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Hydropower Projects in Uttarakhand: A study with special reference to Tehri Dam

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Abstract

Uttarakhand is famous for its natural scenic beauty and rivers. India's two major rivers viz. Ganga and Yamuna start their journey from here. Besides these two rivers, Uttarakhand has a large network of rivers and canal which provides enormous scope for hydropower energy. There are many hydro power plants in operation in Uttarakhand. The highest dam in India and one of the highest in the world is Tehri Dam in Uttarakhand. Earlier many dams have been constructed by irrigation department of Uttarakhand now UJVN Ltd. operates hydropower plants ranging in capacity from 1.5 MW to 304 MW, totalling to 1292.10 MW. The hydro power projects being clean, sustainable source of power on one hand but the big dams have adverse impact on environment as well as on socio-cultural, flora, fauna aspect of the region.

Objectives

Through this paper an attempt has been made:

- **(a)** To know and understand position of hydropower projects in Uttarakhand,
- **(b)** To analyse necessity of these projects along with environmental issues,
- **(c)** To evaluate Tehri Dam project in particular.

Methodology

- **(a)** Government portals,
- **(b)** Related books,
- **(c)** Reports- Media and Departmental.

Introduction

Uttarakhand is renowned for its scenic beauty and rivers. India's two major rivers viz. Ganga and Yamuna start their journey from here. Besides these two rivers, Uttarakhand has a large network of rivers and canal which provides an immense scope for hydropower energy. One of the first hydro-power stations in India was commissioned in 1907 at Galogi, 22 km away from Dehradun close to Mussoorie – Dehradun Highway. More power stations were subsequently developed over a period of time. Uttarakhand has a very high hydroelectric power potential which is yet to be developed. Uttarakhand was formed on the 9th November 2000 as the 27th State of India, when it was carved out of northern Uttar Pradesh. Located at the foothills of the Himalayan mountain ranges, it is largely a hilly State, having international boundaries with China (Tibet) in the north and Nepal in the east. On its north-west lies Himachal Pradesh, while on the south is Uttar Pradesh. It is rich in natural resources especially water and forest with many glaciers, rivers, dense forests and snow-clad mountain peaks.

After Independence, the necessity of constructing water resources and hydropower projects was felt by the politicians of our country and many multi-purpose projects were conceived and executed. On December 23, 1949, the first Prime Minister of Independent India, Pt. Jawahar Lal Nehru laid a foundation stone at Dakpathar, 46 km from Dehradun, for construction of Yamuna Valley Hydroelectric Project Stage-I. But due to paucity of funds, the construction work could not be taken up immediately. The construction on the Project was started in 1956 and again had to be stopped in 1958, because Koch Dam was proposed to be constructed on river Yamuna in the upstream of Tajewala Head Works by State of Punjab and it was feared that the Yamuna Valley Hydroelectric Project Stage-I shall come under the submergence. However, the investigations and surveys conducted by the Engineers of Irrigation Department revealed that due to poor geological conditions, it was not feasible to construct the proposed Koch Dam Project. Later, in 1960, Yamuna Organisation was established and the work on Yamuna Valley Hydroelectric Project Stage-I was restarted in 1961 and completed successfully in just 5 years.

After the successful construction of Yamuna Valley Hydroelectric Project Stage-I, Maneri Bhali Hydroelectric Scheme Stage-I was constructed successfully and commissioned in 1984. The Irrigation Department has attained expertise in the last 50 years in construction and maintenance of Civil Works of Hydropower Projects, which include Ichari Dam, Chhibro-Khodri Power Houses, Dakpathar Barrage, Asan Barrage, Dhalipur-Dhakrani Power Houses, Ram Ganga Dam, Chilla Hydropower and Maneri Bhali Stage-II Project.

Following table shows construction of different hydropower projects with their capacity of electric power production by the irrigation department of Uttarakhand -:

S. no.	Name	year	Capacity in MW
1	Yamuna Hydroelectric Project Stage-I (Dakpathar Barrage, Dhakrani, Dhalipur Power House)	1965	84.75
2	Yamuna Hydroelectric Project Stage-II Part 1 (Ichari Dam and Chhibro Power House)	1975	240
3	Yamuna Hydroelectric Project Stage-II Part-2 (Khodri Power House)	1984	120
4	Yamuna Hydroelectric Project Stage-IV Part 1 (Asan Barrage and Kulhal Power House)	1975	30
5	Yamuna Hydroelectric Project Stage-IV Part 2 (Khara Hydroelectric Project)	1992	72
6	Chilla Hydroelectric Project	1981	144
7	Maneri Bhali Hydroelectric Project Stage-I	1984	90
8	Ramganga Project, Kalagarh	1976	198

Source: Irrigation department of Uttarakhand

After the creation of New State of Uttarakhand on November 9, 2000, Irrigation Department, Uttarakhand also constructed the Maneri Bhali Hydroelectric Project Stage-II, commissioned in Feb. 2008, and remained primarily responsible for maintenance of hydropower projects in the State up to April 2010. Different projects were undertaken before and after formation of new state of Uttarakhand on different rivers. A new dawn broke in the Power Sector of Uttarakhand when Uttaranchal Jal Vidyut Nigam Limited came into existence, with some promises to keep with the home state, to emerge as a Power Major and to make the state, so called "Urja Pradesh". Consequent upon the change of name of the State from Uttaranchal to Uttarakhand, the company was renamed to Uttarakhand Jal Vidyut Nigam Limited on 02.07.2007.On 04.04.2011 the company was again renamed to UJVN Ltd. as it diversified its operations "to establish takeover, operate and maintain power generating stations harnessing the conventional, non-conventional, nuclear and other sources of energy by what so ever name called that include sub-stations, transmission lines, other ancillaries and activities that are essential for generation, transmission, distribution and trading of power". UJVN Ltd. is a wholly owned Corporation of the Government of Uttarakhand. Today, UJVN Ltd. operates hydropower plants ranging in capacity from 1.5 MW to 304 MW, totalling to 1292.10 MW.

Hydro Projects under Operation in Uttarakhand State

S. No.	Name of Project	Estimated Potential (MW)	District	River/ Tributary	Agency
1	Maneri Bhali Stage - II	304	Uttarkashi	Bhagirathi	UJVNL
2	Chibro	240	Dehradun	Tons	UJVNL
3	Ramganga	198	Pauri	Ramganga	UJVNL
4	Chilla	144	Pauri	Ganga	UJVNL
5	Khodri	120	Dehradun	Tons	UJVNL
6	Tiloth	90	Uttarkashi	Bhagirathi	UJVNL
7	Dhalipur	51	Dehradun	Yamuna	UJVNL
8	Khatima	41.4	U.S. Nagar	Sarda	UJVNL
9	Dhakrani	33.75	Dehradun	Yamuna	UJVNL
10	Kulhal	30	Dehradun	Yamuna	UJVNL
11	Pathari	20.4	Hardwar	Upper Ganga/ Canal	UJVNL
12	Mohmadpur	9.3	Hardwar	Upper ganga/ Canal	UJVNL
13	Galogi	3	Dehradun	Bhattafall	UJVNL
14	Urgam	3	Chamoli	Kalpganga	UJVNL
15	Dunao	1.5	Pauri	Eastern Nayar	UJVNL
16	Tanakpur	120.00	Champawat	Sharda	NHPC
17	Dhauli Ganga	280.00	Pithoragarh	Dhauli Ganga	NHPC
18	Tehri Dam	1000.00	Tehri	Bhagirathi	THDC
19	Koteshwar Dam	400.00	Tehri	Bhagirathi	THDC
20	Rajwakti	3.6	Chamoli	Nandakini	Him Urja Pvt Ltd
21	Hanuman Ganga	4.95	Uttarkashi	Hanuman ganga	Regency Aqua
22	Vishnuprayag	400	Chamoli	Alaknanda	JPVL
23	Deval	5	Chamoli	Pinder	Chamoli Hydro Pvt Ltd.
24	Loharkhet	4.8	Bageshwar	Lohar Khet	Parvatiya Power Pvt Ltd.
25	Agunda Thati	3	Tehri	Balganga	Gunsola Hydro

26	Vanala	15	Chamoli	Banala	Hima Urja Pvt Ltd.
27	Bhilangana	22.5	Tehri	Bhilangana	Swasti Power
28	Motighat	5	Pithoragarh	Sheraghat	Himalaya Hydro (P) Ltd.
29	Birahiganga	7.2	Chamoli	Birahiganga	Birahiganga Hydro
30	Rishiganga	13.2	Chamoli	Rishiganga	Rishiganga Power
31	Bhilangana III	24	Uttarkashi	Bhilangana	Bhilangana Hydro Power Ltd
32	Gangani	8	Uttarkashi	Gangani	Regency Gangani Energy
33	Sarju Stage-III	10.5	Bageshwar	Sarju	Uttar Bharat Power Pvt. Ltd
34	Badyar	4.9	Uttarkashi	Badyar gad	Regency Yamuna Energy
35	Srinagar	330	Pauri	Alaknanda	GVK
36	Sarju Stage-II	15	Bageshwar	Sarju	Uttar Bharat Power Pvt. Ltd
37	Tanga	5	Pithoragarh	Sheraghat	Himalaya Hydro (P) Ltd.
	Total	**3971 MW**			

Source: UJVN ltd. Uttarakhand

Tehri Dam, Tehri Garhwal Overview

The highest dam in India and one of the highest in the world, Tehri Dam offers a sight that is both astounding and magnificent. It serves as the world's biggest hydro electrical project drawing water from two great rivers of the Himalayas- Bhagirathi and Bhilangana. Tehri Dam is responsible for supplying water for irrigation and daily chores along with the generation of 1,000 megawatts of hydroelectricity. The Tehri Dam and the Tehri pumped storage hydro electric power plant are part of Tehri Hydro power complex which also includes the 400 MW Koteshwar Dam. Power is distributed to Uttar-Pradesh, Uttarakhand, Punjab, Delhi, Haryana, Jammu-

Kashmir, Chandigarh, Rajasthan and Himachal Pradesh. The maximum planned power generation capacity of the Dam is 2400 Mw.

Tehri Dam also fulfils the purpose of being a great tourist destination in Garhwal. People visit the place to witness the scenic beauty of the hilly area alongside which they get to indulge themselves in activities like jet skiing, water zorbing, and rafting. Located in the foothills of the Central Himalayan Seismic gap, Tehri Dam is considered one of the world's largest hydroelectric projects. Though its construction has undergone different hurdles, the dam now stands proudly in the Tehri Garhwal region. The place offering a sight of the massive dam with stagnant water and high mountains on all side is easily reachable via well-maintained roads. An example of mindful engineering and architecture, the dam becomes a must visit for anyone seeking adventure in the laps of beauty.

History of Tehri Dam

The construction of Tehri Dam underwent many ups and downs. In 1961 the preliminary investigation for the project got completed following which 1972 led to the completion of its design. Financial and Social impacts delayed the construction that began in 1978. USSR lent a helping hand in 1986 by providing technical and financial assistance. But soon political instability became the reason for the termination of this aid. Finally, India came into the race and the responsibility was now in the hands of Irrigation Department of Uttar Pradesh. To manage the construction project Tehri Hydro Development Corporation came into existence. Furthermore, 75% of the funding came from the federal government and 25% from the state. Uttar Pradesh was to finance the entire irrigation project of the Dam. In 1990, due to the reconsideration, the design of the Dam changed into what we see today as one of the tallest dams, the Tehri Dam. Finally, 2006 marked the completion of this dam. In 2012, the other part of this project, koteshwar dam, met with completion of roads.

Impact on Environment

A socio Economic of the resettled population was conducted by Administrative Staff college of India (ASCI). In its report of May, 2009, has concluded that in the rehabilitation and resettlement for Tehri hydro power project that there is improvement in living standards of project affected families when compared with the areas where they stayed earlier. Tehri project is a multipurpose project providing irrigation, drinking water and power benefits.

Uttarakhand is a hilly state. On the one hand this newborn state needs development, on the other hand so many sensitive issues are necessary to think about, for example environmental issues and disaster management. This is ripe time to think about priorities of the state .Himalayan rivers carry huge amounts of sediments besides water. But the dams in the Indian Himalayan Range are not designed for the sediment loads. There was destruction at the Vishnuprayag hydro power project due to the heavy sediment load. Many temporal changes in the landscape at Srinagar were noticed. Till 2007 when there was no muck dumped at the river bank but in 2009 muck dumping was in progress and after the flood, a part of the muck and the university stadium ground was washed away. Disruption of river flows also took place resulting in minimal flows released downstream of hydro electric projects leading to loss of river integrity, disruption of fish migration, loss of aquatic biota and diversity.

In mid-June, it will be the first anniversary of the Uttarakhand tragedy where over 900 people died and hundreds more went missing after landslides and floods tore into the Himalayan state. For years, environmentalists had been warning that the disaster was waiting to happen as the authorities went ahead to build many of the 450-odd hydroelectric projects planned in the region.

Echoing concerns raised by green activists, a recent report submitted by an expert body to the Supreme Court has stated that hydropower projects were responsible for amplifying the scale of the Uttarakhand disaster and causing environmental damage in the state. After getting the report, the Supreme Court ruled that all ongoing work on 24 hydropower projects in the state should be stopped until the next hearing, scheduled in July 2019. Eminent Uttarakhand-based environmentalist Bharat Jhunjhunwala had gone to court over the issue.

The seventeen member expert body was constituted by the Ministry of Environment and Forests following an August 2013 Supreme Court orders for a detailed assessment of whether hydroelectric projects had contributed to environmental degradation and if they had played a role in the Uttarakhand tragedy. Over half a million people were affected in what was termed the worst natural disaster India faced after the 2004 tsunami. The expert committee found that construction of massive dams in Uttarakhand resulted in large-scale excavation of muck that was disposed irresponsibly on riverbeds, which got washed downstream during the floods multiplying the extent of damages manifold.

"It's definitely a strong report and the most comprehensive and in-depth one so far. It could have delved into the socio-cultural aspects but what we had been saying all along that these dams are detrimental to the environment and that they were responsible for the disaster, has been taken into account," said Mallika Bhanot, an activist from a people's movement called Ganga Ahvaan.

The experts want a review of the state's hydropower policy. They recommend scrapping 23 projects in the Alaknanda and Bhagirathi rivers and their tributaries. These two rivers join to form the Ganga, India's longest river and one considered holiest by millions of Hindus."The hydroelectric power projects would have irreversible impacts on the biodiversity of Alaknanda and Bhagirathi basins," states the report. It further points out that a number of these projects fall inside protected forests, the Gangotri eco-sensitive zone or critical wildlife areas, and that these projects should be rejected .The report also says that above the snowline – which is between 2 and 2.5 kilometres above sea level in the area – should be kept free of hydropower projects. Since glaciers in the area are receding due to climate change, there are more debris (called moraine) near their snouts and therefore more sediment in the rivers that spring from these glaciers. That can mean a higher volume of mud cascading down and increasing the damage in the event of flash floods, like the ones that took place in 2013.

The experts want the federal environment ministry to carry out cumulative environment impact assessments for all river basins and issue river regulation zone guidelines on the basis of these assessments.

"The area is already highly prone to flash floods, seismic activity and landslides. With big hydro projects come tunnelling, blasting that further increase the risk of landslides and can play havoc in case of a disaster like the one we witnessed last year," Himanshu Thakkar, coordinator of South Asia Network on Dams, Rivers and People (SANDRP) told the third pole net SANDRP projects. The NGO questioned the presence of some members on the committee, alleging that they had a conflict of interest, especially B. P. Das, former member and vice chair of the NGO, said in a statement that the experts should have asked for immediate stoppage of work on all

23 environment ministry's Expert Appraisal Committee (EAC) on river valley projects. The EAC had cleared the projects in the first place.

The Union Cabinet recently brought all hydro power projects of more than 25 MW capacities under renewable category which caused a jump in their share of energy production in the country. So far, only hydropower projects of under 25 MW capacity were considered in the renewable category. This would help revive the ailing hydropower sector, states the Cabinet decision**.**

Conclusion

Hydropower is clean, green, sustainable and also a cheap source of power in the long run .Amongst the renewable sources of energy, hydropower has been recognised as the most preferred source of energy due to its inherent benefits. Thermal Power Generation Stations are dependent on fossil fuels which are limited and may not last long whereas hydropower is a renewable source of energy. While hydropower has a long gestation period and needs huge upfront capital cost, it has much longer life and free from fuel cost which significantly makes it cheaper in the long run. Following steps can be taken to minimise negative impact on environment due to Hydro power projects.

- Community-based Catchment Area Treatment plan execution must be done by the State agency within the construction period of the project.
- Dams can be redesigned by model studies of structures needed to withstand heavy sediment loads in the Ganga river system during floods.
- River Regulation Zone (RRZ) guidelines can be framed for civil works along the banks of River Ganga and encroachments in its flood plains must be monitored and avoided.
- No Dams construction be allowed in the Paraglacial Zone.

I want to conclude my paper with a quote of Mahatma Gandhi " I hold that economic progress in the sense I have put it (of material advancement without limits) is antagonistic to real (moral) progress".

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Competition Law in Nepal: Challenges in Implementation

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Abstract

Competition law is a law that market competition by regulating anti-comparative conduct by companies. Competition law is implemented through public and private enforcement. It is known as anti-trust law in the United States and European Union and as anti-monopoly law in China and in Russia. The primary purpose of competition law is remedy of the situation in which the free-market system breaks down. Dynamic competition between firms is the essence of strong and effective markets. In fact, competition helps consumer get a good deal. Similarly, it encourages firms to innovate by reducing loss, putting downward pressure on costs and providing incentives for the efficient organization of production. So, the primary function of competition law is to eliminate the unfair competitiveness of the market and its harmful effect. The history of competition law reaches back to the Roman Empire. The business practices of market traders, guilds and governments have always been subject to scrutiny, and sometimes severe sanctions. Since the 20th century, competition law has become global. The two largest and most influential systems of competition regulation are United States Anti-trust Law and European Union Competition Law. National and regional competition authorities across the world have formed international support and enforcement network for the cause.

Key Words: Competition Law, Anti-trust Law, Monopolistic and Trade Practices, Restrictive Trade Practices

General background

Competition is a central driver for productivity growth in the economy of the global competitiveness. When working effectively, competitive involves a process of rivalry between firms that strive to win customers' business by achieving to lowest level of cost and prices, developing new products or services or exploring particular strengths, skills or other advantages to meet customers' needs more effectively than competitors.[1] Competition law is not, directly, about consumer protection, or trading standards, although both may benefit from the application of competition law.[2]

Competition law seeks to protect consumers' access to markets and protect, to some extent, consumer freedom of choice and seller's freedom from coercion[3]. In competition law, monopolizes is the unfair trade practice that gives the meaning of a trade practice which, for purpose of promoting the sale, use or supply of any good for provisions of any services[4]. Moreover, this act defines that an unfair trade practice, which, for the purpose of promoting any sale, use or supply of any goods or services, adopt unfair method or deceptive practices. But fair competition in market economy is considered to increase overall wealth, protect consumers and foster innovation. It also helps to make companies and their goods and services competitive on the world market[5]. Competition law eliminates and prohibits the monopoly position of the market. It is also called hybrid form of law, displaying features of public as well as private law and liberalism as well as interventionism.[6]

Competition law principles are applied primarily by administrative officials, but their application is subject to judicial processes.[7] Competition law deals with market failures on account of restrictive business practices in the market. It is a law that promotes or seeks to maintain market competition by regulating anti-competitive conduct by companies and, it is implemented through public and private enforcement. In order to control monopolistic and restrictive trade practice, Nepal has enacted: Consumer Protection Act, 2054, Black Marketing Punishment Act 2032, Competition Promotion and Market Protection Act 2063. These laws were enacted to ensure that the operation of the economic system does not result in the concentration of economic power in hands of few laws, to provide for the control of monopolies, and to prohibit monopolistic and restrictive trade practices.

Definition of Competition Law

Competition law came to be recognized as one of the key pillars of a market economy[8]. This recognition led to enactment of competition law in many countries, including developing countries. Competition in the market means competing for quality, price and resources, leading to a market oriented towards consumer rights, fair trade, and efficient resource allocation, development of small businesses, incentives for innovation and diffusion of economic power. Modern competition law has historically evolved on a country level to promote and maintain fair competition in markets principally within the territorial boundaries of nation-states. National competition law usually does not cover activity beyond territorial borders unless it has significant effects at nation-state level. Countries may allow for extraterritorial jurisdiction in competition cases based on so-called effects doctrine. The protection of international competition is governed by international competition agreements.

Competition law is one of the most essential concepts in the field business and economics. Many researchers learn competition as a particular market structure that is especially useful in gaining an understanding of resource allocation and efficiency[9]. It is a market structure that consists of large number perfectly knowledgeable buyers and sellers who are individually too small to affect the market price and who engage in the exchange of homogenous good[10]. Competition is a dynamic process is hardly a new concept[11] and its roots go as far back as Richard Cantillon.[12] David Ricardo, John Stuart Mill, and Adam Smith all contributed to its evaluation. These and other classical economist's tough of competition as a competitive behaviour, especially with respect to price. Competition has drastically different implications about the welfare consequences of monopoly. It is nothing that competition as a market structure and competition as a dynamic process are not only descriptive but normative as well. That is, they do not merely describe the nature of competition; they inform us that competition is socially beneficial.

Elements of Competition Law

In the event of an assumed breach of the competition rules, the first element to be considered is Anti-comparative agreements; the relevant market. Defining the relevant market means determining the scope of the competition rules in respect of restrictive practices and abuses of a dominant position as well as the scope of the merger regulations. Anti-comparative agreements are those agreements that restrict competition. Usually, an agreement needs not to be formal or in writing or justifiable in a court of law necessarily to be dealt with under a competition law. Thus, an informal agreement to fix prices will be hit by provisions of competition law. The competition Act, 2002, India, deals with anti-comparative agreements.[13] In the America; anti-competitive agreements are dealt with in section 1 of the Sherman Act. In the UK, anti-comparative agreement is covered in chapter 1 and section 2. In the EU, these are controlled by re-numbered Article 81 of the Treaty of Rome. In Australia, anti-comparative agreements are covered in their competition law.[14]

Second element of modern competition law is domination. In the modern competition laws, in order to establish abuse of dominance or dominant position, it is first necessary to establish the dominance itself.[15] The laws of various countries show a lesser convergence while dealing with abuse of dominance. In the Competition Act, 2002, India, abuse of dominant position is dealt with in a section 4.The third element of modern competition law is merger (union) control. Merger (union) control refers to the procedure of reviewing mergers and acquisitions under antitrust / competition law. Over 60 nations worldwide have adopted a regime providing for merger control. National or super national competition agencies such as the EU European Commission or the US Federal Trade Commission are normally entrusted with the role of reviewing mergers. Merger control regimes are adopted to prevent anti-competitive consequences of concentrations. Followings are also the major elements in competition law:

1. Monopolistic and Trade Practices (MTP): Monopolies may exist in a particular industry if a company controls a major natural resource, produces all of the output of a product or service because of technological superiority, holds a patent on a product or process of production, or is otherwise granted government permission to be the sole producer of a product or service in a given area.[16] A monopolistic trade practice is deemed to be prejudicial to the public interest, unless it is expressly authorized under any law or the Central Government permits to carry on any such practice.

2. Unfair Competition in the Trade Practice (UCTP): Using various deceptive, fraudulent or unethical methods to obtain business unfair trade practices include misrepresentation, false advertising, tied selling and other acts that are declared unlawful by statute. It can also be referred to as deceptive trade practices[17]. Most state unfair trade practices statutes were originally enacted between the 1960s and 1970s. Since then, many states have adopted these laws to prevent unfair trade practices. Consumers that have been victimized should contact the unfair trade practice statute in their state to determine whether they have a cause of action.[18] Although, the law of unfair competition helps protect consumers from injuries caused by deceptive trade practices, the remedies provided to redress such injuries are available only to business entities and proprietors. Consumers who are injured by deceptive trade practices must avail themselves of the remedies provided by state and federal Consumer Protection laws. In general, businesses and proprietors injured by unfair competition have two remedies: injunctive relief and money damages.

3. Restrictive Trade Practice (RTP): Restrictive trade practice means a trade practice which tends to being about manipulation of price or its conditions of delivery or to affect flow of supplies in the market relating to goods or service in such a manner as to impose on the consumers unjustified costs or restrictions and shall include delay beyond the period agreed to be a trader in supply of such goods or in providing the services which has led or is likely to lead to rise in the price and any trade practice which requires a consumer to buy, hire or avail of any goods or, as the case may be services as-condition precedent to buying, hiring or availing of other goods or services. According to Sec. 2(n) of the Indian CPA restrictive trade practice means any trade practice which requires a consumer to buy, hire or avail of any goods or, as the case may be, services as a condition precedent for buying, hiring or availing of other goods or services.

Characteristics of Competition Law

The basic and most significant characteristic of developing countries is low level of development of their markets. The most common definition of a developing jurisdiction is based on a basic yet simple test: the level of gross national income (GNI) per capita: once the level is below a certain threshold the jurisdiction is considered to be a developing one. This definition and its current entrance capture almost half of the jurisdictions of the world and approximately two-thirds of the world's population.[19] Gross national income relates to competition both as an input and as an output: it indicates the purchasing capability of consumers which impacts the extent of potential competition, at least in some markets. At the same time, it partly results from the level of competition: competition pushes its participants to improve their productivity and efficiency and enhance innovation, processes which positively impact gross national income levels.

Accordingly, low levels of gross national income serve as an indirect indicator that competition is limited. Yet focusing solely on gross national income has drawbacks, given that it is a static measure, an aggregate one, and does not explore the sources and factors affecting the low level of productivity. Accordingly, attempts have been made to incorporate other factors into the definition. For instance, the United Nations Resolution regarding the criteria for the identification of the least developed countries (LDCs), requires the satisfaction of three criteria in order to be included in this category: low gross national income, a human resource weakness criterion and an economic vulnerability criterion[20].

1. Economic Characteristics: Trade liberalization, privatization, deregulation, the support of foreign direct investment and the active introduction of more advanced technologies for production have been part of market competition.[21] Such changes were often followed by the adoption of enabling laws, of which competition laws are an essential part, although only after the famished man has been given a healthy meal i.e. contract law, property law, corporate law etc. to get him back on his feet.[22] For that reason, the stage of transition of the economy and the degree of incorporation of the free-market principles and basic conditions are an important factor in competition law. One of the most important barriers to trade in developing jurisdictions is their low level of physical infrastructure, as numerous studies have shown; a remarkable correlation exists between low levels of physical infrastructure and low levels of productivity.[23] These impacts of poor infrastructure translate into barriers to competition for both domestic and foreign firms.

2. Institutional Characteristics: While there exists a wide range of institutional characteristics across developing jurisdictions, they all suffer from a shortage in human and financial resources.[24] Many developing jurisdictions suffer from additional institutional problems, which are also relevant to this research. Among the various characteristics, one is, especially of LDCs, regards the phenomenon of poor institutions, that are taken for approved in the industrialized world. To be functioning, market activity must be supported by institutions such as financial institutions, economic laws and a functioning court system. Financial institutions, for example, provide opportunities for credit necessary for entering the market if the industrialist does not have much money of its own. The enforcement of contracts and of property rights by the courts enables market players to engage in long-term trading rather than in immediate bartering, without fearing that the other party would bail out after one side has performed his part of the agreement. Where courts do not function well i.e. judges lack real understanding of the law or proceedings are extremely lengthy and uncertain and markets may find it hard to function.[25]

3. Political Characteristics: Political stability affects the ability of the government to commit to long-term changes in the market. Corruption which measures excessive patronage, nepotism, job reservations, favour-for-favour and too closes ties between politics and business is also a highly problematic characteristic of a large number of developing jurisdictions.[26] In the World Bank Enterprise Survey relating to corruption, for example, developing economies were about four-fold overrepresented among the economies characterize with high corruption, relative to developed ones. Corruption distorts competition by raising the barriers faced by some market players regardless of their comparative advantages.

4. Social and Cultural Characteristics: Social and Cultural Characteristics is an important characteristic which affects the enforcement of competition law. Sometimes it overlooked by scholars or simply dismissed as a lack of a competitive culture; involves the current culture of competition. Indeed, in every market a web of active business norms exists, with their own internal balances and borders of authority, where the local community is used values cross cultural studies. Even the conception of competition may differ among cultures. An important cultural difference is created by the different weight given in different societies to competition versus collaboration among market participants. One important difference is based on the level of risk that is assumed to prevail in the market. Societies accustomed to the confidence connected with planned moves and tighter control over occurrences deriving from intensive governmental involvement in the economy, might find it much less acceptable to lean on random unexpected market dynamics deriving from the inputs of profit-seeking random players.[27]

The Emergence of Competition Law in Nepal

In pursuit of globalization, Nepal has responded positively by opening up its economy to global players, removing controls and resorting to liberalization in 1990s. Post 1990 many changes were introduced to make the market driven by competitive forces, so that there could be incentives for raising productivity. The enactment of a competition law ensures the international investors that the market can be trusted as a true economy which participates in both local and foreign transactions and would be equally guided by the rules applicable to all in the market place.

A good competition policy, along with a sound competition law should help in fostering competition, economic efficiency, consumer welfare and freedom of trade. The issue of Monopolistic and Restrictive Trade Practices (MRTP) in Nepal is addressed by Competition Promotion and Market Protection Act 2063, and Consumer Protection Act 2054 which aims at preventing economic power concentration in order to avoid damage. The act also provides for probation of monopolistic, unfair and restrictive trade practices. The law controls the monopolies and protects consumer interest.

1. Competition Promotion and Market Protection Act, 2063, Nepal: For the purpose of this Act, Government has established a board to be known as the Competition and Market Protection Board. This Board shall consist of a Chairman and minimum 2 and maximum 8 other members, all to be appointed by the Government. All ex-office members has no tenure. Every other member nominated by government shall have the tenure of two years. However, the member will be eligible for re-appointment. In case of any unfair trade practice, monopolistic trade practice and/or restrictive trade practice, a complaint can be filed against such practices to the Board. The Competition Promotion and Market Protection Act, 2063 prohibit following Anti-competitive practice Prohibition on anti-comp.

