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Social Justice

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Mob Lynching

India is a country which preach and practice universal brotherhood and non violence, but the recent incidences of mob lynching has posed a new challenge for the social and economic development of the country.

Lynching, a form of violence in which mob, under the pretext of administering justice without trials, executes a persumed offender. Lynching is a modern form of tribalism, where enemies are differentiated by religion, race, caste or ideology and are bracketed for elimination.

The practice of lynching is age-old; stoning, for example is believed to have started long before lapidation was adapted as a judicial form of execution. The practice has been common in periods of threatened anarchy. In early 20th century it was found significantly in Russia and south eastern Europe, but especially and almost peculiarly in America.

Causes of mob lynching -

Lynching is not just "mobocracy", it is a collective hate crime. There are many reasons behind it -

- > Prevalence of fake news and hate news. There are instances of organised hate campaigns as well.
- ➤ High unemployment rates leaving millions of youth unengaged.
- Ineffective and delayed justice.
- Indifferent attitude towards other cultures and religions.
- Indifferent attitude of police leads people to take law in their own hands.
- A culture of political mobilisation that uses violence as a tool of politics.
- With modernity, there is growth of individualism and an erosion of associational life.
- Mob has no face, this impunity heads mob to take extreme steps.

- ➤ Absence of law and the silence of political class, as they are ineffective to create difference through strong law.
- Weakening of civil society organisations and other organic institutional links.

Consequences of mob lynching

On state -

- > Every individual have certain fundamental rights. Any violence would be curtailment of this right.
- No regard to law and order in society.
- > This may lead to feeling of subnationalism.
- It is against the spirit of the constitution.
- Radical and extremists organisation such as ISIS etc could take leverage of atmosphere created by such incidents.

On society -

- > This impact the solidarity of the society.
- > This create an environment of majority versus minority.
- > This aggravates communal hatred.
- This may increase the extent of domestic conflict and subsequent militarisation.
- Such acts show loss of tolerance in society.

On economy -

- This impacts both foreign and domestic investment; thereby adversely affecting sovereign ratings.
- It directly hampers internal migration.
- Large resources deployed to tackle such menaces induce extra burden on state.
- These incidents would led to selective distribution of investment which may impact regional balance.

Steps taken so far -

- ➤ Government launched 'Ek Bharat Shreshta Bharat' for sustained and structured cultural connect between citizens of different regions.
- Civil society launched 'Not In My Name' campaign; to protest against cow vigilantism.
- Civil society also launched National Campaign Against Mob lynching (NCAML). It is also known as 'MASUKA' short for Manav Suraksha Kanoon.
- Centre has asked states to appoint a nodal officer in each district to prevent incidences.
- > Two high level committees have been constituted under Shri Rajnath Singh and Shri Rajiv Gauba to deal effectively with these incidences through strict law.
- → As the grim of lynching casts a terrifying shadow over large swath of country, directions of Supreme Court to all government to take steps to prevent what it described as "Horrendous acts of mobocracy".

What needs to be done -

- Designate a senior police officer in each district.
- > States shall identify district, sub-divison where instances occurred in recent past.
- Broadcast on radio, TV and on official websites.
- Register FIR under serious offence.
- Ensure no further harassment of family member.
- Prepare a lynching/mob violence victim compensation scheme.
- Trial in fast track courts.

Child Marriage in India

According to the UNICEF, child marriage is a formal or informal union before the age of 18 years.

Child marriage in India, according to the Indian law, marriage where either the women is below the age of 18 years or the man is below the age of 21 years.

History of child marriage in India

- 1. <u>Political turmoil</u> Child marriage is believed to have begun during medieval ages of India. At this time the political atmosphere was turbulent and ruled by Delhi sultans in an absolute monarchy government. The sultans had an extreme committment to their religion and forced many to convert causing sociocultural unrest and Hindu women suffered the most. These days of Delhi sultanate produced practices such as child marriage and lowered the status of women even further.
- 2. <u>Military alliances</u> Indian feudalistic society with characteristics such as honour, rivalry and animosity were important qualities to posses and because of this families and kingdoms created strong military alliances to preserve or destroy power between them. To ensure the alliance was upheld by both sides each family exchanged a young member of their household who was reared and educated at the other family's estate.
- **3.** <u>The caste system</u> It is also believed to have contributed to the growth of child marriage. Castes, which are based on birth and heredity, do not allow two people to marry if they are from different castes. This system was threatened by young people's emotions and desires to marry outside their caste, so out of necessity, child marriage was created to ensure that the caste system continued.
- **4. <u>Social reasons</u>** Child marriage traditionin India has social reasons too. Indians performed child marriages to get their girls protected against rapes and abduction by foreign rulers.

Why in news?

Recent report of UNICEF → 2019

- > said there is overall prevalence of child marriages in India has declined.
- ➤ It has declined from 47% in 2005-2006 to 27% in 2015-2016.

Causes of Child Marriage -

- **1.** Poverty
- 2. Protecting the girl's sexuality
- **3.** Custom and tradition
- **4.** Security of good future
- 5. Gender discrimination
- **6.** Inadequate implementation of laws
- 7. Trafficking
- **8.** Dowry system
- 9. Girls rebelling against gender discrimination
- **10.** Media influence.

Consequences of child marriage -

- (a) Violation of rights of the child
- **(b)** Premature pregnancy
- (c) Material mortality
- (d) Infant mortality
- (e) Health problems
- (f) Sexually transmitted diseases
- (g) Illiteracy
- **(h)** Poverty
- (i) Abuse and violence
- (j) Teen widows
- (k) Mental Health
- (1) Isolation and abandonment.

