्ष शान्तिः पृथिवी शान्तिरापः शान्तिरौषधयः  
शान्तिः वनस्पतयः शान्तिर्विश्वदेवाः शान्तिर्ब्रह्म शान्तिः सर्ववङ्ग  
शान्तिः शान्तिरेव शान्तिः शान्तिः सा मा शान्तिरेधि ।।

इस प्रकार सृष्टि की सुन्दर संरचना और पर्यावरण के महान घटकों — पृथ्वी, जल, तेज, वायु और आकाश के प्रति चेतना प्रदान करने के लिए वैदिक ऋषियों ने सूत्र रूप में महान संदेश अपनी रचनाओं में निबद्ध किए हैं। ये सूत्र शब्दब्रह्म के रूप में आज भी तुरन्त चेतना संचरित करने की क्षमता रखते हैं। पूर्व में ये संदेश घर-घर तथा गांव-गांव के परिवेश और जीवनशैली के संस्कारों में सर्वत्र विद्यमान थे। आज परिवेश और जीवनशैली बदली है। पर्यावरण सम्बन्धी चेतना के ये सूत्र हमारी चिन्तनधारा से नदारद हैं। वर्तमान पीढ़ी किंकतव्यविमूढ़ खड़ी है। भावी पीढ़ी के लिए पर्यावरण चेतना के इन सूत्रों के पठन-पाठन का कोई सशक्त आधार नहीं है। हम पर्यावरण के इन महान संदेशों के प्रति जानने की इच्छा तो रखते हैं परन्तु इन्हें अपने कर्मों में कैसे ढालें, इसके लिए हमारे पास कोई नीति नहीं है।

प्रकृति अथवा सृष्टि का प्रत्येक तत्व हमारे लिए तभी शान्तिकारक हो सकता है यदि हम पर्यावरण के घटक और चेतना प्रदायक वैदिक सूत्रों को अपने परिवेश अथवा

जीवनशैली का अभिन्न अंग बनाए। हो सकता है भावी पीढ़ी प्रदूषण के इन भस्मासुरों को भस्मसात करने के लिए वेदों की इन प्रार्थनाओं से विष्णु के मोहिनी अवतार की तरह कोई कारगर हथियार खोज निकाले। यह तभी संभव यदि हम प्रकृति के प्रति संवेदनशील बने। वैदिक सूत्र हमें संवेदनशीलता के सूक्ष्म विज्ञान का पाठ निश्चय ही पढ़ाते हैं। यही पर्यावरण चेतना के वैदिक सूत्र हैं।

# fuezyk i rny dh dforkvka esi ; kbj.kh; pruk

MkME ujs'k dękj

सहायक आचार्य (हिन्दी), हिन्दी विभाग, हिमाचल प्रदेश विश्वविद्यालय, शिमला

निर्मला पुतुल झारखंड की कवयित्री हैं। इनका जन्म 6 मार्च, सन् 1972 को गांव दुधानी कुरवा, जिला दुमका के एक संताल परगना झारखंड में हुआ। इनकी माताजी का नाम कान्दनी हॉसदा तथा पिताजी का नाम सिरील मुर्मू है। इन्होंने स्नातक तक शिक्षा अर्जित की है। लेखन, सामाजिक कार्यों और पत्रकारिता में इनकी विशेष रुचि रही है। वे एक अच्छी कहानीकार भी रही हैं, परन्तु इन्हें सबसे अधिक पहचान अपनी कविताओं के कारण मिली है। इनके अब तक तीन कविता संग्रह अपने घर की तलाश में (2004), नगाड़े की तरह बजते शब्द (2005) तथा बेघर सपने (2014) प्रकाशित हो चुके हैं। अपनी कविताओं के माध्यम से इन्होंने सन्ताली समाज को चित्रित किया है।