2. Consumer Protection Act, (CPA) 2054 Nepal: The consumer protection Act came in to force for Protecting consumers from irregularities concerning the quality, quantity and prices of consumer goods or services. This law ensuring that no one lowers or removes the attributes or usefulness of consumer goods or services. Preventing circumstances in which monopolies and unfair trade practices may lead to an increase in prices, as well as false and misleading propaganda regarding the use and usefulness of consumer goods or services, entities agreements. This law is to selling, supplying, importing, exporting and storing safe and quality consumer goods or services, and protecting the rights and interests of consumers through the establishment of an agency for redressing the hardships of consumers.

The Monopolistic and Restrictive Trade Practices (MRTP) Issue and Competition Laws in India

The competition law in India came in to force with the Indian independence of 1947. In India the very first act related to competition law was enacted in 1969 and, later in the context of new economy policy paradigm India has chosen to enact a new competition law called a Competition Act, 2002. After the enactment of Competition Act, 2002, only a few provisions of the new laws have been brought in to force. For the late time, the outgoing law, MRTP Act, 1969 and the new law, Competition Act, 2002 are concurrently in force, those as mentioned above only some provisions of the new law have been brought in to force. Consumer Protection Act, 1986 is an Act of the Parliament of India enacted in 1986 to protect interests of consumers in India. It makes provision for the establishment of consumer councils and other authorities for the settlement of consumers' disputes and for matters connected therewith.

1. Monopolises and Restrictive trade Practices Act, 1969, India: Monopolizes and Restrictive trade Practices act, 1969 was enacted in pre-liberalization era of the India. The aim of this act was to provide the operation of the economic system does not result in the concentration of economic power to the common detriment for the control of monopolizes, for the prohibition of monopolistic and restrictive trade practices. This act clearly defined those competition offences implicit or not but there is no enabling provision to render opinion to central government on such issues. The concept of consumer is not defined here.

2. The Indian Competition Act, 2002, India: The aim of this act is to prevent practices having adverse effect on competition, to promote and sustain competition in markets, to protect the interest of consumers and to ensure freedom of trade carried on by other participants in markets. This Act focuses on effect of competition on market. It seeks to prohibit anti-comparative agreements, abuse of dominant position and to regulate combinations. This act prohibits anti-competitive agreements, abuse of dominant position and to regulate combinations. Here, the consumer includes both commercial buyer and ultimate user.

3. The Essential Commodities Act, 2055, India: The Essential Commodities Act 2055 is an act of Parliament of India which was established to ensure the delivery of certain commodities or products, the supply of which if obstructed owing to hoarding or black-marketing would affect the normal life of the people. This includes foodstuff, drugs, fuel etc.

4. Constitutional Provision of Competition law in India: Articles 38 and 39 of the constitution of India mandate, intra-alia, that the state shall strive to promote the welfare of the people by securing and promoting as effectively, as it may, a social order in which justice, sociability, economic and political shall inform all the institution of national life, and the state shall, in particular, direct its policy towards securing; the ownership and control of material resources of the community are so distributed as best to sub serve the common good and the operation of the economic system does not result in the concentration of wealth and means of production of common detriment.

Challenges of Competition Law Policy and Implementation in Nepal: An Analysis

1. Landlocked position of Nepal and Major Issues: Together with Afghanistan and Bhutan is one of the three landlocked least developing countries in South Asia, Nepal has been experiencing problems in trade, transportation and economic development.[28] Being also a least developed country, Nepal faces additional handicaps in these areas. The landlocked situation and mountain terrains have made the transportation of goods highly expensive and burdensome in our country. Our nearest port, which is not even a part of the main sea lanes of the world, is over a thousand kilometers away from our border. Our focus has been to further improve and upgrade transit facilities and infrastructures through an integrated approach to ensure a smooth and efficient transit transport system to facilitate trade.[29]

2. Violation of International Laws by India: India imposed an unofficial blockade, cutting supplies of fuel and other essential commodities to Nepal. Experts of international relations say the blockade has violated at least eight international laws and conventions, and this is tantamount to aggression.[30] Moreover, Professor Surya Subedi, strongly argues that Nepal can go ahead for international court of Homburg, regarding the repercussion of economic blockade.[31] He also adds his argument that there are mainly three treaties that provides the right to the Nepal: first is treaty of 1965, which is related to the right of landlocked countries; second is the UNCLOS of 1982 (Article 125); and third is the law of World Trade Organization as an international instrument. Moreover, Nepal has right to access to sea according to following international instruments:

2.1 The Vienna Convention: The UN passed the Convention on Transit and Trade of Land-locked States in 1965, allowing land-locked nations like Nepal to import goods from other countries without any hindrance.

2.2 UNCLOS-III: UN Convention on the Law of the Seas 1982, to which both Nepal and India are signatories, allows all land-locked countries unhindered access to the sea.

2.3 WTO Laws: More than 165 countries, including Nepal and India, are members of World Trade Organization, and they are entitled to the right to trade with each other.

2.4 Trade and Transit Treaty: In 1989, India imposed an official economic blockade against Nepal when a transit treaty between these two countries expired. The treaty was renewed only after restoration of multiparty democracy the following year. The treaty is still in force but India has imposed an undeclared blockade against Nepal.

2.5 Bilateral Trade Treaty: Nepal has signed a trade treaty with India to access to sea via Indian Territory, which has been violated.

2.6 Asian Highway Agreement: Asian countries, including Nepal and India, have signed an agreement to connect their highways for regional trade. Nepal's East-West Highway and Arniko Highway are parts of the Asian highway.

2.7 SAFTA Agreement: South Asian countries have adopted the concept of South Asian Free Trade Area (SAFTA) to promote trade and business with each other. SAFTA law does not allow any country to block other country's goods.

2.8 BIMSTEC Agreement: Eight member countries of Association of Southeast Asian Nations (ASEAN) and South Asia Association for Regional Cooperation (SAARC) have started Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) which guarantees free trade among its member countries.

3. Issue of Foreign Trade and Nepal-India Relation: Foreign trade is not in favor of Nepal. It is not in balance. There are several problems in foreign trade: landlocked, open border with India, high import and low export, low quality goods high cost of production, low capital formation, tough competition, lack of proper policy and many other.

3.1 Nepal - India Open Border: Open Border is one of the major problems of foreign trade in Nepal, which is bordered by Indian from three sides. Has open border policy with India. There is a large flow of Indian good at cheap price. At borders, on one hand, Indian goods are smuggled in and imported foreign goods smuggled out in to India through unofficial routes. Individuals and business men get high benefit but the country gains a little. This has been hurting foreign trade badly.

3.2 High Import and Low Export: High Import and low export are one of the major problems of foreign trade in Nepal. Nepal imports more than it exports both in terms of items and value. Most of the things exported are agricultural products, handicrafts and raw materials, which do not earn much. It imports a lot of goods of daily uses and also expansive luxurious items. This has caused tremendous trade imbalance.

3.3 Lack of Proper Trade Policy: Lack of proper trade policy is one of the major problems of foreign trade in Nepal. Nepal has adopted a liberal trade policy since 1990. According to this policy, Nepal has been following open door policy. This allows uncontrolled flow of foreign goods in to Nepal, whereas Nepal does not have the capacity to counter this. There lacks proper trade policy due to the political instability and lack of political commitment.

Regional Integration of Landlocked Countries for the Promotion in Competition Law: An Analysis

Regional integration can be a very powerful tool for reducing the problems of landlocked countries. In the first place, regional integration fosters trade, raising rates of return to investment in transport infrastructure and thus making it more likely that the private sector will be willing to invest in the transport infrastructure. By lowering transport costs, the resultant improvement in infrastructure not only enhances the terms of the trade of the landlocked country, but can also reduce the expected cost of transportation through the transit country falls, fluctuations in the bilateral exchange rate between the landlocked and transit countries became less important interims of their potential effect on investment in the landlocked country. Secondly, integration can create condition that led to reduce in the costs of border crossings between a landlocked country and transit countries. Initiatives along these lines could include the unification of customs and immigration requirements among the countries in a trade community, the introduction of transport permits that are valid in more than one country, collaboration and coordination among frontier authorities, and so on. Special efforts need to be made a harmonize the documentation demanded by standardizing commercial practices as far as possible and introducing jointly agreed rules and procedures for presenting the information required.

In the third place, regional integration can also bring together markets geographically by making it unnecessary for landlocked country exporters to cross additional border. This also reduces the transport costs involved in reaching the final market, diminishing the competitive disadvantage created in this respect by the remoteness of landlocked countries from world markets. In the fourth place, regional integration can make it easier to coordinate multinational infrastructure projects. Negotiations among countries belonging to the trade bloc can make it more likely that a country will be credibly willing to participate in a given infrastructure project, thus reducing the effects of coordination failures. However, cooperation processes need to take account of probability of events occurring that might affect the ability of the parties to implement agreements. Moreover, regional integration can reduce exchange rate fluctuations between the landlocked and transit countries by aligning the economic cycles of participants. This would reduce uncertainty about future transport costs through the transit country.

Conclusion

Conclusively, competition is a central driver for productivity growth in the economy of the global competitiveness. Competition law is one of the most essential concepts in the field business and economics. Developed economies with already functioning markets can afford to focus solely on efficiency and disregard distributive effects, based on the assumption that the markets are generally free and open and that competition itself will create positive distributive effects. A more productive focus is on the efficient inclusive development of markets, giving weight to distributive concerns as part of the long-term development of the economy. Development also affects substance and procedure. A main characteristic is that the authority cannot confidently trust the self-correcting powers of the market, given inherent market failures and market access issues. Another is the limited capability of the enforcers and courts to apply complex laws. Consequently, none of the models applied in developed economies provides the best fit for developing countries.

The US model is geared towards markets that function very robustly and without a history of state ownership. The EU model may be regarded as a better fit for some developing countries, given its strong emphasis on openness and access. Accordingly, it is not enough to provide developing jurisdictions with a longer time-frame within which to match Western-like competition laws. Rather, their developmental needs require a competition law that is tailored in some respect to their unique characteristics. Although, UNCTAD model is not and was not intended to be sufficiently specific to become a law, and does not provide a set of clear and easily enforceable rules to guide business and enforcers. Still, these models have value for developing jurisdictions. Developing jurisdictions can benefit from the many parts of existing models, substantive as well as procedural, that are not sensitive to the level of development. Developing countries may be well advised not to lock themselves in tightly to any one model, but, rather, learn also from the experiences of other developing jurisdictions and create a law that is right for them.

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Functional Hierarchy of Rural Service Centers in Madhepura District

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Abstract

Rural service centers have assumed new significance in geographical studies the functional exchange inter dependence and co-ordination of various areal units are organized through system of service nodes which act as a bridging link between urban areas and the country side and may be urban rurban or rural in character the concept of hierarchy is based on the premise of breaks in settlement chain and resultant clustering of centers around same characteristic values. A balanced distribution of settlement unit and provision of adequate infrastructural elements is needed to achieve optimum results of economic development. In the present study hierarchy of rural service centers has been determined the basis of centrality India using uses as well as field data, impact on socio economic aspects of rural service centers in Madhepura district in positive.

Study area

Study area Madhepura district is situation between $25^0$30'N to 26^0 6' N latitude and 86^0 36' E to 87^0 8' E longitude extending over as area of 1788 square Km its total population according to 2011 census is 2001762. The district is bound on the hearth by Supaul district, on the south for Bhagalpur district on the earth by Araria and Purnea districts and on the nest by Saharsa and Khagaria districts. The present district is a part of old Saharsa district, which acquired its independent states on 9^{th} may 1981. At present it consists of thirteen blocks, 163 panchayats, 726 villages and two towns. Madhepura is the headquarters of the same name district.

Methodology

Methodology Proper deals with the position and scope of the field within the total system of the sciences and with the character and nature of its concept in the present study, techniques and method of geographical analysis have been used to portray the spatio functional characteristics of rural service centers of the study area. A comparatives study of the hierarchical systems identified on the basis of various indices enables to conclude that area. Absolute centrality index and size index derived from censes data and integrated functional index and central functions of need from the field data provide a better analytical technique for the determination of hierarchical clauses.

Hypothesis

The hypothesis is a powerful tool is research process to achieve dependable knowledge. It practice the hypothesis may be conveniently considered as a tentative on working conception and the theory is the stinting on rural hypothesis which is most differently support by all the evidence. In the research paper the following hypotheses have been toted:

1. Rural service centre are loner form of the central place hierarchy
2. Functional hierarchy of rural service centers is band as service score value.
3. Impact of rural service center on socio economics aspects of Madhepura district as positives.

Functional hierarchy

The concept of hierarchy is based on the praise of brakes is settlement chain and remittent clustering of centers around some characteristics values of balanced distribution of settlement unit and provision of adequate infrastructural elements is needed to achieve optimum results economic development the development process jumps from higher order centre to next lower order of centers and thus reaches the remotest villages the socio-economic gap opened bastion centre and its peripheral area can be filled up by creating intermediate centers of varying importance which will be located on the settlement scale, somewhere between as urban centre and a encircled allege and rural service centre or village.

Rural service centre is a part of central place system it is a point of specialized activities a point carrying ant task which are berg performed likely at central accessible places or when a degree of population concession is necessary subdivision headquarters. Block headquarters Railway station bin stops village markets are developing as rural service centers in the study are Madhepura district.

In total 52 rural service centers traced as around service centers in the district Gamharia block contains Singheshwar block 5, Madhepura block 6, Shankarpur block 2, Kumarkhand block 8, Murliganj block 6, Gwalpara block 3, Bihariganj block 2, Kishanganj block 5, Purani block 1, Chausa block 4 and Alamnagar block contains 4

Although several scholars and researchers have opposed statistical methods to calculate hierarchy of rural service centers in this study the folioing formula band on Goodland and modified beer sigh her bees followed for merjument of centrality as-

$$C = N X \frac{100}{P}$$

Where C= centrality of a particular centre

N= population engaged is trade and commerce in particular centre

P= Regional population engaged is trade and commerce

In calculation of central service group and services the following method has been used:

Service group	*Services*	*Score Value*
A. Education	Degree College	12
	Inter College	10
	High School	08
	Middle School	06
	Primary School	05
	Convent School	04
	Coaching Centre	03
B. Medical	Hospital	10
	Health Centre	08
	Medical Practicener	06
	Nursing Home	05
	Medical Shop	04
C. Administrative	Sub Division	15
	Block	12
	Police Station	08
	Panchayat Bhavan	06
D. Commercial	Bank	08

	Daily Market	07
	Tri weekly Market	06
	Bi weekly Market	05
	Weekly Market	04
E. Transport	Railway Station	10
	Bus stand	08
	Bus Stop	06
F. Communication	Post Office	08
	Mobile Shop	05
	Telephone Booth	04

In the present study hierarchy of rural service centers in the study are has been determined on the basis of centrality index using the census as well as field data. Relative and absolute indices have been calculated using the census data while field data has been used to obtain integrated functional distance in order to determine the hierarchy of 52 rural service centers.

According to centrality score rural service centers are divided into four categories. Those centers obtained more than so score categorized in a category. Those centers obtained more than sixty and less than 80 treaded as B category in this continuation those centers obtained more than 40 and less than 60 placed is c category and those centers obtained less than 40 score placed in D category.

According to centrality scores 52 rural service centers of the study area show hierarchy level as

Hierarchy category	Number of service centre
A	9
B	6
C	10
D	27
Total	52

Conclusions

The main problem has been studied in this research paper the Qualifying limit of a settlement function as a service node and to establish case and effect relationship between functional organization of rural service centers and selected vanable. fifty rural service centre have identified in the study area for determination of functional hierarchy functional score of each service centre has been commuted by its various functions as per functional score rural service centers are link between urban centers and its surrounding rural area. the rural services centers which function at love level of central place hierarchy and are also a part and parcel of the rural functional system get as growth points is propagating new innovation and implementing development policies and programs for rural upliftment impact of rural service centers on socio economic aspects of the study area is positive.

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Understanding Legal Research: Meaning, Definition and Importance

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Abstract

Legal research is an expansive and never-ending discipline of knowledge. The field of legal research involves examining the connection between the realm of law and the world that aspires to be governed by it. Research helps in identifying factual inaccuracies, understanding the social significance of laws, and assessing the effectiveness and usefulness of laws themselves. The purpose of this paper is to provide a brief overview research especially legal research, its meaning, definition, general types and importance. Moreover, it provides the acquisition of knowledge, the achievement of professional expertise, and the success of legal education.

Key words: Legal Research, Action Research, Applied Research, Survey Research.

Meaning and Definition of Legal Research

Law stands out as a significant and extensive branch among various fields of knowledge. Considering its wide-ranging applicability, the law serves as a discipline that governs and structures every aspect of human activity worldwide. Law as the subject guides various aspects of society, nation, and global communities such as political, economic, and social aspects. Law is essentially a marker of a civilized society. Wherever the rule of law is established, it brings an end to all forms of discordance. To maintain the vitality of the law, it is imperative to continually conduct research on matters related to it. So, research plays a crucial role in ensuring the effectiveness of the law. The purpose for which the law is created is to achieve a certain objective, and if there is a need for improvement and modification in any subject matter, then legal research is conducted.

The process of conducting research in the field of law, or legal research, is an essential and unavoidable task that contributes to the progressive development of society and the establishment of a lawful state within it.[1] Legal research involves extensive investigations to acquire a theoretical and practical understanding of a vast field.[2] Much like research in general, legal research is an expansive and never-ending discipline of knowledge. It encompasses scholarly activities related to the study, analysis, formulation, evaluation, and reevaluation of law and its numerous branches. The field of legal research encompasses a broad range of topics, including the examination and analysis of issues and facts.

Legal research deals with the study of different aspects of the law such as principles, theories, process, historical development, comparative status, functioning of the judiciary, justice delivery, among others. It is generally the process of checking for a legal precedent that can be cited in a brief or at trial. Virtually every lawsuit, appeal, criminal case, and legal process usually requires some amount of legal research. Legal research skills are of great importance for lawyers to solve any legal case, regardless of area or type of practice.

Legal Research is one of the aspects of the study of human behaviors, their interactions, attitude about any law under the research studies. The systematic investigation of problems and of matters concerned with law such as Codes, Acts, Constitutions etc., is related to legal research. Judges, Lawyers, Law Commissions, and researchers constantly do research in law. Legal. Legal research aims to generate new information, knowledge, understanding, or some other relevant cognitive good, and does so by means of a systematic investigation in the field of legal problems.[3]

Legal research involves various methods, such as: investigation, study, analysis, review, examination, exploration, inspection, scrutiny, evaluation, and testing to gather facts. These methods are used to identify solutions and strategies for conducting investigations in a comprehensive manner.[4] To this, studies of historical periods are undertaken, comparisons between various laws are made, studies on interrelationships are conducted, and different methods are employed.

In order to grasp the concept of legal research, it is imperative to delve into various definitions and doctrines. The term “legal research” pertains to the inquiry and investigation carried out by legislators, judges, lawyers, and legal writers as part of their professional responsibilities. The practical aspect of law is what this definition of legal research focuses on. Jurist E. C. Saransi has said in his book that legal research is the search for existing laws and precedents in our legal sources.[5]

Some important definitions given by scholars are as follows:

> Legal research is the process of proving or disproving a legal question or fact through research.[6]

> The acquisition of knowledge is the mission of research, the transmission of knowledge is the mission of teaching and the application of knowledge is the mission of public service". [7]

> Legal research is "the process of identifying and retrieving information necessary to support legal decision-making. In its broadest sense, legal research includes each step of a course of action that begins with an analysis of the facts of a problem and concludes with the application and communication of the results of the investigation.[8]

> Legal research is "a careful inquiry or examination in seeking fact or principles; diligent investigation in order to ascertain something".[9]

> Applied research helps in acquiring fresh information, adding to the understanding of concepts, merging theories, and evaluating their validity.[10]

The field of legal research involves examining the connection between the realm of law and the world that aspires to be governed by it. Analyzing different definitions, we can deduce that legal research encompasses the investigative efforts undertaken by legislators, judges, attorneys, writers, or individuals involved in the legal industry to fulfill their respective roles. Legal research is a type of investigation conducted by individuals in the legal industry or with connections to law. Its purpose is to simplify their work, meet their requirements, or acquire knowledge.

Dr. Catherine Dawsan presents that before start the research task the researcher needs to ask himself few questions:[11]

> Why have I decided to do some research?
> How Can I remain interested in my research?
> What Personal Characteristics do I have which might help me to complete my research?
> What skills and experience do I have which might help in my research?

Characteristics of Legal Research

Due to the ever-changing nature of society, laws are always subject to revision and are never considered fully comprehensive or definitive.[12] Due to its dynamic nature, understanding the same meaning is always challenging. Therefore, it has been accepted as a means of guiding people in building a civilized society. Without laws, individuals become unruly; they disregard their limits and boundaries, becoming impractical. As a result, society transforms into an uncontrolled crowd. Laws are essential and applicable in both inevitable and practical aspects of life within society.

Characteristics of the Legal Research are as follows:

> Legal Research focuses on examining social and behavioral patterns. Its aim is to analyze how individuals behave as members of society, including their emotional responses and attitudes in different situations.

> Legal Research serves two purposes: uncovering new legal information and verifying existing facts.

> Legal Research establishes cause-and-effect relationships, by studying human activities. A thorough investigation reveals that specific rules and universal laws influence many human behaviors.

> Legal Research provides solutions for legal issues or problems encountered in various scenarios.

Objectives of Legal Research

Legal research serves both academic and utilitarian purposes. The academic objective is to acquire knowledge, while the utilitarian objective focuses on practical applications. The objectives of legal research encompass various aspects, including gaining familiarity with legal phenomena, discovering new facts, verifying old facts, analyzing facts within a new theoretical framework, examining the consequences of new facts, developing new legal research tools and concepts. Another important objective is evaluating law from a historical perspective. Additionally, legal research aims to explain the nature and scope of law while also highlighting the weaknesses or merits of existing legal aspects.

It analyzes the effects of new legal systems or laws on society and predicts potential consequences resulting from new Acts. Critical interpretation plays a significant role in understanding Acts accurately. Legal researchers collect relevant information about specific areas of law to test hypotheses related to cause-effect relationships. Overall, these objectives demonstrate how diverse and comprehensive legal research can be in its pursuit of knowledge acquisition and providing valuable insights into various facets of the law.

The indispensability of research remains to enhance the effectiveness of legal education by bringing in more practicality. Understanding the law is not easy for everyone; it is a complex and professional subject. Sometimes, even individuals in positions of authority such as judges, lawyers, and teachers who possess specialized knowledge and skills can become perplexed. It is not just the memorization of legal statutes that is important, but also understanding how courts interpret and apply those laws in practice. Therefore, it is crucial to regularly engage in studying, teaching, contemplating, and discussing both the theoretical principles of law and their practical implementation. By adopting this approach, legal research becomes a vital component for ensuring that the law follows the correct path. The effective and capable legal bodies that aim to establish a legal state are able to work. In this situation, there is a need for research and the importance of legal research can be felt.

Importance of Legal Research

The importance of the law can be seen in its broad dimensions. It contributes to maintaining discipline (for example, laws), guiding policy-making (for example, crime, education), addressing specific issues or questions, and playing a crucial role in other diverse fields through legal research. In addition to this, it also aids in facilitating the daily operations of the law. Research supports students studying law by providing them with new knowledge and assistance for further examination. Such research contributes to the improvement of various legal systems by studying them and providing support for reforms. In doing so, legal research assists practitioners of law such as lawyers and judges in the administration of justice.

Knowledge of the theoretical aspect of the law, along with the importance of conducting research that is based on facts, practicality, and crime-oriented approaches, is essential. In order to achieve any development or dynamism in any legal system, in-depth study and research play a crucial role. Continuous analysis and critique are necessary when considering the utilization of law, practicality, legal precedents set by court cases, and various methods of gathering evidence. If laws are solely based on empty imagination without practicality or scientific foundations, they fail to serve their purpose effectively. Prior to the creation of laws, conducting sufficient research and studies plays a crucial role in developing effective legislation and ensuring its successful implementation. The establishment of legal governance is facilitated by both the formulation of sound laws and the influential aspect of their enforcement.

The significance of legal research in facilitating comprehensive understanding is as follows:

> The importance of legal studies is to make the law systematic and scientific.

> It verifies facts and evidence-based studies. It is only possible through well-organized and systematic research.

> It helps to acquire legal knowledge and allows for the examination of established beliefs.

> Research plays a crucial role in acquiring fundamental knowledge, that is, which has been obtained in a new framework for the first time.

> Acquiring professional expertise by studying the relationship and impact between law and society. The achievement of professional expertise can be perceived as a vital aspect of legal research.

> Various exploratory legal research conducted in the legal study of the nation enhances the ability to compete at the international level.

> Legal professionals such as lawyers, legislators, judges, legal authors, and law teachers rely on legal research to carry out their duties by the application of laws in real-life scenarios.[13]

> Legal research makes it easy to find solutions to problems effortlessly. By obtaining information about the nature, condition, and seriousness of a problem, legal studies provide assistance in resolving issues at the right time and in the correct manner.

> Research helps in identifying factual inaccuracies, understanding the social significance of laws, and assessing the effectiveness and usefulness of laws themselves. Based on this foundation, research makes it easier for the institutions such as, Law Commission and Legislature to carry out tasks related to law reform, amendments, revisions, etc.[14]

> Legal research helps in directing government policies towards the right path. The role of legal research is to prevent policy programs of the government from deviating from the law.

> Legal research provides valuable assistance to acquire national and international legal knowledge, as well as to gain knowledge of legal traditions and practices.

Types of Legal Research

Research is an extensive and boundless intellectual subject. It can encompass a wide range of topics and areas. The subjects and fields of research can be diverse. The topic of research can be divided into various forms based on the object, field, nature, purpose, method, etc. The methods used in research in the field of social science are also used in the field of legal studies. Law holds significant importance as a discipline within the field of social science. Types of research used in the legal field are:

1. Theoretical Research: Theoretical research is considered as an extensive and methodologically organized study in the legal field.[15] Theoretical research plays a significant role in the development and stability of legislation. As such, the conclusions drawn from primary and secondary legal sources serve as a method for conducting theoretical studies, relying on the interpretation of laws. By doing so, it helps to enhance the maturity and consistency of legal frameworks. The foundation of law-making lies in the sources of law. However, Salmond argues that legal sources are not essential as they only serve as unprocessed materials in legal proceedings.[16]

According to H. L. A. Hart, it is challenging to believe that anything can be done without relying on an official source of law other than the primary system of law.[17] Contract law is sometimes excluded from the study of law as a theoretical approach because it falls outside the realm of legal science. The development and application of contract laws should remain unaffected by factors such as history, culture, politics, and economics.[18] In certain situations, the depth of research and the conclusions drawn by researchers tend to be closely intertwined, while the activity of the court and judiciary seems to gravitate towards another direction. A detailed discussion on the method of theoretical research and non-theoretical research of law will be covered in chapter two.

2. Action Research: Action-oriented research is a methodological approach for doing collaborative research with practitioners and community partners that can inform practice, programs, community development, and policy while contributing to the scientific knowledge base.[19] Action-oriented research is conducted to find immediate solutions to current problems and implement remedial actions. The nature of this research is such that it aims to bring about directed changes in social activities, but it does not have the objective of studying this changes.[20]

Action research is a research method that aims to simultaneously investigate and solve an issue. In other words, as its name suggests, action research conducts research and takes action at the same time. It was first coined as a term in 1944 by MIT professor Kurt Lewin. A highly interactive method, action research is often used in the social sciences, particularly in educational settings. Particularly popular with educators as a form of systematic inquiry, it prioritizes reflection and bridges the gap between theory and practice. Due to the nature of the research, it is also sometimes called a cycle of action or a cycle of inquiry. [21]

3. Applied Research: The process of transforming acquired knowledge or concepts into practical applications is known as applied research. This type of research seeks to explore and discover new ideas when existing theories or models are not applicable, and it aims to further develop and apply those theories or models in the future. It plays a crucial role in identifying areas where additional modifications or enhancements need to be made within the theory or model through research findings.[22] P.V. Yong described applied research as a means of gathering knowledge and benefiting individuals. The method can be utilized to accumulate information and contribute to the well-being of people.

- Applied research contributes to obtaining new facts.
- Applied research can contribute to conceptual definitions and can integrate established theories.
- Applied research can be used to test theories.

The applied research method is an effective approach to comprehending the reasons behind events that take place in individuals' everyday lives and identifying solutions to issues. It enables us to assess the impact of existing laws on both people and society, identify any associated problems, and develop strategies for resolving them. By employing practical research methods, we can gain a deeper understanding of cause-and-effect relationships and work towards creating positive change in our communities. Before formulating or implementing any law, it is absolutely necessary to conduct thorough research into the practicality and practicality of the principles contained in that law. In this way, this type of research can play its role in the legal field from different perspectives. Laws applied in our country, principles, and concepts used in the legal field are often prevalent in other countries as well. Therefore, it is essential for us to examine and study the laws before incorporating them or after they have been incorporated into the legal system. It is important to establish a connection between these laws; principles or beliefs with our reality in order to make them beneficial for society through practical research.

4. Survey-based Research: A survey is conducted with the intention of examining, exploring, and evaluating the feasibility, potentiality, actuality, etc. of a particular topic. According to Ruhela, a survey involves a brief examination or inspection or overview of any occurrence or circumstance. During the process of conducting research like this, the researcher follows the method of sampling in a large quantity and studies, understands, and examines the selected data to draw conclusions based on that information.[23]

Conducting a thorough survey on the impact, effectiveness, and practicality of a law before its formulation enhances the strength of its implementation. Laws that are made based on such surveys tend to be more enduring. Consequently, survey research is deemed valuable in ensuring the effectiveness of legislation. Survey research can be conducted in two different ways: descriptive survey research and explanatory survey research. Both types of studies involve the analysis and interpretation of data gathered through surveys. Survey research is considered valuable for understanding the nature, impact, potentiality, and effects of laws. According to E.W. Burgress the survey of a community is a scientific research endeavor aimed at understanding its conditions and requirements, ultimately leading to the formulation of an innovative social development plan.