Laws/Initiatives -

- ➤ 2011 census data showed that 91% of all women were married by 25 years of age with an alarming rate of 30.2% girls who were married before age of 18.
- ➤ Prohibition of Child Marriage Act 2006 -The act prescribed the minimum legal age of 18 years with no exception.
- India has committed to eliminate child, early and forced marriage by 2030, in line with target 5.3 of Sustainable Development Goals.
- > The government has also used incentives (such as Dhanalaxmi scheme and Apni Beti Apna Dhan program), adolescents empowerment



Son-Meta Preference

The Economic Survey (2017-2018) has mentioned that the desire for a male child has created 21 million "unwanted" girls in India <u>between 0 and 25 years</u>. As per the WHO, the biologically determined natural sex ratio at birth is 1.05 boy for every girl. For India, this is 1.82 for first born boys while 1.65 for last born boys.

Gender inequality is a multi-dimensional issue and it is related to make decision on reproduction, spending on themselves and their household and their own mobility and health. It is related to attitudes about violence against women/wives. It is related to son preference, female unemployment, choice of contraception, education level, age at marriage, age at first child birth and physical or sexual violence experienced by women.

Reason behind preference of son -

- The traditional societal set-up focusses on son as being the main bread winner of the family. He is expected to earn and take care of his parents in their old age.
- It is apparently more expensive to bring up a girl child, not only you have to educate her, you also have to save for her marriage.
- ➤ Incidence of rape and sexual assault in this country has put an additional responsibility of protection of girl child.
- Counting the family name and task of doing Karma has always been on the shoulders of the son.
- Lack of education, people are not educated enough to fight against orthodox traditional ideas.
- Over population with poverty, so in lack of resources people tend to choose boy over girl.
- Patriarchal mind set, in which women can not step out of the house for work.
- Right to property is given to the son.

Consequences of meta-son preference -

The survey has taken note of the behavioural pattern of Indian parents who prefer to have children "until the desired number of sons are born" calling the "son meta-preference". Unwanted births lead to population in-

crease and leads to conflict in the society as people are not able to fulfill their basic needs and get stuck in vicious cycle of poverty.

- Son-meta preference limits the resources to be used for betterment of girl.
- Preference to son leads imbalance in sex ratio.

Solution -

The issue of son meta preference is debatable. Our society needs to rethink as it can bring various challenges in long term and can endanger our identity. We need to do collective efforts for addressing this, as no any single individual is responsible for this-

- > To fight against gender inequality we need to promote education. So that people can fight against ill will of the society.
- Proper implementation of Beti Bachao Beti Padhao, Sukanya Samridhi Yojna etc.
- Now daughters also have right to property in accordance of recent judgement of Supreme Court.
- > Women empowerment.
- > Equal opportunities should be given in every sphere of life.
- Dowry need to be completely eliminated from society.
- Women safety need to be strengthened.
- > Health policies should specially be focussed on IMR and MMR.
- Issue of gender inequality will be resolved if people will give up prefering son and if a son and daughter will be given equal treatment without discrimination. The gap present between both gender will take time to fill but our collective efforts will bring on equality for sure.

Honour Killing/Khap panchayat

Honour Killing - This is the killing of a member of a family or social group by other members due to the belief that the victim has brought dishonour upon family or community. Honour Killings are mostly against girls and women but have been extended to men.

A women can be targetted by (individuals within) her family for a variety of reasons including: refusing to enter into arranged marriage, being the victim of sexual assault, seeking a divorce. There are evidence that homosexuality can also be perceived as grounds for honour killing by relatives.

Khap Panchayats - Khap panchayats are community driven organisations in villages which often act a quasi-judicial bodies and pronounce harsh punishments based on regressive and age resulting in honour killings.

Khaps are most prevalent in North India. A khap is all male organisation and its leaders are unelected but based on their social clout. It is consisted of 84 villages. These khap panchayat promotes conservative anti-women values in the name of preserving Indian culture and tradition. Khaps have not only continued to flourish, but also have found patronage from mainstream political leaders.

Reasons of honour killings -

The situations that lead to honour killings are the most shocking and inhuman. There is no rationality in the decision of the family or society to kill a particular member of the family. The most common situations arose from past incidents of honour killings that led to honour killings are as follows-

- Marrying person outside the caste or religion.
- Engaging in lesbian or gay relationship.
- Refusing arranged marriage.
- > Disobeying dress code decided by the community for the females.
- Rape
- Promiscuity
- Adultery

Government steps to fight against honour killings -

S.C. in ruling has said that honour killings are illegal and unconstitutional. Although some improvement can be seen. According to data of NCRB 288 cases were reported from 2014 to 2016. S.C. has also issued directives, as petition was filed by NGO Shakti vahini. Some directives are-

- There will be fast track courts for fighting against honour killing.
- Provision of safe house for couple by the government along with security.
- ➤ DM/SP will supervise the safe houses.
- Disposal of case within 6 months.
- Immediate FIR against khap panchayat.
 The directives are for both state and centre government.
- Right to choose life partner is now fundamental right under Article -21 i.e. Right to life.
- > Adults can not be prohibited to marry on the ground patriarchal or state supernacy.

How to stop honour killings-Ways

- Any campaign to tackle to honour killing needs to work with men.
- > People who are potentially at risk need to know that help is available and be told where to get that help.
- Women groups and NGO working on issue need a boost in funding.
- > Everyone on the front lines of helping people at risk-whether they are police officers, teachers, nurses, doctors or social workers need training to identify and understand the problem.
- > Accountability of the administration be ensured.
- > S.C. directives need to religiously followed by centre and state.
- Collective effort, government with the people can fight against ill practices, so it is required.

Child labour

Child labour is the practice of having children engage in economic activity on part of full-time basis. The practice deprives children of their childhood, and is harmful to their physical and mental development. Poverty, lack of good schools and informal economy are considered as important causes of child labour in India.

Definition-suggested by ILO

The term child labour is best defined as work that deprives children of their childhood, their potential and their dignity and that is harmful to physical and mental development. It refers to work that is dangerous and harmful to children, or work whose schedule interferes their ability to attend regular school, or work that affects in any manner their ability to focus during war and clubs and buotros, school or experience a healthy childhood.