सन्ताली समाज से निर्मला पुतुल का गहरा लगाव रहा है। यह समाज एक आदिवासी समाज है, जो निरन्तर संघर्षशील और मुख्यधारा से कटा रहा है। यह समाज जहां एक ओर अपनी सादगी, भोलेपन, ईमानदारी, प्रकृति से जुड़ाव व परिश्रम करने की क्षमताओं से जुड़ा है, वहीं दूसरी ओर गरीबी, भूखमरी, अशिक्षा, शोषण और दमनकारी नीतियों जैसे तत्व भी इसमें मौजूद रहे हैं, जिसके कारण यह समाज आज भी अपने घर की तलाश कर रहा है। लेखिका आदिवासी समाज का प्रतिनिधित्व करती हैं। लेखिका ने अपनी कविताओं के माध्यम से आदिवासी लोगों से जुड़े अनेक महत्वपूर्ण पहलुओं पर विस्तार से चर्चा की है। इन्हीं महत्वपूर्ण पहलुओं के अन्तर्गत लेखिका की कविताओं में पर्यावरणीय बोध यथार्थ रूप में चित्रित हुआ है।

आदिवासी लोग प्रकृति प्रेमी होते हैं। प्रकृति ही इनका घर और संसार होता है। प्रकृति के साथ ही ये लोग नाचते गाते हैं, उसी के साथ अपना जीवन यापन करते हैं। 'आदिवासी स्त्रियां' नामक कविता में इनके प्रकृति प्रेम को स्पष्ट रूप से देखा जा सकता है :—

“जूड़े से खोंसकर पलाश के फूल  
जब नाचती कतारबद्ध मांदल की थाप पर  
आ जाता तब असमय बसंत  
वे करती प्रेम जंगलों से, नदियों से, पहाड़ों से  
मिट्टी से, गीतों से फसलों से।”<sup>1</sup>

आदिवासी लोग नदियों, नालों और पहाड़ों से इतना प्रेम करते हैं कि उनके नष्ट होने पर उन्हें बहुत दुःख होता है। पहाड़ों के टूटने पर जैसे इन लोगों का दिल भी टूटने लगता है। लेखिका के शब्दों में :—

“पहाड़ सी देह  
पहाड़ सी छाती  
पहाड़ सा रंग

X X X X

टूटता है जब कहीं कोई पहाड़  
तब दहल उठती है  
उसकी पहाड़ सी छाती।<sup>2</sup>

अपने आसपास के पर्यावरण और प्रकृति के प्रति आदिवासी लोग विशेष रूप से सजग रहते हैं। अपने चारों ओर फैली प्राकृतिक सम्पदा को सुरक्षित रखने के लिए ये विशेष रूप से प्रयत्नशील रहते हैं। 'आओ मिलकर बचायें' नामक कविता में आदिवासी लोगों की पर्यावरण के प्रति चिन्ता को देखा जा सकता है :-

“अपनी बस्तियों को  
नंगी होने से बचायें  
शहरों की आबो-हवा से बचायें उसे

X X X X

बच्चों के लिए मैदान  
पशुओं के लिए हरी-हरी घास  
बूढ़ों के लिए पहाड़ों की शांति

X X X X

आओ, मिलकर बचायें  
कि इस दौर में भी बचाने को  
बहुत कुछ बचा है, अब भी  
हमारे पास।<sup>3</sup>

आदिवासी लोग प्रकृति के दुःख को अपना दुःख समझते हैं। उनका मानना है कि लोग अपने लाभ के लिए प्रकृति और पर्यावरण को नुकसान पहुंचा रहे हैं और उन्हें प्रकृति से लगाव नहीं रहा। लेखिका ऐसे लोगों से प्रश्न पूछती है :-

“क्या तुमने कभी सुना है  
सपनों में चमकती कुल्हाड़ियों के भय से  
पेड़ों की चीत्कार .....?  
कुल्हाड़ियों के वार सहते  
किसी पेड़ी की हिलती टहनियों में  
दिखाई पड़े हैं तुम्हें  
बचाव के लिए पुकारते हजारों-हजारों हाथ?  
क्या होती है तुम्हारे  
भीतर धमस  
कटकर गिरता है जब कोई पेड़ पृथ्वी पर?”<sup>4</sup>