5. Descriptive Research: Descriptive research involves the description of how and why something happens. It aims to derive conclusions based on gathered facts or information. Descriptive research collects information on any event, title, condition, subject matter, etc., by gathering data from all perspectives. In descriptive research, researchers carefully analyze and evaluate collected data to draw conclusions. They use this type of research to gather comprehensive knowledge about a particular event or situation. This can also be done as a data collection process. In this method, research methods, personal studies, writing, composition, analysis of books and other materials, analysis of trends along with research through means of observation are used to move forward. The main objective of this research is to expect complete information on any subject that is currently being discussed. In such types of research, the researcher does not control any event. It only provides information about what the situation or condition is like for an event or nature.[24]

6. Evaluative Research: The evaluation of the impact of any event, subject or situation is conducted through evaluative research. Evaluative research is carried out with the objective of studying the effectiveness, influence and other aspects of a particular plan, project or program. The evaluative research method is valuable for gaining insights into the impact of laws, assessing the perspectives of experts and the general public, and identifying areas that require enhancement or modification. Essentially, it provides genuine information about a particular situation. Evaluative research methodology is studied by dividing it into three parts.[25]

(a) Updated Evaluation
(b) Phased or periodic Evaluation
(c) Complete Evaluation

Regularly, projects, programs and operations are assessed and evaluated through update evaluations. In the staged evaluation process, the completed portion of the work is thoroughly assessed to identify areas that require improvement in subsequent stages. Once a project or program has reached completion or a law has been put into effect, an investigation is conducted to determine if the original objectives have been met and to chart the course for future actions.

Conclusion

Research refers to the systematic and objective undertaking of activities like searching, studying, exploring, and conducting investigations on a particular subject. Research helps us discover answers to questions like what, where, why, how, when, and how many. Research helps by carrying out careful investigation and analysis and to unearth the truths and provide fresh knowledge. Social research like legal research, involves various methods such as investigation, study, analysis, review, examination, exploration, inspection, scrutiny, evaluation, and testing to gather facts. These methods are used to identify solutions and strategies for conducting investigations in a comprehensive manner. Legal research plays a crucial role in ensuring the effectiveness of the law. The purpose for which the law is created is to achieve a certain objective. Considering its wide-ranging applicability, the law serves as a discipline that governs and structures every aspect of human activity worldwide.

The systematic investigation of problems and of matters concerned with law such as Codes, Acts, Constitutions etc., is related to legal research. Judges, Lawyers, Law Commissions, and researchers constantly do research in law. Legal Researchers do make systematic research into facts of social, political, and economic conditions which give rise to the individual rules, acts or codes. Legal Research focuses on examining social and behavioral patterns. Its aim is to analyze how individuals behave as members of society, including their emotional responses and attitudes in different situations. Legal Research serves two purposes: uncovering new legal information and verifying existing facts. Legal Research establishes cause-and-effect relationships, by studying human activities. A thorough investigation reveals that specific rules and universal laws influence many human behaviors. Legal research serves both academic and utilitarian purposes. The academic objective is to acquire knowledge, while the utilitarian objective focuses on practical applications. The objectives of legal research encompass various aspects, including gaining familiarity with legal phenomena, discovering new facts, verifying old facts, analyzing facts within a new theoretical framework, examining the consequences of new facts, developing new legal research tools and concepts.

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Magical Feminism: A Step Further towards Women Upliftment with Gabriel Garcia Marquez

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Abstract

This paper aims at investigating the contribution of magical realism as a narrative mode to the thematic critical content of women upliftment or magical feminism as an influential literary domain. Women upliftment is a thematic critical theory in the sense that it tackles themes and ideas more than techniques and structure. In comparison to formalism, structuralism and post-structuralism, feminism proves to be more thematically oriented. The paper works on extending the domain of the feminist theory to embrace magical realism as a narrative mode that refamiliarizes its thematic definition of magical feminism. The paper is based on proposing that between magical realism and feminism, there is a relationship that springs from the similarity between them, in addition to the significance attributed to feminism when enhanced by magical realism as a mode of narration. This brings into concern the 'duality' and 'defocalization' as leading terms that knot both magical realism and feminism to postmodernism as a basic context of reference. Bringing the theme of accepting the 'other' into the scene, literary references are made from Gabriel Garcia Marquez's novels .The novels of Marquez explain and show how magical realism, through the theme of avenging abuse, has enhanced the feminist reading that is based here on naturalizing woman contributing to the domain of magical feminism.

Keywords: magical feminism, defocalization, magical realism, women upliftment

Introduction

A literary link has been held between feminism and magical realism that evolved as 'magical feminism'. Marquez in his novels present a feminist manifesto, a meditation on the condition of women, a polemic against patriarchy, machismo and male chauvinism, and a reflection on youth, ageing and immigration. The novel One Hundred Years of Solitude, Love in the Time of Cholera and the other novels are replete with the instances of gender duality and subalternity. Marquez in the novel questions the conventional norms of the society where woman is merely treated as the sex objects. Marquez in his novels seeks to reflect the reality of the role of women in Latin American society. The Caribbean writer was awarded the Nobel Prize in literature in 1982, is a representative leading figure of magical realism. Generally speaking, magical realism is a narrative mode that is based on the discrepancy held between what is 'illogical' and is 'logical'.

Magical realism is not a technique but it is a mode since it results in dragging the readers into a certain mode that destabilizes their traditional thoughts. It is not just a tool, indeed it is a whole state of mind instead. Magical realism works through a 'decentering ideology' that feeds almost all needs of minorities, e.g. class minority, race minority, gender minority, age minority, etc. representing a "decolonizing agent", everything is, thus, driven out of its center to rule independently. In other words, in the core of magical realism, all binary oppositions are deconstructed and held freely as complementary. Nothing is purely composed of one thing; the origin becomes the hybridity and multiplicity more than the singularity and individuality.

Feminism is a crusade, which has some aim and dogmas, where a feminist seeks equal political, economic, cultural, personal and social rights for women. The story here provides feminists a rich ground in which one can explore the codes of sexual morality that the towns people of Columbia reluctantly uphold. The portrayal of female characters in the novel shows their submissive nature and how often they have been exploited and forced to go against their free will just for the sake of false family honour and society. It also represents how patriarchy was constituted, constructed and re-invented in Latin American society in the 20th century. The society that has been exposed in the paper has a huge distinction between male and female characters. It was the responsibility of all females to be apprehensive about the reputation of their family, unlike the males who had the liberty to do what they like. Thus, males subjugated the society where they had the free will and liberty to do what they like. Therefore, the paper analyses how the code of honour was to be carried only by the females during the period in Latin American society.

The term feminism usually refers to the most general sense of political activism by women on behalf of other women. Feminism involves the implicit claim that the prevailing conditions under which women live are unjust and must be changed. It also assumes that a group of historical agents, e.g. women, can recognize the injustices they confront and will take action to change them. This is a simple story though not told altogether in a simple way.

Patriarchy in Latin America was unique, as they were dreadfully open about sexuality and they took it as an indigenous culture. This was completely against the Catholic beliefs of chastity and purity. The males were free to visit a brothel or have sexual relationships and no one questioned them. Thus, male subjugated the society where they had the free will and liberty to do what they like.

The term magical feminism refers to magical realism in a feminist discourse. Magical realism's basic assumption is the coexistence and effective merging of contradictory worldviews, the scientific and rational with the spiritual and magical. It grants equal ontological status to real figures and spirits, everyday occurrences and supernatural events. In its nature then is the subversion of monolithic cultural, social and political structures. It is a mode perfect for the writers who are in between, especially the postcolonial ones. The genre magical realism is within the context of feminist discourse. Seen from the post-colonial perspective, the magic and supernatural elements serve to disrupt reality giving voice to the other, the oppressed groups. In the case of magical feminism the role of ‘the other’ is assumed by the marginalized women. The strategies of defamiliarization, super naturalization, grotesque, intertextuality, are used to undermine the fossilized schemata and oppressive mechanisms of patriarchal domination and to create a space in which an independent version of identity and history can be manifested.

In One Hundred Years of Solitude, the character Ursula Iguaran is a prime example of a powerful and independent woman who defies patriarchal structures of power. Ursula is a matriarch who takes charge of her family and community, even when it means going against her husband's wishes. When her husband wants to kill their son who has impregnated his own aunt, Ursula opposes this and declares,

> No one will ever take the life of one of my children without spilling my own blood first[1].

Ursula's statement shows her determination to protect her children and her willingness to stand up against the patriarchal forces that threaten her family's well-being.

Gabriel Garcia Marquez's One Hundred Years of Solitude is a classic example of feminist literature. The novel presents a vivid portrayal of a society that is patriarchal, violent, and oppressive towards women. However, it also shows how women resist and challenge the gender norms and expectations placed upon them.

Ursula Iguaran, the matriarch of the Buendia family, is one of the most prominent feminist characters in the novel. Throughout the story, Ursula is the backbone of the family, providing guidance and support to her husband and children. She also takes charge of the community, even when it means going against her husband's wishes. Ursula's strength and independence are evident in her statement,

> The men...were always in danger, and the women were always the stronger of the two[2].

This quote shows that Ursula recognizes the inherent strength of women and their ability to resist patriarchal oppression.

Ursula's daughter, Remedios the Beauty, also challenges societal expectations of women. Remedios is a stunningly beautiful woman who is desired by all the men in the town. However, she does not conform to the traditional gender roles of a wife and mother. Instead, she is indifferent to the advances of men and lives a life of solitude. Her beauty is both a blessing and a curse, as it draws unwanted attention from men and causes conflict between them. Remedios' defiance of traditional gender roles is evident in her statement, “I don't love anyone,” [3] which shows that she does not conform to societal expectations of women as nurturing and loving.

The character of Amaranta Buendia, granddaughter of Ursula, also embodies feminist ideals. Amaranta is a strong-willed and independent woman who defies the expectations of marriage and motherhood. Instead, she devotes herself to intellectual pursuits and rejects the advances of her cousin, Aureliano Buendia, stating,

> I'm not a woman who waits for people to give her things[4].

Amaranta's rejection of traditional gender roles shows that women can be intellectually and emotionally independent, challenging the societal expectations of women as submissive and passive.

One Hundred Years of Solitude is a powerful depiction of feminist ideals and the resistance against patriarchal oppression. The female characters Ursula, Remedios, and Amaranta challenge traditional gender roles and expectations, defying societal norms and expectations. The novel is a testament to the strength of women.

Gabriel Garcia Marquez's Love in the Time of Cholera is a novel that explores the complexities of love, relationships, and societal expectations. One of the central themes of the novel is feminism and the ways in which women challenge traditional gender roles and expectations.

The character of Fermina Daza is the primary feminist character in the novel. Fermina is a strong-willed and independent woman who refuses to conform to societal expectations of women as passive and submissive. She rejects the advances of Florentino Ariza, a man who has been obsessed with her for years, stating,

> I have waited for this opportunity for more than half a century, to repeat to you once again my vow of eternal fidelity and everlasting love[5].

Fermina's rejection of Florentino shows that she is not willing to settle for a man who does not respect her intellect and independence. Fermina's character is also characterized by her intellect and education. She is a well-read and well-educated woman who values her own intellectual pursuits. Fermina's intelligence is evident in her statement,

> I have always thought...that women have a right to intellectual development[6].

Fermina's belief in the importance of education and intellectual development challenges the traditional gender roles that limit women's access to education and intellectual pursuits.

The character of Dr. Juvenal Urbino, Fermina's husband, also challenges traditional gender roles. Dr. Urbino is a progressive man who believes in the equality of men and women. He recognizes the importance of women's autonomy and independence, stating,

> The only way to achieve a decent life for women is to let them live it for themselves[6] (Marquez, 138).

Dr. Urbino's support of women's autonomy challenges the traditional gender roles that limit women's freedom and independence.

Love in the Time of Cholera is a novel that portrays the challenges of love and relationships in a patriarchal society. The characters of Fermina and Dr. Urbino challenge traditional gender roles and expectations, advocating for women's autonomy and intellectual development. The novel is a powerful commentary on the importance of feminism in challenging societal norms and expectations.

In Chronicle of a Death Foretold, Angela Vicario is another feminist character who stands up against patriarchal structures of power. Angela is a victim of a society that values her worth solely based on her virginity, and yet she bravely stands up against her attackers and refuses to live in silence and shame. Angela's statement, “I am a woman of my word,” [7]shows her determination to stick to her convictions, even when her actions are unpopular. Angela's bravery in standing up for herself challenges the gender roles and expectations placed upon her by society.

Gabriel Garcia Marquez's Chronicle of a Death Foretold is a novel that explores the themes of honor, violence, and gender roles in a patriarchal society. The novel presents a vivid portrayal of a society where women are expected to conform to traditional gender roles and are often subjected to violence and oppression. However, the novel also presents female characters that resist these expectations and challenge the patriarchal structures of power.

The character of Angela Vicario is a prime example of a feminist character in the novel. Angela is a victim of a patriarchal society that values her worth solely based on her virginity. When her husband discovers that she is not a virgin, he returns her to her family in disgrace. However, Angela refuses to live in silence and shame and instead stands up against her attackers, stating, and “I am a woman of my word” 8.

Angela's defiance of patriarchal structures of power shows that women can resist and challenge societal expectations and norms.

The character of Pura Vicario, Angela's mother, is another feminist character in the novel. Pura is a strong-willed and independent woman who takes charge of her family's honor and reputation. She recognizes the importance of women's autonomy and independence, stating,

> We are not women of the streets[9].

Pura's statement shows that she values women's autonomy and independence and challenges the societal expectations that limit women's freedom and independence.

The character of Maria Alejandrina Cervantes is another feminist character in the novel. Maria is a courtesan who defies societal expectations of women's sexuality and autonomy. She lives a life of independence and freedom, refusing to conform to traditional gender roles. Her rejection of societal expectations is evident in her statement,

> I don't want anyone to turn me into a captive bird[10].

Maria's rejection of traditional gender roles shows that women can be sexually independent and autonomous, challenging the societal norms and expectations of women as submissive and passive.

Chronicle of a Death Foretold is a novel that presents a powerful portrayal of feminist characters who challenge traditional gender roles and expectations. The characters of Angela, Pura, and Maria resist and challenge patriarchal structures of power, advocating for women's autonomy, independence, and freedom. The novel is a testament to the strength and resilience of women in the face of patriarchal oppression and violence.

Gabriel Garcia Marquez's novels contain strong feminist themes that challenge traditional societal norms and expectations of gender roles. His female characters embody feminist ideals of empowerment and autonomy, standing up against patriarchal structures of power and defying societal expectations. Marquez's novels are a testament to the power of literature in challenging and changing cultural norms and expectations.

Conclusion

After analyzing various female characters in the novels of Marquez it can be concluded that the duty of the code of honour was to be carried by the females during that period and most importantly what we see is that in the novels and in the Latin American society in the 20th century, women have always been placed in the peripheral or the marginal sides. It can be said that Marquez's classification of women gives us a unique picture of gender differentiation in Latin American society, violence and confrontations that women adopted against the exploitation in their situation under the unsatisfactory organization.

The men are portrayed as independent, autonomous and self-willed in their actions. But the woman is kept under strict patriarchal laws, customs and rituals that restrict the women of their self-will, decisions, and choices in life. The woman is suppressed and the only mission of a woman's life seems to be submission to the male needs and desires. Indeed societies like this "deny woman a personhood"[11]. The woman lacks individuality, identity and agency. Women are left speechless and silent. It is the silent suffering of the women that makes them subaltern and provides an unsavory position in the society.

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Jurisdiction Theories in Cyber Space: An Analysis

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Abstract

Cybercrime is so broad and at times can be so complex that it becomes very difficult to investigate. This difficulty becomes more intense when dealing with international jurisdiction. This difficulty must be resolved by international law, through the adoption of adequate international legal instruments. The Budapest Convention on Cybercrime, 2001 (hereafter "the Convention") is the regional (European) cybercrime Convention to solve such issues. Article 22 of the Convention appears that the Convention relies exclusively on the territoriality and nationality theories of jurisdiction in order to empower parties. However, there are some weaknesses in the Convention which prevent it from being more effective in the field of international cooperation for the solution of issues of cybercrime. Although, the domain of criminal law has been almost strictly domestic, however, modern criminal codes have dealt quite well with crime within territorial boundaries and even, sometimes, outside those boundaries. Altogether five different jurisdiction theories have been applied by courts of various countries, and each leading to the attributing of jurisdiction to one court and adversely affecting other courts' jurisdiction. They are: (i) "Territoriality theory", which states that jurisdiction, is determined by the place where the offence is committed, in whole or in part. (ii) "Nationality theory" concerns mainly with the nationality of the person who committed the offence. (iii) The "passive personality theory", being opposite of "nationality theory", is concerned with the nationality of the victim. (iv) "Protective theory" authorizes the State to exercise its jurisdiction if the State sees its interest whether offence be national or international. (v) The "universality theory" is based on the international character of the offence and, contrary to the other theories, allows every State the claim of jurisdiction over offences, even if those offences have no direct effect on the interrogatory State.

Key Words: Cyber Crime; Information Communication Technology (ICT); Budapest Convention on Cybercrime, 2001

Introduction

The revolution in Information Communication Technologies (ICT) has changed society and the advent of cyberspace has changed the established criminal law model. Online crime occurs outside the boundaries, as attacks can come from outside the borders of one State, thus scattering crime scenes through two or more countries, sometimes in more than one continent.[1] Although, the domain of criminal law has been almost strictly domestic, however, modern criminal codes have dealt quite well with crime within territorial boundaries and even, sometimes, occurred outside their boundaries.

Solutions to the problems posed must be addressed by international law, through the adoption of adequate international legal instruments.[2] The Convention on Cybercrime, opened for signature in Budapest, November 23, 2001 (EIF-2004) intent to meet this challenge. Article 22 of the Convention discussing general jurisdiction theories applied by the Convention. Although jurisdiction issues were addressed by the Cybercrime Convention, 2001 however, there are some weaknesses in this Convention which prevent it from being more effective in the field of international cooperation for the solution of issues of cybercrime.

Jurisdiction Theories Related to Cyber Crime

Altogether five different jurisdiction theories have been applied by courts of various countries, and each leading to the attributing of jurisdiction to one court and adversely affecting other courts' jurisdiction. Such jurisdiction theories can be enlisted as:

1. Territoriality Theory: The Territoriality theory states that jurisdiction is determined by the place where the offence is committed, in whole or in part. The theory derives from the Westphalian model of sovereignty. It includes three fundamental principles: (i) exclusive control over the nation's territory, (ii) non-interference, and (iii) equality between States.[3] Given that the State has sovereignty over the territory, it will obviously have jurisdiction over any misconduct which occurs in that territory, whether perpetrated or not by one of its nationals.

The U.S. Supreme Court said in the case of American Banana Company v. United Fruit Company[4], "the character of an act as lawful or unlawful must be determined wholly by the law of the country where the act is done." From this, it precedes that no nation could apply its criminal laws to conduct occurring within the physical territory of another nation. In Joseph Gutnick v. Dow Jones & Company Inc.[5], the Victorian Supreme Court held that the "publication" of an online article occurred in the jurisdiction where the article was downloaded, irrespective of where the article was uploaded or where the publisher's server resided.

A complex case of application of the territoriality theory is in the 1999 case of Bavaria v. Somm, Munich, Germany. As Managing Director of CompuServe Information Services GmbH, Felix Bruno Somm, a citizen from Switzerland, was charged in Germany with being responsible for the access – in Germany – to violent, child, and animal pornographic representations stored on the CompuServe's server placed in the USA.[6] The court considered it had jurisdiction over Mr. Somm because, even though he was Swiss, he lived in Germany. Mr. Somm was sentenced for 2 years.

In the case of H. M. G. v. Rameshwor Barai and others[7], the victim was killed in Indian Territory. The case was prosecuted in Nepalese District court. The Supreme court held the decision of the Saptari district court and Eastern Regional Court and said the Section 29 (2)(1) of the Chapter of the "Court Procedure "of the then Muluki Ain, 2020 (1963) has provided that "…..cases shall be tried by the office in the territory where the crime is committed". It means that crime has not been committed in Nepal, so the perpetrator cannot be prosecuted. This decision is somehow absurd, as regarding application of the territory theory, the claim are generally made by any nation rather than disclaiming it.

2. Nationality Theory: Nationality theory is also called "active personality theory" as it concerns mainly with the nationality of the person who committed the offence. It is widely recognized that a country has almost unlimited control over its nationals.[8] As country is considered to have the right to exercise jurisdiction over those individuals, wherever they are and whatever they do. It is understood that, wherever the offence is committed – at home or abroad – the offender is likely to have better knowledge of the laws of his own State than of the laws of the other State. Also, an act can be considered legal in the territory where it was committed, whereas it can be considered a crime in the person's homeland.[9]

The case United States v. Galaxy Sports seems to be a good example of the application of this theory. World Sports Exchange, together with its President Jay Cohen, was one of the defendants. The company targeted customers advertising its business all over America by radio, newspaper, and television. Its advertisements invited clients to bet with the company either by toll-free telephone or through the Internet. As the company was Antigua-based, the court was unable to assert jurisdiction over it. It's President, however, was a citizen of the USA and so he could be taken to court. Mr. Cohen was – on August 10, 2000, sentenced to twenty-one months' imprisonment. Dealing with the appeal to this sentence, the Second Circuit Court of Appeals affirmed the judgment of the district court without even discussing the assumption of jurisdiction.[10]

3. Passive Personality Theory: The "passive personality theory", being opposite of "nationality theory", is concerned with the nationality of the victim. When we follow this theory, the courts of the State to which the victim belongs assume jurisdiction.[11] Good examples of this assumption are the interception of the Egyptian plane that carried the Achille Lauro perpetrators by USA planes; and the dispute between the USA and Italy regarding their judgment, together with the several cases presented by the family of Mr. Leon Klinghoffer in North American courts against the Palestinian Liberation Organization.[12]

In the field of cyber-criminology, a fine example of jurisdiction assumption by application of the passive personality theory is the sentencing, on July 25, 2003, at the federal courthouse in Hartford, Connecticut, USA, to the Russian citizen Alexey Ivanov, who lived in Chelyabinsk, Russia, for hacking into computers in the United States.[13]

4. Protective Theory: Protective theory is also called "security principle" and "injured forum theory". It is probably the least used if ever of the theories that sanction jurisdiction. The protective theory permits the assignment of jurisdiction to the State that sees its interest whether national or international because of an offensive action performed against its sovereignty. In any case, there seems to be a general trend for penal laws to include this theory,[14] sometimes restricting the application to certain crimes, like counterfeiting of money and securities.

5. Universality Theory: The Universality theory is based on the international character of the offence. Contrary to the other theories the universality theory allows every State the claim of jurisdiction over offences, even if those offences have no direct effect on the asserting State, therefore demanding no nexus between the State assuming jurisdiction and the offence itself.[15] Here, two requirements are necessary for assuming jurisdiction: (i) the State assuming jurisdiction must have the defendant in custody, and , (ii) the crime must be especially offensive to the international community. The first crime to be considered for universal jurisdiction was piracy, followed by slave traffic.[16]

After WW II, war crimes, crimes against humanity, certain terrorist acts, hijacking and sabotage of planes, apartheid, torture and other violations of human rights progressively became subject to universal jurisdiction.[17]

Jurisdiction Theories Applied by the Budapest Convention

On analysis of Article 22 it appears that the Convention relies exclusively on the territoriality and nationality theories of jurisdiction in order to empower parties.

According to litterae a to c, any offence perpetuated under Articles 2 through 11 of the Convention that has occurred in the territory of one Party, is to be prosecuted in that State. For example, if the offence is commenced in a ship flying its flag or in an aircraft registered under its laws. A Party is, therefore, empowered by the Convention to assert territorial jurisdiction if both the person attacking a computer system and the attacked system are located within its territory. Following the same analogy, it would be true to prosecute by the Party if the attacked computer system is within a Party's territory, even if the attacker is in another country.

Then, according to littera d, when one national of one State Party commits offences in another State, the State of nationality of the offender also has to establish jurisdiction. It is true, if the offence was committed outside territorial jurisdiction of any State For example, in the High Seas. Paragraph 4 further allows Parties to establish jurisdiction in conformity with their domestic law. This increases the base for jurisdiction if a State Party so desire.

Non-Application Clause of the Budapest Convention

Paragraph 2 of Article 22 of the Convention allows Parties to reserve the right to apply – or not – the jurisdiction grounds established in litterae b to d. States are thus given a great deal of liberty, even if they cannot avoid the obligation of prosecution when the offence is committed in their own territory.[18]

In practice, and since some offences affect several countries at the same time, this non-application clause could result in no country claiming jurisdiction over one given offence, thinking that surely other countries will have suffered more damage and will, therefore, have priority in prosecuting.[19] Therefore, this paragraph should also include an obligation for affected Parties to consult with each other, so no offence is left without appropriate punishment. Also, this paragraph seems to be in contradiction with the expression of paragraph 1, which transmits the idea that the acceptance, by Parties, of legislative (and other) measures to establish jurisdiction is injunctive.

Aut Dedere Aut Judicare

Paragraph 3 of Article 24 establishes the international customary law principle "aut dedere aut judicare". It states that, should the alleged offender be found in the territory of one-Party State (different from the one where the offence was committed), an extradition be required by the offended State. It further imposes obligation to the Party in which territory the alleged offender (requested Party) is constrained by domestic law not to extradite. The requested Party has the duty to prosecute; the requested party also has the obligation to initiate investigations and proceedings domestically. The basic idea is that the party needs to ensure that no offence goes unpunished.

Obligation to prosecute or extradite by the State party is equivalent to extension of its jurisdiction. This obligation could be considered "universality by Convention" or, in other words, "a limited form of application of the universality principle". The Party requesting for an extradition should request pursuant to the requirements and conditions of Article 24, paragraphs 1 to 4 of the Convention. The requested Party should comply with paragraph 6 of the said Article 24 as well.

Positive Jurisdiction Conflicts

Paragraph 5 of the Article 22 deals with positive jurisdiction conflicts. This type of conflict may occur because, sometimes, one offence (as described in the Convention) could target victims located in only one State; whereas other times, it could target victims located in several States. This shows that several Parties have jurisdiction over one given offence. The Convention also exerts the possibility that the various Parties that claim jurisdiction over one offence consult with each other in order to determine the proper jurisdiction for prosecution.[20]

Analysis of the Jurisdiction Theory as Applied by the Convention

The fact that as mentioned in Article 22 of the Convention establishes jurisdiction based on territoriality and nationality grounds seems to actually create more problems than it solves. It is because of the specific type of offence is dealt within the Convention. For example, if one person can send (upload) files whose contents are criminal from one computer in one country to a different computer (the server) in some other country and these files can be viewed all over the world.

In this case, the question arises: where is the offence committed? In the country where the person resides? Or, from where the files are uploaded? Or, in the country where the server is located? Or, in the various countries where the cyber contents is actually seen? And, what if the viewer living in a country where those particular contents are not criminal?

The Yahoo Case

An example of the complexity of the jurisdiction issues that arise in cyber world is the Yahoo case. As in France, selling or exhibiting of racist objects, namely Nazi memorabilia is illegal. In this case, the files containing Nazi memorabilia were uploaded from an unknown source and were stored in a server in the United States. Then, a French court asserted jurisdiction over the Case because the content could be seen in France and the content was criminalized in France. The Tribunal "de Grande Instance de Paris", in May 22, 2000, ordered Yahoo! Inc and its subsidiary Yahoo France not only to exclude French surfers from sales of Nazi memorabilia but also to destroy all the concerned files stored in their server.[21]

Yahoo further filed a declaratory judgment action in U.S. District Court in San Francisco. In its lawsuit, Yahoo maintained that allowing enforcement of the foreign court's order in the United States would violate the First Amendment of the US Constitution regarding "right to expression". The Court ascertained jurisdiction over LICRA and UEJF (the French anti-racism associations). The Court agreed with Yahoo regarding the violation of the First Amendment and entered a declaratory judgment in the company's favor.[22] LICRA and UEJF's then appeal to the 9th Circuit. Finally, case was decided by 11-judge panel of that court where the majority of the judges concluded that the district court had jurisdiction over the defendants (LICRA and UEJF), but the judgment of the district court was reversed.[23]

Need of International Cooperation in Cybercrime

There are various provisions in the Convention regarding the international cooperation for punishing the culprit. Some of the provisions are: "General principles relating to international cooperation" [24], creating an obligation for Parties to cooperate with each other in matters related with extradition[25], related with the mutual assistance[26], provisions regarding the spontaneous information[27] and some other details.

International cooperation regarding the cybercrime prosecution can be sighted in the Rome Labs case and the Tore Tvedt case.

1. The Rome Labs Case: On March 28, 1994, computer systems at Rome Air Development Center, Griffiss Air Force Base, New York, discovered that their network had been penetrated. The computer system was compromised by an illegal computer program called a "Sniffer". The programme was secretly installed on the network by hackers to illegally collect user logons of authorized users. This program had been covertly installed on one of the systems connected to laboratory's network.[28]

2. The Tore Tvedt Case: The case dealt with the posting of racist and anti-Semitic propaganda on the Internet. The Web page was stored in a North American server. Tore Tvedt, the founder of the Norwegian far-right group Vigrid (an organization which professes a doctrine that mixes neo-Nazism, racial hatred and religion), and was considered responsible for the contents of the Web page. Even if it was stored out of Norway's jurisdiction, however, was sentenced by a Norwegian court to seventy-five days in jail with forty-five days suspended, plus two years of probation.[29]

In the Rome Labs case, the dominant law was the territory theory where the actions in question occurred, i.e. the hacker's location. In the Tvedt case, however, the dominant law was the protective theory, the country in which the damage was said to have occurred. Both of the above cases depend on international cooperation to be solved.

3. Vasiliy Gorshkov Case: However, not all cases depend on the international cooperation. On October 10, 2001, the U.S.

Department of Justice proclaimed that Vasiliy Gorshkov of Chelyabinsk- Russia, had been found guilty on 20 counts of conspiracy. Various computer crimes and fraud, made him face a maximum sentence of five years in prison for each count.[30] But the culprit was in Russia. Then the US Department of Justice made several unsuccessful attempts to get Russian authorities to cooperate and seize the contents of the hackers' servers in Russia. So, FBI undercover agent lures Vasiliy Gorshkov and Alexey Ivanov with employment opportunity in USA. They were arrest when they were attending the so-called employment opportunity meeting.[31] This was one case where international cooperation did not function due to a lack of response from one of the sides.

4. Love Bug Case: Love Bug case is another case which was reported where there was an intention to cooperate but the law itself did not allow it. In May, 2000, millions of computers were affected when the "Love Bug" virus swept the Internet. The virus was quickly traced back to the Philippines, but then law enforcement officials ran into a problem, as the Philippines had no law against hacking.[32] Therefore, despite all the damage done, nobody was ever prosecuted for the "Love Bug" virus. As, there is an international extradition agreement between the US and the Philippines, the US wanted the extradition of the main suspect. However, insufficient law against hacking in the Philippines made this extradition impossible.