Present situation of child labour in India-

- According to UNICEF, child labour in India has merely shifted from factories to employee homes and children are still engaged in harmfull industries such as bidi production and fireworks production. This shift to formal sector (home based) makes it harder to detect child labour.
- According to the latest available census (2011) there were 10.1 million child workers under the age of 14-with significant disparities across status.

Causes of child labour

- **Over population** limited resources and more mouths to feed, children are employed in various forms of work.
- <u>Illiteracy</u>- Illiteate parents do not realise the need for proper physical, emotional and cognitive development of a child.
- **<u>Urbanisation</u>** MNS's and export industries in the developing world employ child workers, particularly in garment industry.
- <u>Orphans</u>- Children born out of wedlock, children with no parents and relatives often do not finf anyone to support them. Thus they are forced to work for their own living.

- <u>Willingness to exploit children</u>- This is at the root of the problem even if a family is very poor, the incidence of child labour will be very low unless there are people willing to exploit these children.
- <u>Unemployment of elders</u>- Elders often find it difficult to get jobs. The industrialists and factory owners find it profitable to employ children. This is so because they can pay less and extract more work. They will also not create union problem.

Consequences of child labour-

- Child labour is concerned not only with development and welfare, it is a violation of human rights.
- Economic exploitation of children can not be justified on grounds of poverty alleviation of the family. It deprives children's involvement in economic, social and political activities.
- It takes thier basic right to education, freedom and equality.
- Children are prone to injuries and occupational hazards.
- Children are more prone to injuries and occupational hazards.
- Children face various health problems.
- Children are made to work under unregulated conditions for 12 to 14 hours.
- > Emerge as docile and cheapest source of labour.
- Child labour results in adult unemployment.
- > Children always remain poor, illeterate and deprived of development and growth opportunities.

Laws related to child labour-

The Factory Act of 1948 - Prohibits the employment of children below age of 14 years in any factory.

<u>The Mines Act of 1952</u> - The act prohibits the employment of children below 18 years of age in a mine.

The child labour (Prohibition and Regulation)- Act of 1986- The act

prohibits the employment of children below the age of 14 years in hazardous occupation identified in a list by law.

- The Juvenile justice (care and protection) of children act of 2000

 This law made it a crime punishable with prison term, for anyone to procure employment or in bondage.
- The Right of children to free and compulsory education act of 2009-

Law mandates free and compulsory education to all children aged 6 to 14 years.

<u>Initiatives</u>

- ➤ In 1979 Indian government formed Gurupad swami committee to find about child labour and means to take it.
- A National policy on child labour was formulated in 1987 to focus on rehabilating children working in hazardous occupation.

Constitutional backing-

Fundamental Rights- Articles such as 14, 15(3), 21, 21(a), 23 and 24 DPSP → Articles such as 39(e), 45, 46, 51

NGO's working for child labour-

Bachpan bachao Andolan, CARE India, Child Rights and You, Global march against child labour, RIDE India, Pratham etc.

Still a big challenge-

Despite a law in force in India, prohibiting child labour, millions of children to be employed in homes at roadside restaurants and in factories across the country. These youngs kids are also subjected to exploitation in various other ways, including sexual mental abuse.

With June 12- observed as child labour day, activists alleged that lack of enforcement of child labour act and no rehabilation has been fueling child labour.

Old Age/Elderly Issues

India has the second largest elderly population in the world. Indians above the age of 60 increased 35% from 2001 to 2011. India's age dependency ratio also increased from 10.0% in 2001 to 14.2% in 2011.

<u>Factors responsible</u>- Reduction in mortality due to economic well being, better health care system, good medicines and reduction in fertility.

Elderly Issues-

- ➤ Less than 1% of elderly population in India has health insurance despity requiring psychiatric or psychological interven frequently.
- > Supply shortfall in affordable senior care homes and elderly friendly infrastructure like elderly recreation homes.
- Lack of social security and pensions for majority of elderly population 65% of elderly in India are dependent on others for their financial requirements.
- Migration and displacemet for work by youth from rural to urban areas increases solitary elderly population 71% elderly reside in villages while 29% reside in cities.
- > The care of older persons in the families and gets increasingly difficult in wake of increasing nuclear families and economic aspirations.
- > Data on elderly living in a region is not available thus hindering any disaster management activities related to elderly.
 - Example- Chennai disaster
- Government projections suggest occurring of feminisation of elderly population.
- There is lack of awareness about the prevalent schemes and programs among the elderlies. Programs are plagued with leakage and inability in identifying right benificiaries.

Government policies-

- Social security is the concurrent responsibility of the central and state governments.
- > Well being of senior citizens- Article-41 of Indian constitution

- National old Age Pension scheme
- ➤ National programme for Healthcare for elderly 2010
- Nattional policy on senior citizen
- Atal pension yojana
- ➤ The foremost step that requires urgent attention is to sensitize people, especially the younger generation towards the needs of our elderly population. Collective efforts are required. Safe environment is needed for the old age people which can be done by an Integrated program of day care to look after old aged people.

Disable/Differently able

WHO defines disability as- "Any restriction or lack (resulting from an impairment) of ability to perform an activity in the manner or within the range considered normal for human beings".

Disability is complex, dynamic, multidimensional and contested. It is umbrella term for impairments, activity limitations and participation restrictions, referring to the negative aspects of the interaction between an individual (With a health condition) and that individual's contextual factors (environmental and personal factors)

Data 2011 cencus- Disable population in India, as per census 2011 is 2.21% of the total population. Among disable population 56% are males and 44% are females.