आज लोग अपने लाभ और स्वार्थ के लिए पेड़ों और पहाड़ों को काटकर नंगा कर रहे हैं। ऐसे लोगों से लेखिका अपनी बस्ती के लोगों को सचेत कर रही है। उनका मानना है कि कहीं ऐसा न हो कि एक दिन सब कुछ समाप्त हो जाये। लेखिका के शब्दों में :-

“देखो! अपनी बस्ती के सीमान्त पर  
जहां धराशायी हो रहे हैं पेड़  
रोज नंगी होती बस्तियां  
एक रोज मांगेगी तुमसे  
तुम्हारी खामोशी का जवाब  
सोचो .....!”<sup>5</sup>

आदिवासी लोग प्रकृति को अपना सच्चा साथी मानते हैं। वह सुख-दुःख में प्रकृति से बतियाते हैं और पहाड़ों पर बैठकर प्रकृति के गीत गाते हैं। लेखिका के शब्दों में :-

“वह पहाड़ी भाषा में बोलता पहाड़ से  
बतियाता है अपना सुख-दुःख  
गाता है पहाड़ पर बैठ पहाड़ों के गीत  
पहाड़ी लिपि में, पहाड़ पर लिखता है  
‘प’ से पहाड़।”<sup>6</sup>

आदिवासी स्त्रियां अपना ज्यादातर समय प्रकृति के सानिध्य में बिताती हैं। वे पेड़-पौधों के महत्व को भली भांति पहचानती हैं। इसलिए वे विवाह भी ऐसे व्यक्ति से ही करना चाहती हैं जिसने पेड़-पौधे लगाये हों। ‘उतनी दूर मत ब्याहना बाबा’ नामक कविता के माध्यम से लेखिका ने इस तथ्य की पुष्टि की है जिसमें एक बेटी अपने पिता से कहती है :-

“और उसके हाथ में मत देना मेरा हाथ  
जिसके हाथों ने कभी कोई  
पेड़ नहीं लगाए  
फसलें नहीं उगाई जिन हाथों ने।”<sup>7</sup>

लोग गंगा में निरन्तर प्रदूषण और गंदगी फैला रहे हैं। लेखिका इस समस्या को लेकर निरन्तर चिंतित है। उनका मानना है कि इतने सितम झेलने के बाद भी गंगा मैया चुपचाप सब कुछ सहन करती रही परन्तु मनुष्य को आज तक अपनी गलती का एहसास तक न हुआ। लेखिका के शब्दों में :-

“कैसे-कैसे सितम झेली तुम  
कभी पापों को धोया  
तो पचाया कभी शहर की गंदगी  
रही चुपचाप सब कुछ सहती  
खामोश सदा रही बहती  
सुख-दुःख में साथ उसके  
जिनकी नादानियों ने किया  
मैला तुम्हारा आंचल।”<sup>8</sup>

प्रकृति है तो जीवन है। यदि प्रकृति ही नहीं रही तो धीरे-धीरे मनुष्य का अस्तित्व भी समाप्त हो जाएगा। लेखिका चाहती है सब कुछ बचा रहे, तभी तो वे सभी



से मिलकर बचाना चाहती है, इस धरा को वायु को, जल को, मिट्टी की खुशबू को, फसलों को, खुले आंगनों को, प्रकृति के गीतों को। वह अन्त में सब कुछ बचाने का प्रयास करती हुई कहती है :-

“बचायें डूबने से  
जंगल की ताजा हवा  
नदियों की निर्मलता  
पहाड़ों का मौन  
गीतों की धुन, मिट्टी का सौंधापन  
फसलों की लहलहाहट  
नाचने के लिए खुला आंगन  
गाने के लिए गीत  
हंसने के लिए थोड़ी-सी खिलखिलाहट  
रोने के लिए मुट्ठी भर एकांत।”<sup>9</sup>