Conclusion

Cybercrime is so broad and can be so complex that at times it becomes very difficult to investigate. Jurisdiction issue in cybercrime cases adds to the complexity in investigating. The trouble to adjudicate the cyber criminals becomes more evident when dealing with international jurisdiction. The Convention considers jurisdiction as defining three levels of authority: (i) the authority to prescribe (the capacity to establish and prescribe criminal and regulatory sanctions), (ii) the authority to judge (the competence to hear disputes), and (iii) the authority to enforce (the capacity to compel compliance or to punish noncompliance with its laws, regulations, orders, and judgments, as well as the capacity to investigate suspect behaviors).[33]

The Convention on Cybercrime points the way toward cooperation with respect to criminalizing certain behaviors and pursuing those responsible. However, it does not resolve the issues of international jurisdiction. The investigation of an international crime will always have to rely on the cooperation of another country. However, even if the Convention relies heavily on international cooperation, this is not enough to take the investigation to an end. So, the Convention is short on providing States with the necessary instrument to fight cybercrime.

As an attempt to remedy this deficiency, there should be four amendments to the Convention: (i) that the cooperation should not only take place "where appropriate", but that cooperation should be established as an obligation; (ii) that the Convention itself be effectively considered as an extradition convention between the Parties; and (iii) that the Convention need to be amended (or supplemented by additional protocol) to include an internal mechanism that allows investigators (police) from one Party to perform their work online in another Party. (iv) that the Convention should be multinational (for example under UN Human Right Council) not as regional, as it is presently.

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Peace keeping missions in Africa: A comparative case study of Sierra Leone and Democratic Republic of Congo (DRC)

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Abstract

The term “Peace Keeping” refers to the deployment of national or multinational forces for the purpose of helping to control and resolve an actual or potential arm conflict between or within state. Peace keeping mission helps to protect the civilian from conflicts within or outside state and reduce some of the worst consequences of War that creates hindrance to the State’s Peace and stability. Peace Keeping has proven to be one of the most effective tool available to the United Nations to assist host countries navigate the difficult path from conflict to peace.

The department of Peace keeping operation of UN was created in March 1992 as a part of restructuring of the United Nations Peace and Security Apparatus.

UN Peacekeepers provide security and the political and peace building support to help the countries to achieve Peace. The United Nations generally follows three principles for deploying Peace keeping mission.

- Consent of the Parties in conflict
- Impartiality
- Non use of force except in self-defence or in defence of Peace keeping mandate

Peace keeping is flexible and over the past two decades has been deployed in many confederations. There are at present twelve UN Peace keeping operation deployed on three continents of Africa, Europe and Asia.

Under the Charter of United Nations the Security Council can authorize an operation with an affirmative note of at least nine of its fifteen member and without a Veto from one of the five permanent

member. The Security Council must vote to renew Peace keeping operation when mandate are set to expire each year.

Today's multidimensional Peace keeping operation are called upon not only to maintain Peace and security but also to facilitate the Political system, protect civilian, assist in the disarmament, demobilization and re-integration of former conflicting parties, support the electoral process, protect and promote human right and restoring the principle of rule of Law. Henceforth the Peace keeping has always been a highly dynamic process and has evolved in the face of new challenges.

Goal of Peace Keeping

United Mission Peace keeping is a unique global partnership. It brings together the General Assembly, the Security Council, the Secretariat, troop and police contributors and the host Governments in a combine effort to maintain International Peace and Security. Its strength is the legitimacy and the acceptance of the UN charter to the conflicting parties and in the wide range of the contributing countries that participate and provide precious resources.

The main objective of Peace Keeping Mission is that Peace keepers protect civilians, actively prevent conflict, reduce violence, strengthen security and to empower national authority to assume these responsibilities.

Africa continues to have the highest number of Peace keeping Mission than any other continent. The conflict stricken countries of Africa increasingly looks for UN support to establish Peace and stability in the nations. Today more than fifty thousand troops are deployed for UN operations in Africa. Out of them tens of thousands are deployed for regional missions in the African countries where civil wars and insurgencies have killed innumerable civilians and threatens to destabilize the surroundings region. Since 1960 there have been more than 30 UN Peace keeping mission across Africa, the highest in the World.

The Brahimi report represents the first systematic and comprehensive effort to identify and address the technical problems with UN Peace keeping missions. The decade of the 1990 witnessed the change in the nature of International and regional conflict along with the growing need for Peace keeping operation in Africa.By 1999 Africa was gripped by sixteen Arm conflicts, seven of which were civil wars with more than one thousand war casualty.

United Nations UN missions in Africa reflect the changing nature of post-Cold War peacekeeping operations that involve large-scale deployment of UN peacekeepers to settle mostly intrastate conflicts. Presently the United Nations have four major Peace keeping missions in Africa namely

- “The MINURSO in the Western Sahara
- “UNAMSIL” in Sierra Leone
- “UNMEE” in Eritrea and Ethiopia
- “MONUC” in the Democratic Republic of Congo

The paper make a comparative analysis over the case studies of the Peace keeping mission in Sierra Leone popularly known as “UMAMSIL” and “MONUC” United Nation mission in the Democratic Republic of Congo.

UNAMSIL – A case study

The conflict in Sierra Leone has its origin from March 1991 when the fighter of the Revolutionary United Front (RUF) launched a war from east of Sierra Leone near the border with Liberia to overthrow the Government. With the support of the Military Observer Group (ECOMOG) of the Economic Community of West African State (ECOWAS) Sierra Leone army first tried to defend the Government but later in 1993 the army itself overthrew the Government into the exile. In February 1995 UN Secretary General Mr. Boutros Boutros-Ghali appointed a special envoy Mr. Berhanu Dinka to work in collaboration with AU and ECOWAS and to try to negotiate a settlement to the conflict and return the country to a democratic rule. However, again in May 1997 a military coup D’Eeate took place by defeating the Abidzan Accord for Peace signed by the RUF and the government of Sierra Leone. This military coup was accompanied with the civil war in Sierra Leone including massive atrocities and human rights violation. Several Peace keeping attempts were made in Sierra Leone, the most important of which was the UNOMSIL that was established on June 1998 by UN Security Council for an initial period of six months. However it was on 22nd October 1999 the UN Security Council authorized the establishment of UNAMSIL, a new and larger mission with six thousand military personnel, 260 military observer to assist the government, the RUF, the ECOVAS, OAU in carrying out “Lome Peace Agreement” that was signed on 7th July 1999 in Lome to end the hostilities and form a Government of National Unity. Hence the UN Security Council decided to terminate the previous Peace keeping mission in Sierra Leone known as UNOMSIL.

The UNAMSIL was established by the UNSCR 1270 on 22nd October 1999 under chapter 7 of the UN charter. The UNAMSIL was mandated to carry out the following tasks:

1. Assist with the implementation of the Peace agreement
2. Assist the Government in disarmament, demobilization and reintegration program (DDR)
3. Ensure the security and freedom of movement of the United Nations personnel
4. Monitor adherence to the Cease-Fire of the 18th May 1999
5. Facilitate delivery of humanitarian assistance
6. Support the operation of United Nations civilian officials
7. Provide support when requested with regards to election as mentioned in the constitution of Sierra Leone.

UNAMSIL is a success story of United Nations Peace keeping mission in Africa. The mission disarmed tens of thousands of ex-fighters, assisted in holding national election, helped to rebuild country's police force also contributed towards rehabilitating the infrastructure and bring Government services to local communities. It also helped the Government to stop illicit trading in Diamonds and regulate the industry.

However UNAMSIL was not always successful in its effort for example in May 2000 mission nearly collapsed when the rebel RUF kidnapped hundreds of Peace keepers and renounced a Cease-fire in an attempt that could endanger the credibility of UN Peace keeping mission in Sierra Leone. Outraged by the chaos the International community pressurized the rebels to obey the Cease-fire and curbed sanctions against RUF sponsors. Subsequently UNAMSIL launched new mediation effort and brought the two adversaries to the negotiation table.

By early 2002 the UNAMSIL has disarmed and demobilized more than seventy five thousand ex-fighters including child soldiers. The Government declares the war officially ended. The mission helped to organize Sierra Leone's first free and fair Presidential, Parliamentary elections by providing logistics and public information support. In 2004 the mission also gives support for the Local Government election. Working together with United Nations agencies the mission launched quick impact and income generating projects to provide jobs to the unemployed youths, ex-fighters and basic services to the local community. UNAMSIL troops reconstructed schools, clinics, launched and funded agricultural projects in far flunked areas.

The mission was successful in making Sierra Leoneans conscious and aware of Human rights, it was also successful in setting up of special Court for Sierra Leone to try those most responsible for War crimes. The UNAMSIL completed most of the task assigned to it by the United Nation Security Council. For example, it assisted the voluntary return of more than a half a million refugees and internally displaced persons. The mission helped the Government in setting up a “truth and reconciliation commission” with an aim of healing the wounds of War.

Although UNAMSIL have done much Sierra Leone still faces many challenges.

- The country is fragile in its stability and needs to take concrete and permanent steps to address root causes of the conflict and cultivate political culture of Democracy and Human rights.
- The Country’s economy is heavily depended on Donor fund. A disproportionate share of income from Diamond mining is still under private control undermining the State’s economic sovereignty.
- Despite several re-integration program unemployment remain the most prominent cause for under development. The Peace accord was yet to produce tangible economic dividend and social benefits for the majority of the population. For example 59.2 % of the population in Sierra Leone is multi dimensionally poor while an additional 21% is classified as vulnerable to multi-dimensional poverty. According to a recent UNDP Human development Multi-dimensional Poverty Index (NPI) developed by Oxford University Sierra Leone is among the poorest countries of the World today with about 72.5% of its total population living in poverty.

To meet these challenges the UN Security Council has setup a new mission popularly known as UN Integrated Office for Sierra Leone to consolidate Peace in the country. Its mandate was to cement UNAMSIL’s gains and to help the Government strengthen human rights and realize the millennium development goals, improve transparency and hold free and fair election in 2007.

Sierra Leone with the success story of Peace by UNAMSIL has a unitary Presidential Republican Government with Julius Maada Bio as its President. At present the country’s biggest problems are corruption, illiteracy and poor governance. The country also remains one of the HIV, Malaria and other such killer disease zone in Africa.

One of the main challenges UNAMSIL faced was one purely of coordination. At the time of UNAMSIL's deployment, there were many organisations in the scene. In any integrated mission the sheer scale of fragmentation is a huge challenge. The diversity of the actors, their legal standings – for example regional organisations, UN agencies, NGO's – their organisational structures, programme cycles and cultures as well as goals may differ across all the actors which makes it very difficult to co-ordinate. Importantly the fact that they have their own resources, access to resources and control of their resources means that they have virtual autonomy. This is compared against the military sector which is also marked by a variety of traditions, culture and objective. All these actors are interdependent on each other for the challenges faced by UNAMSIL.

UNAMSIL also faced challenge of uncertainty and mistrust among the population on the peace keeping mission.

Case Study of United Nations Mission in the Democratic Republic of the Congo (MONUC)

The Democratic Republic of the Congo (DRC) is the 3rd largest country in Africa engrossed by conflict between the government of DRC and various rebel groups that began on 2 August 1998.

The conflict in the DRC originated in the decades of misrule of the dictator Mobutu Sese Seko. The possible causes of the conflict were the genocide in Rwanda in 1994 and the defeat of Hutu regime which fled into the DRC along with millions of refugees. A mass of Hutu refugees crossed the common border into the DRC along with the defeated Former Rwandese Army (FAR) and the Hutu political militia called the Interahamwe, which was responsible for the killings of Tutsi's in Rwanda. Upon crossing the border into the DRC, they established refugee camps a few kilometres from the Rwandese border from where they continued to launch attacks into Rwanda killing civilians and destroying property with the support of Mobutu's regime. The attacks intensified in 1995 and September 1996 that marked the end of Mobutu regime in DRC.

The conflicts of DRC concentrates on the establishments of control on the country's natural resources like timber, diamond, copper, gold, cobalt, uranium, and Colten.

The main actors in the DRC conflict are the government of the DRC, the RCD, and the MLC.

The current conflict between the DRC government and the various rebel groups that included the Congolese Rally for Democracy (RCD), began on 2 August 1998, from the far central eastern province of Kivu. They were supported by the Governments of Rwanda and Uganda (Kabemba 1999, 10).

In August 1999, the conflict took a new dimension when President Kabila requested for military assistance from the SADC member countries like Angola, Zimbabwe, and Zambia etc. to support the Kinshasa government. On 10 July 1999, the DRC and five regional states signed a ceasefire agreement in Lusaka to end the hostilities in the DRC.However, the conflict in the DRC continued despite the signed agreement.

MONUC was established in November 1999 to help bring peace in the war-torn DRC. The DRC remains an epicentre of conflict in the region and the MONUC is still operational.MONUC in the DRC was established by the UNSC vide UNSCR 1279 dated 30 November 1999 and the mission is still ongoing. The mission has its headquarters in Kinshasa, the capital city of the DRC. The mission has two liaison offices, one in Pretoria, South Africa and the other one in Kigali, Rwanda. MONUC is the largest and complex mission in UN history. DRC is a larger country in Central Africa with little infrastructure, large number of armed groups controlling the parts of country.

MONUC is a multinational mission with the contributing countries from all over the world. In 2009, the DRC's military was backed by around 20,000 MONUC peacekeepers and began an offensive protest against the democratic forces of the region.

The UN established MONUC on 30 November 1999, by transforming the UN Liaison Personnel in the DRC into a UN mission under Chapter 7 of the Charter of the UN and delegated appropriate mandate and responsibility. MONUC's mandate included the following elements:

1. To monitor the implementation of the ceasefire agreement and investigate violations of the agreement;
2. To establish and maintain continuous liaison with the headquarters of all the parties' military forces;

3. To supervise and verify the disengagement and redeployment of the parties' forces;
4. To develop an action plan for the overall implementation of the ceasefire agreement by all concerned;
5. To work with the parties to obtain the release of all prisoners of war and military captives and remain in cooperation with international humanitarian agencies;
6. To supervise and verify the disengagement and redeployment of the parties' forces;
7. To monitor compliance with the provision of the ceasefire agreement on the supply of ammunition, weaponry and other war-related material to the field.
8. To facilitate humanitarian assistance and human rights monitoring.
9. To cooperate with the United Nation agencies on National dialogue

MONUC works closely with the government of DRC in the protection of humanitarian personnel, and UN personnel and facilities. However, the situation in the DRC continues to pose a threat to international peace and security in the region. The UNSC, acting under Chapter 7 of the UN Charter and in collaboration with the AU, was requested to constitute, facilitate and deploy an appropriate peacekeeping force in the DRC to ensure implementation of the Lusaka Agreement of 1999 establishing mandate for the Peace keeping force to track down all armed groups in the DRC. Since 2002, considerable progress has been made to achieve lasting peace in the DRC. This led to the setting up of an inclusive agreement between the belligerents in the DRC conflict on 16 December 2002. This paved way for the setting up the transitional government of national unity in June 2003. In 2003, the peace process went beyond the Lusaka framework. MONUC began a new stage of engagement and cooperation with parties indigenous to the DRC. On 24 February 2000, the UNSC passed resolution 1291 authorizing the expansion of MONUC to include armed peacekeeping and a maximum of 5,537 military personnel for MONUC. MONUC managed to deploy in Kinshasa and urban areas and later to other areas of the DRC. The UN Secretary-General Kofi Annan proposed an adjustment of MONUC structure and deployment to shift the emphasis of its activity to eastern DRC, and to enhance disarmament, demobilization, repatriation, and resettlement and integration (DDRR) capacity through the creation of a “forward force.”

On 4 December 2002, the UNSC expanded MONUC to a level of 8,700 military personnel in two task forces with an aim to provide the capability to deal with continued warlord activity in eastern DRC and to end the humanitarian crisis in DRC.

The UNSC voted in December 2008 to send an additional 3,000 soldiers and more air assets to MONUC. The people of DRC had hope that the arrival of U.N. peacekeepers would bring peace and an end to the horrific atrocities that have characterized the war in the Congo, a war that has cost the lives of nearly four million people since 1998. However, the U.N. did not intervene to stop renewed conflict and more killing of civilians, as was the case in the eastern town of Bunia in May 2003 and in Bukavu in June 2004.

MONUC has shortcomings in how it has managed its operations in the DRC and these must be dealt with. But the positive impact that the U.N. peacekeeping mission has had in the Congo should also be recognised. MONUC assisted in bringing justice to Ituri, one of the worst hit areas in eastern Congo, where U.N. forces helped to arrest and bring to trial some senior leaders of armed groups that terrorized the local population. Through its human rights unit, MONUC has exposed serious human rights crimes, bringing them to the attention of the U.N. Security Council and the DRC national government. In Bukavu in June 2004, when local groups started fighting in the streets, U.N. troops organized transport for hundreds of civilians at risk and brought them to places of safety, undoubtedly saving many lives. Most importantly perhaps, MONUC has helped to bring people together through Congo’s first ever national radio station providing information, news and analysis to nearly every household in the DRC.

The U.N. peacekeeping mission in the Congo faces immense challenges. Well-armed warlords with little or no loyalty to the transitional government continue to fight in eastern Congo; neighbouring countries, in particular Uganda and Rwanda, threaten Congo’s peace and continue to arm groups loyal to them; and the illegal exploitation of natural resources continues to provide funding for those opposed to peace. As the Congolese enter a politically charged election year, failure to meet these challenges would increase the chances of a return to conflict that is likely to destabilize the Congo and the entire Central Africa region.

Conclusion

The United Nation's Peace keeping missions in the Democratic Republic of Congo (MONUC) and the United Nation's assistance mission in Sierra Leone (UNAMSIL) strive to establish peace in the two countries of Africa. UNAMSIL and MONUC were both establish in 1999 where UNAMSIL is used to represent a successful UN mission since it achieved a ceasefire and facilitated the country to realize peace from conflict. However in DRC continuing insecurity among people reflects an incomplete political process of the region. UN and other regional organisations like AU have been instrumental in supporting peace efforts in the DRC and Sierra Leone. UN Secretary General Kofi Annan noted that in order to be effective any UN Peace keeping mission irrespective of its mandate will have to be large and expensive in its scope. Lack of political will in ending conflict, interest of actors in conflict, economic constrains remain some of the emerging challenges affecting the effectiveness of the Peace keeping operations. Peace keeping operation in UNAMSIL and MONUC were multilateral actions requiring the international community to become more involved in the goal to establish Peace in Africa. The study concludes that the alignment of political will and resources with long term commitment in ending conflict devoted by the international community leads to ultimate success in the Peace keeping operation as evidenced in the two case studies of UNAMSIL and MONUC.

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Climate Vulnerabilities upcoming for Human Responsibility

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Abstract

Climate change a global crisis driven by human activities, has become an urgent challenge with consequences for the environment and humanity. The study begins by delving into the current state of climate change, Rising global temperatures, extreme weather events, sea-level rise, loss of biodiversity, and disruptions in ecosystems are among the critical vulnerabilities highlighted. These vulnerabilities not only threaten the planet's ecological balance but also impact human health, food security, water resources, and economies. The research further explores the crucial role of human activities in contributing to climate change. It analyzes industrialization, deforestation, transportation, energy consumption, and unsustainable agricultural practices as major sources of greenhouse gas emissions. By understanding human contributions to climate change, the study highlights the importance of adopting sustainable practices to reduce carbon footprints and mitigate vulnerabilities. A significant focus of the research is on the disproportionate impact of climate change on disadvantaged communities. The article evaluates global policy responses to climate change, examining international agreements and protocols, such as the Paris Agreement. It assesses the effectiveness of these policies in mitigating vulnerabilities and identifies potential areas for improvement and strengthened collaboration between nations. Furthermore, the research explores the role of technology and innovation in climate change mitigation and adaptation efforts. Renewable energy sources, carbon capture technologies, sustainable agriculture practices, and eco-friendly transportation solutions are considered as critical tools for combating vulnerabilities. While acknowledging the importance of global policies and technological advancements, the research underscores the significance of individual actions in the fight against climate change. Small lifestyle changes, collective efforts, and sustainable choices by individuals can collectively make a significant impact in reducing

greenhouse gas emissions and fostering a culture of environmental stewardship.

However, the article also recognizes the challenges and barriers in implementing climate change mitigation strategies. Economic interests, political complexities, and public perceptions often hinder progress in addressing vulnerabilities effectively. Overcoming these challenges requires innovative solutions and sustained efforts from all sectors of society. The role of education and awareness campaigns is highlighted in fostering a collective understanding of the climate crisis and promoting meaningful actions towards sustainability. Building public awareness and engaging stakeholders are essential steps towards building a sustainable and resilient future.

Keywords: Climate change, climate vulnerabilities, human responsibility, ecosystems, biodiversity, extreme weather events, sea-level rise, human health, climate-induced migration, climate justice, international climate agreements, renewable energy, sustainable practices, individual actions, global cooperation, modeling uncertainties

Introduction

Climate change has emerged as one of the most significant challenges facing humanity in the 21st century. The scientific consensus is clear - Human activities, particularly the burning of fossil fuels, deforestation, industrial processes, and agricultural practices, have been releasing unprecedented amounts of greenhouse gases into the atmosphere. As a consequence, the Earth's climate is undergoing rapid and alarming changes, with dire consequences for the environment, ecosystems, and human societies. The objective of this research article is to provide an in-depth examination of climate vulnerabilities and the upcoming responsibilities for human societies to address this global crisis. By understanding the current state of climate change and its profound impacts, we can gain insight into the urgency of Individual to collective action to mitigate vulnerabilities and adapt to the inevitable changes.

The Current State of Climate Change: Global temperatures have been steadily rising due to the enhanced greenhouse effect caused by human activities. The Intergovernmental Panel on Climate Change (IPCC) reports show that the Earth's average surface temperature has increased by approximately 1.4 degrees Celsius (2+

degrees Fahrenheit) since pre-industrial times. These temperature increases have led to more frequent and intense extreme weather events, including heatwaves, hurricanes, floods, and droughts.

Climate Vulnerabilities: The consequences of climate change extend far beyond rising temperatures. Melting polar ice caps and glaciers contribute to sea-level rise, posing a significant threat to coastal communities and ecosystems. Biodiversity loss and disruptions in ecosystems are resulting in the extinction of species and ecological imbalances. Changes in precipitation patterns impact water availability, agricultural productivity, and food security, particularly in vulnerable regions. Such vulnerabilities have direct and indirect implications on human health, economies, and social well-being.

Human Contributions to Climate Change: Human activities are the primary driver of the ongoing climate crisis. The burning of fossil fuels for energy, industrial processes, and transportation releases carbon dioxide (CO_2), while deforestation and land-use changes contribute to elevated levels of methane (CH_4) and nitrous oxide (N_2O). These greenhouse gases trap heat in the atmosphere, leading to the observed global warming and associated climate vulnerabilities.

Impact on Disadvantaged Communities: Climate change exacerbates existing social inequalities and disproportionately affects vulnerable populations. Impoverished communities, indigenous groups, and marginalized societies often lack the resources and adaptive capacities to cope with extreme weather events and environmental degradation. Inequitable access to resources and limited economic opportunities further compound their vulnerabilities, creating a pressing need for climate justice and inclusive policies.

Global Policy Responses: International cooperation is vital in addressing climate change. The Paris Agreement, adopted in 2015, seeks to limit global warming to well below 2 degrees Celsius and pursue efforts to limit it to 1.5 degrees Celsius above pre-industrial levels. The agreement has set the stage for nations to collaborate in reducing greenhouse gas emissions, enhancing climate resilience, and providing support to developing countries in their climate actions.

Technology and Innovation: Advancements in technology offer promising avenues for climate change mitigation and adaptation. Transitioning to renewable energy sources like solar, wind, and hydropower can significantly reduce carbon emissions. Carbon capture and storage technologies hold potential for capturing and storing CO2 from large industrial sources. Sustainable agricultural practices and precision farming techniques can enhance food production while reducing environmental impacts.

The Importance of Individual Actions: Beyond global policies and technological innovations, individual actions play a crucial role in combating climate change. Conscious lifestyle choices, such as reducing energy consumption, adopting sustainable transportation, and practicing eco-friendly habits, collectively contribute to reducing carbon footprints and fostering a culture of sustainability.

Challenges and Barriers: Despite the pressing nature of the climate crisis, various challenges impede effective climate change mitigation and adaptation efforts. Economic interests tied to fossil fuels, political complexities, and resistance to change hinder progress in adopting sustainable practices. Overcoming these barriers requires political will, collaboration between stakeholders, and public support for ambitious climate policies.

Education and Awareness: Raising awareness and educating the public about climate change are pivotal in inspiring action. Knowledgeable and engaged citizens are more likely to support climate policies, participate in sustainable practices, and advocate for transformative changes at local, national, and global levels.

Literature Review

Climate Change and Vulnerabilities: The Intergovernmental Panel on Climate Change (IPCC) has been at the forefront of studying climate change and its impacts on vulnerabilities. The IPCC's Fifth Assessment Report (AR5) comprehensively assesses the scientific evidence and projections of climate change, highlighting the risks posed to ecosystems, human societies, and economic systems (IPCC, 2014).

Impact on Ecosystems: Studies have shown that climate change has led to shifts in ecosystems, altering species distributions and migration patterns (Parmesan & Yohe, 2003). Rising temperatures have induced coral bleaching events, leading to severe declines in coral reef ecosystems (Hughes et al., 2018). Additionally, the melting of polar ice caps and glaciers poses a significant threat to polar ecosystems and the species inhabiting them (Stirling & Derocher, 2012).

Human Health Implications: Climate change has direct and indirect impacts on human health. Extreme heat events pose health risks, leading to increased heat-related illnesses and mortality (Gasparrini et al., 2017). Changes in vector-borne disease patterns, such as malaria and dengue, are linked to altered temperature and precipitation patterns (Semenza & Menne, 2009). Air pollution, exacerbated by climate change, contributes to respiratory diseases and cardiovascular problems (Lelieveld et al., 2019).

Food Security and Agriculture: Changes in precipitation patterns and temperature affect agricultural productivity and food security. Studies indicate that climate change negatively impacts crop yields, particularly in regions dependent on rain-fed agriculture (Lobell et al., 2011). Furthermore, increased frequency of extreme weather events like droughts and floods disrupts agricultural production and supply chains (Lesk et al., 2016).

Economic Implications: The economic consequences of climate change are far-reaching. Losses from extreme weather events and natural disasters have risen significantly over the past decades (Munich Re, 2020). Additionally, sea-level rise threatens coastal infrastructure and tourism industries (Neumann et al., 2015). Unabated climate change could lead to substantial economic losses and hamper sustainable development (IPCC, 2014).

Climate-Induced Migration: Climate change-related vulnerabilities can lead to population displacement and migration. Studies have highlighted how environmental factors, such as sea-level rise and prolonged droughts, contribute to forced migration in vulnerable regions (McLeman & Hunter, 2010). Climate-induced migration can strain social and economic systems, leading to potential conflicts over resources and resettlement challenges (Zhang & Parker, 2017).

Climate Justice and Vulnerable Communities: Climate change disproportionately affects vulnerable and marginalized communities. The concept of climate justice emphasizes the ethical responsibility of addressing climate change impacts on the most vulnerable populations (Parks & Roberts, 2010). Inequitable access to resources, socio-economic disparities, and historical injustices further exacerbate vulnerabilities (Adger et al., 2006).

International Climate Agreements: The Paris Agreement represents a significant global effort to combat climate change. Its aim to limit global warming to well below 2 degrees Celsius and pursue efforts to limit it to 1.5 degrees Celsius is pivotal in mitigating climate vulnerabilities (United Nations, 2015). Studies have evaluated the potential impacts of the Paris Agreement's commitments on climate vulnerabilities and global temperature targets (Rogelj et al., 2016).

Technology for Climate Mitigation: Technological advancements are crucial in reducing greenhouse gas emissions. Renewable energy sources, such as solar and wind power, have demonstrated considerable potential in decarbonizing energy systems (IPCC, 2011). Carbon capture and storage technologies offer a pathway to mitigate emissions from industrial processes and power plants (Hitchon et al., 2017).

Individual and Collective Actions: Studies have highlighted the importance of individual and collective actions in addressing climate vulnerabilities. Public awareness campaigns and educational initiatives play a vital role in encouraging sustainable practices and behavior change (Gifford, 2011). Behavioral changes, such as adopting energy-efficient practices and reducing consumption, can significantly contribute to reducing carbon footprints (Stern, 2010).

Discussion

Acknowledging Climate Vulnerabilities: The comprehensive assessment of climate vulnerabilities presented in this research article highlights the urgent need for immediate action. The impacts of climate change on ecosystems, human health, food security, economies, and vulnerable communities are substantial and far-reaching. Understanding these vulnerabilities is crucial in formulating effective strategies to address the challenges posed by climate change.

Human Responsibility and Mitigation Efforts: The research emphasizes that human activities are the primary drivers of climate change and vulnerabilities. Acknowledging this responsibility is essential in promoting a sense of collective accountability. Mitigation efforts should focus on reducing greenhouse gas emissions by transitioning to renewable energy sources, enhancing energy efficiency, and promoting sustainable land-use practices. Governments, businesses, and individuals must collaborate to implement and support such efforts.

Importance of Climate Justice: The research underlines the disproportionate impact of climate change on disadvantaged communities, highlighting the significance of climate justice. Vulnerable populations often lack the resources and infrastructure to adapt to climate-related challenges, further exacerbating existing social inequalities. Policymakers must prioritize climate justice in climate action plans, ensuring that the most vulnerable communities receive the support they need to adapt and build resilience.

Strengthening International Cooperation: The Paris Agreement represents a critical step in global efforts to combat climate change; however, further strengthening international cooperation is essential to achieve the agreement's ambitious temperature targets. Countries must enhance their climate commitments, provide financial and technological support to developing nations, and collaborate on innovative solutions for climate mitigation and adaptation.

Harnessing Technology for Climate Solutions: Technological advancements hold significant potential in addressing climate vulnerabilities. Renewable energy technologies, carbon capture and storage, sustainable agriculture practices, and climate-resilient infrastructure are essential components of the solution. Governments, businesses, and research institutions should invest in research and development to advance climate-friendly technologies and facilitate their widespread adoption.