Challenges faced by disables-

- Failure to achieve developmental milestones
- Deficiencies in cognitive functioning such as inability to learn or to meet academic demands.
- Expressive or respective language problems
- Difficulty in performing self care activities
- Low self esteem depression and labile moods
- Lack of curiosity
- Irritability when frustated or upset

Constitutional and Legal provisions-

- > Every persons including the disabled has his life and liberty guaranteed under Article-21.
- The constitution secures to the citizens including the disabled, a right of justice, liberty of thought expression belief faith and worship, equality of opportunity and from the promotion of fraternity.
- Article-14 Right to equality etc are some constitutional provisions
 Some other laws are-
- The person with Disabilities Act 1995

- The Mental Health Act 1987
- Mental, health care bill 2017
- The Rights of persons with Disabilities Act 2016

Key features of Disability Act 2016-

- Classification of persons with disabilities
- Most of liability under this Act has been put on appropriate government and local authorities.
- All establishment (including private sector) need to frame and publish the same opportuinity policy.
- Additional benifits such as rights for free education, reservation in education, government jobs, land allocation, poverty alleviation scheme etc
- Reservation in government vacancies have been increased from 3 to 4%
- In order to ensure speedy trial, provision of special courts has been made in each district to handle matters related to violation of rights of disable person
- Act 2016 prohibits discrimination against persons with disabilities unless it can be shown that the act of discrimination was a proportional means of obtaining legitimate objectives.
- The government is entitled to facilitate the rights of disabled people. Therefore, it is the duty of government to make necessary laws, rules and plans and strictly enforce them.
- Every child with benchmark disability between the age group of 6 and 18 years shall have right to free education.
- > Types of disabilities have been increased from existing 7 to 21 and the central government will have power to add more types of disabilities.
- A fund would be created.

Sugamya Bharat Abhiyan/ Accessible India Compaign-

Important initiative to make India wear a friendly approach towards differently able.

- Making public space, transport, tourist places, airports, railway station and information and communication technology differently able friendly.
- ➤ In order to enjoy a productive safe and respectful life differently able person should have equal opportunities to live on his/her own and be an active participant in all field of life.
- Making public well aware of compaign objective
- Roping in government officers, professionals, students and others who would like to lend a helping hand.
- > State governments need to select about 50 to 100 public buildings in big cities which need to be converted to disable friendly.

Way forward-

- View the disability community as valuable consumer.
- > Employ people with disability, they are ambitious and want to work.
- Increase and disability representation in political setting.
- Integrate disability history in school curriculum
- Promote social inclusion in schools
- > Employ more actors with disabilities to athletes with disabilities
- > Sensitize the people and make them realize that people with disabilities are human too.

Children in digital age

Information and technology has totally revolutionalised the way of living. It has transformed the world into social landscape. Digital world has effected every individual in todays world. The very evident changes can be seen in children of this age.

- According to some research, children are giving more time to digital gadgets and their activities are sedentary rather than physical.
- The way of socialisation has changed due to social media, it has lead to neutrality in friendly relation.
- > Digital dependence is effecting the cognitive development of the individual and raising a new debate on dependence or independence on machines.
- Adults are afraid of implication of digital world on their children and children are blaming adult to not get beniffited by the use of technology. This digital world has created gap in the form of Digital divide.
- ➤ In its report titled 'state of the world's children 2017: Children in a digital world' UNICEF stated-
- ➤ It points out that the organisation, be it public or private, have exposed children to new risks and harms of digital world including nisuse of their private information and access to harmful content.
- ➤ It also explores the benifits that digital technology can offer to the most disadvantaged children growing up in poverty or affected by humanitarian emergencies
- It calls for increasing children's access to information, building their skills for the digital workplace and giving them a platform to connect and communicate their views.

• Issue related to digital divide-

The term digital divide describes the discrepancy between people who have access to and the resources to use new information and communication tools. The term also describes the discrepancy between

those who have skills, knowledge and abilities to use the technologies and those who do not.

- It is not just about people who have access and those that do not; it is not just about haves and have nots especially those who can communicate with the rest of the world and those that cannot.
- Another important reason of digital divide is knowledge divide knowledge divide is directly related with digital divide.
- ➤ Internet use is primarily associated with a large section of english knowing urban population. It is also important to know the language before accessing digital technologies.
- Growing population, Insufficient funds, affordability and dalays in implementation of government policies and programs are some other challenges related to it.

• Issue related to digital divide-

- Digital technology has given an impetus to education and learning outcomes with high quality educational content.
- Exposure to digital technology has helped develop awareness about society and the world among children.
- ➤ It has provided means of psychological support amidst nuclearisation of families and widening interpersonal gaps.
- ➤ It has increased the amount of sharing of creative works and help noost artistic abilities by providing much needed feedback to boost confidence.
- It has provided an opportunity to children and youth to amplify their voices and seek solutions to problems affecting their communities.
- > By providing digital skills that enhance employability, making access to existing job opportuinities.
- It has play a significant role for the disadvantaged children to help them in social inclusion.

Steps to resolve the issues of digital divide and others-

- ➤ India is acquiring competence in information and technology, the country is divided between people who can access and who can not access technology. Some need to be taken fill the gap between haves and have not.
- Build proper infrastructural set up.
- Education should be given utmost importance so that people/children can acquire skill.
- Economic barriers, as children having skill must have tool to access.
- ➤ Government should ensure that all citizens should be able to receive diverse content.
- Most of the content on Internet is in english language so children should learn to access the content in the same language and for this basic knowledge of language should be given to all.
- Children should be in focus of digital policy.
- Indulge pvt sector in providing secutity.
- Children should digitally literate so that he/she can safely access.
- Ensure privacy of children and privacy should be protected.
- > Children should be provided with qualitative content that too under the strict guidance.

Gender equality vs Religion

Men have been dominant as recipients, interpreters and transmitters of devine messages, while women have largely remained passive receivers of teachings and ardent practilioners of religious retuals. Attitudes developed around patriarchal interpretations of religious belief have defined and shaped the social and cultural contexts of Indian women resulting in their disempowerment and second class status. In India, where politics uses religion as a tool to manipulate the masses, women bear the burnt of the consequences of cultural attitudes and the impact of religion and politics in their particular milieu.