इस प्रकार स्पष्ट रूप से देखा जा सकता है कि निर्मला पुतुल ने अपनी कविताओं के माध्यम से पर्यावरण के प्रति विशेष रूप से चिन्ता प्रकट की है। आदिवासी लोगों का जीवन विभिन्न सुख-सुविधाओं के अभाव में सदैव संघर्षशील रहा है, बावजूद इसके ये लोग निरन्तर अपने आसपास की प्रकृति और सम्पदा को संरक्षित करने के लिए प्रयत्नशील रहे हैं। पेड़-पौधे, नदियां, नाले, तालाब, झरने, पहाड़ सभी में आदिवासी लोगों की जान बसती हैं। यदि प्रकृति को कोई नुकसान होता है तो ये लोग द्रवित हो उठते हैं। लेखिका स्वयं इस समाज और संस्कृति की वाहक रही है। जिन्होंने अपनी कविताओं के माध्यम से समाज में पर्यावरणीय चेतना को जगाने का प्रयास किया है।

### I UnHkZ xJFk I ph

1. निर्मला पुतुल, आदिवासी स्त्रियां, पृ० 6
2. वही, पहाड़ी पुरुष, पृ० 30
3. वही, आओ मिलकर बचायें, पृ० 26-27
4. वही, जंगल, नदी, पहाड़ और गुमसुम बूढ़ी पृथ्वी का दुःख, पृ० 41
5. वही, बिटिया मुर्मू के लिए, पृ० 10
6. वही, पहाड़ी पुरुष, पृ० 30
7. वही, उतनी दूर मत ब्याहना बाबा, पृ० 35
8. वही, गंगा, पृ० 43
9. वही, आओ मिलकर बचाएं, पृ० 26-27

# fgekpy dh dfork ea i gkM+

MkM I R; ukjk; .k Lugh]

सहायक प्रोफेसर, हिन्दी विभाग, राजकीय महाविद्यालय, ठियोग, शिमला।

आदिकाल से साहित्य में रचनाकारों ने प्राकृतिक सौन्दर्य को अपनी रचनाशीलता का आधार बनाया है। वो चाहे पौराणिक साहित्य हो, चाहे संस्कृत साहित्य या गत एक हजार वर्षों में विभिन्न अवस्थाओं से गुजरता हुआ हिन्दी साहित्य, प्राकृतिक सौन्दर्य जल, जंगल, ज़मीन, पहाड़, बादल, बर्फ, वर्षा, फूल, फल इत्यादि का प्रयोग आलम्बन रूप में या उद्दीपन रूप में हुआ है। जिसमें मनुष्य जीवन को प्रकृति के अनुरूप और प्रकृति पर आधारित रूप में व्याख्यायित किया गया है।

मनुष्य प्रकृति को प्रभावित करता है और प्रकृति मनुष्य को, इसमें कोई दो राय नहीं है। यही प्रभाव साहित्य में भी परिलक्षित होता है और मनुष्य जीवन को भी प्रभावित करता है। जिस भू-खण्ड में, जैसे भौगोलिक परिवेश में मनुष्य जीवन-यापन करता है, उसके जीवन की सम्पूर्ण गाथा तदनुरूप परिस्थितियों में सृजित होती है। इस संदर्भ में हिमालय पर्वत के आंचल में स्थित हिमाचल में जीवन वसर कर रहे हिन्दी कवियों ने पहाड़ के जीवन-संघर्ष को व्यक्त करते हुए पहाड़ को विभिन्न संवेदनाओं के साथ व्यक्त किया है। यँ तो इस भू-खण्ड में रहने वाले कवियों का रचना-संसार यहां के जीवन-संघर्ष एवं संवेदनाओं के इर्द-गिर्द रहा है, लेकिन उसमें भी पहाड़ सर्वोपरि रहा है। कठिन भौगोलिक परिस्थितियों वाले इस प्रदेश में पहाड़ी जीवन के विविध आयाम सामने आये हैं। इस क्षेत्र में सामाजिक, सांस्कृतिक, आर्थिक, शैक्षिक एवं औद्योगिक विकास से जहां आम आदमी का जीवन स्तर बेहतर हुआ है, वहीं ये विकास इन पहाड़ों में प्राकृतिक असंतुलन की स्थिति भी पैदा कर रहा है। हिमाचल की हिन्दी कविता में पहाड़ को धरती की सबसे खूबसूरत अवस्था बताया गया है। पहाड़ धरती पर सबसे उभरा हुआ स्थान होता है, वह हवाओं में अवरोध डालता है, जिससे वर्षा होती है, और सृष्टि का संचरण, मौसम-चक्र और प्राकृतिक संतुलन बना रहता है। ऊँचे पर्वत सदैव बर्फ से ढके रहते हैं, इससे एक ओर तापमान नियन्त्रित रहता है, दूसरा बड़ी-बड़ी नदियों का उद्गम स्थल भी पहाड़ हैं। जिससे सम्पूर्ण मैदानी क्षेत्र में वर्ष भर हरियाली रहती है और जलापूर्ति होती है। कवि की दृष्टि में पहाड़ से ही धरती पर जीवन सम्भव है—