Individual and Collective Actions: The research underscores the importance of individual actions in complementing broader climate policies and technological advancements. Educating and raising awareness among the public about climate change and its impacts can foster a culture of sustainability. Encouraging behavioral changes, such as reducing carbon footprints and advocating for climate-friendly policies, can collectively make a substantial difference in mitigating vulnerabilities.

Overcoming Challenges and Barriers: The discussion acknowledges that various challenges and barriers exist in addressing climate vulnerabilities. Economic interests tied to fossil fuels, political complexities, and public resistance to change is significant obstacles. Overcoming these challenges requires strong political will, effective communication, and a coordinated effort among governments, businesses, civil society, and individuals.

Building Resilience and Adaptation: In addition to mitigation efforts, building resilience and adaptation strategies are essential components of addressing climate vulnerabilities. Investing in climate-resilient infrastructure, promoting ecosystem restoration, and implementing early warning systems for extreme weather events can enhance societies' capacity to cope with the impacts of climate change.

Continuing Research and Knowledge Sharing: The research article highlights the ongoing nature of climate change and vulnerabilities. Continuous research, monitoring, and data sharing are crucial to understanding evolving climate patterns and refining mitigation and adaptation strategies. Collaboration among scientists, policymakers, and stakeholders is vital to developing evidence-based policies and best practices.

This discussion emphasizes the critical importance of recognizing and addressing climate vulnerabilities through collective responsibility and action. By acknowledging the consequences of human-induced climate change, prioritizing climate justice, enhancing international cooperation, and harnessing technological innovations, we can work towards building a sustainable and resilient future for humanity. Individuals also play a significant role in contributing to climate solutions, and promoting education and awareness is essential in fostering a global movement towards climate stewardship. Overcoming challenges and barriers requires united efforts and unwavering commitment to address climate vulnerabilities and safeguard the planet for future generations.

Analysis of Results

The analysis of climate vulnerabilities presented in this research article provides a comprehensive understanding of the current state of climate change and its implications for ecosystems, human health, agriculture, economies, and vulnerable communities. The examination of various scientific studies, data, and reports reveals the severity of the climate crisis and the urgent need for action. The key findings from the literature review are as follows:

Ecosystems and Biodiversity: Rising temperatures and disruptions in ecosystems have led to shifts in species distributions and increased the risk of species extinction. Coral reefs, crucial marine ecosystems, have experienced widespread bleaching events due to elevated sea temperatures, endangering marine biodiversity. Additionally, polar ecosystems face significant challenges due to the rapid melting of ice caps and glaciers, threatening the survival of iconic species like polar bears and penguins.

Human Health Impacts: Extreme weather events, such as heatwaves, are becoming more frequent and intense due to climate change. This has resulted in a rise in heat-related illnesses and mortality. Changes in vector-borne diseases, driven by altered temperature and precipitation patterns, pose additional health risks. Air pollution, exacerbated by climate change, further contributes to respiratory and cardiovascular diseases, impacting public health.

Food Security and Agriculture: Climate change has adverse effects on agricultural productivity and food security. Crop yields in regions dependent on rain-fed agriculture are declining due to changes in precipitation patterns and temperature extremes. Extreme weather events, such as droughts and floods, disrupt agricultural production and supply chains, leading to food shortages and price fluctuations.

Economic Implications: The economic impacts of climate change are significant and multifaceted. Extreme weather events cause extensive damage to infrastructure and assets, resulting in substantial economic losses. Industries reliant on stable climate conditions, such as agriculture, tourism, and fisheries, face disruptions and financial instability. Rising sea levels threaten coastal communities and infrastructure, requiring costly adaptation measures.

Climate-Induced Migration: Climate change-induced vulnerabilities contribute to population displacement and migration. Sea-level rise and prolonged droughts force people to leave their homes in vulnerable regions, leading to climate-induced migration. Such movements can strain social and economic systems, create challenges for resettlement, and exacerbate existing social tensions.

Recommendations

Based on the analysis of climate vulnerabilities, the following recommendations are proposed to address the challenges posed by climate change:

Strengthen Global Climate Commitments: Governments and international organizations must enhance their climate commitments to meet the goals set forth in the Paris Agreement. Scaling up emission reduction targets and investing in climate-resilient infrastructure are essential to limit global warming and mitigate vulnerabilities.

Prioritize Climate Justice: Policymakers should prioritize climate justice in climate action plans to ensure that vulnerable communities receive adequate support for adaptation and resilience-building efforts. Policies should be designed to address the specific needs and challenges faced by disadvantaged populations.

Promote Sustainable Land-Use Practices: Encouraging sustainable land-use practices, such as afforestation, reforestation, and conservation of natural habitats, can mitigate the impacts of climate change on ecosystems and biodiversity. These measures help sequester carbon, protect ecosystems, and enhance resilience.

Invest in Renewable Energy: Accelerating the transition to renewable energy sources, such as solar, wind, and hydropower, is crucial in reducing greenhouse gas emissions from the energy sector. Governments should provide incentives and support to promote the adoption of renewable energy technologies.

Enhance Climate Resilience: Building climate resilience is essential for coping with the impacts of climate change. Governments and communities should invest in climate-resilient infrastructure, early warning systems, and disaster preparedness measures to mitigate the adverse effects of extreme weather events.

Promote Sustainable Agriculture: Supporting sustainable agricultural practices, including precision farming, agro-forestry, and soil conservation, can enhance agricultural productivity while reducing environmental impacts. Research and extension services should focus on promoting climate-resilient and sustainable farming techniques.

Foster Public Awareness and Education: Promoting public awareness and education about climate change and its consequences is crucial in fostering a culture of sustainability. Educational initiatives should focus on informing individuals about climate vulnerabilities and empowering them to take meaningful actions in their daily lives.

Encourage Private Sector Engagement: The private sector plays a significant role in climate change mitigation and adaptation. Businesses should adopt sustainable practices, invest in green technologies, and integrate climate considerations into their operations.

Facilitate Technology Transfer: To facilitate technology transfer to developing countries, international cooperation and financial support are essential. Developed nations should assist developing countries in accessing clean and climate-friendly technologies to accelerate their climate actions.

Foster Global Collaboration: Addressing climate vulnerabilities requires global collaboration among nations, organizations, and individuals. Multilateral partnerships and knowledge-sharing initiatives can foster innovation and accelerate climate action worldwide.

The analysis of climate vulnerabilities underscores the urgency of collective action to address the challenges posed by climate change. The proposed recommendations encompass a multi-faceted approach, including policy measures, technological advancements, education, and collaboration at the global level. By prioritizing climate justice, enhancing resilience, promoting sustainability, and adopting transformative practices, humanity can navigate the complexities of climate change and pave the way for a sustainable and resilient future. Addressing climate vulnerabilities requires a unified effort and steadfast commitment from all sectors of society to safeguard the planet for future generations.

Limitations

Despite the valuable insights provided in this research article, several limitations need to be considered when interpreting the findings. Data availability, model uncertainties, the scope of the research, and the context-specific nature of vulnerabilities can influence the comprehensiveness and accuracy of the analysis. Addressing these limitations requires continued research, collaboration, and efforts to improve data collection, modeling techniques, and interdisciplinary approaches. Despite these challenges, recognizing and addressing climate vulnerabilities remain imperative in mitigating the impacts of climate change and building a sustainable future.

Data Availability and Quality: One of the primary limitations of this research is the availability and quality of data. Climate change is a complex and multifaceted phenomenon, and data collection on various aspects of vulnerabilities can be challenging. Some regions may lack sufficient monitoring and data infrastructure, leading to data gaps and uncertainties in the analysis. Moreover, the accuracy and reliability of historical climate data might be influenced by changes in measurement techniques and instrumentation over time.

Timeframe and Scope: This research article covers climate vulnerabilities up to the time of the literature review, and new developments beyond that period may not be fully captured. Climate change is a dynamic process, and vulnerabilities may continue to evolve beyond the knowledge cutoff date. Additionally, the scope of the research may not encompass all potential aspects of vulnerabilities, as climate change impacts can be context-specific and multifaceted.

Modeling and Projection Uncertainties: Many studies rely on climate models to project future vulnerabilities. While these models are valuable tools, they inherently carry uncertainties due to the complexity of Earth's climate system and the challenges of representing various processes accurately. The accuracy of projections is influenced by factors like emission scenarios, model assumptions, and feedback mechanisms, which can affect the reliability of future vulnerability assessments.

Interdisciplinary Complexity: The study of climate vulnerabilities requires an interdisciplinary approach, integrating knowledge from fields such as climate science, ecology, public health, economics, and social sciences. This complexity can make it challenging to fully capture all dimensions of vulnerabilities within a single research article. The limitations of interdisciplinary data integration and analysis might lead to some aspects being underrepresented or overlooked.

Context-Specific Nature: Climate vulnerabilities can vary significantly across regions and communities. The findings of this research might not fully account for the localized and context-specific vulnerabilities experienced by different regions and social groups. Regional disparities in exposure, sensitivity, and adaptive capacity may not be fully addressed due to the global nature of the analysis.

Policy and Implementation Challenges: While recommendations are proposed to address climate vulnerabilities, the implementation of these measures can face practical challenges. Political will, competing interests, budget constraints, and administrative hurdles can hinder the effective implementation of climate policies and adaptation strategies.

Behavioral and Social Change: The success of climate change mitigation and adaptation efforts also depends on human behavior and societal norms. Encouraging sustainable practices and behavior change requires collective action and a shift in attitudes towards sustainability. However, changing deeply ingrained behaviors can be a slow and complex process.

Limited Predictability of Extreme Events: While climate models can provide projections of long-term trends, predicting individual extreme weather events remains challenging. Consequently, assessing vulnerabilities related to specific extreme events, such as hurricanes and floods, may be subject to uncertainties and limitations.

Global Cooperation and Political Will: Addressing climate vulnerabilities requires international cooperation and political commitment. The success of global climate agreements and collective actions depends on the willingness of nations to collaborate and adhere to their commitments. Global geopolitics and differing priorities can pose challenges to achieving cohesive and ambitious climate goals.

Conclusions

The comprehensive assessment of climate vulnerabilities presented in this research article underscores the urgency of acknowledging and addressing the far-reaching consequences of climate change. Human activities have been the primary drivers of greenhouse gas emissions, leading to rising temperatures, extreme weather events, sea-level rise, biodiversity loss, and disruptions in ecosystems. These vulnerabilities have profound implications for ecosystems, human health, food security, economies, and vulnerable communities. The analysis highlights the importance of collective human responsibility in mitigating climate vulnerabilities. Strengthening global climate commitments, prioritizing climate justice, promoting sustainable practices, and fostering technological innovations are essential steps towards building resilience and adapting to the impacts of climate change. Individual actions, education, and public awareness also play pivotal roles in shaping a sustainable future. It is crucial to recognize the limitations of the research, such as data availability, model uncertainties, and the context-specific nature of vulnerabilities. Future research should address these limitations to refine climate vulnerability assessments and enhance policy-making. In conclusion, addressing climate vulnerabilities requires a united effort at local, national, and global levels. Governments, businesses, civil society, and individuals must collaboratively implement effective climate policies and initiatives. By fostering global cooperation and adhering to ambitious climate commitments, humanity can steer away from the path of increasing vulnerabilities and work towards a resilient and sustainable future for generations to come. Embracing the keywords - Climate Change, Vulnerabilities, Mitigation, Adaptation, Sustainability, and Global Cooperation - is key to unlocking the transformative potential of collective action in combating climate vulnerabilities and safeguarding the planet's well-being.

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The Changing Face of the Tribal Women: An Anthropological Study of the Sauriya Paharia (A PVTG) of Rajmahal Hills

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Abstract

Sauriya Paharia also known as Maler is a Particularly Vulnerable Tribal Group (PVTG) of Jharkhand confined in the Rajmahal hills of Santhal Pargana of Jharkhand extending upto Kahalgaon sub-division of Bhagalpur District of Bihar. This study is confined in the Sauriya settlements of Rajmahal Hills of Jharkhand and part of my Masters Dissertation work. Sauriya Paharia resides in the hilly slopes and forest villages of Rajmahal hills and speaks Malto language belongs to Dravidian linguistic family. Earlier they mostly depend on shifting cultivation but over the period of time their livelihood shifted to the various sources. Along with their male counterpart, sauriya women contribute equally as far as their economy and livelihood is concern. This paper is an attempt to describe the socio-economic change of the sauriya women and the factors associated with it. This research paper is based on field work and empirical experiences.

Keywords: Socio-economic, Livelihood, Sauriya Paharia, Change, Tribal Women, PVTG

Introduction

The tribal population in India numerically constitutes a small segment of the total population of the country but is a significant part of the population. According to 2001 census data, total population of Scheduled Tribes constitutes 8.2% of the total population of the country. Most of the Scheduled tribe people lives in rural areas and their population comprise 10.4 % of the total rural population of the country. The term 'scheduled tribes' first appeared in the Constitution of India, to confer certain constitutional privileges and protection to a group of people who are considered disadvantaged and backward. In the Constitution of India, Article 366 (25) defines Scheduled Tribes as "such tribes or tribal communities or part of or groups within such tribes or tribal communities as are deemed under Article 342 to the scheduled Tribes (STs) for the purposes of this Constitution"

The Scheduled Tribes, who are also referred to as 'Adivasis', meant original inhabitants. For long periods of history, they were always socially and geographically isolated. They belonged to different races with diverse cultural characteristics, speaking varied languages, following a variety of religions and spread across various ecological zones. Process of Sanskritization has affected them culturally, and other processes of displacement have made them a marginalized segment of the society. Since independence, various measures have been taken up at the national level for protecting the interests of the scheduled tribes of the country and particular attention has been given to tribal development in the different plan periods. Out of the total tribal population, tribal women add up to almost half. Like all other communities, development of status of tribal communities also to a large extent depends on the upliftment of the status of tribal women. The popular perception of the tribal women indicates two differing views. Some researchers are of the opinion that the tribal women enjoy higher social status compared to their non-tribal counterparts and some other studies indicate a low status for the tribal women. In fact, provisions made by the Constitution over the years have not made much difference to the status of tribal women. Their status is found to be lower than that of women belonging to the general population, Scheduled caste women and also lower than that of the status of Tribal men.

Present paper is an attempt to delineate the social-economic conditions and changes taken place among the tribal women of Sauriya Paharia of Rajmahal hills of Jharkhand. Now here is the general introduction of the Sauriya Paharia tribe:

The Sauria Paharia is numerically a minor scheduled tribe in the state of Bihar and Jharkhand. As the name indicates, are a hill tribe settled in the hilly ranges of the Rajmahal Hills and neighbouring in the region of Santhal Parganas and adjoining regions of Bhagalpur and Banka districts of Bihar. The Sauriya Pahariya has been identified and declared as a Primitive Tribal Group (PTG) now Particularly Vulnerable Tribal Group (PVTG) by the government of Jharkhand and Bihar. Those groups of tribes who live more or less in isolation having a different life style showing little change from time immemorial has been termed as "Primitive Tribe". The criteria generally followed in identification of Primitive tribal groups are: (a) Pre-agricultural level of technology; (b) Extremely low level of literacy; (c) small, stagnant or diminishing population. They belong to the Proto Australoid racial stock and speaks Malto language. The group of Paharia who lives in deep forest are in a miserable state and are getting depopulated. Their chief means of livelihood is practicing the slash and burn type of cultivation and they are in a state of abject poverty. Originally, the Paharia were mainly dependent on shifting cultivation, but now one can hardly find them practicing their own methods of cultivation, which have almost been replaced by settled agriculture since a couple of decades back.

The Culture of Sauria Paharia originated, developed and even today largely flourishes in the lap of Nature. The natural setting of the Sauria Paharia habitat comprises mainly of forests and hills. The influence of forest is reflected on every aspect of Sauria Economy and livelihood it appears, can be had mainly by examining it in context with its forests (Vidyarthi, L.P. 1963, March). The economy and livelihood of the Sauria Paharia villagers revolves round the forest. These days practicing Khailu Cultivation is prevented by forest department.

Rather than Shifting Cultivation, the economy and livelihood of Sauria Paharia can be understood under the following categories:

(a) Ecological differences and the problem of adjustment with new environment.
(b) The economic differences with special reference to economic level, sources of livelihood and the standard of living.

The study was conducted in Rajmahal hill region of Santhal Pargana of Jharkhand. All the Sauriya villages are mostly revolving round the forest. Apart from providing setting for Khailu Cultivation (Shifting Cultivation) they are dependent upon forest for sources of food. Sauria Paharia is also dependent upon daily wages. They didn't have much of their own land for their livelihood which leads to worst situation for Sauria Paharia of both villages namely Pagarpahar and Begumpura of Rajmahal hill region of Sahebgunj district which affects the livelihood and economy at the same time.

Shifting cultivation has always been an eyesore to forest department. As the traditional economic system of Sauriya Paharia is based on Shifting Cultivation which takes place at the interval of every 3years is getting altered due to forest Act 1927 and Forest conservation Act 1980. The main reason behind is this prevent them from practicing shifting cultivation which is based on deforestation which is leading to deteriorate of their traditional way of living. Though it results creates condition for deep- rooted changes in the Economic life and traditional mode of their livelihood.

But now a day's Sauria Paharia is migrating from their natural habitats because there is no way of livelihood. Usually they are now doing the settled type of Agriculture. The nature of work done by them is construction work as labour, hotel work, brick –kilns, Further, a large number of seasonal migrants work in urban informal manufacturing construction, services or transport sectors, and are employed as causal labourer, head loaders, rickshaw pullers and hawkers. Thus, they are engaged in low paid jobs and occupations. Sauria have been always reluctant to settle in planes even after several attempts done by the Government since pre -independence time. If the foregoing proposed schemes will be carried out properly the Sauriya will be benefited immensely.

The purpose of the implementation of different schemes was mainly the economic development of the Paharias but it was found out that primitive tribal development strategy lacked in any micro level comprehensive planning. The achievement has not commensurate with the inputs provided. The development needs of PVTG vary from tribe to tribe, sometimes even village to village, so the generalized nature of schemes at times did not cater to the specific village need. The development programmes initiated by the state government has not brought marked improvement in the life of these PVTG's.

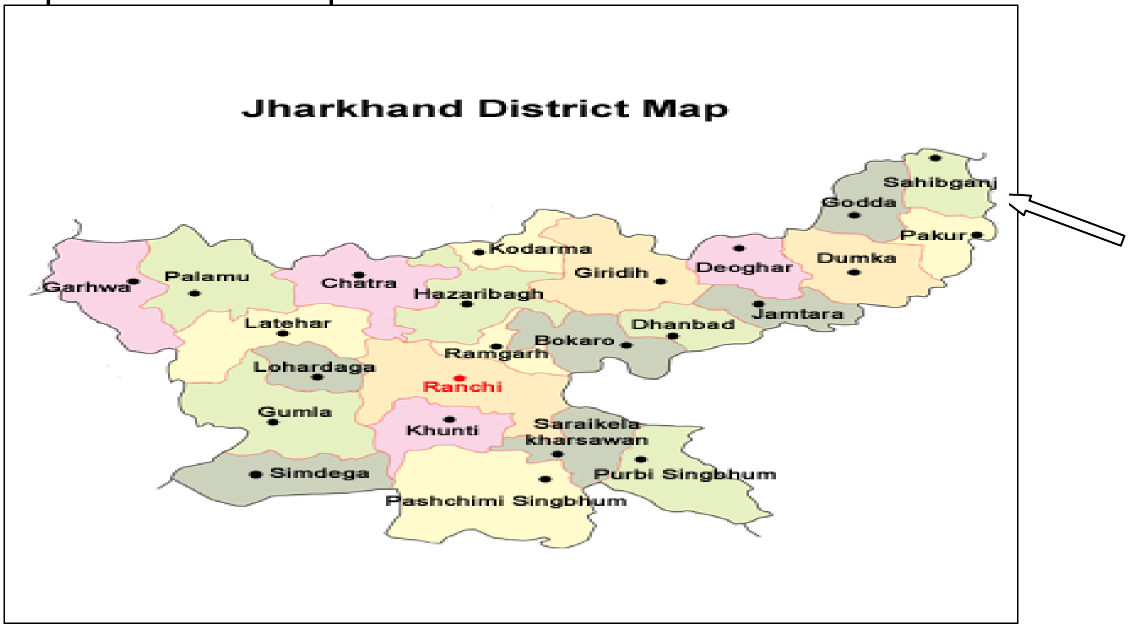
Aims & Objectives

The main aim and objective of this research paper is as follows-

1. To know the socio-economic condition of the Sauriya Women
2. To assess the changes taking place in socio-economic life of the Sauriya Women and also to know its associated factors.

Materials and Methods

To carry out this study I have conducted a microscopic fieldwork and collected first hand information regarding changing pattern of economy and livelihood among the Sauria Women. Considering Prof. Vidyarthi's Study on Maler as baseline date, I have tried to carry out the changes took place in last five decades. To know the changing pattern of Economy and Livelihood of the Sauria women, I have applied primary techniques of data collection such as Observation, Interview, Schedule and Photography, Focussed Group Discussion on traditional economy and culture and livelihood of the Sauria Paharia. I have analyzed that how traditional shifting cultivation (Khailu) was once the identity of Sauria Paharia and now a days they are looking at different kinds of resources for their economy and livelihood. The present study and the observation are based on the two Pahariya villages of Rajmahal hills (Sahebgunj district of Jharkhand) namely village Pagarphar and village Begumpura which have been extensively studied for obtaining qualitative data through fieldwork and empirical research. At the same time, I did library work and incorporated secondary data from the published and unpublished work done so far.



Map: Map of Jharkhand Indicating Sahebgunj District where Field Work Conducted among Sauriya

Findings and Discussion

In tribal societies, tribal women are more important than women in any other social groups because tribal women are very hard-working and in almost all the tribal communities they participate in economic activities almost equally with men or works harder than men and the family economy and income also depend on women. This is true as far as Sauriya Society is Concern. This Study reveals the socio-economic conditions of the Sauriya women of Rajmahal hills, Jharkhand and focuses on the problems which Sauriya Women faces. These are as follows:

1. **Absence of any fix livelihood**: The sauriya women commonly seen engaged in many of occupations for livelihood generation as compared to their male counterparts. Sauriya women used to go to forest daily at morning for collection of minor forest produce and sell these to the local hatt. Today Sauriya women used to go to sell firewood, sal leaves, fruits-nuts in nearby townships of Kahalgaon, Sahebgunj and Bhagalpur by local train daily. Beside these they also cultivate maize in their hilly slopes tracts and used to sell it for income generation. They also go for daily labour work to nearby brick-kilns and in construction works along with their children's. Most of the sauriya are landless hence they have no land to cultivate paddy in large scale however they used to cultivate nearby hilly tracts only for producing vegetables, maize and some pulses but to a limited extent. They face problem as they are having no fixed livelihood yet. Sauriya girls also engaged themselves in livelihood generation because of poverty, Sauriya women also seen in rearing live-stocks to get earnings from it.

2. **Lack of access to education**: Sauriya family more or less engaged majority a time for livelihood and fulfil their day to day need hence all members of a family concentrates on livelihood generation. Due to this the parents seldom sends their children to school. Awareness towards education is still far away as far Sauriya family is concern. Due to poverty and poor transport connectivity, they fail to attain with education however in Sauriya villages, Aanganwadi Centres and Primary schools are functioning but even they are failing to bring them towards school for education because majority of Sauriya women moves outside for daily labour along with their children.

3. **Poor condition of health**: Sauriya women used to tolerate high level of hardship in their villages because of their hard labour but on the other hand sauriya women face severe health problem during pregnancy. During pregnancy, they hardly consult doctors of even their primary health centres. Morbidity is high in sauriya villages due to contaminated water as well. Infant mortality is also high among Sauriya due to malnutrition and non-institutionalised delivery of children at home through the help of local untrained midwifery.

On the whole, in my study I found that due to more contribution in obtaining livelihood, Sauriya women played a vital role in decision making at family level, this in turn empowers sauriya women but poverty and lack of employment opportunity are making them vulnerable to a great extent.

Changes Taking Place among Sauriya Women Today

Followings are the changes that can be seen among Sauriya Women these days-

1. Decision Making Ability increased a lot
2. Good number of participation in Village Panchayats
3. Awareness towards education and Health
4. Generating Income and increasing tendency towards future Savings due to formation of Self Help Groups.
5. Mass protests of Sauriya women against alcohol consumption of their male counterparts which ultimately reforming their quality of life gradually.
6. Sauriya women gradually becoming vocal as seller of their crops and MFPs in local hatt (weekly market)
7. Young women used to consult primary health centres and doctors whenever they or their children fall sick or ill.
8. Beside household activity, they used to go to forest and hills for collecting minor forest produces.
9. Sauriya women immensely contribute in agricultural activities rather than their male counterparts.
10. Sauriya women are coming ahead in obtaining vocational training like rearing pets, spinning and weaving handicrafts, basketry works etc.
11. Some sauriya women are seen running small petty shops in their hilly forest villages.

Factors of Changes among Sauriya Women

Factors behind the changes taking place among the women of Sauriya Paharia are as follows:

1. Participation in Panchayati Raj System
2. Formation of Self Help Group
3. Role of Aanganwadi Kendra and Asha Workers
4. Training of Skill Development in Sauriya Villages
5. Development of Transport and Communication
6. Impact of Special Schemes for the development of PVTGs (for example- Van-dhan Yozna etc.)
7. Migration to nearby places for daily labour
8. Gradually, missionaries are influencing sauriya to a greater extent
9. Globalisation and Development of Information Technology inside hilly forest regions

Conclusion

In spite of various constitutional provisions and policies for the tribals, it is a hard reality that the tribal women still are lagging behind in many respects and they have to face many challenges. The study emphasized the need for tribal development in India. Their low level of economic activities, social backwardness, low level of literacy, poor health conditions makes it vital for a systematic process of tribal development. They work very hard and contribute significantly towards the economic condition of the family, but they are still in poverty mostly because no proper efforts are oriented towards them. During the plan periods, various programmes are taken up for the development of the Scheduled Tribe population and a lot of betterment has been already done, but still, a lot more requires to be done. The families need to have a sufficient income to enable them to cross the poverty levels. Since economic status determines other aspects of life and living conditions, it is of utmost importance. Education for tribal women is an essential aspect of development. Education is a vital instrument to bring about a change in the cultural norms and patterns of life of the tribal women and to change their outlook and made them economically independent. It would help them to organize themselves to analyze their situations and living conditions and be aware of their rights and responsibilities. Education will enable them to take up jobs so that they can improve their situation. Social and economic status of the scheduled tribe to a large extent depends on the educational attainment. Educated women will be able to face the present day society better than earlier times. In the present context, no one can remain completely isolated, but they are influenced by the growth of modern society and culture. Government is providing a lot of support and grant for the education of Tribal students. This will help to increase the literacy rate and it will lead to the right way to development. The health status of the tribals is explored to assess their awareness regarding their health. Sometimes they lack the essential nutrients. Many times they suffer from various diseases as there is a lack of health and hygiene awareness. Thus increasing the literacy rate and providing opportunities for gainful employment for tribal women will be instrumental in bringing about a change in the status of tribal women in India and to handle to challenges successfully. On the whole, the tribal women of Jharkhand, Bihar and adjoining regions are changing to a great extent. Some changes are positive and exhibits socio-economic empowerment among tribal women of Jharkhand especially among the PVTGs of Jharkhand. However still there are some challenges before them which need to be addressed keeping the interest and views of the tribal women in mind.

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Corporate Social Responsibility: An Introduction

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Abstract

"The primitive economy accepted business as one of the occupations. Since the industrial revolution, business was recognized and accepted as profit making venture. The profit motive theory of the business made its owners greedy, selfish and exploiter. In an attempt to multiply profit by any means, there emerged cut – throat competition among firms and exploitation of workers. The unsatisfactory and tense situation divided the human factor in the business as workers and owners. Since then, the class conflict between them started and the process still continues.

Business these days is recognized and accepted as a social and economic organ of the society. The business is formed within the society, with the resources of the society, with the resources of the society and to satisfy the needs of the society. In this way, it is a social venture. All factors of production i.e. men, machines, materials, money and equipments are supplied by the society to the business, as such business owes its existence to the society to the society.

In other words social responsibility is the obligation of the business towards different groups of society, in addition to its profit earning. In short, humanization of business to a reasonable limit is social responsibility.

Social responsibility has an element of voluntary action on the part of the business persons, who are free to honour or dishonour social responsibility.

The business is free to decide the extent to which it will serve the society. In fact, all businessmen are not equally responsible towards the society.

It is still disputable and debatable whether the business should honour social commitments.**"**

Key Words: Social Venture, Class Conflict, Public Opinion, Industrial Revolution, Profit Motive

Full Paper

The concept of social responsibility implies that it is an ethical issue. It is the question of morality. It is concerned with, what is morally wrong or right in relation to firm's responsibility? Social responsibility has an element of voluntary action on the part of business persons, who are free to honour or dishonour social responsibility. The business is free to decide the extent to which it will serve the society. In fact, all businessmen are not equally responsible towards the society.

The primitive economy accepted business as one of the occupations. Since the industrial revolution, business was recognized and accepted as profit making venture. The profit motive theory of the business made its owners greedy, selfish and exploiter. In an attempt to multiply profit by any means, there emerged cut – throat competition among firms and exploitation of workers. The unsatisfactory and tense situation divided the human factor in the business as workers and owners. Since then, the class conflict between them started and the process still continues. In such circumstances business lost its contact with the customers and the society.

Modern business has now been forced by the labour revolution, consumers' consciousness, public opinion and the welfare concept of the government to be conscious about its social obligations.

The study and analysis of the views expressed by the management experts reveals that the business has obligation towards the following:

i. Responsibility towards Ownself.
ii. Responsibility towards Owners/Investors.
iii. Responsibility towards Workers/Employees.
iv. Responsibility towards Consumers/Customers.
v. Responsibility towards Government.
vi. Responsibility towards Community & Public in general.

The business has its social obligation to pay reasonable return to the entrepreneur, to pay interest at competitive rates to investors, to pay reasonable remuneration to employees, supply goods to customers at reasonable rates and to conduct the affairs of the business in accordance with the social commitment and values.

In short, business responsibility means the reasonable evaluation of all resources and their effective direction to meet business social commitments.

It is still disputable and debatable whether the business should honour social commitments. Both the views have their own arguments. Let us now discuss the argument in favour of honouring social responsibility and also arguments against the social responsibility.