The sabarimala temple restricts menstruating women (between the age of 10 and 50 years) from taking the pilgrimage to sabarimala. The restrictions find its source in the legend that the temple diety. Swami Ayyappa is a 'Naishtika Brahmachari' (celibate).

However, the kerala government appealed to Supreme Court that the beliefs and customs of devotees cannot be attered by means of judicial process and the priests opinion is final.

<u>Supreme Court Verdict</u>- Supreme court struck the kerala Hindu places of public worship (Authorisation of entry) Rules, 1965 and allowed women, irrespective of their age to enter Sabarimala temple and worship the diety.

In favour-

- ➤ When all the people are equal in God's eyes as well as the constitution, there is no reason why women are only barred fro entering certain temples.
- Indian constitution under Article 25 provides an individual the freedom to choose his/her religion.
- ➤ The constitution guarantees right to liberty (Article-21) and religious freedom to the individual.
- There are countless Ayyappa temples in India where such rules do not apply and there are no restrictions in praying.
- ➤ The arguement that menstriction would pollute the temple premises in unacceptable since there is nothing "unclean" or "impure" about a menstruating woman.
- ➤ Discriminating based on biological factor exclusive to the female gender is unconstitutional and it violates Art-14 (equality) Article-15 (discrimination abolition) and Article-17 (untouchability).

barring women from entering the temple mainly due to biological feature is derogatory to women which the DPSP and Art-15A(e) seeks to renounce.

- > The temple's trust gets its fund form the consolidated fund, it is public place of worship and not a private temple.
- ➤ Hinduism is not a religion but a way of life. Hence its practices cannot be dictated only and norrowly by religious pandits.
- > Religious traditions must remain relevant to changing societal structures and relationships. Hence it needs reforms from within.

<u>Against-</u>

- The dissenting remark was given by a lone woman judge, Justice Malhotra
- > She opined that religious matters should be decided by the religious communities rather than courts. It is because nations of rationality cannot be inserted into religious matters.
- And balance needs to be struck between religious beliefs on one hand and constitutional principles of equality and non-discrimination on the other hand.
- > She also warned that the present verdict would not be redirected to sabrimala but will have wide ramifications.
- > Therefore issues of deep religious sentiments should not be ordinarily referred by the court.

Way forward-

The court should see that this opportunity to reassess and reform the historical shortcomings if any. The court should look beyond the essential practices doctrine and see this as denail to women not only of their individual rights to freedom of religion but also of equal access to public space.

Homosexuality

Homosexuality in India has been a subject of discussion since ancient times of modern times. One of the core religious teaching is that every being is divine or a reflection of divine qualities.

Regardless of one's outer attribute. Ancient Indian texts which are relevant to modern LGBT causes. Religion has played a role in shaping indian customs and traditions while injuctions on homosexuality's morality are not explicitly mentioned in the religious texts central to hinduism. LGBTQ stands for lesbian, gay, bisexual and transgender. It was used to replace the term gay in reference to LGBT community beginning in the mid to late 1980s. The activists believed that the term gay community did not perfectly represent all those to whom it referred. Later the initials were adopted into the public as a complete umbrella term for use when naming topics pertaining to sexuality and gender indentity. The letter Q for those who identify as queer or are questioning their sexuality. Supreme Court of India has scrapped a 158 years old British era law that banned same-sex relations between consenting adults in private.

- > Section-377 of Indian Penal code (IPC) criminalises private consensual sexual conduct between the adults of the same sex.
- > SC has started section-377 as "irrational indefensible and manifestly arbitrary.
- In Naz foundation v/s govt of Delhi case, Delhi High court upholds that section 377 is in voilation of fundamental Rights of the constitution such as article-14, 15 or 21 etc, and consensual homosexual sex between adults has become decriminalised in India.

Reason for favour of Section 377

Many child activists criticize Delhi HC judgement to decriminalise section 377 as it is needed to be on the statute book to tackle cases of child abuse but after enactment of Protection of Childern from Sexual Offences (POSCO) Act 2012, there is no need of section 377 in child sexual abuse cases.

- ➤ Homosexuality or other forms of sex are criticize as these are against the law of nature.
- Further homosexuality is against the norms or morals of society and religion. But nothing can be prohibited on the basis of religion or norms prevalent in society.
- Section 377 decriminalisation may have following inplications in India.
- > Sex ration may further decline if more people would adopt for homo sexuality.
- Students and army people might opted for homosexuality to remove stress.
- A moral wrong becomes a legal wrong only when its consequences are for society and not just the person's comitting it.

Against the judgement-

- > Section 377 is in violation of Right to privacy and right to life as you cannot restrict the freedom consenting people as far as their freedom of consenting people as far as their freedom is not hurting anymore else.
- This section is just an istrument of exploitation and it is almost not possible to decide what type of sex 2 consenting individuals are having in private.
- Any person can be arrested on the base of suspicion like any two males are holding their hands while walking on the road.
- British's who had imposed this inhuman provision on people of India has removed this kind of provision form their law.

Though judgement goes a long way in removing the stigma attached with LGBTQ community, there is a need for multi pronged approach to deal with issue of prejudice and discrimination prevalent in society against them.

Human Trafficking

Human trafficking is a group of crimes involving the exploitation of men, women and childern for financial gains which is voilation of fundamental human rights. It is the third largest international crime. Human trafficking is a part of larger problem of slavery. It is when people are transported by force or deception to become enslaved.

<u>**Definition-**</u> Human trafficking is a process of people being recruited from their community and country of origin and transported to the destination where they are being exploited for purpose of force labour, prostitution, domestic servitude, organ harvesting and other forms of exploitation.

Causes of Human Trafficking

- Unemployment
- Poverty
- Absense of a social safety
- Political instability
- > status of violence against women and childern
- > The low risk, High profit
- Migration
- Child marriage
- Religious prostitution
- Internet pornography
- India is a destination for women and girls from Nepal and Bangladesh trafficked for the purpose of commercial sexual exploitation.