“मुझे अच्छे लगते हैं पहाड़  
पहाड़ पर होती है बर्फ  
पहाड़ पर होते हैं बेशुमार नदियों के घर  
पहाड़ पर होती हैं आग की गुफाएं  
सागर का सपना है पहाड़  
पहाड़ घड़ों में छुपी मनुष्य की प्यास है

पहाड़ सूरज के खिलाफ लड़ने वाला  
 हरी वर्दी वाला अकेला सिपाही है,  
 वह करता है विषपान सुबह से शाम तक  
 फिर भी बांटता है ज़िंदगी के अनगिनत सपने  
 ज़मीन पर ज़िंदगी की नंगी इमारत है पहाड़  
 पृथ्वी की खूबसूरत शरारत है पहाड़।”

जिस प्रकार पहाड़ धरती पर अपनी विशिष्टता और जटिल भौगोलिकता के साथ अवस्थित है, वैसे ही यहां का जीवन भी मैदानी इलाकों की अपेक्षा पृथक एवं विकट है। पहाड़ों की जलवायु, मौसम कभी भी प्रतिकूल हो जाता है और यहां जीवन सदैव संघर्षशील रहता है। प्रकृति के अत्यधिक दोहन और बदलते परिवेश में भी पहाड़ अनेकों तकलीफों को झेलते हुए अपनी व्यापकता तथा अविच्छिन्नता के साथ सदियों से खड़ा है।

“रोज दरकने पर भी  
 साबुत रहता है पहाड़...  
 जब भी ठिठुरता है मुल्क  
 पहाड़ किसी जिम्मेदार बाप सा  
 छाती पर है ओले सहता  
 ढोता है जवान देवदार की लाशें।”

यहां कवि ने अपनी कविता में पहाड़ों के बाह्य आकारों के साथ भीतरी दर्द को भी व्यक्त किया है। वह चाहता है कविता के शब्दों को मिट्टी से पहाड़ बनने की बेहद लम्बी तथा दर्दनाक प्रक्रिया में शामिल करना, क्योंकि साधारण आदमी भी धरती की पीड़ा से अलग नहीं। अतः ठोस यथार्थपरक ज़मीन से जुड़कर ही सार्थक कविता सम्भव है। हिमाचली कवि कहता है—

“मैं लिखना चाहता हूँ/खेतों का ताप  
 मिट्टी की बौखलाहट/बीज की बेचैनी  
 ज़मीन का उन्माद/सभी कुछ एक साथ  
 फोड़ना चाहता हूँ पहाड़/कविता के शब्दों से।”

हिमाचल की हिन्दी कविता में कवियों ने कविता के माध्यम से पहाड़ की वास्तुस्थिति और पहाड़ के विकट जीवन को व्यक्त किया है साथ ही पहाड़ के माध्यम से जीवन की प्रासंगिकता को अपनी कविता में बानगी दी है। कविता में पहाड़ विभिन्न रूपों में आया है। कहीं पर पहाड़ मौसम की हरकतों से लड़ता, चुपचाप खड़ा है, तो कहीं बुजुर्ग का प्रतीक सबको सहारा दे रहा है, कहीं खुद तकलीफ झेलता हुआ दूसरों के लिए सुविधाएं जुटा रहा है, तो कहीं अडिग रहकर अनवरत संघर्ष के लिए प्रेरित करता है। कवियों ने अपनी कविता में पहाड़ और पहाड़ी परिवेश को मानवीय संवेदनाओं के साथ व्यक्त किया है, जैसे—