Arguments in favour of Assuming Social Responsibility

i. **Democratic attitude of the Government:** After the social and political revolutions, the country has adopted planned developmental democratic economy, so it is necessary to integrate, direct and control the activities of the business towards social welfare. In these circumstances, the business has to assume its responsibility towards the society. The business community has to carry out the provisions of Minimum Wages Act, Factory Act and other directions of the Government.

ii. **Consumers' Interest:** In earlier days consumer was dependent on the mercy of the business houses but the modern consumers have realised that business should not rule over them but render services to them. Consumers have also organised their powerful associations. In these circumstances the business must fulfill its social commitments, if it wants to survive.

iii. **Political Views:** There must be democratization of business also. If there is democracy in the country, workers, being the vital and active factor of the business must be accorded participation in the management. They must be consulted in taking important decisions.

iv. **Foreign Influence:** In general the business community of Japan, England, Germany, etc. bears good national ad moral character. They do not indulge in the bad practices of adulteration, imitation and duplication. It is, therefore, necessary that our business houses should take lesions from these foreign institutions and carry out their business in the best interest of the various classes of the society.

v. Stress on Business Ethics: There has been a revolution in the views and thinking of individuals. Previously the business was supposed to belong to its owners but these days it is supposed to be the assets of the entire community and nation. There are seminars, meetings and discussions and everywhere it is stressed that the business should assume its social responsibility.

vi. Conclusion: Ethics is the obligation of entire society, not a particular group. Therefore, the business community being very resourceful should especially assume social obligations. In this connection Ghanshyam Dass Birla rightly says, "If the business does not keep the interest of the masses at top, nobody will take care of it."

Socially Responsible Indian Companies

Companies	Nature of Work
TISCO **SAIL** **ESCORTS** **ITC** **BHEL** **Asian Paints**	These companies have been contributing for community development projects, health care, chemical, welfare, sports promotion, agricultural development, drinking water projects, tribal development and rural industrialisation.

Arguments against Assuming Social Responsibility

It is disputed by certain viewers as to why the business should assume morality. They claim that the only aim of the business enterprise is 'profit motive' not the services of the masses. Business is not religious institution but it is profit earning unit. The supporters of this view advance the following arguments:

i. Consumers' Interest: The business owes its obligation to its customers to supply standard quality of goods at reasonable price. If the business assumes its social responsibilities towards different classes, the cost of production and the price of the commodity will increase, which will be against the interest of customers.

ii. Ethics and profit motive are the two different things: the sole aim of the business is to earn more and more profit. If it becomes moral entity, its sole aim will be adversely affected.

iii. Social Welfare is the responsibility of the Government: It is the responsibility of the Government to adopt various schemes and measures for the uplift of the weaker section of the society. Business has no relationship with welfare schemes.

iv. Danger of Dictatorship: if the business is allowed to build a society at its sweet will, the business will be the dictator and architect of its own fortune. Such state of affairs will also be fatal to the interest of the society and common masses.

v. Ambiguity of the term business ethics: the term business ethics is ambiguous. It has got no specific meaning. It is wide enough to include a lot of things. Unless the Government specifies the meaning of the business ethics and entrusts the business house clearly definite and specifically verifiable assignment of business ethics, no venture can be made responsible for it.

vi. Conclusion: Assumption of the business ethics by the business venture is the symbol of the social consciousness and the progressive views of the business. It is never expected from the business that it should reduce itself to a religious institution but business houses should themselves adopt healthy and fair practices. They should never cause damage to the interest of any class of society with their dealings and deeds.

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Major General Vijay Shumsher Rana: A Memorable Figure of the Rana Regime

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Abstract

Major General Vijay Shumsher Rana was a visionary military officer and diplomat from Nepal during the twilight years of the Rana regime. Born in 1974 B.S. as the youngest son of Prime Minister Mohan Shumsher, he rose to the rank of Major General in his mid-teens, a rare distinction. Educated at the University of Calcutta with a master's degree in English literature, he became known for his intelligence, refined demeanor, and progressive views. Throughout the 1940s and early 1950s, he played pivotal roles in Nepal's internal politics, foreign policy initiatives, and economic planning. As Nepal's first envoy to post-independence India, he laid the groundwork for Nepal-India relations. His untimely death in 2010 B.S. in Delhi marked a profound loss for a nation in transition.

Key Words: ambassador, development, economy, politics, negotiation, reform, relations.

Methodology

This article has been prepared using both descriptive and analytical methods. Accordingly, events are sequentially mentioned, followed by an analysis of their outcomes. A large number of published secondary sources have been used in the preparation of this article. The article provides information of General Vijaya Shumsher Rana's role in Nepalese politics and economic development of the nation. The main achievement of this article is to provide information about General Vijaya Shumsher Rana.

Introduction

The military barracks at Maharajgunj Kathmandu, currently housing the Nepali Army's Para Battalion and Bhairavnath Battalion, were once known during the Rana era as 'Laxmi Niwas'. It was here, in the year 1974 B.S., that Vijay Shumsher was born as the youngest son of then Prime Minister Mohan Shumsher Rana. At just around 15 or 16 years of age, he was appointed as Major General, a rare feat, and went on to play a pivotal role in Nepal's economic, political, and foreign affairs. His life was cut tragically short when he died at the age of 38 while serving as Nepal's ambassador to India, a story that remains unfamiliar to many even today.

From an early age, General Vijay Shumsher exhibited keen intelligence. He completed a Master's degree in English Literature from the University of Calcutta, consistently standing at the top of his class. Because of his sharp academic mind, he earned admiration among his peers and quickly became recognized, not only within the Rana family but across the country as a promising and gifted youth by the age of 24 or 25 (Pande, 2044 B.S.). A voracious reader, he gravitated toward works on literature, history, autobiography, and contemporary politics. During his university years in Calcutta, he became well-acquainted with some of the era's most influential South Asian thinkers and leaders, including Jawaharlal Nehru, Subhas Chandra Bose, Acharya Narendra Dev, and Jayaprakash Narayan. Because of his scholarly excellence and incisive thought, he held key positions during the administrations of both Prime Minister Juddha Shumsher Rana and Prime Minister Mohan Shumsher Rana, contributing substantially to Nepal's economic, political, and international sectors.

Role in Economic Development

While seeking capable young members within his family to spearhead Nepal's economic development, Prime Minister Juddha Shumsher found promise in General Vijay Shumsher Rana. He entrusted him with a number of important posts across various offices and departments. As a result, General Vijay Shumsher went on to serve in key roles such as Vice Chairman of the Industrial Council, Director General of the Department of Botany, and head of the Nepali Textiles and Domestic Skills Promotion Office, Land Mortgage Bank, Cooperative Society, and Chairman of Nepal Bank. If the head of any department or office was absent, the responsibility would often fall to him (Pande, 2044 B.S.).

Due to his successful tenure as chief of these various institutions, Prime Minister Juddha Shumsher instructed General Vijay Shumsher to prepare a draft for accelerating Nepal's economic growth. With the assistance of Sardar Bhim Bahadur Pandey, Vijaya Shumsher developed a strategy for Nepal's economic development, which included drafting a 20-year national development plan, modeled after similar efforts in other countries. This initiative marked Nepal's first formal step toward planned economy (Pande, 2044 B.S.). At that time, General Vijay Shumsher estimated that the necessary infrastructure development would cost about 20 million rupees. If the nation could not bear the cost, he proposed that members of the Rana family should personally invest in the initiative. Although his revolutionary proposal didn't fully materialize (Rana et al., 2002), his contribution to the industrial growth of Nepal during Juddha Shumsher's tenure remained vital.

In 1990 A.D., during Prime Minister Mohan Shumsher's rule, when famed Swiss geologist Dr. Toni Hagen came to Nepal for a geological survey under the auspices of the United Nations, it was General Vijay Shumsher who provided full support and logistical coordination. Dr. Hagen surveyed remote corners of Nepal and revealed several new geological insights (Hagen, 2058 BS). In 2006 B.S., while flying from Kathmandu to Delhi, General Vijay Shumsher noticed the Rapti Valley from the air. He envisioned settling the area to supply food to the Kathmandu Valley and surrounding hill districts. This forward-thinking plan was later implemented in practice (Pande, 2045 B.S.). It is evidence of his foresight and strategic mindset.

Role in Internal Politics

General Vijay Shumsher also played a significant role in the nation's internal politics. He was instrumental in efforts to secure the release of B.P. Koirala from prison, maintain contact with Ganesh Man Singh, assist in the return of King Tribhuvan from the Indian embassy after his asylum, and in negotiating political transition following the King's exile to Delhi. Among these efforts, his role in saving B.P. Koirala's life stands out. When Koirala returned to Nepal to expand political activity, he was arrested and began a hunger strike in prison. As his health deteriorated dangerously, there were concerns that he might not survive. Some hardliner Ranas even advised Prime Minister Mohan Shumsher not to releasing B.P. Koirala from custody. Despite this, General Vijay Shumsher stood alone in advocating for Koirala's freedom. However, when his health deteriorated severely, General Vijay Shumsher warned his father Prime Minister Mohan Shumsher that 'if B.P. were to die, the moral burden and public condemnation would fall on him and his descendants' (Stiller, 1993). He also feared that such an outcome would send a negative message internationally. Lastly, his firm yet compassionate appeal, B.P. Koirala was ultimately released (Pande, 2945 B.S.). That decision still remembered by former staff at Laxmi Niwas. After B.P.'s release, General Vijay Shumsher arranged for B.P.'s mother and wife to meet him, despite his father's disapproval. B.P. himself recounted this incident in his autobiography (Sharma, 2055 B.S.), emphasizing that his release wasn't solely due to Indian pressure. Had he perished at that time, Nepal's political trajectory might have taken a vastly different turn. His lenient and human character also earned praise from figures like Matrika Prasad Koirala, who in his own memoir described him, despite being from the Rana family as 'a good man'. Over time, cordial ties were established between the Koirala and Vijay Shumsher families, highlighting his enduring grace (Sharma, 2055 B.S.).

General Vijay Shumsher's aptitude for solving sensitive matters with intelligence led Prime Minister Mohan Shumsher to entrust him with critical assignments. For instance, when King Tribhuvan took asylum in the Indian Embassy, the task of coaxing him back initially fell to Vijay Shumsher and Arjun Shumsher (Tuladhar, 1980). Later, only Vijay Shumsher was sent (Pande, 2045 B.S.). Despite having a close relations with the King, Indian officials blocked the meeting, something General Vijay Shumsher realized keenly (Stiller, 1993). Had he met the King, perhaps a solution could have been brokered then and there. When some proposed storming the Indian Embassy to seize the King or digging trenches on the runway of Airport to prevent his departure, General Vijay Shumsher was the only one to oppose such drastic actions.

After the King left for Delhi, the revolution spread across Nepal. As police and security forces clashed with revolutionaries, violence escalated. While most of the Rana elite favored crushing the movement, General Vijay Shumsher stood alone in urging restraint.

He advised his father to initiate peace talks with India and return the seal of premiership, paving the way for King Tribhuvan's return (Joshi & Rose, 2004). Mohan Shumsher accepted his son's wise counsel and sent General Vijay Shumsher and General Keshar Shumsher to Delhi for talks (Tuladhar, 1980). There, they stayed at Sardar Vallabhbhai Patel's residence and discussed Nepal's political situation with Prime Minister Jawaharlal Nehru. Their conversation focused on the rightful monarch of Nepal and the urgent need for reform (Amatya, 2004). Although the first round of negotiations was unsuccessful, General Vijay Shumsher was sent alone to Delhi for second round talks. On this occasion, he successfully handed over the letter of abdication from Prime Minister Mohan Shumsher to King Tribhuvan, helping bring the talks to a consensus (Tuladhar, 1980). In Delhi, General Vijay Shumsher made personal efforts to build rapport with B.P. Koirala, one of the leading figures among the revolutionaries. B.P. reciprocated his approach. But, Matrika Prasad Koirala, the elder brother of B.P. Koirala, dissatisfied of such closeness between them before the negotiations had concluded (Sharma, 2055 B.S.). Nevertheless, this second round of dialogue resulted in the 'Delhi Agreement', which laid the foundation for the establishment of democracy in Nepal. Following the agreement, General Vijay Shumsher was tasked with coordinating the oath-taking ceremony and formal proceedings for the newly formed Rana-Congress coalition cabinet. He fulfilled with remarkable tact and foresight (Singh, 2057 BS). At that time, General Vijay Shumsher was among the few in the Rana family representing the younger generation of reform-minded leadership, playing important role in resolving the revolution through peaceful means (Pathak, n.d,). His contributions were crucial in ensuring that the Revolution of 2007 B.S. did not devolve into widespread bloodshed, but instead found a diplomatic and political solution.

He also served as the chief political advisor to Prime Minister Mohan Shumsher, often drafting the Prime Minister's speeches. Many of the liberal ideas and thoughtful remarks in those addresses were attributed to Vijay Shumsher's intellect (Pande, 2045 B.S.). As a democrat at heart, he had repeatedly urged his father to implement the Sri Prakash Constitution. a statute introduced in 2004 B.S. Had Prime Minister Mohan Shumsher heeded his son's advice, the end of the Rana regime might have been delayed. Later, when it became known that, British and American diplomatic missions were visiting Nepal to assess the political situation after King Tribhuvan's exile, Vijay Shumsher advised his father to be mindful of international optics noting that these representatives would report back to their governments, potentially influencing foreign policy. However, his counsel was ultimately disregarded, leading to a failure in securing broader international support.

Foreign Export and Successful Diplomat

General Vijay Shumsher was a skillful diplomat. In March 1947, he led Nepal's delegation to the first Asian Relations Conference in Delhi, aimed at asserting the sovereignty of Asian nations in the world (Amatya, 2004). At that conference, General Vijay Shumsher clearly articulated Nepal's desire to strengthen ties with traditional allies while also expanding its friendship with newly emerging nations around the globe (Muni, 1973). His remarks made it evident that Nepal was shifting from its old foreign policy approach and was ready to foster broader diplomatic relationships. By affirming Nepal's sovereignty and national dignity, he made sincere efforts to bolster Nepal's standing with the attending countries. His keynote address was so compelling that it left a lasting impression on India's Prime Minister Jawaharlal Nehru and conference chair Sarojini Naidu. That conference marked Nepal's first appearance on the international stage, where General Vijay Shumsher played a pivotal role in presenting Nepal as an independent, sovereign state. His contribution was not only diplomatic, but symbolic-ushering Nepal into a new era of global recognition.

After returning from the Asian Relations Conference in 1947, he founded the 'Nepal Council of World Affairs' in 1948 to guide palace-led foreign policy. He became the council's first president (Pande, 2045 B.S.). Around the same time, an affiliated body, 'the Council for Asian Relations', was also established under his initiative (Amatya, 2004). While serving as Director General of the Department of Foreign Affairs, he was the first to formally apply for Nepal's membership in the United Nations in February 1947, submitting a detailed petition signed in his name (Pande, 2045 B.S.). Although

Nepal did not gain membership until 1955, by then General Vijay Shumsher had already passed away.

After India's independence in 1947, he was among the first to warn that an independent India would hold greater importance to Nepal than Britain. Few at that time grasped the shifting geopolitical realities as he did. This became proof when Prime Minister Mohan Shumsher believed Britain's endorsement of Crown Prince Gyanendra as King would grant him legitimacy. But, India refused to recognize Gyanendra's ascension and both Britain and the United States followed India's decision. Had Prime Minister Mohan Shumsher heeded his son's foreign policy advice, the Rana regime might not have collapsed in his tenure. His keen understanding of international affairs is evident in the letters he wrote as ambassador to India to Prime Minister Matrika Prasad Koirala (Koirala, 2008). Because of these efforts, General Vijay Shumsher is often credited as an architect of Nepal's foreign policy.

Nepal's Ambassador to India and Tragic Death

After the democratic transition, the Rana-Congress coalition appointed General Vijay Shumsher as Nepal's ambassador to India on 8 Asar 2008 B.S. (Devkota, 2036 B.S.). During his tenure, he worked diligently to improve Nepal-India relations and prevent direct Indian interference in Nepalese politics. He also developed a close rapport with Indian Prime Minister Jawaharlal Nehru. While still in service, King Tribhuvan reportedly considered appointing him as Prime Minister, and Vijay Shumsher even discussed this possibility with close confidants. However, tragedy struck when he died at age 35 on 15 Poush 2010 B.S. in Delhi. According to reports, he died from an electric shock when he was bathing in bathtub. When Nehru was informed about the death of Vijaya Shumsher, he rushed to the scene and instructed doctors to do everything possible to save him. Upon learning that he could not be revived, Nehru was deeply grieved. Though rumors of conspiracy circulated about his death, his family does not believe his death was the result of any plot. Still, to this day, his death remains shrouded in mystery and sorrow. At a time when Nepal desperately needed educated and visionary leaders to steer the country toward development, the premature death of a promising figure like General Vijay Shumsher marked a profound loss for the nation.

Conclusion

At the time, General Vijay Shumsher commanded deep respect both within Nepal and beyond its borders. Among members of the Rana family, his popularity stemmed largely from his amiable temperament and ability to win others over with his sincerity. He was so kind-hearted that, when Commander-in-Chief Rudra Shumsher was removed from office after Prime Minister Juddha Shumsher’s tenure in 1990 B.S., Vijay Shumsher reportedly wept. For this reason, even today, descendants of Rudra Shumsher regard him warmly. Following the establishment of democracy, tensions flared between Prime Minister Mohan Shumsher and Home Minister B.P. Koirala over the 'Gorakha Dal' incident and the arrest of Bharat Shumsher. In that moment of discord, General Vijay Shumsher is said to have gently told B.P., “He just lost his temper, please don’t take his words to heart” (Sharma, 2055 B.S.). A son who can calmly remind others of his father’s faults to mediate conflict is a rare gem indeed. During the 2007 B.S. revolution, General Vijay Shumsher had no hand in the harsh punishment of political detainees. On the contrary, there are documented accounts of his kind behavior toward them. Such examples underscore his soft-spoken and warm-hearted nature. Even with staff at Laxmi Niwas, he treated everyone with humility, and he was always ready to lend a hand to those in distress.

According to Ganesh Man Singh, General Vijay Shumsher was highly intelligent and fluent in English (Singh, 2057 BS). He had a natural instinct for human interaction, treating everyone he met for the first time with friendship. Most people who encountered him came away deeply impressed. He had the rare ability to adapt his communication to suit his audience, which enabled him to deeply influence both King Tribhuvan and his father, Prime Minister Mohan Shumsher. He was known for decisiveness, a quality that led Prime Minister Mohan Shumsher to frequently consult him and delegate full responsibilities in times of difficulty. During Mohan Shumsher’s premiership, General Vijay Shumsher played a central role in state affairs. Among the Ranas of his generation, he is often regarded as the most astute and capable. He was one of the few individuals who could speak openly and candidly with Prime Minister Mohan Shumsher, between 1999 and 2007 B.S., General Vijay Shumsher significantly influenced Nepal's internal politics, economic developments, and foreign engagements. And yet, such an extraordinary figure receives far too little attention in our historical chronicles.

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Buddhist Practitioners in the Valley and Vows in Daily Life

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Abstract

Nepal is a land of religious and cultural harmony. Since ancient times, followers of Mahayana Buddhism and Sanatan Dharma have been performing their religious practices, vows, almsgiving, and meditative rituals according to their respective traditions. Often, religious and cultural observances of both traditions may fall on the same dates and times, and sometimes they even take place in the same locations. Although they may appear similar on the surface, each follows its own distinct path in accordance with its faith. While Sanatan adherents worship deities, Buddhist practitioners venerate the Buddha and Bodhisattvas. In both traditions, religious observances and daily disciplines include the important practice of vrata (vows). This study focuses particularly on Buddhist practices associated with such vows.

Keywords: Mahayana, Sanatan, ritual, Vajrasatya, physical, verbal, mental, austerity, observance.

Introduction

In the Kathmandu Valley, many festivals, processions, and pilgrimages are celebrated jointly or on overlapping dates by followers of Sanatan Dharma and Buddhism sometimes even venerating the same deities. Yet despite shared dates and occasions, the rituals and customs often differ. For example, festivals like Buddha Jayanti, Dashain, Tihar, Hmapuja, Indra Jatra, and temple visits are observed on daily, monthly, annual, or even twelve-year cycles. A prominent example is the Gumla festival, observed throughout an entire month each year. In Kathmandu, Swayambhu is regarded as the central site, but Buddhist practitioners from Patan do not conduct their rituals at Swayambhunath instead, they perform circumambulations with traditional instruments at Patan's Bundyo.

Similarly, during the month of Kartik, people from Kathmandu visit Adinath in Chobhar, and even Patan's residents make it a point to visit Swayambhu at least once during the Gumla period.

Buddhists and Hindus also make visits on specific lunar dates: Buddhists go to Buddha statues and chaityas on full moons, Avalokiteshvara shrines on the eighth day (Ashtami), Vasundhara on the third (Tritiya), Manjushri on the fifth (Panchami, particularly on Thursdays), and Mahanakal, Shankata, and the Yogini temples on the fourteenth (Chaturdashi), new moon (Amavasya), or on Saturdays and the tenth day (Dashami). Vajrayana Buddhists in Nepal also visit temples dedicated to Hindu deities such as Ganesha, Narayana, Saraswati, Mahadev, and Brahma with great reverence. In fact, various Buddhist scriptures incorporate Hindu deities in unique ways under the broader framework of Buddhist thought. In this land of religious and cultural synthesis, if we examine such instances without juxtaposing them against later sectarian distinctions, we find that texts like the Gunakarandavyuha Sutra describe the origin of sacred syllables (such as the seed syllable 'hṛiḥ') from the tongue of the Primordial Buddha Vajrasatya. From this, 360 manifestations of Lokeshvara Shri Karunamaya are said to have emerged. One such form is Srstikanta Lokeshvara.

According to the cosmogony described in these scriptures, the moon and sun arose from his eyes; Mahadev from his forehead; wind from his breath; Brahma from his shoulders; Narayana from his heart; Saraswati from his tongue and teeth; Nagaraja Varuna from his stomach; fire from his navel; Indra from his left hand; Yamaraja from his right hand; earth from his feet; Lakshmi from his left knee; and Kubera from his right knee. Thus, all these figures are revered within the pantheon of Buddhist deities (Shakya, 2008 B.S.).

Certain festivals are observed on the same date by both Hindu and Buddhist followers, yet their rituals and theological intent differ. For instance, on Guru Purnima, Sanatan adherents honor and worship their teachers, considering them equal to Brahma, Vishnu, and Maheshwar. Learned sages are venerated. Buddhists, on the other hand, commemorate this day as the occasion when Gautama Buddha delivered his first sermon. Hence, he is revered as the Guru, and discourses are held in monasteries. This day is also celebrated as the victory of the Buddha over Mara (evil desires). Additionally, it is said that on this day, Yamaraja manifested as Shadakṣari Lokeshvara in Yamaloka and delivered the Dharma to the souls arriving there. Accordingly, every Mahavihara is thoroughly cleaned, and grand Buddha pajas are performed, often accompanied by exhibitions of sacred Buddhist objects (Joshi, 2076 B.S.). Inhabitants of the Valley regularly visit temples, chaityas, stupas, viharas, and gumbas, which serve as vibrant examples of Nepal's religious and cultural harmony. However, Buddhist practitioners of the Valley are notably more involved and active in their own traditions than their counterparts elsewhere. Their commitment expressed daily through acts of charity (dana), vows (vrata), pilgrimage, and ritual forms a sustained rhythm of spiritual life. Among these practices, vrata holds particular significance for lay devotees (upasakas and upasikas) as a socially and spiritually essential observance.

Methodology and Materials

This article, focusing specifically on Buddhist practitioners of the Kathmandu Valley, applies both descriptive and analytical research methods. Special attention is given to thematically significant events, and outcomes arising from them are analyzed in depth. The study draws from relevant published literature pertinent to the subject. To substantiate this article, various secondary materials have been employed. While there exists a wide range of writings and books on Buddhism, including its festivals, rituals, vows, almsgiving, and worship practices linked to multiple traditions and sects very few offer an investigative, research-oriented analysis. Furthermore, works focusing specifically on the daily lives and vows observed by Buddhist practitioners in the Kathmandu Valley remain scarce. This article's primary contribution lies in examining these elements in detail and presenting lesser-known or undocumented practices related to Buddhist observances.

Vrata

A vrata is a disciplined observance undertaken for physical and mental purification or religious intent, generally involving devotional practices or fasting sometimes with or without formal rituals and offerings (Shabdakosh, 2040 B.S.). It can also mean voluntarily refraining from certain foods, behaviors, or pleasures as a commitment to moral or spiritual goals (Apte, 1987). In essence, vrata is often interpreted as fasting or abstaining, and nearly all religions uphold such practices in various forms (Kawes, 1983). Within Sanatan Dharma, Vedic hymns declare 'vrata kṛṇuta vratam' (undertake the vow). Scholar Shreedatta describes it as a resolution to engage in virtuous deeds, while lexicographer Amarsingh equates vrata with 'niyam' (discipline). Vrata is divided into three types: physical, verbal, and mental. Physical vrata: Avoiding violence, immorality, or harmful acts. Verbal vrata: Speaking truthfully, gently, helpfully, and refraining from gossip or slander. Mental vrata: Cultivating joy, calmness, non-hatred, and self-control. Sages linked vrata to profound insights gained through lives of meditative discipline. Scriptural commentary supports the idea that vrata cultivates purity of body and mind through indispensable discipline (Acharya, 2045 BS). Two classifications of ritual dates are recognized: Suddha Tithi: from one sunrise to the next. Viddha Tithi: overlaps with another lunar date at either beginning or end (Acharya, 2061 BS).

From Pratipada to Dashami, texts outline the rules and merits of specific vows. The term vrata itself originates from the Sanskrit root to choose, reflecting a person's resolution or intent. The Ṛgveda suggests that when a righteous person lays down a rule, and it is followed across generations, it becomes tradition or even law. Thus, vrata represents such sacred mandates: "Viṣṇoḥ karmaṇi pasyata yato vratani paspase Indrasya yujyaḥ sakha (Observe the deeds of Vishnu, the ally of Indra, who guards the sacred vows.) Vedic scriptures and philosophical texts frame vrata as ascetic, purposeful discipline. There are two main forms: Wish-fulfillment through divine grace Atonement or purification from sin or wrong doing. The first aims for tangible spiritual or worldly gain; the second for inner moral refinement. Acharya (2045 B.S.) emphasizes this dual function.

Moreover, vrata often intersects with themes of physical health, mental clarity, and spiritual elevation across many faiths. The English term 'fasting' typically refers to voluntary abstention from food or drink for a defined period commonly a day or 24 hours. For instance: Bahai Faith: sunrise to sunset fasting during set days for purification and spiritual growth. (Soghai, 1973 A.D.). Christianity: Isaiah Chapter 58 (verses 6-7) describes fasting for divine justice and altruism.

Islam: Ramajan fasting is viewed as a means of self-purification, cultivating ethics and noble character.

Vrata in Mahayana Buddhist Tradition

True Buddhist culture is realized by embodying core moral precepts and commemorating festivals through mindful conduct. While Theravada and Mahayana traditions share foundational values, they differ in ritual expressions and ceremonial emphasis. Theravada Buddhists generally do not emphasize ritualistic practices or ceremonial worship, instead grounding their traditions in the study and disciplined application of the Buddha’s teachings. In contrast, Mahayana adherents often operate within broader familial and communal settings, where a variety of ritual customs remain prevalent in Buddhist society. The essence of Buddhist instruction or saṃyak saṃskara is to avoid unwholesome actions and be encouraged toward meritorious deeds. Buddhist rites are practiced freely according to individual capacity, but observance of the Five Precepts (panchasila) is generally expected of all who engage in ritual practice. Acts of giving, religious discipline, and attentive listening are considered fundamental avenues of Buddhist cultivation (Kondanya, 2060 B.S.).

Mahayana Buddhism is regarded as a path for living a pure and ethical life, free from superstition and ostentation. Particularly in the Kathmandu Valley, Mahayana and its refined form Vajrayana have become dominant traditions. This path integrates the understanding of sunyata (emptiness) with mantra, yoga, meditation, and Bodhisattva conduct, aiming to benefit the world while attaining samyak sambodhi (perfect awakening). This aspiration to become a Buddha for the welfare of all beings defines Vajrayana Buddhism, with the Valley especially Patan serving as a central seat of its development. Daily spiritual routines here include vows, recitations, yoga, meditation, and ritual worship, practiced on auspicious days, monthly, semi-annually, annually, or even in five-year cycles (Shakya, 2065 B.S.).

In Nepal, Vajrayana Buddhism is the predominant tradition. Devotees understand vrata as a spiritual skill that guides them along the Bodhisattva path by realizing impermanence, suffering, and non-self through ethical conduct (sila), meditative concentration (samadhi), and wisdom (prajna). The origin of vrata, derived from the root 'vṛ' (to choose), suggests it is a rule or discipline adopted through free will (Williams, 1965 A.D.). Jataka tales also reflect this theme. In Buddhism, vrata encompasses taking refuge in the Triple Gem, observing the Eight Precepts, abandoning the ten unwholesome actions, revering the Buddha, Dharma, and Sangha through offerings and devotions, engaging in meditation and study, and practicing the ten perfections (paramitas). While less emphasized in everyday lay life, Vajrayanis especially observe fasts on auspicious days like aṣṭami, purṇima, and sankranti. These practices include going for refuge, upholding the Five Precepts, and performing daily rituals (nitya karma) according to the nhikan liturgy (Shakya, 2065 B.S.). Fasting practices are often dictated by traditional lineages and structured around communal events or festivals (Vajracarya, 1981). Bahas and bahis (monastic courtyards) are key centers for such rituals. Here, worship typically emphasizes the Five Buddhas more than Sakyamuni Buddha, with strong reliance on the maṇḍala system and ritual mantras. Vajrayana practitioners connect vrata with sila, samadhi, and prajna, regarding it as a method for overcoming craving and entering Bodhisattva practice. Purifying conduct through the observance of Eight Precepts during fasts is essential. Meditation, or samadhi, is seen as the heart of the Dharma. At such times, one should not be distracted by worldly thoughts but instead develop devotion to the Buddha, the mandala, or the Dharma community. Enhancing wisdom is, in a sense, the very fruition of vrata. This is a time for mantra recitation, generosity, and mindfulness. Ultimately, vrata is aimed at the path to nirvana, believed to release sins and bring prosperity, offspring, and spiritual fulfillment. In Mahayana tradition, stories of vrata often accompany the observance, reinforcing its virtues and aims.