In India, there is a large number of children trafficked for various reasons such as labour, begging and sexual exploitation.

➤ Debt bondage in India was legally abolished in 1976, but it remains prevalent, mostly in agricultural areas.

Legal framework-

<u>constitution- Article-23-</u> Protects against exploitation, prohibits traffic in humans and forced labour.

<u>Article-24-</u> Protects childern below age of 14 years from working in factories mines or the hazardous employment.

<u>Immoral Traffick (Prevention) Act-1956-</u> For prevention of sexual exploitation for women and girls.

<u>Child labour (Prohibition and Regulation) Act-1986-</u> The act prohibits employment of childern below specific age and in specified occupations. It also imposes punishment for the employment of minor childern.

<u>Information Technology Act, 2000-</u> The act penalises transmission of any such material in electronic form which is inappropriate. It also addresses the problem of pornography.

<u>Juvenile Justice (Care and Protection of childern) ACt, 2000-</u>The law is relevant for childern who are vulnerable and are therefore likely to be the victim of trafficking. It protects juveniles in need of care and protection.

Impacts on Human Trafficking-

- Fuels organised crime
- Deprives countries of human capital
- Promotes social breakdown
- Undermines public heal
- > Subverts govts authority
- Imposes enormous economic cost.

Slavery and Human Trafficking happens in nearly every country in the world, developing or developed countries. We are now living in the world where Human Trafficking is the fastest growing criminal enterprise. 75% of Human Trafficking is for sexual exploitation and are female children are also victim. These individuals are forced to work every single day without pay under



Gender enequality in India-

Gender describes the role, rights and responsibilities that society considers appropriate for men and women. Its refers to social, economic and cultural attributes and opportunities associates with being male or female. Gender roles, responsibilities and differences are not the same in various societies.

Inequality is the existence of unequal opportunities and rewards for different social problems or status within a group or society.

Gender inequality has been prevelent in all societies for centuries and continues to exist even today. An example of gender prejudice is female foeticide. The widespread practice of aborting female foeticide happens everyday. One of evil form of discrimination faced by a girl even before birth.

<u>Gender inequality-</u> Gender inequality refers to disparity between individuals due to gender. Gender is constructed socially through social interactions between man and women. Gender inequality stems from distinctions whether emperically grounded or socially constructed.

<u>Data-</u> India has been ranked 108 in World Economic Forum Gender Gap Index 2018.

- India's sex ratio is 943 (census 2011)
- These data depicts the dissappointment regarding status of women in our country.

Reasons of Gender inequality-

- Illeteracy
- Child marriage
- Social evils like- Dowry, sati system etc
- > Discrimination against girl child
- A lack of women empowerment
- Poverty

- Lack of medical care
- Rigid culture and tradition
- Unequal pay for equal work

That enables participation in economic decision making. Women empowerment is also one of the target of sustainable development goal. (SDG-5).

Recent Judgement of Supreme Court

- ➤ Ban on Triple Talaq
- > Entry is allowed for women in Sabrimala temple
- Right to choose life partnership

Government Scheme-

- Ujjawala
- Stand up India
- Stree Swabhiman Yojna
- Skill India
- Criminal law (Amendment) ordinance 2018
- Women Entreprenureship Platform

Women Empowerment agaisnt Gender Inequality

Gender Inequality

Gender inequality is a bane for the country. It is the social issue in which women are getting back in which women are getting back in the male dominated country. Women empowerment needs to take a high speed to equalise the value of both genders. Uplifting a women in all means should be the utmost priority of the nation. Women should attain equal value to the man. Every woman need to bt aware about their rights. They need to take positive steps and involves in every activities instead of only involving in household chores and family responsibilities women empowerment gives the opportunities in which women elaborate and recreate and accomplish in a circumstances that they previously were denied. Women empowerment means allowing women who are on the outside of decision making process into it. This puts a strong emphasis in on participation in political structures and formal decision making and in economic sphere on the ability to obtain an income.

Other than, these program, women are given motivation to step out and join in social, economic and political sphere. Women comprise half of the population of the country and it is important to indulge women in decision making to attain inclusive development. Need of the hour that women's participation should be ensured.

Unemployment and Youth

Unemployment occure when a person who is actively searching for employement is unable to find work. Unemployment is often used as a measure of health of the economy. Today youth is facing the curse of unemployment. The vision of our country lies in the hands of our youth. They are filled with tremendous and towering ambitions. It will be wastage of human resourses if these youths are not given opportunities to excercise their talent. This beautiful land needs these youths for our soil to become brighter one.

The primary role of young people is get a good education in order to become better citizen of tommorro. They need to learn skills to do the job that their country's economy needs. They also need to know how to read, write, think, understand, analyse, discuss the issues their country faces. The entire success of the nation depends on the youths. So, it is the responsibility of the government to provide education, health, job etc.

According to Centre for Monitoring Indian Economy (CMIE), the latest data shows- The unemployment rate in Indian rose to 7.2% feb 2019, the highest since sept 2016 and also up from 5.9% in feb 2018.

If the youth of country be deprived of skills, education and good lifestyle. The future of country is not safe. As psychological pressure and stress will effect the health mind of youth which can turn into ethical and moral degradation.

Reasons of Unemployment

- Large Population
- > Low or no educational levels and vocational skills of working population.
- Inadequate state support, legal complexities and lon infrastructural, financial and market linkages to small/cottage industries.
- ➤ Huge workforce associated with informal sector due to lack of required education/skills which is not captured in any unemployment data.

- Lack of infrastructure.
- Low productivity in agriculture.
- ➤ Low Productivity in agriculture
- Inappropriate and old syllabus of school and colleges.
- Joint family system
- Seasonal employment
- Increasing turnout of students from Indian universities.