“मेरी कविता में/जितनी बार आए हैं पहाड़  
 उतनी बार आए हैं मवेशी

पहाड़ों का कविता में चुपचाप चले आना  
जमीन का पोर-पोर रिसना है  
मैं अपनी कविताओं में  
पहाड़ों को निचोड़ लेना चाहता हूँ  
जैसे माँ निचोड़ती है फटे हुए कपड़े।”

इन कविताओं में पहाड़ के सौन्दर्य को नहीं बल्कि पहाड़ की विकृतियों, जटिलताओं, विपत्तियों के द्वारा मनुष्य जीवन की सच्चाइयों का उद्घाटन किया है। जितनी जटिल पहाड़ की बुनावट होती है उतना ही कठिन होता है यहां जीवन वसर करना। वह चाहे कृत्रिम सुविधाओं की उपलब्धता हो चाहे प्राकृतिक आपदाएं। यहां कोई भी सुविधा मुहैया करवाना जितना मुश्किल है, उतना ही आसान है यहां प्राकृतिक विपत्तियों का आना। वह भूकंप के रूप में हो या, बर्फ, वर्षा या अनायास पहाड़ों में भूस्खलन। पहाड़ों में जोखिम सदैव बना रहता है—

“आपने सुना होगा शायद  
मैंने अपनी आंखों से देखा है  
गुरीकर टूट गया था पहाड़  
सड़क के टुकड़े करता  
घरों को लीलता / रौंदता खेतों को  
एक लहराती नदी के बीचों-बीच  
खच्च से जा फंसा था पहाड़।”

हिमाचल की हिन्दी कविता में पहाड़ को जहां विभिन्न संवेदनाओं के साथ व्यक्त किया है, वहीं पहाड़ के बदलते स्वरूप और उससे उत्पन्न समस्याओं के प्रति भी कवि चिंतित है। पहाड़ों में विकास की बहार आई है लेकिन इस विकास ने पहाड़ का प्राकृतिक संतुलन बिगाड़ दिया है। पेड़-पौधों और हरियाली के स्थान पर कंकरीट के जंगल बन रहे हैं। असीमित निर्माण एवं पर्यटकों की भारी आवाजाही के चलते पहाड़ों की जलवायु और पर्यावरण में परिवर्तन आ रहा है और लगातार प्रदूषण बढ़ रहा है। कवि पहाड़ के तबदील होते स्वरूप को व्यक्त करते हुए कहता है—

“पहले नहीं थी पहाड़ पर सड़क/तब पहाड़ पर थे जंगल  
जंगल में बहुत कुछ था/लकड़ी, हवा, पानी  
मैदान में निकल कर/जब सड़क आई  
दहेज में आ गया बाजार/वृक्ष एक-एक कर/होने लगे गायब  
नज़र आ गई खुरदरे पहाड़ की नंगी पीठ।”

पहाड़ों में विकास हो रहा है, जीवन सुलभ हो रहा है। साधन-सम्पन्नता बढ़ रही है। जीवन-संघर्ष कम हो रहा है इस विकास के साथ कुछ नुकसान भी अवश्यभावी है, परन्तु प्राकृतिक संसाधनों का अत्यधिक दोहन, जंगलों का कटान, अवैध खनन तथा बड़ी-बड़ी परियोजनाओं और औद्योगिकरण से विनाश की सम्भावनाएं ज्यादा बढ़ रही हैं।

बड़ी-बड़ी बहुराष्ट्रीय कंपनियों ने अपनी परियोजनाओं और उद्योगों के विकास में अब पहाड़ों को सबसे उपयुक्त स्थान बनाया है। वह चाहे नदियों पर बनने वाले बाँध है या नाथपा-झाकड़ी जैसी भूमिगत बिजली परियोजना। जिससे पहाड़ खोखले हो गए हैं और विनाश का खतरा बढ़ गया है—