Unlike other traditions, Mahayana Buddhism does not assign specific vows to each weekday. Instead, days like aṣṭami, purṇima, amavasya, and sankranti are considered most auspicious. On these days, devotees observe vows to various Buddhist deities. Certain vratas, such as those on astami, are also observed communally by religious guilds (sangha or guṭhi), often accompanied by Guru Maṇḍala Puja referred to as danegu (MacDonald & Stahl, 1979). Fasting is intended to reduce defilements, craving, and attachments in order to move toward the path of liberation. To approach vrata properly, practitioners purify themselves by bathing and wearing clean or new garments these practices vary slightly by region and season, often emphasizing fresh, pure water. Fasting involves abstention or ekahara a single, pure vegetarian meal devoid of tamasic elements, consumed only after the vow has been observed. Observing refuge in the Triple Gem and moral discipline is critical. Through body, speech, and mind, practitioners seek refuge in the Buddha, Dharma, and Sangha, believing it fosters noble qualities, wisdom, and spiritual commitment. In Buddhism, ten unwholesome actions are to be abandoned through vrata; Body: killing, stealing, sexual misconduct, Speech: lying, harsh words, slander, idle talk, Mind: covetousness, ill will, false views. On the days of observing vows (vrata), individuals are expected to uphold the Eight Precepts (asṭasila), and regularly practice the Five Precepts (pancasila) at other times. During vrata, sacred images of deities are installed alongside ritual implements such as maṇḍalas, kalaśas, and representations of deities forming the centerpiece of emotionally resonant worship. According to Buddhist ritual traditions, deities are invoked into the maṇḍala and respectfully dismissed upon completion. These maṇḍalas vary by deity: Buddha Mandala, Sangha Mandala, Dharma Mandala, Navagraha Mandala, Vasundhara Mandala, and Arya Amoghapasa Mandala, among others. Offerings of flowers, incense, lamps, and sacred food (naivedya) accompany recitations (stotra-paṭha). The essence of a successful vrata lies in releasing craving and attachment. Devotees aspire to emulate Bodhisattvas and internalize their ideals. The Bodhisattvas have perfected the Ten Perfections (dasa paramitas): generosity, morality, forbearance, energy, meditation, wisdom, strength, skillful means, resolve, and knowledge. Practices such as the Sevenfold Worship (saptavidhanottara), including reverence, praise, confession of transgressions, rejoicing in others merits, supplication, aspiration, and dedication (parinamana) are performed during vrata (Shakya, 2065 B.S.; Vaidya, 1986). Within Vajrayana Buddhism especially among the Newar community in Patan certain vows are widely practiced: Lokeshvara Vrata, Vasundhara Vrata, Tara Vrata, Manjusri Vrata, and Masopavasa Vrata. The Amoghapasa Lokeshvara Vrata begins on Kartik Sukla Asṭami and continues on every bright Astami thereafter. Purnima Vrata is held in honor of Amitabha Buddha, while the Mahakala Vrata observed on new moons and Saturdays is for protection from illness, untimely death, fear, and danger. Manjusri Vrata promotes wisdom and learning, and the month-long Masopavasa Vrata coincides with the Gumla festival. Despite the wide array of vratas in Buddhist tradition, certain key ones such as Vasundhara and Tara Vratas hold particular significance and are regarded as auspicious life practices by Mahayana and Vajrayana followers.

Conclusion

The Kathmandu Valley holds a rich historical tapestry of Buddhism, with many traditions emanating from here. Other regions of Nepal that practice Mahayana or Vajrayana often model their rituals on the Valley's precedent. Notably, within Nepal Mandala, most Mahayana Buddhists belong to the Vajrayana lineage. Their customs differ significantly from those of Himalayan or foreign Mahayana and Vajrayana communities. Hence, the Buddhist tradition of the Valley is often referred to as Newar Buddhism. Due to proximity and cultural affinity with Sanatana Dharma, many festivals, vratas, and rituals fall on the same dates. In some temples and monasteries, both Hindu and Buddhist devotees gather though their forms of worship, spiritual interpretations, and goals differ, even when the external setting seems similar. The role of mantra and tantra is highly emphasized in Buddhist vratas, distinguishing them from solitary practices in other religions. These vratas are often observed collectively by families, neighborhoods, or castes emphasizing communal devotion. At times, even interfaith cooperation between Sanatana and Buddhist followers leads to shared observance of major events. The religious identity, be it Buddhist or Sanatan, is sometimes determined not only by rituals but by the officiating priest whether Vajracharya or Rajopadhyaya.

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Agriculture and Economic Reforms

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Abstract

Indian economy was ruled by social democratic policies since independence. It was characterized by regulation, protectionism, licensing, import substitution and central planning, industrialization, economic interventionism, and slow growth. The collapse of Soviet Union, the major trading partner of India and tremendous hike in oil price led major loop crises in India. India had to take $ 1.8 billion conditional loan from IMF. The condition of reform for loan imposed by IMF in 1991 did away with the license permit-quota Raj, reduced tariffs and interest rates, ended public monopolies and allowed foreign direct investment in many sectors. By the turn of 20th century, India moved towards a free market economy with reduction in state control and increased financial liberalization.

Introduction

After the mid 1990s, agriculture lost its momentum and subsequently entered near a crisis situation, reflected farmer suicide in some areas. In some areas one of the major challenges was to reverse the deceleration in agricultural growth (Bimal Jalan, 2006). Agriculture is the cornerstone of our economy. With 14.6% contribution to the GDP, agriculture is still livelihood of more than 50% of country's population. Unfortunately agriculture alone is no longer able to provide a reliable livelihood for growth of population. Indian agriculture has taken notable strides in last two decades. India was food deficient country since two decades after independence but due to Green Revolution during mid 1960s with the introduction of HYV seeds, irrigation facilities, fertilizers and pesticides, creations of storage and marketing facilities and provisions of adequate and fair distribution of food grains improved drastically. But green revolution was limited to certain areas which are endowed with irrigation and other agro infrastructure. But in 1990 there was failure in agriculture front. Prof Y.R. Alagh has noted that India's net sown area under the crops has fallen drastically for the first time and also for the first time in history; area under canal irrigation has fallen. In such a backdrop, agricultural revival is an important aspect of entering into double digit growth rate. Apart from investment in farm sector, we must strengthen our natural resources which have remained undeveloped. The targeted growth of 4.15 in agriculture may be possible to achieve by providing required inputs. But defensive position of the country relating to the impacts of globalization and liberalization has not been clearly dealt by the existing national agricultural strategy. The various rounds of negotiation in WTO at Doha 2001, Cancun 2003 & Singapore 2005 indicate that Indian agriculture is no more insulated from any development in world agriculture. In the wake of economic reforms agriculture products and commodities will have to play an active role in country's international trade. But India is still exporting less valued agricultural goods like tea, coffee, cashew, soya-meals, spices etc. Thus it is high time to rewrite the agricultural strategy to get maximum benefits from the new opportunities generated by economic reforms of last two decades.

This paper tries to discuss the challenges faced by agriculture development and give some suggestions to improve the situations.

The total geographical area of the country is 328.7 million hectare where gross cropped area is 190 million hectare and net sown area is 141 million hectare. The net area under irrigation is 57 million hectare. We have not been able to make optimum use of the vast potential in agriculture. To achieve and maintain GDP growth rate above 8%, agriculture has to grow by at least 4% every year.

Investment

Economic reforms led to entrance of private sector and restriction on public sector investment in agriculture especially in irrigation along with other sectors. The capital formation in agriculture sector is already low due to lower income which also decline to 1.7% of GDP in 2004-05 from 2% GDP in 1990s. The stagnant investment in agriculture led to low productivity. Investment on research and development of agriculture also reduced. Agriculture should be industrialized and emphasis should be given on farm mechanization.

Protection

During economic reforms period and post Green Revolution period, the industries were highly protected and agriculture remained unprotected. Opening of Indian agriculture under WTO and changing world agriculture strategies was not shared by all sections of the society.

Agriculture Price Policy

In the post reform era, the policy of maximum support price of food grains, their procurement and distribution system and lack of reforms restricted the free movement of agricultural goods across the states (Jean Dreze and Amartya Sen, 2013).

Some states imposed purchase levies on essential commodities lead to decelerate the demand for food grains in spite of rise in per capita income and decline in relative price of food grain. This deceleration was the root cause of problem of rural distress that has surfaced in many parts of the country as reflected in farmer suicides.

Suicide & migration and rise of burden on women

Low farm income due to inadequate productivity combined with low prices of output and with lack of credit at reasonable rates push many farmers into cropping debt. Since nationalization of commercial banks in 1969, the government had strongly pursued a policy of social and development banking in rural areas thereby displacing the money lenders and land lords. The policy of social banking was criticized by proponents of financial liberalization after 1991. Narsimhan Committee decided to delink the monetary policy from the objective of redistribution which was the centre of social and development banking. It was argued that bank should work on commercial basis and profitability should be their prime concern. As a result flow of rural credit declined sharply and credit supply from informal sector sharply raised the cost of credit. Even uncertainties seem to have increased regarding prices, quality of inputs, weather and pests which coupled with unavailability of proper extension and risk insurance have led farmers to despair. This has led to widespread distress migration leading to rise in number of female headed house-hold in rural areas and a general increase in women work and vulnerability (Bhagwati et al., 2012).

In 2004-05 women accounted for 34% principal and 89% of subsidiary worker in agriculture higher than any previous round of National sample survey.

Naxalism

Where hunger rules peace can not prevail. The approach paper of 11th Plan says that if agriculture goes wrong poverty and hunger persist on a large scale. Naxalism which is already affecting more than 100 districts in the country will spread further. We have the world's largest number of malnourished children and women.

Deregulation of Marketing and Legalisation of Contract Farming:

India's food security is badly affected by reform measures of WTO regime. WTO shifted the policy emphasis from "Food first to Export first'. After 1991, the policy of promoting high value export oriented crop encouraged through deregulation of marketing system which led to legalization of

(1) Private corporate farming

(2) Direct purchase of agricultural produce from farmers by global retail chains bypassing regulated market.

(3) Entry of private players/MNCs to open and control new markets. The argument behind this policy is that farmer would become free to sell their produce to buyers of their choice and get higher prices. But according to national commission of farmers has noted three major impacts of contract farming :

(a) The purchaser is likely to be interested in short-term gains and may therefore suggest practices not good in the long run for the land or the producers.

(b) Producer may shift in the favour of export oriented crops at the cost of crops providing basic food.

(c) Larger producer may prefer partner ignoring the small land-owners. This practice in the long run encouraged the small farmers to sell or lease out their land and work as labourers. So contract farming is associated with increase in labour displacement in farm.

Bio-Piracy

WTO regime also led MNCs in process of stealing the biological wealth of the third world countries in the name of patents by crossbreeding with the other varieties of seeds, plants etc. from developing countries and claiming that they have produced a new variety and secure patent rights and charging royalties for that. The examples are Indian Basmati, Neem etc.

Strategies for Irrigation

Only 20% of irrigation area covered by Water User Association should be encouraged to collect water charges and use part of it for maintenance. Only 11 states have enacted legislation for participatory Irrigation Management Act. Excess use of groundwater is depleting ground water levels. Problems compounded by cheap or free power. An expert Group looking at possible solutions.

Water Level

Fresh water reserves are depleting due to growing population, unsustainable land use practices, extensive deforestation, increasing demand of industries and agriculture. Water has direct effect on the environment and society so water management is the need of the hour. Since rain fall in India is confined mainly to the south-west monsoon from June to September and are quite erratic during summer, tube wells do not function, other water resources dried up due to depletion of water table.

Suggestions

1. Polyhouse cultivation
2. Organic farming
3. Contract farming
4. Financial Inclusion
5. Agriclinic, soil test
6. Land acquisition Law
7. Minor and drip irrigation
8. Krishi Bima Yojna
9. Commodity Supply Chain
10. Farmers Corner
11. Export of Agri products
12. Financing for farm machinery
13. Credit facilities KCC etc though SHG, MFI/NGO
14. Marketing , Cold Storage, Godowns, NSP
15. Production of commercial crops, fruits, mushrooms, medicinal plants etc.

Conclusion

Indian agriculture which continues to provide livelihood for more than half of the population, economic reforms policies after 1991 has acute adverse effects on Indian economy. Green Revolution helped India to achieve self sufficiency in agricultural production. This was built on platform of state support, price subsidy, credit and marketing support.

Economic reform after 1991 was based on explicit rejection of the need to transform the institutional framework of Indian Agriculture. The need of the hour was industrialization of agriculture i.e. extra investment, mechanization, credit facilities, irrigation facilities, storage facilities etc. But reform process in India significantly weakened the institutional support structure. The protection offer to agriculture from import was removed, resulted in fall in price of many commodities. Many subsidies were brought down. Public capital formation in

Agriculture started falling and public expenditure on research and development slowed down. The expansion of rural credit decreased and agriculture production shifted from food crops to high value export crops. Regulated markets become obsolete. All these resulted fall in growth of food grain production for the first time after independence, the per-capita availability of food grain fell down from 175 kg in 1992 to 163 kg in 2001. NSS data show that the average calorie intake has declined by 298 points in rural areas and by 30 points in urban areas of our country.

The number of farmer suicide reported from certain parts of the country shows the distress state of agriculture. Between 1997 to 2006, there were about 150000 suicides by farmers in rural India. Due to lower productivity, weak inputs and lack of market support the Indian farmers are not able to compete in world market.

India needs the immediate measures of insuring markets, developing roads, creating appropriate infra structure and encouraging private sector participation .Co-operative farming should be encouraged, and farmers should be made share- holders in contract farming scheme .Otherwise MNCs, Corporate Sectors will take away all the profits and farmers will remain tillers only.

No doubt India is shining. It is one of the fastest growing economy of the world .For 2010, India was ranked 124th among 179 countries in index of Economic Freedom World Rankings, which is an improvement. But India is on crossroads. While one road leads India to prosperity and glory, the other roads lead it to social inequality. What have been conveniently suppressed till date have been the disparities, mainly the socio economic issues. This led to growing discontent among the population and it has gathered momentum since the reforms bean. It will very soon reach a critical point wherein the very purpose for which the reforms were started, will start to lose their significance rapidly and throw the country back to the license raj and unionist era.

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The feeling of minority and majority is not healthy for the Nation

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Abstract

The feeling of minority and majority is still existing in the country like India. Even when the world had not seen the light of culture and universal brother hood India had the feeling of 'Basudhaiv Kutumbakam' meaning their by the entire earth is our family.

Introduction

Now we are in the sixty eight years of our Independence. At this stage it is very pathetic topic to discuss the problem of minority and majority. The country’s identity and dignity is getting obscured day by day. The constitution of India has provided single citizenship i.e. the citizenship of India. As per the article 51A of the constitution of India, “to abide by the constitution and respect its ideals and institutions, the national flag and the national anthem, to uphold and protect the sovereignty, unity and inequity of India, to promote harmony and the spirits of common brotherhood amongst all the people of India, transcending religious, linguistic and regional or sectional diversities, to renounce practices derogatory to the dignity and to value and preserve the rich heritage of our composite culture and the fundamental duties of every Indian citizen.”

But unfortunately, we emphasized more on our rights under mining the facts that every right originates from a sense of duty. Hence every right is associated with a duty. This is unfortunate that we care more for our rights but ignore our inherent duties. This is the root cause of the minoritism.

To day every community is busy in creating small segment of its own. The boundaries around such segments are faraway from the nation India is having citizens, but not Indian citizens. Every one attributed with an objective of his or her own, once Moulana Muhammad Ali was asked by some one before the creation of Pakistan. “Are you an Indian first or a Muslim? He replied, “You don’t know how to put a question? You should rather ask me. I am first of my father or of my mother. My answer is that I am of both and so I am their son."

Now all the countries of the world are divided into opinions over the Issue of defining minority at world level. There was an expectation from the United Nations that it would define the term "minority" and issue the guide lines to its member countries with regard to the minorities, But nothing of this short has happened yet and it is very difficult to say as to whether this complex problem will ever be solved or not. But a general observation has been made in this regard that most of the countries are of the view that the groups of the people constituting less than 10 per cent of the total population may be placed in the minority category. There is no controversy relating to the least number of populations that can be considered as minority since small population never creates any problem in any country. Rather what ever work they under take for their existence is always tinged with the service sentiment of the country. Criteria for attaining the status of minorities and getting recognition differ in every country and every province. Religion is the largest basis for this. But then, there are many sects within a religion and each sect considers it a microscopic minority and intends to get more and more rights. They wage struggle on two fronts, one with the government and the administration and another with the majority sects with in its own religion (Memorandum of the UN General Secretary Report of 1950).

For example, Muslims are always on war path with the government as they consider themselves minorities but the Sunnis grab all the rights and facilities in the name of religion since they constitute largest population among the Muslims. The Sias sect claims the status for microscopic minority against the Sunni sect. So it is very difficult to satisfy them. They too present the same arguments which are presented by the Muslims as a whole against the majorities. The Sias do have always complained that the Sunnis are taking all the benefits in the name of religions. And the sects constituting ever lesser numbers that those of Sias are more suppressed, whatever arguments are advanced by the Sias against the Sunnis in India and in other Islamic countries of the world. The same are produced by the Sunnis before the Sias government in Iran as the Sunnis constitute lesser number there. Even in the countries of the Sunnis there are many other microscopic Sunni sects which press the same demands as are made by the Sias against the Sunnis in India.

The same is the situation with the Christians also. There are tussle between the Roman Catholics and the Protestants. The Protestants presses for their rights in the countries catholics are in power and the Catholics do the same, in the name of minority and for protecting their beliefs, in the countries where Protestants are in power. Jains, Buddhist and the others despite remaining under the ambit of Hinduism always press for more political, Economic and social rights together with the educational rights for themselves by way of claiming separate status from Hindus at a large.

Hence, the religion is the largest basis for determining the minority and the majority status all over the world. Many battles have been fought not only between the two religions, but also between two sects of the same religion. This class struggle continuous even today. The two sects of the same religion consider one another as arch enemy in the some way as the two religions consider one another. It is observed that the issue of religion is as much effective even today as it was used to be in the past and the battles are still going on now and then.

Next to religion is the language which has created a division of minority and majority in the world. After language comes the basis of colour, blood and race which has played important role in widening the gap between the majority and the minority. When a man begins to feel that he is some what different from the others, the secessionist tendency prevails and the clash gets enhanced suddenly.

It is fact that there is no country in the world wherein the minorities is doing not prevail. The minorities have global existence in one form or the other. It is essential to know the details of the people and the places in neighboring or far-flung areas where in they assumed the minority status.

It is found through different studies that culture is the basic cause of tussle among the Asian minorities with their majority counter parts. But the cause of tussle between the European minorities and their majority counter parts is something else and both of them are culturally united. The Asian minorities attach different feelings for their majorities. Their customs, festivals and likings are very easily identified. But the European minorities don’t make any effort to give a different look regarding all these from the majorities. The tussle between the two in Europe is Issue based only. Asia is the first continent in the world where the maximum numbers of minorities of different categories reside. The European people have come to the position of the minorities due to the world war, political upheaval, (The French and the Russian revolution) and desire to establish colonial rule. The African became minorities because they were brought to different countries to meet the demand of labourers and the slaves.

The American people constitute the least number of minorities all over the world. The Latine Americans have definitely reached the North America. The impact of the world war was least in America and the continent offered much more Job opportunities. Therefore there was no reason for them to migrate to other countries and rather the people of different countries settled there. The outsiders were in minority there but the government did not award them the status of minority nor did it provide any political or economic facilities by way of giving any recognition to them. In some of the American universities, some seats are reserved for the original inhabitants of America such as the Red Indians and the Hispanics. Apart from this no such minority or minoritism exists therein.

Yugoslavia of Marshal Tito was divided into two parts but any how these two units have formed together as Federal Republic of Yugoslavia. The African country Libya is also facing the problem of minority and majority. People from the different Arab countries and Islamic countries reached there due to abundance of oil. In Libya European and American technicians are employed in large scale. The Egyptians residing there for the years are the largest group of the minorities. They have now become the citizens of Libya and are getting all facilities. The original inhabitants of Libya are expressing their resement against the Egyptians from time to time. And the demands have also been made to drive the Egyptians out of Libya.

Three countries of North Africa namely morocco, Algeria and Tunisia once were the colonial stats of France but today the French themselves are in minority in these countries. Like wise the British people are also minorities in Zimbabwe and South Africa Once upon a time the Gujratis of India were in minority in Uganda and general IDI Amin foreed them to leave the country over night. In Ethiopia there is dispute between Eritian and Somalian. There are 14 minority communities in Soviet Russia, Chechnya, Ukraine, Tajikistan, Kazakhstan and Armenia. The Greeks are in majority and the Turks are in minority in Cyprus. The Turks are minority in Germany also.

Dar-ul-Harb and Dar-ul-Islam are the two terms that have been used in Islam. The place where the Muslims live but are in minority is called Dar-ul-Harb which means the country of the enemies. Muslim ethics says they should try all methods to convert Dar-ul-Harb into Dar-ul-Islam. Islam basically does not believe in the term minority that is why they do not prefer family planning. Therefore, the tussle increases with the majorities in the places where the Muslims are in minority.

In the Islamic countries also, there is a tendency of attaining the status of minority on different grounds, it may be language ground, population ground cultural ground ethnic and genetic ground etc (Minority Commission Act, 1992).

China is the largest country of the East Asia. The people of China due to their huge population have been settled in near by countries. That is the reason of the existence of the Chinese as minorities in Malaysia, Indonesia, Korea, Vietnam, Taiwan, Singapore, Myanmar, Srilanka, Nepal, Bhutan and Tibet. China has forced original Tibetans to become minority in their own land. The communist Russia also made a successful bid to make the majority as minority by way of forceful transfers from one place to another.

The position of Iraq is some what strange from the minority majority points of view. There are 45 percent Sunnis and 55 per cent Shias. Despite this the Sunnis have always formed their government. The Shias of Iraq accorded priority to their country over the religion.

Iraq is a single country in the world, where in the majority have allowed the minority to rule over the country.

Now the question before the humanity is of universal brother hood universal sister hood, happiness for all Nation, safety, security and pleasure for all. No poverty no fear of class and caste struggle, No question of minority and majority, because it is not healthy for the Nation.

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Naxaliterrorism or Naxalitextremism in Jharkhand

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Abstract

At the end of the first decade of the twenty first Century we continue to live through turbulent and difficult times. When around 1995 the Berlin wall crumbled and the dominant chilling fear of cold was vanished, human kind had hoped for a period of sunshine and unhindered prosperity. But around the same time the seeds of terrorism had sprouted and started flowering. The then secretary-general of the United Nations, Boutros ghali, in his statement at the opening of the world Conference on Human Rights in Vienna in June, 1993, observed, “Not a day goes by without scenes of warfare or famine, arbitrary arrests, torture, rape, murder, expulsion transfer of population and ethnic cleansing not a day goes by without attacks on the most fundamental freedoms .... without reminders of racism and the crimes it spawns intolerance and the excesses it breeds underdevelopment and the ravages it causes”.This situation has been on the increase; there have been genocides, insurgency counter-insurgency as well as civil wars and terrorist movements.

Introduction

Terrorism, all the world over, be it at the international level or at the level of nations and their parts, is comparatively, a new danger to human bless or peace. This is a painful phenomenon which should be viewed and understood in its right prospective.

The objective of this paper is to examine and scrutinize the general nature axioms and causes of terrorism and to critically analyses the terrorism resorted by the Naxalites in the State of Jharkhand and around Section ‘A’ of this paper discusses the meaning, causes and types of terrorism while Section ‘B’ brings to focus the issue and aspects of Naxalite terrorisms.

Section- ‘A’

What is terrorism?

The oxford Dictionary defines terrorism as “Organized violence to secure political ends, “while the Chambers Dictionary describes it as “an organized system of intimidation, for political ends”. Socio-economic, reglio-cultural and political exclusions often instigate and mother such organized violence known terrorism, Lack of human development leads to the vicious cycle of social economic and political exclusion and consequent terrorism.

Causes of Terrorism

More than one billion people of the world that is more than 20 percent of world population, live below the poverty line. Economic growth and wealth generation have not kept pace with distribution the international concern of the day is jobless growth and iniquities and consequent social and economic exclusion of vast sections of societies. This exclusion is a readymade breeding ground for terrorism. This is the reason why the United Nation, while celebrating its fifty years of service to humanity, organized the World Summit for social development at Copenhagen is 1995, setting out its theme as reduction of poverty, employment creation and social integration.

More than fifty percent of the world population consists of the youth-that is below 25 year of age. In fractured societies marked by social exclusion, the young, being the most inflammable material, take recourse to violence and spearhead terrorism. This is clearly reflected is the age profile of insurgents and terrorist the world over.

Many societies are multicultural and multi-ethnic. Often, ethnic conflicts occur in circumstances of discrimination as between communities, Ethnic discrimination triggers movements for political autonomy and separatist movements. Terrorism is used as a weapon for forcing demands for political self-determination. It has been revealed that about half the number of State in the world has come under ethnic style and convulsions. The situations that ravaged Sri Lanka for a couple of decades since 1983 and that in former Yugoslavia since 1981 are striking examples in this regard. Similarly, within our country itself, the terrorism encountered in Assam and North-East (ULFA), Bodoland, Gorkhaland has been triggered ethnic strife’s.

People who suffer exclusion socially, economically and politically take recourse to migration from places of their origin, often illegally. This generates the problems of migration and displacement, the refugee’s problems. Migrant displaced people and the refugees are often vulnerable to social and economic exploitation and tend to spawn terrorist movements. The Bangladesh migrants in Assam are often accused of broking terrorism in that State and adjoining areas.

Religion, down the history of mankind, has been a very potent factor human conflict including terrorism particularly where States get involved in religion and theocratic approaches as a vehicle for access to power, there could be State terrorism. That is how Crusades and Saracenic wars have been bought in the middle Ages of human history British history was for scores of years the history of the Church-State conflicts with attendant persecutions, in India We had conflicts between Buddhists and Hindus, also between salivates and Vaishnowaites. And perhaps the greatest propagators of terrorism in the present day world are the Alqaida and Taliban-people, the Muslim fundamentalists. The global polities after cold war warns Samuel P. Huntingted is threatened by clashes of religions – “Clashes of civilizations are the greatest threat to world peace and an international order based on civilizations is the secrets safe grad against based world war" (The Clash of Civilization, Preface, P. 13). Huntington warns that "the central and most dangerous dimension of the emerging global politics would be conflict between groups of differing wrihgations.” (Ibid, P. 13) the stories I/ll and numberless plane hijacks, explosions, and butchering spell those most dangerous conflicts in the name of religion. The bloodiest teeth and claws of 21st country terrorism emanate from the conflicts of religion.

Religion and language get identified with particular sections of society and in fact, get transformed into the problems of “Minorities” which in turn cause conflict and violence. This again is a world phenomenon as reflected in the development in some parts of Eastern Europe.

Terrorism also emanates from certain black trades. The drug peddlers, the contraband arms sellers also organize violence just to clear the path of their illegal and unethical trades. And altogether new dimension of crime, violence and terrorism is drug addiction and the international narcotics and arms trade that thrives on it.

Lack of human development leads to the venous cycle of a social, economic, cultural and political exclusion which leads to terrorism. But all said and done terrorism is a social disease the panacea for which lies, by and large in democratic development activities and ethnical resurgence Huntington (The Clash of Civilizations, P. 187-188) observes.

“Terrorism historically is the weapon of the weak that is, of those who do not possess conventional military power……… In the past terrorists could do only limited violence, pilling a few people here or destroying a facility there? Massive violence and missive destruction separately, terrorism and nuclear weapons are the weapons of the non-Western weak. It and when they are combined, the non-western weak will be strong. Whether or not the larger, saner humanity will contain the world – wide conflicts perpetrating terrorism will depend o how we tackle the problem of exclusion and amity. For gaining wider human peace and happiness no sacrifice would be too dear.

Section-‘B’

Naxal Terrorism in Jharkhand

In the previous section ‘A’, we discussed the factors and causes that spawn extremism and terrorism irrespective of the time and place of their origin. In the present section we propose to examine the nature and dimension a particular type of terrorism that keeps rocking the state of Jharkhand and adjoining areas.

Stories of Terrorist actions galore- Hardly a day passes when the electronic and print media has nothing to report on international, national and state level terrorism. These stories relate to Taliban – Alqaida bloodshed, Indo-Pakistan clashes and 11/26 type of incidents and Maoists/Naxalite explosions or killings.

Some clopping from Ranchi edition of times of India of the 1st week of the New Year, 2009 may be cited as specimen.

(i) **Children Protest Maoists Targeting School Buildings (Jan. 2, 2010/p3)** : A day after exploded a government middle school at Banbirwa village under Latehar District Thousand of school children were on the roads to protest frequent damages of schools and other public buildings by the rebels across the district.

Armed CPI (Maoists) had damaged two classrooms of the school by packing explosives in it on Wednesday night. The same school was damaged by Maoists ……….. The school now stands completely damaged……….

(ii) **Security beefed up in state (Jan. 2, 2010/p3)** : Security has been beefed up in the state in the wake of the 24 hour bandh called by Maoists …………… Maoists have called the bandh in West Bengal, Orissa, Bihar, Jharkhand and Chhattisgarh……………….

(iii) **Ex-Rebels keen to mediate between Government & Maoists (Jan. 2, 2010/p3, T.O.I)** : Chief Minister, Shibu Soren's statement inviting Maoists for talks and indication that Government is ready to address their grievances has triggered a political storm in the state……………..

(iv) **Maoist's fog hold up several trains (Jan. 3, 2010/P3, T.O.I)** : Maoists and dense fog in northern India led to diversion, cancellation and delay in the movement of several trains on Saturday.

…………….. The 24 hour Maoists bandh starting Friday midnight, called by CPI (Maoists) in the five states, immediately Jharkhand had its impact largely on the railway movement in Chakradharpur railway division………..

(v) **State Government declares ceasefire with Maoists (Jan. 3, 2010, p6, T.O.I)** : In a major decision, the Jharkhand Government on Saturday announced ceasefire with Maoists, but with a caveat that they stop violence.