Measures need to be taken-

- A change in pattern in investment
- > Encouragement to small enterprises
- Problem of choice of technique
- Encouragement of new growth centre in small towns and rural areas.
- Subsidies on basis of employment
- Re-orientation of education policy
- > Effective implementation of Make-In-India, Skill India etc.
- Government need to fucus on communication, connectivity etc.

Youth is the spring of life. It is the age of discovery and dream. It can transform nation into better place and have the ability to lead fellow citizens into right direction. Once they win the battle against unemployement. They can bring significant changes in several lives.

Inclusive education

Education is most important tool for any nation. the road of prosperity of a nation passed through the villages. Although village development has always been in focus by the government after independence. But still the desired structural changes in not evident in the villages. Most importantly education in villages is weak, whereas the cities have acquired good status in field of education. We can say, education has not been inclusive in nature.

In recent report of ASER by NGO, It has been said, that there is a need to improve standard of education along with its inclusion various efforts i.e. program, plans, campaign etc are required with proper investment. So government in its annual budget has shown its committment towards inclusive.

Why inclusive education is needed?

Inclusive education is defined as learning environment that promoteds full personal, academic and professional development of all learners irrespective of race class, colour, gender, disability, learning style and language Amartya Sen wrote that India is facing several challenges due to lack of investment in the field of primary education and health. Education and health are the foundation o fevelopment of any country there are several factors behind the urgency fo inclusive education.

- Education for all
- Protection of rights
- Development of social consciousness
- Prepare for new challenges
- > Development of brotherhood
- Imporve quality of living

There is a need of attainment of objective of program like sarva Sikha Abhiyan, which focus specially on disadvantageous group. Inclusive education can bring deprived in mainstream. So that they can acquire ability and skills. This can bring our nation form the starus of developing to developed.

Initiative taken by the governement-

The government is committed to provide equitable access to quality education to all sections of the society and vision of the ministry is to realsie India's human resource potential to its fullest in the education sector with equity and inclusion.

- The right of childerm to free and compulsory education Act. 2009 lays down the duties of the appropriate government and local authority to ensure that good quality education conforming to norms and standard. It provide free and compulssory education to all childern in age group of 6-14 years as.
- Rashtriya Madhyamik Shiksha Abhiyan (RMSA) launched in 2009 its aim was to remve gender, socio economic and disability barriers, universal access to secondary level abhiyan. Its objective was to achieve 30% enrollment in higher education till 2020, special emphasis on SC, ST women etc.
- Recently government has decided to launch a National Testing Agency to conduct exams in higher educational institutions in transparent manner.
- A bew edycatuin policy 2019 is still a draft.
- Government other initiative for educatinal inclusions are- Beti Bachao Beti Padhao, Saugamya Bharat.
- Although, whith these government initatives the qualitative education should be ensured, if we want to achieve our constitutional goals.

<u>Marginal Groups in India</u>

or

Deprived Group/Disadvantaged

Marginalisation/social exculsion is social disadvantages and downgarding to the edge of the society. Marginalised are individuals or entire communities of people are systematically block form (or denied full access) to various rights opportunities and resouces that are normally avaliable to membersto different group which are fundamental to social integration within that particular group (eg housing, employment, healthcare, civic engagement, democratic participation and the process.

The man marginalised people have relatively little control over their lives and resource avaliable to them. This results in making them handicapped in delving contribution to society. A vicious circle is set up whereby their lack of poisitve and supportive relationship menas they are prevented from participating in local life which in turn leads to isolation. This has tremendous impact on development of human beings as well as on society at large. Various marginalised groups are SCs, ST, women, people with disabilities.

Recent attacks on marinalised groups in delhi has lead to a feeling of insecurity among them. Other problems of these groups are-

Schedule caste, approx 90% of their population lies in rural areas. They are deprived of land, and work for big land owners as bonded labours. They are exploited and paid less. The women of this group are more vulnerable and insecure. S.C childern face discrimination in education so they do not get required skills. As a result, they are involved in various in human works such as manual scavenging.

If we talk about problems of schedule tribes, on the basis of parameters health, education etc. We see that SC people attained less development in comparision to the rest of the population SC population faces problems of migration, due to dams, irrigation, hydro electric and thermal power project, mining etc in India.

NCRB data of 2016 reveals that there is increment in crimes against SC and ST. It shows the rise is of 5.5% in comparision to 2015.

Women, refugees, minorities are facing health problems along with social exploitation women face domestic violence and exploitation at work place. Minorities suffer due to insecurity, communalism, unemployment and lack of praticipation. Rufugees also suffer various problems as well.

Government- plan and policies-

If part of population face deprivation the country cannot progrees. The government understands it and has initiated several plan and policies for the marginalised section, some are as follows-

- Sansad Adarsh Gram Yojna is for integration of villages having more than 50% schedule castes.
- Standup India to provide skills to SC, ST and women
- Standup India to provide skills to youth of Naxal affected areas.
- Swarojgar Yojna for education to connect schedule tribes with villages, sampark Grameen Yojna has been initiated.
- Udaan Yojna, seekho aur kamao, nai manzil, Ustaad etc are provide education and skills to minority groups.
- Beti Bachao, Beti Padhao, Sukanya Smariddhi Yojna, Pradhan Mantri Mantra Vandana Yojna, Ujjawala Yojna, Stri Swabhiman Yojnaa are four over all development of women.

In this way we see our government is focussing on marginalised section. So that they can get education and become aware. The mindset of other section be changed and must not look these minority groups as inferior. The environment must be where every group can feel safe and can be live in harmony. Collective effort of government with citizens can get us to better result.

Training of Rural Youth for self Employment

TRYSEM-

TRYSEM was launched in 1979 as a separate national scheme for training rural youth for self employment. The compelling reason for launching the program being huge backlog of unemployment and underimpowerment among rural youth. Forty youth both men and women were to be selected in each block and trained in both skill development and enterprenureship to enable them to become self employed.