“आज जान चुका हूँ मैं इस धरती का सच  
 किसी वक्त भी आ सकता है कोई जय प्रकाश  
 या फिर कोलम्बस की दुनिया का कोई आदमी  
 जैसे बिक गया वाकनाघाट, बिक गया दियुंघाट  
 बिक गया दाड़लाघाट/बिक गया महाराष्ट्र में लवासा  
 बिक गया कुल्लू का सौ एकड़ वाला गाँव/बिक गया मलाज खंड,  
 दिल्ली-राजहरा  
 वैसे ही बिक जाएगा एक दिन कैथलीघाट  
 कोई नहीं जान पायेगा यह बात।”

जैसे-जैसे पहाड़ों में औद्योगिक विकास हो रहा है, बहुराष्ट्रीय कम्पनियों के द्वारा संसाधनों के अत्यधिक दोहन के लिए पहाड़ों को बेतहाशा ढंग से कुरेदा जा रहा है, पहाड़ों को अंदर ही अंदर खोखला किया जा रहा है। अत्याधुनिक मशीनों, कारखानों और बारूद से पहाड़ों की जलवायु ही प्रदूषित हो कर बदल गयी है। प्रकृति से हो रही इस छेड़-छाड़ से कई तरह की आपदाएं बढ़ रही हैं। पहाड़ों के गाँव और नगरों की तस्वीर बदल रही है। कवि टिहरी के बाँध का उल्लेख करते हुए इस व्यथा को व्यक्त करता है—

“पता नहीं वह कौन-सा दिन होगा  
 फूटा होगा जिस समय किसी काठ की दराज में  
 टिहरी के बाँध का बीज  
 डूब गयी बाँध में—  
 मंगलेश डबराल की लालटेन  
 डूब गये जगूड़ी की कविताओं के बीज  
 डूब गये नन्हें-नन्हें बच्चों के गुल्लक  
 डूब गये आँगन, आँगन के पेड़  
 डूब गये तमाम दरवाजे  
 जो बचाते रहे बार-बार परिवारों की पुश्तैनी मर्यादा  
 डूब गई वे दीवारें  
 जिनसे थकी पीठ सटाकर  
 देखता था रामदास बच्चों के भविष्य के सपने।”

आज पहाड़ों से बह रही लगभग सभी नदियों पर अनेकों विद्युत परियोजनाएं स्थापित की जा चुकी हैं या निर्माणाधीन हैं, जिसके निर्माण में अत्यन्त खतरनाक उपकरणों एवं पदार्थों का प्रयोग किया जा रहा है। पहाड़ों में स्थापित की जा रही बेतहाशा बिजली परियोजनाओं से जो प्राकृतिक असंतुलन पैदा हो रहा है। हिमाचल का

कवि उससे चिंतित है। इन विद्युत परियोजनाओं के निर्माण से, तदनन्तर भारी मात्रा में मशीनी संचालन एवं विद्युत उत्पादन से पहाड़ के वातावरण पर विपरीत असर पड़ रहा है। जलवायु प्रदूषित हो रही है। कवि पहाड़ के प्राकृतिक सौन्दर्य को बचाए रखने की वकालत करते हुए यथा स्थिति ब्यान करता है—

“कविता में पहाड़/झेलता है

लू, बाढ़, भूकंप से भी

ज्यादा ताकतवर/हाथियों के वार

जहां सजा है/बारूद का बाजार

जबकि बाँटता है पहाड़

अपनी मिठास लगातार।”

अतः हिमाचल की हिन्दी-कविता में जहां पहाड़ की अवस्थिति, महत्त्वता उपयोगिता एवं पहाड़ के जीवन संघर्ष को कवियों ने विभिन्न उपमानों के साथ रेखांकित किया है, वहीं विकास की बहार में पहाड़ में अत्यधिक खनन, पर्यावरण प्रदूषण और प्राकृतिक असंतुलन से विनाश की आशंकाओं पर भी चिंता जताई है। पहाड़ के कवि पहाड़ के प्राकृतिक सौन्दर्य को बचाए रखने की वकालत करते हैं, तभी पूरी धरती पर संतुलन बना रहेगा, अन्यथा पहाड़ का असंतुलन पहाड़ के साथ मैदान पर भी विनाश की बाढ़ लायेगा। हिमाचल की कविता में पहाड़ को बचाने का यही स्वर मुखरित हुआ है।