(vi) **Maoists demand levy from stone quarries (Jan. 4, 2010, p6, T.O.I)** : the CPI (Maoists) has zeroed on the vast potential of stone industry situated at Shikaripara block in terms of major source of levy collection on regular basis to strengthen its might…………….

(vii) **Combing operation launched to nab Maoists (Jan. 7, 2010, p2, T.O.I)** : The Jharkhand and West Bengal police along with the CRP have launched a combing operation to nab the Maoists in the break areas of Chakulia.

The stories continue, day in and day out. The situations in the State of Jharkhand, Orissa, West Bengal, and Chhattisgarh are turbulent and darkening by a kind of extremism or terrorism which allegedly in the product of clash capitalists and Marxist philosophies a product of economic and cultural exclusion of the tribal's and under privileged people.

The nature and characteristics of this terrorism in the State of Jharkhand, Bihar, Orissa, West Bengal, Chhattisgarh and Andhra Pradesh etc. should be examined in greater detailed. As sporadic occurrences show and intelligence agencies report, they are carving out a corridor from Nepal via Bihar and are planning to spread their redwings down to the seas of Kerala.

Who are these messengers of shife, the extremists, and the "misguided activists", the Maoists or Naxalists? What are their objectives? And what plans does the democratic Government have etched out to extinguish the conflagration of terrorism? These are the question which needs to be examined carefully?

What is Naxalism?

The Naxalite movement is almost four decades old now. The name, Naxalite is derived from an area called Naxalbari, situated in Darjeeling district of North Bengal, which is 1967 witnessed a brief struggle against the authorities with the declared and pronounced aim of capturing state power in India. Naxalbari spread over an area of 80 square miles of forest, tea garden and agricultural land was inhabited by a population majority of who are tribals, Santhals, Oraons, Mundas and Rajhanshis. Naxalbari appeared in the nation press in late may, 1967 spreading the report that a group of tribal peasants under the leadership of local units of CPI (M), Charu Majumdar and Ranu Sanyal had taken control of that area and were propagating the seizure of power over the whole country through armed struggle.

Naxalism as a socio political movement held out the promise of revolutionary transformation at one time but failed in the end due to a variety of reasons. However, it continues to release terror in different shapes and under different names. There are various groups of Marxist Leninists known as Naxalites, they are all the descendents of the CPI (ML) founded in 1969 with the aim of organizing the peasantry and seizing power through armed struggle. All the ultra left underground organizations united in 2004 under the banner of Communist Party by India (Maoist).

Beginning in a single state (West Bengal), it has now spread over a wide area which is directly affecting the lives of several crores of people. Indeed, over 40 years, Naxalism has grown steadily, spurning 30 odd groups. Its core areas first spread form the forest of West Bengal, Andhra Pradesh and Bihar to their plains as well as to Jharkhand and Chhattisgarh and to contiguous States. According to the Delhi based institute for conflict management, Naxalite presence expanded from 55 districts in nine states in 2003 to 156 districts in 13 states in 2004 and to 170 districts in 15 states in 2005. In their strong holds about 55 districts in 12 states, the Naxalites run a parallel Government.

The reasons for the spread of Naxalism are fairly straightforward. Naxals flourish where there are huge disparities in assets and incomes and where injustice and violence by the privileged are rampant. As a political ideology naxalism has emanated from the feudal exploitation of the rural proletariats due the non-salvation of agrarian problems. And perhaps this will go on spreading until land reform measures are and atrocities of feudalism are not put at rest. Prakash Singh, a former BSF chief and author of a book on Naxalism, holds; "The Naxal movement is irrepressible because it draws substance from the grievances of the people which have not been addressed by Government." Regarding land reforms were the tenth plan document admits, the record of most state in implementing the existing laws is dismal."

Three Central Government committees have looked into the causes of the naxalite movement spreading in the country. (1) Report of the policy planning division of the Ministry of Home Affairs in the late 1960's; (2) The Manmohan Singh Committee relating to rural unrest in Bihar and Andhra Pradesh in mid 1980's; (3) The committee of senior official reporting on naxalite violence, chaired by V.C. Pandey in the late 1980's. Civil society groups have also time and again published a number of report dealing with the causes of disaffection with the Government. The report are supplemented by press which has also carried may report. Naxalite publication, like liberation has also highlights the social and economic background of the rise of movement. The main support for the naxalite movement comes from dalits and adivasis. Overall scenario of these groups and particularly of the tribal's is that of poverty, deprivation, oppression and neglect in the large parts of the country. They have abiding appeal among the disposed and the under privileged.

There is no denying the fact that even in a state like Jharkhand land reforms are urgently required but perhaps more urgently required is the fact that bloodshed and terror will not usher in what is required. As we have noted earlier terrorism, caused by economic exclusion, also, is a social disease and its cure should also be social. The State and Central Government have been erring by taking the Naxali terrorism merely as law and order problem. Land and forest law reforms are necessary so that the deprived, disadvantaged people of Jharkhand have a share an equitable share in the plenty that nature and land promise. There are other measures like irrigation facilities and drinking water facilities and mineral land reforms which should be brought about. State cannot simply suppress the movement only as a law and order problem.

But it is also true that Naxali terrorism has found wrong direction. Lands taken from the bigger landowners have nowhere been distributed among the landless dalits or adivasis or whosoever may be poor Jharkhand. In the district of Chatra, such land is used for growing opium. The CPI (Maoists) or the Naxalites in Jharkhand have become friendly with drug and narcotic peddlers. They earn huge money out of opium farming and use the money in buying arms and ammunitions. Moneys robbed or extorted in the name of levy are spent on corrupt objects. You blow bridges, roads. Govt. offices, School buildings, export levies grow narcotics,-Where is the social good cherished or worked for? Therefore a larger section of the masses have no confidence in the Naxalites.

It appears that the Naxalites are anti democracy and anti govt. some people also suspect foreign fowlers hand behind them only to distalylise India. As it is the Naxalite presence and influence today stretches right from borders of Nepal in the North East, who's and armed struggle was launched in 1996 by the communist party of Nepal (M) right up to the boards of Kerala in South India. There are reports that the Nepalese Maoist are working towards carving out a "Compact Revolutionary Zone" or the Red Struggle Zone or as it said the "Red Corridor".

There is nothing strange in the suspicion that there are foreign red hands behind all this. The Berlin wall tumbled down is there another red wall under contemplation to stand up?

It will indeed be in the best interest of the Jharkhand State as well as the whole country if dialogues is initiated and the Govt. Appreciate and alleviate the anguish of the terrorists and find locutions in the best interest of the State and the nation.

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Indian Banking Sector : Preset scenario

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Abstract

After the liberalisation of Indian economy during 1990s, India is having a fairly well developed banking system with different classes of banks – public sector banks, foreign banks, private sector banks – both old and new generation, regional rural banks and co-operative banks with the Reserve Bank of India as the fountain Head of the system. In the banking field, there has been an unprecedented growth and diversification of banking industry has been so stupendous that it has no parallel in the annals of banking anywhere in the world. But still the banking system is only available in urban areas, and the rural areas are not getting their services more easily. This paper tries to evaluate the recent trends of banking sector in India and their worthiness in the rural areas.

Introduction

After the liberalisation of Indian economy during 1990s, India is having a fairly well developed banking system with different classes of banks – public sector banks, foreign banks, private sector banks – both old and new generation, regional rural banks and co-operative banks with the Reserve Bank of India as the fountain Head of the system.

In the banking field, there has been an unprecedented growth and diversification of banking industry has been so stupendous that it has no parallel in the annals of banking anywhere in the world.

During the last 41 years since 1969, tremendous changes have taken place in the banking industry. The banks have shed their traditional functions and have been innovating, improving and coming out with new types of the services to cater to the emerging needs of their customers.

Massive branch expansion in the rural and underdeveloped areas, mobilisation of savings and diversification of credit facilities to the either to neglected areas like small scale industrial sector, agricultural and other preferred areas like export sector etc. have resulted in the widening and deepening of the financial infrastructure and transferred the fundamental character of class banking into mass banking.

Recent trends in the banking sector

There has been considerable innovation and diversification in the business of major commercial banks. Some of them have engaged in the areas of consumer credit, credit cards, merchant banking, leasing, mutual funds etc. A few banks have already set up subsidiaries for merchant banking, leasing and mutual funds and many more are in the process of doing so. Some banks have commenced factoring business.

The major challenges faced by banks today are as to how to cope with competitive forces and strengthen their balance sheet. Today, banks are groaning with burden of NPA's. It is rightly felt that these contaminated debts, if not recovered, will eat into the very vitals of the banks.[1]

Another major anxiety before the banking industry is the high transaction cost of carrying Non Performing Assets in their books. The resolution of the NPA problem requires greater accountability on the part of the corporate, greater disclosure in the case of defaults, an efficient credit information sharing system and an appropriate legal framework pertaining to the banking system so that court procedures can be streamlined and actual recoveries made within an acceptable time frame. The banking industry cannot afford to sustain itself with such high levels of NPA's thus, "lend, but lent for a purpose and with a purpose ought to be the slogan for salvation."

The Indian banks are subject to tremendous pressures to perform as otherwise their very survival would be at stake. Information technology plays a vital role in the banking sector, as it would not only ensure smooth passage of interrelated transactions over the electric medium but will also facilitate complex financial product innovation and product development. The application of IT and e-banking is becoming the order of the day with the banking system heading towards virtual banking.

As an extreme case of e-banking World Wide Banking (WWB) on the pattern of World Wide Web (WWW) can be visualized. That means all banks would be interlinked and individual bank identity, as far as the customer is concerned, does not exist. There is no need to have large number of physical bank branches, extension counters.

There is no need of person-to-person physical interaction or dealings. Customers would be able to do all their banking operations sitting in their offices or homes and operating through internet. This would be the case of banking reaching the customers.

Banking landscape is changing very fast. Many new players with different muscle powers will enter the market. The Reserve Bank in its bid to move towards the best international banking practices will further sharpen the prudential norms and strengthen its supervisor mechanism. There will be more transparency and disclosures.[2]

In the days to come, banks are expected to play a very useful role in the economic development and the emerging market will provide ample business opportunities to harness. Human Resources Management is assuming to be of greater importance. As banking in India will become more and more knowledge supported, human capital will emerge as the finest assets of the banking system. Ultimately banking is people and not just figures.

Customer services in Indian banking sector

Satisfied customers are the best guarantee for the stability and growth. Customers will be satisfied only when the banks provide the customized and innovative products and services at responsible cost.

This article focuses on the kind of services provided by developed countries and level of innovative services provided by Indian banks. Many innovative services are currently available from Indian banks like E-Banking, ATMs, Anywhere Banking etc., but there is a vast scope of improvement. Globalization, the buzzword, which engulfed all the nations of the world since the beginning of the last decade of the past millennium, did not leave the banking industry untouched. The opening of the world trade has brought out several changes in the global banking map.

The continuing evolution of the banking and financial market has created opportunities both for providers and for users of financial products and this evolution have proven beneficial to the economy. However, innovations in financial products also have given rise to some new challenges for market participants and their supervisors in the areas of corporate governance and compliance.

The changes that are taken place in the last decade demonstrate again the technical weakness and weak corporate governance at a few firms can dramatically change the cost of capital and impose additional regulatory burden on even well managed organizations. A conventional bank may treat its customer as coldly as they cash they deposits or borrow. Many banks have conveniently used control and security as reasons for their remarkable slow and impersonal services.

In recent, other service industries, not only fast food and airlines have proven that customer service can be a swift and enjoyable experience for both the clients and employees without sacrificing control, costs, and profits. Some banks have finally adopted these new services Paradigms, and are now branch marking with non-bank institution to learn about their best practice.[3]

The growing concern about the improvement in service quality can be gauged by recent news in the business standard dated June 1, 2005 where it was given that "Banks are putting their best face forward for improving service quality. While some like the Oriental Bank of Commerce have prepared a detailed dress code of their employees, others have gone a step forward and are recruiting people from the airline and hospitality industries to improve the quality of front line sales staff."

The major brakes in the internal controls of big corporate and institutions such as share market in the past few years. And the role of bankers has led bank regulators to change their view of bankers' relationships with their corporate clients. Technological innovation has helped in overcoming any such problems.

There was a time when we used to hear that duplicate share certificates were flooding the market and large amount of money was being embezzled. Now with demat accounts this risk is taken off.

Technology is rapidly transforming the banking industry- and expanding its ability to reach the unbanked. Employers in the developed countries are turning increasingly to electronic payroll cards as a cost-effective way to reduce the burden of writing and processing checks. Consumers are using their payroll cards and other versions of prepaid debit card- also known as stored value cards- as a substitute for cash and checking accounts. Monitoring this trend, the American Bankers Association reported last December that in 2003, for the first time, electronic payments surpassed cash and cheques as consumers preferred payment method for in store purchases- an "evolution of payment behavior," the ABA noted, "driven by the increasing popularity of debit cards."

In a country like America, Debit cards accounted for nearly one-third (31%) of in-store purchases in 2003, up from 21% only four years ago. Reliance on credit cards held steady during that time, at about 21%. Cash and checks, which accounted for 57% of in-store purchases in 1999, dropped to about 47% last year.

In India, if we see then, people still prefer to pay by cash. The reason behind this mindset is safety for money. Still we are far behind in terms of Internet security and E-money security. Coming across through the performance of Banking Institutions of the west and seeing their performance in the use of innovative methods to make themselves more customer-friendly we would have no doubts about their strong banking mail-order company L.L. Bean, known for its superb order-taking and service delivery systems, as its model for change.

A major result of this functional benchmarking was the establishment of a 24-hour customer service center that can not only respond to queries and complaints but also promote and sell the bank's products and services. The center even allows customers to open a checking account anytime or negotiate an overdraft at 2 am. The ATM was also reconfigured from mere cash dispenser to a versatile and tireless account executive. The machine can even buy and sell mutual funds. Inspired by LL Bean, Banks published a 50-page catalogue to help customers appreciate and select from its more than 160 financial services.[4]

Seafirst Bank in Seattle redefined itself from a "retail bank" to a "retailer" and has benchmarked with retailers know for world-class customer service such as fast-food restaurant chains. Insider by these models, one other bank instituted a 5-mintue guarantee that says, "wait any longer than 5 minutes in line and the bank guarantees $5 to your account." Moreover, if the customer complains of any other inconvenience, he or she gets a $5 "I'm sorry coupon". Its branch offices have official "greeters" to greet and guide customers to the right tellers or desks, much like the Guest Relation Officers (GRO) or receptionists of 5-star hotels.

The greeter mans a kiosk at the entrance of the bank. To reinforce this service philosophy, branch managers are rated not only on sales but on service goals. Achieving or even exceeding sales targets without achieving customer satisfaction goals will not qualify a branch manager to receive the bank's prestigious "Gold Club" award. Executives from the CEO down are encouraged and expected to visit branches regularly to monitor service and get a first-hand fell of the action. When Seafirst decide to redesign and re-layout its offices to improve services, it acquired the services of an expert from the Godfather's Pizza chain. One result is making the teller counter waist-high. It is now more open and personal than the traditional counter that is intimidating and creates a barrier between the client and the teller.

Back offices of banks are knows for snail-pace bureaucracy that hampers front line operations and ultimate customer service. By applying the concept of "mass production", streamlining, and standardization of tasks, Citicorp aims to remove this critical bottleneck. The bank also benchmarked with Chrysler in getting its functional departments work effectively as teams.

Other banks in the west have, sledded their conversation "finance and control" images, have likewise adopted innovative service strategies and practices. Many Banks have established an information center or "encyclopedia" in the waiting lounge. Here customers can browse through various bits and pieces of important service information like the average time to finish a transaction and the company's products and services. Information about the busiest day or days in the branch is displayed so that the customers who want to avoid these periods may do so. Phone lines dedicated to customer service have been installed.

Many Indian banks have also adopted some of these systems. Any customer can pick up this phone and relay his or her complains questions, or difficulties. The facility is designed to represent the company's commitment to services and also serve as the customer's last resort in case everything else fails.

Similarly, modern day banks have established phone centers to accept, process, and resolve customer complaints. They also have a customer feedback program whereby whoever the customer complaints to, say a staff employee or manager, will be responsible for giving the client feedback on the status and progress of his or her complaint.

The banks have customer service centers where they have created two customer flows or lines to deliver services more effectively. One was for loans and similar products that require customized and personalized services. The other was for the standard and repetitive service like deposits and withdrawals. By creating two service environments that cater to two different types of needs, service is enhanced and speeded up.

Modern day banks have extended the concept of "Mobile Banking." Some banks in the European and American continents have launched floating branches on boats that provide full branch bank services, to the convenience and delight of customers living in longhouses along the river banks. To further enhance service, banks have also reconfigured their Automated Teller Machines to dispense not only cash, but also commodity prices and information about its products and services. The Korean Technology Banking Corporation (KTB) is setting up a Technology Financing Information Center to serve the various needs of its clients, most of which are setting up joint-venture overseas.

The centers will contain a huge database of information analyzed from various data from internal and external sources. By accessing this database, clients will get information about specific technologies, local information, and other data relevant to the ventures they are setting up. To facilitate processing, development financial institutions like the Industrial Development Bank on India requires borrowers to submit loan application forms in electronic floppy disks.

Some banks and financial institutions have done such a remarkable job in improving and reinventing customer service that they themselves have become the benchmarks of other companies outside the banking sector.

Innovation banking in customer service is indeed a welcome and long-awaited development. This Article is focused on the kind of services provided by the banks in the developed countries but this is not to deny the fact that the banking sector in India and other developing countries has also started doing up well in terms of providing innovative and modern day banking facilities along with good customer service. We hope that other left out banks and financial institutions will follow suit soon. Satisfied customers are the best guarantee of stability and growth. As in other service sectors, bank customers deserve the very best. In the past, banks have rarely treated customers as people, preferring to treat them as account numbers, passbooks, and loan applications. Customer service, in contrast to customer processing, is a concept whose time has come for the banking industry worldwide.

Internet Banking

Sooner or later, people will find it hard to resist using Internet Banking. Yet some still do not know what internet banking is. There are two types of banks that do internet banking. Many brick and mortar banks or credit unions are now offering online services. This still allows customers of the bank the option of going to the building to do their transactions in person.

As long as they have an internet connection of any kind, they can do their banking from a laptop in a hotel room, or from the computer in their home. They will find it easy to get the information and do the transactions they want. Extra caution is taken when setting up internet banking systems.

If a person has an account online, he will have a complex password. The information will be encrypted. There might be security images they can choose from that no one would have a way of knowing. Furthermore, if he tries to make risky transactions, he will be asked more security questions. Online banking is becoming more and more popular. One can do most of it without leaving their home, if they wish. Internet banking is a safe and convenient way to handle their money. Internet banking allows customers to conduct financial transactions on a secure website operated by their retail or virtual bank, credit union or building society.

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Role of Regional Rural Banks and Rural Credit Policy in Rural Bihar

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Abstract

An economy that demands aggressive growth driven interventions has deep seated economic disparity in different pockets. In the emerging socio economic scenario of the state like Bihar, the challenging agenda is to enhance the priority of rural employment generation and reduce the dependency on agriculture while strengthening local delivery mechanism and institutions. Bihar has a paradoxical mix of abundance versus scarcity of resources. For quite some time large industries have not been able to make a dent in the region and exodus of capital investment has been visible due to deteriorated social and physical infrastructure. Considering the various development constraints, including the resource endowment base, rural industrialization is expected to be the springboard for sustained economic growth and bringing permanent solution for poverty eradication and improved levels of living in the State. This paper tries to analyse the role played by regional rural banks and rural credit policy in the development of Bihar.

Introduction

The State of Bihar with a geographical area of 94.2 thousand square km is divided by river Ganges into two parts, the north Bihar with an area of 53.3 thousand square km, and the south Bihar having an area of 40.9 thousand square km. The percentage of population employed in agricultural production system in Bihar is estimated to be 81%, which is much higher than the national average. Nearly 42 per cent of GDP of the state (2004-05) was from agriculture sector (including forestry and fishery).

High concentration of population largely dependent on agriculture coupled with low yields of the major cereal crops are main reason for the high poverty ratio in the state. Consequently, about 42 % of the State population is below poverty line as against the national average of 26 %. Bihar happens to be the second highest rural population below poverty, (44.3%). The typical rural character of the economy is heightened by the absence of support industries i.e. heavy dependence of communities on agriculture with limited diversification to non-farm or cash crops. The rural non-farm economy, therefore, plays a significant role in providing employment and income for the poor in rural areas in most Asian countries (Srivastava, 2005).

Non-farm sources of income for the rural poor are important since their direct agricultural income is not enough to sustain their livelihood either because of landlessness or insufficient owned or tenanted land and also wage employment in agriculture is highly seasonal and requires supplementation of income during lean periods. The State of Bihar with a geographical area of 94.2 thousand square km is divided by river Ganges into two parts, the north Bihar with an area of 53.3 thousand square km, and the south Bihar having an area of 40.9 thousand square km.

The percentage of population employed in agricultural production system in Bihar is estimated to be 81%, which is much higher than the national average. Nearly 42 per cent of GDP of the state (2004-05) was from agriculture sector (including forestry and fishery). High concentration of population largely dependent on agriculture coupled with low yields of the major cereal crops are main reason for the high poverty ratio in the state. Consequently, about 42 % of the State population is below poverty line as against the national average of 26 %. Bihar happens to be the second highest rural population below poverty, (44.3%).

Rural Economy of Bihar

The typical rural character of the economy of Bihar is heightened by the absence of support industries i.e. heavy dependence of communities on agriculture with limited diversification to non-farm or cash crops. The rural non-farm economy, therefore, plays a significant role in providing employment and income for the poor in rural areas in most Asian countries. Non-farm sources of income for the rural poor are important since their direct agricultural income is not enough to sustain their livelihood either because of landlessness or insufficient owned or tenanted land and also wage employment in agriculture is highly seasonal and requires supplementation of income during lean periods (Bogen, 1961).

The industrial sector in Bihar remains in a poor state-with its growth rate much below the national average. The size of the industrial sector in Bihar in terms of income is hardly 3.2% of net domestic product of the State, whereas, the national average works out to 20.1%. Small industries, dominated by tiny enterprises and artisan based industries, play a significant role in the industrial sector of the state. Generally, their contribution to employment generation is substantial, even when the levels of productivity and total production remain low in this sector.

The share of tiny industrial units among all the SSI units (both registered and unregistered) is as high as 99.9 percent. Agro- based industries occupy a prominent place in the industrial scenario of present Bihar as they account for nearly half of the net value added. Food products, tobacco products, leather products, and non metallic products occupy prominent constituents of industrial base in Bihar, thoughgroup of industries, comprising of cotton, jute, wool, paper, rubber, plastic and chemicals, also have their presence in smaller ways.

During the last two decades, agro-based industries viz; tea in Kishanganj district, dairy sector through cooperatives, and makhana industries have shown increasing trend. Yet, these still accounts for a small proportion of State's Domestic Product. The growth rate of both the credit and deposits in Bihar is lower than the national average. Investment is a must for productive economic activities and at the present CD ratio, it will take a long time to reach a substantial investment level. As per the Economic Survey (2006-2007) of Bihar Government during the year 2004-2005, per person bank loan stood at Rs 1575 in Bihar, whereas, it was Rs 5048 in M.P, Rs 27589 in Maharashtra, Rs 3204 in U.P and Rs 7425 in West Bengal.

Lower level of credit dispensation in Bihar also indicates that credit needs are even now met by private moneylenders at higher rates of interest, which adversely affect the profitability of enterprises. Naturally, this brings a serious bottleneck in the industrial development of the State. Overall position of physical infrastructure in the state is far from satisfactory. Absence of rural extension programme both in Agriculture and Industry and low nexus of these two sectors to establish backward linkages for modern agro and food processing industry are some critical issues that need to be addressed on a priority basis.

General level of development is low because of inadequate infrastructure on road and power where private entrepreneurs have just begun to take interest. Massive construction of roads by private contractors and state bridge corporation has been taken up that will take some time to show its impact on the process of economic development.

There is no such major retail market lead taken up by any known private players except Vishal retaiat Patna. However, efforts are on to mobilize 'Ambanis and Mahendras to take the lead as private players. Innovative projects may be taken up for economic activation through cluster intervention by independent bodies under the leadership of the Industries Department. The state government has taken a significant step in this regard, particularly in Handloom sector. Chamber of Commerce and Industry Association in the state are to play their active role to influence the policies and provide the proper linkages to the market outlets.

However, industrial area authority and the huge number of sick industries in the state project a serious concern due to pathetic role of private players in the state economy. Dwindling interest in farm occupation has been visible in small sized farm holdings in comparison to large sized holdings. It may be due to the fact that low size farms no longer remain commercially viable holdings. Zonal picture also supports the above hypothesis on the issue of productivity. Of course, large sized farm respondents were more commercially attuned than small and medium sized farm respondents.

This observation clearly supports the common belief that poor households in development process need greater participation. Hence, any economic programme including rural industrialization must target poor households in Bihar as a pro-poor strategy.

Despite all these identified limitations & constraint, buoyancy in the agriculture sector provides ample opportunities towards setting the pace for rural industrialization-the key for Bihar's socioeconomic development. It is only through this mode Bihar could resolve the issues of unemployment and poverty.

Bihar is spread over 9.4 million hectares of land and 61% of the land resources of the State are locked into crop production, as compared to 51% in the country as a whole. Bihar on the whole is endowed with good fertile soil, favourable climatic conditions, and sufficient ground water availability for cultivation of a wide range of agricultural and horticultural crops, be they cereals, oilseeds, fibber crops, vegetables, fruits, flowers, etc. of high commercial value. Nearly 80% population of Bihar depends on agriculture directly or indirectly. In reality, agriculture is the backbone of Bihar economy, contributing 40% to state GDP. Bihar has the total geographical area of 93.60 lakh hectares, with gross cropped area at 79.46 lakh hectares.

However, its net sown area comprises of 56.03 lakh hectares. Based on more desegregated classification, Bihar State is divided into three agro-ecological subzones. These are North-West Gangatic Plains (Zone-I), North-East Gangatic Plains (Zone-II), and the South Bihar Plains (Zone-III). However, the agricultural productivity has not touched the optimum ground to establish reasonable nexus with growing industrial opportunities. Bihar is one of the rd important States of India for the production of fruits and vegetables.

The State ranks 3 among the vegetable growing States and 6 among fruit growing States in the country. A variety of agricultural produce, notably milk, makhana (Gorgon nut or fox nut), mango, litchi, spices, scented rice, maize, etc have immense potential for commercial exploitation. Bihar holds virtual monopoly in the production of litchi as well as makhana.

Although the state of Bihar has inherent strength to develop its own plan to address the huge rural unemployment problem, evident from the massive seasonal migration of labour to western India and other job centric regions of the country, job opportunities have been curtailed to bare minimum point over the years in the absence of industries, to be based on its rich rural resources. Rural industrialization has been defined as an establishment and promotion of industries which largely utilizes rural resources and rural skills irrespective of size and ownership, production skill, capital employed technology and market.

Therefore, its basic character reflects the synthesis of traditional and modern rural industries. This raises several strategic concerns of clarity of approach and governance as well. Rural industries may be divided into two broad categories, namely (A) Traditional Rural Industries and (B) Modern Rural Industries.

Conclusion

Performance of financial institutions addressing the issue of making finance accessible to the poor had been short of desired level in the state. Even the attempt to link the poor who are organized in the form of SHG's to the bank met with unsatisfactory results. A paltry amount of 37 crores had been extended to the SHG's as regards the SHG-Bank linkage program. The scenario had its implications and they made a detrimental impact on the economic development and business prosperity. Scenario of access of credit to the poor is still abysmal as the state has also witnessed a parallel informal financial flow to the poor. The reports confirm that they are doing a roaring transaction of over Rs3000 crores a year in some selected districts of the state. Such a huge transaction at a high rate of around 5 to 10% has attracted the attention of the antisocial elements also as it became the easy source of money (BASICS, 2007).

The operation of organized informal source of banking has its impingements on the self dignity of the individuals as in many occasions person has to do away with the ancestral property also for not repaying the money on time. Such a scenario exists as mainstream financial institutions failed to meet the needs of poor and deprived sections of the society. The data released by the government on banking scenario vis.-a-vis. its reach to the poor does not portray a very promising picture (Thingalaya, 2013).

Bihar is a region which has a very high need of intervention in the micro finance sector but this intervention has to be initiated through a model which mitigates the naturally enhanced risk in this region and seeks to create an environment which makes micro finance sustainable not only feasible. The scenario of the rural insurance also needs quite innovative interventions.

There is an urgent need to look in to the issues of insurance accessible to the poor and vulnerable community. There is a need for the mechanism where a rural poor is protected in monetary terms against the loss of livestock, human lives, crops and other assets which provides him a source of livelihood. This becomes all the more important as the state has 56% of the total flood affected people residing. During the flood season, lakhs of people are rendered homeless and suffer from the huge loss of property. Given nascent state of the MF sector in the state and the need for Micro finance, the Bihar rural livelihood Project (a World Bank project) commissioned a study to BASIX "SHG-Bank Linkage and Status of MFI in Bihar" which will help BRLP in planning its future course of intervention.

Apart from agro-based industries, Bihar has the potential to promote metal product industries, drugs and pharmaceutical industries, leather industries, electronic as well as electrical goods industries, traditional industries, like handlooms, power looms, knitting, embroidery, painting, as well as small scale industries, such as lime based industries, stone chips industries, silk, weaving and printing industries, glassware industries etc. The respective clusters should be given due infrastructural support for their expansion, technological upgradation, and attractive leverages towards the economic return on investment by the private entrepreneurs.

Rural markets for rural entrepreneurs need improved services for users to facilitate marketing of the local produce, creating an element of market security for the growers. It can also be effective credit - marketing link up points. It may be provided with mobile banks on haat days by Grameen Banks provided rural banks take that lead in this regard. Market Yards are a long felt need of the farming community of the state as it goes a long way in ensuring higher remuneration to them through proper weighing, cleaning, grading and better price realisation of their farm produce.

The rural and farm entrepreneurs look forward to a regulated market yard as a dependable infrastructure to further their economic goals. The advantages of a regulated market yard system are immense and wherever such a system exists, that strengthens the foundation for rural industrialization process and develops timely supply of raw materials. Promoting rural industries require a lot of planned activities and effective monitoring. For this, State Government may consider establishing an especially dedicated Directorate of Rural & village Industries under an enthusiastic and senior administrative officer.

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