It was generating activities in the rural youth to urban areas could curbed. Moreover local needs could also met with local resources thereby giving a fillip to rural development.

- > Training is percieved not only in terms of provision of physical skills. But also change in attitude, enhancement of motivation and skills. In human relations etc are also ought to be imported.
- > Self employment is defined as gainful employment on a full time basis which results in income which is sufficient for the family of youth cross the proverty line.

Features of TRYSEM-

- > TRYSEM became the self employment for youth component of IRDP and was introduced in all 5000 blocks in the country.
- > Duration of training is flexible depending upon types of courses.
- Traineres are given stipned and a tool kit.
- ➤ Atleast 50% of youth to be trained for self employment either for secondary or tertiary sector activity.
- ➤ BDO selects the eligible youth belonging to the target group with the help of VLW's.

- The indentification of locations is done by the DRDA in consultation with district level officers of different departments.
- > DRDA prepares a resource inventory for training facilities like ITIs, Polytechnique KVIS etc.
- ➤ DRDA is responsible for implementation of TRYSEM.

Benificiaries of TRYSEM-

- Members of poorest family first.
- Priority should be given to members of SCs and STs.
- Preference should be given to persons who have completed 12 months course under National Aduld Education Program.

Short comings of TRYSEM-

- Implementation is generally uneven
- > Training lacked appropriate technology in the package provided.
- In the selection of trade, self employment opportunities and financial viability were not adequately assessed.
- Assistance in the provision of raw materials and marketting has been lacking.
- Each district did not have training centre.
- In large no. of cases, assistance provided to TRYSEM trainees from IRDP projects had no link to training they had recieved. Various aspect of communities, typically aiming to build stronger and more resilient local communities.

Why Community development is needed-

Community development is a grassroot process by which communities: can:

- Become more responsible
- Organise and Plan togather
- Develop healty lifestyle options

- Empower themselves
- > Reduce povery and suffering
- Create employment and economic opportunities
- Achieve social, economic, cultural and environmental goals

70% of India's population still lives in villages. We cannot achieve the status of Welfare State" without solving socio-economic, culutral issues of such big part. This is the main reason behind goal of village development of U.P started as pilot project in 1948 and later on community development program was launched in 1952 due to its success.

Jawahar Rozgar Yojna

JRY was launched on April 1, 1989 by merging National Rural Employment Program (NREP) and Rural Landless Employment Guarantee Programme(RLEGP). At the end of seventh 5 year plan.

So this was the consolidation of previous employment program and it was largest national employment program of India at that time with a general objective of providing 90-100 days employment / person particularly in background districts. People below poverty line were main target.

The yojna was implemented on rural scale. Every village was to be covered through panchayti raj Institutions. The village got aid and supported form DRDA expenditures were born by centre and state 80:20 ratios.

Since April 1,1999 this Yojna was replaced by Jawahar Gram Samriddhi Yojna later from Sept25, 2001 Jawahar Gram Samriddhi Yojna was merged with sampoorna Grameen Rojgar Yojna

COMMUNITY DEVELOPMENT PROGRAM

"Community development is a process where community members come together to take collective action and generate solutions to common problems".

According to Planning Commission of India, community development an attempt to bring about a social and economic transformation of village life through the efforts of the people themselves.

According to United Nations- community development is the process designed to create condition of economic and social progress for whole community development with active participation and fullest possible reliance on community initiative.

community development seeks to empower individuals and groups of people by providing them with the skills they need to effect change within their communities. these skills are often created through the formation of large social groups working for common agenda.

It is broad term given to the practices of civic leaders, activists, involved citizens and professionals to improve various aspects of communities, typically aiming to build stronger and more resilient local communities.

Why community development is needed-

Community development is a grassroot_rocess by which communities can:-

- ➤ Become more responsible
- organise and plan together
- > Develop healthy lifestyle options
- > Empower themselves
- Reduce poverty and suffering
- > Create employment and economic opportunities
- Achieve social, economic, cultural and environmental goals

70% of India's population still lives in villages. We can not achieve the status of 'Welfare Status' without solving socio-economic, cultural issues of such big part. This is the main reason behind goal of village development of U.P started as pilot project in 1948 and later on community development program was launched in 1952 due to its successs.

Obejective of community development

- Setting up co-operate societies in each village
- Public health
- Rural education
- > Improving means of communications and transport in rural areas
- > Setting up village level small scale cottage industries
- Agriculture and improvement in agricultural production
- Organizing and strengthening in village panchayat

Community development project, a new experiment in development and planning activities of the world. It is intended at fulfilling the various needs of village society and making it self-dependent. It is part of the Indian constitution aimed at establishing a socialist society in this country. It is based on following principles-

- > Drawing programs for fulfilling needs of community.
- > Involving the people in planning and development activities.
- > Bringing about material as well as psychological betterment.

Achievement of Community Development program

Village economy has changed from subsistence to cash economy.farmers now cultivate commercial crops like sugarcane and cotton and send them to outside market. They produce more by adopting new agricultural innovations. Village cooperations try to assist the farmers by supplying necessary inputs.

- The traditional association like caste and village councils have lost political influence due to institution like village panchayat
- Empowerment is evident as now women are active as community workers
- Establishment of small cottage industries played an important role in economic upliftment of the people.
- ➤ Literacy rate increased, as development of education was one of important aspect of community development
- Various training activities under the program provided to the village folk so that they become dependent
- Thousand of old road got repaired and new roads were constructed.
- ➤ Better Health services are now avaliable because various community health service centres.

Failure of CDP-Reasons

- Insufficient attentin paid to agricultural improvement.
- > Short-falls in irrigation
- Slow progress in animal husbandary
- Unsatisfactory progress in education and wealth.
- Disparity in Benifits
- Uneven in progress
- Institutional weakness
- Lack of suitable gram sevaks
- Imperfect co-ordination
- Meagre people's contribution
- No enthusiastic response



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