## । nHk&

1. कुमार कृष्ण, पहाड़ पर नदियों के घर, पृ. 34
2. नवनीत शर्मा, ढूंढना मुझे, पृ. 84
3. कुमार कृष्ण, गाँव का बीज गणित, पृ. 69
4. वही, पृ. 68
5. मोहन साहिल, एक दिन टूट जाएगा पहाड़, पृ. 78
6. ओम भारद्वाज, बर्फ हुआ आदमी, पृ. 72
7. कुमार कृष्ण, इस भयानक समय में, पृ. 36
8. वही, पृ. 24
9. सत्यनारायण स्नेही, पहाड़ का कवि, विपाशा, शिमला, अंक 171-172, पृ. 154

**UGC- Human Resource Development Centre,  
Himachal Pradesh University, Shimla 171005 (India)  
(NAAC Accredited 'A' Grade University)**

SN	Article	Name	Date of Article Receiving	Date of Article Correction	Date of Article Finalization
1.	Legal Education in India vis-a-vis Emerging International and Transnational Trends	Dr. Lalit Dadwal Dr. Kusum Chauhan	11.08.2017	03.07.2019	30.12.2019
2.	The Role of Higher Education in Women's Autonomy in Household Decision-making in India A Case Study of Shimla Dist. of HP	Dr. Rajeev Kumar Dr. Dinesh S. Kanwar	16.11.2017	03.07.2019	30.12.2019
3.	Awareness About Women's Right	Dr Bhawna Sharma	28.11.2017	03.07.2019	30.12.2019
4.	Women's Education in India: The Dawn of New Vistas	Mrs. Banti Ramchiary Mr. Pranab Kalita	16.11.2017	03.07.2019	30.12.2019
5.	Innovative Teaching Practices for Active Learning	Prof. Kiran Rekha	28.09.2019	30.12.2019	30.12.2019
6.	The Role of Jurist in Protection of Human Right and Education	Dr. Vijeta S. Singh	02.04.2018	03.07.2019	30.12.2019
7.	Solid Waste Management in Shimla: A Report	Dr. Anurita Saxena Dr Gaurav Kapoor	07.12.2017	03.07.2019	30.12.2019
8.	Status of Women in Indian Society: An Overview with Special Reference to Female Foeticide and Gender Discrimination	Ms. Hemlata Sharma	13.11.2017	03.07.2019	30.12.2019
9.	Women Rights	Ms. Raj Kumari	14.11.2017	03.07.2019	30.12.2019
10.	Environment in Wordsworth & Kalidas: A Promise and Alarm	Ms. Bharati Sharma	15.09.2017	03.07.2019	30.12.2019
11.	Environmental Awareness among Students of Himachal Pradesh University, Shimla, Himachal Pradesh	Dr. Hemant Patidar Dr. Budh Singh Mr. Mundhe S. V. Dr. Radhika M Pathak	28.11.2017	03.07.2019	30.12.2019
12.	Honour Crimes: Deterrent in Women Empowerment	Ms. Ritu Sharma	12.11.2018	03.07.2019	30.12.2019
13.	सूचना का अधिकार अधिनियम क्रियान्वयन में राज्य सूचना आयोग की भूमिका	डॉ. गोपाल कृष्ण संघाईक	26.10.2017	03.07.2019	30.12.2019
14.	पर्यावरण चेतना के वैदिक सूत्र	डॉ. ओम प्रकाश शर्मा	22.08.2019	30.12.2019	30.12.2019
15.	निर्मला पुतुल की कविताओं में पर्यावरणीय चेतना	डॉ. नरेश कुमार	28.12.2019	30.12.2019	30.12.2019
16.	हिमाचल की कविता में पहाड़	डॉ. सत्यनारायण स्नेही	25.10.2018	03.07.2019	30.12.2019

\*\*\*\*\*

